

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2022-0057 – 1215 W Mary St.

DISTRICT: 9

ZONING FROM: CS; SF-3

TO: SF-3

ADDRESS: 1215 W Mary Street

SITE AREA: 0.2100 acres (9,148 square feet)

PROPERTY OWNER: Bruce Riley

AGENT: Permit Solutions, LLC (Crystal Lemus)

CASE MANAGER: Michael Dietz; [michael.dietz@austintexas.gov](mailto:michael.dietz@austintexas.gov); (512) 974-7617

STAFF RECOMMENDATION:

**The Staff recommendation is to grant family residence (SF-3) district zoning.** *For a summary of the basis of Staff's recommendation, see the Case Manager Comments section of this report.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

**June 28, 2022**

CITY COUNCIL ACTION:

**July 28, 2022**

ORDINANCE NUMBER:

ISSUES:

None at this time.

CASE MANAGER COMMENTS:

The subject rezoning area consists of one platted lot, which is located near the middle of the block and currently zoned as general commercial services; family residence (CS; SF-3). The subject site is currently developed with a single-family residence, with a pergola and storage shed in the rear yard. Mary Street contains a broad range of residential and commercial uses, and intersects with a major arterial in South Lamar Boulevard to the west of the subject property. There are apartments to the west of the site (CS), a condominium community to the east and south, due to its unique lot shape (SF-6-CO), and an automotive repair use across the street (CS). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).***

The applicant has requested family residence (SF-3) district zoning. Demolition of the existing structure has not been proposed at this time. The proposed rezoning would allow for the potential future development of one single-family residence, in addition to a second detached unit that would not exceed 1,100 square feet or a floor-to-area ratio of .15:1, whichever is smaller. The detached unit would be limited to two stories, or 30 feet, in height, and if a second story would be constructed for the unit, it would not be permitted to exceed 550 square feet in size.

**BASIS OF RECOMMENDATION:**

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

The family residence (SF-3) district is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderately sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated in an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

The proposal would be consistent with the purpose statement of the SF-3 zoning district.

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

The requested SF-3 zoning would allow for the potential future construction of two residences on the subject property. Staff recommends approval of the applicant's request because the site fronts on a street that already serves higher-density residential uses, including apartments and condominiums immediately adjacent to the subject site, and also features a number of neighborhood-serving commercial uses nearby. Furthermore, there are multiple transit lines within close proximity of the property along Mary Street, Lamar Boulevard, and Oltorf Street. As such, the proposal would be compatible with the adjacent and nearby uses.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	CS; SF-3	One single-family residence
<i>North</i>	CS	Automotive repair
<i>South/ East</i>	SF-6-CO	Condominium community
<i>West</i>	CS	Apartment buildings

**NEIGHBORHOOD PLANNING AREA:** Zilker (Suspended)

**TIA:** Not Required

**WATERSHED:** West Bouldin Creek – Urban

CAPITOL VIEW CORRIDOR: NoSCENIC ROADWAY: NoSCHOOLS:

Zilker Elementary School    O. Henry Middle School    Austin High School

COMMUNITY REGISTRY LIST:

107 – Zilker Neighborhood Association  
 127 – Bouldin Creek Neighborhood Association  
 498 – South Central Coalition  
 511 – Austin Neighborhoods Council  
 723 – Meadowbrook Neighborhood Association  
 742 – Austin Independent School District  
 1074 – Bouldin Creek Neighborhood Plan Contact Team  
 1107 – Perry Grid 614  
 1228 – Sierra Club, Austin Regional Group  
 1363 – SEL Texas  
 1424 – Preservation Austin  
 1530 – Friends of Austin Neighborhoods  
 1550 – Homeless Neighborhood Association  
 1571 – Friends of Zilker  
 1596 – TNR BCP – Travis County Natural Resources  
 1616 – Neighborhood Empowerment Foundation  
 1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2018-0060 – Various Addresses	Various to V	To Grant	Apvd V combining district on various tracts within the Zilker Neighborhood Planning Area
C14-2010-0118 – 1901 S Lamar Blvd.	CS to CS-1	To Grant with a restrictive covenant prohibiting live outdoor music.	Apvd as Commission recommended (11-18-2022)
C14-01-0009 – 1800 Evergreen Ave.	SF-3 to CS-MU-CO	To Grant	Apvd (2-27-2001).
C14-01-0135 – 1211 W Mary St.	CS; SF-3 to SF-6-CO	To Grant	Apvd (12-13-2001).
C14-2020-0097 – 1709 & 1803	CS; SF-3 to CS-MU & MF-3-H to GO-MU-H	To Grant	Apvd (12-3-2020).

