

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0122

DISTRICT: 4

ZONING FROM: SF-6-NP

ZONING TO: MF-6-NP

ADDRESS: 410 & 412 Kenniston Drive

SITE AREA: 0.409 total acres

Tract 1 0.206 acres (8,973 sq. ft.)

Tract 2 0.203 acres (8,842 sq. ft.)

PROPERTY OWNER: Lewgun LLC

AGENT: Thrower Design (Victoria Haase)

CASE MANAGER: Cynthia Hadri 512-974-7620, Cynthia.hadri@austintexas.gov

STAFF RECOMMENDATION:

The staff recommendation is to grant multifamily residential-medium density-neighborhood plan (MF-3-NP) combined district zoning.

PLANNING COMMISSION ACTION / RECOMMENDATION:

January 23, 2024: *APPROVED THE APPLICANTS REQUEST FOR MF-6-NP COMBINED DISTRICT ZONING.*

[F. MAXWELL; G. ANDERSON-2ND] (7-4) A. HAYNES, A. PHILLIPS, J. MUSHTALER, AND G. COX – ABSTAINED; J. CONNOLLY - ABSENT; ONE (1) VACANCY ON THE DIAS

CITY COUNCIL ACTION:

February 29, 2024:

ORDINANCE NUMBER:

ISSUES: There are no issues at this time.

CASE MANAGER COMMENTS:

The properties in question are 0.40 acres, developed with two single family residences, have access to Kenniston Drive (level 1), and are currently zoned townhouse and condominium residence-neighborhood plan (SF-6-NP) combined district. The properties have multifamily residences medium density (MF-3-NP) to the north, multifamily residences and a parking

garage (MF-3-NP and GR-MU-V-CO-NP) to the south, multifamily residences, single family residences and townhomes (MF-3-NP, SF-3-NP, SF-6-NP) to the east, and single family residences, townhomes and office facilities (SF-6-NP, and LR-V-CO-NP) to the west. ***Please refer to Exhibits A (Zoning Map) and B (Aerial View).*** The applicant is requesting MF-6 to develop thirty dwelling units on the site.

Staff is recommending the multifamily residential medium density-neighborhood plan (MF-3-NP) combined district because this property meets the intent of the zoning district MF-3 zoning category which allows for thirty-six dwelling units per acre and will meet the applicant's intent to develop thirty dwelling units at this location. ***Please refer to Exhibit D (TIA Worksheet).***

This site is not located on an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center but it is located within 0.25 miles of public transit stop. It is also located within 0.50 miles from retail services, grocery stores/farmers market, a school or university, and a recreation area, park or walking trail. This site expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population in support of goals in the Imagine Austin Comprehensive Plan and the Strategic Housing Blueprint.

BASIS OF RECOMMENDATION:

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

The multifamily residence (medium density) district is intended to accommodate multifamily use with a maximum density of up to 36 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas, and in other selected areas where medium density multiple use is desirable.

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.*

The staff recommendation would promote compatibility with nearby uses as the properties to the north, south and east are zoned multifamily residential medium density-neighborhood plan (MF-3-NP) combined district zoning.

3. *Zoning should allow for reasonable use of the property.*

Multifamily residence (medium density)-Neighborhood Plan (MF-3-NP) combined district zoning will allow for the proposed residential development and is suitable since it is consistent with the land uses in the surrounding area. Hidden Flats (Kenniston Drive), The Crestview Condos (Swanee Drive), and Gateway Apartments (Swanee Drive), a six-plex (505 Kenniston Drive), and 504Swanee Drive (18 units), are all multifamily complexes near this rezoning case zoned MF-3.

4. *Zoning should be consistent with approved and existing residential densities.*

The staff's recommendation of MF-3 is consistent with the existing residential densities. There are multiple zonings for multifamily residence (medium density)-neighborhood plan in this area. Kenniston Drive does not have any multifamily residences developed higher than MF-3 as this street is in the middle of a neighborhood on a level 1 street and is 28 feet wide. The GR-MU-V-CO-NP zoning to the south is not developed with multifamily housing, it is developed with a parking garage and this rezoning would face the back of this garage.

