

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Bouldin Creek Neighborhood Plan

CASE#: NPA-2012-0013.02 **FILE DATE:** February 28, 2012

PC DATE: June 12, 2012

ADDRESS/ES: 908 S. 2nd Street, 1000 & 1002 S. 2nd Street, 705 Christopher Street & Christopher Street (Lot 4 -7, Blk 2, Oak Cliff Addn, 0.553 acres)

SITE AREA: Approx. 4.32 acres

OWNER: Margaret Quadlander

APPLICANT/AGENT: PSW Homes, L.L.C. (J. Ryan Diepenbrock)

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Mixed Use and Single Family **To:** Higher Density Single Family

Base District Zoning Change

Related Zoning Case: C14-2012-0031 & C14-2012-0033

From: GR-MU-NP and SF-3-NP **To:** SF-6-CO-NP

NEIGHBORHOOD PLAN ADOPTION DATE: May 23, 2002

PLANNING COMMISSION RECOMMENDATION: Final recommendation pending.

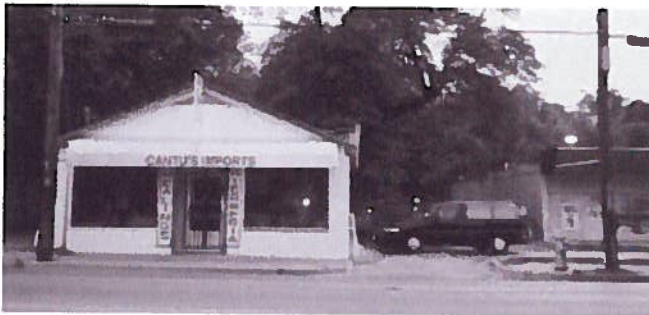
STAFF RECOMMENDATION: Not recommended.

BASIS FOR STAFF'S RECOMMENDATION: The plan amendment request does not meet the following Goals, Objectives and Recommendations in the plan:

Part I: Land Use

GOAL 1: Maintain established neighborhood character and assets

OBJECTIVE 1.1: Maintain the Single Family Residential Character of the Neighborhood Interior.



The BCNPT is also seeking to prevent the encroachment of commercial uses into the residential parts of the neighborhood. Because commercial properties on S. 1st are so close to single-family residential properties, additional landscaping and

height setbacks will help create a better transition between these land uses. East Bouldin Creek should remain as a natural boundary between the commercial and residential land uses.

- Action Item 6: Maintain SF-3 zoning on South Second from East Bouldin Creek to lots 6-10 of the Abe Williams Sub-Division (or 25 contiguous lots out of the existing 30 lots on S. Second remain SF-3) This is intended to protect the creek from expanded impervious cover and honor the neighborhood planning objective of preserving the single-family nature of the neighborhood interior. Lead Implementer: NPZD
- Action Item 7: On S. 1st, rezone SF-3 properties between East Bouldin Creek and 902 S. 1st to GR-MU (Community Commercial-Mixed Use). This rezoning will also apply to properties on the South Side of Copeland that have access to lots on South 1st. The

following site development standards should be required for new buildings:

- a) All new structures should be limited to 35 feet in height;
- b) Parking should be located in the rear; and
- c) Buildings should be setback 20' from the street, and 30% of the setback should be improved public open space abutting the public right-of-way.

Lead Implementer: NPZD

This recommendation is part of an overall rationalization of zoning along S. 1st. The neighborhood plan recommends protecting the residential character of the neighborhood interior while encouraging commercial and mixed use development to occur on the neighborhood arterials, such as S. 1st. The small slice of S. 1st from E. Bouldin Creek to 902 S. 1st represents a limited upzoning from SF-3, not to CS (Commercial Services), which is found on the remainder of S. 1st, but to the more restrictive GR-MU with a Conditional Overlay (CO) limiting height and other development standards.

GOAL 2: Protect and enhance creeks and open spaces

OBJECTIVE 2.1: Protect East and West Bouldin Creeks to ensure the safety and enjoyment of the neighborhood residents.



