

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

## AGENDA



Thursday, October 19, 2006

+ Back Print

**Zoning and Neighborhood Plan Amendments  
(Public Hearings and Possible Action)  
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 62**

**Subject:** C14-06-0156.SH - Jansen 16 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6200 Loyola Lane (Walnut Creek Watershed) from multi-family residence-medium density conditional overlay (MF-3-CO) combining district zoning and community commercial-mixed use (GR-MU) combining district zoning to multi-family residence-medium density conditional overlay (MF-3-CO) combining district zoning. Staff Recommendation: To grant multi-family residence-medium density conditional overlay (MF-3-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-medium density conditional overlay (MF-3-CO) combining district zoning. Applicant: Park Place at Loyola, L P (Chue Nahayina) Agent: Jim Bennett Consulting (Jim Bennett) City Staff: Robert Heil, 974-2330

**Additional Backup Material**

(click to open)

- ☐ Staff Report
- ☐ Ordinance

**For More Information:** Robert Heil, 974-2330

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-06-0156.SH Jansen 16

**ZAP Date:** September 19, 2006

**ADDRESS:** 6200 Loyola Lane

**AREA:** 16.826 acres

**OWNER/APPLICANT:** Park Place at Loyola , L.P. (Chue Nahyina)

**AGENT:** Jim Bennett Consulting (Jim Bennett)

**ZONING FROM:** MF-3-CO and GR-MU

**TO:** MF-3-CO

**STAFF RECOMMENDATION:**

Staff recommends approval of MF-3-CO, with a condition that traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. This would allow the construction of approximately 340 units

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**September 19, 2006: Approved MF-3-CO (no more than 254 residential units, no more than 2000 daily trips). (Consent: 7-0).**

**DEPARTMENT COMMENTS:**

This is a 16.8 undeveloped tract near on Loyola Lane, west of Loyola's intersection with Johnny Morris Road. In 2003, the site was rezoned from SF-3 to GR-MU-CO and MF-3-CO. The conditional overlay at that time limited the range of permitted uses on the GR tract and limited the total daily vehicles trips to nor more than 2000.

The stated intent of the owner is to construct apartments on the site as part of the City's S.M.A R.T. housing program.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GR-MU-CO and MF-3-CO	Undeveloped
<i>North</i>	SF-2	Undeveloped
<i>South</i>	SF-3	Undeveloped
<i>East</i>	LR and SF-2	Undeveloped, School and Single Family Homes
<i>West</i>	SF-2	Undeveloped floodplain

**AREA STUDY:** This property is not part of a proposed neighborhood plan area .

C14-06-0156.SH

**TIA:** 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]

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes **CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**REGISTERED NEIGHBORHOOD ORGANIZATIONS:**

- LBJ Neighborhood Association
- ANC
- NorthEast Action Group
- AISD
- Homebuilder's Association of Greater Austin

**SCHOOLS: (AISD)**

Jordan Elementary School     Dobie Middle School     LBJ High School

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Loyola Lane	114'-220'	2 @ 24'	MAD-4	Yes	Yes	Yes

