

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0155 – 4011 Convict Hill Rezoning DISTRICT: 8
ZONING FROM: SF-2 TO: SF-6
ADDRESS: 4011 Convict Hill Road SITE AREA: 2.986 acres
PROPERTY OWNER: Devch, LP AGENT: LOC Consultants
(Ricky Anderson) (Sergio Lozano, P.E.)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant urban family residence (SF-5) district zoning.

If the rezoning request is granted, it is recommended that 39 feet of right-of-way from the existing centerline should be dedicated for Convict Hill Road according to the Transportation Plan prior to Third Reading of the ordinance at City Council [LDC 25-6-51 and 25-6-55]. For a summary of the basis of Staff's recommendation, see page 2.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:
February 4, 2020:

CITY COUNCIL ACTION:
March 12, 2020:

ORDINANCE NUMBER:

ISSUES:

The Applicant would like to discuss the Staff recommendation.

CASE MANAGER COMMENTS:

The subject rezoning area is a 2.986 acre tract that contains a religious assembly use, and is zoned single family residence – standard lot (SF-2) district. The tract is situated on the south side of Convict Hill Road. There is one single family residence and a single family residential subdivision to the east and west (SF-2), a single family residential subdivision to the south, and a fitness center and residential subdivision to the north (PUD; SF-3). ***Please refer to Exhibits A and A-1 – Zoning Map and Aerial Exhibit.***

The Applicant proposes to rezone the property to the townhouse and condominium residence (SF-6) district and construct 15 stand-alone condominium units. The Applicant's conceptual site plan provided as ***Exhibit B***, shows access to the condominiums from a single driveway and the development would be located closer to Convict Hill Road. This may be due to the

property’s location over the Edwards Aquifer Recharge Zone and impervious cover limit of 15 percent. The conceptual site plan also shows that except for a detention pond, the rear (south) one-half of the property would remain undeveloped.

BASIS FOR RECOMMENDATION

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

Applicant request: The townhouse and condominium residence (SF-6) district is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use. The Applicant intends to develop the property with a condominium project consisting of stand-alone condominium units per structure.

Staff recommendation: The urban family residence (SF-5) district is the designation for a moderate density single-family residence on a lot that is a minimum of 5,750 square feet. A duplex, two-family, townhouse or condominium residential use is permitted in an SF-5 district under development standards that maintain single family characteristics. An SF-5 district designation may be applied to a use in an existing family residential neighborhood in a centrally located area of the City. An SF-5 district may be used as a transition between a single family and multifamily residential use or to facilitate the implementation of City affordable housing programs.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Based on the property’s approximate location mid-block on a collector street, and surrounding SF-2 zoning and uses, Staff recommends SF-5 zoning. The size of the property allows for the property to be developed with additional units and a housing type that is still compatible with the surrounding area that is predominantly developed with single family residences.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Religious assembly
<i>North</i>	PUD; SF-3	Personal improvement services; Undeveloped; 1 duplex and single family residences in the Bannockburn subdivision
<i>South</i>	SF-2	Single family residences in the West Branch subdivision
<i>East</i>	SF-2	Single family residence; Single family residences in the West Branch subdivision
<i>West</i>	SF-2	Single family residence; Single family residences in the Sunset Addition subdivision

AREA STUDY: Not Applicable

TIA: Is not required

WATERSHED: Williamson Creek – Barton Springs Zone (Recharge Zone)

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

SCHOOLS:

Boone Elementary School Covington Middle School Crockett High School

NEIGHBORHOOD ORGANIZATIONS:

