

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2016-0077 – Bouldin Court

**P.C. DATE:** October 13, 2016  
October 25, 2016

**ADDRESS:** 900 South 2<sup>nd</sup> Street

**DISTRICT AREA:** 9

**OWNER/APPLICANT:** 1<sup>st</sup> Street Highlands, LP/PSW Homes LLC

**AGENT:** PSW Homes, Jarred Corbell

**ZONING REQUEST FROM:** GR-MU-CO-NP & SF-3-NP

**TO:** SF-6-NP    **AREA:** 3.62 acre

### **SUMMARY STAFF RECOMMENDATION:**

Recommend SF-6-CO-NP. The conditional overlay will limit the property to 30 residential units.

### **COMMISSION RECOMMENDATION:**

*OCTOBER 11, 2016 – POSTPONED TO OCTOBER 25, 2016 BY STAFF ON CONSENT, VOTE 12-0 [P. SEEGER, J. VELA 2<sup>ND</sup>, J. SCHISSLER OFF THE DAIS].*

*OCTOBER 25, 2016 – APPROVED ON CONSENT WITH ADDITIONAL CONDITIONS, VOTE 12-0 [J.SCHISSLER, N. ZARAGOZA 2<sup>ND</sup>, J. SHIEH ABSENT].*

### **ADDITIONAL CONDITIONS:**

1. Total residential dwelling units shall not exceed 30.
2. No Single Family Attached residential use allowed as defined in 25-2-772.
3. Single-family detached residential structures shall not exceed 23 units.
4. Total site impervious cover is 44.3%.
5. Total building coverage shall not exceed 22%.
6. Total FAR shall not exceed .3738 to 1.

### **COUNCIL ACTION:**

*NOVEMBER 10, 2016 – POSTPONED BY THE APPLICANT TO DECEMBER 1, 2016 ON CONSENT, VOTE 10-0-1 [D. ZIMMERMAN, O. HOUSTON 2<sup>ND</sup>, K. TOVO RECUSED].*

*DECEMBER 1, 2016 – POSTPONED BY THE APPLICANT TO DECEMBER 8, 2016 ON CONSENT.*

*DECEMBER 8, 2016 – POSTPONED BY THE APPLICANT AND NEIGHBORHOOD TO DECEMBER 15, 2016, VOTE 10-0 [E. TROXCLAIR, D. ZIMMERMAN 2<sup>ND</sup>, K. TOVO ABSENT].*

*DECEMBER 15, 2017 – POSTPONED BY BOULDIN CREEK NEIGHBORHOOD TO JANUARY 26, 2017 ON CONSENT, VOTE 11-0.*

**DEPARTMENT COMMENTS:**

The subject property consists of 4 lots totaling 3.62 acres with access to South 2<sup>nd</sup> Street in the Bouldin Creek Neighborhood Planning Area. There are currently two single family structures located on the property. It fronts to commercial/mixed use properties along South 1<sup>st</sup> which is a core transit corridor. To the west it backs to East Bouldin Creek and single family across the creek. The existing commercial zoning (GR-MU-CO-NP) was given during the neighborhood plan adoption and intended for use as a “retreat center. Immediately to the north is multifamily (MF-2), to the east is GR-MU-CO-NP, GR-MU-V-CO-NP (the applicant is currently developing a mixed use project) and SF-3 across 2<sup>nd</sup> street, to the south and west is SF-3 with GR-MU-CO-NP across Copeland Street.

The property is located within the Bouldin Creek Neighborhood Planning area and requires a neighborhood plan amendment. Neighborhood Planning staff have recommended a change to the future land use map (FLUM) to reflect higher density single-family.

This area is a narrow strip of property between S. First Street and E. Bouldin Creek and is somewhat isolated from the rest of the Bouldin Creek Neighborhood. There are few remaining single family residences located in the area to the east of the creek. The houses that front S. First Street are commercially zoned and mostly have commercial uses.

Zoning staff support the request as it will serve as a transition from commercially zoned properties on S. First Street to single family residences west of E. Bouldin Creek.

**ISSUES:** There is a private restrictive covenant on the property between the owner and property owners on the west side of East Bouldin Creek from 2002. For this case, the Bouldin Creek Neighborhood Association and the applicant have been working on provisions to be included in a conditional overlay as well as a private restrictive covenant. Included in the Planning Commission are the items to be included in a conditional overlay.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GR-MU-CO-NP & SF-3-NP	Undeveloped and Single family home
<i>North</i>	MF-2-NP	Multifamily
<i>South</i>	SF-3-NP	Single family
<i>East</i>	MF-2-NP & GR-MU-V-CO-NP & SF-3-NP	Multifamily, retail, single family
<i>West</i>	SF-3-NP	Single family

