

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0016 – Mobile Home Haven DISTRICT: 7

ZONING FROM: P, MH TO: MH

ADDRESS: 11606 North Lamar Boulevard

SITE AREA: 4.4500 acres (193,842 sq. ft.)

PROPERTY OWNER: Lieou Thomas

AGENT: City of Austin – Planning and Zoning Department (Sherri Sirwaitis)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends MH, Mobile Home Residence District, zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

May 7, 2019: Approved staff's recommendation of MH zoning by consent (9-0, N. Barrera-Ramirez-absent); D. King-1st, A. Tatkow-2nd.

CITY COUNCIL ACTION:

June 6, 2019

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

In recent years, multiple mobile home parks have been closed or slated for redevelopment. Thereby, displacing families who no longer have an affordable housing option within the city. On September 20, 2018, the City Council passed a resolution (Please see Resolution No. 20180920-096 - Exhibit C) directing the staff to initiate cases for properties currently being used as mobile home residence parks or mobile home subdivisions to zone/rezone these properties to the MH, Mobile Home Residence District in an effort to reduce mobile park tenant displacement.

The property in question is developed with a mobile home park. This 4.45-acre site fronts onto N. Lamar Boulevard, a major arterial roadway and designated Activity Corridor by the Imagine Austin Comprehensive Plan. To the north of this property is a single-family home, duplexes and a vacant tract of land. The property directly to the south consists of vacant residential lots. To the east, across North Lamar Boulevard, there is a private school (French School of Austin), office (Home Direct Realty), and retail uses (Fantastic Floors). The lots to the west contain single-family homes as part of the North Park Estates neighborhood. The staff is recommending to re-zone this property from MH and P to the MH, Mobile Home Residence District, to permit the existing mobile home residential uses.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Mobile Home Residence district is intended to provide locations for development of mobile home residence parks and mobile home subdivisions, with standards that ensure a residential environment and compatibility with adjoining family residence neighborhoods.

2. *Zoning should allow for reasonable use of the property.*

The proposed MH zoning will bring the existing use on the site into conformance with land development code use regulations. MH zoning will allow for additional housing opportunities in this area of the City along a designated Activity Corridor.

3. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

The City Council passed Resolutions No. 20180823-078 and 20180920-096 in order to identify and direct the staff to initiate the zoning/rezoning process for properties that contain a mobile home residence park or mobile home subdivision use to the correct MH, Mobile Home Residence District zoning category.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	MH, P	Garage, Mobile Homes
North	MH, LO	Single Family Residence, Duplexes, Office/Warehouse, Billboard, Vacant Lot
South	SF-2	Vacant Lots, Single-Family Residences
East	I-RR, LO	School (French School of Austin), Office (Home Direct Realty), Retail Sales (Fantastic Floors)
West	SF-2	Single Family Residential Neighborhood (North Park Estates)

NEIGHBORHOOD PLANNING AREA: N/ATIA: N/AWATERSHED: Little Walnut CreekSCHOOLS: Pflugerville I.S.D.

River Oaks Elementary
 Westview Middle School
 Connally High School
 Pace (Pre-K, K, 1-12)
 Provan Opportunity Center (6-12)

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Neighborhoods Council
 Bike Austin
 Friends of Austin Neighborhoods
 Gracywoods Neighborhood Association
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 North Growth Corridor Alliance
 North Park Estates Neighborhood Association
 Pflugerville Independent School District
 River Oaks Lakes Estates Neighborhood
 SELTEXAS
 Sierra Club, Austin Regional Group
 Walnut Creek Neighborhood Association, Inc.
 Yager Planning Area

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2015-0161 (North Austin Muslim Center: 11900 and 11902 North Lamar Boulevard)	W/LO to GO	4/19/16: Approved GO-CO zoning, with a conditional overlay to limit the maximum height permitted to 40 feet, by consent (11-0); S. Harris-1 st , B. Greenberg-2 nd .	5/12/16: Approved GO-CO zoning on consent all on all 3 readings (11-0); D. Zimmerman-1 st , A. Kitchen-2 nd .
C14-2014-0114 (11712 North Lamar Rezoning)	LO to CS	10/21/14: Approved staff's recommendation of GR-CO zoning for Tract 1 and LO-CO zoning for Tract 2, adding back General Retail Sales (General) as a permitted use on Tract 1, with ROW dedication condition (5-0, P. Seeger and R. McDaniel-absent); G. Rojas-1 st , J. Goodman-2 nd .	2/26/15: Closed the public hearing and approved CS-CO zoning for the front or eastern 630 feet of the property (adjacent to North Lamar Boulevard – Tract 1) and LO-CO zoning for the remaining 100 feet or western portion of the property (adjacent to Walnut Creek – Tract 2) on 1 st reading only. The conditional overlay for Tracts 1 and 2 will limit development on the site to less than 2,000 vehicle trips per day. The CO for Tract 1 will also prohibit the following uses: Agricultural Sales and Services, Alternative Financial Services, Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Business or Trade School, Business Support Services, Campground, Commercial Blood Plasma Center, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Electric Prototype Assembly, Electronic Testing, Equipment Repair Services, Equipment Sales, Exterminating Services, Financial Services, Food Preparation, Food Sales, Funeral Services, General Retail Sales (General), Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Laundry Services, Kennels, Monument Retail Sales, Off-Site Accessory Parking, Outdoor Sports and Recreation,

