

ZONING REVIEW SHEET**CASE:** C14-06-0200**Z.A.P. DATE:** November 21, 2006

January 9, 2007

January 23, 2007

February 6, 2007

ADDRESS: 4318 Bull Creek Road**OWNER:** Alori Properties
(Lawrence Aldridge)**AGENT:** Ardent Residential
(Brett Denton)**REZONING FROM:** MF-4 (Multi-family residence –moderate high density) district**TO:** MF-6-CO (Multi-family residence-highest density– conditional overlay) district**AREA:** 0.921 Acres (40,118.76 square feet)**SUMMARY ZONING AND PLATTING COMMISSION RECOMMENDATION:***February 6, 2004:****APPROVED STAFF'S RECOMMENDATION FOR MF-6-CO ZONING WITH ADDED CONDITIONS OF: 25-FEET SETBACK FROM BULL CREEK ROAD AND A MAXIMUM OF 80 UNITS; BY CONSENT.******[J.MARTINEZ, T.RABAGO 2ND] (9-0)*****SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the rezoning from MF-4 to MF-6-CO. The conditional overlay shall address the following:

1. Limit the daily vehicle trips to less than 2,000 per day;
2. Limit the maximum height to 60 feet from ground level;
3. All vehicular access to the property shall be on to Bull Creek Road or adjacent property; and
4. Maximum floor-to-area ratio (FAR) shall be 2.25:1.

The Staff recommendation is based on the following considerations:

- 1.) The proposed office zoning classification and height under MF-6 are compatible with the existing, multifamily development Bull Creek Road;
- 2.) More intensive zoning should be located near the area zoned GO-MU-CO south of the subject site to ensure height compatibility and protect the residential character of the established neighborhood north of West 44th Street; and
- 3.) The recommended conditional overlay will address site development standards which encourage compatibility with proposed multifamily development north of the subject site.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a 0.921 acre site (40,118.76 square feet) fronting on Bull Creek Road zoned MF-4. The property is developed with an apartment complex. The applicant wishes to rezone the property to MF-6-CO to allow for the redevelopment of the site for multi-family residential. Under a conditional overlay, the applicant proposes to limit the daily vehicle trips to less than 2,000 per day, limit the maximum height to 60 feet from ground level, allow vehicular access on to Bull Creek Road or adjacent property to the north, and limit the floor to area ratio (FAR) to 2.25:1.

MF-4 Development Standards:

MF-4	
Maximum Height:	60 feet
Maximum Building Coverage:	60%
Maximum Impervious Cover:	70%
Maximum Floor Area Ratio:	0.75:1

Source: The Code of the City of Austin, Volume III, Chapter 25-2-492

MF-6 Development Standards:

MF-6	
Maximum Height:	90 feet
Maximum Building Coverage:	70%
Maximum Impervious Cover:	80%
Maximum Floor Area Ratio:	-

Source: The Code of the City of Austin, Volume III, Chapter 25-2-492

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-4	Apartments
<i>North</i>	MF-6-CO	Apartments
<i>South</i>	MF-4	Apartments
<i>East</i>	UNZ	Texas Department of Transportation
<i>West</i>	N/A	MoPac Expressway

AREA STUDY: North Lamar**TIA:** Waived (See Transportation comments)**WATERSHEDS:** Shoal Creek, Johnson, Taylor Slough North**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**SCENIC ROADWAY:** Yes**NEIGHBORHOOD ORGANIZATIONS:**

283--North Austin Neighborhood Alliance

344--M.K. Hage

511--Austin Neighborhoods Council

742--Austin Independent School District

SCHOOLS:

Austin Independent School District

- Pillow Elementary School
- Burnet Middle School
- Anderson High School

RELATED CASES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-67-078	"A" Residence 1 st H&A to "B" Residence 1 st H&A	N/A	N/A

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-99-0080	LO and SF-3 to GO	06/15/99: APVD STAFF REC OF GO-MU-CO W/ADTL CONDS (5-0-1, BH-ABSTAIN)	07/15/99: APVD PC REC OF GO- MU-CO W/CONDS (6-0) 1ST RDG 09/09/99: APVD 2ND/3RD RDGS (7-0)
C14-02-0147	SF-3 to SF-6	03/04/03: PULLED	11/06/03: EXPIRED
C14-06-0100	MF-4 to MF-6-CO	08/01/06: APVD MF-6-CO W/CONDS (6-3, BB/JP/JM-NO)	08/31/06: APVD MF-6-CO); (7-0); ALL 3 RDGS

