



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-5
AGENDA DATE: Thu 07/29/2004
PAGE: 1 of 1

SUBJECT: C14-04-0041.SH - Oak Bluff - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 807 North Bluff Drive (Williamson Creek Watershed) from rural residence (RR) district zoning, neighborhood office (NO) district zoning and community commercial (GR) district zoning to single family residence small lot (SF-4A) district zoning. Planning Commission Recommendation: To grant single family residence small lot (SF-4A) district zoning. Applicant: Keith Smith. Agent: LOC Consultants (Sergio Lozano-Sanchez). City Staff: Wendy Walsh, 974-7719

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0041.SH

P.C. DATE: June 8, 2004
July 13, 2004

ADDRESS: 807 North Bluff Drive

OWNER AND APPLICANT: Keith Smith

AGENT: LOC Consultants
(Sergio Lozano-Sanchez)

ZONING FROM: RR; NO; GR **TO:** SF-4A **AREA:** 5.021 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant single family residence small lot (SF-4A) district zoning.

PLANNING COMMISSION RECOMMENDATION:

June 8, 2004: *RE-OPEN THE PUBLIC HEARING FOR ITEM 7 AND CONTINUE THE PUBLIC HEARING TO JULY 13, 2004 AT THE REQUEST OF THE NEIGHBORHOOD. COMMISSION REQUESTED THAT STAFF UPDATE SIDEWALK AND BUS STOP INFORMATION, AND FURTHER DESCRIBE THE TRANSIT ELEMENT OF THIS DEVELOPMENT; ENCOURAGE THE APPLICANT TO PARTICIPATE IN THE COMMUNITY WORKSHOP FOR THE SOUTH CONGRESS COMBINED NEIGHBORHOOD PLAN TO BE HELD IN JUNE 2004.*

VOTE: 5-0 (C.R 1ST, M.M 2ND)

July 13, 2004: *TO GRANT SF-4A DISTRICT ZONING (9-0)*

ISSUES:

The applicant contacted Neighborhood Planning staff to receive the results of the community-wide workshop for the South Congress Combined Neighborhood Plan on June 26, 2004, but did not participate in the workshop. Neighborhood Planning staff has summarized the results of the first community workshop, as provided in Attachment B.

In response to questions raised at the June 8, 2004 Commission meeting, the applicant in all S.M.A.R.T. Housing™ single-family development must arrange with Capital Metro to have a bus stop within 1/4 mile of the development at the time of full build-out and occupancy. In addition, the applicant must incorporate the standards of the S.M.A.R.T. Housing™ Design Guidelines that include a front porch that is at least four feet wide and either a non-step entrance or a ramp that complies with the standards of the adopted International Residential Code. Market housing development is not required to meet any of these standards. The applicant must also meet all Land Development Code standards that include the construction of new sidewalks in new subdivisions. This rezoning case has been approved to participate in the City's SMART (Safe, Mixed-Income, Accessible, Reasonably-priced, Transit-Oriented) Housing expedited review program. See Attachment A.

DEPARTMENT COMMENTS:

The subject property is undeveloped and has carried rural residence (RR), neighborhood office (NO) and community commercial (GR) district zonings since July 1987. Access to the property is taken to

North Bluff Drive, a residential collector street. The surrounding area includes a mix of residential and commercial land uses and corresponding zoning districts. There are convenience-oriented commercial service uses located at the intersection of North Bluff Drive and William Cannon Drive, and with the exception of an automobile dealership on the east side of North Bluff Drive, this segment of North Bluff Drive generally retains a residential character. Williamson Creek defines the north property line. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The applicant proposes to rezone the property to the single family residence – small lot (SF-4A) district and construct 34 single family residences and one water quality / detention pond. Please refer to the applicant's conceptual subdivision layout, as provided in Exhibit B. Staff recommends SF-4A zoning based on its compatibility with the surrounding zoning (SF-3; SF-3-H; MF-2-CO) and development (undeveloped, single family residences, lodge; apartments).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	RR; NO; GR	Undeveloped
<i>North</i>	SF-3; LO	Single family residences; Elementary school; Towing company
<i>South</i>	GR	Retail sales; Fast food restaurants; Service station
<i>East</i>	MF-2-CO; RR; GR-CO; SF-3-H; SF-3; GR-CO; GR; CS	Undeveloped; Automobile dealership; Lodge; Single family residence; Fast food restaurants; Automotive repair
<i>West</i>	LO; MF-2; GR	Apartments

NEIGHBORHOOD PLANNING AREA: South
Congress Combined NPA
(Sweetbriar)

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

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 Assn.

SCHOOLS:

