

A U S T I N C I T Y C O U N C I L

# AGENDA



Thursday, March 01, 2007

Back Print

**Zoning and Neighborhood Plan Amendments  
(Public Hearings and Possible Action)  
RECOMMENDATION FOR COUNCIL ACTION**

**ITEM No. 63**

**Subject:** C14-06-0220 - Thornton Bungalows - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2206-2210 Thornton Road (West Bouldin Creek Watershed) from urban family residence-conditional overlay (SF-5-CO) combining district zoning to single-family residence-condominium-conditional overlay (SF-4B-CO) combining district zoning. Staff Recommendation. To grant single-family residence-condominium-conditional overlay (SF-4B-CO) combining district zoning. Planning Commission Recommendation. To be reviewed on February 27, 2007. Applicant: Thornton Cottages Austin, L P (James Austin). Agent: Stansberry Engineering (Blayne Stansberry) City Staff Robert Heil, 974-2330

**Additional Backup  
Material**

(click to open)

Staff Report

**For More Information:**

## ZONING CHANGE REVIEW SHEET

**ZONING CASE:** C14-06-0220 Thornton Bungalows

**P.C. Date:** January 16, 2007  
January 30, 2007  
February 13, 2007  
February 27, 2007

**ADDRESS:** 2206 – 2210 Thornton Road

**OWNER/APPLICANT:** Thornton Cottages Austin, LP (James Austin)

**AGENT:** Stansberry Engineering (Blayne Stansberry)

**FROM:** SF-5-CO

**TO:** SF-4B-CO

**AREA:** 1 500 acres

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of SF-4B-CO. The conditional overlay would limit impervious cover to 50%, and would prohibit the property from taking advantage the provisions of section 25-6-478 of the Land Development Code which allow for a 20% reduction in the required parking for sites in the urban core.

### **PLANNING COMMISSION RECOMMENDATION:**

**January 16, 2007:** Planning Commission meeting canceled due to extreme weather.

**January 30, 2007:** Planning Commission approved SF-4B-CO with the following conditions:

- Impervious cover is limited to 50%
- The property may not take advantage of the advantage the provisions of section 25-6-478 of the Land Development Code which allow for a 20% reduction in the required parking for sites in the urban core
- A maximum of 18 units may be built
- If more than 14 units are built, any units in excess of 14 units must be sold at a rate that is affordable to qualified buyers earning 50% of the median household income.

**February 13, 2007:** The Planning Commission rescinded their action of 1/30/07 on this item and will reconsider the item on 2/13/07

**February 27, 2007:**

### **DEPARTMENT COMMENTS:**

This property was originally zoned SF-3 and the applicant intended to rezone the property to SF-4B. However, the Land Development Code only allows zoning to SF-4B if the property is already zoned SF-5 or less restrictive. The applicant amended their application, and the property was recommended for SF-5-CO by the Planning Commission on

C14-06-0220

September 26, 2006 by a unanimous vote. Staff and the neighborhood supported this recommendation and the City Council approved SF-5-CO on November 16, 2006.

Now the applicant has submitted a request for the property, currently zoned as SF-5-CO, to be rezoned SF-4B-CO, as was their original intent.

Staff supports the request. The applicant and neighborhood are working on a private restrictive covenant to address additional characteristics of the development that fall outside the scope of the Land Development Code and zoning regulation. While some individual in the neighborhood have expressed objections, the neighborhood association (South Lamar NA) has not made a formal opinion.

On January 30, 2007, the Planning Commission recommended approval of the zoning request with additional conditions concerning affordable housing. Specifically, the Commission recommended that if more than 14 units are built, any units in excess of 14 units must be sold at a rate that is affordable to qualified buyers earning 50% of the median household income. After a later review, City legal staff determined that this last component of the Commission's recommendation is not legally enforceable.