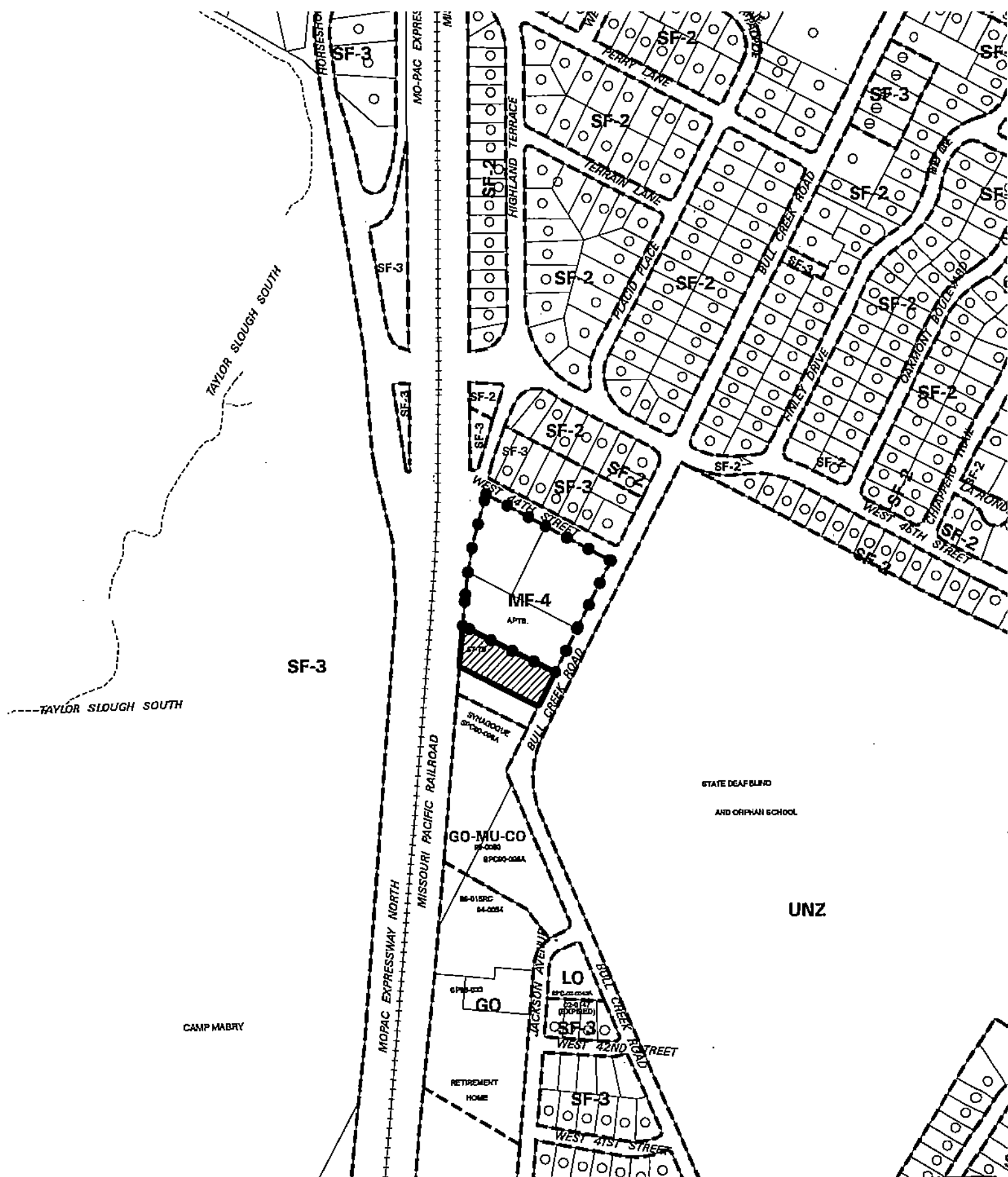
ABUTTING STREETS:





NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	SIDEWALKS
MoPac	Varies	Varies	Arterial	No	Yes
Bull Creek Road	60'	40'	Collector	Yes	Yes
West 44 th Street	50'	Varies	Local	No	No

