

Thursday, July 27, 2006

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Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION

ITEM No. 137

Subject: C14-06-0095 - The Preserve at Riverplace - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10312 Milky Way Drive (West Bull Creek Watershed) from development reserve (DR) district zoning to single-family residence-large lot (SF-1) district zoning. Zoning and Platting Commission Recommendation; To grant single-family residence-large lot-conditional overlay (SF-1-CO) combining district zoning with conditions. Applicant: Austin Christian Fellowship (Cordel Robinson). Agent: Linseisen & Associates (Andrew Lineisen). City Staff: Jorge E. Rousselin, 974-2975.

Additional Backup Material

(click to open)

□ Staff Report

For More Information: Jorge E. Rousselin, 974-2975.

ZONING REVIEW SHEET

<u>CASE</u>: C14-06-0095 <u>Z.A.P. DATE</u>: June 6, 2006

ADDRESS: 10312 Milky Way Drive

OWNER: Austin Christian Fellowship

(Cordel Robinbson)

AGENT: Linseisen & Associates

(Andrew Linseisen)

REZONING FROM: DR (Development reserve)

TO: SF-1 (Single-family residence – large lot)

AREA: 0.377 Acres (16,422.12 square feet)

SUMMARY ZONING AND PLATTING COMMISSION RECOMMENDATION:

June 6, 2006:

APPROVED STAFF'S RECOMMENDATION FOR SF-1-CO ZONING; BY CONSENT. [J.MARTINEZ, T.RABAGO 2ND] (9-0)

SUMMARY STAFF RECOMMENDATION:

Staff recommends SF-1-CO (Single-family residence – large lot – conditional overlay) combining district zoning. The conditional overlay shall impose provisions that the subject property be developed in conjunction with Lot 9-A of the Resubdivision of Lots 8 and 9, Block B, The Preserve at Riverplace Section 2 to meet the site development standards of SF-1 and Ordinance No. 980903-B (Please see Exhibit A) and to limit the daily vehicle trips to less than 2,000 per day. The recommendation is based on the following considerations:

- 1.) The proposed land use will be compatible with the existing surrounding single-family residential uses;
- 2.) The proposed change will diversify land uses in the area by encouraging density compatible to existing densities to the north; and
- 3.) The proposed land use will not infringe on the residential character of the established residential land uses.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a 0.377 acre (16,422.12 square feet) forming the Resubdivision of lots 8 and 9, Block B, The Preserve at Riverplace Section 2, zoned DR. A resubdivision of the subject site is in review under case C8J-06-0085.0A. The abutting subdivision, The Preserve at River Place Section 2, was platted on June 8, 2000. The area was annexed under limited purpose jurisdiction on November 15, 1985. The site is currently undeveloped land with proposed access to Milky Way Drive. The applicant wishes to rezone the property to SF-1 and resubdivide the site to develop two single-family residences.

Staff recommends SF-1-CO (Single-family residence – large lot – conditional overlay) combining district zoning. The conditional overlay shall implement the size of each lot to be a minimum of 30,000 square feet. The recommendation is based on the following considerations:

1.) The proposed land use will be compatible with the existing surrounding single-family residential uses;

- 2.) The proposed change will diversify land uses in the area by encouraging density compatible to existing densities to the north; and
- 3.) The proposed land use will not infringe on the residential character of the established residential land uses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES	
Site	DR	Undeveloped land	
North	DR	Undeveloped land	
South	SF-1-CO	Undeveloped land	
East	DR	Undeveloped land	
West	SF-1-CO	Undeveloped land	

AREA STUDY: N/A

<u>TIA</u>: N/A

WATERSHED: West Bull Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

157--Courtyard Homeowner Assn.

269--Long Canyon Homeowners Assn.

426--River Place Residential Community Assn., Inc.

434--Lake Austin Business Owners

439--Concerned Citizens For P&B of FM 2222

762--Steiner Ranch Community Association

965--Old Spicewood Springs Rd. Neighborhood Assn.

