

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0052 – Cooper Lane Rezoning **Z.A.P. DATE:** May 20, 2014
June 3, 2014

ADDRESS: 7405, 7409 and 7415 Cooper Lane

OWNER: Dalton Mueller;
Marval Property Investment
(Michael Valenzuela)

AGENT: Thrower Design
(Ron Thrower)

ZONING FROM: SF-2 **TO:** SF-6-CO, as amended **AREA:** 9.87 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant townhouse and condominium residence – conditional overlay (SF-6-CO) combining district. The Conditional Overlay limits development to a maximum of 65 stand-alone units (6.5856 units per acre).

If the requested zoning is recommended for this site, then Staff recommends a Restrictive Covenant and Street Deed to include all recommendations listed in the Neighborhood Traffic Analysis memorandum (revised), dated July 30, 2014, as provided in Attachment A.

ZONING & PLATTING COMMISSION RECOMMENDATION:

May 20, 2014: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JUNE 3, 2014*
[G. ROJAS; C. BANKS – 2ND] (6-0) R. MCDANIEL – ABSENT

June 3, 2014: *APPROVED SF-6-CO DISTRICT ZONING WITH A MAXIMUM OF 65 DWELLING UNITS, 25' VEGETATIVE BUFFER ALONG THE NORTH PROPERTY LINE, RESTRICT USES TO SINGLE FAMILY, TOWNHOUSE AND CONDOMINIUM RESIDENTIAL, AND THE CONDITIONS OF THE NEIGHBORHOOD TRAFFIC ANALYSIS, AND ADDITIONAL CONDITIONS FOR FULL ACCESS TO SIR GAWAIN, SIDEWALKS TO SIR GAWAIN AND COOPER LANE, STUB-OUT TO THE PROPERTY TO THE SOUTH BETWEEN LOTS 43 AND 54 (REFER TO CONCEPT PLAN), TRAFFIC CALMING DEVICE ON PRIVATE STREET CLOSE TO SIR GAWAIN DRIVE, AND SECONDARY ENTRANCE/EXIT TO COOPER LANE.*

[P. SEEGER; C. BANKS – 2ND] (7-0)

ISSUES:

Since the June 3, 2014 Zoning and Platting Commission meeting, Staff has revised the recommendations and conclusions section of the Neighborhood Traffic Analysis which defers the fiscal posting requirements and right-of-way dedication to the subsequent subdivision or site plan stage. Please refer to Attachment A.

The Applicant's agent met with interested neighbors at 6 p.m. on Thursday, May 29, 2014. The Applicant has offered additional conditional overlays and other conditions that exceed Code requirements, as follows: 1) provide a 25' natural vegetation buffer along the north property line, 2) provide two points of access to Cooper Lane, and 3) prohibit access to Sir Gawain Drive.

All correspondence received is located at the back of the Staff packet.

DEPARTMENT COMMENTS:

The subject three platted lots contain single family residences, outbuildings and storage areas and have single family residence – standard lot (SF-2) zoning since 1996. The tract abuts Cooper Lane, classified as a residential collector street and the terminus of Sir Gawain Drive, a local street on the north property boundary. Single family residences within the Buckingham Estates Phase 2, Section 1 subdivision and a convenience storage facility are to the north (SF-2; DR); undeveloped land that has South 1st Street frontage is to the east (DR); and single family residences on large lots and tracts are to the south (SF-2; DR). Single family residences and associated outbuildings, including warehouse structures with a rural character are located on large tracts on the west side of Cooper Lane (DR) and is more rural in character. An unnamed natural channel extends through the eastern portion of the property. Please refer to Exhibits A (Zoning Map), A-1 (Aerial Views), and B (Recorded Plats).

The Applicant proposes to rezone the property to the townhouse and condominium residence – conditional overlay (SF-6-CO) district with the CO for a maximum of 75 stand-alone condominium units, a 2-story height limit and restricting Sir Gawain Drive to emergency access only. A conceptual plan for 64 units, along with drainage features and one vehicular access point to Cooper Lane is provided as Exhibit C. The Applicant's plan does not provide vehicular access to Sir Gawain Drive.

Staff estimates that the current SF-2 zoning on the property would yield over 50 single family residential lots. While SF-6 zoning would allow for the ability to introduce a different type of housing to the area, stand-alone units (i.e. not more than one unit per building) have more of a single family appearance than multiple units per building, and can be compatible with the existing single family residences in the vicinity. To that end, the Staff supports a maximum of 65 stand-alone units, which is more than can be achieved by SF-2 zoning, and less than the Applicant's proposed 75 units.

