

ZONING CHANGE REVIEW SHEETCASE: C14-2023-0014 – Albert Road SubdivisionDISTRICT: 5ADDRESS: 7306 Albert RdZONING FROM: DRTO: SF-6SITE AREA: 3.00 acresPROPERTY OWNER: Blue Diamonds Builders, LLC (Olivia Burns)AGENT: Urban Strategy (Davit Barseghyan)CASE MANAGER: Nancy Estrada (512-974-7617, nancy.estrada@austintexas.gov)

The Staff recommendation is to grant townhouse and condominium residence – conditional overlay (SF-6-CO) combining district zoning. The Conditional Overlay limits the number of units to seven (7) per acre. The basis of Staff's recommendation is provided on page 2.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:**June 20, 2023:**CITY COUNCIL ACTION:ORDINANCE NUMBER:ISSUES:

On April 21, 2022, the Applicant met with the Matthews Lane Neighborhood Association to discuss the proposed rezoning.

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, single family residence-standard lot district zoning. The petition includes 48.25% of eligible signatures and meets the 20% threshold for a valid petition. Petition materials and comment response forms are located at the end of the Staff report.

CASE MANAGER COMMENTS:

The subject rezoning area is located at 7306 Albert Road on a 50-foot wide unplatted tract and is zoned development reserve (DR) district. Currently there are two single-family residences and a workshop located on the property. There are storage units and facilities as well as single family residences to the north (MF-2-CO; SF-2), single family residences on large tracts to the south and east that have frontage on Albert Road (DR; SF-3; SF-1), and railroad tracks are directly to the west of this property with multi-family residential across the railroad tracks (MF-2). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).***

The Applicant has requested the townhouse and condominium residence (SF-6) district zoning in order to provide future residential units. The SF-6 district allows for moderate density single family, duplex, two-family, townhouse and condominium use.

Staff is recommending (SF-6-CO) with a Conditional Overlay that limits the number of units to seven (7) per acre due to the substandard infrastructure of Albert Road. The proposed recommendation will allow for clustering of the proposed units and for more flexibility with the potential layout design and for the maximization of common open space on-site; however, an SF-3 residential density will be preserved. The (SF-6) district has a maximum building height of 35 feet and a maximum building cover of 40%.

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 the designation for a moderate density single-family residential, duplex, two-family, townhouse, or condominium use on a lot that is a minimum of 5,750 square feet. An SF-6 district designation may be applied to a use in an existing single-family residential neighborhood with moderately sized lots or to new development with lots that are 5,750 square feet or more.

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

SF-6 zoning is a reasonable option for multiple-acre parcels to be redeveloped as residential infill based on the following considerations: 1) as a district, it promotes a single-family character; 2) it will allow for clustering of units giving moderate tree coverage on site; thus protecting more of the heritage oak trees and environment and 3) it facilitates infill development in a manner that can promote detached housing units, and common open spaces, which in turn creates a wider variety of housing options.

The current condition of Albert Road was also taken into consideration. At this time, there are no planned infrastructure improvements per previous zoning cases on Albert Road; therefore, staff is recommending a Conditional Overlay that limits the number of units to seven (7) per acre.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Single family residence & workshop
<i>North</i>	DR; SF-2	Storage facilities; Single family residences
<i>South</i>	DR	Single family residences and outbuildings on large tracts
<i>East</i>	DR; SF-3; SF-2-CO; SF-1	Single family residences on large lots and tracts
<i>West</i>	MF-2; MF-2-CO	Multi-family residences; Railroad tracks

NEIGHBORHOOD PLANNING AREA: Not Applicable TIA: Is not required

WATERSHEDS: Williamson Creek – Suburban

CAPITOL VIEW CORRIDOR: No SCENIC ROADWAY: No

SCHOOLS: Casey Elementary School Bedichek Middle School Akins High School

COMMUNITY REGISTRY LIST:

Matthews Lane Neighborhood Association	Austin Neighborhoods Council
Onion Creek Homeowners Association	Austin Independent School District
Sierra Club, Austin Regional Group	Austin Lost and Found Pets
Go!Austin/Vamos!/Austin-78745	Friends of Austin Neighborhoods
South Austin Neighborhood Alliance (SANA)	SEL Texas
Homeless Neighborhood Association	Preservation Austin
Neighborhood Empowerment Foundation	

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2022-0110 – 7605 Albert Rd	DR to SF-6	To grant SF-6-CO limiting the number of units to 9 per acre	Apvd SF-6 (5-4-2023).
C14-2022-0100 – 7606 Albert Rd	DR to SF-6	Indefinite Postponement	
C14-2023-0006 – 7500 Wynne Lane	MH to SF-3	To grant	Apvd (5-4-2023).
C14-2022-0056 – 7415 Albert Rd	DR to SF-3	To Grant SF-3-CO	Apvd SF-3-CO w/CO limited to 7 dwelling units & single shared driveway cut (10-13-2022).
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 Road Rezoning	SF-6-CO to SF-6-CO to remove the CO that limits height for a building or structure to 20'	To Grant	Apvd (8-2-2012).
C14-2007-0184 – 7406 Forest Wood Rd	DR to SF-2	To Grant	Apvd (11-29-2007).
C14-05-0091 – Lelah's Crossing – 1300 W. Dittmar Rd.	DR; GO to MF-1	To Grant SF-6-CO with density limitation of 6 u.p.a. and height limit of 20 feet; RC 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 RC to delete the rollback provision to RR, rural residence	To Grant	Apvd (4-27-2006).

