

## THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2015-0118 – Emerald Forest @ William Cannon Rezoning

REQUEST:

Approve third reading of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6707 Emerald Forest Drive (Williamson Creek Watershed; South Boggy Creek Watershed) from family residence – neighborhood plan (SF-3-NP) combining district zoning and limited office – neighborhood plan (LO-NP) combining district zoning to neighborhood commercial – mixed use – conditional overlay – neighborhood plan (LR-MU-CO-NP) combining district zoning. The Conditional Overlay 1) limits the number of daily vehicle trips to 2,000; 2) prohibits alternative financial services, service station and drive-in services as an accessory use; 3) requires a 6-foot high privacy fence along the north property line; 4) limits height to two stories and 35 feet; and 5) requires 10 foot wide undisturbed vegetative buffer with maintenance provisions along the north property line. The Restrictive Covenant limits noise level to 70 decibels along the north property line.

DISTRICT AREA: 2

DEPARTMENT COMMENTS:

The ordinance and Restrictive Covenant is consistent with City Council action taken on Second Reading.

OWNER: JBS Holdings, LP (Sheri Krause)

APPLICANT: Alice Glasco Consulting (Alice Glasco)

DATE OF FIRST READING: November 12, 2015, Approved LR-MU-CO-NP combining district zoning, on First Reading (11-0).

DATE OF SECOND READING: December 10, 2015, Approved LR-MU-CO-NP combining district zoning, with conditions, on Second Reading (10-0, Mayor Adler was absent).

CITY COUNCIL HEARING DATE: December 17, 2015

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades  
e-mail: [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2015-0118 – Emerald Forest @  
William Cannon Rezoning

**P.C. DATE:** October 27, 2015

**ADDRESS:** 6707 Emerald Forest Drive

**DISTRICT AREA:** 2

**OWNER:** JBS Holdings, LP  
(Sheri Krause)

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

**ZONING FROM:** SF-3-NP; LO-NP      **TO:** LR-MU-NP      **AREA:** 1.56 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant neighborhood commercial – mixed use – conditional overlay – neighborhood plan (LR-MU-CO-NP) combining district zoning. The Conditional Overlay 1) limits the number of daily vehicle trips to 2,000, 2) prohibits service station, and 3) prohibits drive-in services as an accessory use.

### **PLANNING COMMISSION RECOMMENDATION:**

October 27, 2015: *APPROVED LR-MU-CO-NP DISTRICT ZONING WITH THE FOLLOWING CONDITIONAL OVERLAYS: 1) 2,000 DAILY VEHICLE TRIP LIMIT; 2) PROHIBIT SERVICE STATION AND ALTERNATIVE FINANCIAL SERVICES; 3) A DRIVE-IN SERVICES USE IS A CONDITIONAL USE; 4) LIMIT HEIGHT TO TWO STORIES AND 35 FEET; 5) REQUIRE A 10' WIDE UNDISTURBED VEGETATIVE BUFFER WITH MAINTENANCE PROVISIONS ALONG THE NORTH PROPERTY LINE, AND 6) LIMIT NOISE LEVEL TO 70 DECIBELS ALONG THE NORTH PROPERTY LINE.*

*[T. NUCKOLS; N. ZARAGOSA – 2<sup>ND</sup>] (10-0) J. THOMPSON – ABSENT; P. SEEGER – LEFT EARLY; 1 VACANCY ON THE COMMISSION*

### **ISSUES:**

The Applicant has discussed this case with the Armadillo Park Neighborhood Association. The Association's recommendations and other correspondence received is attached at the back of the Staff report.

### **DEPARTMENT COMMENTS:**

The subject irregular-shaped platted lot is situated at the northeast corner of Emerald Forest Drive and William Cannon Drive, and extends east to Cooper Lane. The east half of the property is approximately 165 feet wide and tapers to less than 4 feet at Cooper Lane, and thus has limited usability. The property originally contained a sales office that was used when the subdivision to the north was under construction. The sales office has been removed

and the site presently hosts annual sales of Christmas trees and occasional flea markets. The area that contained the office and associated parking, as well as access points to Emerald Forest and William Cannon is zoned limited office – neighborhood plan (LO-NP) district, and is surrounded by family residence – neighborhood plan (SF-3-NP) district which prior to the late 1980s was a way of providing “compatibility standards” to adjacent SF-2 and SF-3 properties. There are single family residences to the north that access Armadillo Road and Cooper Lane (NO-MU-CO-NP; SF-6-NP; SF-3-NP); apartments on the east side of Cooper Lane (LR-NP; GR-NP); a car wash, apartments and condominiums on the south side of West William Cannon Drive (GR; MF-2-CO; LO); and undeveloped property and medical offices on the west side of Emerald Forest (LO-NP; LR-NP). Please refer to Exhibit A (Zoning Map), A-1 (Aerial) and B (Recorded Plat).

The Applicant has requested neighborhood commercial – mixed use – neighborhood plan (LR-MU-NP) combining district zoning in order to have the ability to develop the property with commercial and/or residential uses. Staff recommends LR-MU-CO-NP district zoning based on the following considerations of the property: 1) location at the intersection of an arterial roadway and collector street; 2) designation as a Neighborhood Transition by the Garrison Park Character District map which allows for a range of residential uses and smaller-scaled office and commercial uses, 3) the CO prohibits the more intense uses of service station and drive-through services, the latter also due to the lot's limited frontage on Emerald Forest and sight distance concerns on William Cannon at this location, and 4) limits the number of daily vehicle trips to 2,000.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP; LO-NP	Parking area; Annual sales of Christmas trees
<i>North</i>	NO-MU-CO-NP; SF-6-NP; SF-3-NP	Residences on large lots; Church; Reservoir; Neighborhood park
<i>South</i>	GR; MF-2-CO; LO	Automotive washing; Apartments; Condominiums
<i>East</i>	LR-NP; GR-NP	Apartments
<i>West</i>	LO-NP; LR-NP; SF-3-NP	Undeveloped; Medical offices; Nail salon; Single family residences on large lots