Pleasant Hill Elementary School

Bedichek Middle School

Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	ZONING AND PLATTING COMMISSION / PLANNING COMMISSION	CITY COUNCIL
C14-03-0063	RR; NO-CO; GR-CO to GR	To Grant RR in its existing configuration, and GR-CO with 45' max. height and prohibited uses. Restrictive Covenant for the TIA.	Approved RR; GR-CO, as recommended by the ZAP (11-20-03)
C14-03-0064	SF-3 to GR-CO	Withdrawn by the Applicant	Not applicable
C14-01-0069	SF-3 to MF-2	To Grant MF-2-CO with CO for a 25' vegetative buffer along North Bluff Drive (6-5-01)	Approved MF-2-CO as recommended by the Planning Commission (8-9-01)
C14-99-0055 (RCA)	Restrictive Covenant Amendment to remove access restrictions to North Bluff Drive	To Grant an amendment of the Restrictive Covenant to delete conditions #1 and #2, pertaining to driveway access on North Bluff Drive (9-23-03).	Approved the Restrictive Covenant Amendment, as recommended by the ZAP (10-23-03)
C14-99-0055	SF-3 to GR & NO	To Grant GR-CO for Tract 1 and NO-CO for Tract 2 with a 10' vegetative buffer adjacent to North Bluff Drive; RR for Tract 3. Additional conditions agreed to between the Applicant and the Neighborhood Association: 60 db at the property line, 10' buffer along N. Bluff to be a landscaped buffer, and that vehicle storage, auto washing, repair, rentals are permitted only as accessory uses to the principal use of automotive sales. (4-27-99)	Approved GR-CO for Tract 1; NO-CO for Tract 2; RR for Tract 3. 10' landscaped buffer along North Bluff and same along adjacent SF-3-H property; 60% impervious cover; shielded lighting; prohibit Congregate Living and Residential Treatment on NO-CO; 40' height on Tract 1. <u>Restrictive Covenant</u> limits property to 1 driveway along North Bluff Drive, with mechanized gate for security purposes and for employees only; prohibits access for delivery trucks for loading or unloading

			purposes; prohibits portable buildings or mobile homes except for those used for auto sales; noise level at property not to exceed 60 decibels (5-13-99)
--	--	--	--

RELATED CASES:

The subject rezoning area was part of a 1987 rezoning request known as "William Cannon Joint Venture" that included retail, restaurant and cinema uses, and extended along North Bluff Drive between Williamson Creek and William Cannon Drive (C14r-86-144). The rezoning approved in 1987 is consistent with that currently shown on the City's Zoning Map (RR, NO and GR). The Site Plan attached to the 1987 Zoning Ordinance shows that the area of the subject rezoning request contains two buildings (zoned GR), parking areas (zoned NO) and a detention pond, filtration pond and a natural buffer area (zoned RR). Furthermore, a Restrictive Covenant attached to the 1987 case covers the NO and RR portions of the property, and limits the use of these two areas to surface parking and detention and filtration of run-off water, respectively.

Accordingly, as SF-4A zoning is now proposed, there is a related Restrictive Covenant Termination request in process with the SF-4A rezoning request to delete these limitations on the property (C14r-86-144 (RCT)). Staff is supportive of the Termination request, as detention and filtration facilities have been built to support the existing commercial development near the intersection of North Bluff Drive and William Cannon Drive and the rezoning request removes further commercial development from occurring in this location.

Additional right-of-way for North Bluff Drive was dedicated with the 1987 case.

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
North Bluff Drive	Varies between 50 – 60 feet	Varies between 20 – 27 feet	Residential Collector	1,959 (2003)

- There are no existing sidewalks along North Bluff Drive.

Location of Transit Stops

On the north side of William Cannon, there is a transit stop located approximately 1,595 feet of legal walking distance, measured from the southern property line to the William Cannon/North Bluff intersection, then heading west to the transit stop (it is located in front of the apartments, just past the first driveway entrance). There was no transit stop in front of the fast food restaurants and convenience store.

On the south side of William Cannon (across the street), there is a transit stop just west of the driveway that is signalized (main entrance). Based on the legal walking distance, from the southern property line to the William Cannon/North Bluff intersection, then heading east to the IH-35

intersection and crossing over to the south side of William Cannon and heading west to the transit stop is approximately 1,985 feet.

In both instances, the transit stops are greater than 1/4 mile in distance but less than 1/2 mile.

Three bus lines are available on William Cannon Drive:

- Route 1 - North Lamar / South Congress (William Cannon forms the route's southern boundary)
- Route 101 - North Lamar Limited (William Cannon forms the route's southern boundary)
- Route 333 - William Cannon Crosstown

