

**ZONING CHANGE REVIEW SHEET**CASE: C14-2021-0119 – McHeath 1.48DISTRICT: 2ZONING FROM: DR; SF-2 (Tract 1);  
DR (Tract 2)TO: MF-2ADDRESS: 911 West Dittmar Road (Tract 1); 915 West Dittmar Road (Tract 2)SITE AREA: 0.99 acres (Tract 1); 0.49 acres (Tract 2) = Total 1.48 acresPROPERTY OWNER:  
McHeath Ventures, LLC  
(Chris McClearin)AGENT:  
Bennett Consulting  
(Rodney Bennett)CASE MANAGER: Wendy Rhoades (512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov))STAFF RECOMMENDATION:

**The Staff recommendation is to grant multifamily residence – low density (MF-2) district zoning.** *For a summary of the basis of staff's recommendation, see pages 2 - 3.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:**October 19, 2021:**

October 5, 2021: *APPROVED A POSTPONEMENT REQUEST BY APPLICANT AND NEIGHBORHOOD TO OCTOBER 19, 2021*  
*[H. SMITH; B. GREENBERG – 2<sup>ND</sup>] (10-0) C. ACOSTA – ABSENT*

September 21, 2021: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO OCTOBER 5, 2021, BY CONSENT.*  
*[H. SMITH; B. GREENBERG – 2<sup>ND</sup>]*

September 7, 2021: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBOARHOOD TO SEPTEMBER 21, 2021, BY CONSENT.*  
*[H. SMITH; T. BRAY – 2<sup>ND</sup>] (10-0) N. BARRERA-RAMIREZ – NOT PRESENT FOR PASSAGE OF THE CONSENT AGENDA*

CITY COUNCIL ACTION:**November 4, 2021:**

October 14, 2021:

September 30, 2021: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO OCTOBER 14, 2021. VOTE: 10-0, MAYOR ADLER – OFF THE DAIS*

ORDINANCE NUMBER:

### ISSUES:

The neighborhood has collected signatures on petitions to oppose the project as described in the application, with 30 residential units in two, or three-story buildings. The neighbors and applicant met and discussed a smaller project with 17 to 23 residences and site layouts and building heights that minimize impacts on adjacent properties. At the time of this writing the parties have not reached agreement.

On Thursday, September 16, 2021, Eugene Sutton, neighborhood representative submitted petitions to the Housing and Planning Staff. Staff reviewed the Petitions and calculated that owners of 45.46% of the land within 200 feet of the rezoning tract object to the requested zoning.

The Petition states that the signers would object to any classification other than MF-1 zoning. They requested a maximum of 17 dwelling units where the applicant requested 30 units, and also that the units be two stories maximum.

### CASE MANAGER COMMENTS:

Applicant requests multifamily residence - low density (MF-2) district zoning to build 30 dwelling units on 1.48 acres (64,468 sq. ft.). The rezoning tract has frontage on and access to West Dittmar Road. The rezoning tract is located about 0.5 miles west of South 1<sup>st</sup> St. and almost a mile east of Menchaca Rd. The subject rezoning site is a few hundred feet east of the Dittmar Park and Recreation Center.

The rezoning tract was annexed into the City in November of 1984 with full jurisdiction. The site has two existing zone types: single family residence standard lot (SF-2) district zoning; and development reserve (DR) district zoning. For a buildable lot SF-2 zoning requires a minimum lot size of 5,750 square feet and allows 1 dwelling per lot. Building height in SF-2 is 2 stories and 35 feet. Buildings in MF-2 require a minimum of 8,000 square feet, and multiple dwellings can be built on a lot. Maximum density is 23 dwelling units per acre. The land area of the lot limits the number of dwellings based on the number of bedrooms:

Number of Bedrooms	Required land (square feet)
Efficiency	1,200
1	1,500
2 or more	1800

The applicant is proposing to build up to 30 dwelling units on 1.48 acres of land. One existing dwelling unit would be razed with development. Unit sizes, room counts, and affordability were not addressed in the application.

There is some variety in the neighborhood housing including detached manufactured and mobile homes in the MH zoning north of W. Dittmar Road which is next to SF-2 zoned neighborhoods with single family residences on standard lots. South of W Dittmar Rd., the neighborhood adjacent to the east has single family residence small lot – conditional overlay (SF-4A-CO) district zoning with detached 1 and 2 story residences. Minimum lot size is 3,600 square feet with one dwelling unit per lot. Housing density is about 12 dwelling units per acre. There are a

few small developments with MF-1 and MF-2 in the vicinity. One MF-1 development is at Dittmar Rd. and S. 1<sup>st</sup> St called Cooper Villas, built as townhome style, two story homes. Another example is a development north of W. Dittmar Rd. at S. Congress Ave. called Highmark. This example is more recent with 2018 construction in buildings of 2 to 4 dwellings all two story.

**BASIS OF RECOMMENDATION:**

The Staff recommendation is to grant the multifamily residence low density (MF-2) district zoning.

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

**Multifamily Residence (Low Density) district** is intended to accommodate multifamily use with a maximum density of up to 23 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near single-family neighborhoods, and in selected areas where low density multifamily use is desirable.

The applicant is proposing to develop multifamily residences at about 20 units per acre on the 1.48 acre rezoning tract. The total number of residential units proposed is 30. There are single family neighborhoods in the SF-4A zone district on adjoining properties to the south and east. There are also single family neighborhoods on MH and SF-2-CO zoned land across West Dittmar Rd.

2. *The proposed zoning should satisfy a real public need and not provide special privilege to the owner.*

Increasing housing choice and supporting housing that is more affordable are both housing goals. This location on W. Dittmar Rd. is in a neighborhood that has almost exclusively single family detached housing. The proposed 30 dwelling units would increase housing choice.

This is a good location for this kind of development. It has direct access to a level 2 street serving local mobility and is walkable with sidewalks along both sides of the street. W. Dittmar Rd is also bikeable with on-street paths striped on both sides. While there are no Dittmar bus stops, the CapMetro Trip Planner suggests the 12-minute walk to S. 1<sup>st</sup> Street and then a 26-minute ride on the #10 bus to One Texas Center. First Street is an Imagine Austin Activity Corridor that also provides good bus access into the Central Business District.

3. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

Compatibility standards will apply so that there will be increased setbacks and vegetative buffer to the east and south. Building heights will be compatible with the adjacent one and two-story homes and promote compatibility with adjacent and nearby uses.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	Tract 1: SF-2 & DR Tract 2: DR	Detached residence (to be razed)
North	(across W. Dittmar Road) SF-2-CO & MH	Single family residences, Mobile home residences
South	SF-4A-CO	Single family residence small lot
East	SF-4A-CO	Single family residence small lot
West	LO, P	Church, Dittmar Park & Recreation Center

NEIGHBORHOOD PLANNING AREA: None

TIA: The Transportation Impact Analysis has been waived for the Zoning Application. The determination is deferred to the Site Plan Application, when land use and intensity will be finalized.

WATERSHED: South Boggy Creek – Suburban

OVERLAYS: None

SCHOOLS: AISD:

Casey Elementary School

Bedichek Middle School

Akins High School

COMMUNITY REGISTRY LIST:

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhoods Council

Friends of Austin Neighborhoods

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

Onion Creek Homeowners Assoc.

Preservation Austin

SELTexas

Sierra Club, Austin Regional Group

South Austin Neighborhood Alliance (SANA)



AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2014-0122 Leboeuf Rezoning 7900 Wynne Ln	MH to SF-1	To grant	Apvd. Ord.# 20140925-129
C14-2021-0105 Wynne Ln Rezoning 7702 Wynne Ln	Rezone 0.42 ac from SF-2 to SF-3	To grant	Scheduled for Council 09/02/21
C14-2019-0090 Cooper Lane Rezoning 7410 Cooper Ln	Rezone 5.001 ac from DR to SF-6	To grant	Apvd SF-6-CO on 2 <sup>nd</sup> & 3 <sup>rd</sup> Rdg. Condition: Nbhd Traffic Analysis with site plan. Apvd. 11/14/2019 Ord.# 20191114-075
C14-2015-0129 7804 Cooper Ln	Rezone 1.402 ac from SF-2-CO to SF-3	To grant SF-3-CO with conditions: limit to 4 dwelling units; prohibit vehicular access to Cooper Ln	Apvd. 03/24/2016 Ord.# 20160324-032
C14-96-0126 Cedar Khayat Properties W. Dittmar Rd	Rezone 23.355 ac from I-RR to SF-2	SF-2-CO. Conditions relate to access: 1. No access to Cooper Lane and Reno Drive; 2. No driveway access to Dittmar Rd.; 3. Maximum 2,000 daily vehicle trips; 4. No development until dedication for Dittmar Rd. and Cooper Ln.	Apvd. 04/24/1997 Ord.# 970424-K
C14-04-0142 Dry Creek 639 W Dittmar Rd	From SF-2 to SF-3	To grant SF-3-CO with a condition that requires one joint driveway.	Apvd. 11/18/2004 Ord.# 0411118-Z5
C14-2015-0061 Townbridge Homes Rezoning 7513 & 7603 Cooper Lane	Rezone 4.67 ac from DR & SF-2 to SF-6	To grant SF-6-CO. Conditions: maximum 30 stand-alone units, 10' vegetative buffer, pedestrian and bicycle connections along north, south, and east property lines.	Apvd. 12/17/2015 Ord.# 20151217-087

Number	Request	Commission	City Council
C14-05-0161 Prunty Tracts 7720 S. 1 <sup>st</sup> St.; 7801- 7805 Cooper Ln; 630- 640 Dittmar Rd	Tract 1: DR to CS. Tract 2: DR & LO to MF- 1	Staff recommended W/LO-CO for Tract 1. Commission approved CS-CO for convenience storage and plant nursery as only CS uses. Tract 1: Rezone from DR to CS-CO. Tract 2: Rezone from DR & LO to MF-1 CO. Conditions: Both Tracts: maximum daily vehicle trips is 2000. Tract 1 list of 52 Prohibited uses; list of 9 Conditional uses.	Council approved Apvd. 12/15/2005 Ord.#20051215-Z006
C14-2016-0076 7605 Wynne Ln	Rezone single platted lot from MH to SF-3	To grant	Apvd. 10/13/2016 Ord.# 20161013-035
C14-03-0095 Tolliver Zoning 7705 Wynne Ln	MH to SF-3	To grant	Apvd: 08/28/2003 Ord.# 030828-Z-1
C14-2008-0001	MH to SF-3	To grant	Apvd: 03/06/2008 Ord.# 20080306-062
C14-02-0039 DELLA 7600 ½ Cooper Ln	Rezone 2.71 ac DR to SF-6-CO. Conditions: maximum impervious coverage of 45%; max 7 dwelling units/acre; 8 Prohibited uses.	Approved SF-6-CO with CO for SF-2 site development regulations.	Apvd. 06/29/2002 Ord.# 020627-Z-8
C14-2019-0100 7501, 7503, 7505, 7507, 7511 Cooper Ln	Rezone 9.85 ac from DR and SF-2 to SF-6	To grant SF-6-CO. Condition: amended neighborhood traffic analysis is required with site plan application.	Apvd. 01/23/2020 Ord.#20200123-076
C14-2019-0139 7708 Forest Wood Rd	Rezone 0.571 ac from SF-2 to SF-3	Rezone single lot from SF-2 to SF-3	Apvd. 01/23/2020 Ord.#20200123-103
C14-05-0162 Prunty Tracts 7800-7804 S. First St.	Rezone 0.914 ac DR to GR	To grant GR-MU-CO. The Condition is that restaurant (general) as the only GR use and all permitted LR uses; prohibit drive-thru uses;	Apvd. 12/15/2005 Ord.# 20051215-Z007