RELATED CASES:

This is a 2.995 acre tract of land out of the William Cannon League described by metes and bounds.

There are no subdivision or site plan cases on the subject property.

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Albert Road	Level 1	58'	48'	21'	No	No	No

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 7306 ALBERT RD - C14-2023-0014

Project: Albert Road Subdivision. 3.00 acres from DR to SF-6. Demolish 2 residential units and 1 workshop and construct 37 single family houses.

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified 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.
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.
	Connectivity and Education: 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 recreation area, park 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, and/or specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu of affordable housing.
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 a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
2	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 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.

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.

Impervious Cover

The maximum impervious cover allowed by the SF-6 zoning district would be 55%, 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-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

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.

The site is subject to compatibility standards. Along the north 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.
 - For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 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.
 - An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
 - A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO. A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.
- Additional design regulations will be enforced at the time a site plan is submitted.

Austin Transportation Department – Engineering Review

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Albert Road. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Albert Road according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

There is a proposed Urban Trail adjacent to this site, along the western property boundary along the UPC/ASA Rail Trail. The easement required is a minimum of 20 ft as this allows for a 12 ft trail (minimum trail width per the urban trails plan) and room for maintenance activity. This is the same for Tier I and Tier II trails.

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.

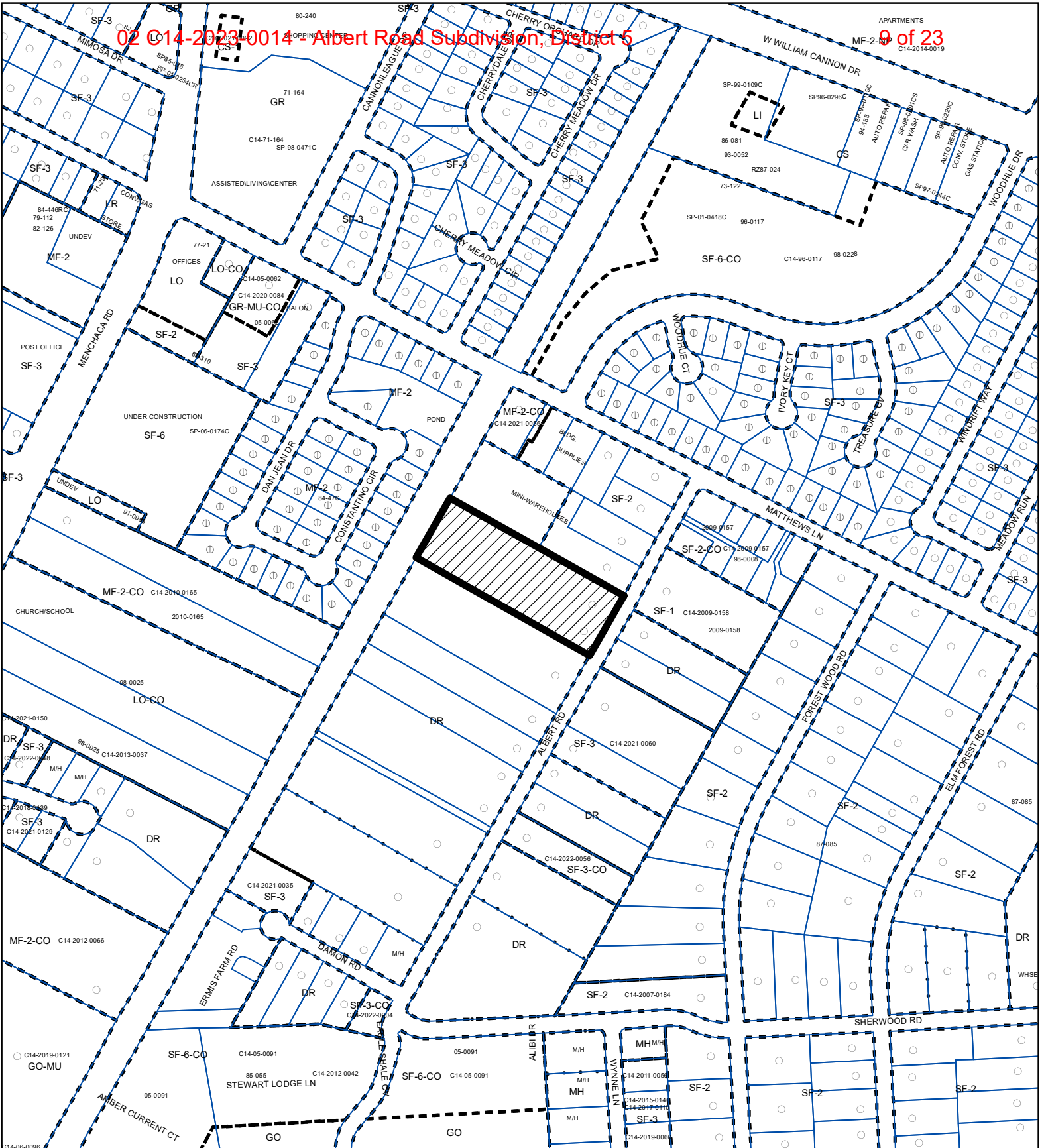
INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map
Exhibit A-1: Aerial Map

