

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2008-0066 – Overton-5

REQUEST:

Approve second / third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7700 and 7704 Latta Drive (Williamson Creek Watershed – Barton Springs Zone) from development reserve (DR) district zoning to family residence (SF-3) district zoning with conditions. The Street Deed is for 13 feet of right-of-way dedication along Latta Drive.

DEPARTMENT COMMENTS:

There is a drainage easement and public utility easement of varying width along the west side (rear) of the property, adjacent to MoPac Expressway, as shown on the recorded plat.

The lots are potentially involved in the Hill Country Conservancy's Walk-for-a-Day trail near the southern end of what it being called "Gap 2". Mopac is overhead at this point, so TXDoT right-of-way is a possible option for the trail should this portion of the conceptual route become the actual route.

OWNERS: Volma and Shirley Overton.

AGENT: Jim Bennett Consulting (Jim Bennett).

DATE OF FIRST READING: May 22, 2008, approved SF-3 district zoning with conditions, on First Reading (7-0).

CITY COUNCIL HEARING DATE: June 18, 2008

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0066 – Overton – 5

Z.A.P. DATE: April 15, 2008

ADDRESS: 7700 and 7704 Latta Drive

OWNER: Volma and Shirley Overton

AGENT: Jim Bennett Consulting
(Jim Bennett)

ZONING FROM: DR

TO: SF-3

AREA: 5.99 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant family residence (SF-3) district zoning.

If the requested zoning is granted for this site, then 43 feet of right-of-way from the existing centerline should be dedicated for Latta Drive according to the Transportation Plan.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

April 15, 2008: *APPROVED SF-2 DISTRICT ZONING, WITH ADDITIONAL RIGHT-OF-WAY DEDICATION ON LATTA DRIVE.*

[K. JACKSON; J. SHIEH – 2ND] (7-1) T. RABABO – NAY

ISSUES:

There is a drainage easement and public utility easement of varying width along the west side (rear) of the property, adjacent to MoPac Expressway, as shown on the recorded plat. Please refer to Exhibit B.

The lots are potentially involved in the Hill Country Conservancy's Walk-for-a-Day trail near the southern end of what it being called "Gap 2". Mopac is overhead at this point, so TXDoT right-of-way is a possible option for the trail should this portion of the conceptual route become the actual route.

The Applicants would like to discuss their request for SF-3 zoning with the Council.

DEPARTMENT COMMENTS:

The subject rezoning area consists of two platted lots that have frontage on Latta Drive and also border MoPac Expressway are zoned development reserve (DR) district. The 25-year floodplain encroaches into the west side of the property that borders MoPac Expressway. There are large lots to the north on Latta Drive (DR), and facing east and south, there are single family residences within the Maple Run subdivision (SF-2). The 130-acre Dick Nickols District Park is to the south (P). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant proposes to rezone the lots to the family residence (SF-3) district to accommodate additional residential lots (single family, two-family or duplex use). SF-3 zoning is a compatible district that fits in with the large and standard lot, existing single family residences. These two lots are within the Recharge Zone and therefore, impervious cover for new development will be limited to 15 percent of the net site area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Two single family residences with shed, greenhouse, cisterns and windmill on two lots
<i>North</i>	DR	Three single family residences on large lots; One undeveloped lot
<i>South</i>	SF-2; P	Single family residences within the Maple Run subdivision
<i>East</i>	SF-2	Single family residences within the Maple Run subdivision
<i>West</i>	N/A	MoPac Expressway Northbound right-of-way

AREA STUDY: N/A

TIA: Is not required

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

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

298 – Oak Hill Association of Neighborhoods (OHAN)
 384 – Save Barton Creek Association
 428 – Barton Springs/Edwards Aquifer Conservation District
 627 – Onion Creek Homeowners Association 705 – OHAN 78735
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 947 – Deer Park at Maple Run HOA 967 – Circle C Neighborhood Association
 997 – Tanglewood Oaks Owners Association 1037 – Homeless Neighborhood Organization
 1059 – Maple Run-Wheeler Creek 1075 – League of Bicycling Voters

SCHOOLS:

Boone Elementary School Covington Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-96-0160 – Maple Run MUD #1	Permanent zoning districts on 18 tracts on 594.20 acres of land	To Grant SF-2; MF-2- CO; GO; GR-CO; P	Approved RR; SF-2; MF-2-CO; GO; GR- CO; P (5-15-97).

