

**ZONING CHANGE AND NEIGHBORHOOD PLAN AMENDMENT
REVIEW SHEET**

CASE#: NPA-2008-0023.01 and C14-2008-0057.SH

PC DATE: June 10, 2008
May 27, 2008
April 22, 2008

ADDRESS: 5908 Manor Road

OWNER: Arthur Sampson, 512-633-6701

APPLICANT/AGENT: Community Partnership for the Homeless, (Frank Fernandez) 512-469-9130

SITE AREA: 4.12 acres

ZONING

Tract	Current Zoning	Applicant's Request	Staff Recommendation	Area of Tract
1	SF-6-NP	MF-3-NP	SF-6-NP	2.69 acres / 117,470 sq. ft.
2	SF-6-NP	LR-NP	LR-MU-CO-NP	.34 acres / 14,810 sq. ft.
3	SF-6-NP	MF-3-NP	LR-MU-CO-NP	1.09 acres / 47,480 sq. ft.

LAND USE FROM: Higher Density Single Family Residential **TO:** Mixed Use

STAFF RECOMMENDATION:

- 1) Staff recommends maintaining SF-6-NP for Tract 1 and granting LR-MU-CO-NP for Tracts 2 and 3.

The Conditional Overlay applies a 2,000 daily vehicle trip limit across Tracts 1, 2, and 3, and for Tract 2, requires 50% of ground floor building area to be commercial.

- 2) Staff recommends maintaining Higher Density Single Family Residential for Tract 1 and recommending Mixed Use for Tracts 2 and 3. (See attached maps)

PLANNING COMMISSION RECOMMENDATION:

June 10, 2008: Planning Commission voted to approve the *applicant's* request for MF-3-NP for Tracts 1 and 3, and LR-NP for Tract 2. [T. Atkin, J. Reddy 2nd] on a vote of 6-3. S. Kirk, P. Hui and C. Small were against the motion (nay).

ISSUES:

Petition Results

A valid petition of 70.59% has been filed by the adjacent property owners in opposition to this rezoning request. Petition information is located at the back of the Staff report.

This rezoning case has been approved to participate in the City's S.M.A.R.T. (Safe, Mixed-Income, Accessible, Reasonably-priced, Transit-Oriented) Housing expedited review program. Please refer to S.M.A.R.T Housing Letter.

DEPARTMENT COMMENTS:

The University Hills/Windsor Park Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on August 9, 2007. The SF-6-NP zoning for the subject tract was approved on September 27, 2007. The boundaries of the planning area are: IH-35 to the west, US Highway 290 to the north, US Highway 183 to the east, and 51st Street to Manor Road to Loyola Boulevard to the south.

The subject parcel contains nine buildings which are used as community meeting space. As part of the University Hills/Windsor Park neighborhood planning process, the subject parcel was rezoned from SF-3 to SF-6-NP (Tract 1) and from LR and CS to SF-6-NP (Tract 2). The owner participated in the neighborhood plan process for the future land use designation map and the rezoning of this property. The subject parcels are located at Manor Road between the intersections of Sweeney Lane and Wheless Lane. The applicant would like to re-designate the property to allow for a 110 multi-family residential unit S.M.A.R.T. Housing development. Presumably, these will be efficiency units. Fifty-one dwelling units could be constructed under the current SF-6-NP zoning.

The 4.12 acre site is partially developed and according to flood plain maps, there is a flood plain within the project area. The property is moderately vegetated and predominately surrounded by single-family residences to the east and west. The applicant wishes to rezone the property to MF-3-NP for Tracts 1 and 3 and LR-NP for Tract 2.

PUBLIC MEETINGS:

On April 10, 2008, a meeting was held at the Memorial United Methodist Church with stakeholders within the neighborhood, the applicant, and City staff. At this time, there is no planning contact team for this combined planning area. However, property owners, renters, business owners, and other stakeholders from the Windsor Park, University Hills, and Pecan Springs neighborhoods attended. Approximately 71 people, including City of Austin (2) staff and the applicant's team (4) attended the meeting. During the meeting, the applicant discussed the proposed project and answered stakeholder questions. Many concerns about this project were raised at this meeting including an overabundance of affordable and group housing in this area of East Austin; insufficient bus service provided by Capital Metro; reduced property values; traffic in the neighborhood as well as traffic accidents on Manor Road; increased crime;

insufficient water pressure; lack of parks, and an overall decreased quality of life. The neighborhood voted 53-1 (the property owner) with 1 abstaining against the proposed project. The neighborhood voted 52-1 to keep the future land use map and zoning the same. In addition, the neighborhood voted 51-0 to develop the site as a public park.

