

A U S T I N C I T Y C O U N C I L  
**AGENDA**



Thursday, May 18, 2006

Item # PH

 Back

**Zone Hearings/App Ordinances/Restrictive Covenants**  
**RECOMMENDATION FOR COUNCIL ACTION**

**Subject:** C14-06-0021 - Versante - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8804 North R.M. 620 (Bull Creek Watershed) from general office (GO) district zoning to townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission  
**Recommendation:** To grant townhouse and condominium residence (SF-6) district zoning.  
**Applicant:** Tomen-Parke Associates, Ltd. (Tetsure Hosohara). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Haussmann). City Staff: Sherri Sirwaitis, 974-3057.

**Additional Backup Material**

(click to open)

No Attachments Available

**For More Information:** Sherri Sirwaitis, 974-3057

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-06-0021

**Z.A.P. DATE:** April 18, 2006

**ADDRESS:** 8804 North R.M. 620

**APPLICANT:** Tomen-Parke Associates, Ltd. (Tetsuo Hosohara)

**AGENT:** Drenner & Golden Stuart Wolff, LLP (Michele Haussmann)

**ZONING FROM:** GO

**TO:** SF-6

**AREA:** 33.939 acres (1,478,382 sq. ft.)

### **SUMMARY STAFF RECOMMENDATION:**

The staff's alternate recommendation is to grant SF-6-CO, Townhouse & Condominium Residence-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity for the site to less than 2,000 vehicle trips per day.

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

4/18/06: Approved staff's recommendation for SF-6-CO zoning by consent (9-0); J. Martinez-1<sup>st</sup>, M. Hawthorne-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is undeveloped and densely vegetated. The applicant is requesting to down zone this tract of land to develop townhouses and patio homes on the site (Request Letter – Attachment A). The staff recommends SF-6-CO district zoning for this property because the proposed zoning will allow for a variety of housing opportunities in this area of the city. Townhouse & Condominium Residence zoning is compatible with the surrounding uses because this site is located adjacent to existing multifamily uses (MF-3, MF-2-CO & MF-2, zoned tracts) to the south and east. In addition, there is a large single family subdivision (SF-2 zoned area – Canyon Creek Residential Neighborhood) to the east across R.M. 620 North. The location of this tract of land meets the intent of the SF-6 district as the site takes access to a major arterial roadway, R.M. 620 North.

The applicant agrees with the staff's recommendation.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GO	Undeveloped
<i>North</i>	County	Undeveloped
<i>South</i>	I-RR	Office (Texas Beef Council), Pet Services (Four Paws Veterinary Clinic)
<i>East</i>	GR, LR, MF-2-CO	Religious Assembly (The Church of Canyon Creek), Undeveloped Parcel, Multifamily (Sontera Apartments)
<i>West</i>	GO	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:**

157 – Courtyard Homeowner Association  
190 – Middle Bull Creek Neighborhood Association  
275 – Volente Neighborhood Association  
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  
654 – The Parke HOA  
965 – Old Spicewood Springs Road Neighborhood Association

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-04-0207	I-RR to Tract 1: P, Tract 2: GO	2/01/05: Approved staff's recommendation on consent for P-CO for Tract 1, GO-CO for Tract 2 (9-0), with additional conditions to: prohibit access to Savannah Ridge Drive (other than for emergency vehicles) and create a Tract 3 designated as RR-CO district zoning for a distance of 300-feet from the eastern most property line that is adjacent to SF-2 zoning,	3/03/05: Approved P-CO for Tract 1, GO-CO for Tract 2, and RR-CO for Tract 3 (7-0); all 3 readings Prohibiting the following uses on the Tract 1: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Building Maintenance Services, Drop-Off Recycling Collection Facility, Campground, Convenience Storage, Construction Sales and Services, Equipment Repair Services, Equipment Sales, Exterminating Services, Funeral Services, Hotel-Motel, Laundry Service, Kennels, Monument Retail Sales, Outdoor Entertainment, Pawn Shop Services, Service Station, Theater, Transitional Housing, Transportation Terminal, Vehicle Storage; limiting the development intensity for the entire site (Tracts 1, 2, and 3 combined) to less than 2,000 vehicle trips per day; prohibiting access to Savannah Ridge Drive (other than for emergency vehicles)
C14-04-0183	I-RR to MF-3	12/21/04: Approved MF-2-CO, with staff condition to limit development to less than 2,000	1/27/05: Approved MF-2-CO (6-0, Dunkerley-absent); 1 <sup>st</sup> reading

