

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0013
Aero Mobile Home Park

DISTRICT: 3

ZONING FROM: SF-3

TO: MH

ADDRESS: 101 Hergotz Lane

SITE AREA: 3.316 Acres

PROPERTY OWNERS:
Aero Mobile Home Corporation

APPLICANT:
City of Austin Planning and Zoning Dept.
(Heather Chaffin)

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

STAFF RECOMMENDATION:

Staff supports the requested zoning change from SF-3 to MH. *For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

May 7, 2019: To grant MF zoning as recommended by Staff, on consent (9-0). [D. King- 1st, A. Tatkow-2nd; N. Barrera-Ramirez- Absent, 1 Vacancy]

CITY COUNCIL ACTION:

June 6, 2019:

ORDINANCE NUMBER:

ISSUES:

August 23, 2018, City Council adopted a resolution with the intent of reducing the risk of mobile home park displacement by rezoning existing mobile home parks to Mobile Home (MH) zoning district if the park was not already zoned MH. The August 23rd resolution listed three mobile home parks, and a later ordinance adopted on September 20, 2018, added twenty more mobile home parks to the list. With these resolutions, City Council instructed the Planning and Zoning Department to initiate and process these rezoning cases. ***Please see Exhibits A and B- Council Resolutions.***

CASE MANAGER COMMENTS:

The subject property is located on the south side of Hergotz Lane, south of the Colorado River and east of Ed Bluestein Boulevard. The property is zoned MF-1-CO, which does not permit mobile home park land use. The property is developed with a mobile home park with permanent structures, mobile homes, and recreational vehicles (RVs). The MF-1-CO zoning limits the number of residential units on the property to 27 units.

North of the subject property, across Hergotz Lane is undeveloped land that is zoned SF-3 and owned by the City of Austin. Also across Hergotz Lane are two single family residences that are zoned SF-3. East of the subject property is land zoned MF-1-CO that is developed with single family residential. South of the property is undeveloped land zoned SF-3. West of the subject property is a single family residential neighborhood zoned SF-3. ***Please see Exhibits C and D—Zoning Map and Aerial Exhibit.***

This area was annexed into City of Austin full purpose jurisdiction on April 10, 1969. Based on examination of historic aerial photographs, Staff has been able to determine that the mobile home park was established between 1940 and 1958. Consequently, the development is considered an existing nonconforming land uses in MF-1-CO zoning.

BASIS OF RECOMMENDATION:

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

Mobile Home Residence district is intended to provide locations for development of mobile home residence parks and mobile home subdivisions, with standards that ensure a residential environment and compatibility with adjoining family residence neighborhoods.

2. *Zoning should allow for reasonable use of the property.*

The proposed MH zoning will bring the existing use on the site into conformance with land development code use regulations.

3. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

The City Council passed Resolutions No. 20180823-078 and 20180920-096 in order to identify and direct the staff to initiate the zoning/rezoning process for properties that contain a mobile home residence park of mobile home subdivision use to the correct MH, Mobile Home Residence District zoning category.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	MF-1-CO	Mobile home park
North	SF-3	Undeveloped, Single family residential
South	SF-3	Undeveloped
East	MF-1-CO	Single family residential
West	SF-3	Single family residential

SCHOOLS:

Allison Elementary School
 Martin Middle School
 Eastside Memorial High School at Johnston

TIA: N/A

WATERSHED: Carson Creek

NEIGHBORHOOD ORGANIZATIONS:

Austin Innercity Alliance	East Austin Conservancy
Imperial Valley Neighborhood Association	Neighbors United for Progress
Preservation Austin	AISD
Homeless Neighborhood Association	Austin Neighborhoods Council
Neighborhood Empowerment Foundation	Friends of Austin Neighborhoods
Black Improvement Association	Del Valle ISD
Bike Austin	Sierra Club
Montopolis Community Alliance	SEL Texas
Montopolis Tributary Trail Association	Del Valle Community Coalition
Montopolis Neighborhood Plan Contact Team	

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Hergotz Lane	45 ft.	28 ft.	Collector	None	Shared Lane	Route 17; Route 320

OTHER STAFF COMMENTS:COMPREHENSIVE PLANNING:

Connectivity. The Walkscore for this area is 23/100, Car Dependent, meaning almost all errands require a car. There are no bike lanes, public sidewalks, urban trails, or Cap Metro Transit stops located within a quarter mile of this site. The mobility and connectivity options in this area are limited.

Imagine Austin. The project is not located not located by an Activity Center or along an Activity Corridor. The following IACP policies are applicable to this project:

☐ 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.