5. *Zoning changes should promote a balance of intensities and densities.*

The multifamily residence (medium density)-neighborhood plan (MF-3-NP) combined district zoning will allow for a balance of intensities and densities on Kenniston Drive as there is townhouse and condominium residence-neighborhood plan (SF-6-NP) on both sides of the site.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-6-NP	Single Family Residences
<i>North</i>	MF-3-NP	Multifamily Residence
<i>South</i>	GR-MU-V-CO-NP MF-3-NP	Parking Garage Multifamily Residence
<i>East</i>	SF-6-NP, SF-3-NP MF-3-NP	Townhomes & Single Family Residences Multifamily Residence
<i>West</i>	SF-6-NP LR-V-CO-NP	Townhomes & Single Family Residences Office Facilities

NEIGHBORHOOD PLANNING AREA: Highland Neighborhood Plan

WATERSHED: Waller Creek (Urban)

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Austin Independent School District

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
Austin Regional Group
Highland Neighborhood Association
Highland/Skyview Neigh. Plan

Contact Team
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
North Austin Neighborhood Alliance
SELTexas
Sierra Club

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0012	Highland Planning Area Vertical Mixed Use Building (V) Rezoning	To Grant Vertical Mixed Use Building (V) Rezoning (04-14-2009)	Approved Vertical Mixed Use Building (V) combining district as Planning Commission Recommended (06/11/2009)
C14-2009-0081	CS-V-NP to CS-1-V-NP	Denied at Planning Commission (10/12/2009)	N/A
C14-04-0012	SF-3 & MF-3 to GR-MU-CO	Approved at Planning Commission. (02/24/2004)	Approved with CO's. The CO's prohibit Drop-off recycling collection facility, Outdoor Sports and recreation, outdoor entertainment, pawn shop services. (05/13/2004)
NPA-2009-0018.01	NPA associated with C14-2009-0012	To Grant Vertical Mixed Use Building (V) Rezoning (04-14-2009)	Approved Vertical Mixed Use Building (V) combining district as Planning Commission Recommended (06/11/2009)

RELATED CASES:

NPA-2023-0018.05: This is the associated Neighborhood Plan Amendment requesting Higher Density Single Family to Multifamily Residential.

ADDITIONAL STAFF COMMENTS:Comprehensive Planning:

This case has an associated NPA, there are no comments at this time.

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 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.

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.

<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%

Fire: No comments at this time.

PARD – Planning & Design Review:

Parkland dedication will be required for the new applicable uses proposed by this development, multifamily with MF-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:

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

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

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

This tract is already developed, and the proposed zoning change is a footprint within the existing development.

FYI – This site falls within the Highland Neighborhood Plan Overlay

Austin Transportation Department – Engineering Review:

The ASMP requires 58' of right-of-way for Kenniston Dr. Dedicate 29' feet of right-of-way from the existing centerline in accordance with the ASMP (LDC 25-6-55). It is recommended that 29' feet of right-of-way from the existing centerline should be dedicated for Kenniston according to the ASMP 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	Capital Metro (within ¼ mile)
Kenniston Road	Level 1	58'	51'	28'	Only on south side of Kenniston dr.	No	Yes

TIA: Not required at this time.

Austin Water Utility:

No comments on zoning change.

