

ZONING REVIEW SHEET**CASE:** C14-2007-0213**Z.A.P. DATE:** November 20, 2007**ADDRESS:** 3900 Pearce Road**OWNER:** Luxor Custom Homes (Nora Killinger and Blair Drenner)**AGENT:** Luxor Custom Homes (Nora Killinger)**REZONING FROM:** DR (Development Reserve)**TO:** RR (Rural Residential)**AREA:** 3.132 Acres**SUMMARY ZONING AND PLATTING COMMISISON RECOMMENDATION:***November 20, 2007****APPROVED STAFF'S RECOMMEDNATION OF RR. (7-0) [K. JACKSON, J. MARTINEZ 2ND]*****SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of RR (Rural Residential) district zoning.

DEPARTMENT COMMENTS:

The subject rezoning area is a 3.132 acre site fronting Pearce Road zoned DR under limited purpose jurisdiction. The property falls under limited purpose jurisdiction and was annexed into the City of Austin on November 15, 1985. Access to the property is off Pearce Rd. The property owner seeks to rezone this property to RR to develop single-family residences.

Staff recommends approval of RR based on the following considerations:

- 1.) The proposed land use will be compatible with the existing surrounding single-family residential uses;
- 2.) The proposed rezoning will promote a balance of intensities and densities; and
- 3.) The proposed land use will not infringe on the residential character of the established neighborhood.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Undeveloped land
<i>North</i>	DR	Undeveloped land
<i>South</i>	N/A - County	Undeveloped land
<i>East</i>	N/A - County	Undeveloped land
<i>West</i>	P	Emma Long Park

AREA STUDY: N/A**TIA:** N/A (See Transportation comments)**WATERSHED:** Hog Pen Creek & Lake Austin **DRINKING WATER PROTECTION ZONE:**

Yes

CAPITOL VIEW CORRIDOR: N/A**HILL COUNTRY ROADWAY: N/A****NEIGHBORHOOD ORGANIZATIONS:**

157--Courtyard Homeowner Assn.
 180--Austin City Parks Neighborhood
 269--Long Canyon Homeowners Assn.
 426--River Place Residential Community Assn., Inc.
 434--Lake Austin Business Owners
 439--Concerned Citizens For P&B of FM 2222
 965--Old Spicewood Springs Rd. Neighborhood Assn.
 742--Austin Independent School District
 762--Steiner Ranch Community Association
 786--Home Builders Association of Greater Austin
 1037--Homeless Neighborhood Organization
 425--2222 Coalition of Neighborhood Associations

SCHOOLS:

- Steiner Ranch Elementary School
- West Ridge Middle School
- McCallum High School

RELATED CASES: N/A**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-94-0031	LA to SF-2	PC – Approved staff recommendation of SF-2. (9-0) 03/22/94.	Approved SF-2. (5-0) 04/21/94
C14-99-0131	LA to SF-2	PC – Approved staff recommendation of SF-2. (8-0) 11/09/99.	Approved SF-2. (7-0) 12/09/99.
C14-00-2168	DR to LA	09/12/00: APVD STAFF REC OF LA BY CONSENT (6-0)	10/12/00: APVD LA (7-0) 1ST RDG 11/02/00: APVD LA (7-0); 2ND/3RD RDGS

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Pearce Rd	60'	25'	Local	No	No	No

CITY COUNCIL DATE:
December 13, 2007

ACTION:

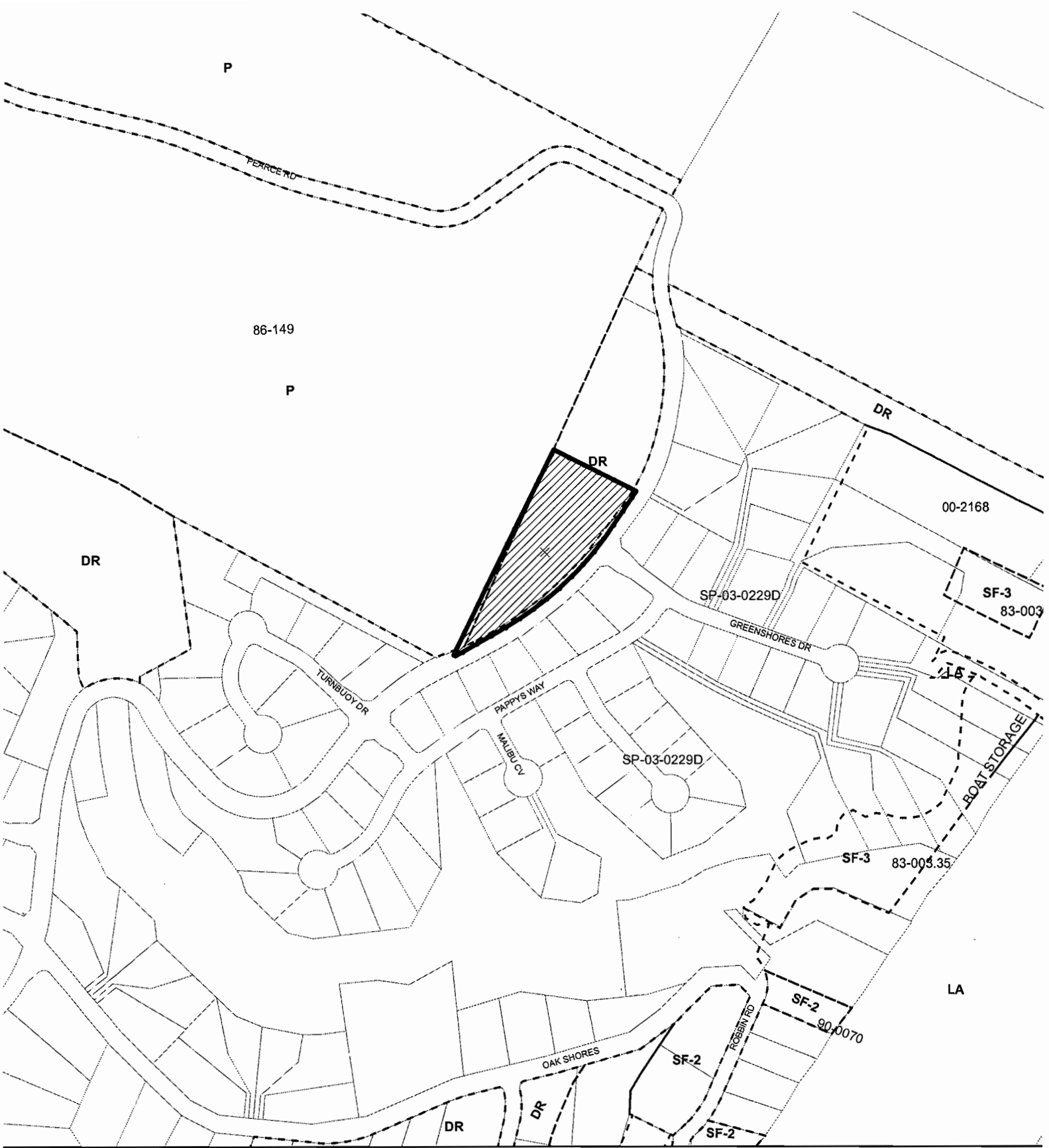
ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Jorge E. Rousselin, NPZD

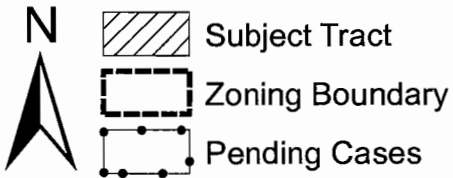
PHONE: 974-2975

E-MAIL: jorge.rousselin@ci.austin.tx.us



ZONING

ZONING CASE#: C14-2007-0213
ADDRESS: 3900 PEARCE RD
SUBJECT AREA: 3.132 ACRES
GRID: E29
MANAGER: J. ROUSSELIN

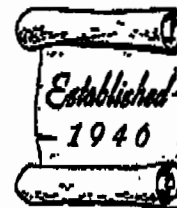
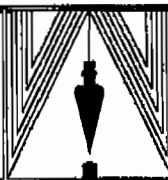


