

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2019-0109 – Messinger Tract Rezoning

DISTRICT: 5

ZONING FROM: RR; I-RR

ZONING TO: SF-6

ADDRESSES: 9900 David Moore Drive; 9800 Swansons Ranch Road

SITE AREA: 27.03 acres

PROPERTY OWNER: Milton A. Messinger Tax Exempt Family Trust

APPLICANT / AGENT: Thrower Design (Ron Thrower)

CASE MANAGER: Wendy Rhoades (512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov))

STAFF RECOMMENDATION:

**The Staff recommendation is to grant townhouse and condominium residence (SF-6) district zoning. The basis of Staff's recommendation is provided on page 2.**

**The Restrictive Covenant includes all recommendations listed in the Neighborhood Traffic Analysis memo, dated November 8, 2019, as provided in Attachment A.**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**November 19, 2019:**

November 5, 2019: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO NOVEMBER 19, 2019*

*[H. SMITH; B. EVANS – 2<sup>ND</sup>] (9-0) J. DUNCAN – ABSENT; 1 VACANCY ON THE COMMISSION*

CITY COUNCIL ACTION:

**December 5, 2019:**

ORDINANCE NUMBER:

ISSUES:

The Applicant and Texas Oaks Neighborhood Association are scheduled to meet and discuss the case on Friday, November 15, 2019.

CASE MANAGER COMMENTS:

The subject zoning and rezoning area consists of one platted lot zoned rural residence (RR) and a large tract of land that contains two occupied single family residences and one vacant

single family residence zoned interim – rural residence (I-RR) district. To the north, Swanson’s Ranch Road contains a mixture of commercial, office, and several single family residences (SF-1, NO-MU, CS-CO, GO-CO), across David Moore Drive to the east is an apartment complex and an AISD middle school (MF-1-CO, I-RR), to the south is a church, and Slaughter Creek (SF-2; I-RR), and to the west are several duplexes, a single family residential neighborhood and a church (SF-3; SF-4A; SF-6). ***Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).***

The Applicant proposes to rezone the property to the townhouse and condominium residence (SF-6) district as the first step in constructing up to 120 stand-alone condominium units and a public elementary (charter) school with a maximum capacity of 1,500 students. A civic / park area is also shown along the David Moore Drive frontage as well as a separate stormwater pond area. Two driveways each are proposed for David Moore Drive and Bilbrook Place. Access to Swansons Ranch Road is not proposed. SF-6 zoning allows for the ability to introduce a different type of housing to the area, yet condominiums, including those recently constructed with access to South Chisholm Trail to the east (SF-6-CO) can have more of a single family appearance, and be compatible with the existing single family residences in the vicinity. The results of a neighborhood traffic analysis require the Owner to provide separate left-turn lanes for vehicles entering the site at each driveway along Bilbrook and David Moore, to be constructed with their associated site plan. The purpose is to ensure safer access and circulation for the residents and school. ***Please refer to Exhibit C (Bubble Plan).***

#### **BASIS OF RECOMMENDATION:**

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

The townhouse and condominium residence (SF-6) district is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use. The Applicant intends to develop the property with a condominium project consisting of stand-alone condominium units per structure and a public primary educational facility.

- 2. Zoning changes should promote an orderly and compatible relationship among land uses.*
- 3. Zoning should be consistent with approved and existing residential densities.*

This is a case of residential infill in a lower density residential area. There will be an impact on David Moore Drive and Bilbrook Place with additional vehicle trips, and the Owner will be responsible for separate left-turn lanes for entering site traffic.

In the broader city-wide context, SF-6 zoning is a reasonable option for multiple-acre parcels developed or redeveloped as residential infill. As indicated in the purpose statement of the district, SF-6 can be a transition to single-family residential – reflecting it is an appropriate and compatible use.