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

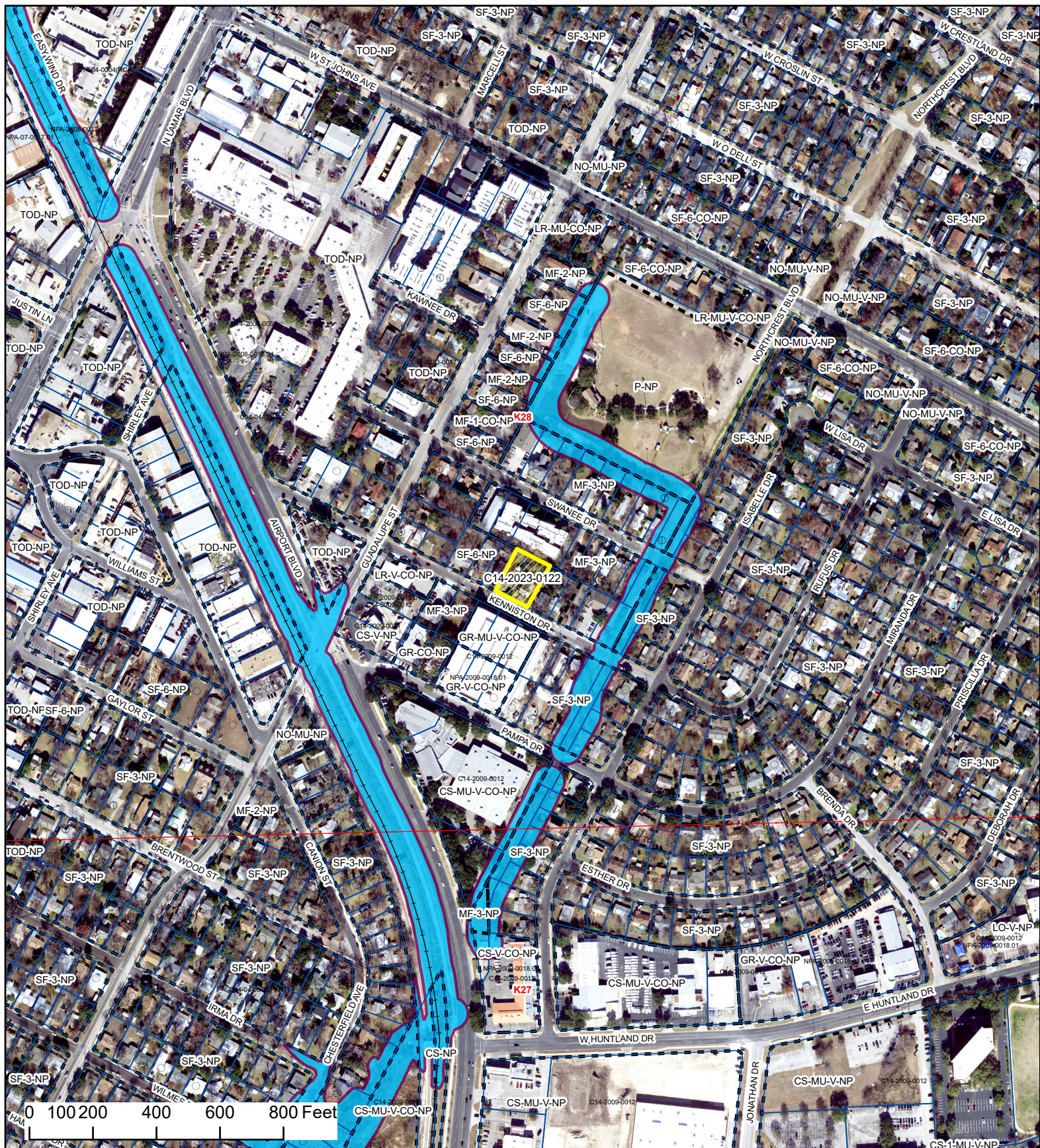
Based on current public infrastructure configurations, it appears that service extension request (SER) for water will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:





- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter
- D. TIA Worksheet
- Correspondence from Interested Parties

1" = 400'

Exhibit A



Kenniston Residential

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2023-0122
 LOCATION: 410, 412 Kenniston Dr
 SUBJECT AREA: 0.4 Acres
 GRID: K28
 MANAGER: Cynthia Hadri



This product has been produced by the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created: 11/1/2023

September 23, 2023

Mrs. Lauren Middleton-Pratt
Director, Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: Kenniston Residential, 410 & 412 Kenniston Drive, Austin – NPA & Rezoning

Dear Mrs. Middleton-Pratt:

On behalf of the Owner(s) of the property referenced above, we respectfully submit the enclosed rezoning application. The subject lands total 0.4 acres and is a portion of Lot 7 and the entirety of Lot 8, Block 6 of the Silverton Heights Subdivision. The land is located within Council District 4, represented by “Chito” Vela and is within the Highland Neighborhood Planning Area and is currently developed with two single family dwelling units.

