

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0033 – 7603 Cooper

DISTRICT: 2

ZONING FROM: DR

ZONING TO: MF-2

ADDRESSES: 7603 Cooper Lane

SITE AREA: 1.24 acres

PROPERTY OWNER: Michael Anthony Perez, Sr.

APPLICANT / AGENT: Mathias Company (Richard Mathias)

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

STAFF RECOMMENDATION:

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

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

May 3, 2022: APPROVED SF-6-CO DISTRICT ZONING WITH THE -CO PROHIBITING SHORT-TERM RENTAL AS AGREED TO BY THE APPLICANT AND THE NEIGHBORHOOD, BY CONSENT

[B. GREENBERG; J. KIOLBASSA – 2ND] (7-0) C. ACOSTA – OFF THE DAIS; S. BOONE; H. SMITH, C. THOMPSON – ABSENT

CITY COUNCIL ACTION:

June 9, 2022:

ORDINANCE NUMBER:

ISSUES:

Correspondence received from a representative of the Matthews Lane Neighborhood Association is attached at the back of the Staff report.

CASE MANAGER COMMENTS:

The subject rezoning area consists of an unplatted tract that contains one occupied, one-story single family residence and two accessory structures. The property is zoned development reserve (DR) district since its annexation into the City limits in November 1984. There are condominiums under construction to the north and recently constructed condominiums further north (SF-6-CO), an undeveloped tract with South First Street frontage is to the east (DR), two large tracts containing single family residences and accessory structures, a pipeline

easement and attached condominiums is to the south (DR; MF-1-CO), and a religious assembly use, telecommunications tower, single family residences on large lots and tracts, and an event production business are across Cooper Lane to the west (DR; NO-MU-CO; SF-6-CO; SF-6). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).***

The Applicant proposes to rezone the property to the multifamily residence-low density (MF-2) district as the first step in constructing up to 25 residential units.

BASIS OF RECOMMENDATION:

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

Applicant's request: The MF-2, multifamily residence (low density) 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.

Staff recommendation: 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 Applicant intends to develop the property with a condominium project consisting of stand-alone condominium units per structure.

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 consistent with the two adjacent properties directly to the north, west and further south, and is compatible with the existing single family residences in the vicinity. The two SF-6-CO zoned properties to the north were required to widen the pavement to accommodate a dedicated left turn lane into the property, and that requirement may apply to the subject property as well.

This is a case of residential infill in a lower density residential area that has recent approvals for more compact development. SF-6 zoning is a reasonable option for multiple-acre parcels developed or redeveloped as residential infill. As indicated in the purpose statement of the district, SF-6 can be a transition to single-family residential – reflecting it is an appropriate and compatible use.

In conclusion, Staff believes the proposed SF-6 zoning and condominium development is compatible with the single family character of the area that now includes two similarly situated condominium projects on the east side of Cooper Lane and one recently approved zoning case on the west side. Staff estimates that up to 12 residential units could be built on the subject property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	One single family residence and accessory structures
<i>North</i>	SF-6-CO; SF-2	Under construction; Condominiums - detached; Single family residences in the Buckingham Estates Phase 2 Section 1 subdivision
<i>South</i>	DR; SF-2; MF-1-CO	Two residences and outbuildings on large tracts; Condominiums
<i>East</i>	DR	Undeveloped
<i>West</i>	NO-MU-CO; SF-6-CO; DR; SF-6	Pipeline easement; Religious assembly; Telecommunications tower; Residences and outbuildings on large tracts; Event production / custom fabrication

AREA STUDY: Not ApplicableTIA: Is not requiredWATERSHED: South Boggy Creek – SuburbanCAPITOL VIEW CORRIDOR: NoSCENIC ROADWAY: NoCOMMUNITY 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 n
 1429 – Go Austin Vamos Austin – 78745 1528 – Bike Austin
 1530 – Friends of Austin Neighborhoods
 1531 – South Austin Neighborhood Alliance 1550 – Homeless Neighborhood Association
 1616 – Neighborhood Empowerment Foundation 1774 – Austin Lost and Found Pets