#### Site Development Standards in Selected Single Family Base Zoning Districts

	SF-3	SF-4A	<b>SF-4B</b>	SF-5	SF-6
Maximum Height	35'	35'	<b>2 stories*</b>	35'	35'
Maximum Building Coverage	40%	55%	<b>40%</b>	40%	40%
Maximum Impervious Cover	45%	65%	<b>60%**</b>	55%	55%
Minimum Lot Area per Unit	3500 sq ft	3600 sq ft	<b>3600 sq ft</b>	3500 sq ft	3500 sq ft
<b>Minimum Setbacks</b>					
Front Yard	25'	15'	<b>25'</b>	25'	25'
Street Side Yard	15'	10'	<b>15'</b>	15'	15'
Interior Side Yard	5'	3 1/2 '	<b>10'</b>	5'	5'
Rear Yard	10'	5'	<b>15'</b>	10'	10'
<b>Selected Permitted Uses</b>					
Single Family Residential	P	P	<b>P</b>	P	P
Duplex Residential	P	X	<b>X</b>	P	P
Small Lot Single-Family	X	P	<b>P</b>	P	P
Multiple SF Homes per lot	X	X	<b>P</b>	P	P
Townhomes	X	X	<b>X</b>	P	P

Note: The minimum site area for SF-3 is 5750 square feet. 1 unit per 3500 square feet of lot reflects a 7000 square foot lot developed with a duplex.

\* Each story may not exceed a plate height of 10 feet.

\*\* In this case a conditional overlay has been offered to limit impervious cover to 50%

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-5-CO	Single Family Homes
<i>North</i>	CS	Apartments, Office and Retail
<i>South</i>	SF-3 and CS	Single Family Homes and Undeveloped
<i>East</i>	SF-3	Single Family Homes
<i>West</i>	SF-3 and MF-2	Single Family Homes

**AREA STUDY:** The property is part of the South Lamar neighborhood plan area, which began meeting in late 2005.

**TIA:** A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

**WATERSHED:** West Bouldin Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS**

- South Lamar Neighborhood Association
- South Central Coalition
- Austin Neighborhood Council
- Barton Springs / Edward's Aquifer Conservation District
- Homebuilder's Association of Greater Austin
- Austin Independent School District

**SCHOOLS: (AISD ISD)**

Zilker Elementary School      O. Henry Middle School      Austin High School

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE	BUS	SIDEWALKS
Thornton Rd	56'	30'	Collector	No	No	No

Capital Metro Service is located within ¼ mile of this site on Oltorf.