		vehicle trips per day beyond the existing development and additional condition for a 568 unit limit for the site (9-0)	3/03/05: Approved MF-2-CO on consent (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-04-0137	I-RR to MF-1	9/21/04: Approved staff's recommendation of MF-1-CO zoning by consent (7-0, K. Jackson-off dais, J. Gohil-absent)	10/21/04: Approved ZAP recommendation of MF-1-CO by consent (7-0); 1 <sup>st</sup> reading  11/4/04: Approved MF-1-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
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)
C14-02-0027	I-RR to MF-2	3/26/02: Approved staff rec. of MF-2 by consent (9-0)	5/09/02: Approved MF-2 (7-0); all 3 readings
C14-01-0045	I-GO to GO	5/15/01: Approved staff rec. of GO by consent (6-1, BB-No)	6/14/01: Approved GO (7-0); 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
C14-96-0031	GR to MF-2	3/26/96: Approved staff rec. of MF-2 (9-0)	5/09/96: Approved PC rec. of MF-2 (6-0); subject to 125' of ROW for FM 620; 1 <sup>st</sup> reading  6/27/96: Approved MF-2 subject to conditions (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

**RELATED CASES:** C14-01-0045 (previous zoning case)  
C7A-00-008 (annexation case)

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
RM 620	150'	60'	Major Arterial	-

**CITY COUNCIL DATE:** May 18, 2006

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057,  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)

MY

COUNTY

I-RR

MF-3

P-CO

MF-1-CO

I-RR

MF-3

CHURCH (AREA DEVELOPMENT)

GR

BOULDER LANE

MF-2-CO

MF-2

I-RR

I-RR

MF-2

LR

LR

MF-2-CO





MF-2

SF-5

MF-3

R&D

I-RR

 1" = 800'	SUBJECT TRACT		<b>ZONING</b>	CITY GRID REFERENCE NUMBER D36
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: 8.SIRWAITIS			
CASE #: C14-06-0021				
ADDRESS: N FM 620 RD		DATE: 08-02		
SUBJECT AREA (acres): 33.939		INTLS: 6M		

## **STAFF RECOMMENDATION**

The staff's alternate recommendation is to grant SF-6-CO, Townhouse & Condominium Residence-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity for the site to less than 2,000 vehicle trips per day.

## **BASIS FOR RECOMMENDATION**

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

Townhouse and condominium residence (SF-6) district is the designation for a moderate density single family, duplex, two-family, townhouse, and condominium use that is not subject to the spacing and location requirements for townhouse and condominium use in an SF-5 district. An SF-6 district designation may be applied to a use in an area with large lots that have access to streets other than minor residential streets. An SF-6 district may be used as a transition between a single family and multifamily residential use.

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

The SF-6 zoning district would be compatible and consistent with the surrounding uses because there are multifamily uses (MF-3, MF-2-CO & MF-2 zoned tracts) to the south and east. In addition, there is a large single family subdivision (SF-2 zoned area – Canyon Creek Residential Neighborhood) to the east across R.M. 620 North. The property is located directly across from a large religious assembly use (Church of Canyon Creek), an undeveloped LR- Neighborhood Commercial parcel, and an existing multifamily residential complex (Sontera Apartments).

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

The SF-6-CO zoning district would allow for a fair and reasonable use of the site. The size of the proposed area would allow for approximately 422 units (1,478,382 sq.ft. of total site/3,500 sq. ft. required per unit) to be developed 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 stated on the Traffic Impact Analysis determination sheet for this case that they plan to construct approximately 150 townhouse and patio homes on this site.

The proposed SF-6-CO zoning will allow for a mix of housing opportunities in this area of the city.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is currently undeveloped and densely vegetated. The tracts of land to the north and west are also undeveloped. To the south there are office uses that house the Texas Beef Council and the Four Paws Veterinary Clinic. Across, R.M. 620 to the east there is a church and a multifamily use.

