

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 05/26/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0026 - 1805 Frontier Valley - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1805 Frontier Valley Drive (Carson Creek Watershed) from single family residence standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family moderate-high density neighborhood plan (MF-4-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family medium density-neighborhood plan (MF-3-NP) combining district zoning. Property Owner: Marbella Corp. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guemsey

ZONING CHANGE REVIEW SHEET**CASE:** C14-05-0026**Planning Commission Date:** April 12, 2005**ADDRESS:** 1805 Frontier Valley Drive**OWNER:** Marbella Corp (Mitchell and Jan Davis)**APPLICANT:** City of Austin**AGENT:** Neighborhood Planning and Zoning Department**ZONING FROM:** SF-2-NP**TO:** MF-4-NP**AREA:** 9.939 acres**SUMMARY STAFF RECOMMENDATION:**

Staff recommends rezoning to Multi-Family Residence Medium Density-Neighborhood Plan (MF-3-NP) combining district zoning.

PLANNING COMMISSION RECOMMENDATION:

April 12, 2005: APPROVED STAFF'S RECOMMENDATION FOR MF-3-NP ZONING.
[JMC, D.S 2ND] (8-0)

DEPARTMENT COMMENTS:

A postponement request has been made by the Vargas Neighborhood Association. (See Exhibit "B").

The site is currently undeveloped. It has single family residence standard lot -- neighborhood plan combining district zoning (SF-3-NP). The request is for Multi-Family Moderate-High Density district zoning (MF-4). Staff's recommendation is that Multi-family Medium Density (MF-3) is more appropriate.

The property is bounded by CS-NP and MF-3-NP zoned land to the west which is currently undeveloped. To the north lies a mobile home park on SF-3-NP zoned land. To the south is a self-storage facility zoned CS-NP and GR-MU-NP. To the east is a developing subdivision zoned SF-4A-NP for small lot single family residences.

A drainage easement runs along the eastern edge of the property, extending into the western boundary of the adjacent property. The total width of the drainage easement is 30 feet.

The request is in accord with the Montopolis Neighborhood Plan Future Land Use Map. During the neighborhood planning process this tract, along with several adjacent tracts, were broken out for further discussion and consideration. These tracts were not rezoned, excepting to the Neighborhood Plan overlay, with the neighborhood planning rezoning. It was agreed that these tracts would be reserved for residential uses including all single family zoning and multi-family zoning up to MF-4, and including the infill options of Small Lot Amnesty, Cottage Lot Infill, and Secondary Apartment.

This case is being initiated by the city as it was not included in the neighborhood plan rezoning.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2-NP	Undeveloped
<i>North</i>	SF-3-NP	Mobile Homes
<i>South</i>	SC and GR-MU-NP	Self-Storage and Undeveloped
<i>East</i>	SF-4A-NP	Small Lot Single Family
<i>West</i>	CS-NP and MF-3-NP	Undeveloped

AREA STUDY: Montopolis Neighborhood Planning Area

TIA: May be required at site plan approval.

WATERSHED: Carson Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Southeast Austin Neighborhood Alliance
- The Crossing Gardenhome Owners' Association
- Terrell Lane Interceptor Association
- Barton Springs/ Edwards Aquifer Conservation District
- El Concilio
- Austin Neighborhood Council
- P.O.D.E.R.
- Montopolis Area Neighborhood Alliance

SCHOOLS: (Del Valle)

Smith or Hillcrest Elementary School – Ojeda Junior High School – Del Valle High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Frontier Valley Dr.	65'	45'	Collector

Capital Metro bus service is available along Riverside Dr.

CITY COUNCIL DATE:

May 12, 2005:

May 26, 2005:

ACTION:

Postponed until May 26

ORDINANCE READINGS:

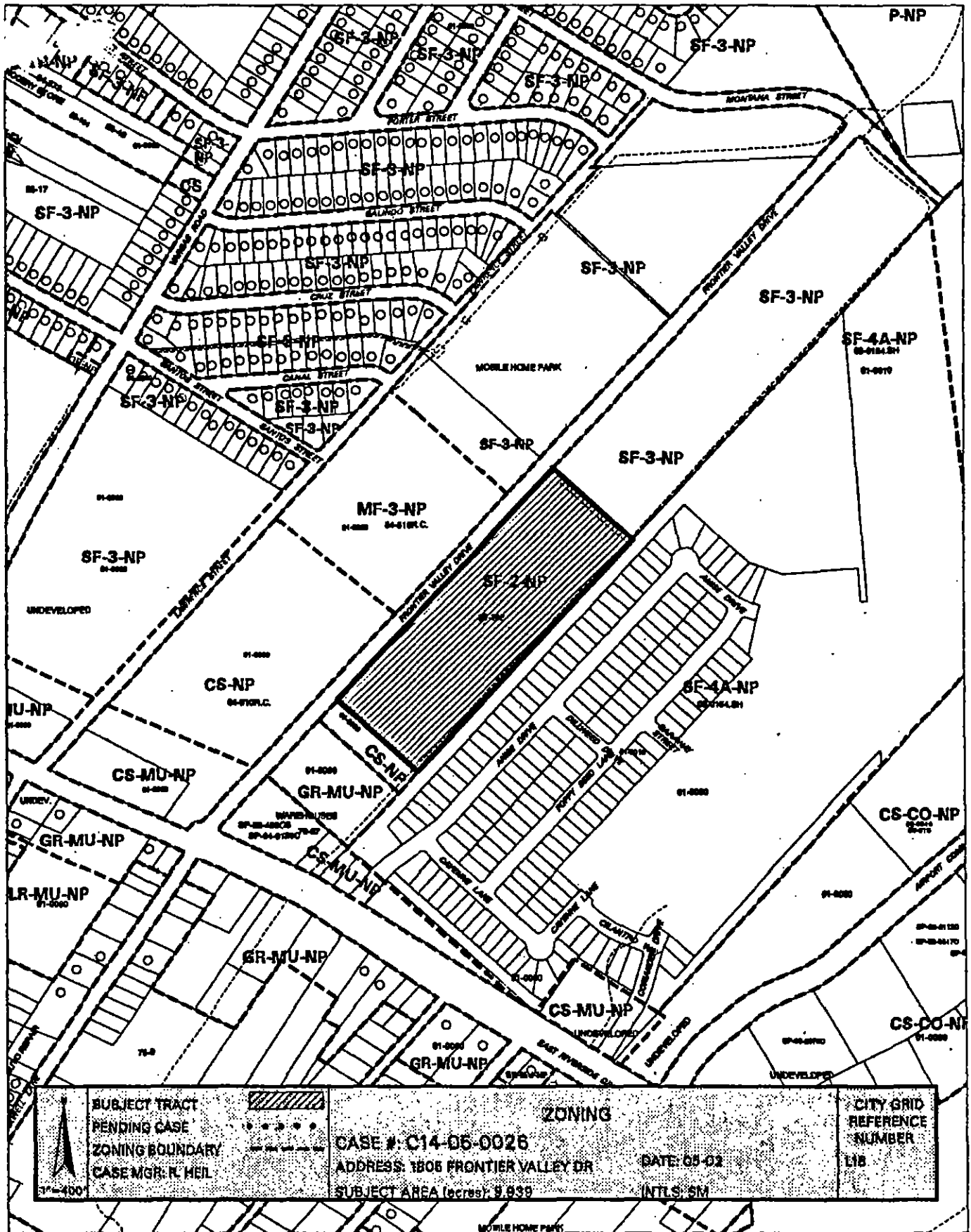
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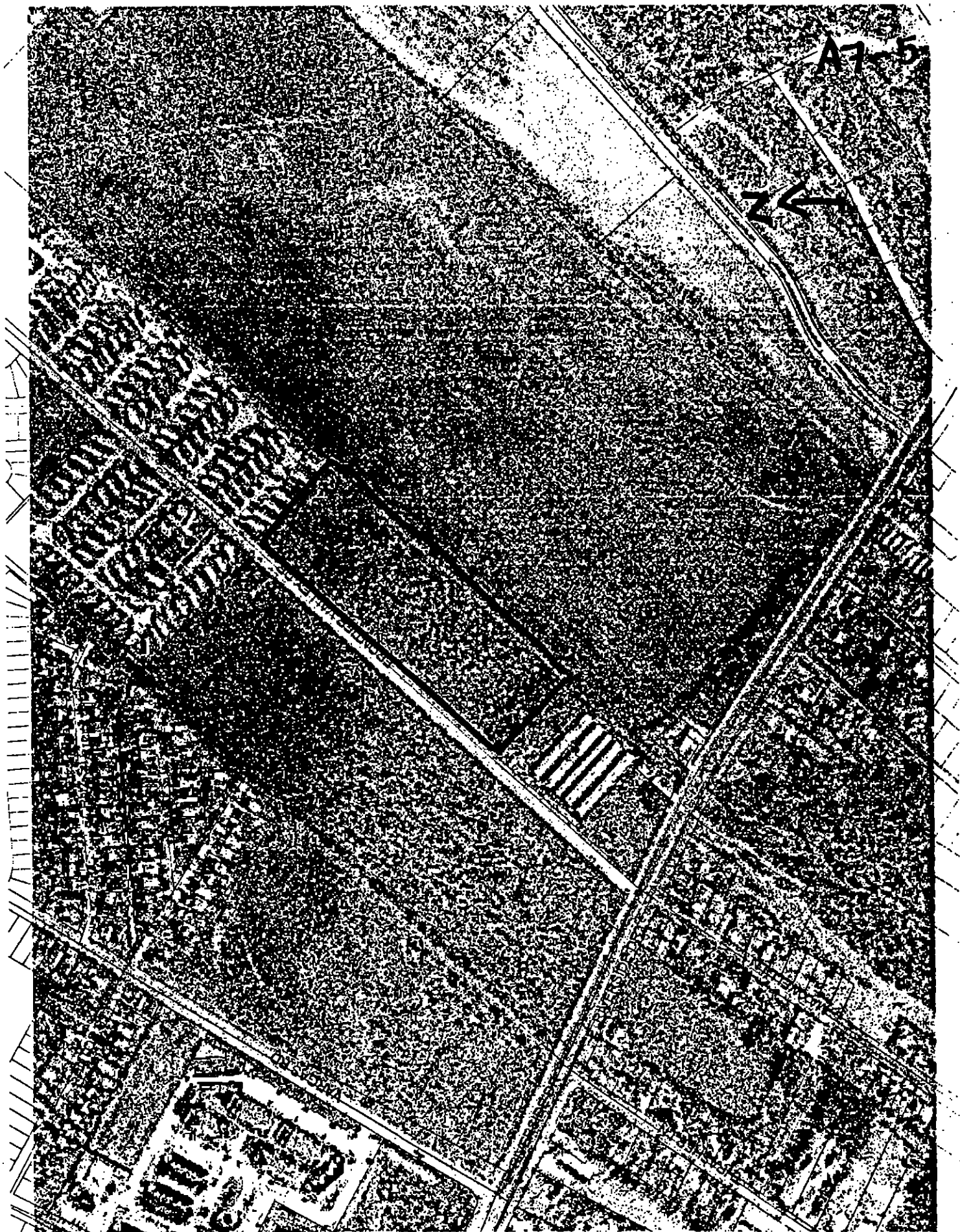
