

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0159 (Standing Rock Residential)

DISTRICT: 10

ADDRESS: 5715 Standing Rock Drive

ZONING FROM: RR

TO: SF-1-CO*

* The applicant is requesting to rezone the property to SF-1-CO, with a proposed conditional overlay to limit the impervious cover to a maximum of 31%.

SITE AREA: 1.08 acres (47,306 sq. ft.)

PROPERTY OWNER: Steven Beim

AGENT: Thrower Design, LLC (A. Ron Thrower)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends SF-1-CO, Single-Family Residence-Large Lot-Conditional Overlay Combining, district zoning. The conditional overlay will limit the impervious cover on the property to a maximum of 31%.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

January 17, 2023

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently developed with a recently constructed single-family residence. There are single family houses and RR zoning surrounding the property to the north, south, east and west. The applicant is asking for SF-1-CO zoning to bring the property into compliance with regards to impervious cover (*please see Applicant's Request Letter – Exhibit C*).

The staff recommends the applicant's request for SF-1-CO zoning. The property in question meets the intent of the SF-1 district as it is located in a low density single family residential neighborhood where there are significant slopes and undeveloped areas. The lot under consideration is 1.08 acres (47,306 sq. ft.) in size and will meet the minimum lot size requirement of 10,000 square feet in the SF-1 district. The proposed SF-1 zoning will permit a maximum impervious cover of 40%, versus the maximum impervious cover of 25% permitted in the RR district. The applicant is requesting to add a conditional overlay to limit the impervious cover on this property to a maximum of 31% to bring the existing residential development into compliance with site development regulations in the Code.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

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

Single-Family Residence (Large Lot) district is intended as an area for low density single-family residential use, with a minimum lot size of 10,000 square feet. This district is appropriate for locations where sloping terrain or environmental limitations preclude standard lot sizes, or where existing residential development has lots of 10,000 square feet or greater.

Conditional Overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

2. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

SF-1-CO zoning is compatible with the single family residences surrounding the property to the north, south, east and west. The property in question fronts onto and takes access to a Standing Rock Drive, a Level 1/ neighborhood collector roadway.

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

The proposed SF-1-CO zoning will bring the existing residential development into compliance with site development regulations in the Land Development Code.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	RR	Single-Family Residence
<i>North</i>	RR	Single-Family Residence
<i>South</i>	RR	Single-Family Residence
<i>East</i>	RR	Single-Family Residence
<i>West</i>	RR	Single-Family Residence

NEIGHBORHOOD PLANNING AREA: N/ATIA: Not RequiredWATERSHED: West Bull CreekSCHOOLS: Leander I.S.D.NEIGHBORHOOD ORGANIZATIONS:

Austin Lost and Found Pets
 Bull Creek Foundation
 Canyon Creek H.O.A.
 Friends of Austin Neighborhoods
 Glenlake Neighborhood Association
 Lake Austin Collective
 Leander ISD Population and Survey Analysts
 Long Canyon Homeowners Association
 Long Canyon Phase II & III Homeowners Assn Inc.
 River Place HOA
 Sierra Club
 Austin Regional Group
 Steiner Ranch Community Association
 TNR BCP-Travis County Natural Resources
 2222 Coalition of Neighborhood Associations, Inc.
 Westminster Glen HOA

AREA CASE HISTORIES: N/ARELATED CASES:

C8-83-81-2C85 – Subdivision Case

OTHER STAFF COMMENTS:Comprehensive Planning

Project Name and Proposed Use: 5715 STANDING ROCK DR. C14-2022-0159. Project: Standing Rock Residential Rezoning. 1.08 acres from RR to SF-1-CO. Address miscalculation of the impervious surface coverage on lot by builder of a single-family house by rezoning property.

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center:
	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education: Located within 0.50 miles from a public school or university.
	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
0	Total Number of "Yes's"

Environmental

The site is located over the Edwards Aquifer Recharge “Verification” Zone. The site is in the West Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

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>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

The Property Profile Tool shows that there is no floodplain on the property. However, development within a Water Quality Transition Zone is limited to 18%.

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.

At this time, site specific information is unavailable regarding 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.

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.

Fire

No comments.

Parks and Recreation

Parkland dedication will be required for the new applicable uses proposed by this development, single family with SF-1 zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan

No comments.

Transportation

The adjacent street characteristics table is provided below:

Jurisdiction	Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Cap Metro (within $\frac{1}{4}$ mile)
Limited Purpose	Standing Rock Drive	Level 1	58 feet	64 feet	~10 feet	None	None	No

Water Utility

No comments regarding change to zoning.

