ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0111 – 10301 Old San Antonio Road Rezone **Z.A.P. DATE:** October 5, 2010 November 2, 2010

ADDRESS: 10301 Old San Antonio Road

OWNER: Sheldon Stablewood, LP (Rick Sheldon) **AGENT**: Thrower Design (Ron Thrower)

ZONING FROM: MF-2-CO **TO:** MF-2-CO **AREA:** 18.198 acres to change a condition of zoning

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to deny the Applicant's request to remove the Conditional Overlay that prohibits access to Old San Antonio Road.

ZONING & PLATTING COMMISSION RECOMMENDATION:

October 5, 2010: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO NOVEMBER 2, 2010.*
[S. BALDRIDGE; T. RABAGO – 2ND] (7-0)

November 2, 2010:

ISSUES:

The Applicant would like to discuss the Staff recommendation.

DEPARTMENT COMMENTS:

The subject tract is undeveloped and was zoned multi-family residence – low density – conditional overlay (MF-2-CO) district in August 2000. The Conditional Overlay limits development to 2,000 vehicle trips per day, states that there shall be no vehicular access to Old San Antonio Road, and that access must be taken from other adjacent public streets or adjacent property. Please refer to Exhibit B. The tract has frontage along Old San Antonio Road, a two-lane roadway, and directly east is a low water crossing. There are two single family residences, and the South Park Meadows shopping center to the north (GR-MU-CO; GR-CO; GR-MU-H-CO; CS-CO); undeveloped property to the east and southeast that is proposed for CS-MU zoning; and Akins High School, the football field, and two single family residences to the southwest and west (I-RR). The rezoning tract surrounds one single family residence (SF-2). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to change the item in the conditional overlay which prohibits access to Old San Antonio Road. As background information, this tract was part of the Stablewood at Slaughter Creek Preliminary Plan that included the adjacent land to the east and south.

Please refer to Exhibit C. A collector road extending between FM 1626 and the IH 35 southbound frontage road, known as Stablewood Drive bordered the tract's southeast property line. Therefore, at the time of the original zoning, the tract would have the ability to access the loop road as shown on the Preliminary Plan. The Preliminary Plan has since expired and therefore, the Stablewood property does not currently have any vehicular access. An application for zoning on adjacent property, Double Creek Village – C14-2008-0220, which is in process concurrently, includes the right-of-way for the new loop road, and the Staff recommendation is that the right-of-way for the loop road be dedicated at the time the Double Creek Village zoning is finalized.

The Staff has concerns about multifamily residential development taking access to Old San Antonio Road which is a narrow, two-lane roadway and the nearby low water crossing which could create public safety issues in the event of an emergency, and therefore, recommends denial of the Applicant's request to remove the conditional overlay pertaining to vehicular access placed on the tract in 2000. The right-of-way will become available to the subject property, and if the subject tract develops before Double Creek Village, then the owner could build a driveway from the property to the southbound IH 35 service road.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	MF-2-CO	Undeveloped
North	I-RR; GR-CO; GR-MU-H-CO; CS-CO	Two single family residences; Theater; Restaurant; Auto repair within the South Park Meadows shopping center
South	I-RR	Football field for Akins High School; Undeveloped (proposed for CS-MU zoning by C14-2008-0220)
East	I-RR	Undeveloped (proposed for CS-MU zoning by C14-2008-0220)
West	I-RR	Two single family residences; Akins High School

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

WATERSHED: Slaughter Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **SCENIC ROADWAY:** No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association 627 – Onion Creek Homeowners Association
742 – Austin Independent School District
786 – Home Builders Association of Greater Austin
1037 – Homeless Neighborhood Association 1075 – League of Bicycling Voters
1113 – Austin Parks Foundation
1200 – Super Duper Neighborhood Objectors and Appealers Organization
1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group

SCHOOLS:

Menchaca Elementary School Paredes Middle School Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0220 – Double Creek Village – 10200-10614 South IH 35 Service Road Southbound	I-RR; CS to CS-MU	Scheduled for November 2, 2010	Scheduled for November 4, 2010
C14-04-0160 – Harrell Tract #5 – 10184 – 10224 South IH-35 Service Road Southbound; 10101 – 10139 Old San Antonio Road	I-RR to CS-MU-CO	To Grant CS-MU-CO with CO prohibiting certain uses and limiting development to 2,000 daily trips	Approved CS-MU-CO as Commission recommended (12-2-04).
C14-04-0126 – Harrell Tract #4 – 10100-10182 South IH-35 Service Road Southbound; 10100 – 10128 Old San Antonio Road	I-RR to CS-CO	To Grant CS-CO with CO for list of prohibited uses, RC for the TIA and establish that the minimum size for a stand-alone restaurant is 300 square feet	Approved CS-CO as Commission recommended (12-2-04).
C14-04-0125 – Harrell Tract #3 – 10000-10450 South First Street	I-RR to MF-2-CO	To Grant MF-2-CO with the CO for 17 u.p.a. and a RC for the TIA	Approved MF-2-CO with RC as recommended by ZAP (12-2-04).
C14-04-0124 – Harrell Tract #1 -	I-RR to GR-MU-CO for Tract 1A and CS-CO for Tract 1B	To Grant GR-MU-CO for Tract 1A and CS-CO for Tract 1B with the CO for a list of prohibited uses with RC for the TIA and establish that the minimum size for a stand-alone restaurant is 300 square feet	Approved GR-MU-CO for Tract 1A and CS-CO for Tract 1B with RC for the TIA and establish that the minimum size for a stand-alone restaurant is 300 square feet as recommended by ZAP (12-2-04).
C14-02-0052 – Wedding Facility, Catering and	I-RR to GR-MU-CO	To Grant GR-MU-CO with CO limiting development of the	Approved GR-MU-CO with RC as Commission

Restaurant – 10300 Old San Antonio Road		property to bed and breakfast residential, indoor and outdoor entertainment and restaurants, 200 trips per day, height of 35 feet and 50% building coverage. RC specifying types of events and reservation of r-o-w on Old San Antonio Road	recommended (8-22-07).
C14H-01-0104 – Wedding/Catering Facility (Matthew Brown Homestead) – 10140 Old San Antonio Road	I-RR to GR-MU-CO-H for Tract 1; GR-MU-CO for Tract 2	To Grant GR-MU-CO-H for Tract 1; GR-MU-CO for Tract 2, with CO for 35' height, 1,000 trips per day, 50% building coverage, 60% impervious cover, uses limited to bed and breakfast. RC to define the types of gatherings that would occur; r-o-w on Old San Antonio Road	Approved GR-MU-H-CO for Tract 1; GR-MU-CO for Tract 2, with CO and RC as Commission recommended, with additional permitted uses of indoor and outdoor entertainment, and restaurants except t(11/29/01).
C14-00-2031 – Stablewood Apartments – Old San Antonio Road	I-RR to MF-2	To Grant MF-2-CO w/CO prohibiting access to Old San Antonio Road, 15' wide vegetative buffer adjoining SF-2 zoned property, and 2,000 trips per day	Approved MF-2-CO as PC recommended (8-17-00).

RELATED CASES:

The subject property was annexed into the City limits on December 31, 1997 and assigned I-RR district zoning. On August 17, 2000, the property was zoned MF-2-CO with the Conditional Overlay prohibiting vehicular access to Old San Antonio Road (and requiring that access shall be from adjacent public streets or through adjacent property), establishing a 15-foot wide vegetative buffer where adjacent to SF-2 zoning, and limiting trips to 2,000 vehicles per day (C14-00-2031).

As shown in Exhibit C, the subject property as well as adjacent surrounding properties were originally part of a 397.46 acre preliminary plan known as the Stablewood at Slaughter Creek Preliminary Plan Revision #1, approved on August 31, 1999 (C8-95-0211.02). The plan

included a mix of retail, office/commercial, single family residences, recreation center and open space uses. The portion covering this property provided for 80 single family – standard lot residential lots. The Preliminary Plan included a loop road known as Stablewood Drive extending between the IH-35 frontage road and FM 1826 (in a similar configuration to that proposed with the subject application). This eastern portion of the Stablewood Preliminary Plan did not proceed to the final plat stage, and has expired.

