

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2025-0020 (4405 Bunny Run)

DISTRICT: 10

ADDRESS: 4405 Bunny Run

ZONING FROM: I-RR

TO: SF-2

SITE AREA: 1.03 acres (44,866.8 sq. ft.)

PROPERTY OWNER: Brian and Robin Penny

AGENT: Dubois, Bryant and Campbell, LLP (David Hartman)

CASE MANAGER: Beverly Villela (512-978-0740, [Beverly.Villela@austintexas.gov](mailto:Beverly.Villela@austintexas.gov))

STAFF RECOMMENDATION:

**Staff recommends SF-2, Single-Family Residence District, zoning. See the *Basis of Recommendation* section below.**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**April 15, 2025: APPROVED STAFF'S RECOMMENDATION FOR SF-2.**

*[R. PUZYCKI; A. FLORES – 2<sup>ND</sup>] (9-0) S. BOONE, T. MAJOR-ABSENT*

CITY COUNCIL ACTION:

**June 5, 2025:**

ORDINANCE NUMBER:

**No.**

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently developed with a single-family residence and zoned I-RR, Interim-Rural Residential. The applicant is requesting to zone the property to SF-2, Single-Family Residence – Standard Lot, to allow for the continued use of the property as a single-family residence and to align with the surrounding zoning pattern and lot sizes.

Staff is recommending SF-2 zoning because it is compatible with the surrounding land uses, which include single-family residences and religious assembly, and it is consistent with the purpose of the SF-2 district. The proposed zoning will allow for residential development that is appropriate for this location.

The applicant is in agreement with the staff recommendation. *Please refer to Exhibits A (Zoning Map) and B (Aerial View).*

BASIS OF RECOMMENDATION:

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

The single-Family Residence (Standard Lot) district is intended as an area for a moderate density single-family residential use on a lot that is a minimum of 5,750 square feet. An SF-2 district designation may be applied to a use in an existing single-family neighborhood that has moderate sized lots or to new development of single-family housing on lots that are 5,750 square feet or more. Up to three units are permitted under single-family residential development standards.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The proposed SF-2 zoning is compatible with surrounding land uses, including single-family residential properties to the west and south, and religious assembly uses to the east and south. The request is consistent with nearby zoning designations, such as SF-1 and I-SF-2, and supports a transition between the existing residential uses in the area. The site is within proximity to public services, schools, and parkland, which makes it suitable for residential development.

EXISTING ZONING AND LAND USES:

|              | ZONING    | LAND USES                                   |
|--------------|-----------|---|
| <i>Site</i>  | I-RR      | Single Family Residence                     |
| <i>North</i> | ETJ       | Extra-Territorial Jurisdiction              |
| <i>South</i> | I-RR; PUD | Single Family Residence; Religious Assembly |
| <i>East</i>  | PUD       | Religious Assembly                          |
| <i>West</i>  | I-SF-2    | Single Family Residence                     |

NEIGHBORHOOD PLANNING AREA: N/A

WATERSHED: St. Stephens Rural (Water Supply Rural)

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Eanes Independent School District

Bridge Point Elementary School   Hill Country Middle School   Westlake High School

COMMUNITY REGISTRY LIST:

Aqua Verde Homeowners Association  
Austin Independent School District,  
Austin Lost and Found Pets,  
BRNA ASSOCIATION INC.,  
City of Rollingwood,

Friends of Austin Neighborhoods,  
Glenlake Neighborhood Association,  
Neighborhood Empowerment Foundation,  
SELTexas,  
Save Our Springs Alliance,  
Sierra Club,

Austin Regional Group,  
TNR BCP - Travis County Natural  
Resources,

The Creek at Riverbend Neighborhood  
Association

AREA CASE HISTORIES:

| NUMBER                            | REQUEST      | COMMISSION                    | CITY COUNCIL  |
|-----------------------------------|--------------|-------------------------------|---|
| C14-2024-0148<br>(4007 Bunny Run) | I-RR to SF-1 | To Grant SF-1<br>(11/19/2024) | Approved SF-1 as<br>Commission<br>Recommended<br>(01/30/2025) |

RELATED CASES:

There are no related cases.

