ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0142 – 401 North Bluff Drive | DISTRICT: 2

ZONING FROM: SF-3-NP | TO: SF-6-NP

ADDRESS: 401 North Bluff Drive | SITE AREA: 2.817 acres

PROPERTY OWNER: Sudharshan Vembutty | AGENT: Drenner Group, PC (Leah M. Bojo)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant townhouse and condominium residence – neighborhood plan (SF-6-NP) combining district zoning. *The basis of Staff's recommendation is provided on page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:
March 9, 2021: ***APPROVED SF-6-NP DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT***
[P. HOWARD; P. SEEGER – 2ND] (10-0) C. HEMPEL – ABSENT; TWO VACANCIES ON THE COMMISSION

February 23, 2021: *MEETING CANCELLED DUE TO INCLEMENT WEATHER; RENOTIFICATION REQUIRED*

CITY COUNCIL ACTION:
March 25, 2021:

ORDINANCE NUMBER:

ISSUES:

The Applicant has discussed this case with representatives of the South Congress Combined Neighborhood Plan Contact Team. Correspondence from the Contact Team is attached at the back of this packet.

CASE MANAGER COMMENTS:

The subject rectangular-shaped tract is located on the south side of North Bluff Drive, contains one single family residence, and has had family residence – neighborhood plan (SF-3-NP) zoning since Council approved the Sweetbriar Neighborhood Plan rezonings in August 2005. There is a mobile home / RV park, a church, apartments and one single family residence to the north (MH-NP; LR-MU-NP; MF-2-CO-NP; LR-MU-CO-NP); four tracts of

similar size and shape containing one single family residence each and a recently constructed condominium community on North Bluff Drive to the east (SF-3-NP; SF-6-NP), apartments on William Cannon Drive to the south (GR-MU-CO-NP; MF-2-NP; LO-NP), and undeveloped tract, offices, and an elementary school all owned and operated by AISD on North Bluff Drive, and a cocktail lounge, a few residences and a towing company on Circle S Drive to the west (SF-3-NP; LO-NP; SF-6-NP). ***Please see Exhibits A and A-1 – Zoning Map and Aerial Exhibit.***

The Applicant proposes to rezone the property to the townhouse and condominium residence – neighborhood plan (SF-6-NP) district and develop it with up to 30 condominium units.

The property is designated as Mixed Residential on the adopted Future Land Use Map (as are the adjacent four SF-3-NP zoned tracts on the south side of North Bluff Drive) and the Mixed Residential land use category is intended to support a variety of different housing types in one area, including single-family residential, townhouses, duplexes, and apartments."

BASIS OF RECOMMENDATION:

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

The townhouse and condominium residence (SF-6) district is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use. The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*
3. *Zoning should be consistent with approved and existing residential densities.*

SF-6 zoning is a reasonable option for multiple-acre parcels to be developed in a lower density residential area. SF-6 zoning also allows for the ability to introduce a different type of housing to the area, yet the proposed project will consist of and have a single family appearance, and be compatible with the existing single family residences in the vicinity. Furthermore, the SF-6 zoning district also allows for clustering of units given moderate tree coverage on the property and section of the Pleasant Hill Creek floodplain which covers the southern portion of the property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3-NP	One single family residence
North	MH-NP; LR-MU-NP; MF-2-CO-NP; LR-MU-CO-NP	Mobile home / RV park; Religious assembly; Apartments; One single family residence
South	GR-MU-CO-NP; MF-2-NP; LO-NP	Apartments
East	SF-3-NP; SF-6-NP	Single family residences on large tracts; 66 two-story, single family style condominiums

West	SF-3-NP; LO-NP; SF-6-NP	Undeveloped (owned by AISD); AISD Health and Science Resource Center; AISD elementary school; Towing company; A few single family residences; Two family residence; Cocktail lounge

NEIGHBORHOOD PLANNING AREA: South Congress Combined (Sweetbriar)

TIA: Is not required WATERSHED: Williamson Creek – Suburban

CAPITOL VIEW CORRIDOR: No SCENIC ROADWAY: No

SCHOOLS:
Pleasant Hill Elementary School Bedichek Middle School Crockett High School

COMMUNITY REGISTRY LIST:
511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Assoc.
742 – Austin Independent School District
1173 – South Congress Combined Neighborhood Plan Contact Team
1228 – Sierra Group, Austin Regional Group 1363 – SEL Texas
1424 – Preservation Austin 1429 – Go!Austin/Vamos!Austin (GAVA) – 78745
1528 – Bike Austin 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
1778 – Congress Mobile Home Park Resident Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0027 – Congress MH / RV Park – 6111 S Congress Ave (City-initiated case)	GR-MU-CO-NP; MH-NP to MH-NP	To Forward to Council without a recommendation	Apvd MH-NP (6-20-2019).
C14-2008-0049 – South Edge II (Part 3) – 6224 Crow Ln	SF-3-NP to MF-2-NP	To Grant MF-2-CO-NP w/CO for 2,000 trips per day w/conds of r-o-w dedication for Crow Ln	Apvd MF-2-NP w/Street Deed as Commission recommended (7-24-2008).
C14-2007-0100 – South Edge II – 6210 and 6216 North Bluff Dr	SF-3-NP to MF-3-NP	To Grant MF-2-NP w/ conds of r-o-w dedication for Crow Ln	Apvd MF-2-NP w/Street Deed as Commission recommended (10-11-2007).
C14-07-0016 – La	SF-4A-NP to	To Grant SF-6-NP as	Apvd SF-6-NP

Vista on North Bluff – 807 North Bluff Dr	MF-3-NP	Staff recommended	(6-21-2007).
C14-01-0069 – North Bluff Drive Rezoning – 604 North Bluff Dr	SF-3 to MF-2	To Grant MF-2-CO w/ CO for a 25' vegetative buffer along North Bluff Dr	Apvd MF-2-CO Commission recommended (8-9-2001).

RELATED CASES:

The Sweetbriar Neighborhood Plan Area rezonings were completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on August 28, 2005 (NP-05-0020; C14-05-0105 – Ordinance No. 20050818-Z002). Although the rezoning area and five adjacent properties are identified Tract 245 in the ordinance, a change in the SF-3 base district did not occur and there do not appear to be any associated Conditional Overlays. As part of the Sweetbriar Neighborhood Plan Rezonings, the following special uses apply to the rezoning area:

- cottage special use (LDC 25-2-1442 through 1444),
- urban home special use (LDC 25-2-1422 through 1424),
- secondary apartment special use (LDC 25-2-1462 through 1463),
- corner store special use (LDC 25-2-1482 through 1485), and
- residential infill special use (LDC 25-2-1432 through 1434)

There are no subdivision or site plan applications on the property.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
North Bluff Drive	80 – 100 feet	32 feet	Level 2 (Collector)	No	Not Applicable	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

This rezoning case is located on the south side of North Bluff Drive on a property that is approximately 2.817 acres in size. The lot is narrow and deep and has one single family house on it. The property is located 950 linear feet from the South Congress Activity Corridor and is also located within the South Congress Combined Neighborhood Planning Area (Sweetbriar). Surrounding land uses include a church, a mobile home park and an apartment complex to the north; to the south is an apartment complex; to the east are several

single family houses and a large condominium complex; and to the west is the AISD Science and Health Resource Center and the Pleasant Hill Elementary School. The purpose of this rezoning request is to allow for a condominium residential use, which will include approximately 30 duplex-style single-family condominiums.

Connectivity
A public sidewalk is located intermittently along one side of North Bluff Drive as it nears South Congress Avenue. A Cap Metro transit stop is located within 1,100 linear feet from the property on South Congress Avenue. There is a shopping center within a quareter of a mile of this site with retail, restaurants and personal services. The mobility and connectivity options in the area are good.

South Congress Combined Neighborhood Plan (SCCNP)
The SCCNPA Future Land Use Map designates this portion of the planning area as 'Mixed Residential.' SF-6 zoning is permitted under the Mixed Residential FLUM category. The Mixed Residential Land Use Category supports a variety of different housing types in one area, including single-family residential, townhouses, duplexes, and apartments. Single-family residential should comprise approximately half of a mixed residential area. The following SCCNP policies and text are applicable to this request, including text and recommendation:

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 1.5 - Retain the scenic nature of the North Bluff Drive/Crow Lane area. Pg. 46

Recommendation 7 - Allow the residential infill and neighborhood corner store options in the North Bluff Drive/Crow Lane area.

North Bluff Subdistrict: (p 47)
Located in the southeast corner of the SCCNPA, the North Bluff Drive/Crow Lane area is experiencing increasing development pressures due to the availability of undeveloped or easily redeveloped tracts. By the end of this decade, much of this land is likely to be developed. Regardless of the type of development— residential, commercial, or mixed-use—special care should be taken to preserve as much of the area's scenic character as possible. pg. 47

Objective 1.6 - Preserve affordable housing options.
One of the themes repeated throughout the planning process was the affordability of the houses in the neighborhoods located in the planning area. This is a neighborhood characteristic many of the participants in the planning process would like to see maintained. However, if local real estate trends continue, this area will see an increase in demand and property values, and possibly the onset of large-scale redevelopment of single-family lots with larger homes. All of these factors would threaten the

affordability of the SCCNPA. Concerned homeowners should continually monitor the market, as well as examine strategies of other neighborhoods that have undergone similar transitions, to identify appropriate strategies to mitigate the negative effects of market and development pressures on the area. Pg. 48

Recommendation 8 Monitor changes in residential real estate for signs of market and development pressure and implement strategies to maintain affordability. Pg. 49

Recommendation 9 Apply the mixed-use future land use designation to commercial properties on arterial roads to encourage combined residential and commercial projects, resulting in increased housing options and more housing units.

Recommendation 10 Maintain the mobile home park at South Congress Avenue and North Bluff Drive.

Objective 4.4 - Improve traffic flow, safety, and ease of travel throughout the area while discouraging the use of neighborhood streets by through traffic. (p 82)

Recommendation 19 - Undertake a study of the intersection of William Cannon Drive and North Bluff Drive to improve safety, visibility and functionality for motorists.

Recommendation 24 - Investigate widening North Bluff Drive to accommodate the increased in traffic from development.

The SCCNP supports 'Mixed Residential' along this portion of North Bluff Drive and retaining the scenic nature of this street. It also strongly supports the installation of public sidewalks and the widening of the road, which poses a danger to pedestrians despite this road being connected to William Cannon Drive and South Congress Avenue. The plan also supports retaining and expanding affordable housing in the entire planning area.

Imagine Austin

The project is also located near the **South Congress and William Cannon Activity Corridors**. Activity Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

The following Imagine Austin policies are applicable to this case:

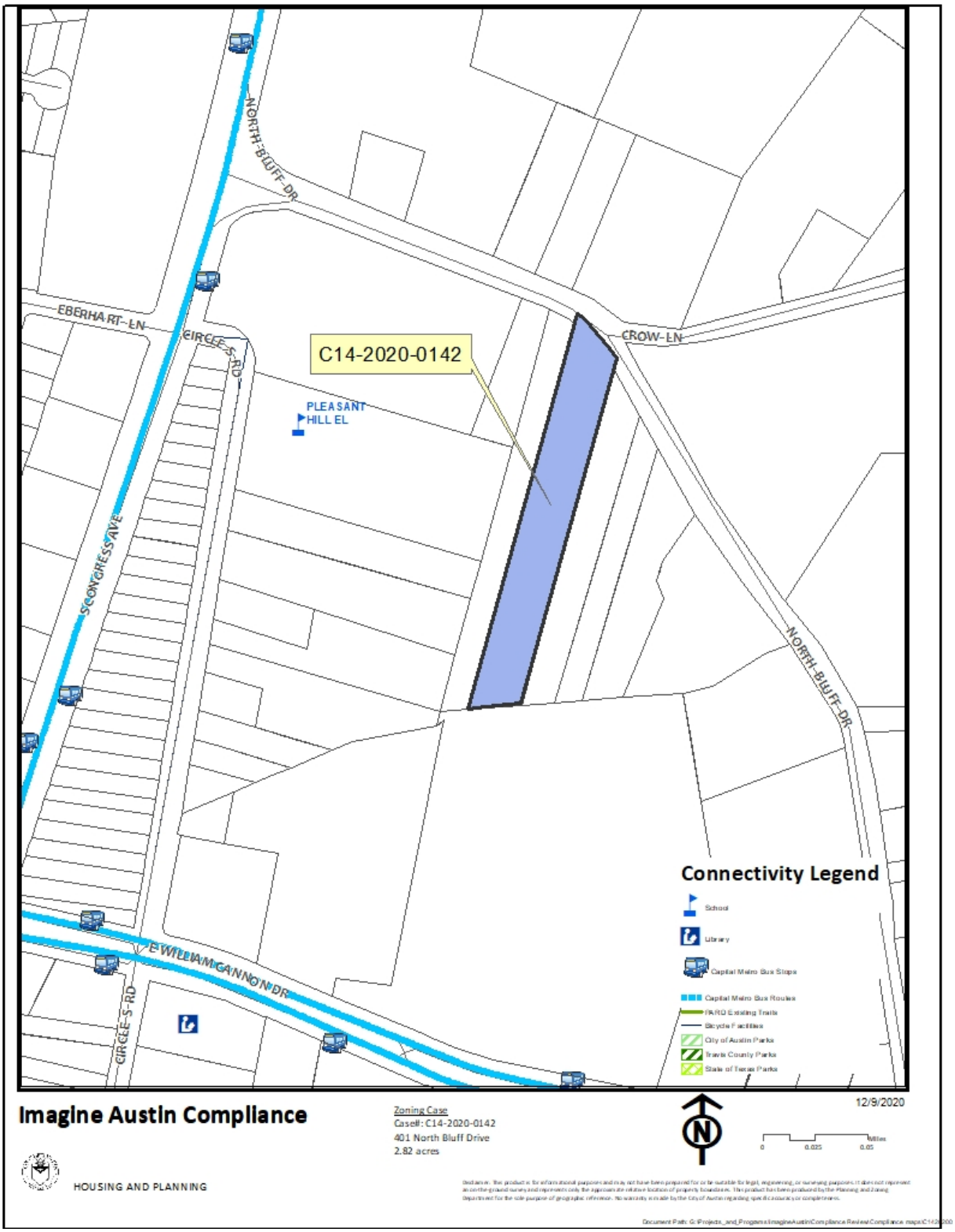
- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.

- **LUT P4**. Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

- **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.

Based on this property being situated near two **Activity Corridors**; the existing mobility and connectivity options available in the area (partial public sidewalk, retail options, a public school, and a nearby transit stop); the SCCNP supporting residential in this area but that a lack of complete sidewalk system along North Bluff Drive, this project appears to partially support the Imagine Austin Comprehensive Plan.


NORTH BLUFF DR
EBERHART LN
CIRCLE S RD
C14-2020-0142
CROW LN
PLEASANT HILL EL
SCONGRESS AVE
NORTH BLUFF DR
E WILLIAM CANNON DR
CIRCLE S RD
Connectivity Legend
School
Library
Capital Metro Bus Stops
Capital Metro Bus Routes
PARD Existing Trails
Bicycle Facilities
City of Austin Parks
Travis County Parks
State of Texas Parks
Imagine Austin Compliance
HOUSING AND PLANNING
Zoning Case
Case#: C14-2020-0142
401 North Bluff Drive
2.82 acres
12/9/2020
N
0
0.025
0.05
Miles

Impervious Cover

The maximum impervious cover allowed by SF-6 base zoning district is 55%, a consistent figure between the *zoning and watershed* regulations.

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:

Development Classification	*% of Gross Site Area*	*% of Gross Site Area with Transfers*
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 a floodplain within 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.

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.

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.

PARD – Planning & Design Review

Parkland dedication will be required for the new residential units proposed by this development, condominiums with SF-6 zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated

land will be determined using the criteria in City Code Title 25, Article 14, as amended. This site includes a section of Pleasant Hill Creek.

Should fees in-lieu be required, 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. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan and Compatibility Standards

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

Any development which occurs that is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations. These standards include height and setback provisions, and other design regulations as indicated in Article 10: *Compatibility Standards* in the City of Austin Land Development Code.

The site is subject to compatibility standards. Along the east property line, the following standards apply:

- 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 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.

Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

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 adequate service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th Floor. Ph: 512-972-0211.

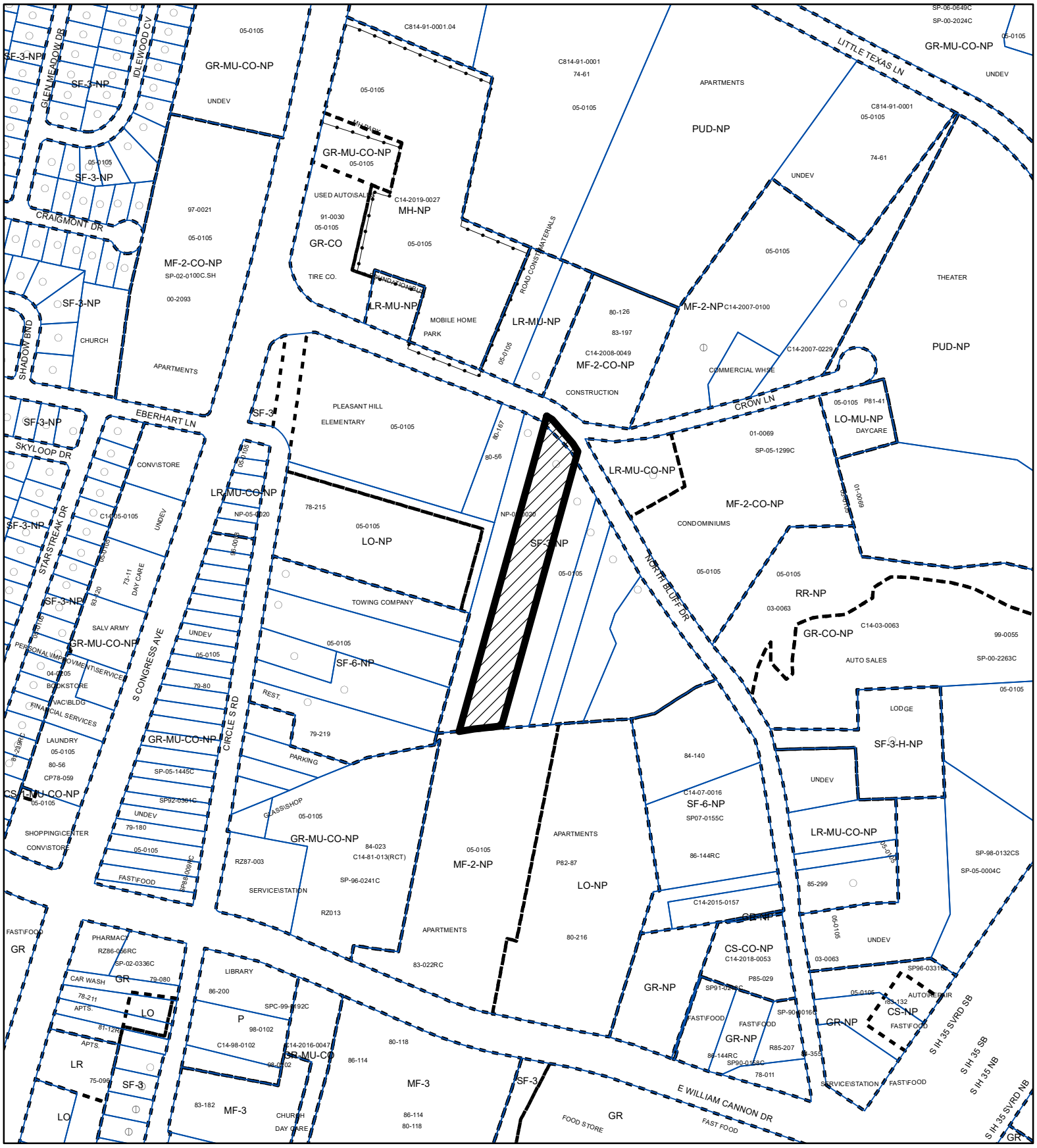
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

City records indicate the site is served by an On-Site Sewage Facility (OSSF). The owner must connect the site to City wastewater service through the cutover process. For more information pertaining to the wastewater cutover process, contact the AW OSSF team at OSSF@austintexas.gov or call 512-972-0050. The cutover process may also initiate a required review by the Industrial Waste Division and/or the Cross Connection Division depending on building usage.

INDEX OF EXHIBITS, ATTACHMENT AND CORRESPONDENCE TO FOLLOW

Exhibit A: Zoning Map
Exhibit A-1: Aerial Map

Correspondence from the South Congress Combined Neighborhood Plan Contact Team



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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

Exhibit A

ZONING CASE#: C14-2020-0142

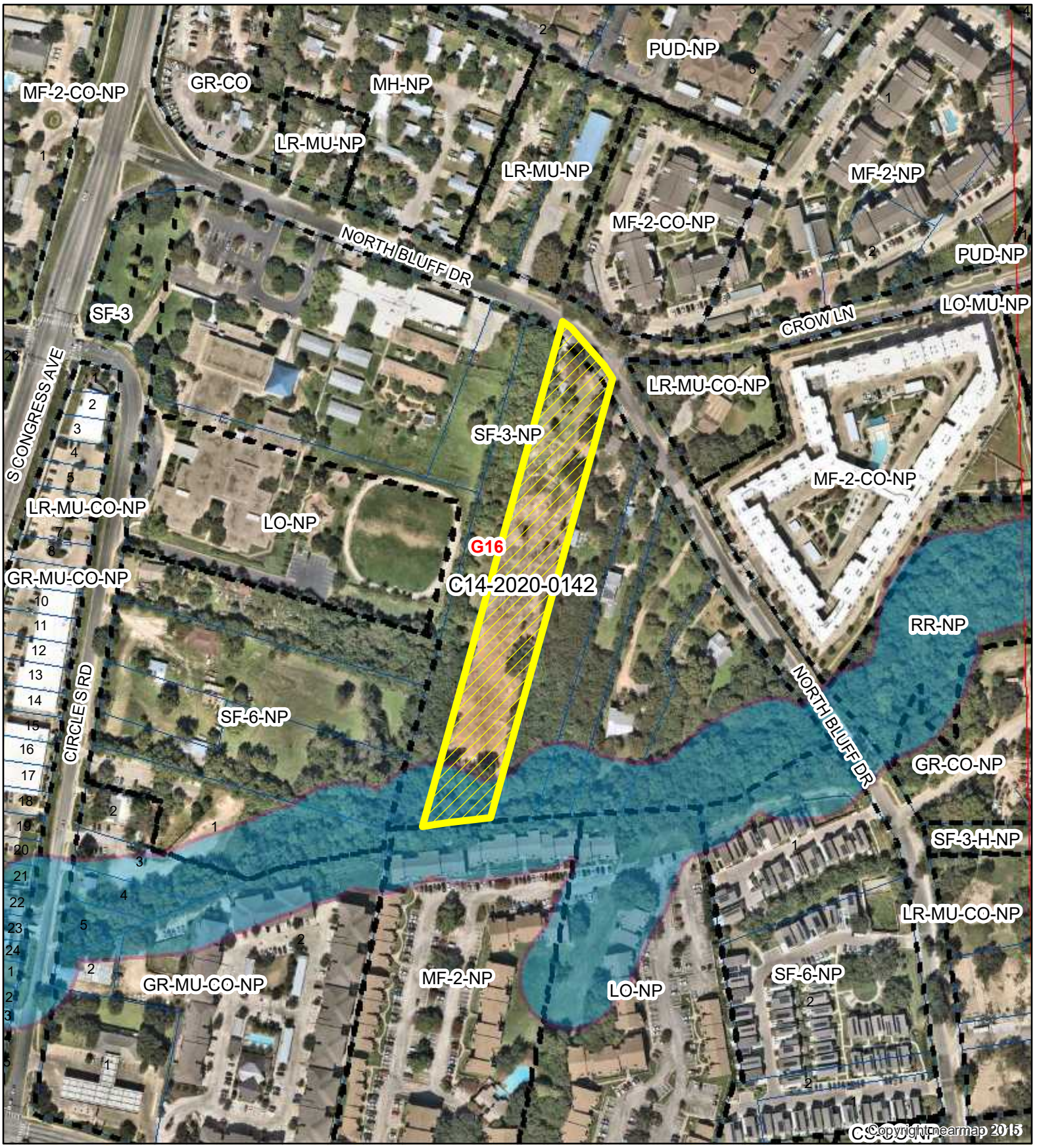
1 " = 400 '

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.

CITY OF AUSTIN FOUNDED 1839

Created: 12/8/2020



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

1" = 250'

401 NORTH BLUFF DRIVE Exhibit A - 1

ZONING CASE#:	C14-2020-0142
LOCATION:	401 NORTH BLUFF DRIVE
SUBJECT AREA:	2.82 Total Acres
GRID:	G16
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.

DATE: March 07, 2021

TO: City of Austin Planning Commissioners

FROM: South Congress Combined Neighborhood Plan Contact Team – SCCNPCT

CC: District 2 Council Member, Vanessa Fuentes Vanessa.Fuentes@austintexas.gov
Austin City Council Members
Case Manager: Wendy Rhodes Wendy.Rhoades@austintexas.gov

Re: Case File: C-14-2020-0142 401 North Bluff Drive
Planning Commission hearing March 09, 2021
Zoning change request - from SF-3-NP, to SF-6-NP Townhouse & Condo Residence District

Applicant - Drenner Group PC, Leah Bojo

Dear Planning Commissioners,

To bring everyone up to speed, and add to the case file, on the current status between the applicant and the SCCNPCT re: this zoning change request on the agenda before the Planning Commission March 09, 2021.

We have been working with the applicant, Leah Bojo from the Drenner Group, and we've been able to provide some answers regarding intent for this development request zoning change.

- On-site pet area
- Allowable access for citizens to use the Williamson Creek Greenbelt.
- No affordable housing due to the type of zoning request
- Adjacent properties to the East & West are zoned SF-3-NP & to the north, LR-MU-CO-NP & MF-2-CO-NP.
- Street Asphalt and Sidewalk will be returned to equal or greater as before the start of the development. Cost will be paid for by the development, Including pavement and sewage impacts.
- The intent of the project is to develop approximately 30 duplex-style single-family homes.
- Height of 35 feet and maximum impervious cover of 42%. Prior to purchase, potential homeowners will be notified that no additional impervious cover may be added.
- The owner will monitor and maintain access to the property (Homeless camps & Trespassing)
- The project will participate in transportation mitigation at the time of site development permit.
- At the time that we are pulling building permits, we will have a traffic control plan to determine the best way to manage parking and road closures.
- Non-gated community; will not be gated.
- The site and green spaces will be accessible to all neighbors and the public.
- There is no public parking within the development, but if someone wants to park on the street they are welcome to walk through the development to get to the creek.
- The area near the creek will be open (no gate or key pad needed) and left in its natural state.
- How big of the green space will be approx. This site will provide 5% of total site area to open space (which equates to roughly 6,150 sf). The area within the floodplain that will be left in natural state is approximately 16,000 sf. The detention portion of the pond that will be walled/ fenced in and able to be used as fenced in dog run is roughly 1,700 sf.

- We have no plans to implement permit parking.
- Plan for the green space picnic tables, grills, community garden, etc. The green spaces inside the site will have benches and dog bag holders.
- The site will not have cul-de-sac. A ‘hammerhead’ will be provided for AFD turn around.

Residential Health & Safety - Contractor Parking.

Also note that contractor parking with daily operations is a concern due to the close proximity of the narrow road and neighborhood. We spoke to the applicant about previous health and safety interruptions that residents encountered within the SCCNPCT area. We ask for a plan to be in place prior to any construction. It’s our understanding that Parking while the project is under construction will be onsite. The driveway and utilities will be constructed first and then contractors will use the driveway as parking while construction is ongoing.

Thank you,
Mario Cantu, Keena Miller, Gwen Jewiss & SCCNPCT