

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2018-0123 – 4004 Clawson Road      DISTRICT: 5

ZONING FROM: SF-3

TO: SF-6

ADDRESS: 4004 Clawson Road

SITE AREA: 1.0297 acres

OWNER: James Young

APPLICANT: James Young

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

### STAFF RECOMMENDATION:

**Staff recommends Townhouse and Condominium (SF-6) district zoning.**

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

### PLANNING COMMISSION ACTION / RECOMMENDATION:

**January 22, 2019**

**Approved SF-6 district zoning as staff recommended.**

**[J. Schissler, C. Kenny – 2<sup>nd</sup>], Vote 10 – 0.**

**A. De Hoyos-Hart, F. Kazi, and P. Seeger were absent**

### CITY COUNCIL ACTION:

**February 21, 2019**

**Scheduled for City Council**

ORDINANCE NUMBER:

ISSUES:

The applicant, James Young, has owned the property for many years. It is currently occupied by a single family house and one additional outbuilding. The owner / applicant would like to rezone the property to SF-6, and would most likely sell the lot after the rezoning.

Per the site plan comments, the subject property is not a legal lot. It can be rezoned through this application, using metes and bounds as references. Prior to site plan approval, it will need to receive a Land Status Determination or go through the subdivision process in order to be redeveloped.

CASE MANAGER COMMENTS:

Currently on the subject property are one single family house and one outbuilding on a single large lot. To the north and south are similarly sized properties. The property to the south is zoned SF-6, and has only one house at present. The property to the north is zoned SF-3 and appears to have one house and one outbuilding.

Further north, there is a larger MF-2 zoned property, with a multifamily complex of approximately 30 units. To the east across Clawson Road are smaller lots, zoned SF-3, with single family homes. To the west, fronting on Valley View Road, are small lots zoned SF-3 with duplex structures. In general, Clawson Road contains a mix of single family homes, duplexes, and medium to large sized multifamily developments; the latter are more common further north.

The site is not in the flood plain. There is fairly steep topography on the site, and the land slopes down from the road to the west, with approximately 25-30 feet of elevation change.

BASIS OF RECOMMENDATION:

Staff recommends Townhouse and Condominium (SF-6) district zoning.

The first basis of the recommendation is that zoning should not constitute a grant of special privilege to an individual owner; granting of the request should result in an equal treatment of similarly situated properties. The property immediately to the south is zoned SF-6, and is of the same size and situation as the subject property. There are several SF-6 zoned lots further north, within 0.25 miles of the subject property in comparable locations.

The second basis is that the proposed zoning should be consistent with the goals and objectives of the City Council. One of the City Council's objectives is to increase housing within the city, as stated in the Austin Strategic Housing Blueprint. Further, it is considered a best practice to locate this housing close to main corridors, such as State Highway 71 and South Lamar Boulevard.

The third basis is that zoning should allow for reasonable use of the property. This is a large property – over an acre in size, and it would seem fair and reasonable to allow for more than two units on such a large lot. The development restrictions of SF-6, which would allow for additional units and would be limited in part by parking requirements, would seem more fitting for the subject property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3	Single Family
North	SF-3, MF-2	Single Family, Multifamily
South	SF-6, SF-3	Single Family, Vacant
East	Clawson Rd, then SF-3	Clawson Rd, then Single Family
West	SF-3	Duplexes

NEIGHBORHOOD PLANNING AREA: South Lamar

TIA: Not required

WATERSHED: West Bouldin Creek

OVERLAYS: None

SCHOOLS: Joslin Elementary, Covington Middle School, Crockett High School

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District  
 Austin Neighborhoods Council  
 Bike Austin  
 Friends of Austin Neighborhoods  
 Homeless Neighborhood Association  
 Neighborhood Empowerment Foundation

Preservation Austin  
 Seltexas  
 Sierra Club, Austin Regional Group  
 South Central Coalition  
 South Lamar Neighborhood Assn  
 TNR BCP - Travis County Natural Resources