**NEIGHBORHOOD PLANNING AREA:** Bouldin Creek Neighborhood Planning Area.

**TIA or NTA:** None is required.

**WATERSHED:** Urban, East Bouldin Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
Austin Independent School District  
Austin Neighborhoods Council  
Bike Austin  
Bouldin Creek Neighborhood Association  
Bouldin Creek Neighborhood Planning Team  
Friends of Austin Neighborhoods  
Friends of the Emma Barrientos MACC  
Homeless Neighborhood Association  
Preservation Austin  
South Central Coalition  
South First IBIZ District  
Sierra Club  
State School for the Deaf

**SCHOOLS:** Travis HS, Fulmore MS, Becker Elementary

**RELATED CASES FOR THIS PROPERTY:**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-02-0031 Bouldin Creek NP adoption	SF-3 to SF-3- NP, SF-3 to GR- MU-CO-NP	SF-3-NP & GR-MU-CO-NP	SF-3-NP & GR-MU-CO-NP approved May 23, 2007.
C14-2012-0031 900-1000 S. 2 <sup>nd</sup> St.	GR-MU-CO-NP & SF-3-NP to SF-6-CO-NP	Case Expired	Case Expired

**SURROUNDING PROPERTIES CASE HISTORIES:**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2007-0220 (1606-1718 S. 1 <sup>st</sup> Street)	CS-MU-CO-NP to CS-MU-V- CO-NP	CS-MU-V-CO-NP	CS-MU-V-CO-NP approved Dec. 13, 2007.
C14-82-087 802-808 S. 1st Street.	A-1 <sup>st</sup> height and area & B - 1 <sup>st</sup> height and area to BB 1st height and	BB	BB approved May 26, 1983.

	area.		
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**CITY COUNCIL DATE:** January 26, 2017

**ACTION:** 2<sup>nd</sup> & 3<sup>rd</sup> Reading

**ORDINANCE READINGS:** 1<sup>st</sup> November 10, 2016    2<sup>nd</sup>    3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Andrew Moore

**PHONE:** 512-974-7604

**EMAIL:** [andrew.moore@austintexas.gov](mailto:andrew.moore@austintexas.gov)

### **STAFF RECOMMENDATION**

Staff recommends approval of townhouse and condominium residence - conditional overlay neighborhood plan (SF-6-CO-NP) combined district zoning. The conditional overlay will restrict the property to 30 residential units.

### **BASIS FOR RECOMMENDATION**

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

“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. An 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. An SF-6 district may be used as a transition between a single family and multifamily residential use.”

The proposed zoning change is suitable for this location within the Bouldin Creek Neighborhood as it is located adjacent to mixed-use zoning districts and provides a transition to single family use. The change will also allow a more flexible layout next to East Bouldin Creek.

### ***Neighborhood Planning***

The zoning case requires a Neighborhood Plan Amendment. Please see Neighborhood Plan Amendment case NPA-2016-0013.01.

### **ADDITIONAL STAFF COMMENTS**

#### ***Environmental – Mike McDougal 512-974-6380***

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the East Bouldin 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. Zoning district impervious cover limits apply in the Urban Watershed classification.

3. According to floodplain maps there is a floodplain within the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. 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.
7. 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.

***Storm Water Detention***

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

***DSD Transportation Review - Amanda Couch - 512-974-2881***

- TR1. The portion of Christopher Street adjacent to this zoning case is currently undergoing a ROW vacation (File # 9156-1301).
- TR2. Improvements maybe required where the unimproved alley currently exists.
- TR3. If the requested zoning is recommended for this site, 25 feet of right-of-way should be dedicated from the centerline of S. 2<sup>nd</sup> Street in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.
- TR4. A Neighborhood Traffic Analysis will be required at the time of site plan if triggered per LDC 25-6-114. LDC, Sec. 25-6-114.

TR5. Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR6. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Cristopher St	30'	0' (unimproved ROW)	N/A	No	No	Yes
Alley	11'	0' (unimproved ROW)	Alley	No	No	Yes
S. 2 <sup>nd</sup> St	40'	25'	Local	No	No	Yes

#### ***Water and Wastewater***

AWU-Utility Development Service Review – Neil Kepple – 512-972-0077

FYI: 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, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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.

#### ***NPZ Site Plan Review – Katie Wettick 512-974-3529***

The site is subject to compatibility standards. Along the ***South, East, and West*** property lines, the following standards apply:

No structure may be built within 25 feet of the property line.

