

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0035

DISTRICT: 4

ADDRESS: 6103 Sheridan Avenue

ZONING FROM: SF-3-NP

TO: LR-MU-CO-NP

SITE AREA: Approximately 0.1866 acres (8,130.32 sq. ft.)

PROPERTY OWNER: Poolie (Leslie Elliott)

AGENT: Leslie Elliott

CASE MANAGER: Jonathan Tomko (512) 974-1057, jonathan.tomko@austintexas.gov

STAFF RECOMMEDATION:

Staff recommends granting neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning.

PLANNING COMMISSION or ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

June 13, 2023: Staff requested a postponement to August 8, 2023, so the associated out-of-cycle NPA case could catch up and be on the same agenda.

August 8, 2023: Staff postponement requested to September 12, 2023.

September 12, 2023: Staff postponement requested to October 10, 2023.

October 10, 2023: Case is scheduled to be heard by the Planning Commission

CITY COUNCIL ACTION:

TBD

ORDINANCE NUMBER:

None

ISSUES:

This case has a valid petition with 33.45%. This is comprised of one signature from a very large property to the north, please see *exhibit E*.

CASE MANAGER COMMENTS:

The property in question is currently being utilized as a pool contractor business, this is a construction sales and services use, which requires CS zoning to be in compliance for that use. The applicant originally requested GR-NP, amended that request to CS on June 14, 2023, and amended it again to LR-MU-CO-NP which matches staff's recommendation for this case. The applicant has requested this zoning classification with the intent to use it as an office, and not as a pool contractor business.

The property is less than 500 feet from U.S. Highway 290 East (an ASMP level 5 street) with a service road that is an ASMP level 4 street). The property is within the Highland Mall Station Imagine Austin Center and Cameron Road (approximately 1,000 feet to the east) is an Imagine Austin Corridor.

The parcel is located in a “pocket neighborhood” of approximately 35 single family homes along Sheridan Ave. between U.S. Highway 290 East and Clayton Lane.

BASIS OF RECOMMENDATION:

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

Neighborhood commercial (LR) is a district designation for a commercial use that provides business service and office facilities for the residents of a neighborhood and that is located in or adjacent to residential neighborhoods. This zoning category will ensure that the use is compatible and complementary in scale and appearance with the adjacent residential neighborhood, while also offering a transition between more intensive adjacent uses.

The proposed zoning should promote consistency and orderly planning.

The proposed zoning will promote consistency and orderly planning because this site is located adjacent to more intensive uses, CS (to the north) and GO (to the east). LR is also an appropriate transitional zoning category between the CS to the north and the LO to the south.

The proposed zoning should allow for a reasonable use of the property.

The LR will allow for a reasonable use of the property in question. Neighborhood commercial zoning is suitable for this site because it will allow for a transition in the intensity of commercial uses to the north and east.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Pool Contractor (Poolie) within an approximately 840 square foot single family home built in 1951. This use is not currently in compliance with City Code for a zoning category of SF-3-NP.
<i>North</i>	CS-MU-NP	Approximately 61,408 square foot 2 story large office/former shopping center built in 1972, with approximately 187,800 sq ft of paved area. Appears potentially vacant but maintained.
<i>South</i>	LO-NP	Approximately 848 sq ft single family home built in 1951 with a paved area of 3,420 sq ft.
<i>East</i>	GO-MU-NP	5 story large office approximately 215,000 sq ft built in 1973, paved area of approximately 214,000 sq ft
<i>West</i>	SF-3-NP	Approximately 1,194 sq ft single family home built in 1950.

NEIGHBORHOOD PLANNING AREA: University Hills/Windsor Park Neighborhood Plan Area (Windsor Park)

WATERSHED: Fort Branch Watershed and Tannehill Branch WatershedSCHOOLS: A.I.S.D.