In conclusion, Staff believes the proposed SF-6 zoning and condominium development is compatible with the single-family character of the area that includes single family residential subdivisions, duplexes, stand-alone condominiums and apartments.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	RR; I-RR	Three single family residences; Pond
<i>North</i>	SF-2; NO-MU; SF-1; LO-CO; GO-CO; RR	Several single family residences; Wood flooring company; Undeveloped; Office; Manufactured home; Roofing / Contractor's office; Plumbing company (vacant); Warehouse
<i>South</i>	SF-2; I-RR; I-SF-2	Church; Undeveloped; Single family residences in the Texas Oaks subdivision
<i>East</i>	MF-1-CO; I-RR	Apartments; AISD Middle School (Paredes)
<i>West</i>	SF-3; SF-4A; SF-6-CO	Duplexes; Single family residences in the Hollow at Slaughter Creek subdivision; Church

AREA STUDY: Not Applicable

NTA: Is required – Please refer to Attachment A

WATERSHED: Slaughter Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

242 – Slaughter Lane Neighborhood Association  
 360 – Texas Oaks South Neighborhood Association  
 627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District      1228 – Sierra Club, Austin Regional Group  
 1363 – SEL Texas      1528 – Bike Austin  
 1530 – Friends of Austin Neighborhoods      1531 – South Austin Neighborhood Alliance  
 1616 – Neighborhood Empowerment Foundation

SCHOOLS:

Casey Elementary School

Paredes Middle School

Akins High School

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0048 – The Avalon N Holdings, LLC – 9606 Swansons Ranch Rd	SF-2 to CS	To Grant CS-CO w/CO for list of prohibited uses	Apvd CS-CO as Commission recommended (6-20-2019).
C14-2009-0098 –	SF-1 to NO-MU	To Grant, as requested	Apvd (12-17-2009).

Apogee Workshop – 9704 Swansons Ranch Rd			
C14-2008-0052 – TJG – Swansons Ranch Road – 9609 Swansons Ranch Rd	SF-2 to CS	To Grant GO-CO w/CO for personal services use and all NO uses and dev't regs, parking to be located offsite, 150 trips per day and conditions of NTA. Encourage Applicant to petition City for no parking signs on David Moore Dr	Apvd GO-CO w/ Restrictive Covenant for the NTA, as Commission recommended (1-15-2009).
C14-00-2027 – Texas Oaks Baptist Church – 9910 Bilbrook Pl	I-RR to LO	To Grant SF-6	Apvd SF-6-CO w/CO for 2,000 trips/day (9-7-2000).
C14-97-0031 – St. Paul's Catholic Church – 10000 David Moore Dr	I-RR to SF-2	To Grant, as requested	Apvd (6-26-1997).
C14-96-0073 – Texas Oaks 4B – 9931 Bilbrook Pl	I-RR to SF-3	To Grant, as requested	Apvd (8-8-1996).
C14-95-0121 and C14-95-0122 – City of Austin-City Initiated – 9702- 9800 and 9703- 97091 Block of Swansons Ranch Rd, and 9800 David Moore Dr	DR; SF-2 to RR; SF-1	To Grant RR; SF-1; SF-2	Apvd RR; SF-1 (11-16-1995).
C14-95-0121 – City of Austin-City Initiated – 9600 – 9899 Block of Swansons Ranch Rd	DR; SF-2 to RR; SF-1	To Grant RR; SF-1; SF-2	Apvd RR; SF-1; and Tract 1 stays SF-2 (11-16-1995).
C14-00-2098 – Blackhawk Apartments – 1200 West Slaughter Ln	SF-1 to MF-1- CO and LR-CO	To Grant MF-1-CO and LR-CO, w/conditions	Apvd MF-1-CO and LR-CO, with CO for Traffic Impact Analysis; 13.24 u.p.a. (300 units); 15'

			vegetative buffer along David Moore Rd; list of prohibited uses (1-25-2001).
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RELATED CASES:

The RR portions of the rezoning area were approved by Council on November 16, 1995 (C14-95-0121 and C14-95-0122 – City of Austin-City Initiated).