**CITY COUNCIL DATE:**      **ACTION:**

C14-06-0220

**January 25, 2007:**

**Postponed at the request of staff until 02/01/06**

**February 1, 2007:**

**Postponed at the request of the neighborhood until  
02/15/07**

**February 15, 2007**

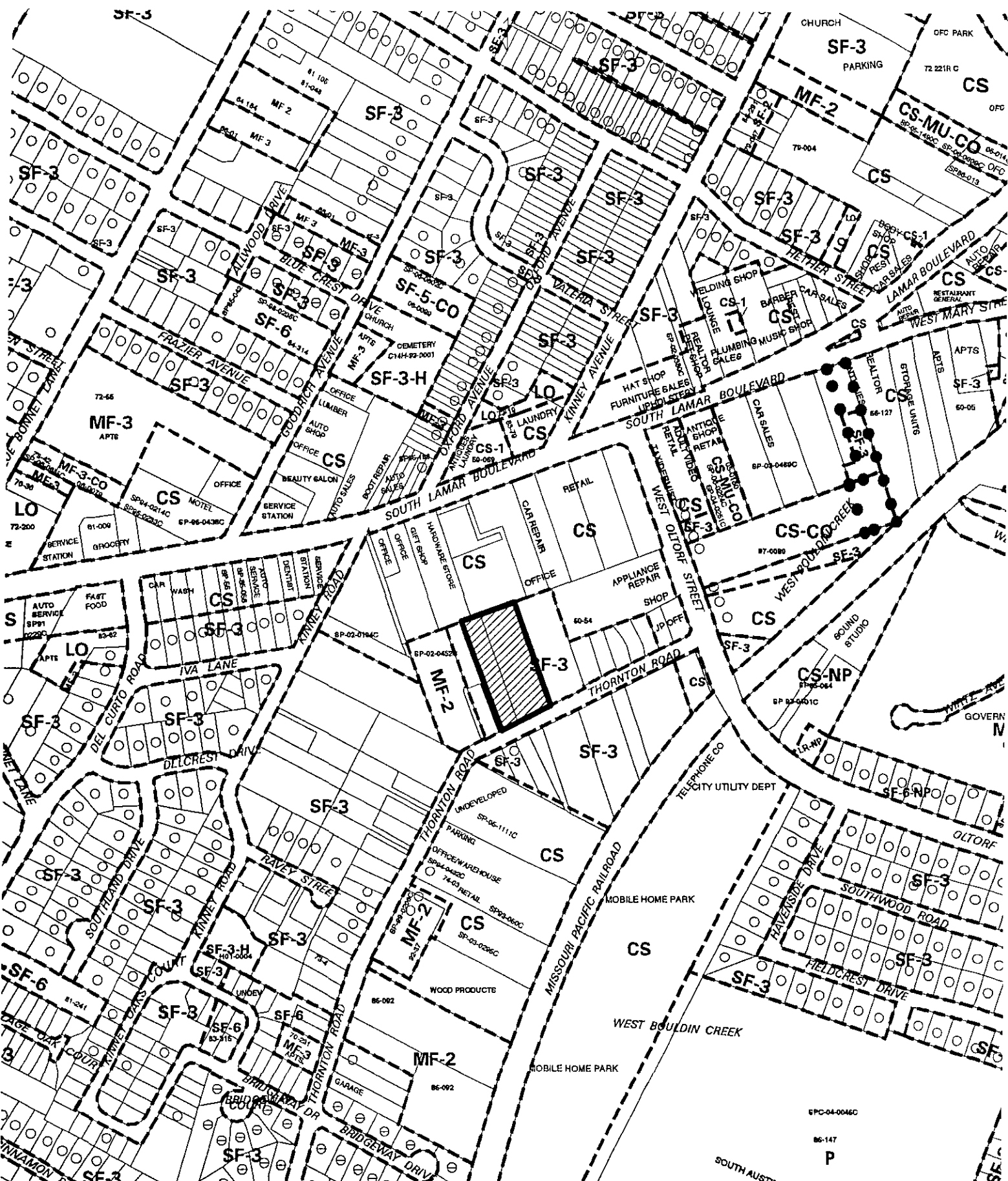
**Postponed at the request of staff until 03/01/07**

**ORDINANCE READINGS:**

**ORDINANCE NUMBER:**

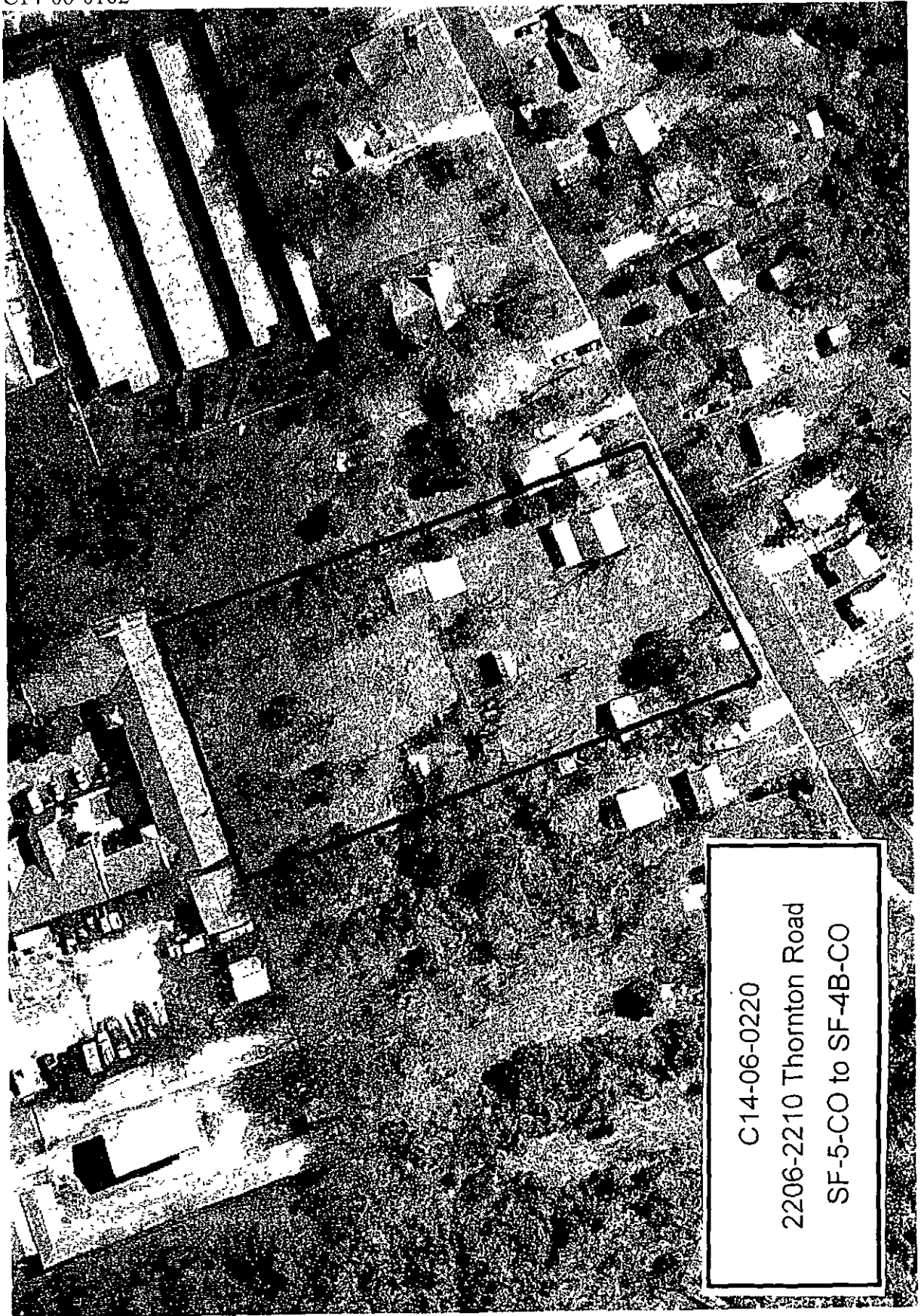
**CASE MANAGER:** Robert Heil  
e-mail address: robert.heil@ci.austin.tx.us

