

ZONING CHANGE REVIEW SHEET**C18**
1**CASE:** C14-2012-0113
7003 E Riverside**PC DATE:** October 23, 2012**ADDRESS:** 7003 E Riverside Drive**AREA:** 7.793 acres**OWNER:** Bradsher Family Trust
(Jack Bradsher)**AGENT:** Thrower Design
(A. Ron Thrower)**ZONING FROM:** SF-3-NP; Family Residence – Neighborhood Plan**ZONING TO:** SF-6-NP; Townhouse and Condominium Residence – Neighborhood Plan**NEIGHBORHOOD PLAN AREA:** Montopolis**SUMMARY STAFF RECOMMENDATION:**

Staff recommendation is to grant Townhouse and Condominium Residence, Conditional Overlay, Neighborhood Plan (SF-6-CO-NP) combining district zoning. The conditional overlay would limit the vehicle trips to less than 2,000 per day.

The applicant also proposes a public restrictive covenant in which a right-of-way reserve of 25 feet is set aside along the southern property line, and used on an interim basis for a bicycle and pedestrian path (see additional discussion under Department Comments below). Staff supports this proposal and recommends execution of the public restrictive covenant.

PLANNING COMMISSION RECOMMENDATION:

Scheduled for consideration

DEPARTMENT COMMENTS:

The subject tract is located approximately 200 feet south of Riverside Drive between Maxwell Lane and Yellow Jacket Lane. Property to the north, northwest, and northeast is undeveloped, but zoned GR-MU-NP (see Exhibit A). Property to the east, which is approximately one-half developed with single family homes, is zoned SF-3-NP (see Exhibit A-1). To the south is an undeveloped 10-acre parcel zoned GR-MU-NP, and to the west is an approximate 8.6-acre tract recently rezoned to SF-6-CO-NP that will be incorporated into, and developed, as part of a proposed condominium development.

This property was annexed as part of a 1,413-acre MP Industrial Park tract in May 1976. After annexation it was zoned I-A, Interim Residence, which later was converted to Interim SF-3. The tract has been the subject of several rezoning cases over the past couple of decades, but has remained undeveloped. As with the tract immediately to its west, it sits back from Riverside Drive, has some single-family residential to the east and far west, and an undeveloped tract between it and a warehousing business north of US Hwy 71. With the exception of the approximate 8.6-acre tract to the west, none of the surround properties have been rezoned since 2001, when properties were rezoned as part of the Montopolis Neighborhood Plan adoption.

The rezoning request is driven by a proposed condominium project that will include about 100 units, over both this 8-acre tract and the undeveloped tract immediately to the west. Primary access will be provided to Riverside Drive through a centrally located driveway, and an emergency access will be provided at the end of Yellow Jacket Lane.

A neighborhood plan amendment was not required in order to consider this rezoning request. At the time the Montopolis Neighborhood Plan was adopted, there was no differentiation between "single-family" and "higher density single-family" residential categories on the Plan's Future Land Use Map (FLUM). Any single-family residential base zoning district, from rural residence (RR) to Townhouse and Condominium (SF-6), would be acceptable under this FLUM designation. At this time, staff has not received any correspondence from the neighborhood plan contact team regarding the rezoning request, nor is any required.

This property is located outside the boundaries of the East Riverside Corridor (ERC) Plan. However, a new collector street is depicted in the ERC Regulating Plan that would run north to south along the western edge of this tract. After additional discussion between the applicant and staff, the necessity and desirability of having a collector street in the location shown in the regulating plan was reconsidered. Yellow Jacket and Maxwell already exist as north-south roadways, with the former currently terminating at the north end of the undeveloped GR-MU tract, and the latter extended to Carson Ridge (itself an east-west connection). Bearing in mind the condominium project encompasses both this rezoning tract and the 8.6-acre tract immediately to the west, the proposed collector would effectively bisect the project, but only serve to connect this project to Riverside and the future development of the GR-MU tract. Until the GR-MU tract is developed, this bisecting roadway would essentially function as a driveway.

