

Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION



AGENDA ITEM NO.: 41
AGENDA DATE: Thu 11/04/2004
PAGE: 1 of 1

SUBJECT: C14-04-0137 - Estates at Canyon Creek - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9501 R.M. 620 North (Bull Creek Watershed) from interim-rural residence (I-RR) district zoning to multifamily residence limited density-conditional overlay (MF-1-CO) combining district zoning. First reading on October 21, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by City Council at first ordinance reading. Applicant: Quality Close-Outs (Blake Robinson). Agent: Bury & Partners, Inc. (James B. Knight). City Staff: Sherri Gager, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-04-0137

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 9501 F.M. 620 North from I-RR, Interim-Rural Residence District, zoning to MF-1-CO, Multifamily Residence-Limited Density-Conditional Overlay District zoning.

PROPERTY OWNER: Quality Close-Outs (Blake Robinson)

AGENT: Bury & Partners, Inc. (James B. Knight)

DEPARTMENT COMMENTS:

The site under consideration is currently developed with an apartment complex. There are 384 dwelling units within the existing multi-family use (Site plan case – SP-03-0250D). This property was full purpose annexed by the City of Austin on December 31, 2003 (Annexation case – C7A-03-011). The applicant is requesting zoning for the property to bring the existing use on the site into conformance with the City of Austin Land Development Code regulations.

The staff recommends MF-1-CO zoning on this site because the proposed zoning will allow for a mix of housing opportunities in this area of the city. The MF-1-CO zoning will provide a transition from the existing multifamily along RM 620 to the SF-6-CO and SF-2 zoning to the east along Boulder Lane. The property in question takes access from RM 620, a major arterial roadway.

The applicant agrees with the staff and Zoning & Platting Commission's recommendation.

DATE OF FIRST READING/VOTE: October 21, 2004/ Approved ZAP recommendation of MF-1-CO by consent (7-0)

CITY COUNCIL DATE: November 4, 2004

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Gager

PHONE: 974-3057

sherri.gager@ci.austin.tx.us

ORDINANCE NO. _____

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE
2 PROPERTY LOCATED AT 9501 F.M. 620 NORTH AND CHANGING THE
3 ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO
4 MULTIFAMILY RESIDENCE LIMITED DENSITY-CONDITIONAL OVERLAY
5 (MF-1-CO) COMBINING DISTRICT.
6

7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
8

9 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from interim rural residence (I-RR) district to multifamily
11 residence limited density-conditional overlay (MF-1-CO) combining district on the
12 property described in Zoning Case No. C14-04-0137, on file at the Neighborhood Planning
13 and Zoning Department, as follows:
14

15 Lot 1, Block A, Estates at Canyon Creek Subdivision, a subdivision in the City of
16 Austin, Travis County, Texas, according to the map or plat of record in Document
17 No. 200400043, of the Official Public Records of Travis County, Texas, (the
18 "Property")
19

20 locally known as 9501 F.M. 620 North, in the City of Austin, Travis County, Texas, and
21 generally identified in the map attached as Exhibit "A".
22

23 PART 2. The Property within the boundaries of the conditional overlay combining district
24 established by this ordinance is subject to the following conditions:
25

26 A site plan or building permit for the Property may not be approved, released, or
27 issued, if the completed development or uses of the Property, considered cumulatively with
28 all existing or previously authorized development and uses, generate traffic that exceeds
29 2,460 trips per day.
30

31 Except as specifically restricted under this ordinance, the Property may be developed and
32 used in accordance with the regulations established for the multifamily residence limited
33 density (MF-1) base district and other applicable requirements of the City Code.
34
35
36

1 **PART 3.** This ordinance takes effect on _____, 2004.