**PHONE:** 974-2330



 1" = 400'	<b>SUBJECT TRACT</b> 	<b>ZONING</b> CASE #: C14-06-0220 ADDRESS: 2206 - 2210 THORNTON RD SUBJECT AREA (acres): 1.500		DATE: 06-11 INTLS: SM	<b>CITY GRID REFERENCE NUMBER</b> G20
	<b>PENDING CASE</b> 				
	<b>ZONING BOUNDARY</b> 				
	<b>CASE MGR R HEIL</b>				

C14-06-0182



C14-06-0220

2206-2210 Thornton Road

SF-5-CO to SF-4B-CO

**SUMMARY STAFF RECOMMENDATION**

Staff recommends approval of SF-4B-CO. The conditional overlay would limit impervious cover to 50%, and would prohibit the property from taking advantage the provisions of section 25-6-478 of the Land Development Code which allow for a 20% reduction in the required parking for sites in the urban core.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

1. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

SF-4B-CO will allow for flexible infill development without negative impact to the surrounding residential neighborhood.

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

Single-family residence condominium site (SF-4B) district is the designation for a moderate density single-family residential use on a site surrounded by existing structures, most of which are single-family residences. An SF-4B district use is subject to development standards that maintain single family neighborhood characteristics. An SF-4B district designation may only be applied at a proposed location if the existing location is currently designated as an urban family (SF-5) or less restrictive district.

**Transportation**

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 174 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics)

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

**Existing Street Characteristics:**

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE	BUS	SIDEWALKS
Thornton Rd	56'	30'	Collector	No	No	No

Capital Metro Service is located within ¼ mile of this site on Oltorf.



**Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin 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. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s f cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements

According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustments are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

## 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 attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a 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

**Case Number:** C14-06-0220

**Contact:** Robert Heil, (512) 974-2330

**Public Hearing:**

January 16, 2007 Planning Commission



*KERRY SPRADLEY*  
Your Name (please print)

*2216 THORNTON ROAD UNIT 310*  
Your address(es) affected by this application

*Kerry Spradley*  
Signature

*1-8-7*  
Date

Comments

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

City of Austin

Neighborhood Planning and Zoning Department

Robert Heil

P. O. Box 1088

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