



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-10
AGENDA DATE: Thu 09/02/2004
PAGE: 1 of 1

SUBJECT: C14-04-0099 - Zimmerman Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11108 Zimmerman Lane (Bull Creek Watershed) from development reserve (DR) district zoning to townhouse & condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse & condominium residence-conditional overlay (SF-6-CO) district zoning. Applicant: Hamid Zarafshani. Agent: Crocker Consultants (Sarah Crocker). City Staff: Sherri Gager, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0099

Z.A.P. DATE: August 3, 2004

ADDRESS: 11108 Zimmerman Lane

OWNER/APPLICANT: Hamid Zarafshani

AGENT: Crocker Consultants
(Sarah Crocker)

ZONING FROM: DR

TO: SF-6

AREA: 5.943 acres

SUMMARY STAFF RECOMMENDATION:

The staff's alternate recommendation is to grant SF-2, Single Family Residence-Standard Lot District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

8/3/04: Approved SF-6-CO zoning with conditions of a maximum of 25 living units, 30% impervious cover or 40% impervious cover with transfers (8-0, J, Pinnelli-absent); B. Baker-1st, T. Rabago-2nd).

ISSUES:

The staff has received a letter from Mr. Daniel Weaver, an adjacent property owner, objecting to the proposed zoning change to SF-6, Townhouse and Condominium Residence District (Attachment A).

DEPARTMENT COMMENTS:

The property in question contains a single-family residence. The applicant is requesting to rezone this site to SF-6 because they would like to develop more intensive residential uses on the site.

The staff proposes an alternate recommendation of SF-2, Single Family Residence-Standard Lot District, zoning for this property. The 5.943 acre tract under consideration is located near the end of Zimmerman Lane, a thirty foot wide collector street that dead ends into a cul-de-sac. Originally, Zimmerman Lane was projected to connect with Forsythia Drive, to the east, as part of the Arterial 8 extension. Arterial 8 (Forsythia Drive) was planned to be a ninety-foot arterial roadway that was to connect Loop 360 to Yaupon Drive. The City of Austin has deleted the plans to construct Arterial 8, due in part to BCCP issues and because of the City's purchase of the Stennis Tract.

Zimmerman Lane is a county roadway that was annexed by the city of Austin in 1997. There are no planned improvements for this portion of Zimmerman Lane and there will not be a traffic light constructed at the intersection of Zimmerman Lane and R.M. 620 because there is already a light proposed for the intersection of Parke Drive and R.M. 620, to the north. Parke Drive and Zimmerman Lane will not be aligned in the future.

The property in this case is surrounded by LO, Limited Office District, zoning to the north, DR, Development Reserve District, zoning to the east and west, and SF-2, Single-Family Residence-Standard Lot District, zoning to the south. There are single-family houses located to the south and west of the proposed change. The land to the east of this case is part of the Four Points Centre PUD (Lot 7, Block A). It is designated as 102.90 acres of Habitat Preserve and will remain an undeveloped/undisturbed area.

The staff recommends SF-2 zoning for the property in question because the proposed SF-2 zoning is consistent with the SF-2 zoning located to the south and northwest and the existing single-family homes located to the south and west of this site. The intensity of residential development that is allowed by the SF-2 district is more appropriate for Zimmerman Lane, a roadway that has difficult access onto R.M. 620 and that will never be improved to connect to another roadway to allow for additional access to the proposed site. SF-2 zoning could allow for a maximum of 45 single-family residences to be developed on the property.

