

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0056 – 7415 Albert Rd Rezoning

DISTRICT: 5

ZONING FROM: DR

TO: SF-3

ADDRESS: 7415 Albert Road

SITE AREA: 1.00 acre

PROPERTY OWNER / APPLICANT: Ironstone Partners LLC (Juan Pablo Mondragon)

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

STAFF RECOMMENDATION:

The Staff recommendation is to grant family residence (SF-3) district zoning. *For a summary of the basis of Staff's recommendation, please see page 2.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**August 16, 2022: APPROVED SF-3-CO DISTRICT ZONING WITH THE
CONDITIONAL OVERLAY LIMITED TO FOUR UNITS**

**[B. GREENBERG; D. KING – 2ND] (8-0) S. BOONE – OFF THE DAIS;
C. ACOSTA, R. WOODY – ABSENT**

August 2, 2022: *MEETING CANCELLED; RENOTIFIED FOR AUGUST 16, 2022*

CITY COUNCIL ACTION:

September 1, 2022:

ORDINANCE NUMBER:

ISSUES:

On June 22, 2022, the Applicant and the Matthews Lane Neighborhood Association met in-person on the Property to discuss the proposed rezoning. Please refer to correspondence attached at the back of this report.

Signatures of adjacent property owners have been submitted in response to the above-referenced rezoning case, opposing a rezoning of the property to anything other than SF-2-CO, single family residence-standard lot – conditional overlay combining district zoning. The Conditional Overlay would limit development of the property to a maximum of four single family residences. The petition includes 49.84% of eligible signatures, and meets the 20% threshold for a valid petition. Petition materials and comment response forms are located at the back of the Staff report.

CASE MANAGER COMMENTS:

The subject lot is located on Albert Road on a 104-foot wide platted lot, contains a vacant single family residence and is zoned development reserve (DR) district. Albert Road terminates into a private driveway serving the hospital use to the south and there is a chain link fence across the driveway intended to prevent southbound traffic from accessing the hospital use to the south. There are single family residences on large tracts to the north, south and west that have frontage on Albert Road (DR), a single family residential subdivision to the east (SF-2), A condominium development is under construction to the south which takes its primary access to Dittmar Road which is further south (SF-6-CO). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).***

The Applicant has requested family residence (SF-3) district zoning in order to resubdivide the lot and redevelop the newly created lots with residential units. The SF-3 district allows for single family residences, two family residences or duplexes, and a lot may not include more than two units. As information, a two-family residence consists 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 0.15:1, whichever is smaller. The detached unit would be limited to two stories or 30 feet in height, and if a second-story is 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 moderate 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.

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

The requested SF-3 zoning would allow for the construction of single family residences or two-family residences on the subject property. Staff recommends the Applicant's request because the tract meets the intent of the SF-3 district as it fronts on a local residential street, is located within an existing single family residential neighborhood, and there are other SF-3 zoned lots on Damon Road, Albert Road, and on streets in the vicinity. In the broader city-wide context, SF-3 zoning is a reasonable option for parcels proposed to be redeveloped as residential infill.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	One single family residence (vacant)
<i>North</i>	DR; SF-3; SF-1	Single family residences on large lots and tracts
<i>South</i>	DR	Two single family residences on two large tracts
<i>East</i>	SF-2	Single family residences in the Elmwood Estates subdivision
<i>West</i>	DR	Single family residences and outbuildings on large tracts

NEIGHBORHOOD PLANNING AREA: Not Applicable TIA: Is not required

WATERSHEDS: Williamson Creek; South Boggy Creek – Suburban

CAPITOL VIEW CORRIDOR: No SCENIC ROADWAY: No

SCHOOLS: Casey Elementary School Bedichek Middle School Akins High School

COMMUNITY REGISTRY LIST:

39 – Matthews Lane Neighborhood Association 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association 742 – Austin Independent School District
 1228 – Sierra Club, Austin Regional Group 1363 – SEL Texas
 1424 – Preservation Austin
 1429 – Go!Austin/Vamos!/Austin (GAVA)-78745 1530 – Friends of Austin Neighborhoods
 1531 – South Austin Neighborhood Alliance (SANA)
 1550 – Homeless Neighborhood Association
 1616 – Neighborhood Empowerment Foundation 1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2022-0100 – 7606 Albert Rd	DR to SF-6	To be scheduled	Pending
C14-2022-0004 – 1501 Damon Rd	DR to SF-3	To Grant SF-3	Apvd SF-3-CO w/CO prohibiting duplex (4-7-2022).
C14-2021-0035 – McLaurin Rezone – 1512 Damon Rd	DR to SF-3	To Grant	Apvd (6-10-2021).
C14-2021-0060 – Albert Road Rezone – 7401 and 7407 Albert Rd	DR to SF-3	To Grant	Apvd (8-26-2021).
C14-2012-0042 – 1300 W. Dittmar	SF-6-CO to SF- 6-CO to remove	To Grant	Apvd (8-2-2012).

