

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0018– McCarleys .32

DISTRICT: 7

ZONING FROM: SF-3-NP

TO: MF-3-NP

ADDRESS: 5610 Roosevelt Ave.

SITE AREA: 0.32 acres (13,939.2 sq. ft.)

PROPERTY OWNER:

McCarleys, LLC.,
(David McCarley) (512) 563-9811

AGENT:

Bennett Consulting,
(Rodney K. Bennett), (512) 627-7227

CASE MANAGER: Mark Graham (512-974-3574, mark.graham@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant multifamily residence, medium density – neighborhood plan (MF-3-NP) combining district zoning. *For a summary of the basis of staff's recommendation, see case manager comments on page 3.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

July 13, 2021:

June 8, 2021: *APPROVED POSTPONEMENT REQUEST BY THE APPLICANT TO JULY 13, 2021.*

CITY COUNCIL ACTION:

August 26, 2021

ORDINANCE NUMBER:

ISSUES

No issues identified.

CASE MANAGER COMMENTS:

Location

The subject rezoning tract is situated south of West Koenig Lane and west of North Lamar Boulevard in the Brentwood neighborhood. The site is a block west of McCallum High School and accessed from Houston Street to Roosevelt Avenue that dead-ends one property north at Dart Bowl, the former bowling alley. The existing single-story, detached house will be razed.

The adjacent lot to the north is undeveloped and that lot together with the former bowling alley are included in an application for rezoning (C14-2021-0019) that was submitted in February 2021 for multi-family residence - highest density (MF-6-NP) zoning. The lot south of the subject site is under construction for a multifamily residential use.

Looking west across Roosevelt Ave is the side of a two-story attached residential building with an estimated 10 dwelling units and to the south four more residences in duplex and detached dwellings.

Size, Zoning and Impervious Coverage

The rezoning site is 0.32 acres (13,939 square feet) and currently zoned family residence – neighborhood plan (SF-3-NP) zone district. Applicant requests multi-family residence, medium density – neighborhood plan (MF-3-NP) zone district to build 12 residential units. The site is surrounded on three sides by MF-3-NP zoned land. Across Roosevelt Avenue the northernmost lot is zoned MF-3-NP, the next 400 feet are zoned SF-3-NP then back to MF-3-NP. The Brentwood Townhomes on the corner have MF-4-NP zoning. The south 350 feet of Roosevelt to Woodrow Avenues and along Houston is zoned SF-3-NP.

The site is in the Shoal Creek Watershed and classified as an Urban Watershed in the Development Code. Impervious coverage is regulated by the zoning in this area. The current SF-3 base zoning limits impervious coverage to 45%. The proposed MF-3 zone district permits up to 65% impervious coverage. With redevelopment exceeding 8,000 square feet, the site will be required to manage water quality and the two-year storm on site. City floodplain maps show no floodplain on the site or on adjacent sites. The site slopes gradually from Roosevelt Avenue towards the northwest losing about 6 feet across about 180 foot of lot length.

Site Access and Connectivity

Roosevelt Avenue is paved and has vertical curb and gutter with a mix of curb cuts and radius returns for driveways. There are few sidewalk segments between the subject site and the closest cross street, Houston Street. There is a variety of residential types in this block of Roosevelt Avenue, including detached residences, several two family attached homes, rental flats and

townhomes as well as for sale condominiums in multi-family buildings. The northwest corner of Roosevelt and Houston is the 13 building Brentwood Townhomes development. Much of the parking along the east side of Roosevelt pulls in and out directly from the street, minimizing the potential for a safe sidewalk.