**CITY COUNCIL DATE:**

**ACTION:**

October 16, 2006

**ORDINANCE READINGS:**

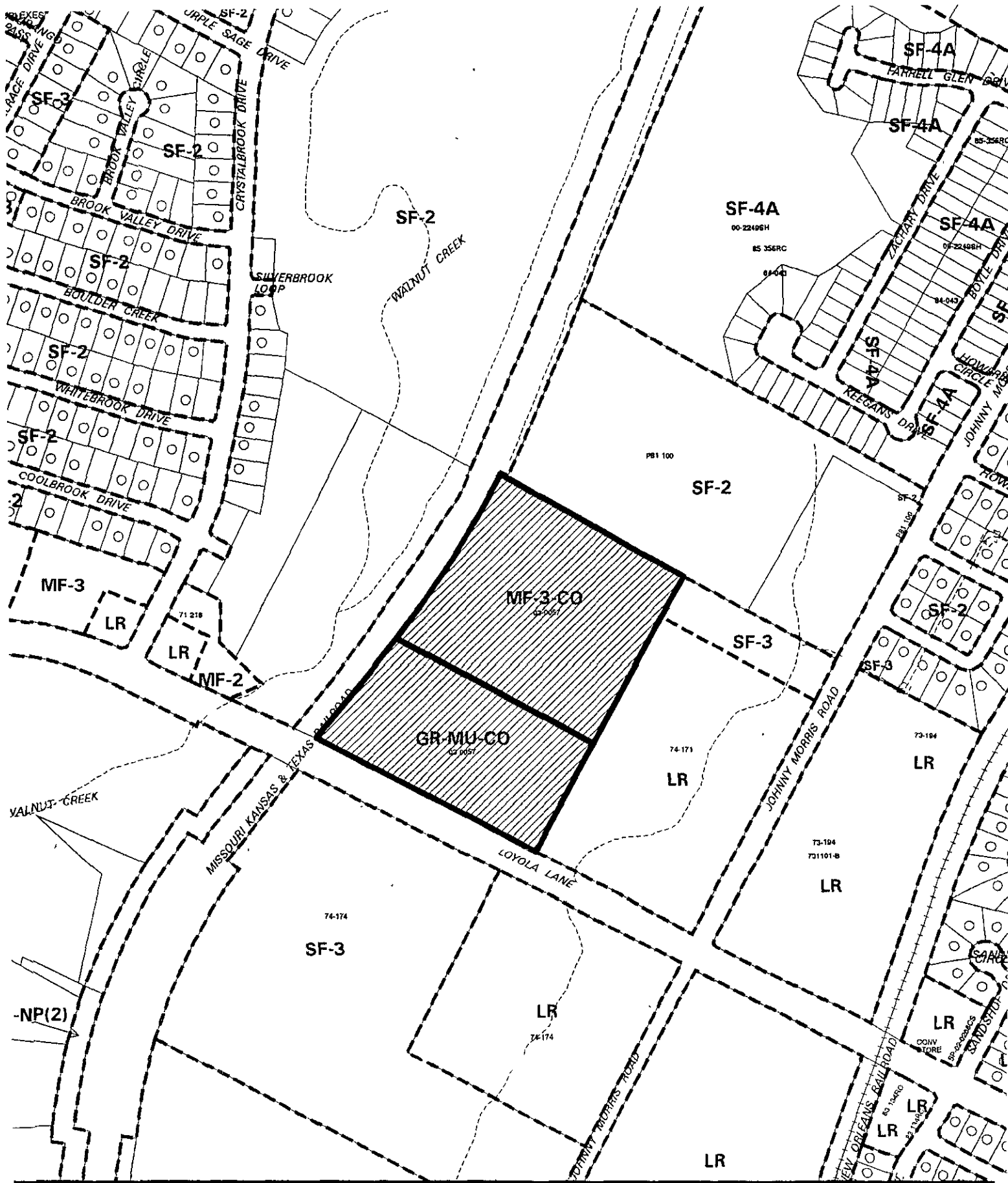
2<sup>nd</sup>

3<sup>rd</sup>

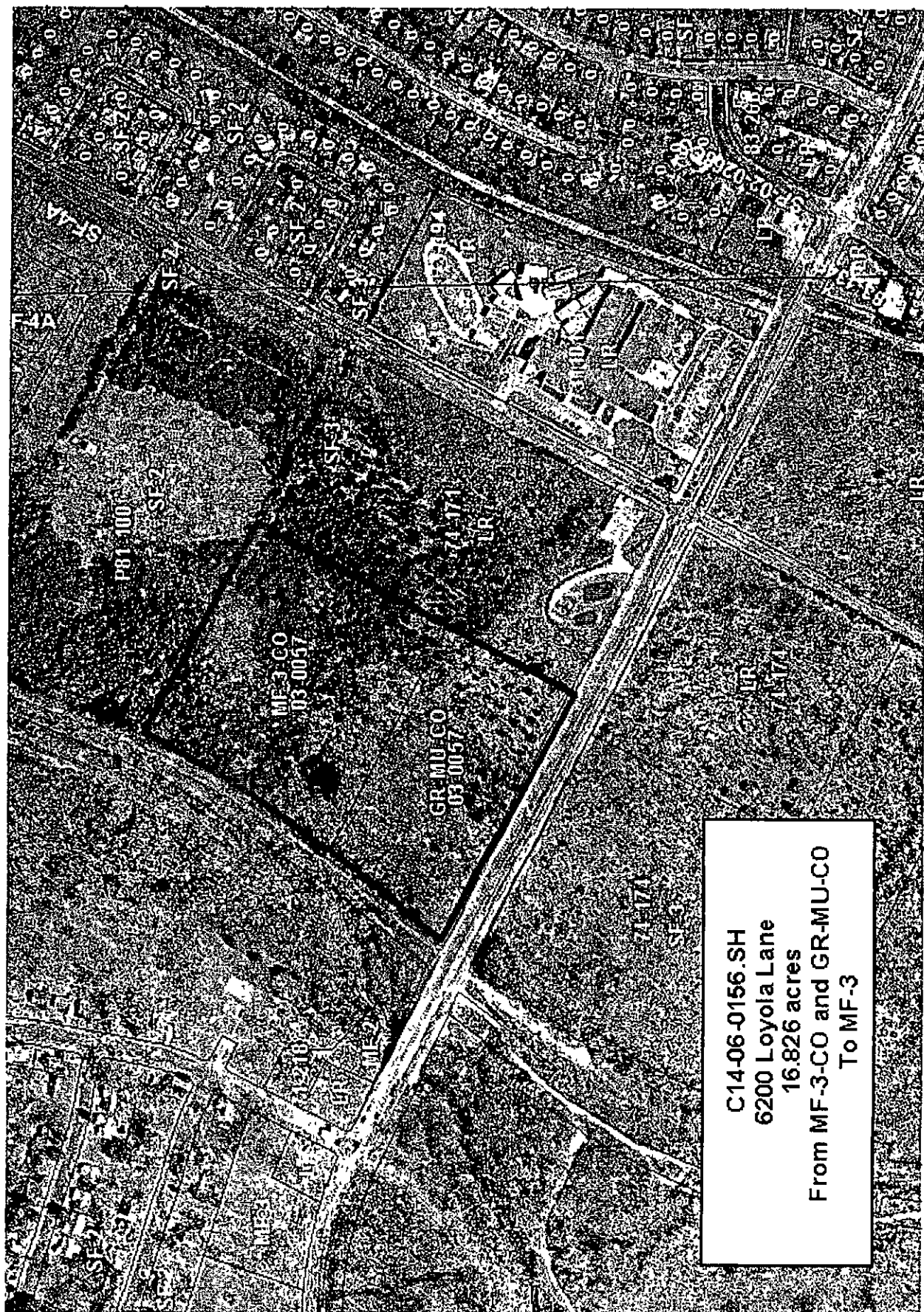
**ORDINANCE NUMBER:**

**CASE MANAGER:** Robert Heil  
e-mail address: [robert.heil@ci.austin.tx.us](mailto:robert.heil@ci.austin.tx.us)

**PHONE:** 974-2330



 " = 400'	SUBJECT TRACT 	<b>ZONING</b>  <b>CASE #: C14-06-0156.SH</b> <b>ADDRESS 6200 LOYOLA LN</b> <b>SUBJECT AREA (acres) 16.826</b>	<b>DATE 06-07</b>  <b>INTLS SM</b>	<b>CITY GRID</b> <b>REFERENCE</b> <b>NUMBER</b> <b>N25</b>
	PENDING CASE 			
	ZONING BOUNDARY 			
	CASE MGR: R HEIL			



## **SUMMARY OF STAFF RECOMMENDATION**

Staff recommends approval of MF-3-CO, with a condition that traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day.

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

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

MF-3 district zoning is the designation for multifamily use with a maximum density of up to 36 units per acres, depending on unit size and may be applied to a use in a multifamily residential area located near supporting transportation and commercial facilities in a centrally located area for which medium density multifamily use is desired. The site is located near two major roadways with mass transit available within 1000 feet of the site. Multifamily zoning and development would be desired in this area as the property is within the desired development zone while meeting the purpose statement of the district.

2. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

The expansion of the area allowed for multi-family residential development, and the applicant's participation in the City of Austin's S.M A R.T. Housing program, advances the City Councils stated goal of promoting affordable housing opportunities in Austin.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is undeveloped. (See aerial photograph ) Floodplain lies adjacent to the property on the opposite side of the railroad right of way

### **Transportation**

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

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]

The trip generation under the requested zoning is estimated to be **4,008** 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).