- 298 – Oak Hill Association of Neighborhoods (OHAN)
- 384 – Save Barton Creek Association 627 – Onion Creek Homeowners Association
- 742 – Austin Independent School District 943 – Save Our Springs Alliance
- 947 – Deer Park Owners Association, Inc. 967 – Circle C Neighborhood Association
- 1059 – Maple Run - Wheeler Creek - Woodstone Village
- 1228 – Sierra Club, Austin Regional Group 1343 – Oak Hill Trails Association
- 1363 – SEL Texas 1424 – Preservation Austin
- 1528 – Bike Austin 1530 – Friends of Austin Neighborhoods
- 1531 – South Austin Neighborhood Alliance (SANA)
- 1550 – Homeless Neighborhood Association 1559 – Palomino Park HOA
- 1596 – TNR BCP – Travis County Natural Resources
- 1616 – Neighborhood Empowerment Foundation
- 1714 – East Oak Hill Neighborhood Association

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-98-0001.02 – Lifetime Fitness – 7101 S MoPac Expy NB	PUD to PUD, to change the conditions of zoning on 37.54 acres	To Grant PUD relating to sf for a personal improvement services use, allowing a hike & bike trail within the vegetative buffer along Convict Hill Rd, and clarifying the language regarding drainage facilities, including Staff conds for reductions in impervious cover; increasing capture volume for water quality pond(s); adopting Landscape and Exterior Design / Heat Island Reduction techniques; adopting additional Green	Apvd PUD w/conds as recommended by the Environmental Board and ZAP (6-22-2006).

		Building standards; providing an environmental compliance person on-site during construction; and, establishing a building envelope	
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RELATED CASES:

A Land Status Determination was made on January 23, 1995 that exempts this property from the requirement to plat (C8I-95-009). *Please refer to Exhibit B.*

ADJACENT STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Convict Hill Road	56 feet	20 feet	Level 2 (Collector)	North side	Shared Lane	None

OTHER STAFF COMMENTS:

Comprehensive Planning

The subject tract for this rezoning case is located adjacent to the **William Cannon & Mopac Activity Center for Redevelopment in Sensitive Environmental Area** and is outside the boundaries of the Oak Hill Combined Neighborhood Plan. The property is located on the south side of Convict Hill Road, on a 2.98 acre lot that contains a church. Surrounding land uses includes single family subdivisions to the east and west; undeveloped land and a single family subdivision to the south; and undeveloped land and a large commercial fitness center to the north. A public middle school is located within a quarter of a mile from the subject property. The proposed use is a 15 unit condominium project.

Connectivity

There are public sidewalks located on both sides of Convict Hill Road. A Cap Metro transit stop is located 2,200 linear feet from the subject property, to the west. A large commercial shopping center is located within a half of a mile walking distance from the subject property. The mobility and connectivity options in this area are good.

