

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2011-0140 – Countryside Pump Station

**Z.A.P. DATE:** 1/17/12

**ADDRESS:** 3010 Honey Tree Lane, Building B

**OWNER/APPLICANT:** City of Austin Water Utility (Eric Sermenio)

**AGENT:** City of Austin Water Utility (Kathi Flowers)

**ZONING FROM:** P (Public) district zoning **TO:** SF-2 (Single Family Standard Lot) district zoning

**AREA:** 0.324 acres (14,113 ft<sup>2</sup>)

**SUMMARY STAFF RECOMMENDATION:** Staff recommends approval of SF-2 (Single Family Standard Lot) district zoning.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:** 1/17/12 - The Zoning and Platting Commission recommended SF-1 (Single Family-Large Lot) district zoning (4-2; Baker, Seeger – nay).

**DEPARTMENT COMMENTS:** This property is owned by the City of Austin Water Utility and is the site of a decommissioned pump station. The Water Utility department seeks to rezone the tract in order to offer the property for sale.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	P	Decommissioned water utility pump station
<i>North</i>	SF-2, UNZ	Single Family, Hospital (Rollingwood)
<i>South</i>	SF-2	Single Family
<i>East</i>	SF-2	Single Family
<i>West</i>	SF-2	Single Family

**TIA:** Waived

**WATERSHED:** Eanes Creek

**DESIRED DEVELOPMENT ZONE:** No

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Neighborhoods Council  
Treemont Homeowners Association  
Walsh Tarlton Neighborhood Association  
Village at Treemont Homeowners Association

## **BASIS FOR RECOMMENDATION**

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

SF-2 (Single Family Residence Standard Lot) district zoning is the designation for a moderate density single-family residential use on a lot that is a minimum of 5,750 square feet. An SF-2 district designation may be applied to a use in an existing single-family neighborhood that has moderate sized lots or to new development of single-family housing on lots that are 5,750 square feet or more.

The proposed rezoning will be consistent with the purpose of SF-2 district zoning and meets site development requirements for the zoning category.

2. *Zoning should be consistent with approved and existing residential densities.*

The requested zoning is compatible with the adjacent residential character and densities.

## **EXISTING CONDITIONS**

### **Environmental**

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Eanes Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under the 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
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.

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.

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 requirements.

#### **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:**

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

The traffic impact analysis for this site was waived because this is a city-initiated zoning.

#### **Existing Street Characteristics:**

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Honey Creek Lane	50	27	Local	No	No	No

**CITY COUNCIL DATE:** 2/9/12

**ACTION:**

**ORDINANCE READINGS:** 1st

2<sup>nd</sup>




3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Stephen Rye

**PHONE:** 974-7604  
[stephen.rye@ci.austin.tx.us](mailto:stephen.rye@ci.austin.tx.us)



- N**
-  **SUBJECT TRACT**
-  **PENDING CASE**
-  **ZONING BOUNDARY**

**ZONING**

**ZONING CASE#: C14-2011-0140**

1" = 200'