Evergreen Ave.; 1204 W Mary St.			
C14-04-0101 – 1704 & 1706 Evergreen Ave.; 1707 S Lamar Blvd.	SF-3 to GR-MU- CO	To Grant	Apvd (1-27-2005).
C14-2017-0081 – 2005 S Lamar Blvd.	SF-3 to CS-V	To Grant	Apvd as Commission recommended (10-9-2017).

RELATED CASES:

The property is platted as Lot 1, Block 1, Fredericksburg Road Acres, a subdivision recorded in Volume 3, Page 168, Plat Records of Travis County, Texas.

EXISTING STREET CHARACTERISTICS:

NAME	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
W Mary Street	2	74'	57'	39'	No	Yes	Yes

OTHER STAFF COMMENTS:

Inclusive Planning

Yes	Imagine Austin Decision Guidelines
<b>Compact and Connected Measures</b>	
Y	<b>Imagine Austin Growth Concept Map:</b> Located close to, within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified on the Growth Concept Map. <b>Name(s) of Activity Center/Activity Corridor/Job Center: 0.12 miles from South Lamar Activity Corridor</b>
Y	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station.
Y	<b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane.
Y	<b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.

	<b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
	<b>Connectivity and Education:</b> Is located within 0.50 miles from a public school or university.
Y	<b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreational area, park and/or walking trail.
	<b>Connectivity and Health:</b> Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, specialized outpatient care.)
	<b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable house.
Y	<b>Housing Choice:</b> Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	<b>Mixed Use:</b> Provides mixed use development (minimum 10% residential and 10% non-residential floor area).
Y	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
7	<b>Total Number of "Yes's"</b>

### Drainage

The applicant would be required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin 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.

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

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, off-site drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.

Standard landscaping and tree protection would be required, in accordance with LDC 25-2 and 25-8, for any 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 square feet cumulative is exceeded, and on-site control for the two-year storm.

#### Impervious Cover

The maximum impervious cover allowed by the *SF-3* zoning district would be 45%, which is based on the more restrictive zoning regulations.

#### Parks & Recreation Department (PARD) – Planning & Design Review

Parkland dedication will be required for any new dwelling units resulting from this application, single-family with ADU, *SF-3* zoning, at the time of subdivision or site plan, per City Code § 25-1-601. The requirement may be met with fees in-lieu, as determined using the criteria in City Code Title 25, Article 14, as amended. 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](mailto: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 and Compatibility Standards

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

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan, if triggered, per LDC 25-6-113.

The Austin Strategic Mobility Plan (ASMP) calls for 74 feet of right-of-way for W Mary Street. It is recommended that 35 feet of right-of-way from the existing centerline be dedicated for W Mary Street, according to the Transportation Plan, with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

### Austin Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at their own expense, would 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) would be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements, the applicant may contact the Austin Water SER team at [ser@austintexas.gov](mailto:ser@austintexas.gov).