RELATED CASES:

The property is platted as Lots 8 and 9 of the Ray Brown Subdivision, recorded on October 22, 1975 (C8s-75-131). Please refer to Exhibit B.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic
Loop 1 (MOPAC Boulevard)	300-530 feet	Varies (2 @ 36-60 feet)	Parkway (PWY 4)	29,000 (TXDOT, 2006)
Latta Drive	80-100 feet	23 feet	Minor Arterial (MNR2)	5,803 (COA, 04/16/07)

- There are no existing sidewalks along Latta Drive.
- Latta Drive is classified in the Bicycle Plan as a Priority 2 bike route.
- Capital Metro bus service (Route #333) is available along Latta Drive.

CITY COUNCIL DATE: May 22, 2008

ACTION: Approved SF-3 district zoning with conditions of additional right-of-way on Latta Drive, on First Reading (7-0).

Note: Staff to investigate trail easement opportunities.

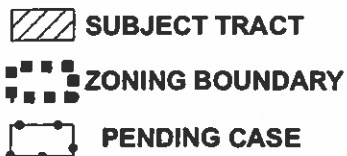
June 18, 2008

ORDINANCE READINGS: 1st May 22, 2008 2nd 3rd

ORDINANCE NUMBER:

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

PHONE: 974-7719



ZONING CASE#: C14-2008-0066
ADDRESS: 7700 & 7704 LATTA DR
SUBJECT AREA: 5.99 ACRES
GRID: D17 D18
MANAGER: W. RHOADES

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.

