

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2019-0026 – Jensen’s M/H Park

DISTRICT: 3

ZONING FROM: SF-3-NP

TO: MH-NP

ADDRESSES: 3201 Burleson Road

SITE AREA: 1.978 Acres

PROPERTY OWNER: James Jensen and R&M La Verd

CASE MANAGER: Scott Grantham (512-974-3574, [scott.grantham@austintexas.gov](mailto:scott.grantham@austintexas.gov))

STAFF RECOMMENDATION:

**Staff recommends mobile home residence – neighborhood plan (MH-NP) combining district zoning.** *For a summary of the basis of staff’s recommendation, see page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

May 28, 2019                      Scheduled for Planning Commission

CITY COUNCIL ACTION:

June 20, 2019                      Scheduled for City Council

ORDINANCE NUMBER:

ISSUES:

On August 23, 2018 and September 20, 2018, City Council adopted two resolutions with the intention of reducing the risk of the displacement of mobile homes in the city. In the two resolutions, a total of 23 existing, licensed mobile home parks were identified, that did not have the mobile home residence (MH) zoning district. With these two resolutions, City Council instructed the Planning and Zoning Department to initiate and process these rezoning cases. (See Exhibit C, Approved Council Resolutions).

CASE MANAGER COMMENTS:

The subject property is located on Burleson Road, and is currently zoned as family residential (SF-3) and is part of the East Riverside Oltorf Combined Neighborhood Plan.

The property is the current site of a several land uses – a small mobile home park with 6 – 8 mobile homes, a few recreational vehicles, and a building that contains a hair salon. Based on records from the Travis County Appraisal District (TCAD), the first buildings were on the property in the 1940s, and the mobile homes came to the property in the 1960s and 1970s. This entire vicinity was annexed into the City of Austin in 1969. Because mobile homes were allowed in the original zoning category of “Interim A,” the mobile home park is considered an existing nonconforming land use per the Land Development Code.

North and east of the subject property are portions of the Country Club Creek greenbelt. South of the property are SF-3 zoned tracts with single family homes. Across Burleson Road to the west is an undeveloped tract which is owned by the City of Austin. (See Exhibits A and B, Zoning Map and Aerial).

There is an accompanying Neighborhood Plan Amendment (NPA-2019-0021.01). A neighborhood meeting is required for all NPA cases; the meeting for this case was held on March 21, 2019 at Ruiz Library. Staff gave a presentation, including the origin and purpose of the proposed actions, the zoning process, and opportunities to get involved. This was followed by a question and answer session. The questions, comments, and responses are documented in the NPA staff report.

The owners of the property were not at the community meeting, nor have they contacted staff up to the time of this writing. After the neighborhood meeting, the East Riverside Oltorf Combined Contact team voted on the rezoning and Neighborhood Plan amendment. The vote was as follows: “Support: 8, Oppose: 9, Abstain: 3, No response: 2.”

This is not a legally platted lot. Per TCAD records, the legal description refers to acreage in the Del Valley Survey, Abstract No. 24, in Travis County, Texas.

BASIS OF RECOMMENDATION:

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

The mobile home residence (MH) zoning district is intended to provide locations for development of mobile home residence parks and mobile home subdivisions, with standards that ensure a residential environment and compatibility with adjoining family residence neighborhoods.

2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

The City Council approved Resolutions No. 20180823-078 and 20180920-096 in order to identify and direct the Staff to initiate the zoning process for properties that contain a mobile home residence park or a mobile home subdivision use to the appropriate MH, Mobile Home Residence zoning district.

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

The proposed MH zoning will bring the existing manufactured home park use on the property into conformance with Land Development Code use regulations.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3-NP	Mobile home park, hair salon
North	SF-3-NP	Greenbelt and trail, single family
South	SF-3-NP	Single family
East	SF-2-NP	Single family, greenbelt
West	Burleson Rd, then SF-3-NP	Burleson Rd, then open space, single family

NEIGHBORHOOD PLANNING AREA: Parker Lane

TIA: Not required

WATERSHED: Country Club West

OVERLAYS: None

SCHOOLS: Linder Elementary School, Fulmore Middle School, Travis High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District  
 Austin Innercity Alliance  
 Austin Neighborhoods Council  
 Bike Austin  
 Burleson Parker Neighborhood  
 Associations  
 Burleson Road Heights Neighborhood  
 Crossing Gardenhome Owners Assn.  
 (The)  
 Del Valle Community Coalition  
 Del Valle Independent School District

Friends Of Austin Neighborhoods  
 Homeless Neighborhood Association  
 Neighborhood Empowerment Foundation  
 Pleasant Valley  
 Preservation Austin  
 Seltexas  
 Sierra Club, Austin Regional Group  
 Southeast Austin Neighborhood Alliance  
 Sunridge Homeowners Assn  
 Tejana Bilingual Community

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
<b>C14-05-0111 Parker Lane Neighborhood Plan</b>	<b>Neighborhood Plan</b>	<b>06-13-06 – Apvd NP and related zonings</b>	<b>02-01-07 – Apvd 3<sup>rd</sup> Reading, except for selected tracts</b>

RELATED CASES:

The subject property is part of the East Riverside Oltorf Combined Neighborhood Plan, and part of the adopting ordinance for the Parker Lane neighborhood, but it is not called out specifically in either of these documents.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Burleson Road	65 ft.	45 ft.	Minor Arterial	Yes	Buffered Bike Lane	None

OTHER STAFF COMMENTS:Comprehensive Planning

See comments in accompanying Neighborhood Plan Amendment case, NPA-2019-0021.01.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Country Club West 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.