SCHOOLS:

Leander Independent School District

- Steiner Ranch Elementary School
- Canyon Ridge Middle School
- Cedar Park High School

RELATED CASES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-98-0068	DR to SF-1	07/07/98: APVD RR (5-0-2, BB/MA-ABSTAIN)	08/06/98: APVD SF-1 W/CONDS (7-0) 1ST RDG
	1		09/03/98: APVD SF-1-CO W/CONDS (6-0) 2ND/3RD RDGS

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-99-0128	DR to NO	08/31/99: APVD NO-CO W/2,000	09/30/99: APVD NO
		VEHICLE TRIPS LIMIT (7-0)	W/LIMITATION OF 500
		·	VEHICLE TRIPS PER DAY, ALL

- 1				3 RDGS (6-1, WATSON-NAY)	
) [C14-99-2130	SF-3 to SF-4	10/17/00: APVD STAFF REC OF	11/30/00: DENIED SF-4A (7-0)	
	•	•	SF-4A (8-1, JM-NAY)		
-					
Ì	C14-00-2144	SF-5 to NO	08/22/00: APVD STAFF REC OF	09/28/00: APVD NO (7-0) ALL 3	
			NO-CO BY CONSENT (8-0); SA-	RDGS	
Ī			ABSENT		
		-			
Ì	C14-01-0121	RR to NO	09/25/01: DENIED STAFF ALT	10/11/01: APVD NO-CO (7-0); 1ST	
ļ			REC OF NO-CO (9-0)	RDG ·	
ı					
ı			`	12/06/01: APVD NO-CO (7-0);	
ı			·	2ND/3RD RDGS	
	C14-04-0063	GO-CO to GR	11/02/04: APVD STAFF ALT REC	12/02/04: APVD GR-CO (7-0); 1ST	
ľ			OF GR-CO W/TIA INCL BY	RDG	
	•		CONSENT (9-0)		
ļ			·	12/16/04: APVD GR-CO (7-0);	
Ì				2ND/3RD RDGS	

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE	SIDEWALKS
				PLAN	
Milky Way	50'	30'	Local	No	No
Drive					

CITY COUNCIL DATE:

ACTION:

July 27, 2006

ORDINANCE READINGS: 1st

2nd

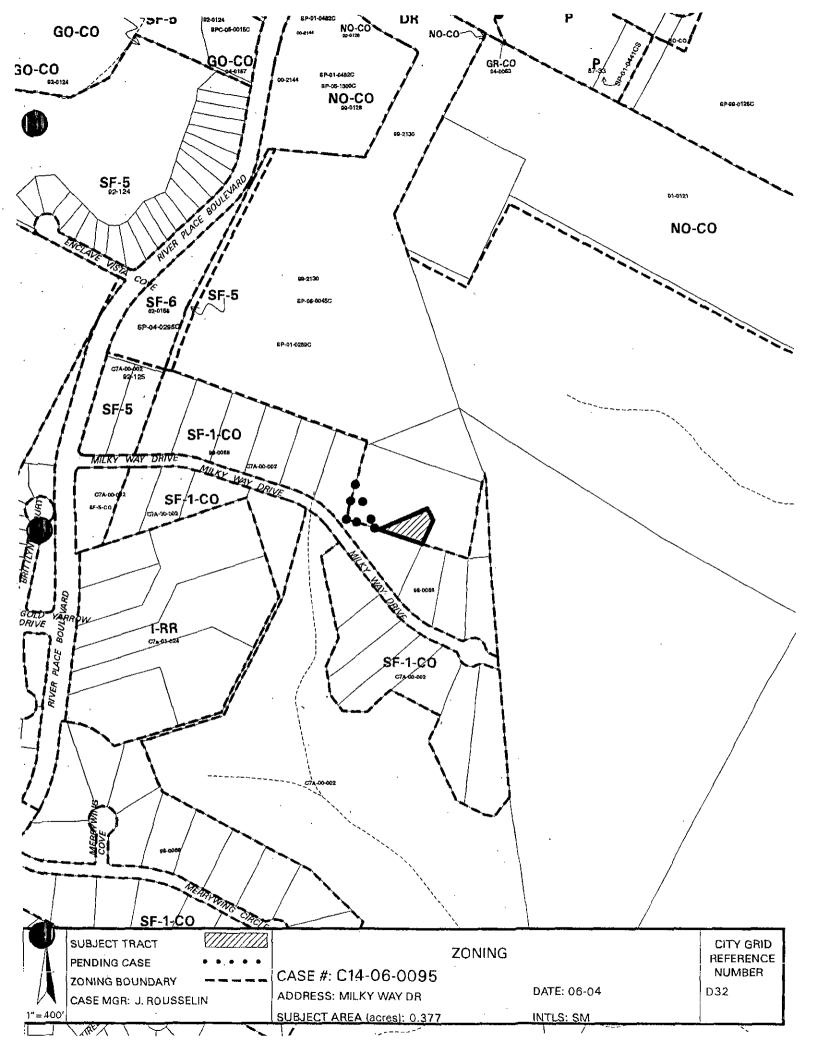
 3^{rd}

ORDINANCE NUMBER:

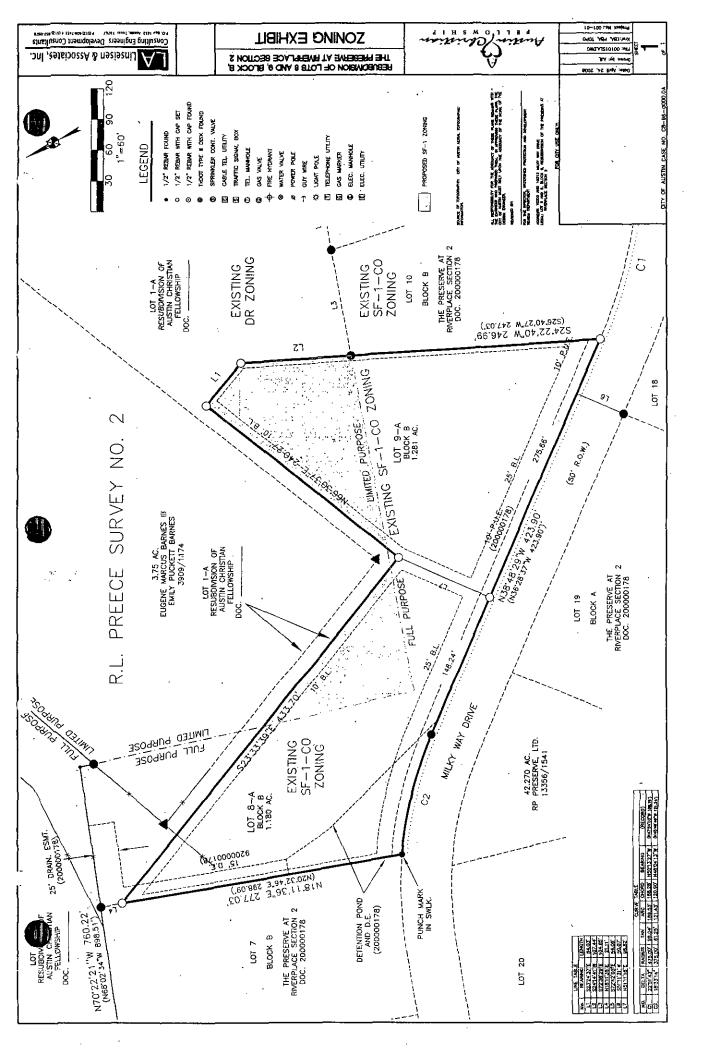
CASE MANAGER: Jorge E. Rousselin, NPZD

PHONE: 974-2975

E-MAIL: jorge.rousselin@ci.austin.tx.us







STAFF RECOMMENDATION

Staff recommends SF-1-CO (Single-family residence – large lot – conditional overlay) combining district zoning. The conditional overlay shall impose provisions that the subject property be developed in conjunction with Lot 9-A of the Resubdivision of Lots 8 and 9, Block B, The Preserve at Riverplace Section 2 to meet the site development standards of SF-1 and Ordinance No. 980903-B (Please see Exhibit A) and to limit the daily vehicle trips to less than 2,000 per day. The recommendation is based on the following considerations:

- 1.) The proposed land use will be compatible with the existing surrounding single-family residential uses;
- 2.) The proposed change will diversify land uses in the area by encouraging density compatible to existing densities to the north; and
- 3.) The proposed land use will not infringe on the residential character of the established residential land uses.