There are no site plan applications on the property.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Old San Antonio Road	56 feet	21.5 feet	Local	No	No	No

CITY COUNCIL DATE: November 4, 2010 **ACTION:**

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades **PHONE:** 974-7719
e-mail: wendy.rhoades@ci.austin.tx.us

ORDINANCE NO. 000817-77

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE AS FOLLOWS:

AN 18.198 ACRE TRACT OF LAND OUT OF THE STEPHEN F. SLAUGHTER LEAGUE SURVEY NO. 1 AND SANTIAGO DEL VALLE GRANT, FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO MULTI-FAMILY RESIDENCE LOW DENSITY-CONDITIONAL OVERLAY (MF-2-CO) COMBINING DISTRICT, LOCALLY KNOWN AS THE PROPERTY LOCATED ALONG OLD SAN ANTONIO ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from interim rural residence (I-RR) district to multi-family residence low density-conditional overlay (MF-2-CO) combining district on the property described in File C14-00-2031, as follows:

> An 18.198 acre tract of land out of the Stephen F. Slaughter League Survey No. 1 and Santiago del Valle Grant, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as the property located along Old San Antonio Road, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. There shall be no vehicular access from the Property to Old San Antonio Road. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

2. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

EXHIBIT B

3. A 15-foot wide vegetative buffer shall be provided along the property lines that border the adjacent single family residence district. Improvements permitted on the vegetative buffer zone shall be limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multi-family residence low density (MF-2) base district and other applicable requirements of the City Code.

PART 3. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on August 28, 2000.

PASSED AND APPROVED

August 17, 2000 §
§
§

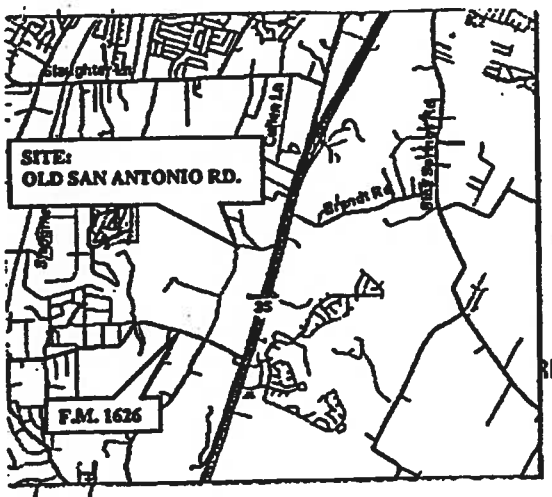
Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____

Andrew Martin
City Attorney

Shirley A. Brown
City Clerk

Alle 3



I-RR

OLD SAN ANTONIO RD

I-RR

I-SF-2

INTERSTATE HIGHWAY 35

I-RR

Football Field

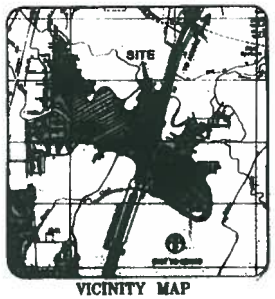
High School

I-RR

C14-00-2031

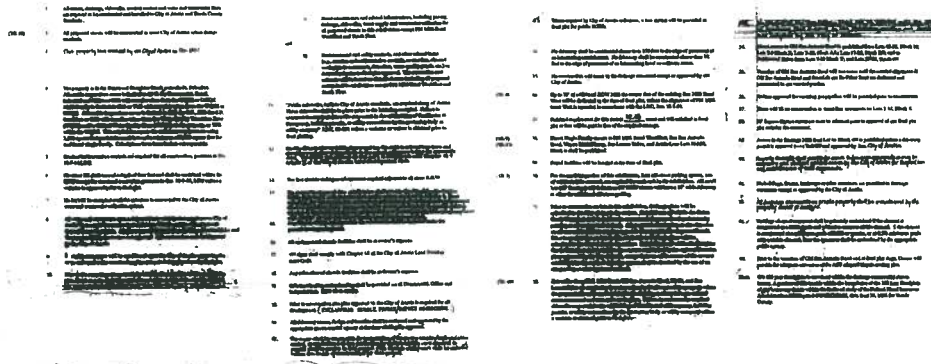
000817-77

N	SUBJECT TRACT	ZONING EXHIBIT B	CITY GRID REFERENCE NUMBER
	PENDING CASE	CASE #: C14-00-2031	F12
	ZONING BOUNDARY	DATE: 00-02	
	CASE MGR: J.ARRIAGA	ADDRESS: OLD SAN ANTONIO RD.	