$1'' \approx 400'$

ISLA

GALLERIA

NAVARRO

COPELAND DRIVE

WATTA DRIVE

GREENGLASS

THE BANK

WATTA DRIVE

MOPAC - NORTHBOUND

84-505C MF-3

92-250C

160

EXHIBIT A



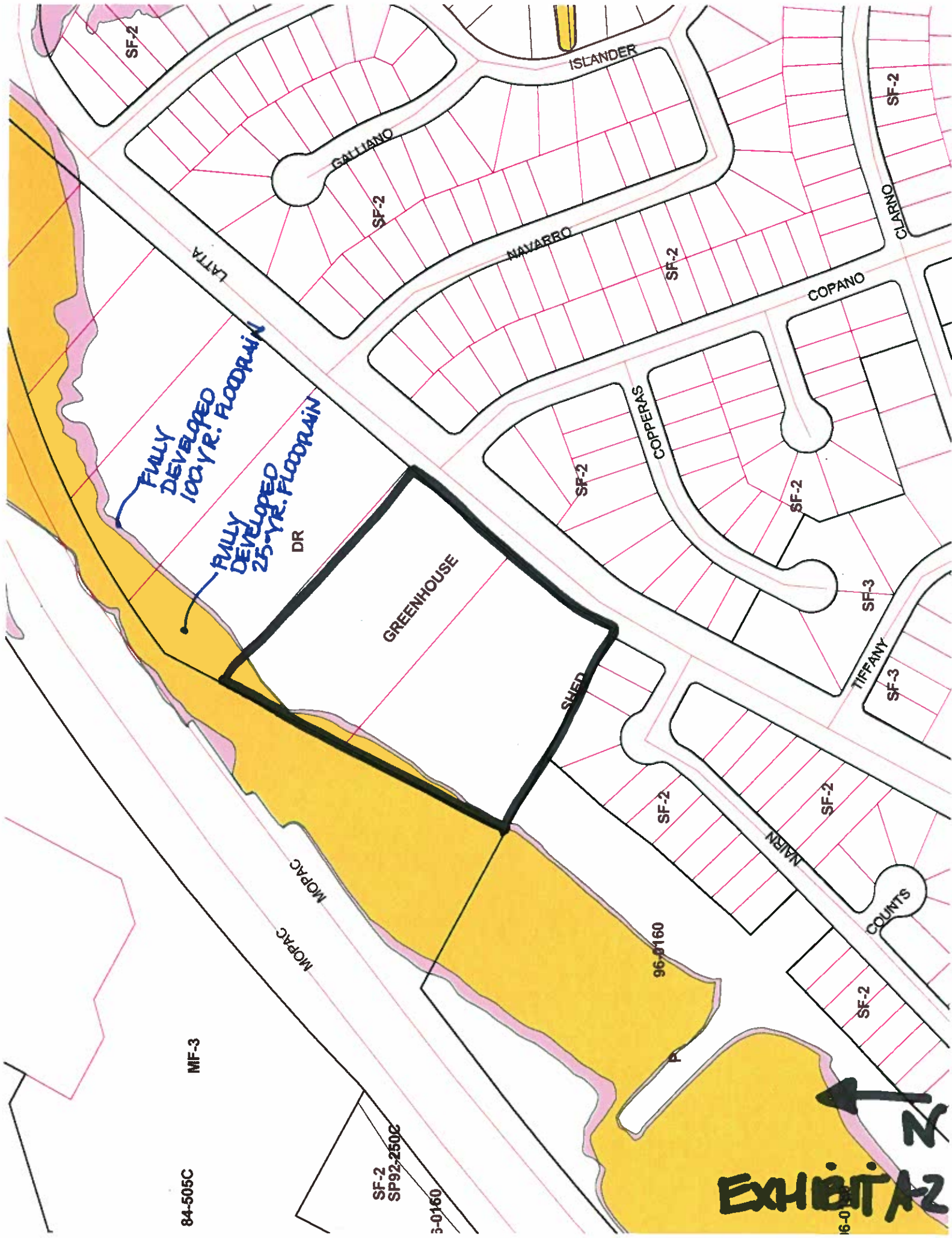


EXHIBIT B
RECORDED PLAT

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant family residence (SF-3) district zoning.

If the requested zoning is granted for this site, then 43 feet of right-of-way from the existing centerline should be dedicated for Latta Drive according to the Transportation Plan.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The family residence (SF-3) zoning district is intended as an area for moderate density single family residential use, with a minimum lot size of 5,750 square feet. This district is appropriate for existing single-family neighborhoods having typically moderate sized lot patterns, as well as for development of additional family housing areas with minimum land requirements.

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

SF-3 zoning is a compatible district that fits in with the large and standard lot, existing single family residences. These two lots are within the Recharge Zone and therefore, impervious cover for new development will be limited to 15 percent of the net site area.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped, relatively flat and drains to the west.

Impervious Cover

The maximum impervious cover allowed by the SF-3 zoning district would be 15%, which is based on the more restrictive watershed regulations.

Environmental

This site is located over the Edwards 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 Recharge Zone.

According to flood plain maps, there is a flood plain within the project location.

Based upon the close proximity of a flood plain, offsite drainage should be calculated to determine whether a transition zone exists within the project location.

The site is 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

The Austin Metropolitan Area Transportation Plan calls for 86 feet of right-of-way for Latta Drive. If the requested zoning is granted for this site, then 43 feet of right-of-way from the existing centerline should be dedicated for Latta Drive according to the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].

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 relocations and or abandonments required. 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 and Building Standards

Rezoning from SF-2 to SF-3 does not trigger the application of compatibility standards.

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

A floodplain review will be required as part of the residential permitting process.

The applicable building standards are outlined below:

Breakdown by square footage for living area/garage/patio/porch is required on duplex residential site plans.

Setbacks for duplex residential:

- Anything that juts more than 5 feet into a setback must be fireproofed. Standard side setback is 5 feet with a maximum allowable 2 foot overhang. The overhang cannot have any openings, soffit vents, windows, etc.
- Setbacks between buildings is 10 feet (5 feet on each side). Any encroachment into this setback must be fireproofed.
- Nothing can encroach into a 2 foot setback.

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

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: C14-2008-0066

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

April 15, 2008 Zoning and Platting Commission

☐ I am in favor
☒ I object

Raphael and JOHN EDINE
Your Name (please print)

7602 NAVARRO PLACE, AUSTIN TX 78742

Your address(es) affected by this application

Raphael Osore Edine 4/8/08

Signature

Date

Comments: Having this property from DR to SF-3 = Duplex would lower the property value. Traffic congestion and character that may not be conducive to the existing life style as it is. This change to SF-3 is not good for us all. Too many people in a small area - Culture illegal stuffs would increase in the area.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810