BASIS FOR RECOMMENDATION

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

Single-family residence large lot (SF-1) district is the designation for a low density single-family residential use on a lot that is a minimum of 10,000 square feet. An SF-1 district designation may be applied to a use on land with sloping terrain or environmental limitations that preclude standard lot size or to a use in an existing residential development on a lot that is 10,000 square feet or more.

The proposed rezoning meets the purpose statement of the district sought. The proposed lots are 1.180 acres and 1.281 acres.

2. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

The proposed rezoning will integrate with existing, adjacent residential uses.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area consists of a 0.377 acre (16,422.12 square feet) forming the Resubdivision of lots 8 and 9, Block B, The Preserve at Riverplace Section 2, zoned DR. A resubdivision of the subject site is in review under case C8J-06-0085.0A. The abutting subdivision, The Preserve at River Place Section 2, was platted on June 8, 2000. The area was annexed under limited purpose jurisdiction on November 15, 1985. The site is currently undeveloped land with proposed access to Milky Way Drive.

Transportation

- 1. No additional right-of-way is needed at this time.
- 2. The trip generation under the requested zoning is estimated to be 15 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).
- 3. 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]
- 4. Capital Metro bus service is not available within 1/4 mile of this property.

Environmental

1. The site is located over the northern Edward's Aquifer Recharge Zone. The site is in the West 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. 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
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

- 2. According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.
- 3. 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.
- 4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- 5. 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.
- 6. 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.
- 7. 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.

Water and Wastewater

- 1. The landowner intends to serve the site with water and wastewater utilities.
- 2. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements and system upgrades.

- 3. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility.
- 4. The plan must be in accordance with the City deign criteria.
- 5. The water and wastewater utility construction must be inspected by the City.
- 6. The landowner must pay the associated and applicable City fees.

Compatibility Standards

1. The site will not be subject to compatibility standards.

ORDINANCE NO. <u>980903-B</u>

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE AS FOLLOWS:

49.16 ACRE TRACT OF LAND OUT OF THE R.L. PREECE SURVEY NO. 2, IN TRAVIS COUNTY, FROM "DR" DEVELOPMENT RESERVE DISTRICT TO "SF-1-CO" SINGLE FAMILY RESIDENCE (LARGE LOT) DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 5707 RIVER PLACE BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

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

PART 1. The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the base zoning district from "DR" Development Reserve district to "SF-1-CO" Single Family Residence (Large Lot) district-Conditional Overlay combining district on the property (the "Property") described in File C14-98-0068, as follows:

49.16 acre tract of land out of the R. L Preece Survey No. 2, in Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as 5707 River Place Boulevard, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "B".

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

- 1. No more than 49 residential units may be developed on the Property.
- 2. The size of each lot on the Property shall be a minimum of 30,000 square feet.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the "SF-1" Single Family Residence (large lot) base district and other applicable requirements of the Land Development Code.

PART 3. The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on September 14, 1998.

PASSED AND APPROVED

• •		8	
September 3	. 1998.	8	

Kirk Watson Mayor

APPROVED: (

Andrew Martin

City Attorney

Betty G. Brown

Deputy City Clerk

A DESCRIPTION OF A 49.16 ACRE TRACT OF LAND LOCATED IN THE R.L. PREECE SURVEY NO. 2 IN TRAVIS COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN TRACT ONE DESCRIBED IN A DEED TO RIQ DINERO, LTD. AS RECORDED IN VOLUME 12744, PAGE 1273 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS. SAID 49.16 ACRE TRACT OF LAND, AS DEPICTED ON THE ATTACHED SKETCHES, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a cotton spindle found for the southeast corner of that certain 0.96 acre tract of land deeded to Steve Topletz as recorded in Volume 8577, Page 469 of the Deed Records of Travis County, Texas, same being a point in a northeast line of River Place Section 2, a subdivision of record in Volume 85, Pages 3D-4A of the Plat Records of Travis County, and being the southwest corner of the said Rio Dinero, Ltd. tract and the tract described herein;