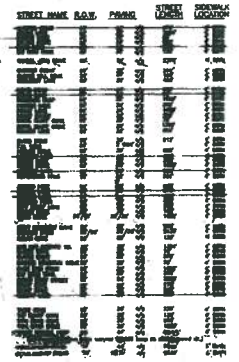
VICINITY MAP

TYPICAL NOTES

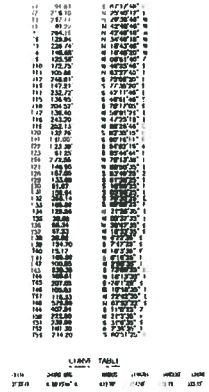


Notes numbered 3, 8, 10, 12, 13, 14, 20, 22, 27, 32, 33, 34, 40, 42 have been changed or deleted with Revision No. 1, C8-95-0211.02

STREET DESIGN TABLE

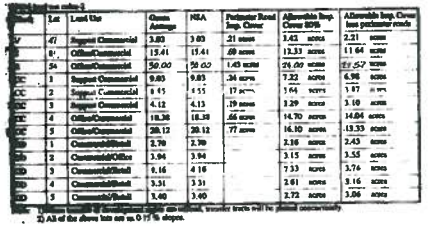


TANGENT TABLE



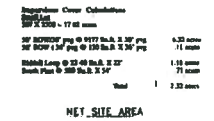
STABLEWOOD
AT SLAUGHTER CREEK
PRELIMINARY PLAN
C8-95-0211.02
REVISION NO. 1

LAND USE CALCULATIONS



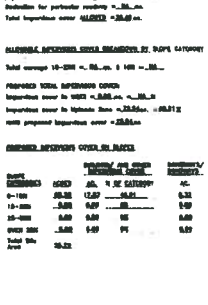
NET SITE AREA
OFFICE/COMMERCIAL
LOT 65, BLOCK BB





NET SITE AREA
SMALL LOT

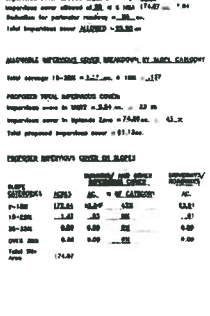






NET SITE AREA
TRADITIONAL LOT





LAND USE SUMMARY

SINGLE FAMILY	162.82	AC.
TRADITIONAL LOTS	(649 d.u.)	
SMALL LOTS	(219 d.u.)	
COMMERCIAL	130.56	AC.
OPEN SPACE	1.00	AC.
ROADS	56.57	AC.
REC. CENTER	2.70	AC.
GREENBELT/ W.Q.P./P.U.E.	54.31	AC.
TOTAL ACREAGE =	347.46	AC.
TOTAL NO. OF UNITS	868	d.u.

LAND USE SUMMARY
TRADITIONAL LOT

SINGLE FAMILY	122.90 AC.	(649 d.u.)
ROADS	56.02 AC.	
GREENBELT/ W.Q.P./P.U.E.	31.16 AC.	
TOTAL =	209.08 AC.	

LAND USE SUMMARY
SMALL LOT

SINGLE FAMILY	39.92 AC. (219 d.u.)
ROADS	7.37 AC.
TOTAL =	37.29 AC.

