

ZONING CHANGE REVIEW SHEET

CASE: C14-07-0016

P.C DATE: May 22, 2007

ADDRESS: 807 North Bluff Drive

OWNER: Oak Bluff, Ltd. (Mark Leyva)

AGENT: LOC Consultants
(Sergio Lozano-Sanchez)

ZONING FROM: SF-4A-NP

TO: MF-3-NP **AREA:** 5.021 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant townhouse and condominium residence – neighborhood plan (SF-6-NP) combining district zoning.

PLANNING COMMISSION RECOMMENDATION:

May 22, 2007: *APPROVED STAFF'S RECOMMENDATION.*

[J. REDDY, G. STEGEMAN 2ND] (8-0) P. CAVAZOS – ABSENT

ISSUES:

The Applicant is in agreement with the Planning Commission recommendation.

The former President and representative of the Greenwood Hills Neighborhood Association has communicated to Staff that he supports the Staff's recommendation.

The Applicant is also requesting a Neighborhood Plan Amendment to change the FLUM from Single Family to Multi-Family (NPA-07-0020.01). Staff is recommending the High-Density Single-Family designation.

DEPARTMENT COMMENTS:

The subject property is undeveloped and has been zoned single family residence small lot (SF-4A-NP) district since July 2004. Access to the property is taken to North Bluff Drive, a residential collector street. The surrounding area includes a mix of residential and commercial land uses. There are convenience-oriented commercial service uses located at the intersection of North Bluff Drive and William Cannon Drive, and with the exception of an automobile dealership on the east side of North Bluff Drive, this segment of North Bluff Drive generally retains a residential character. Williamson Creek defines the north property line. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the property to the multi-family residence – medium density – neighborhood plan (MF-3-NP) district and construct 40 condominiums and one water quality / detention pond. Please refer to Exhibit B. One driveway access is proposed to North Bluff Drive. Staff recommends SF-6-NP zoning based on the following conditions

of the Property: 1) it allows for clustering given the moderate slopes on the north side of the site; 2) provides transition in zoning and land use from the large SF-3 tracts adjacent to the north and GR base district zoning adjacent to the south; 3) consistency with the Neighborhood Plan objectives to “Retain the scenic nature of the North Bluff Drive / Crow Lane area”; and 4) it is also consistent with the Applicant’s proposed project.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-4A-NP	Undeveloped
<i>North</i>	SF-3-NP	Single family residences
<i>South</i>	GR-MU-CO-NP; GR-NP	Retail sales; Fast food restaurants; Service station
<i>East</i>	LR-MU-CO-NP; MF-2-CO-NP; RR-NP; GR-CO-NP; SF-3-H-NP; LR-MU-CO-NP; GR-NP	Undeveloped; Automobile dealership; Lodge; Single family residence; Fast food restaurants; Automotive repair
<i>West</i>	LO-NP; MF-2-NP; GR-MU-CO-NP	Apartments; Service station

NEIGHBORHOOD PLANNING AREA: South
Congress Combined NPA
(Sweetbriar)

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 300 – Terrell Lane Interceptor Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Assn.
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin

SCHOOLS:

Pleasant Hill Elementary School Bedichek Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0063	RR; NO-CO; GR-CO to GR	To Grant RR in its existing configuration, and GR-CO with 45' max. height and prohibited uses. Restrictive Covenant for the TIA.	Approved RR; GR-CO, as recommended by the ZAP (11-20-03)
C14-03-0064	SF-3 to GR-CO	Withdrawn by the Applicant	Not applicable
C14-01-0069	SF-3 to MF-2	To Grant MF-2-CO with CO for a 25' vegetative buffer along North Bluff Drive (6-5-01)	Approved MF-2-CO as recommended by the Planning Commission (8-9-01)
C14-99-0055 (RCA)	Restrictive Covenant Amendment to remove access restrictions to North Bluff Drive	To Grant an amendment of the Restrictive Covenant to delete conditions #1 and #2, pertaining to driveway access on North Bluff Drive (9-23-03).	Approved the Restrictive Covenant Amendment, as recommended by the ZAP (10-23-03)
C14-99-0055	SF-3 to GR & NO	To Grant GR-CO for Tract 1 and NO-CO for Tract 2 with a 10' vegetative buffer adjacent to North Bluff Drive; RR for Tract 3. Additional conditions agreed to between the Applicant and the Neighborhood Association: 60 db at the property line, 10' buffer along N. Bluff to be a landscaped buffer, and that vehicle storage, auto washing, repair, rentals are permitted only as accessory uses to the principal use of automotive sales. (4-	Approved GR-CO for Tract 1; NO-CO for Tract 2; RR for Tract 3. 10' landscaped buffer along North Bluff and same along adjacent SF-3-H property; 60% impervious cover; shielded lighting; prohibit Congregate Living and Residential Treatment on NO-CO; 40' height on Tract 1. <u>Restrictive Covenant</u> limits property to 1 driveway along North Bluff Drive, with mechanized gate for security purposes and for employees only;

		27-99)	prohibits access for delivery trucks for loading or unloading purposes; prohibits portable buildings or mobile homes except for those used for auto sales; noise level at property not to exceed 60 decibels (5-13-99).
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RELATED CASES:

2005 Subdivision Case

The Oak Bluff Subdivision, composed of 33 single family residence – small lots and one common area / drainage area, was approved by the Planning Commission on August 22, 2006 (C8-05-0137.2A.SH).