SCHOOLS:

Williams Elementary School

Bedichek Middle School

Crockett High School

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0100 – 7505 Cooper Lane – 7501, 7503, 7505, 7507, 7509, and 7511 Cooper Ln	DR; SF-2 to SF-6	To Grant SF-6 w/conds of the Neighborhood Traffic Analysis	Apvd SF-6-CO w/CO requiring an amended NTA at the time of site plan to reflect existing and proposed vehicles per day from approved projects in order to account for the cumulative impact of

			planned development along Cooper Ln, and a RC for the conds of the NTA (1-23-2020).
C14-2019-0090 – 7410 Cooper Ln	DR to SF-6	To Grant	Apvd SF-6-CO w/CO requiring an amended NTA at time of site plan to reflect existing and proposed vehicles / day from apvd projects in order to account for the cumulative impact of planned devts along Cooper Ln (11-14-2019).
C14-2015-0061 – Townbridge Homes Rezoning – 7513 and 7603 Cooper Ln	DR; SF-2 to SF-6	To Grant SF-6-CO w/CO for 10' vegetative buffer and bike/ped connections along the north, east and south sides	Apvd SF-6-CO as ZAP recommended, w/an add'l condition to prohibit gated access on the property (12-17-2015).
C14-2015-0129 – 7804 Cooper Ln	SF-2-CO to SF-3-CO	To Grant SF-3-CO w/CO limited to 4 units and prohibiting access to Cooper Ln	Apvd SF-3-CO as ZAP recommended, w/an add'l condition to limit the number of driveways to 1 on Dittmar Rd (4-24-2016).
C14-2014-0052 – Cooper Lane Rezoning – 7405, 7409 and 7415 Cooper Ln	DR; SF-2 to SF-6-CO, as amended	To Grant SF-6-CO w/CO for a max of 65 units, 25' vegetative buffer along the north property line, restrict uses to sf, townhouse/condo, and the conds. of the Neighborhood Traffic Analysis, and add'l conds. for full access to Sir Gawain, sidewalks to Sir Gawain and Cooper Ln, stub-out to property to south between Lots 43 and 54 (refer to Concept Plan),	Apvd as SF-6-CO with a Restrictive Covenant as Commission recommended (8-28-2014). <u>Note</u> : Site plan apvd for 65 two-story condos w/drives, sidewalks, utilities, drainage and other associated improvements on 9.86 acres.

		traffic calming device on private street close to Sir Gawain, and secondary entrance/exit to Cooper Ln.	
C14-2014-0049 – Cooper Villas – 7805 Cooper Ln	CS-CO to MF-1	To Grant MF-1-CO w/CO prohibiting residential uses	Apvd MF-1-CO as ZAP recommended (6-26-2014).
C14-05-0161 – Prunty Tracts – 7720 S 1st St; 7801-7805 Cooper Ln; 630-640 Dittmar Rd	DR; LO to CS for Tract 1; MF-1 for Tract 2	To Grant CS-CO for convenience storage and plant nursery and all W/LO uses on Tract 1, and MF-1-CO for Tract 2; 2,000 trips across Tracts 1 & 2	Apvd CS-CO and MF-1-CO as ZAP recommended (12-15-2005). <u>Note:</u> Site Plan apvd for 41 one-story condo units w/parking, pond, rain garden, pool & amenity center on 3.82 acres.
C14-02-0069 – New Life Assembly of God, Inc. – 7612 Cooper Ln	DR to LO	To Grant NO-MU-CO w/CO limited to day care (general) and permitted SF-2 uses with building and impervious cover limited to SF-2 development regulations.	Apvd NO-MU-CO as ZAP recommended (8-29-2002).
C14-02-0039 – Della – 7600 ½ Cooper Ln	DR to SF-6	To Grant SF-6-CO, to allow for a telecommunications tower, with SF-2 development standards.	Apvd SF-6-CO zoning as ZAP recommended (6-27-2002).
C14-02-0018 – Della – 7600 ½ Cooper Ln	DR to MF-1	Withdrawn	Not Applicable

RELATED CASES:

The property was annexed into the City limits on November 15, 1984 (C7A-83-017 A).