FOR REVISION NO. 1 ONLY:
I HEREBY CERTIFY THAT THIS PLAN COMPLIES WITH TITLE 25 OF THE AUSTIN CITY CODE AS AMENDED

CHARLES R. BRIGHAM, P.E. # 59626
CHELSEA RESOURCES & CONSULTING, INC.
5400 BRODIE LANE #200
AUSTIN, TEXAS 78745
512/892-8146

APPROVED PRELIMINARY 8-31-99

PLANNED ENVIRONMENTS INC.
LAND PLANNING, LANDSCAPE & GOLF COURSE ARCHITECTURE
7115 BEE CAVES AUSTIN, TEXAS 78701 (512)474-0008

FLORES ENGINEERING SERVICES

AGENT: JOSEPH HOUSTON JR.
JACOB DEV. INC.
3333 Bee Caves Rd. #201
Austin, Texas 78746
(512)329-6855

OWNER: CHARLES L. DAVIS II
2000 EAST 6TH STREET
SUITE 604
AUSTIN, TEXAS 78702
(512) 443-0841

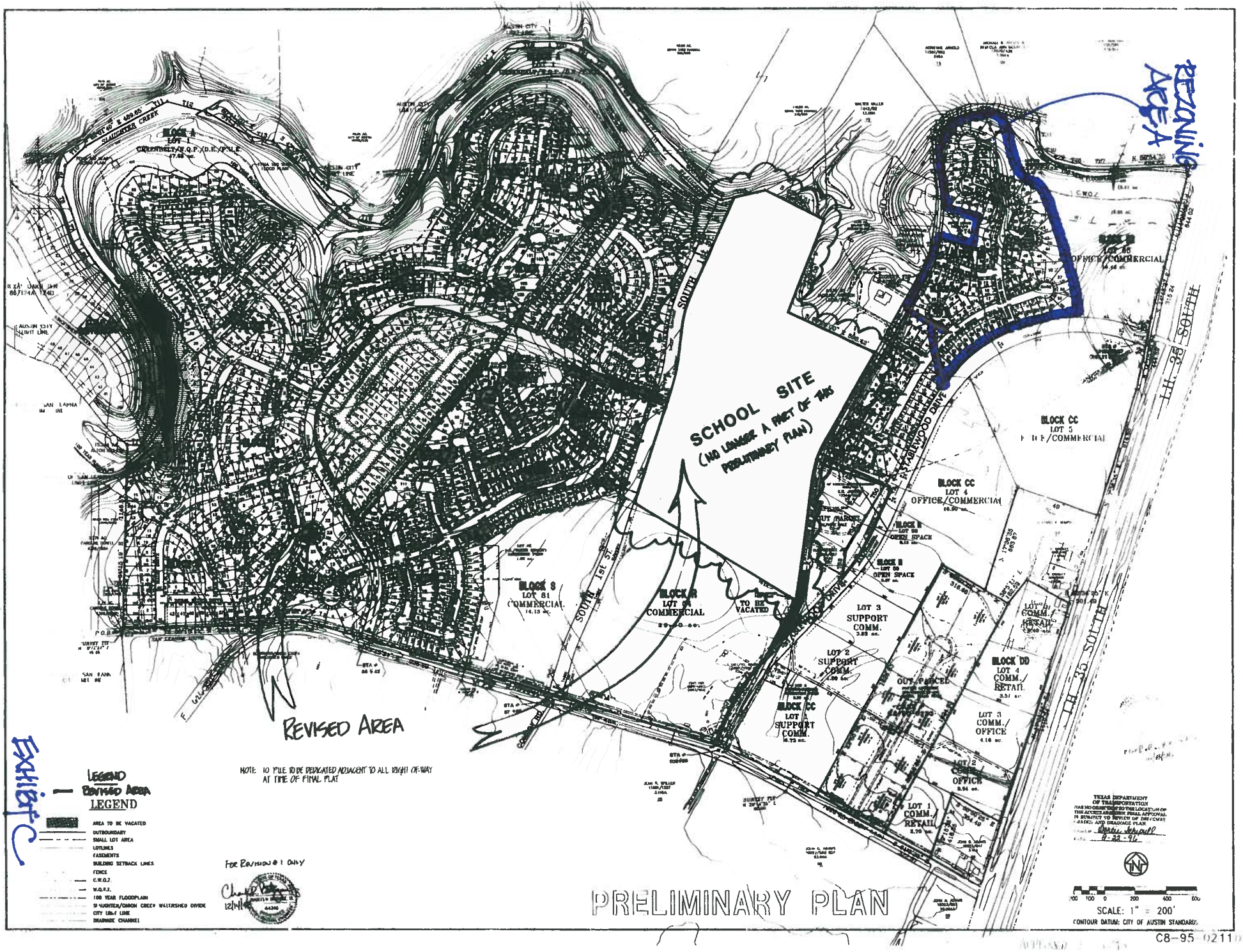
SURVEYOR: LOCKWOOD, ANDREWS & NEWNAM, INC.
1101 Capital of Texas Hwy.
Suite E 200
Austin, Texas 78746
(512) 328-0011