STAFF ANALYSIS

The proposed project is consistent with the goal of promoting more affordable housing and housing diversity. There is a bus stop at the corner of Manor Road and Sweeney Lane which could provide transportation to this site. The bus stop is important considering that if the proposed project is built, many of this population would probably use transit. Staff reiterates the neighborhood's concern about poor transportation service.

However, the density of the proposed project for Tract 1 could adversely impact the character of the adjacent single-family neighborhood due to the intensive MF-3-NP zoning request. The subject parcel is a deep lot which extends into the neighborhood by six residential lots off of Manor Road. The site is surrounded on three sides by ten single-family residential houses with SF-3 zoning. Under the existing zoning, a potential of 46 units (3.77 acres * 12.44 du/a) could be built while the proposed zoning could result in 135 units (3.777 acres * 36 du/a). This is an increase of 89 units. The applicant has agreed to limit the number of units to 110, but the proposed density of 29 units per acre is significantly higher than the adjacent single family residences (SF-3-NP). Most of the back yards of the existing homes would have direct view of a much more intensive development. Most of the existing homes are attractive, relatively small structures on small lots. Staff is concerned that the intensity of the proposed zoning is not compatible with the adjacent single-family neighborhood.

Staff believes that the request for Tract 2 and 3 to Mixed Use and LR-MU-CO-NP is appropriate as it fronts Manor Road. This request supports plan provisions for providing a mix of commercial uses along Manor Road. In addition, most of the zoning along Manor Road in this area is commercial.

EXISTING LAND USE AND ZONING

	FUTURE LAND USE	ZONING	LAND USES
<i>Site</i>	Higher Density Single Family Residential	SF-6-NP	Private Community Meeting Space
<i>North</i>	Single Family Residential & Mixed Use	GO-MU-NP, SF-3-NP	Single family residences, office
<i>South</i>	Single Family Residential & Mixed Use	GR-CO-NP, MF-3-NP, SF-3-NP	Dairy Queen, Single family residences
<i>East</i>	Multi-Family, Mixed Use (Pecan Springs neighborhood)	MF-3-CO-NP, MF-3-NP, GR-MU-CO-NP	Apartments, Manor Road
<i>West</i>	Single Family Residential	SF-3-NP	Single family residences

NEIGHORHOOD PLAN: The property lies within the Windsor Park neighborhood of the University Hills/Windsor Park Combined Neighborhood Plan adopted on August 9, 2007.

TIA: Is not required.

WATERSHED: Fort Branch

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

REGISTERED COMMUNITY ORGANIZATIONS:

- Windsor Park Neighborhood Association
- Responsible Growth for Windsor Park
- Austin Neighborhoods Council
- Home Builders' Association of Greater Austin
- Austin Independent School District
- Homeless Neighborhood Organization
- PODER
- Taking Action, Inc.
- Anberly Airport Association
- Mueller Neighborhoods Coalition
- First American Commercial Property Group
- League of Bicycling Voters

SCHOOLS: (AISD)

Harris Elementary

Pearce Middle School

Reagan High School

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic
Manor Road	80'-88'	Varies	4MUA	9,511**

**5400 Block – North of Wellington Dr., 11/14/03

CITY COUNCIL DATE:

August 7, 2008

July 24, 2008

ACTION:

Postponed to August 7, 2008

ORDINANCE READINGS:

1st 2nd 3rd

ORDINANCE NUMBER:

NEIGHBORHOOD PLANNING CASE MANAGER: Paul DiGiuseppe

PHONE: 974-2865

Email: paul.digiuseppe@ci.austin.tx.us




ZONING CASE MANAGER: Joi Harden

PHONE: 974-2122

E-mail: joi.harden@ci.austin.tx.us



ZONING

-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

ZONING CASE#: C14-2008-0057:SH
ADDRESS: 5908 MANOR RD
SUBJECT AREA: 4.12 ACRES
GRID: M25
MANAGER: J. HARDEN

OPERATOR: S. MEEKS



This map has been produced by C.I.S. Software for the sole purpose of assembly reference.

