

ZONING CHANGE REVIEW SHEETCASE: C14-2021-0115 – Clawson Heights ResidentialDISTRICT: 5ZONING FROM: SF-3TO: SF-5ADDRESS: 4009 & 4011 Clawson RoadSITE AREA: 1.0 acrePROPERTY OWNER:

Clawson Heights LLC (Frank Gordon)

AGENT:

Thrower Design (Ron Thrower)

CASE MANAGER: Kate Clark (512-974-1237, kate.clark@austintexas.gov)STAFF RECOMMENDATION:

Staff recommends urban family residence (SF-5) district zoning. *For a summary of the basis of staff's recommendation, see page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:**August 24, 2021**

Approved staff's recommendation to rezone to SF-5 on the consent agenda. Vote: 11-0. [Vice Chair Hempel – 1st; Commissioner Schneider – 2nd; Commissioners Flores and Shieh were absent].

CITY COUNCIL ACTION:**September 30, 2021 Scheduled for City Council**ORDINANCE NUMBER:ISSUES

Staff has received comments in favor of and in opposition to this rezoning request. For all written or emailed comments, please see *Exhibit C: Correspondence Received*.

CASE MANAGER COMMENTS:

This site is located on the east side of Clawson Road and consists of two lots totaling approximately 1.0 acre in size. It is currently developed with two single-family buildings, one on each lot. One of the buildings is unoccupied and the other has a tenant that is aware redevelopment of the property is possible. Current adjacent zoning to the site consists of SF-3 on

the north, east and south. Across Clawson Road to the west is SF-6 and SF-3 zoned properties. Please see *Exhibit A: Zoning Map* and *Exhibit B: Aerial Map*.

Per the applicant's rezoning application, they are requesting SF-5 to construct up 10 units. This site is located within the South Lamar Combined NP Area and does not have an adopted future land use map (FLUM).

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought; Zoning changes should promote compatibility with adjacent and nearby uses.*

The purpose statement for the SF-5 base zoning district states the following: *A duplex, two-family, townhouse, or condominium residential use is permitted in an SF-5 district under development standards that maintain single family neighborhood characteristics.* Rezoning this property to SF-5 would be consistent with the zoning district's purpose statement and maintain compatibility with adjacent land uses.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	SF-3	Single-family
North	SF-3	Single-family
South	SF-3	Single-family
East	SF-3	Single-family
West	SF-6 and SF-3	Multi-family (condominium) and Single-family

NEIGHBORHOOD PLANNING AREA: South Lamar Combined NP Area - South Lamar (suspended)

TIA: TIA shall be required at the time of site plan if triggered per LDC 25-6-113.

WATERSHED: West Bouldin Creek Watershed

OVERLAYS: Residential Design Standards and Selected Sign Ordinances.

SCHOOLS: Joslin Elementary, Covington Middle and Crockett High Schools.

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District
Austin Lost and Found Pets

Austin Neighborhoods Council
Friends of Austin Neighborhoods

Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Perry Grid 614
 Preservation Austin
 SELTexas

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

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2018-0123 4004 Clawson Rd	SF-3 to SF-6	Approved SF-6 as staff recommend.	Approved SF-6 as Commission recommended. (2/21/19)
C14-2013-0031 Clawson Patio Homes 3907 Clawson Rd	SF-3 to SF-5	Approved SF-5-CO; CO was to limit the number of residential units to 16.	Approved SF-5-CO; CO was for a maximum of 2,000 trips per day and limited height of structures within 50 feet of southern boundary to 2 stories or 26 feet. (10/03/13)
C14-2013-0032 Clawson Patio Homes II 3903 Clawson Rd	SF-3 to MF-1	Approved SF-5-CO; CO was to limit the number of residential units to 16.	Approved SF-6-CO; CO was for a maximum of 2,000 trips per day. (10/03/13)

RELATED CASES:

There are no related cases to this rezoning case.

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Clawson Road	~53'-70'	64'	27'	2	No	Yes	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

This rezoning case is located on the east side of Clawson Road on a one acre property, with each lot containing a single family house. The property is located in an area without an adopted neighborhood plan and is located 0.14 miles east of the Lamar and Ben White Activity Centers for Redevelopment in Sensitive Environmental Areas. Surrounding land uses include single family housing to the north, south and east and a townhouse/condo project to the west. The proposal is to obtain SF-5 zoning and construct a 10-unit residential project.