In consideration of the Applicant's amended rezoning request for SF-6-CO, Staff conducted a neighborhood traffic analysis after the Applicant's submittal of traffic counts on Cooper Lane, and the results and recommendations are presented in Attachment A. The Staff recommendation includes fiscal posting to widen Cooper Lane to 40 feet of pavement along the property's frontage, fiscal posting for a separate left-turn lane and a right-turn deceleration lane for entering site traffic (to be fully implemented at the site plan stage) to keep two-way traffic flow, and dedicating additional right-of-way on Cooper Lane. The Staff recommendation also calls for full (vehicular, bicycle and pedestrian) access to Sir

Gawain Drive, in order to distribute traffic, and promote connectivity between residential developments. (A variance would be required at any subsequent subdivision stage to limit access whether the property retains SF-2 zoning or is rezoned to SF-6). Sir Gawain Drive terminates at the north property line which indicates an intention to connect to this property. In summary, the Staff believes that SF-6-CO zoning with conditions for a maximum of 65 stand-alone units, boundary street fiscal, roadway improvements described above, and dedication along Cooper Lane would provide for a residential development that has a single family character, addresses traffic issues to the extent possible and enables connectivity.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Residences, outbuildings and storage areas
<i>North</i>	SF-2; DR	Single family residences in the Buckingham Estates Phase 2, Section 1 subdivision; Convenience storage
<i>South</i>	DR; SF-2	Single family residences on standard size lots and large tracts
<i>East</i>	DR	Undeveloped
<i>West</i>	DR	Residences, outbuildings and warehouses on large tracts

AREA STUDY: N / A

NTA: Is required – Please refer To Attachment A

WATERSHED: South Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

- 26 – Far South Austin Community Association
- 39 – Matthews Lane Neighborhood Association
- 511 – Austin Neighborhoods Council
- 511 – Onion Creek Homeowners Association
- 742 – Austin Independent School District
- 742 – Homeless Neighborhood Association
- 1075 – Bike Austin
- 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.
- 1340 – Austin Heritage Tree Foundation
- 1363 – SEL Texas
- 1374 – Friends of Williams Elementary
- 1424 – Preservation Austin
- 1429 – Go!Austin / Vamos!Austin (GAVA) – 78745
- 1440 – South Boggy Creek Environmental Association
- 1447 – Friends of the Emma Barrientos MACC

SCHOOLS:

- Williams Elementary School
- Bedichek Middle School
- Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0049 – Cooper Villas – 7805 Cooper Ln	CS-CO to MF-1	To Grant MF-1-CO w/CO prohibiting residential uses	Approved MF-1-CO as ZAP recommended (6- 26-2014).
C14-02-0069 – New Life Assembly of God, Inc. – 7612 Cooper Ln	DR to LO	To Grant NO-MU-CO w/CO limited to day care (general) and permitted SF-2 uses with building and impervious cover limited to SF-2 development regulations.	Apvd NO-MU-CO as ZAP recommended (8- 29-2002).
C14-02-0039 – Della – 7600 ½ Cooper Ln	DR to SF-6	To Grant SF-6-CO, to allow for a telecommunications tower, with SF-2 development standards.	Apvd SF-6-CO zoning as recommended by the Zoning and Platting Commission (6-27-2002).
C14-02-0018 – Della – 7600 ½ Cooper Ln	DR to MF-1	Withdrawn	N/A

RELATED CASES:

The rezoning area was approved for SF-2 zoning on August 8, 1996 (C14-96-0078 – Mueller Zoning Change). The southern one-third of the property is platted as Lot 3 of Mueller Acres recorded on May 30, 1997 (C8-96-0208.0A). The northern two-thirds of the property is platted as the Amended Plat of Lot 1 and Lot 2, Mueller Acres, recorded on July 8, 2005 (C8-05-0071.0A). The original (1997) Mueller Acres plat shows that 5 feet of additional right-of-way was dedicated on Cooper Lane.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Cooper Lane	55 feet	30 feet	Residential Collector (2,947 vpd, 04/2014)	No	Yes	No

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or are recommended along the adjoining streets as follows: Dittmar Road, South First Street, Cooper Lane.

CITY COUNCIL DATE: June 26, 2014

ACTION: Approved a Postponement request by the Applicant to August 7, 2014 (7-0). **Note:** The Council meeting will be located at the Travis County Administration Building, 700 Lavaca St. Commissioners Courtroom, 1st Floor.