The RR portion of the property was annexed into the City limits on November 15, 1984 (C7A-83-017 A). The I-RR portion was annexed on November 16, 1995 (C7a-95-001).

The west RR portion of the rezoning area is platted as Lot 1 of Swanson's Ranchettes No. 3, recorded in July 1969 (C8s-69-058). Please refer to Exhibit B. The remainder of the zoning area is unplatted.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
David Moore Drive	60 feet	20 feet	ASMP Level 1 (Local Roadway, 551 vpd, 8/2019)	Only on east side	No	No
Bilbrook Place	70 feet	40 feet	ASMP Level 1 (Residential Collector, 8,022 vpd, 8/2019)	Only on west side	Yes	No
Swansons Ranch Road	60 feet	20 feet	ASMP Level 1 (Local Roadway)	None	No	No

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case is bracketed by David Moore Drive to the west and Bilbrook Place to the east, on a 27.03 acre parcel, which consists of three single family houses and undeveloped land. The subject property is not located within the boundaries of a neighborhood planning area. Surrounding land uses include a plumbing business, a church, single family housing and a multi-building apartment complex to the north; to the south is a church, undeveloped land and a single family subdivision; to the east Paredes Middle School and Mary Moore Searight Metropolitan Park; and to the west is a single family subdivision, a shopping center,

commercial uses and undeveloped land. The request is to demolish one of the existing single family houses and develop approximately 120 condominium units and a 1,500 student charter school on the site.

### **Connectivity**

The Walkscore for this site is **16/100, Car Dependent**, meaning almost all errands require a car. There are no public sidewalks along Bilbrook Place, but a public sidewalk is located along the east side of David Moore Drive (adjacent to an existing apartment complex). There are no bike lanes. A CapMetro transit stop is located 1,100 linear feet away on West Slaughter Lane.

### **Imagine Austin**

The property is located by the **Slaughter Lane Station Neighborhood** as identified on the Imagine Austin Growth Concept Map. A Neighborhood Center is intended to have a more local focus, businesses and services and will generally serve the center and surrounding neighborhoods. A Neighborhood Center and allows additional housing.

**LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **HN P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.

Based on the project: (1) being located within walking distance to a public park, a public school and a Cap Metro transit stop; (2) being close to a variety of local goods and services and two shopping centers; (3) being located by a Neighborhood Center, and (4) providing much needed missing housing, the proposed project appears to support the policies of the Imagine Austin Comprehensive Plan.





### Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is a floodplain adjacent to the project location. When Atlas 14 is approved the boundary of the floodplain may shift onto the property.

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 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 requires water quality control with increased capture volume and control of the 2 year storm on site.

### Impervious Cover

The maximum impervious cover allowed by SF-6 zoning district is 55%, a consistent figure between the *zoning and watershed* regulations.



### Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

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

FYI: Additional design regulations will be enforced at the time a site plan is submitted.

### **COMPATIBILITY STANDARDS**

The site is subject to compatibility standards due to adjacency of SF-3 to the west, SF-2 to the south, and SF-1 and SF-2 to the north. The following standards apply:

- 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 parking or driveways are allowed within 25 feet of the property line.
- Landscaping or screening is required along the property lines requiring compatibility in accordance with the screening requirements (Section 25-2-1006 and ECM 2.9.1.), Parking Design Standards (Section 25-6-563) and/or Screening Standards (Section 25.2.1066) to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

### **DEMOLITION AND HISTORIC RESOURCES**

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

### Transportation

A Neighborhood Traffic Analysis is required and has been performed for this project by the Austin Transportation Department [LDC 25-6-114].

- If the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 vehicle trips per day; or

- The application is for a public primary or secondary educational facility.

“A Neighborhood Traffic Analysis is required for this project. The NTA requires three (3) consecutive 24 hour tube counts, preferably on Tuesday, Wednesday, and Thursday, during a non-holiday week when school is in session. Please contact Justin Good ([Justin.Good@austintexas.gov](mailto:Justin.Good@austintexas.gov)) to discuss the location of the tube counts. Results are provided in Attachment A.