Road Rezoning	the CO that limits height for a building or structure to 20'		
C14-05-0091 – Lelah's Crossing – 1300 W. Dittmar Rd.	DR; GO to MF-1	To Grant SF-6-CO with a density limitation of 6 u.p.a. and height limit of 20 feet; Restrictive Covenant for the Neighborhood Traffic Analysis	Apvd SF-6-CO with a Restrictive Covenant for the Neighborhood Traffic Analysis, as ZAP recommended (4-27-2006).
C14-85-055 (RCA) – Lelah's Crossing – 1300 W. Dittmar Rd.	To amend the Restrictive Covenant to delete the rollback provision to RR, rural residence	To Grant	Apvd (4-27-2006).

RELATED CASES:

The property was annexed into the City limits on November 15, 1984 and is platted as Lot 2, Laurence Christian Subdivision recorded in 1958 (C7A-83-017; C8S-58-013). ***Please refer to Exhibit B.***

EXISTING STREET CHARACTERISTICS:

NAME	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Cap Metro (within ¼ mile)
Albert Road	Level 1	50 feet	49 feet	20 feet	No	Shared Route	No

ADDITIONAL STAFF COMMENTS:Comprehensive Planning

Proposed Project: Demolish one single family house and construct up to 8 single family houses on property.

Yes	Imagine Austin Decision Guidelines
	Compact and Connected Measures
	Imagine Austin Growth Concept Map: 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. Name(s) of Activity Center/Activity Corridor/Job Center:
	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education: Is located within 0.50 miles from a public school or university.
	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreational area, park and/or walking trail.
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable house.
Y	Housing Choice: 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.
	Mixed Use: Provides mixed use development (minimum 10% residential and 10% non-residential floor area).
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
1	Total Number of "Yes's"

Drainage

The developer is 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 in the Williamson Creek and the South Boggy Creek Watersheds of the Colorado River Basin, which are classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site 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%

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.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

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.

PARD – Planning & Design Review

Parkland dedication will be required for the new applicable uses proposed by this development, single family with 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. 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

Rezoning from DR to SF-3 does not trigger the application of compatibility standards.

The applicable building standards are outlined below:

Breakdown by square footage for living area/garage/patio/porch is required on duplex residential site plans.

Setbacks for duplex residential:

- Anything that juts more than 5 feet into a setback must be fireproofed. Standard side setback is 5 feet with a maximum allowable 2-foot overhang. The overhang cannot have any openings, soffit vents, windows, etc.
- Setbacks between buildings is 10 feet (5 feet on each side). Any encroachment into this setback must be fireproofed.
- Nothing can encroach into a 2-foot setback.

Austin Transportation Department – Engineering Review

Transportation Assessment

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.

Austin Water Utility

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 the Austin Water SER team at ser@austintexas.gov.

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 AND ATTACHMENTS TO FOLLOW:

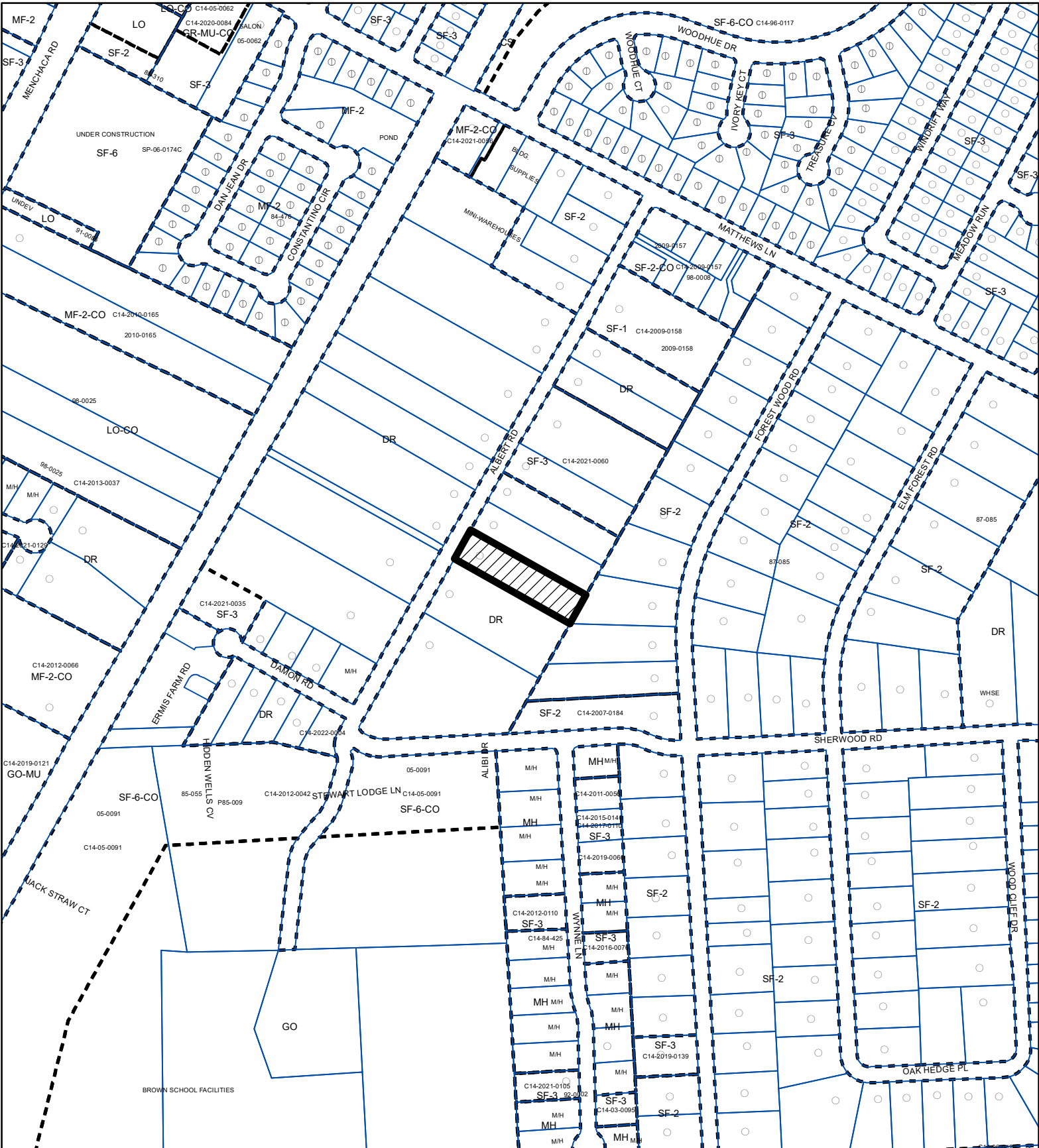
A: Zoning Map

A-1: Aerial Map

B: Recorded Plat

Correspondence Received

Petition Information



ZONING

Exhibit A

ZONING CASE#: C14-2022-0056



Created: 5/2/2022

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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or

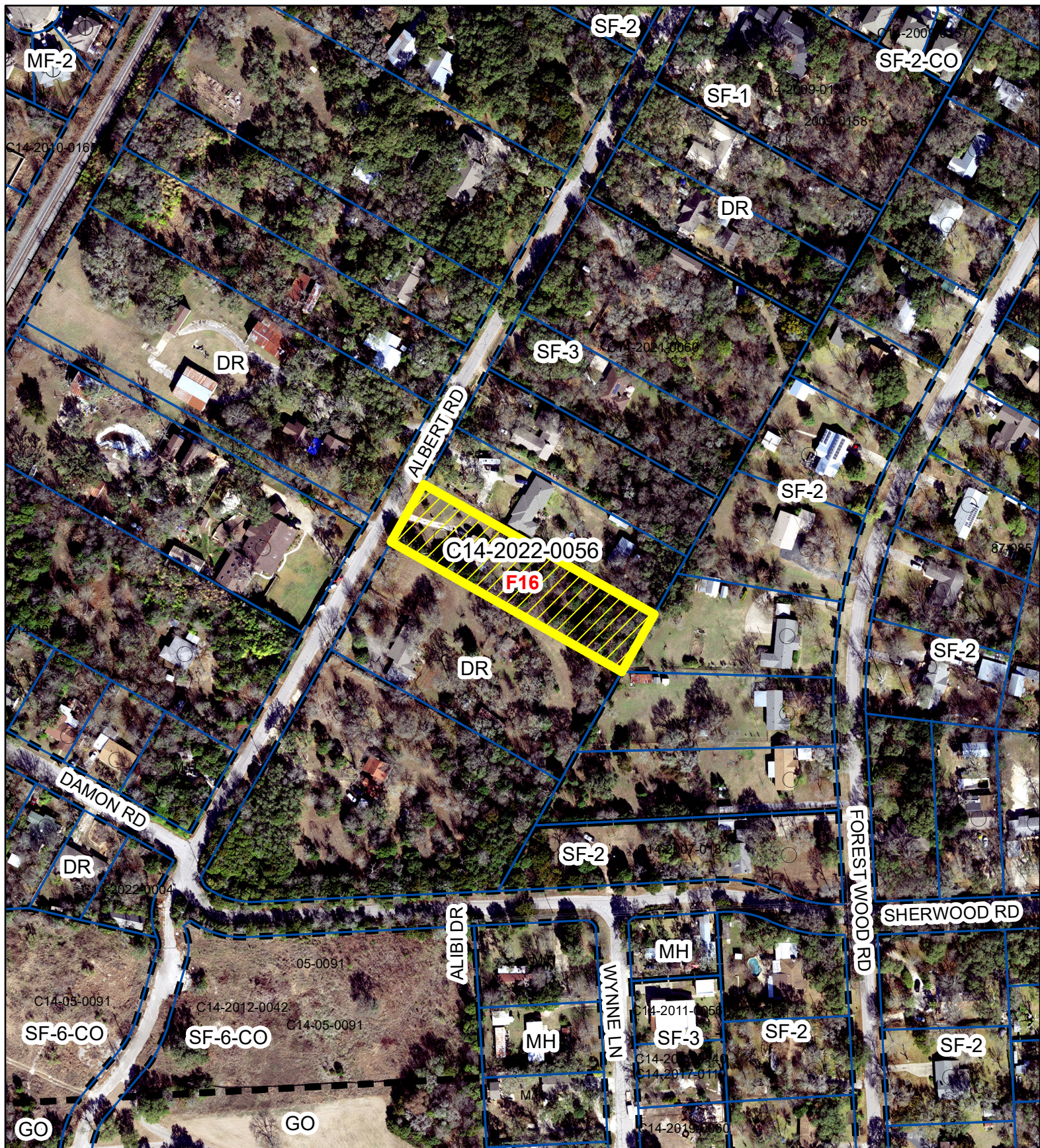
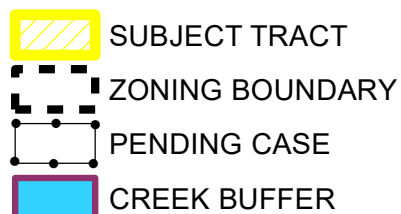


