

ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0008 – Hollow at
Slaughter Creek Zoning, Phase B

Z.A.P. DATE: April 5, 2011
May 3, 2011

ADDRESS: 9901 – 10001 Hundred Year Oak Drive; 10145 – 10161 Hundred Year Oak Drive; 1305 – 1325 Tillerfield Trail; 1400 – 1417 Middlefield Court; 1301 – 1425 Canopy Creek Way; 10100 – 10156 Wading Pool Path

OWNER: Pulte Homes
(Brent Baker)

AGENT: Carlson, Brigrance and
Doering, Inc. (Geoff Guerrero)

ZONING FROM: I-RR; I-SF-4A

TO: SF-4A

AREA: 27.96 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant single family residence – small lot (SF-4A) district zoning.

ZONING & PLATTING COMMISSION RECOMMENDATION:

April 5, 2011: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO MAY 3, 2011*

[P. SEEGER; D. TIEMANN – 2ND] (4-0) G. BOURGEOIS – ABSTAIN; 1 VACANCY ON THE COMMISSION

May 3, 2011: *APPROVED SF-4A DISTRICT ZONING, AS STAFF RECOMMENDED*

[D. TIEMANN; P. SEEGER – 2ND] (4-0) S. BALDRIDGE – NAY; G. BOURGEOIS – ABSTAINED

ISSUES:

A private agreement between Centex Homes and Texas Oaks South Neighborhood Association (TOSNA) was executed prior to March 6, 2007, the date that the original Preliminary Plan was approved by the Zoning and Platting Commission. The agreement included a provision regarding the delivery of drainage plan which states: “At the time of submission of its construction plans for the project, Centex agrees to provide a copy of its drainage plan to TOSNA’s designated engineer”. A copy of the signed agreement is attached to the back of the Staff report. The Applicant’s representative has stated that the construction plans were sent to TOSNA’s attorney in June 2007. The construction plans were approved by the City on March 31, 2009. In mid-April 2011, the Applicant’s representative contacted the president of TOSNA about sending the approved drainage report to their designated engineer.

DEPARTMENT COMMENTS:

The subject property consists of platted lots under construction for 80 single family residential lots as well as an unplatted portion of the overall subdivision area, one water quality easement lot, one drainage easement lot, one landscape easement, and one emergency access lot. The property is zoned interim – rural residence (I-RR) and interim – single family residence small lot (I-SF-4A) districts upon annexation into the City limits in 2008. Access to the subdivision is taken by way of Genoa Drive and Slaughter Creek Drive. The property is adjacent to undeveloped land to the north (DR), other platted single family residential sections of the Hollow at Slaughter Creek subdivision also to the north and west (under consideration for SF-4A), convenience storage and undeveloped land to the west (County) and a tributary of Slaughter Creek to the south (County). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to zone the lots to the single family residence small lot (SF-4A) district to be consistent with the plat. SF-4A zoning is appropriate given the size and setbacks of the platted lots, and is consistent with the interim zoned SF-4A portions of the Hollow at Slaughter Creek.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|---|
| <i>Site</i> | I-RR; I-SF-4A | Single family residences – under construction |
| <i>North</i> | DR | Undeveloped |
| <i>South</i> | County | Tributary of Slaughter Creek |
| <i>East</i> | SF-6-CO | Church |
| <i>West</i> | County | Convenience storage; Undeveloped |

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
 242 – Slaughter Lane Neighborhood Association
 360 – Texas Oaks South Neighborhood Association
 627 – Onion Creek Homeowners Association
 645 – Swansons Ranch Road Neighborhood 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:

Casey Elementary School

Paredes Middle School

Akins High School

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|--|----------------|--|--|
| C14-2009-0098 – Apogee Workshop – 9704 Swansons Ranch Road | SF-1 to NO-MU | To Grant NO-MU | Approved NO-MU (12-17-09). |
| C14-00-2027 – Texas Oaks Baptist Church – 9910 Block of Bilbrook Place | I-RR to LO | To Grant SF-6 as Staff recommended | Approved SF-6-CO with the CO for 2,000 trips (9-7-00). |
| C14-94-0129 – Slaughter Lane Development – Slaughter Creek Drive | DR; SF-2 to LI | To Grant CS-CO with CO prohibiting the following uses on Tracts 1 and 2: adult- oriented businesses, financial services, food sales, general retail sales (convenience), medical offices, restaurant uses (all types), and vehicle storage on Tract 2, and 2,000 trips | Approved CS-CO as Staff recommended (2- 9-95). |

RELATED CASES:

Zoning cases C14-2011-0007 and C14-2011-0008 consist of contiguous platted lots within Section 1 of the Hollow at Slaughter Creek subdivision as well as an unplatted portion of the subdivision.