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0031 Clawson Patio Homes 3907 Clawson Rd	SF-3 to SF-5	06-25-13 – Apvd SF-5 for Tract 1 and SF-6 for Tract 2 with an amendment to limit both tracts to 16 units	10-3-13 – Apvd SF-5-CO; limit of 2,000 trips per day, any building within 50 ft of south property line limited to 2 stories or 26 ft
C14-2013-0032 Clawson Patio Homes II 3903 Clawson Rd	From SF-3 to MF-1	06-25-13 – Apvd SF-5 for Tract 1 and SF-6 for Tract 2 with an amendment to limit both tracts to 16 units	10-3-13 – Apvd SF-6-CO; limit of 2,000 trips per day

RELATED CASES:

None on the subject property

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Clawson Rd	60 ft	26 ft	Collector	No	No	Route 315

OTHER STAFF COMMENTS:Comprehensive Planning

The zoning case is located on the east side of Clawson Road on a 1.03 acre property that contains a single family house. The property is located with the South Lamar Combined Neighborhood Plan area, which does not have an adopted neighborhood plan. Surrounding land uses include single family housing, apartment buildings and condos to the north; to the south is single family housing with commercial and office uses located along W. Ben White Blvd; to the east is residential, mainly single family housing; and to the west is single family

housing, condos, townhouses, and the South Austin Senior Activity Center. The owner wants to upzone the property to a more intense residential zoning designation.

### **Connectivity**

Public sidewalks are located intermittently along Clawson Road but not in front of this property. There are no bike lanes, transit stops or urban trails located along Clawson Road, which is a narrow road. The Walkscore for this area is 51/100, **Somewhat Walkable**, meaning some errands can be accomplished on foot. The mobility options available in this area are below average, despite the decent Walkscore for this area.

### **Imagine Austin**

The following Imagine Austin policies are taken from Chapter 4 of the IACP, which specifically discusses the promotion and development of a variety of types of housing throughout Austin:

- **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.

The comparative scale of this site relative to other residential uses in the vicinity (single family houses, condos, townhouses and apartment buildings), 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.

### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin 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. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

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.

Numerous 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 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.

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.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

### Site Plan

It appears the subject property may not be a legal lot. A subdivision application must be submitted for review and approved prior to site plan approval (Section 25-1-61) or an exception to platting must be obtained; contact the Development Assistance Center on the first floor of One Texas Center at 512-978-4000 to apply for a Land Status Determination.

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 from property in an SF-5 or more restrictive zoning district will be subject to residential compatibility development regulations.

The site is subject to residential compatibility standards along the north, south, and western property lines:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the eastern 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.

