



## MEMORANDUM

**TO:** Chair and Environmental Board Members

**FROM:** Chuck Lesniak, Environmental Officer  
Watershed Protection Department

**DATE:** April 29, 2015

**SUBJECT:** Recommendation on Zoning Cases C14-2014-0172 & C14-85-288.36(RCA)

The Environmental Board will receive for review and recommendation the referenced zoning cases for the Cottages at Lantana project located at 5610 and 5804 Wier Hills Road. The property is currently zoned light office – neighborhood plan (LO-NP). The applicant is requesting a zoning change to townhouse and condominium residence – neighborhood plan (SF-6-NP), along with amendments to the restrictive covenant that is part of the current zoning ordinance for one of the tracts. The Zoning Staff Report included in your agenda backup provides more detail about the project so I will focus on the specific environmental issues related to the proposal.

### Background

The property consists of two tracts totaling 8.8 acres. The property is in the Barton Springs Zone and within the Edwards Aquifer Contributing Zone. Tract 1, the larger of the two tracts at 6.5 acres, has an existing restrictive covenant (RC) from a 1980s zoning case that was part of the Oak Hill Zoning Study. The applicant applied for vesting and was denied Ch. 245 vesting, but informed that the current zoning and associated covenant apply. The RC allows development under the 1980s Williamson Creek ordinance, which grants a higher level of impervious cover (65%) and lower standard of water quality treatment (sedimentation/filtration) than current code, and does not include protection for critical environmental features (CEFs). Tract 2 is subject to current code, including the SOS ordinance, which limits impervious cover on this tract to 25% and requires SOS water quality treatment.

The property has an existing wetland CEF on tract 1. Tract 1 also has a small area of slope between 15% and 25% gradient.

### Proposed Environmental Protection

As a condition of re-zoning the property, City staff has recommended amending the RC to reduce the allowable impervious cover, improve water quality treatment, provide protection for the on-site critical environmental features (CEFs), and provide additional creek setback. The applicant has agreed to these conditions, and has requested to be allowed to develop on the area of 15-25% slope (see Exhibit A). The details of the proposed RC amendments are described below in Table 1 and compared to current code

requirements. The proposed conceptual plan showing water quality controls as well as CEF and creek buffers is shown on Exhibit B.

**Table 1**

	<b>Restrictive Covenant Allowance for LO Use</b>	<b>Current Code</b>	<b>Proposed Covenant Amendment for SF-6 Use</b>
Impervious cover	65% gross site area (4.2 ac.)	25% net site area (1.3 ac.)	33% gross site area (2.1 ac.)
Water quality treatment	Sedimentation/filtration	SOS non-degradation	SOS non-degradation
CEF buffer	None	150'	50' and variable per approval by WPD biologist
Creek buffer	100' CWQZ	100' CWQZ, 100' WQTZ	100' CWQZ, only WQ controls in 100' WQTZ
Const. on >15% slopes	None allowed	Limited on 15-25%	Allow up to 6,000 sq. ft. on 15-25% as shown on Exh. A

