

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2017-0087 – Mockingbird

**P.C. DATE:** August 22, 2017

**ADDRESS:** 203 West Mockingbird Lane

**DISTRICT:** 3

**OWNER & APPLICANT:** Stuart Carr

**AGENT:** Cody Carr

**ZONING FROM:** SF-4A-NP

**TO:** SF-3-NP

**AREA:** 0.2419 acres  
(10,536.39 square feet)

### **SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant family residence – neighborhood plan (SF-3-NP) combining district zoning.

### **PLANNING COMMISSION RECOMMENDATION:**

August 22, 2017: *APPROVED SF-3-NP DISTRICT ZONING, AS STAFF  
RECOMMENDED, BY CONSENT*

*[J. SCHISSLER; K. MCGRAW – 2ND] (11-0) T. NUCKOLS; P. SEEGER – ABSENT*

### **ISSUES:**

The South Congress Combined Neighborhood Plan Contact Team supports the Applicant's request for SF-3-NP zoning. Please refer to correspondence attached at the back of this packet.

### **DEPARTMENT COMMENTS:**

The subject portion of a platted lot located on Mockingbird Lane, east of its intersection with Blue Bird Lane contains a single family residence, and is zoned single family residence-small lot – neighborhood plan (SF-4A-NP) combining district. There are single family residences and duplexes to the north (SF-2-NP; SF-3-NP), condominiums to the east (SF-6-NP), and single family residences and two family residences to the south and west (SF-2-NP; SF-3-NP; SF-4A-NP). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).

The Applicant has requested a zoning change to the family residence – neighborhood plan (SF-3-NP) district in order to enable a secondary apartment. Staff recommends the Applicant's request as SF-3 zoning is compatible with the mix of existing residential zoning and housing types in this neighborhood. As information, the boundaries of Subchapter F: Residential Design and Compatibility Standards (also known as the McMansion ordinance) were expanded to include the South Congress Combined NP Area in August 2010

(Ordinance 20100805-051). Therefore, any new residential development would be subject to 0.4 gross floor area.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-4A-NP	Single family residence
<i>North</i>	SF-2-NP; SF-3-NP	Single family residences; Duplexes
<i>South</i>	SF-3-NP; SF-2-NP	Steel frame building; Shed; Storage of construction materials; Single family residences; Two family residences
<i>East</i>	SF-6-NP	Condominiums
<i>West</i>	SF-4A-NP	Single family residences

**NEIGHBORHOOD PLANNING AREA:** West Congress      **TIA:** Is not required

**WATERSHED:** Williamson Creek      **DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No      **SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

9 – Battle Bend Springs Homeowners Association  
 96 – Southeast Corner Alliance of Neighborhoods  
 511 – Austin Neighborhoods Council      627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District      1108 – Perry Grid 644  
 1173 – South Congress Combined Neighborhood Plan Contact Team  
 1228 – Sierra Club, Austin Regional Group      1340 – Austin Heritage Tree Foundation  
 1363 – SEL Texas      1424 – Preservation Austin  
 1429 – Go!Austin/Vamos!Austin (GAVA) - 78745  
 1528 – Bike Austin      1530 – Friends of Austin Neighborhoods  
 1550 – Homeless Neighborhood Association      1578 – South Park Neighbors

**SCHOOLS:**

Pleasant Hill Elementary School      Bedichek Middle School      Crockett High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2017-0053 – Red Bird Blue Bird – 206 Red Bird Lane	SF-2-NP to SF-3-NP	To Grant	Apvd (8-3-2017).
C14-2009-0031 – The Moore Redbird	SF-2-NP to SF-3-NP	To Grant SF-3-NP w/r-o-w dedication on Red	Apvd SF-3-CO-NP w/CO requiring that

Project – 313 Red Bird Ln		Bird Ln	development comply with Subchapter F: Residential Design and Compatibility Standards ( <i>the McMansion Ordinance</i> ) (01-14-2010).
C14-05-0106.02 – West Congress NPA Rezoning – 404-414 West Stassney Ln	SF-3-NP to GO-MU-CO-NP	To Grant	Apvd GO-MU-CO-NP w/CO specifying that if property is developed for non-residential uses then access from Hummingbird shall be by a limited-function driveway that allows right-turn out only (11-14-2005).
C14-00-2115 – Mockingbird – 205 & 207 Mockingbird Ln	SF-2 to SF-4A	To Grant	Apvd (2-15-2001).