The property was annexed into the full purpose jurisdiction of the City of Austin on December 31, 2008 and assigned I-RR and I-SF-4A district zonings.

The property is platted as Lots 1-19 and 46-80 of Block A; Lots 1-6, and 24-33 of Block C; and Lots 14-25 of Block E of The Hollow at Slaughter Creek, Section 1, a small lot subdivision recorded on March 12, 2008 (C8J-06-0124.01.1A) as well as unplatted land within the approved Revised Preliminary Plan. Please refer to Exhibit B.

A Preliminary Plan for The Hollow at Slaughter Creek (Revised Preliminary Plan) was filed on March 28, 2007 and approved by the Zoning and Platting Commission on August 21, 2007 (C8J-06-0124.01). The Plan is composed of 214 single family residential lots, two landscape lots, two drainage easement lots, one water quality lot and one emergency access lot. Please refer to Exhibit C. Because a complete subdivision application was filed with the City before the date the annexation proceedings were instituted, the Applicant has continuation of land use rights, as outlined in Section 43.002 of the Texas Local Government Code.

ABUTTING STREETS:

| Name | ROW | Pavement | Classification / Daily Traffic |
|------------------------|-----------|-------------------|--------------------------------|
| Wading Pool Path | 50 feet | 30 feet (by plat) | Local / Not built |
| Slaughter Creek Drive | 62.5 feet | 22 feet | Collector / Not available |
| Genoa Drive | 70 feet | 42 feet | Collector / Not available |
| Hundred Year Oak Drive | 50 feet | 30 feet (by plat) | Local / Not built |
| Middlefield Court | 50 feet | 30 feet | Local / Not built |
| Canopy Creek Way | 50 feet | 30 feet | Local / Not built |
| Tillerfield Trail | 50 feet | 30 feet | Local / Not built |
| Meadowsouth Lane | 50 feet | 30 feet | Local / Not built |

- There are no existing sidewalks along Slaughter Creek Drive or Genoa Drive.
- According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Slaughter Creek Drive, Meadowsouth Lane, Wading Pool Path, Tillerfield Trail, Hundred Year Oak Drive, or Genoa Drive.
- Capital Metro bus service (route no. 10) is available north of the site along West Slaughter Lane.

CITY COUNCIL DATE: May 12, 2011

ACTION:

ORDINANCE READINGS: 1st

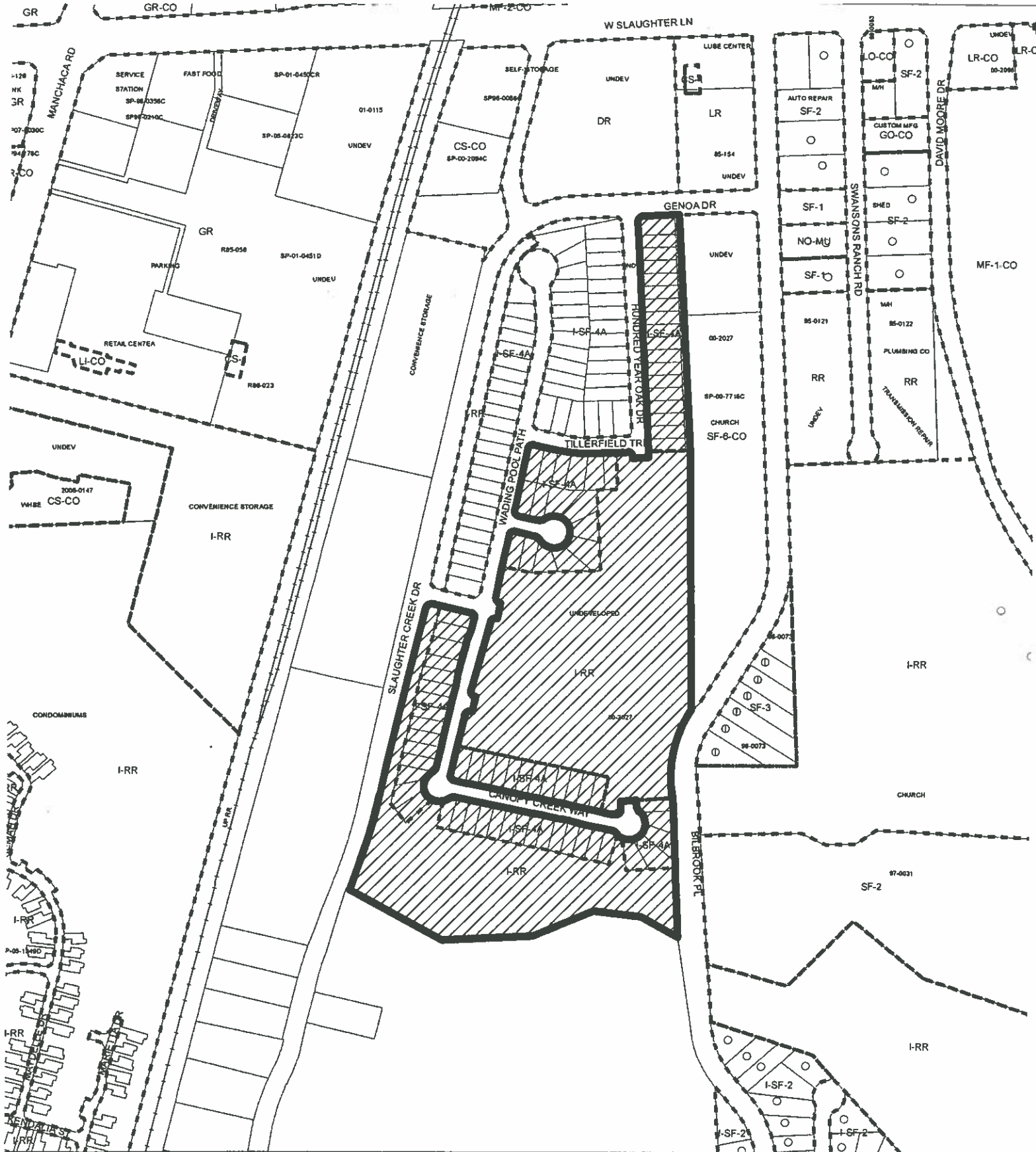
2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 974-7719



ZONING

ZONING CASE#: C14-2011-0008

LOCATION: 9901-10001 HUNDRED YEAR OAK DR
& 1305-1325 TILLERFIELD TR

SUBJECT AREA: 27.96 ACRES

GRID: E13 & E14

MANAGER: WENDY RHOADES

Exhibit A



N



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1' = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



THE HOLLOW AT SLAUGHTER CREEK SECTION 1

A SMALL LOT SUBDIVISION



SCALE: 1" = 100'

LEGEND

- IRON PIN SET
- IRON PIN FOUND
- CONCRETE MONUMENT SET
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- W.E. WATER EASEMENT
- S.L.E. SIGHT LINE EASEMENT
- W.Q.E. WATER QUALITY EASEMENT
- 1 LOT NUMBER
- (A) BLOCK NUMBER
- APPROX. SIDEWALK LOCATION
- BUILDING SETBACK LINE
- EASEMENT LINE
- CRITICAL WATER QUALITY ZONE (C.W.Q.Z.)
- WATER QUALITY TRANSITION ZONE (W.Q.T.Z.)

BENCHMARKS:

ATOP AN IRON ROD SET FOR THE NORTHEAST CORNER OF LOT 46, BLOCK A, AND ON THE WEST ROW LINE OF HUNDRED YEAR OAK DRIVE.
ELEVATION=675.60

