

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0250 – Amarra Drive Lot 1

Z.A.P. DATE: January 22, 2008

February 5, 2008

February 19, 2008

ADDRESS: 8718 – 8734 Southwest Parkway; 5105-5301 Barton Creek Boulevard; 5305 – 5325 Barton Creek Boulevard

OWNER: Stratus Properties Operating Co. L.P.
(John Baker)

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

ZONING FROM: DR

TO: MF-1

AREA: 33.036 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant multi-family residence (limited density) – conditional overlay (MF-1-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

ZONING & PLATTING COMMISSION RECOMMENDATION:

January 22, 2008: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO FEBRUARY 5, 2008.*

[J. MARTINEZ; T. RABAGO – 2ND] (9-0)

February 5, 2008: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO FEBRUARY 19, 2008.*

[J. MARTINEZ; K. JACKSON – 2ND] (9-0)

February 19, 2008: *APPROVED MF-1-CO AS STAFF RECOMMENDED WITH AN ADDITIONAL CONDITIONAL OVERLAY OF A MAXIMUM OF 215 UNITS.*

[K. JACKSON; J. GOHIL -2ND] (6-0) J. MARTINEZ, T. RABAGO – ABSENT

NOTE: THE COMMISSION RECOMMENDED THAT THE APPLICANT COMPLY WITH FUTURE EROSION AND SEDIMENTATION CONTROL STANDARDS AT THE SITE DEVELOPMENT PERMIT STAGE.

ISSUES:

The Estates of Barton Creek Property Owners Association requested a postponement to February 5, 2008 in order to meet with the Applicant and discuss the proposed project.

Save Barton Creek Association requested a postponement until February 19, 2008 in order to meet with the Applicant and discuss the proposed project.

DEPARTMENT COMMENTS:

The subject rezoning area is undeveloped, has direct access to Southwest Parkway and Barton Creek Boulevard and is zoned development reserve (DR) district. The property is situated at the intersection of a collector and a major arterial and the surrounding area is generally undeveloped. There is conservation land, undeveloped land and a golf course to the north (P, DR; County); to the east there is one single family residence and undeveloped land (SF-2-CO; LR; LO); to the south there is undeveloped land and two single family residences on large lots (MF-1-CO; DR; GO-MU-CO); and to the west there are two single family residences, a manufactured home, a fire training facility, undeveloped land and conservation land (DR; SF-6; P). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes multi-family residence (limited density) (MF-1) district to accommodate the development of 215 apartment and/or condominium units. There are three significant factors that limit development and make MF-1 a reasonable request. The property will comply with the Save Our Springs ordinance which limits impervious cover to 20 percent. The property is also subject to the Hill Country Roadway ordinance which limits height and requires a vegetative buffer along Southwest Parkway. A significant portion of the property contains steep slopes, and thus, is also limited in development. The allowable MF-1 density (up to 17 units per acre, depending on unit mix) and up to 40 foot in height would provide the ability to develop multifamily residences or condominiums and assist towards offsetting the significant portion of undevelopable area.

Therefore, the Staff recommends the requested MF-1, given that: 1) there is multi-family residence zoning in proximity to this site; 2) a significant portion of the property is undevelopable due to watershed regulations, Hill Country Roadway provisions and steep slopes; and 3) the property is situated at the intersection of a major arterial roadway and a collector street. The Conditional Overlay also limits the property to 2,000 vehicle trips per day.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Undeveloped
<i>North</i>	P; DR; County	Conservation land; Undeveloped; Barton Creek golf course
<i>South</i>	MF-1-CO; DR; GO-MU-CO	Undeveloped; Two single family residences on two large lots
<i>East</i>	SF-2-CO; DR; LR	One single family on large lot; Undeveloped
<i>West</i>	DR; P; SF-6; RR	A few single family residences and one manufactured home on large lots; Eanes fire training facility; Conservation land; Undeveloped

AREA STUDY: N / A**TIA:** Is not required

WATERSHED: Barton Creek –
Barton Springs Zone

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes,
Southwest Parkway

NEIGHBORHOOD ORGANIZATIONS:

298 – Oak Hill Association of Neighbors
705 – OHAN 78735
708 – OHAN 78748
742 – Austin Independent School District
779 – Oak Hill Combined NPA Staff Liaison
786 – Home Builders Association of Greater Austin
917 – Barton Creek Associations
965 – Old Spicewood Springs Rd. Neighborhood Association
1037 – Homeless Neighborhood Association
605 – City of Rollingwood
706 – OHAN 78736
707 – OHAN 78737
709 – OHAN 78739
710 – OHAN 78749
943 – Save Our Springs Alliance