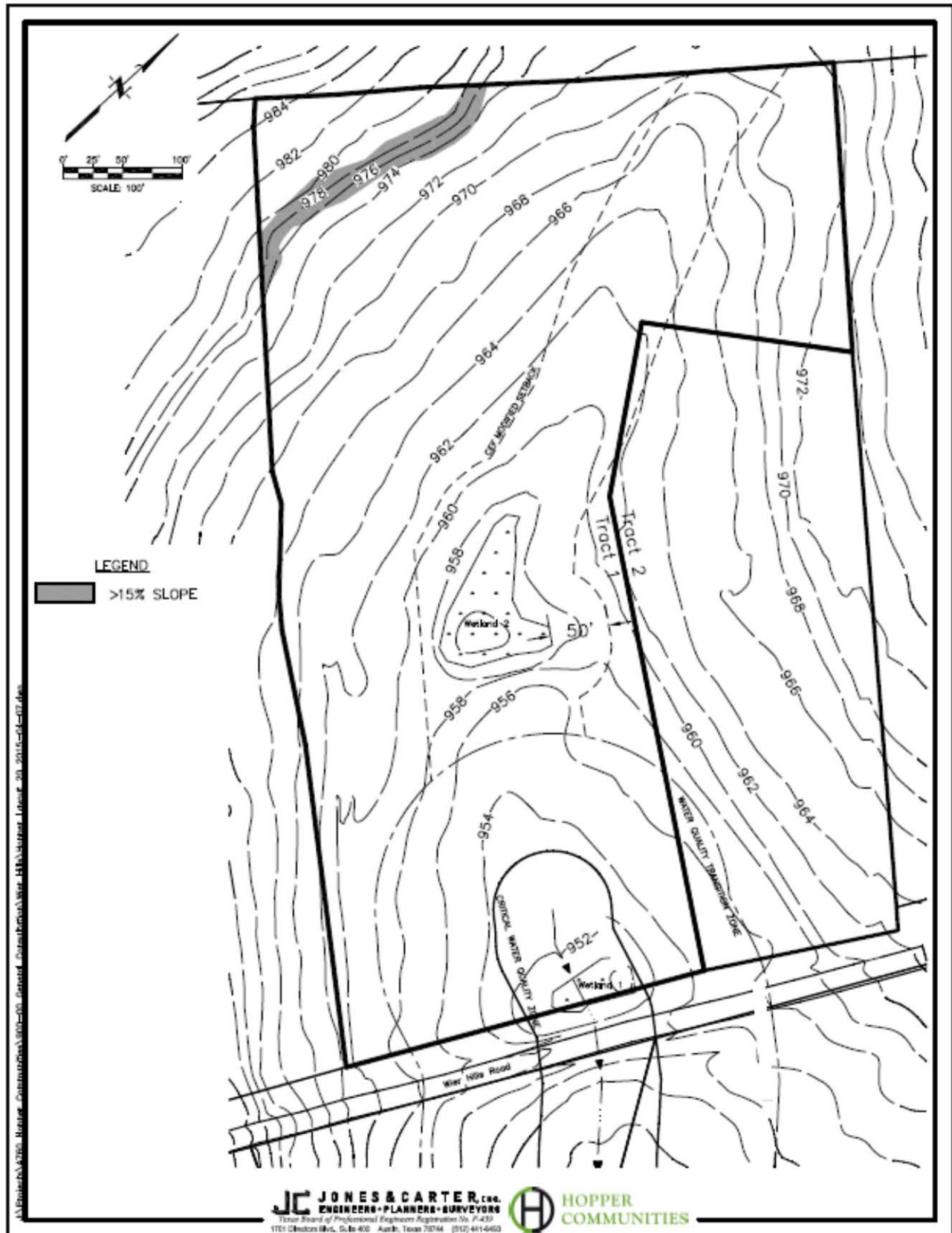
**Recommendation**

The applicant is proposing to reduce the amount of impervious cover that could be built under the current zoning by over 50%, agreeing to provide SOS water quality for the entire tract, and limiting development in the Water Quality Transition Zone. I believe these conditions provide significant environmental benefit over what could be built under the current zoning and I recommend that the proposed rezoning and modifications to the restrictive covenant be approved.