APPLICANT REQUEST

C14-2008-0057.SH
Windsor Park Development
5908 Manor Road

Tract 1
Approx.
117,470 sq. ft.
2.69 acres
MF-3-NP

200 ft. line

LR-NP

Tract 2
Approx.
14,810 sq. ft.
0.34 acres

Tract 3
Approx.
47,480 sq. ft.
1.09 acres

MF-3-NP

SWEENEY

MANOR

VERNON

19

980

WINDSOR

4

3

5

6

7

1

1

2

1

2

1

4

3

2

2-A

1-A

6-A

6-B

7-A

7-B

8

5-A

2

1-A

Neighborhood Planning & Zoning Department Recommendation



STAFF RECOMMENDATION

C14-2008-0057-SH

Windsor Park Development
5908 Manor Road

Tract 1
Approx.
117,470 sq. ft.
2.69 acres
SF-6-NP

200 ft. line

LR-MU-CO-NP

Tract 2
Approx.
14,810 sq. ft.
0.34 acres

Tract 3
Approx.
47,480 sq. ft.
1.09 acres

LR-MU-CO-NP

MANOR

SWEENEY

1-A

2-A

6-A

6B

7-A

7B

9A

2

7B

7C

7D

7E

7F

7G

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APPENDIX A

C14-2008-0057 SH
Windsoe Park Development
5908 Manor Road

Tract 1
Approx.
117,470 sq. ft.
2.69 acres

200 ft. line

Tract 2
Approx.
14,810 sq. ft.
0.34 acres

Tract 3
Approx.
47,480 sq. ft.
1.09 acres

MANOR

SWEENEY

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2-A

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6-A

6B

7-A

7B

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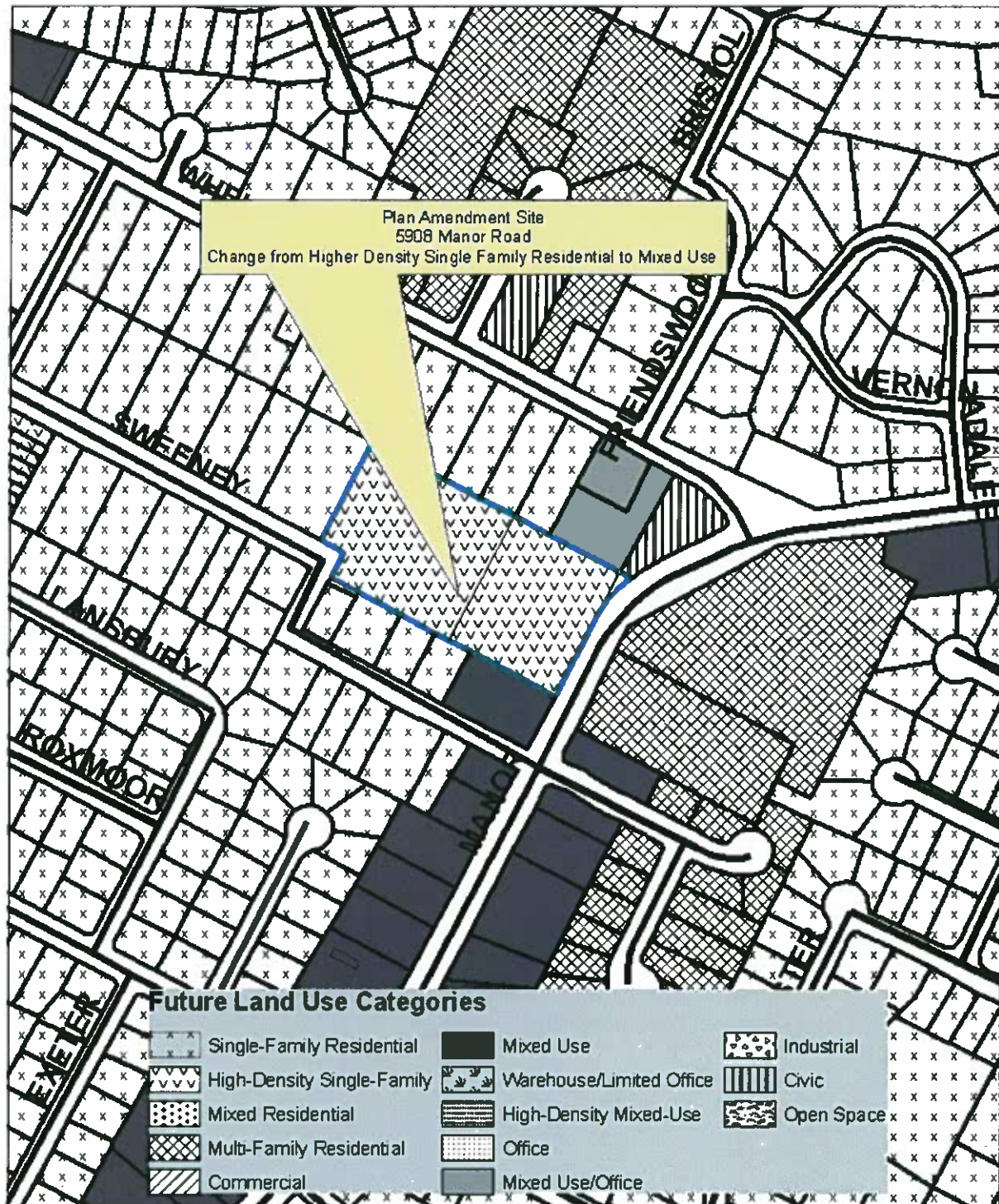
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WHEELS