SCHOOLS:

Oak Hill Elementary School O. Henry Middle School Austin High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-02-0164 – Southwest Parkway	DR; RR to MF-1-CO	To Grant MF-1-CO	Approved MF-1-CO with RC for Grow Green and IPM (6-5-03).
C14-01-0083 – Sutter Residence	DR to SF-2	To Grant SF-2-CO with CO for 2 residences	Approved SF-2-CO with CO for 0.184 residences per acre (8-23- 01).
C14-94-0044 – Jamail Zoning Change	GO to GO-MU	To Grant GO-MU-CO	Approved GO-MU-CO with the CO restricted to one dwelling unit (6-23-94).
C14-92-0117 – Parkway II	SF-3; LO, LR to GR	Scheduled for Commission, but postponed indefinitely - Expired	Not applicable.
C14-87-179 – The Uplands	DR; RR; PUD to Various	To Grant Staff recommendation with conditions	Approved DR; RR, SF-1, SF-2, SF-4A, SF-6; MF-1; LO; GO; GR; CR; IP; R&D, and P with additional development regulations (10-27-88).

RELATED CASES:

The property was annexed into the Limited Purpose Jurisdiction in 1986.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	SIDEWALKS	CAPITAL METRO
Barton Creek Blvd.	Varies 64 – 200 feet	30 feet	Collector, 5,620 vpd (TXDOT, 2005)	No	No	Not available
Southwest Parkway	200 feet	110 feet	Arterial, MAD 6, 17,300 vpd (TXDOT, 2005)	Yes, Priority 1 bike route	No	Not available

- Barton Creek Boulevard is maintained by Travis County. The County finalized bids and is now in the process of upgrading Barton Creek to be 2 lanes with a center turn lane.

CITY COUNCIL DATE: February 14, 2008

ACTION:

ORDINANCE READINGS: 1st

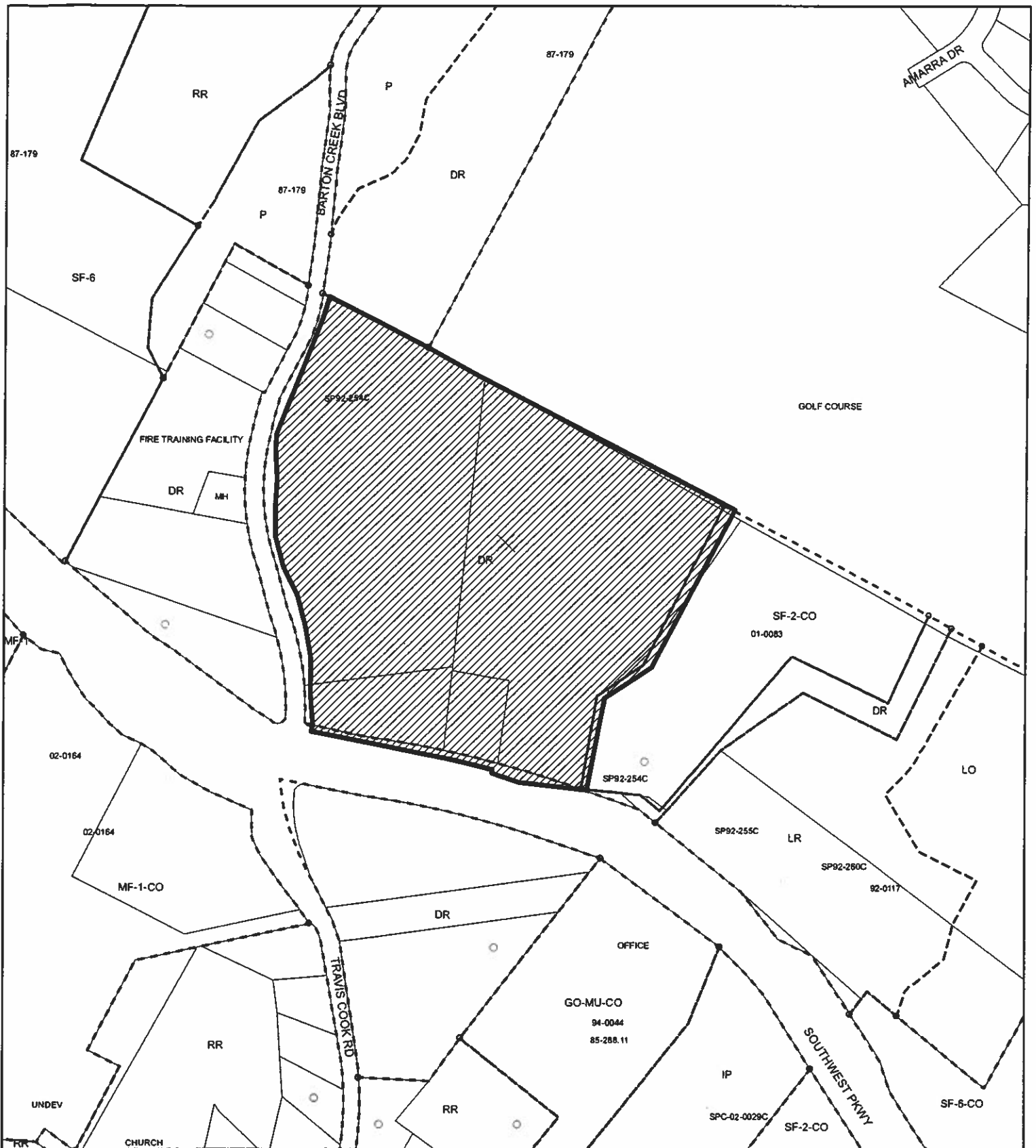
2nd

3rd




ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719



ZONING

-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

ZONING CASE#: C14-2007-0250 **Exhibit A**
ADDRESS: 8718-8734 SOUTHWEST PKWY &
 5105-5301, 5305-5325 BARTON
 CREEK BLVD
SUBJECT AREA: 33.036 ACRES
GRID: B22
MANAGER: W. RHOADES

OPERATOR: S. MEEKS



1" = 400'

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.



GOLF COURSE

SOUTHWEST PARKWAY

BAYVIEW CREEK BLVD

TRAVIS COOK

N

EXHIBIT A-1

THWEST

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant multi-family residence (limited density) – conditional overlay (MF-1-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The Multifamily Residence (Limited Density) district is intended to prevent isolated, inappropriate, or premature uses from locating on lands for which adequate public services or facilities are unavailable, or for which a determination of the most appropriate zoning district is precluded by a lack of data customarily utilized in establishment of permanent district classifications, or for which land use and urban development policies have not been completed.

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

The Staff recommends the requested MF-1, given that: 1) there is multi-family residence zoning in proximity to this site; 2) a significant portion of the property is undevelopable due to watershed regulations, Hill Country Roadway provisions and steep slopes; and 3) the property is situated at the intersection of a major arterial roadway and a collector street. The Conditional Overlay also limits the property to 2,000 vehicle trips per day.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and contains steep slopes.

Impervious Cover

The maximum impervious cover allowed by the MF-1 district would be 20%. The watershed impervious cover listed below is more restrictive than the zoning district's allowable impervious cover, and therefore, the impervious cover is limited by the watershed regulations.

Environmental

This site is not located over the Edward's Aquifer Recharge Zone. The site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) Watershed. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing zone. This tract lies in the Contributing Zone.

According to flood plain maps, there is flood plain close to, but not within the project location.

The site is not located within the endangered species survey area.

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 providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

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 regulations.

Transportation

If the requested zoning is recommended for this site, 35 feet of right-of-way should be dedicated from the centerline of Barton Creek Boulevard in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12. Additional right-of-way may be required at the time of subdivision and/or site plan.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Water and Wastewater

The subject tract is with the Travis County Municipal Utility District No. 4 and 5, and the landowner intends to serve the tract with a connection to the municipal utility district water and wastewater utility system. The landowner should provide written evidence the municipal utility district will provide the water and wastewater utility system in accordance with the City of Austin Utility design criteria and will provide an adequate water utility system and

associated facilities to meet the requirements defined by the Austin Fire Department for fire protection.

Compatibility Standards

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the east property line, 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.
- 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.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- 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.

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

Hill Country Roadway

The site is located within 1,000 feet of Southwest Parkway and within a Hill Country Roadway Corridor. The site is located within the low intensity zone of Southwest Parkway.

Section 25-2-1122 – Floor to area ratio of a non-residential building; (E) This section does not apply to property in the Southwest Parkway Hill Country Roadway corridor.

Except for clearing necessary to provide utilities or site access, a 50 foot vegetative buffer will be required along Southwest Parkway, as described in LDC 25-2-1023 (B). At least 40% of the site (excluding dedicated right-of-way) must be left in a natural state.

