

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0233

C.C. DATE: February 14, 2008

ADDRESS: 2811 Del Curto Road

OWNER/APPLICANT: Austin Infill Builders (Michael Friedman and Ron Pena)

ZONING FROM: SF-3

TO: SF-5-CO

AREA: 0.967 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is for SF-5-CO (Urban Family Residence – Conditional Overlay) combining district zoning. The conditional overlay shall restrict site development to a maximum of six residential dwelling units.

PLANNING COMMISSION RECOMMENDATION:

Approved staff's recommendation for SF-5-CO (Urban Family Residence – Conditional Overlay) combining district zoning with additional conditions (as agreed to by applicant and neighborhood):

1. Site development shall be restricted to a maximum of 6 dwelling units (5.802 units/acre);
2. No structure of any kind shall be built to a height greater than 32 feet above ground level on the property;
3. All structures will be limited to 2-stories or less in height but will be allowed up to 400 square feet of habitable attic space;
4. Any condominium or townhouse uses will be subject to residential design and compatibility standards [LDC 25-2, Subchapter F], including sidewall articulation and side and rear setback requirements;
5. Maximum impervious coverage of the property shall be limited to 45%. If driveway access is constructed of grass pavers, then impervious cover shall be limited to 50%.
6. No building or portion thereof shall be constructed or maintained within 10 feet of the northern and southern property lines.

[Vote: 7-0; J. Reddy - 1st, S. Kirk - 2nd, C. Ewen – Absent]

DEPARTMENT COMMENTS:

The 0.967-acre site is currently zoned SF-3 (single family residential) district zoning and fronts Del Curto Road, to which both ingress and egress access shall be taken. A single-family residence and a detached garage on the property were recently demolished leaving the site undeveloped.

The subject property is moderately vegetated and predominately surrounded by single-family residences to the north, east, and south. To the west, there are plans for a small urban park, which resulted from negotiations during a recent zoning case (C14-2007-0083 – Lamar / Manchaca VMU).

The applicant intends to rezone the property to SF-5-CO in order to construct six detached single-family residences. The applicant originally proposed the following conditions:

1. Restrict site development to six dwelling units;

2. Site development shall be limited to SF-3 site-development standards, with the exception of impervious cover; AND
3. Any condominium or townhouse uses will be subject to residential design and compatibility standards (the "McMansion Ordinance").

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Undeveloped land
<i>North</i>	SF-3; SF-5-CO; SF-6	Single-Family Residences; Condos
<i>South</i>	SF-3	Single-Family Residences
<i>East</i>	SF-3	Single-Family Residences
<i>West</i>	SF-3;SF-6-CO;GR-CO	Proposed VMU Project and Urban Park

AREA STUDY: N/A

TIA: Waived

WATERSHED: West Bouldin Creek

DESIRED DEVELOPMENT ZONE: YES

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council
The Village at Kinney Court
Austin Independent School District
South Central Coalition
Barton Springs / Edwards Aquifer
Conservation District

Home Builders Association of Greater Austin
South Lamar Neighborhood Association
CIM
Homeless Neighborhood Association

SCHOOLS:

Zilker Elementary School
O. Henry Middle School
Austin High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2007-0083	from CS, SF-3 to GR, SF-6 & SF-3	GR-CO, SF-6-CO, & SF-3 (Vote: PC 8-0)	GR-CO, SF-6-CO, & SF-3 (Vote: 6-0)
C14-06-0189	from SF-3 to SF-5-CO	SF-5-CO; CO to restrict development to a maximum of four residential units (Vote: PC 8-0)	SF-5-CO; CO to restrict development to a maximum of four residential units AND restrict impervious cover to a maximum of 50% (Vote: 7-0)
C14-00-2130	from SF-3 to SF-4A	SF-4A (Vote: PC 8-1; Jean Mather nay)	DENIED (Vote: 8-0)

RELATED CASES:

The applicant submitted a site plan for the planned development, SP-2007-0562CS.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
Del Curto Rd	45'	20'	Collector	Yes	No	No

CITY COUNCIL DATE: Pending**ACTION:** N/A**ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Robert Levinski**PHONE:** 974-1384

STAFF RECOMMENDATION

Staff recommends approval of SF-5-CO, Urban Family Residence – Conditional Overlay combining district zoning.

