

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



**AGENDA ITEM NO.: 83  
AGENDA DATE: Thu 12/15/2005  
PAGE: 1 of 1**

**SUBJECT:** C14-05-0155 - Vivas Lane - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4009, 4021, 4025 Vivas Lane (Barton Creek Watershed - Barton Creek Zone) from interim-rural residence (I-RR) district zoning to single-family residence-large lot (SF-1) district zoning. First reading approved on November 17, 2005. Vote: 7-0. Applicant: Gene Sheppard. Agent: Mike McHone. City Staff: Robert Heil, 974-2330.

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

## **SECOND / THIRD READINGS SUMMARY SHEET**

**ZONING CASE NUMBER:** C14-05-0155

**REQUEST:**

Approve second / third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4009, 4021 and 4025 Vivas Lane (Barton Creek Watershed – Barton Springs Zone) from interim rural residential (I-RR) district zoning to single-family residence – large lot (SF-1) district zoning.

**DEPARTMENT COMMENTS:**

Staff recommends approval of Single Family Large Lot (SF-1) district zoning. The original request was for SF-2 zoning, since amended by the applicant to SF-1.

The site consists of three lots, one developed and two undeveloped, in a single family residential subdivision. The owner would like to re-subdivide into three lots with a different configuration than the current flag lot plan. Permanent zoning is required for resubdivision, prompting the rezoning request.

**OWNER/APPLICANT:** Gene Sheppard

**AGENT:** Mike McHone

**DATE OF FIRST READING:** November 17 2005.

**CITY COUNCIL HEARING DATE:** December 15, 2005

**CITY COUNCIL ACTION:** Approve SF-1. (7-0).

**ORDINANCE NUMBER:**

**ASSIGNED STAFF:** Robert Heil, e-mail: robert.heil@ci.austin.tx.us

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

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE  
2 PROPERTY LOCATED AT 4009, 4021, AND 4025 VIVAS LANE AND  
3 CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR)  
4 DISTRICT TO SINGLE FAMILY RESIDENCE LARGE LOT (SF-1) DISTRICT.

5  
6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

7  
8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
9 change the base district from interim rural residence (I-RR) district to single family  
10 residence large lot (SF-1) district on the property described in Zoning Case No. C14-05-  
11 0155, on file at the Neighborhood Planning and Zoning Department, as follows:

12  
13 Lots 22, 23, and 24, Block A, Amended Plat of Regents Section 2 Subdivision, a  
14 subdivision in the City of Austin, Travis County, Texas, according to the map or  
15 plat of record in Document No. 200100300, of the Official Public Records of  
16 Travis County, Texas,

17  
18 locally known as 4009, 4021, and 4025 Vivas Lane, in the City of Austin, Travis County,  
19 Texas, and generally identified in the map attached as Exhibit "A".

20  
21 **PART 2.** This ordinance takes effect on \_\_\_\_\_, 2005.

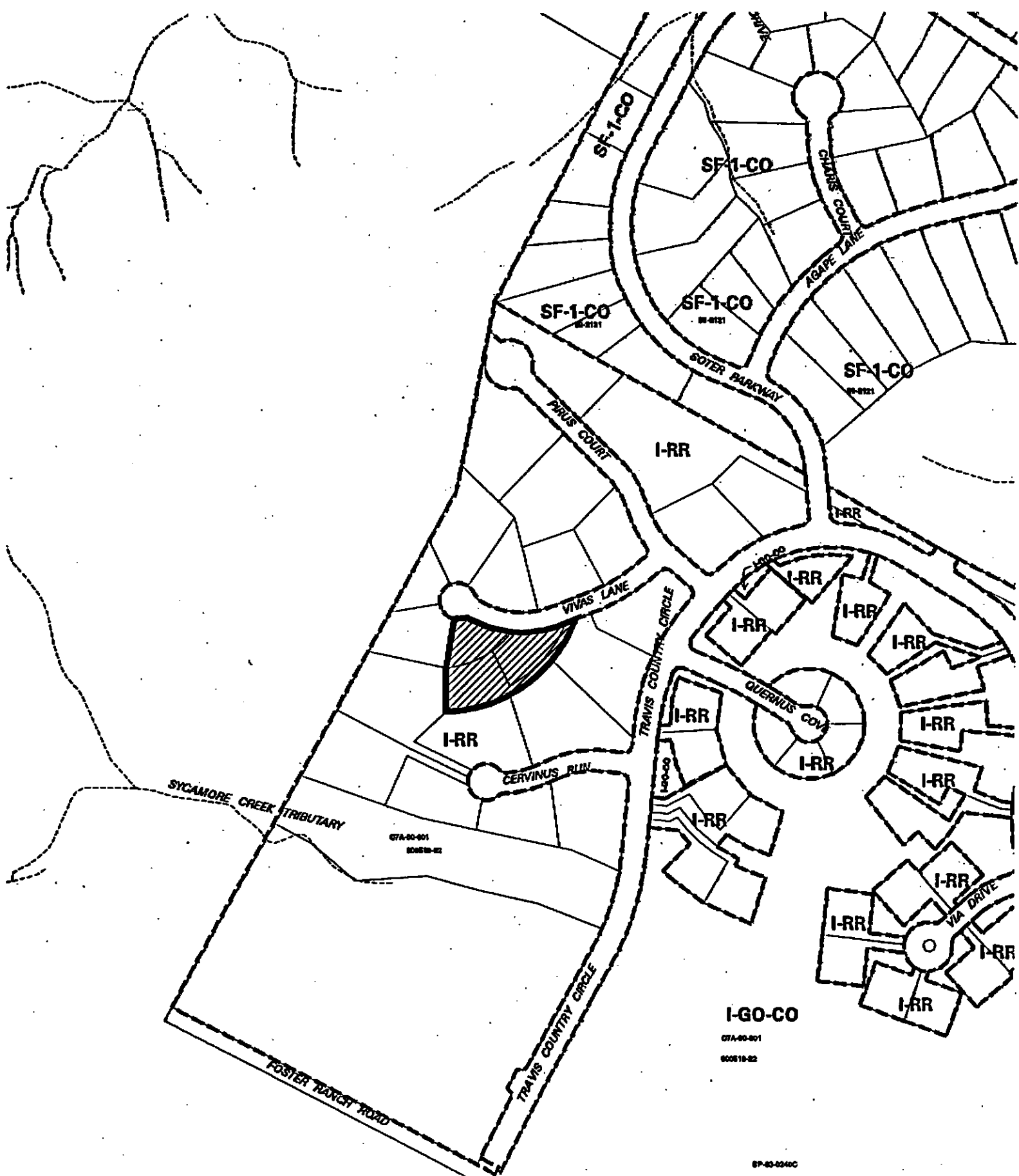
22  
23  
24 **PASSED AND APPROVED**





25  
26 §  
27 §  
28 §

29 2005

30 Will Wynn  
31 Mayor

32  
33 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
34 David Allan Smith Shirley A. Gentry  
35 City Attorney City Clerk



|   |  |   |  |   |   |
|---|--|---|--|---|---|
| <br>1" = 400' | SUBJECT TRACT<br>PENDING CASE<br>ZONING BOUNDARY<br>CASE MGR: R.HEIL | <br><br> | <b>CASE #: C14-05-0155</b><br>ADDRESS: 4009, 4021 & 4025 VIVAS<br>IN SUBJECT AREA (acres): 0.713 | <b>ZONING</b><br>DATE: 05-12<br>INTLS: SM | CITY GRID<br>REFERENCE<br>NUMBER<br>D21 |
|   | 1" = 400'  |   |  |   |   |

1" = 400' / SF-1-CO / I-RR / I-GO-CO

**ZONING CHANGE REVIEW SHEET****CASE:** C14-05-0155**ZAP Date:** October 4, 2005**ADDRESS:** 4009, 4021 & 4025 Vivas Lane**OWNER/APPLICANT:** Gene Sheppard**AGENT:** Mike McHone Real Estate  
(Mike McHone)**ZONING FROM:** I-RR**TO:** SF-1**AREA:** 0.713 acres**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of Single Family Large Lot (SF-1) district zoning.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

October 4, 2005: Approved SF-1 on consent

**DEPARTMENT COMMENTS:**

Staff recommends approval of Single Family Large Lot (SF-1) district zoning. The original request was for SF-2 zoning, since amended by the applicant to SF-1.

