

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0064 – Martin T. Moser
Subdivision Rezoning

Z.A.P. DATE: July 21, 2015

ADDRESS: 10307 Old San Antonio Road

DISTRICT: 5

OWNER: Rebecca L. Euers

AGENT: Thrower Design
(Ron Thrower)

ZONING FROM: SF-2

TO: MF-2

AREA: 0.97 acres
(42,253.20 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant multi-family residence – low density (MF-2) district zoning.

ZONING & PLATTING COMMISSION RECOMMENDATION:

July 21, 2015: *APPROVED MF-2 DISTRICT ZONING, AS STAFF RECOMMENDED, BY CONSENT*

[L. BRINSMADE; B. EVANS – 2ND] (10-0) D. BREITHAUPT – ABSENT

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject platted lot contains one single family residence and was zoned single family residence – standard lot (SF-2) district upon annexation into the City limits in 1997. The tract has access to Old San Antonio Road, a two-lane roadway. The property is surrounded by undeveloped, multi-family residence zoned property to the north, east and south (MF-2-CO), and there are a few single family residences to the west (I-RR). The Southpark Meadows development is further north (CS-CO) and Akins High School and the football field is further to the south and southwest (I-RR). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant proposes to rezone the property to the multi-family residence – low density (MF-2) district so that it may be incorporated into the adjoining development planned for apartments. As background information, the adjoining MF-2-CO tract is limited to one driveway access point on Old San Antonio Road and the construction of a loop road from this tract to the southbound IH 35 frontage road is required prior to issuance of a Certificate of Occupancy. The zoning approved on a nearby CS-MU-CO zoned property, Double Creek

Village – C14-2008-0220, included the dedication of right-of-way for the new loop road at the time the zoning was finalized by City Council on November 18, 2010.

Incorporating the rezoning area into the surrounding MF-2-CO property would provide a second access point for multi-family residential development onto the narrow Old San Antonio Road. However, due to flooding and public safety issues with the nearby creek crossing on Old San Antonio Road to the northeast, the City has plans and funding in place to close this low water crossing and create cul-de-sacs on either side. Closure of the creek crossing will also address concerns that this section of Old San Antonio Road will be used as a bypass route for southbound IH 35 traffic. Therefore, the traffic on this segment of Old San Antonio Road will change to largely serve the existing uses, including the high school, a private primary educational facility and several residences. Residents of the proposed multi-family residential development will also have access to the loop road that will intersect the southbound IH 35 service road. For these reasons, Staff supports the Applicant's request to MF-2.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	One single family residence
<i>North</i>	MF-2-CO	Undeveloped
<i>South</i>	MF-2-CO; I-RR; LO-MU-CO	Undeveloped; Football field; Private primary educational facility
<i>East</i>	MF-2-CO; CS-MU-CO	Undeveloped
<i>West</i>	I-RR	A few single family residences; High School

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association

627 – Onion Creek Homeowners Association

742 – Austin Independent School District

1228 – Sierra Club, Austin Regional Group

1363 – SEL Texas

1340 – Austin Heritage Tree Foundation

1528 – Bike Austin

SCHOOLS:

Menchaca Elementary School

Paredes Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2010-0111 – 10301 Old San Antonio Road Rezone	MF-2-CO to MF-2-CO, to change a condition of zoning	To Grant removal of the CO that prohibits access to Old San Antonio Rd, limit the # of driveways to 1, and a Restrictive Covenant to require the owner to build access thru the loop road that adjoins the property along the SE property line to the IH 35 service road prior to issuance of a Certificate of Occupancy and to restrict construction traffic to the loop road.	Apvd MF-2-CO as Commission recommended (8-18-2011).
C14-2008-0220 – Double Creek Village – 10200-10614 S IH 35 Srvc Rd SB	I-RR; CS to CS-MU	Approved CS-MU-CO w/CO for list of prohibited uses, RC for conditions of the TIA, and Street Deed for r-o-w for the new loop road between FM 1826 and IH 35 is part of TIA approval and required to be dedicated at the time of zoning.	Apvd CS-MU-CO w/ RC for conditions of the TIA and Street Deed for r-o-w for new loop road as Commission recommended (11-18-2010).
C14-04-0160 – Harrell Tract #5 – 10184 – 10224 S IH-35 Srvc Rd SB; 10101 – 10139 Old San Antonio Rd	I-RR to CS-MU-CO	To Grant CS-MU-CO w/CO prohibiting certain uses and limiting development to 2,000 daily trips	Apvd CS-MU-CO as Commission recommended (12-02-2004).
C14-04-0126 – Harrell Tract #4 – 10100-10182 S IH-35 Srvc Rd SB; 10100 – 10128 Old San Antonio Rd	I-RR to CS-CO	To Grant CS-CO w/ CO for list of prohibited uses, RC for the TIA and establish that the minimum size for a stand-alone restaurant is 300 square feet	Apvd CS-CO as Commission recommended (12-02-2004).