CITY COUNCIL DATE: July 29, 2004

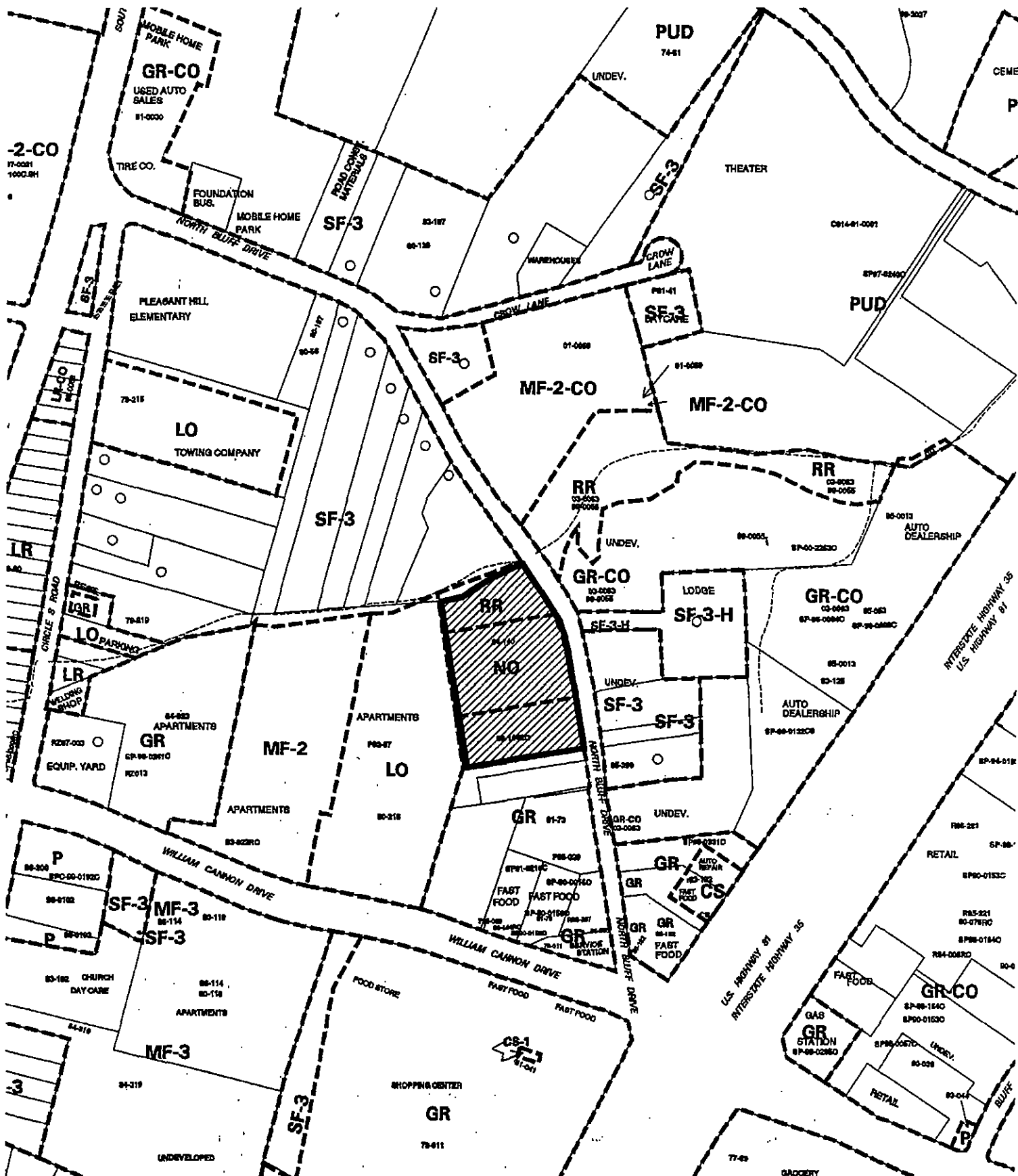
ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

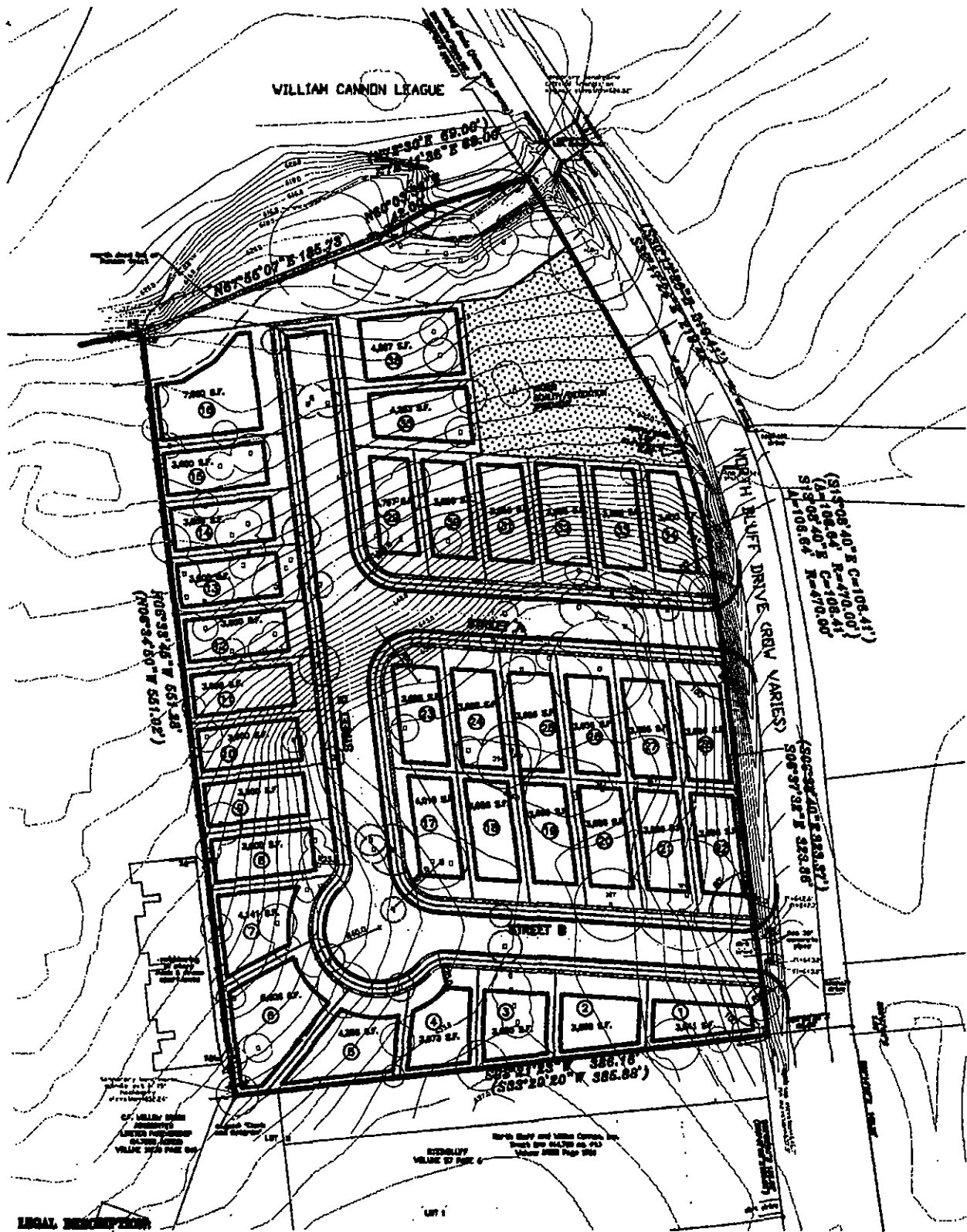
CASE MANAGER: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us

