



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 04/14/2005
PAGE: 1 of 1

SUBJECT: C14-05-0010 - 5805 Nancy - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5805 Nancy Drive (Williamson Creek Watershed) from mobile home residence (MH) district zoning to family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Applicant: Valiant Homes, Inc. (Ken Brooks). Agent: Aries Partners, Inc. (Nick Nelson). City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0010

Z.P.C. DATE: February 15, 2005

ADDRESS: 5805 Nancy Drive

OWNER: Valiant Homes, Inc.
(Ken Brooks)

AGENT: Aries Partners, Inc.
(Nick Nelson)

ZONING FROM: MH

TO: SF-3

AREA: 0.240 acres (10,454.40 square feet)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant family residence (SF-3) district zoning.

ZONING & PLATTING COMMISSION RECOMMENDATION:

February 15, 2005: *APPROVED STAFF'S RECOMMENDATION OF SF-3 DISTRICT ZONING; BY CONSENT.*

[J.MARTINEZ – 1ST; J.GOHIL – 2ND] (8-0) K.JACKSON – ABSENT

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The property contains an abandoned manufactured home, is zoned mobile home residence (MH) and takes access to Nancy Drive. Residential development on Nancy Drive consists of both manufactured homes and single family residences. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The applicant proposes to rezone the lot to the family residence (SF-3) district and thereafter, remove the home and construct a single family residence. Staff recommends SF-3 zoning, as the proposed use is compatible with the zoning and character of Nancy Drive.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MH	Abandoned manufactured home
<i>North</i>	MH; SF-3; LO; GR	Single family residences; Manufactured home; Air conditioning business
<i>South</i>	MH	Manufactured homes; Single family residences
<i>East</i>	SF-3; GR-CO	Single family residences; Church; Pharmacy
<i>West</i>	MH; MF-2	Manufactured homes; Four-plexes

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

21 – Cooper Lane Neighborhood Association
 26 – Far South Austin Community Association 300 – Terrell Lane Interceptor Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association

SCHOOLS:

Odom Elementary School Bedichek Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0099	SF-3; LO; LR to GR	To Grant GR-CO, with the CO for prohibited uses; establishes maximum restrictions on the location of loading and unloading activities; conditions of the Traffic Impact Analysis.	Approved GR-CO as recommended by ZAP Commission, with a Restrictive Covenant for the Traffic Impact Analysis (10-30-03).

RELATED CASES:

The rezoning area is Lot 8, Block B, Resubdivision of part of Windswept Acres, Sec. 2.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Nancy Drive	60 feet	20 feet	Local	No	No	No

CITY COUNCIL DATE: March 24, 2005

ACTION:

ORDINANCE READINGS: 1st

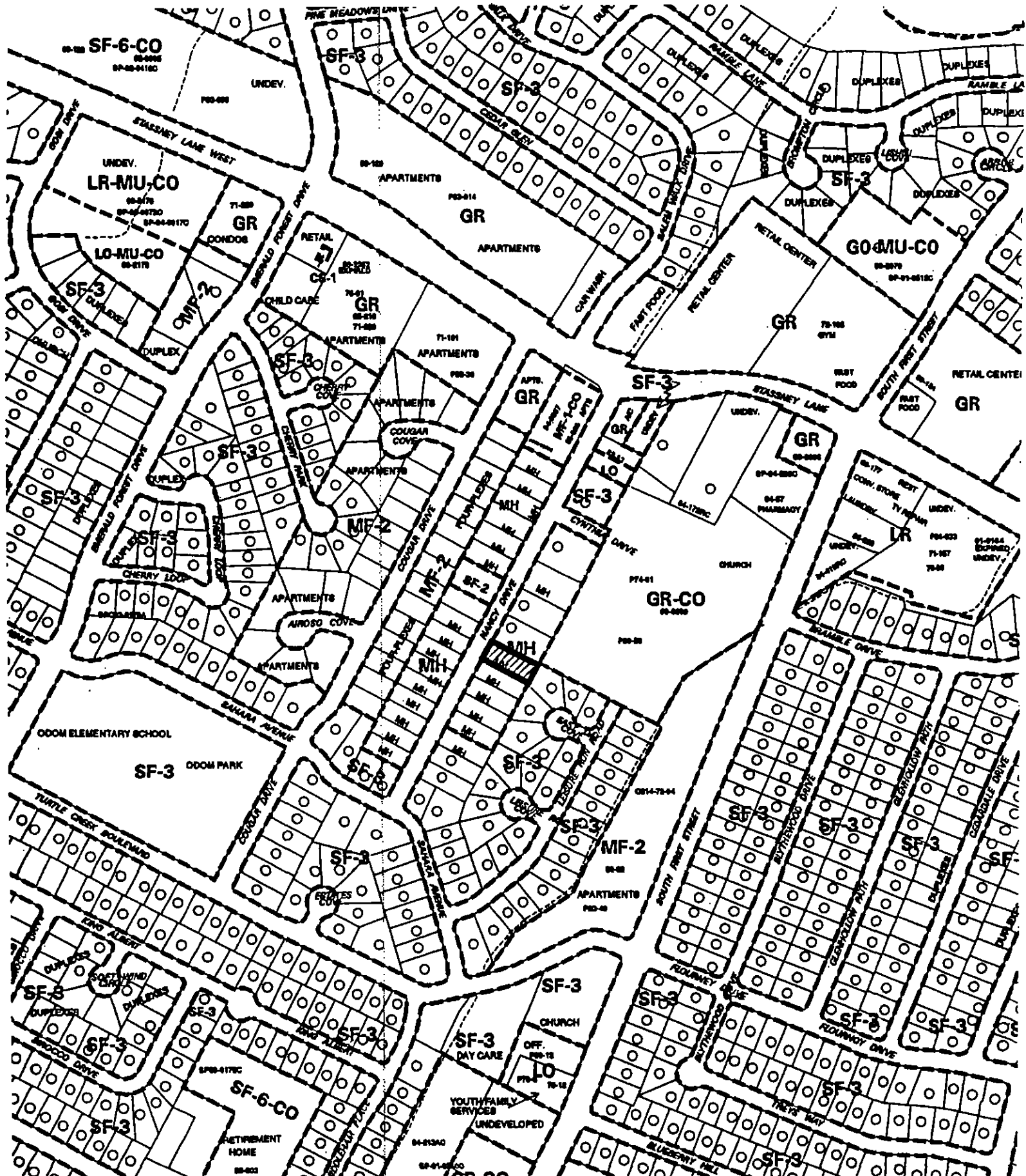
2nd





3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh
 e-mail: wendy.walsh@ci.austin.tx.us

PHONE: 974-7719



 1" = 400'	SUBJECT TRACT 	CASE #: C14-05-0010 ADDRESS: 5805 NANCY DR SUBJECT AREA (acres): 0.240	ZONING EXHIBIT A DATE: 05-01 INTLS: SM	CITY GRID REFERENCE NUMBER G17
	PENDING CASE 			
	ZONING BOUNDARY 			
	CASE MGR: W. WALSH			



SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant family residence (SF-3) district zoning.

BACKGROUND

The property contains an abandoned manufactured home, is zoned manufactured home (MH) and takes access to Nancy Drive. Residential development on Nancy Drive consists of both manufactured homes and single family residences.

The applicant proposes to rezone the lot to the family residence (SF-3) district and thereafter, remove the home and construct a single family residence. Staff recommends SF-3 zoning, as the proposed use is compatible with the zoning and character of Nancy Drive.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The SF-3, Family Residence, zoning district is intended as an area for moderate density single family residential use, with a minimum lot size of 5,750 square feet. This district is appropriate for existing single-family neighborhoods having typically moderate sized lot patterns, as well as for development of additional family housing areas with minimum land requirements.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

Staff recommends SF-3 zoning, as the proposed use is compatible with the zoning and character of Nancy Drive.