There are existing sidewalks along the north side of Loyola Lane.

Capital Metro bus service is available along Loyola Lane with the #23 Johnny Morris Local, #37 Colony Park Local, and #137 Colony Park Flyer bus routes.

Loyola Lane is part of the Metropolitan Bike Route System and is classified as a Priority 2 bike route (with bike lanes).

#### **Existing Street Characteristics:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bus Route</b>	<b>Bike Route</b>
Loyola Lane	114'-220'	2 @ 24'	MAD-4	Yes	Yes	Yes

#### **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 Walnut 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 floodplain adjacent to the project boundary.

Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

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. Aerial photographs of the property

indicate that there is a possibility of protected trees being located on the property. These trees must be preserved to the City of Austin standards of tree preservation.

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.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

### **Site Plan**

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

### **Compatibility Standards**

The site is subject to compatibility standards. Along the northeast, west, and southwest property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 foot compatibility setback.

Additional design regulations will be enforced at the time a site plan is submitted.

- 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.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- No parking or driveways are allowed within 25 feet of the property line
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.

A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.



**Water and Wastewater**

The landowner intends to serve the site and each lot 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 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 design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

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

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 6200 LOYOLA LANE FROM COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT AND MULTIFAMILY RESIDENCE MEDIUM DENSITY-CONDITIONAL OVERLAY (MF-3-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 on the property described in Zoning Case No. C14-06-0156.SH, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From multifamily residence medium density-conditional overlay (MF-3-CO) combining district to multifamily residence medium density-conditional overlay (MF-3-CO) combining district.

A 9.844 acre tract of land, more or less, out of the J.C. Tannehill Survey No. 29, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and,

Tract Two: From community commercial-mixed use-conditional overlay (GR-MU-CO) combining district to multifamily residence medium density-conditional overlay (MF-3-CO) combining district.

A 6.982 acre tract of land, more or less, out of the J.C. Tannehill Survey No. 29, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 6200 Loyola Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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

- 1 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

1 with all existing or previously authorized development and uses, generate traffic that  
2 exceeds 2,000 trips per day.

3  
4 2. Development of the Property may not exceed 254 residential units.

5  
6 3. Development of the Property may not exceed 15.1 residential units per acre.

7  
8 Except as specifically restricted under this ordinance, the Property may be developed and  
9 used in accordance with the regulations established for the multifamily residence medium  
10 density (MF-3) base district and other applicable requirements of the City Code.

11  
12 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2006.

13  
14  
15 **PASSED AND APPROVED**

16  
17 §  
18 §  
19 \_\_\_\_\_, 2006 § \_\_\_\_\_  
20 Will Wynn  
21 Mayor

22  
23  
24 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
25 David Allan Smith Shirley A. Gentry  
26 City Attorney City Clerk

JAMES E. GARON

REGISTERED PROFESSIONAL

LAND SURVEYOR

Email: jgaron@austin.tx.com

924 Main Street  
Bastrop, Texas 78602  
512-303-4185  
512-321-2107 fax

March 4, 2003

EXHIBIT A

TRACT A

LEGAL DESCRIPTION: BEING A 9.844 ACRE TRACT OF LAND LYING IN AND SITUATED OUT OF THE J.C. TANNEHILL SURVEY NO. 29, ABSTRACT NO. 22, AND BEING A PORTION THAT CERTAIN 17.0103 ACRE TRACT, SAVE AND EXCEPT 8,031 SQUARE FEET, CONVEYED TO ROBERT L. HAUG BY DEED RECORDED IN VOLUME 12026, PAGE 773 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 9.844 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS PREPARED FROM RECORD INFORMATION AND PREVIOUS SURVEYS BY OTHERS:

BEGINNING at an iron rod found in the curving east r-o-w line of the former Missouri, Kansas and Texas (M.K.T.) Railroad as conveyed to the State of Texas by deed recorded in Volume 11339, Page 2005 for the northwest corner hereof and said 17.0103 acre tract and the southwest corner of the Worley and Barton Subdivision, a subdivision of record in Volume 84, Page 199B;