East and West Bouldin Creeks run through the core of the Bouldin Creek Neighborhood, providing natural beauty along with the possibility of significant recreational opportunities. The quality of the water in these creeks affects not only their ability to continue to provide these comforts to neighbors and other citizens, but directly affects the water quality in Town Lake.

Studies nationwide have shown that damage begins to occur to creeks when impervious cover⁵ exceeds 10% to 12%. Damage increases as impervious cover percentages increase. The current impervious cover in the neighborhood surrounding East and West Bouldin Creeks is approximately 45%. Impervious cover has a direct effect on the amount of water runoff entering a watershed.

Impervious cover can increase non-point source pollution resulting from trash, road pollutants such as oil, rubber, and the heavier constituents of fuels that do not quickly evaporate, and household pollutants such as fertilizers, through overland flow. Impervious cover does not increase point-source pollution, which is generated from a factory or sewage treatment facility or from a blocked and overflowing sewer line.

Increasing impervious cover in the watersheds could further degrade water in the creeks and in Town Lake unless some mitigation measures are instituted.

OBJECTIVE 2.2: Preserve, improve and develop parks and green spaces.

GOAL 3: Manage growth by encouraging development on major corridors and in existing higher-density nodes.

OBJECTIVE 4.2: Improve the flow of traffic while maintaining a safe environment for pedestrians and bicyclists.

The Neighborhood Planning Team encourages vehicular traffic to continue to use the major arterials surrounding the inner city neighborhoods: Ben White, Mopac, IH-35 and 183. For commuters entering the downtown area, the neighborhood planning team recommends commuter-parking facilities for the mass transit routes that bisect the neighborhood. The BCNPT also recommends the following transportation policies for the thoroughfares in the neighborhood:

Staff Analysis: The applicant's request to change the future land use map to Higher Density Single Family does not meet the goals of the plan. The request the plan specifically recommends this area to have SF-3 zoning with Single Family land use in order to protect the residential character of the neighborhood and to protect the creek from over-development.

BACKGROUND: The plan amendment application was filed on February 28, 2012, which is in-cycle for planning areas located on the west side of I.H.-35.

The plan amendment request is to change the land use on the future land use map from Mixed Use and Single Family to Higher Density Single Family.

The zoning change request is to change the zoning on the property from GR-MU-NP and SF-3-NP to SF-6-CO-NP. There is also a public restrictive covenant on the property. Please see the associated zoning case report for more details on these requests.

The applicant proposes to building 43 single-family dwelling units on approximately 4.32 acres of land, although the area could increase if the City's vacates the right-of-way that separates the tracts located on the southern part of the propose development.

PUBLIC MEETINGS: The ordinance required plan amendment meeting was held on Wednesday, April 11, 2012. Approximately 294 meeting notices were mailed to property and utility account holders within 500 feet, in addition to neighborhood organizations and environmental groups registered on the Community Registry who request to receive notices for the area.

Q. How many dwelling units are you proposing?

A. We propose 43 homes. (Note: Since the zoning cases have been filed, this has been updated to maximum 10 homes per acre at approximately 33 dwelling units).

Q. Will the cars exit from Copeland onto South 1st Street? We don't want traffic going into neighborhood.

A. We want to direct traffic to South 1st, not to S. 2nd Street and Copeland. The City likes us to use existing streets.

Q. Will there be subsurface parking?

A. It's not in the plan. We can't afford to go below grade.

Q. Your overall plan includes property that is now City Right-of-Way. Will you do street closure?

A. We haven't started that process, but we are researching it.

Q. What are the lot sizes?

A. 7,000 square feet for duplexes.

Q. Your zoning request is for SF-6, which could be up to 15 units per acre. If you walk away from the project the property could be sold for SF-6.

A. Could have a conditional overlay that caps the maximum number of units per acre. We would agree to 43 units max. We could also do a private restrictive covenant, if necessary. CWQZ, code requires banks to be stabilized.

Q. Are there Heritage Trees on the property?

A. Yes, there are three Heritage Trees.

Q. Impacts on existing condos, construction timeline?

A. We would have about an 18 months construction timeline. The construction will be phased. We probably do the private drive first and have the commercial completed in 12 months. There will be some phasing with the construction of the 43 homes. Maybe have seven homes completed in seven months.