STABLEWOOD
AT SLAUGHTER CREEK
PRELIMINARY PLAN

SUBMITTAL DATE: 8/31/95
UPDATE: 5/17/96
3/23/98
Revised 8/13/99
SHEET 1 OF 2

C8-95-0211.02

Exhibit C



PLANNED ENVIRONMENTS INC

FLORES ENGINEERING SERVICES

AGENT: JOSEPH A. BROWN, P.E. 2355 Rio Grande Ste. 420

OWNER: RIDDELL FAMILY LIMITED PARTNERSHIP 1011 Capital of Texas Hwy. South Suite 300

SURVEYOR: 1101 Capital of Texas Hwy. South Suite L-250

STABLEWOOD AT SLAUGHTER CREEK

SUBMITTAL: 8/31/
UPDATE: 5/
7/
REVISED: 8/30/96
SHEET 2

C8-95-0211.02

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to deny the Applicant's request to remove the Conditional Overlay that prohibits access to Old San Antonio Road.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

   The multi-family residence low density (MF-2) district is intended to accommodate multifamily use with a maximum density of 23 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near single family neighborhoods or in an area for which low density multifamily use is desired.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

   The Staff has concerns about multifamily residential development taking access to Old San Antonio Road which is a narrow, two-lane roadway and the nearby low water crossing which could create public safety issues in the event of an emergency, and therefore, recommends denial of the Applicant's request to remove the conditional overlay pertaining to vehicular access placed on the tract in 2000. The right-of-way will become available to the subject property, and if the subject tract develops before Double Creek Village, then the owner could build a driveway from the property to the southbound IH 35 service road.

EXISTING CONDITIONS

Site Characteristics

The site is undeveloped, significantly treed and slopes gently towards Slaughter Creek, to the north. Based on information shown on the expired Preliminary Plan, the 100-year flood plain generally forms the northwest property line along Old San Antonio Road.

Impervious Cover

Within the Slaughter Creek watershed, the maximum impervious cover allowed by the MF-2 zoning district would be 60%, which is based on the more restrictive watershed regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	*% of Net Site Area*	*% with Transfers*
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

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

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding 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 the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

This property has been previously zoned MF-2 with the zoning case #C14-00-2031. The property was subject to the following condition, "There shall be no vehicular access from the Property to Old San Antonio Road. All vehicular access to the Property shall be from adjacent public streets or through adjacent property." Staff had recommended prohibiting access to site from Old San Antonio Road due to its sub-standard condition and flooding hazard.

Staff recommends that the applicant work with the adjacent property owners to the east of this property to take access from future "Stablewood Drive".

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 landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.

Site Plan and Compatibility Standards

The site is subject to compatibility standards. Along the west and 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.
· 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.

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

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

Additional comments will be made when the site plan is submitted.

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: C14-2010-0111
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: Oct. 5, 2010, Zoning & Platting Commission
Nov. 4, 2010, City Council

Rick Sheldon, Managing Partner
Your Name (please print) of Sheldon Stablewood, Ltd