THENCE South 59°19'09" East with the north line hereof and said 17.0103 acre tract and the south line of said Worley and Barton Subdivision, a distance of 680.50 feet to an iron rod found for the northeast corner hereof and said 17.0103 acre tract, and the northwest corner of a 12.669 acre tract of land conveyed to Horizon Worship Center by deed recorded in Volume 12781, Page 2223 of said Deed Records;

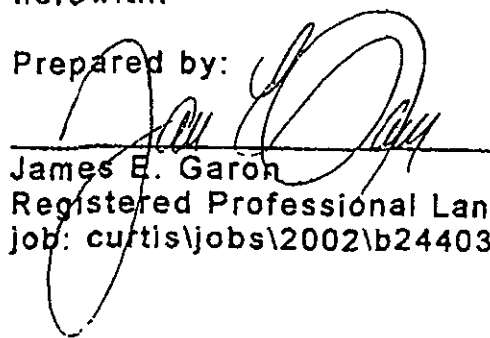
THENCE South 30°04'20" West a distance of 610.30 feet along the east line hereof and said 17.0103 acre tract and the west line of said 12.669 acre tract to a point for the southeast corner hereof;

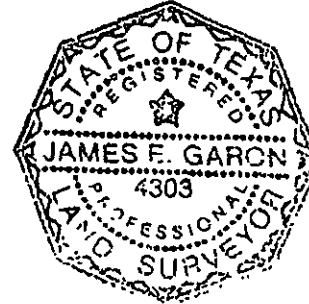
THENCE crossing said 17.0103 acre tract N 60°43'33" W a distance of 723.69 feet to a point in the east line of said former M.K.T. Railroad for the southwest corner hereof;

March 4, 2003

THENCE a distance of 629.83 feet along the arc of said curving r-o-w line to the left, having a radius of 3658.70 feet and a chord bearing North  $34^{\circ}00'24''$  East a distance of 629.06 to the POINT OF BEGINNING and containing 9.844 acres of land, more or less, and as shown on sketch to accompany legal description prepared herewith.

Prepared by:

  
James E. Garon  
Registered Professional Land Surveyor  
job: curtis\jobs\2002\b24403a.doc



**JAMES E. GARON**

REGISTERED PROFESSIONAL  
LAND SURVEYOR

Email: jgaron@austin.rr.com

924 Main Street  
Bastrop, Texas 78602  
512-303-4185  
512-321-2107 fax

March 4, 2003

EXHIBIT B

**TRACT B**

LEGAL DESCRIPTION: BEING A 6.982 ACRE TRACT OF LAND LYING IN AND SITUATED OUT OF THE J.C. TANNEHILL SURVEY NO. 29, ABSTRACT NO. 22, AND BEING A PORTION THAT CERTAIN 17.0103 ACRE TRACT, SAVE AND EXCEPT 8,031 SQUARE FEET, CONVEYED TO ROBERT L. HAUG BY DEED RECORDED IN VOLUME 12026, PAGE 773 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 6.982 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS PREPARED FROM RECORD INFORMATION AND PREVIOUS SURVEYS BY OTHERS:

BEGINNING at an iron rod found in the east r-o-w line of the former Missouri, Kansas and Texas (M.K.T.) Railroad as conveyed to the State of Texas by deed recorded in Volume 11339, Page 2005 of said Deed Records and the north r-o-w line of Loyola Lane for the southwest corner hereof and said 17.0103 acre, save and except 8,031 square foot, tract;

THENCE North 41°01'26" West a distance of 274.94 feet with the west line hereof and said 17.0103 acre tract and the east r-o-w line of said former M.K.T. Railroad to an iron rod found for point of curvature;

THENCE a distance of 133.22 feet along the arc of a curve to the left, said curve having a radius of 3658.70 feet and a chord bearing North 39°58'53" East a distance of 133.21 feet to a point for the northwest corner hereof;

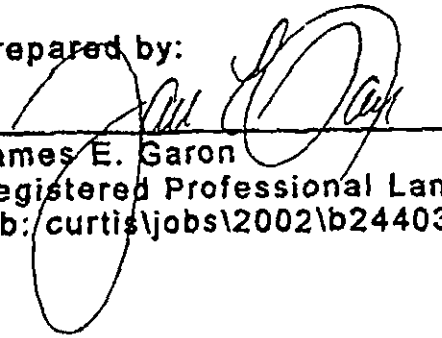
THENCE crossing said 17.0103 acre tract, North 60°43'33" West a distance of 723.69 feet to a point in the east line of said 17.0103 acre tract and the west line of a 12.669 acre tract of land conveyed to Horizon Worship Center by deed recorded in Volume 12781, Page 2223 for the northeast corner hereof;

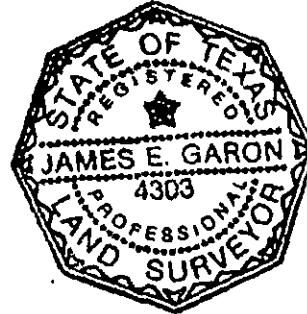
THENCE South 30°04'20" West a distance of 400.04 feet along the east line hereof and said 17.0103 acre tract and the west line of said 12.669 acre tract to an iron rod found in the north line of Loyola Lane and said 8,031 square foot tract for the southeast corner hereof;

March 4, 2003

THENCE North 60°43'33" West a distance of 798.84 feet along the south line hereof and said and the north line of Loyola Lane to the POINT OF BEGINNING and containing 6.982 acres of land, more or less, and as shown on sketch to accompany legal description prepared herewith.

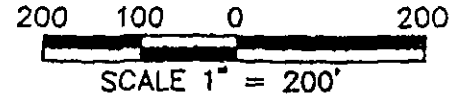
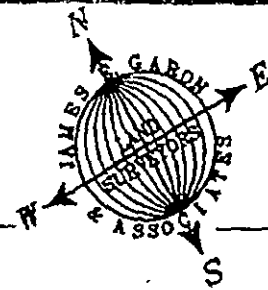
Prepared by:

  
James E. Garon  
Registered Professional Land Surveyor  
job: curtis\jobs\2002\b24403b.doc



WORLEY AND BARTON SUBDIVISION

VOL 84, PG. 199B

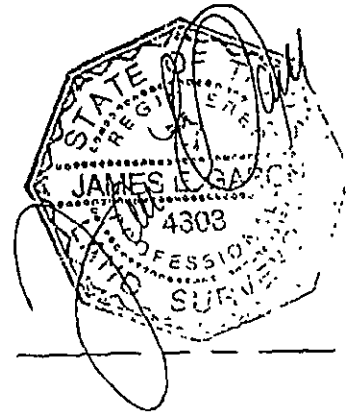


LEGEND



CALCULATED POINT  
1/2" REBAR FOUND

HORIZON WORSHIP CENTER  
12.669 AC  
12781/2223  
D.R.T.C.



STATE OF TEXAS (FORMER M.K.T. RAILROAD)  
11339/2005

S 59°19'09" E 680.50'

A  
9.844 AC

ROBERT L HAUG  
PT. OF 17.0103 ACRES,  
SAVE AND EXCEPT 8,031 SQUARE FEET  
12026/773  
D.R.T.C.

1010.34'

N 60°43'33" W 723.69'

B  
6.982 AC

ROBERT L HAUG  
PT. OF 17.0103 ACRES,  
SAVE AND EXCEPT 8,031 SQUARE FEET  
12026/773  
D.R.T.C.

S 30°04'20" W

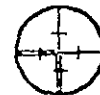
N 60°43'33" W 798.84'

LOYOLA LANE

SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION OF  
9.844 ACRES AND 6.982 ACRES  
OUT OF THE  
J.C. TANNEHILL SURVEY NO. 29,  
ABSTRACT NO. 22  
CITY OF AUSTIN  
TRAVIS COUNTY, TEXAS

TANGENT	BEARING	LENGTH
T1	N 41°01'26" E	274.94'

CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C-1	3658.70'	763.02'	11°56'55"	N35°02'56"E	761.64'
C-2	3658.70'	629.83'	09°51'48"	S34°00'24"W	629.06'
C-3	3658.70'	133.22'	02°05'10"	S39°58'53"W	133.21'

