

ZONING CHANGE REVIEW SHEET

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CASE: C14-2014-0170 – Hidden Valley, Section 1: Montview Harbor

Z.A.P. / P.C. DATE: December 2, 2014

ADDRESS: Tract 1: 3411 Blue Jay Lane
Tract 2: 13918 Hummingbird Lane at Echo Lane

OWNER/APPLICANT: Mary Ann Baker and Eric Hoffmaster

AGENT: Mary Ann Baker and Eric Hoffmaster

ZONING (Tract 1) FROM: LA **TO:** SF-1 **AREA:** .801 acres (34,892 sq. ft.)
ZONING (Tract 2) FROM: LA and DR **TO:** LA **AREA:** 1.25 acres (54,450 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant Single Family Residence – large lot (SF-1) zoning on Tract 1 and to grant Lake Austin Residence (LA) zoning for all of Tract 2.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The subject tracts have a pending subdivision case at this time. *This* zoning case has been initiated due to staff review comments provided for the subdivision case (C8-2014-0053.0A).

Tract 1, located at 3411 Blue Jay Lane consists of 4 parcels of land and is developed with a single-family residential structure on the most northern parcel. Tract 2, located at 13918 Hummingbird Lane, consists of 3 parcels of land that are undeveloped. Both Tracts are heavily wooded with terrain that slopes towards the creek resulting in a difference of 50 feet in elevation/topography for each tract. Bear Creek West is the boundary between the two tracts.

The owner of Tract 1 does not have any plans for additional development at this time. Despite a previous intent to develop the property, the owner of Tract 2 is currently trying to sell the property. The sale of the property cannot take place until the subdivision issues are addressed.

Both tracts are within the Lake Austin Overlay District which maintains LA site development standards, regardless of the base zoning district. Hence, the zoning change for Tract 1 will not grant any additional development entitlements. The zoning change for Tract 2 will provide an increase in the net square footage that would be used in calculating impervious cover limits and other site development regulations for a property in the LA base zoning. It does not appear that the zoning changes for each tract will result in much, if any, change in the potential for development. Regardless, Staff is recommending the zoning changes because the land uses allowed by the LA and

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SF-1 base zoning districts are appropriate and consistent with the residential uses on the adjacent and surrounding properties.

ISSUES:

According to a deed provided by the Applicant, there was an exchange of land between two previous owners of the subject tracts in 1964. The exchange of land was not recorded legally and has resulted in issues pertaining to the proposed subdivision for these two tracts that is under staff review. The current property owners are seeking this zoning change in order to comply with the site development requirements necessary for a subdivision or amended plat case.

There are significant environmental constraints on this site that could greatly impact the potential for future development. Please see the Environmental Review section of this report for further detail.

Both tracts are within the Lake Austin Overlay District. Additionally, both tracts are mostly, if not completely, in either the Critical Water Quality Zone (CWQZ) or the Transition Zone to the CWQZ.

EXISTING ZONING AND LAND USES:

Tract 1

	ZONING	LAND USES
<i>Site</i>	LA	Single-Family Residential
<i>North</i>	LA	Undeveloped
<i>South</i>	LA	Undeveloped
<i>East</i>	LA	Undeveloped
<i>West</i>	LA	Single-Family Residential

Tract 2

	ZONING	LAND USES
<i>Site</i>	LA	Undeveloped
<i>North</i>	LA	Single-Family Residential
<i>South</i>	DR and LA	Single-Family Residential
<i>East</i>	DR	Single-Family Residential
<i>West</i>	LA	Single-Family Residential

NEIGHBORHOOD PLANNING AREA: n/a

TIA: not required

WATERSHED: Bear Creek West, Lake Austin – Water Supply Rural

DESIRED DEVELOPMENT ZONE: no

CAPITOL VIEW CORRIDOR: no

HILL COUNTRY ROADWAY: no

NEIGHBORHOOD ORGANIZATIONS:

- 1236 The Real Estate Council of Austin, Inc.
- 269 Long Canyon Homeowners Assn.
- 762 Steiner Ranch Community Association

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- 1361 Steiner Ranch Neighborhood Association
- 1075 Bike Austin
- 1340 Austin Heritage Tree Foundation
- 1228 Sierra Club, Austin Regional Group
- 1169 Lake Austin Collective
- 1239 Leander ISD Population and Survey Analysts
- 1363 SEL TEXAS

SCHOOLS: Leander I.S.D.