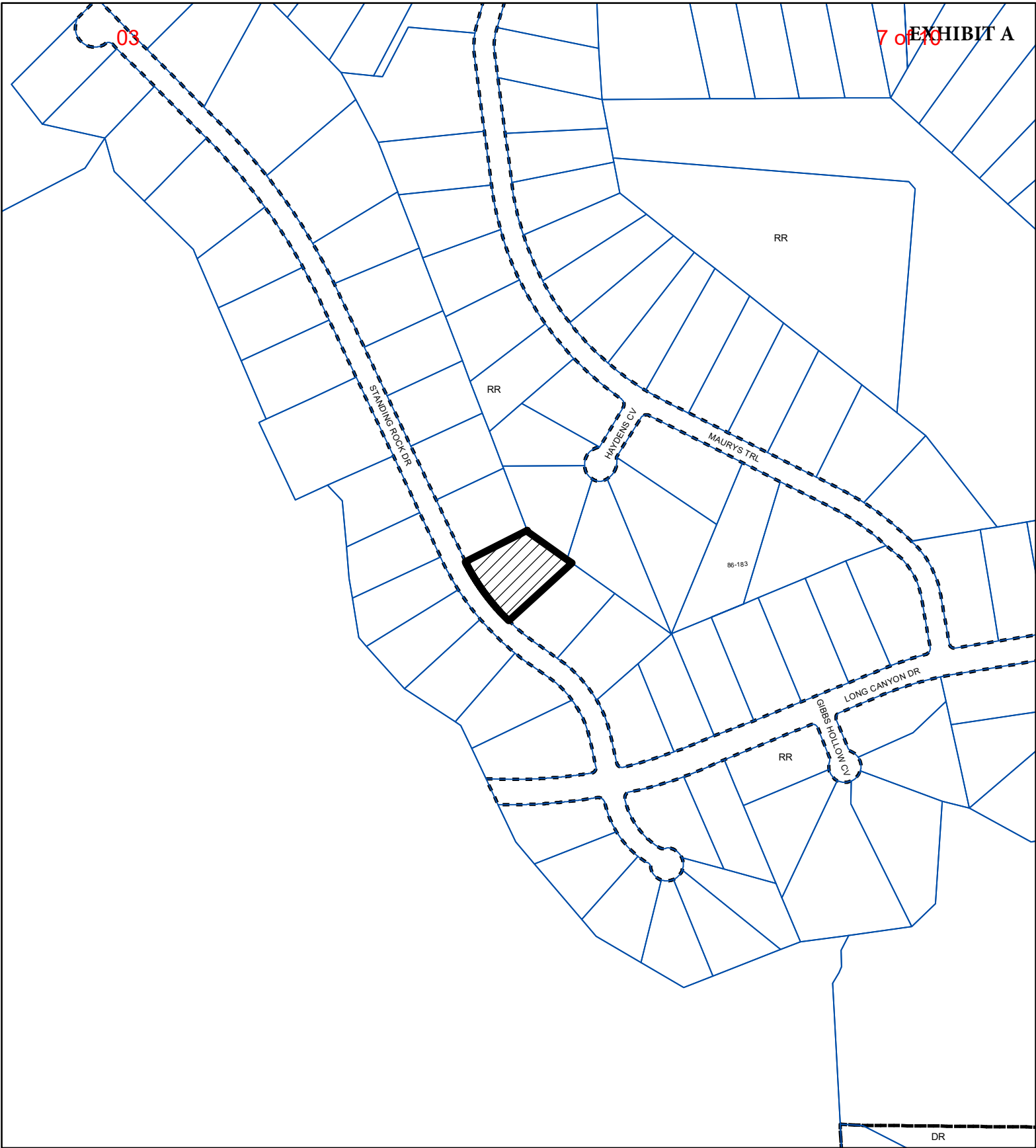
FYI: The landowner intends to serve the site with City of Austin water utilities and an On-Site Sewage Facility approved by Travis County. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

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 utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Request Letter