EXISTING CONDITIONS**Site Characteristics**

There is an abandoned manufactured home on the property. The site is relatively flat and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the SF-3 zoning district would be 45%, which is based on the more restrictive watershed regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is located in the Williamson Creek Watershed and 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 Net Site Area</i>	<i>% 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 flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

TPSD 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 City of Austin Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) projects. A comment from this reviewer that no right-of-way is needed applies only to needs for these categories, and does not preclude the need to dedicate right-of-way to satisfy requirements by others. There are separate right-of-way dedication and reservation requirements enforced by other City Departments and other governmental jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan that may not yet be funded, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

No aspect of the proposed project is being considered or approved as part of this review other than the need for right-of-way for City-funded projects. If the configuration of the site/subdivision/plan will require any variances to Transportation Criteria Manual standards, the variance request(s) must be submitted separately through the assigned City of Austin case manager.

We have reviewed the proposed rezoning 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.

Transportation

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

The trip generation under the requested zoning is estimated to be 21 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]

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated City fees.

The landowner must pay the tap and impact fee once the landowner makes an application for a City water and wastewater utility tap permit.

Compatibility Standards

The current tract of land is proposing a zoning change from MH to SF-3. No compatibility is triggered for the site, since the site will be considered residential. The site is not within a Hill Country Roadway Corridor, Airport Overlay or City Historic Preservation District.

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.ci.austin.tx.us/development

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: C14-05-0010

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

February 15, 2005 Zoning and Platting Commission

JAMES W. McMahan

Your Name (please print)

5911 NANCY DR.

Your address(es) affected by this application

405 F.N. 98745

James Signature: McMahan

Date

2-9-05

Comments:

Have lived at this

address 5911 Nancy since

March 1965 when all

of Nancy Dr. was still

in the County and then all

of Nancy was zoned SF3

Thank you.

James McMahan

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-05-0010

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

February 15, 2005 Zoning and Platting Commission

Michael A. Dudash
Your Name (please print)



5800 Nancy Dr. (Directly across from 5805)
Your address(es) affected by this application

Michael A. Dudash 2/14/2005
Signature Date

Comments: On the slim chance that my voice
counts, I do NOT want more than
one residence built across the street,
from my residence. I already live be-
hind the ugly four-plexes on cougar
drive. This is a nice relatively quiet (except
for the boom box generation, and occasional
race car drivers [60+ MPH in a 30 MPH zone])
neighborhood. Please keep it this way!
Sincerely, MA Dudash

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City of Austin
Neighborhood Planning and Zoning Department
Wendy Walsh
P. O. Box 1088
Austin, TX 78767-8810

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 5805 NANCY DRIVE FROM MOBILE HOME
3 RESIDENCE (MH) DISTRICT TO FAMILY RESIDENCE (SF-3) DISTRICT.
4

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

7 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
8 change the base district from mobile home residence (MH) district to family residence (SF-
9 3) district on the property described in Zoning Case No. C14-05-0010, on file at the
10 Neighborhood Planning and Zoning Department, as follows:
11

12 Lot 8, Block B, Resubdivision of part of Windswept Acres Section 2 Subdivision,
13 a subdivision in the City of Austin, Travis County, Texas, according to the map or
14 plat of record in Plat Book 8, Page 180, of the Plat Records of Travis County,
15 Texas,
16

17 locally known as 5805 Nancy Drive, in the City of Austin, Travis County, Texas, and
18 generally identified in the map attached as Exhibit "A".
19

20 PART 2. This ordinance takes effect on _____, 2005.
21

22
23 PASSED AND APPROVED
24

25 §
26 §
27 §
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30
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Will Wynn
Mayor