The applicant disagrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|-------------------------|
| <i>Site</i> | DR | Single-Family Residence |
| <i>North</i> | I.O | Undeveloped |
| <i>South</i> | SF-2 | Undeveloped |
| <i>East</i> | DR | Undeveloped |
| <i>West</i> | DR | Single-Family Residence |

AREA STUDY: N/A

TIA: Not Required

WATERSHED: Bull Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

190 – Middle Bull Creek Neighborhood Association
 194 – 2222 Property Owners Association
 426 – River Place Residential Community Association, Inc.
 439 – Concerned Citizens For P&B of FM 2222
 448 – Canyon Creek Homcowners Association
 475 – Bull Creek Foundation

SCHOOLS:

Canyon Creek Elementary School
 Canyon Vista Middle School
 Westwood High School

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|---------------|--|--|---|
| C14-04-0043 | DR to SF-6* * Amended request to SF-2 | 4/20/04: Approved staff's recommendation for SF-2 zoning by consent (7-0, B. Baker-absent) | 5/27/04: Approved SF-2 (6-); all 3 readings |

| | | | |
|-----------------|----------------------|--|--|
| C14-03-0102 | LR to GR | 9/23/03: Approved staff's recommendation of GR-CO zoning, with conditions: Improve Zimmerman Lane through the first driveway on the site, at the time of site plan (9-0) | 10/23/03: Granted GR-CO with a restrictive covenant requiring the widening of Zimmerman Lane according to specifications approved by the City of Austin, from the intersection of FM 620 North and Zimmerman Lane, through the first driveway cut on the property (6-0, Dunkerly-absent); all 3 readings |
| C14-00-2055 | R&D to P | 5/9/00: Approved staff rec. of 'P' by consent (8-0) | 6/8/00: Approved PC rec. of 'P' on all 3 readings (7-0) |
| C14-99-2062 | RR to LI | 11/16/99: Approved RR (8-0); (Staff alternate rec. was CS-CO, Applicant's request was for LI) | 1/13/00: Approved W/LO, w/ conditions as rec. by staff (6-0, KW-out of room); 1 st reading 2/3/00: Approved W/LO-CO; Limiting vehicle trips to 250 per day & 50 ft reservation of FM 620 to be placed on plat or site plan (5-0); 2 nd reading 3/30/00: Approved 3 rd reading (6-0) |
| C14-99-0078 | I-RR to GR | 10/26/99: Approved 'GR' with 'LR' uses (8-1, RC-Nay); Quality restaurant allowed, prohibit Fast Food Restaurants, Pawn Shops, Automotive Uses, Exterminating Services, permit 'LO' uses, and add conditions as per Neighborhood/Applicant agreement. | 12/2/99: Approved PC rec. of GR w/ conditions (6-0, WL-absent); 1 st reading 1/13/00: Approved; subject to limitation of 100,000 sq. ft. of retail and 65,000 sq. ft. of office (6-0, KW-out of room); 2 nd reading 3/2/00: Approved 3 rd reading (5-0) |
| C14-99-0011 | GR to MF-2 | 3/9/99: Approved staff rec. of MF-2 by consent (6-0) | 4/15/99: Approved PC rec. of MF-2 (7-0); all 3 readings |
| C14-98-0108 | I-RR to CS | 10/27/98: Approved W/I.O for front 615 ft., LR-MU footprint for 1500 ft., remainder of site as CS (6-0) | 12/3/98: Approved PC rec. of W/LO-CO, LR-MU-CO, and CS-CO w/conditions (6-0); 1 st reading 9/30/00: Approved W/LO-CO, LR-MU-CO, and CS-CO; 2 nd /3 rd rdgs. |
| C14-98-0002 | I-SF-2, I-RR to MF-2 | 2/17/98: Approved MF-2 (7-0) | 3/26/98: Approved PC rec. of MF-2 w/ conditions (6-0); all 3 readings |
| C814-95-0002.04 | PUD to PUD | 2/4/03: Approved staff rec. of PUD by consent (7-0) | 3/6/03: Approved PUD (6-0, Dunkerley-absent); 1 st reading 4/24/03: Approved PUD (6-0-1, Garcia-absent) |

RELATED CASES: N/A

ABUTTING STREETS:

| NAME | ROW | PAVEMENT | CLASSIFICATION | DAILY TRAFFIC |
|----------------|-----|----------|-----------------|---------------|
| Zimmerman Lane | 70' | 30' | Local Collector | N/A |