### **Impervious Cover**

The maximum impervious cover allowed by the SF-6 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:

Development Classification	% of Net Site Area	% NSA with Transfers	Allowable Density
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

Note: The most restrictive impervious cover limit applies.

### **Environmental**

The site is located over the northern Edward's Aquifer Recharge Zone. The site is in the Lake Travis Watershed of the Colorado River Basin, and is classified as a Water Supply Rural Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Note that this site lies on the western boundary of the Bull Creek Watershed, which is classified as a Water Supply Suburban watershed. A small portion of this site may lie within this watershed, but this would have to be verified with a study of the site drainage patterns.

Single family or duplex development within a Water Quality Transition Zone may not exceed a density of one unit per three acres, exclusive of land within a 100-year floodplain, and must have a minimum lot size of 2 acres.

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.

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 providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

### **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.

### **Transportation**

No additional right-of-way is needed at this time. Additional right-of-way will be required at the time of subdivision and/or site plan.

The trip generation under the requested zoning is estimated to be 2,952 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 2,000 vehicle trips per day. [LDC, 25-6-117]

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

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	SIDEWALKS	BICYCLE PLAN
RM 620	150'	80'	Arterial	No	No

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, and system upgrades 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. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

### **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 site is in the Hill Country Roadway Corridor and any site development on it will be subject to Hill Country Roadway Ordinance requirements (LDC Article 11) including 40% natural undisturbed area of site, 100 foot undisturbed vegetative buffer from RM 620, tree survey of all trees 6" and greater, and calculations based on "Moderate Intensity zone" (LDC sections 25-2-1122-1124).

February 24, 2006

Mr. Greg Guernsey  
Neighborhood Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

**VIA HAND DELIVERY**

RE: Versante – Approximately 33.939 Acres Located at the 8804 North RM 620 ("Property"); Proposed Rezoning from GO zoning district to SF-6 zoning district.

Dear Mr. Guernsey:

As representatives of the prospective purchaser of the above stated Property, we respectfully submit the enclosed zoning application packet. The owner of the Property is requesting a rezoning from GO to SF-6 zoning district. The proposed project includes townhomes and patio homes. The tract is currently vacant. The traffic impact analysis was waived for this application because the owner has agreed to limit the vehicle trip generation to less than 2,000 vehicle trips per day.


The surrounding zoning is SF-3 and SF-4A to the north, P to the south, DR to the east and MF-2-CO to the west. The surrounding land uses are single family, duplex and small lot single family to the north, public park to the south, vacant tract to the east and multifamily development to the west. The proposed SF-6 zoning is consistent and compatible with the surrounding zoning and land uses. Please review the enclosed City zoning map and aerial photograph.

Please let me know if you or your team members require additional information or have any questions. Please let me know when we can meet to review the proposed rezoning and discuss a Zoning and Platting Commission agenda date and City Council agenda dates. Thank you for your time and attention to this project.

**D&G**  
**SW**

**Mr. Greg Guernsey**  
**February 24, 2006**  
**Page 2**

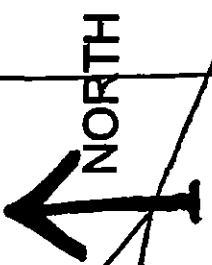
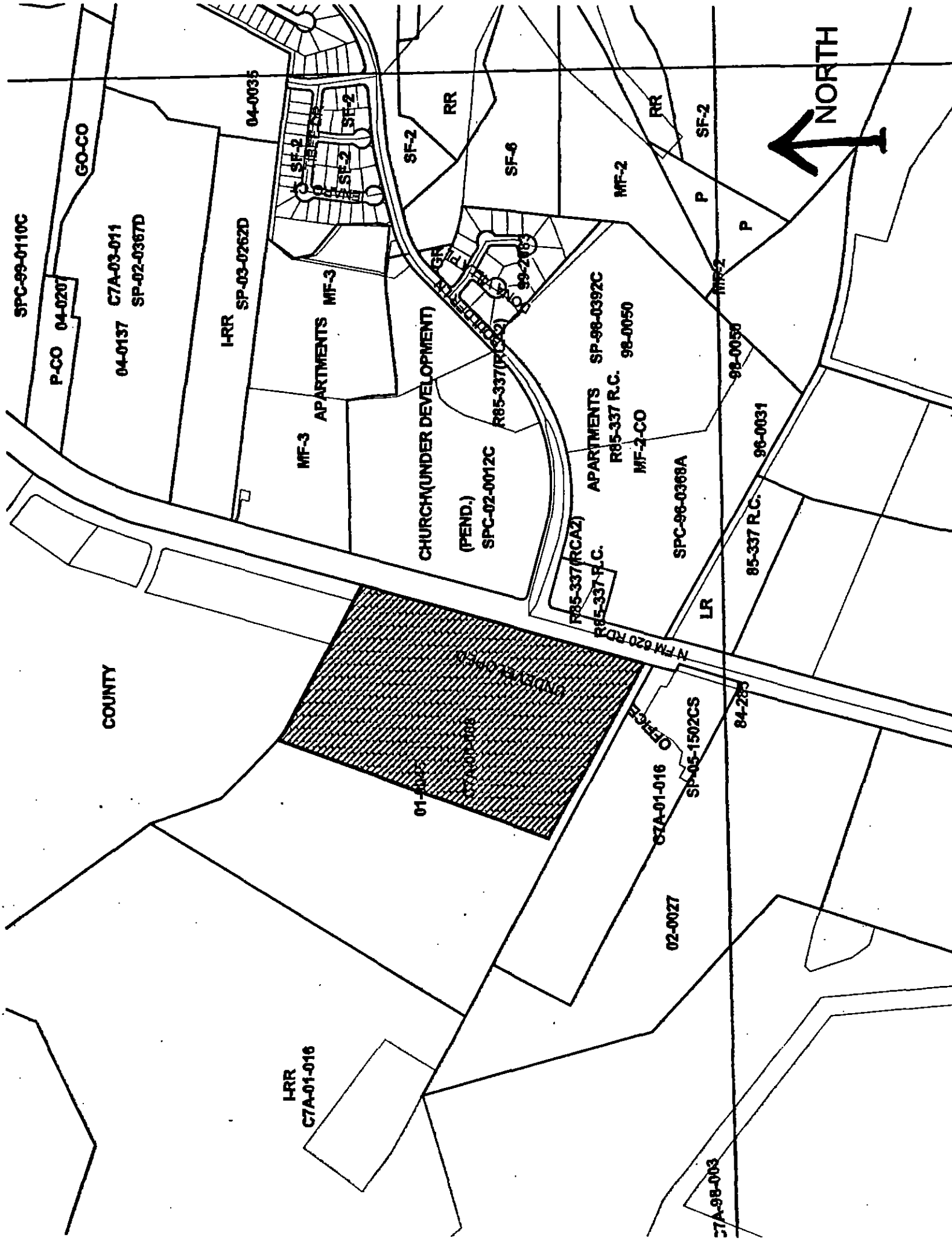
Very truly yours,



**Michele C. Haussmann**

**Enclosures**

**cc:**     **Sherri Sirwattis, Neighborhood Planning and Zoning Department, via hand delivery with enclosures**  
         **Julian Lockwood, McGinnis, Lochridge & Kilgore, LLP, via electronic mail, without enclosures**  
         **Robert Stratton, Verandah Development, via electronic mail, without enclosures**  
         **Jonathan Neslund, Bury + Partners, via electronic mail, without enclosures**  
         **Steve Drenner, Firm, without enclosures**





**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8804 NORTH R.M. 620 ROAD FROM GENERAL OFFICE (GO) DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY (SF-6-CO) COMBINING 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 general office (GO) district to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district on the property described in Zoning Case No. C14-06-0021, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 1, Block A, Grandview Hills Section 14 Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Document No. 200500250, of the Official Public Records of Travis County, Texas (the "Property"),

locally known as 8804 North R.M. 620 Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

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

A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the townhouse and condominium residence (SF-6) base district and other applicable requirements of the City Code.

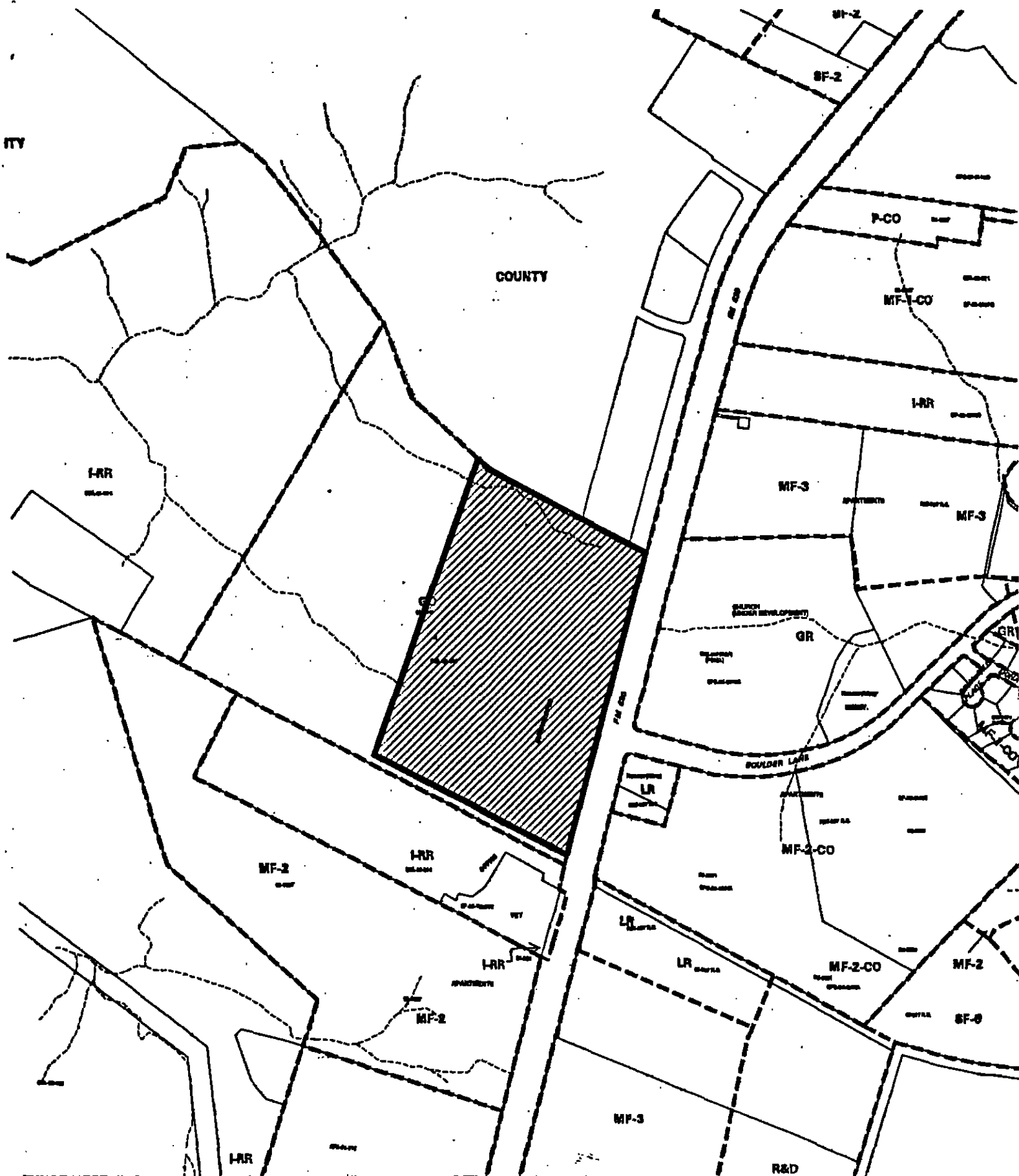
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SUBJECT TRACT  
 PENDING CASE  
 ZONING BOUNDARY  
 CASE MGR: B.SIRWAITIS



CASE #: C14-06-0021

ADDRESS: N FM 620 RD

SUBJECT AREA (acres): 33.939

ZONING EXHIBIT A

DATE: 06-02

INTLS: 6M

CITY GRID  
 REFERENCE  
 NUMBER  
 D36