

## SECOND AND THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2014-0158 - East Parke Residential

DISTRICT: 1

REQUEST:

Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5601 Durango Pass (Walnut Creek Watershed) from community commercial (GR) district zoning, limited office (LO) district zoning, multi-family residence-medium density (MF-3) district zoning, and family residence (SF-3) district zoning to single family residence standard lot-conditional overlay (SF-2-CO) combining district zoning. The conditional overlay limits trip generation on the site to 2,000 vehicles per day.

DEPARTMENT COMMENTS:

The ordinance is consistent with City Council action taken on First reading.

OWNER/APPLICANT: Continental Homes of Texas, LP (Richard Maier)

AGENT: A. Glasco Consulting (Alice Glasco)

DATE OF FIRST READING: First reading approved on December 11, 2014. Vote: 7-0

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Heather Chaffin  
e-mail: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2014-0158  
East Park Residential

**Z.A.P. DATE:** November 18, 2014

**ADDRESS:** 5601 Durango Pass

**AREA:** 37.47 acres

**DISTRICT:** 1

**OWNER:** Continental Homes of Texas, LP (Richard Maier)

**AGENT:** A. Glasco Consulting (Alice Glasco)

**FROM:** GR, LO, MF-3, SF-3

**TO:** SF-3

**TIA:** N/A

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**SCENIC ROADWAY:** No

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends family residence-conditional overlay (SF-3-CO) combining district zoning, with the following conditions: vehicular trips shall be less than 2,000 vehicles per day, and duplex residential shall be prohibited.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

November 18, 2014: *TO GRANT SINGLE FAMILY RESIDENTIAL-CONDITIONAL OVERLAY (SF-2-CO) COMBINING DISTRICT ZONING, WITH THE FOLLOWING CONDITION: VEHICULAR TRIPS SHALL BE LESS THAN 2,000 VEHICLES PER DAY. (5-0) [P. Seeger- 1<sup>st</sup>, G. Rojas- 2<sup>nd</sup>; S. Compton, R. McDaniel- Absent]*

### **ISSUES:**

The proposed rezoning tract is comprised of multiple parcels that were previously zoned in 1975, 1976, and 1984 (City Files #C14-75-042, C14-76-083, and C14-84-346, respectively). The zoning cases also encumbered the parcels with multiple restrictive covenants. This rezoning request and several restrictive covenant amendments (RCAs) are proposed to allow consolidation of the parcels for redevelopment with single family residences. These are being processed under the following City File numbers: C14-75-042(RCA1), C14-75-042(RCA3), C14-76-083(RCA), C14-84-346(RCA1) and C14-84-346(RCA2).

### **DEPARTMENT COMMENTS:**

The subject property is located roughly 400-500 feet northeast of the intersection of US 183 and Loyola, but does not have access to either roadway. The property has access to Durango Pass and Coolbrook Drive, residential streets that are part of the residential neighborhood to the east. Properties in this neighborhood are mostly zoned SF-2, with a few SF-3 properties as well, and are developed with duplexes and single family residences. South of the property are parcels zoned P that are developed with park/open space features. To the west of the rezoning tract is undeveloped land. This area to the west is the remainder of the 1975 and 1984 zoning cases described in the previous section, and is comprised of parcels zoned GR, LO, MF-3, and SF-3. Immediately north of the rezoning tract is another residential area. Properties in this neighborhood are zoned SF-2 and SF-3, and are developed with duplexes and single family residences. LBJ High School is also located to the north, and is also SF-3. Please refer to *Exhibits A and B (Zoning Map and Aerial Exhibit)*.

**REZONING REQUEST:**

If the rezoning request is granted, the Applicant proposes subdividing the subject property into 124 single family lots. No duplex units are currently proposed. A subdivision was previously approved on a portion of the property that proposed a mix of single family and duplex, but the subdivision has expired. *Please see Exhibit C (Expired Subdivision)*. The remainder of the proposed rezoning tract, which is zoned GR and LO, has not had any applications for site development filed with the City.

As stated in the Issues section, several restrictive covenant amendments (RCAs) are proposed in conjunction with the rezoning request. These are being processed under the following City File numbers: C14-75-042(RCA1), C14-75-042(RCA3), C14-76-083(RCA), C14-84-346(RCA1) and C14-84-346(RCA2).