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

### Transportation

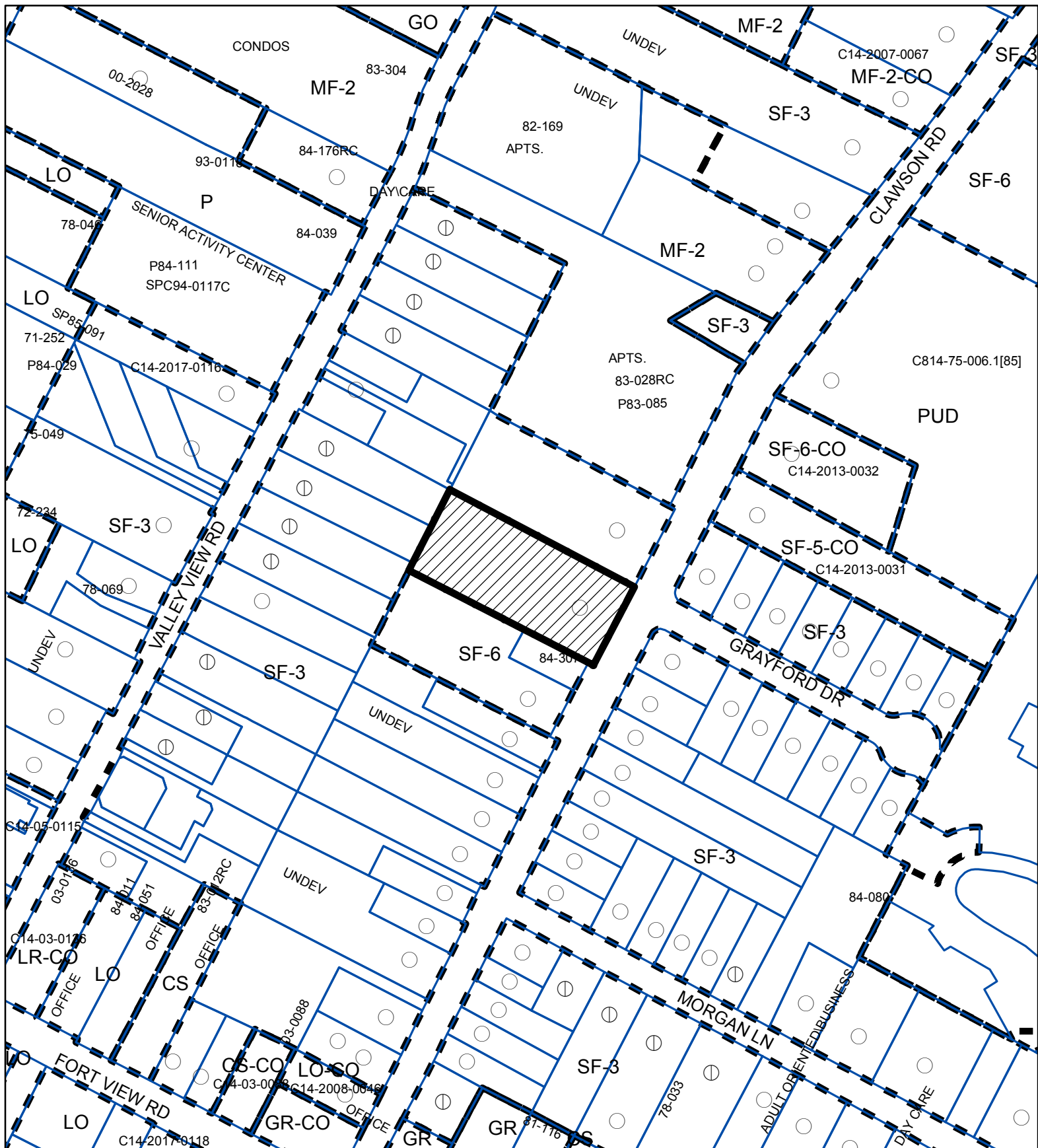
According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a bike lane is recommended for Clawson Rd. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