Applicant's Summary Letter

Petition Information

Correspondence Received



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2023-0014

EXHIBIT A

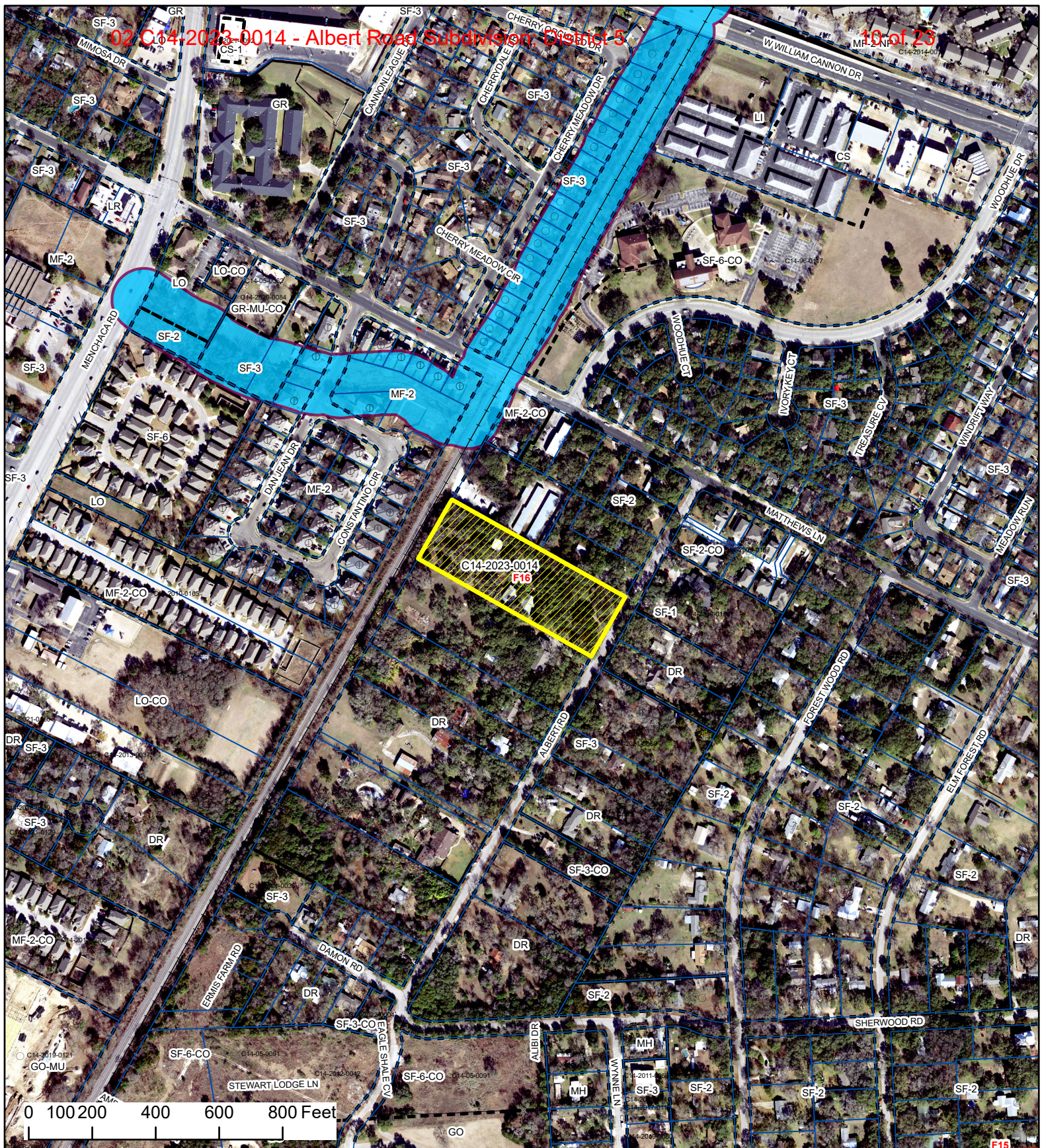


1" = 400'

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 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

Created: 2/13/2023



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

Albert Road Subdivision

EXHIBIT A-1

ZONING CASE#: C14-2023-0014
 LOCATION: 7306 Albert Road
 SUBJECT AREA: 3 Acres
 GRID: F16
 MANAGER: Nancy Estrada



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 completeness.

