

Thursday, October 05, 2006

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

**ITEM No. 45**

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**Subject:** C14-06-0155 - Gustafson Zoning Change - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3329 Hackamore Drive (Slaughter Creek Watershed - Barton Springs Zone) from interim-rural residence (I-RR) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Applicant: Jan G. Sheppard. Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Wendy Walsh, 974-7719.

**Additional Backup Material**

(click to open)

- ☐ Staff Report
- ☐ Ordinance

**For More Information:** Wendy Walsh, 974-7719.

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-06-0155

**Z.A.P. DATE:** September 5, 2006

**ADDRESS:** 3329 Hackamore Drive

**OWNER:** Jan G. Sheppard

**AGENT:** Shaw Hamilton Consultants  
(Shaw Hamilton)

**ZONING FROM:** I-RR

**TO:** SF-3

**AREA:** 5.973 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant single family residence standard lot – conditional overlay (SF-2-CO) combining district zoning. The Conditional Overlay limits the number of daily trips to 300.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

September 5, 2006: *APPROVED STAFF'S RECOMMENDATION FOR SF-2-CO DISTRICT ZONING; BY CONSENT.*

*[J. MARTINEZ, S. HALE 2<sup>ND</sup>] (8-0) J. SHIEH – ABSENT*

### **ISSUES:**

None at this time.

### **DEPARTMENT COMMENTS:**

The subject tract is undeveloped, zoned interim-rural residence (I-RR) district, and situated at the terminus of Hackamore and Dobbin Drives. Palomino Park, a single family residential subdivision, is located to the north, west and east (DR; SF-2). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to construct one single family residence on the property and has requested family residence (SF-3) zoning. Staff recommends the single family residence standard lot (SF-2) district based on the Applicant's intent, compatibility with Palomino Park, and access to two local streets. A conditional overlay limits vehicle trips per day.

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

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	SF-2	Single family residences
<i>South</i>	I-RR	Single family residence; Undeveloped
<i>East</i>	SF-2; DR	Single family residences; Undeveloped lots

<i>West</i>	DR; SF-2	Single family residences; Undeveloped
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**AREA STUDY:** N/A**TIA:** Is not required**WATERSHED:** Slaughter Creek – Barton Springs Zone **DESIRED DEVELOPMENT ZONE:** No**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

217 – Tanglewood Forest Neighborhood Association  
 219 – Palomino Park Homeowners Association  
 384 – Save Barton Creek Association      385 – Barton Springs Coalition  
 428 – Barton Springs / Edwards Aquifer Conservation District  
 511 – Austin Neighborhoods Council  
 627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District  
 943 – Save Our Springs Alliance      959 – Villages Neighborhood Assn.

**SCHOOLS:**

Baranoff Elementary School

Bailey Middle School

Bowie High School

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0074	LO-CO to GR	To Grant GR-CO with Restrictive Covenant items.	Denied GR-CO (10-27-05).
C14-02-0172	DR to GR	To Grant NO-CO with conditions of no additional impervious cover; prohibit access to Rocking Horse Road.	Approved NO-CO with the CO establishing the maximum impervious cover at 21.9 percent and prohibiting access to Rocking Horse Road (7-17-03).
C14-02-0102	I-SF-2; SF-2 to LO-MU-CO; LR, as amended	To Grant LR-MU-CO with list of prohibited uses, 2,000 trips and 8 driveway cuts.	Granted LO-CO for Tracts 1 and 2 and LR-CO for Tract 3 (3-27-03).

**RELATED CASES:**

The property was annexed on December 31, 1992. There are no related subdivision or site plan cases on the subject property.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Dobbin Drive	50 feet	Not yet built	Local	No	No	No