☒ I am in favor
☐ I object

⊗ We are the applicant

Your address(es) affected by this application 10301 Old San Antonio Rd

Signature

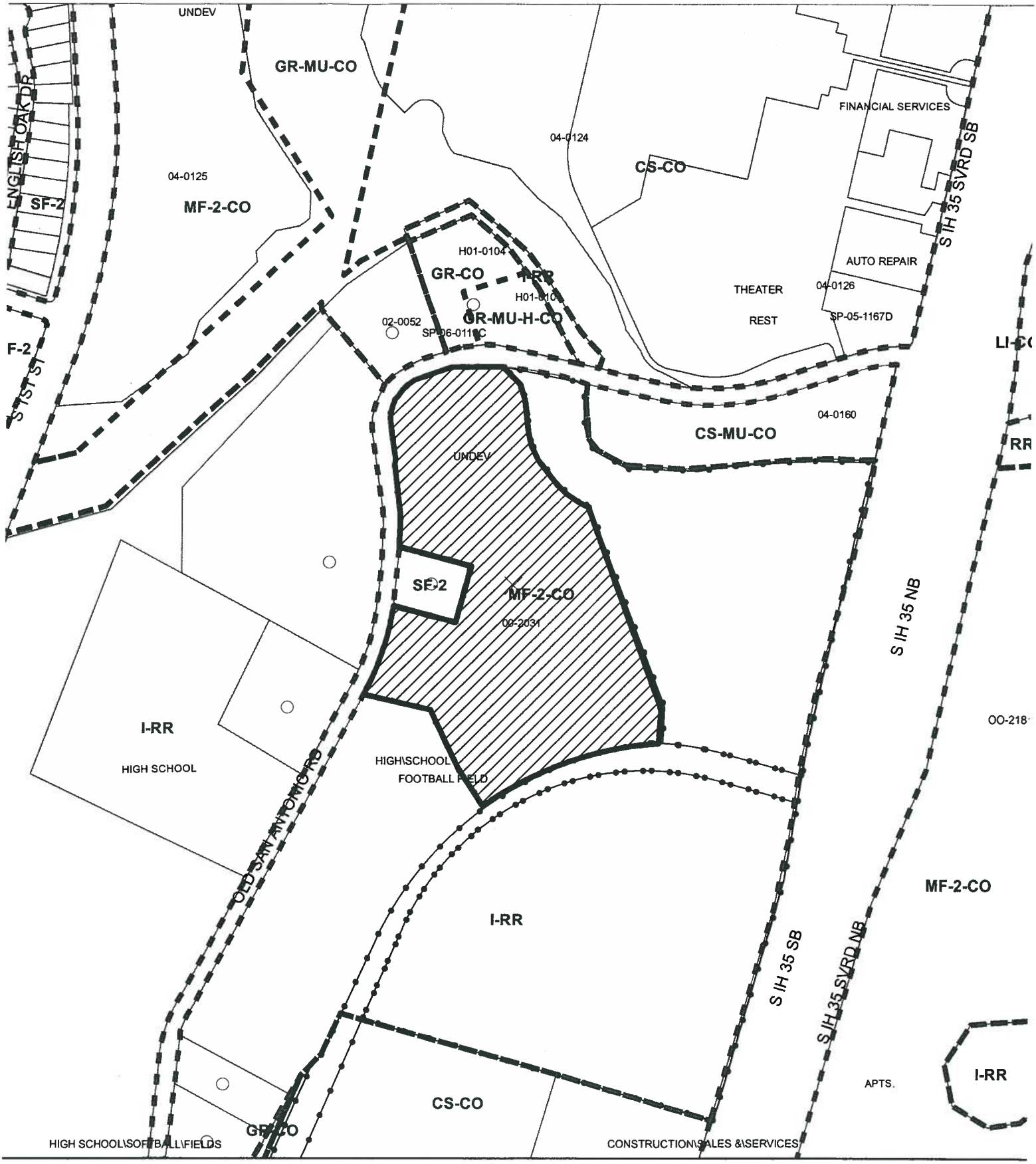
9-30-10
Date

Daytime Telephone: 210-490-2500

Comments:

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810


FINANCIAL SERVICES
CS-CO
SP-05-11670
HIGH SCHOOL
FOOTBALL
I-RR
CS-CO



ZONING

Exhibit A

N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1' = 400'

ZONING CASE#: C14-2010-0111
LOCATION: 10301 OLD SAN ANTONIO RD
SUBJECT AREA: 18.198 ACRES
GRID: F 12
MANAGER: WENDY RHOADES

CITY OF AUSTIN · FOUNDED 1839 ·

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