THENCE with the east line of said Topletz tract and the west line of said Rio Dinero, Ltd. tract, the following 2 (two) courses and distances:

- 1. N 29° 42' 55" E, a distance of 500.44 feet to a 60D-nail found in a fence post, and
- 2. N 08° 44' 31" E, a distance of 290.17 feet to a ½-inch iron rod found for a point in the southwest line of River Place Elementary School Site, a subdivision of record in Volume 86, Pages 149C-149D, same being an ell corner for the tract described herein;

THENCE leaving the common line between said Topletz tract and said Rio Dinero, Ltd. tract, and with the common line of said River Place Elementary Subdivision and said Rio Dinero, Ltd. tract the following six (6) courses and distances:

- 1. S 81° 12' 36" E, a distance of 30.11 feet to a ½-inch iron rod found at a point of curvature,
- 2. with the arc of a curve to the right, a distance of 214.99 feet through a central angle of 43° 59' 37", having a radius of 280.00 feet and a chord which bears, S 59° 13' 18" E, a distance of 209.75 feet to a ½-inch iron rod found,
- 3. N 74° 33' 21" E, a distance of 465.89 feet to a 1/2-inch iron rod in concrete found,
- 4. N 28° 22' 33" E, a distance of 542.41 feet to a 1/2-inch iron rod found,
- 5. N 15° 51' 57" W, a distance of 434.98 feet to a 1/2-inch iron rod in concrete found, and
- 6. S 74° 07' 49" W, a distance of 635.86 feet to a 1/2-inch iron rod found in the east line of said Steve Topletz tract, same being in the north line of said River Place Elementary Subdivision, and being an ell corner for said Rio Dinero, Ltd. Tract and the tract described herein;

THENCE leaving the common line between the River Place Elementary Subdivision and the Rio Dinero, Ltd. tract, and with the east line of said Topletz tract, same being a westerly line of said Rio Dinero, Ltd. tract, N 21° 55′ 43″ E, a distance of 777.29 feet to a ½-inch iron rod found;

Page For /

EXITIBIT "A"

River Place 49.16 acre Zoning Tract FN 0970R (SKM) May 20, 1998 SAM, Inc Job No. 98076-20

THENCE leaving the common line between said Topletz tract and said Rio Dinero, Ltd. tract, and with the south line of the remainder of that certain called 200 acre tract of land described in a deed to Robert V. Thurmond as recorded in Volume 2272, Page 486 of the Deed Records of Travis County, same being a northerly line of said Rio Dinero, Ltd. tract, S 68° 02' 20" E, a distance of 898.08 feet to a 1/2-inch iron rod found for the northwest corner of that certain called 3.75 acre tract of land described in deed to Eugene Marcus Barnes III as recorded in Volume 3909, Page 1174 of the Deed Records of Travis County, Texas, same being an ell corner of the tract described herein;

THENCE leaving the common line between said Thurmond tract and said Rio Dinero, Ltd. tract, and with the common line between said Barnes tract and said Rio Dinero, Ltd. tract the following five (5) courses and distances:

- 1. S 17° 14' 46" W, a distance of 13.48 feet to a ½-inch iron rod found in the apparent occupied northwesterly line of said Barnes tract,
- S 17° 37' 19" W, passing at a distance of 145.45 feet a fence line at the apparent occupied southerly line of said Barnes tract, and for a total distance of 320.61 feet to a ½-inch iron rod found.
- 3. S 70° 19' 59 " E, a distance of 496.85 feet to a 1/2-inch iron rod found,
- 4. N 18° 01' 35" E, a distance of 315.50 feet to a cotton spindle found in the southerly fence line of the apparent occupied location of said Barnes tract, and
- 5. N 69° 58' 14" E, a distance of 24.91 feet to a 4-inch concrete monument found on the apparent occupied southerly line of said Barnes tract, for a corner, said point being an apparent occupied corner of that certain tract of land described in a deed to Berta Bradley as recorded in Volume 11345, Page 325 of the Real Property Records of Travis County, Texas:

THENCE leaving the common line between said Barnes tract and said Rio Dinero tract and with a westerly line of said Bradley tract, same being an easterly line of said Rio Dinero, Ltd. tract, S 02° 38' 55" E, a distance of 1331.99 feet to a 1/2-inch iron rod set for a southeasterly corner of the tract described herein:

THENCE leaving the common line between said Bradley tract and said Rio Dinero, Ltd. tract, and crossing said Rio Dinero tract the following twenty-four (24) courses and distances:

- 1. S 41° 28' 51" W, a distance of 99.90 feet to a ½-inch iron rod set,
- 2. N 79° 19 '12" W, a distance of 40.44 feet to a 1/2-inch iron rod set,
- 3. N 60° 59' 55" W, a distance of 136.25 feet to a 1/2-inch iron rod set,
- 4. N 23° 17' 29" W, a distance of 274.18 feet to a ½-inch iron rod set,
- 5. N 27° 09' 17" E, a distance of 115.79 feet to a ½-inch iron rod set,

- 6. N 61° 55' 32" W, a distance of 232.56 feet to a 1/2-inch iron rod set,
- 7. S 50° 50' 08" W, a distance of 134.83 feet to a ½-inch iron rod set,
- 8. N 85° 06' 36" W, a distance of 102.93 feet to a 1/2-inch iron rod set,
- 9. N 36° 31' 49" W, a distance of 79.89 feet to a 1/2-inch iron rod set,
- 10. N 06° 52' 13" W, a distance of 126.77 feet to a ½-inch iron rod set,
- 11. N 25° 30' 21" E, a distance of 131.65 feet to a 1/2-inch iron rod set,
- 12. N 10° 00' 24" W, a distance of 347.96 feet to a ½-inch iron rod set.
- 13. N 53° 31' 22" E, a distance of 95.29 feet to a 1/2-inch iron rod set,
- 14. N 36° 28' 38" W, a distance of 88.39 feet to a 1/2-inch iron rod set,
- 15. with the arc of a curve to the left, a distance of 112.16 feet through a central angle of 19° 46' 23", having a radius of 325.00 feet and a chord which bears, N 46° 21' 50" W, a distance of 111.60 feet to a ½-inch iron rod set.
- 16. S 16° 38' 52" W, a distance of 381.99 feet to a ½-inch iron rod set.
- 17. S 28° 22' 33" W, a distance of 555.75 feet to a 1/2-inch iron rod set,
- 18. S 74° 33' 21" W, a distance of 357.85 feet to a 1/2-inch iron rod set,
- 19. S 20° 10' 46" E, a distance of 229.46 feet to a 1/2-inch iron rod set,
- 20. S 60° 05' 37" E, a distance of 699.84 feet to a 1/2-inch iron rod set,
- 21. S 43° 31' 06" E, a distance of 305.49 feet to a 1/2-inch iron rod set,
- 22. S 25° 57' 19" W, a distance of 274.57 feet to a 1/2-inch iron rod set,
- 23. S 59° 23' 51" W, a distance of 138.19 feet to a 1/2-inch iron rod set, and
- 24. S 30° 01' 08" W, a distance of 222.36 feet to a ½-inch iron rod set in a northeasterly line of the remainder portion of a 1441:33 acre as described in the deed to First River Place Reserve as recorded in Volume 11379, Page 379 of the Real Property Records of Travis County, Texas.

River Place 49.16 acre Zoning Tract FN 0970R (SKM) May 20, 1998 SAM, Inc Job No. 98076-20

THENCE with said line, N 59° 58' 52" W, a distance of 337.71 feet to a 1/2-inch iron rod found for a northerly corner of the remainder portion of said 1441.33 acre tract, same being an east corner of said River Place Section 2:

THENCE with the northeasterly line of said River Place Section 2, N 60° 05′ 36″ W, a distance of 660.04 feet to an iron pipe found;

THENCE continuing with the northeast line of said River Place Section 2, N 59° 58' 26" W, a distance of 343.81 feet to the **POINT OF BEGINNING** and containing 49.16 acres of land, more or less.

THE STATE OF TEXAS:

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I, Robert J. Roy, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

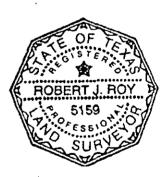
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 20th daylof Max, 1998 A.D.