**CITY COUNCIL DATE:** October 5, 2006

**ACTION:**

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

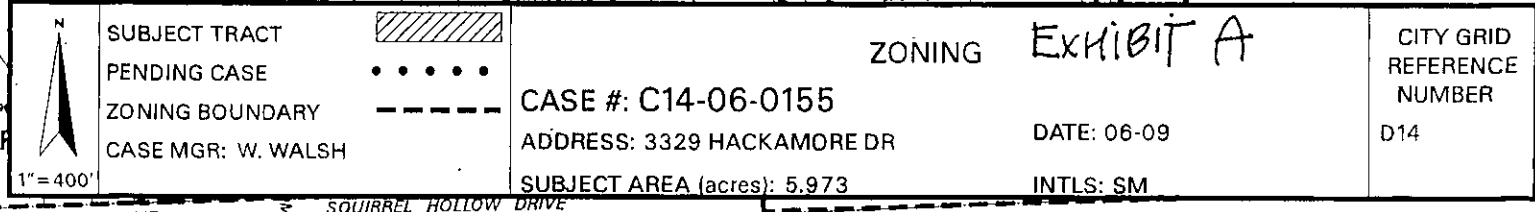
2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

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

**PHONE:** 974-7719





BLOOMINGHURST RD

UNDEVELOPED

GREEN POND RD

POND

BLOOMINGHURST RD

NORTH

Exhibit A-1

C14-89-0060

SF-2

SF-2

SF-2

C14-89-0060

C14-89-0060

GREEN POND RD

DR

**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant single family residence standard lot – conditional overlay (SF-2-CO) combining district zoning. The Conditional Overlay limits the number of daily trips to 300.

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

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

The single family residence standard lot (SF-2) district is intended for a moderate density single-family residential use on a lot that is a minimum of 5,750 square feet. This district is appropriate for existing single-family neighborhoods having moderate sized lots or to new development of single-family housing areas with minimum land requirements.

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

Staff recommends the single family residence standard lot (SF-2) district based on the Applicant's intent, compatibility with Palomino Park, and access to two local streets. A conditional overlay limits vehicle trips per day.

**EXISTING CONDITIONS****Site Characteristics**

The site is undeveloped and there appear to be no significant topographical constraints on the site.

**Impervious Cover**

The maximum impervious cover allowed by the SF-2 or SF-3 zoning districts would be 15% based on the more restrictive watershed regulations.

**Environmental**

This site is located over the Edward's Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing zone. This tract lies in the recharge zone.

According to flood plain maps, there is flood plain within the project location.

The site is located within the endangered species survey area.

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. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

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 regulations.

### **Transportation**

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

The trip generation under the requested zoning is estimated to be 513 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 neighborhood traffic 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 300 vehicle trips per day. [LDC, 25-6-117]

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]

### **Water and Wastewater**

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



**Site Plan and Compatibility Standards**

A rezoning to the SF-3 district would not trigger the application of compatibility standards.

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

**Case Number:** C14-06-0155

**Contact:** Wendy Walsh, (512) 974-7719

**Public Hearing:**

September 5, 2006 Zoning and Platting

Commission

Suzanne Balettie

Your Name (please print)

3400 Geylbuck Rd

Your address(es) affected by this application

Suzanne Balettie 8/29/06

Signature

Date

Comments:

As per conversation w/  
Shaw Hamilton, intent  
is to build "1" single  
family home on approx  
6 acre site. Neighbor-  
hood association is  
in full support of  
intended use.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810



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

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE  
2 PROPERTY LOCATED AT 3329 HACKAMORE DRIVE AND CHANGING THE  
3 ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO  
4 SINGLE FAMILY RESIDENCE STANDARD LOT-CONDITIONAL OVERLAY  
5 (SF-2-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 single family  
11 residence standard lot-conditional overlay (SF-2-CO) combining district on the property  
12 described in Zoning Case No. C14-06-0155, on file at the Neighborhood Planning and  
13 Zoning Department, as follows:  
14

15 A 5.973 acre tract of land, more or less, out of the Theodore Bissell League,  
16 Survey No. 18, Travis County, the tract of land being more particularly described  
17 by metes and bounds in Exhibit "A" incorporated into this ordinance (the  
18 "Property"),  
19

20 locally known as 3329 Hackamore Drive, in the City of Austin, Travis County, Texas, and  
21 generally identified in the map attached as Exhibit "B".  
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  
29 300 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 single family residence standard  
33 lot (SF-2) base district and other applicable requirements of the City Code.  
34  
35  
36  
37

1 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2006.