Created: 3/14/2023



2003 S Lamar Blvd, Suite 5
Austin, Texas 78704
214-537-5511

November 3, 2022

Jerry Rusthoven, Chief Zoning Officer
City of Austin Housing and Planning Department
1000 E. 11th St. Austin, Texas 78702

Re: Rezoning application for 7306 Albert Road, also known as TCAD Parcel No.
0419160106 (the "Property")

Dear Mr. Rusthoven:

I am submitting the attached rezoning application for the Property requesting SF-6 zoning. The Property is currently zoned for interim Development Reserve with a single-family structure on a three-acre lot. Our request seeks to create "missing middle" housing units, providing families with moderately sized homes that are more affordable than a standalone single-family home on a large lot.

This rezoning request aligns with the goals set forth in the Imagine Austin Planning Principles by creating a neighborhood with a mix of low density and medium density housing in close vicinity of transportation options and community centers such as schools, restaurants, grocery stores, and green spaces. This development aims to preserve the character of the neighborhood by leaving a large buffer between housing and the roadway and by designing the future use around the multiple large oak trees.

Austin is a fast-growing city that is missing much of the housing that is needed to support the large job pool in and around the downtown area. Many of Austin's new residents are would be home buyers that have been priced out living in single family homes due to inflation and rising interest rates. An SF-6 zoning would allow for these new residents to live in a single-family home at a price that better aligns with what the average homebuyer can afford.

The current zoning allows for only one residential structure on the three-acre lot. In contrast, our request envisions a "missing middle" residential project with 37 smaller units, adding needed housing capacity within the city limits and providing modestly-sized homes that are more financially attainable for families. Additionally, the City's Strategic Housing Blueprint cites "large increases in demand for small-lot, single family and missing middle housing types" and calls for 30 percent of new housing to comprise "missing middle" units. This project would help advance the city's housing goals and increase the diversity of housing types in Austin.

I appreciate your consideration of this application, and look forward to answering any questions and providing further details.

Respectfully,
Davit Barseghyan

A handwritten signature in black ink, appearing to read "Davit Barseghyan", written over a white background.

P E T I T I O N

Date: March 23, 2023

File Number: C14-2023-0014

Address of Rezoning Request: 7306 Albert Road, 78745

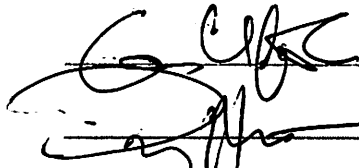
To: Austin City Council

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 add more than 10 units to the property.

(STATE REASONS FOR YOUR PROTEST)

Urban Structure requests a zoning change from DR to SF-6 and would like to build up to 37 units on this 3 acre parcel. Neighbors met with Urban Structure in 2022 where they presented plans for 10-12 units, which we would have supported. However, the signatories and Matthews Lane Neighborhood Association (a voluntary group, not an HOA) oppose dense development 0.6 miles from amenities and a transit corridor. The project is inconsistent with neighboring lots and the area lacks urban infrastructure. The lot has heritage trees that need to be built around. We oppose the application.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

SignaturePrinted NameAddress


Carmen Wehmeier

7400 Albert Road



Doug Wehmeier

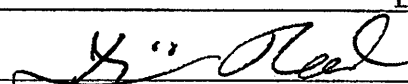
7400 Albert Road

Alfonso Espiritu

7311 Albert Road

Luningning Espiritu

7311 Albert Road



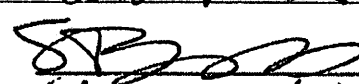
Jimmie Reed

7302 Albert Road



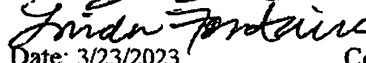
Carol Reed

7302 Albert Road



STUART Bailey

7401 Albert Road



Linda Fontaine

7407 Albert Rd.

Date: 3/23/2023

Contact Name: Karen Fernandez

Phone: 512-739-1684

P E T I T I O N

Date: March 23, 2023

File Number: C14-2023-0014

Address of Rezoning Request: 7306 Albert Road, 78745

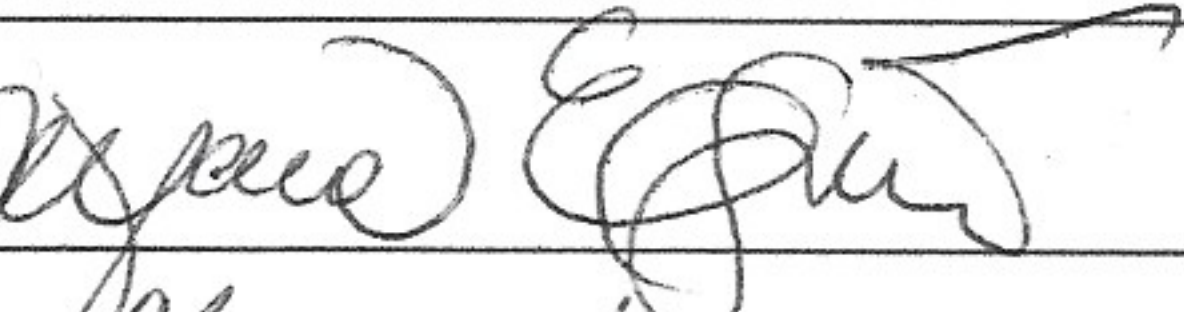
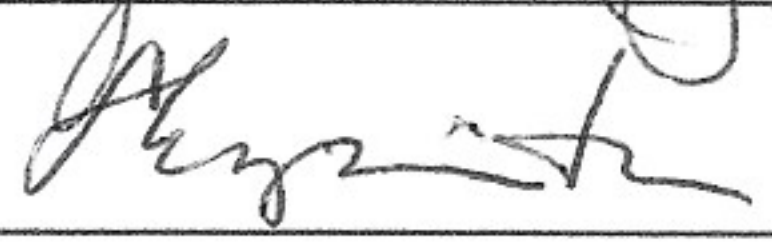
To: Austin City Council

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 add more than 10 units to the property.