### **RELATED CASES:**

The subject rezoning area is the east 47 feet of Lot 21, Block 5 of the Pleasant Hill Addition, a subdivision recorded in November 1937 (C8-1937-1514). It is considered a legal tract (C8I-2017-0126). Please refer to Exhibit B.

On February 15, 2001, the subject property, the remainder of Lot 21 and all of Lot 22 was rezoned to SF-4A (C14-00-2115).

The rezonings associated with the West Congress Neighborhood Plan Area were approved by Council on August 18, 2005 (C14-05-0106). The base district of the subject property did not change, and the NP combining district was added. This property is located within the Pleasant Hill Subdistrict. Within this Subdistrict, single family residential, duplex residential, and two family residence uses are subject to the front porch setback as set forth in Section 25-2-1602 and garage placement restrictions as set forth in Section 25-2-1604 of the Code. Secondary apartment special use is permitted in all residential zoning districts other than RR and SF-4A, and the –mixed use (MU) overlay of the Subdistrict as set forth in Sections 25-2-1462 and 25-2-1463 of the Code).

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
West Mockingbird Lane	50 feet	20 feet	Local	No	No	Yes 1-South Congress

**CITY COUNCIL DATE:** September 28, 2017      **ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

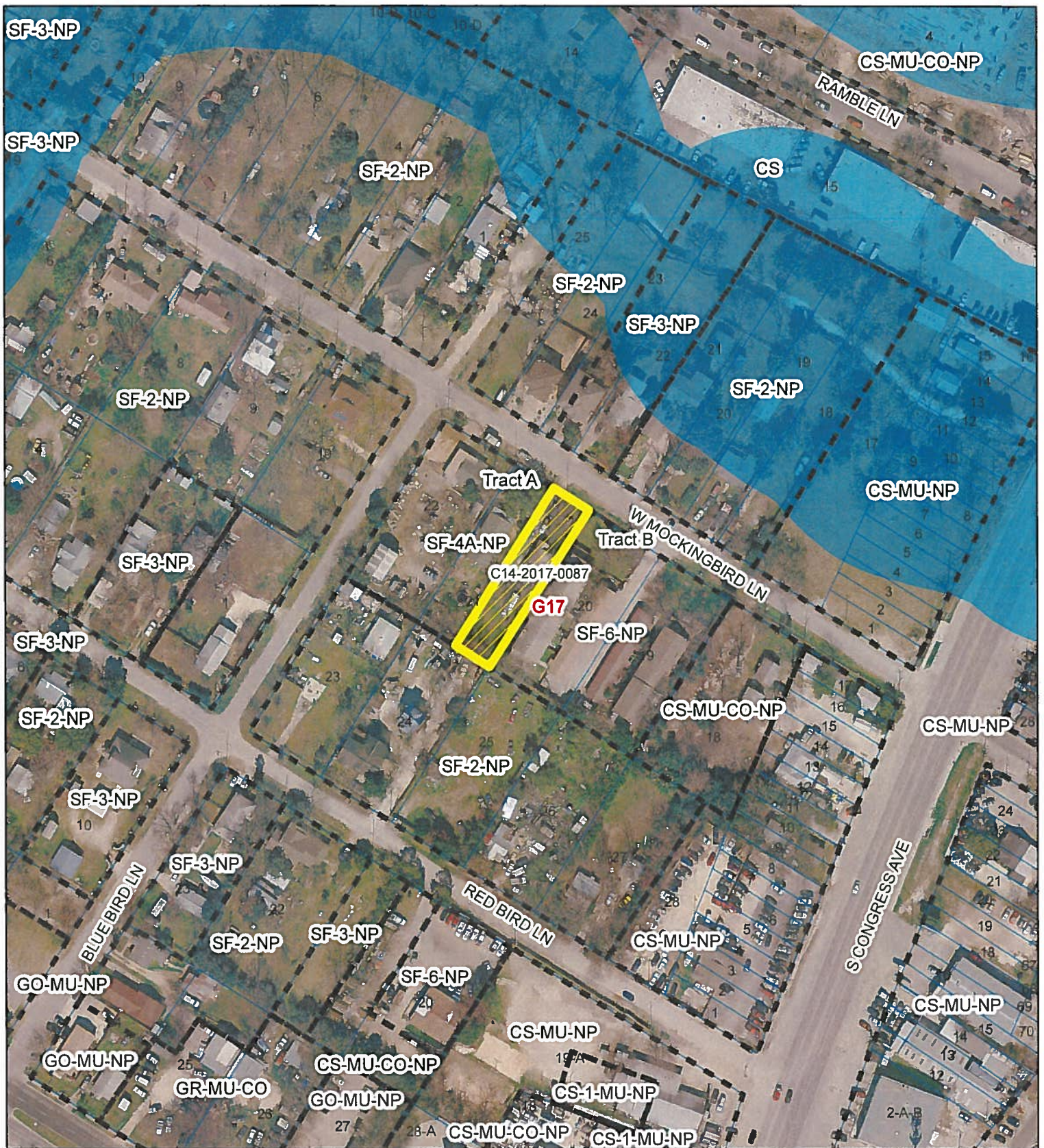
**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@austintexas.gov