The allowable height is as follows: Within 200 feet of Southwest Parkway the maximum height is 28 feet, and beyond 200 feet the maximum height may not exceed the lesser of 1) the height permitted by the zoning or the site plan approved for the property or 2) 60 feet.

Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Planning Commission

November 30, 2007

Mr. Greg Guernsey
Neighborhood Planning and Zoning Department
City of Austin
505 Barton Springs Road, 5th Floor
Austin, TX 78704

VIA HAND DELIVERY

RE: Amarra Drive Lot 1 Block A; 35.790 acres located at the north east corner of Barton Creek Blvd and Southwest Parkway ("Property"); Proposed Rezoning from DR, Development Reserve to MF-1 Multifamily Residence Limited Density zoning.

Dear Greg:

As representatives of the owner of the above stated Property, we respectfully submit the enclosed rezoning application packet. The project is titled Amarra Drive Lot 1 Block A. The Property is not located within a neighborhood plan area. At this time, the Property is undeveloped. The owner intends to develop the Property with a 215 unit multifamily and condominium project. The requested MF-1 zoning district is consistent and compatible with existing zoning and development in the area.

The Property consists of 35.790 acres as described in the attached meets and bounds. A Traffic Impact Analysis ("TIA") is waived as the proposed development does not generate over 2,000 trips per day.

According to the Stratus development agreements and dedicated review team assignments, we respectfully request that Wendy Rhodes be assigned as the zoning case manager.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,



Michele Rogerson

Enclosures

cc: Jerry Rusthoven and Wendy Rhodes, Neighborhood Planning and Zoning Department (*via facsimile at 974-6054*)
William H. Armstrong III, Stratus Properties (*via electronic mail*)
Laurie Swan, Stratus Properties (*via electronic mail*)
Steve Hay, Stratus Properties (*via electronic mail*)
Stephen O. Drenner, Firm

**The Estates of Barton Creek Property Owners Association
Alliance Association Management
115 Wild Basin Rd, Suite 308
Austin, Texas 78746
January 22, 2008**

City of Austin
Platting and Zoning Commission

Re: C14 2007 0250

Dear Sirs:

We request that you consider postponement of the referenced zoning change request hearing for two weeks in order for our neighborhood group to have the opportunity to meet with the Agent/Applicant in order to fully understand the impact of the proposed development.

Sincerely,



~~Catherine Case Larson~~
President

Vice President

Catherine Case Larson
Cathy Coneway
Charles Baker
Don Warner
Steve Dalbey
Jay MacBride

Rhoades, Wendy

From: JKMGoodman@aol.com

Sent: Tuesday, February 05, 2008 9:37 AM

To: Rhoades, Wendy

Subject: Stratus' MF rezoning tonight : just found out/request postponement from SBCA

Hi, Wendy (BCCing Betty Baker) ~although the Save Barton Creek Association gets notifications about historic zoning across the City (for reasons we haven't yet figured out), we did not the receive notification for this. The applicant did not contact us, as historically the expectations have been (applicants contact City registered Interested parties to talk about their proposal before reaching the public hearing stage of the process). Perhaps SBCA was not listed with the City as an Interested party for the applicant's information and awareness.

Because this is a development that could relate to what some warned would come with the addition of AMD's presence in the area, and so could be a precedential signal beyond what this particular apartment complex might seem to be at first glance; because we found out about the zoning request yesterday by accident; because there is now such short lead time re. scheduling on a day that is both "Super Tuesday" and Fat Tuesday, there is added difficulty of our timely assessment and comment re. direct &/or indirect developmental impact in time for the Commission's meeting, SBCA respectfully requests a postponement of this item at the Zoning & Platting Commission to a later date,

I am at work where I cannot answer my phone or access e-mail during working hours, but if you could call and leave a message we would really appreciate it. Thanks in advance for your help ~

Jackie Goodman
pres., Save Barton Creek Association
cell (512) 767-8385
JKMGoodman@aol.com

Who's never won? Biggest Grammy Award surprises of all time on AOL Music.