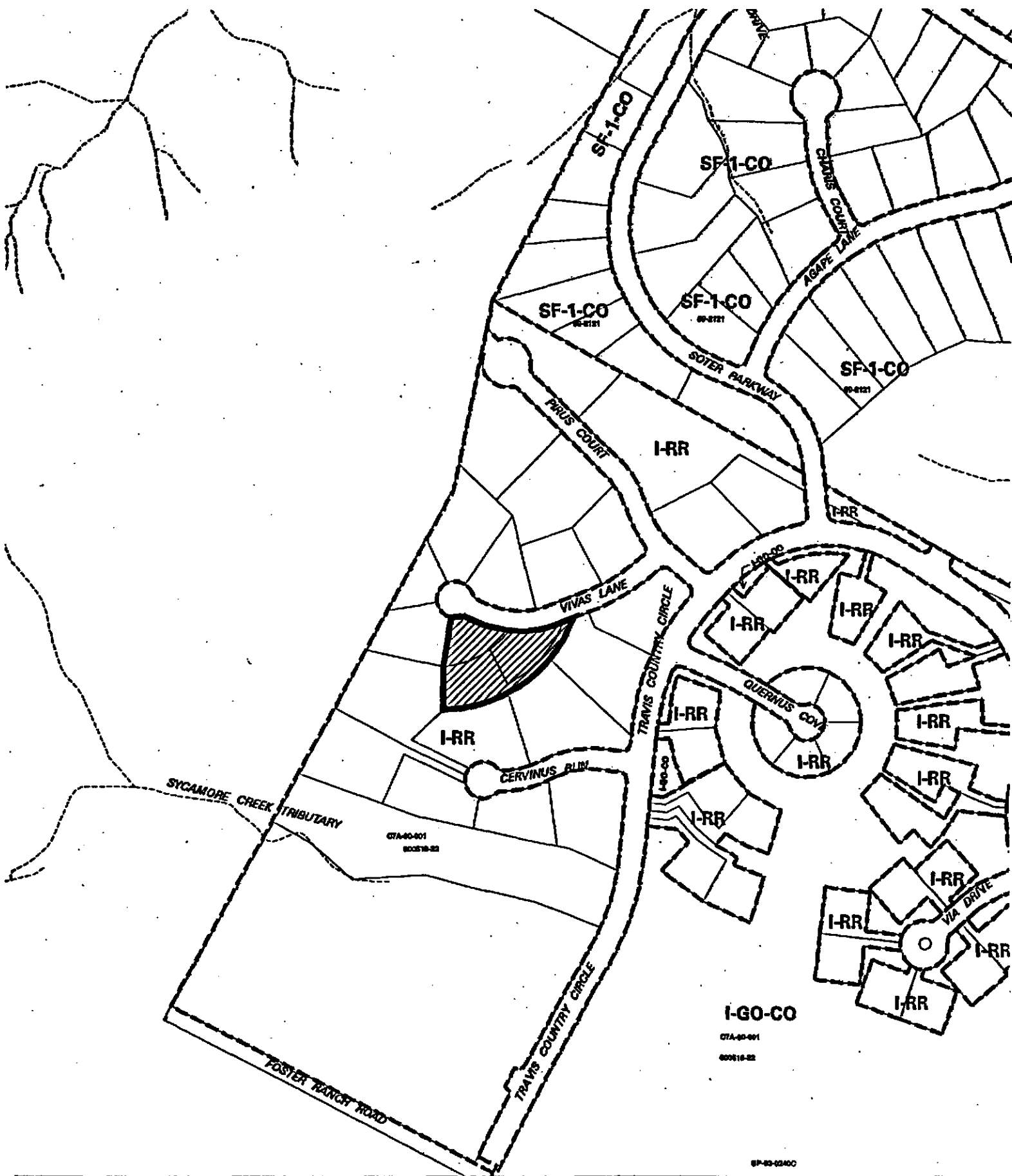
The site consists of three lots, one developed and two undeveloped, in a single family residential subdivision. The owner would like to re-subdivide into three lots with a different configuration than the current flag lot plan. Permanent zoning is required for resubdivision, prompting the re-zoning request.





**EXISTING ZONING AND LAND USES:**

|              | <b>ZONING</b>           | <b>LAND USES</b>                        |
|--------------|-------------------------|---|
| <i>Site</i>  | I-RR                    | Undeveloped and one Single Family House |
| <i>North</i> | I-RR                    | Single Family Homes                     |
| <i>South</i> | I-RR                    | Single Family Homes                     |
| <i>East</i>  | IRR                     | Single Family Homes                     |
| <i>West</i>  | Unzoned (County) & I-RR | Undeveloped & Single Family Homes       |

**AREA STUDY:** The property lies within the proposed East Oak Hill Planning Area, which will beginning its plan in October.**TIA:** N/A**WATERSHED:** Barton Creek**DESIRED DEVELOPMENT ZONE:** No





|   |  |   |   |  |
|---|--|---|---|--|
| <br>1" = 400' | SUBJECT TRACT<br>PENDING CASE<br>ZONING BOUNDARY<br>CASE MGR: R.HEIL | <br><br> | <b>ZONING</b><br><b>CASE #: C14-05-0155</b><br>ADDRESS: 4009, 4021 & 4025 VIVAS<br>SUBJECT AREA (acres): 0.713<br>INTLS: SM | DATE: 05-12<br>CITY GRID<br>REFERENCE<br>NUMBER<br>D21 |
|   | IN   |   |   |  |
|   | 120/12 SF2 10/6/11   |   |   |  |





**SUMMARY STAFF RECOMMENDATION**

C14-05-0155

Staff recommends approval of Single Family Large Lot (SF-1) district zoning.

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

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

Those areas around the site which are permanently zoned are zoned SF-1, and are large lot, single-family homes..

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

SF-1 zoning is intended for low density single family residential development.

**EXISTING CONDITIONS**

The site consists of three lots, one developed and two undeveloped, in a single family residential subdivision. The owner would like to re-subdivide into three lots with a different configuration than the current flag lot plan. Permanent zoning is required for resubdivision, prompting the re-zoning request.

**Transportation**

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

The trip generation under the requested zoning is estimated to be 131 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 |
|------------|-----|----------|----------------|
| Vivas Lane | 66' | 26'      | Local          |

### **Water and Wastewater**

The landowner intends to serve 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, system upgrades, and utility adjustments to serve each lot. 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.

### **Environmental**

This site lies within the 1500-foot buffer zone of the Edwards Aquifer Recharge Zone, meaning that a field investigation must be conducted by a certified geologist to determine whether or not this site lies over the Recharge Zone. The site is in the Barton 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. The allowed impervious cover for this site is to be determined by whether or not this site lies over the Recharge Zone, per comment 1.

According to flood plain maps, there is no flood plain within the project location.

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

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

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.