ATOP AN IRON ROD SET AT THE SOUTHEAST CORNER OF LOT 28, BLOCK C.
ELEVATION=676.49

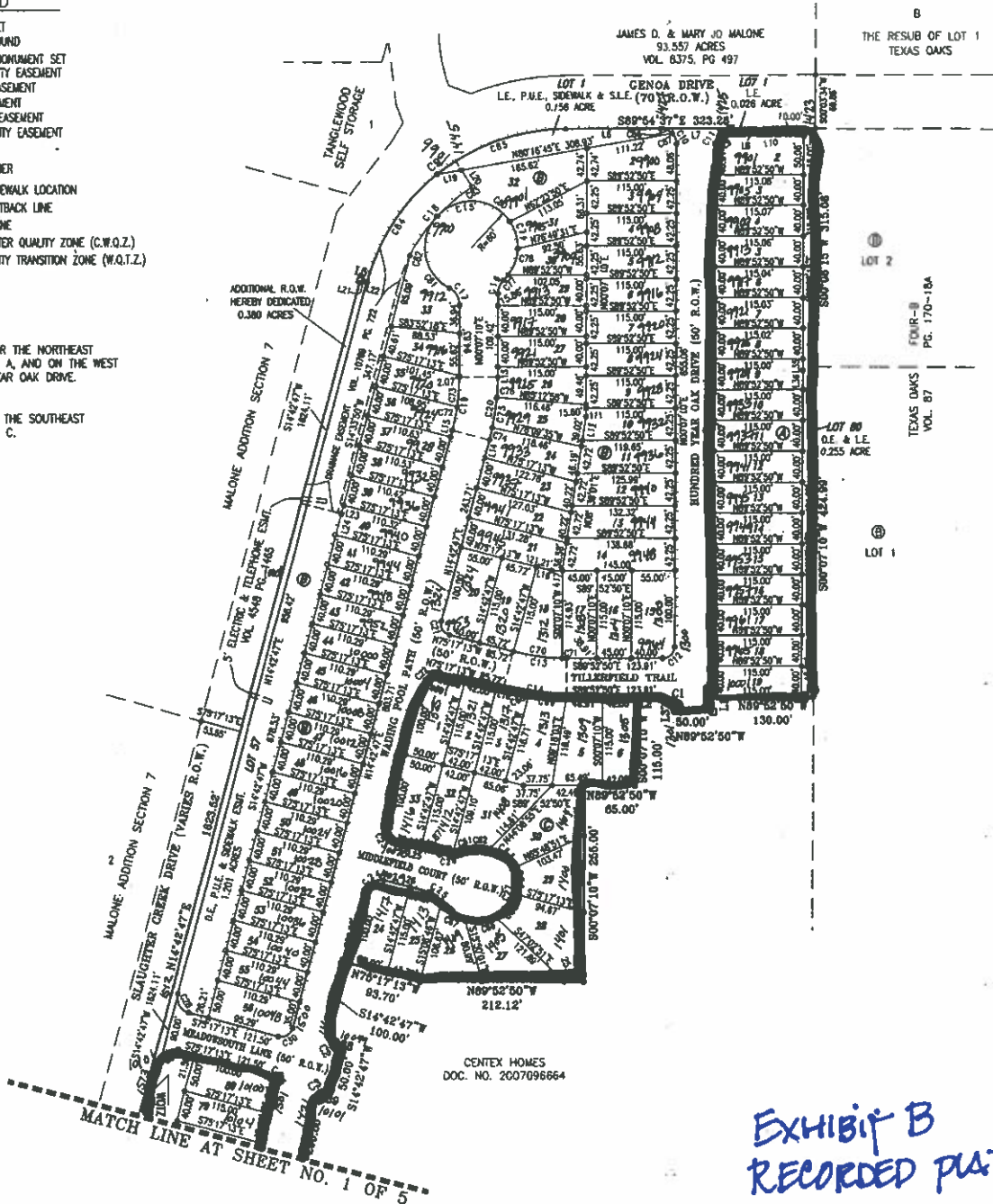


EXHIBIT B
RECORDED PLAT

SHEET NO. 2 OF 6

CBD Carlson, Brigrance & Doering, Inc.
 Civil Engineering & Surveying
 5621 West Wilshire Court, Suite 100, Fort Worth, Texas 76149
 Phone No. (817) 288-5488 • Fax No. (817) 288-5445
 PATH: J:\AUTOCAD\2004\PLAT\313\DWG\PLAT.DWG

CITY FILE NO.C8J-06-0124.01.1A

THE HOLLOW AT SLAUGHTER CREEK SECTION 1

A SMALL LOT SUBDIVISION



LOCATION MAP

NOT TO SCALE



SCALE: 1" = 100'

DATE: JANUARY 11, 2008

OWNER:
CENTEX HOMES
ATTN: KEITH PEARSON
DIRECTOR OF LAND DEVELOPMENT
12301-B RIATA TRACE PARKWAY, BUILDING 2
AUSTIN, TEXAS 78727
PHONE: (512) 532-3330
FAX: (512) 532-3342

ENGINEER AND SURVEYOR:
CARLSON, BRIGANCE & DOERING, INC.
5501 WEST WILLIAM CANNON DRIVE
AUSTIN, TEXAS 78749
(512) 280-5160
FAX (512) 280-5165

TOTAL ACREAGE: 28.817 ACRES
SURVEY: S.F. SLAUGHTER SURVEY NO. 1, ABSTRACT NO. 20
F.E.M.A. MAP NO. 48453C 0260 F
TRAVIS COUNTY, TEXAS DATED: JANUARY 19, 2000.

