

SECOND/THIRD READINGS SUMMARY SHEET

CASE: C14-2023-0029 – 7009 Guadalupe Street Rezoning DISTRICT: 4

ADDRESS: 7009 Guadalupe Street

APPLICANT: Julian Patridge

AGENT: Permit Solutions (Crystal Lemus)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

REQUEST:

Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 7009 Guadalupe Street from townhouse and condominium residence–neighborhood plan (SF-6-NP) district to multifamily residence-low density–neighborhood plan (MF-2-NP) combining district zoning.

PREVIOUS CITY COUNCIL ACTION:

August 31, 2023: Approved MF-2-NP zoning on 1st reading. Vote: (9-0, Council Members Vela and Harper-Madison-off the dais).

ISSUES: N/A

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0029 – 7009 Guadalupe Street Rezoning

DISTRICT: 4

ZONING FROM: SF-6-NP

TO: MF-2-NP

ADDRESS: 7009 Guadalupe Street

SITE AREA: 0.345 acres (15,028 square feet)

PROPERTY OWNER: Julian Patridge

AGENT: Permit Solutions (Crystal Lemus)

CASE MANAGER: Ricky Barba (512-974-7740, Ricky.Barba@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant multifamily residence-low density – neighborhood plan (MF-2-NP) combining district zoning. *For a summary of the basis of Staff's recommendation, see case manager comments on page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

July 11, 2023: Approved staff's recommendation of MF-2-NP zoning (12-0);

A. Azhar-1st, F. Maxwell-2nd.

CITY COUNCIL ACTION:

August 31, 2023: Approved MF-2-NP zoning by consent on 1st reading (9-0, Council Members Vela and Harper-Madison-off the dais); L. Pool-1st, Z. Qadri-2nd.

September 21, 2023: Approved MF-2-NP zoning by consent on 2nd/3rd readings (11-0); L. Pool-1st. N. Harper-Madison-2nd. I

Case placed on the October 19, 2023 City Council agenda for reconsideration of 2nd/3rd readings due to ordinance posting error.

October 19, 2023:

ORDINANCE NUMBER:

ISSUES:

None at this time.

CASE MANAGER COMMENTS:

The subject rezoning area is developed with one duplex on a 75-foot wide lot, is located on the east side of Guadalupe Street at its intersection with Kawnee Drive, and zoned townhouse and condominium residence – neighborhood plan (SF-6-NP) district. There is an apartment to the north and a triplex to the south (MF-2-NP) and a park with softball field to the east (P-NP). Properties to the west across Guadalupe Street are located along the eastern boundary of the Lamar / Justin Ln TOD and contain a range of residential uses, including single family residences, duplexes, and apartments (TOD-NP). Three contiguous lots at the southwest corner of Guadalupe and Kawnee are proposed to change the subdistrict to one that allows for a wider range of uses (C14-2023-0017, see Area Case Histories). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).***

The Applicant has requested multifamily residence-low density – neighborhood plan (MF-2-NP) combining district zoning in order to build additional residential units on the property.

BASIS OF RECOMMENDATION:

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

The multi-family residence – low density (MF-2) district is intended to accommodate multifamily use with a maximum density of 23 units per acre, depending on unit size and has a maximum height of 40 feet. This district is appropriate for multifamily residential areas located near single family neighborhoods or in an area for which low density multifamily use is desired. The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

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

Staff recommends MF-2-NP zoning for the property based on the following considerations:

1) location on Guadalupe Street, a collector street at this location; 2) it is suitable for additional residential development, 3) it would be consistent with the development to the north and south, and compatible with the residential uses permitted within the TOD to the west, and 4) it is a reasonable option for parcels developed or redeveloped as residential infill as the property is located along a Capital Metro Bus Route (#324).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-6-NP	One duplex
<i>North</i>	MF-2-NP	Apartment
<i>South</i>	MF-2-NP	Triplex
<i>East</i>	P-NP	Highland Neighborhood Park and softball field
<i>West</i>	TOD-NP	Multifamily; Single family residence; Duplex

NEIGHBORHOOD PLANNING AREA: Brentwood / Highland (Highland)

TIA: Is not required

WATERSHED: Waller Creek – Urban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Reilly Elementary School Webb Middle School McCallum High School

COMMUNITY REGISTRY LIST:

Austin Independent School District
Austin Lost and Found Pets

Austin Neighborhoods Council
 Friends of Austin Neighborhoods
 Highland Neighborhood Association
 Highland/Skyview Neigh. Plan Contact Team
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 North Austin Neighborhood Alliance
 SELTexas

