

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-5
AGENDA DATE: Thu 01/15/2004
PAGE: 1 of 1**

SUBJECT: C14-03-0166.SH - The Canyon at Red Willow - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8422-8504 Red Willow Drive (Williamson Creek Watershed) from rural residential (RR) district zoning to single family residence standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence standard lot (SF-2) district zoning. Applicant: DSJ Land Group, Ltd. (Stephen E. Jensen et al.). Agent: DSJ Land Group, Ltd. (Stephen E. Jensen). City Staff: Annick Beaudet, 974-2975.

REQUESTING	Neighborhood Planning	DIRECTOR'S
DEPARTMENT:	and Zoning	AUTHORIZATION: <u>Greg Guernsey</u>

ZONING CHANGE REVIEW SHEET

CASE: C14-03-0166.SH **ZPC DATE:** December 16, 2003

ADDRESS: 8422-8504 Red Willow Drive

OWNER/APPLICANT: DSJ Land Group, LTD. **AGENT:** Steve E. Jensen

ZONING FROM: RR **TO:** SF-2 **AREA:** 2.714 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends single family residence standard lot (SF-2) district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

12-16-03: Approved staff's recommendation of single family residence standard lot (SF-2) zoning.
Vote: (8-0) CH – absent

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

This is a City of Austin S.M.A.R.T Housing project. (Exhibit A)

The applicant has indicated the intent to develop a single-family subdivision development. The number of units will be determined at the time of subdivision and will be limited by impervious cover limits as required in the Barton Springs Zone.

According to the applicant, this site does contain some fill (rock and soil) from the construction of the adjacent road during the buildout of the subdivision in the late 1970s and early 1980s. Three lots outside the subject tract but on the fill area have been platted and zoned - at the eastern and western edges of the fill area - and two of these lots have been built with single-family houses. The applicant has had a geotechnical study done and has determined that the site is appropriate for single-family housing, and will be using concrete piers for the foundation. The applicant has also had a phase I environmental study conducted.

The adjacent subdivision was approved on January 13, 1981. (Exhibit B).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	RR	Undeveloped
<i>North</i>	RR	Undeveloped
<i>South</i>	SF-2	Single family homes
<i>East</i>	SF-2	Undeveloped, single family homes
<i>West</i>	SF-2	Undeveloped

AREA STUDY: Oak Hill Area Study **TIA:** Not required.

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: No.

CAPITOL VIEW CORRIDOR: No.

HILL COUNTRY ROADWAY: No.

NEIGHBORHOOD ORGANIZATIONS:

Save Barton Creek Assn.
Barton Springs Coalition
Wynrock Area Neighborhood Assn.
Hill Country Estates Homeowners Assoc.
Save Our Springs Alliance

CASE HISTORIES:

NUMBER	REQUEST	ZONING AND PLATTING/PLANNING COMMISSION	CITY COUNCIL
C14-85-288.B	Oak Hill Area Study	Not available.	Approved June 11, 1987.
C14-00-2005	City initiated zoning case from I-RR to RR	3-21-00: Recommend by consent.	4-20-00: Approve RR zoning.

RELATED CASES:

There are no pending site plan or subdivision applications currently under review by the City of Austin.

ABUTTING STREETS:

Name	ROW	Pavement	Classification
Red Willow Drive	50'	30'	Local Residential

CITY COUNCIL DATE: January 15, 2003

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Annick Beaudet

PHONE: 974-2975



<div data-bbox="71 1904 135 2049"> </div> <div data-bbox="135 1904 526 2049"> <p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: A. BEAUDET</p> </div>	<div data-bbox="877 1915 1005 1960"> <p>ZONING</p> </div> <div data-bbox="542 1960 989 2083"> <p>CASE #: C14-03-0166.SH</p> <p>ADDRESS: 8422-8504 RED WILLOW DR</p> <p>SUBJECT AREA (acres): 2.714</p> </div> <div data-bbox="1037 1993 1197 2083"> <p>DATE: 03-12</p> <p>INTLS: SM</p> </div>	<div data-bbox="1388 1904 1556 2027"> <p>CITY GRID REFERENCE NUMBER</p> <p>A20</p> </div>
---	--	---



STAFF RECOMMENDATION

C14-03-0166.SH

Staff recommends single-family residence standard lot (SF-2) district zoning.