☐ LUT P6. Ensure that neighborhoods of modest means have a mix of local-serving retail, employment opportunities, and residential uses.

☐ 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 healthy food, schools, retail, employment, community services, and parks and recreation options.

The Austin Strategic Housing Blueprint, which is an amendment to Imagine Austin, includes goals for affordable housing in every City Council district. Some of these goals include: (1) preventing households from being priced out of the Austin; (2) providing an affordable housing choice; and (3) protecting diverse communities. While this existing mobile home park is not located within walking distance to jobs, civic or commercial uses (offering few mobility options beyond a car), it does provide much needed affordable housing. This project also meets one of eight Imagine Austin's priority programs (p. 186), namely 'Develop and Maintain Household Affordability Throughout Austin.' This rezoning appears to support the Imagine Austin Comprehensive Plan.

ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Carson 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.

2. 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%

3. According to floodplain maps there is a floodplain within or adjacent to the project location.

Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.

4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

6. 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

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

SP 2. 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.

TRANSPORTATION

TR 1. Per resolution 20180823-078 the City of Austin has undergone an initiative to rezone existing mobile home parks to their appropriate zoning of MH.

TR 2. Additional right-of-way maybe required at the time of subdivision and/or site plan.

TR 3. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a bike lane is recommended for Hergotz Lane.

TR 4. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Hergotz Lane	45 ft.	28 ft.	Collector	None	Shared Lane	Route 17; Route 320

INDEX OF EXHIBITS TO FOLLOW:

A. Council Resolution (August 23, 2019)

B. Council Resolution (September 20, 2019)

C. Zoning Map

D. Aerial Exhibit

RESOLUTION NO. 20180823-078

EXHIBIT A

WHEREAS, City of Austin has a goal of providing a diversity of housing types; and

WHEREAS, mobile home parks can provide affordable, market-rate housing options for working class families; and

WHEREAS, mobile home parks, historically, are seen by some communities as an undesirable use, which has led to discriminatory and exclusionary zoning policies; and

WHEREAS, multiple mobile home parks have been closed or slated for redevelopment in recent years, leading to tenants being displaced, including tenants at Cactus Rose Mobile Home Park and Thrasher Lane Mobile Home Park; and

WHEREAS, there are approximately 37 mobile home parks in Austin, yet a majority are not zoned mobile home residence (MH) district, including mobile home parks located in neighborhood planning areas, so a change to mobile home residence (MH) district zoning would require a zoning change and a Future Land Use Map (FLUM) amendment; and

WHEREAS, zoning mobile home parks to mobile home residence (MH) district will reduce the risk of mobile home park tenant displacement; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council initiates the rezoning and where appropriate, FLUM amendments, of the following properties:

(1) North Lamar Mobile Home Park located at 8105 Research Boulevard, Austin Texas, from general commercial services-neighborhood plan (CS-NP) combining district and single family residence-neighborhood plan (SF-3-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(2) Frontier Valley Mobile Home Park located at 1430 Frontier Valley Drive, Austin, Texas, from single family residence-neighborhood plan (SF-3-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district; and

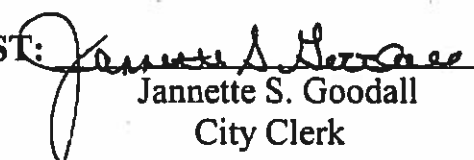
(3) Comfort Mobile Home Park located at 7307, 7401, and 7403 East Riverside Drive, Austin, Texas, from East Riverside Corridor (ERC) district to mobile home residence (MH) district.

BE IT FURTHER RESOLVED:

The City Council directs the City Manager to identify all remaining properties currently being used as a mobile home residence park or mobile home subdivision, but not zoned mobile home residence (MH) district and submit the properties to Council for initiation of the appropriate zoning cases on September 20, 2018.

ADOPTED: August 23, 2018

ATTEST:


Jannette S. Goodall
City Clerk

WHEREAS, On August 23, 2018, Council adopted Resolution No. 20180823-078, which in part, directed the City Manager to identify all remaining properties currently being used as mobile home residence park or mobile home subdivision, but not zoned mobile home residence (MH) district and submit the properties to Council for initiation of the appropriate zoning cases; and

WHEREAS, staff identified 20 remaining properties meeting the description in Resolution No. 20180823-078;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council initiates the zoning, rezoning, and where appropriate, future land use map (FLUM) amendments for the following properties:

(1) Royal Palms MH Community located at 7901 East Ben White Boulevard, Austin, Texas, from general commercial services-neighborhood plan (CS-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(2) Palm Harbor Homes MH Park located at 810 Bastrop Highway Southbound, Austin, Texas, from general commercial services-neighborhood plan (CS-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(3) Go-Go MH Park located at 4811 South Congress Avenue, Austin, Texas, from general commercial services-mixed use-conditional overlay-neighborhood

plan (CS-MU-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(4) Phan MH Park located at 711 West Powell Lane, Austin, Texas, from general commercial services-mixed use-vertical mixed use building-conditional overlay (CS-MU-V-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(5) Aero Mobile Home Park located at 101 Hergotz Lane, Austin, Texas, from family residence (SF-3) district to mobile home residence (MH) district;

(6) Tejas Mobile Plaza located at 1709 East State Highway 71 Westbound, Austin, Texas, from community commercial (GR) district and neighborhood commercial (LR) district to mobile home residence (MH) district;

(7) Templeton MH Park located at 401 Chaparral Road, Austin, Texas, from single-family residence standard lot (SF-2) district to mobile home residence (MH) district;

(8) Villa Denese located at 4511 Lucksinger Lane, Austin, Texas, from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(9) Mobile Home Haven located at 11606 North Lamar Boulevard, Austin, Texas from public (P) district to mobile home residence (MH) district;

(10) Congress MH/RV Park located at 6111 South Congress Avenue, Austin, Texas from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(11) Jensen's MH Park located at 3201 Burleson Road, Austin, Texas from family residence-neighborhood plan (SF-3-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(12) Little Texas MHC located at 7501 Bluff Springs Road, Austin, Texas, from interim-rural residence (I-RR) district to mobile home residence (MH) district;

(13) Woodview MHC, LLC located at 1301 West Oltorf Street, Austin, Texas, from general commercial services (CS) district to mobile home residence (MH) district;

(14) Cameron Loop Mobile HP located at 2807 Cameron Loop, Austin, Texas, from rural residence (RR) district to mobile home residence (MH) district;

(15) Capitol Manor Mobile Home Park, LLC located at 1308 Thornberry Road, Austin, Texas, from interim-rural residence (I-RR) district to mobile home residence (MH) district;

(16) Patton Courts Mobile Home Park located at 7100 East US Highway 290, Austin, Texas, from general commercial services-neighborhood plan (CS-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, and townhouse and condominium residence (SF-6) district to mobile home residence-neighborhood plan (MH-NP) combining district;

(17) Lee Hill Park located at 8001 Lee Hill Drive, Austin, Texas from warehouse limited office-neighborhood plan (W/LO-NP) combining district and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(18) Wallace Trailer Park located at 423 Thompson Lane, Austin, Texas, from general commercial services-conditional overlay (CS-CO) combining district to mobile home residence (MH) district;

(19) Austin Pecan Park located at 2815 East State Highway 71 Westbound Service Road, Austin, Texas, from rural residence (RR) district, interim single-family residence standard lot (I-SF-2) district, and development reserve (DR) district to mobile home residence (MH) district;

(20) Honeycomb Park located at 6402 McNeil Drive, Austin, Texas, from interim-rural residence (I-RR) district to mobile home residence (MH) district.

BE IT FURTHER RESOLVED:

The City Council initiates City Code Title 25 amendments, as necessary, to implement the zoning changes.

ADOPTED: September 20, 2018

ATTEST:

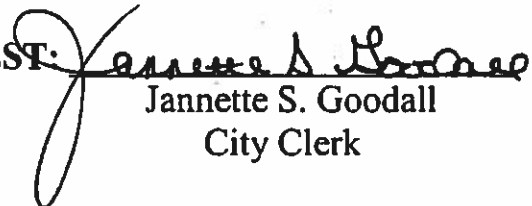
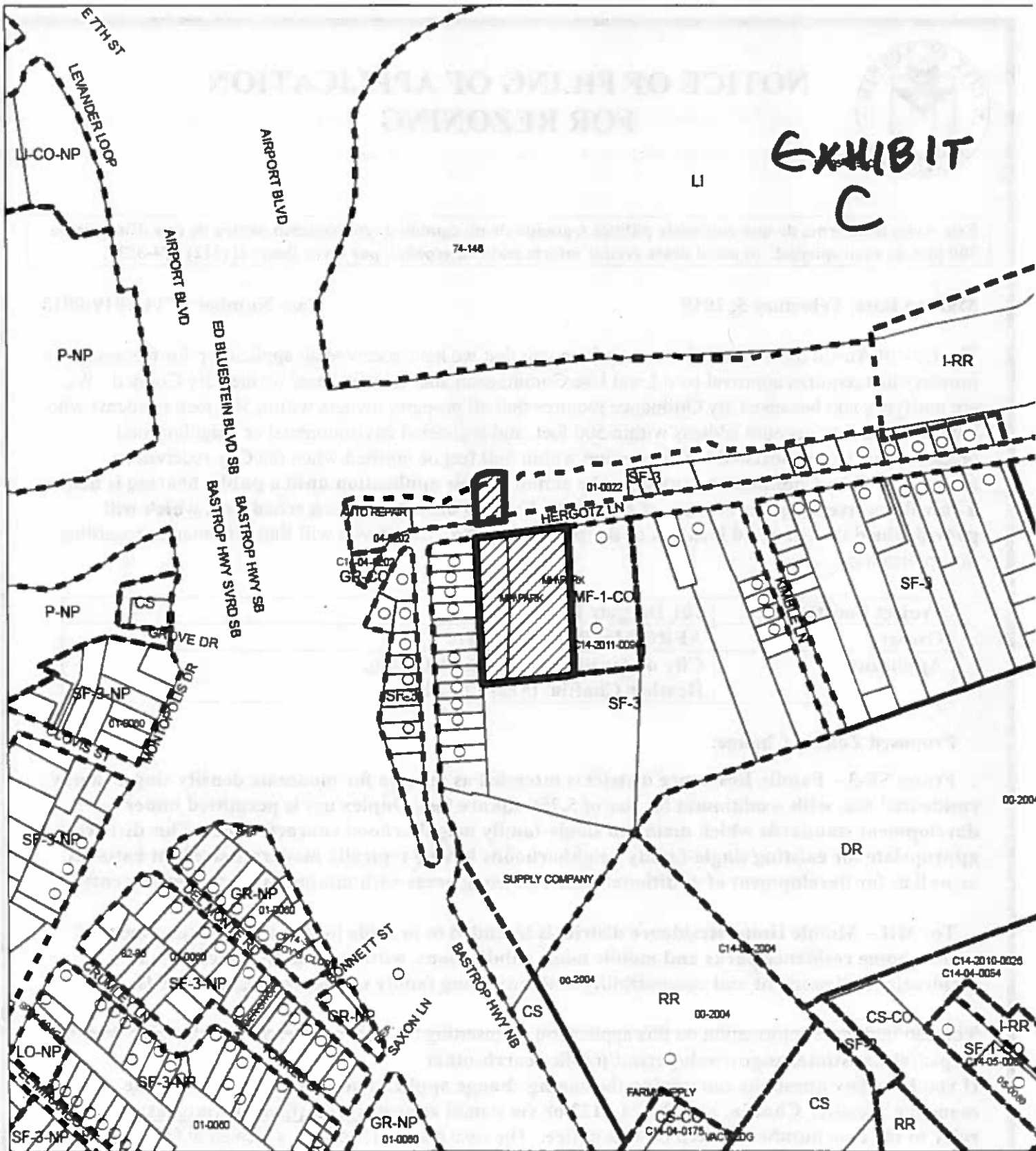
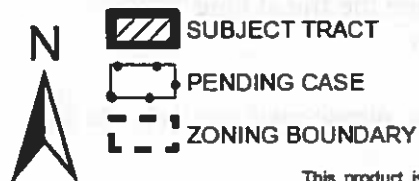