Number	Request	Commission	City Council
		maximum 2000 trips/day; 24 Prohibited uses; 7 Conditional uses	
C14-2016-0046 7720 & 7800 S. 1 <sup>st</sup> St	Tract 1:CS-CO from and to CS-CO to change a condition of zoning. Tract 2: GR-MU-CO from and to GR-MU-CO to change a condition of zoning.	Approved Tract 1: CS-CO and Tract 2: GR-MU-CO as staff recommended except for establishing outdoor entertainment and outdoor sports and recreation as conditional uses. Condition:42 prohibited uses in Tract 1; 10 Conditional uses in Tract 1. 15 Prohibited uses in Tract 2: 8 Conditional uses.	Apvd. 01/13/2016 Ord.# 20161013-015
C14-96-0075 Living Faith Baptist Church 1007 W. Dittmar Rd.	Rezone 1.499 ac DR to LO		Apvd. 08/08/1996 Ord.#960808-M
C14-2014-0049 Cooper Villas - 7805 Cooper Lane	Rezone from CS-CO to MF-1	To grant MF-1-CO. Condition prohibits residential uses permitted in MF-1 district: bed and breakfast (group 1) , bed and breakfast (group 2) ; condominium residential; duplex residential, multifamily residential, retirement housing (small site), retirement housing (large site), singlefamily attached residential, single family residential, townhouse residential, two-family residential and short term rental.	Apvd. 06/26/2014 Ord.# 20140626-124

RELATED CASES: None

LEGAL DESCRIPTION:

BEING 0.99 ACRES OF LAND, BEING ALL OF LOT A, A.B. DITTMAR SUBDMSION NO. 2, RECORDED IN VOLUME 50, PAGE 73, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN 381.31 SQUARE FOOT TRACT RECORDED IN VOLUME 13109, PAGE 1779, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, SAID 0.99 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED.

BEING 0.49 ACRES OF LAND, OUT OF LOT 1, A.B. DITTMAR SUBDIVISION, RECORDED IN VOLUME 23, PAGE 14, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAME BEING ALL OF THAT CERTAIN RICHARD A. HUNTER AND LAURA HUNTER 0.50 ACRE TRACT RECORDED IN VOLUME 5835, PAGE 2360, DEED RECORDS, TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN 476.50 SQUARE FOOT TRACT RECORDED IN VOLUME 13109, PAGE 1779, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, SAID 0.49 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED.

CONVEYING DEED: 2021089177

OTHER STAFF COMMENTS:

Comprehensive Planning

The rezoning case is situated on a 1.48 acre site, located on the south side of West Dittmar Road, which contains a house and is otherwise undeveloped. The property is not located within a small planning area and is located a half of a mile west of the **South First Street Activity Corridor**. Surrounding land uses include vacant land and a single-family subdivision to the north; to the south and east is a single-family subdivision; to the west is a church and the Dittmar Recreation Center and District Park. Approximately 500 feet south is the South Boggy Creek Greenbelt. The proposal is to obtain a multifamily zoning designation and construct a multifamily project at a density of 20 units per acre.

**Connectivity**

Both sides of West Dittmar Road have public sidewalks and unprotected bike lanes. There is no public transit stop located within a half mile from the subject property. Mobility and connectivity options are fair within a quarter of a mile from the property with the presence of public sidewalks, unprotected bike lanes and a district park and recreation center.

**Imagine Austin.**

The property is located approximately one half of a mile from an **Activity Corridor**. Activity Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances.

The following Imagine Austin policies are also applicable to this case:

- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities **for transit, bicycle, and pedestrian travel** and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **HN P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin’s diverse population.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and **access to schools, retail, employment, community services, and parks and recreation options.**

Based upon:

- Dittmar Road acting as a local arterial corridor with some civic and mobility options available in the area:
- The opportunity to expand housing choice, which is supported by Imagine Austin and the Strategic Housing Blueprint;
- but the area lacking of goods and services and public transit within a quarter mile radius, this proposal partially supports the policies of the Imagine Austin Comprehensive Plan.

#### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the South Boggy Creek 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.

#### Park and Recreation:

Parkland dedication will be required for the new residential units proposed by this development, multifamily with MF-2 zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

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](mailto: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.

#### Site Plan

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 eastern and southern 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 property zoned SF-5 or more restrictive.
- 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.
- 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.
- 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.
- 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.
- 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.

### **Zoning**

MF-2 zoning has density limits and will need to comply with 25-2-561 unless site is participating in Affordability Unlocked.

### **Transportation**

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, calls for 84 feet of right-of-way for Dittmar Road. It is recommended that 42 feet of right-of-way from the existing centerline should be dedicated for Dittmar Road.

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan/subdivision application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

<b>Name</b>	<b>Existing ROW</b>	<b>ASMP Required ROW</b>	<b>Pavement</b>	<b>ASMP Classification</b>	<b>Sidewalks</b>	<b>Bicycle Route</b>	<b>Capital Metro (within ¼ mile)</b>
Dittmar Road	~83'-88'	84'	46'	2	Yes	Yes	No

### 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. 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 AND ATTACHMENTS TO FOLLOW

