

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0039 – Peaceful Hill Residential

DISTRICT: 2

ZONING FROM: DR

ZONING TO: SF-6

ADDRESSES: 7901 Peaceful Hill Lane

SITE AREA: 2.7 acres

PROPERTY OWNER: Jeffrey Fluitt

APPLICANT / AGENT: Thrower Design
(Victoria Haase)

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

STAFF RECOMMENDATION:

The Staff recommendation is to grant townhouse and condominium residence (SF-6) district zoning. *The basis of Staff's recommendation is provided on page 2.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

October 4, 2022:

September 20, 2022: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO OCTOBER 4, 2022, BY CONSENT*

[H. SMITH; L. STERN – 2ND] (9-0) C. ACOSTA – OFF THE DAIS; N. BARRERA-RAMIREZ – ABSENT

August 16, 2022: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO SEPTEMBER 20, 2022*

[H. SMITH; J. KIOLBASSA – 2ND] (9-0) C. ACOSTA, R. WOODY – ABSENT

CITY COUNCIL ACTION:

October 13, 2022:

September 15, 2022: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO OCTOBER 13, 2022. VOTE: 10-0, MAYOR PRO TEM ALTER WAS OFF THE DAIS.*

ORDINANCE NUMBER:

ISSUES:

The Applicant has indicated their agreement to include items related to fencing materials, additional tree plantings, and additional parking in a private Restrictive Covenant.

The Applicant has discussed this case with the Peaceful Hill Preservation Association. The Peaceful Hill Preservation Association requested postponement until September 20, 2022. Please refer to attached correspondence.

CASE MANAGER COMMENTS:

The subject rezoning area consists of a platted lot that contains a few structures and outside storage of vehicles and equipment. The property is zoned development reserve (DR) district since its annexation into the City limits in November 1984. There is an undeveloped property to the north proposed for rezoning to commercial use (NO-MU-CO), the Verrado condominium community directly east and south (SF-6-CO), and single family residences in the Beaconridge II subdivision across Peaceful Hill Lane to the west (SF-2). There is an automotive salvage yard further east that takes access to South Congress Avenue and is part of the proposed rezoning for commercial and mixed use uses (DR). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).***

The Applicant proposes to rezone the property to the townhouse and condominium residence (SF-6) district as the first step in constructing up to 33 residential units.

BASIS OF RECOMMENDATION:

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

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.

- 2. Zoning changes should promote an orderly and compatible relationship among land uses.*
3. Zoning should be consistent with approved and existing residential densities.

SF-6 zoning is consistent with the two adjacent properties directly to the east and south, and is compatible with the existing single family residences in the vicinity.

This is a case of residential infill in a lower density residential area that has zoning case approvals within the past 15 years that allow for more compact development (the SF-4A-CO zoned Parkridge Gardens single family-small lot subdivision in December 2005 and the SF-6-CO zoned Verrado condominium community in June 2013). SF-6 zoning is a reasonable option for multiple-acre parcels developed or redeveloped as residential infill. As indicated in the purpose statement of the district, SF-6 can be a transition to single-family residential – reflecting it is an appropriate and compatible use.

In conclusion, Staff believes the proposed SF-6 zoning and condominium development is compatible with the single family character of the area that now includes a similarly situated condominium project to the east and south.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Outdoor storage of vehicles and equipment
<i>North</i>	NO-CO	Undeveloped (proposed for CS-MU-V under Case No. C14-2021-0123)
<i>South</i>	SF-6-CO; DR, SF-2	Condominiums; A few single family residences on large lots
<i>East</i>	SF-6-CO; DR	Condominiums; Automotive salvage yard (proposed for CS-MU-V under Case No. C14-2021-0123)
<i>West</i>	SF-2	Single family residences in the Beaconridge II subdivision

AREA STUDY: Not ApplicableTIA: Is not requiredWATERSHEDS: South Boggy Creek / Onion Creek – SuburbanCAPITOL VIEW CORRIDOR: NoSCENIC ROADWAY: NoCOMMUNITY REGISTRY LIST:

511 – Austin Neighborhoods Council 627 – Onion Creek HOA
 742 – Austin Independent School District 1228 – Sierra Club, Austin Regional Group
 1306 – Parkridge Gardens HOA 1363 – SEL Texas
 1424 – Preservation Austin 1494 – South Boggy Creek Neighborhood Association
 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
 1820 – Peaceful Hill Preservation Association

SCHOOLS:

Williams Elementary School

Bedichek Middle School

Crockett High School

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2021-0123 – 7900 South Congress (formerly known as Byrdhill Rezoning) – 7809 Peaceful	DR; NO-CO to CS-MU-V on 43.033 acres	Not yet scheduled	Not yet scheduled

Hill Ln; 7713 and 7715 and Byrdhill Ln; 7604, 7900 & 7900 1/2 S Congress Ave			
C14-2011-0141 – Peaceful Hill Condominiums – 8107 Peaceful Hill Ln; 501 Hubach Ln	DR to SF-6 on 9.51 acres	To Grant SF-6-CO w/CO for max 60 units and Restrictive Covenant for the conds of the Neighborhood Traffic Analysis	Apvd SF-6-CO w/RC as ZAP recommended w/add'l COs limiting impervious cover to 45% and requiring a minimum 6' wide sidewalk from Shallot Way to Mairo St (6-6-2013).
C14-2011-0160 – Capital City Salvage (L.K.Q.) – 7900 S Congress Ave	DR to LI-CO	To Deny LI-CO with conditions to restrict development on 8.361 acres on the north side of the property	Case Expired
C14-2008-0100 – South Congress Storage Rezoning – 8008 S Congress Ave	DR to CS	To Grant CS-CO w/CO of 100' bldg. setback, 50' buffer from DR, prohibit adult businesses, automotive rentals, repair and sales, commercial blood plasma center, and pawn shops, traffic < 2000/day	Apvd CS-CO (9-25-2008).
C14-2008-0050 – Clark & Southside 13 – 8104 and 8200 S. Congress Ave	DR; RR-CO; SF-2 to CS	To Grant CS-CO w/CO for list of prohibited uses being auto-related uses including vehicle storage, convenience storage, commercial blood plasma center, adult businesses and pawn shops; 50' landscape buffer, 100' building setback adjacent to DR zoned property & 2,000 trips.	Apvd CS-CO as Commission recommended except for removing convenience storage and vehicle storage use from the prohibited use list (6-18-2008).
C14-05-0034.SH – Peaceful Hill Subdivision – 308 Ralph Ablanado Dr and 8319 Peaceful Hill Ln	SF-6; W/LO; LI; DR to SF-4A	To Deny SF-4A	Approved SF-4A-CO w/CO for: 1) 2,000 trips; 2) prohibit access to Peaceful Hill Ln.; 3) a residential use shall comply with the measures under Section 25-13-44 (Airport Overlay Land

			<p>Use Table) that achieve a minimum outdoor-to-indoor noise level reduction of 25 decibels; 4) a 30' wide rear yard setback shall be established for a residential structure adjacent to a non-residential use or zoning district; and 5) the max. height is one story adjacent to Crippen Sheet Metal.</p> <p>Restrictive Covenant for: 1) the Neighborhood Traffic Analysis; 2) construction of a pedestrian accessway to Peaceful Hill Lane; 3) center turn lane along Ralph Ablanedo Drive frontage; 4) 6' high solid masonry wall along property lines that do not abut Ralph Ablanedo Drive on the south and Peaceful Hill Lane on the west, and 5) an 8' solid fence along the east property line (12-15-2005).</p>
C14-02-0169 – Agape Christian Ministries – 7715 Byrdhill Ln	DR to NO-CO	To Grant NO-CO w/CO- 20' buffer along Peaceful Hill; 579 trips per day if access is taken to Peaceful Hill, increases to 2,000 if road is widened to 40' pavement	Approved NO-CO (6-5-2003).
C14-02-0168 Agape Christian Ministries – 7809 Peaceful Hill Ln	DR to NO-CO	To Grant NO-CO w/CO- 20'buffer along Peaceful Hill; 579 trips per day if access is taken to Peaceful Hill, increases to 2,000 if road is widened to 40' pavement	Approved NO-CO (6-5-2003).

RELATED CASES:

The property was annexed into the City limits on November 15, 1984 (C7A-83-017 A).

The property is platted as Tract 1 of the Hattie M. Marx Subdivision recorded in July 1971 (C8S-71-142). There are no site plan cases on the subject property.

EXISTING STREET CHARACTERISTICS:

Name	Existing and ASMP required ROW	Existing Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Peaceful Hill Lane	57 feet / 64 feet	31 feet	Level 2 (Residential Collector)	No	Wide Curb Lane	Yes

ADDITIONAL STAFF COMMENTS:Inclusive Planning

Proposed Use: 2.7 acres from DR to SF-6. Misc/Industrial to 33 Condo units.