BACKGROUND

The property was zoned rural residence (RR) district zoning via the Oak Hill Area Study rezonings in 1985. The planning process for the Oak Hill Area Study provided for three zoning recommendations (staff, neighborhood, and property owner). The staff recommendation in 1985, according to the Oak Hill Area Study document, was RR, the neighborhood recommendation, in 1985, was single family residence standard lot (SF-2), and the property owner apparently did not indicate a preferred zoning for the property.

BASIS FOR RECOMMENDATION

- The requested zoning is compatible with the adjacent, existing SF-2 zoning and land uses and provides for an orderly relationship among land uses and zoning.
- The request is consistent with existing residential densities within the immediate and surrounding area.
- The rezoning request is a certified City of Austin S.M.A.R.T. housing project, which fulfills policies and principals of the City Council regarding the desire to provide reasonably priced housing in Austin.
- The rezoning request is consistent with the Oak Hill Area Study staff recommendations and findings. Page nine of the study states that the area "should continue to develop with similar uses and density."

EXISTING CONDITIONS

Site Characteristics

The site is undeveloped with sparse, naturally occurring vegetation. There is steep, uneven grade at the back of the property.

Impervious Cover

The maximum impervious cover allowed by the SF-2 zoning district would be 45%. 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. This site is not located over the Edward's Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, and 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. Impervious cover on this property is limited to 25%.

Environmental

According to flood plain maps, there is no flood plain within the project location.

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.

Compatibility Standards

The proposed zoning does not trigger compatibility issues.

DEPARTMENT COMMENTS

This is a City of Austin S.M.A.R.T Housing project. (Exhibit A)

The applicant has indicated the intent to develop a single-family subdivision development. The number of units will be determined at the time of subdivision and will be limited by impervious cover limits as required in the Barton Springs Zone.

According to the applicant, this site does contain some fill (rock and soil) from the construction of the adjacent road during the buildout of the subdivision in the late 1970s and early 1980s. Three lots outside the subject tract but on the fill area have been platted and zoned - at the eastern and western edges of the fill area - and two of these lots have been built with single-family houses. The applicant has had a geotechnical study done and has determined that the site is appropriate for single-family housing, and will be using concrete piers for the foundation. The applicant has also had a phase I environmental study conducted.

The adjacent subdivision was approved on January 13, 1981. (Exhibit B).



City of Austin

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

Neighborhood Housing and Community Development Office

Gina Copic, S.M.A.R.T. Housing Manager
(512) 974-3180, Fax: (512) 974-3112, gina.copic@ci.austin.tx.us

October 30, 2003

S.M.A.R.T. Housing Certification
Red Willow Drive Subdivision
DSJ Land Group/Stephen Jensen 220-3881

TO WHOM IT MAY CONCERN:

DSJ Land Group is proposing a 10 unit single-family subdivision between 8422 and 8504 on Red Willow Drive. The Neighborhood Housing and Community Development Department (NHCD) certifies that the proposed construction meets the S.M.A.R.T. Housing™ standards at the pre-submittal stage. Since 2 (20%) of the homes will serve families at 80% Median Family Income (MFI) or below, the development will be **eligible for 50% waiver** of the fees listed in Exhibit A of the S.M.A.R.T. Housing Resolution adopted by the City Council. The expected fee waivers include, but are not limited to, the following:

Zoning Fees	Concrete Permit
Subdivision Fees	Electrical Permit
Construction Inspection Fee	Mechanical Permit
Capital Recovery Fees	Plumbing Permit
Building Permit	

Prior to commencement of construction, the developer must:

- ♦ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Shirley Muns, Austin Energy, 322-6453).

