

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



**AGENDA ITEM NO.: Z-8  
AGENDA DATE: Thu 05/19/2005  
PAGE: 1 of 1**

**SUBJECT:** C14-05-0024 - Cardinal Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the southeast corner of Cardinal Lane and South 2nd Street (East Bouldin Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: T. E. Kokenda. Agent: Bill Foust. City Staff: Robert Heil, 974-2330

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-05-0024

**ZAP Date:** April 5, 2005  
April 19, 2005  
May 3, 2005

**ADDRESS:** Southeast corner of Cardinal Lane and South 2<sup>nd</sup> Street

**OWNER/APPLICANT:** T.E. Kolenda

**AGENT:** Bill Faust

**ZONING FROM:** SF-3

**TO:** SF-6

**AREA:** 3.00 acres

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of SF-6-CO, with a limit of 30 units.

The applicant and neighborhood agree to the conditional overlay approved by the Planning Commission.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**April 5, 2005:** Postponed to April 19, 2005 at the request of the staff due to a notification error. (Approved 8-0).

**April 19, 2005:** Postponed to May 3, 2005 at the request of the neighborhood. Additionally, the Commission stated its intent to deny any requests for additional postponements and to take action at the May 3<sup>rd</sup> meeting. (Approved 7-0, Commissioner Jackson absent).

**May 3, 2005:** Approved SF-6-CO The Conditional Overlay:

- Maximum of 30 units;
- 55% Maximum Impervious Cover;
- Only one access to Cardinal Lane;
- Only one access to South Second Street;
- NO GATED COMMUNITIES;
- Landscaping will follow the City's Grow Green guidelines  
[K.J; J.P 2<sup>ND</sup>] (8-0) J.M – ABSENT

### **DEPARTMENT COMMENTS:**

The subject tract is zoned family residential (SF-3) and is developed with one single family home.

The applicant has met with the Galindo Neighborhood Association and prior to the scheduled public hearing on April 5, the neighborhood supported the request with a limit of 30 units on the site. The applicant agreed to these conditions. Since that time, the neighborhood association has withdrawn its support, pending a review of preliminary site plan. Negotiations continue, and Commission will be updated as to their status at the Public Hearing. (see attached email).

The property is located in the proposed Galindo Neighborhood Planning Area, that is scheduled to begin in the October 2005. The tentative Planning Commission Public hearing dates should occur in the June 2006, and the City Council will consider the neighborhood plan and rezoning in the summer of 2006.

**EXISTING ZONING AND LAND USES:**

|              | <b>ZONING</b> | <b>LAND USES</b>                      |
|--------------|---------------|---------------------------------------|
| <i>Site</i>  | SF-3          | Single Family Homes                   |
| <i>North</i> | SF-3 and GR   | Single Family Homes and 1 Office use. |
| <i>South</i> | SF-3          | Duplexes                              |
| <i>East</i>  | CS            | Undeveloped and Vacant Commercial     |
| <i>West</i>  | SF-3          | Single Family Homes                   |

**AREA STUDY:** The property lies within the proposed Galindo Neighborhood Planning Area

**TIA:** N/A

**WATERSHED:** East Bouldin      **DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No      **HILL COUNTRY ROADWAY:** No

- Terrell Lane Interceptor Association (300)
- Galindo Elementary Neighborhood Association (904)
- South Central Coalition (498)
- Austin Neighborhoods Council (511)

**SCHOOLS: (AISD)**

Dawson Elementary School   Fulmore Middle School   Travis High School

**ABUTTING STREETS:**

| <b>NAME</b>               | <b>ROW</b> | <b>PAVEMENT</b> | <b>CLASSIFICATION</b> |
|---------------------------|------------|-----------------|-----------------------|
| Cardinal                  | 60'        | Varies          | Collector             |
| S. 2 <sup>nd</sup> Street | 60'        | Varies          | Collector             |

- There are existing sidewalks along Cardinal Street.
- Capital Metro bus service is available along South 1<sup>st</sup> Street.
- Cardinal is classified in the Bicycle Plan as a Priority 1 bike route.