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning:

**Project Name and Proposed Use:** 4405 BUNNY RUN. C14-2025-0020. Project: 4405 Bunny Run. 1.0300 acres from I-RR to SF-2. Existing: single family. Proposed: single family.

| Yes | Imagine Austin Decision Guidelines  |
|-----|---|
|     | <b>Complete Community Measures *</b>  |
|     | <b>Imagine Austin Growth Concept Map:</b> Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. <b>Names of Activity Centers/Activity Corridors/Job Centers *:</b>  |
|     | <b>Mobility and Public Transit *:</b> Located within 0.25 miles of public transit stop and/or light rail station.   |
|     | <b>Mobility and Bike/Ped Access *:</b> Adjoins a public sidewalk, shared path, and/or bike lane.  |
|     | <b>Connectivity, Good and Services, Employment *:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.   |
|     | <b>Connectivity and Food Access *:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.  |
| Y   | <b>Connectivity and Education *:</b> Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> <li>• Within 0.5 miles of Bridge Point Elementary School</li> </ul>   |
| Y   | <b>Connectivity and Healthy Living *:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> <li>• 0.3 miles to the Nalle Bunny Run Wildlife refuge</li> </ul>  |
|     | <b>Connectivity and Health *:</b> Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)   |
|     | <b>Housing Choice *:</b> 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. |

|   |   |
|---|---|
|   | <b>Housing Affordability *</b> : Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.  |
|   | <b>Mixed use *</b> : Provides a mix of residential and non-industrial uses.   |
|   | <b>Culture and Creative Economy *</b> : Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).  |
|   | <b>Culture and Historic Preservation</b> : Preserves or enhances a historically and/or culturally significant site.   |
|   | <b>Creative Economy</b> : Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)   |
|   | <b>Workforce Development, the Economy and Education</b> : Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training. |
|   | <b>Industrial Land</b> : Preserves or enhances industrial land.   |
| Y | <b>Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone</b>  |
| 3 | <b>Number of "Yes's"</b>  |

### 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 St Stephen's Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Rural Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

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

| <i>Development Classification</i> | <i>% of Net Site Area</i> | <i>% NSA with Transfers</i> | <i>Allowable Density</i>     |
|-----------------------------------|---------------------------|-----------------------------|------------------------------|
| One or Two Family Residential     | n/a                       | n/a                         | 1 unit/2 acres net site area |
| Multifamily Residential           | 20%                       | 25%                         | n/a                          |
| Commercial                        | 20%                       | 25%                         | n/a                          |

Single family or duplex development within a Water Quality Transition Zone may not exceed a density of one unit per three acres, exclusive of land within a 100-year floodplain.

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.

#### Fire

No comments on zoning change.

#### PARD – Planning & Design Review

Parkland dedication will be required for the new applicable uses proposed by this development, proposed SF-2 zoning, at the time of subdivision 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 § 25-1-609, as amended.

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: [ann.desanctis@austintexas.gov](mailto:ann.desanctis@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

Site plans will be required for any new development except for residential only project with up to 4 units.

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

#### Austin Transportation and Public Works Department – Engineering Review

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Bunny Run. It is recommended that 29 feet of right-of-way from the existing centerline should be

dedicated according to the ASMP with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Live Oak Dr. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated according to the ASMP with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The adjacent street characteristics table is provided below:

| <b>Name</b>  | <b>ASMP Classification</b> | <b>ASMP Required ROW</b> | <b>Existing ROW</b> | <b>Existing Pavement</b> | <b>Sidewalks</b> | <b>Bicycle Route</b> | <b>Capital Metro (within ¼ mile)</b> |
|--------------|----------------------------|--------------------------|---------------------|--------------------------|------------------|----------------------|--------------------------------------|
| Bunny Run    | Level 1                    | 58'                      | 62'                 | 21'                      | No               | No                   | No                                   |
| Live Oak Dr. | Level 1                    | 58'                      | 62'                 | 22'                      | No               | No                   | no                                   |

TIA:

A traffic impact analysis is not required. Traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code (LDC).