PHONE: 974-7719



 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: W. WALSH	 	ZONING <i>Exhibit A</i> CASE #: C14-04-0041SH ADDRESS: 807 NORTH BLUFF DR SUBJECT AREA (acres): 5.021	DATE: 04-05 INTLS: SM	CITY GRID REFERENCE NUMBER G16
---------------	--	----------	---	--------------------------	---





LEGAL DESCRIPTION

5.021 ACRES OF LAND OUT OF THE WILLIAM CANNON LEAGUE IN TRAVIS COUNTY, TEXAS, WHICH WAS CONVEYED TO KEITH SMITH BY DEED RECORDED IN VOLUME 13245 PAGE 257 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS LOCATED ON NORTH BLUFF DRIVE.

SCALE 1:50'

08-08-04

LOC Consultants

Civil Structural Environmental Engineers

1000 East Cesar Chavez, Suite 100
Austin, Texas 78702-4208
E-mail: loc@loc.com

Ph: (512) 499-0908
Fax: (512) 499-0807

OAK BLUFF

AUSTIN, TEXAS

PRELIMINARY LAYOUT

Exhibit B

Applicant's
CONCEPTUAL

SUBDIVISION LAYOUT

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant single family residence small lot (SF-4A) district zoning.

BACKGROUND

The subject property is undeveloped and has carried rural residence (RR), neighborhood office (NO) and community commercial (GR) district zonings since July 1987. Access to the property is taken to North Bluff Drive, a residential collector street. The surrounding area includes a mix of residential and commercial land uses and corresponding zoning districts. There are convenience-oriented commercial service uses located at the intersection of North Bluff Drive and William Cannon Drive, and with the exception of an automobile dealership on the east side of North Bluff Drive, this segment of North Bluff Drive generally retains a residential character. Williamson Creek defines the north property line.

The applicant proposes to rezone the property to the single family residence – small lot (SF-4A) district. Staff recommends SF-4A zoning based on its compatibility with the surrounding zoning (SF-3; SF-3-H; MF-2-CO) and development (undeveloped, single family residences, lodge; apartments).

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The SF-4A, Single-Family Residence Small Lot District is intended as an area for moderate density single-family residential use, with a minimum lot size of 3,600 square feet. In appropriate locations, small lot single-family use is permitted under standards that maintain single-family neighborhood characteristics. The approved Preliminary Plan is consistent with the SF-4A zoning district and development standards.

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

The applicant proposes to rezone the property to the single family residence – small lot (SF-4A) district. Staff recommends SF-4A zoning based on its compatibility with the surrounding zoning (SF-3; SF-3-H; MF-2-CO) and development (undeveloped, single family residences, lodge; apartments).

EXISTING CONDITIONS**Site Characteristics**

The site is undeveloped and slopes to the north, towards Williamson Creek.

Impervious Cover

The maximum impervious cover allowed by the SF-4A zoning district would be 55%, which is a consistent figure between the zoning and watershed regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Williamson 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. 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.

Review of location development history indicated a restrictive covenant that required that a portion of the property to be re-zoned be dedicated/used for a drainage facility.

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 existing trees and other 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 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.

Transportation

No additional right-of-way is needed at this time. Dedication of additional right-of-way will be addressed during the subdivision process.

The trip generation under the requested zoning is estimated to be 586 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.) The trip generation under the existing zoning is estimated to be 6,630 trips per day based on the south portion of the property zoned "GR"; the middle portion of the property zoned "NO"; and the north portion of the property zoned "RR".

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 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.

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. The landowner will be responsible for providing all required water and wastewater utility improvements, offsite main extension, system upgrades, utility relocation and adjustment. Also, the landowner will be responsible for all costs.

The water and wastewater utility system serving this subdivision must be in accordance with the City's utility design criteria. The utility plan must be reviewed and approved by the Austin Water Utility.

Compatibility Standards

SF-4A district zoning would not trigger the application of compatibility standards.



City of Austin

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

Neighborhood Housing and Community Development Office

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

January 21, 2004

S.M.A.R.T. Housing Certification
807 North Bluff Subdivision
Keith Smith 306-5317 (o)

TO WHOM IT MAY CONCERN:

Keith Smith is proposing a 37 unit single-family subdivision on the property known as 807 North Bluff Drive off East William Cannon Drive just west of IH 35. The Neighborhood Housing and Community Development Department (NHCD) certifies that the proposed construction meets the S.M.A.R.T. Housing™ standards at the pre-submittal stage. Since 40% of the homes will serve families at 80% Median Family Income (MFI) or below, the development will be eligible for 100% waiver of the fees listed in Exhibit A of the S.M.A.R.T. Housing Resolution adopted by the City Council. The expected fee waivers include, but are not limited to, the following:

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

Prior to filing of building permit applications and commencement of construction, the developer must:

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Nathan Doxsey, Austin Energy, 505-3703, or Shirley Muns, Austin Energy, 322-6453).
- ◆ Submit the S.M.A.R.T. Housing Residential Completeness Check, Permit Application, and plans demonstrating compliance with visitability and transit-oriented standards to Neighborhood Housing and Community Development, 505 Barton Springs Road, 6th Floor

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

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

You must demonstrate compliance with the reasonably-priced standard following sale of the homes or repay the City of Austin in full the fees waived pursuant to this S.M.A.R.T. Housing certification.

