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/

SUBDIVISION REVIEW SHEET

CASE NO.: C8-2014-0153.0A

ZAP DATE: August 4, 2015

SUBDIVISION NAME: Restoration Subdivision

AREA: 4.51 acres

LOTS: 1

APPLICANT: Restoration Temple of Deliverance
Ministries (Pastor John Home)

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

ADDRESS OF SUBDIVISION: 6301 Moonglow Dr

GRIDS: MP24

COUNTY: Travis

WATERSHED: Walnut Creek

JURISDICTION: Full Purpose

EXISTING ZONING: SF-4A

COUNCIL DISTRICT: 1

PROPOSED LAND USE: Religious assembly

NEIGHBORHOOD PLAN: none

VARIANCES: LDC 25-4-151

SIDEWALKS: Because Moonglow Drive ends at the property line, no sidewalks will be required.

DEPARTMENT COMMENTS:

The request is for approval of the Restoration Temple final plat and a variance to LDC 25-4-151. The plat consists of one lot on 4.51 acres. The lot will be developed with a church. The variance is needed because LDC 25-4-151 requires the streets of new subdivisions to align with and connect to existing streets on adjoining property. The variance will allow Moonglow Drive to end at the property line rather than being extended. If the variance is approved, the proposed lot will comply with zoning requirements for use, lot width and lot size.

STAFF RECOMMENDATION: The staff recommends approval of the plat and the variance. With the variance, the subdivision meets all applicable State and City of Austin Land Development Code requirements.

ZONING AND PLATTING COMMISSION ACTION:

CASE MANAGER: Steve Hopkins

PHONE: 512-974-3175

E-mail: steve.hopkins@austintexas.gov



C1/2

MEMORANDUM

DATE: January 21st, 2015
TO: Chair and Members of the Planning Commission
CC: Steve Hopkins, Case Manager
FROM: Caleb Gutshall, Transportation Review
SUBJECT: Variance Request for Restoration Temple, C8-2014-0153.0A
RECOMMENDATION: To approve the variance

PROPERTY LOCATION:

The proposed subdivision is located on 4.51 acres zoned SF-4A approximately 0.25 miles south of Loyola Lane and 0.20 miles east of Johnny Morris Road. The site has right-of-way access to Moonglow Drive along the northern property boundary via a stubbed-out roadway connection

DESCRIPTION OF WAIVER:

The applicant for the proposed Restoration Temple Subdivision is requesting a variance from the Land Development Code (LDC) requirement:

- (1) Section 25-4-151 that states streets of a new subdivision shall be aligned with and connect to existing streets on adjoining property unless the Land Use Commission determines that the Comprehensive Plan, topography, requirements of traffic circulation, or other considerations make it desirable to depart from the alignment or connection.

The variance requested is for Moonglow Drive.

STAFF RECOMMENDATION:

Both The Austin Transportation Department and Planning and Development Review Department provided input and support the following recommendation.

The Transportation Review Section recommends the variance to be granted for the following reasons:

- Extension of the roadway adds a substantial amount of impervious cover in the lower 150' of the Critical Water Quality Zone (CWQZ). The roadway extension would also negatively affect the adjacent Walnut Creek watershed 100-year floodplain causing potential safety hazards. Due to the environmentally sensitive issues, it is not desirable to extend Moonglow Drive.

- The site is currently bound by single-family detached housing to the north and south, an open space easement to the west, and a creek to the east. The extension of Moonglow Drive does not implement Imagine Austin or provide additional connectivity options in the area due to the site's constraints.

CM/3

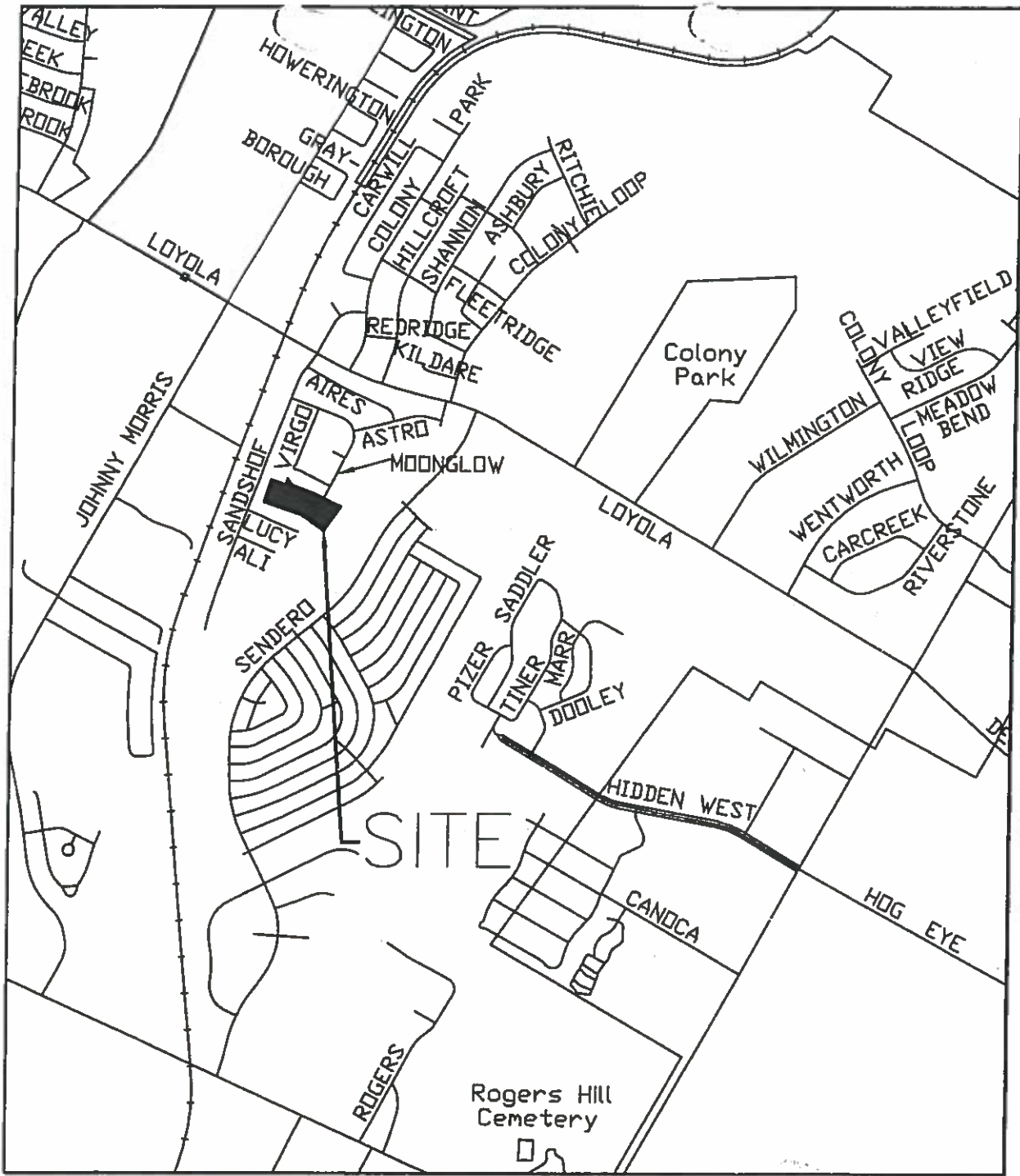
If you have any further questions or require additional information, please contact me at 974-6420.



Caleb Gutshall
Senior Planner

Planning and Development Review Department, Transportation Review Section

CM/4



VICINITY MAP
N.T.S.

SCANNED

RESTORATION TEMPLE SUBDIVISION
6301 MOONGLOW DRIVE
AUSTIN, TX 78724

RESTORATION TEMPLE SUBDIVISION

Handwritten initials in blue ink.

Accepted and authorized for record by the Zoning & Platting Commission of the City of Austin, Texas, this, the _____ day of _____, 20____

STATE OF TEXAS
COUNTY OF TRAVIS
KNOW ALL MEN BY THESE PRESENTS:

Betty Baker, Chair Cynthia Banks, Secretary

THAT I, JOHN W. HORNE, ACTING HEREIN BY AND THROUGH AND AS THE AUTHORIZED OFFICER OF RESTORATION TEMPLE OF DELIVERANCE MINISTRIES, A NON-PROFIT CORPORATION, BEING THE OWNER OF 4.509 ACRES OF LAND OUT OF THE JAMES BURGESS SURVEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING THAT 4.509 ACRE TRACT OF LAND AS CONVEYED BY WARRANTY DEED 2014000932 RECORDED IN THE REAL RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT HAVING BEEN APPROVED FOR SUBDIVISION PURSUANT TO THE PUBLIC NOTIFICATION AND HEARING PROVISION OF CHAPTER 212 OF THE LOCAL GOVERNMENT CODE, DO HEREBY SUBDIVIDE SAID 4.509 ACRE TRACT ACCORDING TO THE ATTACHED MAP OR PLAT SHOWN HEREON TO BE KNOWN AS "RESTORATION TEMPLE SUBDIVISION" AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

FLOODPLAIN NOTE:

A PORTION OF THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF THE 100 YEAR FLOODPLAIN THAT IS WITHIN THE LIMITS OF THE STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL NUMBER 48453C0470H, DATED SEPTEMBER 26, 2008.

GENERAL NOTES:

1. THIS SUBDIVISION PLAT IS LOCATED WITHIN THE FULL-PURPOSE JURISDICTION OF THE CITY OF AUSTIN ON THIS THE _____ DAY OF _____, 20____
2. NO LOT WILL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY SYSTEM.
3. THE WATER AND WASTEWATER UTILITY SYSTEMS SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN UTILITY DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN MUST BE REVIEWED AND APPROVED BY THE AUSTIN WATER UTILITY. 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.
4. THE LANDOWNER(S) IS RESPONSIBLE FOR PROVIDING THE WATER AND WASTEWATER UTILITY IMPROVEMENTS, OFFSITE MAIN EXTENSIONS, SYSTEM UPGRADES, UTILITY RELOCATION, AND ABANDONMENT TO SERVE EACH LOT.
5. THE OWNER OF THIS SUBDIVISION AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITIES FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR REPLATTING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
6. EROSION/SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, PURSUANT TO THE LAND DEVELOPMENT CODE AND THE ENVIRONMENTAL CRITERIA MANUAL.
7. THE ELECTRIC UTILITY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. THE UTILITY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH CHAPTER 25-B, SUBCHAPTER B OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
8. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE THE ELECTRIC UTILITY COMPANY WITH ANY EASEMENT AND/OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE LOT, AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH CHAPTER 25-B OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
9. THE OWNER SHALL BE RESPONSIBLE FOR ANY INSTALLATION OF TEMPORARY EROSION CONTROL, VEGETATION AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY TREE PRUNING AND TREE REMOVAL THAT IS WITHIN TEN FEET OF THE CENTER LINE OF THE OVERHEAD ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT. AUSTIN ENERGY WORK SHALL ALSO BE INCLUDED WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.
10. NO BUILDINGS, FENCES, LANDSCAPING OR OTHER OBSTRUCTION ARE PERMITTED IN DRAINAGE EASEMENTS AND WATER QUALITY EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN OR TRAVIS COUNTY.
11. BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS.
12. THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR MAINTAINING CLEARANCES REQUIRED BY THE NATIONAL ELECTRIC SAFETY CODE, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REGULATIONS, CITY OF AUSTIN RULES AND REGULATIONS AND TEXAS STATE LAWS PERTAINING TO CLEARANCES WHEN WORKING IN CLOSE PROXIMITY TO OVERHEAD POWER LINES AND EQUIPMENT. AUSTIN ENERGY WILL NOT RENDER ELECTRIC SERVICE UNLESS REQUIRED CLEARANCES ARE MAINTAINED. ALL COSTS INCURRED BECAUSE OF FAILURE TO COMPLY WITH THE REQUIRED CLEARANCES WILL BE CHARGED TO THE OWNER.
13. PARTICIPATION IN THE REGIONAL STORMWATER MANAGEMENT PROGRAM WAS GRANTED FOR THIS SUBDIVISION ON _____ BY THE CITY OF AUSTIN WATERSHED PROTECTION DEPARTMENT.
14. BY APPROVING THIS PLAT, THE CITY OF AUSTIN ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF THE LOTS IN THIS SUBDIVISION IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR THE OWNERS OF THE LOTS. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO CITY STANDARDS MAY BE JUST CAUSE FOR THE CITY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT PERMITS INCLUDING BUILDING PERMITS, SITE PLAN APPROVALS, AND/OR CERTIFICATES OF OCCUPANCY.
15. PRIOR TO DEVELOPMENT ON LOT 1, A SITE DEVELOPMENT PERMIT, TO INCLUDE WATER QUALITY PLANS, SHALL BE OBTAINED FROM THE CITY OF AUSTIN.
16. THE CITY OF AUSTIN 100-YEAR FULLY DEVELOPED FLOODPLAIN WITHIN THE TRACT BOUNDARY AS SHOWN ON THE PLAT FOR THIS SUBDIVISION, AND LABELED AS DRAINAGE EASEMENT #1, IS HEREBY DEDICATED AS A DRAINAGE EASEMENT.
17. DRAINAGE EASEMENT #2 AS SHOWN ON THE PLAT FOR THIS SUBDIVISION IS HEREBY DEDICATED AS A DRAINAGE EASEMENT.
18. THE WATER LINE EASEMENT AS SHOWN ON THE PLAT FOR THIS SUBDIVISION IS HEREBY DEDICATED AS A WATERLINE EASEMENT.
19. ALL ACTIVITIES WITHIN THE CRITICAL ENVIRONMENTAL FEATURE (CEF) AND ASSOCIATED SETBACK (CEF SETBACK) MUST COMPLY WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE. THE NATURAL VEGETATIVE COVER MUST BE RETAINED TO THE MAXIMUM EXTENT PRACTICABLE. CONSTRUCTION IS PROHIBITED; AND WASTEWATER DISPOSAL OR IRRIGATION IS PROHIBITED.
20. A VARIANCE TO SECTION 25-4-151 OF THE LAND DEVELOPMENT CODE WAS GRANTED BY THE ZONING & PLATTING COMMISSION ON _____, 20____.

WITNESS MY HAND THIS _____ DAY OF _____, 20____

JOHN W. HORNE
AUTHORIZED OFFICER
RESTORATION TEMPLE OF DELIVERANCE MINISTRIES
8301 WOODGLOW DRIVE
AUSTIN, TX 78724

STATE OF TEXAS
COUNTY OF TRAVIS

THIS INSTRUMENT ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 20____

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

(PRINT NAME)

(ADDRESS)

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY THAT I AM AUTHORIZED TO PRACTICE THE PROFESSION OF SURVEYING IN THE STATE OF TEXAS AND THAT ALL INFORMATION SHOWN THEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AS RELATED TO THE SURVEYING PORTIONS THEREOF; AND THAT SAID PLAT COMPLIES WITH CHAPTER 25 OF THE AUSTIN CITY CODE, AND OTHER APPLICABLE CODES AND ORDINANCES.

WITNESS MY HAND THIS _____ DAY OF _____, 20____

I.T. GONZALEZ
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2780
I.T. GONZALEZ ENGINEERS
3501 MANOR ROAD
AUSTIN, TEXAS 78723
(512) 447-7400

ENGINEER'S CERTIFICATION

THIS IS TO CERTIFY THAT I AM AUTHORIZED TO PRACTICE THE PROFESSION OF ENGINEERING IN THE STATE OF TEXAS; THAT I PREPARED THE PLAT SUBMITTED HEREIN; THAT ALL INFORMATION SHOWN THEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AS RELATED TO THE ENGINEERING PORTIONS THEREOF; AND THAT SAID PLAT IS COMPLETE, ACCURATE AND IN COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.

WITNESS MY HAND THIS _____ DAY OF _____, 20____

I.T. GONZALEZ
REGISTERED PROFESSIONAL ENGINEER NO. 41307
I.T. GONZALEZ ENGINEERS
3501 MANOR ROAD
AUSTIN, TEXAS 78723
(512) 447-7400

APPROVED FOR ACCEPTANCE:

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, PLANNING AND DEVELOPMENT REVIEW DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS THE _____ DAY OF _____, 20____, A.D.

ERIC QUORNEY, DIRECTOR
PLANNING AND DEVELOPMENT REVIEW DEPARTMENT

DATE

STATE OF TEXAS
COUNTY OF TRAVIS

I, DANA DEBEAUVOR, CLERK OF TRAVIS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 20____, A.D. AT _____ O'CLOCK _____ M., DULY RECORDED ON THE _____ DAY OF _____, 20____, A.D. AT _____ O'CLOCK _____ M., PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NUMBER _____ OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS DAY OF _____, 20____, A.D.

DANA DEBEAUVOR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

DEPUTY

SHEET 2 OF 2
CASE #CB-2014-0153.0A
PLAT APPLICATION SUBMITTAL DATE: 9-8-2014
PLAT PREPARATION DATE: 6-19-2015

I.T. GONZALEZ ENGINEERS
SURVEYING FIRM REGISTRATION NO. 100573-0
ENGINEERING FIRM REGISTRATION NO. F-3216
3501 MANOR ROAD
AUSTIN, TEXAS 78723
TEL:(512)447-7400 FAX:(512)447-6389

C/M/A

May 6, 2015

Zoning and Platting Commission
301 W 2nd Street
Austin, Texas 78701

Re: Street Alignment and Connectivity Variance
Restoration Temple Subdivision
6301 Moonglow Drive
C8-2014-0153.0A

Dear Members of ZAP Commission:

On behalf of our client, Restoration Temple of Deliverance Ministries, I. T. Gonzalez Engineers is requesting a variance from the requirements of the Land Development Code Section 25-4-151, Street Alignment and Connectivity. The tract of land to be subdivided to make one lot is currently undeveloped. The proposed improvements as shown on a site plan currently under review include a church building and associated drive and parking.

There is not practical way to extend Moonglow Drive to meet the requirements of Section 25-4-151. When the property surrounding 6301 Moonglow Drive was subdivided, no access was provided to the public roads that were constructed as part of the subdivision. To the west, the 6301 Moonglow Drive tract was blocked from access to Sandshof Drive by a conservation easement lot with an approximate depth of 25' that was created as part of the Sendero Hills Phase 4 Subdivision approved in 2007. The current owner will not grant an access easement to allow access across the conservation easement lot. To the south, access to Lucy Cove was not provided when this part of the property was developed as part of the same subdivision.

A creek with a CWQZ that must be crossed to access Moonglow Drive from the subject property lies to the east, with a portion of the Moonglow Drive being located in the lower 150' of this 300' wide CWQZ. A 100-year flood plain drainage easement for this creek is being dedicated as part of the subdivision of this property. A drainage easement lot, created as part of the Sendero Hills Phase 4 Subdivision, abuts the 100-year floodplain that will be dedicated.

The construction of a culdesac at the end of Moonglow Drive would result in a large area of impervious cover being located in the lower 150' of the CWQZ. The topography in this area is fairly steep, making needed grading for a possible culdesac extend even further into the lower 150' of the CWQZ.

To develop the tract at 6301 Moonglow, access must be taken by a drive with abutting ADA access sidewalk. This drive and sidewalk will cross the CWQZ that is located on the site in order

to connect to the end of Moonglow Drive. The section of the drive and sidewalk that will be located in the lower 150' of CWQZ will be constructed to create the minimum change necessary to develop the land. Water quality buffering will be used for construction of the section of the drive and sidewalk and the parking in the upper 150' of the CWQZ.

C7/8

With the constraints that have been discussed, the property cannot be developed without the requested variance.

Sincerely,



Bill Graham, P.E.

PUBLIC HEARING INFORMATION

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 a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. 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.

Commission is required to approve the subdivision by State law if no variances are required, and if it meets all requirements. A board or commission's decision on a subdivision may only be appealed if it involves an environmental variance. A variance may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact person listed on a notice); or
 - appearing and speaking for the record at the public hearing;
- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
 - is the record owner of property within 500 feet of the subject property or proposed development; or
 - is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site:

<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 name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C8-2014-0153.0A

Contact: Steve Hopkins, 512-974-3175 or Elsa Garza, 512-974-2308

Public Hearing: July 7, 2015, Zoning and Platting Commission

Maria Castro

Your Name (please print)

6307 Sandshof Dr.

Your address(es) affected by this application

Maria Castro

Signature

6.29.15

Date

Daytime Telephone: 512.850.1690

Comments: I am extremely concerned about the amount, increase in traffic coming into the neighborhood by via of Sandshof Dr alone. Which is the street I live on. We always have children playing outside.

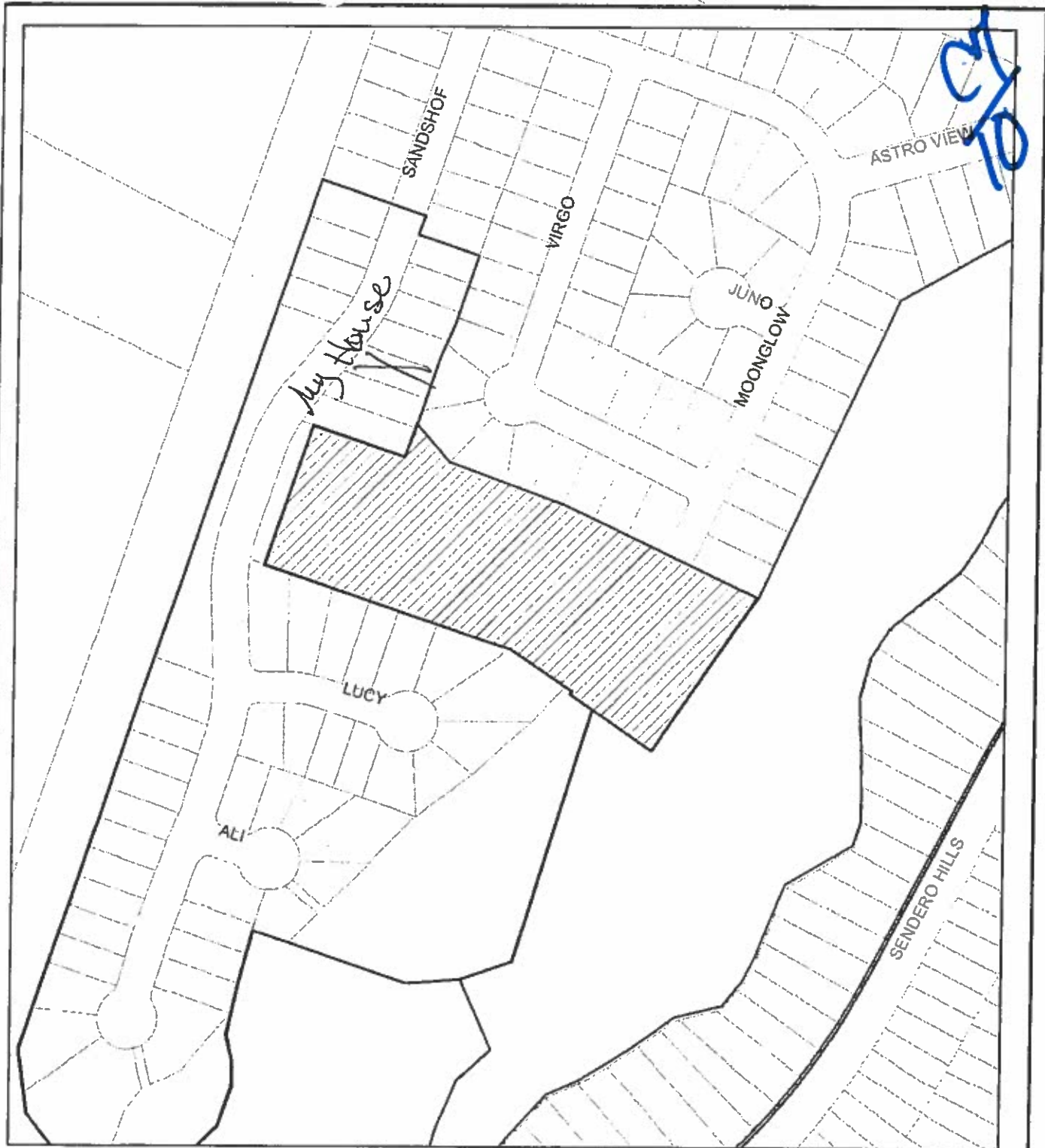
If you use this form to comment, it may be returned to:



City of Austin - Development Services Department, 4th Floor

Steve Hopkins

P. O. Box 1088

Austin, TX 78767-8810



-  Subject Tract
-  Base Map

CASE#: C8-2014-0153.0A
 LOCATION: 6301 Moonglow Drive



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 the Planning and Development Review Department for the sole purpose of geographic reference.

then 200 feet of right-of-way should be reserved from the existing centerline of IH-35 in accordance with the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].



ZONING AND PLATTING COMMISSION RECOMMENDATION:

June 2, 2015: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JUNE 16, 2015 [R. MCDANIEL; S. COMPTON – 2ND] (6-0) 1 VACANCY ON THE COMMISSION*

June 16, 2015: *MEETING CANCELLED; CASE RENOTIFIED FOR JULY 7, 2015*

July 7, 2015: *CONTINUED TO AUGUST 4, 2015; PUBLIC HEARING REMAINS OPEN [L. BRINSMADE; J. GOODMAN – 2ND] (8-0) G. ROJAS – NAY; D. BREITHAAPT, S. LAVANI – ABSENT*

August 4, 2015:

ISSUES:

The Applicant would like to discuss the Staff recommendation. The Applicant and representatives of the Circle S. Ridge Neighborhood Association have met since the July 7th ZAP meeting.

Adjacent residents on Chaparral Road and Corral Lane are opposed to the proposed zoning changes and have submitted a petition. A petition of 16.23% has been filed by the adjacent property owners in opposition to C14-2015-0003A (north side of Chaparral Road). A valid petition of 41.69% has been filed by the adjacent property owners in opposition to C14-2015-0003B (south side of Chaparral Road). Petition information is located at the back of the Staff report.

DEPARTMENT COMMENTS:

The subject rezoning area consists of eight platted lots, with the easternmost lots developed with auto-related uses and situated at the intersection of southbound IH 35 frontage road and Chaparral Road, and the interior lots are developed with residential structures, some of which function as offices for the automotive uses. There are apartments and a commercial shopping center to the north (CS; GR); convenience storage and residences to the south that have frontage on Corral Lane (CS; SF-2), and single family residences, a duplex and manufactured homes to the west (SF-2), Please refer to Exhibits A (Zoning Maps), A-1 (Aerial View) and B (Recorded Plats).

The Applicant proposes to rezone the properties with IH 35 frontage (Tract 1) to the general commercial services – mixed use – conditional overlay (CS-MU-CO) district, and the interior lots (Tract 2) to the community commercial – mixed use – conditional overlay (GR-MU-CO) district. The intent is to enable redevelopment with a total of 286 multi-family residential units (200 units on the north side, 86 units on the south), as well as office and commercial uses. One and 2 bedroom units are envisioned in an 80% / 20% mix. The Applicant's

proposed Conditional Overlay is to limit the number of daily vehicle trips to 2,000 and prohibit access to Chaparral Road.

The properties with IH 35 frontage have had CS zoning since the mid and late 1970's (both Tract 1s), and the eastern lot of Tract 2 on north side of Chaparral Road has had a history of commercial uses and was granted GR-CO zoning in 2003. As enumerated in the Related Cases section of this report, there have been a number of zoning cases to non-residential districts on other lots within the Tract 2 areas since 1995. Two lots within Tract 2 on the north side of Chaparral Road have NO-MU-CO zoning, and the remaining lot on the south side of Chaparral has SF-2 zoning. To that end, there is clearly a significant amount of interest in rezoning this area for non-residential use.

The Staff recommendation allows for an incremental change in zoning, by granting the addition of MU to the properties with IH 35 frontage, the GR-CO lot in the north side of Chaparral Road, and granting NO-MU-CO for Tract 2 (701 Chaparral Road) on the south side of Chaparral Road. The western lot of Tract 2, located at 504 Chaparral Road is not recommended for rezoning, as would encroach into the residential portion of Chaparral Road. The Applicant opted to prohibit vehicular access to Chaparral Road, a local street with a 20 foot pavement width, hence a Neighborhood Traffic Analysis was not required. The 2,000 vehicle trip per day limit will be apportioned across the north and south rezoning areas. The Staff recommendation as described above would provide for a maximum of 192 multi-family residential units across the total rezoning area (129 on the north side, 63 units on the south) which is significantly different from the proposed number of units proposed by the Applicant.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS; GR-CO; NO-MU-CO; SF-2; SF-3	<i>North side:</i> Automotive sales; Office; Auto repair; Vehicle parking; Manufactured home; <i>South side:</i> Automobile sales; Residential structure with vehicle parking area
<i>North</i>	CS; GR	Apartments; Shopping center
<i>South</i>	CS; SF-3; SF-2	Convenience storage; Single family residences
<i>East</i>	N/A	IH-35 frontage road and main lanes
<i>West</i>	SF-2	Single family residences and manufactured homes

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Is not required

WATERSHEDS: Williamson Creek;
South Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

- 26 – Far South Austin Community Association
- 96 – Southeast Corner Alliance of Neighborhoods (SCAN)
- 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
- 646 – Circle S. Ridge Neighborhood Association
- 742 – Austin Independent School District 1228 – Sierra Club, Austin Regional Group
- 1236 – The Real Estate Council of Austin, Inc. 1258 – Del Valle Community Coalition
- 1340 – Austin Heritage Tree Foundation 1363 – SEL Texas
- 1408 – GO! Austin/Vamos! Austin – Dove Springs 1424 – Preservation Austin
- 1429 – GO! Austin/Vamos! Austin (GAVA)
- 1431 – Indian Hills Neighborhood Watch
- 1438 – Dove Springs Neighborhood Association 1441 – Dove Springs Proud
- 1447 – Friends of Emma Barrientos MACC

SCHOOLS:

An Educational Impact Statement is required. Please refer to Attachment A.
 Pleasant Hill Elementary School Bedichek Middle School Crockett High School

RELATED CASES (previous zoning cases within current zoning area):

The rezoning area consists of the entire Forrest C. Walker subdivision, recorded in April 1977 (C8S-77-058); five lots and a portion of another lot out of the original Circle “S” Ridge, Section 1 subdivision, recorded in September 1946 (C8-1946-1780), and the entire Resubdivision of Lot 18, Block “B” Circle “S” Ridge Section One, recorded in July 1970 (C8s-70-122). With the exception of the lots with IH 35 frontage, the lots are generally between 80 – 110 feet wide and 400 feet long.

The property was annexed on December 31, 1975 (C7a-75-012).

The table below summarizes an adjacent case to the east that is developed with auto repair use, two 1999 rezoning cases along the south side of Chaparral Road. Case C14-99-0117 involved six contiguous lots directly west of the one lot with cases C14-99-0124 / C14-03-0092.

CASE NUMBER	REQUEST	COMMISSION	CITY COUNCIL
<i>North side of Chaparral Road</i>			
C14-76-064 – 6900 & 6940 S IH 35	Interim “A” Residence, Interim First Height and Area to “C” Commercial, First Height and Area	Granted “C” Commercial, First Height and Area for all of property, save and except a 10 foot along the western boundary to a depth of 200’ that was approved for “A” Residence, First Height and Area	Apvd A & C, First Height & Area as PC recommended (09-16-1976).

C14-95-0184 – NW corner of IH-35 & Chaparral Rd (6940 S IH 35)	SF-3 to CS	To Grant	Apvd CS (02-01-1996).
C14-94-0084 – partially same location as C14-03- 0091 (606 & 700 Chaparral Rd)	SF-2 to NO- MU-CO	Apvd NO-MU-CO w/CO for 600 trips/day and Street Deed for r-o-w dedication on Chaparral Rd	Apvd as Commission recommended (02-01-1996).
C14-99-0123 – same location as C14-03-0091 (504-700 Chaparral Rd)	SF-2 to CS	Apvd Staff recommendation to deny the proposed request	Expired administratively on 11/13/2000.
C14-03-0091 – 700 Chaparral Rd, as amended	NO-MU-CO to GR-CO, as amended	Apvd GR-CO w/CO prohibiting access to Chaparral Rd and 2,000 trips/day	Apvd PC rec (11-20-2003).
<i>South side of Chaparral Road</i>			
C14-79-288 – Directly adj to rezoning area: SE corner of IH-35 and Chaparral Rd (705-707 Chaparral Rd)	Interim “A” Residence, Interim First Height and Area to “C” Commercial, First Height and Area	Granted “C” Commercial, First Height and Area for all of property, save and except a 10 foot along the westernmost and northernmost boundaries that was approved for “A” Residence, First Height and Area	Apvd PC recommendation (02-14-1980).
C14-99-0124 – same location as C14-03-0092, south side of Chaparral Rd (701 Chaparral Rd)	SF-2 to CS	Apvd Staff recommendation to deny the proposed request	Expired administratively on 11/13/2000.
C14-03-0092 – same location as C14-99-0124, south side of Chaparral Rd	SF-2; SF-3 to CS	Apvd LO-MU-CO w/ CO prohibiting access to Chaparral Road (8-26-2003).	Denied Applicant’s request for CS (11-20-2003).

(701 Chaparral Rd)			
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CASE HISTORIES (Other zoning cases in the vicinity):

CASE NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-99-0117 – 6 adj lots on south side of Chaparral Rd (405-607 Chaparral Rd)	SF-2 to CS-CO	Approved Staff recommendation to deny the proposed request	Expired administratively on 9/18/2000.
C14-79-061 – 2 adj lots on south side of Chaparral Rd (505-507 Chaparral Rd)	Interim “AA” Residence, First Height and Area to “C” Commercial, First Height and Area, as amended	To Deny “C” Commercial, First Height and Area, but to Grant “A” Residence, First Height and Area	Approved “AA” First Height and Area (5/17/1979).
C14-84-232 – 2 adj lots on north side of Corral Ln (304-308 Corral Ln)	Interim “AA” First Height and Area to “A” Residence, First Height and Area	Approved “A” Residence, First Height and Area	Approved “A” Residence, First Height and Area (11/15/1984).

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	ADT
IH-35	300 feet	FWY-6	Freeway	144,000
Chaparral Road	50 feet	20 feet	Local	N/A

IH-35 is classified in the Bicycle Plan as Bike Route No. 421. Chaparral Road is not classified in the Bicycle Plan.

Capital Metro bus service (Routes No. 716 SB) is available along IH-35. There is no Capital Metro bus service available along Chaparral Road.

There are no existing sidewalks along IH-35 and Chaparral Road.

CITY COUNCIL DATE: August 13, 2015

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 512-974-7719

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