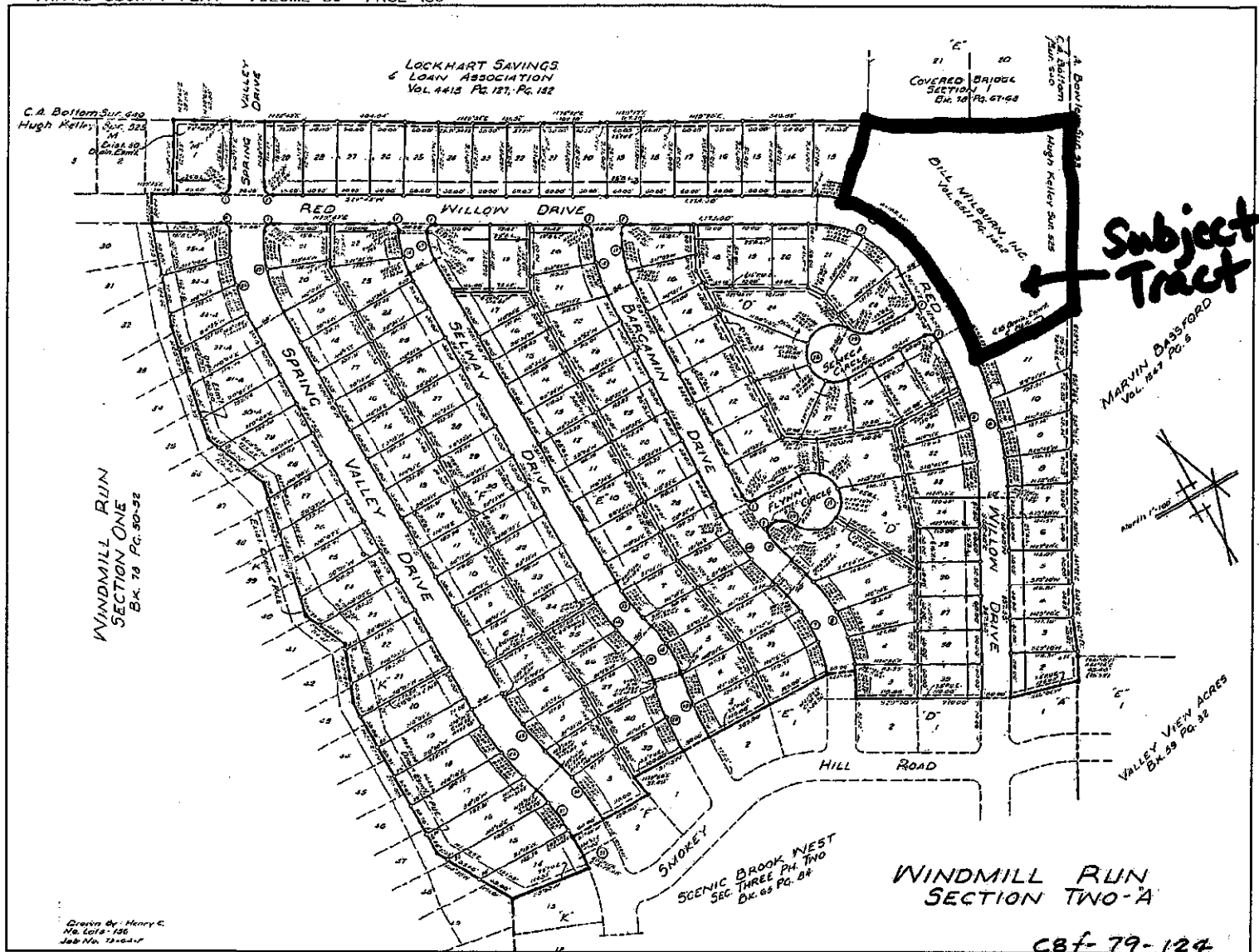
Before a Certificate of Occupancy will be granted, the development must:

- ♦ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Note: this inspection is separate from any other inspections required by the City of Austin or Austin Energy).
- ♦ Pass a final inspection by NHCD to certify that Visitability standards have been met.