Q. Will there be a retention pond, because we don't want more run-off into the creek.

A. The City of Austin requires bank stabilization. With a hard rain there could be the same amount of water. We will look at cisterns or rain gardens, which act as detention ponds.

With the SF-6 zoning, as opposed to the current zoning, we will have 25% less building coverage and no more impervious cover.

Amount of parking and traffic equals some 2/3 cars per house. With the current commercial zoning, there would be two times as many cars.

Q. What amenities will the project bring into neighborhood to attract young couples?

A. The homes will meet the 4-Star Green Building Standards and all the units are proposed to have a 2.5 kilowatt solar panel system, except if the location of the unit prohibits the ability to have solar panels.

Q. Could you do another zoning district?

A. We primary request SF-6 zoning because there are no interior lot lines and we can save trees and also work around land contours.

The Bouldin Creek Neighborhood Planning Contact provided a letter on page four of this report.

Other citizen comments are at the back of this report.

CITY COUNCIL DATE:

June 28, 2012

ACTION: Postponed to August 16, 2012.

CASE MANAGER: Maureen Meredith

PHONE: 974-2695

EMAIL: Maureen.meredith@austintexas.gov

Letter from the Bouldin Creek Planning Contact Team

From: Hampton, Stuart
Sent: Monday, June 04, 2012 9:57 AM
To: 'mailto:Maureen.Meredith@austintexas.gov'
Cc: 'cassjoyn@'; 'npoulson@'; 'bradfordpatterson04@'; 'william@'
Subject: RE: 901 S. First zoning change application -- Bouldin Creek Neighborhood Plan Contact Team minutes

Maureen,

Per you June 1st email. I concur with Will Burkhardt's clarification of the April 30 BCNPCT Motion.

Also, (as part of that motion) I believe the BCNPCT has attempted in good faith to negotiate an alternative site development option, but that PSW Real Estate have not come back to us for a second round of discussions, despite what was agreed to at the first meeting between neighborhood representatives and the developers in early May.

It feels as if the developers are pushing ahead with their original plan, despite formal opposition from the Neighborhood Plan Contact Team, and have walked away from a negotiation mechanism established by that Contact Team.

