

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0059 (7800 Persimmon Trail)

DISTRICT: 5

ADDRESS: 7800 Persimmon Trail

ZONING FROM: MH

TO: SF-3

SITE AREA: 0.28 acres (sq. ft.)

OWNER/APPLICANT: Capital River Group, LLC - Series 25 (Stuart Carr)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMEDATION:

Staff recommends SF-3, Family Residence District, zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

July 11, 2023: Approved staff's recommendation of SF-3 zoning by consent (8-0, B. Greenberg-No, C. Acosta and D. Fouts-absent); H. Smith, A. Flores-2nd.

CITY COUNCIL ACTION:

August 31, 2023

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a lot is within the Greenleaf Estates subdivision and contains a vacant single family residence. The Greenleaf Estates and the Brownleaf Estates, the adjacent subdivision to the north, are manufactured home subdivisions and were zoned mobile home residence (MH) district in the mid-1980s. Some of the lots contain one or more manufactured homes, and other lots have single family residence or two-family residence uses. In this case, the applicant has requested SF-3 zoning in order to build a new primary single family residence and accessory dwelling unit.

BASIS OF RECOMMENDATION:

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

The family residence (SF-3) district is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated in an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

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

The staff supports the applicant’s request because the property is located in an area that is developed with a mixture of manufactured homes, single family residences and two-family residences. The SF-3 zoning district would be compatible and consistent with the surrounding uses, and there are existing SF-3 and SF-2-CO zoned properties located to the north and east that are currently developed with single family residential uses. In addition, many of the manufactured homes in this area have been enclosed with framed facades making it difficult to recognize them as manufactured homes and not single family structures.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|-------------|--|
| <i>Site</i> | MH | Vacant Manufactured Home |
| <i>North</i> | MH, SF-3 | Manufactured Home, Single Family Residences |
| <i>South</i> | MH | Single Family Residences |
| <i>East</i> | MH, SF-2-CO | Manufactured Home, Single Family Residences |
| <i>West</i> | MH | Manufactured Homes, Single Family Residences |

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Not required

WATERSHED: South Boggy Creek

SCHOOLS: Austin I.S.D.
Casey Elementary School
Bedichek Middle School
Akins High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Lost and Found Pets
Austin Neighborhoods Council
Friends of Austin Neighborhoods
Go Austin Vamos Austin 78745
Homeless Neighborhood Association
Matthews Lane Neighborhood Assn.
Neighborhood Empowerment Foundation
Onion Creek Homeowners Assoc.
Preservation Austin
SELTexas
Sierra Club Austin Regional Group
South Austin Neighborhood Alliance (SANA)

AREA CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|--|--------------|---|---|
| C14-2021-0105 (Wynne Lane Rezoning: 7702 Wynne Lane) | SF-2 to SF-3 | 8/03/2021: Approved staff rec. of SF-3 zoning by consent (9-0, A. Denkler-off the dais, C. Acosta-absent); H. Smith-1 st , C. Thompson-2 nd . | 9/02/21: The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20210902-063 for SF-3 district zoning was approved on Council Member Pool's motion, Council Member Ellis' second on a 9-0 vote. Mayor Adler was off the dais. Council Member Alter was absent. |
| C14-2019-0139 (Forest Wood Road: 7708 Forest Wood Rd) | SF-2 to SF-3 | 12/03/2019; Approved staff's rec. of SF-3 (9-0; A. Tatkow-off the dais); H. Smith-1 st , A. Denkler-2 nd . | 1/23/2020: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200123-103 for SF-3 district zoning was approved on Council Member Kitchen's motion, Council Member Alter's second on a 9-0 vote. Council |

| | | | |
|---|------------|---|--|
| | | | Member Flannigan was off the dais. Mayor Adler was absent. |
| C14-2019-0060 (7507 Wynne Lane) | MH to SF-3 | 6/01/2021: Approved staff's rec. of SF-3 zoning by consent (8-0, C. Acosta, T. Bray – not yet arrived); H. Smith-1 st , J. Kiolbassa-2 nd | 6/06/2019: The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20190606-081 for SF-3 district zoning was approved on Council Member Flannigan's motion, Council Member Renteria's second on a 10-0 vote. Council Member Harper-Madison was absent. |
| C14-2016-0076 (7605 Wynne Lane Rezoning) | MH to SF-3 | 9/06/2016: Approved staff rec. of SF-3 zoning by consent (10-0, J. Kiolbassa-absent); A. Denkler-1 st , Y. Flores-2 nd . | 10/13/2016: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20161013-035 for SF-3 district zoning was approved on consent on Council Member Zimmerman's motion, Council Member Gallo's second on a 9-0 vote. Council Members Renteria and Troxclair were absent. |
| C14-2014-0122 (LeBoeuf Rezoning: 7900 Wynne Ln) | MH to SF-1 | 9/02/2014: Approved staff's rec. of SF-1 zoning by consent (6-0, S. Compton-absent); P. Seeger-1 st , C. Banks-2 nd . | 9/25/2014: The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20140925-129 for SF-1 district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote. |
| C14-2012-0110 (Arriaga and Maldonado Project: 7600 Wynne Ln) | MH to SF-3 | 10/02/2012: Approved staff's rec. of SF-3 zoning by consent (5-0, C. Banks-absent); P. Seeger-1 st , G. Rojas-2 nd . | 11/01/2012: The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20121101-052 for SF-3 district zoning was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote. |
| C14-2008-0001 (Reno: 1000 &1002 Reno Dr.) | | 2/19/2008: Approved staff's rec. of SF-3 zoning by consent (5-0, K. Jackson-arrived late, J. Martinez- T. Rabago-absent); C. Hammond-1 st , J. Shieh-2 nd . | 3/06/2008: Ordinance No. 20080306-062 for SF-3 district zoning was approved. |

RELATED CASES:

Subdivision Case: C8-68-040 - LOT 10 BLK B GREENLEAF ESTATES SEC 2

EXISTING STREET CHARACTERISTICS:

The adjacent street characteristics table is provided below:

| Name | ASMP Classification | ASMP Required ROW | Existing ROW | Existing Pavement | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|-----------------|----------------------------|--------------------------|---------------------|--------------------------|------------------|----------------------|--------------------------------------|
| Reno Drive | Level 1 | 58' | 49' | 20' | No | No | No |
| Persimmon Trail | Level 1 | 58' | 51' | 22' | No | No | No |

OTHER STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 7800 PERSIMMON TRAIL. C14-2023-0059. 0.28 acres from MH to SF-3. Mobile home to single family house.

| Yes | Imagine Austin Decision Guidelines |
|------------------------------------|---|
| Complete Community Measures | |
| | Imagine Austin Growth Concept Map: 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. Names of Activity Centers/Activity Corridors/Job Centers: |
| | 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. |
| | 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: 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 recreation area, park 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, and/or specialized outpatient care.) |
| | 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. |
| | Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing. |
| | Mixed use: Provides a mix of residential and non-industrial uses. |
| | Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center). |
| | Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site. |
| | Creative Economy: Expands Austin’s creative economy (ex: live music venue, art studio, film, digital, theater.) |
| | Workforce Development, the Economy and Education: 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. |
| | Industrial Land: Preserves or enhances industrial land. |
| 1 | Total Number of “Yes’s” |

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.

Fire

No comments.

Parks and Recreation

Parkland dedication will be required for the new applicable uses proposed by this development, single family with SF-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.

Site Plan

No comments at this time.

Transportation

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

Water Utility

30 TAC §285, §15-5, §15-9:

City records indicate the site is served by an On-Site Sewage Facility (OSSF). 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 or call (512)972-0050. The cutover process may also initiate a required review by the Industrial Waste Division depending on building usage.

Once AW1 is resolved, 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.

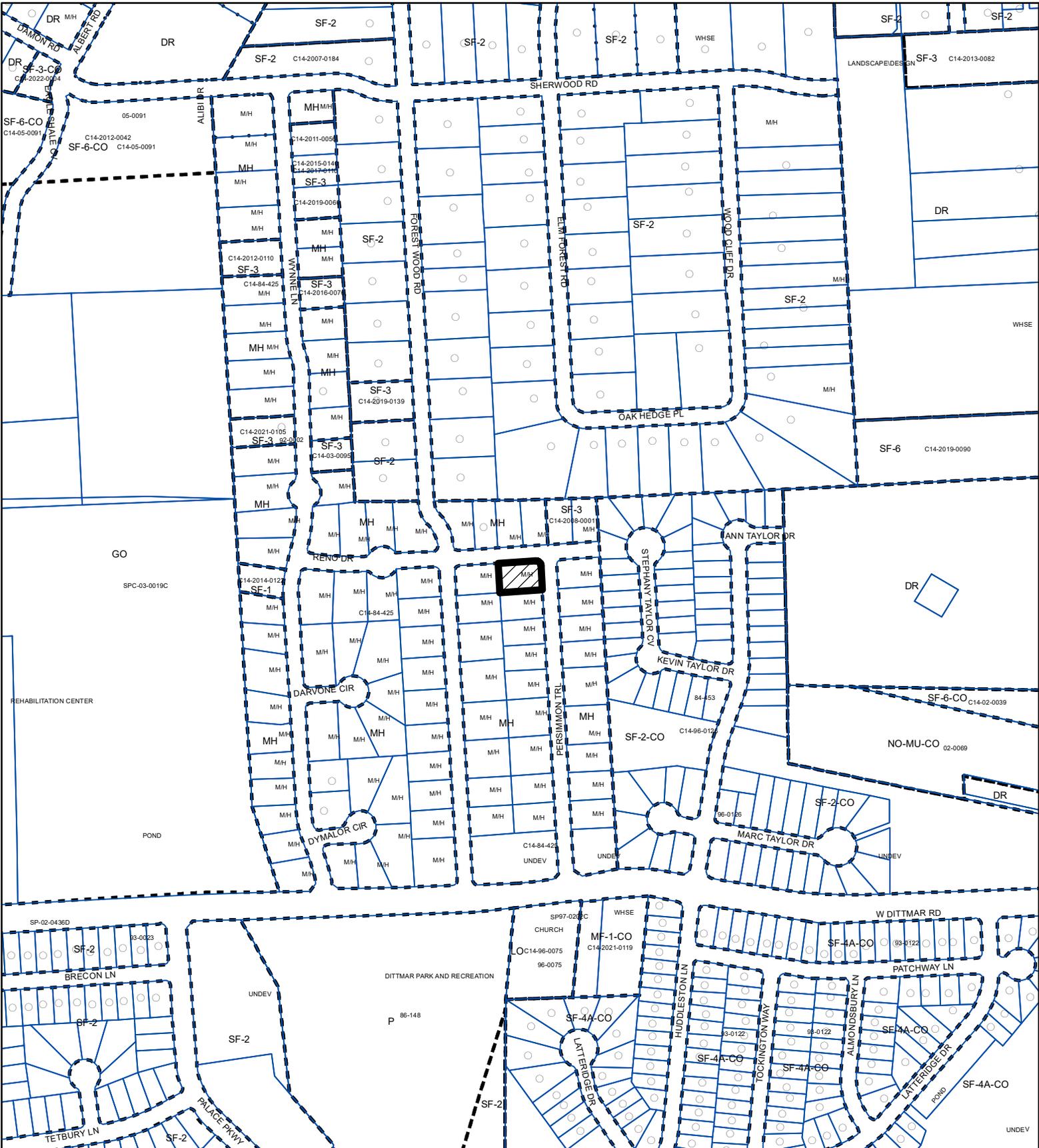
Depending on the development plans submitted, water and or wastewater service extension requests may be required.

All new development within the proposed project will be subject to City Code Chapter 25-9 and any future amendments relating to reclaimed water connections, water benchmarking, and mandatory onsite water reuse.

