

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2013-0079  
(Summit Oaks Lot C Block B Resubdivision)

**Z.A.P. DATE:** August 6, 2013

**ADDRESS:** 11720 Bell Avenue

**OWNER/APPLICANT:** Amouzandeh Family Trust

**AGENT:** I.T. Gonzalez Engineers (Bill Graham)

**ZONING FROM:** SF-2      **TO:** SF-3      **AREA:** 0.378 acres

**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant SF-3, Family Residence District, zoning.

**ZONING AND PLATTING COMMISSION:**

8/06/13: Approved staff's recommendation of SF-3 zoning by consent (5-0, B. Baker & C. Banks-absent); R. McDaniel-1<sup>st</sup>, S. Compton-2<sup>nd</sup>.

**DEPARTMENT COMMENTS:**

The property in question is currently an undeveloped lot. The applicant is requesting SF-3, Family Residence District, zoning because he would like to develop the property with a duplex.

The staff recommends SF-3 zoning because the site meets the intent of the Family Residence District. The proposed zoning is consistent with the existing SF-3 zoned lots to the north, south and east of the site under consideration. In addition, the U.S. 183/Jollyville Road Area Study designates the property in question for single-family district uses.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-2	Undeveloped
<i>North</i>	SF-3	Single-Family Residence
<i>South</i>	SF-3	Duplex
<i>East</i>	SF-3	Duplex
<i>West</i>	LO	Asian American Community Center (International School of Knowledge and Wisdom, The Magic Dragon Preschool)

**AREA STUDY:** U.S. 183/Jollyville Road Area Study

(This Area Study designates the property in question for single-family district uses.

The U.S. 183 Study was approved by the City Council in November of 1978. The Area Study recommended that a 120-foot deep strip of land along Jollyville Road be zoned "O" Office zoning (which was converted to LO, Limited Office, in 1985) and that a 200 foot strip of land along the west

side of Jollyville Road be zoned “A” Residence (which was converted to SF-3, Family Residence, in 1985). The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date. The policy of SF-3 on the west side of Jollyville Road was never approved or implemented, and today the west side of Jollyville Road is primarily zoned office and multi-family, with the majority of office zoning being LO zoning. The recommendation for a 120-foot strip of LO zoning along the eastern portion of Jollyville Road was incorporated into the Jollyville Road Study, which was adopted in 1984).

**TIA:** Not required

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**REGISTERED NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
 Austin Independent School District  
 Austin Monorail Project  
 Bike Austin  
 Bull Creek Foundation  
 Homeless Neighborhood Association  
 Long Canyon Homeowners Association  
 Raintree Estates  
 SELTEXAS  
 Sierra Club, Austin Regional Group  
 Super Duper Neighborhood Objectors and Appealers Organization  
 The Real Estate Council of Austin

**SCHOOLS:**

North Oaks Elementary School  
 Canyon Vista Middle School  
 Anderson High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2013-0011 (Restaurant)	SF-2 to GR	6/04/13: Recommended denial of the request for LO-MU-CO zoning (6-0, G. Rojas-absent); J. Meeker-1 <sup>st</sup> , R. McDaniel-2 <sup>nd</sup> .	6/06/13: Case withdrawn by applicant on June 5, 2013. Therefore, no action is required.
C14-2010-0146 (Jollyville Food Mart: 11794 Jollyville Road)	LR-CO, LO to LR	10/05/10: Approved staff’s recommendation of LR-CO zoning on consent with the following conditions: 1) Limit the site to less than 2,000 vehicle trip per day, 2) prohibit Restaurant (Limited), Counseling Services, Guidance Services and Safety Services (7-0); P. Seeger-1 <sup>st</sup> , D. Tiemann-2 <sup>nd</sup> .	11/4/10: Approved LR-CO zoning on all 3 readings on consent (7-0); Cole-1 <sup>st</sup> , Spelman-2 <sup>nd</sup> .