TOTAL OF LOTS: 140
NO. OF SINGLE FAMILY LOTS: 134
NO. OF WATER QUALITY EASEMENT, D.E. & P.U.E. LOTS: 1
NO. OF D.E. & P.U.E. LOTS: 1
NO. OF LANDSCAPE, SIGHT EASEMENT & P.U.E. LOTS: 1
NO. OF LANDSCAPE & D.E. LOTS: 1
NO. OF LANDSCAPE LOTS: 1
NO. OF EMERGENCY ACCESS LOTS: 1
NO. OF BLOCKS: 4

LEGEND

- IRON PIN SET
- IRON PIN FOUND
- CONCRETE MONUMENT SET
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- W.E. WATER EASEMENT
- S.L.E. SIGHT LINE EASEMENT
- W.Q.E. WATER QUALITY EASEMENT
- 1 LOT NUMBER
- (A) BLOCK NUMBER
- APPROX. SIDEWALK LOCATION
- BUILDING SETBACK LINE
- EASEMENT LINE
- CRITICAL WATER QUALITY ZONE (C.W.Q.Z.)
- WATER QUALITY TRANSITION ZONE (W.Q.T.Z.)

NOTE:

- 20' FRONT BUILDING LINE
- 10' CORNER SIDE YARD BUILDING LINE
- 5' INTERIOR SIDE YARD SETBACK
- 10' FRONT P.U.E.