Exhibit A: Zoning Map

Exhibit B: Aerial Map

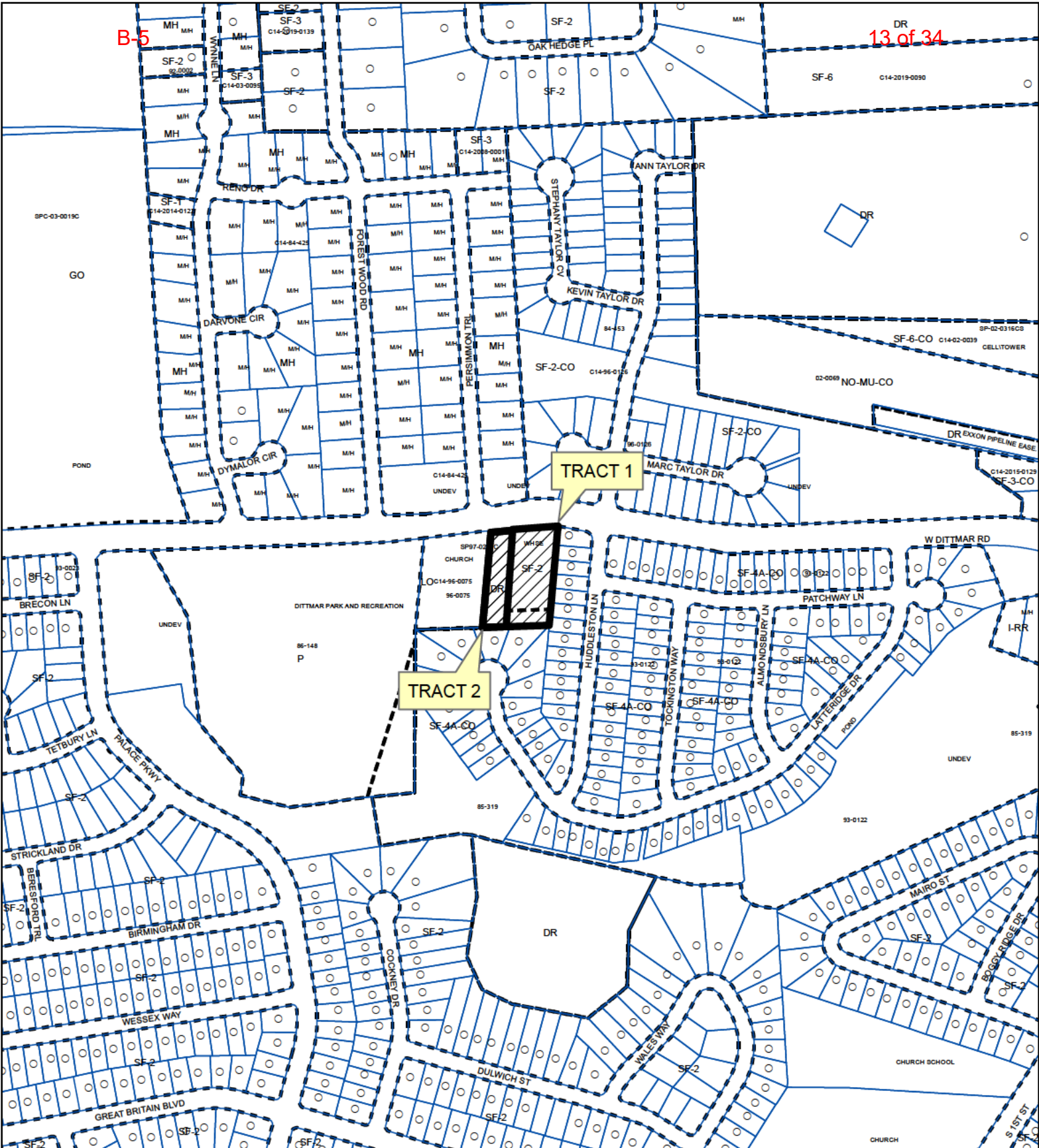
Correspondence Received

Zoning Petition materials



B-5

13 of 34



## ZONING

## Exhibit A

ZONING CASE#: C14-2021-0119



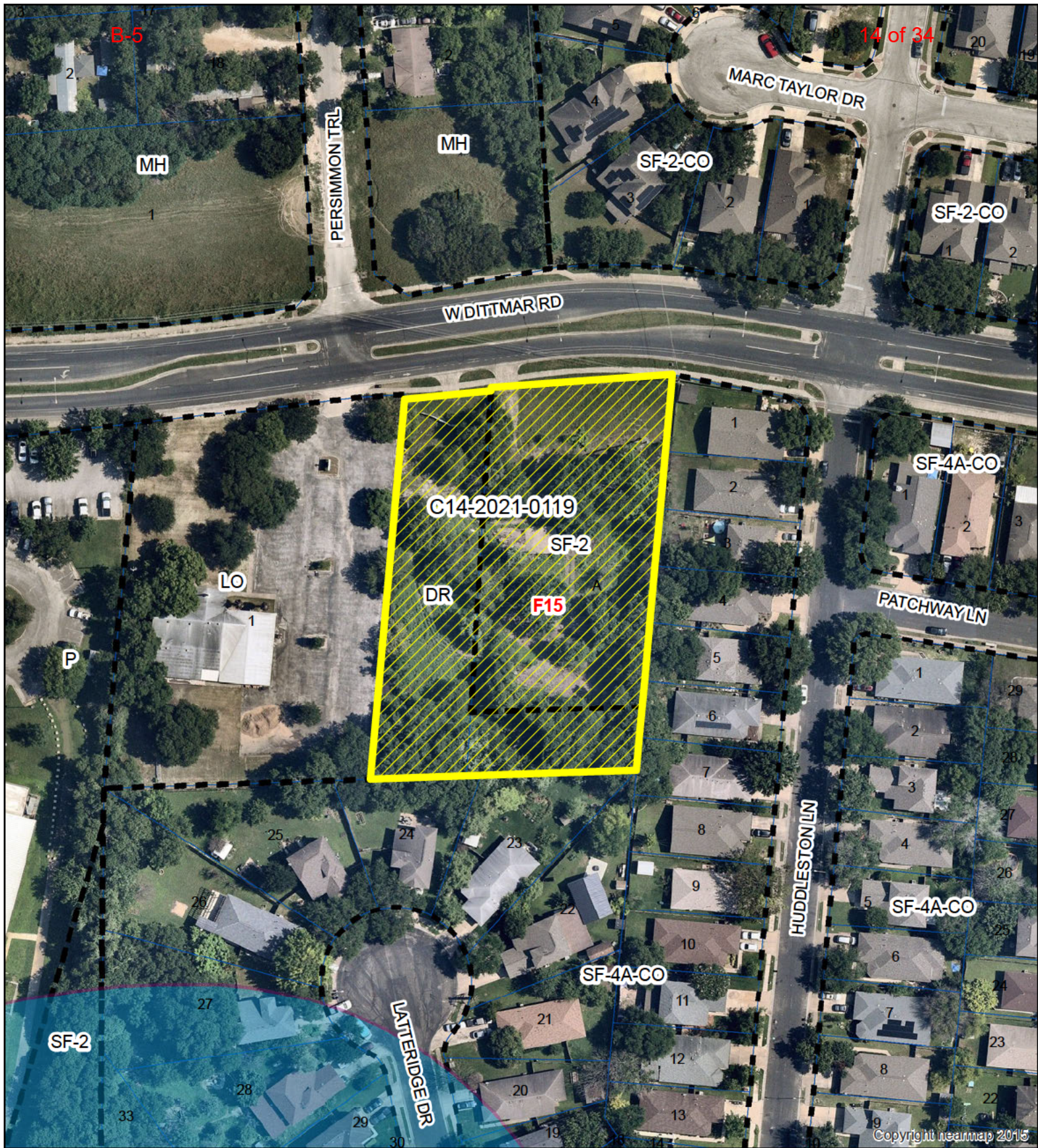
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

Created: 7/15/2021

1" = 400'





N



1" = 100'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

McHeath 1.48

Exhibit B

ZONING CASE#: C14-2021-0119

LOCATION: 911 and 915 West Dittmar Road

SUBJECT AREA: 1.48 Acres

GRID: F16

MANAGER: Wendy Rhoades



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 Aus in regarding specific accuracy or completeness.