A Traffic Impact Analysis (TIA) shall be required at the time of site plan should the site's trip generation exceed 2,000 vehicle trips per day. Additional right-of-way may be required at the time of subdivision and/or site plan.

#### Water and Wastewater

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 any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. SERs 4542 and 4556 are currently in review for this site. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. 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 fees once the landowner makes an application for Austin Water utility tap permits.

#### INDEX OF EXHIBITS, ATTACHMENT AND CORRESPONDENCE TO FOLLOW

Exhibits A and A-1: Zoning Map and Aerial View  
Exhibit B: Recorded Plat

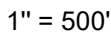
Attachment A: Neighborhood Traffic Analysis memo

Correspondence Received

Questions and Answers







- ZONING CASE#: C14-2019-0109  
LOCATION: 9900 DAVID MOORE AND  
9800 SWANSON RANCH ROAD  
SUBJECT AREA: 27.03 Acres  
GRID: E13 & E14  
MANAGER: Wendy Rhoades



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.



## SWANSON'S RANCHETTES NO. 3

CURVE	DATA
①	②
A 36°52'	A 90°00'
T 16.65	T 50.00
R 49.95	R 50.00
LC 31.59	LC 70.71
ARC 32.14	ARC 78.54

## LEGEND

- IRON STAKE PLACED
- IRON STAKE FOUND

Each house constructed in this Subdivision shall be connected to a septic tank with a capacity of not less than 500 gallons and with a drain field of not less than 150 feet and shall be installed in accordance with the regulations of the City-County Health Officer and shall be inspected and approved by such Officer. This restriction is enforceable by the City of Austin-Travis County Health Unit and/or the subdivider.

No lot in this subdivision shall be occupied until water satisfactory for human consumption is available from a source on the land, a community source or a public utility source in adequate and sufficient supply for family use and operation of a septic tank and system.

FB.16, PG.15

PLAN-1077

SCALE 1"=100'

STATE OF TEXAS:  
COUNTY OF TRAVIS: KNOW ALL MEN BY THESE PRESENTS:

That I Ted A. Swanson, Sr., owner of that south 532.02 feet of Lot 1 of Swanson's Ranchettes No. 2 in Travis County, Texas, according to a map or plat of record in Book 17, Page 22, of the Plat Records of Travis County, Texas, conveyed to me by deed as recorded in Volume 2405, Page 636, of the Deed Records of Travis County, Texas, do hereby subdivide this portion of Lot 3 as my subdivision, to be known as "SWANSON'S RANCHETTES NO. 3" and do hereby dedicate to the public all Streets and easements shown hereon.

WITNESS MY HAND this the 16 day of June A. D. 1969.

By Ted A. Swanson Sr.  
Ted A. Swanson, Sr.

STATE OF TEXAS:  
COUNTY OF TRAVIS:

Before me, the undersigned authority, on this day personally appeared Ted A. Swanson, Sr., known to me to be the person whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purpose and consideration herein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 16 day of June A. D. 1969

Notary Public in and for Travis County, Texas

APPROVED FOR ACCEPTANCE: Date July 11, 1969 By Howe M. Oslawski  
Howe M. Oslawski, E. E. 3.  
Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD:  
By the Planning Commission of the City of Austin, this the 11th day of July, A. D. 1969.

FILED FOR RECORD: At 11:15 o'clock A M. on the 14 day of July A. D. 1969.  
Miss Emily Limberg, Clerk, County Court, Travis County, Texas.

By Emily Limberg  
Deputy

STATE OF TEXAS:  
COUNTY OF TRAVIS:

I, Miss Emily Limberg, Clerk of the County Court, within and for the County and State aforesaid do hereby certify that the within and foregoing instrument of writing with the certificate of authentication was filed for record in my office on the 14 day of July, A. D. 1969 at 11:15 o'clock A. M. and duly recorded on the 14 day of July, A. D. 1969 at 11:35 o'clock A. M. in the Plat Records of said County in Book 47, Page 37.

