

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2011-0163 – 3106 Fallwell Lane

**Z.A.P. DATE:** February 21, 2012

**ADDRESS:** 3106 Fallwell Lane

**OWNERS:** Gustavo Aldama; Oscar Aldama

**AGENT:** Austin Civil Engineering  
(Brent Hammond)

**ZONING FROM:** I-SF-2

**TO:** GR

**AREA:** 0.2354 acres (10,254 s.f.)

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant single family residence – standard lot (SF-2) district zoning.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

February 21, 2012: *TO DENY THE APPLICANT'S REQUEST FOR GR DISTRICT ZONING AND TO GRANT SF-2 DISTRICT ZONING*

*[G. ROJAS; B. BAKER – 2<sup>ND</sup>] (6-0) G. BOURGEOIS – OFF THE DAIS*

### **DEPARTMENT COMMENTS:**

The subject property is currently developed with a vacant single family residence that was constructed and permitted through the City of Austin between 1986 and 1994. Surrounding land uses to the north, west, and south are other residential uses, including both manufactured homes and single family residences. Also in the area is a religious assembly land use, and dedicated floodplain. Properties west of Fallwell Lane are zoned interim-rural residence (I-RR) and interim-single family residence (I-SF-2). East of the subject property, across Fallwell Lane, is an undeveloped tract commonly known as Austin Interport (East and West) that is zoned limited industrial service-planned development area (LI-PDA). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).

The Applicant has requested community commercial (GR) district zoning for office uses. Although there are no current code violations on the property, there is a paved driveway extending along the length of the north property line and a sizable paved parking area on the west side of the property that occurred sometime between 2006 and 2008. GR or office zoning would introduce intensive commercial zoning into an established residential neighborhood. To this end, Staff is unable to recommend the Applicant's request for GR zoning because the zoning and use is incompatible with the adjacent residences to the south, west and north, and would set precedent. The Valle Del Rio Addition subdivision that contains the rezoning area was originally platted for residential development, and proposes some challenges in order to redevelop with commercial uses. If GR zoning is granted, this site will have to comply with GR site development standards, which includes a 25 feet setback from SF-6 or more restrictive district and any single family residence.

Converting the property from interim to permanent SF-2 zoning is consistent with the zoning and residential character of similarly situated lots on Fallwell Lane, Puebla Drive and Morelos Cove.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-SF-2	Vacant single family residence
<i>North</i>	I-SF-2	Manufactured homes
<i>South</i>	I-SF-2	One single family residence; One manufactured home; Floodplain
<i>East</i>	LI-PDA	Undeveloped
<i>West</i>	I-RR; I-SF-2	Floodplain, Manufactured homes

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHED:** Colorado River

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**SCHOOLS (located within the Del Valle Independent School District):**

Hornsby-Dunlap Elementary School      Dailey Middle School      Del Valle High School

**NEIGHBORHOOD ORGANIZATIONS:**

774 – Del Valle Independent School District  
 786 – Home Builders Association of Greater Austin  
 1037 – Homeless Neighborhood Association      1075 – League of Bicycling Voters  
 1195 – Imperial Valley Neighborhood Association  
 1200 – Super Duper Neighborhood Objectors and Appealers Organization  
 1224 – Austin Monorail Project      1228 – Sierra Club, Austin Regional Group  
 1236 – The Real Estate Council of Austin, Inc.      1258 – Del Valle Community Coalition  
 1340 – Austin Heritage Tree Foundation

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-00-2002 – Tollivar Zoning (City-initiated) – 3001 FM 973, a portion of land on Fallwell Ln, 3000 Fallwell Ln, 3000 and 3001	I-RR to RR	To Grant	Approved RR

Michoacan Drive and 3006-3018 (even #s) Guerrero Dr.			
C14-99-2052 and C14-99-2053 – Austin Interport (East and West) – Fallwell Ln. at SH 71 East	DR, I-SF-2, I-RR to LI-PDA	To Grant GR for Blk A & 1-2 of Blk H w/conds; GR for Blk C & 3-8 of Blk I w/conds; MF-3 for Blk B, 1 of Blk F, & 5 of Blk G w/conds; & numerous other apvls & conds too	Approved LI-PDA with attached site development standards, RCs for 175' reservation of r-o-w on SH 71 (9-28-00).

**RELATED CASES:**

The property is platted as Lot 4 of the Valle Del Rio Addition subdivision, recorded in March 1968 (C8-67-092). There are no site plan applications approved or in process on the subject property. Please refer to Exhibit B.

The property was annexed into the full-purpose City limits on August 30, 2001 (C7a-01-002).

**ABUTTING STREETS:**

Name	ROW	Pavement	Class	Sidewalk	Bus Route	Bike Route
Fallwell Lane	40 feet	Varies	Collector (790 vpd, TXDOT 2010)	No	No	No

- According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Fallwell Lane.
- Capital Metro bus service (route no. 271) is available along State Highway 71.