Austin Water Utility

No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

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 the Austin Water SER team at [ser@austintexas.gov](mailto:ser@austintexas.gov).

City records indicate the site is served by an On-Site Sewage Facility (OSSF). With the change of use, the owner must connect the site to city wastewater service through the cutover

process. For more information pertaining to the wastewater cutover process, contact the AW OSSF team at [OSSF@austintexas.gov](mailto:OSSF@austintexas.gov) or call (512)-972-0050. The cutover process may also initiate a required review by the Industrial Waste Division depending on building usage.

#### INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map  
Exhibit A-1: Aerial Map  
Exhibit B: Applicant's Summary Letter  
Exhibit C: Public Comment







## 4405 Bunny Run



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

ZONING CASE#: C14-2025-0020  
LOCATION: 4405 Bunny Run  
SUBJECT AREA: 1.03 Acres  
MANAGER: Beverly Villela







**David Hartman** (512) 685-3409  
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Austin, TX 78701  
[www.dbcllp.com](http://www.dbcllp.com)

January 23, 2025

Lauren Middleton-Pratt  
Director, Planning Department  
City of Austin  
6310 Wilhelmina Delco Drive  
Austin, Texas 78752

Re: Rezoning Application for 1.03 acres located at 4405 Bunny Run, Austin, Texas 78746 ("Property").

Dear Ms. Middleton-Pratt:

We respectfully submit the enclosed zoning application for 4405 Bunny Run, Austin, Texas 78746, as representatives of the owners of the above stated Property.

The Property was annexed in 2008 pursuant to Ord. No. 20081218-035 ("Annexation Ordinance"), which assigned the Interim Rural Residence ("I-RR") zoning designation to the Property. The Property is currently developed with one single-family dwelling unit.

This zoning application requests Single Family Residence - Standard Lot ("SF-2") zoning to assign a permanent zoning designation for the Property. The Property is located within a residential subdivision with predominantly single family residential zoning on adjacent property including Interim Single Family Residence Standard Lot ("I-SF-2") located directly across Bunny Run adjacent to the Property pursuant to the Annexation Ordinance.

The TIA Determination Worksheet dated January 17, 2025 and signed by Mustafa Wali states that a Traffic Impact Analysis is not required. The Property is not located within a Neighborhood Plan.

If you have any questions about the application or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,

A handwritten signature in blue ink, appearing to read "David Hartman", is written over a horizontal line. The signature is stylized with a large, sweeping initial "D".

David Hartman

## Villela, Beverly

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**From:** Virgilio Altamirano [REDACTED]  
**Sent:** Wednesday, March 26, 2025 6:51 AM  
**To:** Villela, Beverly  
**Subject:** Case C14-2025-0020--4405 BUNNT RUN

You don't often get email from [REDACTED]. [Learn why this is important](#)

### External Email - Exercise Caution

I absolutely oppose subdividing into 5785 square feet lots. The development needs to fit in within the neighborhood, so look around the size of the lots in the neighborhood. In order to fit with the neighborhood this property should not be subdivided in more than 3 LOTS or approximately 15,000 square feet.

Also, the current owner proceeded to cut off a 2 feet diameter tree in front of the front door during a Sunday about 2 weeks ago. An inspection of the property needs to be performed to determined what else is the current owner destroying in preparation for his development idea.

I have lived at 4304 Aqua Verde since 2000 and plan to be here forever unless someone manages to destroy the vibe of the neighborhood.

*Virgilio Altamirano, CPA*

Apante & Muzun Investments  
P O Box 160788  
Austin Texas 78716  
[REDACTED]

**CAUTION:** This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook.

For any additional questions or concerns, contact CSIRT at "cybersecurity@austintexas.gov".