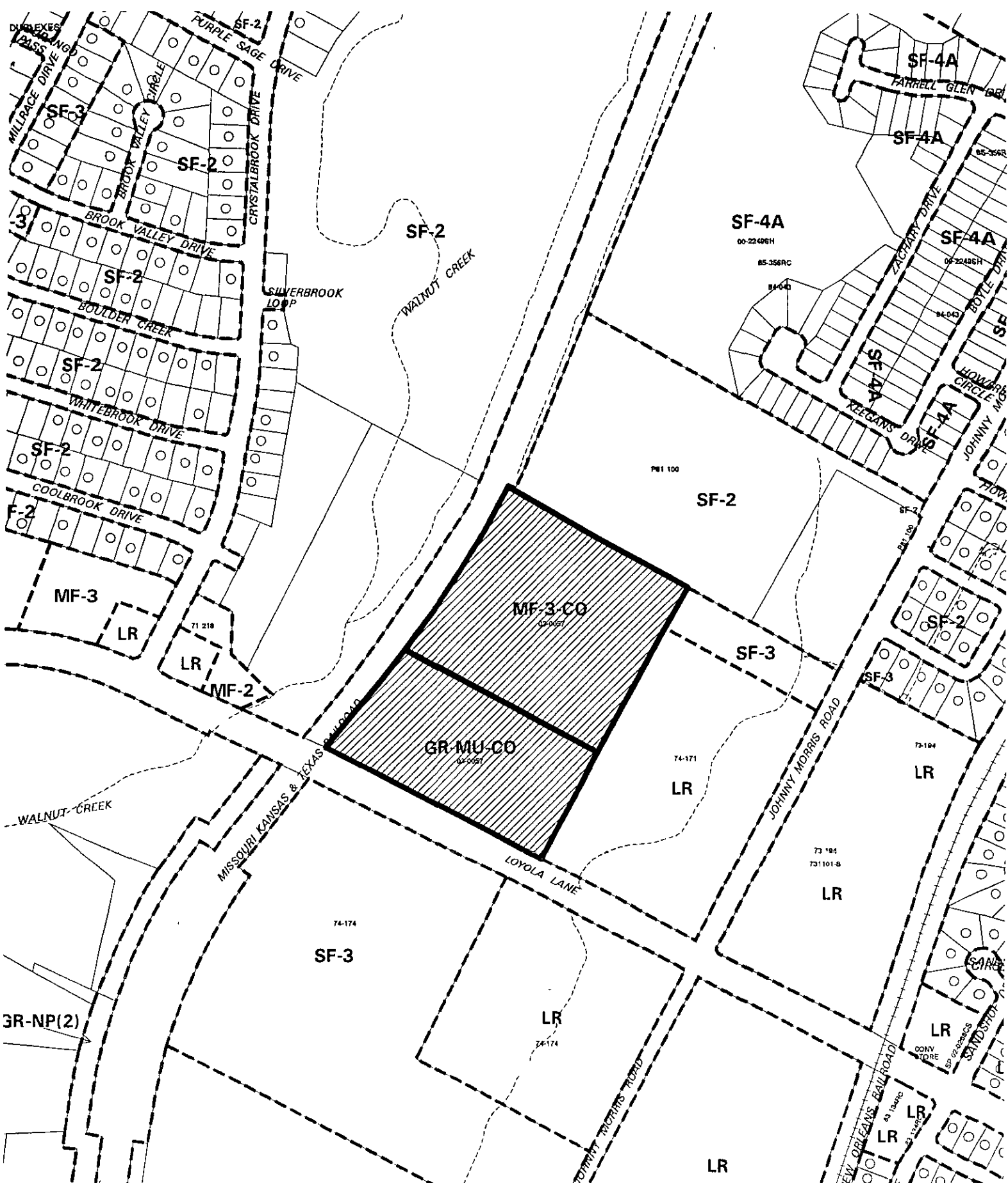



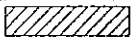


**JAMES E. GARON & ASSOC.**  
PROFESSIONAL LAND SURVEYORS

924 Main Street  
Bastrop, Texas 78602  
(512) 303-4185

FILE: C:\CURTIS\JOBS\2003\824403.DWG





 1" = 400'	SUBJECT TRACT		ZONING <i>EXHIBIT C</i>  CASE # C14-06-0156.SH ADDRESS 6200 LOYOLA LN SUBJECT AREA (acres) 16.826	CITY GRID REFERENCE NUMBER  N25
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR R HEIL			
			DATE 06-07	
			INTLS SM	