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2023-0017 – 7002, 7004, 7006 Guadalupe Street	Rezone approximately 1.493 acres of TOD-NP from Medium Density Residential Subdistrict to Mixed Use Subdistrict). This proposed change to the Station Area Plan, via the related NPA case, will also increase the Base Maximum Building Heights Map from 35' to 40' and allow the parcels to participate in the Development Bonus program to provide 10% of units at 60% of the Median Family Income.	Not yet scheduled	Not yet scheduled

RELATED CASES:

The property is platted as Lot 8, Block 5, Silverton Heights subdivision, recorded in August 1939 (C8-1939-1585 - Volume 4, Page 77). There is a related neighborhood plan

amendment case from Higher-Density Single Family to Multifamily land use on this lot (NPA-2023-0018.04).

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Cap Metro (within ¼ mile)
Guadalupe Street	Level 2	84 feet	~62 feet	~40 feet	Yes, both sides of road	Yes, both sides of road	Yes
Kawnee Drive	Level 1	58 feet	~53 feet	~29 feet	On one-side of road	None	Yes
Swanee Drive	Level 1	58 feet	~61 feet	~41 feet	None	None	Yes
W. St. John's Avenue	Level 2	72 feet	~51 feet	~40 feet	Yes, both sides of road	Yes, both sides of road	Yes

ADDITIONAL STAFF COMMENTS:

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

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

According to floodplain maps there is 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.

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.

Impervious Cover

Within the Waller Creek watershed, the maximum impervious cover allowed by the *MF-2-NP zoning district* would be 60%, which is based on the zoning regulations.

PARD – Planning & Design Review

Parkland dedication will be required at the time of subdivision or site plan application for new residential units, per City Code § 25-1-601, as amended. The proposed development meets the criteria for land dedication in City Code Title 25, Article 14. As such, a partial land dedication will be required, as well as any remaining fees in-lieu.

The surrounding neighborhood area to the south and west is currently park deficient, defined as being outside walking distance to existing parks. The development as proposed will require parkland dedication for the new residential units that will also serve the neighborhood through the additional park investment. The Parks and Recreation Department (PARD) would consider a connection to Highland Neighborhood Park toward satisfying the requirement at time of permitting (whether subdivision or site plan). Such a connection would improve neighborhood connectivity, one of the criteria for onsite parkland dedication.

Should there be any remaining fees in-lieu, 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).

Should the applicant wish 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 letter of the requirements as stated in this review.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family, two-family or duplex residential.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

This site would be subject to the multifamily density provisions in 25-2-561 which establishes a minimum site area for each dwelling unit.

For an efficiency unit, 1,200 sf is required;

For a one-bedroom unit, 1,500 sf is required;

For two bedrooms or more, 1,800 sf is required

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.

TPW Engineering Review

The Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for Guadalupe Street. It is recommended that 42 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].

Austin Water Utility

No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

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. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS, ATTACHMENT AND CORRESPONDENCE TO FOLLOW:

Exhibit A: Zoning Map

Exhibit A-1: Aerial Map

Exhibit B: Comments Received

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ZONING

ZONING CASE#: C14-2023-0029

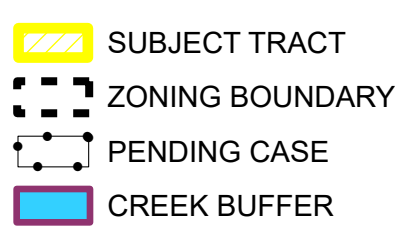
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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: 3/13/2023

$$1'' = 400'$$



Created: 3/29/2023

From: [Jolie Willis](#)
To: [Sirwaitis, Sherri](#)
Subject: Public comment - Case number: C14-2023-0029
Date: Friday, August 11, 2023 8:00:15 AM

External Email - Exercise Caution

Hi Sherry - please see below:

Case number: C14-2023-0029

Contact person: Sherri Sirwaitis, 512-974-3057, sherri.sirwaitis@austintexas.gov

Public Hearing: Aug 31, 2023 - City Council

I, Jolie Willis, object to this proposed zoning change.

We purchased our home at 106 E. Lisa Drive in 2008. We are currently experiencing a glut of multi-family and high density developments around all sides of our neighborhood. The intersection at Kenniston and Guadalupe was a safe and convenient way to travel to Reilly Elementary School, access the neighborhood, walk our dog, etc. However, with the completion of the high density development at the corner of St. Johns and Guadalupe, the number of cars, bikes, and pedestrians on Guadalupe has become highly congested and much more dangerous. This street is narrow and cannot accommodate the number of people who are trying to use it. Adding more users to this block is not responsible or safe.