Please call me at 974-3180 if you need additional information.

Gina Copic, S.M.A.R.T. Housing™ Manager
Neighborhood Housing and Community Development Office

Cc:	Javier Delgado, WPDR	Janet Gallagher, WPDR	Stuart Hersh, NHCD
	Robby McArthur, WWW Taps	Jim Lund, PW	Steve Barney, NHCD
	Shirley Muns, Austin Energy	Marzia Volpe, WPDR	Ricardo Soliz, NPZD
	Marisol Claudio-Ehalt, WPDR	Anthony Fryer, WPDR	Steve Rossiter, NPZD



Subject - Tract

Exhibit B

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 8422-8504 RED WILLOW DRIVE FROM RURAL
3 RESIDENCE (RR) DISTRICT TO SINGLE FAMILY RESIDENCE STANDARD
4 LOT (SF-2) DISTRICT.

5
6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

7
8 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from rural residence (RR) district to single family residence
10 standard lot (SF-2) district on the property described in Zoning Case No.C14-03-0166SH,
11 on file at the Neighborhood Planning and Zoning Department, as follows:

12
13 A 2.714 acre tract of land, more or less, out of the Hugh Kelly Survey No. 525, in
14 Travis County, the tract of land being more particularly described by metes and
15 bounds in Exhibit "A" incorporated into this ordinance,

16
17 locally known as 8422-8504 Red Willow Drive, in the City of Austin, Travis County,
18 Texas, and generally identified in the map attached as Exhibit "B".

19
20 PART 2. This ordinance takes effect on _____, 2004.

21
22
23 PASSED AND APPROVED

24
25
26
27 _____, 2004

§
§
§

Will Wynn
Mayor

28
29
30
31
32 APPROVED: _____

33 David Allan Smith
34 City Attorney

ATTEST: _____

Shirley A. Brown
City Clerk

C14-03-0166.S1



P. O. Box 324
Cedar Park, Texas 78630-0324
(512) 259-3361 Phone
(512) 259-3381 Fax

**METES AND BOUNDS DESCRIPTION
2.714 ACRES OF LAND
IN TRAVIS COUNTY, TEXAS**

BEING A 2.714 ACRE TRACT OF LAND SITUATED IN THE HUGH KELLY SURVEY NO. 525, IN TRAVIS COUNTY, TEXAS, AND ALSO BEING OUT OF THAT CERTAIN 174.815 ACRE TRACT OF LAND CONVEYED TO BILL MILBURN, INC., BY INSTRUMENT RECORDED IN VOLUME 6511, PAGE 1462 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID 2.714 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8" iron pipe found for the Northeast corner of Lot 20, Block "E", "Covered Bridge, Section One", recorded in Volume 78, Page 67 of the Travis County Plat Records, same being in the South line of that certain 51.7 acre tract of land conveyed Marvin Bassford by instrument recorded in Volume 1347, Page 5 of the Deed Records of Travis County, Texas, for the Northwest corner hereof;

THENCE, with the South boundary line of said 51.7 acre Bassford tract for the North boundary line hereof, South 59°00'56" East, a distance of 336.47 feet to a 1/2" iron rod found in the South boundary line said 51.7 acre Bassford tract, same being the Northwest corner of Lot 11, Block "A", "Windmill Run, Section Two-'A'", recorded in Volume 80, Page 186 of the Travis County Plat Records, for the Northeast corner hereof;

THENCE, with the West boundary line of said Lot 11 for the East boundary line hereof, South 05°04'17" West, a distance of 188.43 feet to a 1/2" iron rod found for the Southwest corner of said Lot 11, same being in the North Right-of-Way line of Red Willow Drive (50' Right-of-Way per Volume 80, Page 186, Travis County Plat Records), for the Southeast corner hereof;

THENCE, along the North Right-of-Way of Red Willow Drive with the South boundary line hereof the following three courses;