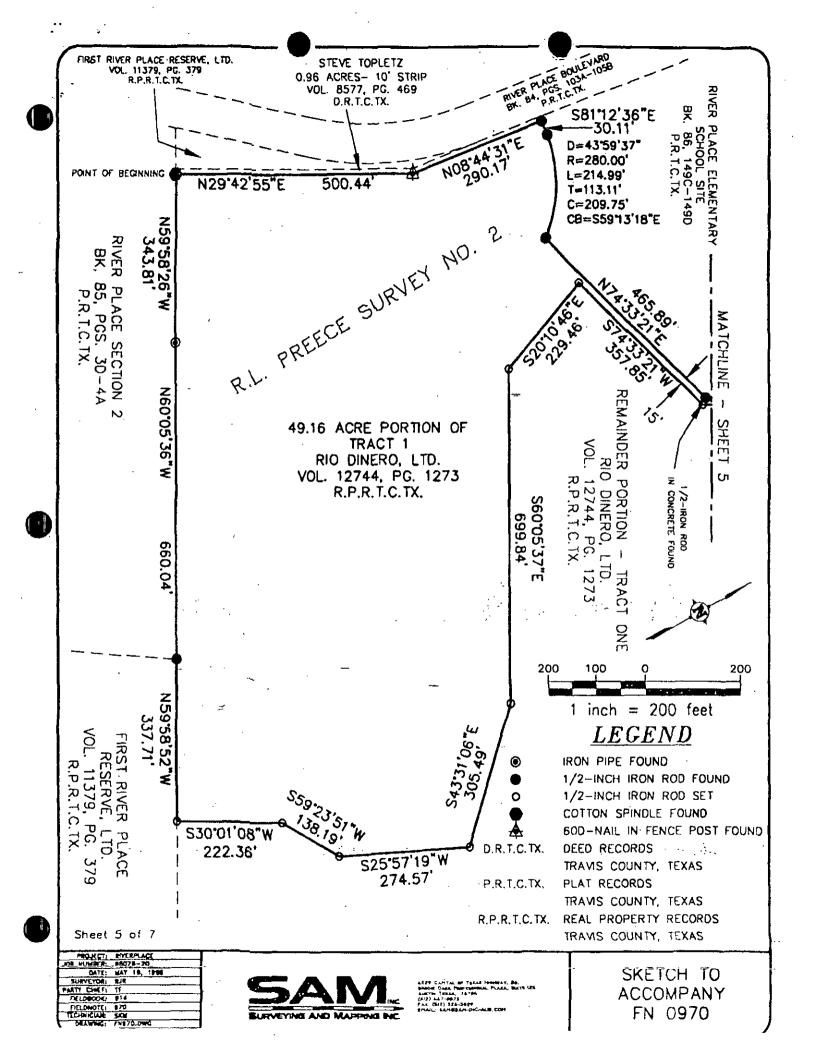
SURVEYING AND MAPPING, Inc. 4029 Capital Of Texas Hwy., So. Suite 125 Austin, Texas 78704