Imagine Austin

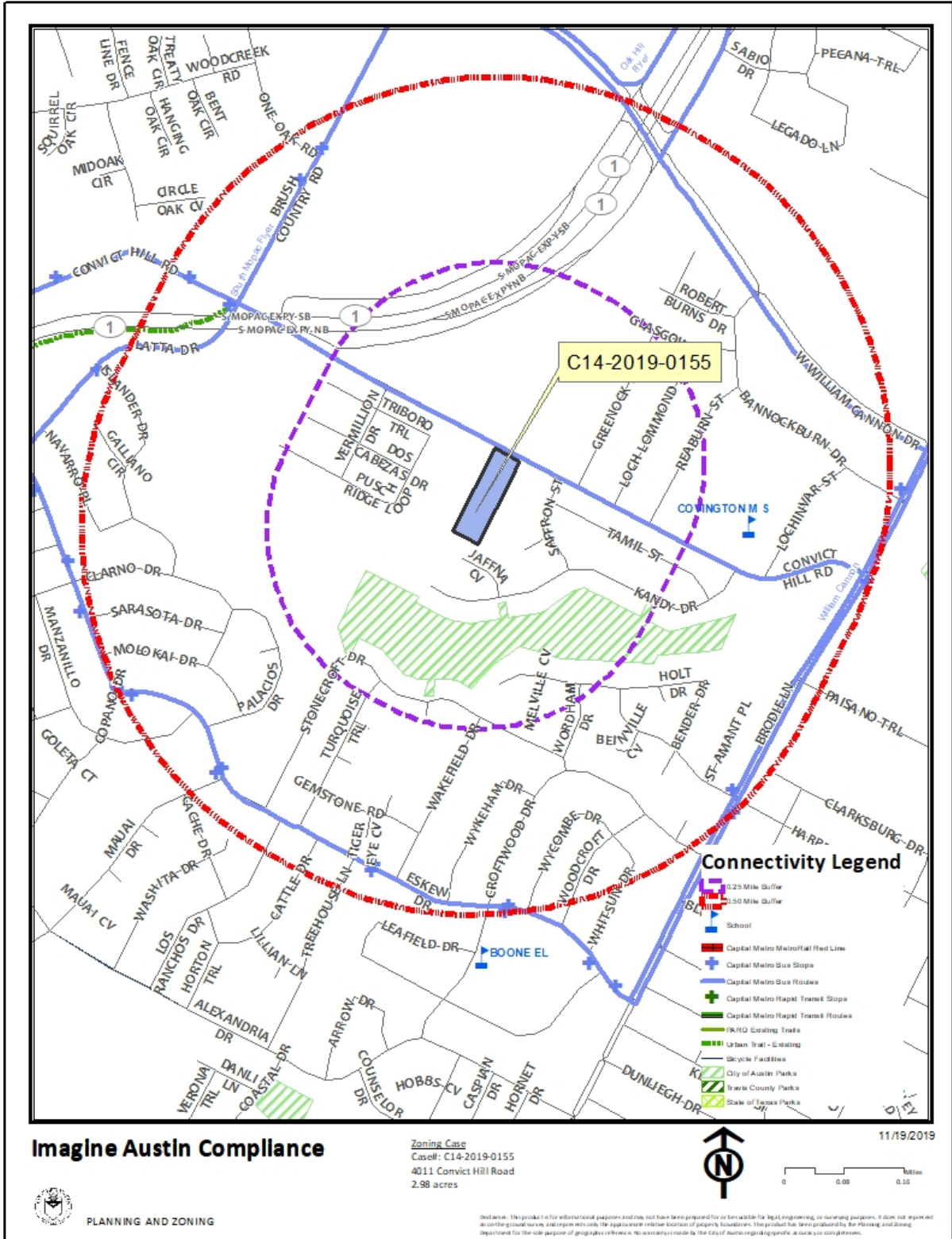
The Imagine Austin Growth Concept Map identifies this property as being located within one of five ‘**Activity Centers for Redevelopment in Sensitive Environmental Areas**’ (**Oak Hill Center**). Like many Imagine Austin Centers, this center is represented by a circle or globular shape that reflects the general location where the center should be located in the

future. The center's actual boundaries would need to be clarified through a small area planning process. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve storm water retention and the water quality flowing into the aquifer or other drinking water sources.

The following Imagine Austin policies are also applicable to this case:

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

The Imagine Austin Growth Concept Map identifies this area as being within an **Activity Center for Redevelopment in Sensitive Environmental Area**, which requires state-of-the-art development practices and supports residential uses and infill redevelopment. Based on the subject tract's connectivity strengths and the infill and housing policies above, the proposed rezoning change request supports Imagine Austin.



Environmental

This site is located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone.

According to floodplain maps there is a floodplain adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Water Quality Transition Zone / Critical Water Quality Zone exist within 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.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site. Runoff from the site is required to comply with pollutant load restrictions as specified in Land Development Code.

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

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 due to proximity and adjacency of SF-2 zoning to the west, south, and east. The following standards apply:

- No structure may be built within 25 feet of the property line to the west, south, and east.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line to the west, south, and east.
- No parking or driveways are allowed within 25 feet of the property line.
- Landscaping or screening is required along the west, south, and east property lines in accordance with the screening requirements (Section 25-2-1006 and ECM 2.9.1.), Parking Design Standards (Section 25-6-563) and/or Screening Standards (Section 25.2.1066) 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.