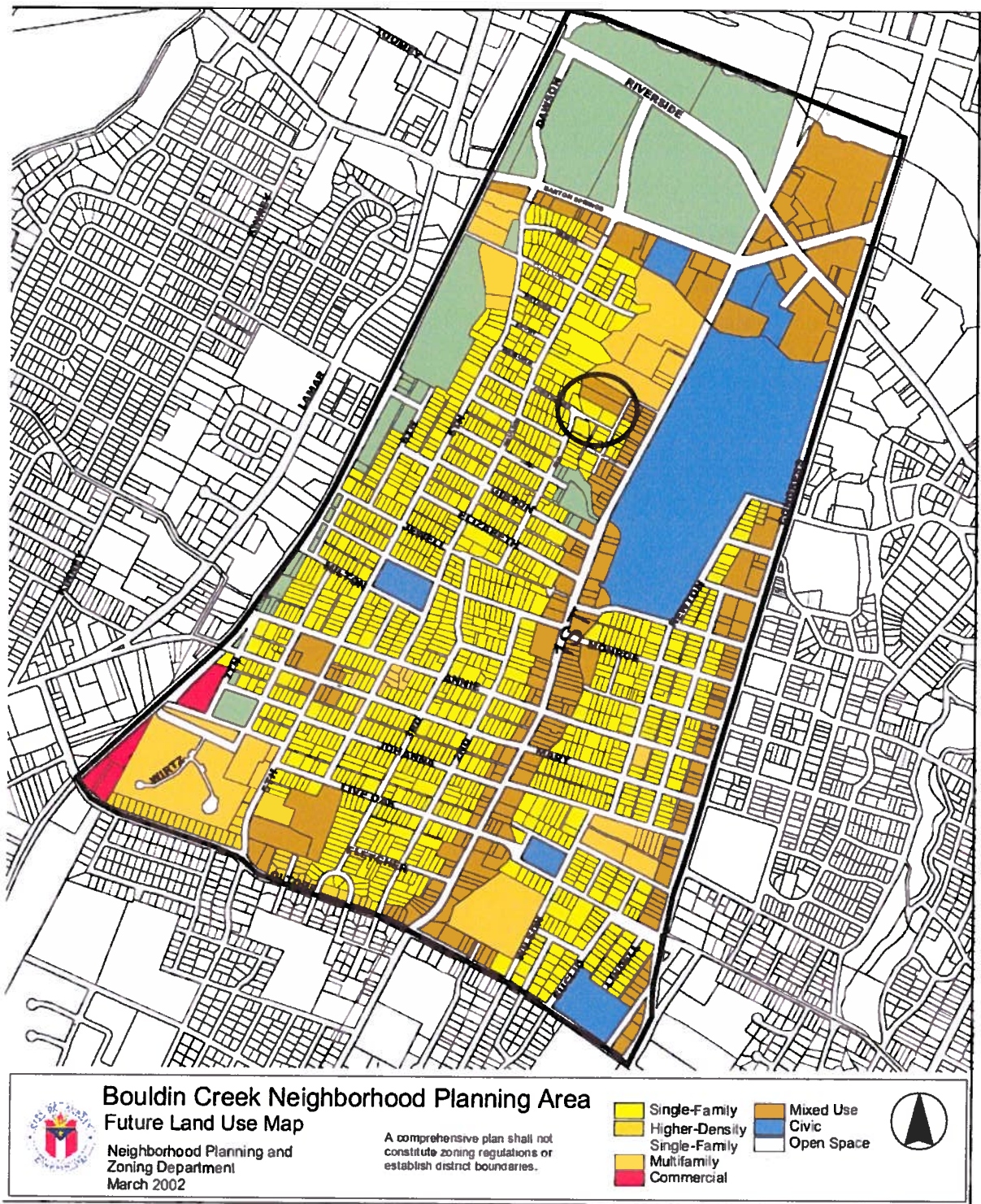
BCNPCT Motion, April 30.

"The BCNPCT is opposed to the development as presented because of increased density, inadequate setback from East Bouldin Creek, and because it is inconsistent with fundamental precepts in the Neighborhood Plan. BCNPCT is open to negotiating with PSW Homebuilders to address these concerns and appointed Will Burkhardt, Brad Patterson, and Stuart Hampton to negotiate with the developers. The appointed team will report back to the BCNPCT within three weeks. "