VERBNA

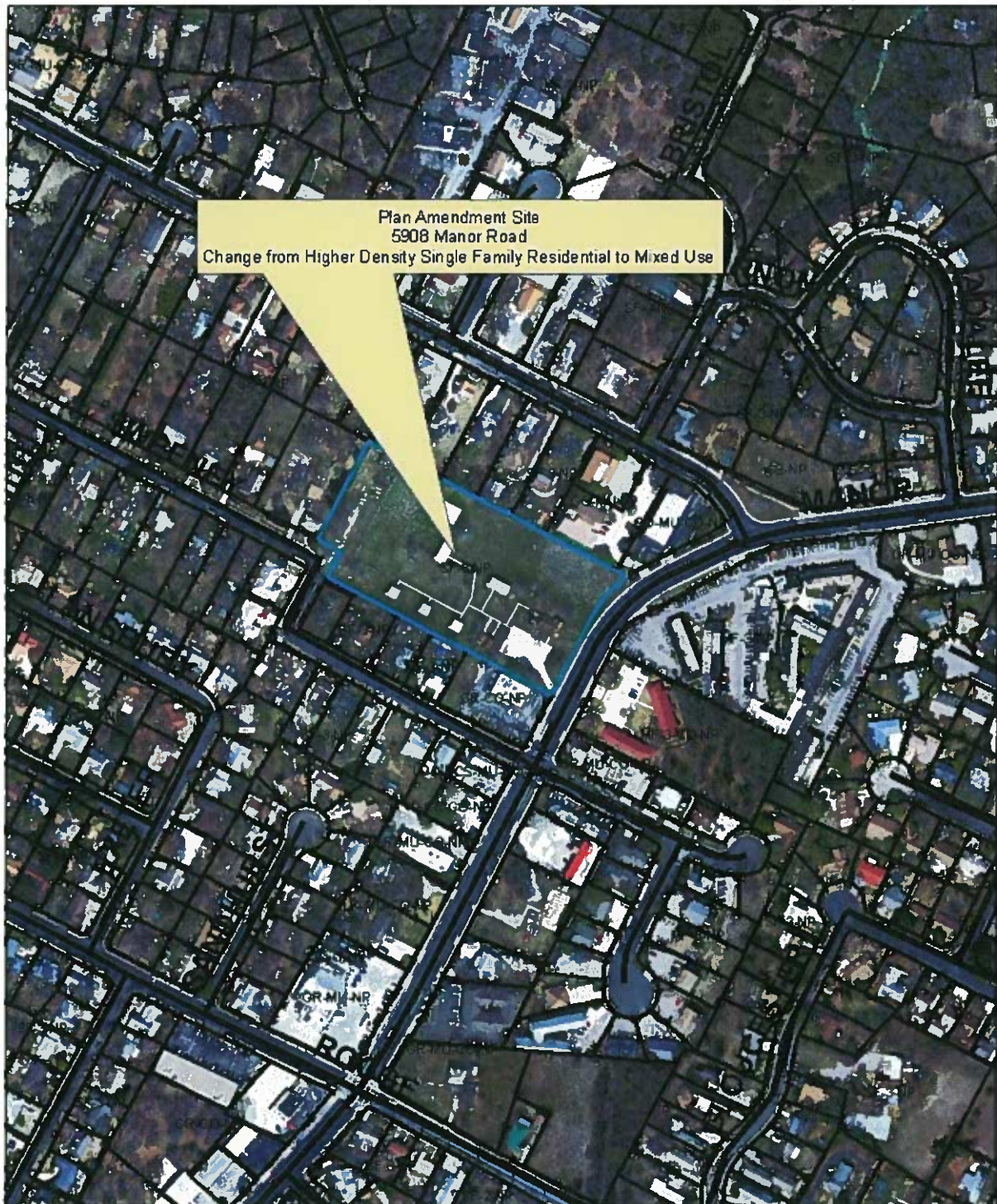
plan amend



University Hills/Windsor Park Combined Neighborhood Plan
Neighborhood Plan Amendment
Case # NPA-2008-0023.01



aerial



STAFF RECOMMENDATION:

- 1) Staff recommends maintaining SF-6-NP for Tract 1 and LR-MU-CO-NP for Tracts 2 and 3.

The Conditional Overlay requires 50% of ground floor building area to be commercial.

- 2) Staff recommends maintaining Higher Density Single Family Residential for Tract 1 and recommending Mixed Use for Tracts 2 and 3.

BASIS FOR RECOMMENDATION (LAND USE PRINCIPLES):

The relevant plan goals, objectives, and recommendations are included below.

Provisions Addressing Neighborhood Compatibility

Land Use & Development Goal: Promote and maintain the single-family residential character of the neighborhood.

Land Use & Development Objective: Preserve clusters of single family residential uses along Manor Road.

Recommendation: Maintain single-family zoning on residential parcels along Manor Road.

Land Use & Development Objective: Ensure that the residential character of the University Hills & Windsor Park neighborhoods is maintained as the community changes over time.

Recommendation: New residences, remodels, and additions to existing residential structures should be sited and designed to be compatible with the size and scale of surrounding structures.

Provisions Addressing Housing Affordability

Land Use & Development Goal: Encourage a diversity of housing options at various levels of affordability dispersed throughout the neighborhood.

Housing Goal: Encourage a diversity of housing options at various levels of affordability dispersed throughout the neighborhood.

Housing Objective: Support increased opportunities for affordable housing in the planning area.

Other Relevant Provisions

Land Use & Development Goal: Attract needed vendors and service providers into the planning area through support for local businesses and revitalization/redevelopment of neighborhood shopping areas.

Land Use & Development Objective: Transform Manor Road into a pedestrian-friendly street with a mix of commercial and residential land uses.

East MLK Neighborhood Plan, Pecan Springs Subarea Recommendation (p. 61): ...more limited neighborhood-oriented mixed use along the Manor Road corridor.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES):

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