3
4 **PASSED AND APPROVED**

5
6
7
8 _____, 2004

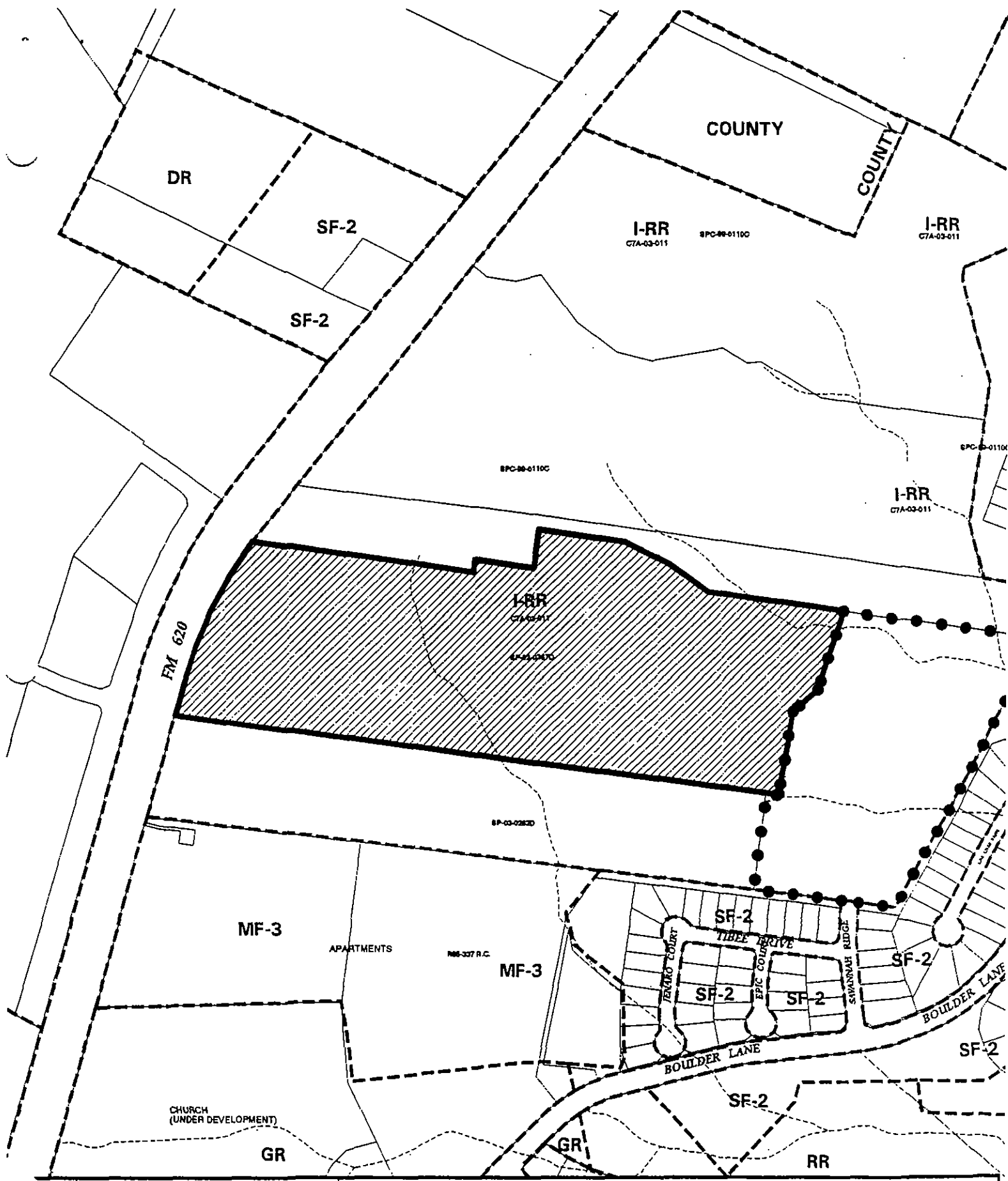
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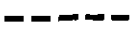
Will Wynn
Mayor

10
11
12
13 **APPROVED:** _____ **ATTEST:** _____

14 David Allan Smith
15 City Attorney

Shirley A. Brown
City Clerk



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT A CASE #: C14-04-0137 ADDRESS: 9501 N FM 620 SUBJECT AREA (acres): 28.907		DATE: 04-09 INTLS: TRC	CITY GRID REFERENCE NUMBER E36
	PENDING CASE 				
	ZONING BOUNDARY 				
	CASE MGR: S.GAGER				

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0137

Z.A.P. DATE: September 21, 2004

ADDRESS: 9501 F.M. 620 North

OWNER/APPLICANT: Quality Close-Outs
(Blake Robinson)

AGENT: Bury & Partners, Inc.
(James B. Knight)

ZONING FROM: I-RR

TO: MF-1

AREA: 28.95 acres

SUMMARY STAFF RECOMMENDATION:

The staff's alternate recommendation is to grant MF-1-CO, Multifamily Residence-Limited Density-Conditional Overlay District, zoning. The proposed conditional overlay would limit development on the site to less than 2,460 vehicle trips per day.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

9/21/04: Approved staff's recommendation of MF-1-CO zoning by consent (7-0, K. Jackson-off dais, J. Gohil-absent); J. Martinez-1st, M. Whaley-2nd.

DEPARTMENT COMMENTS:

The site under consideration is currently developed with an apartment complex. There are 384 dwelling units within the existing multi-family use (Site plan case – SP-03-0250D). This property was full purpose annexed by the City of Austin on December 31, 2003 (Annexation case – C7A-03-011). The applicant is requesting zoning for the property to bring the existing use on the site into conformance with the City of Austin Land Development Code regulations.

The staff recommends MF-1-CO zoning on this site because the proposed zoning will allow for a mix of housing opportunities in this area of the city. The MF-1-CO zoning will provide a transition from the existing multifamily along RM 620 to the SF-6-CO and SF-2 zoning to the east along Boulder Lane. The property in question takes access from RM 620, a major arterial roadway.

The applicant agrees with the staff and Zoning & Platting Commission's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Multifamily (Apartments)
<i>North</i>	I-RR	Eco Resources (Contractor), Undeveloped
<i>South</i>	I-RR, MF-3	Convenience Storage Units, Multifamily (Apartments)
<i>East</i>	SF-6-CO	Undeveloped
<i>West</i>	County	Undeveloped

AREA STUDY: N/A

TIA: Waived

WATERSHED: Bull Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

426 – River Place Residential Community Association, Inc.
439 – Concerned Citizens for P&B of FM 2222
448 – Canyon Creek Homeowners Association
475 – Bull Creek Foundation

SCHOOLS:

Canyon Creek Elementary School
Grisham Middle School
Westwood High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0035	I-RR to SF-6	5/18/04: Approved staff's rec. for SF-6-CO zoning, with the addition of the conditions listed in the Letter of Agreement between the applicant and the neighborhood, by consent (8-0)	8/12/04: Granted SF-6-CO on all 3 readings (5-1, B. McCracken – No, J. Goodman – off the dais)
C14-04-0003	I-RR, I-SF-2 to SF-2	2/3/04: Approved staff's recommendation of SF-2 zoning, by consent (9-0)	3/4/04: Granted SF-2 zoning (6-0, McCracken-absent); all 3 readings
C14-04-0002	I-SF-2, I-RR to SF-2	2/3/04: Approved staff's recommendation of SF-2 zoning, by consent (9-0)	3/4/04: Granted SF-2 zoning (6-0, McCracken-absent); all 3 readings
C14-99-2083	GO to MF-1	11/16/99: Approved staff rec. of MF-1 by consent (7-0)	12/16/99: Approved PC rec. of MF-1-CO (7-0); all 3 readings
C14-99-0022	DR to SF-2	3/9/99: Approved staff rec. of SF-2 by consent (6-0)	4/8/99: Approved PC rec. of SF-2 (5-0); all 3 readings
C14-98-0050	LR, SF-6 to MF-2	5/26/98: Approved staff's alternate rec. of MF-2-CO (TR1), GO-CO (TR-2) by consent (8-0)	7/23/98: Approved MF-2 and GO (7-0); all 3 readings
C14-92-0058	SF-6 to NO, LR	9/1/92: Approved NO-CO	10/22/92: Approved NO-CO (6-0)

RELATED CASES: SP-03-250D (Site Plan for multifamily development)

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
RM 620	150'	Varies	Major Arterial	-

CITY COUNCIL DATE: October 21, 2004

ACTION: Approved ZAP recommendation of MF-1-CO by consent (7-0); 1st reading

November 4, 2004

ACTION:

ORDINANCE READINGS: 1st 10/21/04

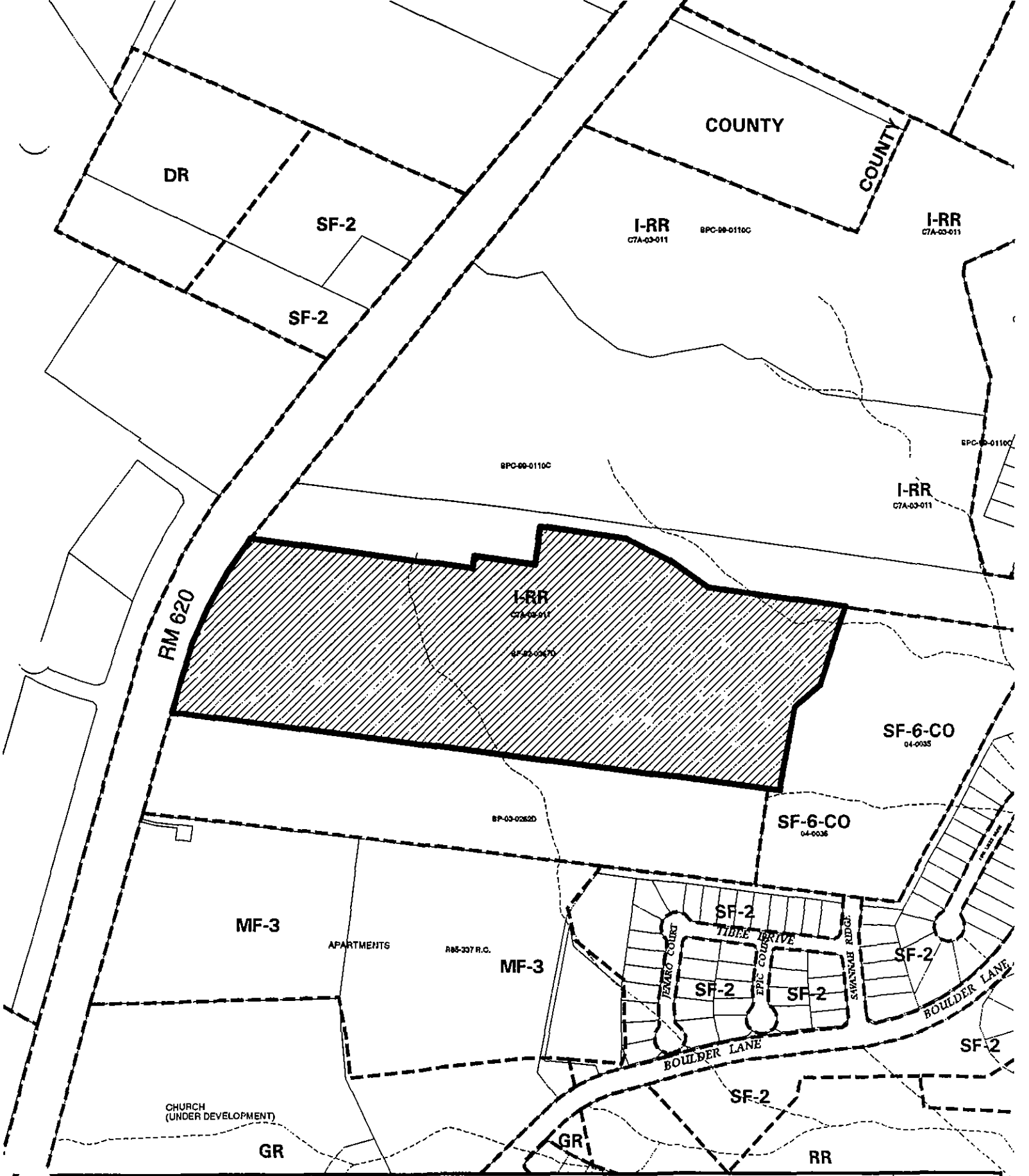
2nd

3rd

ORDINANCE NUMBER:

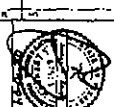
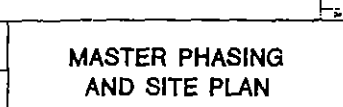
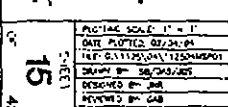
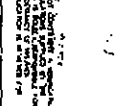
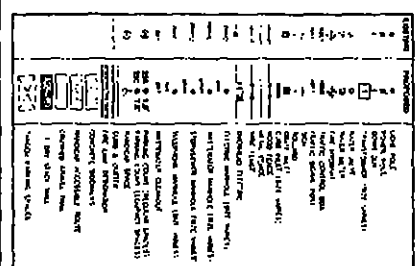
CASE MANAGER: Sherri Gager

PHONE: 974-3057,
sherri.gager@ci.austin.tx.us



<p>1" = 400'</p> <p>SUBJECT TRACT</p> <p>PENDING CASE</p> <p>ZONING BOUNDARY</p> <p>CASE MGR: S.GAGER</p>	<p>ZONING</p> <p>CASE #: C14-04-0137</p> <p>ADDRESS: 9501 N RM 620</p> <p>SUBJECT AREA (acres): 28.907</p> <p>DATE: 04-10</p> <p>INTLS: TRC</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>E36</p>
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151.708 ACPE
MOORE, L.L.
1925 PG. 1373



014-04-0137

SF-03-07407



STAFF RECOMMENDATION

The staff's alternate recommendation is to grant MF-1-CO, Multifamily Residence-Limited Density-Conditional Overlay District, zoning. The proposed conditional overlay would limit development on the site to less than 2,460 vehicle trips per day.

BACKGROUND

The site under consideration is currently developed with an apartment complex. There are 384 dwelling units within the existing multi-family use (Site plan case – SP-03-0250D). This property was full purpose annexed by the City of Austin on December 31, 2003 (Annexation case – C7A-03-011). The applicant is requesting zoning for the property to bring the existing use on the site into conformance with the City of Austin Land Development Code regulations.

The staff recommends MF-1-CO zoning on this site because the proposed zoning will allow for a mix of housing opportunities in this area of the city. The MF-1-CO zoning will provide a transition from the existing multifamily along RM 620 to the SF-6-CO and SF-2 zoning to the east along Boulder Lane. The property in question takes access from RM 620, a major arterial roadway.

The applicant agrees with the staff's recommendation.

BASIS FOR RECOMMENDATION

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

Multifamily residence limited density (MF-1) district is the designation for a multifamily use with a maximum density of up to 17 units per acre, depending on unit size. An MF-1 district designation may be applied to a use in a residential neighborhood that contains a mixture of single family and multifamily uses or in an area for which limited density multifamily use is desired. An MF-1 district may be used as a transition between a single family and higher intensity uses.

2. *The proposed zoning should promote consistency, and orderly planning.*

The MF-1 zoning district would be compatible and consistent with the surrounding uses because there is SF-6-CO, Townhouse & Condominium Residence-Conditional Overlay District, zoning directly to the east and MF-3, Multifamily Residence-Medium Density District, zoning to the south of this site.

MF-1-CO zoning will provide a transition from the existing multifamily along RM 620 to the SF-6-CO and SF-2 zoning to the east along Boulder Lane. The property in question takes access from RM 620, a major arterial roadway.

3. *The proposed zoning should allow for a reasonable use of the property.*

The MF-1-CO zoning district would allow for a fair and reasonable use of the site. The size of the proposed area would allow for approximately 492 units per acre on the property in question (this estimate does not account for impervious cover, open space and Hill Country Roadway requirements, and setback restrictions). The applicant has built a 348 unit multifamily residential development on the site.

The proposed MF-1-CO zoning will allow for a mix of housing opportunities in this area of the city.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently developed with a 348-unit apartment complex.

Impervious Cover

The maximum impervious cover allowed by the MF-1 zoning district would be 55%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations. Under the 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>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Development within a Water Quality Transition Zone may not exceed 18% impervious cover.

Note: The most restrictive impervious cover limit applies.

Environmental

The site is located over the Edward's Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.

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.

Transportation

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

The trip generation under the requested zoning is estimated to be 3,329 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 waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,460 vehicle trips per day. [LDC, 25-6-117] The traffic impact analysis for this site was waived because the applicant agreed to the 2,460 trips limit, the site is currently permitted for 384 dwelling units which generates approximately 2,458 trips per day, TXDOT has not current plans to upgrade RM 620 and no improvements have been identified in the area with other projects.

Capital Metro bus service is not available within 1/4 mile of this property.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
RM 620	150'	Varies	Major Arterial

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 subdivision, site plan, or 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. The landowner will be responsible for providing all necessary water and wastewater utility improvements, system upgrades, and offsite extension to serve the site and land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria and specifications.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards

This tract is already developed with an existing site plan (SP-03-0250D). Any new construction on this site would be subject to Hill Country Roadway Corridor requirements, and compatibility development regulations due to the existing SF-2 zoned property within 540' along portions of the south and would be subject to the following requirements:

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- 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.