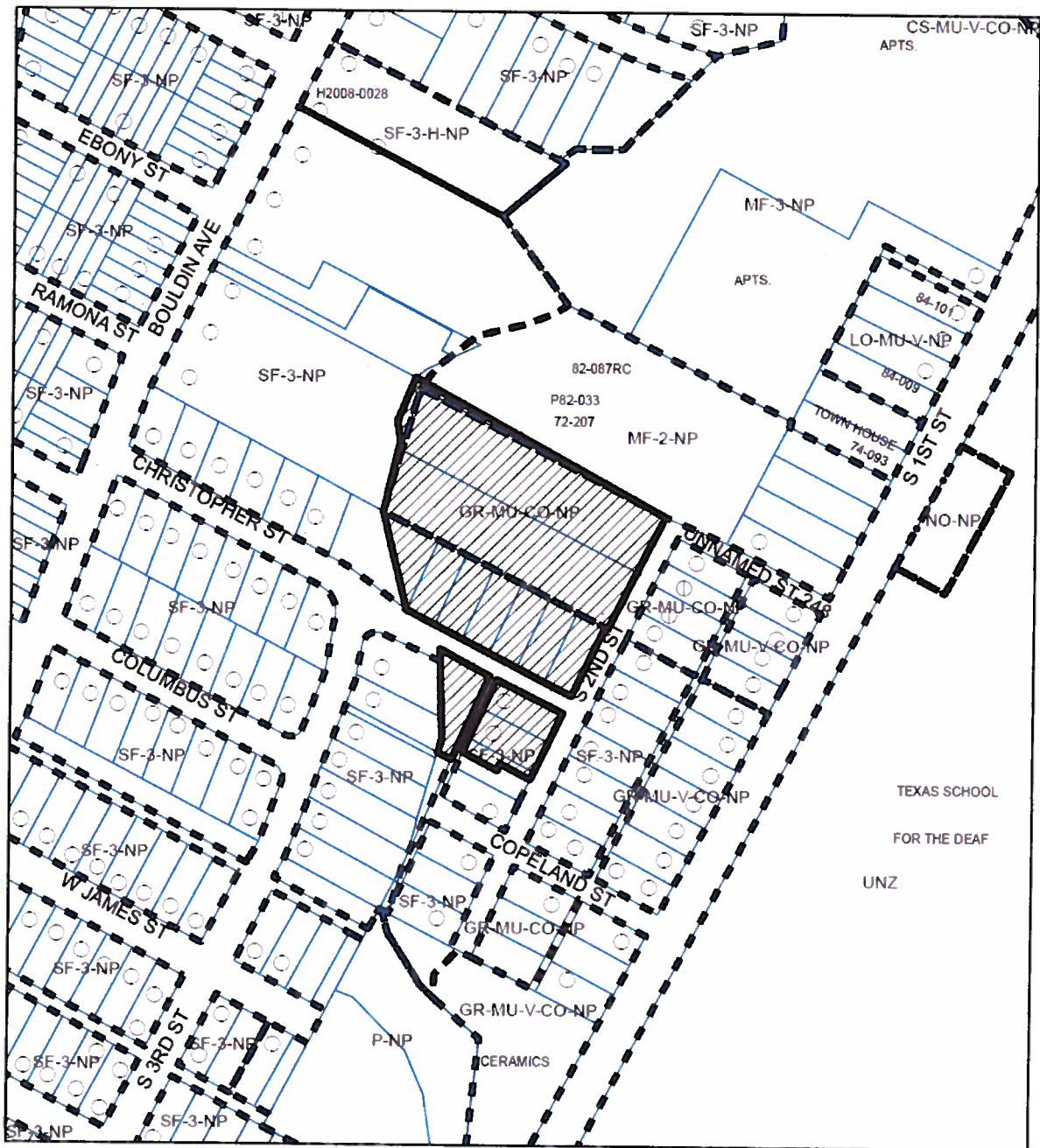
Will Burkhardt's clarification on the motion

"By the way, in my opinion the motion may be more correctly characterized as objecting not so much to "increased density" as to uniform and unarticulated development, or a development proposal which currently fails to acknowledge certain fundamental precepts of the neighborhood plan's intent, the formal construct of the neighborhood, and the immediate context; also, I believe most at the meeting supported the proposed development presented along the S. 1st lots."

Regards,
Stuart Hampton
Chair,
Bouldin Creek Neighborhood Plan Contact Team







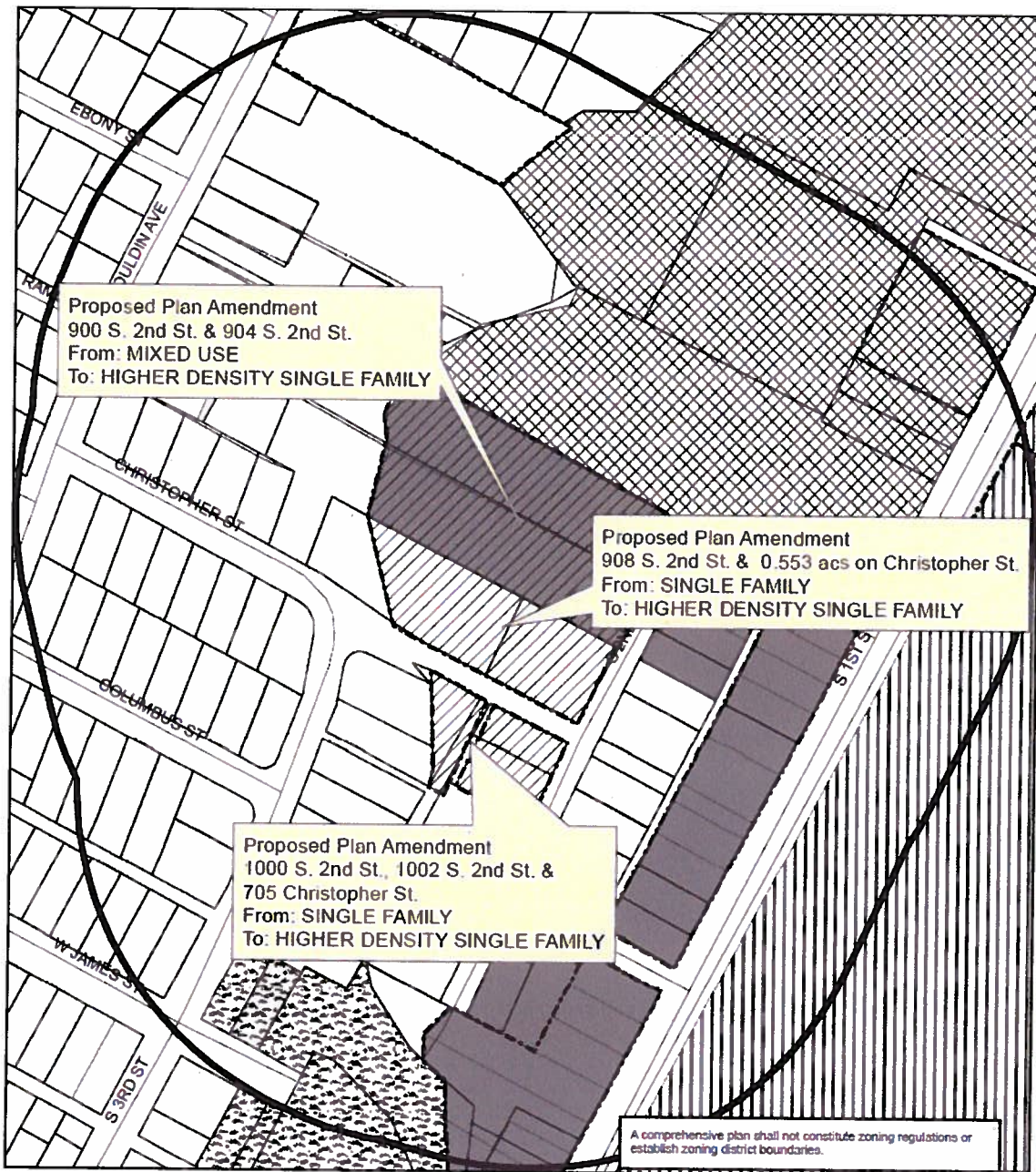
- N
- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

NEIGHBORHOOD PLAN AMENDMENT
NPA CASE#: NPA-2012-0013.02

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Bouldin Creek Neighborhood Plan NPA-2012-0013.02

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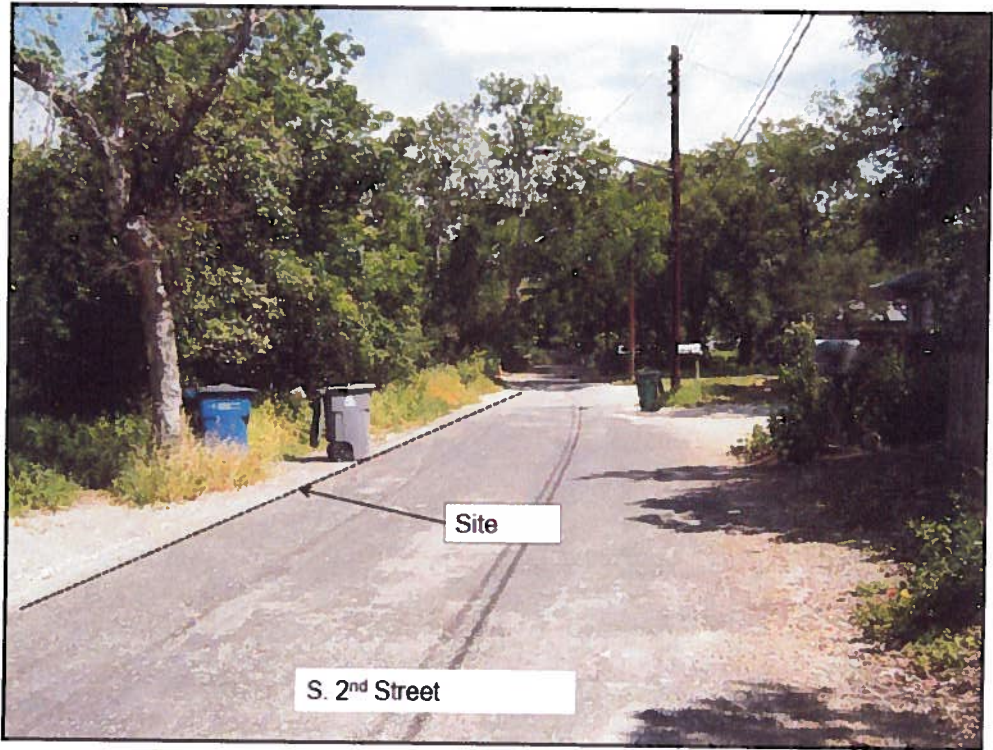


City of Austin
Planning and Development Review Department
Created on 03/08/2012_ M Meredith



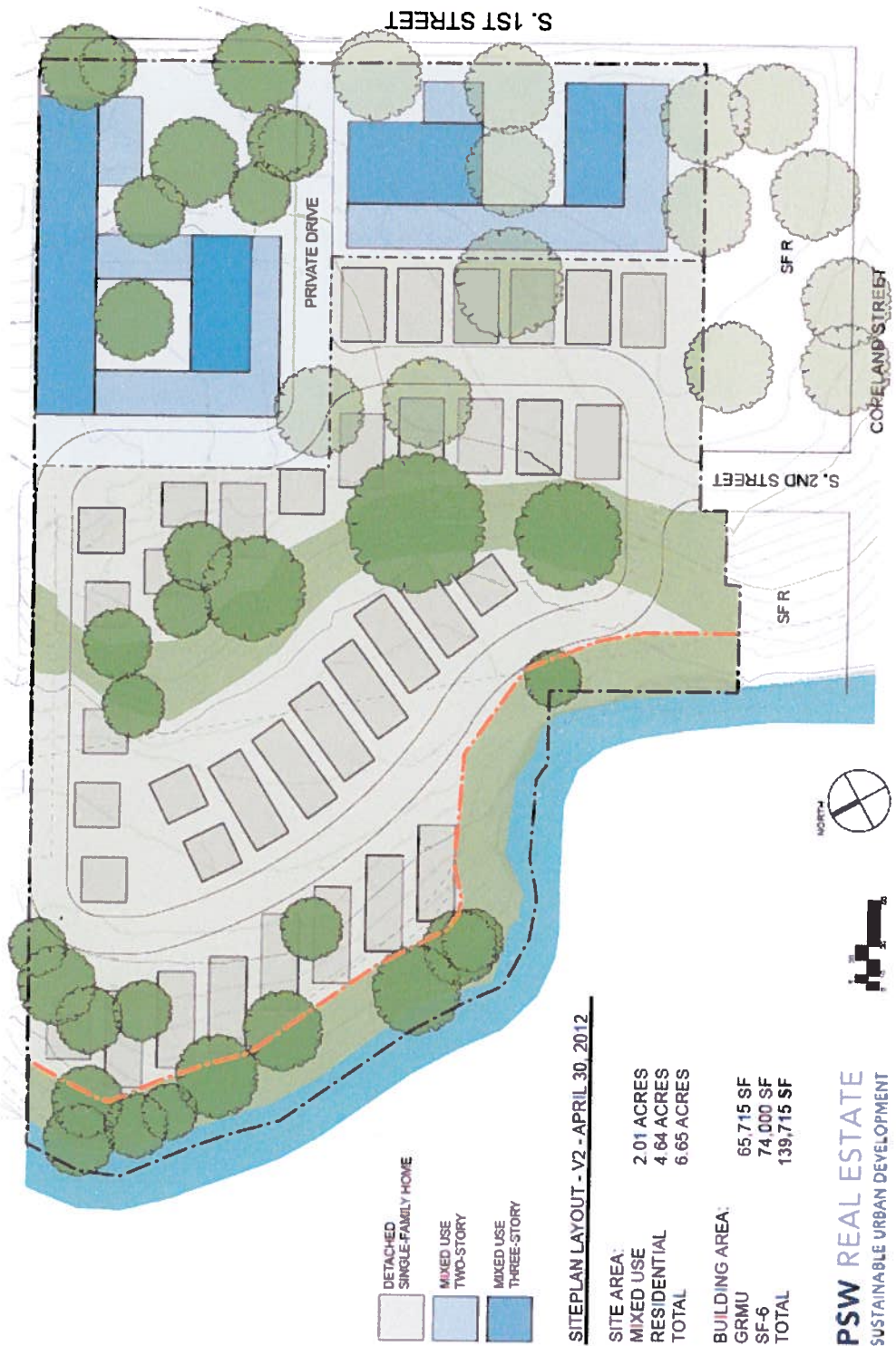
Legend

- 500ft notification boundary
- SDE.flum_combined**
- Single-Family
- Multi-Family
- Mixed Use
- Civic
- Recreation & Open Space





Applicant's Proposed Site Plan Layout



-----Original Message-----

From: Philip Dhingra

Sent: Monday, April 16, 2012 9:16 PM

To: Meredith, Maureen

Subject: Re-zoning of S. 1st and Copeland

Hi Maureen,

I own and live in one of the condos just north of where PWS Real Estate wants to re-zone to SF-6 on S. 1st and Copeland. I'm not active in the neighborhood association, but you encouraged individuals to reach out if they had any concerns.

The developers seem like decent people, but I believe that up-zoning in that area should be very carefully considered because of how crowded South First has become in just the short time I've lived there.

The street is practically a freeway now, and its getting near impossible to make a left turn out of our driveway during busy hours. I bike most of the time, and its become very treacherous to cross over. The western sidewalk is already very crowded and difficult to bike through (and impossible for wheelchairs).

So count me as a voice (hopefully not a lone one) who would prefer the zoning to remain unchanged.

Sincerely,

Phil Dhingra
802 S. 1st Unit 212
Austin, TX 78704
512 850 6338

THX - 111 2001

PUBLIC HEARING COMMENT FORM

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

City of Austin

Planning and Development Review Department

974-2695

P. O. Box 1088

Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2012-0013.02

Contact: Maureen Meredith

Public Hearing: Jun 12, 2012, Planning Commission

Jun 28, 2012, City Council

Charles Reburn

Your Name (please print)

905 Christopher St

Your address(es) affected by this application

[Signature]

Signature

6/5/2012

Date

Comments:

Changing zoning to allow
condos into this residential
area adversely impacts the quality
of life of the residents. The
secondary streets were not
designed to deal with the
increased traffic. Please deny
condos in residential areas!!
Onstreet Accidents & Parked Cars is
an ongoing issue for 25 yrs

FAX 974-2269

ATTN

MARCO MEROLU

CASE NPA-2012-0013.02

Continued:

PLEASE pull case file related to 1001 S 3RD. As I understand this site was cited for multiple infractions where an increased density was ~~not~~ approved & development proceeded despite Red Flag. This project was just recently demolished & hauled off. A Council Member who previously lived in the neighborhood took that fresco on.

Approving condos in virtually the same location would be a news worthy inconsistency.

Chh

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Case Number: NPA-2012-0013.02

Contact: Maureen Meredith

Public Hearing: Jun 12, 2012, Planning Commission
Jun 28, 2012, City Council

WE ARE

☒ in favor
☐ I object

BLACKSHEAR HAROLD E.
Your Name (please print)

806 BOULDER AVE 786704
Your address(es) affected by this application

Maureen Meredith

Harold E. Blackshear
Signature

4 JUN 2012
Date

Comments: PROVIDED THE END PRODUCT
IS UPGRADING.

KEEP UP THE GOOD WORK!