I oppose rezoning the property located at 7009 Guadalupe Street from Townhouse and Condominium to Multifamily Residence.

Signed,
Jolie Willis
August 11, 2023

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: C14-2023-0029

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: August 31, 2023, City Council

Wm Cornish

Your Name (please print)

☐ I am in favor
☒ I object

107 W St Johns AV 78752-2413

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

[Signature]

Signature

08/12/23

Date

Daytime Telephone (Optional): 512 693 5036

Comments: Myself and many others spend 4 hours every week, one night, for 1 year to develop our neighborhood plan. To see it shredded is a problem.

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

City of Austin, Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

From: [Marilyn Anderson](#)
To: [Sirwaitis, Sherri](#)
Subject: Re: Case Number: C14-2023-0029
Date: Monday, August 14, 2023 2:46:10 PM

External Email - Exercise Caution

Good afternoon Ms. Sirwaitis,
I left another message again this morning at 10 am. When I was not able to speak directly with you, I went ahead and sent in my response. I am not in favor of ANY change in zoning that would increase the density of any neighborhood in this city. I have lived here all my life, over 70 years, and remember what a nice city Austin *used* to be. Now it has become a profanity which I chose not to use in this email.

Thank you for your response.

Marilyn Anderson

From: Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>
Sent: Monday, August 14, 2023 2:01 PM
To: Marilyn Anderson
Subject: RE: Case Number: C14-2023-0029

Hi Ms. Anderson,

Thank you for your comments. I have only received one voice message from you on Friday afternoon and have not been able to return messages yet today as I have been in meetings all morning. Here is the backup material for your review (please see attached). This information will be posted on the city's website the Friday prior to the August 31st City Council meeting for the Council and public's review:

https://www.austintexas.gov/department/city-council/council/council_meeting_info_center.htm

Sincerely,

Sherri Sirwaitis

City of Austin

Planning Department

sherri.sirwaitis@austintexas.gov

512-974-3057(office)

Please note: E-mail correspondence to and from the City of Austin is subject to required disclosure under the Texas Public Information Act.

From: Marilyn Anderson
Sent: Monday, August 14, 2023 1:54 PM
To: Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>
Subject: Case Number: C14-2023-0029

External Email - Exercise Caution

Since you don't respond to voice mail messages from citizens of Austin, I am emailing to let you know that I vehemently oppose the change in zoning proposed by case C14-2023-0029.

Marilyn Anderson
102 W Lisa Dr
Austin, TX 78752

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.

Sirwaitis, Sherri

From: Meredith, Maureen
Sent: Thursday, August 24, 2023 12:33 PM
To: Sirwaitis, Sherri
Subject: Cmmt form C14-2023-0029

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Case Number: C14-2023-0029

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: August 31, 2023, City Council

LAURA TREE

Your Name (please print)

307 SWANEE DR

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

Sherri Sirwaitis

Signature

Daytime Telephone (Optional):

8/17/23

Date

☐ I am in favor
☒ I object

Comments: NO PARKING IN A BUNCH OF

BOX UNITS WITHOUT CANYARD

OR GREEN SPACES. ENVOY

OF TURNING OUR CDD. AUSTIN

INTO A PLASTIC LOOK LIKE

EVERYTHING. GET CREATIVE & DO

SOMETHING AUSTIN CAN BE INNOVATIVE

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City of Austin, Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov



Maureen Meredith, Senior Planner
Inclusive Planning Division
Planning Department
Office: (512) 974-2695
Schedule: M-Th, 8 AM – 6:30 PM
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PER CITY ORDINANCE: All individuals scheduling or accepting a meeting invitation with a City Official are requested to provide responses to the questions at the following link:
<https://bit.ly/HPDLobbyingForm>
Please note that all information provided is subject to public disclosure. For more information please visit: [City of Austin Ordinance 20160922-005](#) | [City Clerk's website](#) | [City Clerk's FAQ's](#)



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Case Number: C14-2023-0029

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: August 31, 2023, City Council

Liming Millsapple

Your Name (please print)

600 Kawnnee Dr # D Austin, TX

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

[Signature]

Signature

8-11-2023

Date

Daytime Telephone (Optional):

Comments:

Congestion is already horrible in my immediate AREA. This new construction will only make it worse.

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

City of Austin, Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov