

# Zoning Request ZC-25-09

## 906 Chestnut Street



### Summary

<b>Request:</b>	Zoning change from Mixed Use (MU) to Character District-4 (CD-4)		
<b>Applicant:</b>	Brennan Duecy The Duecy Group 2212 Wilma Rudolph Rd. Austin, TX 78748	<b>Property Owner:</b>	Jenkins Becky Jo Revocable Trust 132 Hopping Peach San Marcos, TX 78666

### Notification

<b>Application:</b>	June 6, 2025	<b>Neighborhood Meeting:</b>	N/A
<b>Published:</b>	July 1, 2025 & July 26, 2025	<b># of Participants</b>	N/A
<b>Posted:</b>	July 3, 2025 & July 25, 2025	<b>Personal:</b>	July 3, 2025 & July 25, 2025
<b>Response:</b>	None as of the date of this report		

### Property Description

<b>Legal Description:</b>	Park Addition, Lots 104 and 107, and parts of 105-106		
<b>Location:</b>	Located on the Northern corner of Acorn Street and Chestnut Street		
<b>Acreage:</b>	± 0.77 acres	<b>PDD/DA/Other:</b>	N/A
<b>Existing Zoning:</b>	Mixed Use	<b>Proposed Zoning:</b>	Character District - 4
<b>Existing Use:</b>	Single-Family Residential	<b>Proposed Use:</b>	Multifamily Apartments
<b>Existing Occupancy:</b>	Restrictions Do Not Apply	<b>Occupancy:</b>	N/A
<b>Preferred Scenario:</b>	Mixed Use Low	<b>Proposed Designation:</b>	Mixed Use Low
<b>CONA Neighborhood:</b>	Sessom Creek	<b>Sector:</b>	Sector 3
<b>Utility Capacity:</b>	Available	<b>Floodplain:</b>	No
<b>Historic Designation:</b>	N/A	<b>My Historic SMTX Resources Survey</b>	Yes, no Preservation Priority Given

### Surrounding Area

	<b>Zoning</b>	<b>Existing Land Use</b>	<b>Preferred Scenario</b>
<b>North of Property:</b>	Multifamily-18 (MF-18) and Single Family-6 (SF-6)	Single-Family Residential,	Neighborhood Medium, Mixed Use Low
<b>South of Property:</b>	Mixed Use (MU)	Multifamily Apartments, Food Truck Park	Mixed Use Medium
<b>East of Property:</b>	Neighborhood Commercial (NC)	Commercial Retail and Services	Neighborhood Medium
<b>West of Property:</b>	Public/ Institutional (P), Multifamily-18 (MF-18), Multifamily-12 (MF-12), and Single Family-6 (SF-6)	Sessom Creek Natural Area	Conservation Cluster, Neighborhood High, and Neighborhood Medium

### Staff Recommendation

<input checked="" type="checkbox"/> Approval as Submitted	<input type="checkbox"/> Alternate Approval	<input type="checkbox"/> Denial
Staff recommends <b>approval</b> of this zoning change request as submitted.		
<b>Staff:</b> Craig Garrison	<b>Title :</b> Planner	<b>Date:</b> August 27, 2025

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### Commission Recommendation

<b>X</b>	Approval as Submitted		
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**Speakers in favor or opposed**  
In Favor – Brennan Duecy

**Recommendation from the Planning and Zoning Commission (P&Z) Meeting held 8/12/2025**  
A motion was made by Chair Case, second by Commissioner Dunn to recommend approval of the request at the July 29, P&Z Meeting. The item was postponed to the August 12, 2025 meeting.

At the August 12 meeting, the Commission voted on the main motion and the motion passed with a 9-0 vote.

**For: 9** (Commissioner Agnew, Commissioner Costilla, Commissioner Burleson, Commissioner Meeks, Vice Chair Spell, Chair Case, Commissioner Dunn, Commissioner Van Oudekerke, and Commissioner Paselk)  
**Against: 0**  
**Absent: 0**

**Discussion Topics:**  
The Commission discussed historic preservation and notification requirements.

### History

The +/- 0.77 acre site is located within the city limits and was part of the Park Addition plat, platted in 1907. The applicant is proposing a small multifamily apartment development. The site is located within the “North LBJ Drive and Sessom Drive Neighborhood Center” in the Comprehensive Plan, which is described as “small, walkable, mixed-use areas that provide convenient access to goods, services, and dining for nearby residents. These areas are characterized by smaller commercial centers that are walkable and typically located near neighborhoods providing residents with convenient, safe, and equitable access to services.” The applicant stated that applying for the Character District-4 (CD-4) Zoning District will enable better use of the property, as it has a required build-to zone, which allows structures to be built closer to the street than Mixed Use (MU) District.

### Additional Analysis

See additional analysis below.

### Comments from Other Departments

<b>Police</b>	No Comment
<b>Fire</b>	No Comment
<b>Public Services</b>	No Comment
<b>Engineering</b>	No Comment

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Evaluation			Criteria for Approval (Sec.2.5.1.4)
Consistent	Inconsistent	Neutral	
<u>X</u>			Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan and preferred scenario map <b><i>Character District-4 should be "Considered" in the Mixed Use Low Place Types per Table 4.1 of the Land Development Code.</i></b>
		<u>N/A</u>	Whether the proposed zoning map amendment is consistent with any adopted small area plan or neighborhood character study for the area <b><i>This site is located within the limits of the Comprehensive Plan and the draft North of Campus Area plan is currently under review</i></b>
		<u>N/A</u>	Whether the proposed zoning map amendment implements the policies of any applicable plan adopted by City Council <b><i>See above – the draft area plan for North of Campus is still under development and has not yet been adopted.</i></b>
		<u>N/A</u>	Whether the proposed zoning map amendment is consistent with any applicable development agreement in effect
<u>X</u>			Whether the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses shall be appropriate in the immediate area of the land to be reclassified <b><i>The zoning change and subsequent land development requirements will allow for similar density in development but will allow development closer to the Right of Way, matching redevelopment within the area.</i></b>
<u>X</u>			Whether the proposed zoning will reinforce the existing or planned character of the area <b><i>See above – redevelopment in the area has utilized denser flexible development patterns, which the CD-4 District accommodates.</i></b>
<u>X</u>			Whether the site is appropriate for the development allowed in the proposed district <b><i>All uses allowed within Character District-4 should be appropriate for this location</i></b>
	<u>X</u>		Whether there are substantial reasons why the property cannot be used according to the existing zoning <b><i>The site could be developed under the Mixed Use Zoning District, which allows for a variety of commercial uses, and multifamily with Conditional Use Permit</i></b>
<u>X</u>			Whether there is a need for the proposed use at the proposed location <b><i>There is a need for more housing within the area.</i></b>
<u>X</u>			Whether the City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, public safety, and emergency services, while maintaining sufficient levels of service to existing development <b><i>The property is adjacent to COSM water and wastewater lines.</i></b>
<u>X</u>			Whether the proposed rezoning will have a significant adverse impact on property in the vicinity of the subject property <b><i>The proposed rezoning is not anticipated to have any adverse impacts on property within the vicinity of the subject property.</i></b>
<u>X</u>			The impact the proposed amendment has with regard to the natural environment, including the quality and quantity of water and other natural resources, flooding, and wildlife management <b><i>There are no known environmental constraints on the property.</i></b>
		<u>X</u>	Any other factors which shall substantially affect the public health, safety, morals, or general welfare <b><i>There are no factors which are anticipated to substantially affect public health, safety, morals, or general welfare.</i></b>