Exhibit A - 1

7415 Albert Rd Rezoning



ZONING CASE#: C14-2022-0056
 LOCATION: 7415 Albert Rd
 SUBJECT AREA: 1.00 Acres
 GRID: F16
 MANAGER: Wendy Rhoades



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Created: 5/11/2022

N

 1" = 200'

LED FOR RECORD
ON THIS THE 24 DAY OF
Feb A. D. 1958 AT 11:10 O'CLOCK
A.M.
EMILIE LIMBERG, COUNTY CLERK,
TRAVIS COUNTY, TEXAS.
By Calvin Pruitt
DEPUTY

N APPROVING THIS PLAT BY THE COMMISSIONER'S COURT OF TRAVIS COUNTY, TEXAS, IS UNDERSTOOD THAT THE BUILDING OF L STREETS, ROADS OR OTHER PUBLIC THOROUGHFARES DELINEATED AND SHOWN ON THIS AT, AND ALL BRIDGES AND CULVERTS NECESSARY TO BE CONSTRUCTED IN SUCH REETS, ROADS OR OTHER PUBLIC THOROUGHFARES OR IN CONNECTION THEREWITH, SHALL THE RESPONSIBILITY OF THE OWNER OR DEVELOPER OF THE TRACT OF LAND COVERED THIS PLAT IN ACCORDANCE WITH PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONER'S COURT, AND THE COMMISSIONER'S COURT OF TRAVIS COUNTY, TEXAS, SUMES NO OBLIGATION TO BUILD THE REETS, RAODS OR OTHER PUBLIC THOROUGHFARES SHOWN ON THE PLAT OR OF THE CONSTRUCTION OF ANY BRIDGES OR CULVERTS IN CONNECTION THEREWITH.

CH HOUSE IN THIS SUBDIVISION MUST BE CONNECTED TO A SEPTIC TANK OF APPROVED SIGN BEFORE IT MAY BE USED FOR HUMAN BINATION.

