

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0128 – The Vistas of Western Hills **Z.A.P. DATE:** September 16, 2014
November 4, 2014

ADDRESS: 2910 West William Cannon Drive

OWNER: Umstattd Investments
(James Umstattd)

AGENT: Garrett-Ihnen Civil Engineers, Inc.
(Norma Raven Divine)

ZONING FROM: SF-2

TO: MF-2

AREA: 1.91 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant multi-family residence-low density – conditional overlay (MF-2-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for William Cannon Drive. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from the existing centerline of William Cannon in accordance with the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].

ZONING AND PLATTING COMMISSION RECOMMENDATION:

September 16, 2014: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO NOVEMBER 4, 2014. NOTE: MEETING TO BE HELD AT CITY COUNCIL CHAMBERS.*

[C. BANKS; R. MCDANIEL – 2ND] (6-0) P. SEEGER – ABSENT

November 4, 2014: *APPROVED MF-2-CO DISTRICT ZONING WITH ADDITIONAL RIGHT-OF-WAY ON WEST WILLIAM CANNON DRIVE AS STAFF RECOMMENDED*
[S. COMPTON; R. MCDANIEL – 2ND] (5-2) B. BAKER; J. GOODMAN – NAY

ISSUES:

The case was re-notified for the November 4, 2014 Zoning and Platting Commission meeting in order to identify the change in location from the City Council Chambers to the One Texas Center, 505 Barton Springs Road, 3rd Floor.

DEPARTMENT COMMENTS:

The subject lot is located on the West William Cannon Drive west of its intersection with Deatonhill Drive and has single family residence – standard lot (SF-2) district zoning. The property contained a sports court that has been available to the residents of the adjacent condominiums to the east and there is currently a retaining wall along the William Cannon frontage. There are condominiums adjacent to the east (MF-2), apartments and a church

across William Cannon Drive to the south (LO; LO-CO), and apartments to the west (MF-2-CO). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant proposes to rezone the lot to the multi-family residence – low density (MF-2) district in order to develop the property with 8 condominium units. Ingress and egress to the site will be taken by way of a driveway from William Cannon.

Staff thinks the rezoning request is consistent and appropriate in the context of the surrounding zoning and land uses, and roadway. The property has access to a major arterial roadway and is adjacent to other MF-2 zoned properties developed with condominiums and apartments. The Conditional Overlay (CO) is for a 2,000 daily vehicle trip limit and right-of-way dedication is required on West William Cannon Drive.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Sports court
<i>North</i>	MF-2	Apartments
<i>South</i>	LO-CO	Church; Apartments
<i>East</i>	MF-2	Condominiums; Service station w/food sales; Apartments
<i>West</i>	MF-2-CO	Apartments

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Williamson Creek – **DESIRED DEVELOPMENT ZONE:** No
Barton Springs Zone – Recharge Zone

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

12 – Brodie Lane Homeowners Association	511 – Austin Neighborhoods Council
627 – Onion Creek Homeowners Association	742 – Austin Independent School District
943 – Save Our Springs Alliance	997 – Tanglewood Oaks Owners Assn.
1037 – Homeless Neighborhood Association	1075 – Bike Austin
1200 – Super Duper Neighborhood Objectors and Appealers Organization	
1228 – Sierra Group, Austin Regional Group	
1236 – The Real Estate Council of Austin, Inc.	1340 – Austin Heritage Tree Foundation
1363 – SEL Texas	1408 – Go! Austin/Vamos! Austin (GAVA)-78745
1424 – Preservation Austin	1447 – Friends of the Emma Barrientos MACC

SCHOOLS:

Sunset Valley Elementary School Covington Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-95-0106 – Jubilee Christian Center - 2903 - 3011 Block of W William Cannon Dr	SF-2 to LO	To Grant LO-CO with conditions	Apvd LO-CO w/CO for 2,000 trips/day (04-11-1996).
C14-95-0109 – 2900-3200 Block of W William Cannon Dr	SF-2 to RR	To Grant RR-CO	Apvd RR-CO w/CO prohibiting community recreation (private and public), club or lodge, kennels, safety services, stables and telecommunications tower (06-27-1996).
C14-94-0147 – Cherry Creek – 2900-3200 William Cannon Dr (even #s).	SF-2 to MF	Apvd MF-2-CO w/conds & direct Staff to initiate rezoning on adjacent greenbelt area zoned SF-2 (see C14-95-0109)	Apvd MF-2-CO w/CO for 12.44 units per acre (08-03-1995).
C14-73-240 – Cannon West Shopping Center (Both sides of William Cannon)	Interim A Residence, First Height and Area to BB Residence, First Height and Area (Tract E, adjacent to east)		Apvd BB Residence, First Height and Area (06-20-1974). Note: This converted to MF-2 zoning in 1984.

