

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0101 – 3900 Pearce Road

Z.A.P. DATE: October 18, 2016

ADDRESS: 3900 Pearce Road

DISTRICT AREA: 10

OWNER/APPLICANT: Luxor Custom Homes/Blair Drenner

AGENT: Luxor Custom Homes (Denise Ferry)

ZONING FROM: RR

TO: SF-1

AREA: 3.096 acres (133,861sq. ft.)

SUMMARY STAFF RECOMMENDATION:

Staff recommends Single Family Residence Large Lot-Conditional Overlay (SF-1-CO) combined district zoning.

The Conditional Overlay will make a bed and breakfast use conditional.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

October 18, 2016; *APPROVED STAFF RECOMMENDATION OF SF-1-CO ON CONSENT, VOTE 10-0. [G.ROJAS, S. LAVANI 2ND, J.KIOLBASSA ABSENT].*

DEPARTMENT COMMENTS

The subject property is an unplatted lot located adjacent to the Greenshores Subdivision on the north side of Lake Austin in west Austin. The property is currently developed with a two-story single family structure. The property backs to Emma Long Metropolitan Park and is adjacent to 3906 Pearce Road (C14-2016-0102).

The property was annexed into the City of Austin on November 15, 1985 and given RR zoning. SF-1 allows lot sizes a minimum of 10,000 SF and would be further restricted because of watershed requirements. Greenshores is characterized by large residential single family homes on a mix of lots sizes that are approximately one-half acre to over one acre lots along Lake Austin.

As the current pattern of zoning is primarily SF-1 with a few RR lots, the request for SF-1 district zoning is both consistent and compatible with adjacent properties, Staff supports the request for SF-1 district zoning with a condition to make bed and breakfast use conditional.

ISSUES: Neighbors have expressed concerns regarding past short term rental activities at this property and the possibility of a Bed and Breakfast use. The surrounding properties do not have a similar restriction but based on the neighbors' concerns, staff feels making the use conditional is reasonable.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	RR	Residential
<i>North</i>	P & DR	Park & Residential
<i>South</i>	SF-1	Residential
<i>East</i>	SF-1	Residential
<i>West</i>	P	Park

NEIGHBORHOOD PLANNING AREA: N/A**TIA:** Not required.**WATERSHED:** Lake Austin**DESIRED DEVELOPMENT ZONE:** No**CAPITOL VIEW CORRIDOR:** No**HILL COUNTRY ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:*****Community Registry Name***

Long Canyon Homeowners Association
 Greenshores on Lake Austin Property Owners Assn
 Save Our Springs Alliance
 Preservation Austin
 Austin Neighborhoods Council
 The Real Estate Council of Austin, Inc.
 Austin Heritage Tree Foundation
 Friends of Austin Neighborhoods
 Sierra Club, Austin Regional Group
 SEL Texas
 Bike Austin
 Lake Austin Collective
 Canyon Creek HOA
 Glenlake Neighborhood Assn
 Steiner Ranch Community Assn
 2222 Coalition of Neighborhood Assns
 Austin City Park Neighborhood Assn
 Long Canyon Phase II & III HOA
 Austin Independent School District

SCHOOLS: Highland Park Elementary, Lamar Middle School, McCallum High School**RELATED CASES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0213 – 3900 Pearce Road	DR to RR	11/20/2007 – Apvd RR	12/13/2007 – Apvd RR

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-00-2168 7100 Greenshores Dr.	DR to LA	09/12/00 Apvd LA	10/12/00 Apvd LA on 1 st Reading 11/02/00 Apvd LA on 2 nd & 3 rd
C14-99-0131 2103 Manana	LA to SF-2	11/09/99 Apvd SF-2	12/09/99 Apvd SF-2
C14-94-0031 2107 Manana St.	LA to SF-2	03/22/94 – Apvd SF-2	4/21/94 – Apvd SF-2

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Pearce Road	58 ft.	24 ft.	Local	No	No	No

CITY COUNCIL DATE: **ACTION:**

Scheduled for November 10, 2016;

ORDINANCE READINGS:

ORDINANCE NUMBER:

CASE MANAGER: Andrew Moore

PHONE: 512-974-7604

EMAIL: andrew.moore@austintexas.gov

STAFF RECOMMENDATION

Staff recommends Single Family Residence Large Lot – Conditional Overlay (SF-1-CO) combined district zoning.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*
2. *Zoning changes should promote compatibility with adjacent and nearby uses.*
3. *Zoning should be consistent with approved and existing residential densities.*
4. *Granting of the request should result in an equal treatment of similarly situated properties.*

The Single Family Residence Large Lot (SF-1) zoning district is appropriate for a low density single family residential use on a lot that is a minimum of 10,000 square feet. The subject property meets the lot size requirement. The proposed zoning change and use will mirror that of the surrounding properties and are therefore compatible. For these reasons, Staff is recommending SF-1-CO combined district zoning for this property. The conditional overlay will prohibit a bed and breakfast use.

Comprehensive Planning – Kathleen Fox, 512-974-7877

DR to SF-1 (Large Lot)

This zoning case is located on the west side of Pearce Road, and contains a large single family house situated on a 3.096 acre parcel. This property is not located within the boundaries of a neighborhood planning area. Surrounding land uses include single family houses to the north, south, and east, and the Emma Long Metropolitan Park to the west. There are no public sidewalks or public transit stops located in the area. The request is to obtain single family zoning for the existing use.

Imagine Austin

The comparative scale of the site relative to adjacent large lot residential uses in the area, 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 the proposed rezoning.

Environmental – Mike McDougal, 512-974-6380

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Hog Pen Creek Watershed and the Lake Austin Watershed of the Colorado River Basin, which are classified as Water Supply Rural Watersheds by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.
2. Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>	<i>Allowable Density</i>
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

Single family or duplex development within a Water Quality Transition Zone may not exceed a density of one unit per three acres, exclusive of land within a 100-year floodplain.

3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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 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.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Transportation, Leo Xu, 512-974-2881

- TR1. FYI, additional right-of-way maybe required at the time of subdivision and/or site plan.
- TR2. FYI, Chad Crager, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.
- TR3. FYI, a traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]
- TR4. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Pearce Road	58'	24'	Local	No	No	No

Water and Wastewater

WW1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Storm Water Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

Site Plan and Compatibility Standards – Katie Wettick, 512-974-3529

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

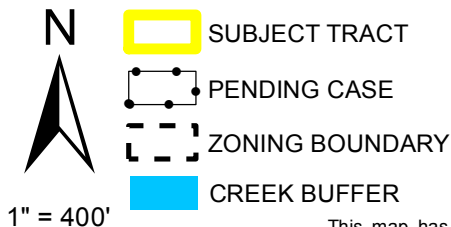


ZONING

ZONING CASE#: C14-2016-0101
 LOCATION: 3900 PEARCE RD.
 SUBJECT AREA: 3.132 ACRES
 GRID: E29
 MANAGER: ANDREW MOORE



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



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: C14-2016-0101

Contact: Andrew Moore, 512-974-7604

Public Hearing: October 18, 2016, Zoning and Platting Commission
November 10, 2016, City Council

Your Name (please print)

Amy Sell
3908 Pappy's Way 78730

Your address(es) affected by this application

Amy Sell

Signature

Date

Daytime Telephone:

512.970.8625

Comments: We live directly across the street from 3900 Pearce. The city was not able to enforce the RR zoning as the Drenner's rent out their home for large events (weddings, fraternity parties, SXSW music events, etc.). Please view this website to witness one such event: www.youtube.com/watch?v=XagZHI46t0M or search "Splash the Runway" Yung Nation on YouTube.

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

Please deny.

City of Austin

Planning & Zoning Department

Andrew Moore

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object

10/11/16

*please check your "311" complaints/logs about 3900 Pearce.

I have numerous videos, photos, etc. of the parties/events held at this

I'm afraid they will try to operate under "Bed & Breakfast" and our quiet neighborhood.

PUBLIC HEARING INFORMATION

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Case Number: C14-2016-0102

Contact: Andrew Moore, 512-974-7604

Public Hearing: Oct 18, 2016, Zoning and Platting Commission
Nov 10, 2016, City Council

Kurt Sell

Your Name (please print)

3908 Pappy's Way 78730

Your address(es) affected by this application

Kurt Sell

Signature

Date

Daytime Telephone: 512.970.8625

Comments: This property could be used as a parking lot to accommodate the events at 3908 Pearce. By changing to SF-1 zoning they can operate under a "Bed and Breakfast" and use this lot for parking, etc.

They do not use their properties as "single-family residential use." They rent out 3908 Pearce for weddings, etc. Our lifestyle is impacted - noise, traffic, loud music, trash, etc.

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

City of Austin
Planning & Zoning Department

Andrew Moore
P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object

10/12/16

Thank you for your consideration.