APPROVED FOR ACCEPTANCE V.L. Mike Mahoney
Date: Feb 18, 1958 V.L. Mike Mahoney, Dir. of Planning

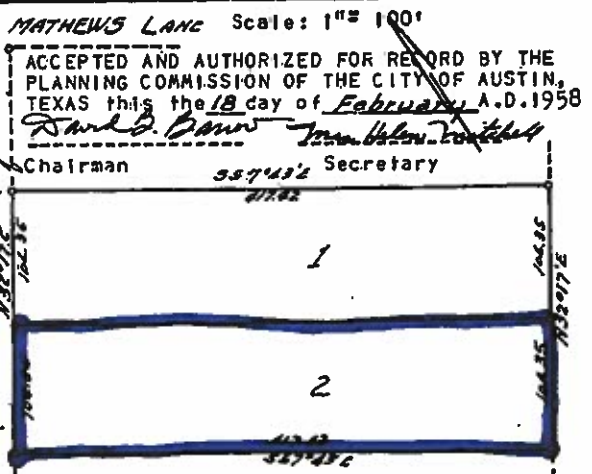
STATE OF TEXAS:
COUNTY OF TRAVIS:
KNOW ALL MEN BY THESE PRESENTS THAT WE, SETH W. LAWRENCE AND AUDRA CHRISTIAN, OWNERS OF THAT CERTAIN TRACT OF LAND KNOWN AS LOT NO. 15 OF LEGGE-ALLENTHRAP SUBDIVISION (ACCORDING TO AN UNRECORDED PLAT) OF A PORTION OF J. G. AND HENRY FITZHUGH SUBDIVISION OF THE W. R. DAVIS PROPERTY IN THE WILLIAM CANNON AND THEODORE BISSELL SURVEYS IN TRAVIS COUNTY, TEXAS, ACCORDING TO A PLAT OF RECORD IN BOOK 1, PAGE 57, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, DO HEREBY ADOPT THIS AS OUR SUBDIVISION TO BE KNOWN AS LAURENCE CHRISTIAN SUBDIVISION AND DO HEREBY DEDICATE TO THE PUBLIC ALL THE STREETS AND EASEMENTS SHOWN HEREON, CONTAINING 2.0 ACRES. WITNESS OUR HANDS ON THIS THE 23rd DAY OF JANUARY A. D. 1958

Seth W. Lawrence Audra Christian
SETH W. LAWRENCE AUDRA CHRISTIAN

STATE OF TEXAS:
COUNTY OF TRAVIS:
ON THIS DAY, PERSONALLY APPEARED SETH W. LAWRENCE AND AUDRA CHRISTIAN, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING AND THEY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 23rd DAY OF JANUARY A. D. 1958

Grace Monroe
NOTARY PUBLIC, TRAVIS COUNTY, TEXAS.

THIS IS TO CERTIFY THAT I SURVEYED THIS PROPERTY IN ACCORD WITH THE PLAN, ORDINANCE OF THE CITY OF TEXAS.
Doak Rainey
DOAK RAINEY, P. S.
(SEAL)



STATE OF TEXAS:
COUNTY OF TRAVIS:
I, Emilie Limberg, County Clerk of Travis County, Texas do hereby certify that on 24th day of February A.D. 1958, the Commissioners Court of Travis County, Texas passed an order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of said Court in book 3 page 375.
WITNESS MY HAND AND SEAL OF OFFICE THIS 24th day of Feb A.D. 1958.

By A. Rankin
Deputy
Emilie Limberg
County Clerk, Travis County, Texas

STATE OF TEXAS:
COUNTY OF TRAVIS:
I, Emilie Limberg, County Clerk of Travis County, Texas do hereby certify that the foregoing instrument of writing with its certificate of authenticity, was filed for record in my office on the 24 day of Feb A.D. 1958, at 11:10 o'clock A.M., and duly recorded on the 24 day of Feb A.D. 1958, at 11:15 o'clock A.M. in book 8, page 104, of the Plat Records of Travis County, Texas.

Witness my hand and seal of office on the date last written above.
Emilie Limberg
County Clerk Travis County, Texas
By Calvin Pruitt
Deputy

C8s-58-13

EXHIBIT B
RECORDED PLAT

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code: <https://bit.ly/ATXZoningComment>.



During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2022-0056

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: August 2, 2022, Zoning and Platting Commission
September 1, 2022, City Council

ROBERT E. KALLSTROM

Your Name (please print)

☐ I am in favor
☒ I object

7302 FOREST WOOD ROAD AUSTIN TX

Your address(es) affected by this application (optional)

Robert E. Kallstrom

Signature

07-29-22
Date

Daytime Telephone (Optional): _____

Comments: _____

If you use this form to comment, it may be returned to:

City of Austin, Housing & Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov

Petition

Date: 5-23-22
Case File Number: C14-2022-0056

Address of Rezoning Request 7415 Albert Road

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-2.

Ironstone Partners has submitted an application to rezone the property from DR to SF-3, which would allow up to 8 lots/homes on 1 acre. The Matthews Lane Neighborhood Association Outreach Committee considered the application and agreed that we would support SF-2 and 4 homes, with restrictive covenant or conditional overlay against further subdivision.