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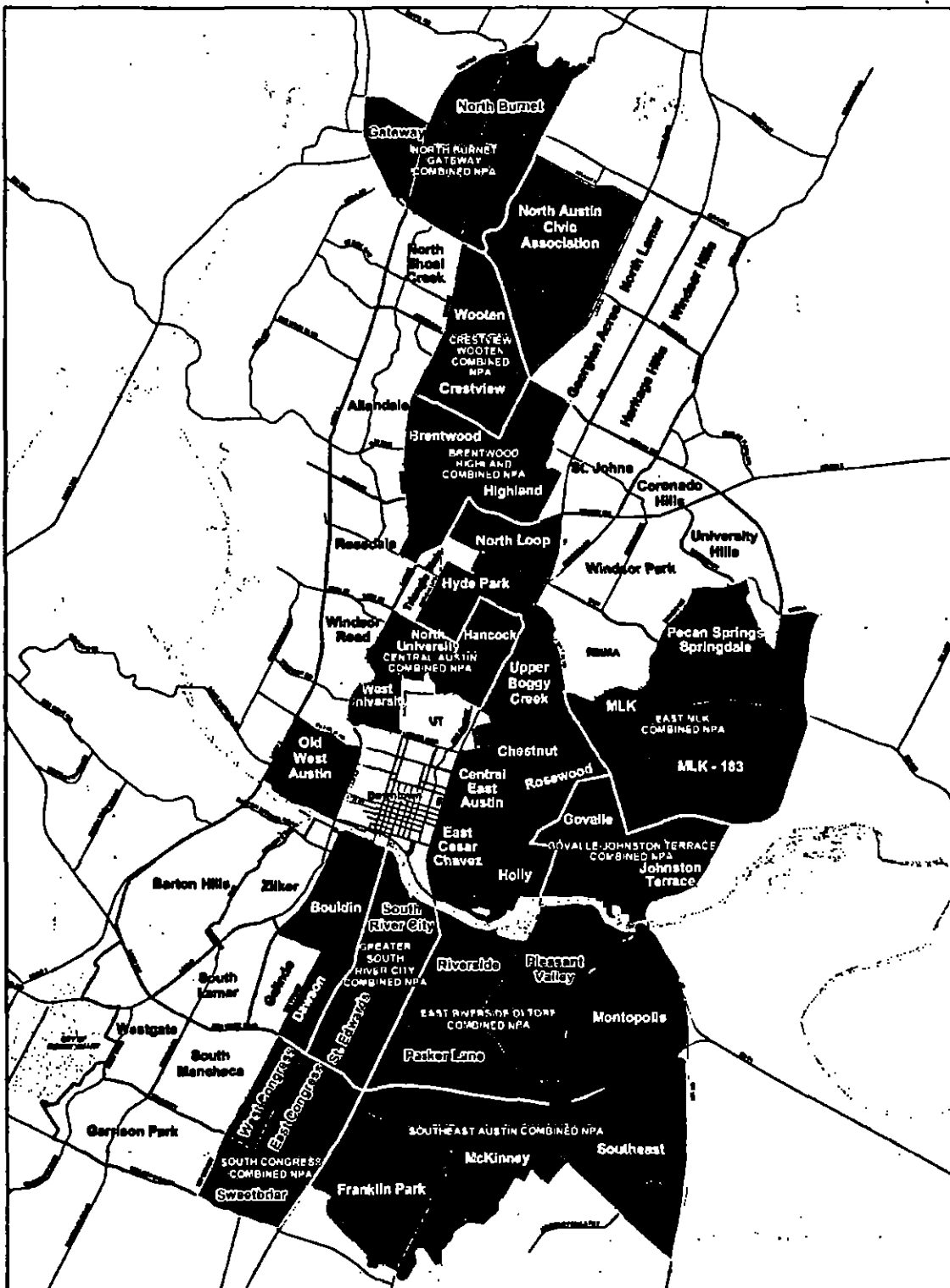
CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330



<p>SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: R. HEIL</p>	<p>ZONING CASE #: C14-05-0026 ADDRESS: 1806 FRONTIER VALLEY DR SUBJECT AREA (acres): 9.939</p>	<p>CITY GRID REFERENCE NUMBER 118</p>
<p>3"=400'</p>	<p>DATE: 05-02 INTLS: SM</p>	<p></p>





City of Austin Neighborhood Planning Areas



Prepared by City of Austin
Neighborhood Planning & Zoning Department
August 20, 2004

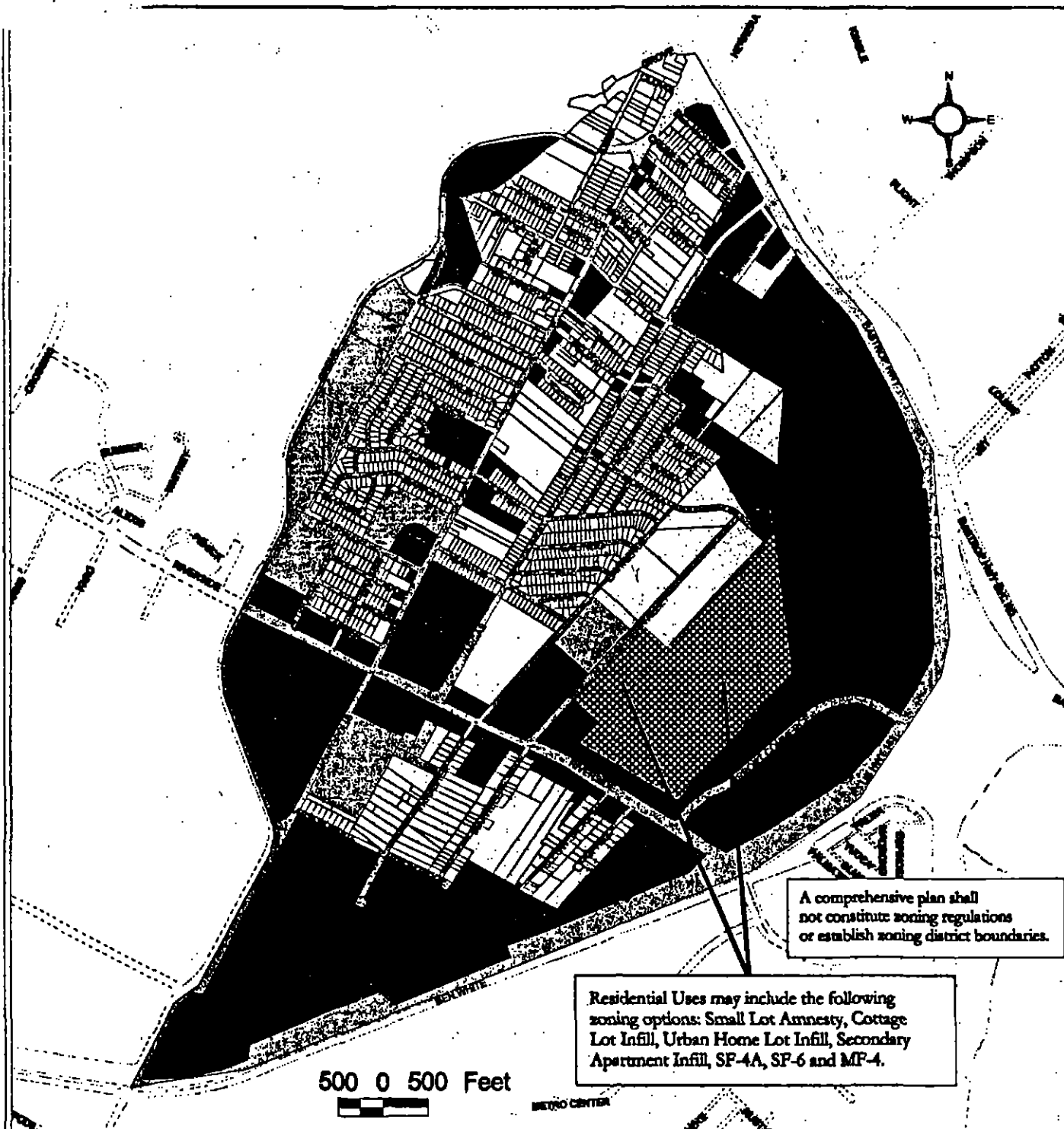
Combined Neighborhood
Planning Areas

Neighborhood Plan Status

- Adopted Neighborhood Plan & Zoning
- Neighborhood Plan Underway
- Future Neighborhood Planning Area
- Non-Neighborhood Planning Area



This map has been prepared by the City of Austin for the sole purpose of showing regional planning and is not intended for any other use. The accuracy is made regarding its accuracy is not guaranteed.



Montopolis Neighborhood Planning Area

Future Land Use Map: Updated 2-10-03



Neighborhood Planning
& Zoning Department

	Single Family		Industry
	Multifamily		Civic
	Commercial		Open Space
	Office		Utilities
	Mixed Use		Residential Use

SUMMARY STAFF RECOMMENDATION**C14-05-0126**

Staff recommends rezoning to Multi-Family Residence Medium Density-Neighborhood Plan (MF-3-NP) combining district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses and development intensities.*

MF-3 zoning on the subject tract would provide a transition from the CS zoning to the west and southwest, and the SF-4A zoned neighborhood to the east.

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

The granting of MF-3 zoning for the subject tract is consistent with the MF-3 zoning granted to the similarly situated tracts to the west, across Frontier Valley.

EXISTING CONDITIONS**Site Characteristics**

The site is currently undeveloped. A drainage easement runs along the eastern edge of the property, extending into the western boundary of the adjacent property. The total width of the drainage easement is 30 feet.

Site Plan

This site is within the South Lamar at La Casa Drive Capitol View Corridor. Height restrictions will be strictly enforced within the corridor at the time a site plan is submitted.

There is a site plan currently approved for this property (SP- 03-0244C is on lots 6&7) which provides for 34,934 square feet of single family and condo uses, along with associated parking and drainage facilities.

Compatibility Standards

The site is subject to compatibility standards. Along the north and east property line, the following standards apply:

- No structure may be built within 25 feet of the single family property lines.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the single family property lines.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the single family property lines.
- No parking or driveways are allowed within 25 feet of the single family property lines.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

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

This site is located in the Montopolis Neighborhood Plan. Site plan will should comply with the recommended design guidelines.

This site is within the Controlled Compatible Land Use Area of Austin-Bergstrom International Airport, but outside the Airport Overlay Zones. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited.

Transportation

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

The trip generation under the requested zoning is estimated to be 2,187 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 (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

Capital Metro bus service is available along Riverside Dr.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Frontier Valley Dr.	65'	45'	Collector

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 utility adjustment are required, the landowner will be responsible for all costs and providing. Also, the 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 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 site is in the Desired Development Zone. The site is in the Carson 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 no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

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.

Exhibit A

Brown | McCarroll
|
L.L.P.

111 Congress Avenue, Suite 1400, Austin, Texas 78701-4043
512-472-5456 fax 512-479-1101

December 23, 2004

VIA REGULAR MAIL AND E-MAIL

Greg Guernsey, Manager NPZD
Ricardo Soliz, Manager NPZD
505 Barton Springs Rd.
Austin, TX 78704

Re: Jan & Mitchell Davis-Rezoning of property located on Frontier Valley Drive in
Austin, Texas within the Montopolis Neighborhood Planning Area

Dear Greg and Ricardo:

The purpose of this letter is to request that the rezoning case to be initiated by the City of Austin, as part of the Montopolis Neighborhood Plan rezonings, be initiated for multifamily residence moderate-high density (MF-4) district designation. While we understand that your Department has not yet made a final zoning recommendation for the site, we wanted to verify the information that Ricardo provided this past Monday. That being that these particular neighborhood stakeholders (Jan and Mitchell Davis), and City Staff, Planning Commission, and City Council were to be afforded the opportunity to explore all the zoning options listed per the approved Montopolis Future Land Use Map (FLUM). Within the Mixed Residential (Blue) designation that was approved for this site zoning up to the intensity of MF-4 is permitted. At this time, the owner is requesting MF-4 zoning for the property (see Enclosure of Montopolis FLUM).

The zoning directly west of this site is CS-NP and MF-3-NP and is undeveloped. The zoning to the east is SF-4-NP and is undeveloped. The zoning to the north is SF-3 and used as a mobile home park. The zoning to the south is CS-MU-NP and GR-MU-NP. The CS portion is undeveloped and the GR portion is used as warehousing. Please note that if the GR-MU portion adjacent to the subject tract is redeveloped as apartments, the density permitted via the GR-MU designation is that of MF-4 or MF-3 zoning, depending on unit size. We believe that the request for multifamily zoning at this location will serve as a buffer, or transition of zoning, between the commercial zoning to the west and the small lot single family to the east (see Zoning Map enclosure).

As you know, the Montopolis Neighborhood Planning Team, in September 2001, recommended zoning of this tract within the range of SF-3 to MF-4 based on the team's desire for the development of a mix of residential uses and to also provide home ownership

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Greg Guernsey, Manager NPZD
December 23, 2004
Page 2

opportunities. Consistent with the team's vision, the conditions in the area since 2001 have certainly progressed toward mixed residential development while also providing home ownership opportunities. Specifically, the adjacent land was rezoned to MF-3-CO and SF-6-CO on January 30, 2003, then rezoned to SF-4A-CO on March 4, 2004. Evident by the recent zoning approvals on the adjacent properties, the area is appropriate for at least SF-4 through MF-3 district zoning. In addition, since the adoption of the Montopolis neighborhood plan a major planning initiative took place in Austin (Envision Central Texas), and the end result vision for Austin per that process was more density within the urban core to accommodate growth within the Austin area. We believe that the owner's request for MF-4 for this site is reasonable and ask that you consider the change in conditions, the Envision Central Texas results, and planning principals such as transition of zoning intensity and like treatment of similarly situated property upon forming your recommendation. Lastly, we also understand that a major outcome of the Montopolis neighborhood planning process was the desire for home ownership opportunities and would like to point out that single family residential as well as townhouse and condominium residential would also be permitted in an MF-4 district designation.

Respectfully submitted,



Nikelle Meade

Enclosures

cc: Sonya Lopez, Senior Planner

Exhibit B

Vargas Neighborhood Association
1406 Vargas Road Austin, TX 78741

May 3, 2005

Mr. Robert Heil
Neighborhood Planning & Zoning Department
P O Box 1088
Austin, TX 78767-8810

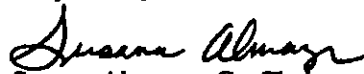
RE: Postponement of Case #C14-05-0026 Zoning Change of property at 1805 Frontier Valley Drive from SF-2-NP to MF-4-NP scheduled for May 12, 2005

Dear Mr. Heil:

The Vargas Neighborhood Association is requesting a postponement on Case #C14-05-0026, zoning change for property at 1805 Frontier Valley Drive from Single-Family Residence (Standard Lot - SF-2-NP) district, an area intended for moderate density single-family residential use to Multifamily Residence (Moderate-High Density - MF-4-NP) district, intended to accommodate multifamily and group residential use with a maximum density of 36 to 54 units per acre. This case is scheduled to be heard before the City Council on May 12, 2005.

This property is presently zoned SF-2-NP and is being requested to go to an intense zoning change. This proposed zoning case was not reviewed by the Montopolis Neighborhood Planning Team. It is very important that the City Neighborhood Planning Department adhere to the neighborhood planning process. If a zoning change is being requested then the neighborhood planning team should have a presentation by the owner and/or agent regarding the proposed change. This process is not being adhered to. Therefore the Vargas Neighborhood Association is requesting a postponement so that the residents in the area regarding this zoning change can review the proposed zoning change.

Respectfully,


Susana Almanza, Co-Chair


Librado Almanza, Co-Chair

XC: Alice Glasco
City Council
Montopolis Residents