Sweetbriar Neighborhood Plan Rezoning

The Sweetbriar Neighborhood Plan Area rezonings were completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on August 28, 2005 (C14-05-0105).

2004 Rezoning Case

In July 2004, a former property owner requested and received approval for SF-4A district zoning as well as a Termination of the 1987 Covenant.

1987 Zoning Case and Restrictive Covenant

The subject rezoning area was part of a 1987 rezoning request known as “William Cannon Joint Venture” that included retail, restaurant and cinema uses, and extended along North Bluff Drive between Williamson Creek and William Cannon Drive (C14r-86-144). The rezoning approved in 1987 is consistent with that currently shown on the City’s Zoning Map (RR, NO and GR). The Site Plan attached to the 1987 Zoning Ordinance shows that the area of the subject rezoning request contains two buildings (zoned GR), parking areas (zoned NO) and a detention pond, filtration pond and a natural buffer area (zoned RR). Furthermore, a Restrictive Covenant attached to the 1987 case covers the NO and RR portions of the property, and limits the use of these two areas to surface parking and detention and filtration of run-off water, respectively.

A related Restrictive Covenant Termination request was associated with the SF-4A rezoning to delete these limitations on the property (C14r-86-144 (RCT)). Council approved the Termination request, as detention and filtration facilities have been built to support the existing commercial development near the intersection of North Bluff Drive and William Cannon Drive and the rezoning request removes further commercial development from occurring in this location.

Additional right-of-way for North Bluff Drive was dedicated with the 1987 case.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
North Bluff Drive	60 – 70 feet	26 – 27 feet	Collector	No	No	No (along North Bluff Drive); Yes (along William Cannon Drive)

Location of Transit Stops

On the north side of William Cannon, there is a transit stop located approximately 1,595 feet of legal walking distance, measured from the southern property line to the William Cannon/North Bluff intersection, then heading west to the transit stop (it is located in front of the apartments, just past the first driveway entrance). There was no transit stop in front of the fast food restaurants and convenience store.

On the south side of William Cannon (across the street), there is a transit stop just west of the driveway that is signalized (main entrance). Based on the legal walking distance, from the southern property line to the William Cannon/North Bluff intersection, then heading east to the IH-35 intersection and crossing over to the south side of William Cannon and heading west to the transit stop is approximately 1,985 feet.

In both instances, the transit stops are greater than 1/4 mile in distance but less than 1/2 mile.

Three bus lines are available on William Cannon Drive:

- Route 1 - North Lamar / South Congress (William Cannon forms the route's southern boundary)
- Route 101 - North Lamar Limited (William Cannon forms the route's southern boundary)
- Route 333 - William Cannon Crosstown