The property has been used as a single family home since annexation in 1984. It is located at the end of a narrow rural road with no sidewalks, curbs or cutouts. The area is prone to pluvial flooding and dense development of this uphill lot will result in flooding of neighbors on the west side of Albert Rd. 7415 Albert Rd is adjacent to Elwood Estates subdivision which is primarily zoned SF-2.)

(PLEASE USE BLACK INK WHEN SIGNING PETITION TO FACILITATE REPRODUCTION)

[illegible]

Petition

Date: 5-23-22
Case File Number: C14-2022-0056

Address of Rezoning Request **7415 Albert Road**

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION TO FACILITATE REPRODUCTION)

Signature	Printed Name	Address
<i>Joe R. Alexander</i>	JOE R. Alexander	# 7411 Albert Road
<i>Violet Alexander</i>	Violet Alexander	7411 Albert Road

This image shows a single sheet of white paper with horizontal ruling lines. The paper is divided into three equal-width vertical sections by two faint vertical lines. Each section contains ten horizontal lines, creating a grid of thirty rows. This type of paper is commonly used for teaching handwriting or basic arithmetic to young children.

Petition

Date: 5-23-22
Case File Number: C14-2022-0056

Address of
Rezoning Request 7415 Albert Road

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(PLEASE USE BLACK INK WHEN SIGNING PETITION TO FACILITATE REPRODUCTION)

[illegible]

Petition

Date: 5-28-22
Case File Number: C14-2022-0056

Address of Rezoning Request 7415 Albert Road

To: Austin City Council

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(PLEASE USE BLACK INK WHEN SIGNING PETITION TO FACILITATE REPRODUCTION)

[illegible]

P e t i t i o n

Date: 5-24-22
Case File Number: C14-2022-0056

Address of Rezoning Request **7415 Albert Road**

To: Austin City Council

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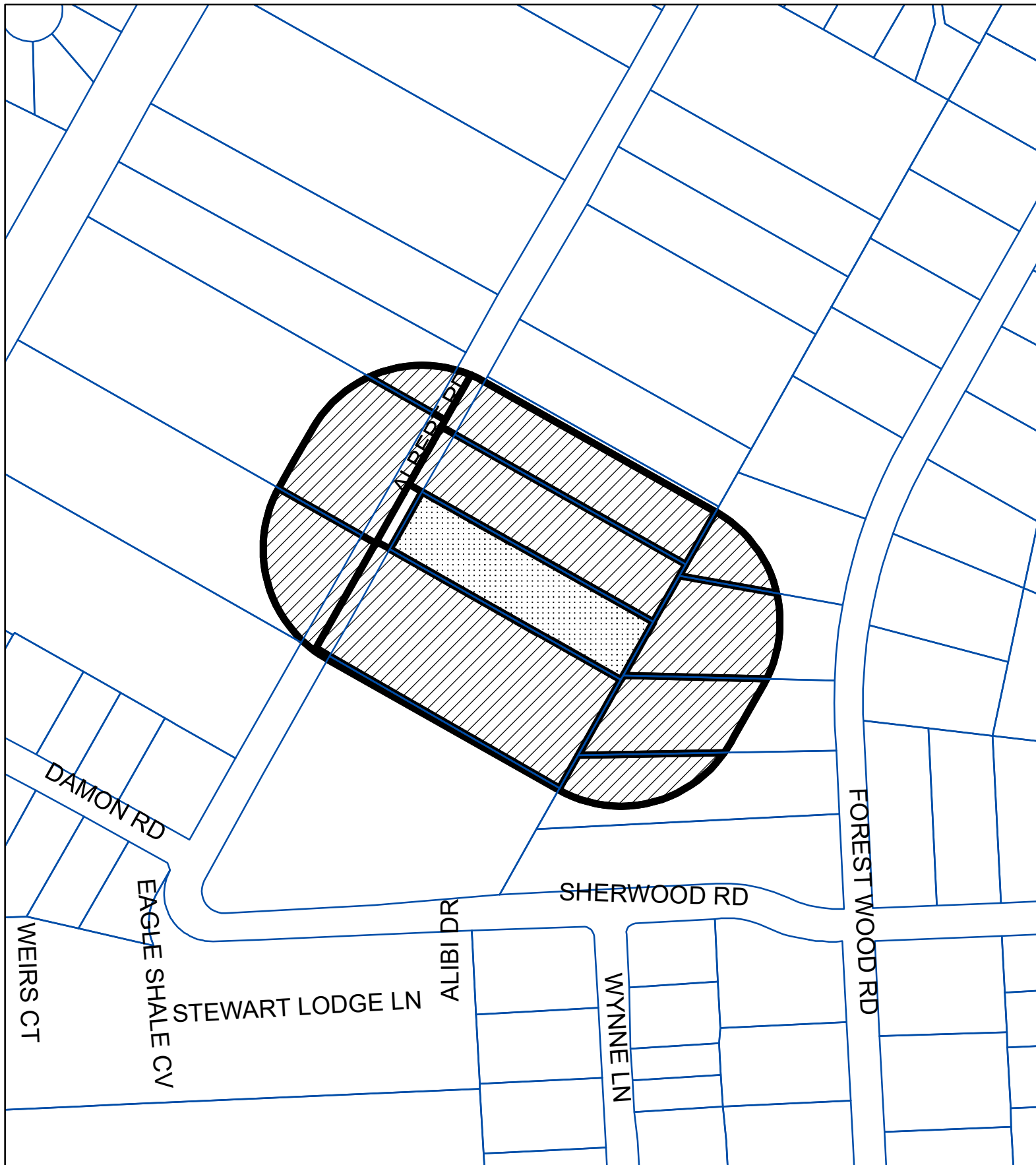
(PLEASE USE BLACK INK WHEN SIGNING PETITION TO FACILITATE REPRODUCTION)

[illegible]

Date: June 17, 2022

Contact Name: Karen Fernandez

Phone Number: 512-739-684



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

Case#: C14-2022-0056

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1" = 200'

Case Number:
C14-2022-0056

PETITION

Date: 7/11/2022
Total Square Footage of Buffer: 334795.5089
Percentage of Square Footage Owned by Petitioners Within Buffer: 49.84%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0422130204	7411 ALBERT RD AUSTIN 78745	ALEXANDER JOE & VIOLET FAMILY TRUST	no	46310.14	0.00%
0422130209	7310 FOREST WOOD RD AUSTIN 78745	FABIAN ISABEL R	no	10408.65	0.00%
0422130202	7511 ALBERT RD AUSTIN 78745	GREEN BILLIE & ANNIE	yes	86711.75	25.90%
0422130201	7605 ALBERT RD AUSTIN 78745	HENSON MARK LYNN	no	1993.25	0.00%
0422130212	7404 FOREST WOOD RD 78745	JENNINGS CYNTHIA ALICE &	no	15706.27	0.00%
0422130210	7400 FOREST WOOD RD AUSTIN 78745	LAMBERT IRA O & ALICE	no	29697.25	0.00%
0422130211	7402 FOREST WOOD RD 78745	LAMBERT MONICA	no	27852.36	0.00%
0422130105	7412 ALBERT RD 78745	LOGUE INC	no	26009.84	0.00%
0422130103	7406 ALBERT RD AUSTIN 78745	MCKINNEY DAVID M & KARLA M	no	7429.22	0.00%
0422130205	7409 ALBERT RD AUSTIN 78745	SANDERS TERRY JEAN	yes	42290.43	12.63%
0422130104	7410 ALBERT RD AUSTIN 78745	WEST JOHN RANDOLPH & ELIZABETH BERTIN	yes	37864.79	11.31%
Total				332273.94	49.84%



August 8, 2022

City of Austin - Council
City of Austin - Zoning and Platting Commission

RE: Rezoning Case File # 2022 – C14-2022-0056
Response to petition dated May 23rd, 2022 &
communications w/neighborhood association

Dear Council members and Z&P Commissioners,

I am writing as owner of the property at 7415 Albert Rd and applicant of its rezoning. We believe our request is reasonable and there is precedent of several SF-3 properties in the neighborhood. I reached out to neighbors and the neighborhood association representatives early in this process to introduce ourselves and discuss this request. We have met with the neighborhood association representatives and have had subsequent email exchanges. I have the following comments that address their concerns and provide additional background information to our rezoning request.

In summary, the petition signed by some neighbors suggests zoning to be changed to a classification no other than SF-2 and a maximum of 4 homes. At a later date we were notified that they would support SF-3 but still limiting to a maximum of 4 homes.

Several other SF-3 properties in the neighborhood exist, none of which have similar limitations to those outlined in the petition that we could identify. Existing SF-3 properties are either bigger, smaller and even similar in size to our property. Some of the SF-3 properties are located on Albert Road itself, literally a few feet from ours. There are several other SF-3 properties in the neighborhood that are even on narrower streets. Another rezoning application in close proximity has been filed and it is seeking SF-6.

We were told that impervious cover and water runoff are a concern. We will do our part to minimize flood risk and impervious cover by conserving as much of the existing vegetation as possible and develop well within the allowed limits. As we shared with the neighborhood association, our previous projects have designs in harmony with their neighborhood and we have done utmost efforts to preserve trees. In regards to the water runoff, the topographic survey shows that water naturally flows towards the northeast corner of the property and away from the street. We believe no water will flow towards the opposite (west) side of Albert Rd as outlined on the petition as the road is at higher elevation. As we move forward with any development, our architect and civil engineer will determine whether flood control measures are needed according to existing regulations.