### Austin Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

### INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Survey and Field Notes






## ZONING

ZONING CASE#: C14-2018-0123

## EXHIBIT A



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

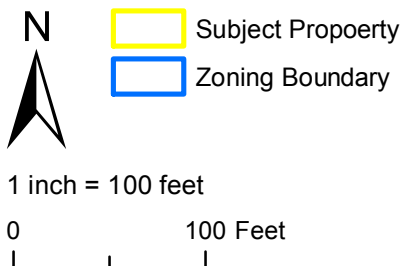
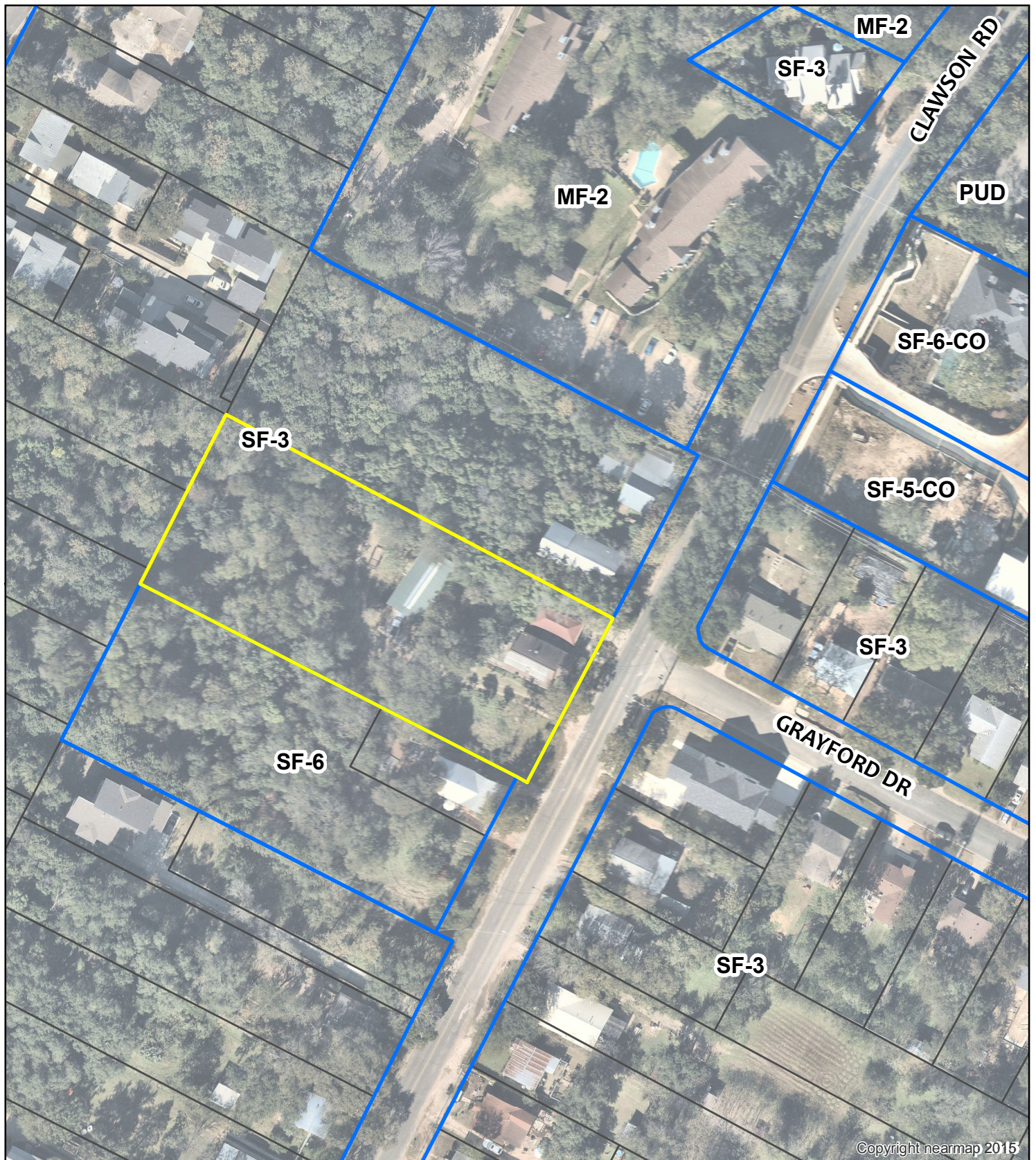
1" = 200'

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







## ZONING & VICINITY

Zoning Case: C14-2018-0123  
 Address: 4004 Clawson Road  
 Subject Area: 1.0297 Acres  
 Case Manager: Scott Grantham

**EXHIBIT B**

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





## EXHIBIT C

~~Exhibit "A"~~

### METES AND BOUNDS DESCRIPTION

Being all that certain 1.0297 acre tract or parcel of land out of and part of a portion of Block Nos. Forty-Four (44) and Forty-Five (45), of THE THEODORE LOW HEIGHTS, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof recorded in Volume 445, Page 581, Travis County Deed Records (TCDR); said 1.0297 acre tract being the same as that certain tract called 1.03 acres and recorded by Warranty Deed in Volume 761, Page 582, TCDR, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at an iron rod found marking the Northeast corner of the herein described tract, same being the Southeast corner of that certain called 1.07 acre tract recorded in Volume 3268, Page 1054, TCDR, and being also located in the Westerly right-of-way line of Clawson Road (variable width), same being further located North 29°45' East, a distance of 67.74 feet from a point marking the common East corner of said Blocks 44 and 45;

THENCE, South 29°45' West, with the said Westerly right-of-way line of Clawson Road and the Easterly line of said Blocks 44 and 45, a distance of 135.35 feet to an iron rod found marking the Southeast corner of the herein described tract;

THENCE, North 60°00' West, with the South line of the herein described tract and the North line of Lots 1 and 2, DEBBIE ADDITION, a subdivision according to the map or plat thereof recorded in Book 85, Page 152A, Travis County Plat Records (TCPR), passing an iron rod found marking the Northeast corner of said Lot 2 at a distance of 7.01 feet, passing an iron rod found marking the Northwest corner of said Lot 2 at a distance of 114.54 feet, passing an iron rod found at a distance of 122.06 feet, and continuing a total distance of 331.65 feet to an iron pipe found marking the Southwest corner of the herein described tract and the Northwest corner of said Lot 1, same being located in the East line of THE RESUBDIVISION OF A PORTION OF BLOCKS 43, 44, 45 AND 46, THEODORE LOW HEIGHTS;