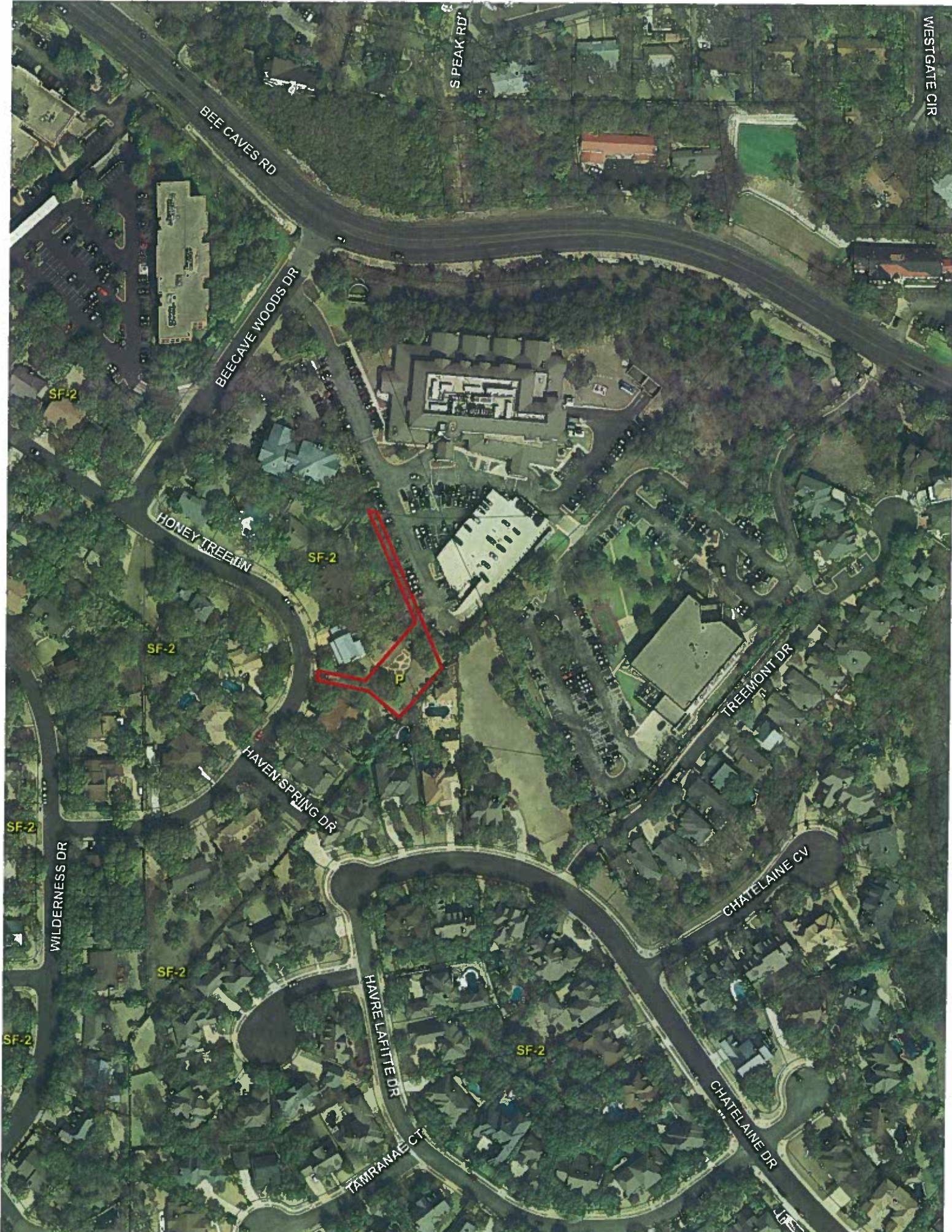
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.









WESTGATE CIR

S PEAK RD

BEE CAVES RD

BEECAVE WOODS DR

SF-2

HONEY TREE LN

SF-2

SF-2

SF-2

WILDERNESS DR

SF-2

HAVEN SPRING DR

SF-2

HAURE LAFITE DR

SF-2

TAMRANA ECT

TREEMONT DR

CHATELAINE CV

CHATELAINE DR













**City of Austin  
Planning and Development Review  
Land Status Determination  
1995 Rule Platting Exception**

**October 27, 2011**

**File Number: C8I-2011-0245**

**Address: 3010 HONEY TREE LN Bldg B**

**Tax Parcel I.D. # 0107130707**

**Tax Map Date: 05/20/2011**

The Watershed Protections & Development Review has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being 0.324 acres of land, more or less, out of the Henry P. Hill League, being the aggregate of two (2) tracts of land, the first being a called 0.0268 acres as described in Volume 8943, Page 7, Travis County Deed Records, the second being a called 0.2972 acres as described in Volume 8942, Page 340, Travis County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by deeds recorded on Dec 14, 1984, in Volume 8942, Page 340, and Volume 8943, Page 7, Travis County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by electric service on Aug 31, 1989. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