Instead, an east-west connection was considered, especially because a bike and pedestrian trail was already mandated in the rezoning of the 8.6-acre tract to the west. Extending that trail, and incorporating it into a right-of-way reserve seemed to further the connectivity goals of the ERC Regulating Plan. As envisioned, this trail would extend from Yellow Jacket on the east to Maxwell on the west; at some point in the future, if the tract to the south were developed and additional right-of-way was dedicated along its northern edge, then an east-west collector might be developed between Yellow Jacket and Maxwell, or possibly Carson Ridge. The applicant has proposed a restrictive covenant to reserve the right-of-way and continue the bicycle and pedestrian trail. Because the trail on the 8.6-acre tract was 15 feet in width rather than 25 feet, that restrictive covenant may be amended as well. Staff supports this right-of-way reserve and bicycle and pedestrian trail.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Undeveloped
<i>North & Northeast</i>	GR-MU-NP	Undeveloped
<i>East</i>	SF-3-NP	Single-Family Residential & Undeveloped Tracts;
<i>South</i>	GR-MU-NP; LI-NP and CS-NP	Undeveloped; Warehousing
<i>West & Northwest</i>	SF-6-CO-NP; GR-MU-NP	Undeveloped

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3**AREA STUDY:** N/A**TIA:** Not Required**WATERSHED:** Carson Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**HILL COUNTRY ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

Southeast Austin Neighborhood Alliance	189
Crossing Garden Home Owners Association	299
El Concilio Coalition of Mexican American Neigh. Assn.	477
Austin Neighborhoods Council	511
Montopolis Area Neighborhood Alliance	634
Del Valle Independent School District	774
Home Builders Association of Greater Austin	786
PODER	972
Homeless Neighborhood Organization	1037
League of Bicycling Voters	1075
Riverside Meadows Homeowner's Association	1131
Carson Ridge Neighborhood Association	1145
Super Duper Neighborhood Objectors and Appealers Organization	1200
Austin Monorail Project	1224
Montopolis Neighborhood Plan Contact Team	1227
Sierra Club, Austin Regional Group	1228
The Real Estate Council of Austin, Inc.	1236
Pleasant Valley	1255
Del Valle Community Coalition	1258
Montopolis Tributary Trail Association	1321
Montopolis Neighborhood Association	1339
Austin Heritage Tree Foundation	1340
Montopolis Neighborhood Association	1357
SEL Texas	1363

SCHOOLS:

Del Valle Independent School District:

Smith Elementary

John P. Ojeda Middle School

Del Valle High School

RELATED CASES:

As noted above, the subject tract and property immediately to the west have been the subject of zoning cases in the mid-1970s and mid-198s, and most recently, in 2012. However, the property has never been developed.

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-84-156	I-A to C 1 st H & A	Forward to CC without Recommendation; 09/05/1984	Postponed Indefinitely 05/02/1985; Dismissed 06/07/1990

C14-2001-0060 (NP Zoning)	I-SF-3 to GR-MU-NP and SF-3-NP (GR-MU-NP for First 200' from Riverside Dr; SF-3-NP for Remainder of Site)	Approved; 08/07/2001	Approved; 09/27/2001
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CASE HISTORIES:

With the exception of the tract to the west, there has been no proposed rezonings in the immediate area since adoption of the Montopolis Neighborhood Plan in 2001.

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
(North & Northeast of site) C14-2001-0060	I-SF-3 to GR-MU-NP and SF-3-NP (GR-MU-NP for First 200' from Riverside Dr; SF-3-NP for Remainder of Site)	Approved; 08/07/2001	Approved; 09/27/2001
(East of site) C14-2001-0060 C14-99-0086 (Uphill Lane)	SF-3 to SF-3-NP SF-3 to SF-6-CO	Approved; 08/07/2001 Approved; 08/17/1999	Approved; 09/27/2001 Approved; 09/30/1999
(South of site) C14-2001-0060	SF-3 and CS to GR-MU-NP	Approved; 08/07/2001	Approved; 09/27/2001
(West & Northwest of site) C14-76-009 C14-84-214 C14-2001-0060 C14-2011-0158	"A" Residence 1 st Height & Area to "MH" Mobile Home 1 st Height & Area From "MH" & "I-A" to "C" 1 st H & A MH to GR-MU-NP and SF-3-NP (GR-MU-NP for First 200' from Riverside Dr; SF-3-NP for Remainder of Site) SF-3-NP to SF-6-NP	Approved; Forwarded to Council w/o Recommendation 09/05/1984 Approved; 08/07/2001 Approved; 01/24/2012	Approved; 04/15/1976 Approved "C" for northern 3-1/2 acres, with remainder as "MF" subject to Site Plan Approval, and other Conditions; 05/23/85; Dismissed 06/08/1990 Approved; 09/27/2001 Approved with conditions; 03/22/2012

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Of note, the 8.6-acre undeveloped tract to the west was platted as 46 single-family lots under its then-existing SF-3-NP zoning, in 2007. Due to funding constraints, that subdivision, including the proposed Santa Helena Street, was subsequently vacated in 2010 rather than developed as a single-family subdivision (C8-05-0138.1A(VAC)). The owner sought and was granted the SF-6-CO-NP zoning in order to develop the property as townhomes earlier this year (C14-2011-0158). It is that tract, along with the current subject tract, that will comprise the proposed condominium development.

