

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0005.SH

DISTRICT: 4

ZONING FROM: SF-3-NP

TO: SF-4A-NP

ADDRESS: 1021 East St. Johns Avenue

SITE AREA: 0.29 acres (12669.80 square feet)

PROPERTY OWNER:

Talia at E St Johns LLC
(Kenda Dawwami)

AGENT:

Civilitude LLC
(Conor Kenny)

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)

STAFF RECOMMENDATION:

Staff supports the Applicant's request for rezoning to SF-4A-NP.

For a summary of the basis of staff's recommendation, see case manager comments on page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

September 14, 2021:

August 24, 2021 – Postponed to September 14, 2021 on the consent agenda at the request of Staff. Vote: 13-0.

July 13, 2021 – Postponed on the consent agenda to August 24, 2021 at the Applicant's request. Vote: 13-0.

May 25, 2021 – Postponed to July 13, 2021 on the consent agenda at the request of Staff. Vote: 10-0.

April 13, 2021 – Postponed on the consent agenda to May 25, 2021 at the Applicant's request. Vote: 12-0.

CITY COUNCIL ACTION:

TBD

ORDINANCE NUMBER:

ISSUES:

The proposed rezoning would allow construction of 8 detached single family units. The applicant proposes that four of these units will be sold to households at or below 80% Median Family Income (MFI). As a SMART Housing project, the units would be subject to a minimum 5-year affordability period after issuance of a certificate of occupancy, unless funding requirements are longer. ***Please see Exhibit C- SMART Housing Letter.***

CASE MANAGER COMMENTS:

The rezoning tract is located at the southwest corner of Providence Avenue and St Johns Avenue, roughly midway between IH 35 and Cameron Road. The undeveloped property is zoned SF-3-NP and is surrounded by single family and duplex properties in all directions for several blocks. Further to the west, past Bennet Avenue and closer to IH 35, are commercial properties with a mix of zoning designations ranging from LR-MU-CO-NP to LI-CO-NP. These properties include a pharmacy, fast food restaurants, limited warehousing and distribution, congregate living, and medical offices. To the east, closer to Cameron Road, are properties zoned MF-3-NP and GR-MU-CO-NP with land uses including multifamily residential, general retail sales (limited), fast food restaurants, food sales and more. ***Please see Exhibits A and B- Zoning Map and Aerial Exhibit.***

Staff supports the applicant's request of SF-4A-NP. This would allow development of 8 detached single family residences on a .26 acre lot that currently only allows 2 residential units. This would provide alternative housing types in the predominately single family area. As a SMART Housing development, the property would allow households earning below 80% MFI to achieve homeownership in an area with a mix of housing types and commercial services.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the goals and objectives of the City Council.*
2. *The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.*
3. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

The requested SF-4-NP rezoning meets the criteria above. The rezoning would allow development of the property with both affordable ownership residential units. The Strategic Housing Blueprint, as adopted by Council, promotes additional affordable housing across the city. A mix of housing types in an area has been promoted by Commission and Council, to allow a range of individuals and families to find suitable options.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3-NP	Undeveloped
North	SF-3-NP	Single family residential
South	SF-3-NP	Single family residential
East	SF-3-NP, MF-3-NP, GR-MU-CO-NP	Single family residential, multifamily residential, fast food restaurant, food sales
West	SF-3-NP, LR-MU-CO-NP, CS-MU-CO-NP, LI-CO-NP	Single family residential

NEIGHBORHOOD PLANNING AREA: St. John/Coronado Hills

TIA/NTA: N/A

WATERSHED: Buttermilk Branch

SCHOOLS: Pickle Elementary Webb Middle School Eastside Memorial High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District	Austin Neighborhoods Council
Neighbors United for Progress	Seltexas
East Austin Conservancy	Austin Lost and Found Pets
Friends of Northeast Austin	Preservation Austin
Neighborhood Empowerment Foundation	Del Valle Community Coalition
Bike Austin	Sierra Club
Friends of Austin Neighborhoods	Homeless Neighborhood Association

AREA CASE HISTORIES:

CITY FILE # / NAME	ZONING FROM & TO	PLANNING COMMISSION	CITY COUNCIL
C14-2015-0050 Sunrise Pharmacy	SF-3-NP to LR- MU-CO-NP Not recommended by Staff	8/11/2015: LR-MU-CO-NP with Max 300 vpd; 30' buffer on southern border; CO for comml use may not be issued prior to CO for min. 2 du.; Restaurant (gen) & svs station- prohibited. Vote: 9-2	9/10/2015: PC rec 1 st rdg only Vote: 11-0 11/12/2015: 2 nd /3 rd rdgs (11-0)

RELATED CASES: NPA-2021-0029.01.SH

Request: From Single Family to Higher Density Single Family

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
St Johns Ave	90'	78'	40'	2	Yes	Yes	Yes
Providence Ave	52'	Existing ROW	26'	1	Yes	No	Yes

OTHER STAFF COMMENTS:Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Buttermilk 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.
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. Development is limited within the Critical Water Quality Zone.
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. 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.
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.