(STATE REASONS FOR YOUR PROTEST)

Urban Structure requests a zoning change from DR to SF-6 and would like to build up to 37 units on this 3 acre parcel. Neighbors met with Urban Structure in 2022 where they presented plans for 10-12 units, which we would have supported. However, the signatories and Matthews Lane Neighborhood Association (a voluntary group, not an HOA) oppose dense development 0.6 miles from amenities and a transit corridor. The project is inconsistent with neighboring lots and the area lacks urban infrastructure. The lot has heritage trees that need to be built around. We oppose the application.

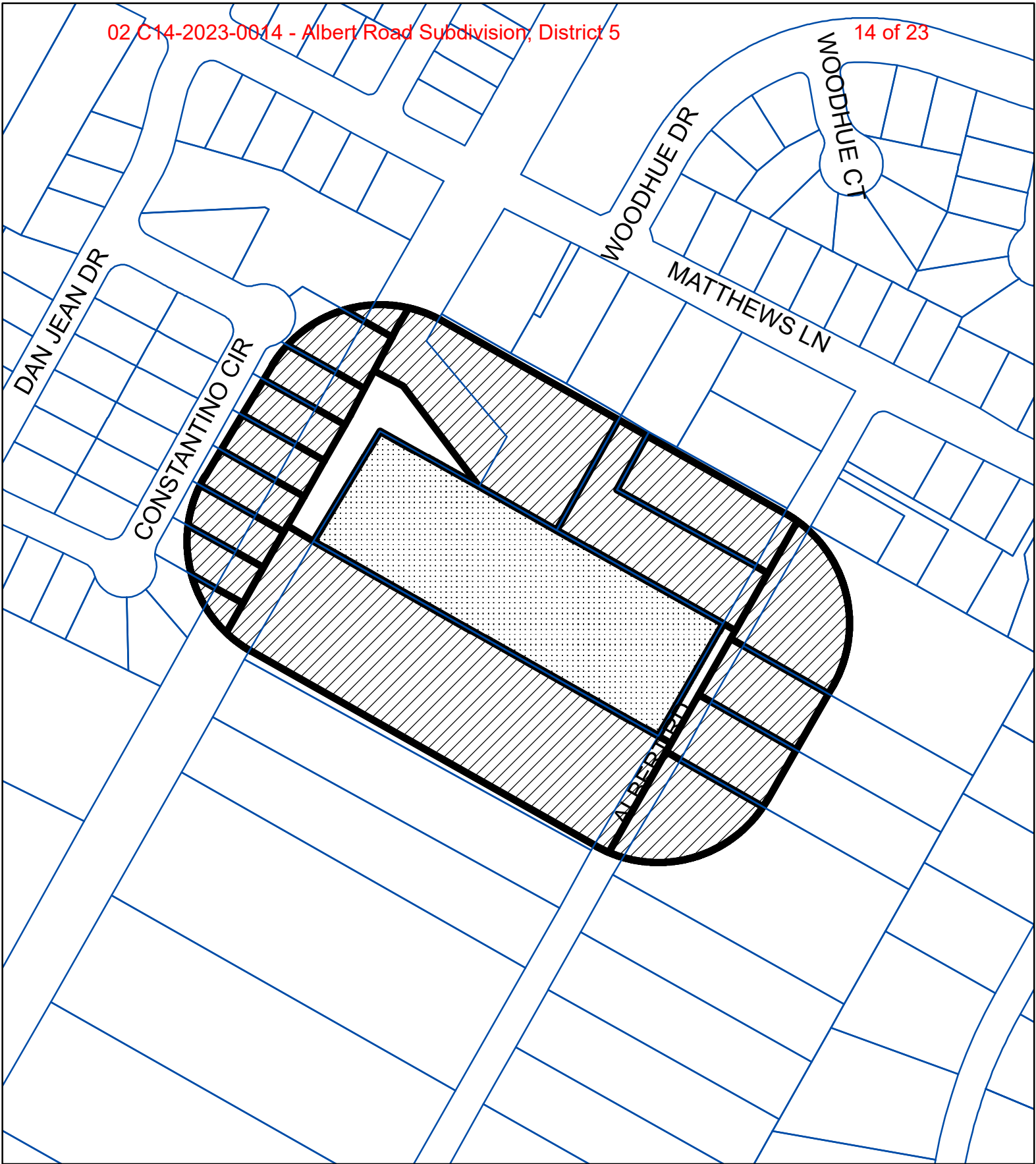
(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	Carmen Wehmeier	7400 Albert Road
	Doug Wehmeier	7400 Albert Road
	Alfonso Espiritu	7311 Albert Road
	Luningning Espiritu	7311 Albert Road
	Jimmie Reed	7302 Albert Road
	Carol Reed	7302 Albert Road

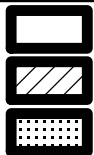
Date: 3/23/2023

Contact Name: Karen Fernandez

Phone: 512-739-1684



N



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

Case#: C14-2023-0014

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 completeness.



