

## SECOND AND THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2021-0133.SH -- Manor Road and Northeast Drive

DISTRICT: 1

REQUEST: Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 3209 Jack Cook Drive (Little Walnut Creek Watershed). Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-vertical mixed use building-neighborhood plan (LR-MU-V-NP) combining district zoning. First reading approved neighborhood commercial-mixed use- vertical mixed use building-conditional overlay-neighborhood plan (LR-MU-V-CO-NP) combining district zoning, on November 18, 2021. Vote: 11-0. Owner/ Applicant: AM1031 LLC (Anmol Mehra). Agent: Drenner Group PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122.

DEPARTMENT COMMENTS: None.

OWNER/APPLICANT: AM1031 LLC (Anmol Mehra)

AGENT: Drenner Group PC (Leah Bojo)

DATE OF FIRST READING: First reading approved on November 18, 2021.

CITY COUNCIL HEARING DATES/ACTION:

December 9, 2021:

November 18, 2021: To grant LR-MU-V-CO-NP zoning as recommended by Planning Commission approved on first reading only, on consent. (11-0)

ORDINANCE NUMBER:

ASSIGNED STAFF: Heather Chaffin

e-mail: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2021-0133.SH  
Manor Road and Northeast Drive

DISTRICT: 1

ZONING FROM: SF-3-NP

TO: LR-MU-V-NP

ADDRESS: 3209 Jack Cook Drive

SITE AREA: 0.517 acres

PROPERTY OWNER:  
AM1031 LLC  
(Anmol Mehra)

AGENT:  
Drenner Group PC  
(Leah Bojo)

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

STAFF RECOMMENDATION:

**Staff supports the Applicant's request for rezoning to LR-MU-V-NP, with the condition that Service station land use be a prohibited use, making the recommendation LR-MU-V-CO-NP. The Applicant agrees to this recommendation.**

*For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

November 9, 2021: To grant LR-MU-V-CO-NP as recommended by Staff on consent, with the additional prohibited land uses Offsite accessory parking and Pedicab storage and dispatch. (9-0)

October 26, 2021: To grant postponement to November 9, 2021 as requested by Neighborhood, on consent. (13-0)

CITY COUNCIL ACTION:

December 9, 2021:

November 18, 2021: To grant LR-MU-V-CO-NP as recommended by Planning Commission on first reading only, on consent. (11-0)

ORDINANCE NUMBER:

**ISSUES:**

As a SMART Housing project, the Applicant is proposing 10 condominium units for sale with 4 of the units to be sold to households at or below 80% Median Family Income (MFI). The project will be subject to a minimum 1-year affordability period after issuance of a certificate of occupancy unless funding requirements are longer. ***Please see Exhibit C-SMART Housing Letter.***

The property is located on Manor Road, a Future Core Transit Corridor designated by Code as suitable for Vertical mixed use building (V/VMU) development.

**CASE MANAGER COMMENTS:**

The subject property is located one lot northwest of the intersection of Manor Road and Northeast Drive with frontage on Manor Road to the south and Jack Cook Drive to the north. The property is currently zoned SF-3-NP and is developed with a single family residence. Immediately at the intersection of Manor Road and Northeast Drive is a lot zoned LR-MU-V-CO-NP that is developed with a single family residence. The conditional overlay on this property prohibits service station land use; the Applicant has agreed to include the same condition on the rezoning property. Immediately west of the rezoning tract is a lot zoned SF-3-NP which has Affordability Unlocked certification and other approvals for a Group housing development that will be operated by Casa Marianella for refugees seeking asylum. Further west are properties zoned MF-2-NP that are developed with a range of residential land uses. Across Jack Cook Drive to the north are properties zoned SF-3-NP that are developed with a range of residential land uses, including nonconforming townhouse/condominium land uses. Across Manor Road to the south are properties zoned SF-3-NP and GR-V-NP that are developed with single family residential and service station land uses. ***Please see Exhibits A and B- Zoning Map and Aerial Exhibit.***

Staff supports the rezoning request with the condition that the property includes the same conditional overlay as the property immediately to the east that prohibits service station land use. As a SMART Housing project, the proposed rezoning will allow the development of 4 affordable housing units for ownership in an area that includes a variety of market rate housing options. Manor Road is a Future Core Transit Corridor adjacent to the property and provides multiple transportation options for the property.