Harris Elementary School

Webb Middle School

Northeast High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Del Valle Community Coalition, Friends of Austin Neighborhoods, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Preservation Austin, Responsible Growth for Windsor Park, SELTexas, Sierra Club, Austin Regional Group, Windsor Park Neighborhood Association, Windsor Park Neighborhood Plan Contact Team

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2022-0003 (Clayton Lane Residences)	The Applicant is proposing to approximately 1.9635 acres from GR-MU-CO-NP to GR-MU-V-NP.	05.11.2022 PC: To grant GR-MU-V-CO-NP as recommended by Staff. Cox, Anderson - Staff Rec. Vote: 10-3. Azhar, Praxis and Llanes Pulido nay. Cox, Anderson - Staff Rec. Vote: 10-3. Azhar, Praxis and Llanes Pulido nay.	06.16.2022 Ordinance No. 20220616-117 for community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning was approved on Council Member Vela's motion, Council Member Ellis, second on an 11-0 vote
C14-2020-0064 (6007 IH 35 Residences)	The Applicant proposes to rezone 2.496 acres from CS-MU-NP to CS-MU-V-NP.	07.28.2020 PC: Approved Staff Recommendation on Consent	08.27.2020: Approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.
C14-2023-0063 (6121 N. IH 35)	The Applicant is proposing to rezone approximately 7.91 acres from CS-MU-NP and CS-1-NP to	Case is on the 10.10.2023 PC Agenda	N/A

	CH-PDA-NP. This case is also on Planning Commission's 10/10/23 Agenda.		
C14-2008-0044 (Windsor Park NPA VMU Zoning)	The applicant is requesting Vertical Mixed-Use Zoning.	03.25.2008 PC: Recommended (9-0) J. Reddy; S. Kirk 2nd	05.22.2008: Ordinance No. 20080522-041 was approved, an affordability level of 60% of the median family income for 10% of rental units in a vertical mixed-use building was included.

RELATED CASES:

NPA-2023-0023.01 - The applicant is requesting an NPA from single family to commercial

ADDITIONAL STAFF COMMENTS:Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the both the Tannehill Creek Watershed and the Fort Branch Creek Watershed, both of the Colorado River Basin, which are classified as Urban Watersheds by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. >According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
7. 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.

Fire

No Comments on Rezoning

PARD – Planning & Design Review

Parkland dedication fees may apply to any future site or subdivision applications resulting from this rezoning. As of January 1, 2023, new commercial uses are subject to parkland dedication requirements at the time of site plan and subdivision.

Site Plan

- SP 1. Site plans will be required for any new development other than single-family, two-family or duplex residential.
- SP 2. 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 site is subject to compatibility standards due to the adjacent SF-3 district to the West.
- SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP 4. This site is located in the Windsor Park neighborhood planning area, residential design standards .
- SP 5. This tract is already developed and the proposed zoning change is a footprint within the existing development. The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Transportation and Public Works (TPW)– Engineering Review

- ATD 1. The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Sheridan Avenue. It is recommended that 29 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

EXISTING STREET CHARACTERISTICS:

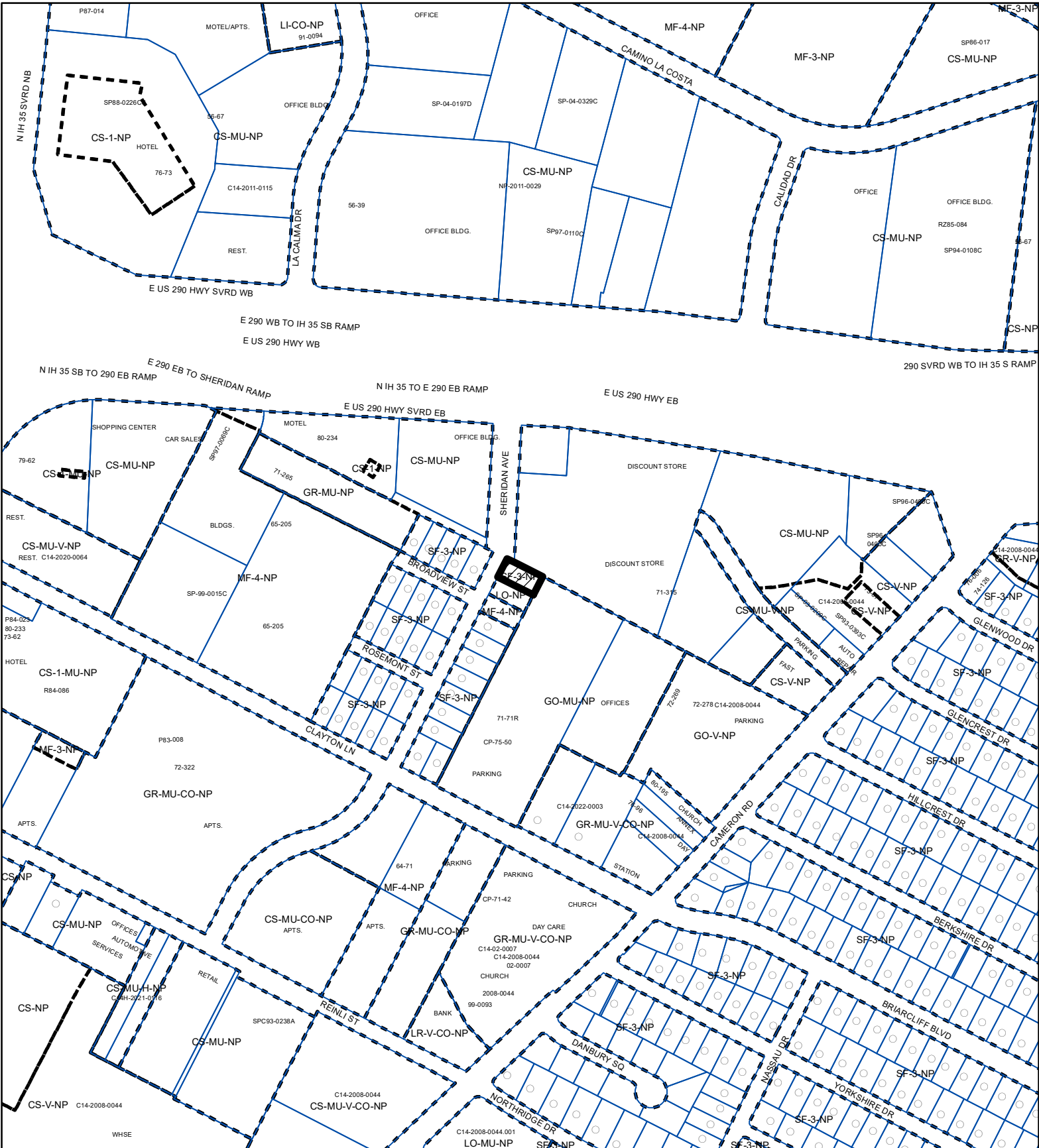
Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Cap Metro (within ¼ mile)
Sheridan Avenue	Level 1	58 feet	~49 feet	40 feet	None	None	No

TIA: Not requiredAustin Water Utility

No Comments on Rezoning




INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letters
- D. Correspondence from Interested Parties
- E. Petition Signatures, Map, and Table