WITNESS MY HAND AND SEAL OF COURT of said County the date last written above.

Miss Emily Limberg, Clerk, County Court, Travis County, Texas.

By Bertha Fick  
Deputy

STATE OF TEXAS:  
COUNTY OF TRAVIS:

I, Miss Emily Limberg, County Clerk of Travis County, Texas, do hereby certify that on the 14 day of July, A. D. 1969 the Commissioners' Court of Travis County, Texas, passed an order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of said Court in Book 3, Page 37.

WITNESS MY HAND AND SEAL OF COURT, this the 16 day of July, A. D. 1969.

Miss Emily Limberg, Clerk, County Court, Travis County, Texas.

By L. Ramsey  
Deputy

In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all Streets, Roads or other Public Thoroughfares shown on this plat or any bridges or culverts necessary to be placed in such Streets, Roads or other Public Thoroughfares or in connection therewith shall be the responsibility of the owner and/or the developer of the tract of land covered by this plat in accordance with plans and specifications prescribed by the Commissioners Court of Travis County, Texas, and the Commissioners Court of Travis County, Texas, assumes no responsibility to build any of the Streets, Roads or other Public Thoroughfares shown on this plat or any of the bridges or culverts in connection therewith.

This is to certify that Austin City Code Chapter 23.27 of 1954 has been complied with.

SURVEYED JUNE 12, 1969  
BY William M. Brooks  
WILLIAM M. BROOKS  
REG. PUBLIC SURVEYOR  
NO. 1358



C-8-69-058







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## MEMORANDUM

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**To:** Wendy Rhoades, Case Manager  
**CC:** Victoria Haase; Dan Hennessey, P.E.; Joan Jenkins, EIT; Amber Mitchell  
**FROM:** Justin Good, P.E.  
**DATE:** November 8, 2019  
**SUBJECT:** Neighborhood Traffic Analysis for Messinger Tract Zoning  
Zoning Case # C14-2019-0109

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The Transportation Development Services (TDS) division has performed a Neighborhood Traffic Analysis (NTA) for the above referenced case and offers the following comments.

The 27.03-acre tract is located in southwest Austin at 9900 David Moore Drive. The site is currently zoned Interim Rural Residence (I-RR) and Rural Residence (RR). The tract is predominately zoned I-RR with the RR zone located west and adjacent to Swanson Ranch Road. The zoning request is for Townhouse and Condominium residence (SF-6).

### **Roadways**

The tract proposes access to Bilbrook Place and David Moore Drive. Bilbrook Place is classified as a residential collector and David Moore Drive as a local roadway; both segments would provide access to the site. Bilbrook Place currently has 70 feet of right-of-way and 40 feet of pavement. David Moore Drive currently has 60 feet of right-of-way and 20 feet of pavement. Bilbrook Place has two-traffic lanes, two-bicycle lanes, a parking lane, sidewalks, and curb and gutter. David Moore Drive is an unmarked roadway with sidewalks and without curb and gutter. The average 24-hour count traffic volume on Bilbrook Place was 8,022 vehicles per day and on David Moore Drive 551, based on data collected from August 27, 2019 to August 29, 2019.

### **Trip Generation and Traffic Analysis**

This zoning case assumes 120 single-family dwelling units (ITE Code 210) and a 1,500-student charter school (ITE Code 537). Based on the Institute of Transportation Engineer's Trip Generation Manual, 10<sup>th</sup> Edition, the proposed development will generate 4,005 vehicle trips per day. See Table 1 for a detailed breakdown of the trip generation.