**CITY COUNCIL DATE:    ACTION:**

**April 28, 2005:**

**Postponed until May, 19, 2005 pending  
recommendation by the Zoning and Platting  
Commission on May 3, 2005.**

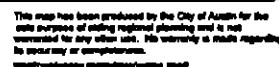
**May 19 2005:**

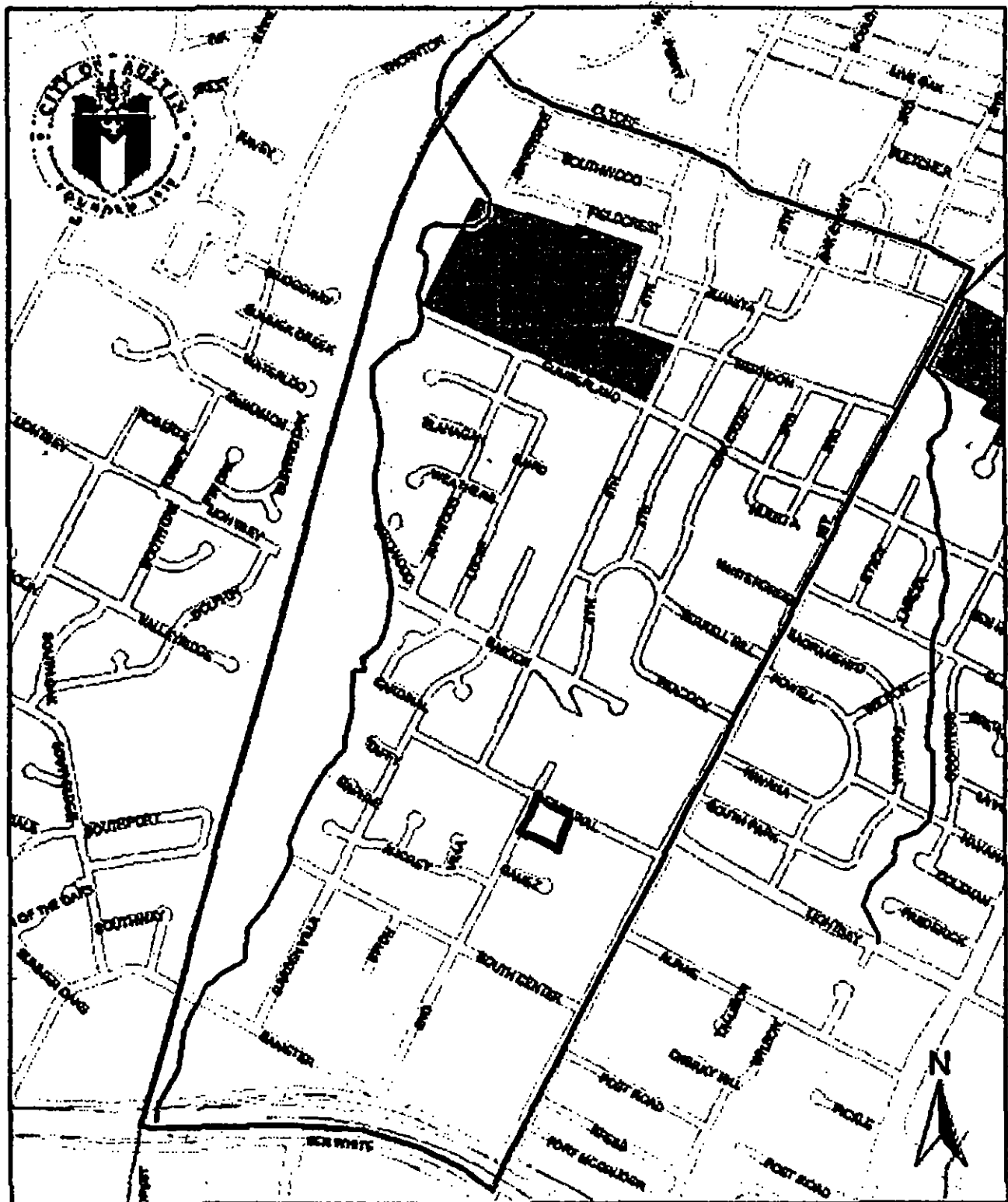
**ORDINANCE READINGS:            1<sup>st</sup>                                  2<sup>nd</sup>                                  3<sup>rd</sup>**

