

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0011

DISTRICT: 1

Patton Court Mobile Home Park

ZONING FROM: GR-NP, CS-NP, SF-6-NP, CS-MU-NP

TO: MH

ADDRESS: 7100 East US Highway 290 Service Road Westbound

SITE AREA: 4.3920 Acres

PROPERTY OWNERS:

Satish S. Bhatt

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 GR-NP, CS-NP, SF-6-NP and CS-MU-NP to MH-NP. *For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

May 28, 2019: To grant MH-NP as recommended by Staff (12-0) [P. Seeger- 1st, J. Shieh- 2nd; K. McGraw- absent]

CITY COUNCIL ACTION:

June 20, 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.***

A Valid Petition has been filed in opposition to the proposed rezoning which includes 36.21% of eligible signatures. ***Please see Exhibit C- Valid Petition.***

CASE MANAGER COMMENTS:

The subject property is located on the north side of the westbound service road of East US Highway 290. The property is zoned GR-NP, CS-NP, SF-6-NP and CS-MU-NP and is developed with a mobile home park. The park includes mobile homes and recreational vehicles. Immediately west and north of the property is a townhouse/condominium community zoned MF-3-NP. Further north, across Coronado Hills Drive, is a townhouse/condominium community zoned P-NP. Northeast of the subject tract is undeveloped land zoned GO-CO-NP. South and southeast of the subject tract, along the US Highway 290 frontage are properties zoned GO-CO-NP, GR-MU-NP, GR-NP and CS-NP. Land uses include automotive repair, undeveloped land, custom manufacturing, limited restaurant, and hotel-motel. Southwest of the property is land zoned GR-NP that is used for automotive sales. ***Please see Exhibits D and E- Zoning Map and Aerial Exhibit.***

This area was annexed into City of Austin full purpose jurisdiction in 1965 and 1969. Based on examination of historic aerial photographs, Staff has been able to determine that the mobile home park was established between 1965 and 1976. Consequently, it is not possible to determine if the development is considered an existing nonconforming land uses in the existing zoning districts.

The subject property is located in the St. John/Coronado Hills Combined Neighborhood Plan area. When the plan was created in 2011-2012, this property was one of the contested rezonings. City staff had recommended that the property be rezoned to MH-NP, but the neighborhood opposed the rezoning. The base zoning districts remained unchanged, with the -NP designation added.

Staff supports the proposed rezoning because it meets the intent of the resolutions adopted by City Council in 2018. As stated in the Issues section, a Valid Petition has been filed in opposition to the proposed rezoning. Staff has also received correspondence in opposition to the rezoning and neighborhood plan amendment. ***Please see Exhibit F – Correspondence.***

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	GR-NP, CS-NP, SF-6-NP, CS-MU-NP	Mobile home park
North	MF-3-NP, PUD-NP	Single family residences
South	GO-CO-NP, GR-MU-NP, GR-NP, CS-NP	Custom manufacturing, Limited restaurant, and Hotel-motel
East	GO-CO-NP	automotive repair, undeveloped land
West	MF-3-NP, GR-NP	Townhouse/condominium residences, Automotive sales

SCHOOLS:

Andrews Elementary School
Webb Middle School
Reagan High School

TIA: N/A

WATERSHED: Little Walnut Creek

NEIGHBORHOOD ORGANIZATIONS:

Neighbors United for Progress
Windsor Park Neighborhood Contact Team
Old Town Homeowners Association
Friends of Austin Neighborhoods
Harris Branch Master Association, Inc.

Homeless Neighborhood Association
Friends of Northeast Austin
Austin Neighborhoods Council
Austin Innercity Alliance
Preservation Austin

Black Improvement Association
 Anberly Airport Association
 Windsor Park Neighborhood Association
 University Hills Neighborhood Plan Contact Team
 University Hills Neighborhood Association
 Neighborhood Empowerment Foundation
 Coronado Hills/Creekside Neighborhood Association
 Coronado Hills Neighborhood Plan Contact Team

Sierra Club
 Responsible Growth for Windsor Park
 SELTexas
 Del Valle Community Coalition
 Bike Austin
 AISD

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
East US 290 Hwy WB	240'	Varies	Major Arterial	None	Shared Lane	None

OTHER STAFF COMMENTS:

ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut 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.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to 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.
- SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- FYI: Additional design regulations will be enforced at the time a site plan is submitted.

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. FYI: According to the Austin 2014 Bicycle Plan a wide curb is recommended for East US 290 Hwy WB. Please review the Bicycle Master Plan for more information.

TR 3. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
East US 290 Hwy WB	240'	Varies	Major Arterial	None	Shared Lane	None

WATER UTILITY

WW1. 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. Council Resolution (August 23, 2019)
- B. Council Resolution (September 20, 2019)
- C. Valid Petition
- D. Zoning Map
- E. Aerial Exhibit
- F. Correspondence

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

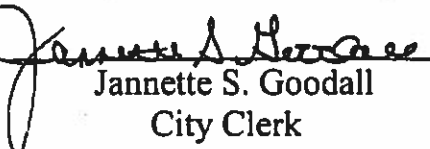
(3) Comfort Mobile Home Park located at 7307, 7401, and 7403 East Riverside Drive, Austin, Texas, from East Riverside Corridor (ERC) district to mobile home residence (MH) district.

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;

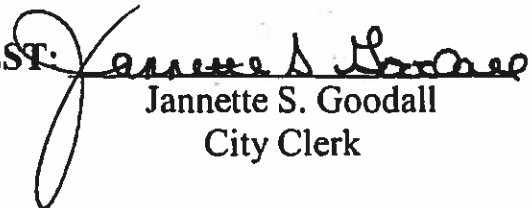
(20) Honeycomb Park located at 6402 McNeil Drive, Austin, Texas, from interim-rural residence (I-RR) district to mobile home residence (MH) district.

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

Board Resolution
Old Town Homeowners Association, Inc
Zoning Case # : C14-2019-0011
Neighborhood Plan Amendment Case # : NPA-2019-0029.01

EXHIBIT
C

WHEREAS, Old Town Homeowners Association, Inc operates under Texas State Business Organization Code, Title 2, Chapter 22. Nonprofit Corporations; and Property Code, Title 7. Condominiums, Chapter 82. Uniform Condominium Act; and

WHEREAS, under the above referenced Codes, the Old Town Board of Directors is given authority the act for all members which are defined as property owners within the project; and

WHEREAS, the main objective of the Board is to ensure the value of the project and maintain the 23.9 acres of land, streets, and amenities for the benefit and use of Old Town residents; and

WHEREAS, Old Town representatives participated in a four year long planning process with surrounding neighborhoods, land and business owners and City of Austin Staff to develop a Neighborhood Plan with Future Land Use Map and zoning changes which were approved by City Council in 2012; and

WHEREAS, the two plats of land associated with this Zoning Case and Neighborhood Plan were zoned for future use as affordable high density residential apartments or condominiums with mixed use neighborhood oriented businesses; and

WHEREAS, current mobile home park has nowhere for children to play, has only a one lane dirt road, and mobile homes and trailers which are at least 40-50 years old, and in general are not up to City of Austin Codes; and

WHEREAS, Old Town Board of Directors support affordable housing but feels strongly that affordable housing does not mean substandard housing; and


WHEREAS, Old Town Residents have paid for fence repairs from residents of Mobile Home Park knocking down sections of fence and finally had to build a second, taller perimeter fence in front of the first, all at Old Town owners expense, to try to minimize trespassing, property damage and liability of unsupervised children on our property; and **NOW, THEREFORE**,

BE IT RESOLVED BY OLD TOWN BOARD OF DIRECTORS:

The Old Town Board of Directors oppose the Neighborhood Plan Amendment Case # : NPA-2019-0029.01 and the proposed Zoning Case #: C14-2019-0011.



President, Darleen Gilmore

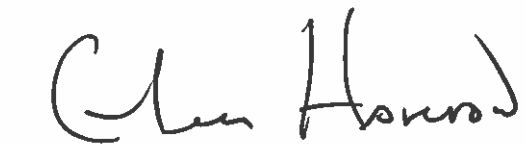

Vice President, Teresa Reel


Secretary, Shannon Ramsey


Treasurer, Adele Lossberg


Phase 1 Representative , Kevin McGovern


Phase 2 Representative, Mark Fisher


Phase 3 Representative, Glenn Harcrow

PETITION

Case Number:

C14-2019-0011

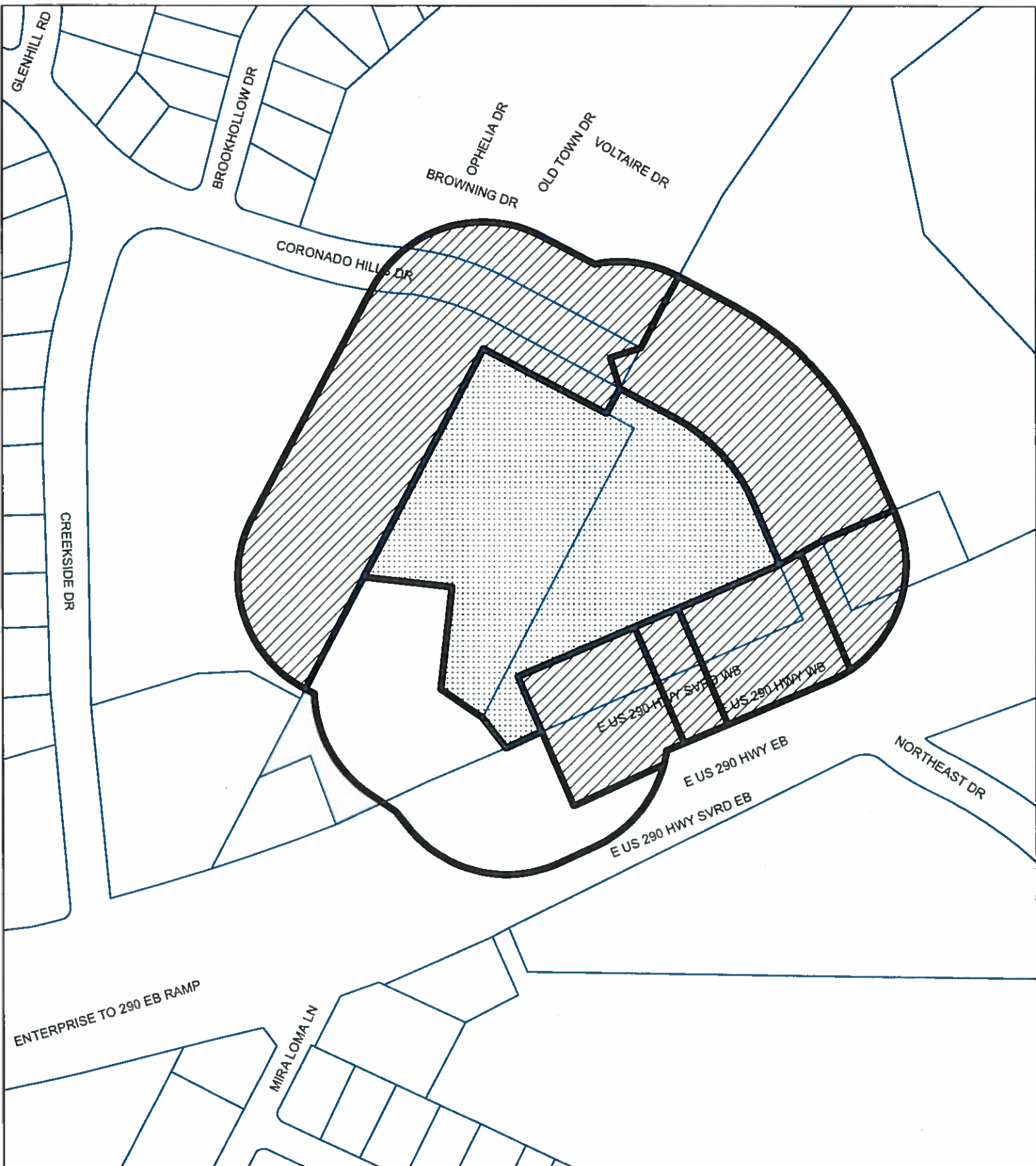
Date: 5/3/2019

Total Square Footage of Buffer: 526689.9478

Percentage of Square Footage Owned by Petitioners Within Buffer: 36.21%

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	Precent
0226220602	7234 E U S HY 290	AVILES ANTONIO	no	25137.87	0.00%
0226220601	E U S HY 290 78723	BEST WAY REAL ESTATE LLC	no	91671.58	0.00%
0227200801	E U S HY 290 78723	BHATT SATISH S	no	14931.12	0.00%
0227200802	7138 E U S HY 290 78723	CHONG DAVID	no	43266.61	0.00%
0226220501	7216 E U S HY 290 78723	NPRZ INVESTMENT INCORPORATED	no	42677.63	0.00%
0227200972	Address Not Found	Old Town HOA Inc	yes	190713.16	36.21%
Total				408397.97	36.21%



N



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

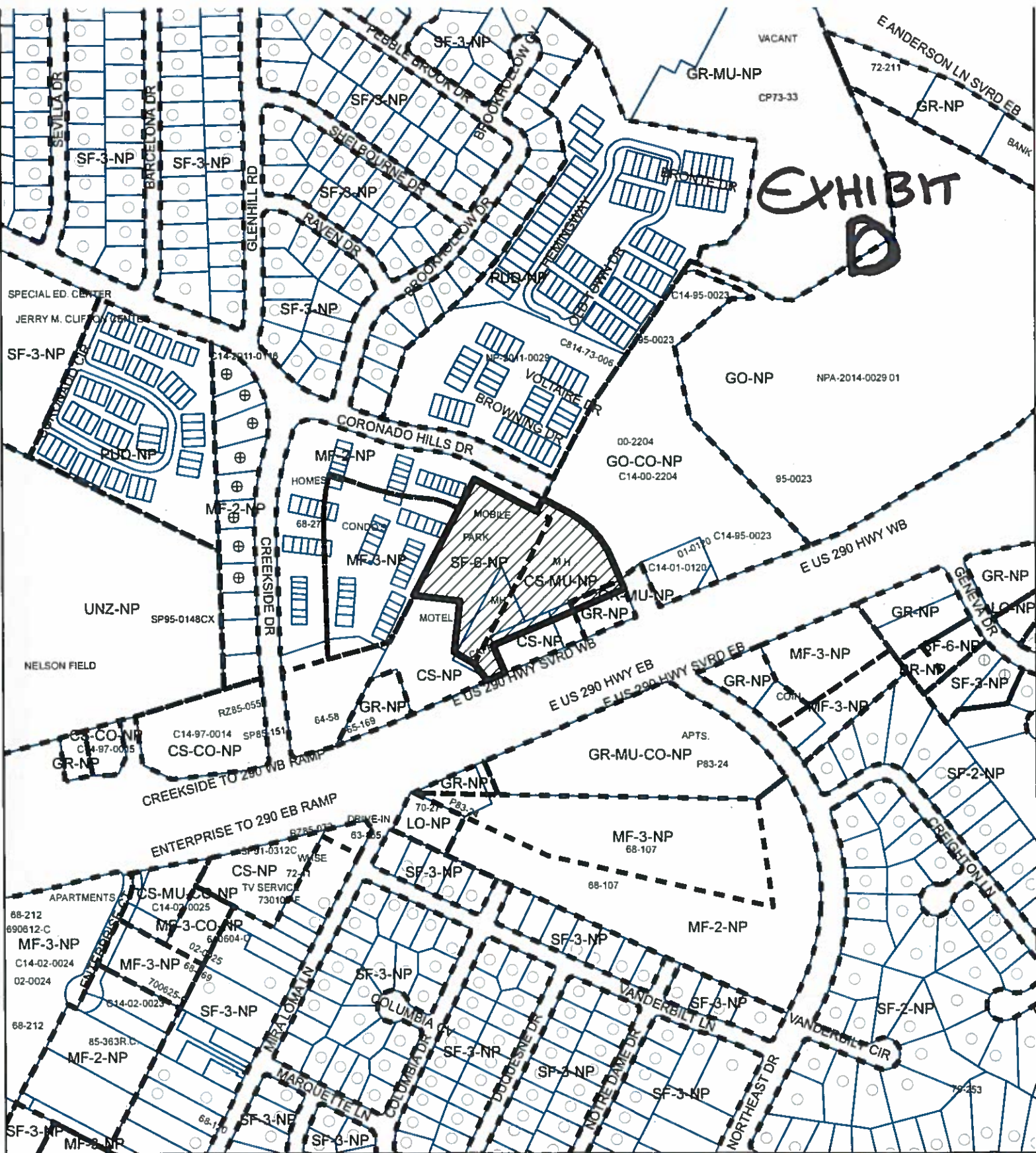
Case#: C14-2019-0011

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.



1" = 200'



ZONING

ZONING CASE#: C14-2019-0011



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1" = 400'

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Created: 1/30/2019



To: Planning Commission and City Council members
Re: NPA-2019-0029.1
Date: May 20, 2019

EXHIBIT
F

The Coronado Hills Contact Team has discussed the applicant's proposed future land use amendment from Mixed Use to Higher Density Single Family for the property located at 7100 E. US 290 Hwy Service Road WB. Members of the contact team attended the community meeting on March 13, 2019 to gather feedback from surrounding neighbors, which was taken into consideration by the contact team. The contact team and eligible neighbors, according to our bylaws, voted on the proposed amendment beginning March 13 with the voting period ending on April 5, 2019.

The contact team voted in opposition to the applicant's request for a Higher Density Single Family designation.

This vote was made with the following considerations:

- The current Neighborhood Plan with Future Land Use Map were created over the course of 4 years with collaboration of surrounding neighborhoods, land and business owners, residents, and City of Austin staff. These were approved by the City Council in 2012. At the time, the mobile home park existed on the land and the agreement was made that the present zoning was valid.
- Objective L.4 of the neighborhood plan states: "Provide adequate transitions and buffers between the intensity of US HWY 183, US HWY 290 and IH 35 and community life in SJCHCNPA. Recommendation 191: Use Mixed Use land use and Commercial land use to soften the transition between US HWY 183, US HWY 290 and IH 35 and residential uses." The proposed amendment goes against the plan by creating residential housing rather than the transitional mixed use land.
- Page 90 of our Land Use Section, states "Introduce community-serving places to walk to, ones that are user friendly and more appealing to the eye." The Coronado Hills neighborhood already supports multi family (27% of land use) and single family housing. Leaving the property under discussion as Mixed Use allows for new, walkable businesses to join the neighborhood. This is further supported by Objective L.6: "Support community oriented business development along major commercial corridors."
- Objective C.10 of the neighborhood plan states "Pro-actively address code issues in the community by supporting progressive programs and educating residents regarding different types of code violations." There are concerns about changing zoning on an existing property with code violations that may limit future development or improvements to the property.

In addition, we do not support the proposed MH-NP rezoning request. The contact team requests that Planning Commission and City Council retain the existing zoning because it is consistent with our Plan as referenced above.

April Neal, Coronado Hills Contact Team President
board@chcrna.com