DEMOLITION AND HISTORIC RESOURCES

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Transportation

The Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 78 feet of right-of-way for Convict Hill Rd. It is recommended that 39 feet of right-of-way from the existing centerline should be dedicated for Convict Hill Rd according to the Transportation Plan prior to 3rd reading of City Council [LDC 25-6-51 and 25-6-55].

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC 25-6-113].

A Neighborhood Traffic Analysis is not required for this case.

Water / Wastewater

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.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor. Ph: 512-972-0211.

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.

There are no records to indicate that the site is currently served by City of Austin wastewater. The owner must connect the site to city wastewater service through the cutover process. For more information pertaining to the wastewater cutover process, contact the AW OSSF team at OSSF@austintexas.gov or call 512-972-0050. The cutover process may also initiate a required review by the Industrial Waste Division and/or the Cross Connection Division depending on building usage.

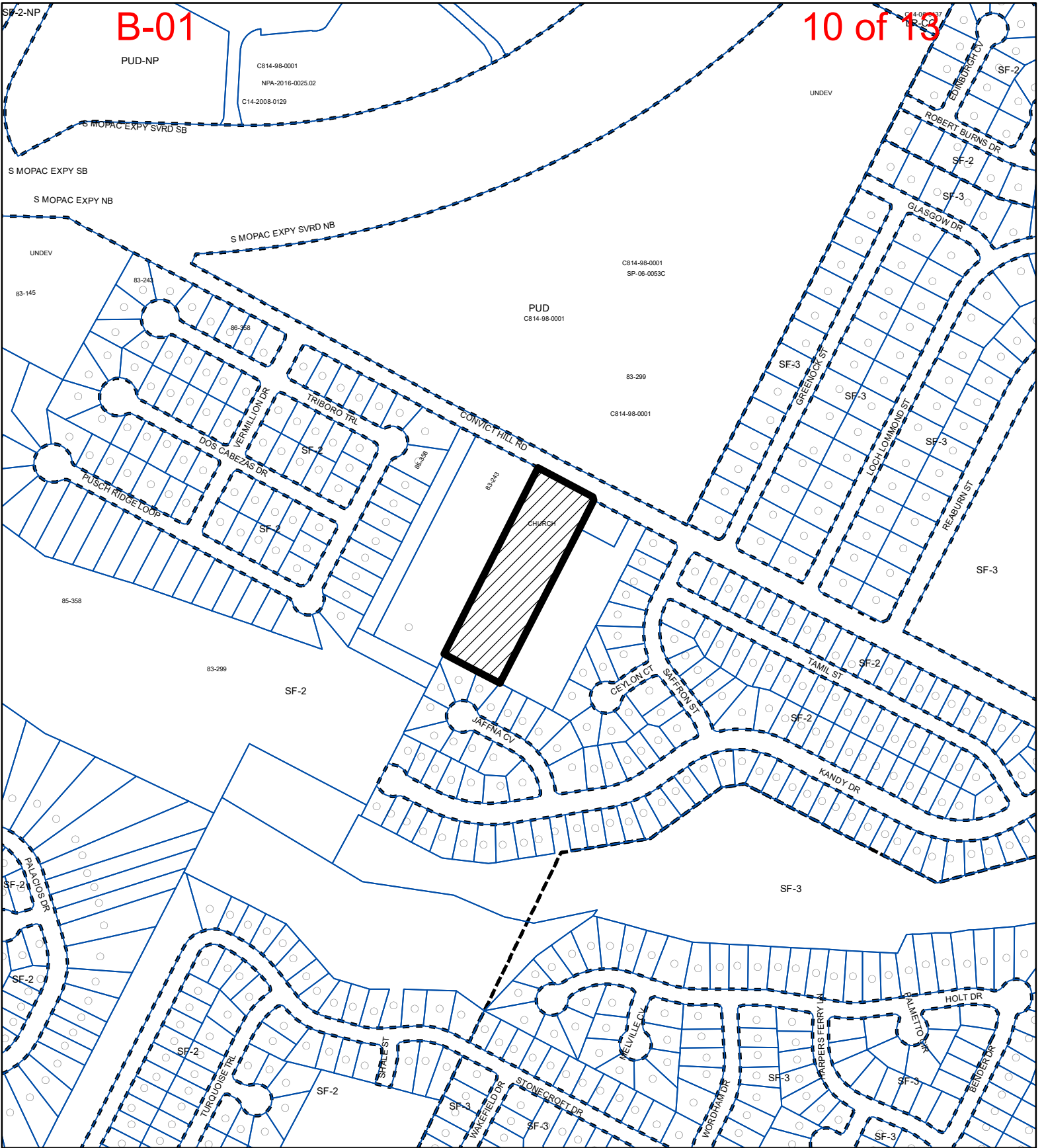
INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map