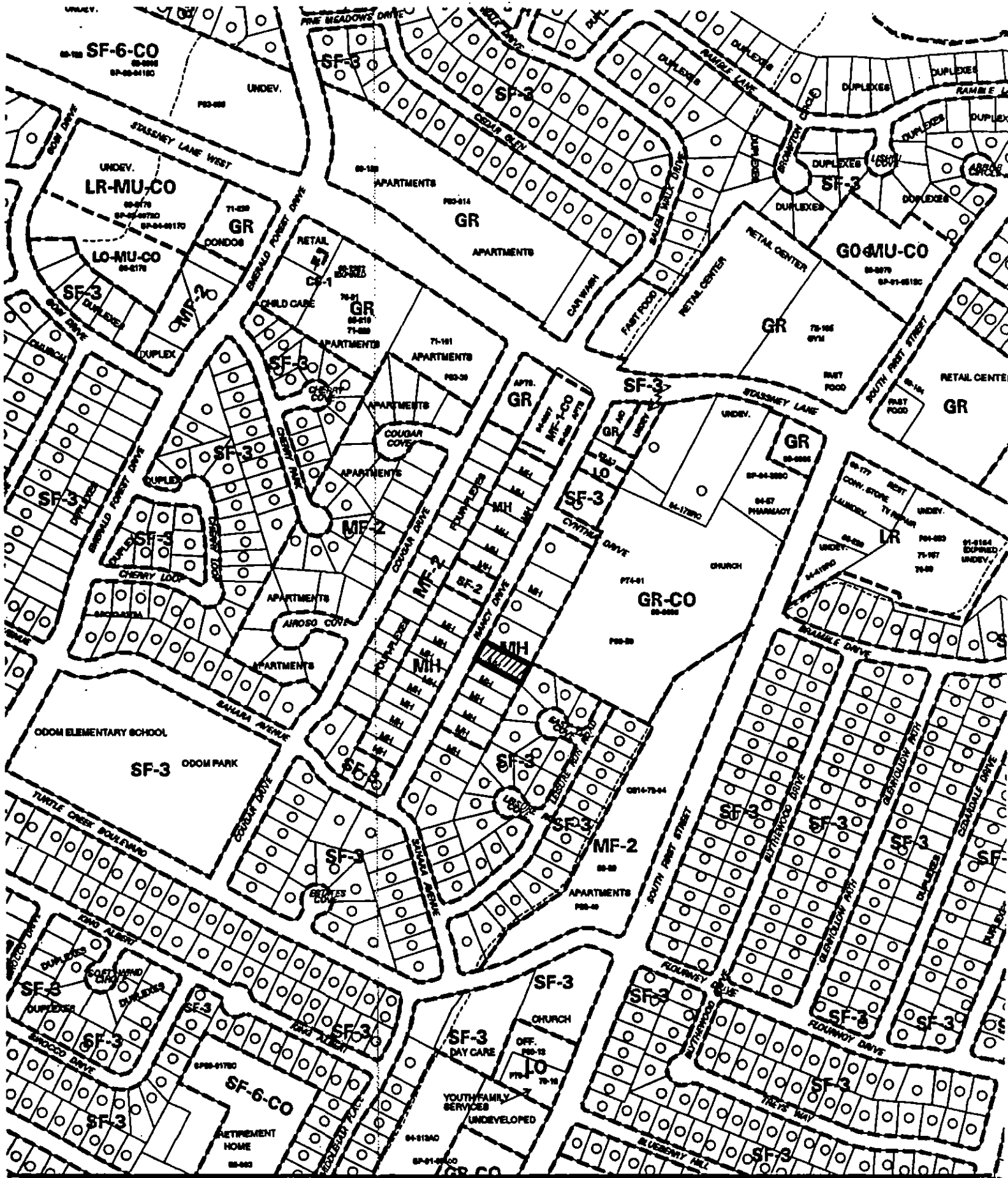
32 APPROVED: _____ ATTEST: _____
33





34 David Allan Smith
City Attorney

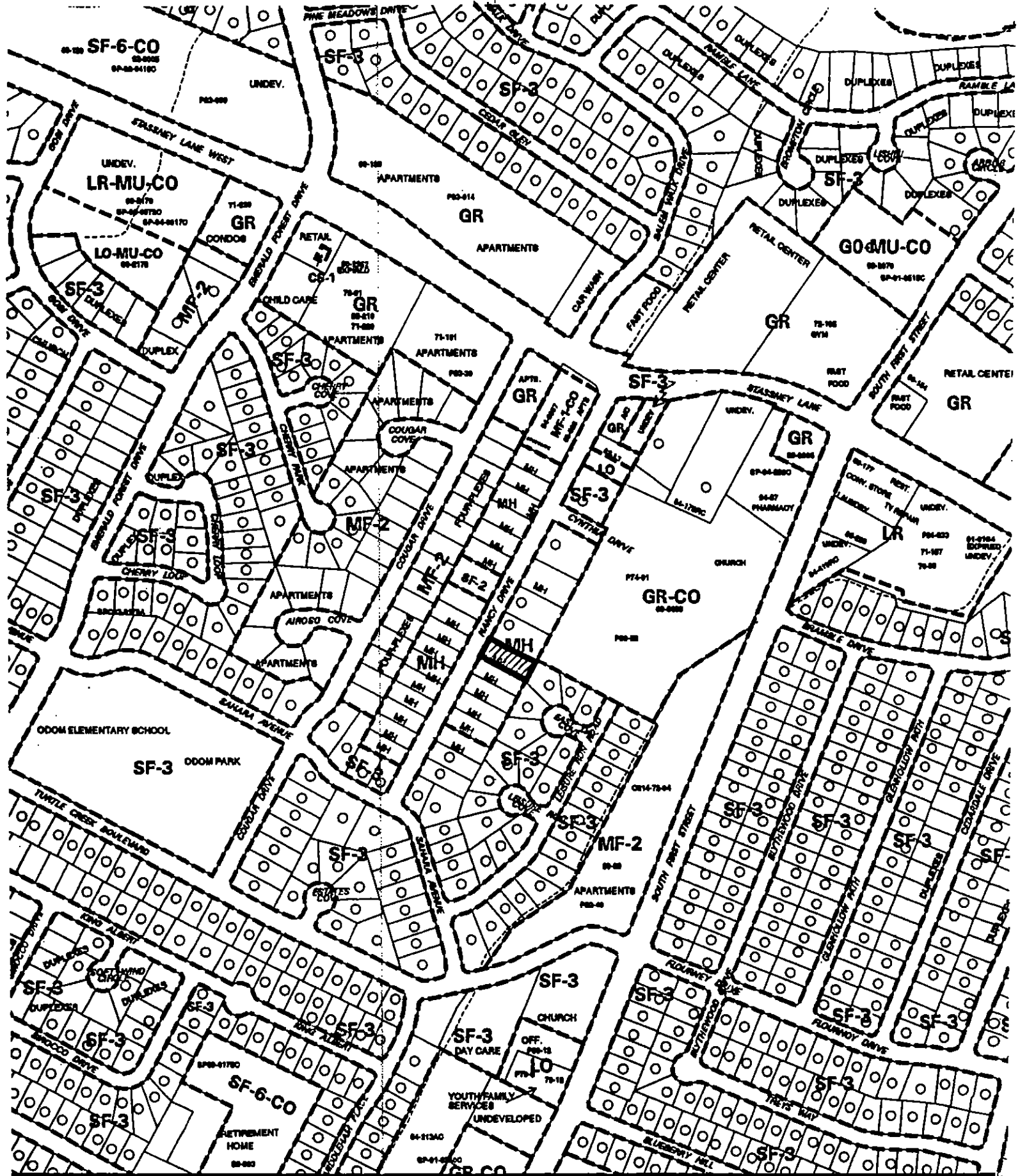