**PHONE:** 512-974-7719







1" = 150'

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

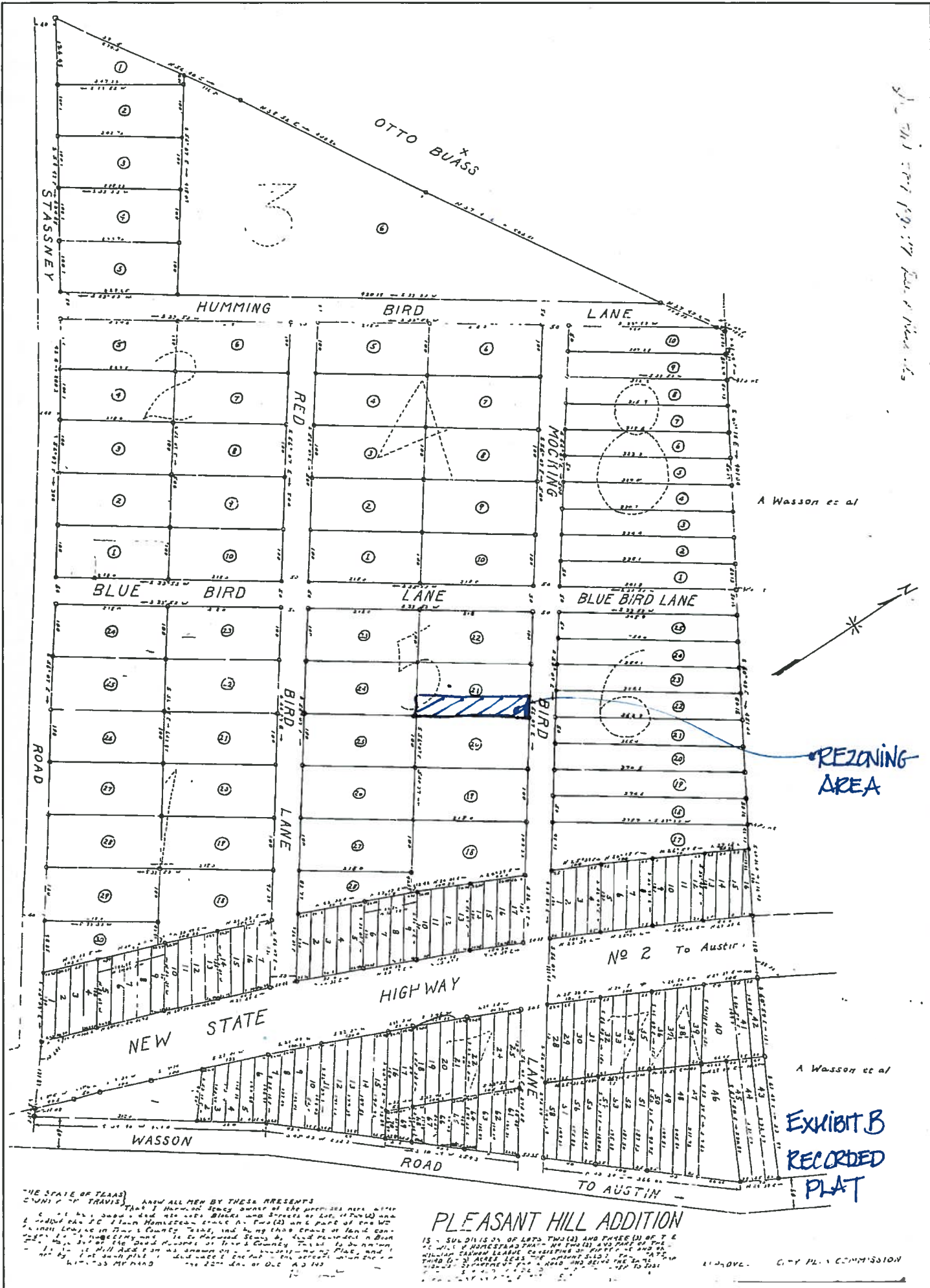
## MOCKINGBIRD

ZONING CASE#: C14-2017-0087  
 LOCATION: 203 W. MOCKINGBIRD LANE  
 SUBJECT AREA: .2419 ACRES  
 GRID: G17  
 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.





**SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant family residence – neighborhood plan (SF-3-NP) combining district zoning.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

The family residence (SF-3) zoning district is intended as an area for moderate density single family residential use, with a minimum lot size of 5,750 square feet. This district is appropriate for existing single-family neighborhoods having typically moderate sized lot patterns, as well as for development of additional family housing areas with minimum land requirements.

*2. Zoning changes should promote an orderly and compatible relationship among land uses.*

Staff recommends the Applicant's request as SF-3 zoning is compatible with the mix of existing residential zoning and housing types in this neighborhood.

**EXISTING CONDITIONS****Site Characteristics**

The subject property contains a single family residence, is relatively flat and there appear to be no significant topographical constraints on the site.

**Impervious Cover**

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

**Comprehensive Planning**

This rezoning case is located on the south side of W. Mockingbird Lane, on 0.24 acre property, which contains a single family house. The property is located within the boundaries of the South Congress Combined (West Congress) Neighborhood Planning Area. The SCCNPA Future Land Use Map designates this property as Single Family. SF-3 zoning is permitted in this zone. Surrounding land uses consists of residential uses in all four directions. The proposed use is a residential plus an accessory dwelling unit. Accessory dwelling units are not permitted under SF-4A zoning.

**Connectivity**

There are no public sidewalks along this street but a public transit stop is located a couple of minutes away on S. Congress Avenue. The Walkscore for this area is 56/100, meaning some errands may be accomplished on foot.



### **South Congress Combined (West Congress) Neighborhood Planning Area**

The following are goals and objectives excerpted from the SCCNPA, regarding the preservation and enhancement of single family neighborhoods, which supports maintaining the affordability and character of various neighborhoods in the planning area:

**GOAL ONE:** Preserve and enhance the existing single-family neighborhoods and retain the affordability of these neighborhoods. (p. 33)

**Objective 1.1** - New development should be compatibly scaled when adjacent to residential uses.

**Objective 1.3** - Preserve the character of single-family neighborhoods. (p. 34)

**Objective 1.6** - Preserve affordable housing options. (p. 47)

The plan appears to support maintaining the character and affordability of single family neighborhoods in the planning area, including the addition of an accessory dwelling unit.

### **Imagine Austin**

The comparative scale of this site relative to other residential uses in this area, as well as the site not being located along an Activity Corridor or within an Activity Center falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on this proposed rezoning.

### **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 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.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

#### **Site Plan and Compatibility Standards**

Rezoning from SF-2 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.

#### **Transportation**

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

#### **Water and Wastewater**

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be

required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fees once the landowner makes an application for Austin Water utility tap permits.



## Rhoades, Wendy

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**From:** mariocantu [REDACTED]>  
**Sent:** Tuesday, August 29, 2017 1:31 PM  
**To:** Rhoades, Wendy  
**Cc:** Alix Horton; George Last Name Not Required; Greg Steinberg; Cody Carr  
**Subject:** SCCNPCT - Cody Carr regarding 203 W Mocking Bird Ln. Case Number C14-2017-0087

Wendy,

On July 19<sup>th</sup>, the South Congress Combined Neighborhood Plan Contact Team was given a presentation by Cody Carr regarding 203 W. Mocking Bird Ln. Case Number C14-2017-0087. After Mr. Carr presentation there was discussion among the group, and a vote was taken on August 16<sup>th</sup> to support his case. The SCCNPCT unanimously supports the change from SF-4A-NP to SF-3-NP-Family Residence district zoning as requested for the following reasons:

- No one is being displaced and no structures are being torn down.
- The requested use fits the neighborhood.
- There has been no negative feedback from the neighborhood, according to Wendy Rhodes.
- Intent: to build a tiny cottage house in the rear of the Property.

Mario Cantu Chair SCCNPCT