**CITY COUNCIL DATE:** March 22, 2012

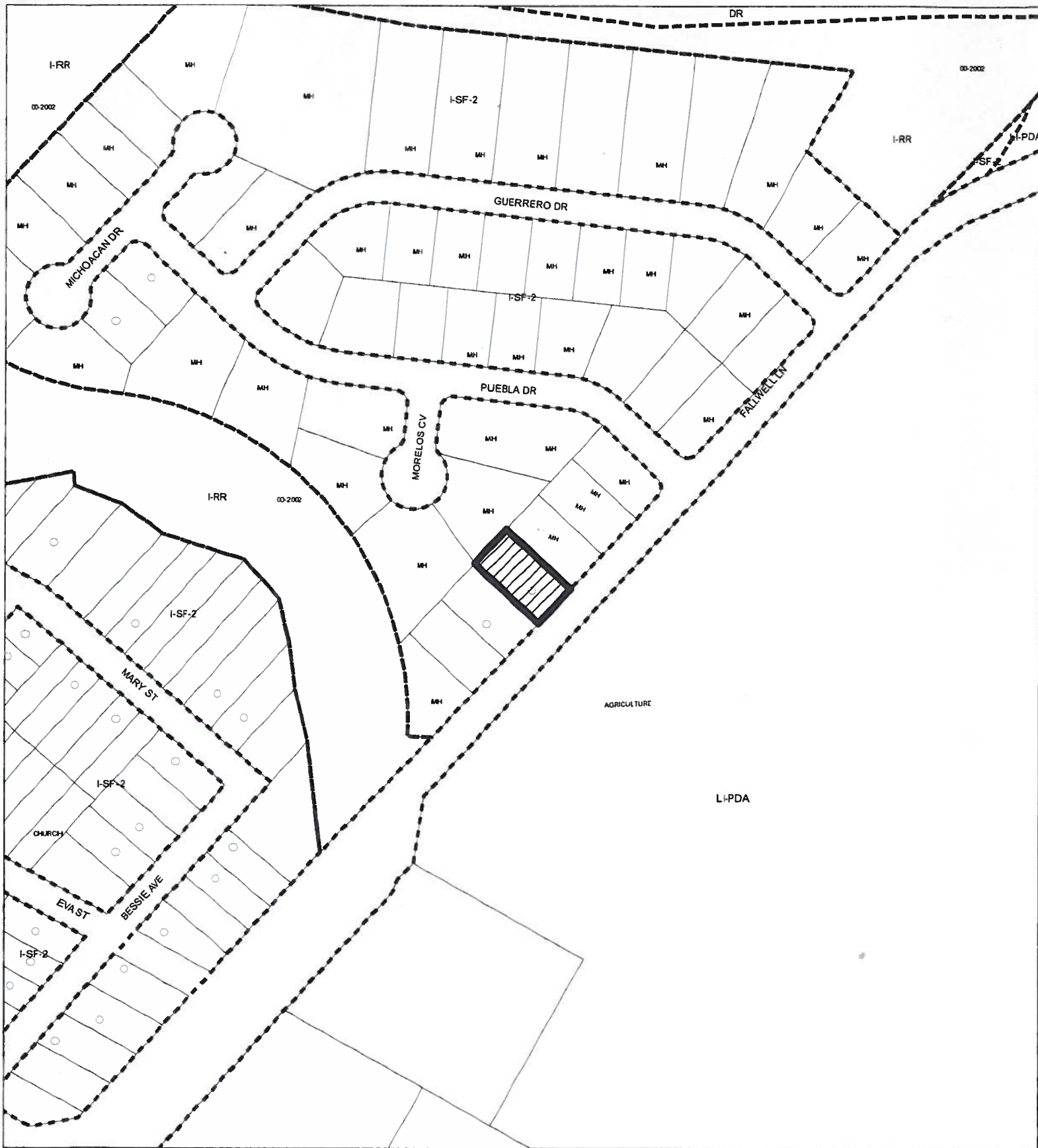
**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>                      2<sup>nd</sup>                      3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@austintexas.gov

**PHONE:** 974-7719



## ZONING

*Exhibit A*

ZONING CASE#: C14-2011-0163



1" = 200'



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.











**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant single family residence – standard lot (SF-2) district zoning.

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

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

The purpose statement per the City of Austin Land Development Code states: “The proposed GR, community commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways.”

The property has frontage on Fallwell Lane.

*2. Zoning changes should promote an orderly and compatible relationship among land uses.*

Community Commercial (GR) zoning is not compatible with the residential land uses and zoning districts immediately adjacent to the subject property, or in the vicinity. The subject property itself was originally developed as a residential lot, but appears to have changed over time to include nonconforming land uses and nonconforming structures.

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

The subject lot is developed with a vacant single family residence and a parking area, and contains a few trees. There appear to be no significant topographical constraints on the site.

**Impervious Cover**

Within the Colorado River watershed, the maximum impervious cover allowed by the GR zoning district would be 80%, which is a consistent figure between the watershed and zoning regulations. The maximum impervious cover allowed by the SF-2 zoning district would be 45%, which is based on the more restrictive zoning regulations.

**Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Colorado River 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:

<b><u>Development Classification</u></b>	<b><u>% of Net Site Area</u></b>	<b><u>% with Transfers</u></b>
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 floodplain 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.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding 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 the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

### **Site Plan**

The site is subject to compatibility standards along all shared property lines, as this tract is surrounded by I-SF-2 zoned lots. Along all property lines adjacent to single family, the following standards will apply with any future development:

- 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 feet of the property line.
- A landscape area is required along the property line. 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.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.



This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. 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. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.

### **Transportation**

Additional right-of-way for Fallwell Lane may be required at the time of subdivision and/or site plan.

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 / Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

## 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: C14-2011-0163

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing: February 21, 2012, Zoning and Platting Commission  
March 22, 2012, City Council

*Celeste Del Sol*

Your Name (please print)

*3108 FALLWELL LN, OEL WALKER TX 78617*

Your address(es) affected by this application

*2/13/12*

Date

Signature

*(512) 507 9803*

Daytime Telephone:

Comments: *I do not agree because the*

*Property value will raise and*

*my taxes will raise also.*

*Traffic will increase and*

*there will be a lot of foot*

*traffice and we will not feel*

*secure in our homes.*

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

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810