BASIS FOR RECOMMENDATION

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

SF-5 – Urban Family Residence district [LDC, 25-2-60] is intended as an area predominately for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. In appropriate locations, limited two family, duplex, townhouse, and condominium residential use is permitted under standards which maintain single-family neighborhood characteristics. The SF-5 district is appropriate to facilitate the implementation of the city's adopted affordable housing programs.

CO – Conditional Overlay combining district [LDC, 25-2-164] may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

2. *Zoning should be consistent with approved and existing residential densities.*

The conditional overlay restricts the development of the property to six detached, single-family residences, which is consistent with area densities.

EXISTING CONDITIONS

Site Characteristics

A single-family residence and a detached garage were recently demolished on the property. The site is now undeveloped and moderately vegetated.

Impervious Cover

The site is entirely within the West Bouldin Creek urban watershed. Impervious cover is not limited in this watershed; therefore the zoning district impervious cover limits apply. The maximum impervious cover allowed by SF-5 district zoning is 55%.

Note: The most restrictive impervious cover limit applies.

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.

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.

Transportation

Additional right of way may be required at the time of subdivision or site plan application.

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 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, an 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.

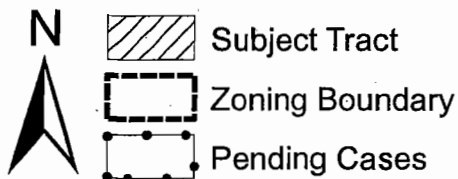
Stormwater Detention

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 square feet 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.



ZONING

ZONING CASE#: C14-2007-0233
ADDRESS: 2811 DEL CURTO RD
SUBJECT AREA: 1.00 ACRES
GRID: G20
MANAGER: R. HEIL



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.





C14-2007-0233
2811 Del Curto
From SF-3 to SF-5

1/2" IPF

1 ARCHITECTURAL SITE PLAN

(S 60°00' E 455')

20' FIRELANE

DRIVE - 12,362 SH

S 60° 59' 31" E 469.66

S 59°59'31" E 455.00

IMPERVIOUS COVERAGE CALCULATIONS

TOTAL LOT SIZE	=	43,508.19 SQ. FT.
PROPOSED IMPERVIOUS COVERAGE	=	22,607.72 SQ. FT.
PERCENTAGE OF IMPERVIOUS COVERAGE =		<u>51.9%</u>

DEEDED
LINE

N 59°59'31" W 455.00'

N 60°39'36" W 470.05' (N 60°00' W 455')

NAME _____
 END _____

DEED
LINE

DEEDED
- LINE

[illegible]

KRISTA J
DOOMENT
C-3



NORTH

ARCHITECTURAL SITE PLAN
SCALE: 1:200

NOT FOR CONSTRUCTION

f a z i o

ARCHITECTS
512.494.0643 TEL 512.494.9041 FAX
308-B CONGRESS AVE. AUSTIN, TX 78701
WWW.FAZIOARCHITECTS.COM

2811 DEL CURTO ROAD
AUSTIN, TEXAS

ISSUE _____ DATE _____
JANUARY 2, 2008

SP1

Levinski, Robert

From: Michael Friedman [michaelfriedman@sbcglobal.net]
Sent: Friday, December 14, 2007 11:48 AM
To: Levinski, Robert
Subject: 2811 Del Curto Rd. 6 home developement Michael Friedman mbl. ph.# 567-8985

Hi Robert,

The neighborhood association supports or plan to build 6 stand alone single family homes using SF3 standards with a SF5-CO zoning on this 1 acre lot. Everyone on the executive committee, and the zoning/planning committee of the neighborhood assoc. supports our developement. We will adhere to the SF3 McMansion design and compatibility standards.