CITY COUNCIL DATE: September 2, 2004

ACTION:

ORDINANCE READINGS: 1st

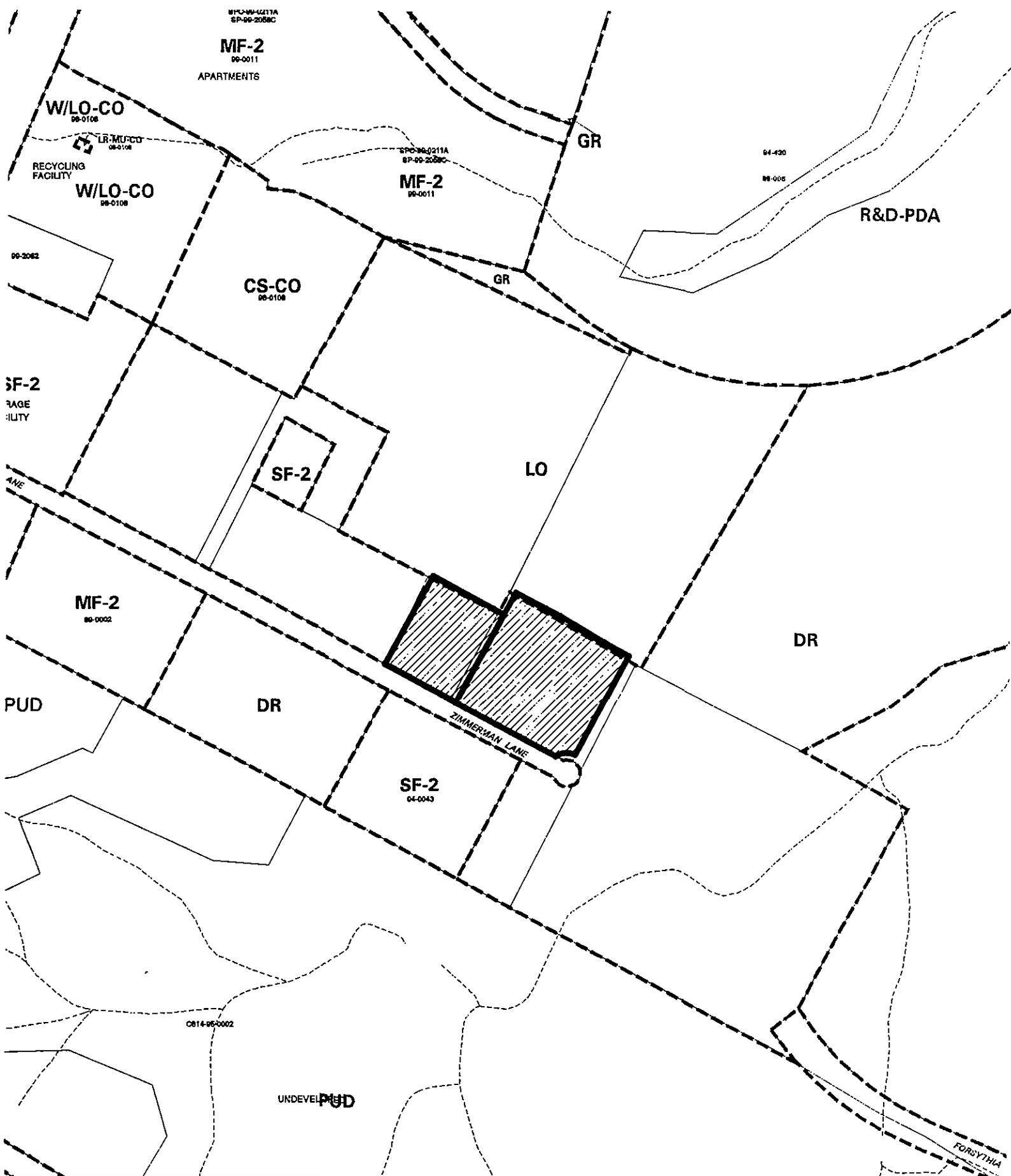