ABUTTING STREETS:

Street Name	ROW Width	Pavement Width	Classification	Bicycle Plan	Capital Metro	Sidewalks
E Riverside Drive	120 Feet	MAD 6	Arterial	Yes	Yes	Yes
Yellow Jacket	40 Feet	30 Feet	Local	No	No	No

CITY COUNCIL DATE: December 6, 2012

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Lee Heckman
e-mail address: lee.heckman@austintexas.gov

PHONE: 974-7604

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6**STAFF RECOMMENDATION****BACKGROUND**

The subject tract has been zoned and rezoned for residential use since it was annexed nearly 35 years ago. It remains undeveloped.

SUMMARY STAFF RECOMMENDATION

Staff recommendation is to grant Townhouse and Condominium Residence, Conditional Overlay, Neighborhood Plan (SF-6-CO-NP) combining district zoning. The conditional overlay would limit the vehicle trips to less than 2,000 per day.

The applicant also proposes a public restrictive covenant in which a right-of-way reserve of 25 feet is set aside along the southern property line, and used on an interim basis for a bicycle and pedestrian path (see additional discussion under Department Comments below). Staff supports this proposal and recommends execution of the public restrictive covenant.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

Zoning should be consistent with an adopted study, the Future Land Use Map (FLUM) or an adopted neighborhood plan.

The Montopolis Neighborhood Plan designates this tract as single-family residential, which allows for the proposed SF-6 base residential district. The tract is outside the boundaries of the proposed East Riverside Corridor Regulating Plan. The acreage between this tract and Riverside Drive is, however, in the draft Regulating Plan, and is designated as Neighborhood Mixed Use. That subdistrict provides for mid-rise residential with neighborhood-oriented retail and small employers. As such, staff thinks higher-density residential, such as the proposed SF-6, is a use consistent with what is envisioned in the draft Regulating Plan.

Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character;

Zoning changes should promote an orderly and compatible relationship among land uses; and

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

The existing Family Residence (SF-3) district is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated as an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

The proposed Townhouse and condominium residence (SF-6) district is the designation for a moderate density single family, duplex, two-family, townhouse, and condominium use that is not subject to the spacing and location requirements for townhouse and condominium use in an SF-5 district. An SF-6 district designation may be applied to a use in an area with large lots that have access to streets other than minor residential streets. An SF-6 district may be used as a transition between a single family and multifamily residential use.

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Each of the above zoning principles addresses a dominant theme about a proposed use fitting within the existing neighborhood context while being mindful of future land uses. This tract, which lies between Riverside Drive and US Hwy 71, lies between undeveloped properties zoned commercial mixed-use to the north and south. Immediately to the east along Yellow Jacket Lane are single-family residences, and undeveloped tracts zoned Family Residence (SF-3-NP). Immediately to the west is a tract that was recently rezoned to the same district level of residential that this tract seeks. In fact, the proposed condominium project will incorporate that tract into its development. The result would be an approximate 17-acre condo development flanked by single-family residential on two sides, and commercial mixed use on the other two.

If the property to the north is rezoned to Neighborhood Mixed Use as part of the East Riverside Corridor Regulating Plan, then this tract's SF-6 zoning is still an appropriate transition to the intensity envisioned in that subdistrict. Simultaneously, the proposed SF-6 district is likely more appropriate next to the GR-MU tract to the south than the existing SF-3. Single-family homes or duplexes, as allowed under the current zoning, would certainly provide a transition, but would not be encouraged between two undeveloped community commercial-mixed use tracts.

The proposed zoning district, on paper, could yield about 12 units per acre, which would approximate 96 units on this tract, or nearly 200 when accounting for the abutting tract. The current proposal, however, is for approximately 100 units on both tracts, which is less dense and provides an adequate transition to the abutting single-family residences. By way of comparison, the current zoning could yield 64 lots (not accounting for infrastructure) if simply subdivided.

EXISTING CONDITIONS

Site Characteristics

This is an undeveloped site of just under 8 acres. It slopes from east to west and south to north. A natural drainage channel crosses the tract at the far south end, but is not of a significant enough scale to qualify as a dry creek. The site is heavily treed, but it is unknown whether there are any protected trees on site. In short, there appear to be no significant topographical constraints or environmental features on the site.