			<p>Pawn Shop Services, Personal Improvement Services, Pet Services, Plant Nursery, Research Services, Service Station, Theater, Veterinary Services, Custom Manufacturing, Indoor Crop Production, College and University Facilities, Community Recreation (Private), Community Recreation (Public), Congregate Living, Guidance Services, Hospital Services (Limited), Maintenance and Service Facilities, Private Secondary Educational Facilities, Residential Treatment, Adult Oriented Businesses and Drive-in Services as an accessory use to Restaurant (General or Limited) use. In addition, 70 feet of right-of-way should be dedicated from the existing centerline of North Lamar Boulevard through a street deed prior to third reading of the case as City Council in accordance with the Transportation Plan. (9-2, P. Renteria and K. Tovo-No); L. Pool-1st, D. Zimmerman-2nd.</p> <p>4/16/15: Approved CS-CO zoning for Tract 1 and LO-CO zoning for Tract 2 (7-2, K. Tovo and P. Renteria-No, Garza and Kitchen-off the dais); L. Pool-1st, D. Zimmerman-2nd.</p>
C14-2013-0113 (Lamar Center: 11421 & 11423 North Lamar Boulevard)	LR to GR	10/21/14: Approved staff's rec. of GR-CO zoning, w/ CO to limit the development intensity for the site to less than 2,000 and prohibit the following uses: Automotive Repair, Automotive Sales, Automotive Washing (of any type), Bail Bond Services, Commercial Off-Street Parking, Exterminating Services, Funeral Services, Hotel-Motel, Outdoor Sports and Recreation, and Pawn Shops, adding a prohibition	<p>11/20/14: Approved GR-CO zoning, with conditions, on consent, 1st reading only (7-0); B. Spelman-1st, S. Cole-2nd.</p> <p>12/11/14: Approved GR-CO zoning, with conditions, on consent 2nd/3rd readings (7-0)</p>

		of Drive-In Service as an accessory use to Restaurant (General) and Restaurant (Limited) uses, with NTA conditions (5-0, P. Seeger and R. McDaniel-absent); G. Rojas-1 st , S. Compton.	
C14-2011-0009 (IQRA LLC: 11331 North Lamar Boulevard)	LR to GR-CO* * The applicant agreed to prohibit the following uses: Automotive Repair, Automotive Sales, Automotive Washing (of any type), Bail Bond Services, Commercial Off-Street Parking, Exterminating Services, Funeral Services, Hotel-Motel, Outdoor Sports and Recreation, and Pawn Shops. In addition, no individual General Retail Services (General) land use shall exceed a maximum floor area of 25,000 square feet.	6/07/11: Approved staff's recommendation of GR-CO zoning by consent (5-0, G. Bourgeois-absent); P. Seager-1 st , D. Tiemann-2 nd , with CO to 1) limit the development intensity for the site to 5,082 vehicle trips per day and 2) prohibit the following uses: Automotive Repair, Automotive Sales, Automotive Washing (of any type), Bail Bond Services, Commercial Off-Street Parking, Exterminating Services, Funeral Services, Hotel-Motel, Outdoor Sports and Recreation, and Pawn Shops. In addition, no individual General Retail Services (General) land use shall exceed a maximum floor area of 25,000 square feet.	6/23/11: Approved GR-CO zoning by consent on all 3 readings (7-0); B. Spelman-1 st , L. Morrison-2 nd .
C14-05-0066 (Trans: 11704- 11706 North Lamar Boulevard)	LO to GR	7/05/05: Approved GR-CO zoning for Tract 1. The conditional overlay for Tract 1 will prohibit the following uses set out by staff: Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type), Business or trade school, Business support	8/04/05: Approved ZAP recommendation for GR-CO zoning (7-0); 1 st reading only 9/01/05: Approved GR-CO zoning (7-0); 2 nd /3 rd readings

		<p>services, Commercial off-street parking, Exterminating services, Financial services, Funeral services, General retail sales (general), Hotel-motel, Indoor entertainment, Indoor sports and recreation, Off-site accessory parking, Outdoor sports and recreation, Pawn-shop services, Pet services, Research services, Service station, Theater, Community recreation (private & public), Congregate living, College and University facilities, Guidance services, Hospital services (limited), Private secondary educational facilities, Residential treatment and to prohibit drive-in service as an accessory use to restaurant general and limited, except to allow Food Sales as a permitted use. Approved LO-CO zoning for Tract 2. The conditional overlay will limit Tract 2 to NO (Neighborhood Office) development regulations, prohibit Medical uses, prohibit parking for uses developed on Tract 1, and require a minimum 100 foot development setback from the centerline of Walnut Creek. Vote: (7-1, C. Hammond-Nay; M. Hawthorne-Absent)</p>	
<p>C14-04-0133 (Lamar Zoning: 11800 North Lamar Boulevard)</p>	<p>DR, LO to GR</p>	<p>10/5/04: Approved staff's recommendation of GR-CO district zoning for Tract 1 and LO-CO district zoning for Tract 2. Additional condition for Tract 1 is LR development standards. The following uses are removed from the prohibited use list: Business or Trade School; General Retail Sales (General); Business Support Services; Consumer Repair Services; Financial Services, and Pet Services (9-0); K. Jackson-1st, J. Martinez-2nd.</p>	<p>10/21/04: Approved staff's recommendation of GR-CO zoning for Tract 1 and LO-CO zoning for Tract 2, with additional condition of 'LR' district development standards for Tract 1 (7-0); 1st reading</p> <p>11/4/04: Approved GR-CO zoning for Tract 1 and LO-CO for Tract 2 (7-0); 2nd/3rd readings</p>