C14-2010-0097 (11777 Jollyville Road Rezone)	SF-2 to LO	8/03/10: Postponed to September 7, 2010 at the neighborhood's request (5-1, S. Baldrige-No, T. Rabago-absent); P. Seeger-1 <sup>st</sup> , D. Tiemann-2 <sup>nd</sup> .  9/07/10: Postponed to September 21, 2010 at the applicant's request (7-0); P. Seeger-1 <sup>st</sup> , D. Tiemann-2 <sup>nd</sup> .  9/21/10: Postponed indefinitely at the applicant's request (7-0); G. Bourgeois-1 <sup>st</sup> , P. Seeger-2 <sup>nd</sup> .  3/21/11: Case expired according to Land Development Code-Sec. 25-2-246(A)(2).	N/A
C14-2008-0151 (Bary Chiropractic: 11777 Jollyville Road)	SF-2 to GR-MU* *Amended by the applicant to LO-MU at the ZAP meeting	9/02/08: Recommended denial of LO-MU zoning (6-1, K. Jackson-No); T. Rabago-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	12/08/08: Denied LO-MU zoning (6-1, W. Wynn-Nay)
C14-2007-0148 (Beaver Brook Children Center: 11726 Jollyville Road)	SF-2, LO to LO	10/02/07: Approved staff's recommendation for LO-CO zoning with 35' height limit (6-0, C. Hammond, B. Baker-absent); J. Shieh-1 <sup>st</sup> , K. Jackson-2 <sup>nd</sup> .	11/08/07: Approved LO-CO zoning (7-0); all 3 readings
C14-2007-0123 (11701 Jollyville Road)	SF-2 to GR-MU*  The applicant amended their rezoning request to LR-MU-CO	10/02/07: Approved staff's recommendation for LO-MU-CO zoning (6-0, B. Baker, C. Hammond-absent); K. Jackson-1 <sup>st</sup> , T. Rabago-2 <sup>nd</sup> .	11/08/07: Approved ZAP recommendation of LO-MU-CO zoning (6-1, J. Kim-No)  11/29/07: Approved LO-MU-CO zoning by consent (5-0, J. Kim, M. Martinez-off dais)
C14-2007-0082 (11603 Jollyville Road)	LO, LR to GR-MU	7/17/07: Approved staff's recommendation of GR-MU-CO zoning with added prohibition of Automotive Sales, Automotive Rentals, Automotive Repair, Automotive Washing (of any type) and Pawn Shops uses (8-0)	8/23/07: Approved GR-MU-CO zoning on all 3 readings (7-0)
C14-2007-0081 (11625 Jollyville Road)	LR-CO to Tract 1: LO, Tract 2: GR-MU	7/17/07: Approved staff's recommendation of LO-CO zoning for Tract 1 and GR-MU-CO zoning for Tract 2 with added prohibition of Automotive Sales, Automotive Rentals, Automotive Repair, Automotive Washing (of any type) and Pawn Shops uses (8-0)	8/23/07: Approved LO-CO and GR-MU-CO zoning on all 3 readings (7-0)

C14-06-0172 (Arboretum Retirement Community: 11601 Jollyville Road)	LO to <b>Tract 1</b> (1.570 acres): GR-MU (for 866 to 896 ft above sea level) and MF-6 (for 896 to 986 ft above sea level)  <b>Tract 2</b> ( 0.424 acres): LO-MU (an area 120 ft in depth on the site from the property line along Jollyville Road)	10/17/06: Approved GR-MU-CO zoning on Tract 1 for an area 866 to 896 ft above sea level and MF-6-CO zoning for an area 896 to 926 ft above sea level; with conditions of a 60-foot height limit and 2,000 vehicle trip limit and approved LO-MU-CO zoning on Tract 2; with conditions of 2,000 vehicle trip limit, limit site to 'LO' district uses and residential accessory uses (prohibiting dwelling units). Vote: 9-0; K. Jackson-1 <sup>st</sup> , J. Martinez-2 <sup>nd</sup> .  1/09/07: Approved staff rec. of GR-MU-CO zoning for Tract 1 and LO-CO zoning for Tract 2, with a 2,000 vehicle trip limit per tract (6-0, B. Baker, S. Hale, J. Martinez-absent); J. Pinnelli-1 <sup>st</sup> , C. Hammond-2 <sup>nd</sup> .	1/25/07: Approved GR-MU-CO for Tract 1 and LO-CO for Tract 2 (6-0); all 3 readings
C14-06-0013 (Pavilion Condominiums: 11819 Pavilion Boulevard)	GR, SF-2 to MF-6* *On 4/27/06, the agent requested to amend the case to allow for a 65 foot strip of SF-3 zoning along the southeast property line.	5/02/06: Motion to approve MF-6-CO zoning, with a 60 foot height limit, and SF-3 zoning for an area 65 feet from the southeastern property line (5-3, B. Baker, M. Hawthorne, C. Hammond-No, J. Martinez-absent); K. Jackson-1 <sup>st</sup> , B. Baker-2 <sup>nd</sup> .  Motion made to rescind and reconsider previous action (8-0, J. Martinez-absent); K. Jackson-1 <sup>st</sup> , B. Baker-2 <sup>nd</sup> .  Motion to deny the applicant's request for MF-6 zoning (6-2, J. Gohil, S. Hale-No, J. Martinez-absent); K. Jackson-1 <sup>st</sup> , J. Pinnelli-2 <sup>nd</sup> .	6/22/06: Case withdrawn by applicant
C14-02-0088 (Ghodsi Tract: 11820 Jollyville Road)	LO to LR-CO	6/18/02: Approved staff's recommendation of LR-CO zoning, by consent (8-0, A. Adams-absent)	7/18/02: Approved LR-CO, prohibiting the following uses as offered by the applicant: Restaurant (Drive-in, Fast Food), Service Station, Counseling Services, Guidance Services, and Safety Services(7-0); all 3 readings
C14-01-0160 (11851 Jollyville Road)	LO to GO	Withdrawn by applicant on 12/14/01	N/A