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
Site	GR, LO, MF-3, SF-3	Undeveloped
North	SF-2, SF-3	Duplex, Single family, LBJ High School
South	P	Parkland/ open space
East	SF-2, SF-3	Duplex, Single family
West	GR, LO, MF-3, SF-3	Undeveloped

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Durango Pass	50'	25	Local	No	No	Yes
Coolbrook Drive	60'	40'	Local	Yes (on one side)	No	Yes

**NEIGHBORHOOD ORGANIZATIONS:**

Del Valle Community Coalition  
 East Austin Conservancy  
 East MLK Combined Neighborhood Association  
 University Hills Neighborhood Association  
 Austin Neighborhoods Council  
 FRS Property Owners Association

PODER  
 East MLK Combined Neighborhood Contact Team  
 University Hills Neighborhood Plan Contact Team  
 Bluebonnet Hills Association  
 LBJ Neighborhood Association

**CITY COUNCIL DATE/ACTION:**

February 12, 2015:

January 29, 2015: *POSTPONED TO FEBRUARY 12, 2015, ON CONSENT (11-0) [O. Houston- 1<sup>st</sup>, D. Zimmerman- 2<sup>nd</sup>]*

December 11, 2014: *APPROVED FIRST READING ONLY, ON CONSENT (7-0) [L. Morrison- 1<sup>st</sup>, B. Spelman- 2<sup>nd</sup>]*

**ORDINANCE READINGS:** 1<sup>st</sup> 12/11/2014 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Heather Chaffin  
 e-mail: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

**PHONE:** 974-2122

**STAFF RECOMMENDATION:**

Staff recommends family residence-conditional overlay (SF-3-CO) combining district zoning, with the following conditions: vehicular trips shall be less than 2,000 vehicles per day, and duplex residential shall be prohibited.

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

The patchwork of zoning categories on the subject property does not promote cohesive and clear development. Property ownership does not follow the boundaries of the 1975 and 1984 zoning cases, and cannot be reasonably developed based on those land use configurations. The subject property now has a natural creekline as its western boundary, allowing this tract to become part of the existing residential neighborhood, while allowing the property west of the creek to remain oriented toward Ed Bluestein Boulevard.

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

The proposed rezoning is requested to allow development of single family residences, meeting the intent of the SF-3 district.

3. *Rezoning should not contribute to the over zoning of the area.*

The existing zoning on the subject property is approximately one-third residential, one-third limited office, and one-third community commercial. Rezoning this to all residential slightly reduces density adjacent to the residential neighborhood.

4. *Zoning should allow for a reasonable use of the property.*

The patchwork of zoning categories on the subject property makes development of the subject property extremely difficult. Property ownership does not follow the boundaries of the 1975, 1976, and 1984 zoning cases, and cannot be reasonably developed based on those land use configurations.

**COMPREHENSIVE PLAN**

The zoning case is located on the south side of terminus of Durango Pass, a residential street. The site is undeveloped and approximately 34.4 acres in size. The zoning case is not located with the boundaries of an existing neighborhood planning area. Surrounding land uses includes single family housing (containing mostly duplexes) to the north and east, and vacant land to the south and west. Hwy 183 is located to the west of the property. The proposed use is a residential subdivision.

*Imagine Austin.* The comparative scale of this site relative to other residential subdivisions immediately adjacent to this property, as well as the site not being located along an Activity Corridor or within an Activity Center, falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on this proposed residential rezoning.

**SITE PLAN**

SP1) Site plans will be required for any new development other than single-family or duplex residential.

**TRANSPORTATION**

- TR1. Additional right-of-way may be required at the time of subdivision and/or site plan.
- TR2. Please contact Nadia Barrera, Urban Trails, Public Works Department regarding pedestrian connectivity per Council Resolution.
- TR3. 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]



## TR4. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Durango Pass	50'	25	Local	No	No	Yes
Coolbrook Drive	60'	40'	Local	Yes (on one side)	No	Yes

**ENVIRONMENTAL**

- The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. 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:

Development Classification	% of Gross Site Area	% of Gross Site Area with Transfers
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. However, COA GIS indicates a Critical Water Quality Zone located along the western boundary of the site. Development within the CWQZ is limited per LDC 25-8.
- 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.
- At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

**WATER UTILITY**

WW1. 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.









# PRELIMINARY OF NORTHEAST TERRITORY SUBDIVISION

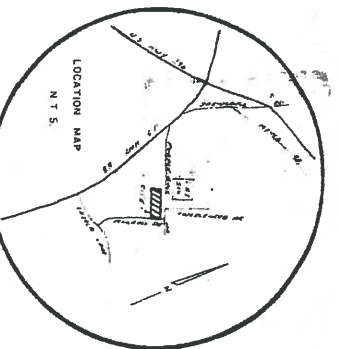
A Subdivision of 14.25 Acres out of the J. C. Tomlinson League No. 29, Toms County, Texas of record in Vol. 8531 of Pg. 796 to Northeast Territory Joint Venture.

PROPOSED LAND USE: Duplex

Owner: Northeast Territory Joint Venture

Street Note: Streets will meet urban street standards; fifty (50) foot wide right-of-ways will have thirty (30) foot curb to curb street widths, seventy (70) foot right-of-ways will have forty-four (44) foot curb to curb street widths, cul-de-sacs fifty (50) foot wide right-of-ways will have forty (40) foot curb radius.

SCALE: 1" = 100'



AUSTIN INDEPENDENT SCHOOL DISTRICT

VOL. 3979

PG. 2338

TUMBLEWEED DR. (70' ROW)

C.M.A.S.

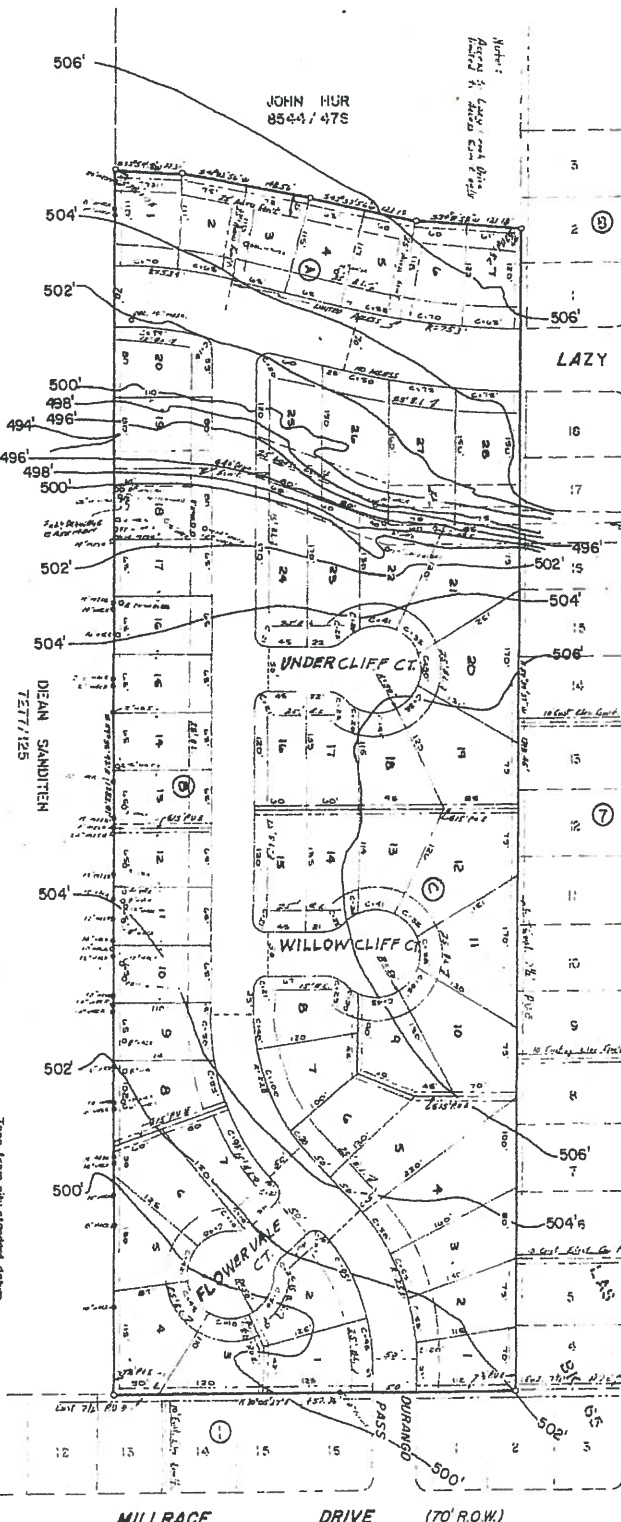
PG. 88

CNE

PURPLE SAGE DRIVE (70' ROW)

LAZY CREEK DRIVE (70' ROW)

JOHN HUR  
8544 / 478



BROWN VALLEY DR. (50' ROW)

PREPARED BY: BARBER AND TRIMBLE LAND SURVEYORS

1030-H, S. Lamar, Austin, Texas 78704

Oct 8, 1984



APPROVED  
PRELIMINARY



## 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: C14-2014-0158**

**Contact: Heather Chaffin, 512-974-2122**

**Public Hearing: Nov 18, 2014, Zoning and Platting Commission  
Dec 11, 2014, City Council**

*Billy G. Steen*  
Your Name (please print)

*7011 Brook Valley Circle*  
Your address(es) affected by this application

*Billy G. Steen*  
Signature

Daytime Telephone: \_\_\_\_\_

Comments: \_\_\_\_\_

☐ I am in favor  
☒ I object

*12/10/14*  
Date

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

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