1" = 200'

Case Number:
C14-2023-0014

PETITION

Date: 6/13/2023

Total Square Footage of Buffer: 456877.4576

Percentage of Square Footage Owned by Petitioners Within Buffer: 48.25%

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
0420150123	1709 CONSTANTINO CIR 78745	1709 CONSTANTINO LLC	no	9722.57	0.00%
0419160212	7311 ALBERT RD AUSTIN 78745	ESPIRITU ALFONSO & LUNINGNING	yes	18443.33	4.04%
0422130207	7401 ALBERT RD 78745	FONTAINE LINDA & STUART BAILEY	yes	24070.36	5.27%
0418170401	1607 MATTHEWS LN 78745	KGKC PROPERTIES LLC	no	63574.72	0.00%
0420150124	1705 CONSTANTINO CIR 78745	KINLOCH LIVING TRUST	no	9641.92	0.00%
0420150121	1717 CONSTANTINO CIR 78745	LEE JUI-SHAN REVOCABLE TRUST &	no	9482.20	0.00%
0419160105	7302 ALBERT RD 78745	REED JIMMIE D	yes	38523.60	8.43%
0420150125	1701 CONSTANTINO CIR 78745	RICHARDSON JAMES	no	9479.71	0.00%
0420150119	1725 CONSTANTINO CIR 78745	ROSEN RACHEL	no	2991.24	0.00%
0419160213	7305 ALBERT RD AUSTIN 78745	SANDERS KENT E & SHARON K	no	18143.94	0.00%
0418171109	1619 CONSTANTINO CIR 78745	SAROSA FU FAMILY TRUST	no	11013.45	0.00%
0419160104	7300 ALBERT RD 78745	SHADDOCK CARROLL	no	26364.42	0.00%
0420150120	1721 CONSTANTINO CIR 78745	TANG XINGHAI	no	7668.20	0.00%
0420150122	1713 CONSTANTINO CIR 78745	TEAM DUKE LLC	no	9755.94	0.00%
0418171110	1615 CONSTANTINO CIR 78745	TEXAS FOUR REGION HOLDINGS LTD	no	2756.70	0.00%
0419160204	7211 ALBERT RD 78745	VANDERHOOF FAMILY TRUST	no	29520.69	0.00%
0422130101	7400 ALBERT RD 78745	WEHMEIER CARMEN & DOUG	yes	139423.28	30.52%
Total				430576.27	48.25%

From: [Ruth Lauer](#)
To: [Estrada, Nancy](#)
Cc: [Karen Fernandez](#); [Eugene Sutton](#); [Carmen King](#)
Subject: ZAP C14-2023-0014 7306 Albert Rd, 78745
Date: Thursday, March 30, 2023 2:54:16 PM
Attachments: [7306 Albert photos.docx](#)

*** External Email - Exercise Caution ***

Nancy,

It was good meeting you at last week's meeting. Thank you for all your help.

Here we go again. Below is my protest letter re: C14-2023-0014 7306 Albert Rd, 78745. Please let me know when this is scheduled to go before the ZAP.

Attached are:

1. Copy of plan shared with us by Mr. Barseghyan
2. Two photos of Albert Road

I will be sending an updated petition separately. Please include these materials as back-up for case.

Blue Diamond Builders and Urban Structure request a zoning change from DR to SF-6, to build up to 37 units on this 3-acre parcel. I oppose dense development over a half mile from amenities and a transit corridor. The project is inconsistent with neighboring lots and the area lacks urban infrastructure. Approving this level of density will exacerbate the area's problems and burden Austin taxpayers with major infrastructure expenditures. I ask that you consider the precedents set by other rezoning: DR to SF-3 with a maximum of 2-7 units per acre. And that the rezoning prohibit STRs.

Neighbors met with Mr. Barseghyan on April 21, 2022, where he presented a plan for SF-2 zoning with up to 13 units. See attached. He explained that Urban Structure just develops the roadways, utilities and slabs for construction. I was surprised that in November, he submitted a rezoning application for SF-6 and 37 units. Blue Diamond builders appear to mainly construct apartment style developments. Funding is provided by Stallion Funding which aims for a 12-14% net return to investors and speaks highly of the value in STRs. Mr. Barseghyan's letter (which appears to be plagiarized from Mr. Whellan's letter for 7606 Albert) contains a number of disputable points:

- There is no evidence to support that these will be "missing middle" moderately sized units (townhomes, duplexes, fourplexes and small apartment units). Matthews Lane on the north side is already lined with smaller (1,000 square foot) affordable duplexes.
- There is no affordable housing in the plan. There is no evidence that the homes will be "more affordable". Newly built homes in the area are marketed for between \$500K and \$1 million, and are larger than most of the existing homes.
- This property is not close to a transit corridor or neighborhood amenities. Albert Road and the area as a whole lacks sidewalks, and pedestrians and bicycles compete with vehicles for road space.
- The large buffer he mentions is required by the 75' setback building line.