Site Plan

SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP2. SF-4A zoning districts are subject to the requirements of Section 25-2-779 – Small Lot Single-Family Residential Use, and 25-4-232 – Small Lot Subdivisions: Please note the following site restrictions of 25-2-779:

- ☐ Only one dwelling unit is permitted on a lot
- ☐ The minimum lot size for a corner lot is 4,500 square feet
- ☐ The minimum street side yard setback is 10 feet
- ☐ The minimum interior side yard setback is three and one-half feet
- ☐ The minimum rear yard setback is five feet, excluding easements
- ☐ The maximum building coverage is 55%
- ☐ The maximum impervious cover is 65%

SP3. FYI: Additional design regulations will be enforced at the time a site plan is submitted.

RESIDENTIAL DESIGN STANDARDS OVERLAY

SP4. The site is subject to 25-2 Subchapter F. Residential Design and Compatibility Standards.

Parkland

PR1: Parkland dedication will be required for any new market-rate residential units proposed by this development, single-family with SF-4A zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Dwelling units certified affordable under the SMART Housing policy are exempt from the parkland dedication requirement per City Code § 25-1-601(C)(3). 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.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies sufficient right-of-way for St Johns Avenue and Providence Avenue.

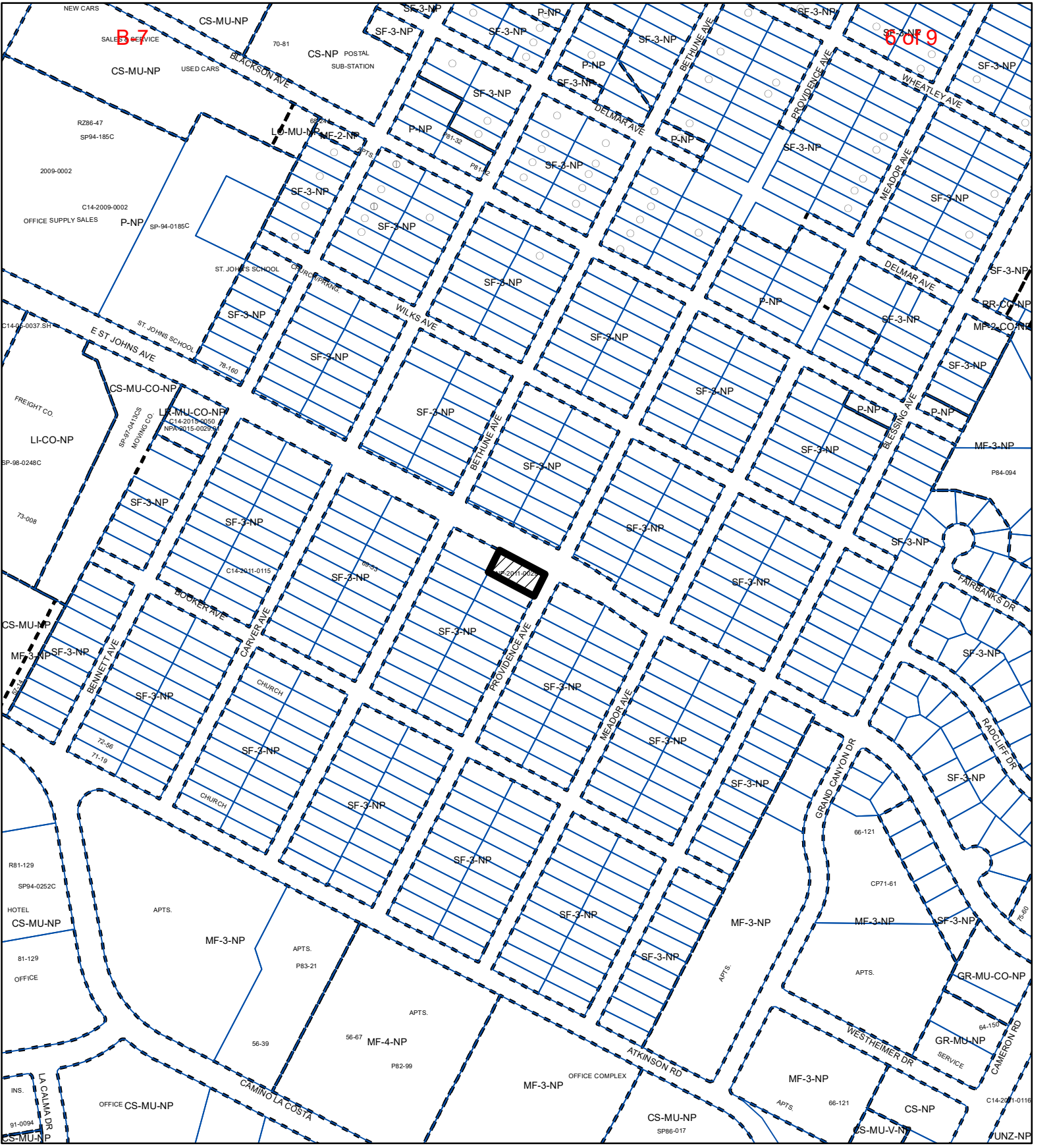
Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
St Johns Ave	90'	78'	40'	2	Yes	Yes	Yes
Providence Ave	52'	Existing ROW	26'	1	Yes	No	Yes


Austin Water Utility

AW1. 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. Previous Service Extension Requests 4294 (W) and 4295(WW) may need to be revised based on development plans submitted. 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.

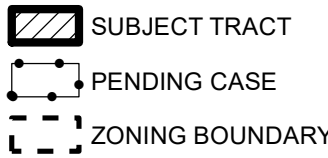
INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. SMART Housing Letter





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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2021-0005.SH



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.

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1" = 400'

Created: 1/14/2021

B-7

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SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

BETHUNE AVE

E ST JOHNS AVE

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L27

SF-3-NP

PROVIDENCE AVE

SF-3-NP

MEADOR AVE

SF-3-NP

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1021 E St. Johns Avenue



C14-2021-0005.SH



Creek Buffers



ZONING BOUNDARY

ZONING CASE#: C14-2021-0005.SH
LOCATION: 1021 E St. Johns Avenue
SUBJECT AREA: 0.29 Acres
GRID: L27
MANAGER: Heather Chaffin



1" = 100'

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.



City of Austin

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

Housing and Planning Department S.M.A.R.T. Housing Program

November 16, 2020

S.M.A.R.T. Housing Certification

Talia at E St Johns, LLC – 1021 E St Johns Ave – (ID 760)

TO WHOM IT MAY CONCERN:

Talia at E St Johns, LLC (contact Eyad Kasemi; ph: 512.512.761.6161; email eyad@civiltitude.com) is planning to develop an **8-unit single-family** development at 1021 E St Johns Ave, Austin TX 78752. Four of these units will be sold to households at or below 80% Median Family Income (MFI). The project will be subject to a minimum 5-year affordability period after issuance of a certificate of occupancy, unless funding requirements are longer.

HPD certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since **50%** of the units will serve households at or below 80% MFI, the development will be eligible for 100% waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance except for Austin Water Utility (AWU) Capital Recovery Fees. **This development is not fully in accordance with the requirements under the Texas Local Government Code, Chapter 395.16(g) and 42 U.S.C. Section 12745 (A)(1) as it relates to how housing qualifies as affordable housing and therefore 4 of the 8 units will not be eligible to receive Austin Water Utility Capital Recovery Fee (CRF) waivers.** The expected fee waivers include, but are not limited to, the following fees:

AWU Capital Recovery Fees	Concrete Permit	Mechanical Permit
Building Permit	Electrical Permit	Plumbing Permit
Site Plan Review	Subdivision Plan Review	Zoning Verification
Construction Inspection	Parkland Dedication Fee	Land Status Determination
Demolition Permit Fee	(by separate ordinance)	Building Plan Review
	Regular Zoning Fee	

Prior to issuance of building permits and starting construction, the developer must:

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or greenbuilding@austinenenergy.com).
- ◆ Submit plans demonstrating compliance with the required accessibility or visitability standards.

Before a Certificate of Occupancy will be granted, the development must:

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ◆ Pass a final inspection to certify that the required accessibility or visitability standards have been met.
- ◆ An administrative hold will be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter from project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the certificate of occupancy has been issued or repay the City of Austin, in full, the fees waived for this S.M.A.R.T. Housing certification.

Please contact me by phone 512.974.2108 or by email at alex.radtke@austintexas.gov if you need additional information.

Sincerely,

A handwritten signature in black ink that reads "Alex Radtke". The signature is written in a cursive, flowing style.

Alex Radtke, Senior Planner
Housing and Planning Department

Cc: Kristin Martinez, AE

Jonathan Orenstein, AWU

Mashell Smith, ORS