1" = 400' OPERATOR: S MEEKS

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



WATSON SURVEYING
9501 CAPITAL OF TEXAS HWY.
SUITE 303 AUSTIN, TX 78759
346-8566 FAX 346-8568



FIELD NOTES FOR 3.132 ACRES OF LAND, MORE OR LESS, OUT OF THE JAMES SPILLMAN SURVEY NO. 2, TRAVIS COUNTY, TEXAS, CALLED 3.09 ACRES IN A DEED TO CHARLES J. THOMAS & DIXIE THOMAS, AS RECORDED IN VOLUME 3750, PAGE 1537, TRAVIS COUNTY REAL PROPERTY RECORDS, SAID 3.132 ACRES BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a $\frac{1}{2}$ " steel pipe found at the northwest corner of said 3.09 acre tract, also the southwest corner of a 3.095 acre tract conveyed to David White and Lauren Shaw by deed recorded in Document No. 2000050645, Travis County Official Public Records, for the northwest corner hereof;

THENCE S58°58'E 290.11 feet along the north line of said 3.09 acre tract and south line of said 3.095 acre tract to a $\frac{1}{2}$ " steel pin found in the northwest ROW line of Pearce Road for the northeast corner hereof (passing a $\frac{1}{2}$ " steel pipe found on line at 133.32 feet);

THENCE with said northwest ROW line of Pearce Road the following 4 courses:

- 1) S38°21'W 149.42 feet to a $\frac{1}{2}$ " steel pipe found at the start of a curve,
- 2) along said curve to the right, with chord of S46°42'16"W 283.45 feet and radius of 977.04 feet to the base of a bent steel pin found at a point of compound curve,
- 3) along a new curve to the right, with chord of S50°56'47"W 179.18 feet and radius of 1019.40 feet to a $\frac{1}{2}$ " steel pin with orange cap set at end of curve;
- 4) S65°05'W 164.90 feet to a $\frac{1}{2}$ " steel pin with orange cap set at the east corner of a 47.990 acre tract recorded in Document No. 2000122017, Travis County Official Public Records, for the most southern corner hereof;

THENCE N59°57'W 6.48 feet along the north line of said 47.990 acres and south line of said 3.09 acres to a $\frac{1}{2}$ " steel pin found at the southwest corner of said 3.09 acres and the southeast corner of a 493.76 acre tract conveyed to City of Austin by deed recorded in Volume 633, Page 477, Travis County Deed Records, for the southwest corner hereof;

THENCE N30°18'23"E 714.76 feet along the east line of said City of Austin tract to the POINT OF BEGINNING, containing 3.132 acres of land, more or less.

Bearing basis is north line of said 3.09 acre tract (S58°58'E)

Surveyed 19 June 2006 by:

Stuart Watson
Stuart Watson, RPLS 4550





3900 Pearce Rd.
C14-2007-0213

Legend

Zoning

Base

Center Line

100 0 100 200 Feet

C14-2007-0213

COUNTY

Lake Austin

Emma Long Park

GREENSHORES

BOAT STORAGE

SHORES

PEARCE DR

PEARCE DR

PEARCE DR

PEARCE DR

PEARCE DR

STAFF RECOMMENDATION

Staff recommends approval of RR (Rural Residential) district zoning.

BASIS FOR RECOMMENDATION

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

§ 25-2-54 RURAL RESIDENCE (RR) DISTRICT DESIGNATION.

Rural residence (RR) district is the designation for a low density residential use on a lot that is a minimum of one acre. An RR district designation may be applied to a use in an area for which rural characteristics are desired or an area whose terrain or public service capacity require low density.

The proposed rezoning meets the purpose statement of the district sought. The subject property exceeds 3.13 acres and will accommodate low density development.

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

The proposed rezoning will integrate with existing, adjacent residential uses.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area is a 3.132 acre site fronting Pearce Road zoned DR under limited purpose jurisdiction. The property falls under limited purpose jurisdiction and was annexed into the City of Austin on November 15, 1985. Access to the property is off Pearce Rd.

Transportation

1. No additional right-of-way is needed at this time.
2. 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]

Environmental

1. The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Hog Pen Creek and Lake Austin Watersheds of the Colorado River Basin, and are classified as Water Supply Rural Watersheds by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone. 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>	<i>Allowable Density</i>
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

2. Single family or duplex development within a Water Quality Transition Zone may not exceed a density of one unit per three acres, exclusive of land within a 100-year floodplain, and must have a minimum lot size of 2 acres.
3. According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.
4. The site is not located within the endangered species survey 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. 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.