$$1'' = 400'$$

ZONING

ZONING CASE#: C14-2023-0035

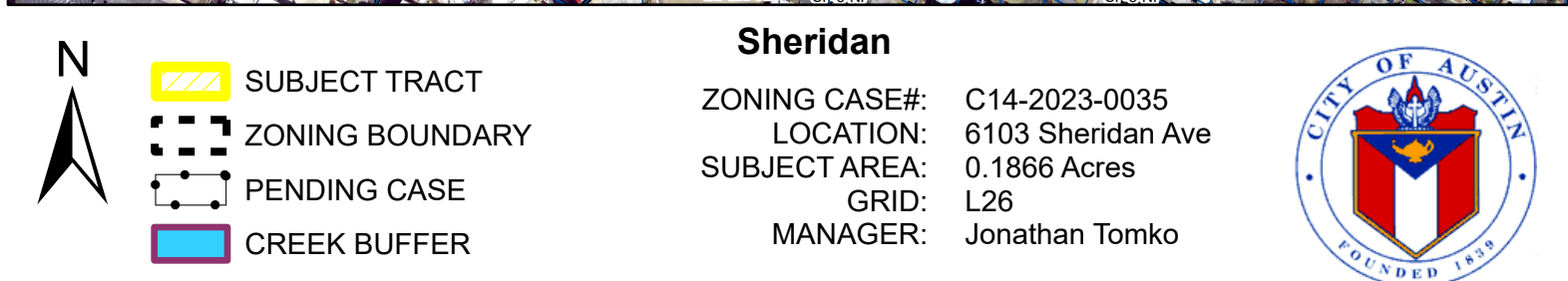
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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: 3/21/2023



Created: 4/27/2023



June 14, 2023

Letter of Intent Rezone

6103 Sheridan., Austin, TX

Dear City of Austin,

This letter is to provide you with the necessary information about this property for a rezone we are submitting for with the city.

We are requesting a rezone for the property with the above address. The owner is wanting to rezone from R5 to CS with conditions. Limiting impervious coverage 80% FAR, Setbacks, Height 40 ft to LR restrictions.

Site Development Standards are:

1. Minimum Lot Size of 5,750 sq ft
2. Minimum Lot Width 50 ft
3. Maximum Building Coverage 50%
4. Maximum Impervious Coverage 80%
5. Maximum Floor Area Ratio .5:1
6. Maximum Height 40 ft or 3 stories

Minimum Setbacks

1. Front Yard 25 ft
2. Street Side Yard 15 ft
3. Interior Side Yard N/a
4. Rear Yard N/a

Setbacks are:

1. Adult Oriented Business
2. Agricultural

3. Automotive Rentals
4. Automotive Sales
5. Automotive Washing
6. Bail Bond Services
7. Campground
8. Commercial Blood Plasma Center
9. Commercial Off-Street Parking
10. Construction Sales and Services
11. Drop Off Recycling Collection Facilities
12. Hotel/Motel
13. Indoor Entertainment
14. Indoor Sports and Recreation
15. Kennels
16. Laundry Services
17. Pawn Shop Services
18. Theater
19. Vehicle Storage
20. Veterinary Services
21. Custom Manufacturing

Please, do not hesitate to reach out to us with any questions or concerns. Thank you in advance for your time.

Sincerely,

Ricca Keepers, MUP

Ricca Keepers, MUP

Keepers Land Planning

Land Planner

512-550-6508

KeepersLandPlanning.com

Sep 22, 2023

To: Jonathan Tomko (City of Austin)

Hi Jonathan,

As the owner of 6103 Sheridan Ave, Austin TX 78723 I am formally requesting a revision to our zoning request:

- We would like to request LR-MU-CO-NP for 6103 Sheridan Ave
- Looking at the future land use map, 6101 and 6103 will back up to MU/Office and there is a natural break point to the left of 6101 already in current state and on the future land use map for the neighborhood
- 6101 is also already zoned for LO / residential so this would align with our neighbor, and the residential lot across the street is being torn down and now owned by the church
- Where our property is and based on the surrounding properties, we believe it would ever be used as a SF residential property and would much better align with the surrounding area when rezoned
 - The home has been used an office space for at least 15+ years before us (window tinting business and then a staffing agency)
 - While there is SF zoning close by, most of the area is mapped for MU on the future plan, and 6101 and 6103 are somewhat islanded from the SF already (home across the street is also not vacant, owned by church and likely to be torn down)
 - While we would like to be able to stay as long as we can, if we needed to move at some point, this would allow a future owner to develop more high density / affordable housing at either location (could not happen now as I understand at 6101 now given requirements of being next door to a SF home)

We were asking for CS given the desire to build a "garage / shed" or more permanent storage since the house is so small, but have decided to pursue an offsite storage facility given our need is also becoming imminent as our business grows and will be leasing that space by the end of the year.

