

SECOND / THIRD READINGS SUMMARY SHEET

CASE: C14-2021-0056 – 1609 Matthews Lane Rezoning

DISTRICT: 5

ADDRESS: 1609 Matthews Lane

PROPERTY OWNER: CMCBH2, LLC (Ben Heimsath)

AGENT: Thrower Design, LLC (Victoria Haase)

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

REQUEST:
Approve Second and Third Readings
From single family residence – standard lot (SF-2)
To multifamily residence – medium density (MF-3)

PREVIOUS CITY COUNCIL ACTION:

July 29, 2021:

June 10, 2021: *APPROVED MF-2 DISTRICT ZONING AS STAFF RECOMMENDED, ON FIRST READING. VOTE: 11-0.*

NOTE: *APPLICANT TO ADDRESS FLOODING ISSUES WITH THE AUSTIN TRANSPORTATION DEPARTMENT AND WATERSHED PROTECTION DEPARTMENT*

ORDINANCE NUMBER:

ISSUES:

The ordinance reflects Council action taken on First Reading.

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0056 – 1609 Matthews Lane Rezoning DISTRICT: 5

ZONING FROM: SF-2

ZONING TO: MF-3

ADDRESS: 1609 Matthews Lane

TOTAL SITE AREA: 0.604 acres (approximately 26,314 square feet)

PROPERTY OWNER: CMCBH2, LLC (Ben Heimsath)

AGENT: Thrower Design, LLC (Victoria Haase)

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

STAFF RECOMMENDATION:

The Staff recommendation is to grant multifamily residence – low density (MF-2) district zoning. *For a summary of the basis of Staff's recommendation, see case manager comments on page 2.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

June 1, 2021: TO FORWARD TO COUNCIL WITHOUT A RECOMMENDATION, DUE TO LACK OF AN AFFIRMATIVE VOTE

May 18, 2021: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO JUNE 1, 2021*

[D. KING; C. THOMPSON – 2ND] (9-1) H. SMITH – NAY; ONE VACANCY ON THE COMMISSION

May 4, 2021: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO MAY 18, 2021*

[H. SMITH; D. KING – 2ND] (8-0) C. ACOSTA, E. RAY – ABSENT; ONE VACANCY ON THE COMMISSION

CITY COUNCIL ACTION:

July 29, 2021:

June 10, 2021: *APPROVED MF-2 DISTRICT ZONING AS STAFF RECOMMENDED, ON FIRST READING. VOTE: 11-0.*

NOTE: *APPLICANT TO ADDRESS FLOODING ISSUES WITH THE AUSTIN TRANSPORTATION DEPARTMENT AND WATERSHED PROTECTION DEPARTMENT.*

June 3, 2021: *APPROVED A POSTPONEMENT BY STAFF TO JUNE 10, 2021.*

VOTE: 10-0, COUNCIL MEMBER KELLY – OFF THE DAIS

ORDINANCE NUMBER:ISSUES:

A petition of 1.08% has been filed by the adjacent property owners in opposition to the Applicant's rezoning request. Petition materials and comment response forms are located at the back of the Staff report.

The Applicant wishes to discuss the Staff recommendation. The Matthews Lane Neighborhood Association met with the Applicant on Friday, May 21, 2021.

CASE MANAGER COMMENTS:

The subject rezoning area fronts on Matthews Lane, contains three single family residences and a couple of outbuildings, and is zoned single family residence – standard lot (SF-2).

There is a church and duplex residential across Matthews Lane to the north (SF-6-CO; SF-3), a convenience storage facility and single family residences to the east (SF-2), convenience storage to the south (DR, served by an unpaved driveway that parallels the railroad tracks), and the Union Pacific Railroad right-of-way and duplex residential fronting Matthews Lane to the west (MF-2). ***Please refer to Exhibits A and A-1 – Zoning Map and Aerial Exhibit.***

The Applicant's request is to rezone the property to the multi-family residence – medium density (MF-3) district so that it may be developed with up to 12 residences and is contemplating a site layout that includes detached, stand-alone units. The Applicant reports that the site has several protected trees, of which three are Heritage size (24 inches or greater, an Elm, a Live Oak, and a Pecan) and in healthy condition. All Heritage trees will be preserved on the property. ***Photos of the site and the adjacent land uses are provided at the back of the Staff packet.***

BASIS OF RECOMMENDATION:

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

Applicant's Request: The multifamily residence – medium density (MF-3) district is intended to accommodate multifamily use with a maximum density of up to 36 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas, and in other selected areas where medium density multiple use is desirable. The maximum height is 40 feet.

Staff Recommendation: The multifamily residence – low density (MF-2) district is intended for multifamily developments with a maximum density of up to 23 units per acre, dependent on unit size. This district is appropriate for multifamily residential areas near single family neighborhoods, and in selected areas where low density multifamily use is desirable. The maximum height is 40 feet or three stories.

2. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

Staff recommends MF-2 zoning consistent with residentially zoned properties to the north and west, and adjacency to commercial uses to the east and south. Staff believes MF-2 zoning would allow for additional residential development that is compatible with adjacent duplex residential uses, while still promoting the character of the surrounding neighborhood. The Staff recommendation also acknowledges the property's location adjacent to the railroad tracks and the street characteristics of Matthews Lane, a two-lane roadway. Under the Staff recommendation of MF-2 zoning, up to 13 units could be achieved on this 0.604 acre property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Three single family residences and outbuildings
<i>North</i>	SF-6-CO	Community garden; Religious assembly; Duplexes
<i>South</i>	DR	Convenience storage; Telecommunications tower
<i>East</i>	SF-2; SF-2-CO	Convenience storage; Single family residences
<i>West</i>	Not applicable; MF-2	UPRR tracks and r-o-w; Duplexes

NEIGHBORHOOD PLANNING AREA: Not Applicable

TRAFFIC IMPACT ANALYSIS: Is not required

WATERSHED: Williamson Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Casey Elementary School

Bedichek Middle School

Akins High School

COMMUNITY REGISTRY LIST:

39 – Matthews Lane Neighborhood Association

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

742 – Austin Independent School District

1228 – Sierra Club, Austin Regional Group

1363 – SEL Texas

1424 – Preservation Austin

1429 – Go Austin Vamos Austin

1468 – Armadillo Park Neighborhood Association

1528 – Bike Austin

1530 – Friends of Austin Neighborhoods

1531 – South Austin Neighborhood Alliance (SANA)

1550 – Homeless Neighborhood Association

1596 – TNR BCP – Travis County Natural Resources

1616 – Neighborhood Empowerment Foundation

1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2021-0060 – Albert Road Rezone – 7401 and 7407 Albert Rd	DR to SF-3	To Grant	To be scheduled for July 29, 2021
C14-2020-0084 – The Training Kitchen – 1901 Matthews Ln	SF-3; GO-CO to GR	To Grant GR-MU-CO for the existing 0.25 acre GO-CO area (Tract 1) and GO for a 0.5 acre existing SF-3 area (Tract 2). CO is for a list of prohibited uses.	Apvd GR-MU-CO for Tracts 1 and 2 and removed day care services (commercial) from the prohibited use list (11-12-2020).
C14-2009-0157 – Albert Rd – 7201 - 7207 Albert Rd; 1305 - 1407 Matthews Ln	SF-1-CO to SF-2	To Deny	Apvd SF-2-CO w/CO for 1) Max 3 driveways to Matthews Ln; 1 driveway for drainage facility access; 2 of the driveways shall be for sf residence use and may be joint-use driveways that serve more than 1 SF residence use, and 2) unless a joint-use driveway is used as an alternative access for sf residence use, the minimum lot width at the street frontage on Matthews Ln or Albert Rd is 20 feet (5-13-2010).
C14-96-0117 – Security Village – W William Cannon Dr and Woodhue Dr	LO; CS to SF-6	To Grant SF-6-CO w/CO prohibiting access to Matthews Ln	Apvd as Commission recommended (12-5-1996).

RELATED CASES:

The rezoning area is acreage out of the J.G. and Henry Fitzhugh Subdivision recorded in December 1889.

There are no current site plan applications on the property.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Matthews Lane	50 feet	26 feet	Level 1 (Collector)	No	Not Applicable	No

OTHER STAFF COMMENTS:

Comprehensive Planning

This rezoning case is located on the south side of Matthews Lane, on a 0.60 acre parcel, which contains two houses. The property is located approximately 2,000 linear feet south of the **William Cannon Drive Activity Corridor and 1,200 linear feet from Menchaca Road**. The property is not located in an area with an adopted neighborhood plan. Surrounding land uses include undeveloped land, single family housing and a church to the north; to the south are single family houses; to the west is a railroad line (a major spur) and a single-family subdivision; to the east are single family houses and convenience storage facility. Up to 12 residential units are proposed.

Connectivity

Most of Matthews Lane has only an intermittent public sidewalk system located on one side of the street. The closest public transit stops are located approximately 2,000 linear feet walking distance from the site, on both William Cannon Drive and **Menchaca Road**. Connectivity and mobility options are fair because the area lacks civic uses, such as a public school, and goods and services within a quarter mile walking distance of this site.

Imagine Austin

The following are Imagine Austin policies are applicable to this case:

- **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 P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

- **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.

Based upon the project providing additional housing in the area but only fair mobility and connectivity options, and goods and services and civic uses being beyond a quarter of a mile walking radius of this site, this project only partially supports the Imagine Austin Comprehensive Plan.



Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location. There is a critical water quality zone along the west property line that follows the Union Pacific Railroad right-of-way.

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.

Impervious Cover

Within the Williamson Creek watershed, the maximum impervious cover allowed by the *MF-3 zoning district* would be 65%, which is based on the more restrictive zoning regulations. The maximum impervious cover allowed by the *MF-2 zoning district* would be 60%, which is based on the more restrictive watershed regulations.

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.

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

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. 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.

PARD – Planning & Design Review

Parkland dedication will be required for the new residential units proposed by this development, condominiums with MF-3 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. 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.

Transportation

ASMP Assessment

No right-of-way is required for Matthews Lane.

Transportation Assessment

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 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.

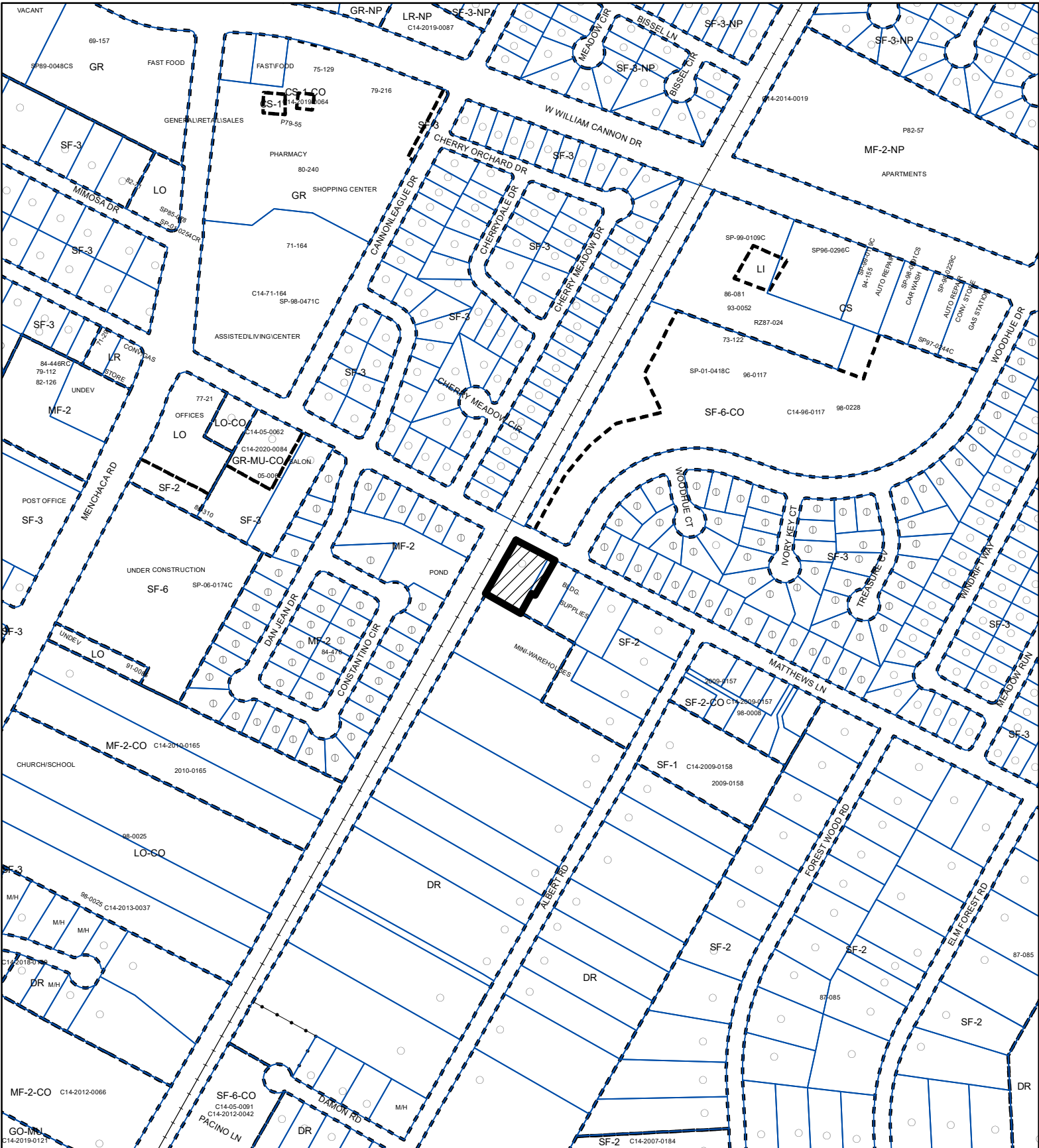
INDEX OF EXHIBITS, ATTACHMENTS AND CORRESPONDENCE TO FOLLOW:

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

Photos of Adjacent Properties

Correspondence Received and Petition Materials

Questions and Answers



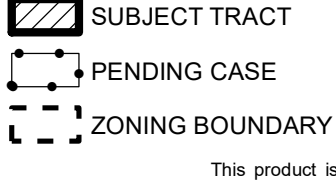
ZONING

Exhibit A

ZONING CASE#: C14-2021-0056



N



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

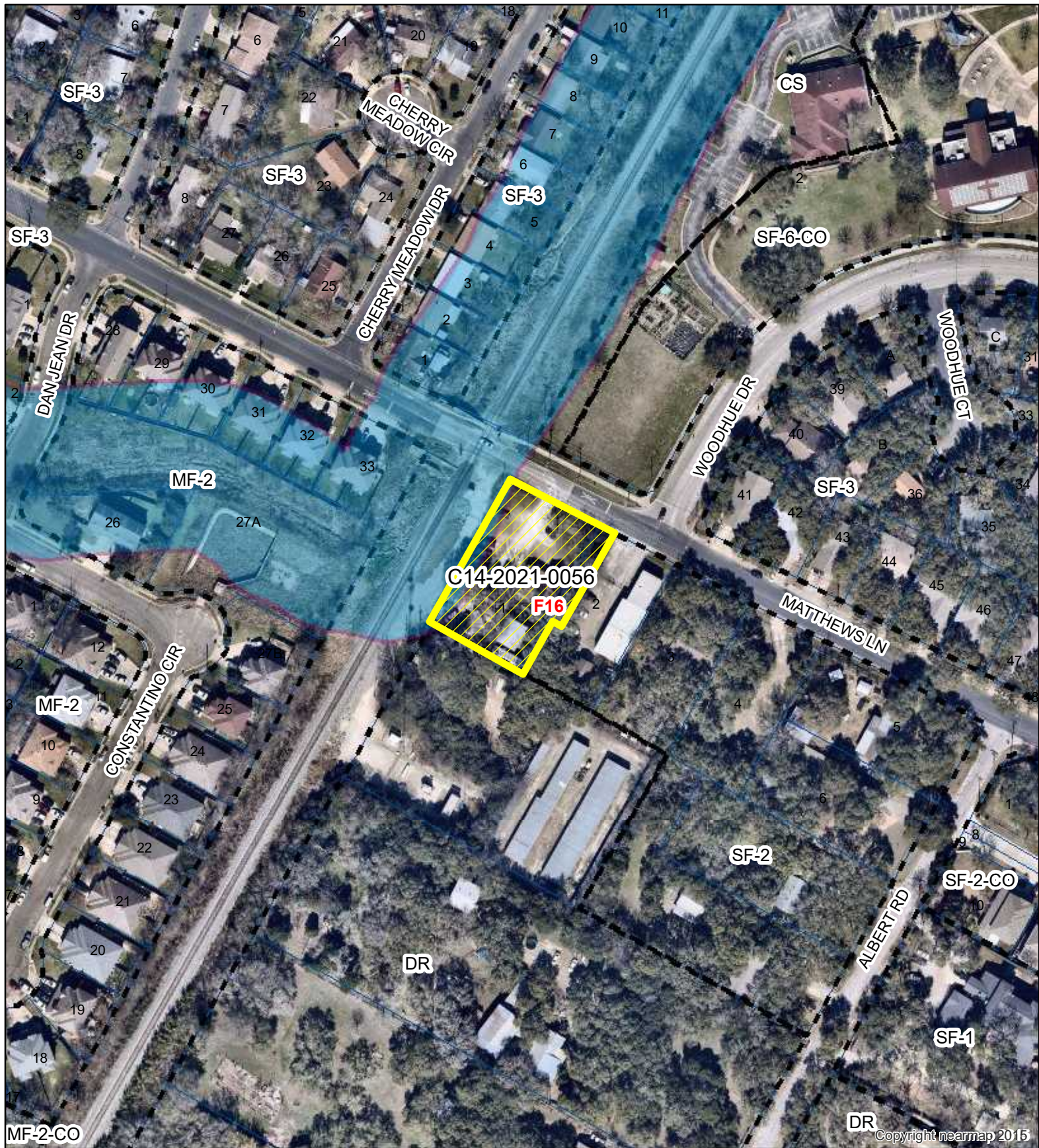
1" = 400'

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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



Created: 4/7/2021



1" = 150'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

1609 Matthew Lane Rezoning

Exhibit A - 1

ZONING CASE#: C14-2021-0056
 LOCATION: 1609 Matthews Lane
 SUBJECT AREA: 0.593 Acres
 GRID: F16
 MANAGER: Wendy Rhoades



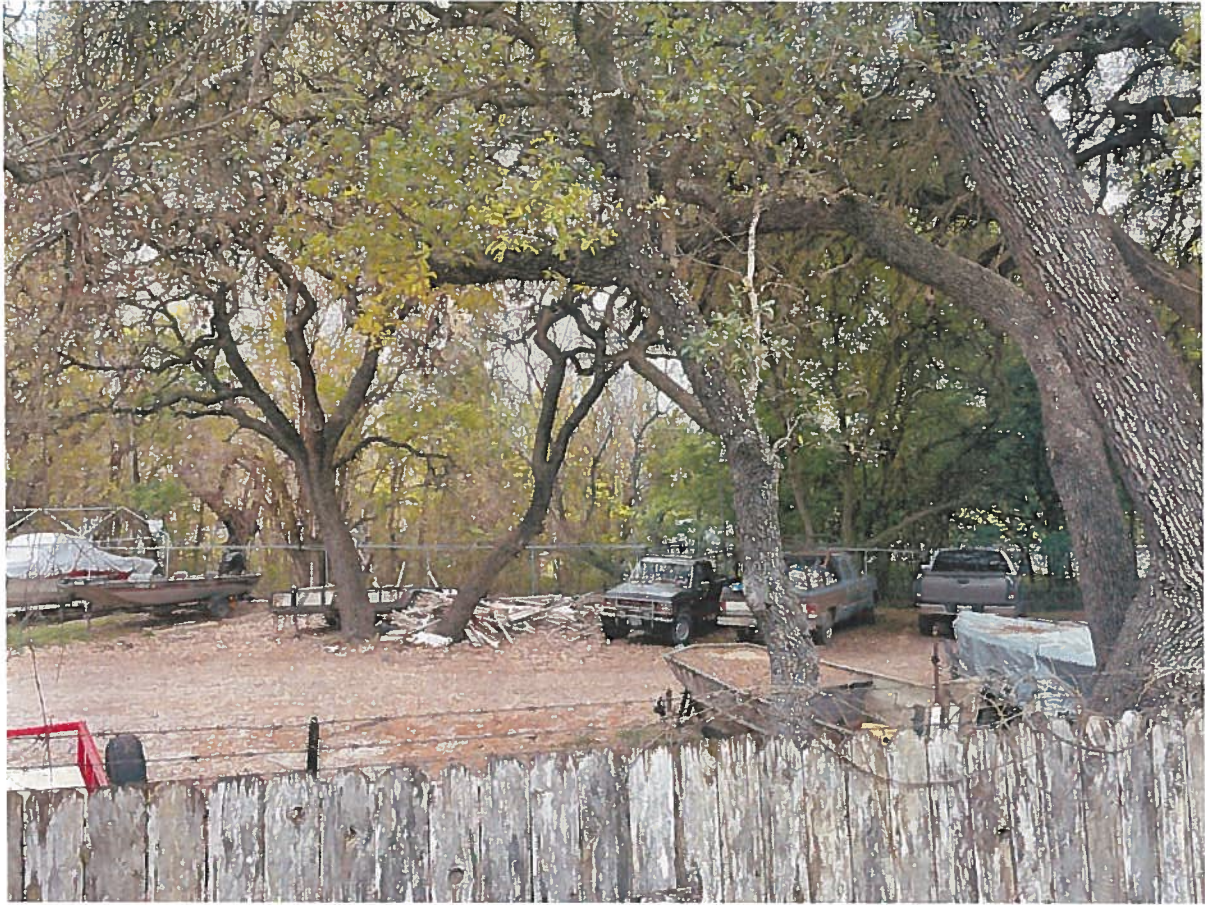
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



RAILROAD AND CELL TOWER
TO THE WEST AND SOUTH



STORAGE TO THE EAST
(STREET FRONTAGE)



STORAGE TO THE SOUTH



External Email - Exercise Caution

CAUTION: This email was received at the City of Austin from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to info@cityofaustin.org

STORAGE TO THE EAST

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 participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. 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 the 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: C14-2021-0056

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: May 4, 2021, Zoning and Platting Commission;
June 3, 2021, City Council**

Carroll Shadlock
Your Name (please print)

☐ I am in favor
☒ I object

7300 Albert Rd.
Your address(es) affected by this application (OPTIONAL)

[Signature]
Signature

4/25/2021
Date

Daytime Telephone: 713-594-1944

Comments: _____

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

City of Austin, Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov

From:
To: [Rhoades, Wendy](#) RE: May 4 Zoning and
Subject: Platting Meeting Monday, May 17, 2021
Date: 1:43:07 PM

All –

We are not agreeable to an additional postponement at this time and would like to proceed to the public hearing with ZAP tomorrow evening. Even so, I will certainly schedule to meet with the neighborhood after tomorrow evening and before the case goes to Council.

Thank you,

Victoria Haase

Thrower Design

510 South Congress Avenue, Suite 207

Mail: P.O. Box 41957

Austin, Texas 78704

512-998-5900 Cell

512-476-4456 Office



From: Eugene Sutton
Sent: Monday, May 17, 2021 1:12 PM
To: Wendy.Rhoades@austintexas.gov; Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Victoria
Subject: RE: May 4 Zoning and Platting Meeting

June 1 would be a good date. We have another neighborhood meeting on the 15 th of June.

We would want to speak with MS. Haase.

Thank you

Eugene Sutton

[Sent from AT&T Yahoo Mail on Android](#)

On Mon, May 17, 2021 at 12:18 PM, Rhoades, Wendy
<Wendy.Rhoades@austintexas.gov> wrote:

Mr. Sutton,

Could you confirm a postponement date for this case? As info, the next two Zoning and Platting Commission meeting dates are Tuesday, June 1st and Tuesday, June 15th. Both meetings are scheduled to begin at 6 p.m. and will be virtual meetings.

I will also need to check with the Applicant and find out if they are agreeable to your postponement request.

Sincerely,

Wendy Rhoades

From: Eugene Sutton

Sent: Friday, May 14, 2021 4:27 PM

To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Rhoades, Wendy
<Wendy.Rhoades@austintexas.gov>;

Subject: RE: May 4 Zoning and Platting Meeting

Good afternoon,

After our neighborhood meeting Tuesday, our Outreach committee met today and asked me to write you to seek a non adversarial compromise on 1609 Matthews.

I believe we have enough signatures for a valid petition as well. We would also request another mutual postponement on the May 18 ZAP meeting.

Our group normally meets at 2:00 on Fridays via Zoom but we can modify that accordingly.

Thank you again.

Eugene Sutton

512 441 1567

[Sent from AT&T Yahoo Mail on Android](#)

On Sat, May 1, 2021 at 11:08 AM, Rhoades, Wendy

<Wendy.Rhoades@austintexas.gov> wrote:

We will post this correspondence to the ZAP agenda for this item.

Wendy

From: Eugene Sutton
To: Victoria ; Rhoades, Wendy
<Wendy.Rhoades@austintexas.gov>
Subject: RE: May 4 Zoning and Platting Meeting

Thank you all. We did indeed discuss this rezoning this afternoon and I recognize the benefit of conversation regarding this, but we are not quite

There yet. I shall keep you both apprised. The May 18 date is acceptable as well.

Eugene Sutton

Sent from [Mail](#) for Windows 10

From:
Sent: Friday, April 30, 2021 6:17 PM
To: [Rhoades, Wendy](#);

Subject: RE: May 4 Zoning and Platting Meeting

We are agreeable to a 2 week postponement and would like the case to come back to the May 18th agenda.

Mr. Sutton, please let me know if we can set up a virtual meeting or have a conversation to better understand any concerns for this rezoning. We welcome the opportunity to listen and address those concerns.

Thank you,

Victoria Haase

Thrower Design

510 South Congress Avenue, Suite 207

Mail: P.O. Box 41957

Austin, Texas 78704

512-998-5900 Cell

512-476-4456 Office



From: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>

Sent: Friday, April 30, 2021 5:29 PM

To: Eugene Sutton

Cc: Victoria

Subject: RE: May 4 Zoning and Platting Meeting

Mr. Sutton,

Could you please identify a postponement date? As information, the next two ZAP meetings are May 18th and June 1st.

Thank you,

Wendy

From: Eugene Sutton
Sent: Friday, April 30, 2021 3:15 PM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Cc: Victoria
Subject: May 4 Zoning and Platting Meeting

*** External Email - Exercise Caution ***

Our smaller meeting group that is looking at 1609 Matthews is seeking to postpone the May 4 Zoning Commission meeting in order for

Us to solidify our desires and responses of rezoning this property. I noticed that I received a notification from you on 4/22 regarding the May 4 meeting

And that does fall within the required two weeks but we would appreciate a delay.

Thanks for the zoning application info.

Eugene Sutton

Matthews Lane Neighborhood Association

Sent from [Mail](#) for Windows 10

PUBLIC HEARING INFORMATION

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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.

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Case Number: C14-2021-0056

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: May 4, 2021, Zoning and Platting Commission;
June 3, 2021, City Council**

Ruth Lauer

Your Name (please print)

*1504 Matthews Ln
7309 Forest Wood Rd.*

Your address(es) affected by this application (OPTIONAL)

[Signature]

Signature

☐ I am in favor
☒ I object

5/3/21
Date

Daytime Telephone: *512-228-8523*

Comments:

See attached.

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

City of Austin, Planning and Zoning Department

Wendy Rhoades

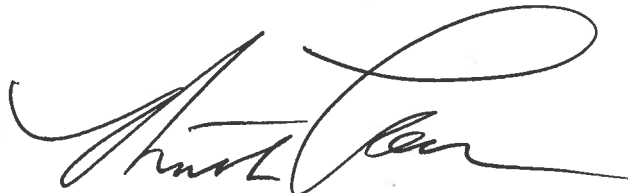
P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov

I object to case C14-2021-0056 the rezoning of 1609 Matthews Lane because:

1. The proposed zoning change is not consistent and compatible with the neighborhood. The properties across the railroad tracks are zoned MF2 and consist of single family homes and one and two story duplexes. The properties west of the railroad tracks along Matthews Lane are the zoned SF2 and SF3 and include single family homes and duplexes. The owner proposes to replace one single family home with up to 14 condominiums on a .6 acre lot. This is too dense, especially considering proximity to the railroad and number of heritage trees on the lot.
2. Ms. Haase comments on compatibility with Imagine Austin Planning Principals are without basis.
 - The property is not close to a variety of transportation options or a neighborhood center. The closest buses are about 6 blocks away and do not run downtown. There are no schools within walking distance. There is a Sprouts at Menchaca and William Cannon but other retail outlets and employment are lacking. As are community services and parks. Walking and bicycling are unsafe due to heavy, speeding traffic and lack of sidewalks.
 - The rezoning will negatively impact neighborhood character by creating more intensive development inside a single family home area. Right now, my tenants on Matthews Lane consist of school teachers, insurance center workers, cleaners and massage therapists. The new housing is likely to be beyond their budgets and may force rents up in the area, forcing these mid- to working-income families out of Austin.
 - Matthews Lane is a narrow unsafe road without consistent sidewalks or curbs. It is used as a bypass to William Cannon. Accidents and speeding are already problems. Dense development of this site would increase traffic because residents could only exit to the east (because of railroad tracks). There is no TIA traffic analysis. A traffic analysis needs to be done on homes not condos.
 - In point 5, Ms. Haase mentions lands that should be left green and undeveloped. Where are these exactly? I recognize the need for more housing in Austin to meet the needs of all income levels. However, this project is inconsistent with neighborhood character and adds to inventory of high-end condominium homes being constructed along Menchaca Rd (a transit corridor where apartments and other dense housing should be located).



Rhoades, Wendy

From: Eugene Sutton [REDACTED]
Sent: Wednesday, June 9, 2021 9:20 AM
To: Powers, Catie; Rhoades, Wendy
Subject: FW: Runoff from June 3
Attachments: IMG_0001.jpg; IMG_0002.jpg; IMG_0003.jpg; IMG_0004.jpg; IMG_0005.jpg; IMG_0009.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

*** External Email - Exercise Caution ***

Good morning,

Here are presentation materials for agenda item 126 (1609 Matthews Lane).

Thank you.

Eugene Sutton

Sent from [Mail](#) for Windows 10

From: [Eugene Sutton](#)
Sent: Tuesday, June 8, 2021 9:04 PM
To: [BeckyDavis](#); [Ruth Lauer](#); [Karen Fernandez](#); [Shirley Mount](#); [Michael Lubitz](#)
Cc: [REDACTED]; [Eugene Sutton](#)
Subject: FW: Runoff from June 3

Sent from [Mail](#) for Windows 10

From: [Eugene Sutton](#)
Sent: Tuesday, June 8, 2021 6:08 PM
To: [Eugene Sutton](#)
Subject: Runoff from June 3

Item 126: C14-2021-0056

Matthews Lane Neighborhood Association met with Ms. Victoria Haase on May 21. She presented rezoning request for MF-3 with 12 single family style units on .604 acres at 1609 Matthews Lane. Our outreach group seeks 6 single family units and/or duplexes, maximum of two story (35 feet). Recent zoning cases within our boundaries (Cooper, railroad tracks, Matthews Lane, and Dittmar) have yielded densities of 4 units requested at 1105 Matthews on 1 acre (also request by city staff report), 9 units at Matthews Park (2.5 acres) and 4 units at 1103 Matthews Lane (2.5 acres).

Neighborhood consists of multiple single family lots with sizeable acreage (two largest 15+ acres) and multiple properties (6) are listed for sale. There is a recognition of the needs for increased density but recent unit number requests (initial 10 at 1103 Matthews) are viewed as excessive. Two factors are paramount in this view. Traffic and roadway concerns exist on both Matthews Lane and Cooper Lane and drainage is problematic within our boundaries.

Both Matthews Lane and Cooper Lane are already dangerous to pedestrians, bicyclists, and vehicles. Cooper Lane has received heavier unit development with little modification to the roadway. Matthews Lane has parking spilling over onto the narrow roadway. The road funnels to 26 feet at the tracks. Turning onto Matthews from Woodhue requires extreme caution with parked cars and a hill blocking views. The south side of the street extending up from 1609 to Albert consists of a ditch that negates any parking. Speeding has been a concern for petitioners on 1105 Matthews Lane valid petition.

Drainage issues are ongoing as there are several large retention ponds at the south end of the Dittmar boundary. Southstone development (232 units) is beginning construction at Dittmar and along the tracks up to Damon and along Sherwood. Additional retention ponds and a bridge will be required to by pass the erosion hazard areas. The 12 units that are being constructed on 3.10 acres fronting the tracks and next to 1507 Damon has drainage leading downward to the railroad.

Additional units (18) will be constructed next to the tracks extending from Damon towards Dittmar. Matthews Park and 1103 Matthews Lane have small retention ponds and 1105 property (2.5 acres) had 1.5 acres of flood plain. Drainage comments also are consistent from 1103 to Sherwood Road and down towards Elm Forest.

Photos are at tracks with 1609 to the right. Rapids are run off on other side of tracks from the planned development. Granted this was during our latest wet period, the 1609 site is in a low lying area that appears to have multiple drainage issues.

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.













P E T I T I O N

Date: 5-1-21

File Number: C14-2021-0056

Address of

Rezoning Request: 1609 Matthews Lane

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than MF-1.

(STATE REASONS FOR YOUR PROTEST) less density.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

Tim and Nike Mathys

Tim and Nike Mathys

1600 Matthews Lane
1600 Matthews Lane

Date: 5-1-21

Contact Name: Eugene Sutton

Phone Number: 512-441-1567

P E T I T I O N

Date: 5-1-21

File Number: C14-2021-0056

Address of

Rezoning Request: 1609 Matthews Lane

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than MF-1.

(STATE REASONS FOR YOUR PROTEST) less density.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature



Printed Name

Drew Dearlove

Address

1705 MATTHEWS

Date: 5-1-21

Contact Name: Eugene Sutton

Phone Number: 512 658-3933

P E T I T I O N

Date: 5-1-21

File Number: C14-2021-0056

Address of

Rezoning Request: 1609 Matthews Lane

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than MF-1.

(STATE REASONS FOR YOUR PROTEST) Less Density

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature



Printed Name

KEVIN CHANE

Address

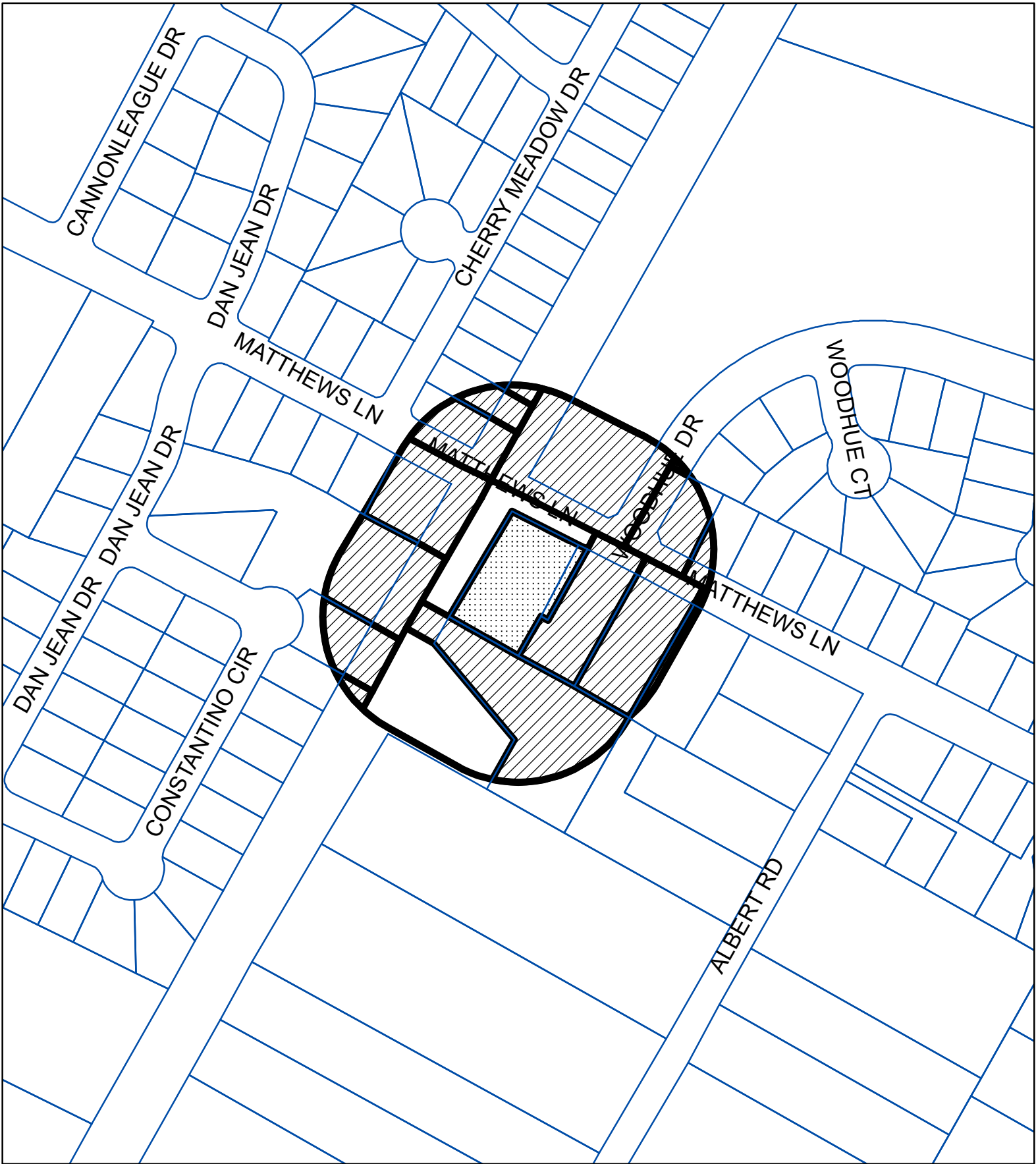
1609 Matthews Lane

(0418170401, 041817403)

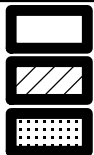
Date: 5-1-21

Contact Name: Eugene Sutton

Phone Number: 512-441-1567



N



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

Case#: C14-2021-0056

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



1" = 200'

Case Number:

PETITION**C14-2021-0056**

Date: 5/27/2021

Total Square Footage of Buffer: 256747.0597

Percentage of Square Footage Owned by Petitioners Within Buffer: 1.08%

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	Percent
0418171107	1705 MATTHEWS LN 78745	BRAZER JENNIFER & DREW DEARLOVE	yes	26.51	0.01%
0418170603	7105 CHERRY MEADOW DR AUSTIN 78745	CARDONA DAVID & SHANNON	no	1150.79	0.00%
0418170406	1509 MATTHEWS LN 78745	DUNCUM RICKY WAYNE	no	2246.03	0.00%
0418170404	1507 MATTHEWS LN AUSTIN 78745	DUNCUM STELLOISE	no	23800.64	0.00%
0418170601	7109 CHERRY MEADOW DR AUSTIN 78745	HELLER CHARLES DEAN	no	11836.55	0.00%
0418170401	1607 MATTHEWS LN 78745	KGKC PROPERTIES LLC	no	37753.91	0.00%
0418170403	1607 MATTHEWS LN 78745	KGKC PROPERTIES LLC	no	21143.61	0.00%
0419160449	1600 MATTHEWS LN 78745	MATHYS TIM & NIKE	yes	2758.50	1.07%
0419160518	7000 WOODHUE DR 78745	PROTESTANT EPISCOPAL CHURCH	no	39907.05	0.00%
0420150125	1701 CONSTANTINO CIR 78745	RICHARDSON JAMES	no	1288.81	0.00%
0418171109	1619 CONSTANTINO CIR 78745	SAROSA FU FAMILY TRUST	no	10175.94	0.00%
0419160451	7103 WOODHUE DR 78745	SPERBER SEAN S	no	319.33	0.00%
0418170602	7107 CHERRY MEADOW DR AUSTIN 78745	STILES NICKOLAUS F & ELLEN R	no	4451.82	0.00%
0418171110	1615 CONSTANTINO CIR 78745	TRAVIS COUNTY TRUSTEE	no	21654.08	0.00%
0419160450	1602 MATTHEWS LN 78745	XIE SHUJIA	no	13390.72	0.00%
0418171201	Address Not Found		no	20773.45	0.00%
Total				212677.73	1.08%

Rhoades, Wendy

From: Rhoades, Wendy
Sent: Tuesday, May 18, 2021 3:48 PM
To: Rivera, Andrew; Denkler, Ann - BC
Subject: RE: 5/18 ZAP Agenda - Questions

Follow Up Flag: Follow up
Flag Status: Flagged

Commissioner Denkler:
Please see my responses below.
Sincerely,
Wendy Rhoades

From: Rivera, Andrew <Andrew.Rivera@austintexas.gov>
Sent: Monday, May 17, 2021 6:51 PM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: FW: 5/18 ZAP Agenda - Questions

Wendy,

Please see the questions related to Mathews, Goodnight Ranch PUD and S. 1st.

Thank you,
Andrew

From: Denkler, Ann - BC <bc-Ann.Denkler@austintexas.gov>
Sent: Sunday, May 16, 2021 10:11 PM
To: Rivera, Andrew <Andrew.Rivera@austintexas.gov>
Subject: 5/18 ZAP Agenda - Questions

✓ Mathews Lane rezoning:

Why is the impervious cover listed as 50% for SF in the impervious cover table? Shouldn't it be 45%? **RESPONSE:** This figure that reflects watershed regulations that applies to the property and does not identify the more restrictive zoning regulations of 45% which would apply.

Goodnight Ranch PUD Amendment:

What is the maximum no of ADU's that could built? **RESPONSE:** The Applicant does not have a specific number, but estimates that less than 6% (378 units) of the total number of 6,308 proposed units. Currently, 0.3% of the units built have exercised the right to have an ADU.

Rezoning on South First:

Does AFD usually allow only one entrance into a property with 290 apartment units? **RESPONSE:** AFD allows only one entrance under circumstances where internal circulation and adequate driveway width is provided. Please note that AFD will have emergency access at the terminus of Orr Drive.

Subdivision Briefing: