

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0061 – Townbridge Homes Rezoning **Z.A.P. DATE:** October 6, 2015

ADDRESS: 7513 and 7603 Cooper Lane

DISTRICT AREA: 2

OWNER/APPLICANT: Townbridge Homes, LLC
(Aaron Levy)

AGENT: Thrower Design
(Ron Thrower)

ZONING FROM: DR; SF-2 **TO:** SF-6 **AREA:** 4.67 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant townhouse and condominium residence – conditional overlay (SF-6-CO) combining district zoning. The Conditional Overlay limits development to a maximum of 30 stand-alone units (6.42 units per acre).

ZONING & PLATTING COMMISSION RECOMMENDATION:

October 6, 2015:

ISSUES:

The Applicant is in agreement with the Staff recommendation. The Applicant has also been in discussion with the adjacent property owner to the south. Please refer to attached correspondence at the back of the Staff packet.

DEPARTMENT COMMENTS:

The subject rezoning area consists of two platted lots and an unplatted tract that contain one single family residence; the majority is zoned development reserve (DR) and the remainder single family residence – standard lot (SF-2) district. Access is taken to Cooper Lane which is classified as a residential collector street. Single family residences on large lots are to the north (SF-2; DR); undeveloped land with South 1st Street frontage is to the east (DR); and single family residences on large lots and tracts are to the south (DR). Single family residences and associated outbuildings, including warehouse structures with a rural character are located on large tracts on the west side of Cooper Lane (DR), as well as a telecommunications tower and a church (SF-6-CO; NO-MU-CO). An unnamed natural channel extends in proximity to the northeast corner of the property. Please refer to Exhibits A (Zoning Map), A-1 (Aerial View).

The Applicant proposes to rezone the property to the townhouse and condominium residence (SF-6) district, to be constructed as stand-alone units. Staff estimates that applying SF-2 zoning to the property's entire acreage would yield approximately 32 single family

residential lots. While SF-6 zoning would allow for the ability to introduce a different type of housing to the area, stand-alone units (i.e. not more than one unit per building) have more of a single family appearance than multiple units per building, and can be compatible with the existing single family residences in the vicinity. A similarly situated property to the north was approved for SF-6-CO with the CO for a maximum of 65 units on 9.86 acres in August 2014. To that end, the Staff supports a maximum of 30 stand-alone units which would provide for a similar density of residential development that has a single family character.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR; SF-2	One single family residence
<i>North</i>	DR; SF-2	Undeveloped; Single family residences
<i>South</i>	DR	Single family residences on large tracts; Warehouses
<i>East</i>	DR	Undeveloped
<i>West</i>	SF-2-CO; DR; NO-MU-CO; SF-2-CO	Undeveloped; Pipeline easement; Religious assembly; Telecommunications tower; Residences and outbuildings on large tracts

AREA STUDY: N / A

TIA / NTA: Is not required

WATERSHED: South Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

- 26 – Far South Austin Community Association
- 39 – Matthews Lane Neighborhood Association
- 511 – Austin Neighborhoods Council
- 627 – Onion Creek Homeowners Association
- 742 – Austin Independent School District
- 1228 – Sierra Club, Austin Regional Group
- 1236 – The Real Estate Council of Austin, Inc.
- 1340 – Austin Heritage Tree Foundation
- 1363 – SEL Texas
- 1374 – Friends of Williams Elementary
- 1424 – Preservation Austin
- 1429 – Go!Austin / Vamos!Austin (GAVA) – 78745
- 1440 – South Boggy Creek Environmental Association
- 1447 – Friends of the Emma Barrientos MACC
- 1494 – South Boggy Creek Neighborhood Association
- 1528 – Bike Austin

SCHOOLS:

- Williams Elementary School
- Bedichek Middle School
- Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2015-0129 – 7804 Cooper Ln	SF-2-CO to SF-3	Not yet scheduled	Not yet scheduled
C14-2014-0052 – Cooper Lane Rezoning – 7405, 7409 and 7415 Cooper Ln	DR; SF-2 to SF- 6-CO, as amended	To Grant SF-6-CO w/CO for a max of 65 units, 25' vegetative buffer along the north property line, restrict uses to sf, townhouse/condo, and the conds. of the Neighborhood Traffic Analysis, and add'l conds. for full access to Sir Gawain, sidewalks to Sir Gawain and Cooper Ln, stub-out to property to south between Lots 43 and 54 (refer to Concept Plan), traffic calming device on private street close to Sir Gawain, and secondary entrance/exit to Cooper Ln.	Apvd as SF-6-CO with a Restrictive Covenant as Commission recommended (8-28- 2014).
C14-2014-0049 – Cooper Villas – 7805 Cooper Ln	CS-CO to MF-1	To Grant MF-1-CO w/CO prohibiting residential uses	Approved MF-1-CO as ZAP recommended (6- 26-2014).
C14-05-0161 – Prunty Tracts – 7720 S 1st St; 7801-7805 Cooper Le; 630-640 Dittmar Rd	DR; LO to CS for Tract 1; MF- 1 for Tract 2	To Grant CS-CO for convenience storage and plant nursery and all W/LO uses on Tract 1, and MF-1-CO for Tract 2; 2,000 trips across Tracts 1 & 2	Apvd CS-CO and MF- 1-CO as ZAP recommended (12-15- 2005).
C14-02-0069 – New Life Assembly of God, Inc. – 7612 Cooper Ln	DR to LO	To Grant NO-MU-CO w/CO limited to day care (general) and permitted SF-2 uses with building and impervious cover limited to SF-2 development regulations.	Apvd NO-MU-CO as ZAP recommended (8- 29-2002).

C14-02-0039 – Della – 7600 ½ Cooper Ln	DR to SF-6	To Grant SF-6-CO, to allow for a telecommunications tower, with SF-2 development standards.	Apvd SF-6-CO zoning as ZAP recommended (6-27-2002).
C14-02-0018 – Della – 7600 ½ Cooper Ln	DR to MF-1	Withdrawn	N/A

RELATED CASES:

The SF-2 and the northern DR portions of the rezoning area are platted as the Lots 1 and 2 of the Resubdivision of Tract 1, Willie C. Garcia Subdivision, recorded on June 1972 (C8s-72-151). The southern DR zoned portion is presently unplatted.

A subdivision for 2 lots is currently in process for the rezoning area (C8-2015-0201.0A – Deer Run Subdivision). Please refer to Exhibit B.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Cooper Lane	60 feet	22 feet	Residential Collector (2,297 vpd, 44/2014)	No	Yes, Shared Lane, Route 82.34	No

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a shared lane is recommended along Cooper Lane.

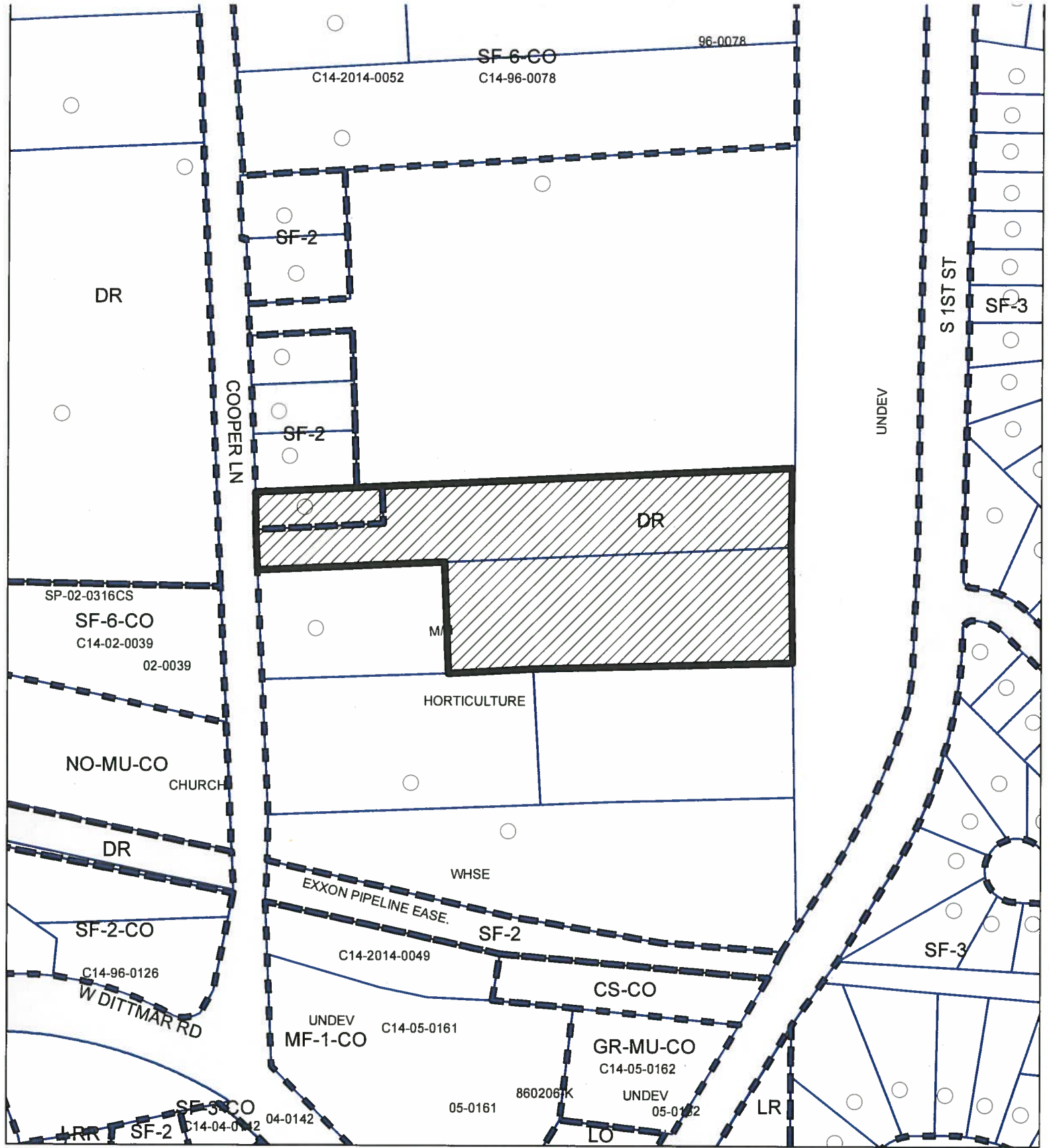
CITY COUNCIL DATE: November 12, 2015 **ACTION:**

