

ZONING CHANGE REVIEW SHEETCASE: C14-2022-0004 – 1501 Damon RoadDISTRICT: 5ZONING FROM: DRTO: SF-3ADDRESS: 1501 Damon RoadSITE AREA: 0.31 acres (13,503 square feet)PROPERTY OWNER / AGENT: Capital River Group, LLC – Series 16 (Stuart Cody Carr)CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)STAFF RECOMMENDATION:

The Staff recommendation is to grant family residence (SF-3) district zoning. *For a summary of the basis of Staff's recommendation, see case manager comments on page 2.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:**March 1, 2022:**CITY COUNCIL ACTION:**April 7, 2022:**ORDINANCE NUMBER:ISSUES:

The Applicant and the Matthews Lane Neighborhood Association have met to discuss the proposed rezoning. Please refer to correspondence attached at the back of this report.

CASE MANAGER COMMENTS:

The subject lot is located at the southwest corner of Damon Road and Albert Road on a platted lot, contains a 1,525 square foot vacant chapel on its southern portion, and is zoned development reserve (DR) district. Albert Road terminates into a private driveway serving the hospital use to the south and there is a chain link fence across the driveway intended to prevent southbound traffic from accessing the hospital use to the south. Damon Road contains several single family residences on standard lots zoned DR upon annexation in the mid-1980s. There are large tracts to the north that have frontage on Albert Road (DR) and a condominium development under construction to the south which takes its primary access to Dittmar Road which is further south (SF-6-CO). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).***

The Applicant has requested family residence (SF-3) district zoning in order to build either a two-family residence or a duplex on the lot. A demolition permit application to demolish the chapel was filed with the City on February 1, 2022.

BASIS OF RECOMMENDATION:

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

The family residence (SF-3) district is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated in an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The requested SF-3 zoning would allow for up to two residential units on the property. Staff recommends the Applicant's request because the tract meets the intent of the SF-3 district as it fronts on a local residential street, is located within an existing single family residential neighborhood, is adjacent to a condominium community (under construction), and there are other SF-3 zoned lots on Damon Road, Albert Road and on streets in the vicinity.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|----------|---|
| <i>Site</i> | DR | Chapel (vacant, constructed in 1970) |
| <i>North</i> | DR | Manufactured home; Single family residences |
| <i>South</i> | SF-6-CO | Condominiums (under construction) |
| <i>East</i> | DR | Single family residences and outbuildings on large tracts |
| <i>West</i> | DR; SF-3 | Single family residences; Undeveloped |

NEIGHBORHOOD PLANNING AREA: Not Applicable

TIA: Is not required

WATERSHED: Williamson Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Casey Elementary School Bedichek Middle School Akins High School

NEIGHBORHOOD ORGANIZATIONS:

39 – Matthews Lane Neighborhood Association 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association 742 – Austin Independent School District
 1228 – Sierra Club, Austin Regional Group 1363 – SEL Texas
 1424 – Preservation Austin
 1429 – Go!Austin/Vamos!/Austin (GAVA)-78745 1530 – Friends of Austin Neighborhoods
 1531 – South Austin Neighborhood Alliance (SANA)
 1550 – Homeless Neighborhood Association

1616 – Neighborhood Empowerment Foundation 1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|--|---|--|---|
| C14-2021-0035 – McLaurin Rezone – 1512 Damon Rd | DR to SF-3 | To Grant | Apvd (6-10-2021). |
| C14-2021-0060 – Albert Road Rezone – 7401 and 7407 Albert Rd | DR to SF-3 | To Grant | Apvd (8-26-2021). |
| C14-2012-0042 – 1300 W. Dittmar Road Rezoning | SF-6-CO to SF-6-CO to remove the CO that limits height for a building or structure to 20' | To Grant | Apvd (8-2-2012). |
| C14-05-0091 – Lelah's Crossing – 1300 W. Dittmar Rd. | DR; GO to MF-1 | To Grant SF-6-CO with a density limitation of 6 u.p.a. and height limit of 20 feet; Restrictive Covenant for the Neighborhood Traffic Analysis | Apvd SF-6-CO with a Restrictive Covenant for the Neighborhood Traffic Analysis, as ZAP recommended (4-27-2006). |
| C14-85-055 (RCA) – Lelah's Crossing – 1300 W. Dittmar Rd. | To amend the Restrictive Covenant to delete the rollback provision to RR, rural residence | To Grant | Apvd (4-27-2006). |

RELATED CASES:

The property was annexed into the City limits on November 15, 1984 and is platted as Lot 1, Damon Subdivision recorded in 1952 (C7A-83-017; C8-1952-2062).

