

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0202

CC DATE: February 28, 2008

ADDRESS: 501 E. Oltorf

OWNER/APPLICANT: Sunnymead Properties Ltd. (George Yonge)

AGENT: Drenner & Golden Stuart Wolff, LLP. (Michele Rogerson)

ZONING FROM: MF-4-CO-NP **TO:** MF-6-CO-NP **AREA:** 4.0 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends APPROVAL of the request for rezoning to MF-6-CO-NP. The conditional overlay shall do the following:

1. Area of height exceeding 40-feet will be no more than 35% of the site;
2. The maximum height on the property shall be no more than 60 feet;
3. Construct a detention pond to reduce flows to that of pre-developed conditions. Pre-developed conditions assume that the site has 0% impervious cover;
4. Maximum impervious coverage of the property shall be 65%;
5. Limit trip generation to 2,000 trips per day.

COMMISSION RECOMMENDATION:

Jan. 29, 2008 – Postponed to 2/12 at request of neighborhood by consent.

Feb. 12, 2008 – Approved staff recommendation of MF-6-CO-NP; the conditional overlay shall do the following:

1. Area of height exceeding 40-feet will be no more than 35% of the site;
2. The maximum height on the property shall be no more than 60 feet;
3. Construct a detention pond to reduce flows to that of pre-developed conditions. Pre-developed conditions assume that the site has 0% impervious cover;
4. Maximum impervious coverage of the property shall be 65%;
5. Limit trip generation to 2,000 trips per day.

Additional Recommendation: A member of Neighborhood Housing and Community Development should be present during the City Council's discussion of this item.

[Vote: 7-1 - Reddy – 1st; Dealey – 2nd; Cavazos – NO]

DEPARTMENT COMMENTS:

The Greater South River City neighborhood plan was adopted by City Council on September 29, 2005 (C14-05-0138). At that time the subject property was rezoned from GR to MF-4-CO-NP (Multi-Family Residence – Moderate - High Density – Conditional Overlay) combining district zoning; the conditional overlay limits the maximum developable height to 40 feet.

The 4.0-acre site is currently developed with an existing 131-unit apartment complex. Both ingress and egress access are taken from the fronting street, E Oltorf Ave. 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]

The applicant intends to rezone the property to MF-6-CO-NP (Multi-Family Residence Highest Density – Conditional Overlay) combining district and modify the conditional overlay for the following:

1. Area of height exceeding 40-feet will be no more than 35% of the site;
2. Construct a detention pond to reduce flows to that of pre-developed conditions. Pre-developed conditions assume that the site has 0% impervious cover;
3. Maximum impervious coverage of the property shall be 65%;
4. Limit trip generation to 2,000 trips per day.

The applicant is continuing to work with the South River City Citizens neighborhood association on a private restrictive covenant involving several other conditions.

The zoning request to MF-6 is consistent with the Greater South River City Future Land Use Map, which designates this site as multi-family.

MF-6 zoning removes minimum site area requirements for individual apartment units:

Minimum Site Area	MF-4	MF-6
Efficiency	800 sq. ft.	N/A
One Bedroom	1,000 sq. ft.	N/A
Two or More Bedrooms	1,200 sq. ft.	N/A

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	MF-4-CO-NP	Apartment Complex
North	LR-NP; GO-NP	Office and Light Retail Uses
South	SF-3-NP	Single-Family Residences
East	SF-2-NP; SF-3-NP; MF-3-NP	Church, Single-Family Residences, Condominium Complex
West	CS-NP	General Retail Sales and Restaurants

AREA STUDY: N/A

TIA: Waived

WATERSHED: Blunn Creek

DESIRED DEVELOPMENT ZONE: YES

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

South River City Citizens Association
Terrell Lane Interceptor Association
Barton Springs / Edwards Aquifer
Conservation District
South Central Coalition

Austin Neighborhoods Council
Austin Independent School District
Home Builders Association of Greater Austin
South Austin Commercial Alliance
CIM

Homeless Neighborhood Organization

SCHOOLS:

Travis Heights Elementary School
Fulmore Middle School
Travis High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-05-0138 (Tract 126)	from GR to MF-4-CO; CO to limit height to 40 ft.	MF-4-CO; CO to limit height to 40 ft.	MF-4-CO; CO to limit height to 40 ft.
C14-05-0138 (Tract 19)	from LR and SF-3 to LR-NP	LR-NP	LR-NP
C14-05-0138 (Tract 20)	from LR and SF-3 to GO-NP	GO-NP	GO-NP
C14-05-0138 (Tract 24)	from LR to MF- 4-NP	MF-4-NP	MF-4-NP

RELATED CASES:

There are no pending or approved site plans at this time.