C14-04-0124 – Harrell Tract #1 - 9800-10000 S 1st St & 10116 S IH-35 Srv Rd SB	I-RR to GR-MU-CO for Tract 1A and CS-CO for Tract 1B	To Grant GR-MU-CO for Tract 1A and CS-CO for Tract 1B w/CO for a list of prohibited uses with RC for the TIA and establish that the minimum size for a stand-alone restaurant is 300 sq. ft	Apvd GR-MU-CO for Tract 1A and CS-CO for Tract 1B with RC for the TIA and establish that the minimum size for a stand-alone restaurant is 300 sq. ft as recommended by Commission (12-02-2004).
C14-02-0052 – Wedding Facility, Catering and Restaurant – 10300 Old San Antonio Rd	I-RR to GR-MU-CO	To Grant GR-MU-CO w/CO limiting development of the property to bed and breakfast residential, indoor and outdoor entertainment and restaurants, 200 trips per day, height of 35 feet and 50% building coverage. RC specifying types of events and reservation of r-o-w on Old San Antonio Rd	Apvd GR-MU-CO w/RC as Commission recommended (8-22-2007).
C14H-01-0104 – Wedding/Catering Facility (Matthew Brown Homestead) – 10140 Old San Antonio Rd	I-RR to GR-MU-CO-H for Tract 1; GR-MU-CO for Tract 2	To Grant GR-MU-CO-H for Tract 1; GR-MU-CO for Tract 2, with CO for 35' height, 1,000 trips per day, 50% building coverage, 60% impervious cover, uses limited to bed and breakfast. RC to define the types of gatherings that would occur; r-o-w on Old San Antonio Road	Apvd GR-MU-H-CO for Tract 1; GR-MU-CO for Tract 2, w/CO and RC as Commission recommended, w/addl permitted uses of indoor and outdoor entertainment, and restaurants (11/29/2001).
C14-00-2031 – Stablewood Apartments – Old San Antonio Rd	I-RR to MF-2	To Grant MF-2-CO w/CO prohibiting access to Old San Antonio Road, 15' wide vegetative buffer adjoining SF-2 zoned property, and 2,000	Apvd MF-2-CO as PC recommended (8-17-2000).

		trips per day	
--	--	---------------	--

RELATED CASES:

The subject property was annexed into the City limits on December 31, 1997 and assigned SF-2 district zoning.

The property is platted as the Martin T. Moser Tract, a subdivision recorded in June 1958 (C8s-58-076). Please refer to Exhibit B.

There are no site plan applications on the property.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Old San Antonio Road	52 feet	22 feet	Collector (3,000 vpd – July, 2011)	No	No	No

CITY COUNCIL DATE: August 13, 2015

ACTION:

ORDINANCE READINGS: 1st

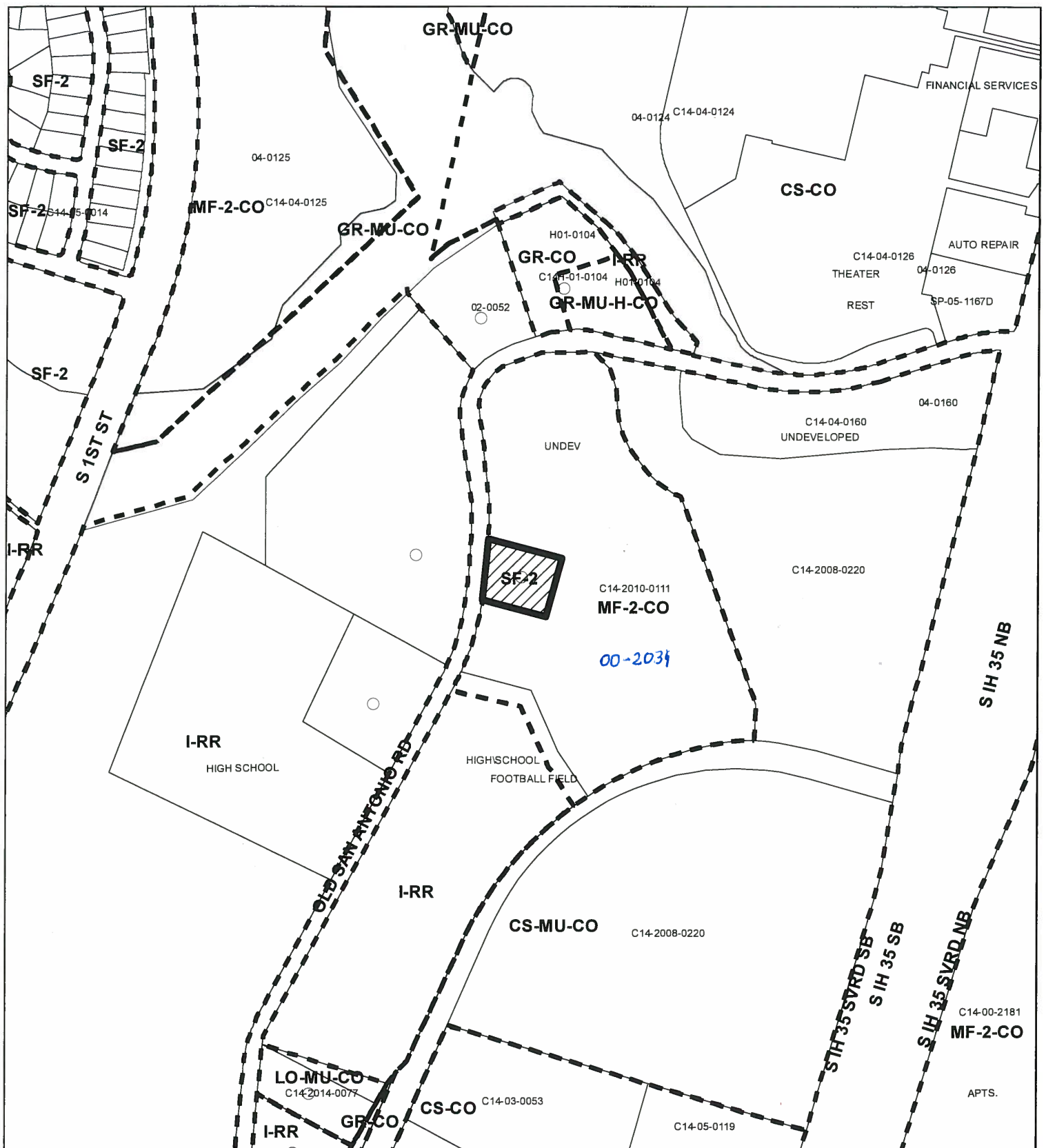
2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
CASE#: C14-2015-0064

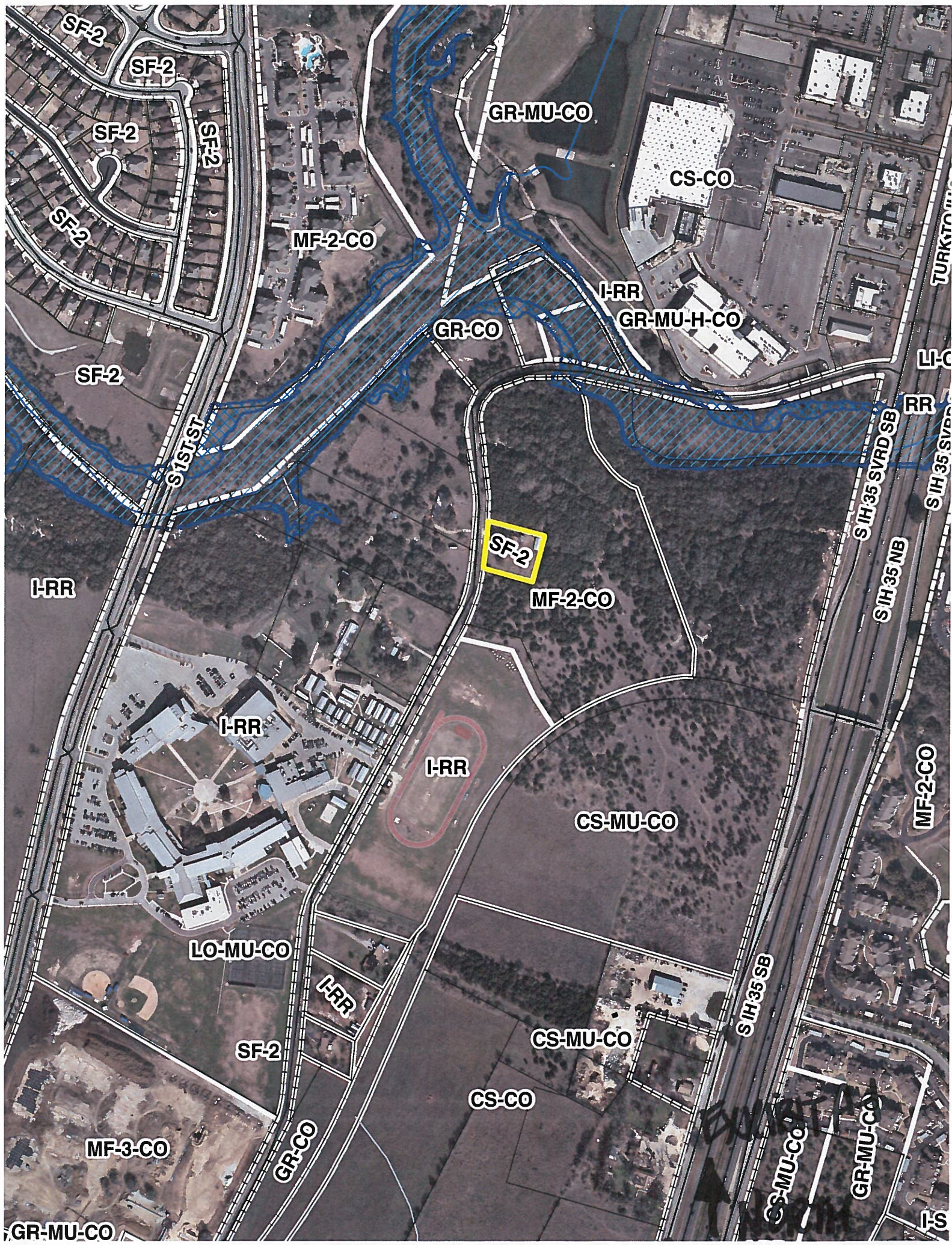
EXHIBIT A



1" = 400'

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.



SF-2
SF-2
SF-2
SF-2
SF-2
SF-2
S 1st St

GR-MU-CO
MF-2-CO
GR-CO
I-RR
GR-MU-H-CO
CS-CO

TURKOT
LI-C
RR
S IH 35 SVRD SB
S IH 35 NB

I-RR
SF-2
MF-2-CO
I-RR
CS-MU-CO
LO-MU-CO
SF-2
GR-CO
MF-3-CO
GR-MU-CO
CS-MU-CO
CS-CO
S IH 35 SB
CS-MU-CO
GR-MU-CO
I-S

0.97 AC.

SCALE: 1" = 100'

1" = 100' SET.

MARTIN T. MOSER TRACT

STATE OF TEXAS:
COUNTY OF TRAVIS: Know All Men By These Presents:

That we, Rex E. Kitchens and Martin T. Moser, do hereby certify that this plat truly and correctly represents the tract of land out of the S. F. Slaughter Survey, Travis County, Texas, conveyed to Martin T. Moser by deed recorded in Vol. 1939 page 56, Travis County Deed Records, as shown hereon.

Witness Our Hands this the 16 day of June A.D. 1958.

RECEIVED
JUN 19 1958
Planning Dept.
City of Austin

Rex D. Kitchens
Rex D. Kitchens

Martin T. Moser
Martin T. Moser

STATE OF TEXAS:
COUNTY OF TRAVIS: Before me, the undersigned authority, on this day personally appeared Rex D. Kitchens and Martin T. Moser, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed.

Given Under My Hand and Seal of Office this the 16th day of June A.D. 1958.

Randall Dismukes
Notary Public, Travis County, Texas
(SEAL)

STATE OF TEXAS:
COUNTY OF TRAVIS: I, Miss Emille Limberg, Clerk of the County Court within and for the County and State aforesaid do hereby certify that the within and foregoing instrument of writing with its Certificate of Authentication was filed for record in my office on the 30 day of June A.D. 1958 at 10:45 o'clock A.M. and duly recorded on the 30 day of June A.D. 1958 at 10:50 o'clock A.M. in the Plat Records of said County in Book 8 Page 149.

WITNESS My Hand and Seal of the County Court of said County, the date last written above.

(SEAL) Miss Emille Limberg
Clerk County Court, Travis County, Texas
By: E. L. L. L. L. Deputy.

APPROVAL OR ACCEPTANCE:
Date: June 23, 1958. V. L. Mike Mahoney
V. L. Mike Mahoney,
Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD BY THE
PLANNING COMMISSION OF THE CITY OF AUSTIN
TEXAS, this the 23rd day of June A.D. 1958.

Daniel B. Brown
Chairman
William H. Gorman
Secretary

SUBVISED June 10, 1958.
By: James J. Watson
Registered Surveyor
Austin - Texas

SEPTIC TANK NOTE:
Each house constructed in this subdivision shall be connected to a septic tank of a design approved by the State Health Dept., or to a sanitary sewer system.

"In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets, roads or other public thoroughfares shown on this plat, or the building of any bridges or culverts in connection therewith, shall be the responsibility of the owner or developer of the tract of land covered by this plat, in accordance with the plans and specifications prescribed by the Commissioners Court of Travis County, Texas, and the Commissioners Court of Travis County, Texas assumes no obligation to build the streets, roads, or other public thoroughfares shown on this plat or any bridges or culverts in connection therewith."

STATE OF TEXAS
COUNTY OF TRAVIS: I, Miss Emille Limberg, County Clerk of Travis County, Texas, do hereby certify that on the 30 day of June A.D. 1958, the Commissioners Court of Travis County, Texas, passed an order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of said Court in book 3 at page 385.

WITNESS MY HAND AND SEAL of the Court of said County, this the 30 day of June A.D. 1958.

Miss Emille Limberg, County Clerk, Travis County, Texas
(SEAL)

By: Stuart Harris Deputy

EXHIBIT B
RECORDED PLAT

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant multi-family residence – low density (MF-2) district zoning.

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 23 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near single family neighborhoods or in an area for which low density multifamily use is desired.

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

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

Incorporating the rezoning area into the surrounding MF-2-CO property would provide a second access point for multi-family residential development onto the narrow Old San Antonio Road. However, due to flooding and public safety issues with the nearby creek crossing on Old San Antonio Road to the northeast, the City has plans and funding in place to close this low water crossing and create cul-de-sacs on either side. Closure of the creek crossing will also address concerns that this section of Old San Antonio Road will be used as a bypass route for southbound IH 35 traffic. Therefore, the traffic on this segment of Old San Antonio Road will change to largely serve the existing uses, including the high school, a private primary educational facility and several residences. Residents of the proposed multi-family residential development will also have access to the loop road that will intersect the southbound IH 35 service road. For these reasons, Staff supports the Applicant's request to MF-2.

EXISTING CONDITIONS**Site Characteristics**

The site is developed with a single family residence, contains several trees and is fairly flat.

Impervious Cover

Within the Slaughter Creek watershed, the maximum impervious cover allowed by the MF-2 zoning district would be 60%, which is based on the more restrictive watershed regulations.

Comprehensive Planning

This zoning case is located on east side of Old San Antonio Road, in South Austin. The property is approximately 0.97 acres in size, contains a story single family house, and is not located in an area with an adopted neighborhood plan. Surrounding land uses includes vacant land to the north, south and east, a single family house to the west. The proposed use is multi-family.

Imagine Austin

The comparative scale of this site relative to other nearby residential uses, 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 rezoning.

Environmental

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

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location.

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

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Transportation

If rezoning is approved for this site, 32 feet of right-of-way should be dedicated from the centerline of Old San Antonio Road in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site [LDC, 25-6-55; TCM, Tables 1-7, 1-12]. This issue will be revisited during the site plan stage.

If the requested zoning is granted, it is recommended that internal drives within the site be required to stub out to at least one non-ROW adjacent property line for future connection.

Additional right-of-way may be required at the time of subdivision and/or site plan.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Old San Antonio Road.

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

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

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

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

The site is subject to compatibility standards, due to the Single Family use to the west, and the educational use to the south. Along the south and west property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet of height are allowed plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- Additional design regulations will be enforced at the time a site plan is submitted.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

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: C14-2015-0064

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: July 21, 2015, Zoning and Platting Commission
 August 13, 2015, City Council**

Sheldon Stablewood, Ltd.

Your Name (please print)

10301 Old San Antonio Rd

Your address(es) affected by this application

7/13/15

Date

Rick Sheldon, Managing Partner

Daytime Telephone: 210-490-2500

Comments:

We are the adjacent property owner and are in favor of zoning change

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810