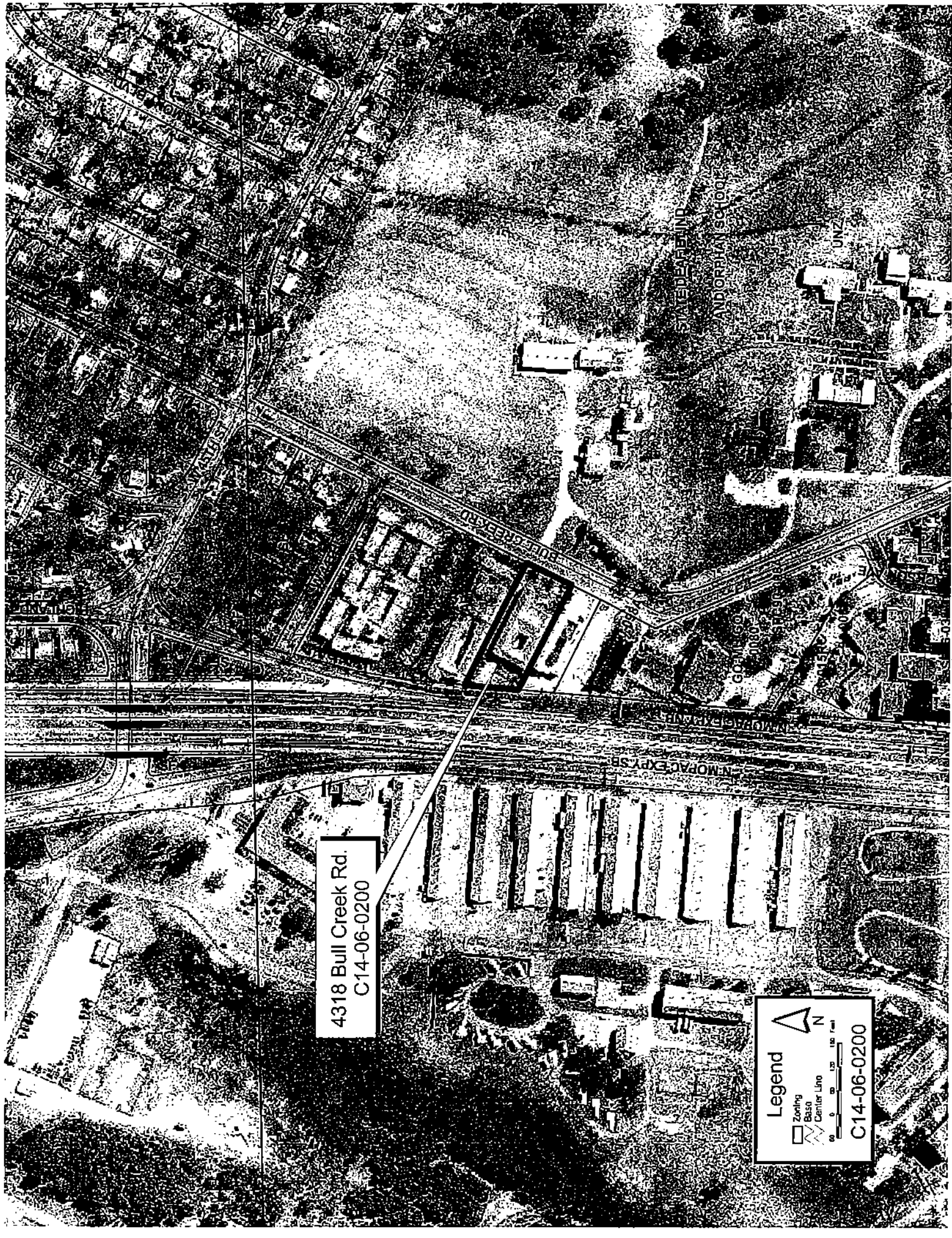
CITY COUNCIL DATE:

March 22, 2007

ACTION:**ORDINANCE READINGS:** 1st 2nd 3rd**ORDINANCE NUMBER:****CASE MANAGER:** Jorge E. Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** jorge.rousselin@ci.austin.tx.us



 1" = 400'	SUBJECT TRACT		ZONING CASE #: C14-06-0200 ADDRESS: 4318 BULL CREEK RD SUBJECT AREA (acres): 0.921	DATE: 06-10 INTLS: SM	CITY GRID REFERENCE NUMBER H26
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: J.ROUSSELIN				



4318 Bull Creek Rd.
C14-06-0200

Legend

- Zoning
- Base
- Center Line

0 20 40 60 80 100 Feet

C14-06-0200

STAFF RECOMMENDATION

Staff recommends approval of the rezoning from MF-4 to MF-6-CO. The conditional overlay shall address the following:

1. Limit the daily vehicle trips to less than 2,000 per day;
2. Limit the maximum height to 60 feet from ground level;
3. All vehicular access to the property shall be on to Bull Creek Road or adjacent property; and
4. Maximum floor-to-area ratio (FAR) shall be 2.25:1.

The Staff recommendation is based on the following considerations:

- 1.) The proposed office zoning classification and height under MF-6 are compatible with the existing, multifamily development Bull Creek Road;
- 2.) More intensive zoning should be located near the area zoned GO-MU-CO south of the subject site to ensure height compatibility and protect the residential character of the established neighborhood north of West 44th Street; and
- 3.) The recommended conditional overlay will address site development standards which encourage compatibility with proposed multifamily development north of the subject site.

BASIS FOR RECOMMENDATION

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

The requested zoning is compatible with the established multifamily uses to the north and south. Although subject to compatibility standards, the proposed zoning will not infringe on the character of the neighborhood fronting on West 44th Street.

2. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*

The current zoning of MF-6-CO buffer allows for a transition to the established residential neighborhood to the north. Properties located south of the subject property zoned GO-MU-CO are predominantly more intensive in zoning.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area consists of a 0.921 acre site (40,118.76 square feet) fronting on Bull Creek Road zoned MF-4. The property is developed with an apartment complex.

Transportation

1. No additional right-of-way is needed at this time. Additional right-of-way may be required with any redevelopment of the site.
2. The trip generation under the requested zoning is estimated to be 846 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).

3. 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].
4. Capital Metro bus service is not available within 1/4 mile of this property.

Environmental and Impervious Cover

PLEASE NOTE THAT THE PROPOSED ZONING CASE IS LOCATED IN TWO WATERSHEDS ACCORDING TO THE CITY'S GIS MAP. THE MAJORITY OF THE SITE IS IN THE TAYLOR SLOUGH NORTH WATERSHED, WHICH IS CLASSIFIED AS WATER SUPPLY SUBURBAN. A SMALLER PORTION ABUTTING MOPAC IS IN THE JOHNSON CREEK WATERSHED, WHICH IS CLASSIFIED AS URBAN. FURTHER INFORMATION CAN BE SUBMITTED TO CONFIRM THE WATERSHED BOUNDARIES.

FOR THE AREA LOCATED IN THE WATER SUPPLY SUBURBAN WATERSHED, THE FOLLOWING COMMENTS APPLY:

1. Part of the site is located over the Edward's Aquifer Recharge Zone. The site is in the Taylor Slough North Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. 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>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

2. According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.
3. The site is not located within the endangered species survey area .
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, sitespecific 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.
6. Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.
7. At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

FOR THE AREA LOCATED IN THE URBAN WATERSHED, THE FOLLOWING COMMENTS APPLY:

1. Part of the site is located over the Edwards Aquifer Recharge Zone. The site is located in the Johnson 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.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. 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.
4. According to flood plain maps, there is no flood plain within the project area.
5. 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.
6. 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

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

Site Plan and Compatibility Standards

1. Although the proposed MF-6 zoning would allow a 90' height, compatibility standards would limit the allowable height of any structure within 100' of the SF-3 property to the north to 3 stories or 40', with a 1 foot of height additional allowable for each 10 feet of lateral distance further away from the residential property. LDC 25-2-1063.

OAKMONT HEIGHTS NEIGHBORHOOD ASSOCIATION

January 8, 2007

Ms. Betty Baker
Chair, Zoning and Platting Commission
City of Austin
P.O. Box 1088
Austin, Texas 78767-1088

Re: C14-06-0200
Rezoning of Kingswood Apartments, 4318 Bull Creek Road from MF-4 to MF-6-CO

Dear Ms. Baker:

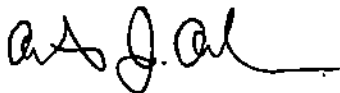
On November 30, 2006, the Oakmont Heights Neighborhood Association (OHNA) met with Mr. Brett Denton, Mr. Jim Knight, and Mr. Michael Whellan to hear a presentation regarding Ardent Residential's plans for redevelopment of the Bull Creek Apartments (4320 and 4330 Bull Creek Road) and the rezoning of the Kingswood Apartments (4318 Bull Creek Road). OHNA is interested in this project because our neighborhood, which is located just south of the proposed project area, shares the environs, the same principal access routes, and some of the watershed (drainage basin) with the subject properties.

The OHNA has had ongoing contact with Ardent, and supported their recent zoning changes at 4320 and 4330 Bull Creek Road, which included a conditional overlay setting certain limits. Ardent proposes the same limits for the rezoning at 4318 Bull Creek Road. OHNA continues its support of Ardent, with the understanding that the following provisions will be part of the new zoning with conditional overlay at 4318 Bull Creek Road:

1. Maximum building height of 60 feet;
2. Minimum 25-foot building setback from Bull Creek Road;
3. Maximum floor-to-area ratio (FAR) of 2.25:1;
4. Maximum number of units on the property not to exceed 80 units;
5. All vehicular access to the property shall be from Bull Creek Road or through adjacent property (to Bull Creek Road); and
6. The additional vehicle trips generated by any redevelopment of the property shall be fewer than 2,000 trips per day.

By expressing this support, we do not wish to preclude any recommendations by City staff, the Commission, or City Council to protect nearby residential neighborhoods. The OHNA is dedicated to preserving the peaceful residential character of the Oakmont Heights neighborhood, but are aware that redevelopment prospects exist and that it is in our interest to be involved. We have had a good working relationship with Ardent and believe they will be conscientious developers.

Sincerely,



Arten J. Avakian, President
Oakmont Heights Neighborhood Association
c/o 1813 West 36th Street
Austin, Texas 78731-6132