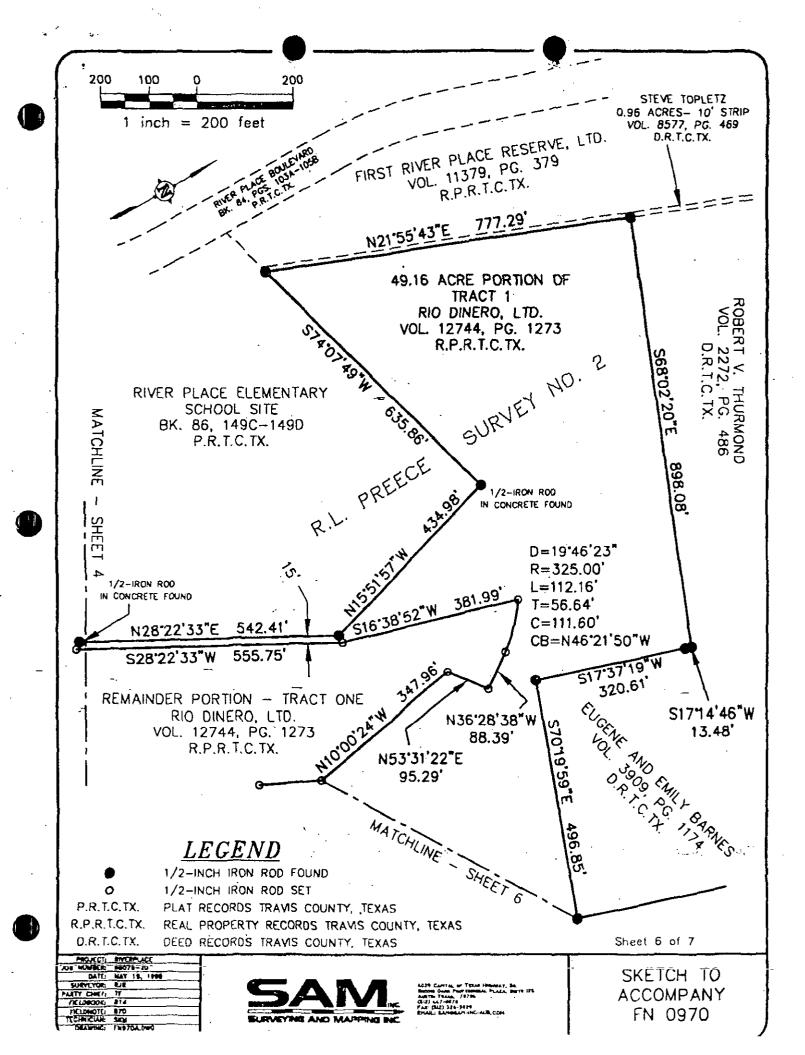
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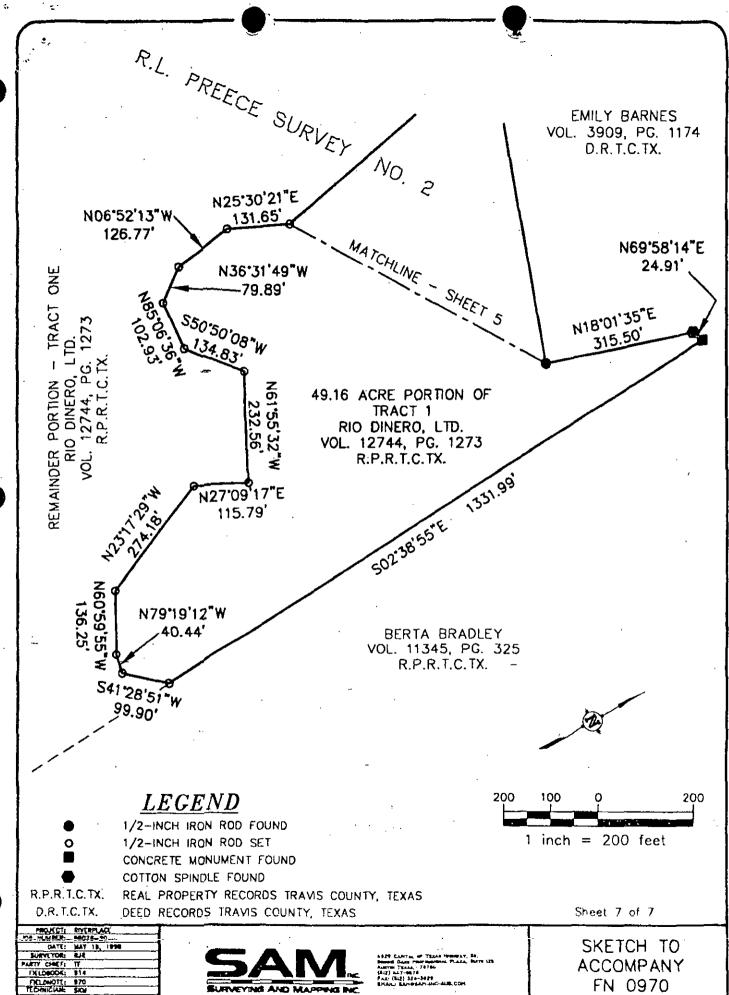
Registered Professional Land Surveyor

No. 5159 - State of Texas









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