

ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0038 – Mountain Shadows

P.C. DATE: July 12, 2011

ADDRESS: 8800 Sky Mountain Drive

OWNER/APPLICANT: Judith Elaine Leggett

AGENT: Thrower Design (Ron Thrower)

ZONING FROM: RR-NP

TO: MF-1-NP

AREA: 8.88 acres (386,812 ft²)

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of MF-1-CO-NP (Multi-family limited density – Conditional overlay – Neighborhood plan) combining district zoning.

PLANNING COMMISSION RECOMMENDATION: 7/12/11 – The Planning Commission approved the staff recommendation of MF-1-CO-NP, with the allowable vehicular trips per day limited to 578. Access to Sky Mountain was not prohibited by the Commission. (7-0, Chimenti absent; 1 vacancy).

DEPARTMENT COMMENTS: This 8.88 acre site is currently undeveloped and zoned rural residential – neighborhood plan. A neighborhood plan amendment is not needed as the requested use is consistent with the mixed residential future land use designation of the Oak Hill Neighborhood Plan. The applicant seeks to develop approximately 75 multi-family units on the property. Due to the substandard width of abutting roadways, staff recommends that the maximum allowable vehicle trips on the property be limited to 578 per day, and that access to Sky Mountain Drive be prohibited through a conditional overlay.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	RR-NP	Undeveloped
<i>North</i>	W/LO-CO-NP	Warehouse
<i>South</i>	RR-NP, MF-1-NP	Rural Residential, Multi-family
<i>East</i>	MF-1-CO-NP	Multi-family
<i>West</i>	MF-1-NP	Single Family

NEIGHBORHOOD PLAN: West Oak Hill Neighborhood Plan

TIA: Waived

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Oak Hill Combined Neighborhood Association
Oak Hill Association of Neighborhoods (OHAN)
Save Barton Creek Association
Barton Springs Coalition
Barton Springs/Edwards Aquifer Conservation District
Save Our Springs Alliance

CASE HISTORIES

NUMBER	REQUEST	COMMISSION	COUNCIL
C14-2008-0125	Oak Hill Combined Neighborhood Plan	Approved 7/8/2008, with conditions	Approved 12/16/2008; (7-0)

BASIS FOR RECOMMENDATION

1. *Zoning changes should promote compatibility with adjacent and nearby uses, and zoning should be consistent with approved and existing residential densities.*

The requested rezoning is compatible with adjacent residential uses and densities.

2. *The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.*

The requested rezoning is consistent with the Planning Commission and City Council approved Oak Hill Neighborhood Plan Future Land Use Map designation of mixed residential use on the property.

EXISTING CONDITIONS

Environmental

This site is not 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 contributing zone.

According to flood plain maps, there is no flood plain 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.

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 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.

Water and Wastewater

If 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.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Transportation:

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
Sky Mountain Drive	50'	Varies (unpaved - 9')	Local	Not Available
Mountain Crest Drive	60'	22'	Local	Not Available

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

Sky Mountain Drive is a substandard roadway, unpaved along most of the site's frontage. If the requested zoning is granted, it is recommended that access to Sky Mountain Drive be prohibited as a condition of zoning.

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].

There are no existing sidewalks along Sky Mountain Drive and Mountain Crest Drive.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities were not identified on Sky Mountain Drive and Mountain Crest Drive.

Capital Metro bus service is not available within 1/4 mile of this property.

Site Plan:

New development may be subject to Subchapter E: Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

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

Since this tract is located in the Barton Springs Zone, impervious cover during development is limited, and is calculated from net site area, not gross site area. (Net site area is what is left after the steeper slopes, flood zones and setbacks, and wastewater irrigation areas have been subtracted from the gross site area.) There are no major site plan issues regarding the proposed MF-1 zoning, but adequate building areas should be addressed to be able to utilize MF-1 land uses while maintaining environmental limits.

CITY COUNCIL DATE: August 18, 2011

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Stephen Rye

PHONE: 974-7604
stephen.rye@ci.austin.tx.us



PUBLIC HEARING INFORMATION

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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: C14-2011-0038

Contact: Stephen Rye, 512-974-7604

Public Hearing: July 12, 2011, Planning Commission

Aug. 18, 2011, City Council

Charles Methew & Mary Miller

Your Name (please print)

6010 Mountain Shadows Dr

Your address(es) affected by this application

Mary Miller

Signature

7-6-11

Date

Daytime Telephone:

Comments: The streets in this neighborhood are

narrow, 2 lane streets with stop

signs for traffic control. Multiple apartment

complexes already exist with extensive

traffic pressure on small streets.