Please call me at 974-3154 if you need additional information.

Gina Copic, Manager

Stuart Hersh, S.M.A.R.T. Housing™ Coordinator

Neighborhood Housing and Community Development Department

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



MEMORANDUM

TO: Wendy Walsh, Senior Planner
Neighborhood Planning and Zoning Department

FROM: Annick Beaudet, Principal Planner
Neighborhood Planning and Zoning Department

DATE: July 13, 2004

RE: South Congress Combined Neighborhood Planning Area & Zoning Case No.
C14-04-0041SH

First Stakeholder Meeting- March 30th - First Community Workshop- June 26, 2004

The focus of the first community workshop was to identify strengths, opportunities, and challenges in planning area.

The following is a summary of the NEIGHBORHOOD'S input regarding the North Bluff Drive area.

The area that the subject tract is located was identified within both the strengths and challenges categories.

Strengths:

- rural characteristics, open space, scenic trees

Challenges:

- how to insure a compatible mix of uses with so many different property owners; need for a balance of residential and commercial
- area has flooding issues
- desire for a traffic light at North Bluff Drive and S. Congress

In addition, the NEIGHBORHOOD'S input indicated that they liked the overall affordability of the neighborhood.

According to our records, the applicant did not attend either meetings held on March 30 and June 26, 2004.

ATTACHMENT B



CONCORDE REALTY
DEVELOPMENT •

2401 Fountainview
Suite 500
Houston, Texas 77057
(713) 789-3600 main
(713) 977-7288 fax
concorderealty.com

June 7, 2004

City of Austin Neighborhood
Planning & Zoning Department
505 Barton Spring Road
Austin, Texas 78704

RE: FILE NUMBER C14-04-0041.SH
NORTH BLUFF & WILLIAM CANNON, INC.

Dear Sir/Madame:

As the owner of the contiguous tract just south of this property, please let this letter serve as support of the proposed zoning change to SF-4A. If you have any questions, please feel free to contact me at 713-789-3600. Thank you.

Cordially,


Robert M. Elberger
Executive Vice President

MEETING SUMMARY

CITY PLANNING COMMISSION

June 8, 2004

One Texas Center

505 Barton Springs Road

Conference Room 325

CALL TO ORDER – 6:00 P.M. COMMENCE 6:10 P.M., ADJOURN 8:15 P.M.

____ John-Michael Cortez

____ Jerome Newton

____ A Cid Galindo

____ Chris Riley, Chair

____ Cynthia Medlin, Asst. Secretary

____ Niyanta Spelman, Vice Chair

____ Matthew Moore

____ A Dave Sullivan, Parliamentarian

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 OR CITIZENS THAT ARE UNABLE TO SPEAK BUT WOULD LIKE TO MAKE THE COMMISSION AWARE OF THEIR POSITION ARE REQUESTED to REGISTER BY SIGNING A CARD AT THE ENTRANCE.

Any interested party aggrieved by a decision of the Planning 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 Transportation, Planning and Sustainability Department within fourteen (14) days following the decision of the Planning Commission.

Facilitator: George Adams 974-2146

george.adams@ci.austin.tx.us

Meeting Summary prepared by George Adams, TPSD

MEETING SUMMARY

Mr. Sadowsky replied no incentives for commercial use are provided by historic zoning and that commercial use would require a zoning change and would have to meet all current requirements.

Commissioner Cortez stated that commercial use of this property would require a zoning change and a Neighborhood Plan Amendment and that he would not be inclined to support this. However, he does support historic zoning for the property.

MOTION: APPROVE STAFF RECOMMENDATION.

VOTE: 5-0 (JMC-1st, JN-2nd)

- 6. Rezoning: C14-86-144 (RCT) - Oak Bluff**
Location: 807 North Bluff Drive, Williamson Creek Watershed Watershed, South Congress Combined NPA (Sweetbriar) NPA
Owner/Applicant: Keith Smith
Agent: LOC Consultants (Sergio Lozano-Sanchez)
Request: To Terminate the Restrictive Covenant that limits the use of the property to parking, drainage and water quality facilities.
Staff Rec.: **Recommended**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
Neighborhood Planning and Zoning

See Item 7 for summary.

- 7. Rezoning: C14-04-0041.SH - Oak Bluff**
Location: 807 North Bluff Drive, Williamson Creek Watershed Watershed, South Congress Combined NPA (Sweetbriar) NPA
Owner/Applicant: Keith Smith
Agent: LOC Consultants (Sergio Lozano-Sanchez)
Request: RR; NO; GR to SF-4A
Staff Rec.: **Recommended**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
Neighborhood Planning and Zoning

Wendy Walsh, NPZ, presented the request for termination of the restrictive covenant and rezoning.

PUBLIC HEARING

In Favor

Sergio Lozano, representing the property owner, stated that the proposed project blends with single-family residential uses found on three sides of the property and that the small lot subdivision allows for the preservation of significant trees on the site. He stated that this Project

MEETING SUMMARY

is one of the few SMART Housing projects west of I-35 and that it would be an important source of affordable housing.

Keith Smith, property owner, stated that the number of units on the site permitted more affordable housing.

Commissioner Riley asked Mr. Smith if he had a sense of the larger vision for the area that might come out of the Neighborhood Planning process?

Mr. Smith stated that he felt this could be the beginning of a process to redevelop the street in a positive way.

