

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2011-0073 (Villages at Turtle Rock)

**ZAP DATE:** August 16, 2011

**ADDRESS:** 12800 Turtle Rock Road

**OWNER/APPLICANT:** Villages at Turtle Rock, LP (David Holland)

**ZONING FROM:** I-RR

**TO:** MF-3

**AREA:** 16.70 acres

### **SUMMARY STAFF RECOMMENDATION:**

Staff's recommendation is to grant MF-3-CO, Multi-family Residence-Medium Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

8/16/11: Approved staff's recommendation of MF-3-CO zoning by consent (6-0, G. Rojas-absent); D. Tiemann-1<sup>st</sup>, G. Bourgeios-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is currently developed with a multi-family use (Villages at Turtle Creek Apartments). The tracts of land to the east contain an undeveloped lot and a public school facility (Deerpark Middle School). To the north, there is a service station/food sales use (Texaco) located at the northwest corner of Anderson Mill Road and Turtle Rock Road. The lots to the south and west are developed with single-family and duplex residential uses. The applicant is requesting MF-3 district zoning to bring the existing use on the site into conformance with City of Austin land development code zoning regulations.

The staff recommends the applicant's request for MF-3-CO zoning at this location. The proposed zoning will allow for medium density multifamily uses in an area with supporting transportation, commercial, and civic facilities. MF-3-CO zoning at this location will provide for a mixture of housing opportunities in this area of the City.

The applicant agrees with the staff's recommendation.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Multi-Family Residential (Villages at Turtle Creek Apartments)
<i>North</i>	County	Single-Family Residential Houses, Medical Office (Balcones Family Dental)
<i>South</i>	I-RR	Undeveloped Tract
<i>East</i>	I-SF-2	Service Station (Texaco), Undeveloped Tract, Public Secondary School (Deerpark Middle School)
<i>West</i>	I-SF-2	Single Family Residences

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Lake Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Neighborhood Association of Southwest Williamson County  
Sierra Club, Austin Regional Group  
Super Duper Neighborhood Objectors and Appeals Organization  
The Real Estate Council of Austin, Inc.

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-06-0236 (13201 Pond Springs Road)	I-RR to CS-1	5/15/07: Approved staff rec. of GR-CO and CS-1-CO (7-0)	6/08/07: Approved for GR-CO for Tract 1 and CS-1 for Tract 2 (7-0); all 3 readings
C14-06-0157 (Pond Springs Plaza – 13233 Pond Springs Road)	I-SF-2 to Tract 1: CS Tract 2: CS-1	9/05/06: 1 <sup>st</sup> Motion: Approved staff's recommendation of GR-CO for Tract 1 and CS-1-CO for Tract 2, with additional condition to prohibit Pawn Shop Services, by consent (8-0, J. Shieh-absent); J. Martinez-1 <sup>st</sup> , S. Hale-2 <sup>nd</sup> .  2 <sup>nd</sup> Motion: To rescind and reconsider 1 <sup>st</sup> motion (6-0, J. Shieh-absent; T. Rabago, J. Martinez-off dias); J. Gohil-1 <sup>st</sup> , K. Jackson-2 <sup>nd</sup> .  3 <sup>rd</sup> Motion: To postpone and place on the September 19, 2006 ZAP Agenda (6-0, J. Shieh-absent; T. Rabago, J. Martinez-off dias); J. Gohil-1 <sup>st</sup> , K. Jackson-2 <sup>nd</sup> .  9/19/06: Continued to October 3, 2006 by Zoning and Platting Commission (7-0, J. Martinez, J. Pinnelli-absent); S. Hale-1 <sup>st</sup> , J. Shieh-2 <sup>nd</sup> .  10/03/06: Postponed to	12/07/06: Approved the ZAP recommendation, striking the requirement for double door access from the bar (Tract 2) to the deck (Tract 3) and adding a the bar (Tract 2) to the deck (Tract 3) and adding a condition for speakers be removed from the deck area (7-0).  4/12/06: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2, and GR-CO zoning for Tract 3 (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