Environmental

1. The site is not located over the Edwards 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%

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2. According to flood plain maps there is no flood plain within or adjacent to the project boundary.
3. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
4. Numerous 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.
5. 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.
6. 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.

Transportation

1. The Austin Metropolitan Area Transportation Plan calls for 200 feet of right-of-way for Riverside Drive. If the requested zoning is granted for this site, then 100 feet of right-of-way from the existing centerline should be dedicated for Riverside Drive according to the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].
2. 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 and 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.

Site Plan and Compatibility Standards

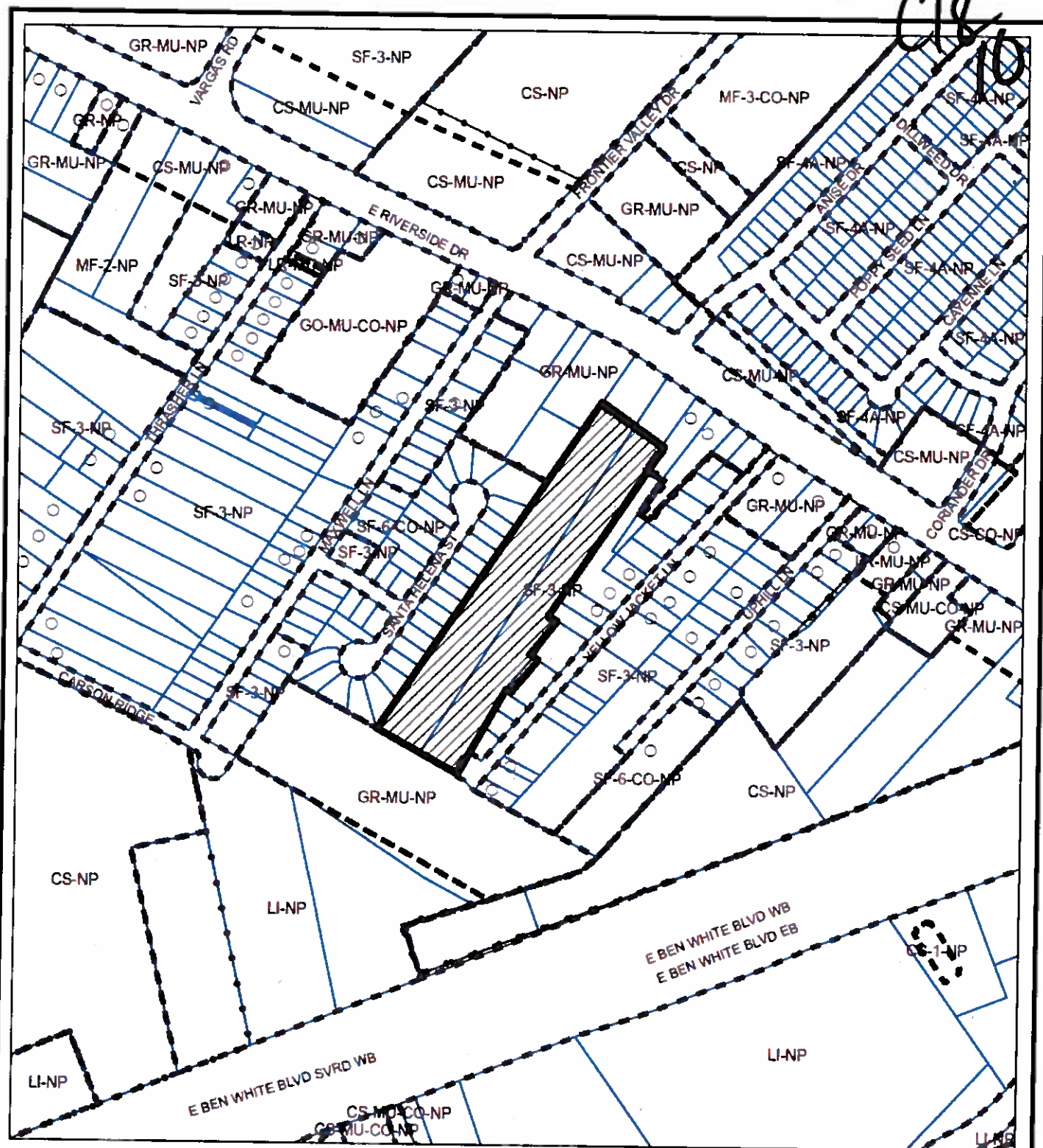
1. The site is subject to compatibility standards. Along the east property line, the following standards apply:
 - No structure may be built within 25 feet of the property line.

