#### **Zoning Ordinance Approval CITY OF AUSTIN RECOMMENDATION FOR COUNCIL ACTION** PAGE: 1 of 1

# **AGENDA ITEM NO.: 49** AGENDA DATE: Thu 04/15/2004

SUBJECT: C14-03-0165 - Shaid Zoning - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 3206 West Slaughter Lane (Slaughter Creek Watershed -Barton Springs Zone) from interim-rural residence (I-RR) district zoning to townhouse & condominium residence (SF-6) district zoning. First reading on February 5, 2004. Vote: 6-1, Slusher nay. Second Reading on March 25, 2004. Vote: 6-1, Slusher nay. Conditions met as follows: Restrictive Covenant incorporates the conditions accepted by City Council at second ordinance reading. Applicant: Orrin Shaid and Orrin Shaid III. Agent: Crocker Consultants (Sarah Crocker). City Staff: Wendy Walsh, 974-7719.

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

#### THIRD READING SUMMARY SHEET

#### ZONING CASE NUMBER: C14-03-0165

<u>REQUEST</u>: Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3206 West Slaughter Lane (Slaughter Creek Watershed-Barton Springs Zone) from interim-rural residence (I-RR) district zoning to townhouse & condominium residence (SF-6) district zoning. The Restrictive Covenant provides that at the time a site plan is submitted, it will include an Integrated Pest Management (IPM) Plan and a landscape plan for the use of native and adapted plant materials.

#### **DEPARTMENT COMMENTS:**

The applicant's representative and her engineer had a joint meeting with Zoning and Watershed Protection staff on April 7, 2004 to discuss development issues on the property. The applicant would like to maintain two creek crossings: one to enter the property and one to provide access to its northern portion. The applicant has discussed the use of a freestanding bridge (in lieu of a box culvert which has a concrete-lined bottom) in order to maintain the natural stream course, and agrees not to build residential units in the 100-year flood plain.

However, in order to minimize disturbance to the creek, the City's Environmental Officer prefers limiting the future development on the property to one creek crossing. Limiting the number of creek crossings, in turn, will promote clustering of development and improved water quality.

The applicant has provided two conceptual plans showing flood plain constraints and residential development of the property. The first plan shows development which may occur by way of the recorded 1978 plat and the second shows development which may occur with the application of SOS regulations. Please refer to Attachment A, following the Zoning Map.

The applicant has entered into a Restrictive Covenant with the City that provides that at the time a site plan is submitted, it will include an Integrated Pest Management (IPM) Plan and a landscape plan for the use of native and adapted plant materials.

OWNER/APPLICANT: Orrin Shaid and Orrin Shaid III

AGENT: Crocker Consultants (Sarah Crocker)

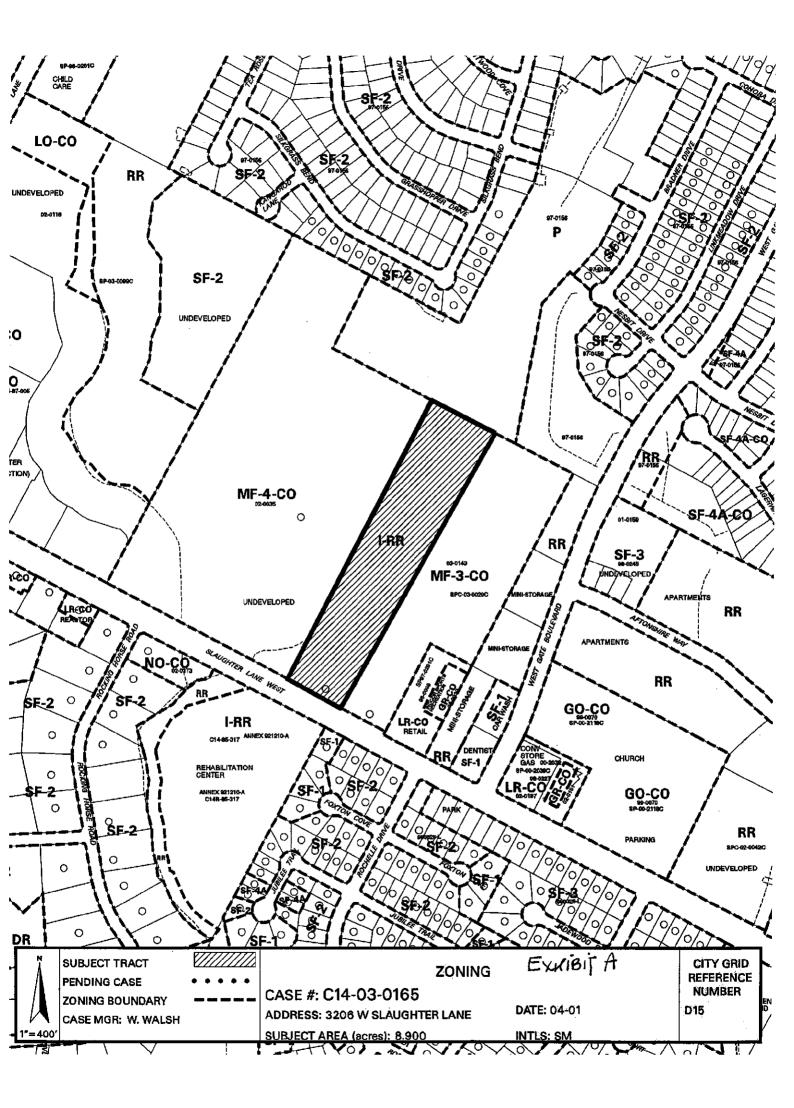
DATE OF FIRST READING: February 5, 2004, approved SF-6 district zoning, on 1<sup>st</sup> Reading (6-1, D.S. - Nay).

DATE OF SECOND READING: March 25, 2004, approved SF-6 district zoning, on 2<sup>nd</sup> Reading. Applicant will continue negotiations with the Watershed Protection and Development Review staff. (6-1, D.S. – Nay).

CITY COUNCIL HEARING DATE: April 15, 2004

CITY COUNCIL ACTION: ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Walsh, e-mail: wendy.walsh@ci.austin.tx.us



Thrower Design

701 Brazos Street, Suite 300A • Austin, Texas • 78701 (512) 476-4456 • Fax (512) 476-4454

February 3, 2004

Ms. Sarah Crocker Crocker Consultants 809 South Lamar Blvd. Austin, Texas 78704

RE: Shaid Zoning C14-03-0165

Dear Ms. Crocker,

We have been asked to prepare two Concept Plans for the above referenced property to identify a reasonable yield of the property utilizing old rules under one scenario and S.O.S. compliance under another scenario.

The flood plain is a large limiting factor in the development of the site. A flood plain analysis was prepared by Chris McComb, P.E., which identified the existing flood plain and a modified flood plain incorporating channel improvements. Other limiting site development factors are the limited frontage for the property at 257', as well as the extensive tree coverage.

Concept Plan 1 is based on the application of older rules governing the development of the property. The modified flood plain and channel improvements which created larger pockets for development. A single driveway from Slaughter Lane serves the entire development of 24 townhome units. These townhome units are 4-units combined into single buildings with a total of 6 building proposed for development. The existing home is retained and can be converted to a clubhouse / common area for the residents of the site.

Concept Plan 2 is based on the current rules, being the S.O.S. rules, governing the development of the property. The site appears to be wholly or partially within the Recharge Zone of the Edward's Aquifer and as such we have only accounted for 15% allowable impervious cover for the entire site as if it were entirely within the recharge zone. The waterway is defined as a minor tributary and the Critical Water Quality Zone

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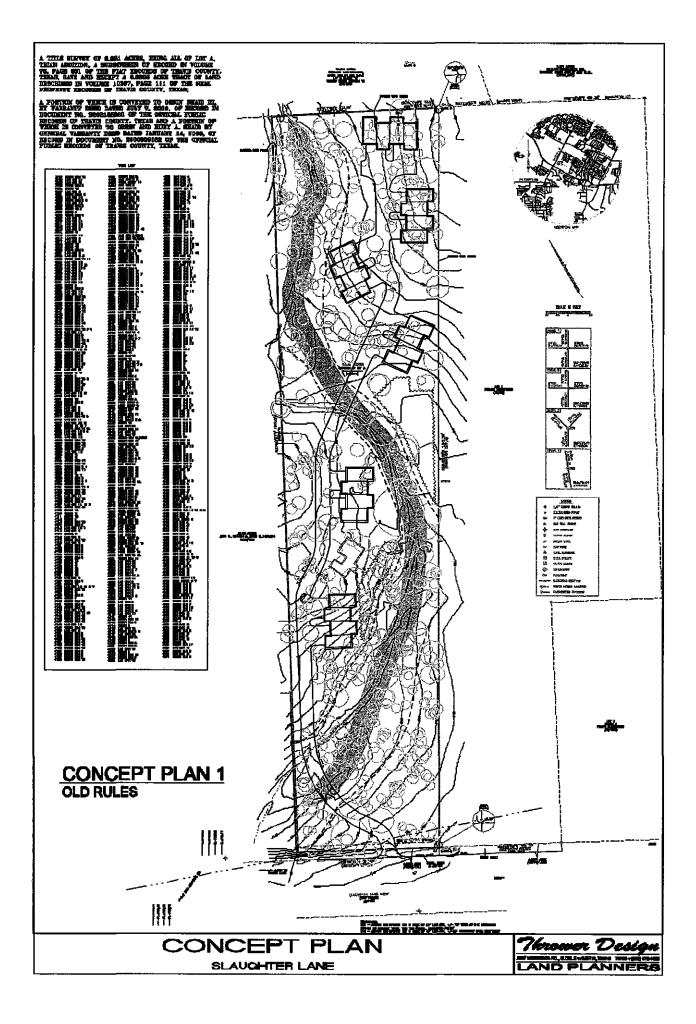
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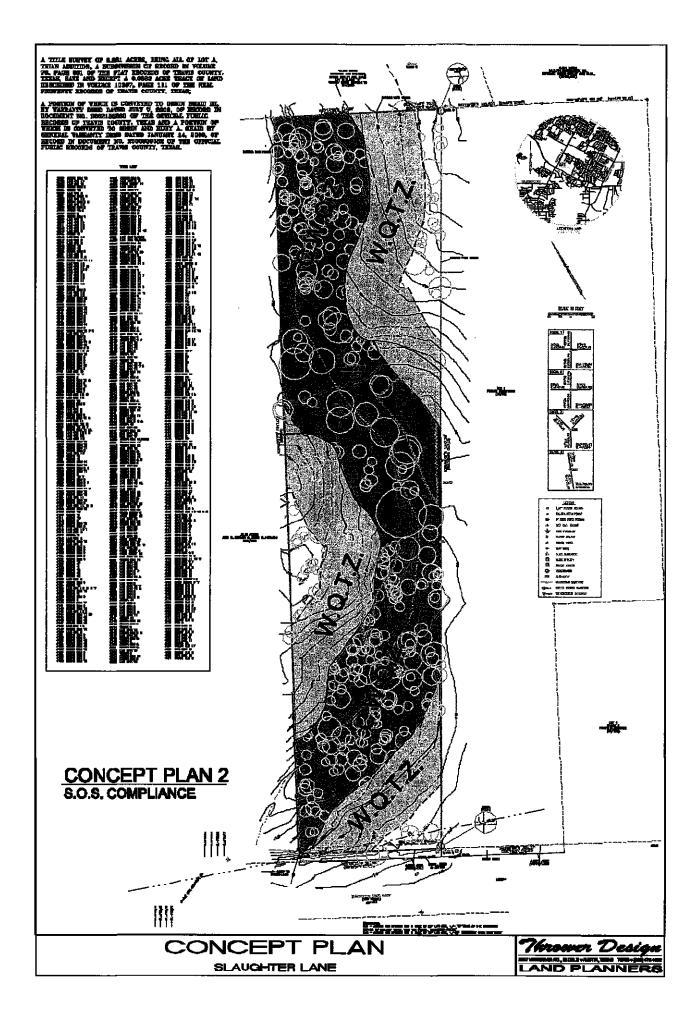
and Water Quality Transition Zone greatly impact the site. As you can see on the attached plan the limited amount of uplands would only allow 5,100 s.f. of development prior to the perimeter roadway deduction required by Code. These deductions reduce the allowable impervious cover of the site to 0 s.f., (The actual computed deduction causes the allowable s.f. to be -1,750 s.f., which is not possible so we rounded this to zero).

I trust that this meets your needs and should you have any questions, please call me at my office.

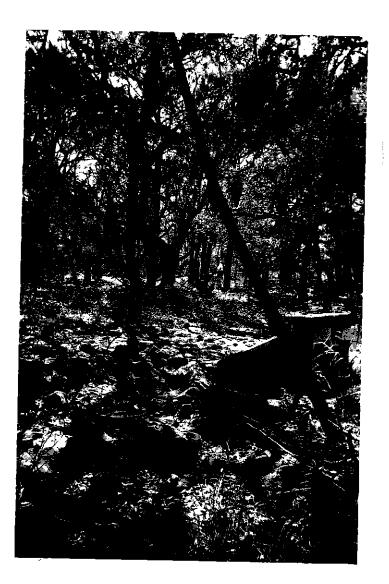
Sincerely,

A. Ron Thrower (original sent without signature via email)

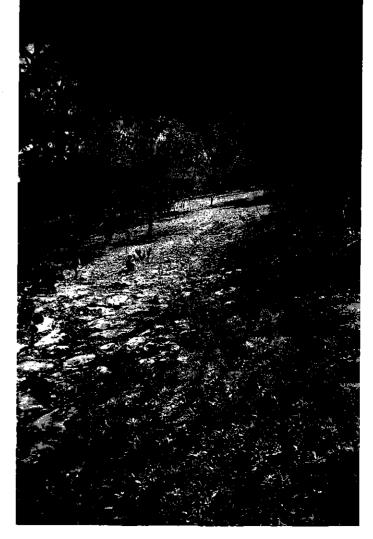


















### ORDINANCE NO.

### AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 3206 WEST SLAUGHTER LANE AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE (SF-6) DISTRICT.

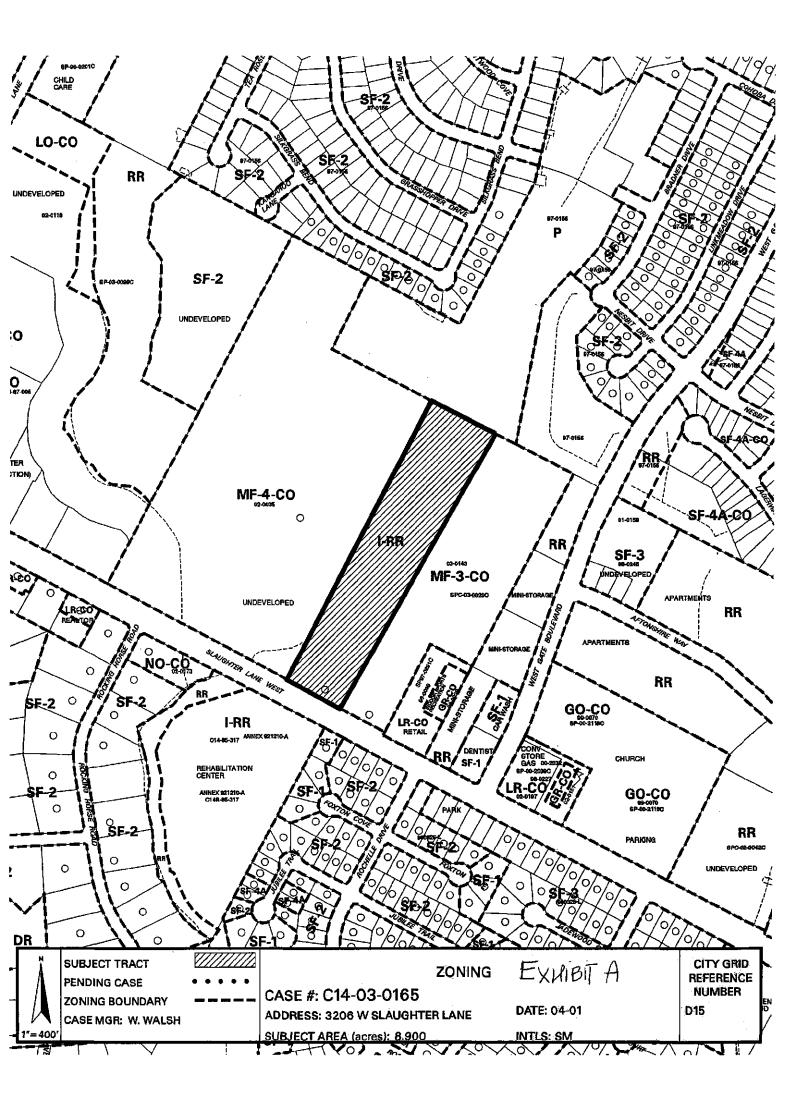
### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from interim rural residence (I-RR) district to townhouse and condominium residence (SF-6) district on the property described in Zoning Case No.C14-03-0165, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot A, Trian Addition Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 76, Page 331, of the Plat Records of Travis County, Texas,

locally known as 3206 West Slaughter Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. This c	ordinance takes effect on			_, 200
PASSED AND	APPROVED	·		
	, 2004	§ § §		
	-	•	Will Wynn Mayor	
APPROVED:		ATTEST:		
	David Allan Smith City Attorney		Shirley A. Brown City Clerk	
Draft: 12/26/2003	Ραφε	e 1 of 1	COA Law Department	



#### Zoning Case No. C14-03-0165

#### **RESTRICTIVE COVENANT**

OWNER:	Orrin Shaid and Orrin Shaid III

ADDRESS: 3206 West Slaughter Lane, Austin, TX 78748

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: Lot A, Trian Addition Subdivision, a subdivision in the City of Austin, Travis County, according to the map or plat of record, in Plat Book 76, Page 331, of the Plat Records of Travis County, Texas.

WHEREAS, the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

- 1. At the time an application for approval of a site plan is submitted for development of the Property, or any portion of the Property, an Integrated Pest Management (IPM) plan shall be submitted to the Watershed Protection and Development Review Department for review and approval.
- 2. The IPM plan shall comply with the guidelines in Section 1.6.9.2 (D) and (F) of the Environmental Criteria Manual that are in effect on the date of this covenant.
- 3. At the time an application for approval of a site plan is submitted for development of the Property, or any portion of the Property, a landscape plan shall be submitted to the Watershed Protection and Development Review Department for review and approval. Ninety percent of the total plant material used, exclusive of turf, shall be native to Central Texas or on the Grow Green Native and Adapted Landscape Plants list, attached as Exhibit "A". Plants on the Invasive Species/Problem Plants list, attached as Exhibit "B", may not be included.
- 4. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
- 5. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.

- If at any time the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
- 7. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination.

EXECUTED this the , day of 2004.

**OWNER:** 

Orrin Shaid

Orrin Shaid I

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#### APPROVED AS TO FORM:

Assistant City Attorney City of Austin

THE STATE OF TEXAS

#### **COUNTY OF TRAVIS**

This instrument was acknowledged before me on this the day of 2004, by Orrin Shaid.



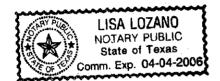
6.

### THE STATE OF TEXAS

### **COUNTY OF TRAVIS**

This instrument was acknowledged before me on this the oq day of <u>march</u> 2co, 4co, 4c

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Notary Public, State of Fexas

After Recording, Please Return to: City of Austin Department of Law P. O. Box 1088 Austin, Texas 78767 Attention: Diana Minter, Legal Assistant

## **EXHIBIT A** Grow Green Native and Adapted Landscape Plants

#### Trees

Ash, Texas Fraxinus texensis Arizona Cypress Cupressus arizonica Big Tooth Maple Acer grandidentatum Cypress, Bald Taxodium distichum Cypress, Montezuma Taxodium mucronatum Elm, Cedar Ulmus crassifolia Elm, Lacebark Ulmus parvifolia Honey Mesquite Prosopis glandulosa Oak, Bur Quercus macrocarpa Oak, Chinquapin Quercus muhlenbergii Oak, Southern Live Quercus virginiana Oak, Escarpment Live Quercus fusilformis Oak, Lacey Quercus glaucoides Oak, Monterey (Mexican White) Quercus polymorpha Oak, Shumard Quercus shumardii Oak, Texas Red Quercus texana (Quercus buckleyi) Pecan Carya illinoinensis Soapberry Sapindus drummondii

#### **Small Trees/Large Shrubs**

Anacacho Orchit Tree Bauhinia congesta

Buckeye, Mexican Ungnadia speciosa Buckeye, Rec Aesculus pavia Caolina Buckthorn Rhamnus caroliniana Cherry Laurel Prunus caroliniana Crape Myrtle Lagerstroemia indica Desert Willow Chilopsis linearis Dogwood, Roughleaf Cornus drummondii Escarpment Black Cherry Prunus serotina var. eximia Eve's Necklace Sophora affinis Goldenball Leadtree Leucaena retusa Holly, Possumhaw Ilex decidua Holly, Yaupon Ilex vomitoria Mountain Laurel, Texas Sophora secundiflora

Persimmon, Texas Diospyros texana Pistachio, Texas Pistacia texana Plum, Mexican Prunus mexicana Pomegranate Punica granatum Redbud, Mexican Cercis canadensis 'mexicana' Redbud, Texas Cercis canadensis var. 'texensis' Retama Jerusalem Thorn Parkinsonia aculeata Senna, Flowering Cassia corymbosa Smoke Tree, American Cotinus obovatus Sumac, Flameleaf Rhus lanceolata Viburnum, Rusty Blackhaw Viburnum rufidulum Viburnum, Sandankwa Viburnum suspensum

#### Shrubs

Abelia, Glossy Abelia grandiflora Agarita Berberis trifoliata Agave (Century Plant) Agave sp. American Beartyberry Callicarpa americana Artemisia Artemisia 'Powis Castle' Barbados Cherry Malpighia glabra Barberry, Japanese Berberis thunbergii 'Atropurpurea' Basket Grass (Sacahuista) Nolina texana Black Dalea Dalea frutescens Bush Germander Teucrium fruticans Butterfly Bush Buddleja davidii Butterfly Bush, Wooly Buddleja marrubiifolia Coralberry Symphoricarpos orbiculatus Cotoneaster Cotoneaster sp. Eleagnus Eleagnus pungens Esperanza/Yellow Bells Tecoma stans Flame Acanthus Anisacanthus quadrifidus var. wrightii Fragrant Mimosa Mimosa borealis Holly, Burford Ilex cornuta 'Burfordii' Holly, Dwarf Chinese Ilex cornuta 'Rotunda nana' Holly, Dwarf Yaupon Ilex vomitoria 'Nana' Jasmine, Primrose Jasminum mesnyi Kidneywood Eysenhardtia texana Lantana, Native Lantana horrida Mistflower, Blue (Blue Boneset) Eupatorium coelestinum Mistflower, White (Shrubby White Boneset) Ageratina havanense Mock Orange Philadelphus coronarius

Nandina Nandina domestica 'Compacta nana' 'Gulf Stream' Oleander Nerium oleander Palmetto Sabal minor Prickly Pear Opuntia engelmannii var. lindheimeri Rose, Belinda's Dream Rosa 'Belinda's Dream' Rose, Lamarne Rosa 'Lamarne' Rose, Livin' Easy Rosa 'Livin' Easy' Rose, Marie Pavie Rosa 'Marie Pavie' Rose, Martha Gonzales Rosa 'Martha Gonzales' Rose, Mutabilis Rosa 'Mutabilis' Rose, Nearly Wild Rosa 'Nearly Wild' Rose, Old Blush Rosa 'Old Blush' Rose, Perle d'or Rosa 'Perle d'or' Rock Rose Pavonia lasiopetala Rosemary Rosmarinus officinalis Sage, Mountain Salvia regla Sage, Texas (Cenizo) Leucophyllum frutescens Senna, Lindheimer Cassia lindheimeriana Southern Wax Myrtle Myrica cerifera Sumac, Evergreen Rhus virens Sumac, Fragrant (Aromatic) Rhus aromatica Texas Sotol Dasylirion texanum Turk's Cap Malvaviscus arboreus Yucca, Paleleaf Yucca pallida Yucca, Red Hesperaloe parviflora Yucca, softleaf Yucca recurvifolia Yucca, Twistleaf Yucca rupicola

#### Perennials

Black-eved Susan Rudbeckia hirta Bulbine B. frutescens or caulescens Bush Morning Glory Ipomoea fistulosa Butterfly Weed Asclepias tuberosa Buterfly Weed 'Mexican' Asclepias curassivica Cast Iron Plant Aspidistra elatior Chile Pequin Capsicum annuum Cigar Plant Cuphea micropetala Columbine, Red Aquilegia canadensis Columbine, Yellow Aquilegia chrysantha 'Texas Gold' Coreopsis Coreopsis lanceolata Daisy, Blackfoot Melampodium leucanthum Daisy, Copper Canyon Tagetes lemmonii Damiantia Crysactina mexicana Fall Aster Aster oblongifolius Fern, River Thelypteris kunthii Firebush Hamelia patens Gaura Gaura lindeheimeri Gayfeather Liatris mucronata Gregg Dalea Dalea greggii Hibiscus, Perennial Hibiscus moscheutos, Hibiscus coccineus Honeysuckle, Mexican Justicia spicigera Hymenoxys (Four Nerve Daisy) Tetraneuris scaposa Indigo Spires Salvia 'Indigo Spires' Iris. Bearded Iris albicans Iris, Butterfly/Bicolor (African) Dietes sp. Lamb's Ear Stachys byzantina Lantana Lantana x hybrida (many varieties)

Lantana, Trailing Lantana montevidensis Marigold, Mexican Mint Tagetes lucida Obedient Plant, Fall Physostegia virginiana Oregano, Mexican Poliomintha longiflora Penstemon Penstemon sp. Phlox, Fragrant Phlox pilosa Pink Skullcap Scutellaria suffrutescens Plumbago Plumbago auriculata Poinciana, Red Bird of Paradise, Pride of Barbados Caesalpinia pulcherrima Primrose, Missouri Oenothera macrocarpa Purple Coneflower Echinacea purpurea Ruellia Ruellia brittoniana Sage, Cedar Salvia roemeriana Sage, Jerusalem Phlomis fruticosa Sage, Majestic Salvia guaranitica Sage, Mealy Blue Salvia farinacea Sage, Mexican Bush Salvia leucantha Sage, Penstemon, Big Red Sage Salvia penstemonoides Sage, Russian Perovaskia atriciplifolia Sage, Scarlet or 'Tropical' Salvia coccinea Salvia, Gregg (Cherry Sage) Salvia greggii Shrimp Plant Justicia brandegeana Texas Betony Stachys coccinea Verbena, Prairie Verbena bipinnatifida Yarrow Achillea millefolium Zexmenia Wedelia texana

#### **Ornamental Grasses**

Bluestem, Big Andropogon gerardii Bluestem, Bushy Andropogon glomeratus Bluestem, Little Schizachyrium scoparium Fountain Grass, Dwarf Pennisetum alopecuroides Indian Grass Sorghasturm nutans Inland Sea Oats Chasmanthium latifolium Mexican Feathergrass (Wiregrass) Stipa tenuissima Muhly, Bamboo Muhlenbergia dumosa Muhly, Big Muhlenbergia lindheimeri Muhly, Deer Muhlenbergia rigens Muhly, Gulf Muhlenbergia capillaris Muhly, Seep Muhlenbergia reverchonii Sideoats Grama Bouteloua curtipendula Wild Rye Elymus canadensis

#### Vines

Asian Jasmine Trachelospermum asiaticum Carolina Jessamine Gelsemium sempervirens Coral Vine Antigonon leptopus Crossvine Bignonia capreolata Fig Vine Ficus pumila Honcysuckle, Coral Lonicera sempervirens Lady Banksia Rose Rosa banksiae Passion Vine Passiflora incarnata Trumpet Vine Campsis radicans Virginia Creeper Parthenocissus quinquefolia

#### Groundcover

Aztec Grass Ophiopogon japonicus Frogfruit Phyla incisa Horseherb Calyptocarpus vialis Leadwort Plumbago Ceratostigma plumbaginoides Liriope Liriope muscari Monkey Grass (Mondo Grass) Ophiopogon japonicus Oregano Origanum vulgare Periwinkle, Littleleaf Vinca minor Pigeonberry Rivina humilis Purple Heart Secreasea pallida Santolina (Lavender Cotton) Santolina chamaecyparissus Sedge, Berkeley Carex tumulicola Sedge, Meadow Carex perdentata Sedge, Texas Carex texensis Sedum (Stonedrop) Sedum nuttallianum Silver Ponyfoot Dichondra argentea Wooly Stemodia Stemodia lanata (Stemodia tomentosa)

#### **Turf Grasses**

Bermuda 'Tif 419', 'Sahara', 'Baby', 'Common' Buffalo '609', 'Stampede', 'Prairie' St. Augustine 'Baby', 'Common', 'Raleigh', 'Delmar' Zoysia, Fine Leaf 'Matrella', 'Emerald', 'Zorro' Zoysia, Coarse Leaf 'Japonica', 'Jamur', 'El Toro', 'Palisade

# RXHIBIT B

### **Invasive Species/Problem Plants**

### PLANTS TO AVOID

#### **INVASIVES**

(Plants that are non-native to the Central Texas ecosystem and tend to out-compete native species)

### **Do Not Plant**

(Travel by seeds, berries, and spores so can be transported long distances. They have already invaded preserves and greenbelts):

- Arizona Ash
- Chinaberry
- Chinese Pistache
- Chinese Tallow
- Chinese Privet
- Elephant Ear
- Holly Fern
- Japanese Honeysuckle
- Ligustrum, Wax Leaf
- Mimosa
- Mulberry, Paper
- Nandina (large, berrying varieties)
- Photinia, Chinese
- Pyracantha
- Tamarisk
- Tree of Heaven

#### Do Not Plant Near Parks/Preserves/Greenbelts

(travel by runners, rhizomes, and stems so only invade neighboring areas):

- Bamboo
- English Ivy
- Vinca (Periwinkle)

### PROBLEM TREES AND SHRUBS

(Typically fast-growing, highly adaptable, but often have weak wood and are short-lived. Most are susceptible to insect and disease problems.)

- Arizona Ash
- Azalea (not adapted to Austin soils)
- Boxelder
- Camellia
- Chinaberry
- Chinese Privet
- Chinese Tallow
- Cottonwood
- Ligustrum
- Lombardy Poplar
- Mimosa
- Mulberry, Paper
- Photinia, Chinese
- Siberian Elm
- Silver Maple
- Sweetgum
- Sycamore
- Tree of Heaven

#### ZONING CHANGE REVIEW SHEET

CASE: C14-03-0165

<u>Z.P.C. DATE:</u> December 2, 2003 December 16, 2003

ADDRESS: 3206 West Slaughter Lane

OWNER AND APPLICANT: Orrin Shaid & AGENT: Crocker Consultants Orrin Shaid III (Sarah Crocker)

ZONING FROM: I-RR TO: SF-6 AREA: 8.900 acres

#### SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant townhouse and condominium residence (SF-6) district zoning.

#### ZONING & PLATTING COMMISSION RECOMMENDATION:

December 2, 2003: POSTPONED TO 12/16/03 DUE TO NOTIFICATION PROBLEMS (STAFF) [J.M; J.G 2<sup>ND</sup>] (9-0)

December 16, 2003: APPROVED STAFF'S RECOMMENDATION OF SF-6 ZONING; BY CONSENT. [J.M; J.G 2<sup>ND</sup>] (8-0) C.H – ABSENT

#### **ISSUES:**

The applicant's representative and her engineer had a joint meeting with Zoning and Watershed Protection staff on April 7, 2004 to discuss development issues on the property. The applicant would like to maintain two creek crossings: one to enter the property and one to provide access to its northern portion. The applicant has discussed the use of a freestanding bridge (in lieu of a box culvert which has a concrete-lined bottom) in order to maintain the natural stream course, and agrees not to build residential units in the 100-year flood plain.

However, in order to minimize disturbance to the creek, the City's Environmental Officer prefers limiting the future development on the property to one creek crossing. Limiting the number of creek crossings, in turn, will promote clustering of development and improved water quality.

The applicant has provided two conceptual plans showing flood plain constraints and residential development of the property. The first plan shows development which may occur by way of the recorded 1978 plat and the second shows development which may occur with the application of SOS regulations. Please refer to Attachment A, following the Zoning Map.

The applicant has entered into a Restrictive Covenant with the City that provides that at the time a site plan is submitted, it will include an Integrated Pest Management (IPM) Plan and a landscape plan for the use of native and adapted plant materials.

#### **DEPARTMENT COMMENTS:**

The subject property consists of one single family residence and otherwise undeveloped acreage on one platted lot, and is zoned interim - rural residence (I-RR) district. Access is taken to Slaughter Lane, an improved, 6- lane major arterial roadway. Please refer to Exhibits A and A-1.

The applicant proposes to rezone the property to the townhouse and condominium residence (SF-6) district and develop the property with townhouse / condominium uses.

This segment of West Slaughter Lane between West Gate Boulevard and Brodie Lane is in transition from undeveloped property and single family residences on large lots to multi-family residential (MF-4-CO) and commercial zoning (GR-CO, LR-CO) and development. The MF-4-CO property adjacent to the west as well as the proposed MF-3-CO property adjacent to the east have been approved with conditions including SF-6 density and uses. The applicant's request for SF-6 zoning is appropriate along West Slaughter Lane and will further diversify the range of housing choices available in the general area. Townhouse / condominiums are compatible with the surrounding zoning and development which includes a shopping center with a grocery store, bank, restaurant and other retail uses, proposed multi-family to the west, and proposed convalescent services facility to the east.

	ZONING	LAND USES	
Site	I-RR	One single family residence; Undeveloped	
North	P; RR; SF-2	Single family residences; Drainage area; Undeveloped	
South	NO-CO; RR; I-RR; SF-	Single family residence; Undeveloped; Rehabilitation center;	
	1; SF-2; SF-3	Neighborhood park	
East	MF-3-CO; LR-CO;	Single family residence proposed for Convalescent Services;	
	GR-CO; RR; SF-1;	Administrative and business office; Personal improvement	
	GO-CO; SF-3	services – athletic facility; Convenience storage; Medical	
		office; Auto washing; Service station with auto washing;	
		Church; Apartments; Undeveloped	
West	MF-4-CO; GR-CO; RR	Undeveloped; Shopping center with food sales, financial	
		services and restaurants	

#### EXISTING ZONING AND LAND USES:

#### AREA STUDY: N/A

#### TIA: Is not required

WATERSHED: Slaughter Creek – Barton Springs Zone DESIRED DEVELOPMENT ZONE; No

#### CAPITOL VIEW CORRIDOR: No

# HILL COUNTRY ROADWAY: No

#### **NEIGHBORHOOD ORGANIZATIONS:**

- 217 Tanglewood Forest Neighborhood Association
- 385 Barton Springs Coalition
- 428 Barton Springs / Edwards Aquifer Conservation District
- 465 Cherry Creek on Brodie Neighborhood Assn.
- 918 Davis Hills Estate HOA
- 959 Villages Neighborhood Association
- 384 Save Barton Creek Association
- 405 Residents of Oak Parke
- - 511 Austin Neighborhoods Council
  - 943 Save Our Springs Alliance

# SCHOOLS:

Kocurek Elementary School

Bailey Middle School

Bowie High School

### CASE HISTORIES:

NUMBER	REQUEST	ZONING AND	CITY COUNCIL
TIOMBER	ILLQULDI	PLATTING	
		COMMISSION /	
		PLANNING	
		COMMISSION	
C14-03-0143	I-RR to MF-3-CO	To Grant MF-3-CO with	Approved MF-3-CO as
		CO to include	recommended by the
		Convalescent Services as	Zoning and Platting
		the only permitted MF-3	Commission (12-11-03).
		use and all other SF-6	
		uses.	
C14-02-0173	DR to GR	To Grant NO-CO with	Approved NO-CO as
		conditions of no	recommended by ZAP
		additional impervious	and a Restrictive Covenant for IPM Plan
		cover and prohibit access from Rocking Horse	and use of native /
		Road.	adapted plant materials
		Roau.	(7-17-03)
C14-02-0118	LO-CO to GR	To Grant GR-CO with	Approved GR-CO as
		list of prohibited uses and	recommended by ZAP
		2,000 trips per day	(7-31-03)
C14-02-0035	I-RR to MF-4	To Grant MF-4-CO with	Approved MF-4-CO
		conditions: Restrict	with Conditional
		development to MF-3	Overlay restricting
		development standards,	development to MF-3
		except height – limit of	standards with exception
		45 feet; SF-6 density;	of a 45' height limit; SF-
		2,000 vehicle trips per	6 density; 2,000 trips;
		day; 300 foot wide buffer	300' wide vegetative
		along the north property	buffer along north
		line.	property line, adjacent to
			adjoining residential
			district, with limited improvements allowed.
			A Restrictive Covenant
			requires the use of native
			plants and an IPM Plan.
			(11-21-02).
C14-02-0151	LR-CO to GR-CO	To GR-CO with CO	Approved GR-CO, as
		limiting property to	recommended by ZAP
		vehicle trips to 300 per	(12-5-02)
		day	
C14-02-0197	LR-CO to LR-CO	To Grant LR-CO with	Approved LR-CO as
		CO for 2,700 trips per	recommended by ZAP

		day and one berm sign	(2-6-03)
C14-01-0159	LO-CO to SF-3	To Grant SF-3	Approved SF-3 (1-10-02)
C14-00-2032	LR-CO to LR-CO	To Grant LR-CO w/conds.	Approved LR-CO w/conds. (4-20-00)
C14-99-0070	I-RR to GO	To Grant GO-CO w/conds.	Approved GO-CO w/conds.(12-2-99)
C14-97-0156	I-RR and I-SF-2 to RR; SF-1; SF-2; SF-3; SF-4; SF-6; GR; P	To Grant RR; SF-2; SF- 4A; LO; LR; and P	Approved RR; SF-2; SF- 4A; LO; P w/conds. (6-25-98)
C14-96-0039	I-RR to GR; LR	To Grant GR-CO on Tract 1; LR-CO on Tract 2	Approved as per PC recommendation (5-23-96)

#### RELATED CASES:

The subject property was annexed into the City limits on December 31, 1992 (Ordinance Number 921210-A) and assigned I-RR district zoning.

The property is platted as Lot A of Trian Addition, recorded in May 1978 (C8s-78-073). Please refer to Exhibit B.

#### **ABUTTING STREETS:**

STREET	RIGHT- OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
West Slaughter Lane	100 feet	2 @ 32 feet	Arterial	24,750 (1998)

\*\* There is a funded Capital Improvement Project to widen the Slaughter / Brodie Lanes intersection by adding left-turn lanes.

There are no sidewalks along this portion of Slaughter Lane. Capital Metro bus service is not available within 1/4 mile of this property. Slaughter Lane between Brodie Lane and Manchaca Road is classified in the Bicycle Plan as a Priority 1 bike route (Route #86).

<u>CITY COUNCIL DATE:</u>	January 15, 2004	<u>ACTION:</u> Approved postponement request by the Applicant to 2-5-04 (6-0, McCracken off the dais)
	February 5, 2004	Approved SF-6 district zoning on 1 <sup>st</sup> Reading (6-1, D.S – Nay)
	March 4, 2004	Approved postponement request by the Applicant to 3-25-04 (6-0, McCracken off the dais)
	March 25, 2004	Approved SF-6 district zoning on 2 <sup>nd</sup>

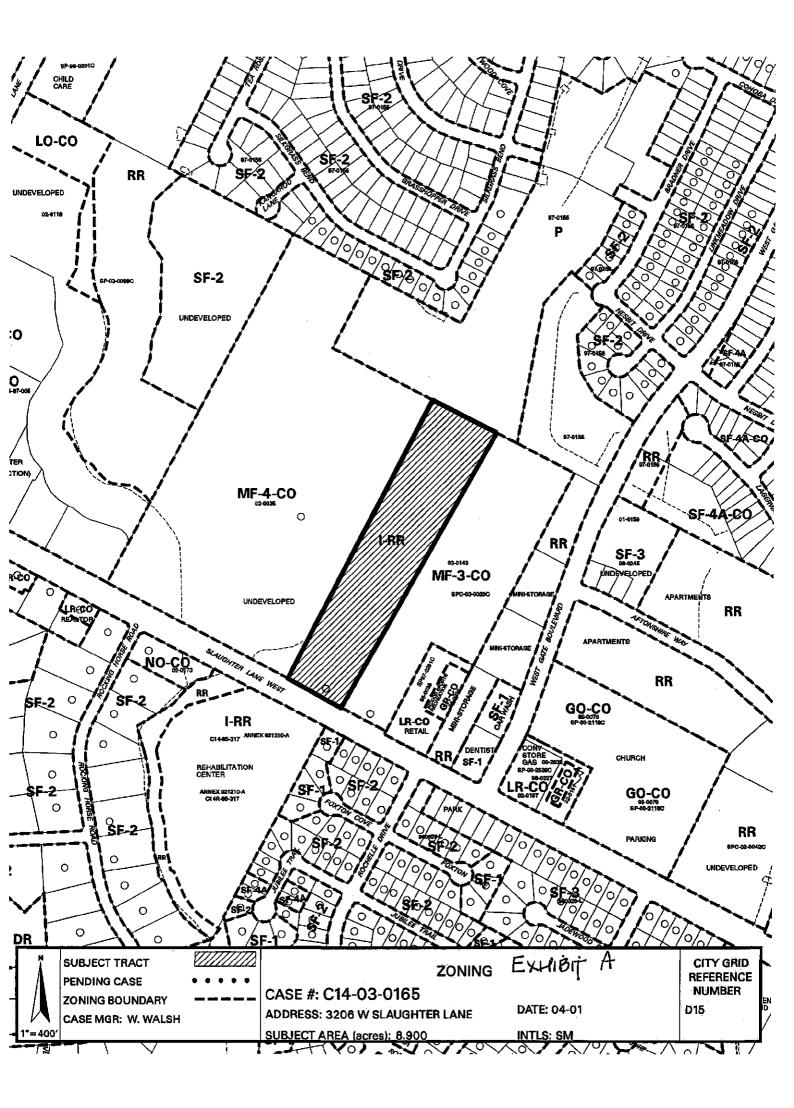
Reading. Applicant will continue negotiations with Watershed Protection and Development Review Department staff. (6-1, D.S – Nay)

### April 15, 2004

### ORDINANCE READINGS: 1<sup>st</sup> February 5, 2004 2<sup>nd</sup> March 25, 2004 3<sup>rd</sup>

#### **ORDINANCE NUMBER:**

CASE MANAGER: Wendy Walsh e-mail: wendy.walsh@ci.austin.tx.us **<u>PHONE:</u>** 974-7719





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EXMIBIT B RECORDED PLAT The staff's recommendation is to grant townhouse and condominium residence (SF-6) district zoning.

#### BACKGROUND

The subject property consists of one single family residence and otherwise undeveloped acreage on one platted lot, and is zoned interim – rural residence (I-RR) district. Access is taken to Slaughter Lane, an improved, 6- lane major arterial roadway.

The applicant proposes to rezone the property to the townhouse and condominium residence (SF-6) district and develop the property with townhouse / condominium uses.

This segment of West Slaughter Lane between West Gate Boulevard and Brodie Lane is in transition from undeveloped property and single family residences on large lots to multi-family residential (MF-4-CO) and commercial zoning (GR-CO, LR-CO) and development. The MF-4-CO property adjacent to the west as well as the proposed MF-3-CO property adjacent to the east have been approved with conditions including SF-6 density and uses. The applicant's request for SF-6 zoning is appropriate along West Slaughter Lane and will further diversify the range of housing choices available in the general area. Townhouse / condominiums are compatible with the surrounding zoning and development which includes a shopping center with a grocery store, bank, restaurant and other retail uses, proposed multi-family to the west, and proposed convalescent services facility to the east.

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

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

The SF-6, Townhouse and Condominium Residence 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 detached units.

2. Zoning changes should promote compatibility with adjacent and nearby uses.

This segment of West Slaughter Lane between West Gate Boulevard and Brodie Lane is in transition from undeveloped property and single family residences on large lots to multi-family residential (MF-4-CO) and commercial zoning (GR-CO, LR-CO) and development. The MF-4-CO property adjacent to the west as well as the proposed MF-3-CO property adjacent to the east have been approved with conditions including SF-6 density and uses. The applicant's request for SF-6 zoning is appropriate along West Slaughter Lane and will further diversify the range of housing choices available in the general area. Townhouse / condominiums are compatible with the surrounding zoning and development which includes a shopping center with a grocery store, bank, restaurant and other retail uses, proposed multi-family to the west, and proposed convalescent services facility to the east.

#### **EXISTING CONDITIONS**

#### Site Characteristics

The site consists of one single family residence and otherwise undeveloped acreage. The property slopes towards an unnamed tributary of Slaughter Creek, extending southwest to northeast through the west boundary.

#### Impervious Cover

The maximum impervious cover allowed by the SF-6 zoning district would be 15% within the Barton Springs Zone by way of the more restrictive watershed regulations.

#### **Environmental**

Based on City maps, all or a portion of this site is located over the Edward's Aquifer Recharge Zone. The site is in the Slaughter Creek of the Colorado River Basin. Any portion of the site that is within either the Recharge or Contributing Zone of the Edward's Aquifer is classified as a Barton Springs Zone (BSZ) watershed. Project applications at the time of this report are subject to the SOS Ordinance which allows 15% impervious cover in the recharge zone and 25% impervious cover in the contributing zone.

A determination of whether development of this property qualifies as a project in process and subject to the rules or regulations in effect at the time the original permit application was filed for development of this site, has not yet been made. The determination is made at the time of subdivision / site plan application.

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

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 providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

#### Water Quality

The location of the boundary between the Recharge Zone and the suburban zone is important in determining how development on this site will occur. A geologic assessment will need to be completed and reviewed prior to initiating design of the site. Once the boundary is determined, then the water quality system can be established based on the regulations for each classification of watershed. Water quality systems in the Barton Springs Zone are typically designed for non-degradation. This is typically achieved by the use of retention ponds where the captured volume is spread over the site by the use of re-irrigation systems or infiltration systems.

#### **Transportation**

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

The trip generation under the requested zoning is estimated to be 774 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]

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

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

#### Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility adjustments, or relocation are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City's utility design criteria.

#### **Compatibility Standards**

The site is subject to compatibility standards. Along portions of the north and south property lines, the following standards apply:

- No structure may be built within 25 feet of the property line zoned RR or SF-2.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- 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.
- Slaughter Lane is a scenic roadway.

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

You may send your written comments to the Zoning & Platting Commission Ass Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.	istant, Neighborhood Planning &
File # C14-03-0165-WW Zoning & Platting Commission H Name (please print) <u>CURT STEFKA</u> , Max JAMES, BOB PITT Address <u>3107 - 3111 SLAUGHTER LANE WEST</u>	<ul> <li>earing Date: December 16, 2003</li> <li>I am in favor (Estoy de acuerdo)</li> <li>I object</li> </ul>
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You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835. File # C14-03-0165-WW Zoning & Platting Commission Hearing Date: December 2, 2003 Name (please print) I am in favor (Estoy de acuerdo) Address 510 I object (No estoy de acuerdo) We have enough traffic to contend with no need to add prore! HONG Pan'l get out of our sub division easily as it is You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835. Zoning & Platting Commission Hearing Date: December 16, 2003 File # C14-03-0165-WW ric Wilty Name (please print) I am in favor (Estoy de acuerdo) Address 3168 (as toxton I object (No estoy de acuerdo) We have enough traffic already? Strongly Can't even get out of our subjuision with out the fear of being hit. [No Traffic light ]