**ORDINANCE NUMBER:**

**CASE MANAGER: Robert Heil  
e-mail address: robert.heil@ci.austin.tx.us**

**PHONE: 974-2330**





**Galindo Neighborhood Planning Area**



**Parks**

0.2 0 0.2 0.4 Miles









## **SUMMARY STAFF RECOMMENDATION**

C14-05-0024

Staff recommends approval of SF-6-CO, with a limit of 30 units.

### **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

SF-6 zoning is an appropriate zoning designation for the site between CS and SF-3

2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

SF-6 zoning would provide additional infill development and housing in the urban core

### **EXISTING CONDITIONS**

#### **Site Plan**

The site is subject to compatibility standards. Along the north, south, east & west property line, the following standards apply:

- No structure may be built within 25 feet of the property line of the SF-3 properties.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line of the SF-3 properties.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line of the SF-3 properties.
- No parking or driveways are allowed within 25 feet of the property line of the SF-3 properties.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

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

#### **Transportation**

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

The trip generation under the requested zoning is estimated to be 261 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]

There are existing sidewalks along Cardinal Street.

Capital Metro bus service is available along South 1<sup>st</sup> Street.

Cardinal is classified in the Bicycle Plan as a Priority 1 bike route.

**Existing Street Characteristics:**

| NAME                      | ROW | PAVEMENT | CLASSIFICATION |
|---------------------------|-----|----------|----------------|
| Cardinal                  | 60' | Varies   | Collector      |
| S. 2 <sup>nd</sup> Street | 60' | Varies   | Collector      |

**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 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 of Austin utility design criteria and specifications.

The landowner must pay all required water and wastewater utility tap permit, impact, construction inspection, and utility plan review fees.

**Environmental**

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

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

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

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.

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





**CITY ZONING AND PLATTING  
COMMISSION  
May 3, 2005 [ANNOTATED]  
CITY COUNCIL CHAMBERS AT CITY HALL  
301 W. 2<sup>ND</sup> Street  
1<sup>st</sup> Floor**

**CALL TO ORDER – 6:00 P.M.**

**COMMENCED: 6:05 P.M.**

**ADJOURNED: 9:40 P.M.**

\_\_\_\_ Betty Baker - Chair  
\_\_\_\_ John Philip Donisi  
\_\_\_\_ Jay Gohil  
\_\_\_\_ Clarke Hammond - Secretary

\_\_\_\_ Melissa Whaley Hawthorne- Assist. Sec.  
\_\_\_\_ Keith Jackson - Parliamentarian  
\_\_\_\_ A Joseph Martinez – Vice-Chair  
\_\_\_\_ Janis Pinnelli  
\_\_\_\_ Teresa Rabago

**CONDUCT OF PUBLIC HEARINGS**

1. Chair announces request.
2. Staff presents a summary of the case.
3. Chair calls on those **FAVORING** the request.
4. Applicant's presentation (5 minutes).
5. Others favoring the request (3 minutes).
6. Chair calls on those **OPPOSING** the request.
7. Primary presentation (5 minutes).
8. Others opposing the request (3 minutes).
9. Applicant is given opportunity to answer objections stated. (3 minutes)
10. Staff summation and questions from the Commission.
11. The public hearing on a zoning case may be closed and no further testimony is taken from the public.
12. If the public hearing is closed, the Commission shall make a recommendation to the City Council within 14 days or the case will be forwarded to the City Council without a recommendation. (Section 25-2-282).