2/5/2008

Rhoades, Wendy

From: JKMGoodman@aol.com
Sent: Tuesday, February 19, 2008 12:19 PM
To: Rhoades, Wendy; Thomas, Deborah; Guernsey, Greg
Subject: Re: staff & Zoning and Platting Commission re C14-2007-0258 DR>MF ~ Stratus

**To the Zoning and Platting Commission
 re. C14-2007-0258 current DR zoning to MF-1-CO
 Madame Chair Baker and Commissioners,**

Thank you very much for granting a two week postponement of this upzoning application at the Save Barton Creek Association's request, in order for us to look at this proposal more closely, & weigh it more carefully within the expanded peripheral context it should be considered in. That was much appreciated.

Although this is a small multifamily development in urban terms, it is larger than that in the context of other recently introduced workplace development in this particular area, and is inherently a first drop, in deciding what is appropriate and acceptable for approving future proposals of intensified land use proposals here. The size of the project and even land use may be seen as a negligible contributor to short or long term Aquifer impact, but this proposal cannot be considered in a 'vacuum'. In essence we ask you to be the agents of responsible change for instituting first things first, as this Commission has proven itself to be in other instances.

SBCA recommends against upzoning from Development Reserve (DR), in conjunction with some things the City could do quickly to provide land use and policy decision-makers providing tools & matrix that at least approach bottom lines for cumulative development, re. Data analysis of approved (& educated estimates/projections), requested and anticipated land use projections with associated impacts: to reach a workable sense of capacity & sustainability limits. These would more clearly define long term goals/pressures/vision reliably, and discretionary or policy actions needed to implement them in even short term decisions, as well as mapping out necessary qualifiers which avoid or prevent cumulative negative impact.

** Council action which directed Watershed Protection staff to begin looking at improved techniques and practices for erosion/sedimentation controls during construction was a critical step forward. It is only one step, and will take time to complete. This zoning request shows us that time is not on our side and other critical but common sense steps must begin now.*

Along with that is a focused effort to assess & integrate low impact development methods (as noted in the Planning Commission's work plan for 2008, & for which we think the Zoning and Platting Commission could obviously be a valuable partnering resource) for the most immediate practical need in developing environmentally vulnerable sites, which is improving the inconsistent mitigation of current standards and requirements relative to large ponds/operations and maintenance, etc.. In that comprehensive context, history could be learned from rather than continued overall as standard BMPs. This is the opportunity to move positively, before a trend & perception of appropriate land use and impact, based on various general assumptions, is set for similarly situated proposals of upgrading capacities, relative to what could be expected in the near future. Questions not only of effective Aquifer watershed protection through development design, but of perceived fairness or unfairness could be averted now.

As Stratus' presentation showed us, there are some constraints and variables of this site's topography & surrounding land use that logically influence ideal placement of development and large ponds. One aspect of Low impact Development concepts would factor the amount of runoff to be intercepted by mimicking the natural hydrologic regime present, maintaining natural drainage courses, through a whole-site design of micro scaled management, rather than sole reliance on large "end-of-pipe" ponds. This is a minute indication of LID features, and some have been added by staff in the Environmental Criteria Manual, but as we understand it, only as alternatives rather than enhancement,

and only as a development choice outside the Barton Springs Zone.

Additionally, building design itself is effective in minimizing stormwater runoff, which is also a part of the LID concept.

Correlations would be eminently possible to gather and analyze, since we already have significant pertinent data needed from various resources such as CoA Watershed Protection Department, the City Environmental Board as well as the Urban Transportation Commission & departmental staff, BSEACD, Envision Central Texas, the Oak Hill Neighborhoods' Plan for development, etc.. A courtesy review by the Environmental Board and perhaps the Urban Transportation Commission at this point could add insight, before moving ahead with action on up-zoning.

Stratus representatives told SBCA in their presentation that beginning actual development of this project would not be for one or two years down the road. Priority data analysis by the City and partner resources could be done within a reasonable time, as a beginning basis from which to make any new discretionary land use decisions here such as zoning, including conditions of zoning.

We would suggest and recommend, to the Commission and to Stratus, an indefinite postponement of the zoning application, so not to cause any loss of work and value that Stratus has invested in this zoning application, in order to provide the relatively short amount of time it would take to truly move forward responsibly on this and future land use decisions in this area, i.e., a reasoned understanding and coordination of the special imperatives and increasing pressures here.

Failing that, we recommend Stratus develop under current zoning.

Thank you for your consideration, and again for your time and service to the City and it's well being, taking this moment also to recognize the benefit of City Boards' and Commissions' expertise and corporate history.

Jackie Goodman
President, Save Barton Creek Association
cell (512) 767-8385
JKMGoodman@aol.com

Delicious ideas to please the pickiest eaters. [Watch the video on AOL Living.](#)