There are no subdivision or site plan cases on the subject property.

EXISTING STREET CHARACTERISTICS:

Name	Existing and ASMP required ROW	Existing Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Cooper Lane	55 feet / 78 feet	20 feet	Level 2 (Residential Collector)	No	Shared Lane	Yes

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November 2014, a shared lane bike facility is recommended for Cooper Lane.

OTHER STAFF COMMENTS:Inclusive Planning

Project Name and Proposed Use: 7603 Cooper Lane. 1.24 acres from DR to MF-2. One single family residence to 25 units of Multifamily is proposed.

Yes	Imagine Austin Decision Guidelines
Compact and Connected Measures	
Y	Imagine Austin Growth Concept Map: Located close to, within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified on the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: 0.24 miles from South 1st Activity Corridor
	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Y	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education: Is located within 0.50 miles from a public school or university.
Y	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreational area, park and/or walking trail.
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable house.
Y	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine

	Austin and the Strategic Housing Blueprint.
	Mixed Use: Provides mixed use development (minimum 10% residential and 10% non-residential floor area).
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
4	Total Number of “Yes’s”

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 South Boggy 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.

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.

Impervious Cover

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

PARD – Planning & Design Review

Parkland dedication will be required for the new residential units proposed by this development, multifamily with MF-2 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.

Site Plan and Compatibility Standards

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

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.

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

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

COMPATIBILITY STANDARDS

The site is subject to compatibility standards due to the adjacency of single family residences to the west and south. The following standards apply:

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.

- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

DEMOLITION AND HISTORIC RESOURCES

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

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.

The Austin Strategic Mobility Plan (ASMP) calls for 78 feet of right-of-way for Cooper Lane. It is recommended that 39 feet of right-of-way from the existing centerline should be dedicated for Cooper Lane according to the Transportation Plan with the first subdivision or site plan application [LDC 25-6-51 and 25-6-55].

Water and Wastewater

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.

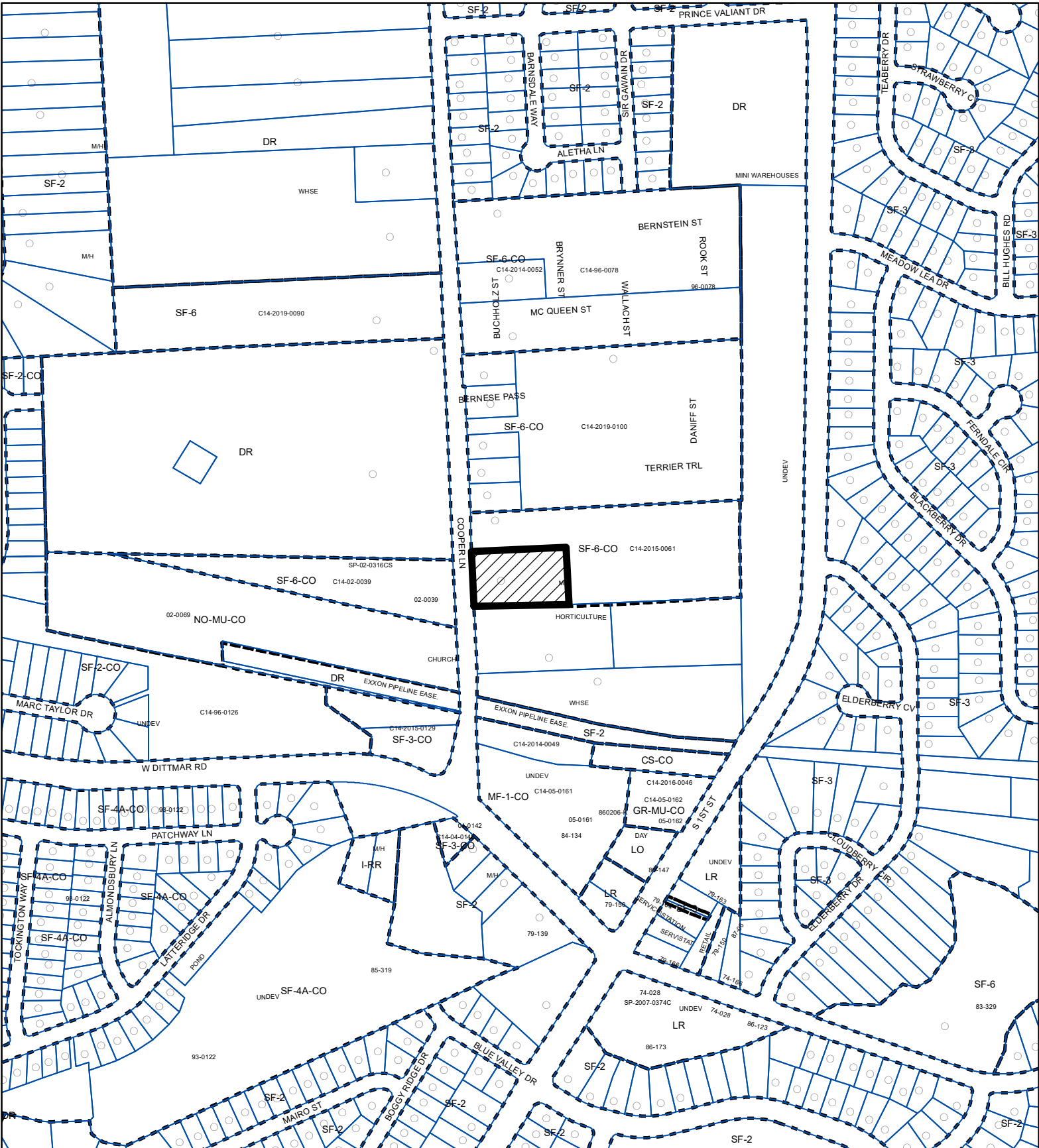
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