## B-5 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: C14-2021-0119**

**Contact: Mark Graham, 512-974-3574**

**Public Hearing: September 07, 2021, Zoning and Platting Commission**

Elizabeth Polston

Your Name (please print)

8120 Huddleston Ln

Your address(es) affected by this application

Elizabeth Polston

Signature

☐ I am in favor  
☒ I object

9-1-21

Date

Daytime Telephone: 512-416-9326

Comments:

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

City of Austin, Housing & Planning Department

**Mark Graham**

P. O. Box 1088, Austin, TX 78767

Or email to:

[Mark.Graham@austintexas.gov](mailto:Mark.Graham@austintexas.gov)



## PUBLIC HEARING INFORMATION

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**Case Number: C14-2021-0119**

**Contact: Mark Graham, 512-974-3574**

**Public Hearing: September 07, 2021, Zoning and Platting Commission**

Marla & Oscar Solano

Your Name (please print)

8112 Huddleston Ln. Austin, TX 78748

Your address(es) affected by this application

Marla Solano

Signature

9/3/21

Date

Daytime Telephone: 512-431-1955

Comments: Hello, we object to this under  
the reasoning of multi-family homes  
being built in this area very quickly.  
There are many being built now and  
very soon we will have ~~no~~ more green space!  
We prefer to see more single family homes  
similar to ours. Thank you for your  
time.

If you use this form to comment, it may be returned to:  
City of Austin, Housing & Planning Department

**Mark Graham**

P. O. Box 1088, Austin, TX 78767

Or email to:

[Mark.Graham@austintexas.gov](mailto:Mark.Graham@austintexas.gov)

☐ I am in favor  
☒ I object

**From:** [Ruth Lauer](#)  
**To:** [Graham, Mark](#); [Kitchen, Ann](#); [Craig, Ken](#)  
**Subject:** C14-2021-0119 911/915 Dittmar  
**Date:** Tuesday, September 7, 2021 12:07:54 PM

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\*\*\* External Email - Exercise Caution \*\*\*

Dear Mr. Graham,

I am writing to rebut the claims made in the staff recommendations on the above case. I recognize the need for more affordable housing in Austin and would welcome a project like this along a transit corridor or within the urban core. However, the property is over ½ mile from the nearest transit corridor and not close to any schools, shops, services or other amenities.

The owner proposes to build 30 up to 4 story units on 1.48 acres. In discussions with the neighborhood, he said these are likely to be 2 and 3 bedroom row-house style condominiums in two buildings. He requests a zoning change from what was SF-2 and DR (which was used as SF-2).

The proposed zoning change does not satisfy the public need for affordable housing. The owner is seeking density that is incompatible with neighbors so that he can maximize the return on his investment. A change in zoning will provide special privilege to the owner while negatively impacting existing neighbors.

The project does not add to housing choice. There are plenty of condos and smaller homes already in this area. There are currently over 200 condo style homes going in further west on Dittmar. And there is a condo development across the street. The owner representative stated that NO affordable units are planned. Please explain how this adds to housing choice.

The zoning is incompatible with surrounding areas, which are generally SF and MH. None of the zoning cases cited allow such an extreme change. The adjacent SF-4 zoning is on small lots. The proposed MF zoning will bring 3 times that density to the area. Cramming a four story, 2 building condo development (along with an estimated 60 vehicles) in the middle of the neighborhood just doesn't make sense. Again, it would if it were near an Activity Corridor with schools, amenities and public transport nearby. This is not the case. The wonderful Dittmar Rec Center and pool are about it. I would love to see Austin develop and stick to plans like Imagine Austin. Instead I see no proactive planning, just responding positively to anything a developer requests while penalizing existing residents.

I would also like the Case Manager and builder to be aware that there are already problems with pluvial flooding of the adjacent properties on Latteridge.

Thank you, Ruth Lauer

Sent from [Mail](#) for Windows

**CAUTION:** This email was received at the City of Austin, from an EXTERNAL source.



## 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: C14-2021-0119  
Contact: Mark Graham, 512-974-3574  
Public Hearing: September 07, 2021, Zoning and Platting Commission

Train Varteressian

Your Name (please print)

☐ I am in favor  
☒ I object

8105 Tockington Way

Your address(es) affected by this application

Train Varteressian

9-6-21

Signature

Date

Daytime Telephone: 512-809-2400

Comments: ~~Wanted~~

my husband + I do not  
want the trees clear cut.

If you use this form to comment, it may be returned to:  
City of Austin, Housing & Planning Department

Mark Graham

P. O. Box 1088, Austin, TX 78767

Or email to:

[Mark.Graham@austintexas.gov](mailto:Mark.Graham@austintexas.gov)



## PUBLIC HEARING INFORMATION

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**Case Number: C14-2021-0119**

**Contact: Mark Graham, 512-974-3574**

**Public Hearing: September 07, 2021, Zoning and Platting Commission**

Nicholas Johnson

Your Name (please print)

☐ I am in favor  
☒ I object

8124 Tockington Way Austin, TX 78748

Your address(es) affected by this application

[Signature]

Signature

8/30/2021

Date

Daytime Telephone: 512-300-4787

Comments: There is already a large construction project at 1302 W Dittmar. Dittmar rd already backs up at 1st street and the 1302 development will stress it further. The proposal reclassification of the lot for C14-2021-0119 will make Dittmar even more congested and unsafe.

If you use this form to comment, it may be returned to:  
City of Austin, Housing & Planning Department

**Mark Graham**

P. O. Box 1088, Austin, TX 78767

Or email to:

[Mark.Graham@austintexas.gov](mailto:Mark.Graham@austintexas.gov)

**From:** [Lauren S](#)  
**To:** [Graham, Mark](#)  
**Subject:** C14-2021-0119 OBJECTION  
**Date:** Wednesday, September 8, 2021 8:24:26 PM

---

\*\*\* External Email - Exercise Caution \*\*\*

I, Lauren Shelton, OBJECT to the rezoning application for the addresses 911 & 915 W Dittmar Rd.

