

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0100 – 7606 Albert Road
C14-2023-0032 – 1512 Damon Road

DISTRICT: 5

ADDRESS: 7606 Albert Road
1512 Damon Road

ZONING FROM: DR and SF-3

TO: SF-6

SITE AREA:

7606 Albert Road – 3.00 acres
1512 Damon Road – 0.748 acres

TOTAL: 3.748 acres

PROPERTY OWNER: Albert Road Horizontal Investors, LP (Matt McDonnell)

AGENT: Armbrust & Brown (Michael Whellan)

CASE MANAGER: Nancy Estrada (512-974-7617, nancy.estrada@austintexas.gov)

STAFF RECOMMENDATION:

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 pages 2-3.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

September 19, 2023: APPROVED SF-6 DISTRICT ZONING

**[A. FLORES; C. ACOSTA – 2ND] (7-1) VC GREENBERG – NAY;
S. BOONE, L. STERN, C. THOMPSON – ABSENT**

February 7, 2023: APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY THE APPLICANT

**[H. SMITH; A. DENKLER – 2ND] (8-0) C. ACOSTA – OFF THE DIAS;
S. BOONE – ABSENT; ONE VACANCY ON THE DIAS**

CITY COUNCIL ACTION:

January 18, 2024:

November 30, 2023: APPROVED A POSTPONEMENT REQUEST BY COUNCIL MEMBER R. ALTER TO JANUARY 18, 2024.

VOTE: 10-0. Council Member R. Alter was absent.

November 9, 2023: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO NOVEMBER 30, 2023.*

VOTE: 10-0. Council Member Harper-Madison was absent.

ORDINANCE NUMBER:

ISSUES:

Signatures of adjacent property owners have been submitted in response to the above-referenced rezoning cases, opposing a rezoning of the properties to any classification other than SF-2 for 7606 Albert Road and SF-3 for 1512 Damon Road. A petition for 7606 Albert Road includes 20.26% of eligible signatures and a petition for 1512 Damon Road includes 21.03% of eligible signatures. Both meet 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 initial subject rezoning area is located at 7606 Albert Road on an approximately three acre unplatted tract and is zoned development reserve (DR) district. Currently there is one single-family residence located on the property. This rezoning case was on an indefinite postponement while 1512 Damon Road was being acquired. The second tract is located at the end of Damon Road on an un-built cul-de-sac and is adjacent to the western portion of 7606 Albert Road. It was rezoned to SF-3 in 2021.

There are single family residences on large tracts to the north and east that have frontage on Albert Road (DR; SF-3-CO; SF-6-CO) and a new condominium development to the south which takes its primary access off Dittmar Road that is located further south (SF-6-CO). The Union Pacific Railroad tracks border this property to the west. Damon Road contains several single family residences on standard lots zoned (DR) upon annexation in the mid-1980s. ***Please refer to Exhibits A & B (Zoning Maps) and A-1 & B-1 (Aerial Exhibits).***

Although these are two separate zoning cases, the Applicant is requesting to rezone both tracts to the townhouse and condominium residence (SF-6) district zoning. A unified development that will include approximately 46 residential units is being proposed. At this time the proposed project only has access from Albert Road. There is no access from Damon Road under current conditions.

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 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.

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 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 & undeveloped
<i>North</i>	DR; SF-2	Single family residences on large lots and tracts; Religious assembly
<i>South</i>	DR	Single family residences; Condominiums (new construction)
<i>East</i>	DR; SF-3; SF-6-CO	Single family residences on large lots and tracts
<i>West</i>	Not Applicable	Union Pacific Railroad right-of-way and tracks

NEIGHBORHOOD PLANNING AREA: Not Applicable

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
 Onion Creek Homeowners Association
 Sierra Club, Austin Regional Group
 Go!Austin/Vamos!/Austin-78745
 South Austin Neighborhood Alliance (SANA)
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 TNR BCP – Travis County Natural Resources

Austin Neighborhoods Council
 Austin Independent School District
 Austin Lost and Found Pets
 Friends of Austin Neighborhoods
 SEL Texas
 Preservation Austin

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2022-0100 – 7306 Albert Rd	DR to SF-6	To grant SF-6-CO limiting the number of units to 7 per acre	Apvd, as ZAP recommended (8-31-2023).
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-CO as amended to prohibit use as a Type 3 short- term rental (5-4-2023).
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	Apvd SF-3-CO w/CO prohibiting duplex (4-7-2022).
C14-2021-0035 – 1512 Damon Rd	DR to SF-3	To Grant	Apvd (6-10-2021).
C14-2021-0060 – 7401 and 7407 Albert Rd	DR to SF-3	To Grant	Apvd (8-26-2021).
C14-2021-0105 – 7702 Wynne Lane	SF-2 to SF-3	To Grant	Apvd (09/02/2021).
C14-2019-0139 – 7708 Forest Wood Road	SF-2 to SF-3	To Grant	Apvd (01/23/2020).
C14-2019-0060 – 7507 Wynne Lane	MH to SF-3	To Grant	Apvd (06/06/2019).

ADDITIONAL STAFF COMMENTS:Comprehensive Planning

Project Name and Proposed Use: 7606 ALBERT RD. C14-2022-0100. 3.00 acres from DR to SF-6. Demolish one single family house and construct 37 Condo/Townhouses

Project Name and Proposed Use: 1512 DAMON RD. C14-2023-0032. 0.748 acre tract from SF-3 to SF-6. Vacant land to 9 condo units

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.
	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.
Y	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 for 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 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

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.

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 presence of DR zoning and single-family residential land uses. The following standards apply:

- No structure may be built within 25 feet of the N, S and E property lines.
- No parking or driveways are allowed within 25 feet of the N and S property lines.
- 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.

- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- 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 and DR property.
- Additional design regulations will be enforced at the time a site plan is submitted.

Demolition

The applicant will be responsible for requesting demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions. 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 adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Albert Road	Level 1 – Residential Collector	58'	51'	20'	No	No	No
Damon Road	Level 1 – Residential Collector	58'	50'	30'	No	No	No

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Damon Road. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Damon 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 Railroad. 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.

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Austin Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map – 7606 Albert Road