**BASIS FOR RECOMMENDATION**

1. *The proposed zoning should be consistent with the goals and objectives of the City Council.*
2. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*
3. *Zoning should be consistent with approved and existing residential densities.*
4. *Granting of the request should result in an equal treatment of similarly situated properties.*

The addition of affordable residential units on this site would be consistent with the goals of the City Council as outlined in the Strategic Housing Blueprint and other Council-approved actions. The addition of 4 affordable and 6 market rate condominium units for ownership will

add additional housing options and affordable units in the area. LR-MU-V-CO-NP zoning would be consistent with the property immediately adjacent to the east.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
Site	SF-3-NP	Single family residential
North	SF-3-NP	Condominium/Townhouse residential, Single family residential
South	SF-3-NP, GR-V-NP	Single family residential, Service station
East	LR-MU-V-CO-NP	Single family residential
West	SF-3-NP	Single family residential (Group residential)

**NEIGHBORHOOD PLANNING AREA:** University Hills/Windsor Park Combined NPA (Windsor Park)

**TIA:** Deferred to time of site plan.

**WATERSHED:** Little Walnut Creek

**NEIGHBORHOOD ORGANIZATIONS:**

Responsible Growth for Windsor Park  
 Pecan Spring/Springdale Hills NA  
 University Hills NPC  
 Sweeney Farms Neighborhood Association  
 University Hills NA  
 Sierra Club  
 Friends of Austin Neighborhoods  
 Neighborhood Empowerment Foundation  
 Friends of Northeast Austin  
 Del Valle Community Coalition  
 AISD

Windsor Park NPCT  
 East MLK NPCT  
 Senate Hills Homeowner Association  
 Windsor Park/Pecan Springs Heritage NA  
 Homeless Neighborhood Association  
 SELTexas  
 Austin Neighborhoods Council  
 Austin Lost and Found Pets  
 Neighbors United for Progress  
 Preservation Austin

**AREA CASE HISTORIES:** There are no recent rezoning cases in the area.

**EXISTING STREET CHARACTERISTICS:**

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Manor Street	77'	100'	42'	3	Yes	Yes	Yes
Jack Cook Drive	46'	50'	28	1	No	No	Yes

### ADDITIONAL 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 a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. 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 s.f. cumulative is exceeded, and on site control for the two-year storm.

#### Site Plan

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 north, south, and east property lines, 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.

#### Parks & Recreation

PR1: Residential units that are certified affordable under the SMART Housing Policy are exempt from the parkland dedication requirements per City Code § 25-1-601(C)(3). Parkland dedication will be required for any new market-rate residential units that may be proposed by this development, mixed use with LR-MU-V-NP zoning, at the time of subdivision or site plan, per City Code § 25-1-601.

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](mailto:thomas.rowlinson@austintexas.gov). At the applicant's request, PARD can provide an early determination of parkland dedication requirements.

### Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, requires 100 feet of right-of-way for Manor Road. It is recommended that 50 feet of right-of-way from the existing centerline should be dedicated for Manor Street according to the Transportation Plan at the time of subdivision and/or site plan application, whichever comes first.

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/subdivision application. A traffic impact analysis shall be required at the time of site plan if trigger per LDC 25-6-113.