EXHIBIT A

1. With a non-tangent curve to the left having a Radius of 634.24 feet, a Chord Bearing and Distance of North 86°06'59" West, 67.78 feet to a 1/2" iron rod found;
2. North 89°12'00" West, a distance of 128.92 feet (Bearing Basis for this survey) to a 1/2" iron rod found;
3. With a curve to the left having a Radius of 219.48 feet, a Chord Bearing and Distance of South 66°38'41" West, 178.60 feet to a 1/2" iron rod found for the Northeast corner of Lot 13, Block "A", of said Windmill Run subdivision, for the most southerly Southeast corner hereof;

THENCE, with North boundary line of said Lot 13, for the South boundary line hereof, North 43°51'28" West, a distance of 143.56 feet for a 1/2" iron rod found for the Northwest corner of said Lot 13, same being in the East boundary line of that certain tract of land, now or formerly, conveyed to Lockhart Savings & Loan Association by instrument recorded in Volume 4413, Page 127, Page 152, of the Deed Records of Travis County, Texas, for the Southwest corner hereof;


THENCE, with the East boundary line of said Lockhart Savings & Loan Association tract, for the West boundary line hereof, North 29°25'23" East, a distance of 12.83 feet to a 1/2" iron rod found for the Northeast corner of said Lockhart Savings & Loan Association tract, same being the Southeast corner of Lot 21, Block "E" of said Covered Bridge subdivision, for an angle point hereof;

THENCE, with the East boundary line of said Lot 21, for the West boundary line hereof, North 29°26'55" East, a distance of 54.57 feet to a 1/2" iron pipe found in the East boundary line of said Lot 21, for an angle point hereof;

THENCE, with the East boundary line of said Lots 21 and 20, for the West boundary line hereof, North 30°30'31" East, a distance of 305.39 feet to the point of **BEGINNING**, containing 2.714 Acres of land.

This legal description is to accompany a separate sketch of survey.

Surveyed under the direct supervision of the undersigned:


Charles G. Walker
Registered Professional Land Surveyor
Number 5283
Walker Texas Surveyors
P.O. Box 324
Cedar Park, Texas 78630

October 09, 2003
Date of field survey

308001.doc



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER A20
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-03-0166.SH	DATE: 03-12	
	CASE MGR: A. BEAUDET	ADDRESS: 8422-8504 RED WILLOW DR	INTLS: SM	
SUBJECT AREA (acres): 2.714				

M E M O R A N D U M

TO: Betty Baker, Chair and Members of the Zoning and Platting Commission

FROM: Dora Anguiano, Zoning and Platting Commission Coordinator
Neighborhood Planning and Zoning Department

DATE: January 7, 2004

SUBJECT: Zoning and Platting Commission Summary

Attached is a Zoning and Platting Commission summary, which will be forwarded to the City Council.

CASE # C14-03-0166.SH

13. C14-03-0166.SH – DSJ LAND GROUP, LTD. (Stephen E. Jensen), By: REG, Inc. (Stephen E. Jensen), 8422-8504 Red Willow Drive. (Williamson Creek). **FROM RR TO SF-2. RECOMMENDED. City Staff: Annick Beaudet, 974-2975.**

SUMMARY

Annick Beaudet, staff – “This is a rezoning request from RR to SF-2; it’s approximately 2.714 acres and staff recommends this rezoning request to SF-2 district zoning...”.

Commissioner Baker – “Let me interrupt you; is there opposition to this?”