Compact, Connected, Complete

Inadequate sidewalks along Roosevelt, and the incomplete street grid coupled with long block lengths work against the area being walkable. However, Houston Street has sidewalks along the north side (adjacent to the high school) which provides a better pedestrian experience. Sidewalks along Houston connect westward to Woodrow Ave. a block away, which is served by the number 5 bus that runs northbound to the Northcross Mall area at Anderson Lane and Burnet Road. The #5 also connects southbound to the 803 MetroRapid bus at 49th Street into downtown Austin. From the site via Roosevelt to Houston then westward to North Lamar is 0.55 miles. There are multiple bus routes including the 801 MetroRapid serving North Lamar, the UT Austin Campus, the Capital and Downtown Activity Center. There is good access to employment, entertainment and essentials in Downtown, Northcross, and along Lamar. There are a few large employers in this section of Lamar including Texas Department of Public Safety and the Department of State Health Services.

BASIS OF RECOMMENDATION:

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

The multifamily residence, medium density district is intended to accommodate multifamily use with a maximum density of up to 36 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas, and in other selected areas where medium density multiple use is desirable.

2. *Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.* There is a multifamily residence (SMART Housing) development under construction on the adjacent lot to the south. There is an application for MF-6-NP zoning on the adjacent property to the north. The block is a mix of detached and attached residences in many forms.

3. *The proposed zoning should satisfy a real public need and not provide special privilege.*

The applicant is requesting the MF-3-NP zoning to build 12 multifamily residences. There is MF-3 zoning on three sides of the subject tract and indirectly across Roosevelt street. There is demand for additional housing in Austin and there are City policies encouraging new residential to be located in areas that are walkable, bicycle friendly and provide options for using public transportation.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	SF-3-NP	Detached residence
North	MF-3-NP, CS-NP	Undeveloped lot; Bowling alley (vacant)
South	MF-3-NP	Attached residential (townhomes or stacked flats)
East	MF-3-NP	Attached residential (stacked flats)
West	SF-3-NP	Detached and attached residences

NEIGHBORHOOD PLANNING AREA: Brentwood

TIA: The traffic impact analysis is deferred to site plan application when land use and intensity will be finalized.

WATERSHED: Shoal Creek

OVERLAYS: Secondary Apartment Infill Option, Small Lot Amnesty Infill Option, Parking Placement/Imp Cover Design Option, Front Porch Design Option, Garage Placement Design Option

SCHOOLS: AISD

Brentwood Elementary

Lamar Middle

McCallum High

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhoods Council

Bike Austin

Brentwood Neighborhood Assn.

Brentwood Neighborhood Plan Contact Team

Central Austin Community Development

Corporation

Central Austin Urbanists

Friends of Austin Neighborhoods

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

North Austin Neighborhood Alliance

Preservation Austin

SELTexas

Shoal Creek Conservancy

Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2016-0071 The Pearl 1301 W Koenig Lane	Rezone 5.415 ac. From CS-MU-CO-NP to MF-6-CO-NP (Tract 1 - 5.04 ac) and CS-MU-CO-NP (Tract 2 – 0.37 ac.)	To grant	Apvd. 05/11/2017 Ord.# 20170511-022
C14-04-0012 Brentwood / Highland Neighborhood Plan	Rezone about 1015 ac. To add NP and change base zoning for 137 tracts.	To grant	Apvd. 05/13/2004 Ord.# 040513-33A
C14-2021-0019 5700 Grover and 5612 Roosevelt Ave.	Rezone 4.135 Ac. From CS-MU-CO-NP and MF-3-NP to MF-6-CO-NP.	Scheduled for June 8, 2021	Scheduled for July 29, 2021
NPA-2012-0018.08 Woodrow Rezoning 5806 Woodrow Ave.	Amend NP from single family residence to multifamily residence	To grant	Apvd. 06/28/2012 Ord.# 20120628-125
C14-2012-0025 5806 Woodrow Ave.	Rezone from SF-3-NP to NO-MU-NP	To grant w/CO for max 50% impervious cover	Apvd. NO-MU-CO- NP 06/28/2012 Ord.# 20120628-125

RELATED CASES:

NPA-2021-0018.01, Amend Neighborhood Plan from single family to multifamily residence.