		<p>November 7, 2006 by the applicant (7-0, K. Jackson, J. Pinnelli-absent); J. Martinez-1<sup>st</sup>, S. Hale-2<sup>nd</sup>.</p> <p>11/07/06: Approved staff's recommendation of GR-CO zoning for Tract 1 (shopping center), CS-1-CO zoning for Tract 2 (bar area), and GR-CO zoning for newly created Tract 3 (deck area). The Commission added the following conditions to Tract 2: Prohibit Adult Oriented Businesses; To require double door access to the deck from the bar (if allowable by Code and Building Permit regulations); To place permanent signage on the property at the driveway entries to restrict motorcycle parking in the rear/alleyway. To place permanent signage along the fence/property line between the residential site to the west and the property in question designating the parking spaces in the rear/alleyway as, "Employee Parking Only". To construct an 8-foot masonry/or sound retardant fence around the deck to mitigate sound emanating from the deck. The Commission also placed the following conditions on Tract 3 (the deck area): Place an 85 decibel limit (in accordance with LDC Sec. 9-2-4) on the deck to reduce noise emanating from the deck. Restrict amplified sound on the deck. Place permanent signage on the deck for</p>	
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		noise mitigation. Remove the pool table off of the deck. Vote: (7-2, B. Baker, J. Martinez- No); J. Shieh-1 <sup>st</sup> , S. Hale-2 <sup>nd</sup> .	
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**RELATED CASES:** SP-2007-0383D (Site Plan)  
C7A-05-014 (Annexation)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Daily Traffic
Anderson Mill Road	Varies	72'	Arterial	Not Available
Turtle Rock Road	Varies (70'-90')	42'.	Collector	Not Available

**CITY COUNCIL DATE:** September 22, 2011

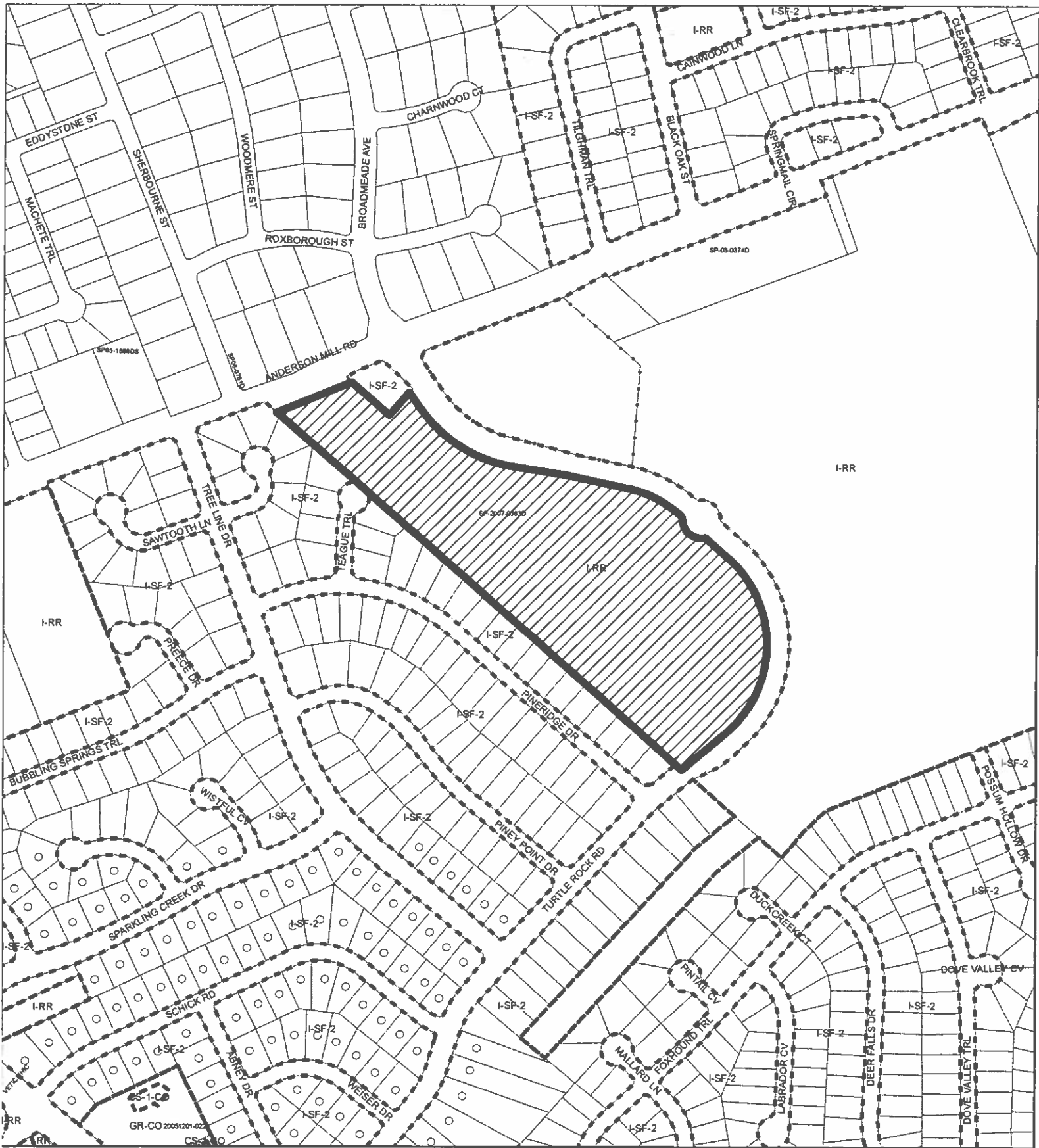
**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>                      2<sup>nd</sup>                      3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)






## ZONING

ZONING CASE#: C14-2011-0073  
 LOCATION: 12800 TURTLE ROCK RD  
 SUBJECT AREA: 16.70 ACRES  
 GRID: G38  
 MANAGER: SHERRI SIRWAITIS



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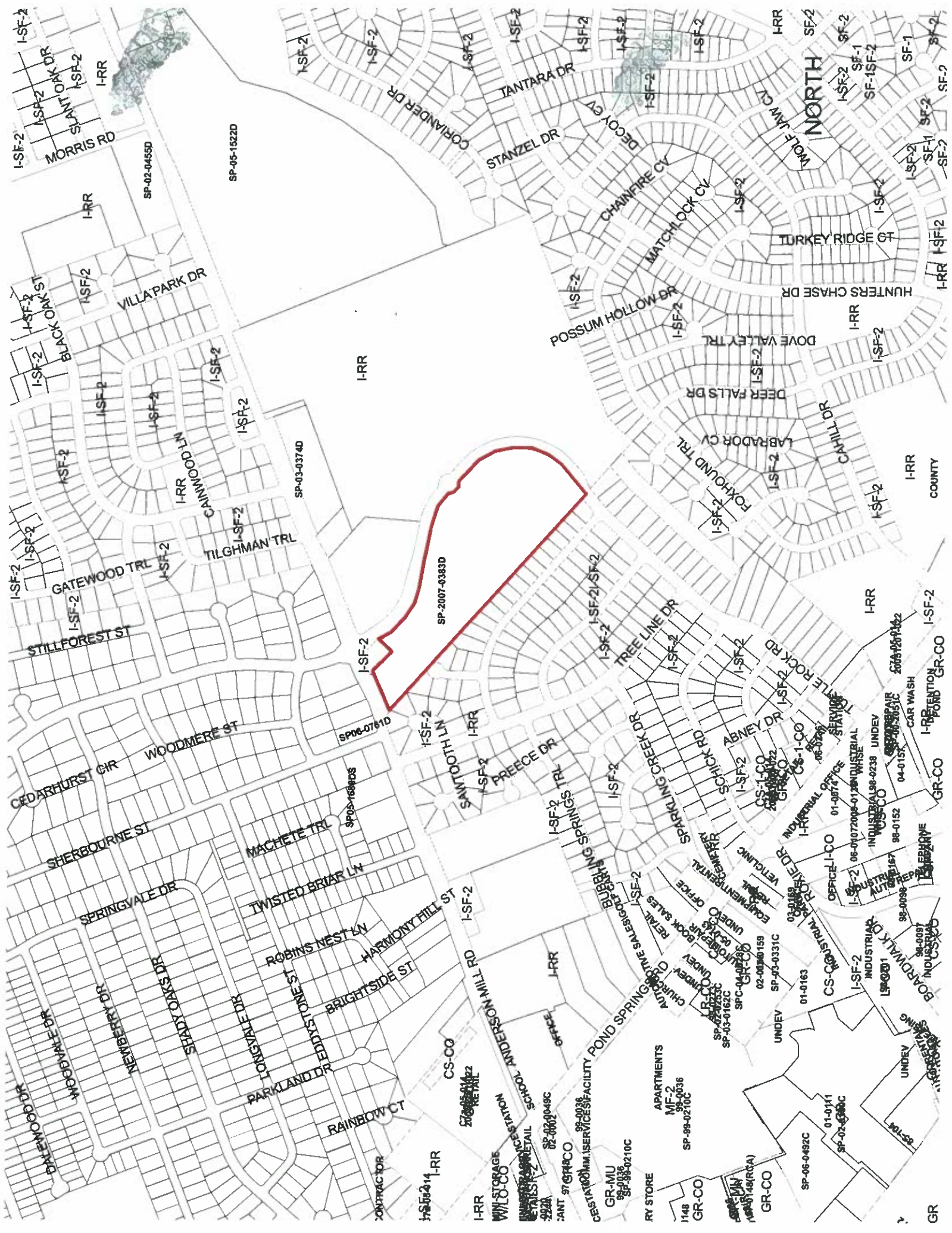


-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

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.











## STAFF RECOMMENDATION

Staff's recommendation is to grant MF-3-CO, Multi-family Residence-Medium Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day.

## BASIS FOR RECOMMENDATION

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

Multifamily residence medium density (MF-3) district is the designation for multifamily use with a maximum density of up to 36 units per acre, depending on unit size. An MF-3 district designation may be applied to a use in a multifamily residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multifamily use is desired.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed MF-3 zoning is located adjacent to a mixture of single-family and duplex residential uses to the north, across Anderson Mill Road, and the south and east. The site is also located across the street from a public school facility (Deerpark Middle School).

3. *Zoning should allow for reasonable use of the property.*

The proposed zoning will allow the applicant to bring the existing use on the site into conformance with City of Austin land development code zoning regulations.

MF-3-CO zoning at this location will provide for a mixture of housing opportunities in this area of the City.

## EXISTING CONDITIONS

### Site Characteristics

The site under consideration is currently developed with a multi-family use (Villages at Turtle Creek Apartments). To the north, there is a service station/food sales use (Texaco) located at the corner of Anderson Mill Road and Turtle Rock Road. The tracts of land to the east consist of an undeveloped lot and a public school facility (Deerpark Middle School). The lots to the south and west are developed with single-family uses.

### Environmental

The site is located over the North Edwards Aquifer Recharge Zone. It is in the Desired Development Zone. The site is in the Lake Creek Watershed, 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	% NSA with Transfers
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%



According to floodplain maps, there is a floodplain adjacent to the project boundary. Based upon the close proximity of floodplain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

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.

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.

### **Impervious Cover**

The maximum impervious cover allowed by the MF-3 zoning district would be 65%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

### **Site Plan**

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

The site is subject to compatibility standards. Along all property lines adjacent to single family, the following standards will apply with any future development:

- 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.
- A landscape area is required along 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.

### **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
Anderson Mill Road	Varies	72'	Arterial	Not Available
Turtle Rock Road	Varies (70'-90')	42'	Collector	Not Available

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

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].

There are existing sidewalks along Anderson Mill Road and Turtle Rock Road.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
Anderson Mill Road	Wide Curb	Bike Lane
Turtle Rock Road	Shared Lane	Bike Lane

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

### **Water and Wastewater**

The site is developed and is currently served by City water and wastewater.

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