Tract 1: SF-6-NP - Townhouse and condominium residence (SF-6) district is the designation for a moderate density single family, duplex, two-family, townhouse, and condominium use that is not subject to the spacing and location requirements for townhouse and condominium use in an SF-5 district. A SF-6 district designation may be applied to a use in an area with large lots that have access to streets other than minor residential streets. A SF-6 district may be used as a transition between a single family and multifamily residential use.

Tract 2 and 3: LR-CO-MU-NP - Neighborhood commercial (LR) district is intended for neighborhood shopping facilities that provide limited business services and office facilities predominately for the convenience of resident of the neighborhood.

Conditional Overlay (CO) – The conditional overlay (CO) is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

Mixed Use (MU) - The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

The existing zoning allows for reasonable use of the site while maintaining the character of the surrounding area.

Site Plan

1. Site plans will be required for any new development other than single-family or duplex residential.
2. Compatibility standards would impact the subject property. 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. See below:

Compatibility Standards

The site is subject to compatibility standards. Along the north, south, and west property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

Additional design regulations will be enforced at the time a site plan is submitted.

- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- No parking or driveways are allowed within 25 feet of the property line
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

3. Exterior lighting above the second floor is prohibited in the GO, LR, GR, CS, or CS-1, when adjacent to a SF-5 or more restrictive zoning district (Section 25-2-585).

Transportation

1. If the requested zoning is granted, it is recommended that access to Sweeney Lane be prohibited as a condition of zoning because the requested zoning is for multifamily residential (MF) and commercial uses (LR). Sweeney Lane is classified as a local residential street intended to serve single-family residential uses.

2. No additional right-of-way is needed at this time for Manor Road. According to the adopted 2025 Austin Metropolitan Area Transportation Plan, Manor Road is a 4-lane, undivided major arterial roadway between Airport Blvd. and Springdale Rd.