I object to additional

multi family dwellings - there is

enough in this small area.

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

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object

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Contact: Stephen Rye, 512-974-7604

Public Hearing: July 12, 2011, Planning Commission

Aug. 18, 2011, City Council

Kay Cariness

Your Name (please print)

☐ I am in favor
☒ Object

8917 Ft Mt Shadows Cv, Austin, TX 78735

Your address(es) affected by this application

Kay Cariness

Signature

Date

Daytime Telephone:

[Redacted]

Comments:

Mt. Shadows is a "can street", not wide enough for 2 cars. Too much traffic. The neighborhood is already overbuilt, skate board, inline skate & walk their dogging the Mt-Shadows cal-de-sac. "Too much congestion, trucks go to & from work."

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Case Number: C14-2011-0038

Contact: Stephen Rye, 512-974-7604

Public Hearing: July 12, 2011, Planning Commission

Aug. 18, 2011, City Council

11

Heather McMillon
Your Name (please print)

8912 A Mountain Shadows Cove

Your address(es) affected by this application

Stephen McMillon

Signature

Date

Daytime Telephone: [REDACTED]

☐ I am in favor
☒ I object

Comments:

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Contact: Stephen Rye, 512-974-7604

Public Hearing: July 12, 2011, Planning Commission

Aug. 18, 2011, City Council

Roberta White

Your Name (please print)

☐ I am in favor
☒ I object

Your address(es) affected by this application

6206 A+B Mountain Shadows Dr
Austin, TX 78745

7-6-2011

Signature

Date

Daytime Telephone: [REDACTED]

Comments:

The roads and neighborhood cannot withstand the influx of 150-300 additional residents and vehicles. (17 units x 8.88 acres = 150.96) Traffic would overwhelm Mountain Shadows Drive, and since there are no sidewalks, it would make it dangerous for pets and pedestrians.

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Contact: Stephen Rye, 512-974-7604

Public Hearing: July 12, 2011, Planning Commission
Aug. 18, 2011, City Council

Kathy E. McMahon

Your Name (please print)

☐ I am in favor
☒ I object

8817 B Mountain Shadows Cove

Your address(es) affected by this application Austin, TX 78735

Kathy E. McMahon 7/6/11

Signature

Date

Daytime Telephone: [REDACTED]

Comments: I am very concerned about any increased traffic on Mountain Shadows Drive. This road is very narrow without a strip down the middle end, and is a dead-end at its western end. There is also a Spanish immersion Day School on this road. I would be worried for the kids and parents at that corner. This is the only way out for all the people in the area to get up to a major road which is dead

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Austin, TX 78767-8810

See Caves Road.

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Contact: Stephen Rye, 512-974-7604

Public Hearing: July 12, 2011, Planning Commission
Aug. 18, 2011, City Council

Katherine Johnston
Your Name (please print)

☐ I am in favor
☒ Object

601 Mountain Shadows Dr. Side B
Your address(es) affected by this application

[Signature]
Signature

7/12/11
Date

Daytime Telephone: [Redacted]

Comments: I bought my property on Mountain Shadows Drive because of the relaxing quiet nature of the area. I feel like putting apartments in will ruin the quiet feel of the area and lower out property values. I sacrifice a lot of luxuries to live in Southwest Austin and I feel like the neighborhood should remain the way it is and not be changed.
We do NOT want this development

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Austin, TX 78767-8810

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Contact: Stephen Rye, 512-974-7604

Public Hearing: July 12, 2011, Planning Commission

Aug. 18, 2011, City Council

Hillary Johnston
Your Name (please print)

6211 Mountain Shadows Dr.
Your address(es) affected by this application

Signature
[Redacted Signature]

Date

Daytime Telephone: [Redacted]

☐ I am in favor
☒ I object

7/12/11

Comments: this property was bought so we could be in a low traffic, open area. The road (Mountain Shadows) is safe for walks and taking the dogs out, we know our neighbors. The apartment will increase traffic noise, as well as lower property value, and destroy the open piece of land. Losing more trees, animal habitat, and open ground for counter to stake into the ground only hurts the environment. Please do not allow this apartment complex into our neighborhood.