2  
3  
4 **PASSED AND APPROVED**

5  
6  
7  
8 \_\_\_\_\_, 2006

§  
§  
§

Will Wynn  
Mayor

9  
10  
11  
12  
13 **APPROVED:** \_\_\_\_\_

David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk

EXHIBIT A  
FIELD NOTES

C14-06-0155  
SF-2-CO District  
Zoning

**BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE THEODORE BISSELL LEAGUE, SURVEY NO 18 SITUATED IN TRAVIS COUNTY TEXAS, AND MORE PARTICULARLY DESCRIBED AS BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN A DEED TO CLIFFORD L. GUSTAFSON, ET UX, JANE GUSTAFSON AND RECORDED IN VOLUME 4010, PAGE 1690 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING 5.973 ACRES OF LAND, MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING**, at an iron rod set at the southeast corner of said Gustafson tract, being also at the southwest corner of Lot 56 of Palomino Park Section 3, a subdivision recorded in Volume 28, Page 18 of the Plat Records of Travis County, Texas, and being also in the north line of Lot 28, Block G of Brodie Springs Section 1, a subdivision recorded in Volume 95, Pages 33-35 of the Plat Records of Travis County, Texas, for the **POINT OF BEGINNING** of the herein described 5.973 acre tract of land,,

**THENCE**, with the north line of said Lot 28, Block G, being also the south line of said Gustafson tract, the following two (2) courses and distances, numbered 1 and 2,

1. N89°49'22"W, a distance of 89.93 feet to an iron rod found, and
2. S89°29'19"W, a distance of 243.17 feet to an iron rod found at the most southerly southwest corner of said Gustafson tract, being also the southeast corner of that certain tract of land described in a deed to Clifford L. Gustafson, recorded in Volume 3451, Page 2110 of the Deed Records of Travis County, Texas,

**THENCE**, with a west line of said Gustafson tract recorded in Volume 4010, Page 1690, being also the east line of said Gustafson tract recorded in Volume 3451, Page 2110, with a curve to the left having a radius of 339.31 feet, an arc length of 161.14 feet, and whose chord bears, N12°51'31"E, a distance of 159.63 feet to an iron rod set at the northeast corner of said Gustafson tract recorded in Volume 3451, Page 2110, being also an ell corner of said Gustafson tract recorded in Volume 4010, Page 1690,

**THENCE**, with the north line of said Gustafson tract recorded in Volume 3451, Page 2110, being also a south line of said Gustafson tract recorded in Volume 4010, Page 1690, N74°16'00"W, a distance of 362.57 feet to an iron rod set at the northwest corner of said Gustafson tract recorded in Volume 3451, Page 2110, being also the most westerly southwest corner of said Gustafson tract recorded in Volume 4010, Page 1690, and being in the east line of Palomino Park Section 2, a subdivision recorded in Volume 24, Page 27 of the Plat Records of Travis County, Texas,

**THENCE**, with the west line of said Gustafson tract recorded in Volume 4010, Page 2110, being also the east line of said Palomino Park Section 2, N30°26'12"E, a distance of 369.71 feet to a 60-d nail set in a 10" Live Oak tree, at the southwest corner of Lot 6 of Palomino Park Section 5-A, a subdivision recorded in Volume 64, Page 20 of the Plat Records of Travis County, Texas, for the northwest corner of said Gustafson tract,

**THENCE**, with the north line of said Gustafson tract, being also the south line of said Lot 6, S70°39'20"E, a distance of 348.39 feet to an iron rod found at the southeast corner of said Lot 6, being also in the west right-of-way line of Dobbin Drive, a 50-foot wide public right-of-way,

**THENCE**, continuing with the north line of said Gustafson tract, being also the southerly terminus of said Dobbin Drive, S71°53'21"E, a distance of 50.15 feet to an iron pipe found at the southwest corner of that certain tract of land described in a deed to Jan and Kay Shinol, recorded in Document No. 2002017514 of the Official Public Records of Travis County, Texas,