Water and Wastewater

1. 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 the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. 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. 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.

Compatibility Standards

1. Site plans will be required for any new development other than single-family or duplex residential.

Randolph & Carolyn Russell
7116 Greenshores Drive
Austin, TX 78730
512.970.1681

November 15, 2007

Ms. Betty Baker
Zoning & Platting Commission

VIA EMAIL (bbaker5@austin.rr.com)

Mr. Jay A. Gohil
Zoning & Platting Commission

VIA EMAIL (jay@jaygohilrealty.com)

Mr. Clarke Hammond
Zoning & Platting Commission

VIA EMAIL (chammond1@austin.rr.com)

Mr. Keith B. Jackson
Zoning & Platting Commission

VIA EMAIL (kbjackson@pbsj.com)

Ms. Stephanie Hale
Zoning & Platting Commission

VIA EMAIL (info@swhconsulting.com)

Mr. Joseph Martinez
Zoning & Platting Commission

VIA EMAIL (josephmartinez@yahoo.com)

Mr. James Shieh
Zoning & Platting Commission

VIA EMAIL (shieh1@aol.com)

Ms. Teresa Rabago
Zoning & Platting Commission

VIA EMAIL (trabago@austin.rr.com)

Re: Case No.: C14-2007-0213; rezoning request for 3900 Pearce Road, Austin, Texas 78730
(the "Property") by Luxor Custom Homes ("Rezoning Request")

Dear Ladies and Gentlemen:

On November 20, 2007, you are scheduled to hear the above referenced Rezoning Request. Approval of this Rezoning Request would change the Property's classification from "DR - Development Reserve" to "RR - Rural Residence" permitting Luxor Custom Homes to subdivide its 3.132 acre tract into three lots and construct three homes on the Property. I and several other members of the community affected by this Rezoning Request, the names and addresses of which are listed on Exhibit A to this letter, respectfully request that you deny this Rezoning Request. The basis for our objections, includes, but are not limited to, the points listed below, which are as follows:

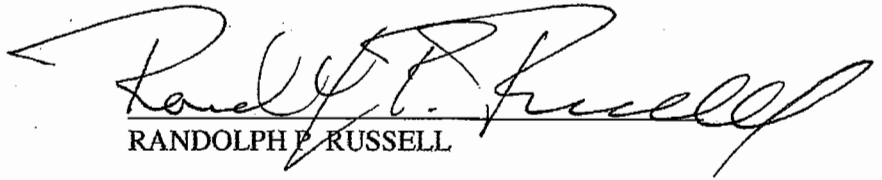
1. Water Quality Transition Zone Requirements. Based on reading of the NPZ Environmental Review prepared by Jason Traweck, the Property is within the Water

Quality Transition Zone. As a result, use of the Property cannot exceed one (1) unit for every three (3) acres and each unit must have a minimum lot size of two (2) acres. Rezoning of the Property as "RR - Rural Residence" and use of the Property for multiple units violates the requirements of the Water Quality Transition Zone.