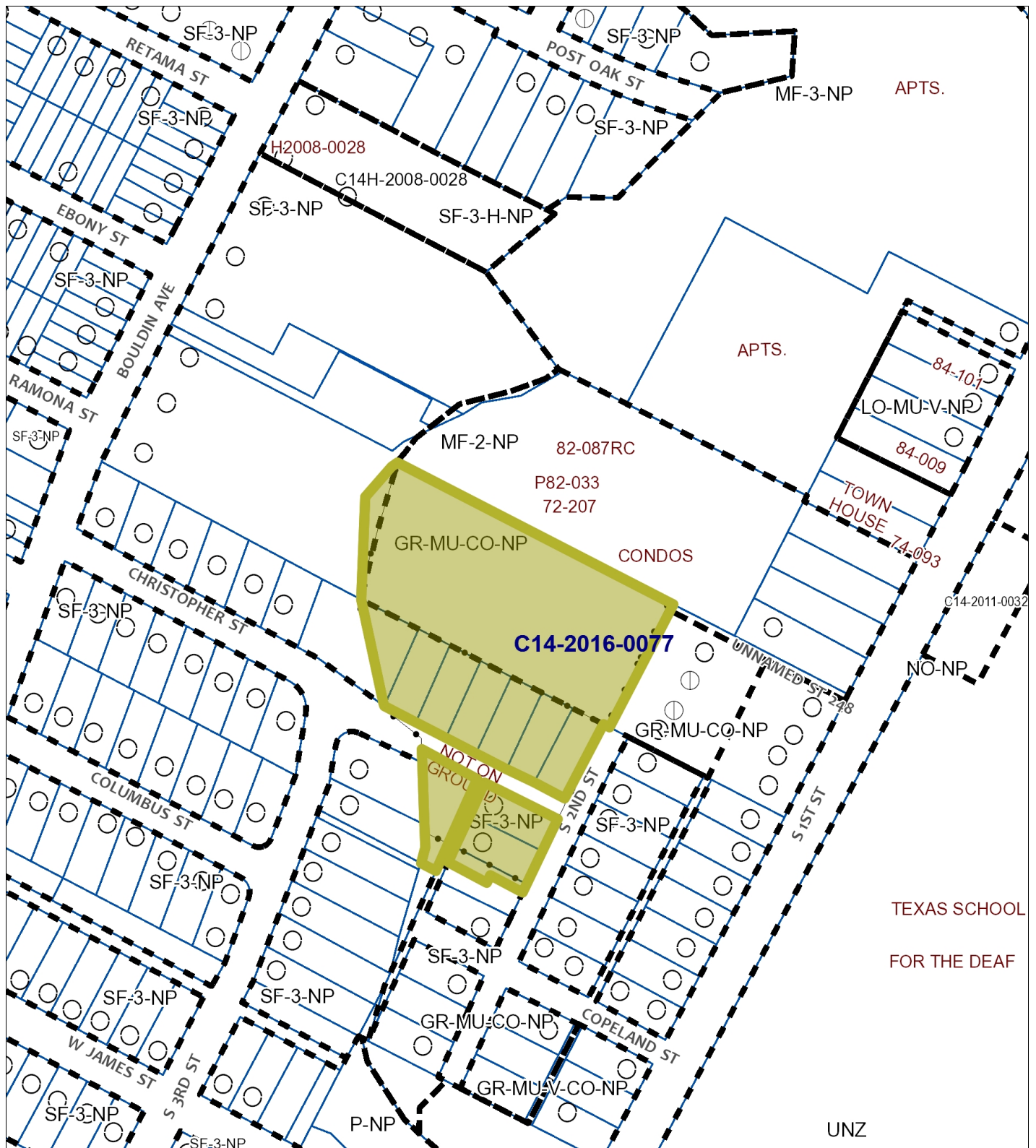
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Along the **North** property lines, the following standards apply:

- 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.



- Subject Tract
- Pending Case
- Zoning Boundary
- Railroads

100 200 Feet

1" = 200'