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.
Y	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Y	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.
Y	Connectivity and Education: Is located within 0.50 miles from a public school or university.
Y	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).
5	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 South Boggy Creek Watershed and the Onion Creek Watershed of the Colorado River Basin, which is 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 SF-6 zoning district is 55%, a consistent figure between the *zoning and watershed* regulations.

PARD – Planning & Design Review

Parkland dedication will be required for the new residential units proposed by this development, condominiums with SF-6 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 and Compatibility Standards

A site plan will be required for any new development other than single-family, two-family or duplex residential.

Any new development is subject to the design standards in Subchapter E of the Land Development Code. Additional comments will be made when the site plan is submitted.

This site will be subject to the density provisions in 25-2 Subchapter C, depending on the specific residential use classification.

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. The SF-2 zoning districts to the west and DR zoning districts to the south and east will trigger the height limitations of the compatibility standards.

Compatibility Standards

The site is subject to the compatibility standards as described in comment SP4. Along the east, south and west property lines, the following standards apply:

- No structure in excess of two stories and 30 feet in height may be constructed within 50 feet of the property line of the compatibility-triggering property.

- No structure in excess of three stories and 40 feet in height may be constructed within 100 feet of the property line of the compatibility-triggering property.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, the height is limited to 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, the height is limited to 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- Additional design regulations will be enforced at the time a site plan is submitted.

Demolition

In the event that demolition or relocation of existing buildings is proposed, the applicant is responsible for requesting demolition or relocation 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.

Austin Transportation Department – Engineering Review

The Austin Strategic Mobility Plan (ASMP) calls for 64 feet of right-of-way for Peaceful Hill Lane. It is recommended that 32 feet of right-of-way from the existing centerline should be dedicated for Peaceful Hill Ln according to the Transportation Plan with the first subdivision or site plan application [LDC 25-6-51 and 25-6-55].

The subject rezoning case originally had a TIA Determination Worksheet requiring a Neighborhood Traffic Analysis (NTA), however the Applicant modified their land use from standard detached housing (ITE code 210) to townhouse-style attached housing (ITE 215); this resulted in an NTA no longer being required.

Water and 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.

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.

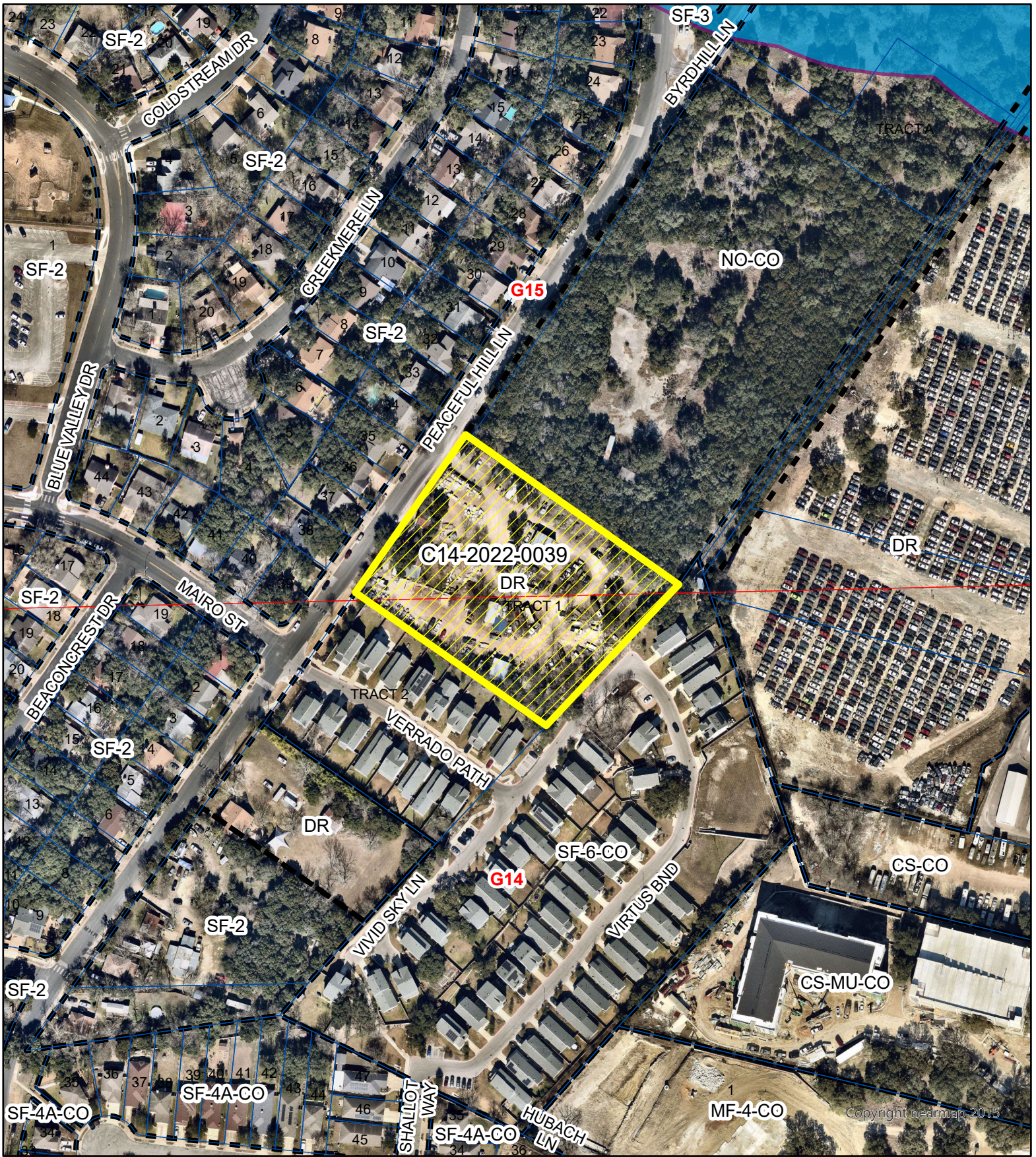
INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibits A and A-1: Zoning Map and Aerial View

Correspondence Received



Created: 3/23/2022



N



1" = 200'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

Peaceful Hill Residential

Exhibit A - 1

ZONING CASE#: C14-2022-0039

LOCATION: 7901 Peaceful Hill Lane

SUBJECT AREA: 2.7 Acres

GRID: G14

MANAGER: WENDY RHOAD

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.



View results

Respondent

114

Anonymous

05:21

Time to complete

1. What is the Zoning/Rezoning Case Number? *

Only Zoning/Rezoning Cases open for public comment at this time are available in this list. Not all cases may be scheduled on the PC/ZAP agendas at this time, but here are helpful links to those agendas.

You can find Zoning and Platting Commission Agendas here:

http://austintexas.gov/cityclerk/boards_commissions/meetings/54_1.htm

You can find Planning Commission Agendas here:

http://austintexas.gov/cityclerk/boards_commissions/meetings/40_1.htm

C14-2022-0039 – Peaceful Hill Residential



2. Your name (providing this information will be part of the public record and will be available online)

Walt Rumpf

3. Your address (providing this information will be part of the public record and will be available online)

83xx Peaceful Hill Ln

4. Your zip code (providing this information will be part of the public record and will be available online)

78748

5. Position on Zoning/Rezoning *

I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

there needs to be farther set backs from the road and the road itself will eventually need to be widened to support new development. Many residents on Peaceful Hill are supportive of ways (including ceding property along street in exchange for public property available at back) to widen the road to properly support development. Additionally these units should be standalone relative to rest of homes in neighborhood. This seems like a lot of housing units for this amount of land. Each unit would have less than 1/10th of an acre.



From:
To: [Rhoades, Wendy](#);
Subject: RE: Postponement Request C14-2022-0039 (7901 Peaceful Hill Lane)
Date: Wednesday, August 10, 2022 4:31:44 PM

*** External Email - Exercise Caution ***

With the understanding that September 6th is the next available hearing date, we are agreeable to the Neighborhood's request for postponement to September 20th.

Thank you,

Victoria Haase



512-998-5900 Cell
512-476-4456 Office

Mail: P.O. Box 41957
Austin, Texas 78745

From: margaret valenti
Sent: Wednesday, August 10, 2022 3:19 PM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; John B. Stokes **Cc:** Victoria
Subject: Postponement Request C14-2022-0039 (7901 Peaceful Hill Lane)

Hello Wendy,

Thanks for the call today and reviewing the three cases happening in the Peaceful Hill area.

As discussed, please accept this email as a postponement request for case # C14-2022-0039 also known as 7901 Peaceful Hill Residential, until September 20th.

The Peaceful Hill Preservation Association is still working with the agent to come to agreement on some aspects of the proposed rezoning.

Please let me know if you need any further information from me.

Kind regards,
Margaret Valenti
7704 Peaceful Hill Lane

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