The Neighborhood Plan Future Land Use Map designates the subject lands at Higher-Density Single Family and the associated zoning is Townhouse & Condominium (SF-6) zoning. The request is to amend the FLUM to “Multifamily” and to rezone the property to “Multifamily Residence – Highest Density” (MF-6). The properties are sandwiched between MF-3 zoning to the north and GR-MU zoned lands to the south and Crestview Station, a Regional Imagine Austin Activity Center with CapMetro rail and bus service is less than 450 feet to the west. The location provides great infrastructure, transit opportunities, and variety of uses to support greater density in the area.

We respectfully request support for the requests made. Please contact our office should you have need for additional information. Thank you for your time and attention to this application.

Kind regards,



Victoria Haase
www.throwerdesign.com
512-998-5900 Cell
512-476-4456 Office

P.O. BOX 41957, AUSTIN, TEXAS 78704

ZONING

CITY OF AUSTIN TRAFFIC IMPACT ANALYSIS (TIA) DETERMINATION WORKSHEET

APPLICANT MUST FILL IN WORKSHEET PRIOR TO SUBMITTING FOR TIA DETERMINATION

PROJECT NAME: Kenniston Residential

LOCATION: 410 & 412 Kenniston Drive, Austin, Texas

APPLICANT: Thrower Design, LLC TELEPHONE NO: (512) 476-4456

APPLICATION STATUS: DEVELOPMENT ASSESSMENT: ☐ ZONING: ☒ SITE PLAN: ☐

EXISTING:

FOR OFFICE USE ONLY

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY
1	0.2	1126	SF-6-NP	Single Family	210	CE	15
2	0.18	1088	SF-6-NP	Single Family	210	FCE	15

PROPOSED

FOR OFFICE USE ONLY

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY
1&2	0.38	30 DU's	MF-6-NP	Multifamily	220	FCE	268

ABUTTING ROADWAYS

FOR OFFICE USE ONLY

STREET NAME	PROPOSED ACCESS?	PAVEMENT WIDTH	CLASSIFICATION
Kenniston Drive	Y		

FOR OFFICE USE ONLY

A traffic impact analysis is required. The consultant preparing the study must meet with a transportation planner to discuss the scope and requirements of the study before beginning the study.

☒ A traffic impact analysis is NOT required. The traffic generated by the proposal does not exceed the thresholds established in the Land Development Code.

The traffic impact analysis has been waived for the following reason: _____

A neighborhood traffic analysis will be performed by the City for this project. The applicant may have to collect existing traffic counts. See a transportation planner for information.

REVIEWED BY: Adrianna Morrow Adrianna Morrow (COA) DATE: 10 0 2023

DISTRIBUTION: _____ FILE _____ CAP. METRO _____ TXDOT _____ TRANS. REV. _____ TRAVIS CO. _____ TRANS. DEPT.

TOTAL COPIES: _____

NOTE: A TIA determination must be made prior to submittal of any zoning or site plan application, therefore, this completed and reviewed form MUST ACCOMPANY any subsequent application for the IDENTICAL project. CHANGES to the proposed project will REQUIRE a new TIA determination to be made.

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: C14-2023-0122

Contact: Cynthia Hadri, 512-974-7620

Public Hearing: January 23, 2024, Planning Commission

Heather Reynolds
Your Name (please print)

6906 Isabelle Dr. 78752

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

Heather M. Reynolds
Signature

☐ I am in favor
☒ I object

Date

Daytime Telephone (Optional):

859-396-0653

Comments:

The density on this street with the Mercedes garage + existing homes, + the Palano Club on the corner is already not safe for pedestrians + dog walkers. This also causes congestion on one of the major routes out of the neighborhood.

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

City of Austin, Housing & Planning Department

Cynthia Hadri

P. O. Box 1088, Austin, TX 78767

Or email to:

cynthia.hadri@austintexas.gov