Neutral

Betty Edgemond, stated that she had no problem with termination of the restrictive covenant. The larger problem is that this area is a commercial area and is inappropriate for single-family residential development. She stated there is no bus service, no services or schools within walking distance, no sidewalks along North Bluff Drive. Ms. Edgemond suggested that the Commission not vote on this tonight to permit Commissioner Sullivan to have input on this since he had spent significant time studying this area.

MOTION: CLOSE PUBLIC HEARING

VOTE: 5-0 (MM-1st, CM-2nd)

After additional discussion Commissioner Riley suggested that Item 6 be voted on separately from Item 7.

Commissioner Cortez made a motion to approve staff recommendation for item 6.

MOTION: APPROVE STAFF RECOMMENDATION ON ITEM 6.

VOTE: 5-0 (JMC-1st, CM-2nd)

Commissioner Moore pointed out that Ms. Edgemond had requested a postponement and that the Commission typically honors the first request from either side.

After additional discussion Commissioner Riley made a motion to reopen the Public Hearing on Item 7 and postpone to the July 13, 2004 Planning Commission Meeting. This will allow time to provide information on the location of transit service and land uses requested by the Commission without interfering with the schedule for consideration by the City Council.

MOTION: REOPEN THE PUBLIC HEARING FOR ITEM 7 AND CONTINUE THE PUBLIC HEARING TO JULY 13, 2004.

VOTE: 5-0 (CR-1st, MM-2nd)

MEETING SUMMARY

Pending PC Approval

CITY PLANNING COMMISSION

July 13, 2004

One Texas Center

505 Barton Springs Road

Conference Room 325

CALL TO ORDER – 6:00 P.M. *COMMENCE 6:10PM; ADJOURN 12:08AM*

ALL PRESENT

____ John-Michael Cortez

____ Jerome Newton

____ Cid Galindo

____ Jay Reddy

____ Matt Hollon

____ Chris Riley, Chair

____ Cynthia Medlin, Asst. Secretary

____ Dave Sullivan, Parliamentarian

____ Matthew Moore

A. REGULAR AGENDA

EXECUTIVE SESSION (No public discussion)

The Planning Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The Planning Commission may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

CITIZEN COMMUNICATION:

1. The first four (4) speakers signed up to speak will each be allowed a three-minute allotment to address their concerns regarding items *not* posted on the agenda.

NO SPEAKERS.

APPROVAL OF MINUTES

2. Approval of minutes from June 22, 2004.

MOTION: APPROVE BY CONSENT.

VOTE: 9-0 (MM-1ST, CG-2ND)

DISCUSSION AND ACTION

3. Ordinance

C2O-04-005 - Historic Preservation Amendments

Amendment:

Staff:

Steve Sadowsky, 974-6454, steve.sadowsky@ci.austin.tx.us
Transportation, Planning & Sustainability Department

Facilitator: Katie Larsen, 974-6413

katie.larsen@ci.austin.tx.us

- 6. Zoning:** **C14-04-0095 - Sherlocks Baker Street Pub**
Location: 9012 Research Blvd., Little Walnut Creek Watershed, Crestview/Wooten NPA
Owner/Applicant: Austin Home Center Associates (David Mills)
Agent: Crocker Consultants (Sarah Crocker)
Request: CS-NP to CS-1-NP
Staff Rec.: **Recommended**
Staff: Glenn Rhoades, 974-2775, glenn.rhoades@ci.austin.tx.us
 Neighborhood Planning and Zoning

MOTION: POSTPONE BY CONSENT TO JULY 27, 2004 (APPLICANT REQUEST).

VOTE: 9-0 (MM-1ST, CG-2ND)

- 7. Zoning:** **C14-04-0041.SH - Oak Bluff**
Location: 807 North Bluff Drive, Williamson Creek Watershed Watershed, South Congress Combined NPA (Sweetbriar) NPA
Owner/Applicant: Keith Smith
Agent: LOC Consultants (Sergio Lozano-Sanchez)
Request: RR; NO; GR to SF-4A
Staff Rec.: **Recommended**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
 Neighborhood Planning and Zoning

Wendy Walsh presented the staff recommendation.

Commissioner Sullivan asked what the "T" stands for in SMART. Mr. Herish said that T means transit-oriented. The policy is that if the bus stop is not present within 1/4 mile by the time of full occupancy, all the fees waived must be paid. Mr. Herish said though that in recognition of situations where a bus stop is not feasible or needed within 1/4 mile, the residential uses must be designed for accessibility with no steps from the parking space to the residential unit.

Commissioner Sullivan asked about cutting through adjacent property to reach a transit stop.

Sergio Lozano-Sanchez, the agent, said that there are no physical barriers between the two properties, but from a liability perspective, do not know. The project will be required to construct sidewalks. The distance is 1,098 feet, which is 0.001 miles beyond the 1/4 mile requirement.

Commissioner Moore asked about the design of the house foundations due to the steep slopes.

Keith Smith, the owner, said it is possible to do pier and beam, but they are aware of the site constraints. In addition, the intention is to save all the oak trees on the site.

Commissioner Reddy asked Mr. Smith if an architect will be hired. Mr. Smith said that there will not be- only a builder and engineer.

Commissioner Sullivan said that he supports SF-4A zoning and the home ownership available under that zoning, especially in this area.

Commissioner Medlin said that there was a need expressed in that neighborhood planning area to focus on this quadrant, especially with the expanding car dealership.