<b>Table 1 – Trip Generation</b>		
<b>Land Use</b>	<b>Size</b>	<b>Unadjusted Trip Generation</b>
Residential (Single-Family Housing)	120 DU	1,230
Institutional (Charter School)	1,500 Students	2,775
<b>TOTAL</b>		<b>4,005</b>

Table 2 provides the expected distribution of the site trips. Note that Bilbrook Place has a higher distribution of trips due to school access points.

<b>Table 2 – Trip Distribution</b>	
<b>Street</b>	<b>Traffic Distribution by Percent</b>
Bilbrook Place	85%
David Moore Drive	15%

Table 3 represents a breakdown of traffic on Bilbrook Place and David Moore Drive: existing traffic, proposed site traffic, total traffic after development, and percentage increase in traffic at both segments.

<b>Table 3 – Traffic Summary</b>				
<b>Street</b>	<b>Existing Traffic (vpd)</b>	<b>Proposed New Site Traffic to Roadway</b>	<b>Overall Traffic</b>	<b>Percentage Increase in Traffic</b>
Bilbrook Place	8,022	3,404	11,426	42.4%
David Moore Drive	551	601	1,152	109.1%

According to Section 25-6-116 of the Land Development Code, streets which have pavement width of 40 feet or wider are considered to be operating at an undesirable traffic level if the average daily traffic volume for such roadways exceeds 4,000 vehicles per day. Bilbrook Place is currently operating at an undesirable level and will continue to do so with site traffic. Streets which have pavement width less than 30 feet are considered to be operating at an undesirable traffic level if the average daily traffic volume for such roadway exceeds 1,200 vehicles per day. David Moore Drive is currently operating at a desirable level and will continue to do so with the addition of site traffic.

### **Recommendations/Conclusions**

1. At time of subdivision or site plan, the applicant shall provide separate left-turn lanes for vehicles entering the site at each driveway along Bilbrook Place and David Moore Drive. Note that the left-turn lanes shall be constructed with their associated site plan (e.g. left-turn lanes for the residential portion constructed at time of residential site plan). The applicant should submit schematic drawings with dimensions and construction cost estimates signed and sealed by an engineer for ATD staff review. It is recommended that these improvements be implemented by the applicant to assure safer access and circulation into the residential subdivision and elementary school. The

roadway improvements should be included with the site plan application and be designed according to the Transportation Criteria Manual.

2. A TIA Determination Worksheet was postponed until site plan. A Traffic Impact Analysis (TIA) shall be required at the time of site plan should the site's trip generation exceed 2,000 vehicle trips per day. Based on the land uses and intensities provided at this time, a TIA or Alternate TIA will likely be required. To mitigate the increase of traffic on Bilbrook Place and David Moore Drive and to encourage pedestrian connectivity in the area, it is recommended that the following improvements be explored at the time of subdivision or site plan: restriping of Bilbrook Place to provide a two-way left-turn lane, widening of Bilbrook Place to provide a four-lane cross-section with shared-use path (ROW dedication may be required), reconstruction of David Moore Lane to urban standards with curb and gutter, construction of all ages and abilities bicycle facilities on David Moore Drive, and construction of sidewalks and pedestrian crossings along Bilbrook Place and David Moore Drive. Based on the results of the traffic analysis additional mitigations or improvements may be required.
3. The City Council may deny an application if the neighborhood traffic analysis demonstrates that the traffic generated by the project combined with existing traffic exceeds the desirable operating level established on a residential local or collector street in the neighborhood traffic analysis study area.

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If you have any questions or require additional information, please contact me at 974-1449.



Justin Good, P.E.  
Transportation Development Engineer – Lead: South  
Austin Transportation Department

**Rhoades, Wendy**

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**From:** Michelle Adams <michelle@airpropertygroup.com>  
**Sent:** Thursday, October 31, 2019 11:53 AM  
**To:** Kiolbassa, Jolene - BC  
**Cc:** Rhoades, Wendy; Mark Maloney; Bill Meacham; Patricia Michael; Denise Geleitsmann  
**Subject:** Request C14-2019-0109 Postponement

\*\*\* External Email - Exercise Caution \*\*\*

Hello Jolene,

The Texas Oaks Neighborhood Association would like to request a postponement of the case - C14-2019-0109 zoning meeting, which is currently set to occur on November 5th.