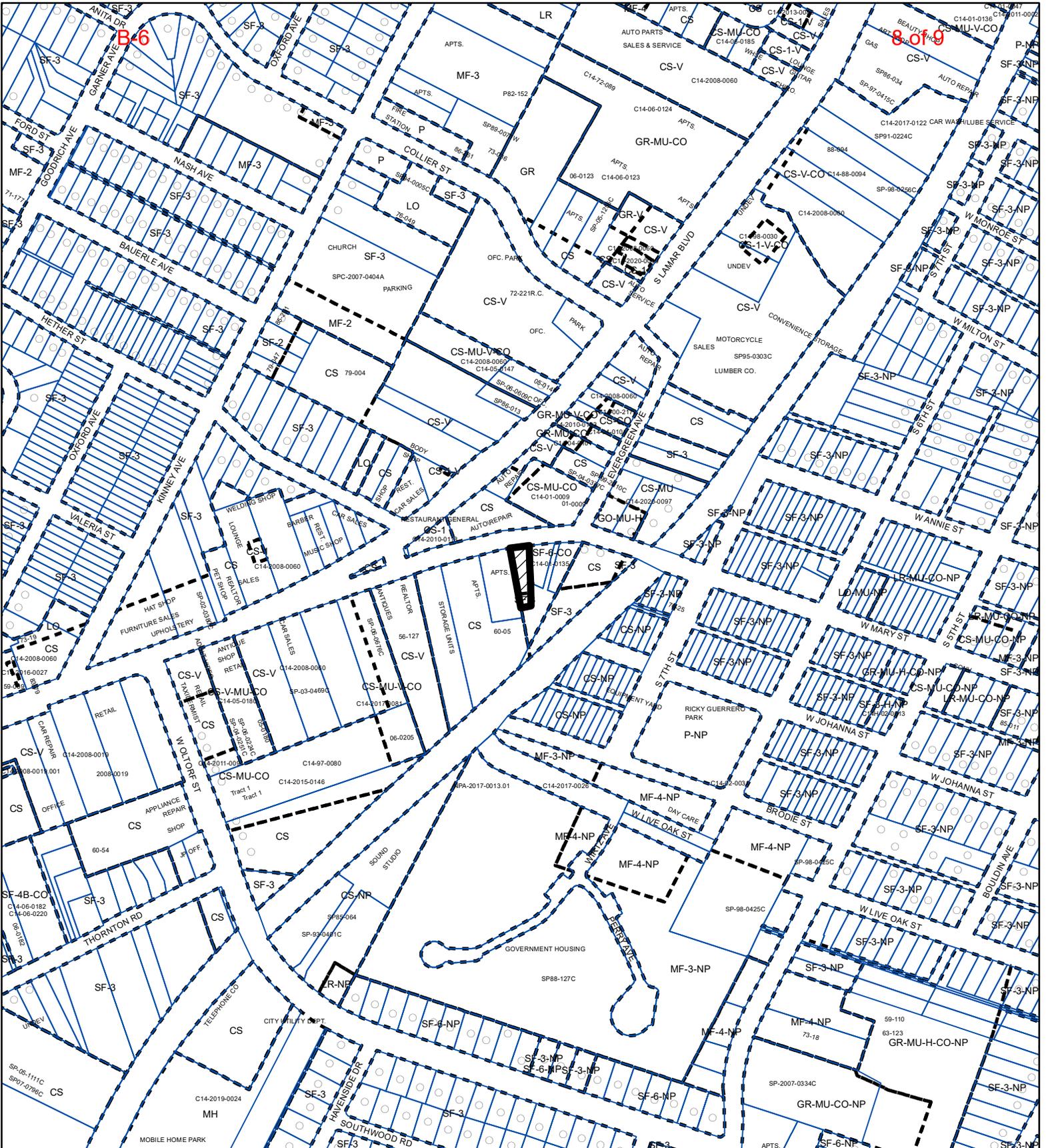
In order to proceed with the project, the landowner must pay the City inspection fee with the utility construction. The landowner must also pay the tap and impact fee once an application for a City of Austin water and wastewater utility tap permit has been submitted.

#### INDEX OF EXHIBITS TO FOLLOW:

A: Zoning Map

A-1: Aerial Map

Correspondence Received



8.019

B-6

**ZONING**

ZONING CASE#: C14-2022-0057

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



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.

1" = 400'

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H21

H20

C14-2022-0057  
SF-6-CO  
SF-3

### 1215 W Mary Street - Rezoning

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

ZONING CASE#: C14-2022-0057  
 LOCATION: 1215 West Mary St  
 SUBJECT AREA: 0.208 Acres  
 GRID: H20  
 MANAGER: Wendy Rhoades



1" = 200'

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