### Site Plan and Compatibility Standards

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.

### **Compatibility Standards**

The site is subject to compatibility standards. Along the northern, eastern and southern property line, 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 fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- 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.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 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.

The site is subject to compatibility standards. Along the western property line, the following standards apply

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet from property zoned SF-5 or more restrictive
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 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, 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.

### Transportation

Per resolution 20180823-078 the City of Austin has undergone an initiative to rezone existing mobile home parks to their appropriate zoning of MH.

Additional right-of-way maybe required at the time of subdivision and/or site plan.

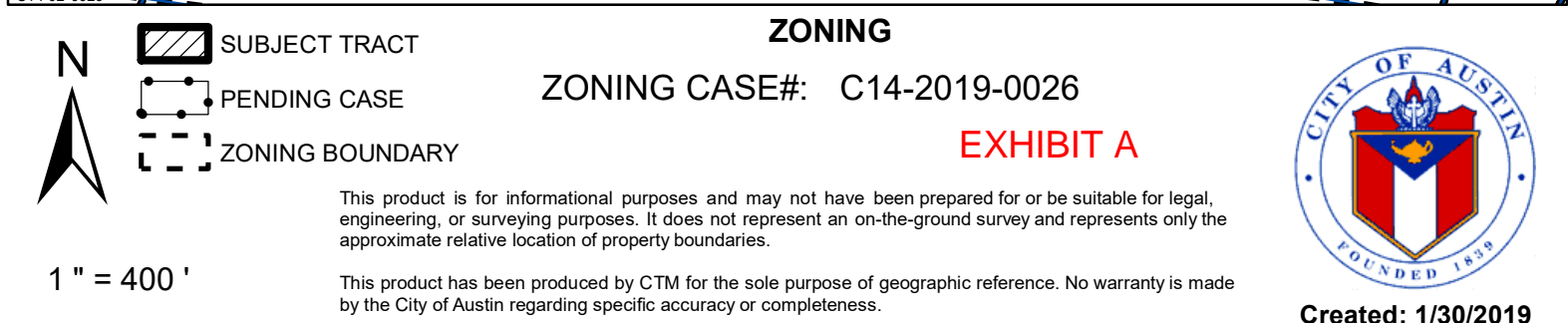
#### Austin Water Utility

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. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.

#### INDEX OF EXHIBITS TO FOLLOW

- A. Zoning Map
- B. Aerial Map
- C. Council Resolutions

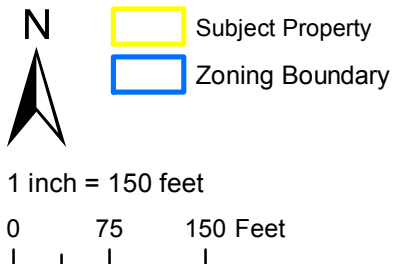








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## ZONING & VICINITY

Zoning Cases: C14-2019-0037  
 Address: 3201 Burleson Rd  
 Area: 1.978 Acres

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



**EXHIBIT B**



## EXHIBIT C

**RESOLUTION NO. 20180823-078**

**WHEREAS**, City of Austin has a goal of providing a diversity of housing types; and

**WHEREAS**, mobile home parks can provide affordable, market-rate housing options for working class families; and

**WHEREAS**, mobile home parks, historically, are seen by some communities as an undesirable use, which has led to discriminatory and exclusionary zoning policies; and

**WHEREAS**, multiple mobile home parks have been closed or slated for redevelopment in recent years, leading to tenants being displaced, including tenants at Cactus Rose Mobile Home Park and Thrasher Lane Mobile Home Park; and

**WHEREAS**, there are approximately 37 mobile home parks in Austin, yet a majority are not zoned mobile home residence (MH) district, including mobile home parks located in neighborhood planning areas, so a change to mobile home residence (MH) district zoning would require a zoning change and a Future Land Use Map (FLUM) amendment; and

**WHEREAS**, zoning mobile home parks to mobile home residence (MH) district will reduce the risk of mobile home park tenant displacement; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council initiates the rezoning and where appropriate, FLUM amendments, of the following properties:

(1) North Lamar Mobile Home Park located at 8105 Research Boulevard, Austin Texas, from general commercial services-neighborhood plan (CS-NP) combining district and single family residence-neighborhood plan (SF-3-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(2) Frontier Valley Mobile Home Park located at 1430 Frontier Valley Drive, Austin, Texas, from single family residence-neighborhood plan (SF-3-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district; and

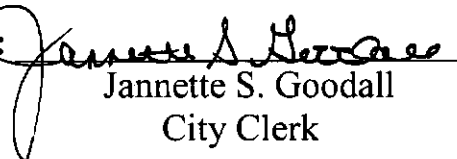
(3) Comfort Mobile Home Park located at 7307, 7401, and 7403 East Riverside Drive, Austin, Texas, from East Riverside Corridor (ERC) district to mobile home residence (MH) district.