The neighborhood has voiced concerns about a few items, parking, storage, and limiting future use cases, which we believe we have solved.

We would like to request placement on the October agenda with this modified request.

Thanks,


Leslie Elliott
leslie@polie.com
512-203-6620

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 attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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 or at a 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.

Case Number: C14-2023-0035

Contact: Jonathan Tomko, 512-974-1057

Public Hearing: June 13, 2023, Planning Commission

Karen Evertson

Your Name (please print)

☐ I am in favor
☒ I object

6101 Sheridan Ave., Austin 78723

Your address(es) affected by this application

[Signature]

Signature

6/8/23

Date

Daytime Telephone: 512-~~000~~ 323-0797

Comments: The applicant is a tenant of our property (next door). They have misrepresented the use of the property: are using the property for the outside storage of hazardous chemicals. This poses a danger to neighbors: is not compliant w/ requested zoning. They moved use from subject property to ours during

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

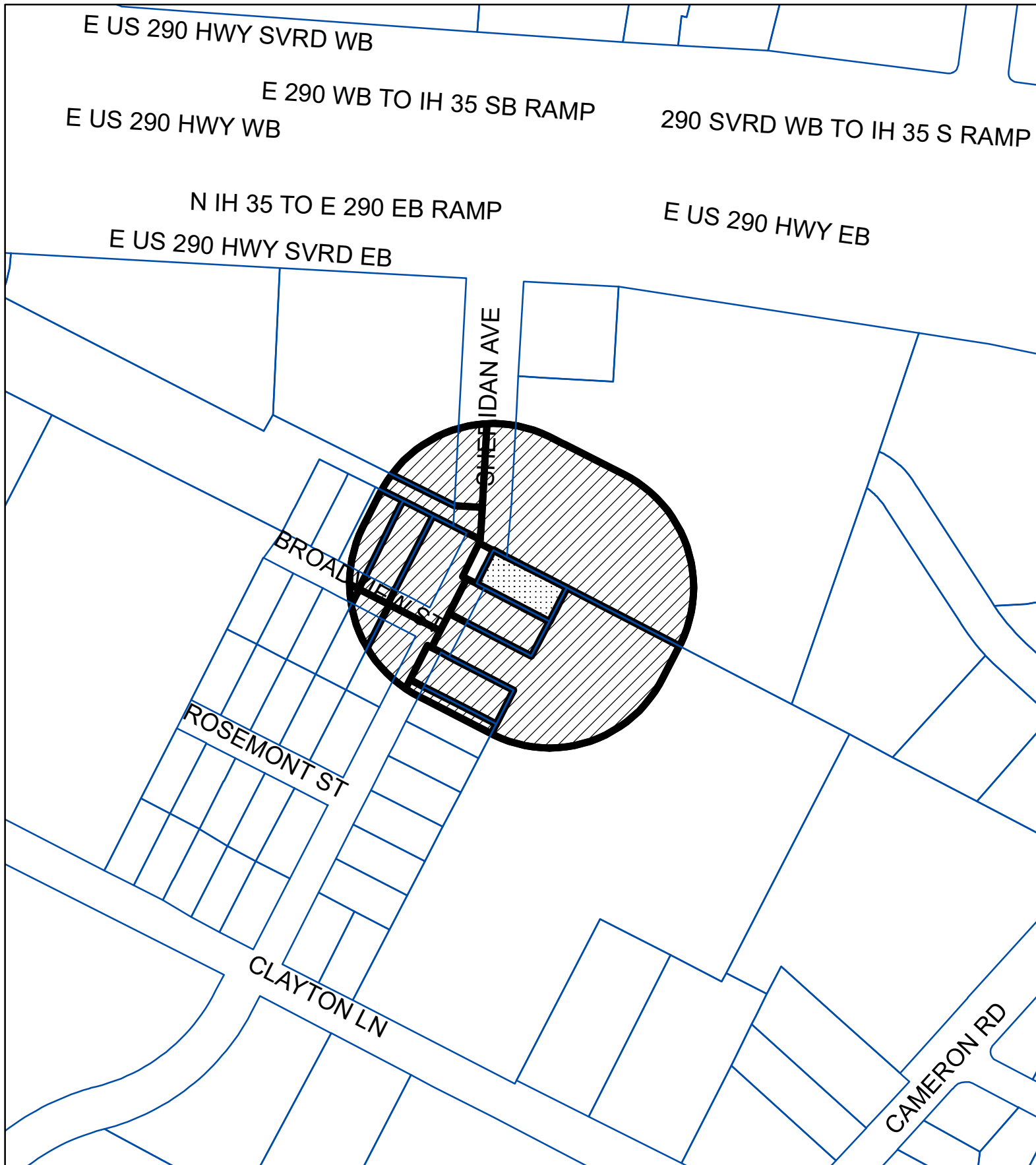
Planning & Zoning Department

Jonathan Tomko

P. O. Box 1088

Austin, TX 78767-8810

the pending of these proceedings.



N



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

Case#: C14-2023-0035

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1" = 200'

PETITION

Date: 7/19/23

File Number: C14-2023-0035

Address of Rezoning Request: 6103 Sheridan Ave.

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 Single Family.