Jannette S. Goodall
City Clerk

EXHIBIT C



ZONING

ZONING CASE#: C14-2019-0013



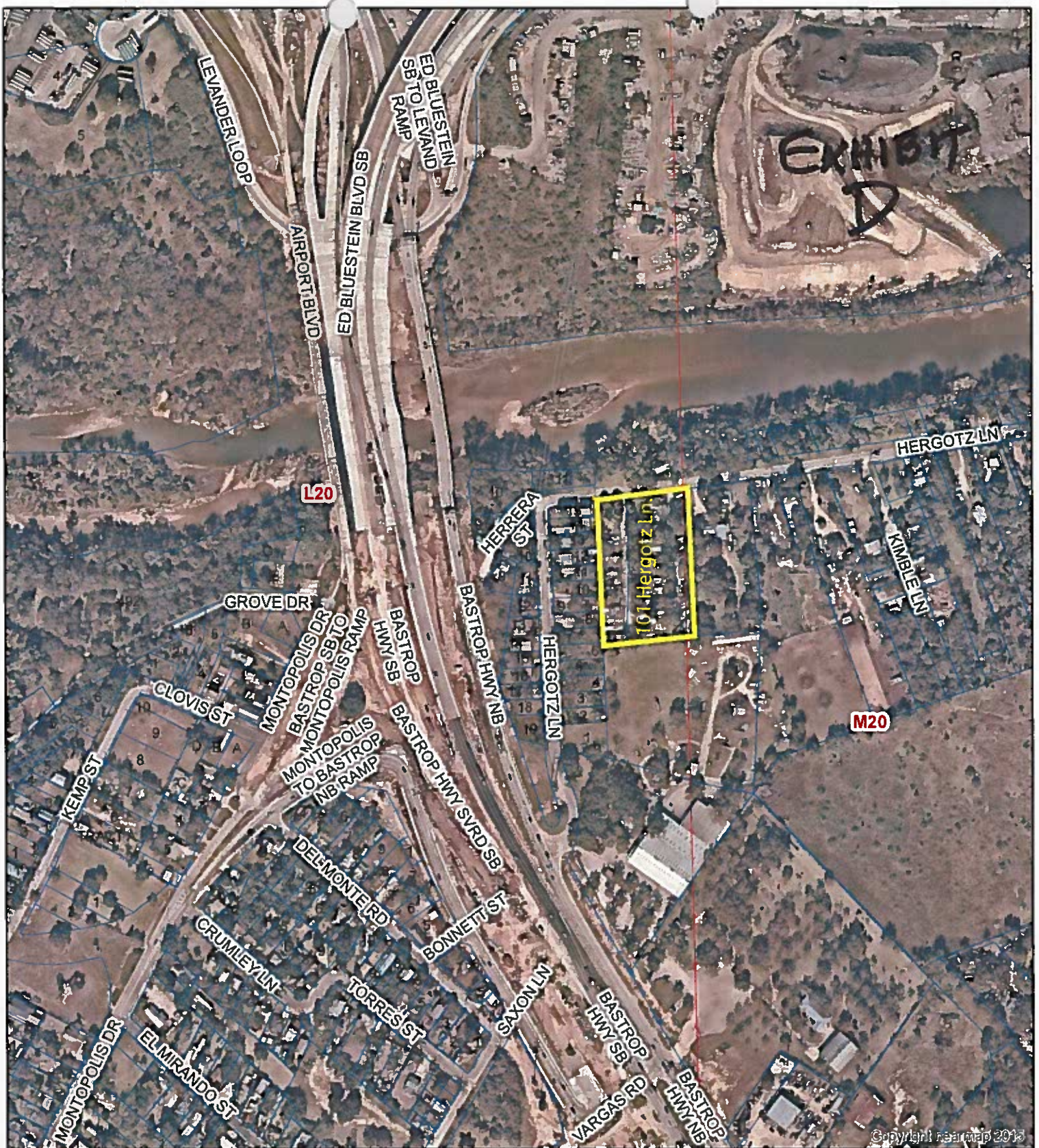
1" = 400'

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.



Created: 1/23/2019



1" = 400'

 SUBJECT TRACT

Aero Mobile Home Park

LOCATION: 101 Hergotz Lane

SUBJECT AREA: 3.3160 Acres

GRID: L20

MANAGER: Heather Chaffin



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.

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.

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: C14-2019-0013
Contact: Heather Chaffin, 512-974-2122
Public Hearing: May 07, 2019, Zoning and Platting Commission
June 06, 2019, City Council

Robert C. Maxwell

Your Name (please print)

105 Heratz Ln. Austin TX 78742

Your address(es) affected by this application

Robert Maxwell

Signature

4-27-19

Date

Daytime Telephone: 972-342-5614

Comments: My residence is immediately adjacent to the property in question, which has been a tailor park for as long as I have lived here (at minimum). I have never had any problem, nor have I ever heard any of my neighbors voice any concerns with the property. The current residents of the park would likely be financially hurt, if the rezoning is not granted.

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

City of Austin
Planning & Zoning Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

Chaffin, Heather

Subject: FW: Case # C14-2019-0013

-----Original Message-----

From: Marat Epshtein

Sent: Tuesday, May 14, 2019 11:09 AM

To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>

Subject: Re: Case # C14-2019-0013

>

> Dear Heather Chaffin,

>

> I would like to establish this as a confidential letter regarding the case above. I am one of the partners on the property adjacent to 101 Hergotz lane located at [redacted]. I have been seeing great improvements with the new bridge and the foot bridge and the future of an extension of the hike and bike trail. Austin is expanding in that direction with the waterfront properties being premiere tax revenue. If you drive by the area you can see 4 beautiful houses we just built adjacent to 101 Hergotz.

>

> We will greatly object to the zoning change and definitely want to be included on any hearings that pertain to this matter.

>

> Thank you

>

> Sincerely

>

> Marat Epshtein