2. Water Resources. Neighboring properties include the Greenshores subdivision, which lies just northwest of the confluence of Connors Creek and the Colorado River. On-site water and drinking water is supplied by Lake Navigation Water Supply Corporation (or its successor-in-interest) ("LNWSC"). LNWSC receives its water supply from on-site wells installed into the northern segment of the Edwards Aquifer. In previous years an additional well was added when existing wells provided insufficient to meet the demands of the Greenshores subdivision. Because resources are in short supply and demand by existing homeowners has increased, LNWSC plans to obtain rights to use Lake Austin water resources and to add this water to the existing Edwards Aquifer well water. Because of the massive area covered by the structure and water requirements of this large three (3) story structure, subsurface groundwater resources have been altered and the water withdrawal from the northern segment of the Edwards Aquifer has already been significantly increased by existing development of the Property. Permitting rezoning of the Property so that two additional residences may be located on the Property will only increase demand. Therefore, the Requested Rezoning should be denied.
3. Increase of Impervious Cover. As stated above, subsurface groundwater resources would also be altered by construction of additional impervious cover within the Property. Some rainwater that would have seeped into geologic strata would become surface run-off. Further, poor drainage immediately in front of the existing construction site causes water to stretch across on portion of Pearce Road located immediately adjacent to the Property. Since Luxor Custom Homes broke ground on the Property, run-off has increased and these existing drainage issues have only been exacerbated. Failure to remedy this problem will create increased drainage issues for Pearce Road and for homeowners located at lower elevations. Further, water quality could be degraded within Connors and Hog Pen Creeks due to run-off from increased impervious cover and suburban landscaping on the Property.
4. Visual Impact on Nearby Areas. Currently, Luxor Custom Homes is constructing a residence on the Property. This three-story structure is sited on the highest point of the Property, and the Property is configured so that the majority of the acreage fronts both Pearce Road and Emma Long Metropolitan Park. Because the siting and the sizing of this structure, the residence under construction on the Property has an un-neighborly relationship with adjoining and nearby properties, is obtrusive, and results in a loss of visual amenity from Pearce Road, Emma Long Park and other nearby properties. If the Rezoning Request is granted, the impact of two additional residences will intensify these affects on the surrounding areas.
5. Precedent. Properties along City Park Road, Pearce Road and other nearby areas are zoned as "DR - Development Reserve". Other developers are looking to the outcome of this Rezoning Request in order to indicate whether or not other similar properties with existing residences located thereon should be purchased and redeveloped to maximize use of these larger tracts of land. The City of Austin and the Planning Commission should protect low density development to insure (a) the health of the Edwards Aquifer, the City of Austin's and neighborhood's water supply and (c) protection of wildlife whose core habitat are within Emma Long Metropolitan Park and the nearby preserve areas.

Thank you very much for your kind attention to this letter. If you have any questions concerning the contents of this letter, please do not hesitate to contact me directly at (512) 970-1681 or russellgolf@austin.rr.com.

Sincerely,



RANDOLPH F. RUSSELL

cc: Planning Commission Coordinator (via email: pc@ci.austin.tx.us)
Mr. Jorge Rousselin (via email: Jorge.Rousselin@ci.austin.tx.us)

EXHIBIT A
Property Owners List

Randolph and Carolyn
Russell
7116 Greenshores Drive
Austin, Texas 78730

Thomas and Kathleen
Stewart
7208 Greenshores Drive
Austin, Texas 78730

Kevin Usleman
7316 Turnbouy Drive
Austin, Texas 78730

Debbie and Jim Dunnam, Jr.
7113 Barefoot Cove
Austin, Texas 78730

Dennis and Sandra
Krutsinger
7208 Oak Shores Drive
Austin, Texas 78730

Jennifer and Trent Mushtaler
3709 Pappy's Way
Austin, Texas 78730

Mark Bateman
Dr. Richard Yuen, PhD
7117 Barefoot Cove
Austin, TX 78730

John and Marsha Woodworth
6900 Greenshores Drive
Austin, TX 78730

Jonas and Emily Radstrom
3808 Pappy's Way
Austin, TX 78730

Jay and Carrie Sullivan
7001 Greenshores Drive
Austin, TX 78730

Eric C. Su
Elise Rosenberg Su
7404 Turnbouy
Austin, TX 78730

Dave and Courtney Yeager
7104 Barefoot Cove
Austin, TX 78730

Melanie and Simon Dunning
7412 Turnbouy
Austin, TX 78730

John and Lorissa Burnside
3900 Pappy's Way
Austin, TX 78730

Dave and Kim Loadman
7309 Turnbouy
Austin, TX 78730

Greg and Margaret Franco
3716 Pappy's Way
Austin, TX 78730

Janine Gilbert
7109 Malibu Cove
Austin, TX 78730

Oliver and Kathleen
Zimmerman
7000 Greenshores Drive
Austin, TX 78730

Michelle and Grant Ley
7102 Greenshores Drive
Austin, TX 78730

Dale and Amanda Dudley
7224 Oak Shores
Austin, TX 78730

Linda and Mike Francescone
7113 Malibu Cove
Austin, TX 78730

Bill and Susan Rodriguez
7212 Oak Shores
Austin, TX 78730

Joe and Heather Donnelly
3816 Pappy's Way
Austin, TX 78730

Ping Chen
Xiang Yao
7613 Lazy River Cove
Austin, TX 78730