We have been working with the neighborhood association to create a conditional overlay that would limit us to

SF3 McMansion development standards and limit us to 6 stand alone homes. 6 single family homes is low density for this acre. The stand alone homes rather than duplexes will be better for the character of the neighborhood, and will be smaller structures than 100 foot long duplexes with articulated walls that are typically built on SF3 lots. We will also be able to save more trees with 6 smaller stand alone homes. This will minimize the impact of the new construction, and make our development more compatible with this older Austin neighborhood. The character of these homes will increase the value of the neighborhood. All 6 homes will share a common 20 foot drive with a fire lane, and the site will be developed to .4 floor to area ratios as in the McMansion ordinance. We would like to build this development with all SF3 standards including the impervious cover, however the fire truck turnaround is making it impossible to remain at 45% impervious cover, and our preliminary site plan at this point is at 50% including the fire turnaround and the fire lane drive, but not including walks, patios and AC pads. Rain water collection systems could be installed. Could you help us to make the conditional overlay an actual plan. This is the precedent we would like to set for this and further developement in the neighborhood.

Thankyou, Michael Friedman

--- "Levinski, Robert"

<Robert.Levinski@ci.austin.tx.us> wrote:

> Michael,

>

> Thanks for getting back with me.

>

> Per our conversation earlier today, I will request notification for
> Planning Commission on January 15, 2008. Please let me know if you
> have problems with this date. Assuming no problems, the target
> council date would be February 14, 2008.

>

> You mentioned a desire to be on the consent agenda.

> To qualify, I will

> need a signed letter in support of the project from the South Lamar
> Neighborhood Association.

>

> Also, we spoke a little about it, but could you give me a couple
> sentences on why you are requesting this zoning change? i.e. what you
> want to build. I'd like to get it in writing, so I can accurately
> describe it in the backup information.

>

> Thanks,

>

> Robert J. Levinski

> Zoning Case Manager

> Neighborhood Planning and Zoning Department City of Austin

>

> 512-974-1384 (direct)

>

>

> -----Original Message-----

> From: Michael Friedman

> [mailto:michaelfriedman@sbcglobal.net]
> Sent: Wednesday, December 12, 2007 3:19 PM
> To: Levinski, Robert
> Subject: 2811 Del Curto Rd. 6 home developement Michael Friedman mbl.
> ph.# 567-8985,Ron Pena 554-2616
>
> Hi Robert, please use this email address Thanks Michael Friedman
> 567-8985
>
> SP-2007-0562CS
>
>
> michaelfriedman@sbcglobal.net
>
>
>
>
>

Levinski, Robert

From: Carol Gibbs [cgibbs1@austin.rr.com]
Sent: Tuesday, January 01, 2008 9:00 PM
To: Levinski, Robert
Cc: 'Nancy MacLaine'; Carol Gibbs
Subject: 2811 Del Curto (C14-2007-0233)

Bobby,

Just to let you know, before you get too deep into working on things with Michael -- we have made it clear to him that any support we might give him would be only if he did not exceed ANY development standards that apply to SF-3. That includes Impervious Cover, Height, FAR, total number of units, the McMansion "tent" against the abutting SF-3 properties - and possibly others I'm forgetting off the top of my head.

I am also personally very concerned about this project's impact on his neighbor to the south, a 94-year old woman who has lived there for over 60 years and is terrified of what is going to happen to her quality of life because of this project. Already, the guys who Michael hired to demolish the existing house last month knocked down part of this neighbor's rock wall and he still has not fixed it -- he's not off to a good start with her, and therefore with me!

Michael seems to have been forthright with us so far, but that is not reason enough to set a precedent (support an up-zoning) that other developers are likely to take advantage of - even if we get every possible exception nailed down tightly, there are still some folks dead-set against even a heavily-conditioned upzoning, specifically because of the "domino effect". I'm sure you understand.

Thanks again. I look forward to chatting with you in more depth when you're back in the office.

Carol Gibbs

From: Levinski, Robert [mailto:Robert.Levinski@ci.austin.tx.us]
Sent: Tuesday, January 01, 2008 5:35 PM
To: Carol Gibbs
Subject: RE: Questions from South Lamar Neighborhood Association

Carol,

Happy New Year to you, too.