A-1: Aerial Map

B: Land Status Determination




C: Applicant's Conceptual Site Plan



ZONING Exhibit A

ZONING CASE#: C14-2019-0155



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.





This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 11/18/2019



1" = 300'

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

4011 CONVICT HILL REZONING Exhibit A -1
 ZONING CASE#: C14-2019-0155
 LOCATION: 4011 CONVICT HILL RD.
 SUBJECT AREA: 2.986 Acres
 GRID: D17
 MANAGER: Wendy Rhoades



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

City of Austin
Department of Planning and Development

LAND STATUS DETERMINATION
FINDINGS OF FACT

23-JAN-1995

File Number: C8i-95-0009

Address: 4011 CONVICT HILL ROAD

Tax Parcel I.D.: 415300403 Map Date: 05/93

The Department of Planning and Development has determined that this property as described in the attached description and map:

Is a LEGAL TRACT consisting of 3.0 acres of land out of Thomas Anderson League Survey, County, Texas, created prior to 12/14/72 (Grandfather Date) as evidenced by deed recorded in Volume 11962, Page 476 of the Travis County Deed Records on 08/19/65 being the same property as currently described in deed recorded in Volume 3004, Page 1375 of the Travis County Deed Records, and is eligible to receive one utility service.

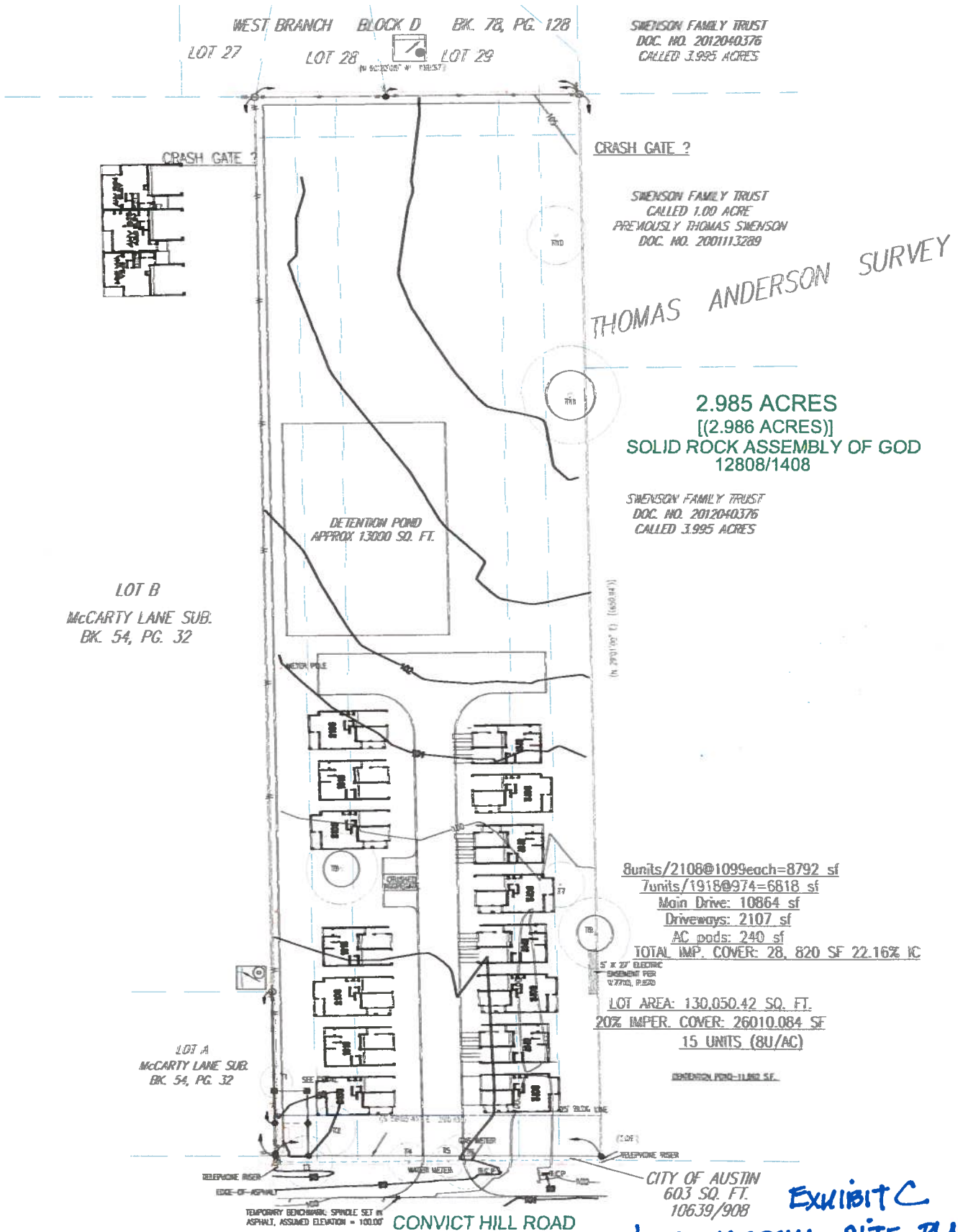