Connectivity

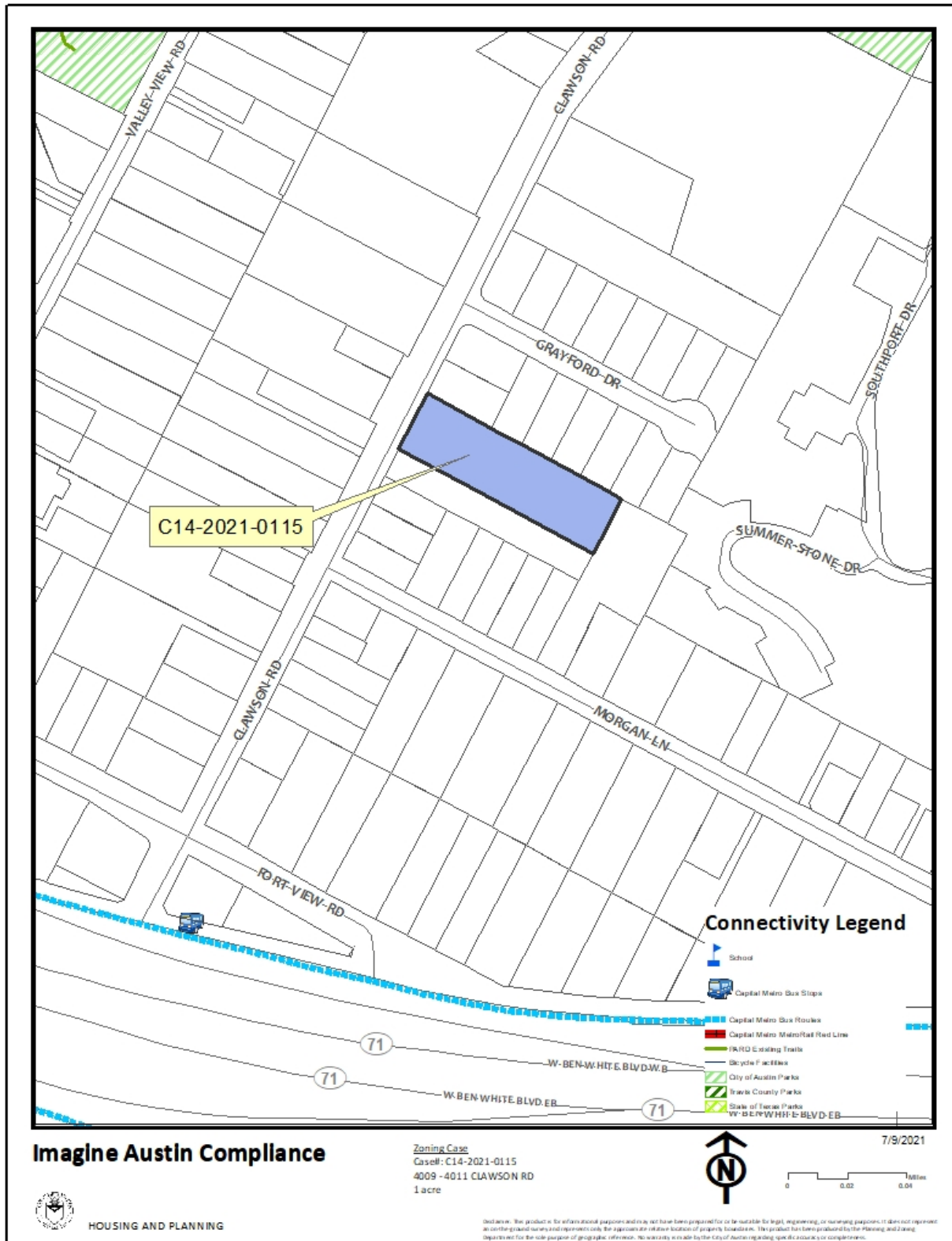
Public sidewalks are located sparsely along Clawson Road and are not located in front of this property. There are no bike lanes, public transit stops, or urban trails located along Clawson, which is a narrow road with no curb or gutters. The closest public transit stop is located along Ben White Boulevard, approximately 1,000 feet south. The mobility options in the area are below average while the connectivity options are fair, necessitating the use of a car for access. Civic uses are also lacking in this area.