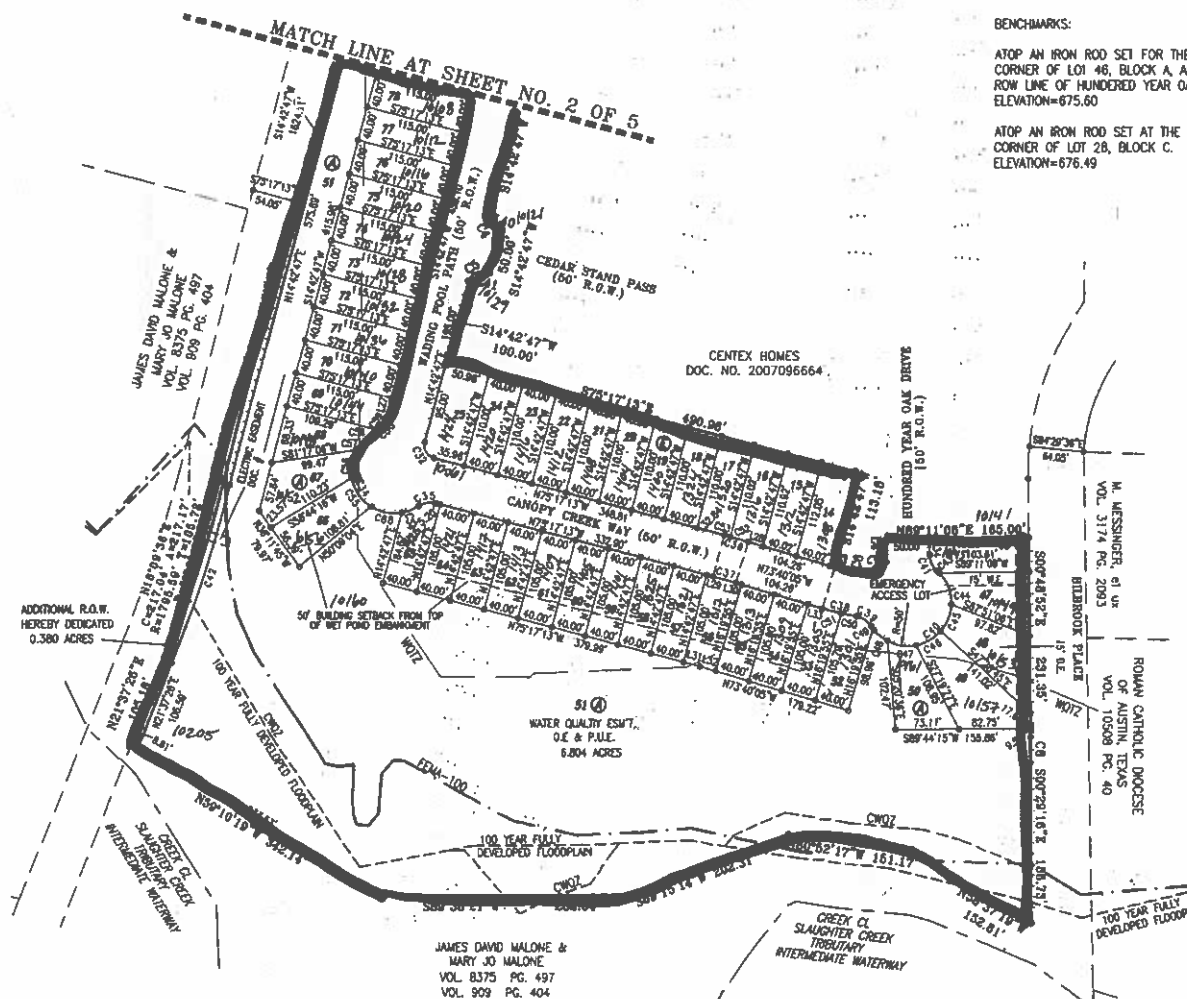
RIGHT-OF-WAY LINEAR FOOTAGE

| | |
|------------------------|---------------|
| MEADOWSOUTH LANE | 230' |
| WADING POOL PATH | 1,645' |
| CANYON CREEK WAY | 614' |
| MIDDLEFIELD COURT | 157' |
| TILLERFIELD TRAIL | 290' |
| HUNDRED YEAR OAK DRIVE | 829' |
| TOTAL | 3,765' |

BENCHMARKS:

ATOP AN IRON ROD SET FOR THE NORTHEAST CORNER OF LOT 46, BLOCK A, AND ON THE WEST ROW LINE OF HUNDRED YEAR OAK DRIVE. ELEVATION=675.60

ATOP AN IRON ROD SET AT THE SOUTHEAST CORNER OF LOT 28, BLOCK C. ELEVATION=676.49



SHEET NO. 1 OF 6



Carlson, Brigance & Doering, Inc.

Civil Engineering & Surveying
1501 West William Cannon Drive • Austin, Texas 78749
Phone: (512) 280-5160 • Fax: (512) 280-5165

CITY FILE NO. C8J-06-0124.01.1A

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THE HOLLOW AT SLAUGHTER CREEK (REVISED PRELIMINARY PLAN)