Street characteristics:

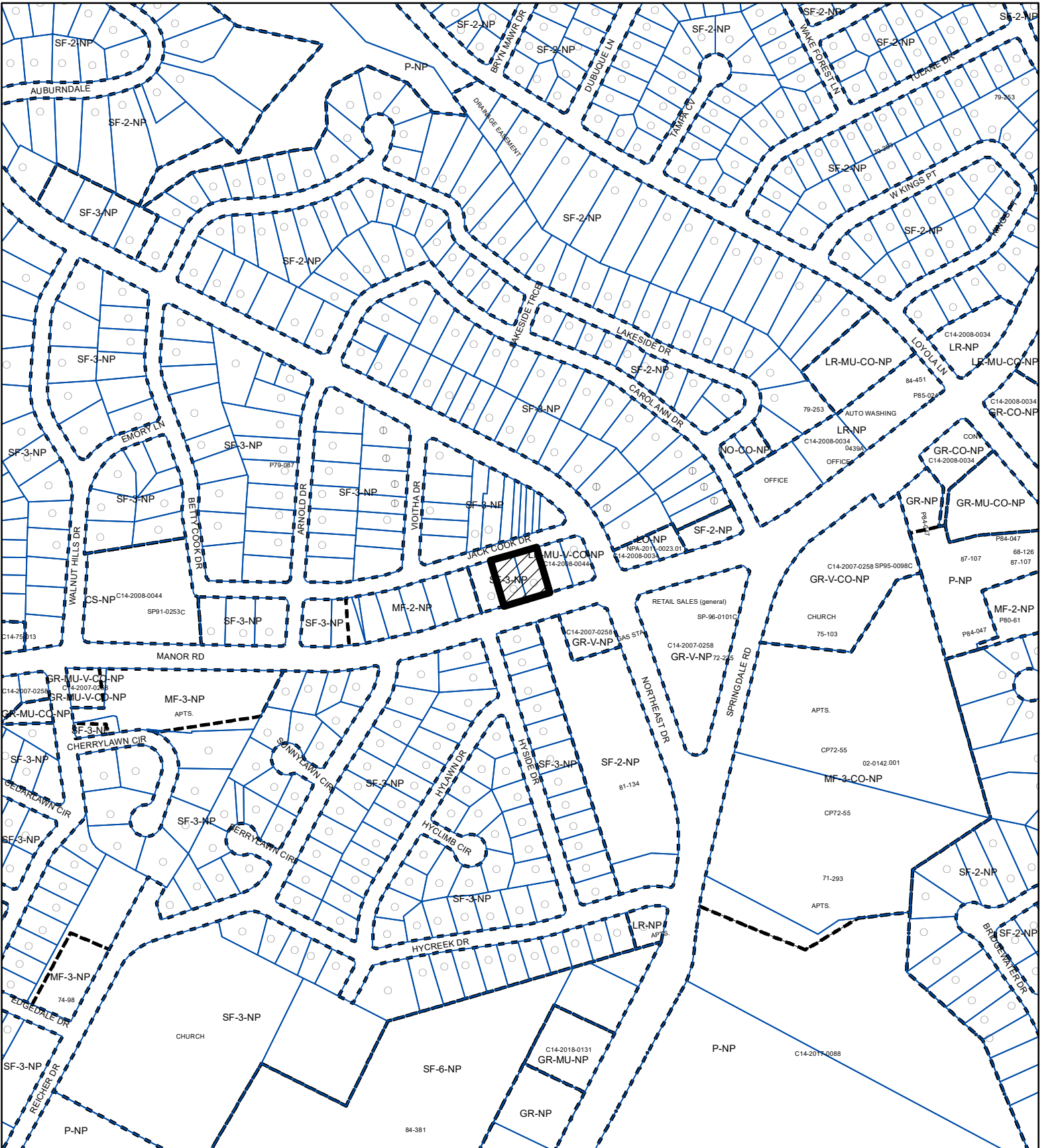
Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Manor Street	77'	100'	42'	3	Yes	Yes	Yes
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

### 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. Based on current public infrastructure configurations this site is in an area with capacity concerns, and it appears that service extension requests (SER) will be required to provide service to this lot. 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: Zoning Map
- B. Aerial Exhibit
- C. SMART Housing Letter



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2021-0133.SH

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: 8/9/2021





# Property Profile



## Legend

- Street Labels
- Zoning Review Cases- IN REV
- Capital Metro Rapid Bus Stops
- Capital Metro Rapid Bus Route
- Capital Metro Bus Stops
- Capital Metro Bus Routes
- Core Transit Corridors
- Future Core Transit Corridors
- Zoning Text

## Notes

0.0 0 0.02 0.0 Miles

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet

Date Printed:

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# City of Austin

P.O. Box 1088, Austin, TX 78767  
[www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

## Housing and Planning Department S.M.A.R.T. Housing Program

8/5/2021

S.M.A.R.T. Housing Certification  
AM1031, LLC  
3209 Jack Cook Drive (ID 817)

TO WHOM IT MAY CONCERN:

AM1031, LLC (development contact Leah Bojo; ph: 512-807-2918; email: [lbojo@drennergroupp.com](mailto:lbojo@drennergroupp.com)) is planning to develop a 10-unit condo development at 3209 Jack Cook Drive (Tract 2), Austin, Texas 78723.

This SMART Housing certification letter only applies to development on Tract 2, located at 3209 Jack Cook Drive. Tract 1, located at 6304 Manor Road, has been certified under the Affordability Unlocked program as a separate development and is subject to the requirements detailed in the executed land use agreement. Since the development that is proposed in this SMART Housing certification letter is different than what is approved under the Affordability Unlocked agreement, Tract 1 is not eligible at this time to be certified under the SMART Housing program. The legal descriptions for Tract 1 and Tract 2 are included in Attachment 1.

Four (4) of the units will be sold to households at or below 80% Median Family Income (MFI). The project will be subject to a minimum 1-year affordability period after issuance of a certificate of occupancy, unless funding requirements are longer.

The Housing and Planning Department (HPD) certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 40% (4) of the units will serve households at 80% MFI, the development will be eligible for 100% waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance except for Austin Water Utility (AWU) Capital Recovery Fees. **This development is not fully in accordance with the requirements under the Texas Local Government Code, Chapter 395.16(g) and 42 U.S.C. Section 12745 (A)(1) as it relates to how housing qualifies as affordable housing and therefore 6 of the 10 units will not be eligible to receive Austin Water Utility Capital Recovery Fee (CRF) waivers.** The expected fee waivers include, but are not limited to, the following fees:

~~AWU Capital Recovery Fees~~  
Building Permit  
Site Plan Review  
Construction Inspection  
Demolition Permit Fee

Concrete Permit  
Electrical Permit  
Subdivision Plan Review  
Parkland Dedication Fee  
(by separate ordinance)  
Regular Zoning Fee

Mechanical Permit  
Plumbing Permit  
Zoning Verification  
Land Status Determination  
Building Plan Review

Prior to issuance of building permits and starting construction, the developer must:

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or [greenbuilding@austinenergy.com](mailto:greenbuilding@austinenergy.com)).
- ◆ Submit plans demonstrating compliance with the required accessibility or visitability standards.

**Before a Certificate of Occupancy will be granted, the development must:**

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ◆ Pass a final inspection to certify that the required accessibility or visitability standards have been met.
- ◆ An administrative hold will be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter from project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the certificate of occupancy has been issued or repay the City of Austin, in full, the fees waived for this S.M.A.R.T. Housing certification.

Please contact me by phone 512.974.3462 or by email at [nathan.jones@austintexas.gov](mailto:nathan.jones@austintexas.gov) if you need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nathan Jones', with a stylized, flowing script.

Nathan Jones, Project Coordinator  
Housing and Planning Department

Cc: Kristin Martinez, AE

Jonathan Orenstein, AWU

Mashell Smith, ORS

**Attachment 1: Tract 1 and Tract 2 Legal Description**