3. A traffic impact analysis was waived because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted development should be limited through a conditional overlay to less than 2,000 trips.

4. There are existing sidewalks along both sides of Manor Road (**except for this property – sidewalks will be required as a condition of subdivision and site plan approval**).

5. Manor Road is classified in the Bicycle Plan as a Priority 2 bike route.

6. Capital Metro bus service is available along Manor Road with the #10 South First/#20 Manor Road local service route.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Fort Branch 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.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Water and Wastewater

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 the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. 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.

PETITION

Case Number:

C14-2008-0057.SH

Date:

June 10, 2008

5908 MANOR RD

Total Area Within 200' of Subject Tract

491,911.51

1	<u>02-2020-0111</u>	<u>DURBIN AMAMDA & JONATHAN E DURBIN</u>	<u>3,529.66</u>	<u>0.72%</u>
2	<u>02-2020-0112</u>	<u>RIOS MARY HARRINGTON</u>	<u>6,985.62</u>	<u>1.42%</u>
3	<u>02-2020-0118</u>	<u>PATRICK</u>	<u>5,705.87</u>	<u>1.16%</u>
4	<u>02-2020-0137</u>	<u>SEVILLA DANIEL O RODRIGUEZ MARIA</u>	<u>17,463.55</u>	<u>3.55%</u>
5	<u>02-2020-0138</u>	<u>MONTOYA</u>	<u>7,166.99</u>	<u>1.46%</u>
6	<u>02-2021-0103</u>	<u>VICTOR</u>	<u>2,857.33</u>	<u>0.58%</u>
7	<u>02-2021-0104</u>	<u>GOLDEN DOROTHY S GOLDEN DAVID E & CINDERELLA K</u>	<u>5,676.25</u>	<u>1.15%</u>
8	<u>02-2021-0105</u>	<u>OHIAGU CHIKEZIE & GRACE</u>	<u>2,845.80</u>	<u>0.58%</u>
9	<u>02-2021-0106</u>	<u>MAYFIELD ROBERT U</u>	<u>6,913.12</u>	<u>1.41%</u>
10	<u>02-2021-0201</u>	<u>GARRISON IRA DAVIS</u>	<u>37,929.12</u>	<u>7.71%</u>
11	<u>02-2021-0202</u>	<u>VICTOR</u>	<u>13,163.71</u>	<u>2.68%</u>
12	<u>02-2021-0203</u>	<u>HATHERLY VERA</u>	<u>12,949.79</u>	<u>2.63%</u>
13	<u>02-2021-0205</u>	<u>HATHERLY JAMES D & JO LYNN</u>	<u>17,158.01</u>	<u>3.49%</u>
14	<u>02-2021-0206</u>	<u>HENRY ROY L</u>	<u>12,866.85</u>	<u>2.62%</u>
15	<u>02-2021-1448</u>	<u>GRACE TEMPLE CHURCH INC</u>	<u>13,697.00</u>	<u>2.78%</u>
16	<u>02-2122-0112</u>	<u>CONOVER WILLIAM C</u>	<u>24,929.54</u>	<u>5.07%</u>
17	<u>02-2221-0108</u>	<u>LOPEZ CESAR</u>	<u>2,734.86</u>	<u>0.56%</u>
18	<u>02-2221-0109</u>	<u>MARTINEZ ADAN & AMADA BENITEZ</u>	<u>13,798.02</u>	<u>2.80%</u>
19	<u>02-2221-0110</u>	<u>HARMAN WILLIS D & DONNA</u>	<u>14,715.59</u>	<u>2.99%</u>
20	<u>02-2221-0111</u>	<u>MARTA CRESPO</u>	<u>17,449.66</u>	<u>3.55%</u>
21	<u>02-2221-0112</u>	<u>WILLIAMS TINORA</u>	<u>17,496.65</u>	<u>3.56%</u>
22	<u>02-2221-0113</u>	<u>CABRERA IRMA</u>	<u>17,458.25</u>	<u>3.55%</u>
23	<u>02-2221-0114</u>	<u>LEWIS JR</u>	<u>17,240.03</u>	<u>3.50%</u>
24	<u>02-2221-0118</u>	<u>WOODS CORI</u>	<u>42,307.85</u>	<u>8.60%</u>
25	<u>02-2221-0119</u>		<u>12,212.01</u>	<u>2.48%</u>

Validated By:

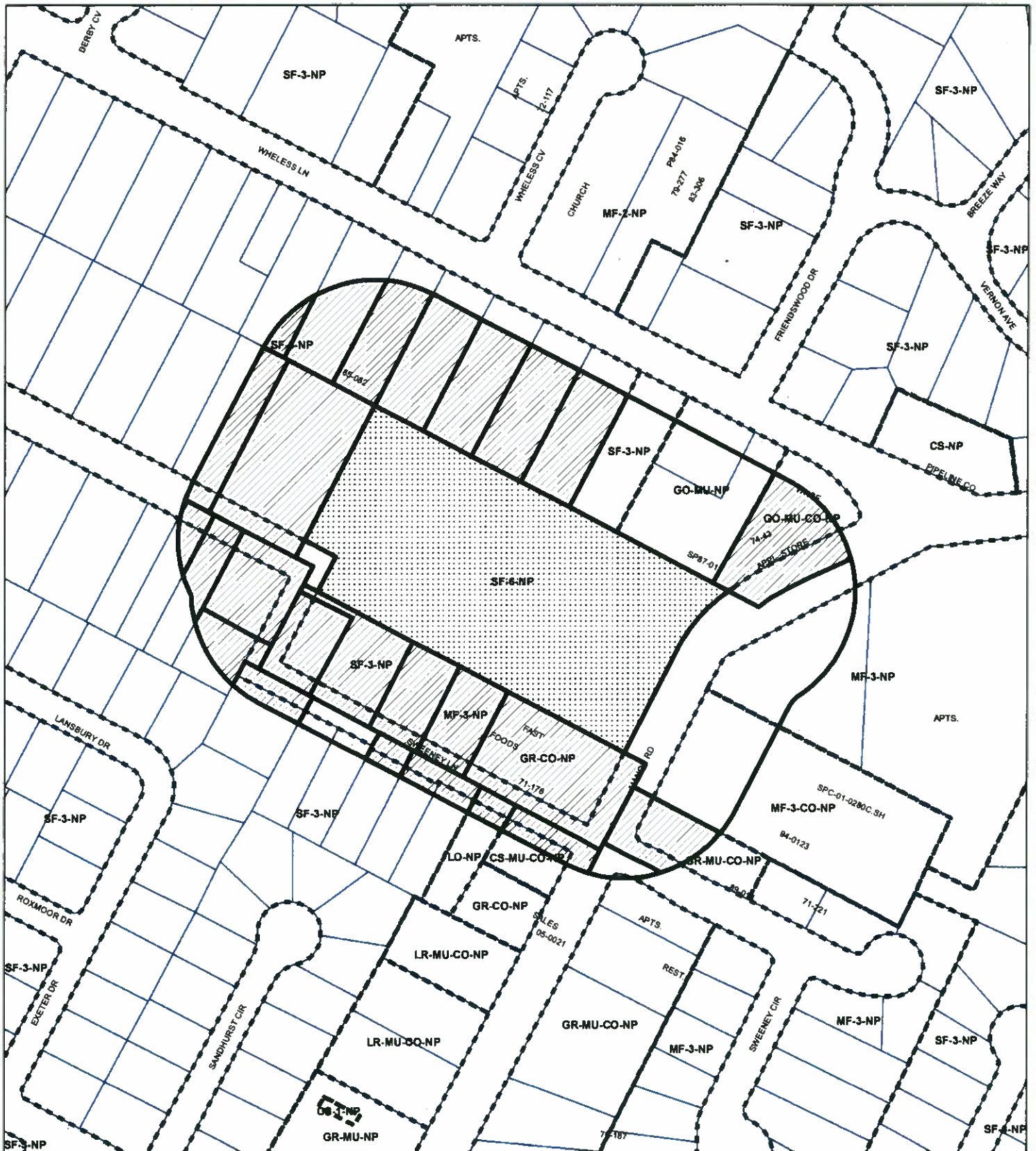
Stacy Meeks

Total Area of Petitioner:

347,251.13

Total %

70.59%



PETITION

CASE#: C14-2008-0057.SH
 ADDRESS: 5908 MANOR RD
 GRID: M25 & M26
 CASE MANAGER: J. HARDEN



-  Subject Tract
-  Property Owner
-  Buffer
-  Zoning Boundary

1" = 200' OPERATOR: SM

This map has been produced by G.I.S. Services for the sole purpose of geographic reference.
 No warranty is made by the City of Austin regarding specific accuracy or completeness.