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

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

PHONE: 512-974-7719



ZONING *EXHIBIT A*

Zoning Case: C14-2015-0061

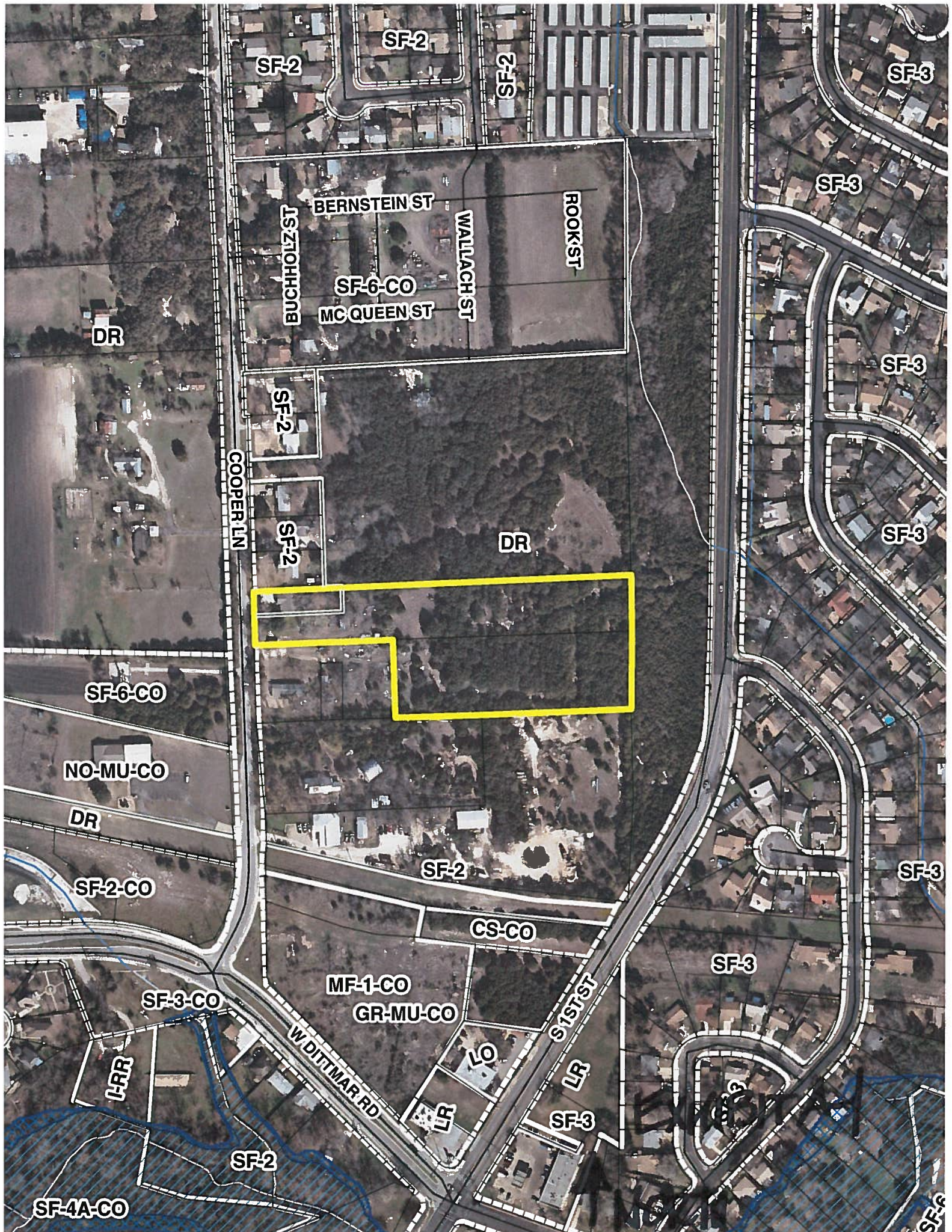
- N
- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

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.