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- 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.
- 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.

2. This site is within the Controlled Compatible Land Use Area of Austin-Bergstrom International Airport, but outside the Airport Overlay Zones. For more information, contact Joe Medici, Airport Planner, 530-6563. Provide approval from ABIA.

 $1'' = 400'$

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ZONING

ZONING CASE#: C14-2012-0113

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.



Exhibit A

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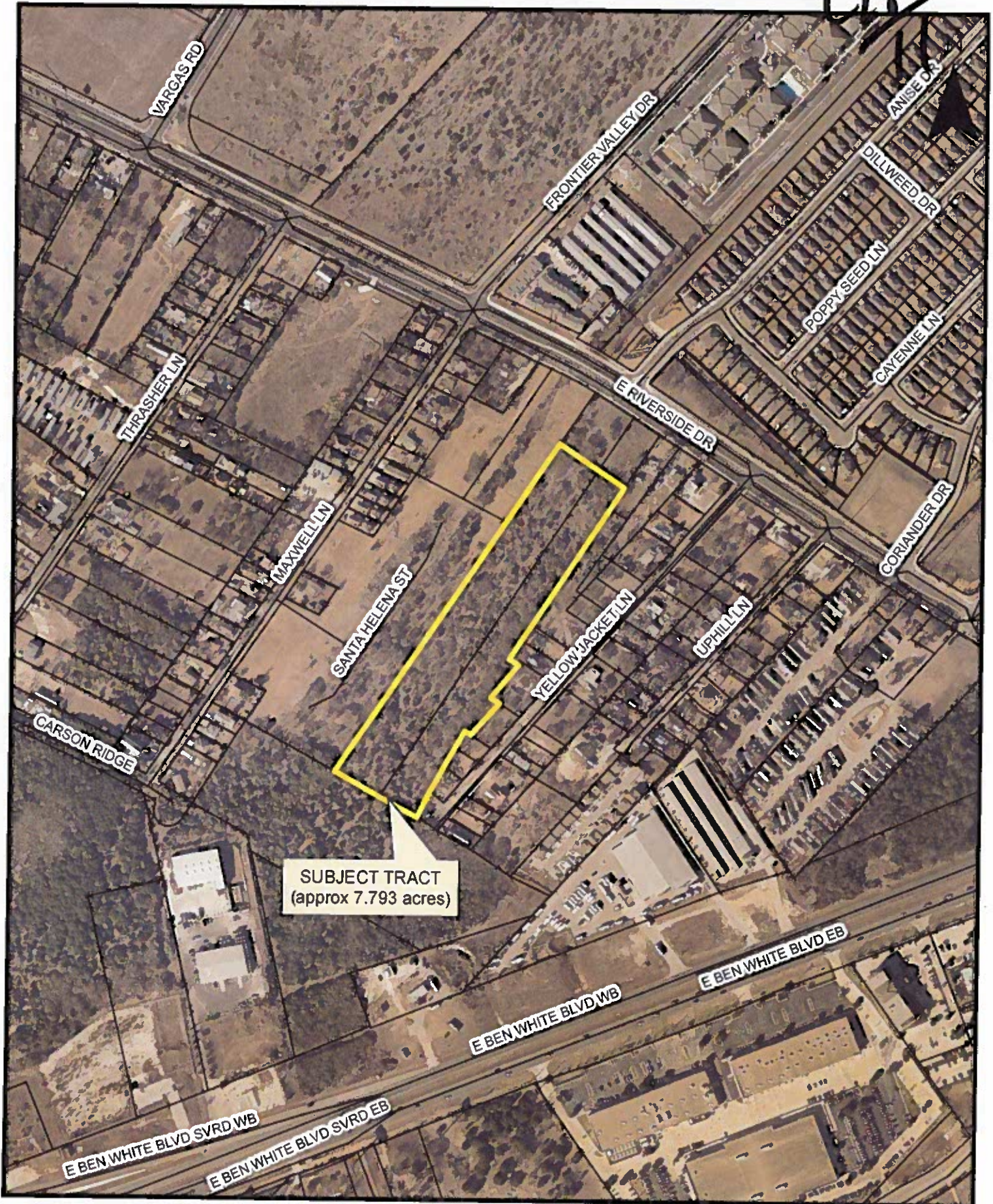


Image Data: 2009

Exhibit A-1

0 200 400 800 Feet

1 inch = 400 feet