2811 Del Curto - The applicant has not submitted his requested conditions for SF-5-CO. Michael asked that we make his site plan conditional of the zoning. Unfortunately, we can't do that. I emailed him some options on the conditions he can place on the property, but I haven't received a response, yet. He may have left me a voice mail; I have yet to check those.

I'll give him a call when I return and see about firming up his request and email that to you.

1700 Fortview - I'll wait to respond on this one until I can get back and pull up some maps. I'll give you a call and shoot you an email on Friday.

Not sure why the PC / ZAP schedule was altered, but I can confirm January 15th is PC. The 8th and 22nd are ZAPs.

Enjoy the rest of your holiday!

Bobby

-----Original Message-----

From: Carol Gibbs [mailto:cgibbs1@austin.rr.com]

Sent: Tue 1/1/2008 4:49 PM

To: Levinski, Robert

Cc: 'Nancy Maclaine'; 'Carol Gibbs'

Subject: Questions from South Lamar Neighborhood Association

Bobby,

Happy New Year! I left you a voice message during the Christmas holidays, asking you to call me after your return on Jan. 3rd, regarding some questions I have about one zoning case in our neighborhood. Now I have an additional question about a separate zoning case, so decided to document it all in one email since I'm sure you are inundated with calls and emails to answer!

2811 Del Curto (C14-2007-0233): I understand you have been in contact with both our outgoing and incoming Presidents of SLNA - Oscar Lipchak and Nancy Maclaine. Since we have so many different zoning cases going at once in our 'hood, we have divided them up so there is a different "lead person" for each case -- that may make it cumbersome in some ways, but this stuff is too involved for one person to manage every case, given that we all have "real jobs" on top of our neighborhood duties! I have volunteered to be the "lead person" on this case, since I worked with Michael Friedman on a previous upzoning (2608 Del Curto). I assume that his application for this SF-5 case includes details about the condition overlays he is willing to put on the zoning, but none of those details are available for us to see online. We know what we told him we would support, but we have no evidence of what he actually submitted with his application. It would be nice if that were made available online (in AMANDA), or at least if you could email it to me, so we can see it for ourselves.

Also, I understand that you've predicted that case will go to PC on January 15, but PC meets on 2nd & 4th Tuesdays, which would make them meeting on Jan. 8th and 22nd. Could you please verify? -- maybe New Year's Day being on a Tuesday made them re-define the January schedule??

1700 Fortview Rd. (Fortview at Clawson Rd., application not yet submitted): agent is Jim McCullick, on behalf of Bryan Jamail for 2 lots he recently purchased at the NW corner of Fortview and Clawson Rd. He wants to combine the existing GR lot and the adjacent SF-3 lot to the north, and make both GR to allow a coffee shop and other retail/office tenants in a 2-story complex on basically the same footprint as the existing GR building (an auto repair shop). We have two separate issues to explore:

1. The site plan presented to us shows they intend to use the entire SF-3 lot (4206 Clawson) for parking, driveway, and the 25-ft setback against the next SF-3 lot to the north. What is the feasibility of asking them to up-zone the SF-3 lot to LO instead of GR, thus serving as a transition from GR to SF? We saw the parking lot of the Walgreens site at Bluebonnet & Lamar zoned LO in this manner just a couple of years ago, and this "transition" role is even mentioned as part of the "definition" of LO in the Code.

2. The agent has asked us to provide them with a list of GR uses that we want them to exclude in the zoning application. We might be willing to allow SINGLE practitioners of acupuncture, psychotherapy, etc. but we do not want the kind of traffic that "Hospital" and "Medical Office" uses would attract. Can you tell us what other GR uses would allow such single practitioners, without inviting a full-scale medical office environment?

I'd be happy to discuss these issues over the phone, but I wanted to get you the details in writing so you could review them more thoroughly before we chat.

Thanks -- and welcome to our world! I look forward to working with you.

Carol Gibbs

SLNA Zoning Committee Member
& ANC/SCC Representative

512-442-8060 (hm)

512-968-5164 (cell)

1/8/2008