The occupants of 6103 Sheridan Ave. operate “Poolie”, a pool maintenance company on-site. Limited parking strains local properties and increases street traffic. Concerns about on-site chemical storage impacting single-family neighbors raises further concern. This activity better suits a light industrial zone, not a residential neighborhood.

[illegible]

Date: 7/19/23

Contact Name: Nancy Kinstler

Phone Number: 512-775-3087

Case Number:
C14-2023-0035

PETITION

Date: 10/1/2023
Total Square Footage of Buffer: 209244.46
Percentage of Square Footage Owned by Petitioners Within Buffer: 33.45%

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
0225150331	6225 E U S HY 290 78723	AYMOND GREGORY M THE MOST REVEREND BISHOP	no	12829.78	0.00%
0225150333	SHERIDAN AVE 78723	AYMOND GREGORY M THE MOST REVEREND BISHOP	no	5269.81	0.00%
0225150310	1045 BROADVIEW ST AUSTIN 78723	BARRETT CORA & ERIC JOYCE	no	2945.88	0.00%
0225150309	1043 BROADVIEW ST AUSTIN 78723	BLANDA JOSEPH B	no	244.84	0.00%
0225150241	6301 E U S HY 290 78723	CROCKETT PARTNERS LTD	yes	70001.00	33.45%
0225150225	6101 SHERIDAN AVE 78723	ES PROPERTIES LLC	no	9092.55	0.00%
0225150222	6015 SHERIDAN AVE AUSTIN 78723	FLORES GABRIEL ALEJANDRO	no	2617.38	0.00%
0225150311	1047 BROADVIEW ST 78723	MORENO JULIO S	no	8106.04	0.00%
0225150212	1106 CLAYTON LN 78723	OMNINET TWIN TOWERS LP	no	52273.77	0.00%
0225150302	1046 BROADVIEW ST 78723	SEGUIN WESLEY & LEO SEGUIN	no	14007.30	0.00%
0225150303	1044 BROADVIEW ST 78723	VASQUEZ JOE S	no	8161.85	0.00%
0225150304	1042 BROADVIEW ST AUSTIN 78723	VILLALOBOS IGNACIO JR	no	5288.43	0.00%
0225150223	6017 SHERIDAN AVE 78723	WHITTSON VENTURES LLC	no	9198.54	0.00%
Total				200037.17	33.45%