

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0088 – Winkley Loma Vista

P.C. DATE: July 24, 2007
April 22, 2008

ADDRESS: 7213 ½ Twilight Mesa Drive

OWNERS: Charles Winkley & Allen Sonstein

AGENT: Thrower Design
(Ron Thrower)

ZONING FROM: I-RR

TO: SF-1

TOTAL AREA: 9.55 acres

AMENDED TO: SF-1 for Tract 1; SF-2 for Tract 2
(9.449 acres) (0.101 acres – 4,410 s.f.)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant single family residence – large lot – conditional overlay (SF-1-CO) combining district zoning for Tract 1 and single family lot – standard lot – conditional overlay (SF-2-CO) combining district zoning for Tract 2. The Conditional Overlay that applies to Tracts 1 and 2 limits the number of vehicle trips to no more than 300 per day.

PLANNING COMMISSION RECOMMENDATION:

July 24, 2007: *APPROVED SF-1-CO DISTRICT ZONING AS STAFF RECOMMENDED; BY CONSENT.*

[J. REDDY, M. DEALEY – 2ND] T. ATKINS, P. CAVAZOS – ABSENT

April 22, 2008: *APPROVED SF-1-CO DISTRICT ZONING FOR TRACT 1 AND SF-2-CO DISTRICT ZONING FOR TRACT 2, AS STAFF RECOMMENDED; BY CONSENT.*

[M. DEALEY; S. KIRK – 2ND] T. ATKINS – NOT YET ARRIVED; P. CAVAZOS – ABSENT

ISSUES:

On July 24, 2007, the Planning Commission approved the Applicant's initial request for SF-1. Following the Planning Commission action, the Applicant contacted Staff about amending his request to SF-2 for a small portion be joined with an existing adjacent lot while retaining the initial request for SF-1 zoning on the balance of the property. Field notes to create the two zoning tracts were received in late March 2008.

DEPARTMENT COMMENTS:

The subject rezoning area consists of three undeveloped tracts zoned interim – rural residence (I-RR) district zoning with street access onto Twilight Mesa Drive and an access easement that serves the adjacent properties to the east. The lots are surrounded by single

family residences on large lots in the Shadowridge Crossing Section 12 subdivision (SF-2) and undeveloped, unplatted tracts (I-RR). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant has amended his request to create two zoning tracts in order to proceed with applications that would provide five new lots on Twilight Mesa Drive and area to be re-subdivided to the three adjacent lots on Twilight Terrace Circle to the south. The Applicant requests single family residence (large lot) (SF-1) district zoning is requested for Tract 1 and single family residence standard lot (SF-2) zoning is requested for Tract 2. Both zoning districts are appropriate in the context of the adjacent lot sizes, which range between 0.6 acre and 1.2 acres, and existing zoning. (In 1988, Shadowridge Crossing Section 12 was zoned SF-2 based on a more dense residential development that received preliminary plan approval.) If the requested zonings are granted, impervious cover would be limited to 25%, in accordance with the more restrictive watershed regulations.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	SF-2	Single family residences
<i>South</i>	SF-2; RR; SF-1-CO	Single family residences
<i>East</i>	I-RR; SF-2	Single family residences; Telecommunications tower; Undeveloped
<i>West</i>	SF-2; SF-2-CO	Single family residences

NEIGHBORHOOD PLANNING AREA: Oak Hill NPA **TIA:** Is not required
(West Oak Hill)

WATERSHED: Williamson Creek – **DESIRED DEVELOPMENT ZONE:** No
Barton Springs Zone – Contributing Zone

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

298 – Oak Hill Association of Neighborhoods 385 – Barton Springs Coalition
428 – Barton Springs/Edwards Aquifer Conservation District
705 – OHAN 78735 706 – OHAN 78736 707 – OHAN 78737
708 – OHAN 78739 710 – OHAN 78749
742 – Austin Independent School District 779 – Oak Hill Combined NPA Staff Liaison
780 – Estates of Loma Vista HOA
786 – Home Builders Association of Greater Austin
943 – Save Our Springs Alliance 967 – Circle C Neighborhood Association

SCHOOLS:

Mills Elementary School

Small Middle School

Bowie High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0010 – 8515 FM 1826	DR to LO-MU-CO for Tract 1; SF-2 for Tract 2	To Grant LO-CO for Tract 1 with the CO permitting professional offices and medical offices only; 35' and 1 story, 50' setback along the north and south property lines, hooded / shielded lighting, signage limits; SF-2-CO for Tract 2 with the CO limiting residential development to one unit. On Tracts 1 and 2, there is a 2,000 trip limit and 2 access points to FM 1826.	Approved LO-MU-CO for Tract 1 and SF-2-CO for Tract 2 as PC recommended (6-26-06).
C14-05-0219 – Seton Southwest	I-RR to GO	To Grant GO district with conditions of the Traffic Impact Analysis	Approved GO district zoning with a Restrictive Covenant for the Traffic Impact Analysis and a Traffic Phasing Agreement (7-27-06).