RELATED CASES:

The property was annexed into the full-purpose City limits on January 11, 1979 (C7a-78-007 – Ordinance No. 790111-D).

A rezoning application on the subject property was filed with the City in 1981, but was withdrawn by the Applicant (C14-81-124).

The subject rezoning area is platted as Lot 59 of Western Hills subdivision, recorded in January 1953 (C8-1953-2104 – Western Hills). Please refer to Exhibit B. There are no site plan applications approved or in process on the subject property.

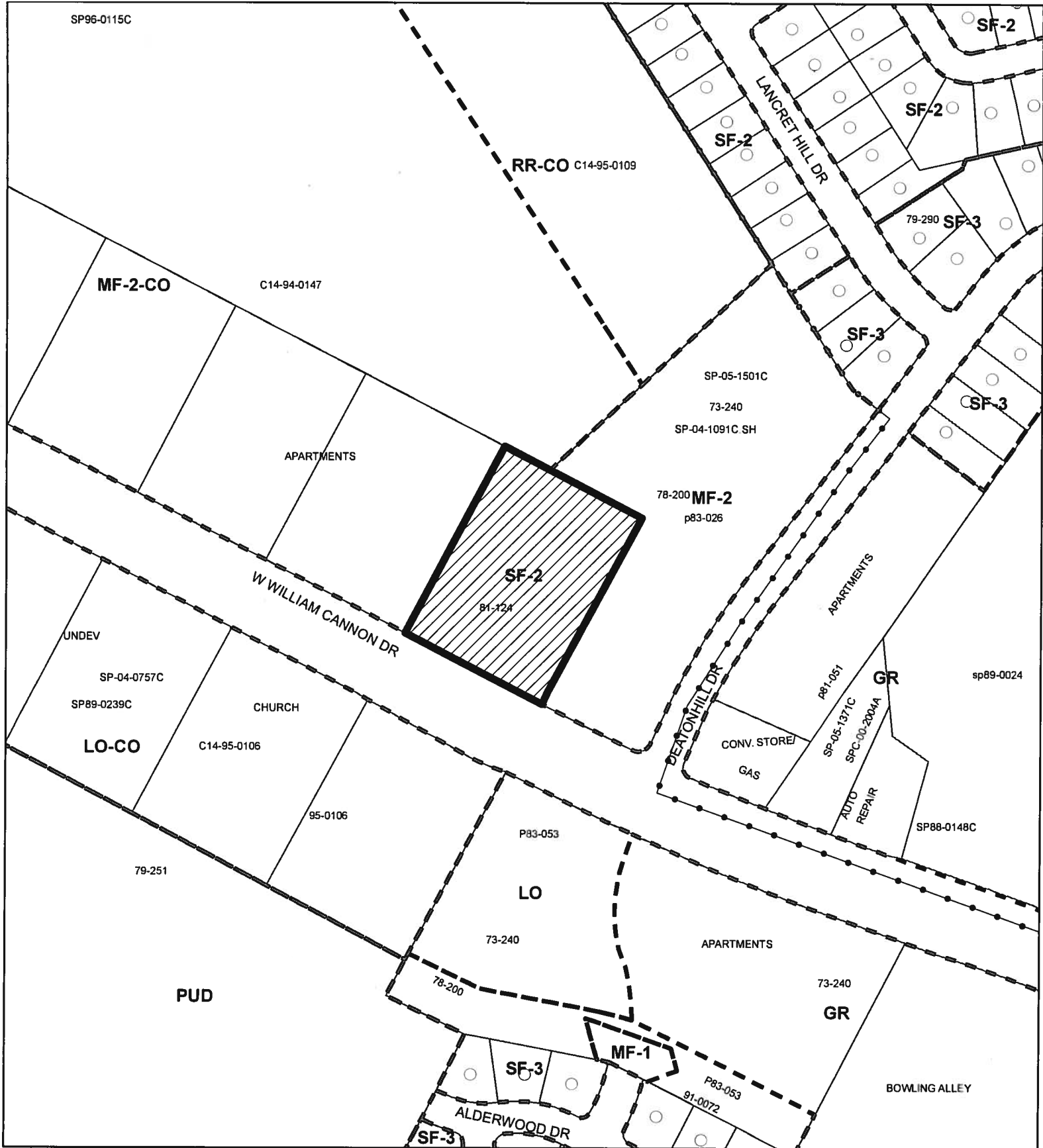
ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
West William Cannon Drive	120 feet	82 feet	Arterial	Yes	Yes	Yes

CITY COUNCIL DATE: October 16, 2014**ACTION:** Approved a Postponement request by Staff to November 20, 2014 (7-0).

November 20, 2014

ORDINANCE READINGS: 1st 2nd 3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov**PHONE:** 512-974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
CASE#: C14-2014-0128

Exhibit A

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.





Walden Hills

REZONING AREA

C8-1953-2104

5: A and Records
127 1817 2nd Period

EXHIBIT B
RECORDED PLAT

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant multi-family residence-low density – conditional overlay (MF-2-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for William Cannon Drive. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from the existing centerline of William Cannon in accordance with the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The multi-family residence low density (MF-2) district is intended to accommodate multifamily use with a maximum density of up to 23 units per acre, depending on unit size. This district is appropriate given its location near supporting transportation and commercial facilities.

2. Intensive multi-family zoning should be located on major arterials and highways.

Staff thinks the rezoning request is consistent and appropriate in the context of the surrounding zoning and land uses, and roadway. The property has access to a major arterial roadway and is adjacent to other MF-2 zoned properties developed with condominiums and apartments. The Conditional Overlay (CO) is for a 2,000 daily vehicle trip limit and right-of-way dedication is required on West William Cannon Drive.

EXISTING CONDITIONS**Site Characteristics**

The rezoning area is developed with a sports court that was at one time used by residents of the adjacent condominiums to the east and portions are densely vegetated. The property slopes downward from north to south, towards William Cannon Drive.

Impervious Cover

Within the Recharge Zone portion of the Williamson Creek watershed, the maximum impervious cover allowed by the SF-5 zoning district would be 15% (13,068 square feet), which is based on the more restrictive watershed regulations.

Comprehensive Planning

This zoning case is located on the north side of West William Cannon Drive, on an undeveloped parcel that is approximately 1.9 acres in size, which is just located just outside

the boundaries of the South Austin Combined Neighborhood Planning Area. Surrounding land uses include apartments to the north, east and west, and a church to the south. The proposed zoning is multi-family.

Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP), identifies this property as being along an **Activity Corridor**. Activity Corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, **apartments**, public buildings, houses of worship, mixed-use buildings, and offices. The site is also situated over the Barton Springs Zone and the Edwards Aquifer Recharge Zone as identified on the Imagine Austin's Environmental Resources Map, found in the Image Austin Comprehensive Plan (IACP). However, based on the comparative scale of this site relative to other multi-family uses along this busy corridor, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning, as long as environmental ordinances are considered and enforced.

Environmental

This site is located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the Recharge Zone.

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. Runoff from the site is required to comply with pollutant load restrictions as specified in Land Development Code.

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for William Cannon. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from the existing centerline of William Cannon in accordance with the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day [LDC, 25-6-117].

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, dedicated bike lanes are recommended along the adjoining streets as follows: William Cannon Drive.

Chad Crager in the Public Works Department and Eric Bollich in the Austin Transportation Department may have additional comments regarding multi-modal facility enhancements.

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 and suitability for operation and maintenance. 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.

Site Plan and Compatibility Standards

Compatibility standards are required for any project within 540 feet of SF-5 zoning district or land use permitted within the SF-5 or more restrictive zoning district. SF-2 zoning district property is located approximately 390 feet to the north of the subject tract.

Parkland fees are required and will be paid during the site plan process.

Private common open space is required, as per Subchapter E, Section 2.7.

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:
<http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2014-0128

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: September 16, 2014, Zoning and Platting Commission
October 16, 2014, City Council**

Bryan LeMelleur

Your Name (please print)

3014 W. William Cannon Dr.

Your address(es) affected by this application

☒ I am in favor
☐ I object

9-10-14

Signature

Date

Daytime Telephone: *830-456-9308*

Comments:

My first thought on this matter was "Are they for real? Who would want to build a home in between two apartment complexes?" Then I realized it's just the typical red tape. Yes, I am for this zoning change. Anyone with a lick of common sense should be as well. We need more housing in the city, and the land is sitting undeveloped and unkempt. Let's do the right thing - the smart thing, and approve this change.

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

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Contact: Wendy Rhoades, 512-974-7719

Public Hearing: September 16, 2014, Zoning and Platting Commission

October 16, 2014, City Council

Rebecca Lee Varrady
Your Name (please print)

☐ I am in favor
☐ I object

2809 W. William Cannon, C208
Your address(es) affected by this application

Rebecca Lee Varrady
Signature

6 Sep 2014
Date

Daytime Telephone: 440-823-1356

Comments: if these will be condo yrs but
apartments NO! we don't need
apartments we need affordable
housing so people want to stay and
raise a family.

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

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Case Number: C14-2014-0128

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: September 16, 2014, Zoning and Platting Commission
October 16, 2014, City Council

JENNIFER JUNICL
Your Name (please print)

☐ I am in favor
☒ I object

6903 DEATON HILL DR #35

Your address(es) affected by this application



Signature

9/12/14

Date

Daytime Telephone: 702.301.4224

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

Rhoades, Wendy

From: Julie . [REDACTED]
Sent: Sunday, September 21, 2014 7:16 PM
To: Rhoades, Wendy
Subject: Please do not approve development at 2910 West William Cannon Drive 78745
Attachments: IMG_0277.JPG; IMG_0276.JPG

September 20, 2014

City of Austin Planning and Development Review Department Attention: Ms. Wendy Rhoades

I am writing to you today to voice my opposition to the proposed project at 2910 West William Cannon Drive Austin, TX 78745. I believe the case number is C14-2014-0128, Title: The Vistas of Western Hills.

My family owns a condominium at 6810 Deatonhill Unit 303, Austin TX 78745, in the Victory Hill Condominium complex. A group of Victory Hill homeowners met this past week, and agreed that we are all very concerned about this project.

The concerns of the owners of the Victory Hill Condominium are: how close the new development will be to the back of our complex, how much noise will be generated during construction, how many units are being proposed in. We are also concerned about the safety of in/out traffic at the blind spot at the crest of the hill.

Main concern, however, is whether the new construction would destabilize the hillside.

Are you aware of the problems that our neighboring complex, the Deaton Hill Condominium complex, has had with hillside instability and foundation issues? We are very concerned that if the hillside down the hill from us is going to be aggressively dug into, will it cause our complex to shift? We have unfortunate example at the condos across the street, the Flagstone, have also had foundation issues due to a ground movement. It would seem that more development on this hill would be ill advised.

The homeowners are also concerned with the impact of proposed development on wildlife: deer, nesting birds, frogs, and others. We are concerned about hillside erosion, and any potential hazards to the watershed.

And finally, the greenbelt view is a very important feature for homeowners. Without it the monetary value of the units that currently have this view, will drop drastically. Before all of those mature trees get torn down, destroying the environmentally irreplaceable area, we all are asking you: Please reconsider approving the lot at 2910 West William Cannon Dr. for development.

Sincerely,

Inna Babbitt
Owner, 6810 Deatonhill, #303.





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Case Number: C14-2014-0128

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Nov 4, 2014, Zoning and Platting Commission

Nov 20, 2014, City Council

Linda Stanchak
Your Name (please print)

6810 Deatonhill #217
Your address(es) affected by this application

Linda Stanchak
Signature

10-30-14
Date

512 442-2408
Daytime Telephone:

512 442-2408
Daytime Telephone:

Comments: I object to the rezone
for the following reasons:

1. Creates a hazard to the
traffic on Wm. Cannon & the owners
of Deatonhill & Victory Hill Candor
will not allow access to this
property from our drive.

2. The development may cause
damage to our property - land shift,
water drainage

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

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Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Nov 4, 2014, Zoning and Platting Commission

Nov 20, 2014, City Council

Dominique DUTARTE

Your Name (please print)

☐ I am in favor

☒ I object

6810 Deston hill #115

Your address(es) affected by this application

78745 Austin

Dutarte

Signature

11/4/2014

Date

Daytime Telephone: 512 426 0805

Comments: Accessing this new development through William Canyon seems very hazardous and dangerous (visibility) so it is more than likely that if the developers obtain a zoning change they will not want to access their units through 6810 Deston hill Dr (History Hill Condos) This is where my condo is. A similar scenario happened with Destonhill Condos who now access their units through our driveway creating a lot of traffic, conflicts and affecting the value of my property (as I do not want this to happen again this time). Thank you! Another developer!!!

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810