Imagine Austin

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

- LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- 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 'a missing middle' housing type but with Clawson Road lacking mobility option and access to nearby goods and services, this project partially supports the Imagine Austin Comprehensive Plan.



Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.
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. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 square feet cumulative is exceeded, and on-site control for the two-year storm.
7. 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 Review

PR1: Parkland dedication will be required for the new residential units proposed by this development, condominiums with SF-5 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.

Site Plan

SP1. Site plans will be required for any new development other than single-family or duplex residential.

- SP2. 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.
- SP3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. This site is located on an Urban Roadway. Additional comments will be made when the site plan is submitted.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, calls for 64 feet of right-of-way for Clawson Road. It is recommended that 32 feet of right-of-way from the existing centerline should be dedicated for Clawson Road according to the Transportation Plan at the time of subdivision and/or site plan application, whichever comes first. A Traffic Impact Analysis (TIA) shall be required at the time of site plan if triggered per LDC 25-6-113.

Austin Water Utility

- AW1. 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.

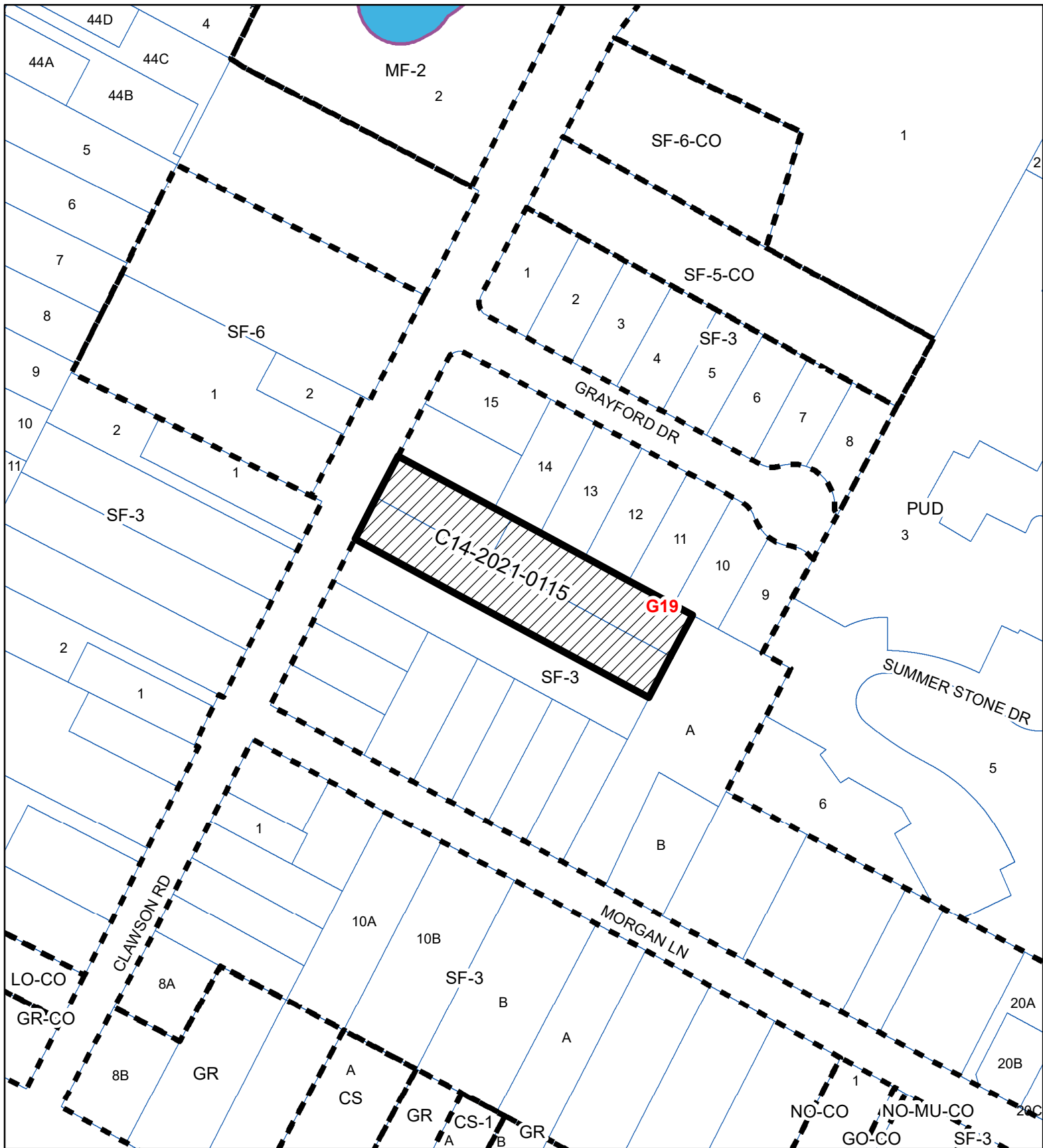
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW





Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Correspondence Received



1" = 150'

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

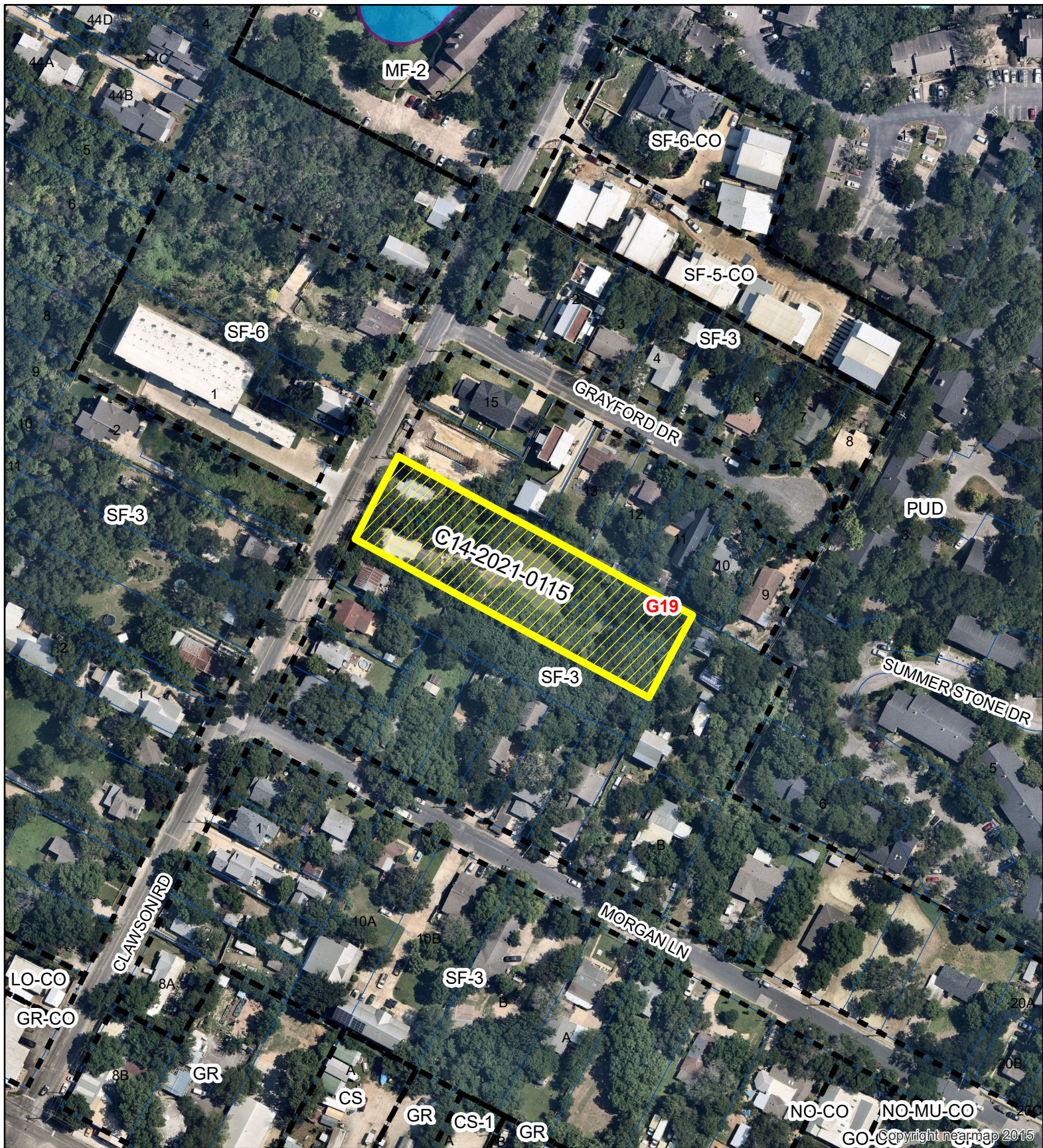
Clawson Heights Residential

Exhibit A

ZONING CASE#: C14-2021-0115
 LOCATION: 4009-4011 Clawson Road
 SUBJECT AREA: 1.00 Acres
 GRID: G19
 MANAGER: KATE CLARK



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.



1" = 150'

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE
- CREEK BUFFER

Clawson Heights Residential

Exhibit B

ZONING CASE#: C14-2021-0115
 LOCATION: 4009-4011 Clawson Road
 SUBJECT AREA: 1.00 Acres
 GRID: G19
 MANAGER: KATE CLARK



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Clark, Kate

From: Claudia Cuchia
Sent: Friday, July 23, 2021 2:36 PM
To: Clark, Kate
Subject: Rezoning of 4009-4011 Clawson Road

*** External Email - Exercise Caution ***

Ms. Clark,

My husband, Johnny Cuchia & I support the rezoning of the properties as requested. We developed 3504 Clawson Road & are currently completing the development of 3905 Clawson Road. This area could use a major facelift! Hopefully, all this new development will inspire District 5 Rep. Ann Kitchen, to do something about the lack of sidewalks, flooding of Clawson Road & Fort View & the hideous conditions of Clawson Road. Please be advised that the South Lamarr neighborhood association only has about 29 dues paying/voting members so please don't give too much weight to their whining! Those people complain about any development and they think anything built is ugly and inferior to modern construction.

Claudia Cuchia, Owner
Gold Key Real Estate, Inc.
Gold Key Custom Homes
3903 Clawson Road
Austin, Texas 78704
512.799.0801

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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.

City of Austin

AUG 18 2021

NHCD / AHEC

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. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