**THENCE**, continuing with the north line of said Gustafson tract, being also the south line of said Shinol tract, S70°07'50"E, a distance of 251.61 feet to an iron pipe found at the northeast corner of said Gustafson tract, being also the southeast corner of said Shinol tract and in the west line of Lot 34 of said Palomino Park Section 3,

**THENCE**, with the east line of said Gustafson tract, being also the west line of said Lot 34, the following two (2) courses and distances, numbered 1 and 2,


1. S31°12'49"W, a distance of 72.05 feet to an iron pipe found, and
2. S18°16'42"W, a distance of 44.65 feet to an iron rod found at the southwest corner of said Lot 34, being also in the north right-of-way line of Hackamore Drive, a 50-foot wide public right-of-way,

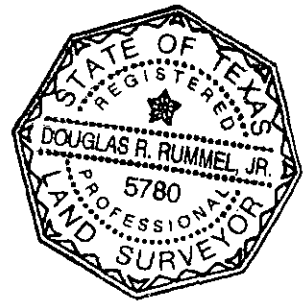
**THENCE**, continuing with the east line of said Gustafson tract, being also the westerly terminus of said Hackamore Drive, S27°53'40"W, a distance of 56.56 feet to an iron rod set at the northwest corner of said Lot 56,

**THENCE**, continuing with the east line of said Gustafson tract, being also the west line of said Lot 56, the following two (2) courses and distances, numbered 1 and 2,

1. S27°46'54"W, a distance of 186.89 feet to an iron rod set, and
2. S17°42'22"E, a distance of 36.67 feet to the **POINT OF BEGINNING** and containing 5.973 acres of land.

Surveyed By:

 7/13/06  
Douglas R. Rummel, Jr. ~ R.P.L.S. No. 5780  
**CARLSON, BRIGANCE & DOERING, INC.**  
5501 West William Cannon Drive  
Austin, Texas 78749  
(512) 280-5160 Fax: (512) 280-5165



Bearing Basis is from the recorded deed of Gustafson tract  
Filename: G:\DOCS\4177-036\fn-title.doc

CHURCH

SLAUGHTER LANE WEST  
UNDEVELOPED  
RR  
00-2035

SP-03-0064C  
PHARMACY

SP-05-0060C  
LIQUOR  
STORE

GR-CO  
C14R-85-273/C814-87-005

GROCERY  
STORE

FINANCIAL  
SERVICES

SHOPPING  
CENTER

I-RR

RR  
00-2035

GR-CO  
GAS/CONV  
STORE

LO

SLAUGHTER LANE WEST  
OFFICE  
LO-CO  
02-0102

REST.

REST.

SF-2

SF-2

SF-2  
(UNDEVELOPED)

SF-2

SF-2

SF-2

LO-CO  
02-0102

HAIR  
& NAIL  
SALON

LR-CO  
INSURANCE  
OFFICE

DR

SF-2

SF-2

NO-CO  
03-0171

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

C14-89-0060

SF-2

UNDEVELOPED

DR

SF-2

SF-2

SF-2

SF-2

DR

COUNTY

HORSE  
BOARDING

SF-2

UNDEVELOPED

I-RR

C1A-98-006

SF-2

I-SF-2

ANTelope  
TRUN

UNDER  
CONSTRUCTION

I-SF-2

C1A-98-006  
GPC-02-0025C

I-SF-2

C1A-98-006

SF-2

ANTelope  
TRUN

RASPBERRY COVE

I-SF-2

C1A-98-006

SF-2

ANTelope  
TRUN

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

SF-2

AMBER OAK COVE

AMBER OAK

DRIVE

DRIVE

DRIVE

DRIVE

DRIVE

DRIVE

DRIVE

DRIVE

DRIVE

DRIVE

DRIVE

DRIVE

DRIVE

DRIVE

DRIVE

DRIVE

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: W. WALSH

ZONING EXHIBIT B

CASE #: C14-06-0155

ADDRESS: 3329 HACKAMORE DR

DATE: 06-09

SUBJECT AREA (acres): 5.973

INTLS: SM

CITY GRID  
REFERENCE  
NUMBER

D14

1" = 400'

SQUIRREL HOLLOW DRIVE