Albert Road is a narrow rural road with no sidewalks, curbs or cutouts. The area was annexed by the City of Austin in 1984 and, apart from bringing water and sewer to the area, very little has been done to improve the infrastructure. The area retains its rural character and attracts walkers and bicyclists who appreciate the trees and wildlife. Pluvial flooding is a problem. The City's response is

to dig trenches alongside the road, making use of shoulder for walking or parking impossible. At the November 2022 Council meeting, (former) Council Member Ann Kitchen specifically spoke about the need for safe roadways and water management in this area. However, there are no funds identified to make this happen.

The Matthews Lane Neighborhood Association (I serve as secretary) warns that this level of density on Albert Road will require the City (and taxpayers) to pay for improvements like curbs, drainage, sidewalks, road widening, and utility upgrades. By approving dense housing this far from a transit corridor the City would be colluding with investors and contravening its stated goals.

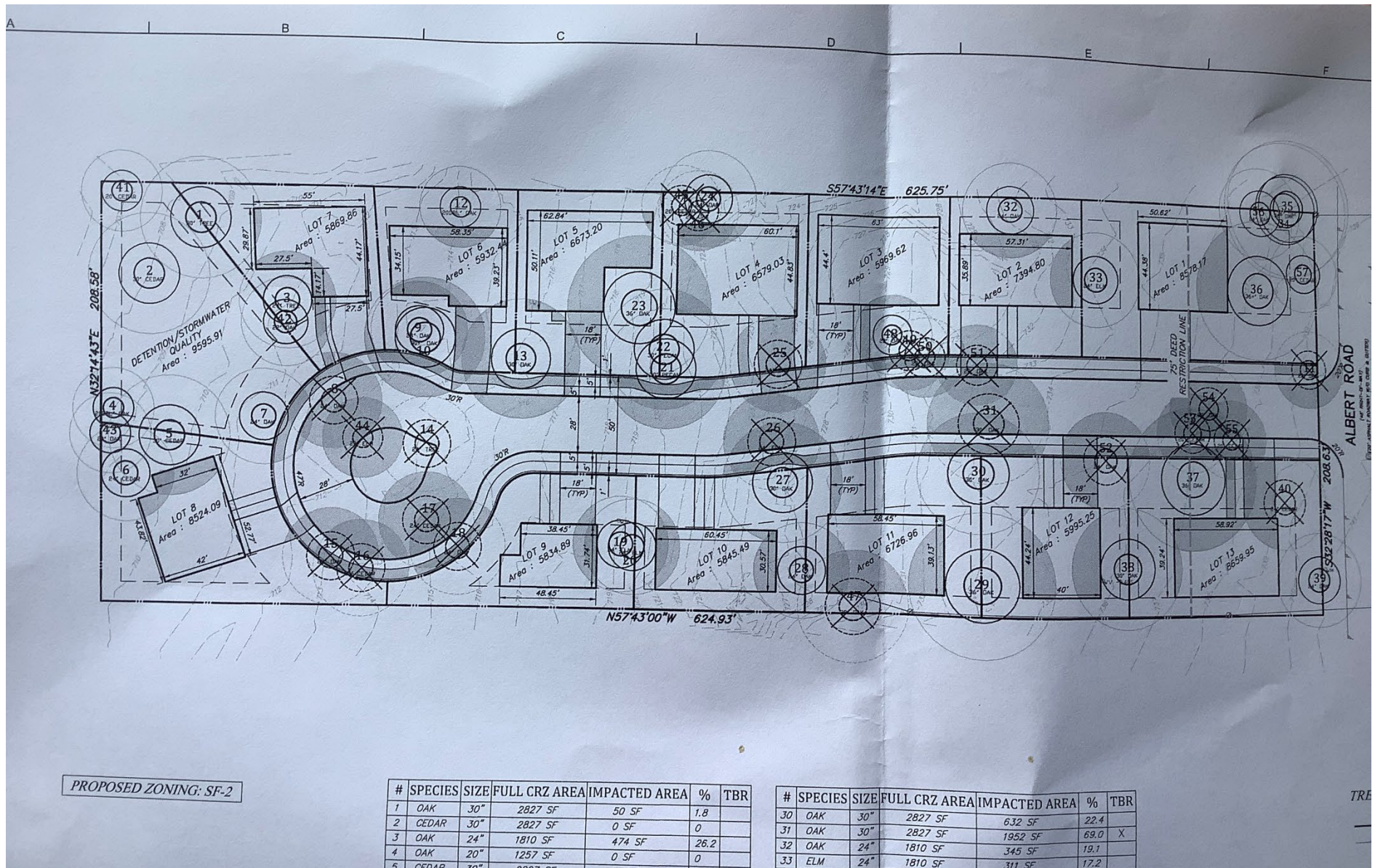
The Planning and Zoning staff and commission should also be aware that there are numerous developments coming online in the one-square mile MLNA area. The Southstone development at 1300 Dittmar will provide over 300 units, including duplexes; 7 units will be built on one acre at 7415 Albert Road; 37 units were requested at 7606 Albert Road (application postponed indefinitely); 37 units are requested at 7306 Albert; and 1501 Damon has 2 new homes. All of this has already increased wear and tear, and traffic, on local streets with no investment in sidewalks, drainage or other infrastructure needs.