All of the following items may be acted upon by one motion. The Commission does not consider items earlier than the time stated on the agenda; "Other Business" items can be taken at any time. After the posted time, the Commission Chairperson may announce the item and, if there is no opposition, the item may be taken "by consent" for approval without discussion.

**CITIZENS WISHING TO SPEAK BEFORE THE COMMISSION MUST REGISTER BY SIGNING A LIST AT THE ENTRANCE (RED BOOK).**

Any interested party aggrieved by a decision of the Zoning & Platting Commission on a Hill Country Site Plan, Conditional Use Permit, Replacement Site Plan, or a Preliminary Subdivision Plan with an environmental variance may only appeal the Commission's decision to the City Council. The notice of appeal must be submitted in writing on a form provided by the Director of Neighborhood Planning & Zoning Department within fourteen (14) days following the decision of the Zoning & Platting Commission.

6. **Rezoning:** C14-05-0033 - 2525 South Lamar  
**Location:** 2525 South Lamar, West Bouldin Creek Watershed  
**Owner/Applicant:** Gene Payne  
**Agent:** Bennett Consulting (Jim Bennett)  
**Prev.** Postponed on 4/19/05 (Staff)  
**Postponements**  
**Request:** SF-3 to LR-CO-MU; AMENDED TO LO-MU-CO  
**Staff Rec.:** RECOMMENDED  
**Staff:** Robert Heil, 974-2330, Robert.Heil@ci.austin.tx.us  
 Neighborhood Planning and Zoning Department

**APPROVED LO-MU-CO ZONING WITH CONDITIONS OF:**

- MAXIMUM OF 2000 VEHICLE TRIPS PER DAY;
- 40 RESIDENTIAL UNITS, REMAINDER 40% BE NON-RESIDENTIAL;
- PROHIBIT MEDICAL OFFICES;
- NO ACCESS TO BLUEBONNET LANE UNTIL UPGRADES HAVE BEEN MADE;
- PROVIDE SHIELDED EXTERIOR LIGHTING;

[K.J; M.W 2<sup>ND</sup>] (8-0) J.M - ABSENT

7. **Rezoning:** C14-05-0048 - Palm Harbour Round Rock Sales Office  
**Location:** 15946 N. IH-35 Service Road South Bound, Gilleland Creek Watershed  
**Owner/Applicant:** Palm Harbor Homes (Greg Vaughn)  
**Agent:** The Moore Group, Inc. (Ed Moore)  
**Request:** SF-2 to CS  
**Staff Rec.:** ALTERNATE RECOMMENDATION: CS-CO  
**Staff:** Sherri Sirwaitis, 974-3057, sherri.sirwaitis@ci.austin.tx.us  
 Neighborhood Planning and Zoning Department

**POSTPONED TO 05/17/05 (APPLICANT & NEIGHBORHOOD)**

[J.D; T.R 2<sup>ND</sup>] (7-0-1) K.J - ABSTAINED; J.M - ABSENT

8. **Zoning:** C14-05-0051 - Tomanet Estates Zoning #1 (City Initiated)  
**Location:** 12502-12604 Tomanet Trail, Walnut Creek Watershed  
**Owner/Applicant:** City of Austin  
**Agent:** Neighborhood Planning & Zoning Department (Sherri Sirwaitis)  
**Request:** I-RR to SF-1  
**Staff Rec.:** RECOMMENDED  
**Staff:** Sherri Sirwaitis, 974-3057, sherri.sirwaitis@ci.austin.tx.us  
 Neighborhood Planning and Zoning Department

**APPROVED STAFF'S RECOMMENDATION FOR SF-1 ZONING; BY CONSENT.**

[J.D; J.G 2<sup>ND</sup>] (8-0) J.M - ABSENT