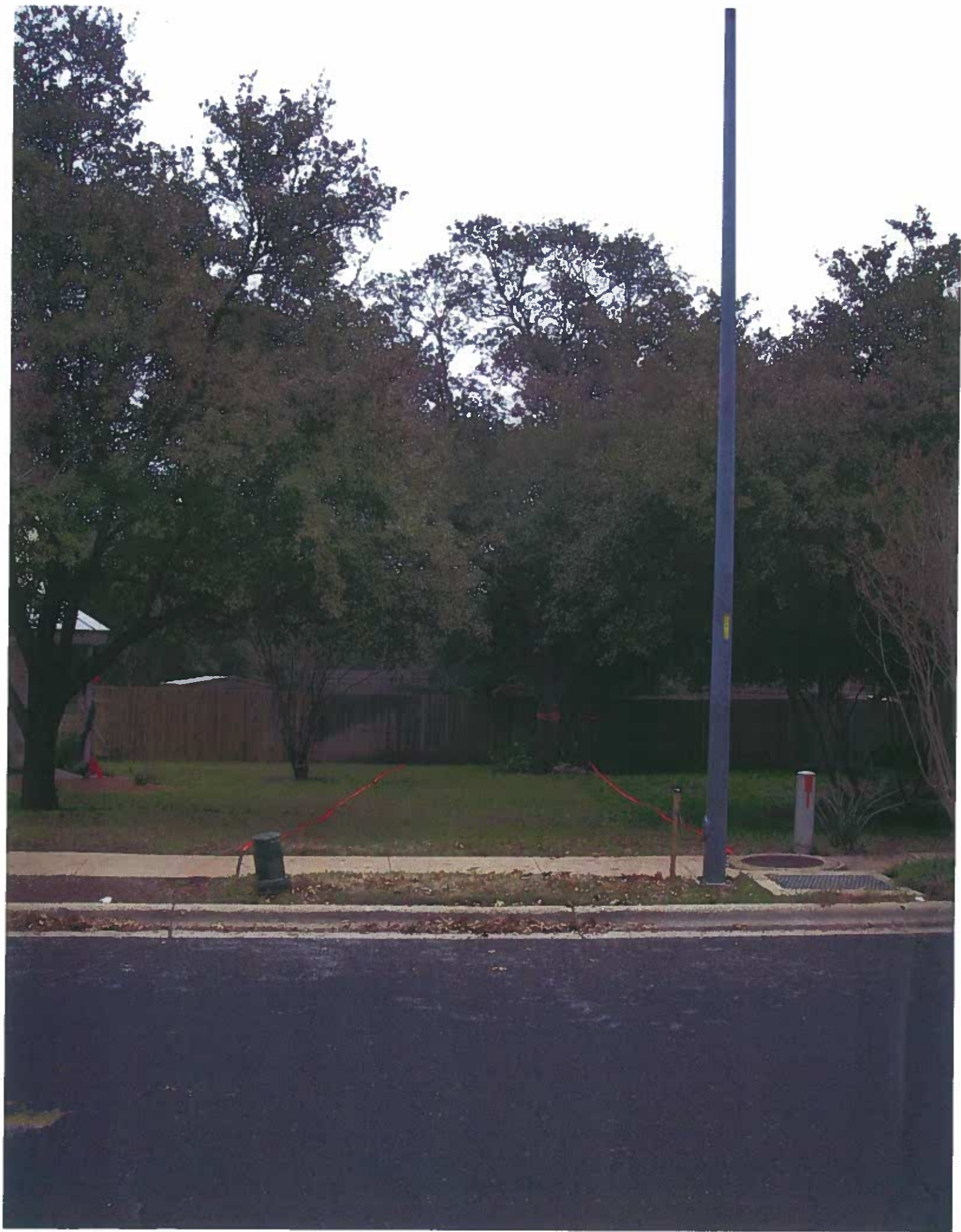
**Additional Notes/Conditions:**

This determination applies to the two tracts taken in the aggregate. Should the tracts be developed independently, a new determination is required.

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: 

**Daniel Word, Representative of the Director  
Planning and Development Review**





## Rye, Stephen

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**From:** Veronica Leal [REDACTED]  
**Sent:** Tuesday, January 17, 2012 1:00 AM  
**To:** bbaker5@austin.rr.com; sbald@sbcglobal.net; gregorytbourgeois@gmail.com; prseeger@austin.rr.com; crbanks@hotmail.com; jasonmeekerzap@gmail.com; grcity@gmail.com  
**Cc:** Leffingwell, Lee; SherylCole@ci.austin.tx.us; ChrisRiley@ci.austin.tx.us; Martinez, Mike [Council Member]; Tovo, Kathie; Morrison, Laura; Spelman, William; Rye, Stephen; [REDACTED]; Oscar Leal  
**Subject:** Zoning Case #C14-2011-0140, on ZAP agenda for 1/17/12  
**Attachments:** PETITION 1-13-12.pdf; 3010B Honey Tree.pdf



PETITION 1-13-12.pdf (1...



3010B Honey

Tree.pdf (286 KB)

Dear Zoning and Platting Commission members,

We are the residents of 3010 Honey Tree Lane, property adjacent to the flag lot that has been deemed "3010b" and owned by the Water Utility (City of Austin). We have been informed that the Water Utility is seeking to rezone this piece of land from "P" or park to "SF2" or single family in order to sell it. Although we do not oppose the sale of this property, we have some serious concerns about the potential rezoning and have met with the city to discuss these concerns although without resolution. We have signed a petition opposing the rezoning by the City (please see attached). We ask that you all take into consideration our following concerns:

1. This lot, identified as 3010 b, is an awkwardly shaped piece of land with odd characteristics. The main portion of this misfit lot is nestled between two backyards of Bee Cave Woods (3010 & 3012) and butts up to two backyards from the Treemont neighborhood (3014 & 3018 Chatelalaine), with a random 11" wide strip of land that juts out behind two backyards (3012 & 3014 Honey Tree) and a hospital parking lot (please refer to aerial view).
2. In addition, the only street access to this lot is a 15" wide, long narrow strip that leads back to the main portion of the lot. Potentially interfering with street access are a number of structures to include a "protected" Live Oak tree, man hole, lamp post, and high voltage vault. It is obvious that this lot was not part of the original developer's plan and not intended for residential use. Any home built on this lot would be awkward and stick out, therefore detracting from the neighborhood, potentially devaluing surrounding homes, as well as greatly impeding the privacy of close by neighbors.
3. Many of the surrounding neighbors have made offers over the years to buy the lot with the intention of preserving the open space, landscaping and creating more greenery, and protecting the natural habitat to include the two "protected" Live Oak Trees on the lot. Open space in an already well developed neighborhood is greatly appreciated and invaluable to the environment.
4. There is also a question of whether this is a legal lot given that the street access is 15" versus the required 50 feet of roadway frontage. In addition, it is unclear how setbacks would be established given the irregularities of the lot and the fact that there is a 15 foot waterline easement located on the southeast side of the lot (see the petition with attached survey).
5. Although city staff acknowledged the many obvious problems inherent to this lot, we were told that the environmental survey and tree survey had not yet been completed. In addition, this lot is located over the Edwards Aquifer Recharge Zone. The lot is also in the Eanes Creek Watershed of the Colorado River Basin, and is classified as a Water Supply

Suburban Watershed by Chapter 25-8 of the City's Land Development Code therefore it is still undetermined whether or not there are any major ramifications from developing this lot.

In conclusion, we feel that the City's request for upzoning this lot is speculative, unnecessary and potentially dangerous to the environment and existing habitat. We are therefore requesting that the ZAP Commission deny the application for rezoning, thereby allowing the existent open land to remain and be preserved.

We are planning to attend the public hearing on Tuesday, 1/17/12.  
Thank you for your time and consideration.

Oscar and Veronica Leal

3010 Honey Tree Ln

Austin, TX 78746

[REDACTED]

[REDACTED]

[REDACTED]



## P E T I T I O N

Date: 1-12-12

File Number: C14-2011-0140

Address of Rezoning Request: 3010B Honey Tree Lane, Austin, TX 78746

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than P for the purpose of selling the property.

We object to the speculative upzoning of the property because it is not necessary to sell the property. Rezoning the property as SF-2 suggests that the property can be purchased and developed for a single-family residence when the City has not done the studies (such as Environmental Survey, Tree Survey, endangered species investigation) to determine it can be developed.

Furthermore, we question that the property could ever meet the legal lot criteria for a discrete property zoned SF-2. Some of the reasons for this include and are not limited to the following:

Both the current P zoning and the proposed SF-2 zoning require 50 feet of roadway frontage. (See City Code sections 25-2-625(D)(1) and 25-4-174). The property has only 15 feet of roadway frontage on Honey Tree Lane, the only public street that abuts the property.

The rezoning application states that the property was excepted from platting requirements, but the property does not appear to meet the criteria for such an exception. City Code section 25-4-2(D)(5) allows a parcel to be excepted from the platting requirements if it complies with the requirements of the Land Development Code for roadway frontage. As noted above, the property does not meet the roadway frontage requirement because it has only 15 feet of roadway frontage instead of 50 feet.

The 15-foot-wide strip of land that provides access to the main part of the property has numerous problems, including having a street lamp, a portion of a high-voltage electric vault, a cable utility box, and a protected Live Oak tree located in the path of the narrow access.

The main part of the property contains a large water line and a 15-foot waterline easement along one boundary of the property. The main part of the property is also surrounded on four sides by neighbors (three residential and one the parking lot of the Austin Surgical Hospital). Because of its position and orientation, how to apply setbacks and whether an appropriate house could be erected are not obvious.



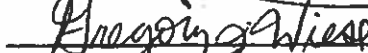









We have met with City staff, but have been unable to reach a compromise. Enclosed with this Petition are pictures of the access and a copy of the survey of the property reflecting the approximate locations of the protected Live Oak tree in the 15-foot strip and of the other protected Live Oak tree in the main part of the property. The signatures are on the next page.

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

	Michael Bame	3014 Chateleine Drive, Austin
	Gwen Bame	3014 Chateleine Dr. Austin
	Greg Wiese	3008 Chateleine Dr.
	Anju Jaggi	3009 Chateleine Dr.
	Oscar Leal	3010 Honey Tree
	Veronica Leal	3010 Honey Tree Ln.
	Marilyn Hooks	3014 Honey Tree Ln.
	JOHN J. Culla	3018 Honey Tree Lane
	Yeeping R. Lin	3007 Honey Tree Lane
	STANLEY YOUNG	3012 HONEY TREE LANE
	Hilary H. Young	3012 Honey Tree Lane
	Robert B. Smith	3009 Honey Tree Ln.

Date: 1/12/12

Contact Name: Hilary H. Young

Phone Number: 512-699-7905



(PLEASE USE BLACK INK WHEN SIGNING PETITION)

Signature

Printed Name

Address

~~SUSAN NOLD~~

SUSAN NOLD

3008 Honey Tree Ln 78746

~~C. NOLD~~

Daniel Nold

3008 Honey Tree Ln

Date: 1/12/12

Contact Name: Hilary H. Young

Phone Number: 512-677-1708

**Rye, Stephen**

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**From:** Mark Goodrich [mailto:markgoodrich111@gmail.com]  
**Sent:** Monday, January 16, 2012 9:09 AM  
**To:** Rye, Stephen  
**Subject:** C14-2011-0140

We are in favor of the zoning change in the referenced case.

We own the property located at 3019 Honey Tree Lane, 78746

Mark and Suzanne Goodrich  
[REDACTED]

1/17/2012