As a resident/homeowner at 8104 Huddleston Ln this lot shares a property line with mine. The rezoning of this property for a multi-residential building project would negatively impact the traffic, noise-level, watershed, wildlife habitat, and my personal property's tax and privacy and for these reasons, I am strongly opposed to the application for rezoning.

Thank you,  
Lauren Shelton  
254-718-2006

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**From:** [Rodney K. Bennett](#)  
**To:** [Graham, Mark](#)  
**Subject:** 911/915 West Dittmar  
**Date:** Tuesday, September 21, 2021 11:14:40 AM

---

\*\*\* External Email - Exercise Caution \*\*\*

Mark, please accept this request for a postponement of our case until Oct 5<sup>th</sup>.

Thank you,

Rodney K. Bennett  
Bennett Consulting  
529 Evening Star  
Kyle, Texas 78640  
Rodney 512-627-7227

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**From:**  
**To:** [Rhoades, Wendy](#); [Graham, Mark](#);  
**Subject:** RE: postponement of c14-2021-0119 McHeath  
**Date:** Tuesday, October 5, 2021 2:10:42 PM

---

The October 19th should provide us sufficient time.

Thank you,  
Rodney K. Bennett  
Bennett Consulting  
529 Evening Star  
Kyle, Texas 78640  
512-627-7227

On Tue, Oct 5, 2021 at 12:41 PM, Rhoades, Wendy  
<[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)> wrote:

Rodney,

Please let me know when you would like to postpone this case so that I can inform the Commission. As information, the next available Commission meetings are Tuesday, October 19<sup>th</sup> and Tuesday, November 2nd.

Thank you,

Wendy Rhoades

---

**From:** Rodney K. Bennett

**Sent:** Tuesday, October 5, 2021 12:35 PM

**To:** Graham, Mark <[Mark.Graham@austintexas.gov](mailto:Mark.Graham@austintexas.gov)>; Eugene Sutton; Ruth Lauer

**Cc:** Rhoades, Wendy <[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)>

**Subject:** Re: postponement of c14-2021-0119 McHeath

\*\*\* External Email - Exercise Caution \*\*\*

Mark is out, Wendy is acting on his behalf.

Wendy, we both had a postponement but are in need of another as we are still

trying hard to compromise on a solution. What needs to happen to postpone this case?

Thank you,

Rodney K. Bennett  
Bennett Consulting

529 Evening Star

Kyle, Texas 78640

Rodney 512-627-7227

On Tuesday, October 5, 2021, 12:28:26 PM CDT, Ruth Lauer wrote:

Mark,

Both the neighborhood group and owner representative, Rodney Bennett, would like to request a postponement on the above case.

Please confirm that you have postponed it from today's meeting. Thank you.

Ruth Lauer  
512-228-8523

Sent from [Mail](#) for Windows

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Case Number:

**PETITION****C14-2021-0119**

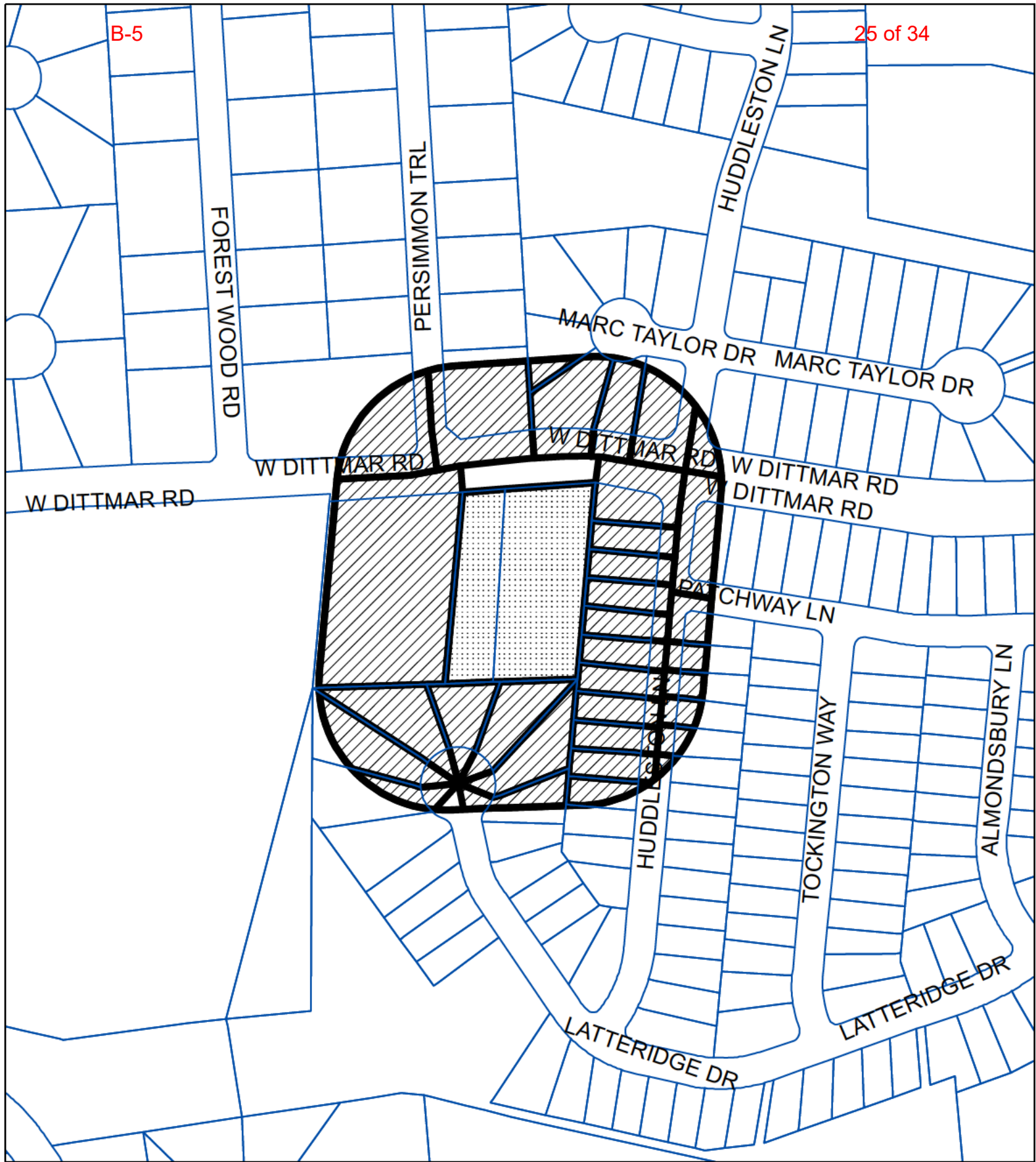
Date: 9/16/2021

Total Square Footage of Buffer: 333515.6648

Percentage of Square Footage Owned by Petitioners Within Buffer: 45.46%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0424170609	8116 HUDDLESTON LN AUSTIN 78748	ANDREWS AUSTIN WILLIAM	yes	6006.28	1.80%
0424170813	8109 HUDDLESTON LN 78748	BAIRD COLIN	no	2699.89	0.00%
0424170810	8121 HUDDLESTON LN AUSTIN	BALANDRAN MARIA A	yes	692.98	0.21%
0424170814	8105 HUDDLESTON LN 78748	BELL STEPHEN LEO	yes	2865.54	0.86%
0424170623	868 LATTERIDGE DR AUSTIN 78748	BULL REBECCA & ROBERT F	yes	11917.49	3.57%
0424170625	877 LATTERIDGE DR 78748	CAMERON PAMELA	yes	14403.76	4.32%
0424130701	719 MARC TAYLOR DR AUSTIN 78745	CERDA FRANCISCO RAFAEL	no	3730.37	0.00%
0424170603	8008 HUDDLESTON LN AUSTIN 78748	CHANDLER BRUCE	yes	6081.92	1.82%
0424170624	874 LATTERIDGE DR AUSTIN 78748	CRUZ JAMES V & JOANN D	no	9442.71	0.00%
0424170815	8101 HUDDLESTON LN AUSTIN 78748	DIAZ FELICITAS HELEN & EDWARD SOLIZ	yes	4881.21	1.46%
0424170611	8124 HUDDLESTON LN AUSTIN 78748	FUENTES RUBY D	yes	4063.39	1.22%
0424170708	816 PATCHWAY LN AUSTIN 78748	GARCIA GINA G	yes	12172.56	3.65%
0424130601	8007 FOREST WOOD RD 78745	GREEN ANNIE M & LOUISE E WISIAN	yes	17948.38	5.38%
0424130301	8007 PERSIMMON TRL 78745	GREEN ANNIE M & LOUISE E WISIAN	yes	24839.65	7.45%
0424130375	807 MARC TAYLOR DR AUSTIN 78745	HERRERA HILARIO JR	no	2192.53	0.00%
0424130377	803 MARC TAYLOR DR AUSTIN 78745	HOURANI KATRINA	yes	9229.68	2.77%
0424130378	801 MARC TAYLOR DR 78745	LIM FELICIA HA & JOHNNY S	no	11988.51	0.00%
0423150805	1001 W DITTMAR RD 78745	LIVING FAITH BAPTIST CHURCH	no	67197.89	0.00%
0424130376	805 MARC TAYLOR DR AUSTIN 78745	MACQUEEN ANDREW	no	15121.90	0.00%
0424170812	8113 HUDDLESTON LN AUSTIN 78748	MALDONADO NORMA I	no	2681.35	0.00%
0424170602	8004 HUDDLESTON LN 78748	MCMINN KEVIN M & RACHEL J	yes	6318.09	1.89%
0424170601	8000 HUDDLESTON LN AUSTIN 78748	MEZA SILVIA	no	13220.60	0.00%
0424170626	873 LATTERIDGE DR AUSTIN 78748	MORRIS BRADLEY E	yes	11980.34	3.59%
0424170605	8100 HUDDLESTON LN 78748	NGUYEN PHU H & LIEN H & THAO L	no	6102.02	0.00%
0424170621	862 LATTERIDGE DR AUSTIN 78748	PAYNE MICHAEL R	yes	5825.34	1.75%
0424170622	864 LATTERIDGE DR AUSTIN 78748	PEREZ ELSA & MARCOS	no	12263.34	0.00%
0424170610	8120 HUDDLESTON LN 78748	POLSTON JASON & ELIZABETH	yes	6154.44	1.85%
0424170612	8128 HUDDLESTON LN AUSTIN 78748	RAY STEVEN ALAN	no	20.54	0.00%
0424170607	8108 HUDDLESTON LN 78748	SAMPIGE LLC	no	6085.20	0.00%
0424170627	869 LATTERIDGE DR 78748	SEAGRAVES SUSAN A	no	4086.41	0.00%
0424170811	8117 HUDDLESTON LN 78748	SEITZ STEPHANIE & JENNIFER SEI	no	2104.51	0.00%
0424170606	8104 HUDDLESTON LN 78748	SHELTON LAUREN ELISHA &	no	6222.35	0.00%
0424170608	8112 HUDDLESTON LN AUSTIN 78748	SOLANO-HERNANDEZ OSCAR G & MARLA M	yes	6227.54	1.87%
0424170604	8012 HUDDLESTON LN AUSTIN 78748	TABORDA KATRIEN & JONATHAN	no	6311.94	0.00%
<b>Total</b>				<b>323080.66</b>	<b>45.46%</b>



N



BUFFER

PROPERTY\_OWNER

SUBJECT\_TRACT

**PETITION**

Case#: C14-2020-0119

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



1" = 200'

P E T I T I O NDate: 8.23.2021File Number: C14-2021-0119

Address of

Rezoning Request: 911 + 915  
W. Dittmar Rd.

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than MF-1.

(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

SignaturePrinted NameAddressAnnie R Green  
Annie R GreenANNIE GREEN  
ANNIE GREEN8007 FORESTWOOD RD.  
8007 PERSIMMON TRLEd Hall  
(TRUSTEE)LOUISE E (RISCH) WISIAN  
IRREVOCABLE TRUST8007 FORESTWOOD RD.Ed Hall  
(TRUSTEE)LOUISE E (RISCH) WISIAN  
IRREVOCABLE TRUST8007 PERSIMMON TRL.