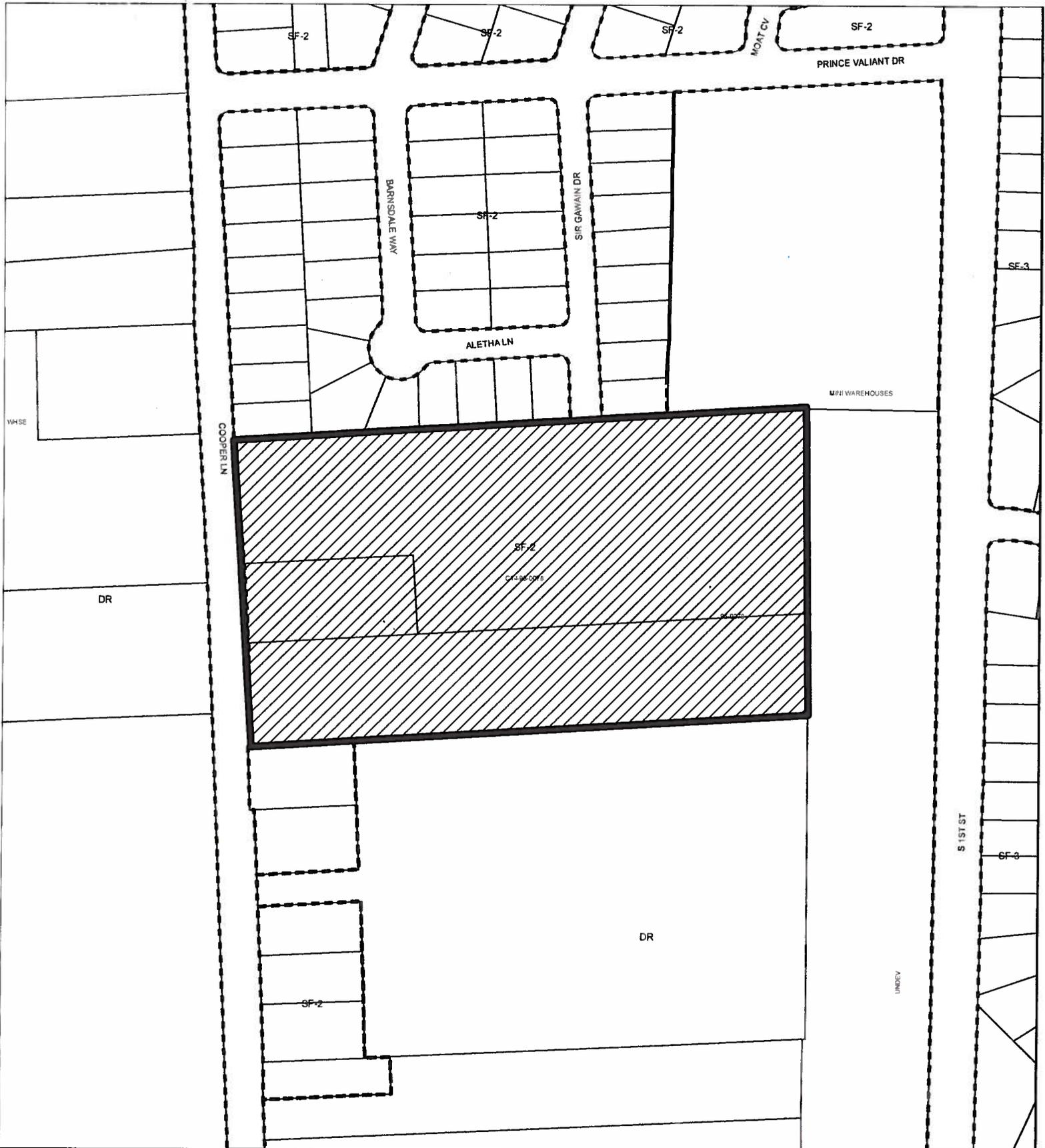
August 7, 2014

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

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

PHONE: 512-974-7719



ZONING

EXHIBIT A

ZONING CASE#: C14-2014-0052



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 200'

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.

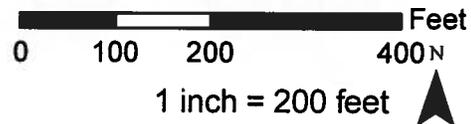


C14-2014-0052 / Cooper Lane Re-zoning



Aerial: 2012-01

Exhibit A - 1 Aerial & Zoning

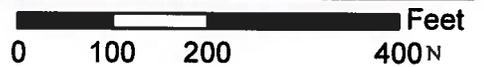


C14-2014-0052 / Cooper Lane Re-Zoning



Aerial: 2012-01
Contours: 2003

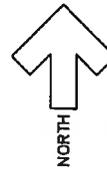
Environmental Features



1 inch = 200 feet 

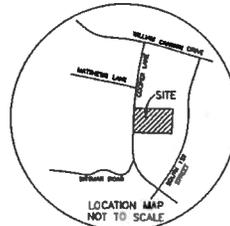
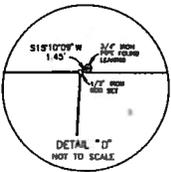
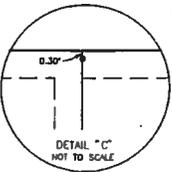
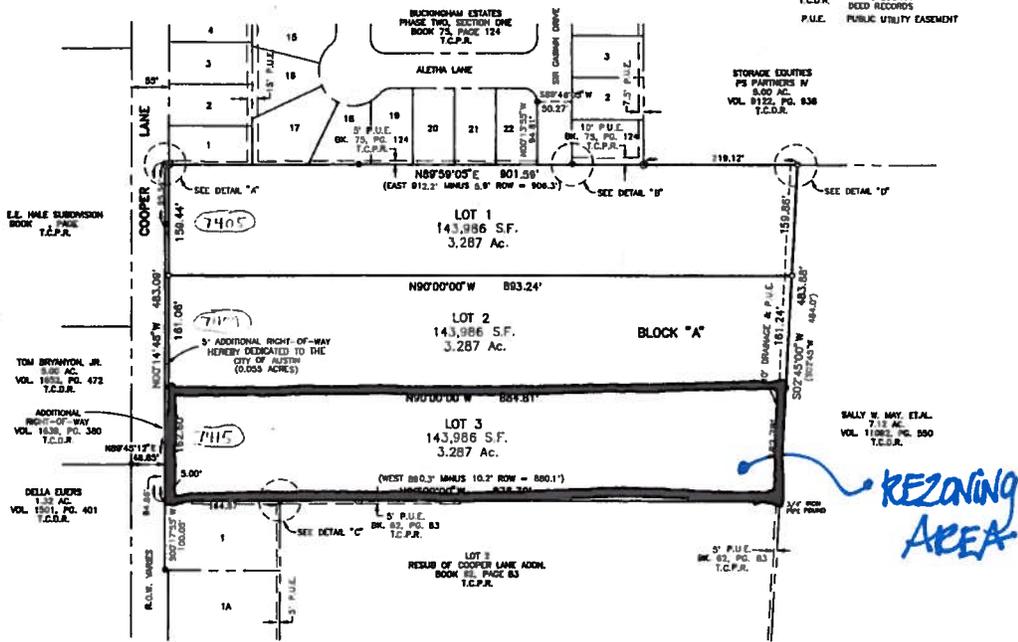
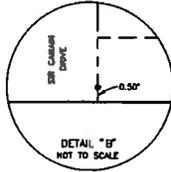
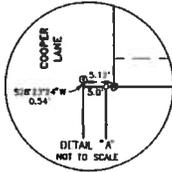
MUELLER ACRES
TRAVIS COUNTY, TEXAS