RELATED CASES:

The property was annexed into the City limits on December 26, 2001 (C7A-01-014).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
Twilight Mesa Drive	70 – 75 feet	Varies	Local	No	No	No

CITY COUNCIL DATE: May 22, 2008**ACTION:**

ORDINANCE READINGS: 1st

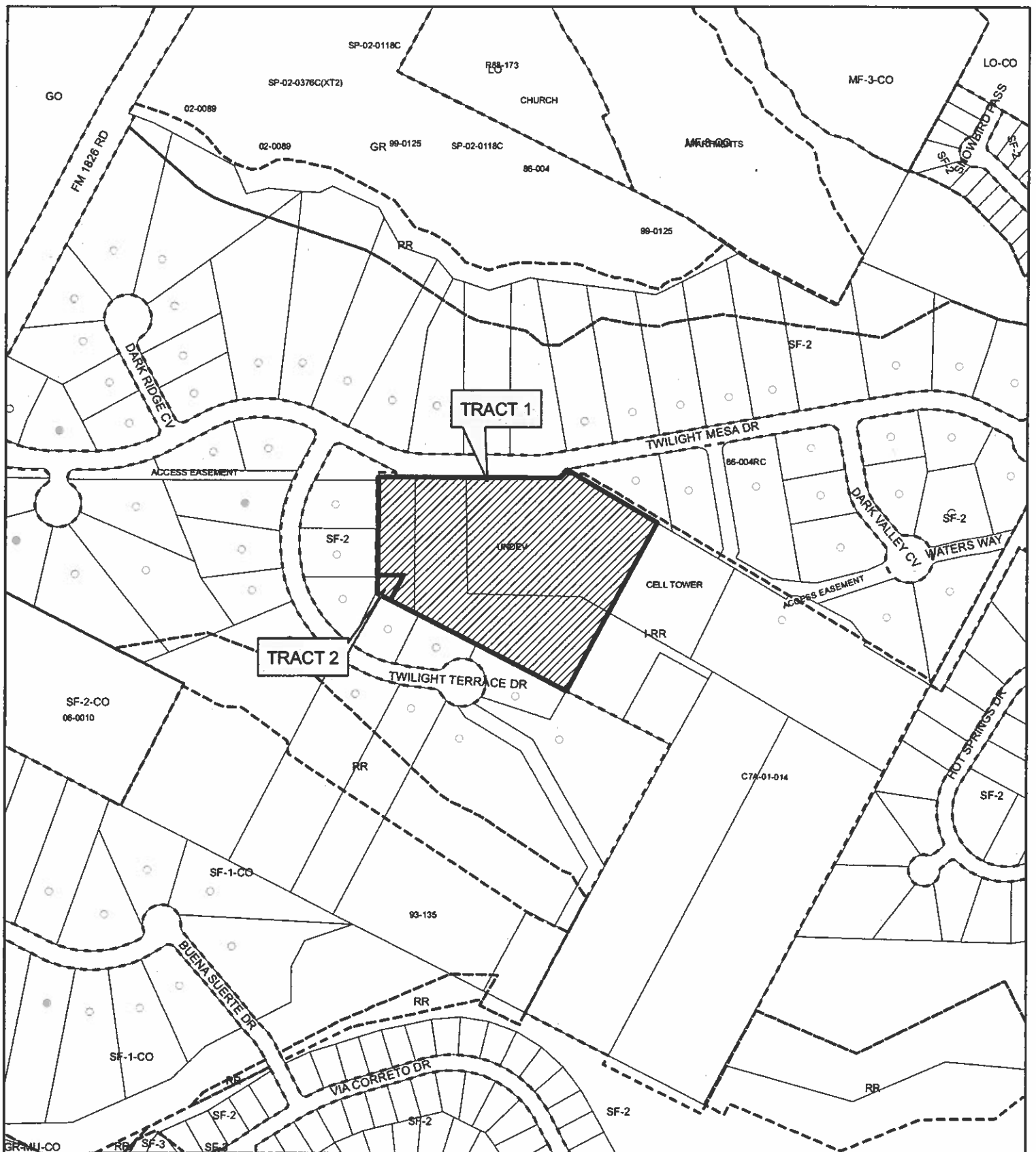
2nd

3rd

ORDINANCE NUMBER:

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




PHONE: 974-7719



ZONING

Exhibit A



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

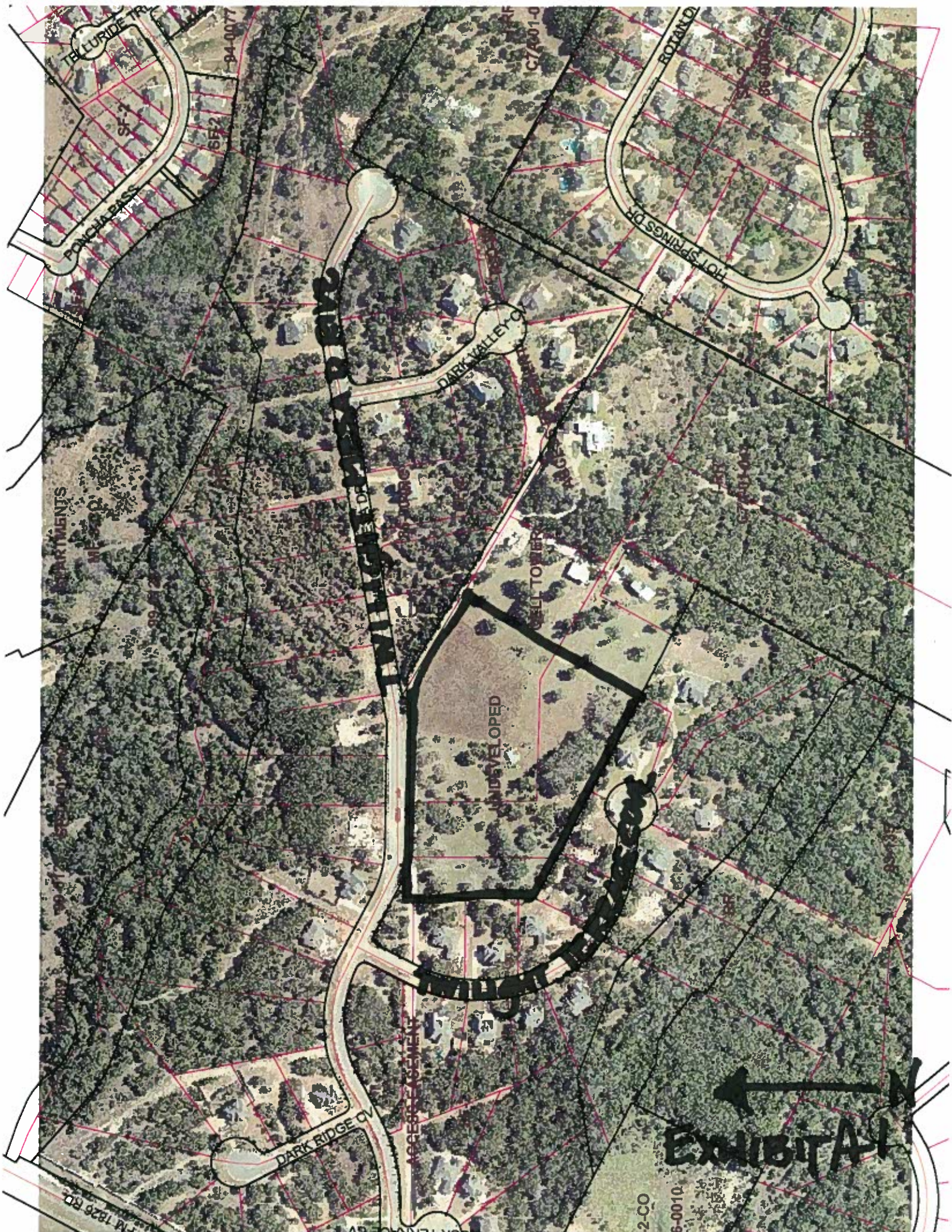
ZONING CASE#: C14-2007-0088
 ADDRESS: 7213 1/2 TWILIGHT MESA DR
 SUBJECT AREA: 9.55 ACRES
 GRID: B18
 MANAGER: W. RHOADES

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.



←
EXHIBIT A

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant single family residence – large lot – conditional overlay (SF-1-CO) combining district zoning for Tract 1 and single family lot – standard lot – conditional overlay (SF-2-CO) combining district zoning for Tract 2. The Conditional Overlay that applies to Tracts 1 and 2 limits the number of vehicle trips to no more than 300 per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

Tract 1: The single family residence – large lot (SF-1) district is intended as an area for low density single family residential use, with a minimum lot size of 10,000 square feet. This district is appropriate for locations where sloping terrain or environmental limitations preclude standard lot sizes, or where existing residential development has lots of 10,000 square feet or greater.