**NEIGHBORHOOD PLANNING AREA:** South Austin Combined (Garrison Park)

**TIA / NTA:** Is not required

**WATERSHEDS:** Williamson Creek;  
South Boggy Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**SCHOOLS:**

Odom Elementary School

Bedichek Middle School

Crockett High School

**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association 511 – Austin Neighborhoods Council  
 627 – Onion Creek Homeowners Association 742 – Austin Independent School District  
 1008 – Woodhue Community Neighborhood Watch  
 1228 – Sierra Club, Austin Regional Group 1340 – Austin Heritage Tree Foundation  
 1363 – SEL Texas 1374 – Friends of Williams Elementary  
 1386 – Friends of Armadillo Park 1424 – Preservation Austin  
 1429 – Go!Austin / Vamos!Austin (GAVA)-78745  
 1447 – Friends of the Emma Barrientos MACC  
 1468 – Armadillo Park Neighborhood Association  
 1528 – Bike Austin 1530 – Friends of Austin Neighborhoods

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0077.SH – Garden Terrace Phase 3 – 1015 West William Cannon Dr	MF-2-CO to MF-2-CO, to change a condition of zoning	To Grant MF-2-CO to modify the 22' height limit to 35' 1/2 story; remove the FAR limit; modify the max # of dwelling units from 103 to 123; and modify the corresponding # of dwelling units per acre from 17.85 to 21.32.	Apvd as Commission recommended (8-29- 2013).
C14-2008-0103 - 1100 West William Cannon Dr	LO to GR-MU	Withdrawn by Applicant prior to Commission hearing	Not applicable
C14-01-0025.SH – Garden Terrace – 1015 West William Cannon Dr	SF-3 to MF-1- CO, as amended	To Grant MF-1-CO w/CO for a FAR limit of 1:0.17852	Apvd MF-1-CO w/CO limiting height to 22'; prohibiting club or lodge; community recreation (private & public); telecommunication tower, and FAR of 1:0.17852 (10-25- 2001).
C14-01-0084 – Armadillo Road – 1001 Armadillo Rd and 6605 Emerald Forest Dr	SF-3 to NO for Tract 1; SF-6 for Tract 2	To Grant NO-MU-CO for Tract 1 and SF-6 for Tract 2 w/CO limiting the uses to administrative and business offices,	Apvd NO-MU-CO for Tract 1 and SF-6 for Tract 2 (10-25-2001).

		professional offices, day care (general & limited), and software development, 100 trips per day, and 15' landscape buffer along the north and east property lines.	
C14R-86-174 – Emerald Forest Retail Center – 1000 Block of William Cannon Dr	LO to GR	Forwarded to City Council without a recommendation	Denied GR (1-8-1987).
C14-84-337 – Mike Cornett (Genie's Car Wash) – 1015–1117 West William Cannon Dr	I-SF-3 to GR	To Grant GR, 1 <sup>st</sup> Height and Area	Apvd GR w/RC limiting the property to car care center including washing, vacuuming facilities, gasoline sales, detailing services, lube and oil change service with racks; attached Site Plan and Compatibility Standards Waiver approved (7-31-1986).

### **RELATED CASES:**

The subject property is located within the boundaries of the South Austin Combined (Garrison Park) Neighborhood Planning Area. On the adopted Character District Map, the rezoning area is designated as the Neighborhood Transition district (NP-2014-0030 – Ordinance No. 20141106-085). The –NP combining district was appended to the existing GR base district (C14-2014-0019 – Ordinance No. 20141106-088).

The property is approximately 786 feet in length along William Cannon and platted as Lot 1, Anderson Professional Park subdivision, recorded in 1977 (C8S-77-170). A previous zoning from LO to GR with attached site plan was denied by the Planning Commission on July 7, 1987 and subsequently expired (C14R-87-095 – George Coffey Automotive Sales). There are no site plan applications currently in process on the subject property.

The property was annexed into the full-purpose City limits in November 1972 (C7-72-4AL).



**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	ADT
William Cannon Drive	120 feet	MAD-6	Major Arterial	36,443
Emerald Forest Drive	80 feet	44 feet	Collector	5,870

- William Cannon Drive is classified in the Bicycle Plan as Bike Route No. 80.
- Emerald Forest Drive is classified in the Bicycle Plan as Bike Route No. 331.
- Capital Metro bus service (Route No. 333) is available along William Cannon Drive.
- There are existing sidewalks along William Cannon Drive and Emerald Forest Drive.

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

**ACTION:** Approved LR-MU-CO-NP district zoning as Staff recommended, with an additional Conditional Overlay for a privacy fence along the north property line, on First Reading (11-0).

December 10, 2015

Approved LR-MU-CO-NP district zoning as on First Reading with additional conditions to prohibit alternative financial services, limit height to 35' and 2 stories, require a 10' wide undisturbed vegetative buffer with maintenance provisions along the north property line, and limit noise level to 70 dB along the north property line, on Second Reading (10-0, Mayor Adler was absent).