Steiner Ranch Elementary School Canyon Ridge Middle School Vandegrift High School

CASE HISTORIES:

There are no recent case histories in the vicinity of the subject rezoning case.

RELATED CASES:

A subdivision case has been filed and is in review for the subject property (C8-2014-0053.0A). This zoning application was initiated as a result of staff review comments in the subdivision comment report.

The property was originally annexed into the Limited Purpose Jurisdiction of the City of Austin in 1982 under C7A-82-002. The existing LA zoning was assigned following completion of the Lake Austin Area Study in 1984. The DR zoning was assigned at the time the property was annexed.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within 1/4 mile)
Blue Jay Lane	50'	20'	Local	No	No	No
Hummingbird Lane	50'	17'	Local	No	No	No
Echo Lane	50'	17'	Local	No	No	No

CITY COUNCIL DATE: January 29, 2015

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

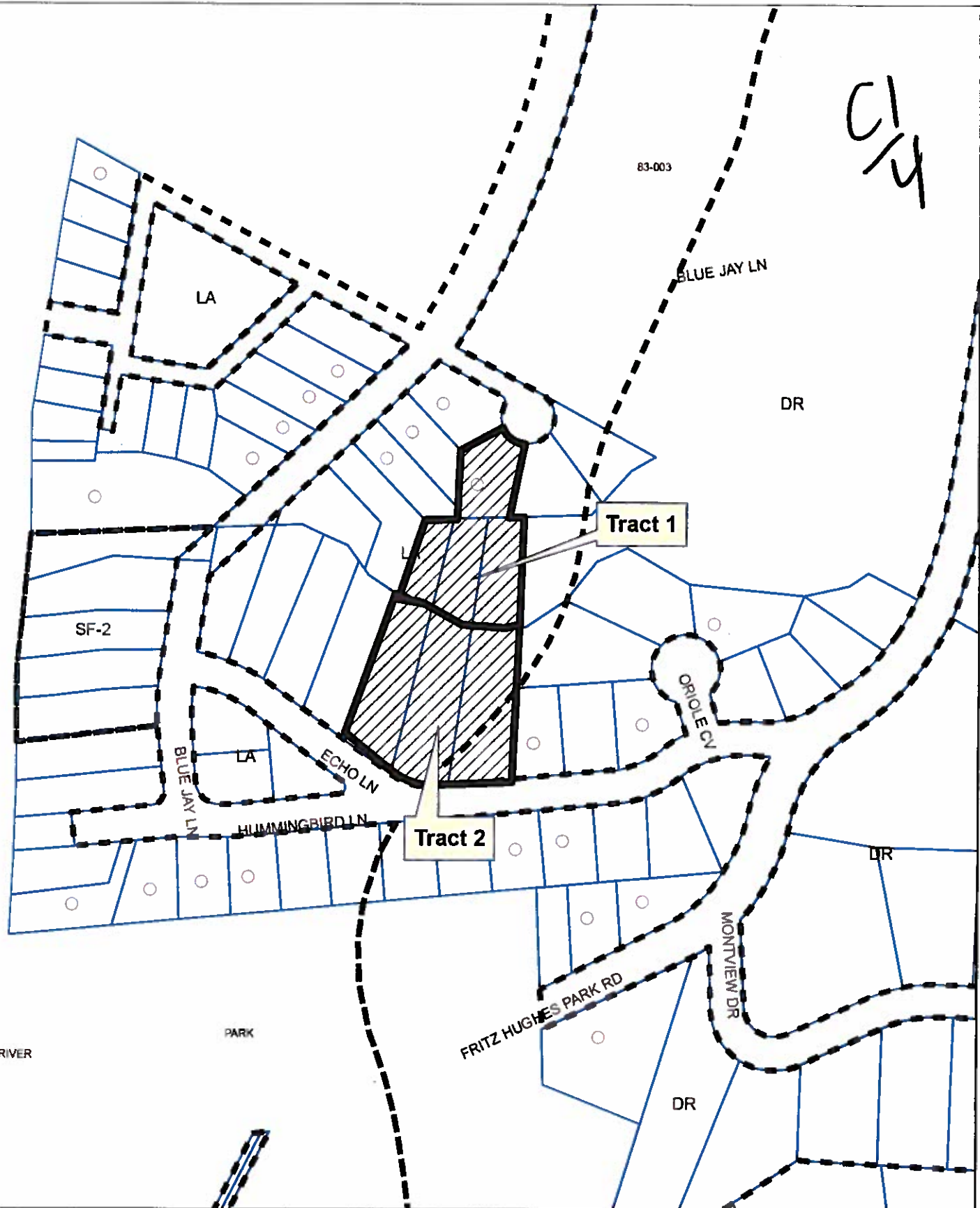
ORDINANCE NUMBER:

CASE MANAGER: Tori Haase

PHONE: 512-974-7691

EMAIL: tori.haase@austintexas.gov

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


ZONING

ZONING CASE#: C14-2014-0170

Exhibit A



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

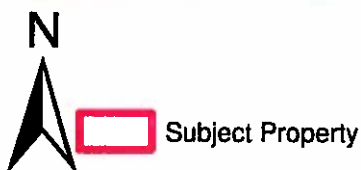
1" = 200'

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.



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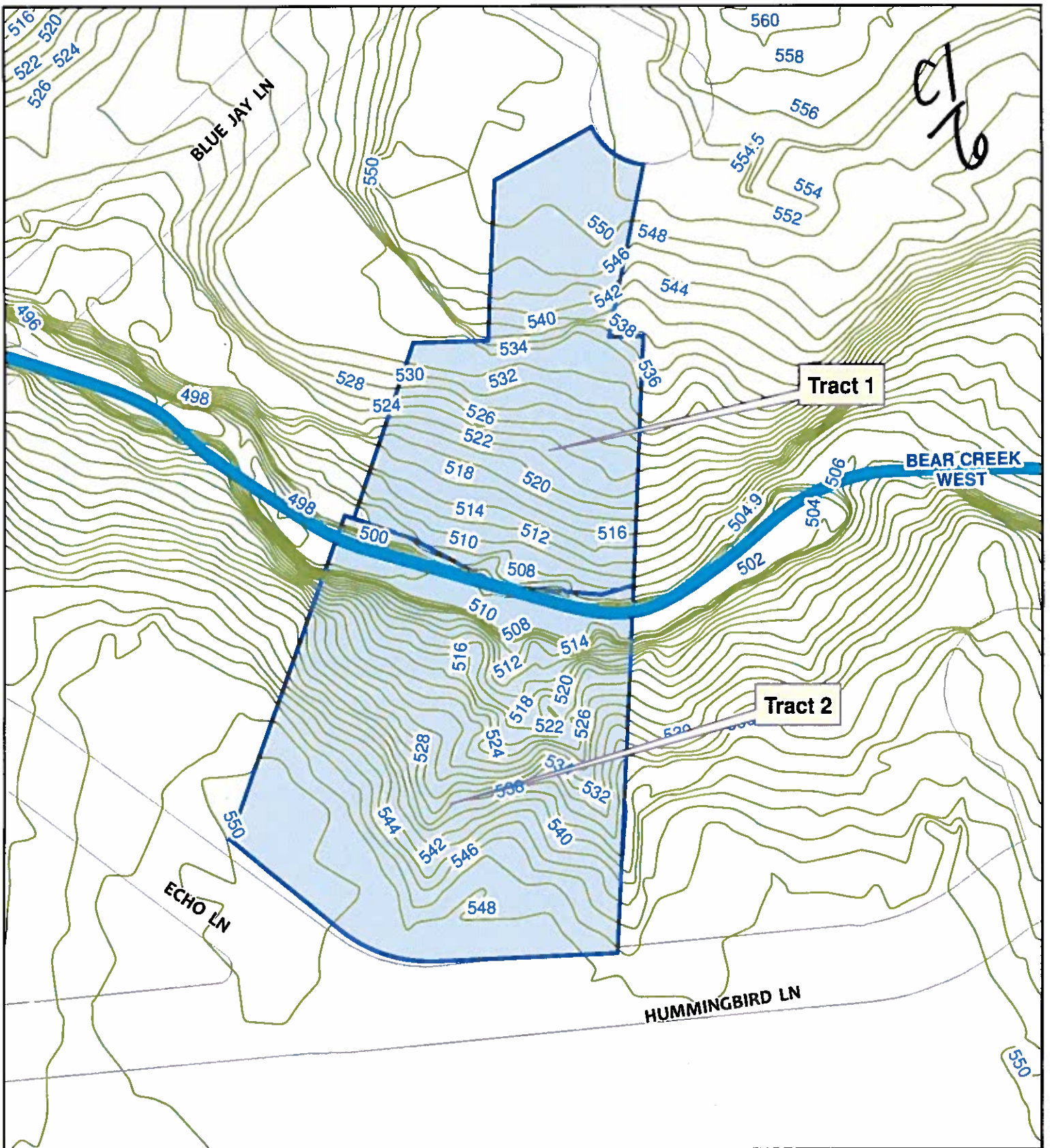
1' = 400'




ZONING CASE#: C14-2014-0170
 LOCATION -Tract 1: 3411 Blue Jay Ln.
 LOCATION -Tract 2: 13918 Hummingbird Ln. & Echo Ln.
 SUBJECT AREA: .801 Acres & 1.25 Acres
 GRID: A32
 MANAGER: TORI HAASE



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Exhibit A



-  Creek Centerlines
-  Elevation Countours
-  Subject Property

1' = 400'

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Exhibit C

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STAFF RECOMMENDATION

The Staff recommendation is to grant Single Family Residence – large lot (SF-1) zoning on Tract 1 and to grant Lake Austin Residence (LA) zoning for all of Tract 2.

BASIS FOR RECOMMENDATION

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

Single Family Residence – large lot (SF-1) zoning district is intended for a low density single-family residential use on a lot that is a minimum of 10,000 square feet. An SF-1 district designation may be applied to a use on a land with sloping terrain or environmental limitations that preclude standard lot size or to a use in an existing residential development on a lot that is 10,000 square feet or more. Therefore, the SF-1 zoning district is appropriate for Tract 1 as it meets the minimum square feet requirement and also has sloping terrain and environmental limitations. SF-1 zoning district is more appropriate than the LA zoning district because this tract does not meet the minimum lot size of 1 acre that is required by the LA zoning district.

Lake Austin Residence (LA) zoning district is the designation for a low density single-family residential use on a lot that is a minimum of one acre and that is located 1,000 feet or less, measured horizontally, from the 492.8 foot topographic contour line on either side of Lake Austin. The majority of Tract 2 is appropriately zoned LA and therefore, the lesser portion of Tract 2 that is currently zoned DR should be rezoned to match the remaining portion of Lot 2.

Regardless of the appropriateness of the SF-1 and LA zoning districts for the corresponding subject tracts, both tracts are within the Lake Austin Overlay District because they are located within 1,000 feet of the shoreline of Lake Austin and are currently zoned Lake Austin (LA) and Development Reserve, DR base zoning districts. The purpose of the Lake Austin District is to protect scenic, recreational, and environmental benefits of Lake Austin by restricting the scale and intensity of development near the lake. The Lake Austin Overlay District maintains LA site development standards, regardless of the base zoning district. Hence, the zoning change for Tract 1 will not grant any additional development entitlements. The zoning change for Tract 2 will provide an increase in the net square footage that would be used in calculating impervious cover limits and other site development regulations for a property in the LA base zoning. It does not appear that the zoning changes for each tract will result in much, if any, change in the potential for development. Regardless, Staff is recommending the zoning changes because the land uses allowed by the LA and SF-1 base zoning districts are appropriate and consistent with the residential uses on the adjacent and surrounding properties.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The SF-1 and LA zoning districts will allow low density residential development on the subject tracts. This entire geographical area is either undeveloped or developed with low density residential uses. Therefore, the zoning change is compatible with surrounding uses.

3. *Zoning should allow for reasonable use of the property.*

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Given the environmental concerns of being in close proximity to the Lake as well as the existing residential uses on surrounding properties, the zoning change to SF-1 for Tract 1 and LA for the portion of Tract 2 will allow for reasonable use of the tracts.

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

Properties in close proximity to the subject tracts are zoned to allow for low density residential development which is consistent with the zoning districts sought by the applicant in this zoning change.

5. *The proposed zoning should promote consistency and orderly planning.*

The proposed zoning of SF-1 and LA will promote consistency because most properties in this area currently have the same or similarly intensive zoning districts. The proposed zoning changes will promote orderly planning by only allowing uses that are appropriate for this area with regards to surrounding land uses and surrounding densities of development.

EXISTING CONDITIONS

Site Characteristics

Tract 1 is developed with a single family residential structure that is located closest to the northern boundary of the property which is also where access to the property exists from the cul-de-sac of Blue Jay Lane. The southern boundary of the lot is Bear Creek West. The lot is wooded and has substantial topographic constraints. There is a difference of 50 feet in elevation between the northern and southern boundaries of the property; the northern boundary is 550 feet above sea level and the southern boundary is 500 feet above sea level.

Tract 2 is undeveloped. The northern boundary of the property is Bear Creek West. The southern boundary of the property fronts Hummingbird Lane which is where access to the property would be established if the property were developed. The lot is wooded and has substantial topographic constraints. There is a difference of 50 feet in elevation between the northern and southern boundaries of the property; the northern boundary is at 500 feet above sea level and the southern boundary at 550 feet above sea level.

Comprehensive Planning – Kathleen Fox – 512-974-7877

These properties are not located within the boundaries of a neighborhood planning area.

Imagine Austin

The comparatively small scale of the site relative to the rest of the residential development in the area falls below the scope of Imagine Austin; consequently, the plan is neutral on the proposed rezoning. However, due to the site's location within an environmentally sensitive area, there will be at the site planning stage an environmental review to determine if any critical environmental features are located on the site. If any are located on the site, mitigation and setbacks necessitated by the land development code will be required.

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Impervious Cover

The subject property is within the Lake Austin Overlay District. As established by the Land Development Code, impervious cover limits may not exceed:

- (a) 35 percent, on a slope with a gradient of 15 percent or less;
- (b) 10 percent, on a slope with a gradient of more than 15 percent and not more than 35 percent;
- (c) 5 percent, on a slope with a gradient of more than 25 percent and not more than 35 percent; or
- (d) 40 percent, if impervious cover is transferred under subsection (D) of LDC 25-2-551.

Environmental Review – Mike McDougal – 512-974-6380

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Bear Creek West Watershed and in the Lake Austin Watershed; both watersheds are of the Colorado River Basin. The watersheds are classified as Water Supply Rural Watersheds by Chapter 25-8 of the City's Land Development Code. The site is in the Drinking Water Protection Zone.

Under the 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>% NSA with Transfers</i>	<i>Allowable Density</i>
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

Single family or duplex development **within a Water Quality Transition Zone** may not exceed a density of one unit per three acres, exclusive of land within a 100-year floodplain.

According to floodplain maps there is a floodplain within the project location. In addition, COA GIS indicates **the property includes both the Critical Water Quality Zone and Water Quality Transition Zone**. COA GIS indicates that none of this property is located within the Uplands Zone. Construction in the Critical Water Quality Zone is limited per LDC 25-8-261 and 262. In addition, based on current Code requirements:

1. It is unclear at this time whether or not this property would comply with single-family / duplex density requirements per LDC 25-8-452(B).
2. The property does not comply with the requirements of LDC 25-8-452(C), which state that a lot that lies within a Critical Water Quality Zone must also include at least two acres in a Water Quality Transition Zone or Uplands Zone. Per COA GIS, the sum of the Water Quality Transition Zone and Uplands Zone is approximately 0.33 acres (approximately 0.33 acres and 0.00 acres, respectively).

Note: The most restrictive impervious cover limit applies.

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

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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 rim-rock, 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 Review – Caleb Gutshall – 512-974-6420

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]

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Blue Jay Lane, Hummingbird Lane, and Echo Lane.

Water and Wastewater – Bradley Barron – 512-972-0078

The landowner intends to serve the site with Travis County WCID 17 water utilities and an On-Site Sewage Facility approved by the City of Austin. 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. 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.

Storm Water 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 storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

Site Plan and Compatibility Standards – Rosemary Avila – 512-974-2784

Site plans will be required for any new development other than single-family or duplex residential, such as a day care facility or educational facilities.

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.

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: C14-2014-0170

Contact: Tori Haase, 512-974-7691

Public Hearing: Dec 2, 2014, Zoning and Platting Commission

Jan 29, 2015, City Council

THOMAS JAPIO
TREVINO SAPIO

Your Name (please print)

13917 Hummingbird Lane Austin Texas
78732

Your address(es) affected by this application

Thomas Sapiro
Trevino Sapiro

Signature

11.20.2014

Date

Daytime Telephone: 512-266-1450

Comments:

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

City of Austin
Planning & Development Review Department
Tori Haase
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2014-0170
 Contact: Tori Haase, 512-974-7691
 Public Hearing: Dec 2, 2014, Zoning and Platting Commission
 Jan 29, 2015, City Council

Thomas SAPIs
 Your Name (please print)

I am in favor
 I object

13917 Hummingbird Lane Austin 78752
 Your address(es) affected by this application

Thomas Saper
 Signature

November 20, 2014
 Date

Daytime Telephone: 512-266-1450

Comments:

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

City of Austin
 Planning & Development Review Department
 Tori Haase
 P. O. Box 1088
 Austin, TX 78767-8810

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