We are making this request in an effort to fully understand the impact to the neighborhood, study the zoning request, arrange a meeting with the developer, and to share our extensive knowledge of the area with the developer, as well as the issues that could arise and our suggestions for those issues.

**Can you please confirm the postponement?**

If possible, we'd prefer to post pone to the December 17th meeting, as that would give us time to coordinate these meetings and discussions.

Thank you for your attention to this matter,

Michelle Adams  
**Texas Oaks Neighborhood Association Co President**

**CAUTION:** This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to [CSIRT@austintexas.gov](mailto:CSIRT@austintexas.gov).

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:  
[www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2019-0109

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: November 5, 2019, Zoning and Platting Commission;  
December 5, 2019, City Council

Michele Christopher

Your Name (please print)

9608 Swansons Ranch Rd

Your address(es) affected by this application

Michele Christopher 1028-19

Signature

Date

Daytime Telephone: 512 769-1258

Comments: I am against rezoning in my area because I want to keep my neighborhood quiet and continue to feel safe in my area. We do not have a lot of traffic flow through our street & with raising 3 children I have come to appreciate that. Our neighborhood has been quite peaceful & feeling safe with kids playing in the yard or being outdoors is a comfort to our family. When we purchased our home this was a big factor & I wish for it to remain this way.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

Case # C14-2019-0109  
Contact: Wendy Rhoades  
11-5-19 Zoning & Platting Comm  
12-5-19 City Council

## Zoning and Platting Commission November 5, 2019 Agenda Question and Answer Report

### B. PUBLIC HEARINGS

#### 2. Zoning and Rezoning: C14-2019-0109 - Messinger Tract Rezoning; District 5

Location: 9900 David Moore Drive and 9800 Swansons Ranch Road,  
Slaughter Creek Watershed  
Owner/Applicant: Milton A. Messinger Tax Exempt Family Trust  
Agent: Thrower Design (Ron Thrower)  
Request: I-RR; RR to SF-6  
Staff Rec.: **Recommended, with conditions**  
Staff: Wendy Rhoades, 512-974-7719  
Planning and Zoning Department

**Question: Commissioner Denkler:**

Will a TIA be required or not?

Is ITE 210 used for SF-6 zoning? They could do condos rather than single family, correct?

**Answer:** Staff the site's trip generation exceeds 2,000 vehicles per day, a TIA will be required when the site plan is submitted. Regarding trip generation, the Applicant is currently proposing detached residential housing, and even though the proposal is for condominiums on the same lot, ITE 210 is still the most appropriate trip code. Should the site plan propose attached housing, Multifamily Code 220 will be used and the assessment will need to be updated at that time. I hope this addresses your questions.

#### 5. Rezoning: C14-2019-0131 - Covert Ford; District 10

Location: 11514 Research Boulevard Southbound Service Road, Bull Creek  
Watershed  
Owner/Applicant: D.R. Brothers Management, LLC (Rox B. Covert, Duke M. Covert,  
and  
Danay C. Covert)  
Agent: Alice Glasco Consulting (Alice Glasco)  
Request: LO to GR  
Staff Rec.: **Not Recommended**  
Staff: Sherri Sirwaitis, 512-974-3057  
Planning and Zoning Department

**Question: Commissioner Barrera-Ramirez**



**Rhoades, Wendy**

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**From:** Rhoades, Wendy  
**Sent:** Tuesday, November 12, 2019 4:39 PM  
**To:** King, David - BC  
**Cc:** Rivera, Andrew  
**Subject:** RE: Item B-1 - C14-2019-0109 - Messinger Tract Rezoning; District 5

Commissioner King,  
 Please see my responses below.