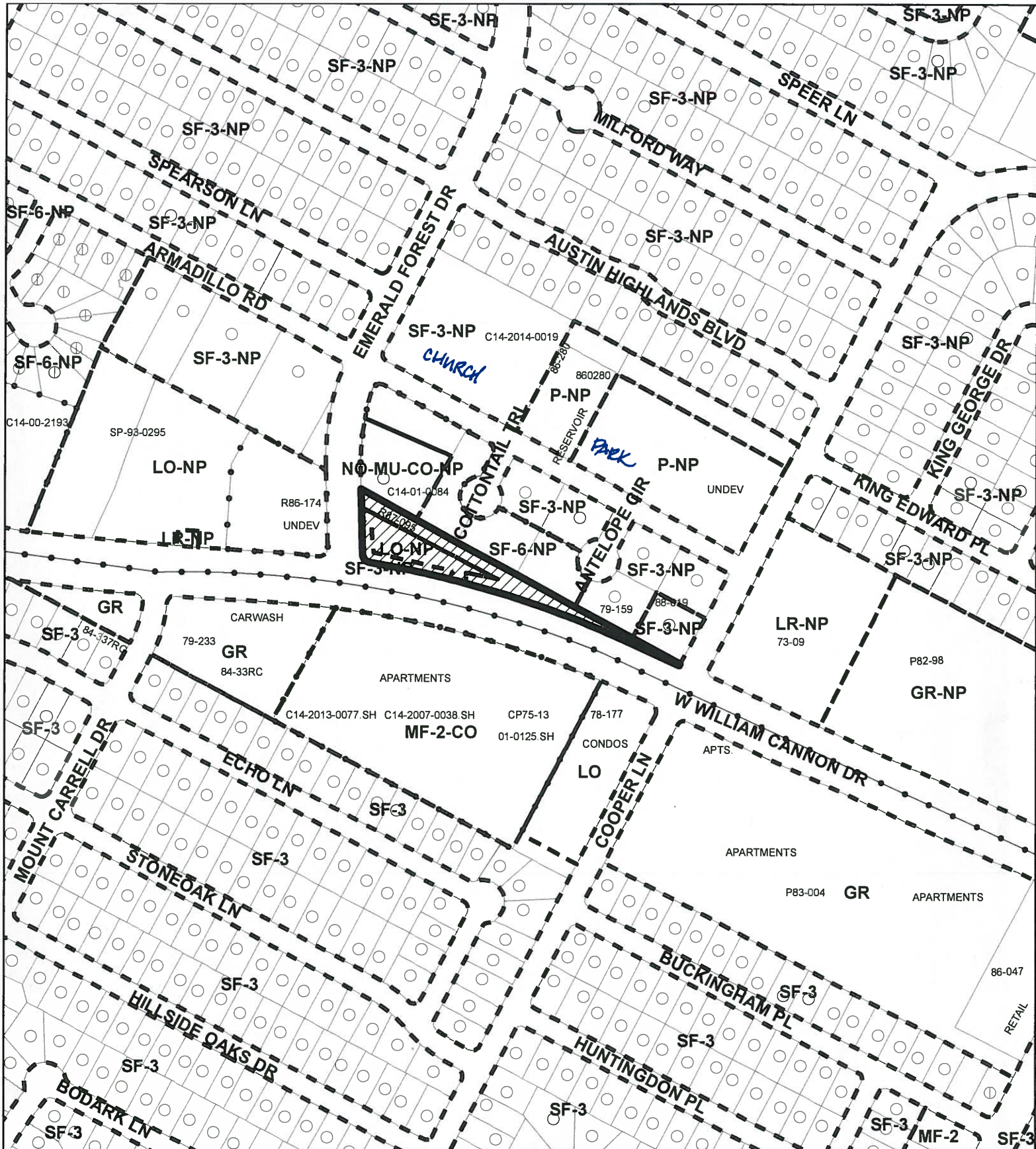
December 17, 2015




**ORDINANCE READINGS:** 1<sup>st</sup> November 12, 2015 2<sup>nd</sup> December 10, 2015 3<sup>rd</sup>

**ORDINANCE NUMBER:**

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

**PHONE:** 512-974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING**  
**CASE#: C14-2015-0118**

*EXHIBIT A*



1" = 300'

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-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

SPEER LN

SF-3-NP

SF-3-NP

SF-3-NP

SF-6-NP

SF-3-NP

SF-3-NP

SF-3-NP

P-NP

P-NP

LO-NP

NO-MU-CO-NP

SF-3-NP

SF-6-NP

SF-3-NP

LR-NP

LO-NP

SF-3-NP

W WILLIAM CANNON DR

LR-NP

SF-3-NP

SF-3

GR

GR

MF-2-CO

LO

SF-3

GR

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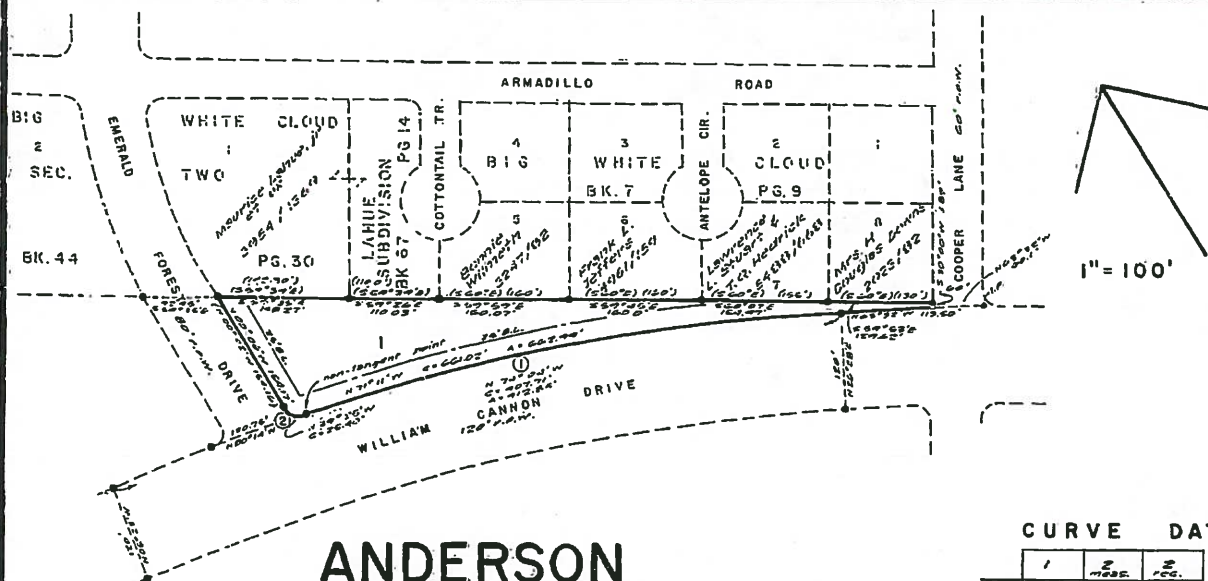
SF-3

SF-3

MF-2

EMERALD





# ANDERSON PROFESSIONAL PARK

CURVE DATA		
	1	2
Δ	21°06'	18°55'
R	240.76'	19.47'
T	44.66'	16.35'
C	107.71'	25.40'
A	412.86'	27.52'

State of Texas:  
County of Travis:  
Know All Men by These Presents:

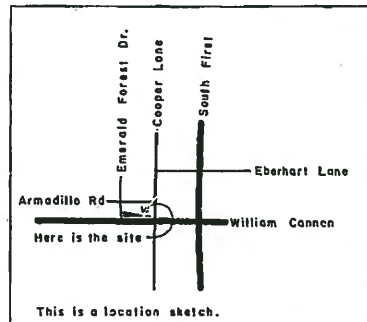
That we Edward R. Rathgeber and Jessie B. Anderson owners of L.S.G. Series of land situated in the William Cannon Survey No. 19, Abstract No. 6 all in Travis County, Texas do hereby divide said L.S.G. Series of land to be known as "Anderson Professional Park" and do hereby dedicate to the public use of all easements shown hereon subject to any easements or restrictions heretofore granted.

Witness Our Hands this 30th day of June, A.D. 1977.

Edward R. Rathgeber Jessie B. Anderson  
Edward R. Rathgeber Jessie B. Anderson  
1324 Cinders Parkway 1324 Cinders Drive  
Austin, Texas Austin, Texas

## Legend

- Iron pin set
- Iron pin found
- ( ) Record
- Concrete monument found



State of Texas:  
County of Travis:

Before me, the undersigned authority, on this day personally appeared Edward R. Rathgeber and Jessie B. Anderson known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations expressed therein.

Given under my hand and seal of office this 30th day of June, A.D. 1977.

[Signature]  
Notary Public in and for Travis County, Texas

Approved for Acceptance

This the 30th day of June, A.D. 1977.

[Signature]  
Director, Department of Planning

Accepted and Authorized for Record

By the Planning Commission of the City of Austin, Texas, this the 30th day of June, A.D. 1977.

[Signature] [Signature]  
Secretary Chairman

### Plat Drainage Note:

Prior to construction, drainage plans will be submitted to the City Engineering Dept. for approval. Rainfall runoff shall be held to the amount existing at undeveloped status by use of ponding or other approved methods.

### Sidewalks shall be constructed

On William Cannon Drive from Emerald Forest Drive prior to acceptance of any Type I or II driveway approach and for certificate of occupancy. Sidewalks which have not been installed within two years of the recording of this plat may, upon approval of the City Council, be constructed by the City of Austin and assessment shall be made against the affected properties for all engineering, administration & construction costs.

Filed for Record

At 3:30 P.M. this the 9 day of Nov. A.D. 1977.

Doris Shropshire, Clerk of the County Court, Travis County, Texas.

[Signature]  
Deputy

State of Texas:  
County of Travis:

I, Doris Shropshire, Clerk of the County Court in and for Travis County, Texas do hereby certify that the foregoing instrument with its certificate of authentication was filed in my office at 3:30 P.M. this the 9 day of Nov. 1977 and duly recorded at 3:30 P.M. this the 9 day of Nov. A.D. 1977 in the Plat Records of Travis County, Texas in Book 76 at Page 58.

Witness my hand and seal of office of the County Court of Travis County, Texas on the last date written above.

[Signature] [Signature]  
Deputy Doris Shropshire  
Doris Shropshire, Clerk of the County Court, Travis Co., Texas

I hereby certify that Austin City Code Chapter 29.27 of 1964 has been complied with.

[Signature]  
Registered Professional Engineer

Surveyed by:

TRAVIS ASSOCIATES  
CONSULTING ENGINEERS  
AUSTIN DALLAS PASO

July 30 1977  
Date

RECEIVED  
JUL 21 1977

CBS-77-170

EXHIBIT B  
RECORDED PLAT

**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant neighborhood commercial – mixed use – conditional overlay – neighborhood plan (LR-MU-CO-NP) combining district zoning. The Conditional Overlay 1) limits the number of daily vehicle trips to 2,000, 2) prohibits service station, and 3) prohibits drive-in services as an accessory use.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

The neighborhood commercial (LR) district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: “The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.” The property has frontage on East William Cannon Drive and Emerald Forest Drive.

*2. Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and collectors.*

Staff recommends LR-MU-CO-NP district zoning based on the following considerations of the property: 1) location at the intersection of an arterial roadway and collector street; 2) designation as a Neighborhood Transition by the Garrison Park Character District map which allows for a range of residential uses and smaller-scaled office and commercial uses, 3) the CO prohibits the more intense uses of service station and drive-through services, and 4) limits the number of daily vehicle trips to 2,000.

**EXISTING CONDITIONS****Site Characteristics**

The subject lot is undeveloped, heavily treed and is fairly flat.

**Impervious Cover**

Within the Williamson Creek and South Boggy Creek watersheds, the maximum impervious cover allowed by the LR zoning district would be 80%, which is a consistent figure between the watershed and zoning regulations.



### **Comprehensive Planning**

This undeveloped, long and narrow 1.56 acre parcel is located on the northeast corner of W. William Cannon Drive and Emerald Forest Drive. The property is also located within the boundaries of South Austin Combined Neighborhood Planning area, in the Garrison Park NP. Surrounding land uses includes single family housing to the north, a condominium complex and senior living to the south, undeveloped land to the west, and apartments to the east. The proposal is for non-specified commercial and/or a residential land use.

#### **South Austin Combined (SACNP) Neighborhood Plan**

The SACNP Character District Map of this plan designates this portion of West William Cannon Drive as a **Neighborhood Transition Character District**, which is intended primarily for residential uses, such as clusters of duplexes, four-plexes, and apartment buildings, along with small-scaled offices and neighborhood-serving businesses. Neighborhood Transition districts create a buffer between Residential Core districts and more intense character districts or busy roads. Many of these districts are located along Imagine Austin Activity Corridors. LR-MU zoning is permitted in the Neighborhood Node Character District. The following text and policies taken from the SACNP are applicable to this request:

#### ***Neighborhood Transition Character District (p 53 and 54)***

**Neighborhood Transition Vision:** The Neighborhood Transition District blends seamlessly with the Residential Core. It contains an abundance of mature trees and landscaping and is walkable, bikeable, and supportive of transit.

Neighborhood Transition character districts, along with Neighborhood Nodes, border the Residential Core along arterial roadways. Primarily residential, these areas consist of clusters of duplexes, four-plexes, and apartment buildings, along with small-scaled offices and neighborhood-serving businesses. Neighborhood Transition districts create a buffer between Residential Core districts and more intense character districts or busy roads. Many of these districts are located along Imagine Austin Activity Corridors. Neighborhood Transition districts in particular present an opportunity to incorporate more missing middle housing types that are compatible with the neighborhood. The missing middle refers to duplexes and other housing types, such as row houses, bungalow courts and other housing types compatible with the existing neighborhood, that provide options between the scale of single-family houses and mid-rise apartments or condos. As Austin's population grows and its demographics change, these housing types provide the opportunity to accommodate growth in walkable neighborhoods while respecting neighborhood character. The variety of housing types in the missing middle promote multi-generational communities, providing options for young people and for older generations to age in place.

**NT P1:** This district should primarily consist of residential housing types, but at higher densities than in the Residential Core. The following building types should be encouraged the in the district to meet the needs of a wider range of households: (p 54)

- Duplexes
- Fourplexes
- Small- and medium-sized apartments
- Cottage clusters/bungalow courts
- Row houses or townhouses
- Single family houses adapted into offices or retail
- Live/work buildings

**NT P2:** Building scale, height and siting within the Neighborhood Transition district should be harmonious with the adjacent Residential Core district.

**NT P3:** Moving from the Neighborhood Transition to the Residential Core, setbacks, similar building footprints, landscaping (including green infrastructure), similar building heights or setbacks in building height, and/or other means should be used to create compatible developments which fit within the fabric of the neighborhood. Buildings should be no more than 3 stories tall.

**NT P4:** New construction in the Neighborhood Transition district should front the street, with surface or structured parking located behind buildings. Where the Neighborhood Transition character district abuts the Residential Core either mid-block or across a street, special care should be taken to create compatibility between the districts. (p. 57)

**NT P5:** Encourage missing middle housing types that are compatible with the neighborhood character. In the interim between the adoption of this neighborhood plan and the adoption of the revised Land Development Code, the following zoning districts should be generally considered appropriate to the Neighborhood Transition character district:

SF-2#: Standard lot single family

SF-3#: Family residence

SF-4A#: Small lot single family

SF-4B#: Single family condo

SF-5: Urban family residence

SF-6: Townhouse & condo residence

MF-1: Limited density multi-family

MF-2: Low density multi-family

MF-3: Medium density multi-family

NO: Neighborhood office

LO: Limited office

LR: Neighborhood Commercial

# Zone can be in a given FLUM category, but a zoning change to this district is not recommended

**HA P2:** Encourage development of additional affordable housing integrated into the neighborhood (p. 93)



**HA A9:** Encourage affordable housing in all character districts to meet the needs of a diverse population at different income levels:

- Residential Core: secondary apartments
- Neighborhood Transition: duplexes, “missing middle” housing types, multi-family buildings.
- Neighborhood Node: multi-family buildings, vertical mixed use buildings
- Mixed Use Activity Hub: multi-family buildings, vertical mixed use buildings

Residential uses, along with small-scaled offices and neighborhood-serving businesses appear to be consistent along this portion of W. William Cannon Drive, as long as massing, height, and the intensity of a proposed project is compatible and harmonious with the adjoining Residential Core land uses located to the north.

### **Imagine Austin**

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this section of **W. William Cannon Drive as an Activity Corridor**.

Activity Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

Although this property is located along an Activity Corridor, based on the comparative scale of the site relative to nearby residential and commercial uses, 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 Williamson Creek and South Boggy Creek Watersheds of the Colorado River Basin, which are classified as Suburban Watersheds 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.

### **Site Plan**

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. The site is located on Suburban Roadways, and William Cannon is the Principal Roadway

The site is within the Garrison Park/South Austin Combined Neighborhood Planning Area. Design standards and guidelines can be found at <http://austintexas.gov/page/adopted-neighborhood-planning-areas-0>

The site is subject to compatibility standards. Along the north property line, the following standards apply:

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

### **Transportation**

No additional right-of-way is needed at this time.



A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day [LDC, 25-6-117].

An NTA will not be triggered for this case since access will be provided to both Emerald Forest and William Cannon Drive.

Nathan Wilkes and Eric Dusza with the Public Works Dept. may provide additional comments regarding mobility enhancement and bicycle/pedestrian facilities.

**Water / 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.

## Rezoning 6707 Emerald Forest

APNA Recommendations on the Proposed Rezoning case C14-2015-0118

### Proposed Zoning Change:

**From:** SF-3-NP - Family Residence district is intended as an area for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. Duplex use is permitted under development standards which maintain single-family neighborhood characteristics. This district is appropriate for existing single-family neighborhoods having typically moderate sized lot patterns, as well as well as for development of additional family housing areas with minimum land requirements. LO-NP - Limited Office district is intended for offices predominately serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods. NP - Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

**To:** LR-MU-NP - Neighborhood Commercial district is intended for neighborhood shopping facilities which provide limited business service and office facilities predominantly for the convenience of residents of the neighborhood. MU - Mixed Use combining districts intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development. NP - Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

### Background

The parcel of land is currently zoned SF-3-NP (single family) on the outer edges of the lot and LO-NP (Limited Office) in the middle and the current owner has held the land since 2002.

Compatibility with surrounding development - The parcel is included within the South Austin Combined Neighborhood Plan. It is in a transition character district, which is intended to be a transition between single family residential use and either multifamily or commercial use. As such, any development must take its cues from the single family homes in determining the scale of the development so that there is a very **gradual** change from single family to other uses. In this particular area of the neighborhood, the houses to the north are one-story single family homes, so any adjacent development must be consistent in scale to those existing homes.

Traffic on Emerald Forest - Emerald Forest Drive already has significant problems with speeding and with cut-through traffic on a street that was not designed for that much traffic. Because of the current volume of traffic, it is sometimes difficult to cross the street. Any new development would add to the volume and creates more of a need for traffic-calming or control measures, such as a pedestrian hybrid beacon around Armadillo Road. In addition, Odom Elementary School is several blocks north on Emerald Forest and there are existing concerns about the safety of the young children who walk to and from school.



Traffic on William Cannon - William Cannon Drive is a major arterial in South Austin with a speed limit of 40 miles per hour in that area. In reality, people often drive 50 miles per hour on that stretch of road. If there were large amounts of traffic entering the parcel from William Cannon, it could cause backups on William Cannon. This is a possibly dangerous situation with most traffic traveling at high speeds on William Cannon.

Drainage and stormwater - The parcel is uphill from the houses to the north of the parcel, which may be adversely affected by development without robust storm-water handling measures. In addition, William Cannon Drive experiences some flooding in heavy rains.

Noise – The neighborhood is fairly quiet, especially at night.

Green infrastructure – A feature of the neighborhood that many neighbors value is the abundance of trees and vegetation. The neighborhood was mostly developed in the 1970's, so many of the trees are decades old.

#### Recommendation:

Based on the above, we will not object to the rezoning on this particular parcel only, subject to the owner and any successors agreeing to the following conditions:

- The usage of this parcel is restricted to uses with a minimal traffic impact
  - City staff recommends a limit of no more than 2,000 vehicle trips per day
  - Several neighbors are concerned that allowing up to 2,000 trips per day is too high
  - One neighbor suggested a limit of 100 trips per day
- Any development complies with all applicable compatibility requirements with the single family residents adjoining the parcel.
- The use will not generate enough noise to disturb the neighbors. The noise allowed shall be limited to levels that are permissible within a single family neighborhood.
- The form of structures on the property is consistent with the one story single family homes on the adjoining lots and the neighborhood in general. Since the adjoining homes are one story, any structure on this property should be no more than two stories high.
- Storm-water handling measures to prevent additional flooding – The project complies with the Green Infrastructure requirements under discussion with Code Next
- Prohibited uses:
  - Convenience stores (there are two convenience stores on William Cannon near the parcel)
  - Pay-day lending or other alternative financial institutions
  - Service station
  - Pawn shop
  - Adult oriented businesses
- Drive-in service - we support the City staff recommendation to prohibit drive-in service as it conflicts with neighborhood concerns about the volume of car traffic

If the owner is not willing to agree to the above, we will object to the rezoning.

We will be more likely to support a project that contributes to a more bike and pedestrian friendly community with neighborhood-serving businesses within walking or biking distance to neighborhood residents. Neighbors have expressed interest in the following:

- Local businesses
- Businesses that are willing to build features that encourage travel by modes other than cars. Examples would be bike lockers or bike sharing facilities as well as designs that facilitate the use of the bus stop in front of the property on William Cannon.
- Businesses offering healthy food options
- Art workshop (production of art or handcrafted goods, including the incidental sale of the art produced).

Applicability:

These recommendations are NOT to be construed as applicable to other development projects within our boundaries.

Henrietta Cameron-Mann, President  
Armadillo Park Neighborhood Association



**Rhoades, Wendy**

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**From:** Tina <atetinal@gmail.com>  
**Sent:** Tuesday, October 27, 2015 2:52 PM  
**Subject:** Case #C14-2015-0118  
**Attachments:** ATT00001.htm

I own a residential lot on Armadillo Road that backs up directly behind the proposed re-zoning lot. I DO NOT support any type of business that has a drive-thru on this proposed rezoning of this land.

The traffic is already horrible here due to the fact that there is NOT even a protected left turn onto Emerald Forest from William Cannon. There would be a wreck a week if a drive thru was allowed.

Please call me if you have any questions,

Tina Keeling  
1093 Gladstone Dr.  
League City, TX 77573  
512-797-8462

## Rhoades, Wendy

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**From:** jameshembree@sbrglobal.net  
**Sent:** Tuesday, October 27, 2015 2:48 PM  
**To:** undisclosed-recipients@coasmp2.ci.austin.tx.us  
**Subject:** Case #C14-2015-0118

**Importance:** High



I own a home on Armadillo Road and the corner of Emerald Forest Dr. I wanted to let you know that I DO NOT support any type of business that has a drive-thru on this proposed rezoning of this land.

The traffic is already horrible here due to the fact that there is NOT even a protected left turn onto Emerald Forest from William Cannon. There would be a wreck a week if a drive thru was allowed.

Please call me if you have any questions,

James Hembree  
1001 Armadillo Road  
Austin, TX 78745  
512-784-8510



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## 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](http://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: C14-2015-0118**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearings: October 27, 2015, Planning Commission**

**November 12, 2015, City Council**

*SUREDA DAVID KASIN*

Your Name (please print)

☒ I am in favor

☐ I object

*1016 W. WILLIAM CANNON*

*AND 1118 W. WILLIAM CANNON*

Your address(es) affected by this application

*Signature*

*10/23/15*

Daytime Telephone: *512 426-5136*

Comments:

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

## Rezoning 6707 Emerald Forest

Additional Information from APNA on the Proposed Rezoning case C14-2015-0118

November 10, 2015

After the Planning Commission hearing on October 27, 2015, I shared the results of the hearing with the neighborhood and with some of the owners of the lots just to the north of the parcel for which the rezoning is proposed.

Everyone who contacted me is pleased with the adjustments agreed to by the owner. The neighborhood really appreciates any effort to ensure compatibility with the single family homes just to the north of the parcel. At the Planning Commission meeting, there was some discussion of requiring a privacy fence, in addition to the vegetation line, so that customers or occupants of any development on that lot do not accidentally wander onto private property. Please make sure to add this to the conditions of zoning.

### **Drive-Through Facilities:**

The Armadillo Park Neighborhood Association (APNA) is opposed to drive-through facilities, even as a conditional use. We do not foresee any circumstance where this would be acceptable. We would like City Council to support staff's recommendation to prohibit this use outright for the following reasons:

- Drive-through facilities are strongly opposed by the neighborhood
- They would increase traffic problems on Emerald Forest, which already has some issues
- A drive-through would conflict with South Austin Combined Neighborhood Plan goals to make streets safer for pedestrians and cyclists and encourage alternatives to cars.

### **Neighborhood Opposition**

The one issue that generated some strong feedback was allowing conditional use of drive-through facilities. Everyone who responded to my request for feedback was strongly opposed to allowing drive-through facilities on this property.

In addition to the emails from owners of the properties that are already part of the public record for this rezoning case, here are some excerpts from emails from other neighborhood residents:

"Please, let's try to see what can be done to discourage any additional traffic in our neighborhood. This week there seems to be some drag racing heading north on EF at Sahara. Could we require the developer to put traffic calming devices along EF?"

"I, for one, am in complete concert with you that we should aim to prohibit construction of a drive-thru type business."

"I stand behind you on the drive-thru prohibitions."

"I hope we continue to find a CALM, low traffic, low light solution for this land."



### Traffic Concerns:

Emerald Forest is a neighborhood collector street with one lane of traffic each way. In addition, it has bike lanes on each side of the road.

Earlier this year, APNA catalogued neighborhood traffic issues and met with city staff to identify strategies to address them. Below is an excerpt from a summary of traffic concerns as it pertains to Emerald Forest:

#### Emerald Forest Drive between William Cannon and W Stassney Lane:

1. "Cut through traffic" with speeders, heavier during rush hours.
2. Four way stops frequently ignored.
3. No flashing school zone lights on either direction, or signs noting "end of school" zone for Odom Elementary School. This was identified as a need at the Traffic Safety meeting on February 28, 2015. This issue was also researched in 2009. The COA Traffic Division at the time did not approve any school zone signs because of the stop signs on the Turtle Creek and the Sahara intersections. However, the concern remains because of the number of children walking to school combined with cut-through traffic on the streets bordering the school.
4. No sidewalk from Austin Highlands to William Cannon on east side in front of the church. Traffic has increased in that area due to new park.
5. No safe crossing area from west side of street to east side until William Cannon intersection for those heading to Armadillo Park from the western part of the neighborhood.
6. Crosswalk that was previously at Emerald Forest and Speer was removed
7. No Thru Trucks signs were placed on Emerald Forest at Wm.Cannon and at Stassney. However, this problem with commercial trucks using neighborhood streets to avoid arterials continues, possibly because of lack of enforcement and education on the part of APD. *(November 2015 update: We have had some progress on this issue by working with our APD District Representative. However, it takes continual effort to enforce.)*
8. Dedicated parking and bicycle lanes are being used as a Right Turn Lane at some intersections.
9. No sidewalks on Armadillo Road between Emerald Forest and Cooper Lane. This is the main route to the park for pedestrians living west of Emerald Forest. *(Installing a sidewalk here is an action item in the South Austin Combined Neighborhood Plan (SACNP).)*

*Note: Traffic calming project request on Emerald Forest is an action item in the SACNP.*

The existing driveway on Emerald Forest is close to William Cannon. As the map on the next page illustrates, anyone using that driveway risks colliding with traffic turning off of William Cannon. There isn't a good sight line for eastbound traffic on William Cannon turning left on Emerald Forest, so drivers often make that turn at a relatively high speed to avoid being hit by oncoming traffic. This increases the risk of a collision with drivers using the Emerald Forest driveway.

According to APD records, there were two reported collisions in the general area of this intersection in the last 12 months, one of which was at the intersection:

12/2/2014 – Call# 14-3360999 (Crash Service) at 1021 W William Cannon Dr.

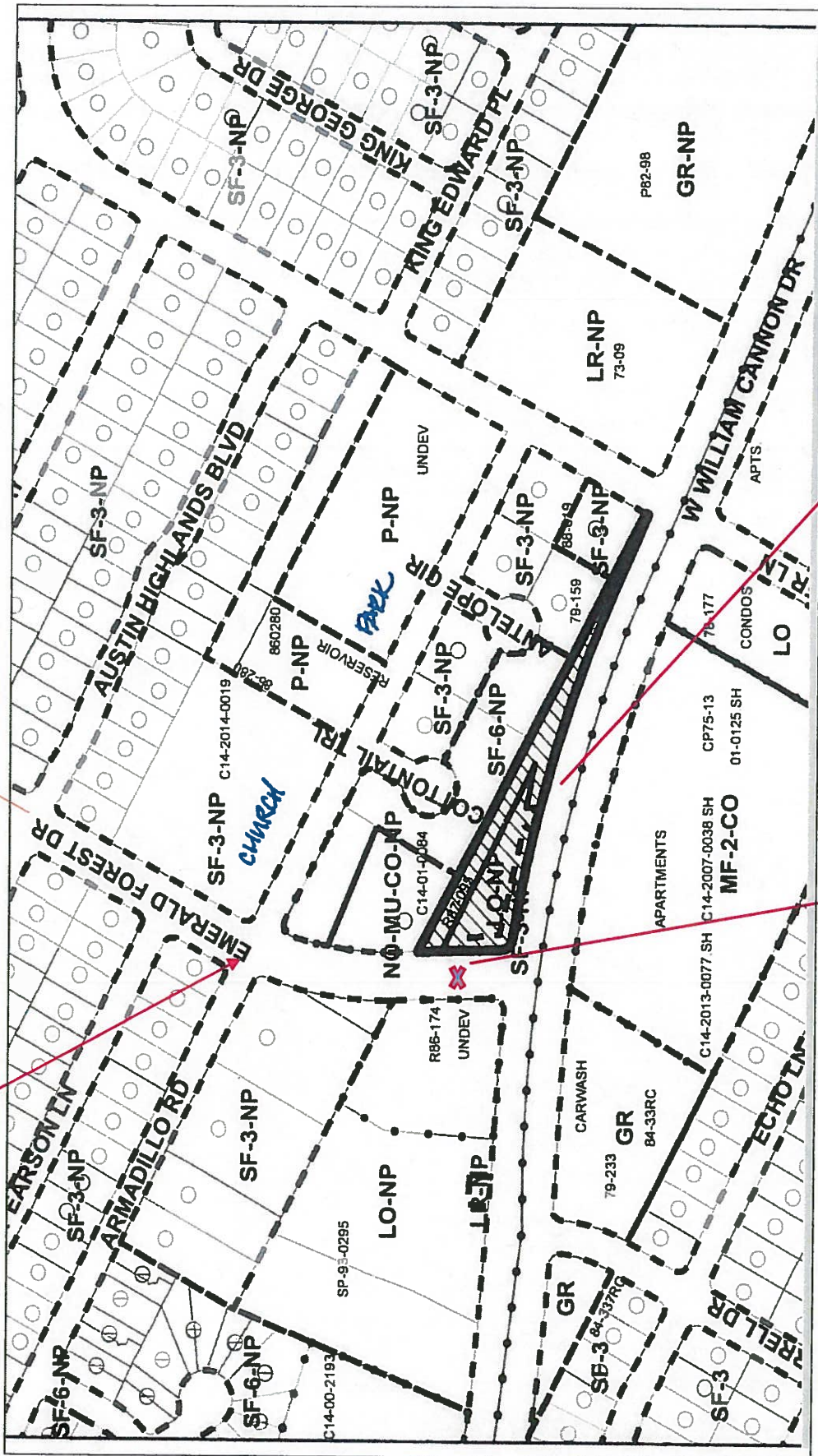
12/6/2014 – Call# 14-3401251 (Crash Urgent) at W William Cannon Dr./Emerald Forest Dr.

As you know, many minor “fender-benders” are not reported.

Also, please note on the map, that crossing Emerald Forest on foot to get to Armadillo Park and to Odom Elementary School is difficult during rush hour because of the volume of traffic.

Odom Elementary School 6  
blocks north of Austin  
Highlands Blvd

Hard to cross the street here.



Risk of collision here at  
existing driveway onto  
Emerald Forest

Risk of backups on  
William Cannon if this site  
generates a lot of car trips



## South Austin Combined Neighborhood Plan

The SACNP was the first neighborhood plan adopted under Imagine Austin. Many residents expressed the desire for a more walkable community and to reduce dependence on cars. Development of the parcel would provide the neighborhood with a place to walk to, but we need more pedestrian and bike-friendly infrastructure to do so. A drive-through facility is in direct opposition to that goal.

A bus stop is located on William Cannon on the south boundary of the parcel, near Emerald Forest. A drive-through facility would make it more dangerous for people walking to and from this bus stop. The location of the bus stop near the property is an asset to any development on that land, so making that bus stop easier to use conflicts with a drive-through facility.

Below are excerpts from the SACNP:

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“An intertwined and important part of daily life, transportation became a consistent theme in the ongoing conversation to develop the plan. These issues arose at every community meeting, highlighting the transportation system’s effect on all aspects of community life. The community voiced their preference for more transportation options and better connectivity to improve access to parks, schools, and other community amenities.”

### “Current Conditions

Improving and expanding transportation choices beyond the automobile were key themes throughout the planning process. Like most Austinites, the residents of the planning area rely on their cars for most trips. Although many residents walk or bike to destinations within the area and use transit for longer trips, many more said they would do the same if these alternatives were safer and more convenient.”

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“Many of the planning area’s businesses are located along Ben White Blvd., South 1st St., William Cannon Dr., Manchaca Rd., and Stassney Ln. While these roadways are lined with sidewalks and served by transit, high-speed traffic, heavy traffic volumes, frequent driveway cuts, and significant distances between safe crossings reduce the walkability in these places.”

Summary:

I understand that the owner wants to explore the feasibility of a drive-through so that it could be an option for the future. Having this option would increase the monetary value of the property so, I understand why the owner wants to pursue this. However, for very good reasons, APNA does not believe that this would be a good option for this parcel.

Approving the drive-through as a conditional use would again force us to appear before the Planning Commission and take our chances. Our neighborhood has a lot of full-time workers who don't often have the luxury of burning up vacation time to spend hours at a hearing to oppose a conditional use that we didn't want to begin with.

Please support city staff recommendations and neighborhood recommendations to prohibit any drive-through facilities for this parcel.

Also, please add the requirement for the privacy fence along the north property line.

Thanks,

Henrietta Cameron-Mann, President  
Armadillo Park Neighborhood Association