MOTION: CLOSE PUBLIC HEARING

VOTE: 9-0 (CM-1st, DS-2nd)

MOTION: APPROVE STAFF RECOMMENDATION

VOTE: 9-0 (DS-1st, JMC-2nd)

- 8. Subdivision (Final Plat): C8-03-0181.1A.SH - RIVERSIDE MEADOWS SECTION ONE SUBDIVISION (S.M.A.R.T. HOUSING)**
Location: Riverside Dr. and Uphill Ln., Carson Creek Watershed, Montopolis NPA NPA
Owner/Applicant: Keith Pearson Centex Homes
Agent: Steiner & Sons (Bobby Steiner) and J.M. Richard
Request: Statutory Disapproval
Staff Rec.: **RECOMMENDED**
Staff: Javier V. Delgado, 974-7648, javier.delgado@ci.austin.tx.us
Bill Andrews, 974-7649, bill.andrews@ci.austin.tx.us
Watershed Protection & Development Review

MOTION: DISAPPROVE BY CONSENT.

VOTE: 9-0 (MM-1ST, CG-2ND)

- 9. Preliminary Subdivision: C8-04-0093.SH - LEE ADDITION SUBDIVISION (S.M.A.R.T. HOUSING)**
Location: Ponca Street, Country Club Creek Watershed, Montopolis NPA NPA
Owner/Applicant: Bill Egger Acclaim Property Dev. Corp.
Agent: Bill Egger Acclaim Property Dev. Corp.
Request: Statutory Disapproval
Staff Rec.: **RECOMMENDED**
Staff: Javier V. Delgado, 974-7648, javier.delgado@ci.austin.tx.us
Bill Andrews, 974-7649, bill.andrews@ci.austin.tx.us
Watershed Protection & Development Review

MOTION: DISAPPROVE BY CONSENT.

VOTE: 9-0 (MM-1ST, CG-2ND)

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 807 NORTH BLEFF DRIVE FROM RURAL RESIDENCE (RR) DISTRICT, NEIGHBORHOOD OFFICE (NO) DISTRICT AND COMMUNITY COMMERCIAL (GR) DISTRICT TO SINGLE FAMILY RESIDENCE SMALL LOT (SF-4A) 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 rural residence (RR) district, neighborhood office (NO) district and community commercial (GR) district to single family residence (SF-4A) district on the property described in Zoning Case No. 04-04-0041SH, on file at the Neighborhood Planning and Zoning Department, as follows:

A 5.021 acre tract of land, more or less, out of the William Cannon League in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as 807 North Bleff Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

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

PASSED AND APPROVED

§
§
§

_____, 2004.

Will Wynn
Mayor

APPROVED

ATTEST:

David Allan Smith
City Attorney

Shirley A. Brown
City Clerk

PROFESSIONAL SURVEYORS, INC.

1904 FORTVIEW ROAD
AUSTIN, TEXAS 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

EXHIBIT A

October 22, 2003

FIELD NOTE DESCRIPTION OF 5.021 ACRES OF LAND OUT OF THE WILLIAM CANNON LEAGUE IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (5.05 ACRE) TRACT CONVEYED TO CHRISTOPHER W. MUNSON BY DEED RECORDED IN VOLUME 13245 PAGE 257 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch iron rod found in the west right-of-way line of North Bluff Drive at the northeast corner of that certain (5.05 Acre) tract conveyed to Christopher W. Munson by deed recorded in Volume 13245 Page 257 of the Real Property Records of Travis County, Texas, and being at the southeast corner of that certain (2.154 Acre) tract conveyed to Maria Costley by deed recorded in Volume 11699 Page 281 of the Travis County Real Property Records, and being the northeast corner and PLACE OF BEGINNING of the herein described tract of land, and from which a ½ inch iron rod found at the northeast corner of said Costley tract bears N 31 deg. 38' 24" W 373.00 ft.;

THENCE with the west right-of-way line of North Bluff Drive, the following three courses:

- 1) S 30 deg. 17' 24" E 219.44 ft. to a ½ inch iron rod found at a non-tangent point of curvature;
- 2) 106.64 ft. along the arc of a curve to the right, having a radius of 470.00 ft., and chord bearing S 13 deg. 08' 40" E 106.41 ft., to a ½ inch iron rod set with plastic cap marked "Carson and Bush Professional Surveyors";
- 3) S 06 deg. 37' 32" E 323.36 ft. to a ½ inch iron rod found at a fence corner in the north line of Lot 2, Steinbluff, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 57 Page 6 of the Travis County Plat Records at the southeast corner of said Munson tract, and being the southeast corner of this tract;

THENCE along a wire fence and with the south line of said Munson tract, S 83 deg. 21' 23" W at 6.46 ft. passing a ½ inch iron rod found with cap marked "AB Surveying" at the northeast corner of that portion of said Lot 2 conveyed to North Bluff and William Cannon, Inc. by deed recorded in Volume 11950 Page 1704 of the Travis County Real Property Records, and continuing on the same course 379.70 ft. more, for a total distance of 386.16 ft., to a ½ inch iron rod found with cap marked "Clark and Geogram" at the southwest corner of said Munson tract, and being the southeast corner of that certain (14.7988 Acre) tract conveyed to C.F. Willow Brook Associates Limited Partnership by deed recorded in Volume 11338 Page 540 of the Travis County Real Property Records, and being the southwest corner of this tract;

THENCE with the west line of said Munson tract, N 06 deg. 33' 45" W 551.28 ft. to a ½ inch iron rod found in the south line of said Costley tract at the northwest corner of said Munson tract, and being the northeast corner of said C. F. Willow Brook Associates tract, and being the north line of this tract;

page 2 of 2
5.021 Acres

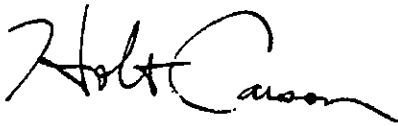
THENCE with the south line of said Costley tract, which deviates from the north line of said Munson tract, the following two courses:

- 1) N 79 deg. 47' 35" E 75.21 ft. to a ½ inch iron rod set with plastic cap marked "Carson and Bush Professional Surveyors";
- 2) N 60 deg. 03' 36" E 113.20 ft. to a ½ inch iron rod set with plastic cap marked "Carson and Bush Professional Surveyors" at the point where the south line of said Costley tract intersects the north line of said Munson tract;

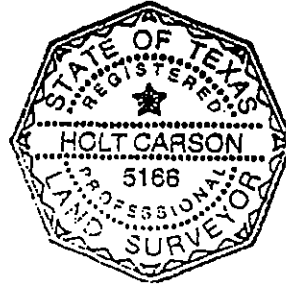
THENCE with the north line of said Munson tract, which deviates from the south line of said Costley tract, N 67 deg. 55' 07" E 110.37 ft. to the Place of Beginning, containing 5.021 Acres of land.

SURVEYED: October 22, 2003

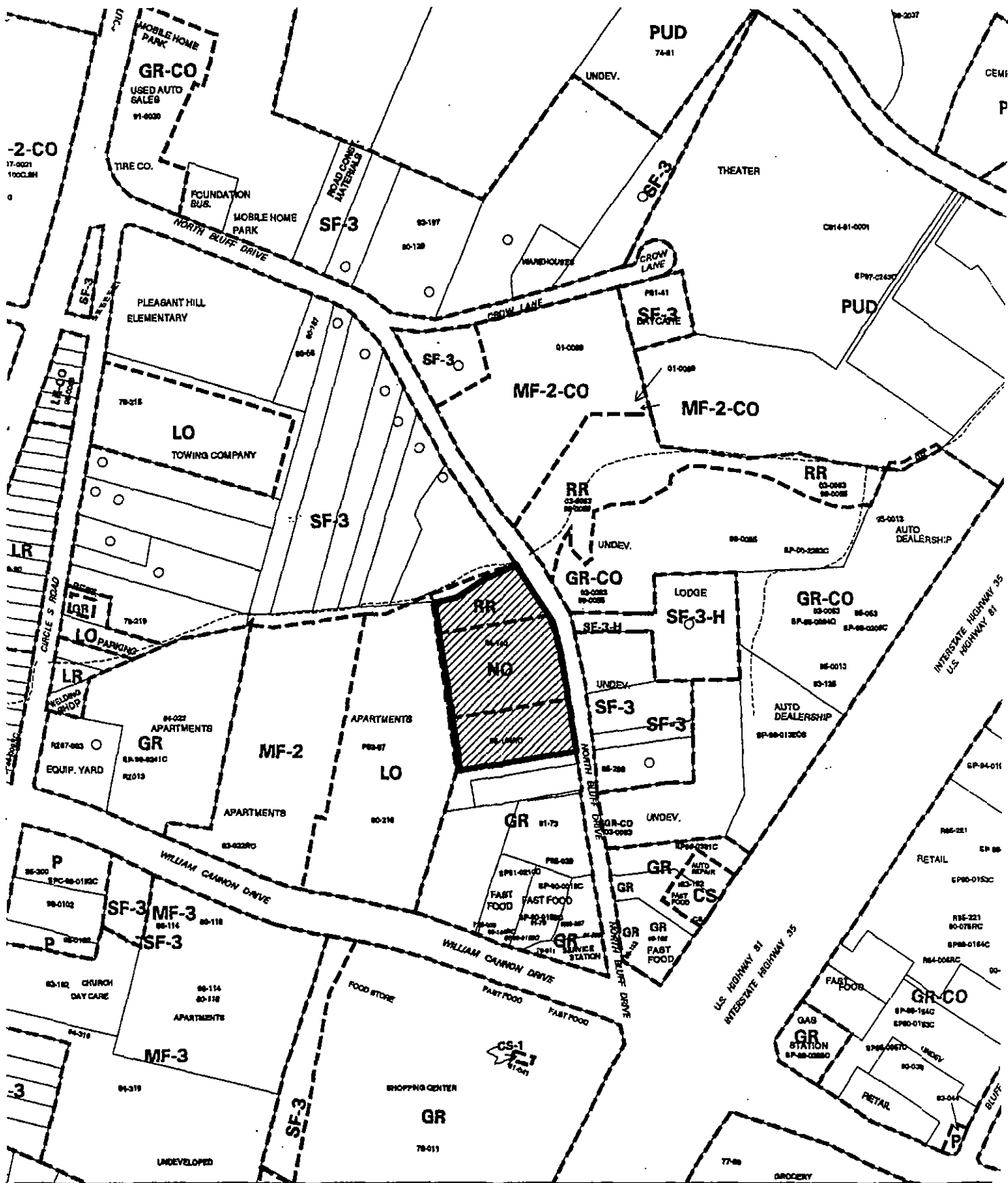
BY:



Holt Carson
Registered Professional Land Surveyor No. 5166



see survey plat B707046



 1" = 400'	SUBJECT TRACT	ZONING EXHIBIT B CASE #: C14-04-0041SH ADDRESS: 807 NORTH BLUFF DR SUBJECT AREA (acres): 5.021 DATE: 04-05 INTLS: SM	CITY GRID REFERENCE NUMBER G16
	PENDING CASE		
	ZONING BOUNDARY		
	CASE MGR: W. WALSH		