**BE IT FURTHER RESOLVED:**

The City Council directs the City Manager to identify all remaining properties currently being used as a mobile home residence park or mobile home subdivision, but not zoned mobile home residence (MH) district and submit the properties to Council for initiation of the appropriate zoning cases on September 20, 2018.

**ADOPTED:** August 23, 2018

**ATTEST:**

  
Jannette S. Goodall  
City Clerk

**RESOLUTION NO. 20180920-096**

**WHEREAS,** On August 23, 2018, Council adopted Resolution No. 20180823-078, which in part, directed the City Manager to identify all remaining properties currently being used as mobile home residence park or mobile home subdivision, but not zoned mobile home residence (MH) district and submit the properties to Council for initiation of the appropriate zoning cases; and

**WHEREAS,** staff identified 20 remaining properties meeting the description in Resolution No. 20180823-078;

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council initiates the zoning, rezoning, and where appropriate, future land use map (FLUM) amendments for the following properties:

(1) Royal Palms MH Community located at 7901 East Ben White Boulevard, Austin, Texas, from general commercial services-neighborhood plan (CS-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(2) Palm Harbor Homes MH Park located at 810 Bastrop Highway Southbound, Austin, Texas, from general commercial services-neighborhood plan (CS-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(3) Go-Go MH Park located at 4811 South Congress Avenue, Austin, Texas, from general commercial services-mixed use-conditional overlay-neighborhood

plan (CS-MU-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(4) Phan MH Park located at 711 West Powell Lane, Austin, Texas, from general commercial services-mixed use-vertical mixed use building-conditional overlay (CS-MU-V-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(5) Aero Mobile Home Park located at 101 Hergotz Lane, Austin, Texas, from family residence (SF-3) district to mobile home residence (MH) district;

(6) Tejas Mobile Plaza located at 1709 East State Highway 71 Westbound, Austin, Texas, from community commercial (GR) district and neighborhood commercial (LR) district to mobile home residence (MH) district;

(7) Templeton MH Park located at 401 Chaparral Road, Austin, Texas, from single-family residence standard lot (SF-2) district to mobile home residence (MH) district;

(8) Villa Denese located at 4511 Lucksinger Lane, Austin, Texas, from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(9) Mobile Home Haven located at 11606 North Lamar Boulevard, Austin, Texas from public (P) district to mobile home residence (MH) district;

(10) Congress MH/RV Park located at 6111 South Congress Avenue, Austin, Texas from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(11) Jensen's MH Park located at 3201 Burleson Road, Austin, Texas from family residence-neighborhood plan (SF-3-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(12) Little Texas MHC located at 7501 Bluff Springs Road, Austin, Texas, from interim-rural residence (I-RR) district to mobile home residence (MH) district;

(13) Woodview MHC, LLC located at 1301 West Oltorf Street, Austin, Texas, from general commercial services (CS) district to mobile home residence (MH) district;

(14) Cameron Loop Mobile HP located at 2807 Cameron Loop, Austin, Texas, from rural residence (RR) district to mobile home residence (MH) district;

(15) Capitol Manor Mobile Home Park, LLC located at 1308 Thornberry Road, Austin, Texas, from interim-rural residence (I-RR) district to mobile home residence (MH) district;

(16) Patton Courts Mobile Home Park located at 7100 East US Highway 290, Austin, Texas, from general commercial services-neighborhood plan (CS-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, and townhouse and condominium residence (SF-6) district to mobile home residence-neighborhood plan (MH-NP) combining district;

(17) Lee Hill Park located at 8001 Lee Hill Drive, Austin, Texas from warehouse limited office-neighborhood plan (W/LO-NP) combining district and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(18) Wallace Trailer Park located at 423 Thompson Lane, Austin, Texas, from general commercial services-conditional overlay (CS-CO) combining district to mobile home residence (MH) district;

(19) Austin Pecan Park located at 2815 East State Highway 71 Westbound Service Road, Austin, Texas, from rural residence (RR) district, interim single-family residence standard lot (I-SF-2) district, and development reserve (DR) district to mobile home residence (MH) district;

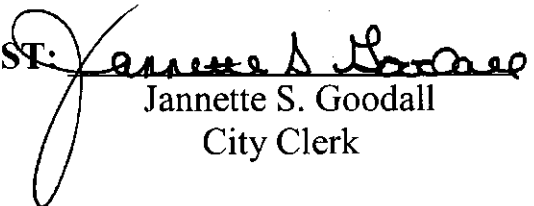
(20) Honeycomb Park located at 6402 McNeil Drive, Austin, Texas, from interim-rural residence (I-RR) district to mobile home residence (MH) district.

**BE IT FURTHER RESOLVED:**

The City Council initiates City Code Title 25 amendments, as necessary, to implement the zoning changes.

**ADOPTED:** September 20, 2018

**ATTEST:**



Jannette S. Goodall  
City Clerk