Neighborhood representatives said that traffic was a concern. While the petition states that the property is located at the end of a narrow rural road, Albert Road is not closed off to its north nor south and rather provides access to the property from both sides. Prior to submitting the rezoning application we obtained a Traffic Impact Analysis Determination, which concluded that a traffic impact analysis was not required since the traffic generated by our proposal did not exceed the thresholds established in the

City of Austin Land Development Code. Additionally, while we are aware that certain neighboring properties create undesirable parking on Albert Rd itself, our development will contain most, if not all of the parking within the property itself with minimal need, if any, of street parking.

Neighborhood representatives also expressed concern about the number of homes to be developed, wishing to limit the development to 4 units per acre stating traffic and water runoff as the main reasons. I believe we have addressed the neighborhood concerns in the above paragraphs, but to put it in perspective typical residential density is around 10 units per acre. Let me clarify that while the rezoning application mentions 8 homes as a potential development, that information is premature and was provided as a maximum density scenario. At this point we have not completed architectural nor engineering analysis to determine a potential re-subdivision on our property. We are not advocates of a development in this area with density greater than SF-3 zoning but the limitation to such a small number of homes (4) on one acre works directly against the goal of affordable housing that this City needs. As precedent, there are recent developments that have significantly greater density than 4 units per acre in the neighborhood. For example, 4 units are being built (2 main houses plus 2 ADUs) on 0.322 acres (14,026 sq ft) at 7505 Wynne Ln (case number C8-2017-0219.0A). The project at the intersection of Matthews Ln and Albert Rd (case number C8-2014-0003.0A) also has greater density than 4 homes per acre.

Finally, I want to state that our company is a small and local entity. My business partner and I directly manage and oversee all aspects of our operation and have worked very hard to create and maintain a reputation. We are and will continue being approachable, and have been good neighbors wherever we have worked before. I can honestly say that the vast majority of the community around ourselves (vendors, contractors, government agencies, neighbors and customers) are very satisfied with our work ethic.

I hereby request your support for approval of the rezoning application based on its own merits and the comments provided herein, and I remain at your disposal.

Respectfully,

Juan Pablo Mondragon

From:
To: [Rhoades, Wendy](#)
Cc:
Subject: 7415 Albert rezone request
Date: Tuesday, August 16, 2022 1:05:34 PM

*** External Email - Exercise Caution ***

The Mathews Lane Neighborhood Association opposes the request for DR to SF3 FOR 7415 Albert rd. MLNA reached out to Ironstone to meet at the property to discuss the request and their plans to build 8 homes on this one acre plot. Karen Fernandez, Eugene Sutton and Carmen King were at the meeting representing MLNA. We said we would support their request for SF3 if a conditional overlay was included that would limit the number of units and any future re-subdivision. The Modrogon's proceeded to question the validity of our neighborhood association and let us know that they would not be limiting unit numbers and were certain the city would approve their request. They stated that the request for SF3 was their gesture towards being good neighbors. When we pointed out that all the surrounding properties were single family homes so SF2 would be the appropriate zoning if they plan to subdivide at a later date, JP Modrogon stated that they knew there was an sf6 zoning close by because they bought the property sight unseen based on that zoning. We then pointed out that the SF6 he referenced was not within our neighborhood subdivision, but was in fact a 42 acre property (Southstone) with conditional overlays and access from Dittmar, not Albert. We referenced our most recent case with Cody Carr who purchased 1501 Damon as an example of what we will support. Mr. Carr bought the property on Damon based on the SF6 zoning at Southstone, but after seeing the neighborhood and meeting with our outreach committee he worked with us to reach an agreement that we could support, SF3 with CO. Mr. Carr is currently constructing a single family home with an ADU that fits in nicely with the character of the neighborhood and all the neighbors are very happy with the project. The Modrogons stated that they knew Mr. Carr, but were not interested in doing the same. I reached out to them again about working with the neighborhood, but received no response till August the 8th.

The Mathews Lane Neighborhood Association is open to working with the applicant, but without their participation can only support a rezone to SF2.

The total lack of infrastructure in the neighborhood does not support the increased density being requested. The roads are narrow, there are no curbs or sidewalks, drainage is managed through expansive pervious cover and bar ditches. It should be noted the neighborhood is not close to a transit corridor. When we asked about parking for all the units they envision they stated that most millennials do not drive. If the plan is to use public transportation then that is a .8 mile walk along dangerous narrow roads with no sidewalks for all of Albert and Mathews to the railroad tracks.

I will send the email correspondence if needed for the file.

Thank you for your help,
Karen Fernandez
President MLNA

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