## EXHIBIT A

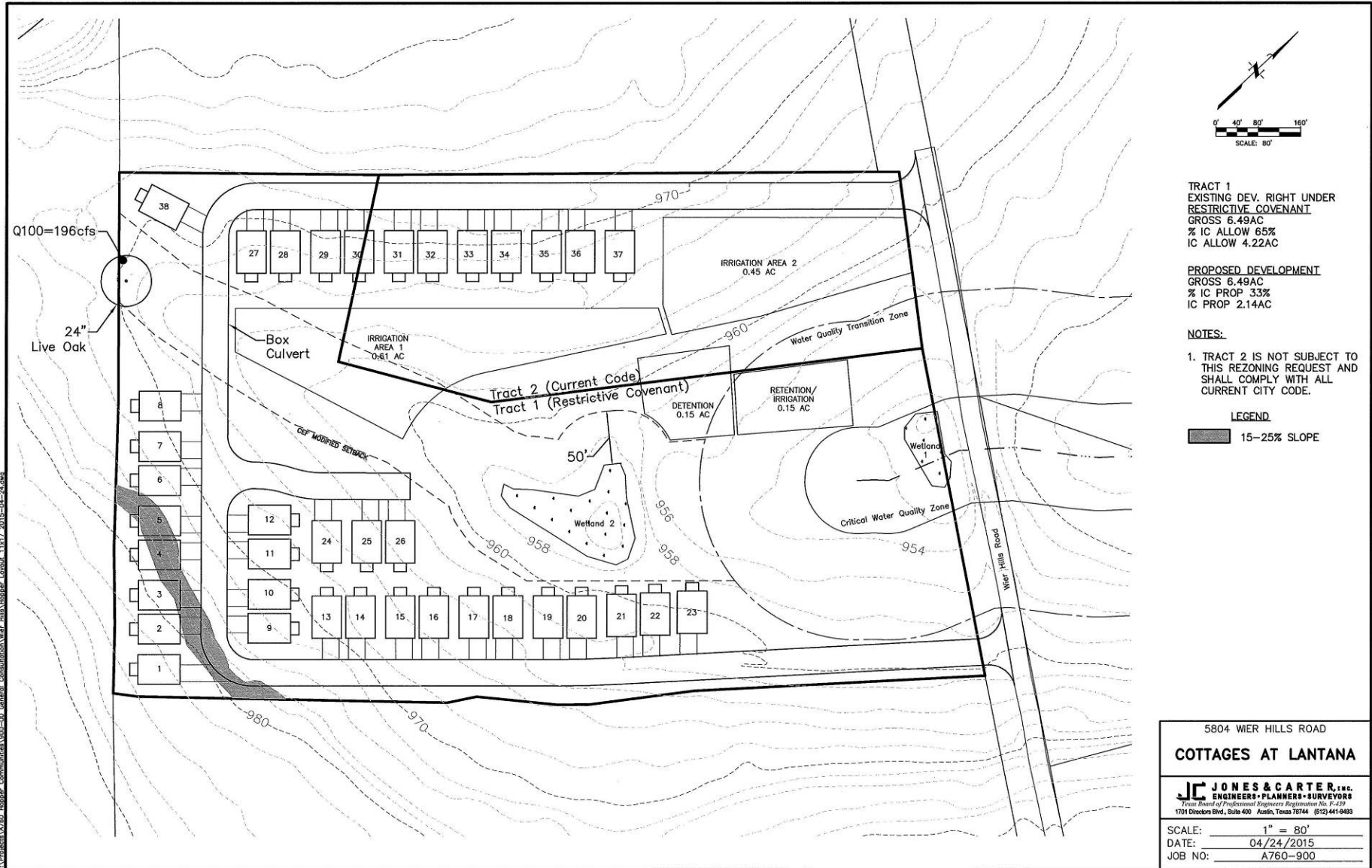
### Cottages at Lantana

Approximately 6,000 Sq. Ft. Area of Construction Authorized on Maximum 25% Slopes



## EXHIBIT B

### Cottages at Lantana Conceptual Plan



**THE COTTAGES AT LANTANA**  
**WIER HILLS ROAD, ADJACENT TO SOUTHWEST PARKWAY & RIALTO BLVD**

Request: Environmental Board approval of rezoning and restrictive covenant amendment applications for The Cottages at Lantana single family condominium development.

Background/Project Information: The Cottages at Lantana consists of two adjacent tracts: Tract 1 approximately 6.49 acres, and Tract 2 approximately 2.31 acres (8.8 acres total) located at 5804 and 5610 Wier Hills Road, south of the intersection of Southwest Parkway and Rialto Blvd. The City annexed the property in December 1985 (Ordinance #851219-R). In April 1987, Council approved LO (Limited Office) zoning for Tract 1 (Ordinance #870430-E). A related zoning public Restrictive Covenant (V 10252, P 0079) recorded in May 1987 covering Tract 1 states in part that development of Tract 1 is subject to the following: (1) maximum impervious coverage is 65% based on gross site area, (2) maximum FAR is 0.25:1, and (3) the property will be developed in accordance with the Williamson Creek Watershed regulations as then-codified in the Code (Sections 9-10-171 through 9-10-230, and Sections 13-3-401 through 13-3-475). The 2008 Oak Hill Combined Neighborhood Plan (Ord. # 20081211-096) Future Land Use Map designates Tract 1 and Tract 2 as "Mixed Use/Office."

Proposal for Single-Family Condominium – The Cottages at Lantana: The applicant will agree to the following in connection with approval of rezoning and restrictive covenant amendment applications authorizing development of approximately 40 single-family condominium residential units:

- Water quality controls for development of Tracts 1 & 2 will comply with current water quality regulations (SOS).
- Limit impervious coverage to maximum 33% gross site area on Tract 1. Tract 2 will comply with current code impervious coverage regulations (maximum of 25% net site area).
- No development is allowed in Critical Water Quality Zone Tracts 1 & 2.
- Construction may occur on slopes greater than 15%, up to a maximum 25% slope on an approximately 6,000 maximum square foot area of Tract 1 as shown on Exhibit A. Development in all other areas must comply with current regulations for construction on slopes (Sections 25-8-301 through 25-8-302 of the City of Austin Land Development Code).
- Pond and associated storm sewer improvements are authorized to be located in the Water Quality Transition Zone on Tract 1.
- Pond re-irrigation area is authorized to be located within the CEF buffer areas on Tracts 1 & 2.
- Comply with current City Tree Ordinance Tracts 1 & 2.
- Comply with current City Landscape Ordinance Tracts 1 & 2.
- Use native plants Tracts 1 & 2.

## EXHIBIT A

### The Cottages at Lantana

Approximately 6,000 Sq. Ft. Area Construction Authorized on Maximum 25% Slopes