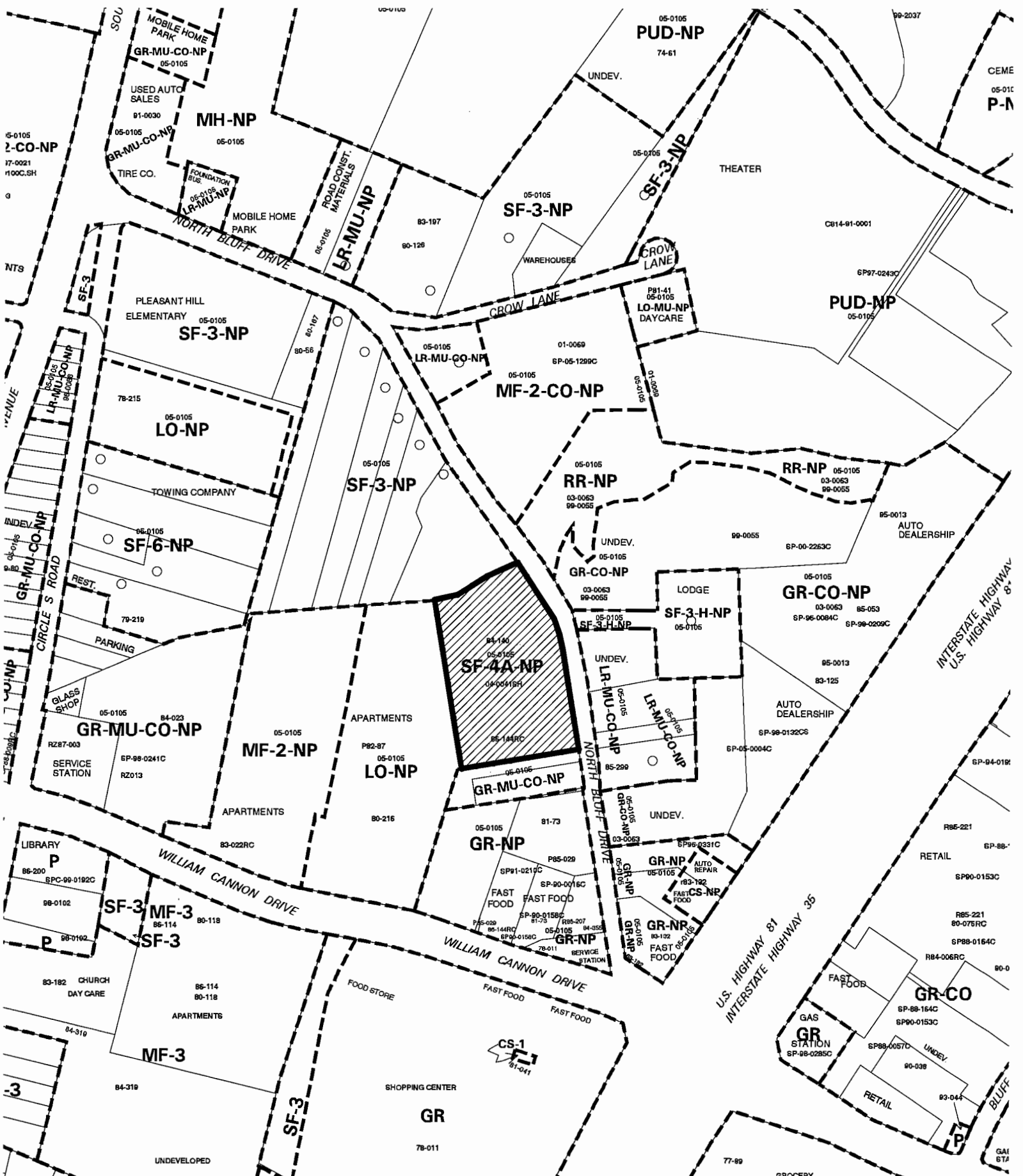
CITY COUNCIL DATE: June 21, 2007 **ACTION:**


ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us

PHONE: 974-7719








1" = 400'

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: W. WALSH



CASE #: C14-07-0016

ADDRESS: 807 NORTH BLUFF DR

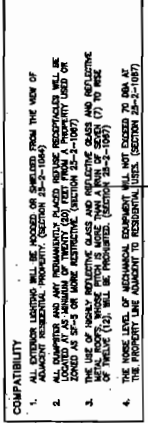
SUBJECT AREA (acres): 5.021

ZONING **Exhibit A**

DATE: 07-02

INTLS: SM

CITY GRID
REFERENCE
NUMBER
G16



SE-6	MF-3	applicant's 15' or variance
25' front	25'	15'
25' side	15'	5'
10' rear	10'	10'
40% max	55%	23-87%
55% VC	65%	53.68%
12 444sq	34sq	8.6 sq

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant townhouse and condominium residence – neighborhood plan (SF-6-NP) combining district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The MF-3, Multifamily Residence (Medium Density) district is intended for multifamily developments with a maximum density of up to 36 units per acres located near supporting transportation and commercial facilities.

The townhouse and condominium residence (SF-6) district is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use. The Applicant intends to develop the property with a condominium project consisting of stand-alone condominium units per structure.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

Staff recommends SF-6-NP zoning based on the following conditions of the Property: 1) it allows for clustering given the moderate slopes on the north side of the site; 2) provides transition in zoning and land use from the large SF-3 tracts adjacent to the north and GR base district zoning adjacent to the south; 3) consistency with the Neighborhood Plan objectives to “Retain the scenic nature of the North Bluff Drive / Crow Lane area”; and 4) it is also consistent with the Applicant's proposed project.

EXISTING CONDITIONS**Site Characteristics**

The site is undeveloped and slopes to the north, towards Williamson Creek.

Impervious Cover

The maximum impervious cover allowed by the SF-6 zoning district would be 55%, which is a consistent figure between the zoning and watershed regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Williamson 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. 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 Net Site Area</i>	<i>% 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 flood plain maps, there is no floodplain within, or adjacent to the project boundary.

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 existing trees and other 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 on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

No additional right-of-way is needed at this time. Dedication of additional right-of-way will be addressed during the subdivision process.

The trip generation under the requested zoning is estimated to be 1,205 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) for the MF-3 zoning.

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]

Water and Wastewater

The landowner intends to serve the site and each lot with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be

reviewed and approved by the Austin Water Utility. 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.

In order to obtain City utility service, the landowner must obtain City approval of a Service Extension Request. for more information pertaining to the process and submittal requirements, contact Phillip Jaeger or James Grabbs, Austin Water Utility, 625 East 10th Street, 5th Floor Waller Creek Center.

Compatibility Standards

Due to the proximity of this site to SF zoning and use on the north side of the property, any development on this site will be subject to compatibility standards, including height, setback, lighting, and noise limitations.

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.