Case Number: C14-2021-0115

Contact: Kate Clark, 512-974-1237

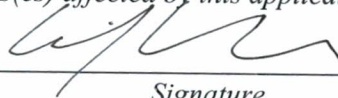
Public Hearing: August 24, 2021, Planning Commission

EMILY STEINBAUER

Your Name (please print)

1326 MORGAN LANE

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



Signature

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

8/14/21
Date

Daytime Telephone (Optional): (512) 627-1502

Comments: This area just got cleaned up from the homeless camp under Ben White. Adding an affordable housing tract near that corner is not a good idea. My property taxes are very high in this zip code (78704) and this proposed addition will lower my property's value. Plus, the Montessori schools

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department

Kate Clark

P. O. Box 1088, Austin, TX 78767

Or email to:

Kate.Clark@austintexas.gov

on Morgan Lane require safe, stable neighbors in the area. I oppose

Clark, Kate

From: Cat
Sent: Thursday, September 2, 2021 5:01 PM
To: Clark, Kate
Cc: Cat; [REDACTED]
Subject: Re: Case# C14-2021-0115

*** External Email - Exercise Caution ***

Re: Public Hearing: August 24, 2021, Planning Commission
Case # C14-2021-0115
4009 - 4011 Clawson Rd.
[√] I object

Dear Kate,
I was unable to attend the Public Hearing on Aug. 24, 2021 before the Planning Commission, but I would like to file an objection to this case.

The Rezoning of these 2 lots (from SF-3 to SF5), will significantly increase the rainwater runoff from these 2 lots directly onto my (downhill) lot, resulting in the flooding of my property. The proposed development plan needs to include a runoff mitigation system by means of an engineered detention pond or some other professionally recognized system.

Has the second Hearing been scheduled yet?

Thank you,
Catherine Brown 512-952-8098 cell
Norman Ballinger 512-921-9482 cell
1600 Morgan Ln.
Austin, Tx 78704

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