SF-2

SF-2

SF-2

SF-3

SF-3

BERNSTEIN ST

ROOK ST

BUCHHUCHN

WALLACH ST

SF-6-CO

MC QUEEN ST

DR

SF-3

SF-2

SF-3

COOPER LN

SF-2

DR

SF-6-CO

NO-MU-CO

DR

SF-3

SF-2-CO

SF-2

CS-CO

SF-3

SF-3-CO

MF-1-CO

GR-MU-CO

S1ST ST

LRR

LO

LR

LR

SF-3

SF-2

SF-4A-CO

W DITMAR RD

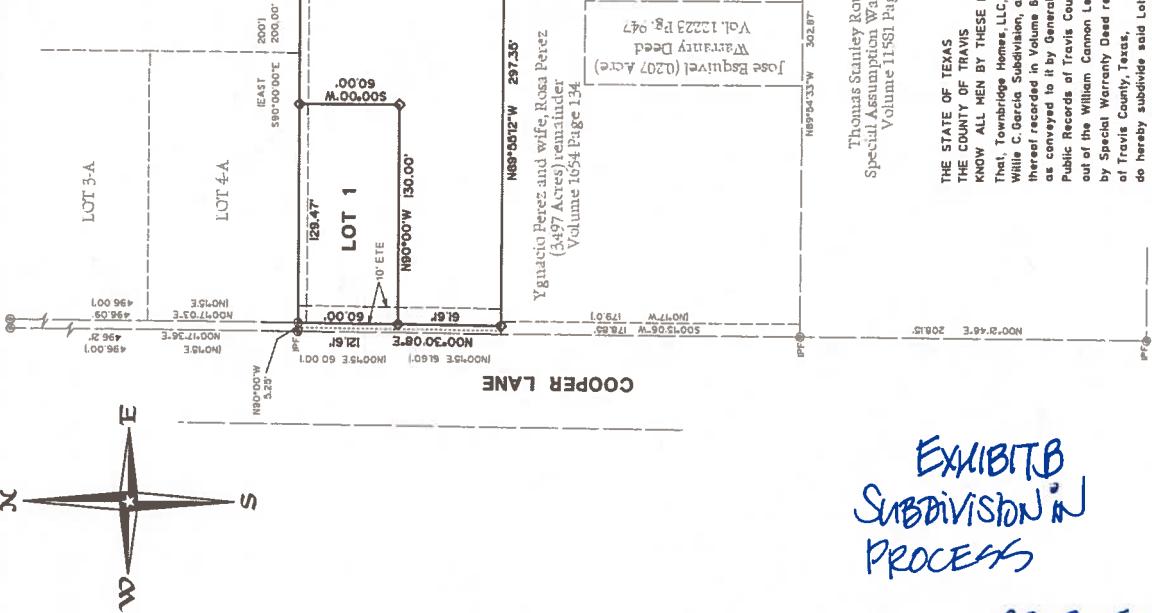
SF-3

DEER RUN SUBDIVISION

Plat Preparation Date: September 16, 2015
Application Submittal Date:

LOT SUMMARY
Total Number of Lots = 2
Lot 1 = 7.784 Square Feet = 0.178 Acre
Lot 2 = 194,329 Square Feet = 4.461 Acres
Total Area = 202,113 Square Feet = 4.639 Acres

LOT 5-A
RESUBDIVISION LOT 2, COOPER LANE ADDITION
Volume 62 Page 83



Henry M. Whittington Volume 354 Page 1633
Sally Whittington May, et al (71.2 Acres) Deed of Gift Volume 11092 Page 550

David Vercs
(4.709 Acres)
Volume 13651 Page 544

W I L L I A M C A R R O N L E A O U B
A B S T R A C T N O . 6

John Charles Ogden, et ux
(2.48 Acres) Warranty Deed
Document No. 2005146503

Thomas Stanley Roubush
Special Assumption Warranty Deed
Volume 11581 Page 228

Ygnacio Perez and wife, Rosa Perez
(3.497 Acres) remainder
Volume 1654 Page 134

Jose Baquiel (0.207 Acre)
Warranty Deed
Vol. 12223 Pg. 047

THE STATE OF TEXAS
THE COUNTY OF TRAVIS
KNOW ALL MEN BY THESE PRESENTS:
That, Townbridge Homes, LLC, owner of all of Lot 1 and Lot 2, Resubdivision of Tract 1, Willie C. Garcia Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 80 Page 11 of the Plat Records of Travis County, Texas, as conveyed to it by General Warranty Deed recorded in Document No. 2014151540 of the Official Public Records of Travis County, Texas, and owner of all of that certain 2.25 acres tract of land out of the William Cannon League Abstract No. 6 in Travis County, Texas, as conveyed to it by Special Warranty Deed recorded in Document No. 2015028841 of the Official Public Records of Travis County, Texas, do hereby subdivide said Lots 1 and 2 and sold 2.25 acres tract in accordance with the attached map or plat shown hereon pursuant to Chapter 212 of the Texas Local Government Code, to be known as

DEER RUN SUBDIVISION

subject to any easements and/or restrictions heretofore granted, and not released
WITNESS MY HAND this the ___ day of ___ A.D. 2015.

Aaron Levy, Managing Member of
Townbridge Homes, LLC
P.O. Box 90638
Austin, Texas 78799

SCALE: 1" = 50'

- Legend
- 1/2" Iron Rod Found
 - 3/4" Iron Pipe Found (unless noted)
 - ◇ 1/2" Iron Rod Set with plastic cap
 - ▲ 600 Nail Found
 - (Rec'd) Dimension
 - Sidewalk
 - ETE = Electric and Telecommunications Easement

THE STATE OF TEXAS
THE COUNTY OF TRAVIS
I, the undersigned authority on this the ___ day of ___ A.D. 2015, did personally appear Aaron Levy, known to me to be the person whose name is subscribed to the foregoing instrument of writing, and he acknowledged before me that he executed the same for the purposes and considerations therein expressed.

NOTARY PUBLIC
Printed Name _____
Commission Expires _____

EXHIBIT B
SUBDIVISION IN
PROCESS

C8-2015-0201.OA

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant townhouse and condominium residence – conditional overlay (SF-6-CO) combining district zoning. The Conditional Overlay limits development to a maximum of 30 stand-alone units (6.42 units per acre).

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The townhouse and condominium residence (SF-6) district is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

3. Zoning should be consistent with approved and existing residential densities.

SF-6 zoning would allow for the ability to introduce a different type of housing to the area, stand-alone units (i.e. not more than one unit per building) have more of a single family appearance than multiple units per building, and can be compatible with the existing single family residences in the vicinity. A similarly situated property to the north was approved for SF-6-CO with the CO for a maximum of 65 units on 9.86 acres in August 2014. To that end, the Staff supports a maximum of 30 stand-alone units which would provide for a similar density of residential development that has a single family character.

EXISTING CONDITIONS

Site Characteristics

The site is developed with one single family residence and is otherwise undeveloped. The property slopes gently to the east towards an unnamed natural channel that flows in proximity to the eastern property line.

Impervious Cover

The maximum impervious cover allowed by SF-6 zoning district is 55%, a consistent figure between the *zoning and watershed* regulations.

Comprehensive Planning

This zoning case is located on the east side of Cooper Lane and is not located within the boundaries of a neighborhood planning area. A single family house is situated on this **4.67 acre** parcel and is surrounded by a single family house and undeveloped land to the north, a

single family house to the south, and undeveloped land to the east and west. The proposed use is a condominium project.

Imagine Austin

The comparative scale of the site relative to nearby residential uses, as well as the site not being located along an Activity Corridor (although S. 1st Street is located approximately 175 ft. to the east, which is identified as an activity corridor) or within an Activity Center, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the South Boggy 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.

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.

Transportation

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].

A Neighborhood Traffic Analysis is not required for this case because the applicant has indicated that no more than 35 condo units are being proposed. This does not exceed the threshold of 300 vehicle trips per day [LDC, Sec. 25-6-114].

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

If the requested zoning is recommended for this site, stub out internal drives to the north and south for future connection will be required at the time of site plan.

If the requested zoning is recommended for this site, a pedestrian access easement that will connect to the east of the property for future pedestrian connection to 1st Street and the bus stop(s) will be required at the time of site plan.

Water and Wastewater

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

Site Plan and Compatibility Standards

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.

Along the north, south, and east 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.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- Additional design regulations will be enforced at the time a site plan is submitted.

Rhoades, Wendy

From: Molly McDonald-Ogden [REDACTED]
Sent: Thursday, October 01, 2015 8:57 AM
To: ront@throwerdesign.com; Rhoades, Wendy
Subject: Proposed Condition of Zoning Change for Townbridge Homes, 7603 Cooper Lane, Austin, TX

Hello, Wendy and Ron. I appreciated my telephone conversations with both of yesterday. This email concerns adding a condition to the upcoming proposed zoning change on the Townbridge Homes property. Ron, you agreed to discuss with the property owner the following:

Protect and maintain a vegetative buffer, especially trees, along and near the property line we share on your south border. Because you intend to build second story homes and because our property is a residence, we ask that maintaining such a vegetative buffer be a condition of the zoning change approval process.

Also, at this stage, you may not know the kind of perimeter fencing you'll want to have for the development. As a courtesy, my husband Jon and I would like the property owner/building contractor to engage with us before installing a fence on the shared property line, as that can have a huge impact on the vegetative buffer. We are not opposed to reasonable fencing—coyotes do work the area—but we'd like to have collaborative input. My husband has a lot of experience in these matters as a Certified Arborist with 30 years of experience.

At the Commission meeting, I will be raising the anticipated traffic issues anticipated from the three new developments. Wendy, I look forward to hearing about any traffic impact studies you've located, especially concerning access points at Cooper/Dittmar and Cooper/WmCannon. These two points could become a crisis for traffic flow on Cooper for the reasons I've mentioned in our discussions.

Thank you. We hope to gain some nice neighbors when Townbridge Homes is built.
Molly McDonald-Ogden

Molly McDonald-Ogden
7611 Cooper Lane
Austin, TX 78745
512-422-0717