EXISTING STREET CHARACTERISTICS:

| Name | ROW | Pavement | Classification | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|-------------|---------|--------------|----------------|-----------|---------------|-------------------------------|
| Damon Road | 50 feet | 32 feet | Level 1 | No | No | No |
| Albert Road | 56 feet | 22 – 34 feet | Level 1 | No | No | No |

OTHER STAFF COMMENTS:Comprehensive Planning

Project Name and Proposed Use: 1501 Damon Rd. C14-2022-0004. 0.31 acres. DR to SF-3. Vacant office to duplex.

| Yes | Imagine Austin Decision Guidelines |
|--------------------------------|--|
| Compact and Connected Measures | |
| | Imagine Austin Growth Concept Map: Located close to, within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified on the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: |
| | Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station. |
| | Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane. |
| | Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center. |
| | Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market. |
| | Connectivity and Education: Is located within 0.50 miles from a public school or university. |
| | Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreational area, park and/or walking trail. |
| Y | Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, specialized outpatient care.) |

| | |
|---|---|
| | Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable house. |
| Y | Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint. |
| | Mixed Use: Provides mixed use development (minimum 10% residential and 10% non-residential floor area). |
| | Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center). |
| 2 | Total Number of “Yes’s” |

Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City’s Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek and the South Boggy Creek Watersheds of the Colorado River Basin, which are 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.

Impervious Cover

The maximum impervious cover allowed by the *SF-3* zoning district would be 45%, which is based on the more restrictive zoning regulations.

PARD – Planning & Design Review

Parkland dedication will be required for the new residential units proposed by this development, single family with *SF-3* zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Fees in-lieu would be required, and 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.

Site Plan and Compatibility Standards

Rezoning from DR to *SF-3* does not trigger the application of compatibility standards.

The applicable building standards are outlined below:

Breakdown by square footage for living area/garage/patio/porch is required on duplex residential site plans.

Setbacks for duplex residential:

- Anything that juts more than 5 feet into a setback must be fireproofed. Standard side setback is 5 feet with a maximum allowable 2-foot overhang. The overhang cannot have any openings, soffit vents, windows, etc.
- Setbacks between buildings is 10 feet (5 feet on each side). Any encroachment into this setback must be fireproofed.
- Nothing can encroach into a 2-foot setback.

Per direction from City Council in a [2016 resolution](#), Staff refers civic buildings such as schools and churches over 50 years of age to the Historic Landmark Commission prior to release of a demolition permit. Staff would be looking at the historic use of the building, not more recent uses. Since the building was annexed after construction and there do not appear to be any permits in our system, Staff will look to other research and the form of the building in determining whether this will require Commission review.

Transportation

No further right-of-way is required for Damon Road.

There is a proposed Urban Trail adjacent to the western boundary of this site along the UPC/ASA rail line.

Transportation Assessment

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 application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

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.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

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 ATTACHMENT TO FOLLOW:

A: Zoning Map

A-1: Aerial Map

Correspondence Received



1501 Damon Road

Exhibit A - 1

ZONING CASE#: C14-2022-0004
 LOCATION: 1501 Damon Road
 SUBJECT AREA: 0.31 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 Austin regarding specific accuracy or completeness.

From:
To: [Rhoades, Wendy](#)
Cc:
Subject: 1501 Damon. C14-2022-0004
Date: Friday, January 21, 2022 3:17:22 PM

*** External Email - Exercise Caution ***

Dear Wendy,

Our Outreach group has been meeting and communicating with Cody Carr regarding rezone of 1501 Damon. He presented his plans for a single duplex. Most of the Outreach group is not in favor and we presented the idea of a single family home and an ADU (our group is in favor of SF-3 as was granted at 1512 Damon). We are still working towards a resolution. This property as well as all of Damon has an ongoing code compliance issue with 1500 Damon (salvage dump) and we have presented information about this to Mr. Carr as this has affected his newly acquired property as well.

Thanks

Eugene Sutton
1505 Damon
5125274424

[Sent from AT&T Yahoo Mail on Android](#)

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