C14-99-0040	SF-2 to GO	4/06/99: Approved staff rec. of LO (9-0)	5/06/99: Approved PC rec. of LO (6-0); all 3 readings
C14-97-0118	SF-2 to SF-3	10/07/97: Approved staff's rec. of SF-3 (8-0)	11/06/97: Approved PC rec. of SF-3 (7-0); all 3 readings
C14-97-0067	LO, SF-2 to LO	7/22/97: Approved staff rec. of LO by consent (8-0)	8/21/97: Approved LO (5-0); all 3 readings

**RELATED CASES:** N/A

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Daily Traffic
Bell Avenue	80'	22'	Local	NA

**CITY COUNCIL DATE:** August 29, 2013

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

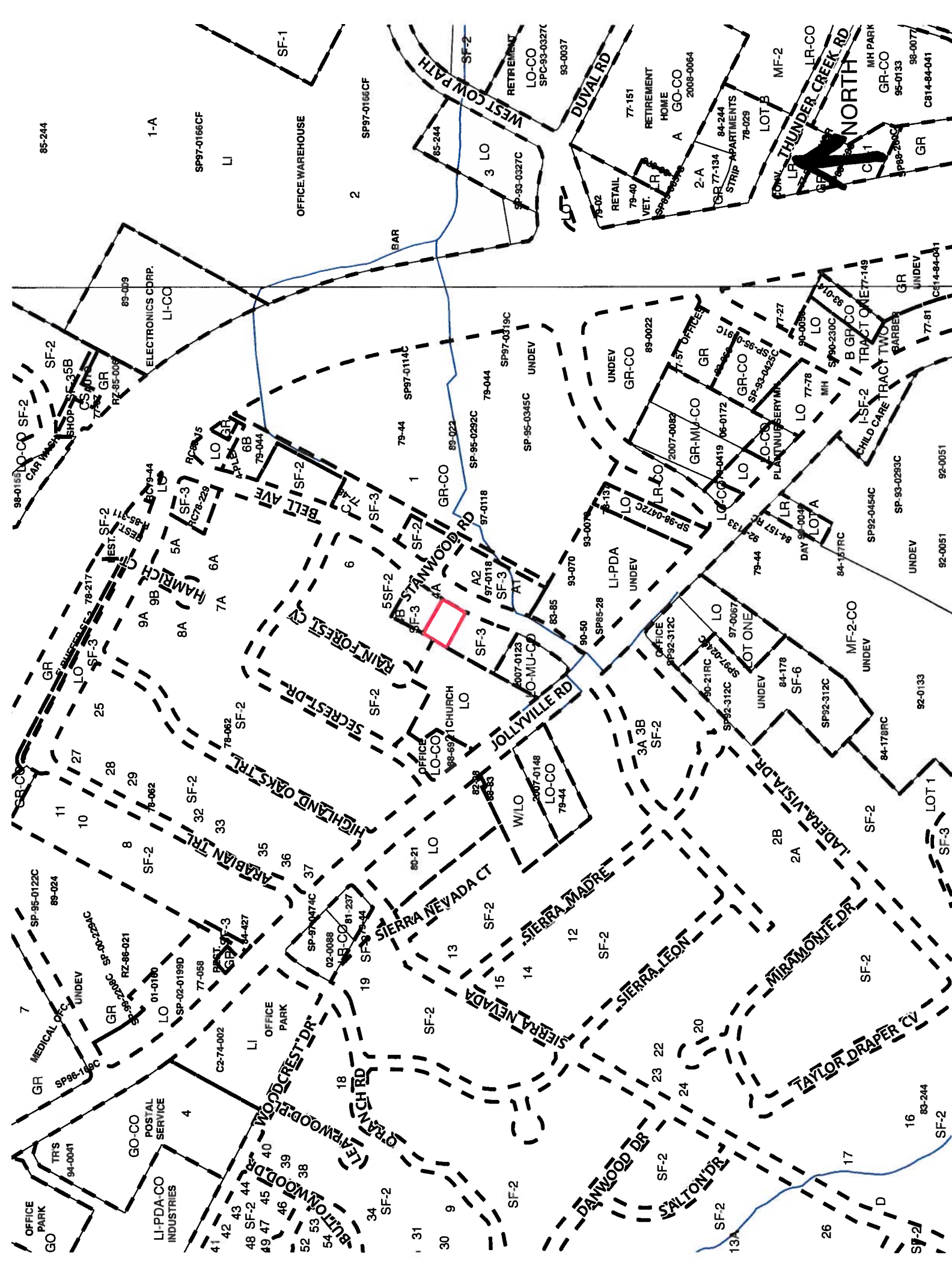
**ORDINANCE NUMBER:** N/A

**CASE MANAGER:** Sherri Sirwaitis

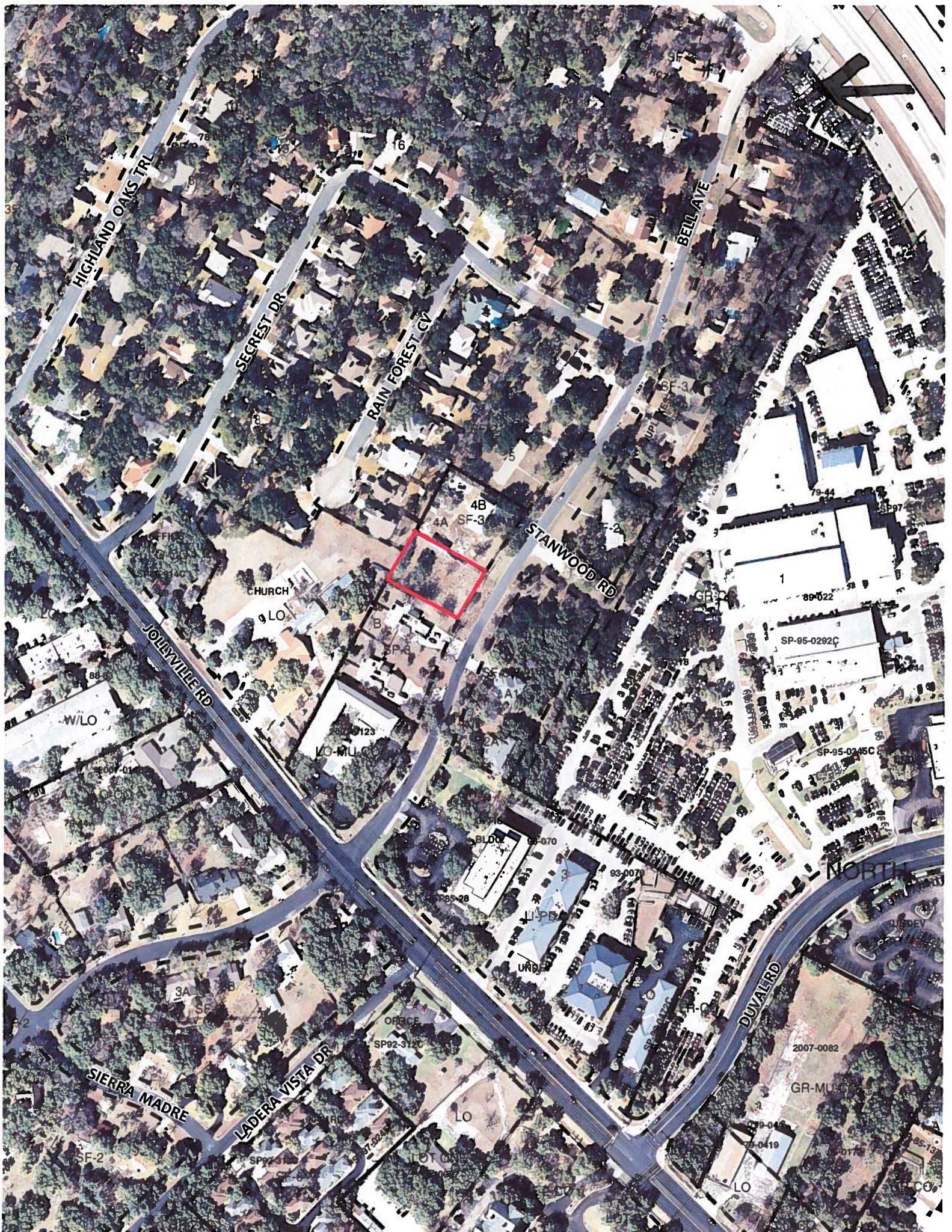
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HIGHLAND OAKS TRL

SECRET DR

RAIN FOREST CT

BELL AVE

STANWOOD RD

JOLLYVILLE RD

LADERA VISTA DR

DUVAL RD

NORTH

SIERRA MADRE

4B  
4A SF-3

CHURCH  
g LO

B  
SP-8

LO-MU  
SP-123

BLDG  
SP-070

SP-28

UPB  
SP-070

OFFICE  
SP-312

Lo

2007-0082

GR-MU

LO

SF-2

SP-312

LOT

SP-0419

SP-0174

85-13

CO



## **STAFF RECOMMENDATION**

The staff's recommendation is to grant SF-3, Family Residence District, zoning.

## **BASIS FOR RECOMMENDATION**

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

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.

- 2. The proposed zoning should promote consistency and orderly planning.*

The proposed zoning is consistent with the existing SF-3 zoned lots to the north, south and east of the site under consideration.

- 3. Zoning should be consistent with approved and existing residential densities.*

There are currently duplex residential structures developed to the south and east of the property in question.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is an undeveloped lot. There is a single-family residential house to the north and duplex residential structures to the south and east. The tract of land to the west is developed with a community center/school use (Asian American Community Center: International School of Knowledge and Wisdom, The Magic Dragon Preschool).

### **Comprehensive Planning**

This zoning case is located on a .32 acre vacant lot on the west side of Bell Avenue and is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes single family houses to the north, south, and east, and the Asian American Cultural Center to the west. The developer wants to build a duplex on the property, which is located within the boundaries of the Summit Oaks (Residential) Subdivision.

### **Imagine Austin**

This property is located over the Edwards Aquifer Recharge Zone, as identified on the Imagine Austin's Environmental Resources Figure 4.1 (p. 99), found in the Image Austin Comprehensive Plan (IACP). An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and "contribute" water to the aquifer.

Regarding development and redevelopment, the overall goal of the IACP is to achieve ‘complete communities’ across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. This property is within the “Other Development within City Limits” Growth Concept Map category. Page 107 of the IACP states, “While most new development will be absorbed by centers and corridors, development will happen in other areas within the city limits to serve neighborhood needs and create complete communities. Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas. The design of new development should be sensitive to and complement its context.” The site is also proximate to Jollyville Road, which is designated as an Activity Corridor.

The following Imagine Austin policies are taken from Chapter 4 of the IACP, which specifically discusses building over environmentally sensitive lands and the promotion of a variety of housing types:

- **LUT P22** Protect Austin’s natural resources and environmental systems by **limiting land use and transportation development in sensitive environmental areas** and preserving areas of open space.
- **CE P2.** Conserve Austin’s natural resources systems by **limiting development in sensitive environmental areas**, including the Edwards Aquifer, its contributing and recharge zones, and endangered species habitat.
- **H P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin’s diverse population.

### **Environmental**

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut 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.

According to flood plain maps there is no flood plain 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.

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.

### **Hill Country Roadway**

The site is not within a Hill Country Roadway Corridor.

### **Impervious Cover**

The maximum impervious cover allowed by the SF-3 zoning district would be 45%. However, if the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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%

### **Site Plan/Compatibility Standards**

No site plan comments for SF-3 zoning.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

### **Transportation**

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

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]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
Bell Avenue	80'	22'	Local	NA



There are no existing sidewalks along Bell Avenue.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Bell Avenue.

Capital Metro bus service (route nos. 982 and 983) is available along Jollyville Road within 0.1 mile from the site.

### **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. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.