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

- A: Zoning Map
- B. Aerial Map



ZONING

ZONING CASE#: C14-2023-0059

-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

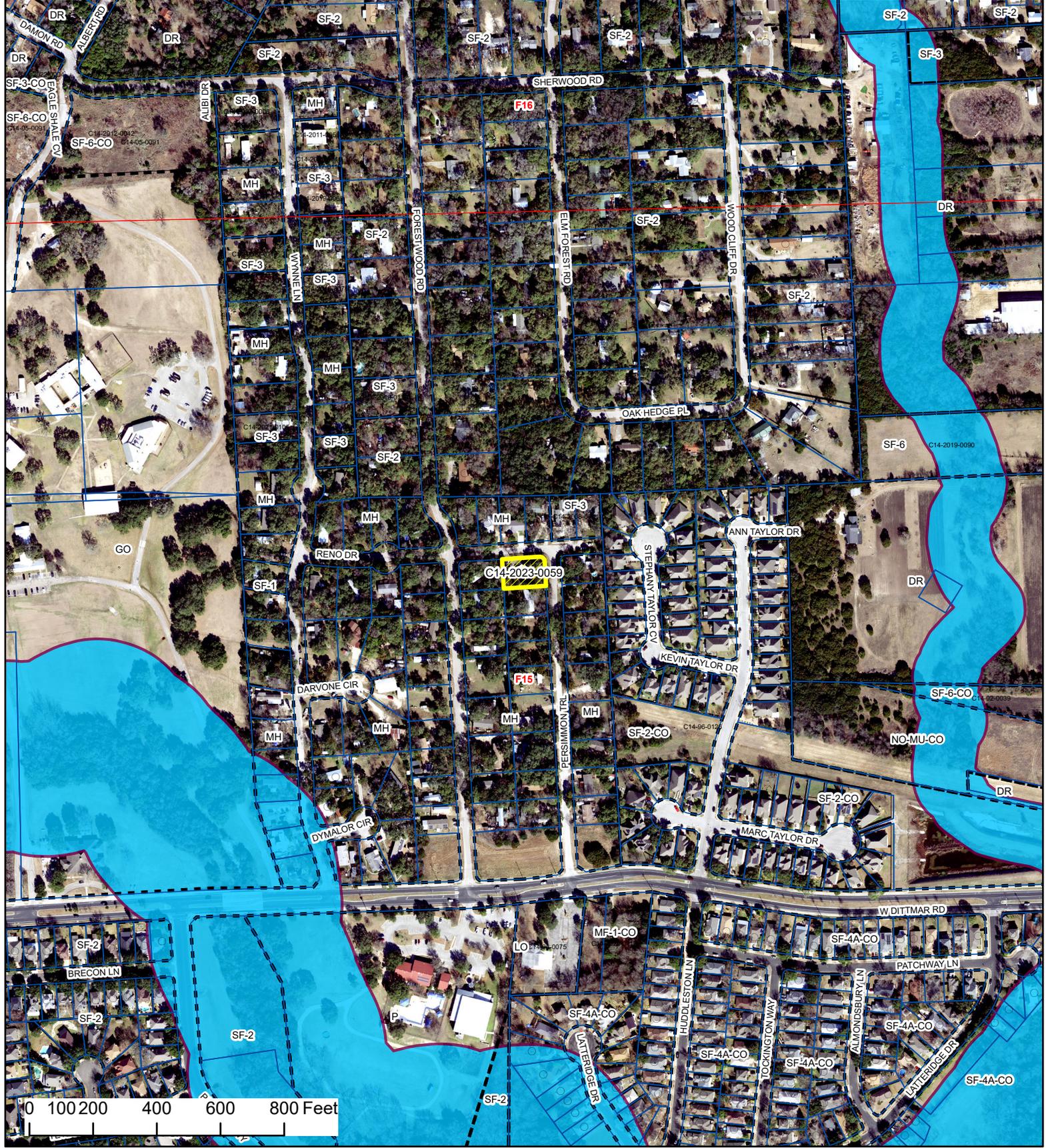
1" = 400'

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: 5/2/2023



7800 Persimmon Trail

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

ZONING CASE#: C14-2023-0059
 LOCATION: 7800 Persimmon Trail
 SUBJECT AREA: 0.28 Acres
 GRID: F15
 MANAGER: Sherri Sirwaitis



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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 both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:
<https://bit.ly/ATXZoningComment>



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

Case Number: C14-2023-0059

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: July 11, 2023, 2023, Zoning and Platting Commission

Billy T. Boyar

Your Name (please print)

I am in favor
 I object

7607 Oak Hedge Pl.

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

Billy T. Boyar

Signature

7/3/23

Date

Daytime Telephone (Optional): 512-461-7880

Comments:

This is a peaceful old neighborhood. Please protect us. Please don't let this neighborhood be destroyed by businesses, commercial properties, duplexes and worse.
Thank you for asking.

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

City of Austin, Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

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Case Number: C14-2023-0059

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: July 11, 2023, 2023, Zoning and Platting Commission

VIRGINIA FOLEY

Your Name (please print)

I am in favor
 I object

7607 OAK Hedge Place 78745

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

V. Foley

Signature

July 5th 2023

Date

Daytime Telephone (Optional): _____

Comments: PLEASE Dont do this! This is an old neighborhood - peaceful. We have large yards that provide habitat for animals and permeable land. We already have a very dependable power grid and dwindling water supply. Developers are greedy and want to transform this neighborhood into the concrete & ugly tight developments being put everywhere. This MU classification is going way too far!!

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

City of Austin, Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

PLEASE NO !!