Shirley A. Brown
City Clerk







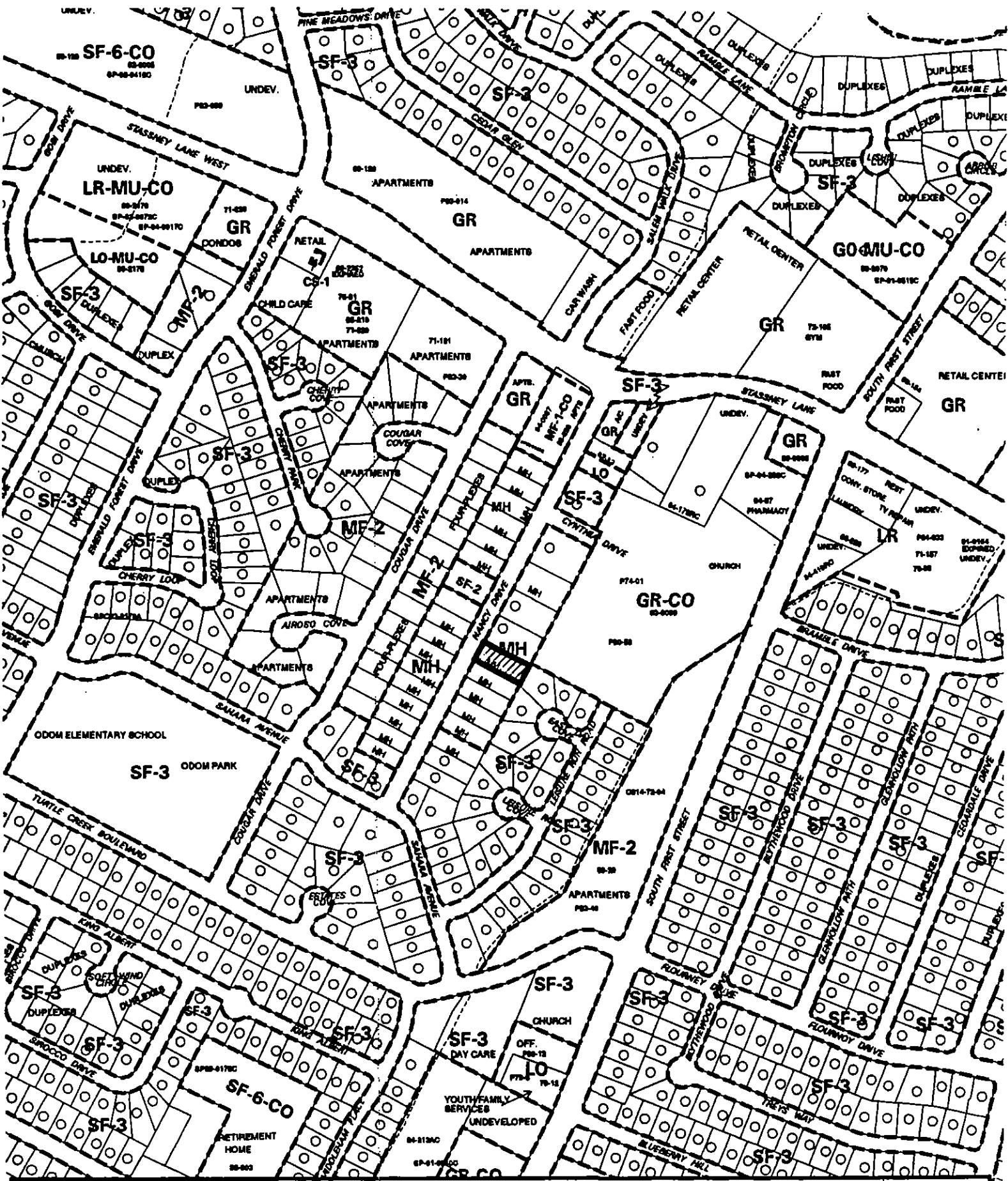
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	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-05-0010 ADDRESS: 5805 NANCY DR SUBJECT AREA (acres): 0.240	DATE: 05-01 INTLS: SM	
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