The applicant is intending to seek a variance to compatibility requirements related to the adjacent church, zoned SF-2. The applicant does not intend to seek a variance to the adjacent single-family residences.

Related Board of Adjustments Variance Request - C15-2007-0127

The applicant has requested a variance to increase the maximum compatibility height requirement of Section 25-2-1063 (C) (2) (a) from three stories or 40 feet to four stories and 50 feet if the structure is more than 50 feet and not more than 100 feet from property in an "SF-5" or more restrictive zoning district; or on which a use permitted in an "SF-5" or more restrictive zoning district is located in order to erect a multi-family structure in an "MF-3-CO-NP", Multi-Family – Conditional Overlay – Neighborhood Plan zoning district.

The applicant has requested a variance to increase the maximum compatibility height requirement of Section 25-2-1063 (C) (3) from 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 to 5 stories and 60 feet in height for a structure more than 100 feet but not more than 300 feet from property zoned "SF-5" or more restrictive in order to erect a multi-family structure in an "MF-3-CO-NP", Multi-Family – Conditional Overlay – Neighborhood Plan zoning district.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
E. Oltorf Street	Varies	40'	Undivided Major Arterial (4 lanes)	27,114 (3-1-04)

CITY COUNCIL DATE: Pending

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Robert Levinski

PHONE: 974-1384

STAFF RECOMMENDATION

Staff recommends APPROVAL of the request for rezoning to MF-6-CO-NP. The conditional overlay shall do the following:

6. Area of height exceeding 40-feet will be no more than 35% of the site;
7. Construct a detention pond to reduce flows to that of pre-developed conditions. Pre-developed conditions assume that the site has 0% impervious cover;
8. Maximum impervious coverage of the property shall be 65%;
9. Limit trip generation to 2,000 trips per day.

BASIS FOR RECOMMENDATION

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

Restricting the height to 60 ft. along E Oltorf preserves compatibility with the neighborhood. Compatibility requirements will ensure adequate transition of height between the 60 ft. zone and the adjacent single-family neighborhood.

2. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

E Oltorf Avenue is a core transit corridor and a major arterial, where high density residential zoning is most appropriate.

EXISTING CONDITIONS

Site Characteristics

The 4.0-acre site is currently developed with a 131-unit multi-family apartment complex.

Impervious Cover

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

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Blunn 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.

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 sq. ft. 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.

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

Transportation

The trip generation under the requested zoning is estimated to be 1461 trips per day, assuming that the site develops to the maximum intensity allowed under the MF-6 zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

- a.) Applicant is proposing redevelopment of the property for 207 dwelling units which is estimated will generate 1,396 trips per day.
- b.) The property is currently developed with 131 dwelling units.

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]

Capital Metro bus service is available along E. Oltorf Street with the #14 Travis Heights Local, #331 Oltorf Crosstown, and the #483 Southeast Night Owl Special Service.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
E. Oltorf Street	Varies	40'	Undivided Major Arterial (4 lanes)	27,114 (3-1-04)

There are existing sidewalks along both sides of E. Oltorf Street.

Right of Way

No additional right-of-way is needed at this time for E. Oltorf Street.

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, 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.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards

The site is subject to compatibility standards. Compatibility Standards are applicable to all property adjoining or across the street from a lot zoned or used as a SF-5 or more restrictive or within 540 feet from the lot zoned SF-5 or more restrictive. This lot is next to SF-3-NP on the southern edge of the property and SF-2-NP on the eastern edge of the property.

Along both property lines, the following standards apply:

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

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.

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

I need more information
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: C14-2007-0202

Contact: Robert Levinski, 512-974-1384

Public Hearing:

January 29, 2008 Planning Commission

Donna Lee Brewer
Your Name (please print)

☒ I am in favor
☐ I object

504 Blong Bock Ln. all tenants
Your address(es) affected by this application

Donna Lee Brewer *1/20/08*
Signature Date

Comments:

*my background will be very
checked by what plans are
being made for the location
rebuilding well for the parking
lot (existing) & do not want
my 4 years*

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Robert Levinski
P. O. Box 1088
Austin, TX 78767-8810
Thank you