Ms. Beaudet – “There is, there’s someone signed up to speak in opposition and I received one phone call. Continuing...this is a City of Austin SMART Housing Project and the applicant has shared with me that the intent is to develop a single-family subdivision on the property. The number of units will be determined at the time of subdivision and will be limited by impervious cover per the Barton Springs Zone, which is 25% because this tract lies in the contributing zone. I will mention also that this tract lies within the boundaries of the Oak Hill Area Study. During that process, staff came forward with a recommendation, the neighborhood came forward with a recommendation and the property owners came forward with a recommendation. The neighborhood recommendation on this tract was SF-2, to be consistent with the adjacent neighborhood. The basis for the staff recommendation to recommend the request of SF-2 is because the requested zoning is compatible with the adjacent existing SF-2 zoning and uses and provides for an orderly relationship among land use and zoning. The request is consistent with existing residential densities with the immediate and surrounding area; and the request satisfies current policies and principles of the City Council, which are to provide reasonably priced housing in the City of Austin. Lastly, the staff recommendation and findings as listed in the Oak Hill Area Study, specifically on page 9, states that the area should continue to develop with similar uses and density, having the area that subject tract lies in, being referenced. So based on that we recommend the applicant’s request”.

Commissioner Baker – “Approximately, how many lots will there be?”

Ms. Beaudet – “I think the agent will be the best to speak to that; but what was shared with me was that they really don’t know because they haven’t moved forward with subdivision yet and they’re going to be severely limited by 25% impervious cover. I will let them speak to that”.

Commissioner Baker – “Okay, thank you”.

Commissioner Jackson – “It looks like there may be some flood plain or something in the critical water quality...”

Ms. Beaudet – “I did check for floodplain and there is no floodplain currently on this subject tract”.

Commissioner Jackson – “There’s some creek or something behind it”.

Ms. Beaudet – “Yes, there is a creek...I maybe should have done a contour overlay. The contours drop very steep towards the back of the lot, it’s flat from the street and then drops severely into that creek. I’m not exactly sure how far, but a good portion of the back is probably undevelopable”.

Stuart Hersch, SMART Housing – “I have an answer to your question about the proposed number of units. The SMART Housing application that we received is for a 10 unit single-family subdivision”.

Commissioner Baker – “Okay, thank you. Do you have a presentation; or is that pretty well your presentation?”

Mr. Hersch – “No presentation”.

Commissioner Baker – “Okay, so basically you got 10 lots that will come in facing on Red Willow Drive, with the back portion undevelopable?”

Mr. Hersch – “That’s our understanding”.

FAVOR

Stephen Jensen, representing the owner – “We’re not going to be able to get the 10 lots; we’re going to see how many we can get based on the water quality requirements for the 25% impervious cover. It will be less than 10; there’s a drainage easement to the northwest side, but there is no floodplain on the property itself”.

Commissioner Cortez – “It’s nice to see some SMART Housing on the West side of the highway”.

Commissioner Baker – “I don’t disagree with you”.

Commissioner Donisi – “Is there a bus stop that’s close to this project?”

Mr. Jensen – “There actually is a bus stop right about where the property boundary is; where the SF-2 is noted”.

Commissioner Donisi – “On Red Willow?”

Mr. Jensen – “Yes, that’s correct”.

Commissioner Donisi – “Thank you”.

Commissioner Baker – “Where’s the nearest school?”

Mr. Jensen – “I’m not sure where the nearest school is”.

Commissioner Baker – “Okay, any other questions?”

OPPOSITION

Mike Bond – Spoke in opposition.

Ms. Lindinna – Spoke in opposition.

REBUTAL

Mr. Jensen – “My desire is to be consistent with the neighborhood. I realize anything that we do here is going to change their view, so I guess there’s not much else that I can say to that”.

Commissioner Martinez and Gohil moved to close the public hearing.

Commissioner Cortez – “I move to approve SF-2 zoning”.

Commissioner Gohil – “Second”.

Commissioner Baker – “I understand the opposition and I sympathize with you; but that’s a risk that you run”.

Motion carried.

**COMMISSION ACTION:
MOTION:**

AYES:

ABSENT:

**CORTEZ, GOHIL
APPROVED
RECOMMENDATION OF STAFF’S
ZONING. SF-2
PINNELLI, GOHIL, MARTINEZ,
JACKSON, WHALEY, BAKER,
DONISI, CORTEZ
HAMMOND**

MOTION CARRIED WITH VOTE: 8-0.