

**Zoning Ordinance Approval**  
**CITY OF AUSTIN**  
**RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: 61**  
**AGENDA DATE: Thu 01/27/2005**  
**PAGE: 1 of 1**

**SUBJECT:** C14-04-0171 - Barr Subdivision - Approve first/second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1590-1602 Barclay Drive (Barton Creek and Eanes Creek Watersheds-Barton Springs Zone) from development reserve (DR) district zoning and single family residence standard lot (SF-2) district zoning to 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: Gary Lee and Belanne Barr. Agent: Cunningham-Allen Inc. (Jana Rice). City Staff: Robert Heil, 974-2330. Note: A valid petition has been filed in opposition to this rezoning request.

**REQUESTING**      Neighborhood Planning      **DIRECTOR'S**  
**DEPARTMENT:**      and Zoning      **AUTHORIZATION:** Greg Guernsey

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**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-04-0171 (Barr Subdivision)      **ZAP Date:** December 7, 2004

**City Council Date:** January 13, 2005.  
January 27, 2005

**ADDRESS:** 1590-1602 Barclay Drive

**OWNER/APPLICANT:** Gary Lee & Lelanne Barr      **AGENT:** Cunningham-Allen Inc.  
(Jana Rice)

**ZONING FROM:** DR and SF-2      **TO:** SF-2      **AREA:** 5.301 acres

**SUMMARY STAFF RECOMMENDATION:**

Staff alternatively recommends SF-2-CO. The proposed conditional overlay would

- 1) Limit the density of development to 2.5 dwelling units/lots or less per acre.
- 2) Require a minimum size lot size of 9200 square feet.
- 3) Require building setbacks along the north and west property lines of 15 feet.

The proposed conditional overlay is the result of negotiations between the applicant and several surrounding neighborhood organizations and property owners. The applicant agrees to these conditions.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**December 7, 2004:** APPROVED STAFF'S RECOMMENDATION OF SF-2-CO ZONING;  
BY CONSENT.

[J.M; J.G 2ND] (8-0) C.H – INELIGIBLE TO VOTE.

**DEPARTMENT COMMENTS:**

There is a valid petition of 49.5% opposing this request

The site is currently zoned DR and contains one single family residence and a few accessory buildings.

To the south is DR and SF-2 zoned land developed with single family residences. To the north is SF-2-CO zoned land developed with single family residences. To the west lies unzoned land built out with single family residences on lots of slightly less than 9000 square feet each. To the east is an SF-1 zoned single family residential neighborhood. (See Exhibit A - Zoning Map and Exhibit B, 2003 Aerial Photograph).

Staff alternatively recommends SF-2-CO. The proposed conditional overlay would

- 1) Limit the density of development to 2.5 dwelling units/lots or less per acre.

2) Require a minimum size lot size of 9200 square feet.

3) Require building setbacks along the north and west property lines of 15 feet.

The proposed conditional overlay is the result of negotiations between the applicant and several surrounding neighborhood organizations and property owners. The applicant agrees to these conditions.

SF-2-CO would provide the ability to develop the property in a manner similar to the surrounding neighborhood.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	DR	Single Family Residence
<i>Interior</i>	SF-2	Single Family Residence
<i>North</i>	SF2-CO	Single Family Residences
<i>South</i>	DR and SF-2	Single Family Residences
<i>East</i>	SF-1	Single Family Residences
<i>West</i>	Unzoned (County)	Single Family Residences (at roughly SF-2 lot size)

**AREA STUDY:** N/A

**TIA:** N/A

**WATERSHED:** Eanes Creek (and potentially a small portion on the edge of the Barton Creek watershed).

**DESIRED DEVELOPMENT ZONE:** No

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**REGISTERED NEIGHBORHOOD ORGANIZATIONS:**

- Lost Creek Neighborhood Association (145)
- Parkstone PUD Phasing Agreement (377)
- Save Barton Creek Association (384)
- Barton Springs Coalition (385)
- City of Rollingwood (605)
- Barton Creek Associations (917)
- Gaines Ranch Homeowners Association (919)
- Save Our Springs Alliance (943)
- Old Spicewood Springs Road Neighborhood Alliance (965)

**SCHOOLS: (Eanes ISD)**

Forest Trail Elementary School

Westridge Middle School

Westlake High School

**CASE HISTORIES:**

**C14-90-019:** In 1990 the property just to the north of the subject tracts was zoned from DR to SF-2-CO with a density limit of 2.5 units per acre and a minimum lot size of 9200 square feet. These same conditions have been proposed to be applied to the subject tract.

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION
Barclay Drive	56'	36'	Local
City View Drive	50'	30'	Local

- There is no Capital Metro bus service available within ¼ mile of the property.

**CITY COUNCIL DATE:****ACTION:**

January 13, 2005

Closed the public hearing and postponed action until January 27, 2005. *Vote 7-0*

January 27, 2005

**ORDINANCE READINGS:**

1<sup>st</sup>

2<sup>nd</sup>

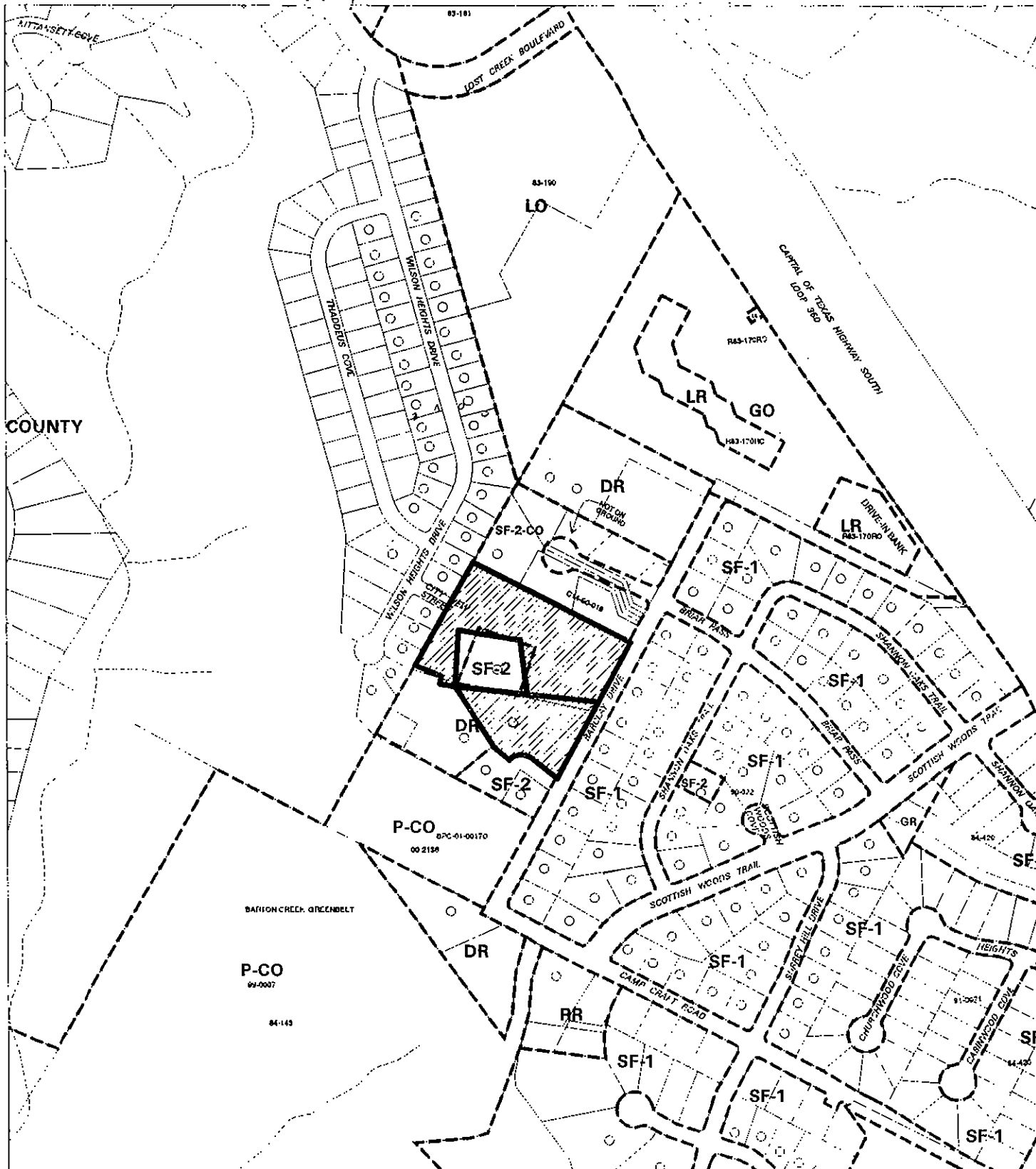
3<sup>rd</sup>

**ORDINANCE NUMBER:**

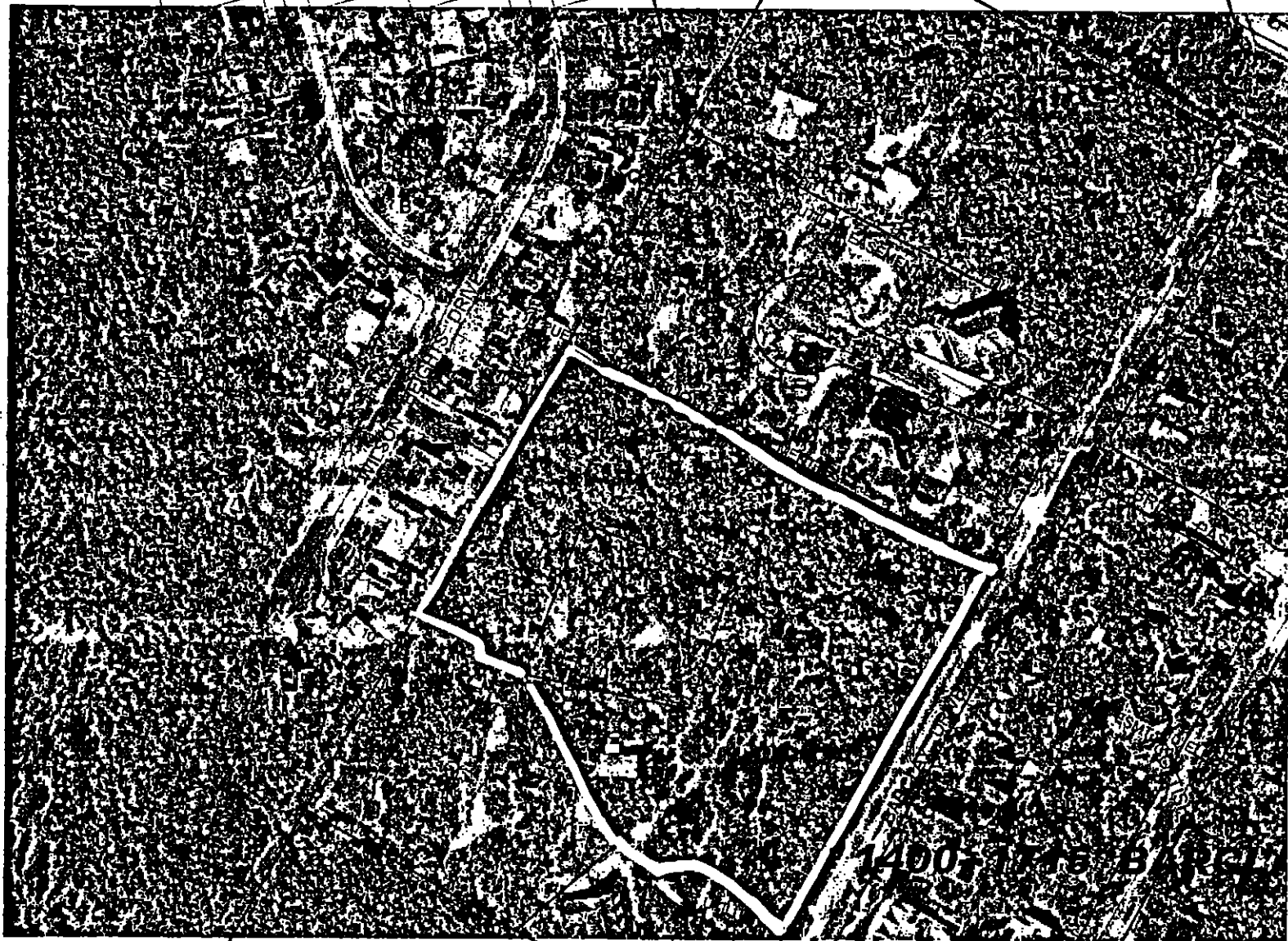
**CASE MANAGER:** Robert Heil

**PHONE:** 974-2330

e-mail address: robert.heil@ci.austin.tx.us



	<p>SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: R. HEIL</p>	<p><b>ZONING</b></p> <p>CASE #: C14-04-0171 ADDRESS: 1590-1602 BLK BARCLAY SUBJECT AREA (acres): 5.301</p>	<p>DATE: 04-10 INTLS: SM</p>	<p>CITY GRID REFERENCE NUMBER E23</p>
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**SUMMARY STAFF RECOMMENDATION****C14-04-0171**

Staff alternatively recommends SF-2-CO. The proposed conditional overlay would

- 1) Limit the density of development to 2.5 dwelling units/lots or less per acre.
- 2) Require a minimum size lot size of 9200 square feet.
- 3) Require building setbacks along the north and west property lines of 15 feet.

The proposed conditional overlay is the result of negotiations between the applicant and several surrounding neighborhood organizations and property owners. The applicant agrees to these conditions.

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

1. *Granting of the request should result in an equal treatment of similarly-situated properties.*

In 1990 the property just to the north of the subject tracts was zoned from DR to SF-2-CO with a density limit of 2.5 units per acre and a minimum lot size of 9200 square feet. These same conditions have been proposed to be applied to the subject tract.

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

SF-2-CO zoning is compatible with the surrounding low density residential neighborhood.

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

The site is currently zoned DR and contains one single family residence and a few accessory buildings.

To the south is DR and SF-2 zoned land developed with single family residences. To the north is SF-2-CO zoned land developed with single family residences. To the west lies unzoned land built out with single family residences on lots of slightly less than 9000 square feet each. To the east is an SF-1 zoned single family residential neighborhood. (See Exhibit A - Zoning Map and Exhibit B, 2003 Aerial Photograph).

**Transportation**

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

The trip generation under the requested zoning is estimated to be 382 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 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]

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

**Existing Street Characteristics:**

NAME	ROW	PAVEMENT	CLASSIFICATION
Barclay Drive	56'	36'	Local
City View Drive	50'	30'	Local

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

The trip generation under the requested zoning is estimated to be 382 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 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]

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

There are existing sidewalks along City View Drive.

**Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the 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.

The landowner must pay all required water and wastewater utility tap permit, impact, construction inspection, and utility plan review fees.

**Environmental**

The site is not located over the Edward's Aquifer Recharge Zone. The majority of the site lies in the Eanes 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. A portion of the site also appears to lie within the Barton Creek Watershed of the Colorado River Basin. The exact watershed boundaries must be determined by a hydrogeologist. This site is located in the Drinking Water Quality Zone



Based on the Eanes Creek Watershed, 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%

NOTE: For the portion that may lie within the Barton Creek Watershed, project applications at the time of this report are subject to the SOS Ordinance that allows 20% impervious cover.

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

The site is not located within the endangered species survey area.

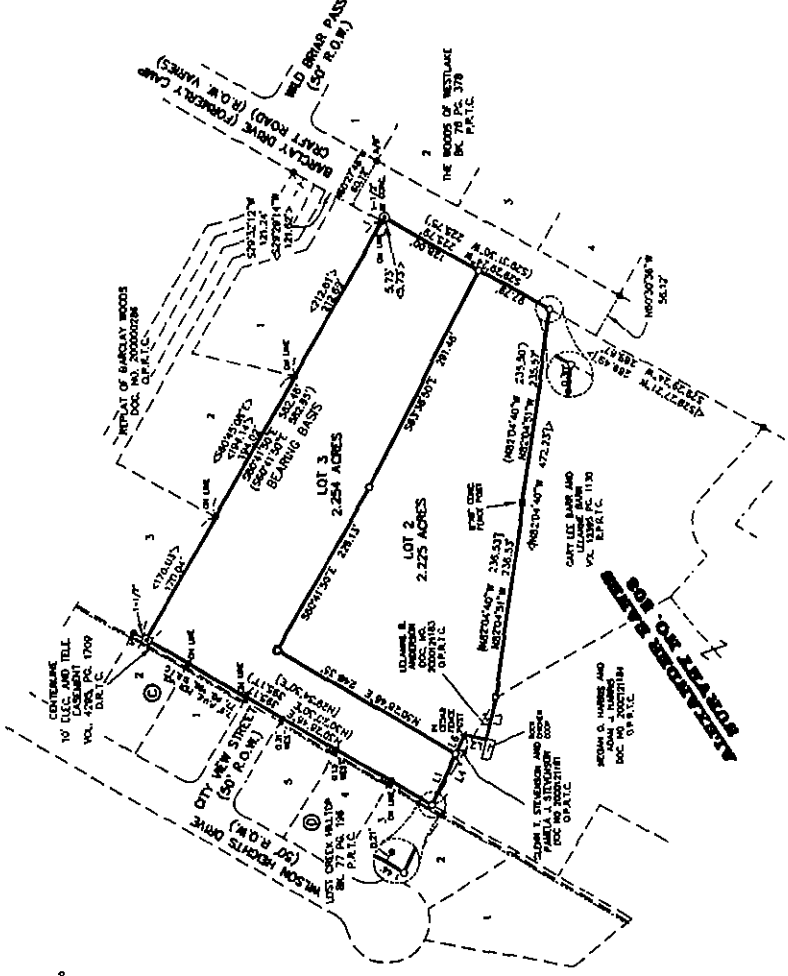
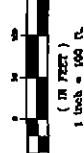
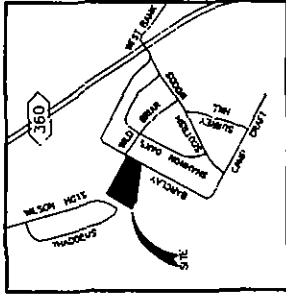
Tree protection will be required 25-8 for all development and/or redevelopment.

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 that would preempt current water quality or Code requirements.

# BARCLAY SUBDIVISION



SURVEYOR  
CUNNINGHAM-ALLEN, INC.  
3103 Bee Cave Road, Suite 202  
Austin, TX 78746

ENGINEER  
CUNNINGHAM-ALLEN, INC.  
3103 Bee Cave Road, Suite 202  
Austin, TX 78746

OWNER  
LELAND BARR  
1902 Barclay Drive  
Austin, TX 78746


2 LOTS - 4.479 ACRES

BEARING BASE: THE NORTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO LELAND B. BARR, A PERSON IN THE PUBLIC FIDELITY, DATED RECORDS OF TRAVIS COUNTY, TEXAS.

## LEGEND

- 1" FROM ROD TO WOOD (UNLESS STATED)
- IRON PILE FOUND
- WALL FOUND
- W/AD SET (UNLESS STATED)
- W/AD SET W/ ALUMINUM WASHER
- W/AD SET W/ ALUMINUM WASHER
- PUBLIC UTILITY EASEMENT
- RECORD INFORMATION V7119 P74 D.R.T.C.
- RECORD INFORMATION V7119 P75 D.R.T.C.
- RECORD INFORMATION V7119 P76 D.R.T.C.
- RECORD INFORMATION V7119 P77 D.R.T.C.
- RECORD INFORMATION V7119 P78 D.R.T.C.
- RECORD INFORMATION V7119 P79 D.R.T.C.
- RECORD INFORMATION V7119 P80 D.R.T.C.
- RECORD INFORMATION V7119 P81 D.R.T.C.
- RECORD INFORMATION V7119 P82 D.R.T.C.
- RECORD INFORMATION V7119 P83 D.R.T.C.
- RECORD INFORMATION V7119 P84 D.R.T.C.
- RECORD INFORMATION V7119 P85 D.R.T.C.
- RECORD INFORMATION V7119 P86 D.R.T.C.
- RECORD INFORMATION V7119 P87 D.R.T.C.
- RECORD INFORMATION V7119 P88 D.R.T.C.
- RECORD INFORMATION V7119 P89 D.R.T.C.
- RECORD INFORMATION V7119 P90 D.R.T.C.
- RECORD INFORMATION V7119 P91 D.R.T.C.
- RECORD INFORMATION V7119 P92 D.R.T.C.
- RECORD INFORMATION V7119 P93 D.R.T.C.
- RECORD INFORMATION V7119 P94 D.R.T.C.
- RECORD INFORMATION V7119 P95 D.R.T.C.
- RECORD INFORMATION V7119 P96 D.R.T.C.
- RECORD INFORMATION V7119 P97 D.R.T.C.
- RECORD INFORMATION V7119 P98 D.R.T.C.
- RECORD INFORMATION V7119 P99 D.R.T.C.
- RECORD INFORMATION V7119 P100 D.R.T.C.

LINE	BEARING	DISTANCE
1	N 82° 34' 12" W	68.14'
2	N 72° 12' 18" E	26.75'
3	S 82° 34' 12" W	68.14'
4	S 72° 12' 18" E	26.75'
5	N 82° 34' 12" W	68.14'
6	N 72° 12' 18" E	26.75'
7	S 82° 34' 12" W	68.14'
8	S 72° 12' 18" E	26.75'



Cunningham-Allen  
Engineers - Surveyors

3103 Bee Cave Road, Suite 202 Tel: (512) 327-7946  
Austin, Texas 78746-4819 Fax: (512) 327-7973

DATE: OCTOBER 2004 PROJECT NO. 950-0178  
DRAWN BY: DATE SHEET 1 OF 2

CR-XXXXXXXXXX  
SUBMITTAL DATE: XXXXXXXXXX



Cunningham | Allen

December 1, 2004

Mr. Robert Heil  
Neighborhood Planning and Zoning Department  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

RE: Proposed Zoning Conditional Overlay  
Barclay Subdivision Zoning  
1590-1602 Barclay Drive  
City of Austin Case No.: C14-04-0171  
CAI No. 950-0179

Dear Mr. Heil:

Please allow this letter to serve as notification that Mr. and Mrs. Gary Barr, the applicants for the proposed zoning change at 1590-1602 Barclay Drive (C14-04-0171,) do *support* a Conditional Overlay agreed to by the surrounding homeowners and Neighborhood Associations applicable in this zoning case. The property within the boundaries of the Conditional Overlay combining district would be subject to the following restrictions:

Residential development of the Property shall be constructed at a density of 2.5 dwelling units or less per acre.

Lots within the Property shall have a minimum size of 9200 square feet.

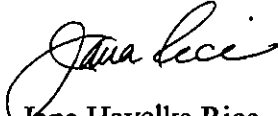
No building or other improvement shall be located closer than fifteen feet (15') to the north and west property lines of the subject property (shown as Lot 3 on the attached exhibit).

Mr. and Mrs. Gary Barr have worked through their agent, Cunningham-Allen, with both City Staff and the surrounding property owners to address the concerns of the surrounding property owners and Neighborhood Associations. The surrounding property owners, who previously opposed this zoning change application, now support the zoning change and the associated subdivision final plat, the Barclay Subdivision, based on the above stated conditions.

Please allow the signatures of the surrounding owners and Homeowners Associations listed below to serve as an indication of their support.

If there are any further questions regarding this request, or if any additional information is required, please do not hesitate to call.

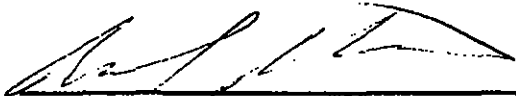
Sincerely,



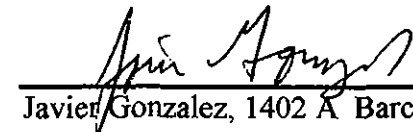
Jana Havelka Rice  
Land Planner/Processing Specialist

JHR/

Attachment:  
Exhibit "A" (Subdivision Final Plat)



Richard Gottlieb, 1402 B Barclay Drive



Javier Gonzalez, 1402 A Barclay Drive



Christopher Karbow

Lost Creek Neighborhood Association Representative

Woods of Westlake Neighborhood Association Representative

If there are any further questions regarding this request, or if any additional information is required, please do not hesitate to call.

Sincerely,

Jana Havelka Rice  
Land Planner/Processing Specialist

JHR/

Attachment:  
Exhibit "A" (Subdivision Final Plat)

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Richard Gottlieb, 1402 B Barclay Drive

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Javier Gonzalez, 1402 A Barclay Drive

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Lost Creek Neighborhood Association Representative

  
Robert F. Donathan, 1701 Barclay Drive

NOT SUBMITTED DUE TO COMPROMISE  
AGREEMENT DATED DECEMBER 1, 2004

**PETITION**

Date: 11/26/04

File Number:

014-04-0171

Address of

Rezoning Request:

1590-1602 Barclay Dr.

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-1-CO. We further request that the Conditional Overlay contain the following restrictions:

1. Residential development on the Property shall be constructed at a density of 2 dwelling units per acre or less.
2. No building or other improvement shall be located closer than fifteen feet (15') to any side lot line.
3. The thirty foot (30') road easement on the north boundary be eliminated.

The current owners of the property require a zoning change to SF to enable them to connect to city services. We have no desire to prevent them from obtaining these services. However, the requested change to SF-2 without any Conditional Overlay is unacceptable. This type of dense development would adversely affect our neighborhood with increased traffic and would not be compatible with the current character of our residences and lots.

We request that you use the development at 1402 Barclay Drive as a guideline. This new development, known as Barclay Woods, contains six residential lots ranging in size from .50 to .964 acres. It is adjacent to the tracts that proposed zoning change covers. It is also the most recent development in the area.

Signature

Printed Name

Address

<u>[Signature]</u>	<u>Robert E. Gattlieb</u>	<u>1402 B Barclay Dr, Austin, TX 78746</u>
<u>[Signature]</u>	<u>Shirley Ruth Sarris</u>	<u>1402 B Barclay Dr, Austin, TX 78746</u>
<u>[Signature]</u>	<u>ROBERT E. DAVATHAN</u>	<u>1701 BARCLAY, AUSTIN, TX 78746</u>
<u>[Signature]</u>	<u>JAVIER GONZALEZ</u>	<u>1402 A Barclay Dr Austin TX 78746</u>

Signature

Printed Name

Address

<i>Kendall A. Bailey</i>	KENDALL A. BAILEY	4802 WILD PRIAR PASS
<i>Sanera Ruth Wademan</i>	Sanera Ruth Wademan	1401 Barclay Dr
<i>Edye Giordano</i>	Edye Giordano	1403 Barclay Dr
<i>Julie K. Wade</i>	Julie K. Wade	1505 Barclay Dr
<i>William G. Barber, Jr</i>	William G. Barber, Jr	1601 Barclay Dr
<i>David H. Linington</i>	David H. Linington	1609 Barclay Dr
<i>Ramon Mitze</i>	RAMON MITZE	1610 BARCLAY DR
<i>Lesley L. Walkes</i>	LESLEY L. WALKES	1511 BARCLAY DR
<i>Faren Nevelow</i>	Faren Nevelow	1504 Shannon Oaks Tr.
<i>David W. Turpin</i>	DAVID W. TURPIN	1600 SHANNON OAKS TRAIL
<i>John E. Guddeback</i>	John E. Guddeback	1502 SHANNON OAKS TR.
<i>Gary A. Krizza</i>	Gary A. Krizza	1404 Shannon Oaks Trail, Austin
<i>Xinyue Luo</i>	XINYUE LUO	1402 D Barclay Dr.
<i>Stanford P. Douglas</i>	Stanford P. Douglas	1500 Wilson Hts DR.
<i>Roger Waak</i>	ROGER WAAK	1502 WILSON HEIGHTS DR.
<i>Kathleen R. Stade</i>	Kathleen R. Stade	1513 Wilson Heights
<i>William K. Kax</i>	William K. Kax	1511 Wilson Hts
<i>John W. Dalton</i>	John W. Dalton	1507 Wilson Hts.
<i>Louanna Torres</i>	Louanna Torres	1503 Wilson Heights
<i>Tim Adams</i>	TIM ADAMS	1501 Wilson Heights DR. 78746
<i>Mark S. Brown</i>	Mark S. Brown	1405 Wilson Heights DR. 78746
<i>Ronald Frederick</i>	Ronald Frederick	1604 Shannon Oaks Trail 78746
<i>Susan Revelle</i>	Susan Revelle	1604 Shannon Oaks 78746
<i>Darrell Hamore</i>	Darrell Hamore	1410 Thaddeus Co. 78746

Date: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Richard Gottlieb or Jan or G. 12/9/02

Phone Number: \_\_\_\_\_

(512) 347-1082 or (512) 732-2711

# PETITION

Case Number:

**C14-04-0171**

Date:

Jan. 13, 2005

Total Area within 200' of subject tract: (sq. ft.)

591,855.50

1	01-0921-0303	LINDSTROM DAVID H	6,843.84	1.16%
2	01-0921-0305	BARBER WILLIAM G IV	18,586.60	3.14%
3	01-0921-0306	WILKES LESLEY L	17,331.00	2.93%
4	01-0921-0307	WADE JAMES L &	17,496.16	2.96%
5	01-0921-0309	GIORDANO GREGORY	17,655.08	2.98%
6	01-0921-0310	LUCIA FLOYD JERRY &	18,797.46	3.18%
7	01-0921-0313	KNIPPA GARY A &	1,804.49	0.30%
8	01-0921-0315	CUDDEBACK JOHN E	1,701.96	0.29%
9	01-0921-0316	NEVELOW CRAIG A &	1,708.05	0.29%
10	01-0921-0317	TURPIN DAVID W &	1,540.21	0.26%
11	01-0921-0318	FREDERICK RONALD	521.21	0.09%
12	01-0921-0702	MITRE MONICA &	16,548.17	2.80%
13	01-0921-0724	SARRIS SHIRLEY	39,542.87	6.68%
14	01-0921-0725	GOTTLEIB RICHARD &	27,847.93	4.71%
15	01-0921-0726	GONZALEZ JAVIER &	23,471.11	3.97%
16	01-0923-0105	DOUGLAS STANFORD	6,700.42	1.13%
17	01-0923-0106	WAAK ROGER &	3,798.01	0.64%
18	01-0923-0110	SLADE BOYD E &	13,150.31	2.22%
19	01-0923-0111	KNOX WILLIAM K JR &	9,630.35	1.63%
20	01-0923-0113	DALTON JOHN W &	11,418.08	1.93%
21	01-0923-0115	TORRES LOUANNA R	15,906.46	2.69%
22	01-0923-0116	ADAMS TIMOTHY M &	11,021.36	1.86%
23	01-0923-0118	BROWN MARK S &	10,422.85	1.76%
24				0.00%
25				0.00%
26				0.00%
27				0.00%
28				0.00%

Validated By:

Stacy Meeks

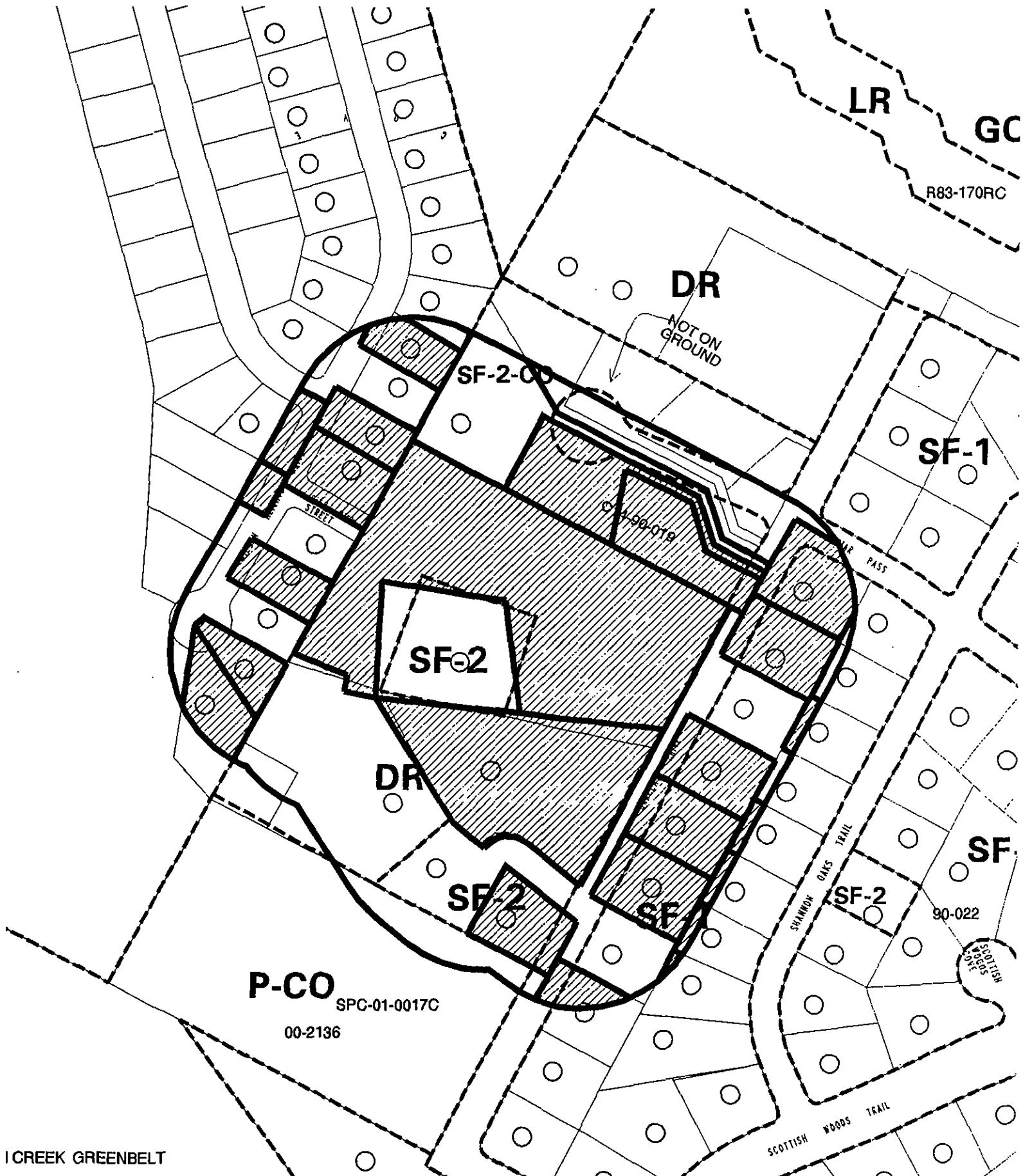
Total Area of Petitioner:

293,443.98


Total %

49.58%





CREEK GREENBELT

 <p>1" = 200'</p> <p>SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: R. HEIL</p>	<p>PETITIONS</p> <p>CASE #: C14-04-0171</p> <p>ADDRESS: 1590-1602 BLK BARCLAY</p> <p>SUBJECT AREA (acres): 5.301</p> <p>DATE: 05-01</p> <p>INTLS: SM</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>E23</p>
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