C14-03-0162 (Rufi's Taqueria: 11800 North Lamar Boulevard)	LO to GR-CO	12/2/03 – Postponed at the request of staff, due to a notice error (9-0) 12/16/03 – Approved GR-CO, with added condition (8-0)	1/29/04: Approved GR-CO (5-0); all 3 readings
C14-00-2152 (11512 North Lamar Boulevard)	DR to LO-CO	8/22/00: Approved LO-CO. The CO prohibits access to North Bend Dr. and limits trips to 2,000 per day (8-0)	10/5/00: Approved LO-CO (5-0); all 3 readings
C14-00-2020 (12003 North Lamar Boulevard)	RR to GO-CO	4/18/00: Denied (6-0)	8/30/00: Withdrawn

RELATED CASES: C14-85-149 (North Lamar Area Study)

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
North Lamar Boulevard	110 ft	65 ft	Major Arterial	None	Shared Lane	Route 1

OTHER STAFF COMMENTS:

Comprehensive Planning

Monday February 04, 2019

This is a city initiated rezoning case. In August 2018, City Council directed staff via a resolution to rezone twenty mobile home parks to Zone MH (Mobile Home) in an effort to preserve existing mobile home parks and communities. In recent years, several mobile home parks have been shut down to make way for new commercial or market rate residential development, displacing hundreds of families who no longer have an affordable housing option within the city. Regarding this case, the subject property is located on the west side of North Lamar Boulevard, on a property that is approximately 4.45 acres in size, which contains a mobile home park. The subject property is not located within the boundaries of a neighborhood planning area. Surrounding land uses include vacant land, duplexes, and an appliance store to the north; to the south is vacant land, single family housing, a large data center building, and a variety of retail uses; to the east is a private school, a law office and single family housing; and to the west is a Travis County EMS station and single family housing.

Connectivity

The Walkscore for this area is **61/100, Somewhat Walkable**, meaning some errands can be accomplished on foot. A public sidewalk system is located only intermittently along this portion of North Lamar Boulevard. There are no bike lanes or urban trails located within a quarter of a mile of this site. There is a Cap Metro transit stop located directly in front of the subject property on North Lamar Boulevard. The mobility options in the area are limited, however, there are a variety of goods and services (drug store, retail shops, restaurants and a grocery store) located 1,200 feet south of this property, along North Lamar Boulevard and Braker Lane. Based on the surrounding land uses, connectivity in this area is excellent while the mobility options are limited (no public sidewalks, bike lanes or urban trails).

Imagine Austin

The project is located along an Activity Corridor. Activity Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following Imagine Austin Comprehensive Plan policies are applicable to this case:

- ☐ **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- ☐ **LUT P6.** Ensure that neighborhoods of modest means have a mix of local-serving retail, employment opportunities, and residential uses.
- ☐ **HN P1.** Distribute a variety of housing throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- ☐ **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and parks and recreation options.

The Austin Strategic Housing Blueprint, which is an amendment to Imagine Austin, includes goals for affordable housing in every City Council district. Some of these goals include: (1) preventing households from being priced out of the Austin; (2) providing an affordable housing choice; and (3) protecting diverse communities. This existing mobile home park is located in an area within walking distance to civic and retail uses, and a Cap Metro transit stop, but mobility options are limited. This project also meets one of eight Imagine Austin's priority programs (p. 186), namely '*Develop and Maintain Household Affordability Throughout Austin.*' The rezoning appears to support the Imagine Austin Comprehensive Plan.

Environmental

Monday February 04, 2019

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 sq. ft. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Site Plan

Saturday January 26, 2019

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

FYI: Additional design regulations will be enforced at the time a site plan is submitted.

COMPATIBILITY STANDARDS

The site is subject to compatibility standards. Along the south and west property lines, the following standards apply:

- ☐ No structure may be built within 25 feet of the property line.
- ☐ No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- ☐ No parking or driveways are allowed within 25 feet of the property line.
- ☐ A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- ☐ An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

Transportation

Per resolution 20180823-078 the City of Austin has undergone an initiative to rezone existing mobile home parks to their appropriate zoning of MH.

Additional right-of-way maybe required at the time of subdivision and/or site plan.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a wide shoulder is recommended for North Lamar Blvd. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

Austin Water Utility

Wednesday January 23, 2019

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. City Council Resolutions