Exhibit B: Zoning Map – 1512 Damon Road

Exhibit A-1: Aerial Map – 7606 Albert Road

Exhibit B-1: Aerial Map – 1512 Damon Road

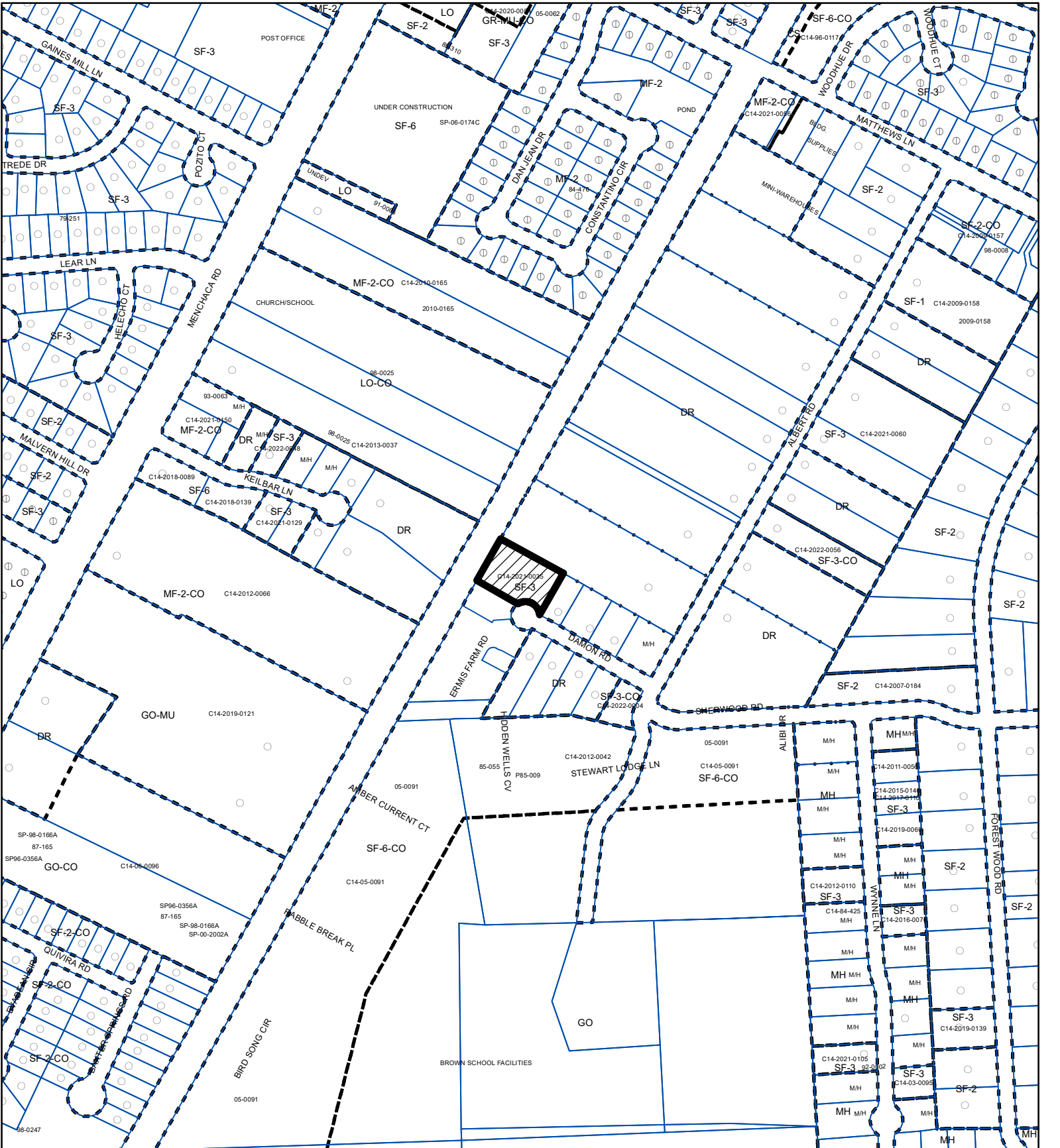
Applicant's Summary Letters




Petition Information

Correspondence Received



Created: 7/14/2022



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

ZONING

ZONING CASE#: C14-2023-0032

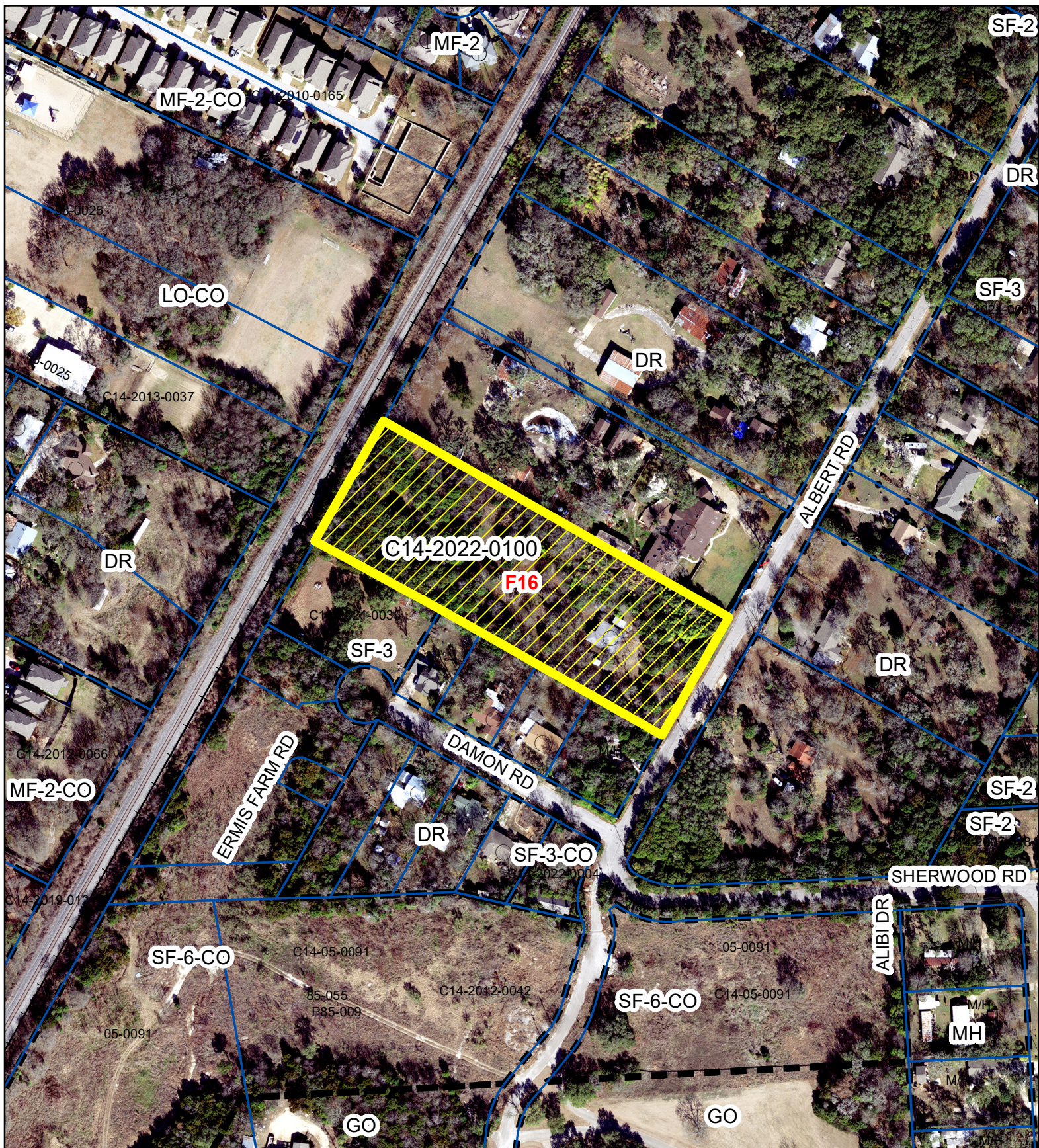
EXHIBIT B



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: 3/20/2023



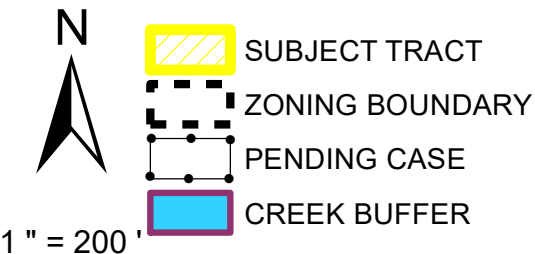
7606 Albert Road

Exhibit A - 1

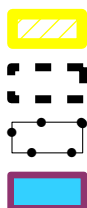
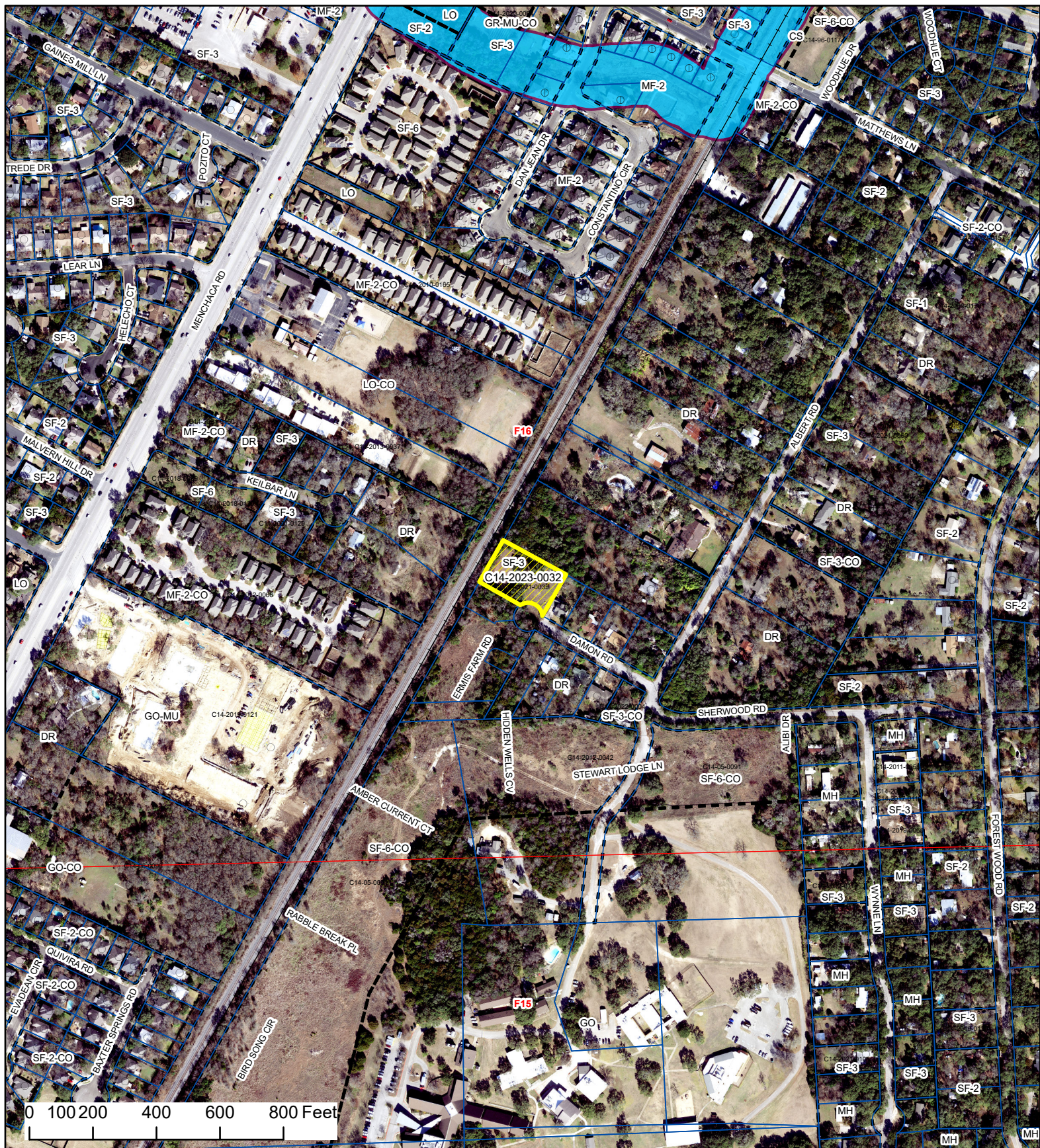
ZONING CASE#: C14-2022-0100
 LOCATION: 7606 Albert Road
 SUBJECT AREA: 3.00 Acres
 GRID: F16
 MANAGER: Nancy Estrada



**Created: 7/25/2022
 by: MeekSS**



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SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

1512 Damon Road

EXHIBIT B-1

ZONING CASE#: C14-2023-0032
 LOCATION: 1512 Damon Road
 SUBJECT AREA: 0.748 Acres
 GRID: F16
 MANAGER: Nancy Estrada



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Created: 4/27/2023

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

May 25, 2022

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

Re: Rezoning application for 7606 Albert Road, also known as TCAD Parcel No.
0422130106 (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 sole 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.

Development Reserve ("DR") is a placeholder zoning district intended for temporary uses on land that is far removed from public services. Since its annexation in 1984, public infrastructure and planning policies have extended to the Property. Today, the Property is located less than a quarter of a mile from one of the top ten CapMetro routes in terms of ridership and is approximately half a mile from an Imagine Austin Corridor (William Cannon Drive). Additionally, the Property is situated between several Imagine Austin Activity Centers.

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,

A handwritten signature in black ink, appearing to read "Michael J. Whellan", with a stylized, flowing script.

Michael J. Whellan

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

March 7, 2023

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

Re: Rezoning application for 1512 Damon Road, also known as TCAD Parcel No.
0422150305 (the "Property")

Dear Ms. Harden:

I am submitting the attached rezoning application for the Property requesting SF-6 zoning. The Property is a vacant lot currently zoned for SF-3. This application is connected to an adjacent rezoning application for 7606 Albert Road (assigned case number C14-2022-0100). The applicant purchased the Property after filing the rezoning request for 7606 Albert Road and is seeking to unite the two tracts under the same zoning district. The unified project will 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.

Rezoning the Property to SF-6 would allow for the creation of nine residential units on the Damon Road lot. Our "missing middle" proposal would add needed housing capacity within the city limits, advance the City's housing goals, and increase the diversity of housing types in Austin. 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.

The Property is also located near public infrastructure and is less than a quarter of a mile from one of the top ten CapMetro routes in terms of ridership. Additionally, the Property is approximately half a mile from an Imagine Austin Corridor (William Cannon Drive) and less than a quarter of a mile from Menchaca Road, an Austin Strategic Mobility Plan Transit Priority Network Roadway.

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

Respectfully,

A handwritten signature in black ink, appearing to read "Michael J. Whellan", with a stylized, flowing script.

Michael J. Whellan

2022-083717 ZC 7606 Albert Rd, 78745

Albert Road Horizontal Investments purchased the 3 acre parcel with one home in 2022. They request a zoning change from DR to SF-6, and would like to build up to 37 units. No units are designated affordable housing. The Matthews Lane Neighborhood Association (MLNA) welcomes reasonable new construction but opposes this dense development. We request that the ZAP Commission allow not more than 10 units be built on this parcel and that it be zoned in SF-3 in recognition of the use of the property and surrounding lots. There is a petition opposed to this development.

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, especially on the west side of Albert, is a problem. The City's response is to dig trenches alongside the road, making use of shoulder for walking or parking impossible.

In his letter, Michael Whellan, attorney for the developers, states that the project creates "missing middle" housing units. "Missing middle" is a term that came up during the Code Next discussions. It refers to developments with 2-50 (often multi-family) units that are intended to be flanking transit corridors, and promote walkability to local retail and public transit. This property is not flanking a transit corridor. Please carefully check Mr. Whellan's statement that the property is less than a quarter mile from a Capital Metro route. I believe he means as the "crow flies" and that route would require trespassing on others' property and a railroad line. According to Google maps distances from 7606 Albert Rd (not counting 75' setback) are: 1.2 miles to South 1st Street; 0.8 miles to William Cannon; 0.7 to the closest bus stop on Menchaca Road; and 0.9 to Sprouts on William Cannon and Menchaca. Because many of these narrow routes lack sidewalks, pedestrians will be competing with vehicles for road space.

Smaller homes and fourplexes are the most common style property associated with the missing middle. The 1,000 square foot duplexes along Matthews Lane are a good example. The smallest property being offered according to Albert Road Horizontal Investments is one 1350 square foot unit, with most being 1700 square feet and more. These homes will not assist with the City's Strategic Housing Blueprint. The applicant uses many words that are appealing to Council Members and zoning staff. However, there is no action to support the words.

7606 Albert has changed hands 3 times since Mrs. Moehle's heirs sold it in 2020. Each time an investor has been able to sell at a profit without providing any housing. The Matthews Lane Neighborhood Association reaches out to new owners and investors to discuss plans and share our knowledge of the area in a non-adversarial manner. We are not opposed to change and understand that Austin needs

housing. We have worked with several developers to amend plans so that they are more sustainable for the community. However, increasingly we see firms buying because of the return they can provide their investors, with no consideration of whether this really meets need for affordable housing or whether it is consistent with the community. On its website in 2022, the Geyser Group/Albert Road Horizontal said a typical return for investors is in high teens IRR's and a 2X multiple on 5 year holds. For projects of a longer duration investors can expect a lower IRR and higher multiple. Texas is very lucrative for investors; a 2022 news article reported that 30% of recent statewide sales were to investors. By approving dense housing this far from a transit corridor the City would simply be colluding with investors and contravening its stated goals. The market has changed but Geyser Group can achieve a reasonable return with fewer units.

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 at 7415 Albert Road; 37 units are requested across the street at 7605 Albert Road; 27 units are approved for 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. No funding for improvements is identified in the City budget. Adding another 110 units to Albert Road would have serious consequences and disrupt the area. It also falls outside of any current local zoning and is unwarranted given the rapidly expanding housing being built at Southstone where appropriate access and accommodations exist.

The lots surrounding 7606 Albert Rd are also zoned DR to reflect the original rural character of the area. Most have one or two homes on the lot. Just east of Albert, the land is generally zoned SF-2 with homes built in the 1950s. Adding ADUs is supported by MLNA. The railroad tracks to the west side of the lot are a barrier to walkability. SF-6 zoning and dense development of over 10 homes per acre is inconsistent with neighboring properties, and may necessitate City spending on roads and drainage. The MLNA has been meeting with the Geyser Group since March 2022. We encouraged them to include affordable housing in their plans but none are included. MLNA will support SF-3 zoning and up to 10 homes at 7606 Albert Rd. The request for SF-6 and 37 units is pure speculative greed.

C14-2022-0100 7606 Albert Road

C14-2023-0032 1512 Damon Road

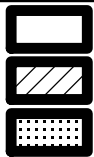
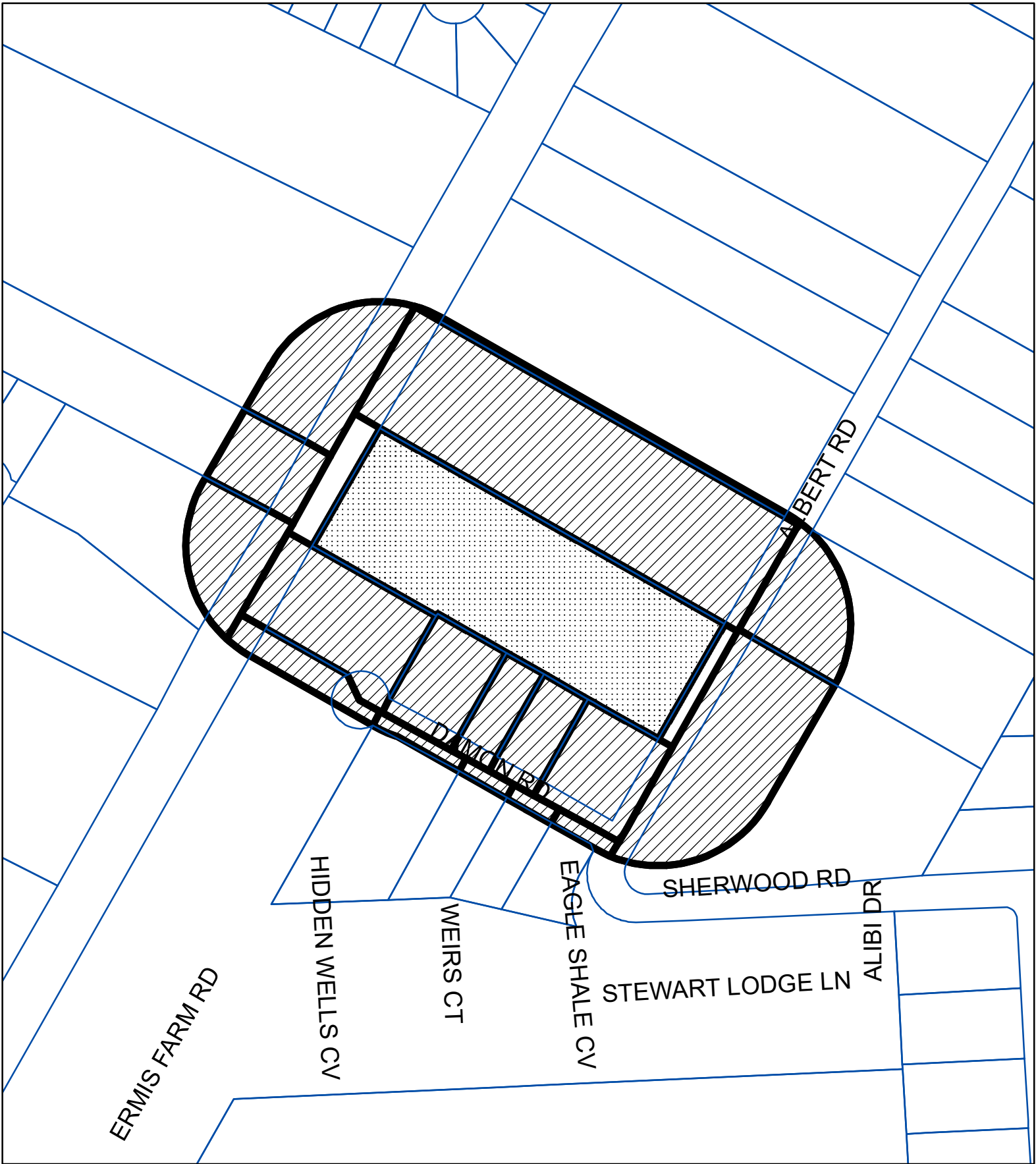
The City Council clarification call for maximum unit numbers according to rezoning designations is problematic in older annexed areas. Damon Road is the widest and curbed street in the neighborhood at 31 feet. Albert comes in at a mere 19. Bar ditches funnel water from the apex at recently rezoned 7607 Albert (3 acres/37 units) towards the downhill 3 acres at 7606 and $\frac{3}{4}$ acre at 1512. A massive salvage yard/dump exists at 1500 Damon. Flooding is documented at 1505 and 1507 Damon from Southstone development along southern border (caliche overflow from unfinished project). Flooding of driveway at 7606 Albert occurred with caliche topping washing away for years. Since annexation in 1985 the only improvement has been sewage and water lines for the single family homes (7 on Damon). There was a recent water line upgrade for a house on Albert. Designating high unit numbers will require massive utility and drainage upgrades that do not seem to be forthcoming.

A second concern is that both of these properties are virginal. As a 53 year resident on Damon, the 1512 Damon area was connected to 1510 and has had no change in trees over that time span. A string of live oaks divides the property and several large trees border Southstone. The roadway is designated on the zoning map as curved but pavement stops at 1512. The Albert site was owned by Captain Albert and Valentina Moehle. Since their purchase in 1962, they did very little to modify the area except for his garden. In their later years, my family assisted in mowing and maintaining parts of the area. Trees were not removed and numerous live oaks exist at the western end. Red Oaks, pecans, cedars, hackberries, and figs have grown there for years. An impenetrable stand of bamboo begins at the front and extends for $\frac{1}{2}$ acre on the north side and along Albert. Witnessing the demise of trees executed by Southstone and the current field of caliche interspersed only with sunflowers, it is hoped that a modicum of restraint will prevail,

A view of development in the area has to reference Matthews Park which is 2 $\frac{1}{2}$ acres on Albert. Nine homes were built with a runoff retention area. There was a recognition that excessive unit numbers were not feasible. The expectation on Damon and Albert is driven by deficiencies that are not solvable in an area so lacking in existing and/or planned infrastructure remediation. Razing of trees and vegetation simply adds insult.

There is a catch phrase in the rezone process with a focus relative to transit locations and it seems to appear with some frequency. The reference from developer here is a quarter mile proximity. However, the walking distance is 2400 steps either to Menchaca bus stop or to William Cannon stop.

Additional Albert and Damon properties will certainly begin to appear on this agenda. My neighbor at 1507 Damon (1 acre) has placed that property on the market. Albert has two properties in various processes. A rational and reasoned process would be appreciated. Unit numbers would be appreciated at a much lower number.



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

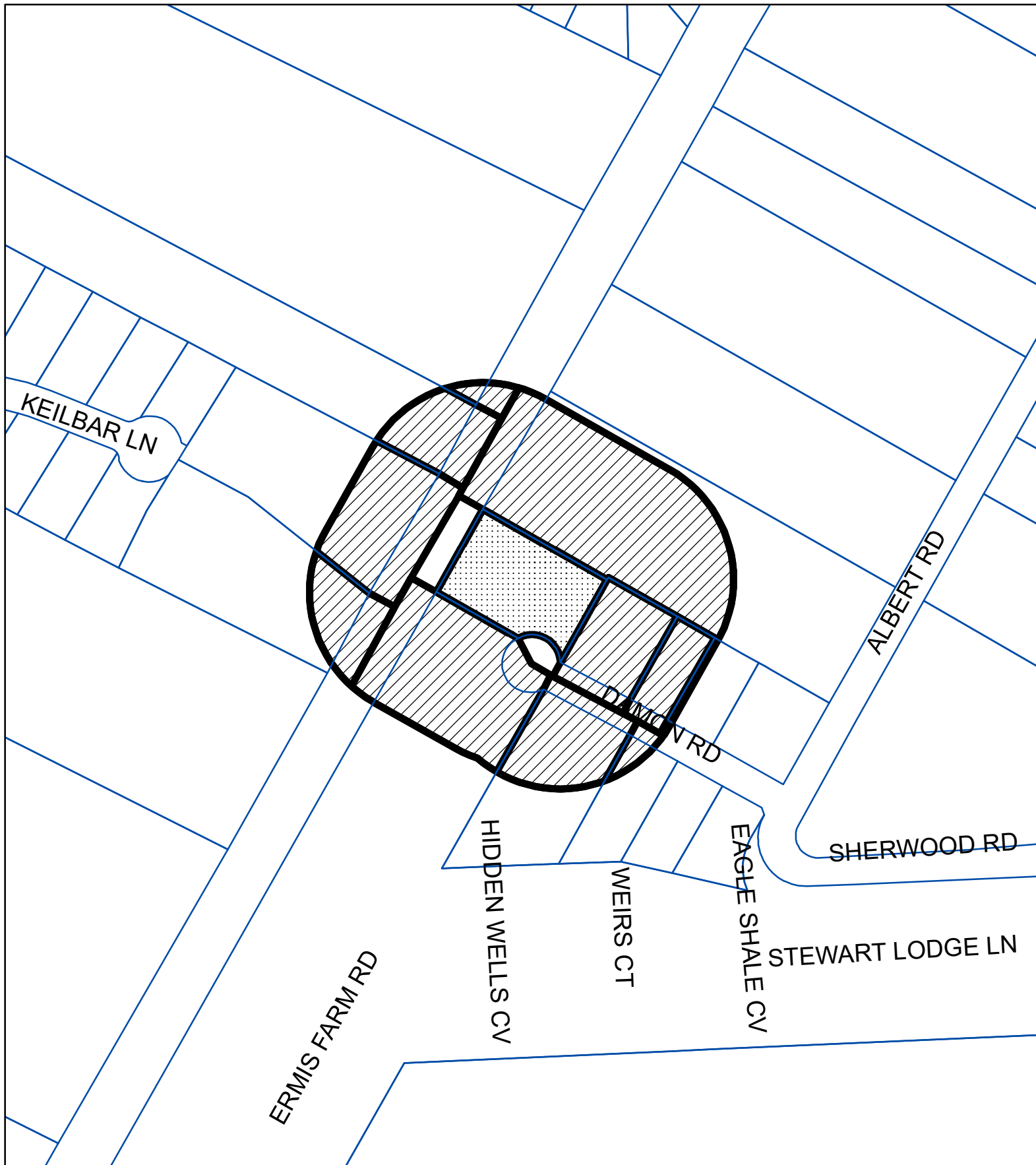
Case#: C14-2022-0100

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'



N



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

Case#: C14-2023-0032

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.

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1" = 200'

Case Number:
C14-2022-0100

PETITION

Date: 9/19/2023

Total Square Footage of Buffer: 461149.7853

Percentage of Square Footage Owned by Petitioners Within Buffer: 20.26%

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
0422150135	7509 MANCHACA RD	7509 MANCHACA LLC	no	19204.31	0.00%
0422150306	1507 DAMON RD AUSTIN 78745	BEAL PATRICIA R	yes	3515.58	0.76%
0422150302	1504 DAMON RD 78745	CANTU LEE G & MARIA LOUISA	no	14054.77	0.00%
0422150309	1501 DAMON RD 78745	CAPITAL RIVER GROUP LLC - SERIES 16	yes	2912.18	0.63%
0422150308	1503 DAMON RD AUSTIN 78745	DAVIS PATRICIA WATTS	no	2081.52	0.00%
0422150305	1512 DAMON RD 78745	FINKLEA JOSHUA	no	41917.78	0.00%
0422130202	7511 ALBERT RD AUSTIN 78745	GREEN BILLIE & ANNIE	yes	25927.18	5.62%
0422130201	7605 ALBERT RD AUSTIN 78745	HENSON MARK LYNN	no	63499.43	0.00%
0422150303	1508 DAMON RD 78745	HUFF BRIAN R & MARGARGET	yes	12016.41	2.61%
0422150301	1500 DAMON RD 78745	KITWIT TRUST THE	no	26621.56	0.00%
0422150304	1510 DAMON RD AUSTIN 78745	KUGEARES SUSANA L	yes	22307.78	4.84%
0422130105	7412 ALBERT RD 78745	LOGUE INC	no	135177.11	0.00%
0422150126	1728 KEILBAR LN 78745	SITES ROBERT W &	yes	24675.57	5.35%
0420150126	7415 MENCHACA RD AUSTIN 78745	SOUTHWEST BAPTIST CHURCH	no	34069.97	0.00%
0422150307	1505 DAMON RD AUSTIN 78745	SUTTON EUGENE E & RENEE J F	yes	2079.10	0.45%
0422130104	7410 ALBERT RD AUSTIN 78745	WEST JOHN RANDOLPH & ELIZABETH BERTIN	no	4159.73	0.00%
0424151801	Address Not Found		no	11890.16	0.00%
Total				446110.13	20.26%

Case Number:
C14-2023-0032

PETITION

Date: 9/19/2023
Total Square Footage of Buffer: 276640.546
Percentage of Square Footage Owned by Petitioners Within Buffer: 21.03%

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
0422150135	7509 MANCHACA RD	7509 MANCHACA LLC	no	17027.59	0.00%
0422130106	7606 ALBERT RD 78745	ALBERT ROAD HORIZONTAL INVESTORS LP	no	84405.58	0.00%
0422150306	1507 DAMON RD AUSTIN 78745	BEAL PATRICIA R	no	24101.26	0.00%
0422150302	1504 DAMON RD 78745	CANTU LEE G & MARIA LOUISA	no	1173.01	0.00%
0422150303	1508 DAMON RD 78745	HUFF BRIAN R & MARGARGET	no	11879.29	0.00%
0422150304	1510 DAMON RD AUSTIN 78745	KUGEARES SUSANA L	yes	22222.27	8.03%
0422150125	1729 KEILBAR LN 78745	SITES ROBERT W	no	15189.82	0.00%
0422150126	1728 KEILBAR LN 78745	SITES ROBERT W & JACQUELINE J JEONG	yes	32734.96	11.83%
0420150126	7415 MENCHACA RD AUSTIN 78745	SOUTHWEST BAPTIST CHURCH	no	3444.86	0.00%
0422150307	1505 DAMON RD AUSTIN 78745	SUTTON EUGENE E & RENEE J F	yes	3214.86	1.16%
0424151801	Address Not Found		no	51963.13	0.00%
Total				267356.63	21.03%

P E T I T I O N

Date: 8-19-2022

File Number: C14-2022-0100

Address of Rezoning Request: 7606 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 zone the property to any classification other than SF-2.

(STATE REASONS FOR YOUR PROTEST)

Albert Road Horizontal Investments requests a zoning change from DR to SF-6, and would like to build up to 37 units on this 3 acre parcel. The signatories and Matthews Lane Neighborhood Association oppose dense development 0.7 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 support SF-2 zoning with up to 10 two story units.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

Natalia Dominguez Natalia Dominguez 1501 Damon rd #2

Julio JULIO CALABRESI 1501 Damon rd #2

Date: 9/10/23

Contact Name: Karen Fernandez Phone: 512-339-1684

P E T I T I O N

Date: 8-19-2022

File Number: C14-2022-0100

Address of Rezoning Request: 7606 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 zone the property to any classification other than SF-2.

(STATE REASONS FOR YOUR PROTEST)

Albert Road Horizontal Investments requests a zoning change from DR to SF-6, and would like to build up to 37 units on this 3 acre parcel. The signatories and Matthews Lane Neighborhood Association oppose dense development 0.7 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 support SF-2 zoning with up to 10 two story units.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature	Printed Name	Address
<u>Annie Green</u>	<u>Annie Green</u>	<u>7511 Albert Road</u> 78745

Date: _____

Contact Name: Karen Fernandez Phone: 512-739-1684

PETITION

Date: 8-19-2022

File Number: C14-2022-0100

Address of Rezoning Request: 7606 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 zone the property to any classification other than SF-2.

(STATE REASONS FOR YOUR PROTEST)

Blackboard Horticultural Investments requests a zoning change from DR to SF-6, and would like to build up to 17 units on this 3 acre parcel. The signatories and Matthews Lane Neighborhood Association oppose dense development 0.7 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 support SF-2 zoning with up to 10 two story units.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address



Margaret Huff

1508 Damon Rd
Austin, TX 78745



Brian Huff

1508 Damon Rd
Austin, TX 78745

City of Austin

Official Name: City of Austin

Phone: 512-739-1604

P E T I T I O N

Date: 8-19-2022

File Number: C14-2022-0100

Address of Rezoning Request: 7606 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 zone the property to any classification other than SF-2.

(STATE REASONS FOR YOUR PROTEST)




Albert Road Horizontal Investments requests a zoning change from DR to SF-6, and would like to build up to 37 units on this 3 acre parcel. The signatories and Matthews Lane Neighborhood Association oppose dense development 0.7 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 support SF-2 zoning with up to 10 two story units.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

	Susana L. Kugeares	1510 Damon Rd 78745
	Eugene E. Sutton	1505 Damon Rd
	Renee J. F. Sutton	1505 Damon Rd

Date: 9/8/23

Contact Name: Karen Fernandez Phone: 512-739-1684

P E T I T I O N

Date: 8-19-2022

File Number: C14-2022-0100

Address of Rezoning Request: 7606 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 zone the property to any classification other than SF-2.

(STATE REASONS FOR YOUR PROTEST)

Albert Road Horizontal Investments requests a zoning change from DR to SF-6, and would like to build up to 37 units on this 3 acre parcel. The signatories and Matthews Lane Neighborhood Association oppose dense development 0.7 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 support SF-2 zoning with up to 10 two story units.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

<u>Robert W. Sites</u>	<u>ROBERT W. SITES</u>	<u>1728 Keilbar LN Austin TX 78745</u>
<u>Jaqueline Jeong</u>	<u>Jaqueline Jeong</u>	<u>1728 Keilbar LN Austin, TX 78745</u>

Date:

09/09/2023

Contact Name: Karen Fernandez Phone:

512-739-1684

P E T I T I O N

Date: August 28, 2023

File Number: C14-2023-0032

Address of Rezoning Request: 1512 Damon 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 zone the property to any classification other than SF-3.

(STATE REASONS FOR YOUR PROTEST)

Albert Road Horizontal Investments requests a zoning change from SF-3 to SF-6, and would like to build 9 units on this 0.748 acre property, as well as unite it with 7606 Albert Road where up to 37 units on a 3 acre parcel is proposed. The signatories and Matthews Lane Neighborhood Association oppose dense development 0.7 miles from amenities and a transit corridor. The project is inconsistent with neighboring lots and the area lacks urban infrastructure. The undeveloped lot is at the bottom of Damon and drains all the runoff from area since there are no cutouts. We ask that the SF-3 zoning be retained and units per acre be capped to reflect area.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

Natalia Domingues Natalia Domingues 1501 Damon rd #2

Julio JULIO CALABRESI 1501 Damon rd #2

Date: 8/28/23 Contact Name: Karen Fernandez Phone: 512-739-1684

P E T I T I O N

Date: August 28, 2023

File Number: C14-2023-0032

Address of Rezoning Request: 1512 Damon Road, 78745

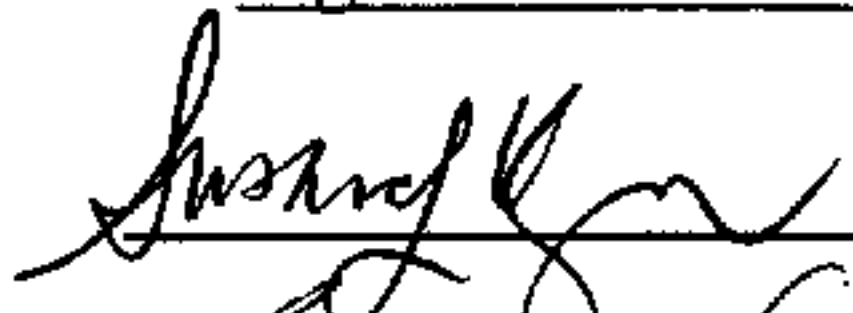
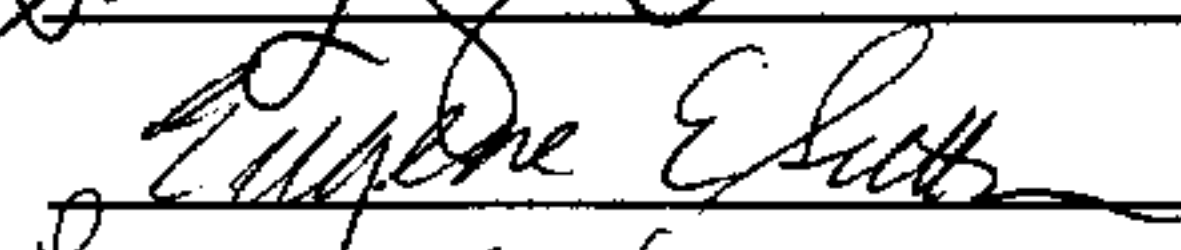
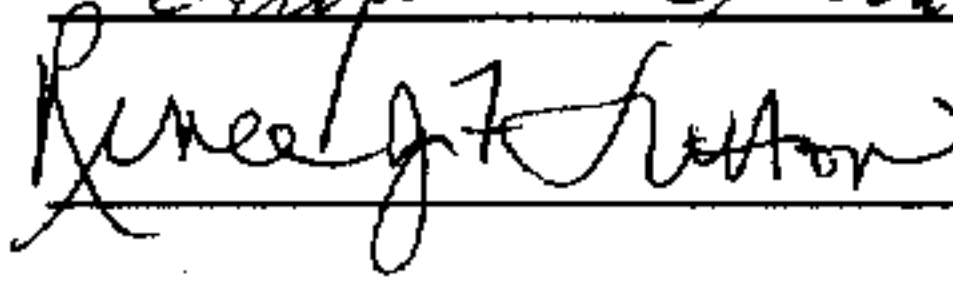
To: Austin City Council

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 zone the property to any classification other than SF-3.

(STATE REASONS FOR YOUR PROTEST)

Albert Road Horizontal Investments requests a zoning change from SF-3 to SF-6, and would like to build 9 units on this 0.748 acre property, as well as unite it with 7606 Albert Road where up to 37 units on a 3 acre parcel is proposed. The signatories and Matthews Lane Neighborhood Association oppose dense development 0.7 miles from amenities and a transit corridor. The project is inconsistent with neighboring lots and the area lacks urban infrastructure. The undeveloped lot is at the bottom of Damon and drains all the runoff from area since there are no cutouts. We ask that the SF-3 zoning be retained and units per acre be capped to reflect area.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
	Susana L. Kugeares	1510 Damon Rd.
	Eugene Sutton	1505 Damon Rd
	Renee J.F. Sutton	1505 Damon Rd

Date: 8/28/23 Contact Name: Karen Fernandez Phone: 512-739-1684

P E T I T I O N

Date: August 28, 2023

File Number: C14-2023-0032

Address of Rezoning Request: 1512 Damon 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 zone the property to any classification other than SF-3.

(STATE REASONS FOR YOUR PROTEST)

Albert Road Horizontal Investments requests a zoning change from SF-3 to SF-6, and would like to build 9 units on this 0.748 acre property, as well as unite it with 7606 Albert Road where up to 37 units on a 3 acre parcel is proposed. The signatories and Matthews Lane Neighborhood Association oppose dense development 0.7 miles from amenities and a transit corridor. The project is inconsistent with neighboring lots and the area lacks urban infrastructure. The undeveloped lot is at the bottom of Damon and drains all the runoff from area since there are no cutouts. We ask that the SF-3 zoning be retained and units per acre be capped to reflect area.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

Robert W. Sites, ROBERT W. SITES, 1728 KEILBAR LN, AUSTIN
Jacqueline J. Jeong, Jacqueline J. Jeong, 1728 Keilbar Ln, Austin, TX 78745

Date: 8/28/23 Contact Name: Karen Fernandez Phone: 512-739-1684

PUBLIC HEARING INFORMATION

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

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



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

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

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

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

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

Case Number: C14-2022-00060100

Contact: Wendy Rhoades, 512-974-7719

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

Terry Jean Sanders

Your Name (please print)

7409 Albert Road

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

Terry Jean Sanders

Signature

☐ I am in favor
☒ Object

8/6/2022
Date

Daytime Telephone (Optional):

tjeansanders@gmail.com

Comments: ① Albert Road is like a country lane. Only 2 cars can pass & there is no parking. The large lots make this ok. ② We are already burdened with a very large housing development area at the end of Albert which continues down Sherwood. When this is completed there will be lots of additional traffic. ③ Our quality of life would be disrupted: more noise, less air quality and more danger from traffic. Many people use Albert as a good place to walk dogs and children. Please do not

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

City of Austin, Housing & Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov

change this
Zoning!

④ Think of all the TREES that would be destroyed!

Albert/Damon Zoning

C14-2022-0100	-	37 Units (7606 Albert - SF6)
C14-2023-0032	-	9 Units (1512 Damon - SF6)
2022-173879 ZC	-	37 Units (7306 Albert – SF6)
2022-121290 ZC	-	21 Units (7605 Albert – SF6)
2022-061762 ZC	-	7 Units (7415 Albert – SF3)

Prudent Zoning = Prudent Development

Matthews Lane Neighborhood association
September 2023

Prudent
Zoning –


Prudent
Infrastructure

Summation of Current Issues

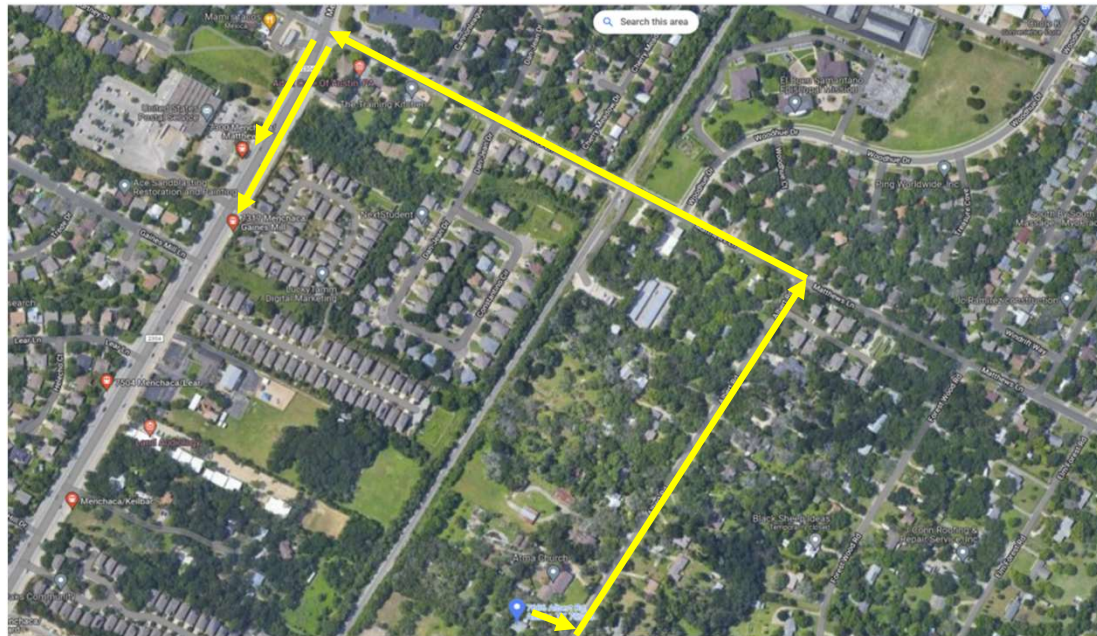
- Albert Rd. is classed field as low residential collector road, with no sidewalks, curbs, or stormwater .This road was not designed to handle high density developments and traffic.
- There is a dangerous 90 turn without lights, signs or other common safety mechanisms such as traffic calming and roundabouts. (Appendix A)
- There has not been/nor is there any planned infrastructure improvements, for roads, stormwater, drainage, and water pressure systems.
- This site is not close to any major transportation that would run north/south. It is 3/4 of a mile from a east west bus transit corridor

Nearest transportation is actually .8 Miles

Not Less than ¼ mile per applicants mischaracterization



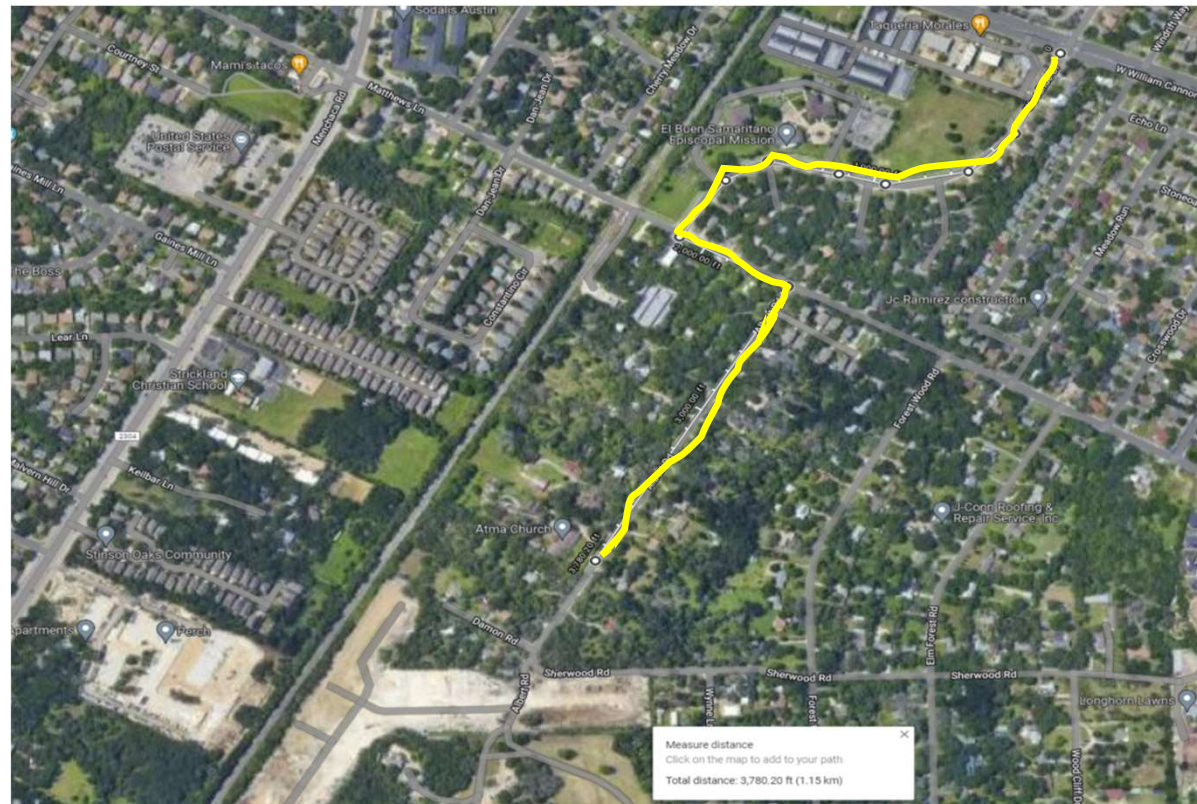
Transportation
from
proposed sites



Nearest Imagine Austin Corridor is .70 miles

Not Less than ~ .5 miles as stated in applicant's Cover Letter

Image Austin
Corridor from
proposed sites



Appendix A



This is a narrow 1 ½ car with limited sight visibility that is dangerous for family members, cars, cyclists and walkers.



- | | |
|------------------------|-----------|
| 1. Sherwood and Albert | 19 ft. |
| 2. Blind Curve | 30 ft. |
| 3. Albert | 20 ft. 6" |