LEGAL DESCRIPTION:

BEING 0.329 OF AN ACRE OF LAND, MORE OR LESS, OUT OF THE GEORGE W. SPEAR SURVEY NO. 7, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF THAT TRACT CALLED "LOT ELEVEN (11), BLOCK FIFTEEN (15}, BROADACRES, AN ADDITION TO TRAVIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT RECORDED IN BOOK 3, PAGE 135, PLAT RECORDS, TRAVIS COUNTY, TEXAS; LESS AND EXCEPT THE EAST TEN FEET (E 10') THEREOF CONVEYED TO THE CITY OF AUSTIN, FOR RIGHT-OF-WAY PURPOSES BY INSTRUMENT RECORDED IN VOLUME 700, PAGE 104, DEED RECORDS OF TRAVIS COUNTY, TEXAS" CONVEYED TO MCCARLEYS LLC BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2020151114, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.329 ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS.

OTHER STAFF COMMENTS:

Inclusive Planning

There is support for multifamily land uses at the subject location because there is existing multifamily land use around the property. The NP notes that the Roosevelt area is primarily multifamily with some medium sized apartment buildings and single family homes. The Future Land Use Map designates this area as a mix of single-family and multifamily residential land uses

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal 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.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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.
6. 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 s.f. cumulative is exceeded, and on site control for the two-year storm.

Parks and Recreation Department

PR1: Parkland dedication will be required for the new residential units proposed by this development, multifamily with MF-3 zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan

- SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP2. The site is subject to compatibility standards. Along the east property line, 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 structure in excess of three stories or 40 feet in height may be constructed within 100 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.
- SP3. Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies sufficient right-of-way for Roosevelt Avenue. Traffic impact analysis was waived, the determination is deferred until site plan application, when land use and intensity will be finalized.

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Roosevelt Ave	52'	Existing ROW	28'	1	Yes	No	Yes

Austin Water Utility

AW1. 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.

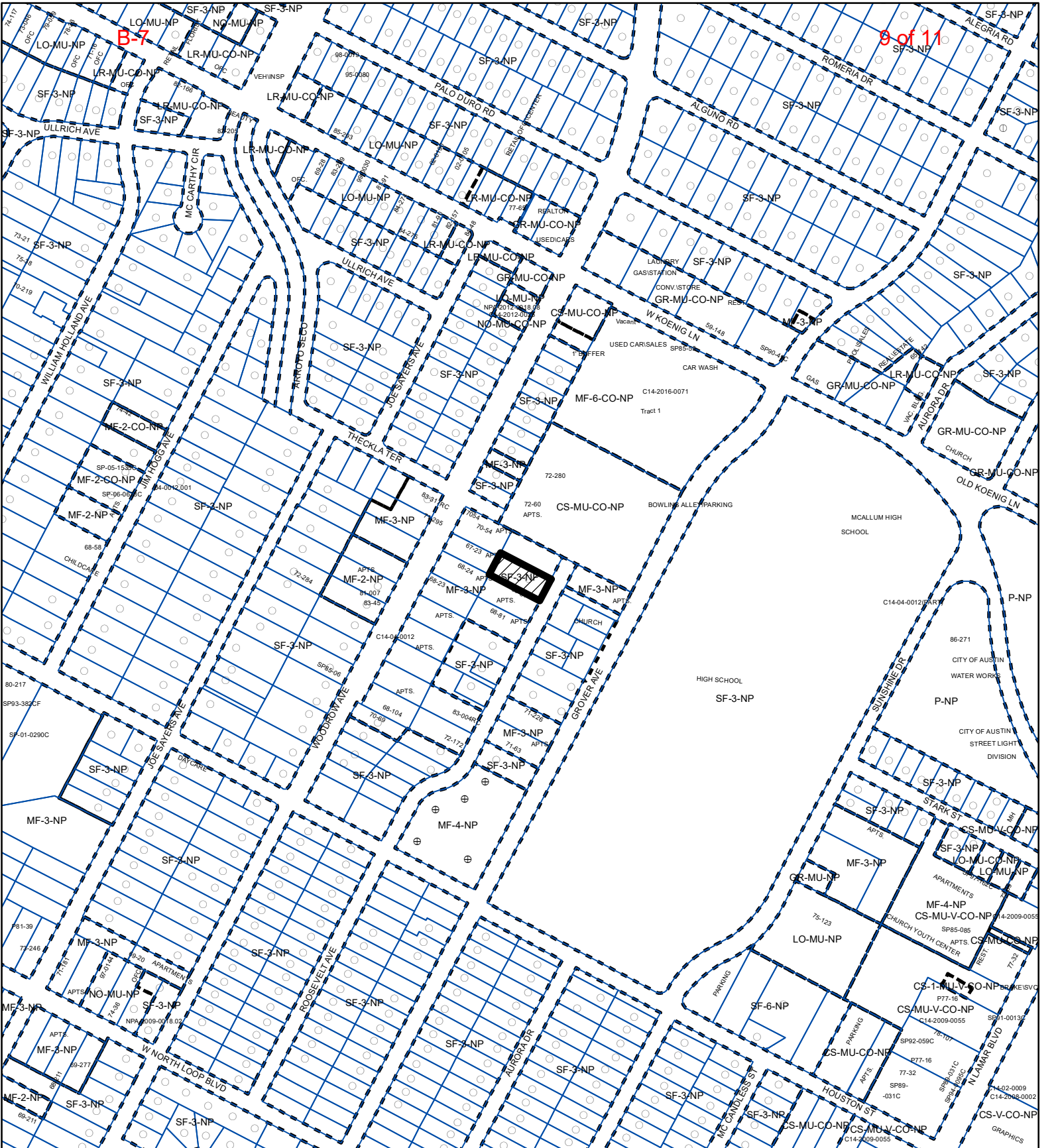
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.