A SMALL LOT SUBDIVISION

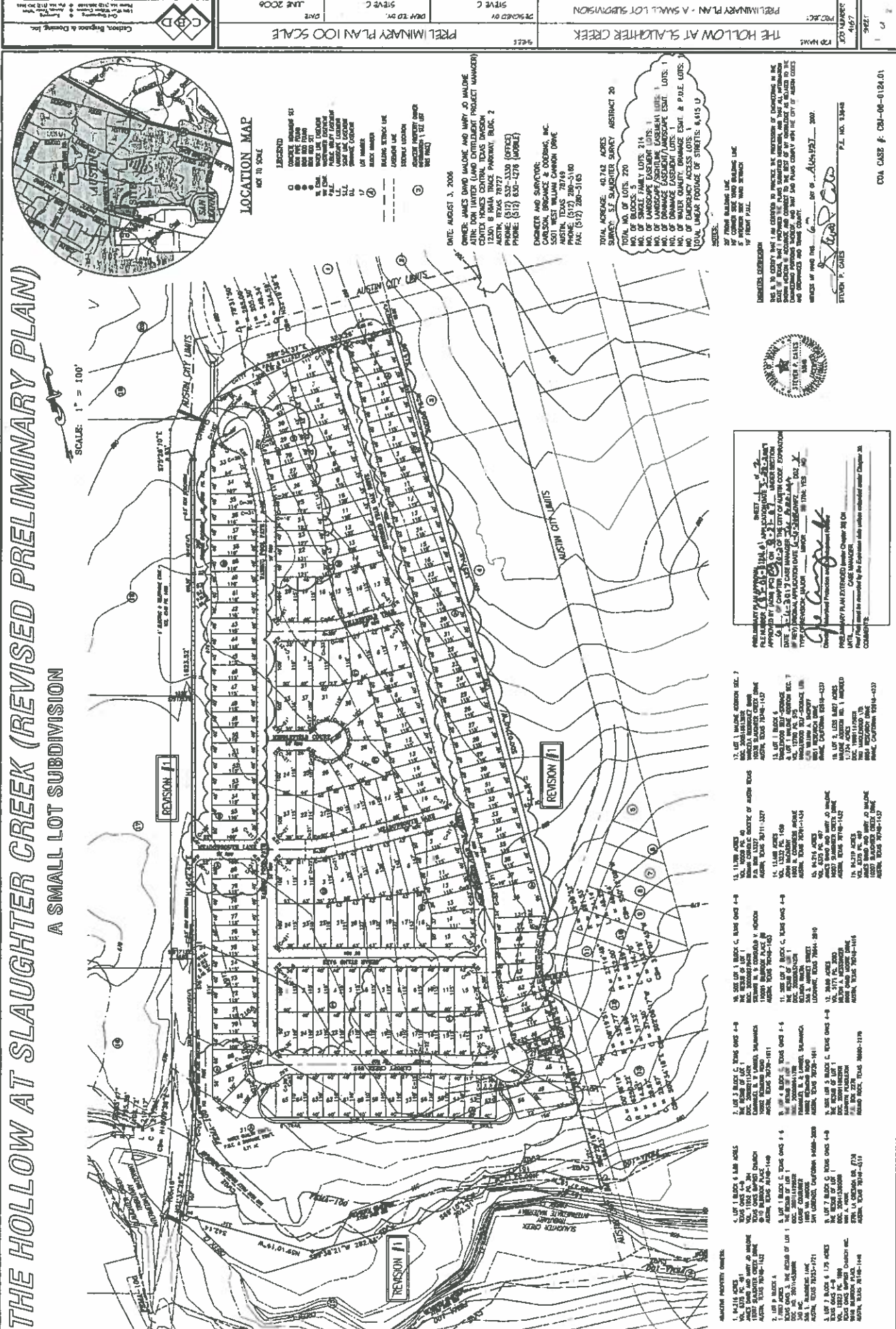


EXHIBIT C
REVISED
PRELIMINARY
PLAN

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant single family residence – small lot (SF-4A) district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The single family residence small lot (SF-4A) district is intended as an area for moderate density single-family residential use, with a minimum lot size of 3,600 square feet. In appropriate locations, small lot single-family use is permitted under standards that maintain single-family neighborhood characteristics.

2. Zoning changes should promote compatibility with adjacent and nearby uses, and should not result in detrimental impacts to the neighborhood character.

SF-4A zoning is appropriate given the size and setbacks of the platted lots, and is consistent with the interim zoned SF-4A portions of the Hollow at Slaughter Creek.

EXISTING CONDITIONS**Site Characteristics**

The tract is in the initial phases of construction and slopes gently to the south. The recorded plat shows a drainage easement, public utility easement and sidewalk easement that parallels Slaughter Creek Drive and Genoa Drive.

Impervious Cover

The maximum impervious cover allowed by the SF-4A zoning district would be 55%, which is based on the more restrictive watershed regulations described below. The percentage of impervious cover on a subdivision-wide basis is 41%.

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:

| <i>Development Classification</i> | <i>% of Net Site Area</i> | <i>% with Transfers</i> |
|--|---------------------------|-------------------------|
| 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.

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.

Transportation

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

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 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 Declaration of Covenants, Conditions and Restrictions for Hollow at Slaughter Creek is recorded in Travis County Document #2008010936.

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 staffs 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: C14-2011-0008 Contact: Wendy Rhoades, 512-974-7719 Public Hearing: Apr 5, 2011, Zoning and Platting Commission May 12, 2011, City Council

I am in favor

☒ I object

Your Name (please print) Travis & Karen Johnston

Your address(es) affected by this application

10207 BilBrook Pl 78748

Date 4/30/2011

Signature



Daytime Telephone: 512-470-8535

Comments:

Per Ms. W. Rhoads, the zoning and platting commission postponed the decision for rezoning on April 5th, to May 3rd, 2011, to allow more time for the developer to coordinate the subdivision plans with the Texas Oak South (TOS) dwellers. To our knowledge, no one has heard anything. We only know of the re-zoning by receiving notice from the city by living within 500 ft. of the development. We've not heard of any traffic studies, green space proposals, final density if the re-zoning occurs, home sizes, or values. There are already hundreds of families with cars from TOS, and Slaughter Creek neighborhoods choking the way to Slaughter Lane. The additional cars from the new neighborhood will only make this worse, even and especially with the additional extension to Slaughter Lane via Slaughter Creek Dr., creating more choke points on already crowded Slaughter Lane. For these reasons and sheer out of scope density, and threat to property values of existing homes, we object to the re-zoning of the part of the development that is 1RR to SF-4A. The areas that are already SF-4A on the plat do not match many of the area's existing homes both in TOS and SC subdivisions by lot size and home size. We're looking at adding nearly another 300 families and 600 cars to the area, and large amount of impervious cover that could add additional flooding of Little Slaughter creek during a large weather event. Please leave the zoning as is.

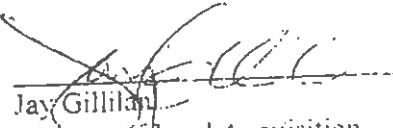
If you use this form to comment, it may be returned to: City of Austin
Planning & Development Review Department Wendy Rhoades P.O.Box 1088
Austin, TX 78767-8810

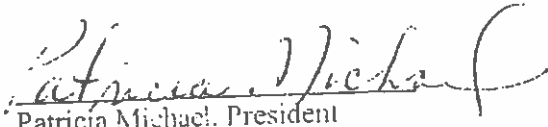
**AGREEMENT BETWEEN CENTEX HOMES, INC. and TEXAS OAKS SOUTH
NEIGHBORHOOD ASSOCIATION ("TOSNA"), AUSTIN, TEXAS**

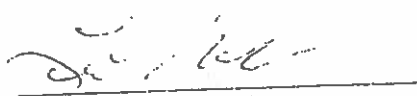
1. Billbrook Place: TOSNA would agree to not oppose the approval of Centex's existing preliminary site plan for The Hollow at Slaughter Creek Drive, Case No. C8J-06-0124, or to seek further extensions at the ZAPCO hearing scheduled for Tuesday, March 6 or the Commissioners Court hearing. If Centex's preliminary plan is approved at those hearings, Centex commits to submitting a revised preliminary plan that would eliminate the Billbrook Place curb cut within ten (10) days following the approval of its existing preliminary plan at the Commissioners Court hearing. The proposed changes to be included in the revised preliminary plan are shown in the drawing attached to this agreement. Centex likewise agrees to pursue approval of the variances required to adopt its revised preliminary plan in good faith and with diligence. TOSNA agrees not to seek a delay or continuance of Centex's request for approval of its revised preliminary plan. The parties' agreements hereunder are enforceable by specific performance.
2. Detention Pond Path: Centex will install a pedestrian path within the detention pond area, with two access points on Canopy Creek Way, as well as benches. The access points will be located at the Water Drainage Easement and through a lot (which lot will no longer contain a single family residence).
3. Trees: The lot referenced in paragraph 2 above for the access to the pedestrian path will be the lot on which tree that TOSNA has referred to as the "80-inch tree" is located (tree #7044 on Centex plan showing trees proposed for retention or removal). Centex will also develop around the tree TOSNA claims has historical significance.
4. Buffer Trees: Centex will allocate a budget for and plant at least one tree in the rear yard of each lot that is adjacent to Slaughter Creek Drive to provide a buffer from the railroad tracks. Centex proposes to plant trees that are one and a half inch in diameter and approximately 6 to 8 feet tall.
5. Delivery of Drainage Plan: At the time of submission of its construction plans for the project, Centex agrees to provide a copy of its drainage plan to TOSNA's designated engineer.

Upon approval of this written agreement by TOSNA and Centex, the parties agree that the terms of this agreement will be announced on the record at the City of Austin Zoning and Platting Commission meeting and the Travis County Commissioner Court meeting regarding Centex's application for approval of its current preliminary site plan. Individuals residing in Texas Oaks South who wish to speak against approval of the current preliminary site plan will do so in their individual capacities, not on behalf of TOSNA. The representatives of TOSNA represent that they have entered into this agreement based on the majority opinion expressed by TOSNA members who expressed

opinions by means of email or in person prior to the meeting of the City of Austin Zoning and Platting Commission on March 6, 2007.


Jay Gillilan
Director of Land Acquisition
Centex Homes


Patricia Michael, President
TOSNA


Leslie McCollom, Secretary
TOSNA