Additional Notes/Conditions: NONE

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Local Government Code, and Austin Land Development Code, Article VIII, Subdivisions. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: Brian P. Schuller
Director (or representative)
Department of Planning and Development

Exhibit B -
Land Status Determination

C8i-95-009



WEST BRANCH BLOCK D BK. 78, PG. 128

LOT 27

LOT 28

LOT 29

SWENSON FAMILY TRUST
DOC. NO. 2012040376
CALLED 3.995 ACRES

CRASH GATE 2

CRASH GATE ?

SWENSON FAMILY TRUST
CALLED 1.00 ACRE
PREVIOUSLY THOMAS SWENSON
DOC. NO. 2001113289

THOMAS ANDERSON SURVEY

2.985 ACRES
[(2.986 ACRES)]
SOLID ROCK ASSEMBLY OF GOD
12808/1408

SWENSON FAMILY TRUST
DOC. NO. 2012040376
CALLED 3.995 ACRES

DETONATION POND
APPROX 13000 SQ. FT.

LOT B
McCARTY LANE SUB.
BK. 54, PG. 32

8units/2108@1099each=8792 sf
7units/1918@974=6818 sf
Main Drive: 10864 sf
Driveways: 2107 sf
AC pods: 240 sf
TOTAL IMP. COVER: 28, 820 SF 22.16% IC

5' X 27' ELECTRIC
SERVISEMENT PER
V.7710, P.1520

LOT AREA: 130,050.42 SQ. FT.
20% IMPER. COVER: 26010.084 SF
15 UNITS (8U/AC)

DETONATION POND-11,800 SF.

LOT A
McCARTY LANE SUB.
BK. 54, PG. 32

TELEPHONE RISER

EDGE-OF-ASPHALT
TEMPORARY BENCHMARK SPINDLE SET IN
ASPHALT, ASSUMED ELEVATION = 100.00'

CONVICT HILL ROAD

CITY OF AUSTIN
603 SQ. FT.
10639/908

EXHIBIT C
APPLICANT'S CONCEPTUAL SITE PLAN