THENCE, North 29°45' East, with the West line of the herein described tract and the East line of said RESUBDIVISION, passing at a distance of 10.63 feet an iron rod found marking the common East corner of Lots 7 and 6, said RESUBDIVISION, and continuing a total distance of 135.35 feet to an iron pipe found marking the Northwest corner of the herein described tract;

THENCE, South 60°00' East, with the North line of the herein described tract and the South line of said 1.07 acre tract, passing at a distance of 1.87 feet an iron pipe found and continuing a total distance of 331.65 feet to the POINT OF BEGINNING and containing 1.0297 acres of land.

Compiled By:

Robert M. Sherrod, R.P.L.S.  
GEO, A Geographical Land Services Co.  
4412 Spicewood Springs Road, #1002  
Austin, Texas 78759  
RMS:ks  
September 28, 1994  
GEO Job No. 945553  
Gracy Title Company  
GF No. 94092370





**FIELD NOTE DESCRIPTION**  
**Survey for: James Young**

**1.03 ACRE TRACT ±**

Being out of the I. Decker Survey, Abstract No. 8 in Travis County, Texas, being a called 1.0297 acre tract of land, as recorded in Volume 12283, Page 1004, Real Property Records of Travis County, Texas, conveyed to James S. Young, being more particularly described by metes and bounds as follows;

**BEGINNING** at an iron rod set (1/2-Inch diameter) with pink cap stamped "Survey Works" in the apparent west right of way line of Clawson Road, being the northeast corner of said 1.0297 acre tract, being the southeast corner of a called 1.07 acre tract, as recorded in Volume 12160, Page 865, Real Property Records of Travis County, Texas, for the northeast corner of herein described tract, from which an iron rod found (1/2-Inch diameter) bears N 27°12'47" E a distance of 139.74 feet, being the northeast corner of said 1.07 acre tract;

**Thence**, along the west right of way line of Clawson Road common with the east line of said 1.0297 acre tract, S 27°14'41" W a distance of 135.36 feet to an iron rod set (1/2-Inch diameter) with pink cap stamped "Survey Works", being the southeast corner of said 1.0297 acre tract, for the southeast corner of herein described tract;

**Thence**, departing the west right of way line of Clawson Road, along the south line of said 1.0297 acre tract, common with north line of Lot 2, of Debbie Subdivision, as recorded in Volume 85, Page 152A, Plat Records of Travis County, Texas, N 62°25'42" W a distance of 330.58 feet to an iron pipe found (1/2-Inch diameter), being the southwest corner of said 1.0297 acre tract, being the north corner of Lot 1 of said Debbie Subdivision, being a point in the east line of Lot 7, of Johnson Resubdivision of Part of Lots 43, 44, 45 & 46, Theodor Low Heights, as recorded in Volume 39, Page 44, Plat Records of Travis County, Texas, for the southwest corner of herein described tract;

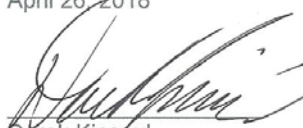
**Thence**, along the west line of said 1.0297 acre tract common with the east line of said Lot 7, N 27°28'53" E a distance of 135.49 feet to an iron pipe found (1/2-Inch diameter), being the northwest corner of said 1.0297 acre tract, being a point on the east line of Lot 5 of said Johnson Resubdivision of Part of Lots 43, 44, 45 & 46, Theodor Low Heights, being the southwest corner of said 1.07 acre tract, for the northwest corner of herein described tract;

**Thence**, along the north line of said 1.0297 acre tract common with the south line of said 1.07 acre tract, S 62°24'18" E a distance of 330.03 feet to the **POINT OF BEGINNING**, in all containing **1.03** acres of land, more or less.

All bearings and distances are based on State Plane Coordinate System, Texas Central Zone, Nad 1983.

This description to accompany a plat of like date representing an on the ground survey supervised by me Derek Kinsaul, Registered Professional Land Surveyor.

April 26, 2018

  
Derek Kinsaul  
RPLS No. 6356  
Job #18-0060