2nd


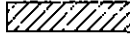
3rd

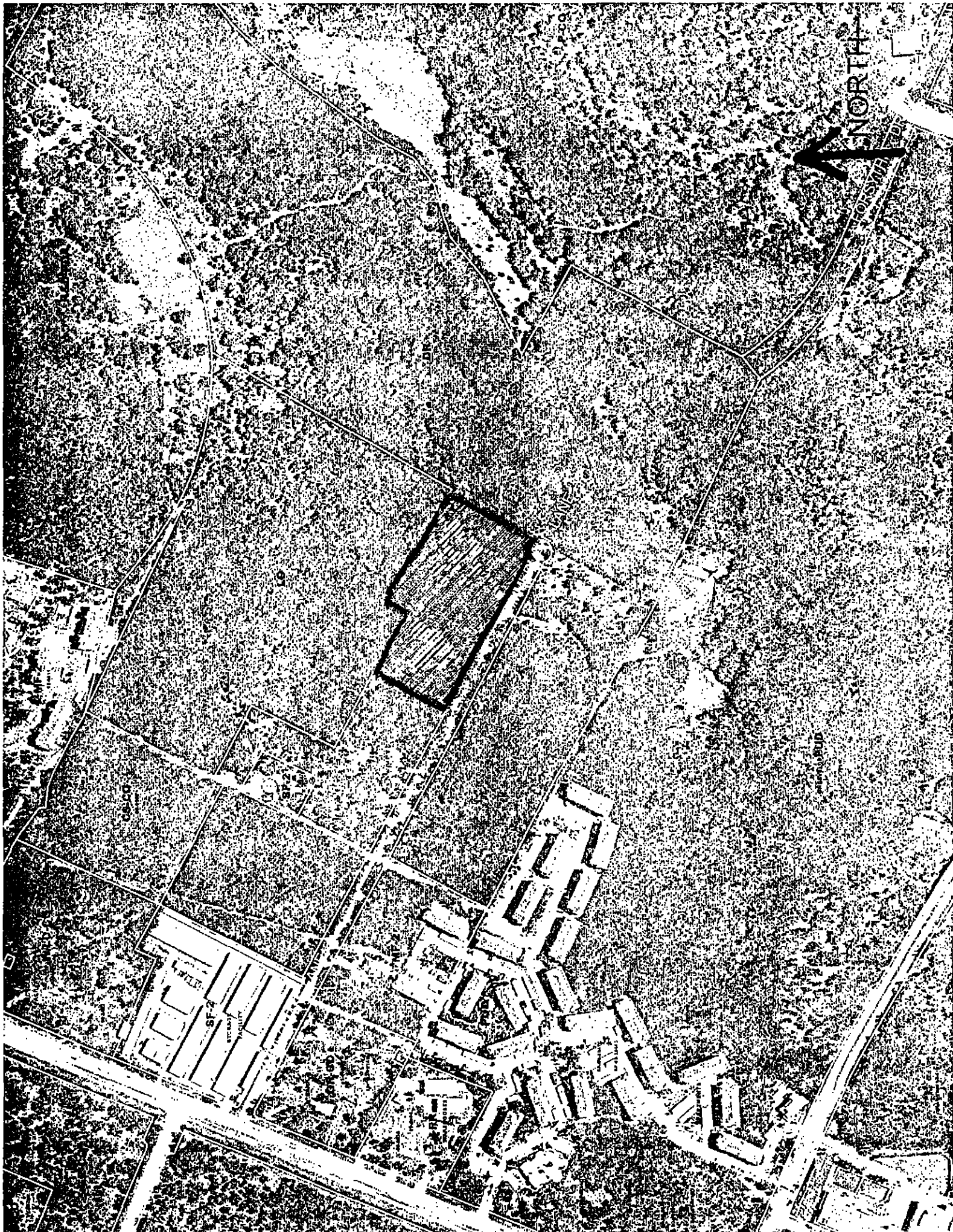
ORDINANCE NUMBER:

CASE MANAGER: Sherri Gager

PHONE: 974-3057,
sherri.gager@ci.austin.tx.us



| | | | | | |
|---|-----------------------------|---|-------------------------------|-------------|---|
|  1" = 400' | SUBJECT TRACT |  | ZONING | | CITY GRID REFERENCE NUMBER D34 |
| | PENDING CASE | | | | |
| | ZONING BOUNDARY | ----- | CASE #: C14-04-0099 | DATE: 04-08 | |
| | CASE MGR: S. GAGER | | ADDRESS: 11108 ZIMMERMAN LANE | INTLS: SM | |
| | SUBJECT AREA (acres): 5.943 | | | | |



STAFF RECOMMENDATION

The staff's alternate recommendation is to grant SF-2, Single Family Residence-Standard Lot District, zoning.

BACKGROUND

The property in question contains a single-family residence. The applicant is requesting to rezone this site to SF-6 because they would like to develop more intensive residential uses on the site.

The staff proposes an alternate recommendation of SF-2, Single Family Residence-Standard Lot District, zoning for this property. The 5.943 acre tract under consideration is located near the end of Zimmerman Lane, a thirty foot wide collector street that dead ends into a cul-de-sac. Originally, Zimmerman Lane was projected to connect with Forsythia Drive, to the east, as part of the Arterial 8 extension. Arterial 8 (Forsythia Drive) was planned to be a ninety-foot arterial roadway that was to connect Loop 360 to Yaupon Drive. The City of Austin has deleted the plans to construct Arterial 8, due in part to BCCP issues and because of the City's purchase of the Stennis Tract.

Zimmerman Lane is a county roadway that was annexed by the city of Austin in 1997. There are no planned improvements for this portion of Zimmerman Lane and there will not be a traffic light constructed at the intersection of Zimmerman Lane and R.M. 620 because there is already a light proposed for the intersection of Parke Drive and R.M. 620. to the north. Parke Drive and Zimmerman Lane will not be aligned in the future.

The property in this case is surrounded by LO, Limited Office District, zoning to the north, DR, Development Reserve District, zoning to the east and west, and SF-2, Single-Family Residence-Standard Lot District, zoning to the south. There are single-family houses located to the south and west of the proposed change. The land to the east of this case is part of the Four Points Centre PUD (Lot 7, Block A). It is designated as 102.90 acres of Habitat Preserve and will remain an undeveloped/undisturbed area.

The staff recommends SF-2 zoning for the property in question because the proposed SF-2 zoning is consistent with the SF-2 zoning located to the south and northwest and the existing single-family homes located to the south and west of this site. The intensity of residential development that is allowed by the SF-2 district is more appropriate for Zimmerman Lane, a roadway that has difficult access onto R.M. 620 and that will never be improved to connect to another roadway to allow for additional access to the proposed site.

The applicant disagrees with the staff's recommendation.

BASIS FOR RECOMMENDATION

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

Single-family residence standard lot (SF-2) district 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.

SF-2 zoning will allow for additional residential development in this area without overburdening the existing county roadway. The intensity of residential development that is permitted by the SF-2 district is more appropriate for Zimmerman Lane, a roadway that has difficult access onto R.M. 620 and that will never be improved to connect to another roadway to allow for additional access to the proposed site.

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

The proposed SF-2 zoning would be consistent with the SF-2 zoning located to the south and northwest and the existing single-family homes located to the south and west of this site.

EXISTING CONDITIONS

Site Characteristics

The property in question contains a single-family residence. The site is relatively flat and is located near the cul-de-sac on a collector street.

Impervious Cover

The maximum impervious cover allowed by the SF-6 zoning district would be 55%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

Under the 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>% NSA with Transfers</i> |
|-----------------------------------|---------------------------|-----------------------------|
| One or Two Family Residential | 30% | 40% |
| Multifamily Residential | 40% | 55% |
| Commercial | 40% | 55% |

Development within a Water Quality Transition Zone may not exceed 18% impervious cover.

Note: The most restrictive impervious cover limit applies.

Environmental

The site is located over the Northern Edward's Aquifer Recharge Zone. The site is in the Bull 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.

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.

At this time, site-specific information is unavailable regarding existing trees and 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.

Transportation

No additional right-of-way is needed at this time. Additional right-of-way may be required with the subdivision and/or site plan.

The trip generation under the requested zoning is estimated to be 518 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

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]

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

Existing Street Characteristics:

| NAME | ROW | PAVEMENT | CLASSIFICATION |
|----------------|-----|----------|----------------|
| Zimmerman Lane | 60' | Varies | Local |

Right of Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or system upgrades, or offsite main extension, or utility adjustment,

or utility relocation are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City's utility design criteria and specifications.

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 storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Compatibility Standards

No comments.

13. C14-04-0099 – HAMID ZARAFSHANI, By: Sarah Crocker, 11108 Zimmerman Lane. (Bull Creek). **FROM DR TO SF-6. ALTERNATE RECOMMENDATION: SF-2. City Staff: Sherri Gager, 974-3057.**

APPROVED SF-6-CO ZONING; MAXIMUM OF 25 LIVING UNITS, 30% IMPERVIOUS COVER OR 40% IMPERVIOUS COVER WITH TRANSFERS.

[B.B; T.R 2ND] (8-0) J.P – ABSENT

14. C14-04-0106 – CITY OF AUSTIN – PARD, By: City of Austin – PARD (Sarah Campbell), 12100 Block of Metric Blvd. (Walnut Creek). **FROM MF-2-CO TO P. RECOMMENDED. City Staff: Glenn Rhoades, 974-2775.**

APPROVED STAFF'S RECOMMENDATION; BY CONSENT.

[J.M; J.G 2ND] (8-0) J.P – ABSENT

DISCUSSION AND ACTION ON SITE PLAN CASES

15. SPC-04-0002A – SUSY'S DAYCARE, By: Sergio and Irma Arrieta, 308 W. William Cannon Drive, Unit B. (Williamson Creek). **REQUEST FOR A CONDITIONAL USE PERMIT. RECOMMENDED. City Staff: Sue Welch, 974-3294. ORIGINALLY ON JUNE 15, 2004 AGENDA; RESCINDED AND RECONSIDERED TO PUT ON JULY 20, 2004 AGENDA. POSTPONED FROM 7-20 (APPLICANT).**

DENIED STAFF'S RECOMMENDATION.

[J.M; B.B 2ND] (8-0) J.P – ABSENT

16. SPC-04-0020C.SH – MCKINNEY HEIGHTS AMENTIES CENTER, By: KB Homes Lone Star L.P (John Zinsmeyer), Longaro & Clarke (Danny Miller), Baythorne Drive. (Onion Creek). **FOR A CONDITIONAL USE PERMIT. RECOMMENDED. City Staff: Javier Delgado, 974-7648.**

WAIVER: A waiver has been requested from LDC Section 25-2-1067(F): an intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50-feet or less from adjoining property used or zoned as SF-5 or more restrictive. Staff recommendation is to grant the requested waiver. **RECOMMENDED.**

APPROVED STAFF'S RECOMMENDATION.