Wendy Rhoades

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**From:** King, David - BC  
**Sent:** Tuesday, November 05, 2019 11:03 AM  
**To:** Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>  
**Cc:** Tiemann, Donna <Donna.Tiemann@austintexas.gov>; Kitchen, Ann <Ann.Kitchen@austintexas.gov>; Kiolbassa, Jolene - BC <bc-Jolene.Kiolbassa@austintexas.gov>; Duncan, Jim - BC <BC-Jim.Duncan@austintexas.gov>; michelle@airpropertygroup.com  
**Subject:** Item B-1 - C14-2019-0109 - Messinger Tract Rezoning; District 5

Hello, Wendy,

I support the neighborhood postponement request but I have a few questions regarding this case.

1. How many residential units exist on this site? **RESPONSE:** The site is developed with a total of three residences; one is occupied and two are vacant. The owners live on the property and will not be displaced. Their existing homes will be moved to another part of the property and thus, they will continue to live on the property.
2. How many low-income and middle-income families live on this site? **RESPONSE:** None. The owners of the property are the occupants of the property.
3. How many low-income and middle-income families will be displaced or evicted by this development? **RESPONSE:** None. The owners of the property will continue to occupy part of the property.
4. How many of the proposed 144 condos will be affordable to families of four earning an annual median family income of \$84,000? **RESPONSE:** Unknown.
5. How many of the proposed 144 condos will be income restricted in perpetuity for families earning at or below 60% of the median family income for Austin? **RESPONSE:** Unknown.
6. Will the proposed charter school be required to comply with the same development and code requirements that apply to Austin Independent School District schools? **RESPONSE:** The property is within the AISD boundaries, and the LDC defines open enrollment charter schools as public primary educational facilities and public secondary educational facilities. Charter schools within AISD boundaries are subject to the same regulations as AISD school sites by Ordinance No. 20160623-090.
7. Will the charter school need any variances, exceptions, or waivers? If so, will the variances, exceptions, or waivers require public hearings or will they be handled administratively? **RESPONSE:** The Applicant is not aware of any variances, exceptions, or waivers for the school site.

8. What is the proposed zoning for this site under the new land development (LDC) zoning map? How will this rezoning request impact the proposed new zoning for this site under the new LDC zoning map. **RESPONSE:** Under the proposed LDC zoning map, the site is zoned (permanent) RR, Rural Residential district. If the requested SF-6 zoning is approved, it would be converted to any newly adopted LDC zoning map.
9. If this rezoning request is approved, would this site qualify for the Affordability Unlocked Density Bonus program or other density bonus programs? **RESPONSE:** Yes, the properties qualify now and after the zoning change to SF-6.
10. How many heritage trees will be removed? How many heritage trees will be transplanted? **RESPONSE:** Unknown; to be determined at subsequent stages of development.
11. How many trees will be removed? How many new native trees will be planted? **RESPONSE:** Unknown; to be determined at subsequent stages of development.
12. Are there any environmentally sensitive areas on the site? **RESPONSE:** There is an existing pond near the south property line, in the "notch" area, and it has been identified as a CEF.
13. Will any environmental variance, exceptions, or waivers be requested for this site? If so, will the variances, exceptions, or waivers require public hearings or will they be handled administratively? **REPOSE:** The Applicant is unaware of any environmental variances, exceptions or waivers for this site.

Thank you for your assistance with these questions!

David

David King  
Zoning and Platting Commission - District 5

**Scheduled Meeting Disclosure Information:**

Written disclosure is required by visitors when attending a scheduled meeting with a City Official regarding a municipal question for compensation on behalf of another person. Anyone scheduling or accepting a meeting invitation with a City Official must either acknowledge that the disclosure requirement does not apply or respond to the following survey:

<https://www.surveymonkey.com/r/BCVisitorLog>

David King  
Boards and Commissions

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**IMPORTANT NOTICE:** The City of Austin provides e-mail addresses for members of its boards and commissions for their use as board members. This address should not be used for private or personal messages. The views