99 89



LEGEND

- 1/2" IRON PIPE FOUND
- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET
- () RECORD INFORMATION
- T.C.P.R. TRAVIS COUNTY PLAY RECORDS
- T.C.D.R. TRAVIS COUNTY DEED RECORDS
- P.U.E. PUBLIC UTILITY EASEMENT



City of Austin Land Information Systems
 Plat Addressed by 2886
 Completion Date 6-2-97
 Address Questions, call 512-468-2797

9816
 F-15

SHEET 1 OF 2

LIVE OAK SURVEYING
 12905 IRONGATE AVE.
 AUSTIN, TX 78727
 (512) 837-1018

CB-96-0208.0A

ADD 9816

EXHIBIT B
 RECORDED PLAT



Thruway Design
P.O. BOX 1187 • AUSTIN, TEXAS 78768 • (512) 791-4408
LAND PLANNERS

COOPER LANE REZONING
C14-2014-0052

EXHIBIT C
APPLICANT'S CONCEPTUAL
PLAN



MEMORANDUM

TO: Wendy Rhoades, Case Manager
CC: Ron Thrower, Thrower Design
FROM: Amanda Couch, Senior Planner
DATE: July 30th, 2014 (Revised III)
SUBJECT: Neighborhood Traffic Analysis for Cooper Lane
Zoning Case # C14-2014-0052

The transportation section has performed a Neighborhood Traffic Impact Analysis for the above referenced case and offers the following comments.

The 9.87-acre tract is located in south Austin at 7405, 7409, and 7415 Cooper Lane. The site is currently zoned Single Family Residence (SF-2) and is vacant. The north side of the site is predominately comprised of SF-2 with a small portion of DR to the north east used as a storage facility. The east is zoned DR and is vacant. The south is predominately zoned DR and is vacant, with a small portion to the SW of the property zoned SF-2. The zoning request is for Single Family residence (SF-2) to townhouse and condominium residence- conditional overlay as amended (SF-6-CO). The conditional overlay is for a maximum of 75 dwelling units. In order to get a more accurate analysis of the impact of the site on Cooper Lane, the neighborhood traffic analysis incorporates the site that will consist of the 75-unit condominium development.

Roadways

The tract proposes access to Cooper Lane.

Cooper is classified as a residential collector and would provide the main access to the site. The roadway currently has 55 feet of right-of-way and 30 feet of pavement. The roadway has two-lanes without curb and gutter and no sidewalks. On April 22nd, 2014, the traffic volume on Cooper Lane was 2,947 vehicles per day.

Trip Generation and Traffic Analysis

Based on the Institute of Transportation Engineer's publication Trip Generation, the proposed 75 unit multi-family development, with the requested zoning of SF-6-CO, will generate 525 vehicle trips per day.

Table 1.		
Land Use	Size	Unadjusted Trip Generation
Condominium	75 units	525
TOTAL		525

Table 2 represents the expected distribution of the 525 trips:

Table 2.	
Street	Traffic Distribution by Percent
Cooper Lane	100%
TOTAL	100%

Table 3 represents a breakdown of existing traffic on Cooper Lane, proposed site traffic, total traffic after development and percentage increase in traffic on Cooper Lane.

Table 3.				
Street	Existing Traffic (vpd)	Proposed New Site Traffic to each Roadway	Overall Traffic	Percentage Increase in Traffic
Cooper Lane	2,947	525	3,472	15%

According to Section 25-6-116 of the Land Development Code, streets which have between 30 and 40 feet in pavement width are considered to be operating at an undesirable traffic level if the average daily traffic volume for such roadways exceeds 1,800 vehicles per day. Currently, Cooper Lane operates at an undesirable level, which will be exacerbated by the proposed development. By collecting fees to widen the pavement on Cooper Lane, as proposed in Recommendation #1, the desirable operating level for Cooper Lane will increase to 4,000 vpd and would operate at acceptable levels for this portion of the roadway.