[K.J; M.W 2ND] (6-2) J.D, T.R – NAY; J.P – ABSENT

DATE: JULY 9, 2004

FROM: DANIEL WEAVER
11109 ZIMMERMAN LANE
AUSTIN, TEXAS 78726

TO: SHERRI GAGER
CITY OF AUSTIN


SUBJECT: PROTEST ZONING CHANGE PROPOSAL C14-04-0099

WE AND OUR NEIGHBORS, MR. AND MRS. FRED SMITH, ARE NOT IN FAVOR THE PROPOSED ZONING CHANGE. THIS REQUEST FOR ZONING CHANGE IS SIMILAR TO C14-04-0043 (ATTAL'S PROPERTY). WE WERE OPPOSED THAT CHANGE AS WELL.

OUR OBJECTIONS TO THE ZONING CHANGE ARE:

- INCREASED TRAFFIC ON A 22 FEET WIDE STREET
- THIS IS NOT A NORMAL STREET.
- THERE ARE NO SIDE WALKS.
- STREET DOES NOT HAVE A CENTER STRIPE.
- NO OUTLET STREET.
- THERE IS ONLY A 2" SEWAGE LINE... WOULD REQUIRE UPDATING.
- SEWAGE LINE WOULD REQUIRE ENLARGING, LIFT STATION, GRINDER PUMP.
- WOULD SEVERELY ALTER OUR QUALITY OF LIFE WITH TRAFFIC AND NOISE POLLUTION.

WE ARE SORLEY CONCERNED ABOUT THE DECREASE IN OUR PROPERTY VALUES, THE CONGESTION AND OUR SAFETY. **PLEASE DO NOT APPROVE THIS ZONING CHANGE.**


DANIEL WEAVER
ANNE WEAVER

CC: MR. AND MRS. FRED SMITH

PETITION

Case Number:

C14-04-0099

Date:

Aug. 25, 2004

Total Area within 200' of subject tract: (sq. ft.)

552,542.79

| | | | | |
|----|---------------------|-------------------|------------------|--------------|
| | | WEAVER DANIEL P & | | |
| 1 | <u>01-5937-0221</u> | <u>ANNE M</u> | <u>31,764.03</u> | <u>5.75%</u> |
| 2 | | | | <u>0.00%</u> |
| 3 | | | | <u>0.00%</u> |
| 4 | | | | <u>0.00%</u> |
| 5 | | | | <u>0.00%</u> |
| 6 | | | | <u>0.00%</u> |
| 7 | | | | <u>0.00%</u> |
| 8 | | | | <u>0.00%</u> |
| 9 | | | | <u>0.00%</u> |
| 10 | | | | <u>0.00%</u> |
| 11 | | | | <u>0.00%</u> |
| 12 | | | | <u>0.00%</u> |
| 13 | | | | <u>0.00%</u> |
| 14 | | | | <u>0.00%</u> |
| 15 | | | | <u>0.00%</u> |
| 16 | | | | <u>0.00%</u> |
| 17 | | | | <u>0.00%</u> |
| 18 | | | | <u>0.00%</u> |
| 19 | | | | <u>0.00%</u> |
| 20 | | | | <u>0.00%</u> |
| 21 | | | | <u>0.00%</u> |
| 22 | | | | <u>0.00%</u> |
| 23 | | | | <u>0.00%</u> |
| 24 | | | | <u>0.00%</u> |
| 25 | | | | <u>0.00%</u> |
| 26 | | | | <u>0.00%</u> |
| 27 | | | | <u>0.00%</u> |
| 28 | | | | <u>0.00%</u> |

Validated By:

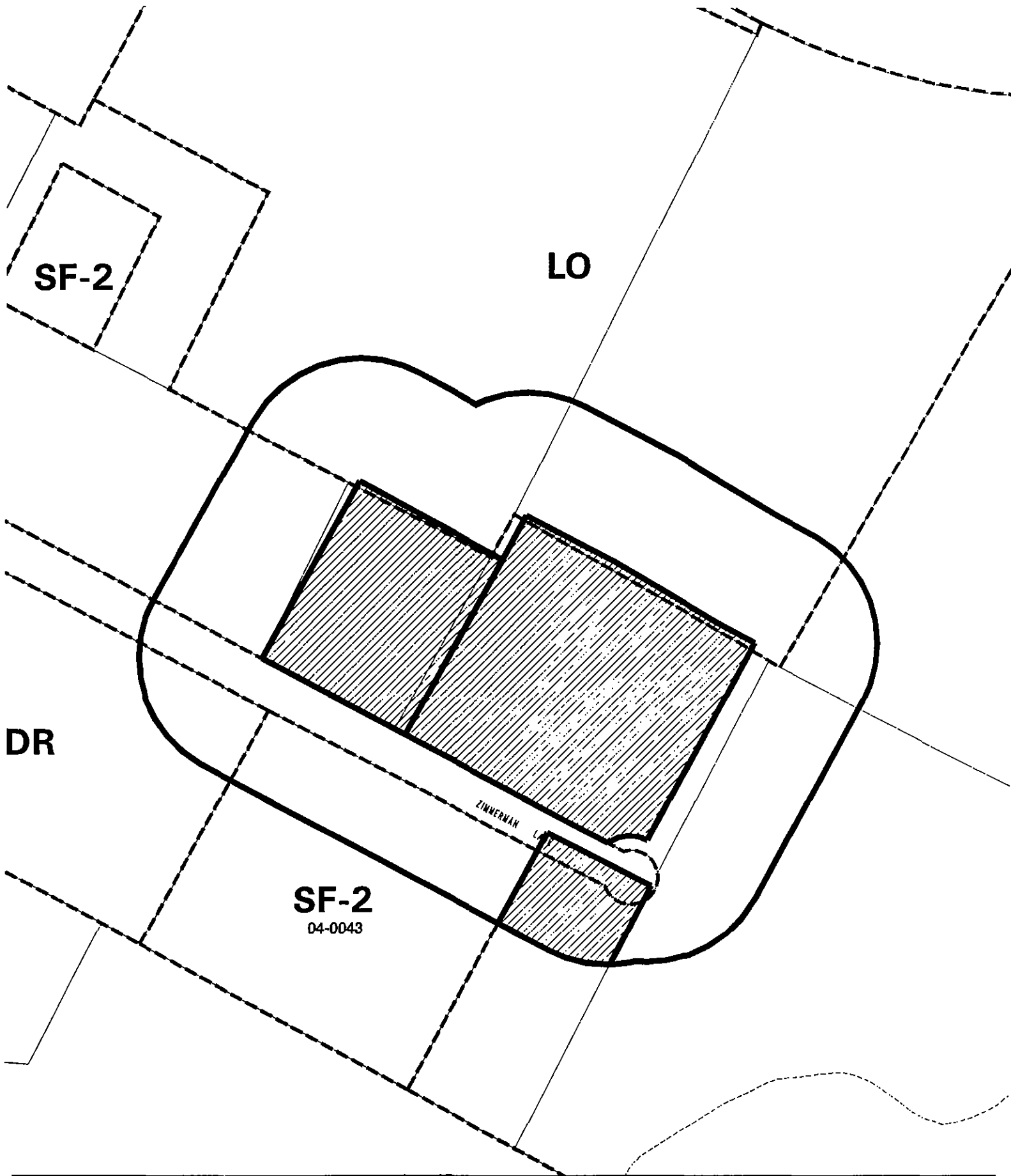
Stacy Meeks



Total Area of Petitioner:

31,764.03

Total %

5.75%



| | | | | | |
|---|--------------------|---|-------------------------------|-------------|---|
|  1" = 200' | SUBJECT TRACT |  | PETITIONS | | CITY GRID REFERENCE NUMBER D34 |
| | PENDING CASE | | | | |
| | ZONING BOUNDARY | ----- | CASE #: C14-04-0099 | DATE: 04-08 | |
| | CASE MGR: S. GAGER | | ADDRESS: 11108 ZIMMERMAN LANE | INTLS: SM | |
| | | | SUBJECT AREA (acres): 5.943 | | |