## ZONING

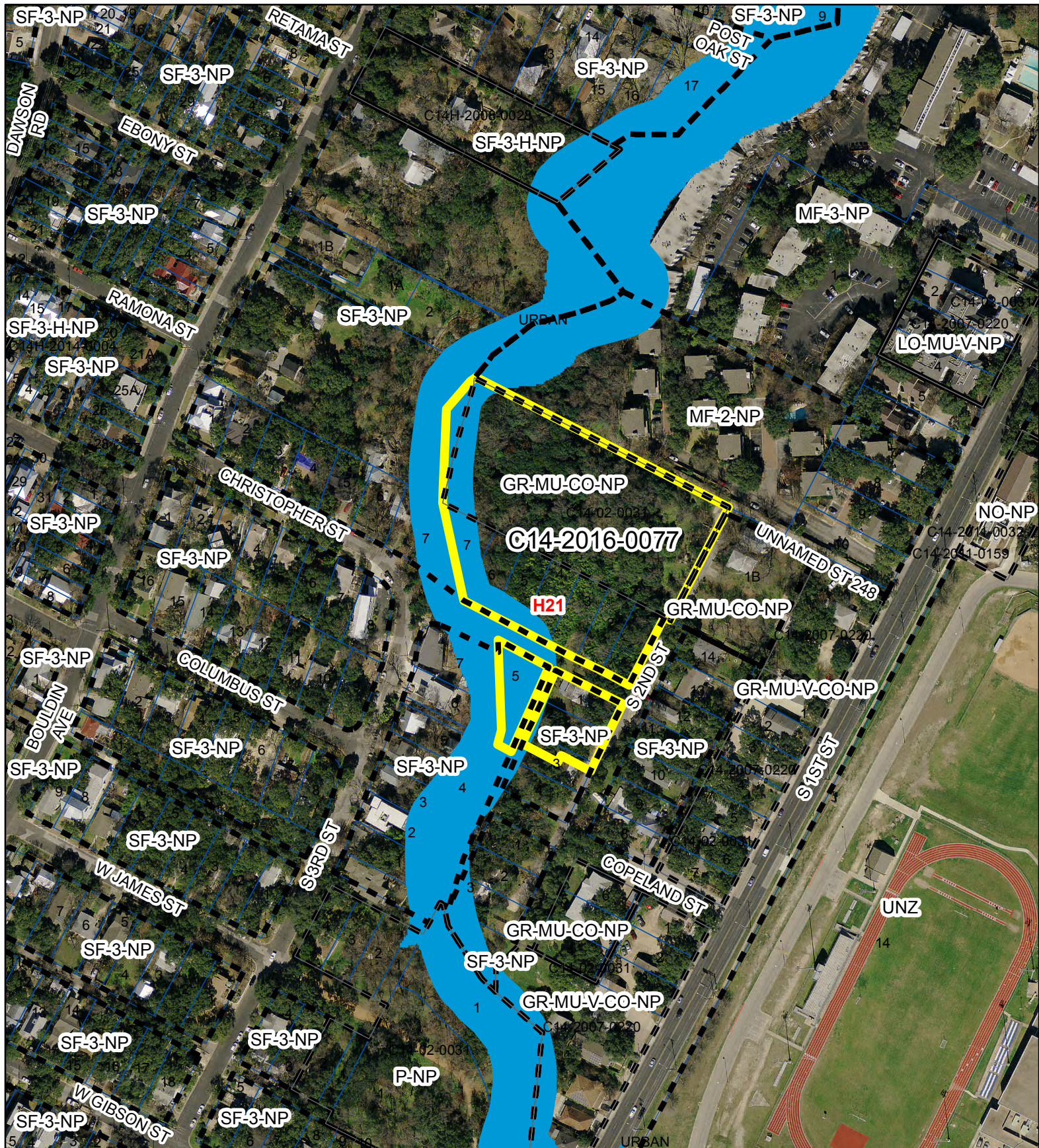
ZONING CASE#: C14-2016-0077



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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created 07/27/16



## AERIAL WITH ZONING - BOULDIN COURT



1' = 400'

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

ZONING CASE#: C14-2016-077  
 LOCATION: 900-1002 S. 2nd St & 705 Christopher S  
 SUBJECT AREA: 3.62 ACRES  
 GRID: H21  
 MANAGER: ANDREW MOORE



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

## 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 attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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](http://www.austintexas.gov/planning).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a 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.

Case Number: C14-2016-0077

Contact: Andrew Moore, 512-974-7604

Public Hearing: October 11, 2016, Planning Commission

November 10, 2016, City Council

Melanie McNeaney

Your Name (please print)

1001 S. 3rd St 78704

Your address(es) affected by this application

10/3/16

Signature

Daytime Telephone: 512-651-5796

Comments:

The two parcels of land South of the Christopher St. R.O.W that was vacated do NOT need to be included in this up zoning. The triangle one is in the Creek # butts up against my SF3 property - not appropriate. The two along S. 2nd are already SF3 and PSW will be doing SF3 homes on it so it does

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

City of Austin

Planning & Zoning Department

Andrew Moore

P. O. Box 1088

Austin, TX 78767-8810

This would not allow them to claim more SA

Footage to claim more homes on the Granddancer tract.

not need the SF3 zoning.

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Case Number: C14-2016-0077

Contact: Andrew Moore, 512-974-7604

Public Hearing: October 11, 2016, Planning Commission

November 10, 2016, City Council

*Sarah Sullivan*  
Your Name (please print)

*614 S. 1st ST. Austin TX*

Your address(es) affected by this application

*78704*

*Oct. 1 2016*

Date

Signature

Daytime Telephone: *(310) 344-1202*

Comments: *The traffic on South first*

*is very great in the morning.*

*Adding additional residences that*

*must use so 1st corridor makes*

*NO SENSE.*

*I object.*

*Thank you*

*Sarah Sullivan*

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

City of Austin

Planning & Zoning Department

Andrew Moore

P. O. Box 1088

Austin, TX 78767-8810

*Installing Traffic Lights?*