I ask that you consider the precedents set by other rezoning: DR to SF-3 with a maximum of 2-7 units per acre. And that the rezoning prohibits STRs.

Ruth Lauer
7309 Forest Wood Rd.

Sent from [Mail](#) for Windows

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.



Albert Road, 78745. Treelined and beautiful but narrow (that's a compact car) with no sidewalks or curbs. Runoff is handled by bar ditches leaving no room for pedestrians or parked vehicles.



Albert Road (looking south at corner with Sherwood).



From: Stuart Bailey
Sent: Tuesday, March 28, 2023 9:13 PM
To: Estrada, Nancy
Subject: neighbor input C14-2023-0014

*** External Email - Exercise Caution ***

Hello Nancy Estrada,
The reference file number is
C14-2023-0014
The subject address is 7306 Albert Road

Dear City of Austin Housing and Planning Department,
I am writing regarding the Zoning Change proposal to build 37 units (more than 12 per acre) on the property across the street from my house. I live on the 2 acres at 7401 Albert Road.
To move to this type of density would more than double the households for Albert Road.
I would like to limit the number of houses per acre on my street and in this neighborhood. I would prefer to stick to 1 or 2 houses per acre (as I have). If this is too restrictive, the landowners could apply for subdivision of the SF3 lots.
Our street is a quiet residential street. There are other streets nearby which are busier (Matthews, Cooper, Dittmar, Menchaca). I would like to see the city approve denser housing on these already busier streets.
The zoning for my house is SF3. I was told by the city that in addition to my home, I am allowed to have a single ADU. Other houses in this area also have SF3 zoning. This designation allows for development of a residential neighborhood, but not the crowding of higher density zoning.
Sincerely,
Stuart Bailey

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.

From: [Ellen Cantor](#)
To: [Estrada, Nancy](#)
Subject: 7306 Albert Rd C14-2023-0014
Date: Wednesday, June 14, 2023 12:44:26 PM

You don't often get email from ellen.e.cantor@gmail.com. [Learn why this is important](#)

External Email - Exercise Caution

Hi Nancy,

I am writing to you on the advice of my neighbor Ruth Lauer, who said that protest letters regarding 7306 Albert Rd needed to be submitted to you by today. So, please consider this my request that 7306 Albert Rd be zoned SF-3 with a maximum of 2-7 units per acre, and short-term rentals prohibited.

I am a new homeowner at 7203 Albert Rd, and part of what drew me to the area is the rural aspect: quiet streets, lots of trees and greenery. I regularly ride my bike or walk my dog on Albert Rd, which is possible despite the lack of sidewalks because there is very little traffic on the street. 37 units at 7306 Albert simply isn't sustainable. It's a very narrow, rural road with no sidewalks or even shoulders, over half a mile away from any major roads or amenities.

I ask that the City please value the needs of the existing neighborhood and residents over the desires of investors. Apart from digging trenches on the side of the road (thus removing the use of the shoulder of the road for walking or parking), the City has not invested in the infrastructure of the neighborhood. The Southstone development and other developments on Albert Rd are already increasing the burden on that infrastructure, with no plans in place or funds allocated to alleviate that burden. Mr. Barseghyan's proposal would require the City to pay for road widening, sidewalks, drainage, and utility upgrades.

The neighborhood needs you to follow the precedent set by other rezoning: DR to SF-3 with a maximum of 2-7 units per acre, prohibiting STRs.

Thank you,
Ellen Cantor

CAUTION: This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook or forward to cybersecurity@austintexas.gov.

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: C14-2023-0014

Contact: Nancy Estrada, 512-974-7617

Public Hearing: Jun 20, 2023, Zoning and Platting Commission

Kyle Kampe

Your Name (please print)

☒ I am in favor
☐ I object

7233 Menchaca Rd

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

Kyle Kampe

Signature

6/12/23

Date

Daytime Telephone (Optional):

Comments: SF-6 seems like a fairly reasonable zoning district for this tract. I currently live in a SF-6 zoned tract that was developed with detached single-family condos, which I find to be pleasant, compatible with the qualities of this area, and just dense enough to accommodate the additional housing needs that wouldn't be satisfied with the 5750 sq ft lot standard single-family zoning.

If you use this form to comment, it may be returned to:
 City of Austin, Planning Department
 Nancy Estrada
 P. O. Box 1088, Austin, TX 78767
 Or email to:
nancy.estrada@austintexas.gov