Tract 2: The single family residence standard lot (SF-2) district is intended for a moderate density single-family residential use on a lot that is a minimum of 5,750 square feet. This district is appropriate for existing single-family neighborhoods having moderate sized lots or to new development of single-family housing areas with minimum land requirements.

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

The SF-1 district is appropriate in the context of the adjacent lot sizes, which range between 0.6 acre and 1.2 acres, and zoning.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and relatively flat.

Impervious Cover

The maximum impervious cover allowed by the SF-1 and the SF-2 zoning districts would be 25%, which is based on the more restrictive watershed regulations, as described below.

Environmental

This site is not located over the Edward's Aquifer Recharge Zone. The site is in the Williamson 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 no flood plain 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.

Transportation

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

If the zoning is granted, development should be limited through a conditional overlay to less than 300 vehicle trips per day. [LDC, 25-6-117]

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, 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.

Compatibility Standards

The requested SF-I zoning would not trigger the application of compatibility standards.

Walsh, Wendy

From: Jeff Howard [jhoward@mcleanhowardlaw.com]
Sent: Tuesday, July 24, 2007 4:17 PM
To: sully.jumpnet@sbcglobal.net; amdealey@aol.com; cidg@galindogroup.com;
jay_reddy@dell.com; tracy.atkins@gmail.com; pcavazos_planning@yahoo.com;
saundra_kirk@sbcglobal.net; Riley, Chris
Cc: Jackie; Walsh, Wendy
Subject: Zoning Case No: C14-2007-0088; Winkley Loma Vista Zoning
Attachments: Sullivan Letter re Winkley 072407.pdf

Dear Commissioner Sullivan and Planning Commissioners:

I represent a landowner near the subject property. Please note that my client is not opposed to the proposed zoning and is happy for the item to pass on consent if that is the Planning Commission's decision. I only want to make you aware of certain information as you consider future zoning cases in connection with the Oak Hill Neighborhood Plan. The attached letter provides that information. Thank you for your attention to this matter.

Jeffrey S. Howard
McLean & Howard, LLP
1004 Mopac Circle, Suite 100
Austin, Texas 78746
Telephone (512) 328-2008
Facsimile (512) 328-2409
www.mcleanhowardlaw.com

CONFIDENTIALITY NOTICE: This communication is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient of this information, you are notified that any use, dissemination, distribution, or copying of the communication is strictly prohibited.

7/24/2007



McLEAN & HOWARD, L.L.P.

July 24, 2007

1004 Mopac Circle
Suite 100
Austin, TX. 78746
phone 512.328.2008
fax 512.328.2409
www.mcleanhowardlaw.com

Mr. David Sullivan, Chair
Planning Commission
City of Austin
P.O. Box 1088
Austin, Texas 78704

Via email

Re: Zoning Case No.: C14-2007-0088; Winkley Loma Vista Zoning

Dear Chairman Sullivan and Planning Commissioners:

I am writing on behalf of Ron and Jackie Waters (the "Waters"), the owners of approximately 11.3 acres of land located at 6800 Waters Way (the "Waters Tract"). The Waters Tract is located adjacent to the Loma Vista and Shadowridge subdivisions and is located near the Property covered by the above-referenced zoning case.

The Waters support the proposed zoning. However, because the entire Oak Hill area is the subject of a proposed Neighborhood Plan which will have numerous zoning cases associated therewith (including the zoning of the Waters Tract), the Waters wanted to make sure that you were aware of certain information for future reference when the Neighborhood Plan and related zoning cases come before you. Specifically, the owner of the Property to be zoned in the above case is Mr. Charles Winkley. Mr. Winkley owns a home adjacent to the area to be zoned. Mr. Winkley is also the president of the home owners association for Loma Vista. Mr. Winkley has chosen to subdivide his property with a subdivision that requires only SF-1 zoning. However, the Loma Vista and Shadowridge subdivisions and other land in the vicinity are zoned currently SF-2. While SF-1 zoning is certainly compatible with the area, the Waters believe that SF-2 or other compatible zoning would also be appropriate.

While the Waters do not in any way oppose Mr. Winkley's decision to zone his tract SF-1, the Waters do not believe that such decision by Mr. Winkley under the circumstances should constitute any precedent for future zoning decisions, including consideration of the Waters Tract as part of the Neighborhood Plan zoning cases. Future zoning decisions of other Oak Hill area tracts (including the Waters Tract) should be made based on the circumstances surrounding those tracts and in consideration of the current SF-2 zoning for the area.

If you should have any questions, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,

Jeffrey S. Howard

cc: Wendy Walsh
Jackie Waters