Recommendations/Conclusions

1. At time of subdivision or site plan, the applicant should post fiscal for the estimated cost to widen Cooper Lane at the site roadway serving the subdivision to provide a separate left-turn lane for entering site traffic. Turn lanes serving only one project (e.g. left or right turn lanes) are funded 100% by the applicant. The applicant should submit a schematic drawing with dimensions and a construction cost estimate signed and sealed by an engineer to verify the amount required for posting. It is recommended that these improvements be implemented by the applicant to assure safer access and circulation into the subdivision. The roadway improvements should be included with the site plan application and be designed according to the Transportation Criteria Manual.

**After analysis of the fiscal requirements and schematic drawings, the following changes to the recommendations were made:*

- a. *It was concluded that boundary street fiscal and roadway expansion fiscal for turn lanes are one and the same, therefore these fiscal requirements were combined into one recommendation and will be collected at time of site plan.*
 - b. *After engineering analysis of the schematic drawings, it was concluded that the southbound left-turn lane into the development could introduce a turning conflict due to the resulting alignment with the proposed northbound right-turn lane. Therefore, fiscal improvements for the southbound left-turn only will be required.*
2. To mitigate the increase of traffic on Cooper Lane and to encourage connectivity in the area, it is recommended that a vehicular, pedestrian, and bicycle connection be made

to the existing stub-out at Sir Gawain Drive, as a condition of zoning approval. The connection is to be reviewed in the site plan review process.

3. At time of subdivision or site plan, 30 feet of total right-of-way from the existing centerline of Cooper Lane should be dedicated in accordance with the Transportation Criteria Manual.
4. The City Council may deny an application if the neighborhood traffic analysis demonstrates that the traffic generated by the project combined with existing traffic exceeds the desirable operating level established on a residential local or collector street in the neighborhood traffic analysis study area.

If you have any questions or require additional information, please contact me 974-2881.



Amanda Couch
Senior Planner- Transportation Review
Planning and Development Review Department

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant townhouse and condominium residence – conditional overlay (SF-6-CO) combining district. The Conditional Overlay limits development to a maximum of 65 stand-alone units (6.5856 units per acre).

If the requested zoning is recommended for this site, then Staff recommends a Restrictive Covenant to include all recommendations listed in the Neighborhood Traffic Analysis memorandum (revised), dated July 30, 2014, as provided in Attachment A.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The townhouse and condominium residence (SF-6) district is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use.

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

SF-6 zoning would allow for the ability to introduce a different type of housing to the area, stand-alone units (i.e. not more than one unit per building) have more of a single family appearance than multiple units per building, and can be compatible with the existing single family residences in the vicinity. To that end, the Staff supports a maximum of 65 stand-alone units, which is more than can be achieved by SF-2 zoning, and less than the Applicant's proposed 75 units.

The Staff recommendation includes fiscal posting to widen Cooper Lane to 40 feet of pavement along the property's frontage, fiscal posting for a separate left-turn lane and a right-turn deceleration lane for entering site traffic (to be fully implemented at the site plan stage) to keep two-way traffic flow, and dedicating additional right-of-way on Cooper Lane. The Staff recommendation also calls for full (vehicular, bicycle and pedestrian) access to Sir Gawain Drive, in order to distribute traffic, and promote connectivity between residential developments. (A variance would be required at any subsequent subdivision stage to limit access whether the property retains SF-2 zoning or is rezoned to SF-6). Sir Gawain Drive terminates at the north property line which indicates an intention to connect to this property. In summary, the Staff believes that SF-6-CO zoning with conditions for a maximum of 65 stand-alone units, boundary street fiscal, roadway improvements described above, and dedication along Cooper Lane would provide for a residential development that has a single family character, addresses traffic issues to the extent possible and enables connectivity.

EXISTING CONDITIONS

Site Characteristics

The site is developed with residences and associated outbuildings and storage areas. The property slopes gently to the east towards an unnamed natural channel that flows through the eastern portion of the site.

Impervious Cover

The maximum impervious cover allowed by SF-6 zoning district is 55%, a consistent figure between the *zoning and watershed* regulations.

Comprehensive Planning

This zoning case is located on the east side of Cooper Lane and is not located within the boundaries of a neighborhood planning area. This **9.87 acre** parcel is vacant and is surrounded by houses and a convenience storage facility to the north, vacant land and single family housing to the south, vacant land to the east, and single family housing to the west. The proposed use is for stand-alone condominium use, as amended.

Imagine Austin

The comparative scale of the site relative to nearby housing and commercial uses, as well as the site not being located along an Activity Corridor (although S. 1st Street is located approximately 175 ft. to the east, which is identified as an activity corridor) or within an Activity Center (as identified on the Imagine Austin Growth Concept Map), and falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the South Boggy 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. The site is in the Desired Development Zone.

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 Gross Site Area</i>	<i>% of Gross Site Area 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 floodplain maps there is no floodplain within or adjacent to the project location.

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

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 512-974-1876. 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 requires water quality control with increased capture volume and control of the 2-year storm on site.

Transportation

Additional right-of-way 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]

A Neighborhood Traffic Analysis (NTA) is required and will be performed for this project by the Transportation Review staff [LDC, Sec. 25-6-114]. Results are provided in Attachment A.

Water and Wastewater

FYI: 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 proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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

Site plans will be required for any new development other than single-family or duplex residential.