INDEX OF EXHIBITS TO FOLLOW




Exhibit A: Zoning Map

Exhibit B: Aerial Map

Correspondence Received





 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

ZONING

Exhibit A

ZONING CASE#: C14-2021-0018

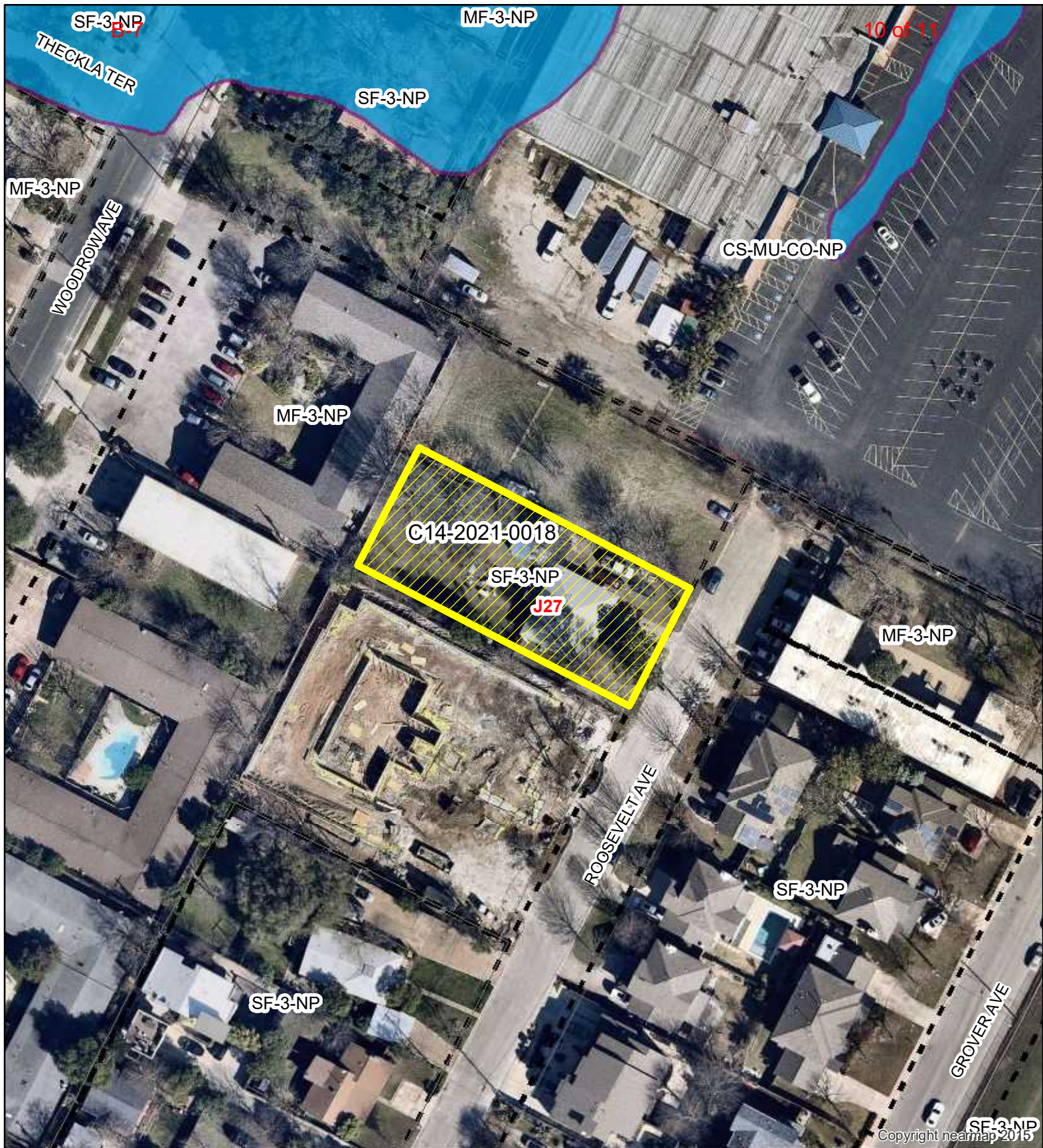
1" = 400'

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Created: 2/12/2021



1" = 75'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

McCarleys .32

Exhibit B

ZONING CASE#: C14-2021-0018
 LOCATION: 5610 Roosevelt Ave
 SUBJECT AREA: .32 Acres
 GRID: J27
 MANAGER: MARK GRAHAM



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.

From: [brentwood.austin](#)
To: [Graham, Mark](#); [Rivera, Andrew](#)
Subject: C14-2021-0018
Date: Monday, June 7, 2021 10:41:39 AM

*** External Email - Exercise Caution ***

The new owners of 5610 Roosevelt Ave have requested a change to the FLUM as well as a zoning change for the property, currently zoned SF-3. This property recently was sold after the previous owner flipped it after owning it a year.

To wit, at the time of the meeting to discuss the initial FLUM change and re-zoning, the initial applicant was unable to provide even the most basic information about a supposed development, such as the building size, number of units, or parking plan. Numbers were casually thrown into the discussion, and promptly changed during the course of the Meeting.

As such, there could be no substantive discussion of possible flooding or traffic issues that might impact the surrounding properties. We have not heard from the new owners

As such, the BNA believes that this re-zoning and FLUM change request is premature. Without an actual evidence of intent to develop the property, this is an example of land speculation that is driving up the cost of land and displacing tenants in Austin without any actual improvements to the land. FLUM changes and re-zonings should be reserved for development that is in the interest of the City, and not be part of a personal enrichment scheme to trade in property entitlements.

The BNA actively works with developers to protect the character of the Neighborhood, while ensuring that developers' expectations are also met. We have negotiated a development that is sensitive to the needs of our community and supports new housing (300 new units) at the former site of the Dart Bowl. We are open to discussions, should the owner wish to work with us towards development of the 5610 Roosevelt property.

But we feel that any move to change the FLUM and up-zone this property is premature at this time and should be denied.

Brentwood Neighborhood Association

Steering Committee

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