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 AND ATTACHMENTS TO FOLLOW:

Exhibits A and A-1: Zoning Map and Aerial View

Correspondence Received



ZONING

Exhibit A

ZONING CASE#: C14-2022-0033



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: 3/23/2022



N



1" = 150'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

7603 Cooper

Exhibit A - 1

ZONING CASE#: C14-2022-0033
 LOCATION: 7603 Cooper Lane
 SUBJECT AREA: 1.24 Acres
 GRID: F15
 MANAGER: WENDY RHOD



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.

From:
To: [Rhoades, Wendy](#)
Subject: 7603 Cooper Ln.
Date: Thursday, April 7, 2022 10:41:26 AM

*** External Email - Exercise Caution ***

Hi Wendy,

After reviewing case number C14-2022-0033 our outreach group does not view MF-2 appropriate, we do support SF6 like the surrounding properties.

Thank you for your time,

Karen Fernandez

MLNA

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.

From:
To: [Rhoades, Wendy](#)
Subject: Re: C14-2022-0033
Date: Tuesday, May 3, 2022 12:12:36 PM

*** External Email - Exercise Caution ***

Thank you for the clarification Wendy! If you could pass on the following request to the Applicant and the Zoning and Platting Commission we would appreciate it. Thank you again for all your help.

Mathews Lane Neighborhood Association Outreach Committee supports staff recommendation of SF6, but requests that Short-Term Rental be prohibited.

Karen Fernandez
MLNA

On May 2, 2022, at 2:46 PM, Rhoades, Wendy
<Wendy.Rhoades@austintexas.gov> wrote:

Hi Karen,

The MLNA could compile a list of proposed prohibited uses to be shared with the Applicant and forwarded to the Zoning and Platting Commission and City Council for their consideration. Please note that some of the uses listed below are allowed in more restrictive zoning districts (SF-3 for example).

The uses with a (c) beside them are conditional uses and require approval of a conditional use permit (a type of site plan application) by the Zoning and Platting Commission. Please see my miscellaneous notes in blue below.

Wendy

From: Karen
Sent: Monday, May 2, 2022 2:07 PM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: C14-2022-0033