This site is over 2 acres and will consist of more than 9 units, therefore compliance with the Open Space Requirements of Subchapter E, Section 2.7 is required: 5% of the gross site area must be dedicated to open space and pedestrian amenities.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the North, West, and South property lines, the following standards apply:

- 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 at least 15 feet wide 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.
 - for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
 - An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- Additional design regulations will be enforced at the time a site plan is submitted.

Thrower Design

510 S. Congress Avenue, Ste. 207
Mail: P. O. Box 41957
Austin, Texas 78704
(512) 476-4456

May 6, 2014

Ms. Wendy Rhoades
Planner – Zoning Case Manager
Planning & Development Review Department
City of Austin
P.O. Box 1088
Austin, Texas 78767

RE: Cooper Lane rezoning
C14-2014-0052

Dear Wendy,

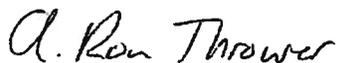
We have been in some dialogue with neighbors to the north and abutting our proposed development area. These discussions have led to us revising the request from “MF-2” to “SF-6” to allow for condominium construction. Additionally, we request the following as conditions to the “SF-6” zoning:

- 1) Vehicular access to Sir Gawain is prohibited except for emergency access. Many of the neighbors have expressed their support to this condition.
- 2) The property is limited to no more than 75 residential units.
- 3) That the development of the property shall not exceed 2-story maximum height.

Please take this letter as the formal modification to the application to reflect the above changes and conditions.

Should you have any questions, please contact me at my office.

Sincerely,



A. Ron Thrower

Tuesday, April 29, 2014
City of Austin, PDR
Wendy Rhoades, Case Manager
Case Number: **C14-2014-0052**
Project Name: **Cooper Lane Re-Zoning**

Mrs. Rhoades,

My family and I have lived in this neighborhood for 15 years now and we knew eventually that some sort of development would be proposed. **We do not oppose the re-zoning change, but would like to ask for some conditions.** I would like to request that the existing 50 foot vegetative buffer behind my house remain so that we can still maintain a sense of privacy. I would also like to request that this development may not be able to have vehicular access to Sir Gawain since it was not included in the application or on the NTA traffic counts. This street is very narrow and we have several people in the neighborhood that park on both sides of the street which already make it hard for two vehicles to get through at one time. We also have small children in the neighborhood that play in the streets often riding their bikes, skate boards or scooters. I do not believe this street will be able to handle this type of traffic. I've lived in Austin for over 25 years and have noticed that the traffic situation is not improving. I am only 8 miles from work and it used to take me 10-15 minutes to get there vs the 30-45 minute commute I have now. Also, there are no traffic signals exiting my subdivision onto South First Street which makes it very hard to merge into the traffic piling up from William Cannon going North on South First. We also have people from William Cannon & South First Street cutting through our subdivision from Cooper Lane to bypass traffic. I believe if we allow this development to come through Sir Gawain it will cause a safety hazard. There have been several people in my neighborhood that have the same concerns. I would like for you, the developer/consultant and the commissioners to take my concerns and conditions into consideration. I appreciate your time.

Conditions Requested

- **50-foot vegetative buffer to remain.**
- **Prohibit vehicular access to Sir Gawain since it wasn't included as an access point on the application or on the NTA traffic counts.**

Sincerely,
Adam G. Casillas
701 Aletha Lane
Austin, Texas 78745
(512)680-3714
Acasillas@dahill.com

Cc: Ron Thrower, Thrower Design Group

Hunter Kelly & Ludmilla McGlamery
707 Aletha Lane
Austin, Texas 78745

May 16, 2014

Ms. Wendy Rhoades
Planner – Zoning Case Manager
Planning & development Review Department
City of Austin
P.O. Box 1088
Austin, Texas 78767

RE: Cooper Lane rezoning
C14-2014-0052

Dear Ms. Rhoades:

I have been in contact and conferred with several residents who live and own properties to the North of the “Cooper Condominium Project.” Also, I have read an e-mail and reviewed a plat of proposed condominiums on vacant land (Cooper Project) immediately South of Aletha Lane, produced by A. Ron Thrower of Thrower Design.

Following are my concerns and concerns voiced by other residents of our neighborhood:

- The first concern is that of traffic to be generated on Cooper Lane as well as Prince Valiant Dr., Sir Gawain Dr. & Barnsdale Way. Mr. Thrower’s information about 503 vehicle trips daily being generated by 75 condo units as compared to 600 vehicle trips per day that would be generated if there were 55 single family units is of no value to us. **What is the vehicle trips per day now? Has there been a survey recently and what were the results?** One does not have to be a traffic engineer to know that Cooper Lane is already a dangerous road with a posted speed limit of 25 miles per hour, which no one is obeying. Furthermore, the roadway and shoulder access is so restricting that it is dangerous for pedestrians and bicycles. I know this first hand! To add **any additional traffic is asking for disaster!** I would think that widening the road with a sidewalk on one side is required before the project is approved! Mr. Thrower’s information states that the “project” includes a sidewalk along their project. This is simply not enough; City of Austin needs to stand up to protect our citizens.
- **Privacy, security and noise control for the residents adjacent to the project to the North.** Mr. Thrower indicates a 25’ set-back and the condominiums will be limited to two-stories in height. Does this mean they will construct their fence 25’ inside their

property? What will happen to the tree-line; will all trees within the 25' be left as is? Or, will they plant new trees? Following is what I **strongly request!** First, at least an 8 ft high fence with sound absorbent quality. Furthermore, the fence must have some features to prevent someone from climbing over to our back yards; such as spikes along the top and no foot holds for climbing. Please take our request serious as they relate to safety and quality of life in an existing neighborhood where there has been very little crime or excessive noise. Increasing the population density will predictably bring in some individuals prone to unacceptable behavior! Also, will the condominiums have windows on the North side of those adjacent to Aletha Lane? We do not want people looking into our back yards and windows for privacy reasons.

- Concerns have been voiced regarding possible access to and from the condominiums via Sir Gawain Dr. Mr. Thrower says it will be limited to emergency access through a “crash” gate, whatever that is. This does not satisfy me! If this is to be a “locked” gate, who will have authority for securing and opening the gate as needed? I have seen such access gates that were left open and people/cars begin using it regularly. Who can we turn to if the gate on Sir Gawain is left open? Increased traffic on Sir Gawain would be very disturbing to the neighbors directly affected! Give us some assurance on this matter!
- Does the City of Austin have statistics regarding property values adjacent to such a large, multifamily project? Take into to consideration that we are an established, single family neighborhood that has been adjacent to sparsely populated land for many years. Comparing our situation to other projects where there is no adjacent, established neighborhoods is not a valid comparison.
- Increased flooding potential from loss of permeable ground cover and loss of wildlife habitat in the South Boggy Creek watershed has been voiced. I see a “Pond” on the plat and presume it is a drainage retention pond. I am certainly not an expert on this subject except what I have seen living here for 30 years. I have seen no flooding at our location, even though some very heavy rains, including 13 inches one night over 7 years ago. The drainage on our property flows to the East, toward the creek/ditch that flows through the storage business on S. 1st Street. That creek has overflowed Prince Valiant on several occasions, even after extensive drainage work done by the City. The cause for that is that the creek needs to be cleared of dead trees and debris to the North of Prince Valiant, which collects and obstructs drainage through the storm drains. Downstream from our location is another matter the City needs to address.

I am asking that the City of Austin take seriously our concerns that will affect the quality of life for our neighborhood.

Sincerely,

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.austintexas.gov

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: C14-2014-0052
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: May 20, 2014, Zoning and Platting Commission
June 26, 2014, City Council

BARRY B. ALEXANDER
Your Name (please print)

I am in favor
 I object

7400 CORPERS LN.

Your address(es) affected by this application

Barry B. Alexander
Signature

5/13/14
Date

Daytime Telephone: (512) 573-5479

Comments: 2 LANE ROAD INADEQUATE FOR
INCREASED TRAFFIC / SAFETY (CORPERS LN)
- DESTROYS NEIGHBORHOOD INTEGRITY

- SETS A PRECEDENT - IF YOU ALLOW
THIS, YOU'LL ALLOW IT ALL UP & DOWN THE
STREET

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

INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / re zonificación será repasada y acción será tomada de acuerdo a dos audiencias públicas: ante la Comisión de Usos Urbanos y el cabildo municipal. Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al proposito desarrollo urbano o cambio de zonificación. Usted también puede contactar a una organización de protección al medio ambiente u organización de vecinos que haya expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rézonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la *Internet*:

www.austintexas.gov

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Numero de caso: C14-2014-0052

Persona designada: Wendy Rhoades, 512-974-7719

Audiencia Publica: May 20, 2014, Zoning and Platting Commission
June 26, 2014, City Council

YIMONK THEPSONMANE
Su nombre (en letra de molde)

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

7317 COOPER LN

Su domicilio(s) afectado(s) por esta solicitud


Firma

5/16/14
Fecha

Daytime Telephone: 512 443-1462

Comments: The proposed project will increase traffic to the area, and will create work, privacy and security issues. Cooper had is narrower and has no side walks, and will create a dangerous environment for children and their families.

Si usted usa esta forma para proveer comentarios, puede retornarlos :
City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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.austintexas.gov

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: C14-2014-0052

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: May 20, 2014, Zoning and Platting Commission

June 26, 2014, City Council

Rod & Linda Harvey
Your Name (please print)

<input type="checkbox"/> I am in favor
<input checked="" type="checkbox"/> I object

7213 Barnsdale Way, Austin, TX 78745
Your address(es) affected by this application

Quora Harvey 5/16/14
Signature Date

Daytime Telephone: 512-415-2426

Comments: Concerned about increased traffic on Cooper Lane, which is a narrow two-lane street with no sidewalks or shoulders in that area.

Also concerned about increased traffic in the

adjacent Buckingham Estates neighborhood: on

Prince Valiant Drive to get to/from South West Street,

Will the new development have access to enter/exit on Sir Sawain Drive, which is now closed at the end.

Increase flooding potential because of loss of

permeable ground.

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

The ditch close to S. West Street currently floods Prince Valiant during heavy rain.

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.austintexas.gov

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: C14-2014-0052

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: May 20, 2014, Zoning and Platting Commission

June 26, 2014, City Council

Honorina Chavez

Your Name (please print)

709 Aletha Ln

Your address(es) affected by this application

HChz

Signature

Daytime Telephone: 512 433-0180

5/14/14
Date

I am in favor
 Object

Comments:

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

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.austintexas.gov

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: C14-2014-0052
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: May 20, 2014, Zoning and Platting Commission
June 26, 2014, City Council

Maria Madrigal
Your Name (please print)

I am in favor
 I object

709 Alethra Ln
Your address(es) affected by this application

Maria Madrigal
Signature

5/14/14
Date

Daytime Telephone: 512-433-0182

Comments: _____

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

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: C14-2014-0052

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: May 20, 2014, Zoning and Platting Commission
June 26, 2014, City Council**

Eric + Kate Driskell, Steve Ransom, Paige Carroll

Your Name (please print)

7408 Cooper Ln., 78745

Your address(es) affected by this application

Kate Driskell

Signature

I am in favor
 I object

5/18/2014

Date

Daytime Telephone: 512-751-6110

Comments:

I and my siblings who co-own this property are NOT in favor of this zoning change as it will drastically affect our property value and our chances of resale in the future. It will also greatly increase the noise level and traffic congestion on Cooper Ln. which is ill prepared for it. The egress for the proposed development would apparently be directly across from our

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

property, and our neighbor's property next door which is unacceptable.

Thrower Design

510 S. Congress Avenue, Ste. 207
Mail: P. O. Box 41957
Austin, Texas 78704
(512) 476-4456

May 30, 2014

Ms. Wendy Rhoades
Planner – Zoning Case Manager
Planning & Development Review Department
City of Austin
P.O. Box 1088
Austin, Texas 78767

RE: Cooper Lane rezoning
C14-2014-0052

Dear Wendy,

On May 29, 2014, we attended a meeting with approximately 30 neighbors in the vicinity of the above referenced project. We presented the attached conceptual plan for the development and had meaningful dialogue about the project, access to Cooper Lane and Sir Gawain Drive, drainage, utilities, compatibility, vegetation, and many other items of discussion. While no vote was intended to be tallied, it is fair to assess the majority of the residents to be in favor of the rezoning in lieu of alternate potential development of the land in exchange for conditions on the property to be incorporated into the zoning ordinance for the property. These conditions are as follows:

- 1) Rezoning of the property to "SF-6", Condominium and Townhome Residence.
- 2) A 25' natural vegetation buffer will remain to the maximum extent practical other than to extend utilities to the subject property.
- 3) The development will take access to Cooper Lane with two points of access to the roadway.
- 4) Access to Sir Gawain is prohibited.
- 5) The improvements to Cooper Lane as outlined in the City staff report.
- 6) Sidewalks will be constructed along the frontage of the property.
- 7) It was expressed at the meeting that the maximum height of the structures would be 35' as allowed by the zoning regulations of the "SF-6" zoning district. In a letter to you dated May 6th, 2014, we had offered a limitation of the height of 2-stories maximum which we intend to keep that restriction offered as a condition.

We desire to have the maximum number of units at 75 as indicated in the May 6th letter. The maximum number of units was not addressed in last night's meeting with the neighbors.

There will be many neighbors wishing to speak at the hearings in regards to the rezoning request and the above stated conditions. You will find that majority of the neighbors are supportive of the request with the above stated conditions that were discussed at the neighborhood meeting.

Milestone Community Builders and I want to thank the neighbors for the meeting and the meaningful dialogue expressed at the meeting and the emails we have received over the past few weeks. It is evident that the neighbors are passionate about the area and have a high level of care and concern about the development of this particular property. We believe that their support is essential for the appropriate development of this property and the surrounding area.

Please take this letter as the formal modification to the application to reflect the above changes and conditions.

Should you have any questions, please contact me at my office.

Sincerely,

A handwritten signature in cursive script that reads "A. Ron Thrower".

A. Ron Thrower

Rhoades, Wendy

From: Ron Thrower <[REDACTED]>
Sent: Wednesday, June 18, 2014 2:03 PM
To: Rhoades, Wendy; Guernsey, Greg
Cc: Bojo, Leah; Williams, Nancy; Moore, Andrew; Tiemann, Donna; Harden, Joi; Anderson, Greg; Gerbracht, Heidi
Subject: Cooper Lane Rezoning - Item 105 - June 26th Agenda

All,

In the interest to save time, we respectfully request a postponement to the August 7th City Council agenda providing this case can be early on the 2:00 agenda for item to be heard. There are a lot of people (20 or so) that will attend in support from the neighborhood which is a strong working class, family valued neighborhood. I would appreciate your consideration of their time commitments in attending a public hearing associated with this zoning case.

Thank you for your consideration of this postponement and request for this case to be early on the agenda.

Ron Thrower

Thrower Design

510 South Congress Avenue, Suite 207

Mail: P.O. Box 41957

Austin, Texas 78704

512-476-4456 office

CONFIDENTIALITY NOTICE: This communication is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient, you are notified that any use, dissemination, distribution, or copying of this communication or any attachment is strictly prohibited. In such an event, please contact the sender immediately and delete all copies of this communication and any attachment.