If you use this form to comment, it may be returned to:
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Planning & Development Review Department
Stephen Rye
P. O. Box 1088
Austin, TX 78767-S810

Rye, Stephen

From: McGuire, Marjorie W [REDACTED]@austin.utexas.edu]
Sent: Thursday, May 05, 2011 9:36 AM
To: Rye, Stephen
Cc: Cathy Heyman; Paul MEISLER; Ryan Hahn; [REDACTED].net
Subject: Parking on Mountain Shadows

Dear Mr. Rye,

I have received the emails concerning added parking on Mountain Shadows Drive. I, too, live on Mountain Shadows Cove, and as things stand getting past the day care vehicles is a challenge, as it is with any other vehicles which may be parked along that road. In addition during this time of extreme drought, I would imagine that parking even partially in the grass along the road could constitute a fire hazard. My son and daughter-in-law live in the Homestead on Highway 71, and their neighborhood association is asking that no one park in the grass. For this reason, I am opposed to allowing anyone to do so on our street. Just a thought - Thank you for your assistance, Marjorie McGuire 8901A Mountain Shadows Cove Austin, Texas 78735
[REDACTED]

Rye, Stephen

From: Cathy Heyman [REDACTED]
Sent: Wednesday, May 04, 2011 11:43 AM
To: Rye, Stephen
Subject: Re: Case Number: C14-2011-0038

Thank you, Stephen. I appreciate your efforts to keep me informed.

On May 4, 2011, at 11:38 AM, Rye, Stephen wrote:

Cathy,

I appreciate your concerns and I will be happy to keep you informed of the process as this case progresses. I just got the file this week, so I haven't had an opportunity to speak with the applicant.

Per the city code, a traffic impact analysis can be waived by city staff in certain circumstances. The 2,000 vehicle trip limit is a threshold set by the city for the requirement of a TIA. The applicant has agreed to limit the property to fewer than 2,000 trips per day (as calculated by formulae in the transportation code) in order to waive this requirement. The calculation is based on the zoning of the property and the square footage of the building. These calculations are also a part of the site planning process, but based on the existing structure size it is probable that fewer than 2,000 trips would result from the requested use change.

However, if during the site planning stage the property and its associated use are determined to exceed this threshold, a traffic impact analysis will be required by the city.

These requirements are currently being reviewed by a number of city departments and a staff report will be completed within the next few weeks that will issue a recommendation to the Planning Commission and City Council regarding the rezoning request. I can tell you that traffic and street width are the major concerns of this case.

I will keep you apprised of the situation, and feel free to contact me with any further inquiries.

Thank you,

Stephen Rye
City of Austin
Planning and Development Review Department
Current Planning Division
(512) 974-7604
(512) 974-6054 fax

From: Cathy Heyman [REDACTED]
Sent: Wednesday, May 04, 2011 11:30 AM
To: Rye, Stephen
Subject: Case Number: C14-2011-0038

Hi, Mr. Rye.

I received a notice of filing of application for rezoning for 8800 Sky Mountain Dr which is a block away from my residence. When I looked up the application on the development review website, I noticed that no traffic impact analysis is needed nor has one been done. This concerns me because although we are a dead end/no outlet street, we have a large amount of traffic. The day care/school parking clogs the street entrance on Mountain

5/4/2011

Shadows Drive (they failed to create adequate parking), the main artery leading to Sky Mountain Dr, making passage on this narrow road hazardous. Mountain Shadows Drive is not wide enough for two average sedans to pass without one having to drive off the road. To increase traffic to accommodate another 17-34 vehicles per day would have a significant impact on our neighborhood.

Would it be possible for the committee to look into traffic flow and road usage prior to approval of development? Emergency vehicles, trash collection, and other large commercial vehicles (UPS for example) already have difficulty navigating our narrow street. There is very little space to park at this time (people currently park in the grass, we do not have curbs) and I'm concerned that adding more vehicles will make a strained situation worse.

Thank you in advance for you time.

Warmly,
Cathy

Cathy Heyman


We are not troubled by things, but by the opinions which we have of things.
-Epictetus.