WE REQUEST LESS DENSITY (17 UNITS vs. the planned 30),  
SINGLE FAMILY (NO MORE THAN 2 STORY) TO  
BLEND WITH CURRENT NEIGHBORHOODS, TO LESSEN  
HIGH TRAFFIC IN THE SMALL COMMUNITY, & AVOID  
DRAINAGE ISSUES REGARDING Boggy Creek that  
IS nearby.

Date: 8.23.2021Contact Name: Eugene SuttonPhone Number: 512.527.4424



P E T I T I O NDate: 8/21/21File Number: C14-2021-0119Address of  
Rezoning Request: 911 + 915 W. Dittmar Rd

To: Austin City Council

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(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

SignaturePrinted NameAddress

We are requesting less density  
(17 units versus developer 30), single family, and  
single story to maintain neighborhood  
integrity, lessen traffic impact, and to  
avoid drainage issues with nearby Boggy Creek.

BRUCE CHANDLER

8008 HUDDLESTON LN

AUSTIN, TX 78748



Edgar D. Soliz

Edgar Soliz

8101 Huddleston Ln

Helen D. Camanville  
Diaz

Helen Diaz Felicitas

8101 Huddleston Ln

Date: 8-21-21Contact Name: Eugene SuttonPhone Number: 512 527 4424

**P E T I T I O N**Date: 8/21/21File Number: C14-2021-0119Address of  
Rezoning Request: 911 + 915 W. Dittmar Rd

To: Austin City Council

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SignaturePrinted NameAddress

We are requesting less density (17 units versus developer 30), single family, and single story to maintain neighborhood integrity, lessen traffic impact, and to avoid drainage issues with nearby Boggy Creek.

<u>Pamela Cameron</u>	<u>Pamela Cameron</u>	<u>877 LATTERIDGE DR</u>
<u>[Signature]</u>	<u>Michael P. Rapp</u>	<u>Austin, TX 78748</u>
<u>[Signature]</u>	<u>Kevin McElwain</u>	<u>862 Latteridge Dr. Austin, TX 78748</u>
<u>[Signature]</u>	<u>Rachel McMin</u>	<u>8004 Huddleston</u>
<u>Dina Vega</u>	<u>Gina Vega</u>	<u>8004 Huddleston Ln.</u>
		<u>816 Parkway Lane</u>

Date: 8-21-21
 Contact Name: Eugene Sutton  
 Phone Number: 512 527 4424



P E T I T I O NDate: 8/21/21File Number: C14-2021-0119Address of  
Rezoning Request: 911 + 915 W. Dittmar Rd

To: Austin City Council

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(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

<u>Signature</u>	<u>Printed Name</u>	<u>Address</u>
We are requesting less density (17 units versus developer 30), single family, and single story to maintain neighborhood integrity, lessen traffic impact, and to avoid drainage issues with nearby Boggy Creek.		
<u>Pamela Cameron</u>	Pamela Cameron	877 LATTERIDGE DR Austin, TX 78748
<u>Michael P. Papp</u>	Michael P. Papp	862 Latteridge Dr. Austin, TX 78748
<u>Kevin McElwain</u>	Kevin McElwain	8004 Huddleston
<u>Bachel McMin</u>	Bachel McMin	8004 Huddleston Ln
<u>KATRINA HOURANI</u>	KATRINA HOURANI	803 MARC TAYLOR DR.
<u>Maria Solano</u>	Maria Solano	8112 Huddleston Ln
<u>Oscar Solano</u>	Oscar Solano	8112 Huddleston Lane
<u>Elizabeth Tolston</u>	Elizabeth Tolston	8120 Huddleston Ln
<u>Tavor Polster</u>	Tavor Polster	8120 Huddleston Ln
<u>Mariyah Belandier</u>	Mariyah Belandier	912 Huddleston Ln
<u>Ruby Fuentes</u>	Ruby Fuentes	8124 Huddleston Ln
<u>AUSTIN ANDREWS</u>	AUSTIN ANDREWS	8116 Huddleston Ln

Date: 8-21-21Contact Name: Eugene Sutton  
Phone Number: 512 527 4424

P E T I T I O NDate: 8/21/21File Number: C14-2021-0119Address of  
Rezoning Request: 911 + 915 W. Dittmar Rd

To: Austin City Council

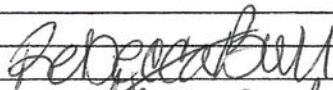
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(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

SignaturePrinted NameAddress

We are requesting less density  
(17 units versus developer 30), single family, and  
single story to maintain neighborhood  
integrity, lessen traffic impact, and to  
avoid drainage issues with nearby Boggy Creek.



Rebecca + Robert Bell

868 Latteridge 78748

Date: 8-21-21Contact Name: Eugene SuttonPhone Number: 512 527 4424

P E T I T I O NDate: 8/21/21File Number: C14-2021-0119

Address of

Rezoning Request: 911 + 915 W. Dittmar Rd

To: Austin City Council

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(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

SignaturePrinted NameAddress

We are requesting less density (17 units versus developer 30), single family, and single story to maintain neighborhood integrity, lessen traffic impact, and to avoid drainage issues with nearby Boggy Creek.

X Stephen L Bell Stephen Bell 8105 Huddleston Lane  
STEPHEN L. BELL

Date: 8-21-21

Contact Name: Eugene Sutton  
Phone Number: 512 527 4424



P E T I T I O NDate: 8/21/21File Number: C14-2021-0119Address of  
Rezoning Request: 911 + 915 W. Dittmar Rd

To: Austin City Council

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(STATE REASONS FOR YOUR PROTEST)

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

Brad Morris  
BRAD MORRIS  
873 LATTERIDGE DR  
We are requesting less density  
(17 units versus developer 30), single family, and  
single story to maintain neighborhood  
integrity, lessen traffic impact, and to  
avoid drainage issues with nearby Boggy Creek.

Date: 8-21-21Contact Name: Eugene Sutton  
Phone Number: 512 527 4424