03



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2022-0159

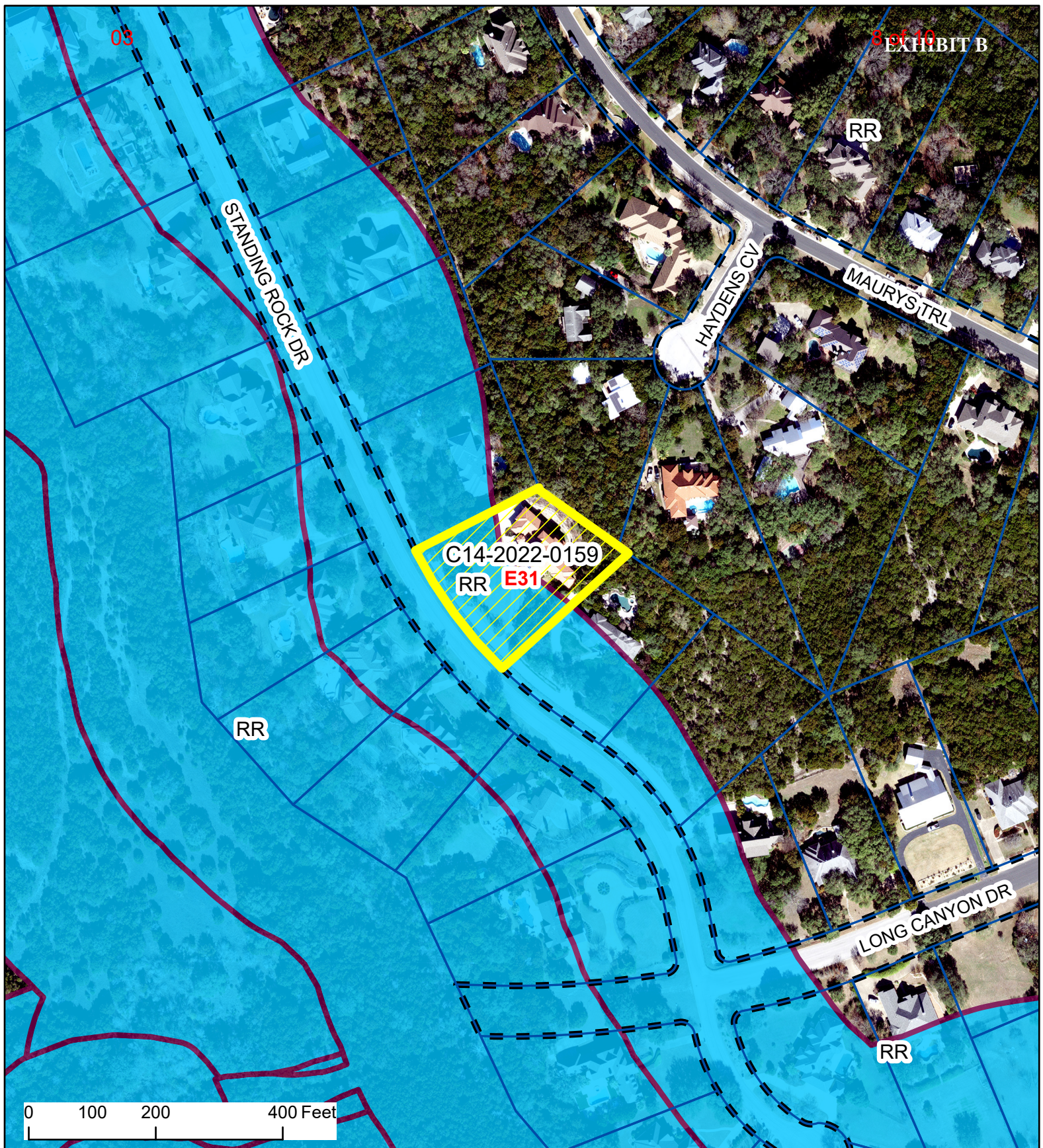
1" = 400'

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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or







Created: 11/8/2022



Standing Rock Residential Rezoning



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2022-0159
 LOCATION: 5715 Standing Rock Drive
 SUBJECT AREA: 1.08 Acres
 GRID: E31
 MANAGER: Sherri Sirwaitis



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Created: 11/16/2022

Thrower Design LLC
LAND PLANNERS

August 26, 2022

Ms. Rosie Trulove
Housing & Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: Rezoning of 5715 Standing Rock Drive, Austin, 78730

Dear Ms. Trulove:

On behalf of the Owner(s) of the properties referenced above, we respectfully submit the enclosed rezoning application package. The property is legally platted as Lot 74 Block G of the Long Canyon III-A Subdivision, in the City of Austin Full Purpose Jurisdiction. The property is not within an identified Neighborhood Planning Area and therefore a Future Land Use Map / designation does not apply.

The subject tract is 1.08 acres (47,306 sf) and has *Rural Residential* (RR) district zoning. The lot take access to Standing Rock Drive through a joint access easement, per Vol. 12756 Pg.1 of Travis County Property Records. The request is to rezone the property to SF-1-CO with the conditional overlay limited impervious cover to a maximum of 31%.

The rezoning is requested to bring the property into compliance with regards to impervious cover. The property achieved building permits from the City of Austin in 2017 for the construction of a single-family residence and associated improvements. It has been found that the architect and builder for the project submitted plans with alleged miscalculations in impervious coverage numbers, resulting in development that exceeds the amount of impervious cover allowed for a property with *Rural Residential* (RR) district zoning. This is a mea culpa incident. Because all of the permitting/inspections were approved throughout the construction process, the landowner and the others did not anticipate that the constructed house and improvements would be out of compliance. This was discovered after the house was completed and after a survey was

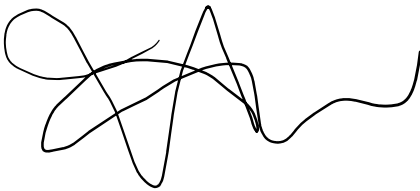
P.O. BOX 41957, AUSTIN, TEXAS 78704

performed reflecting the improvements that were constructed which are exactly what was in the building permit plan sets.

The matter is in legal dispute between the property owner and the development team and has dictated resolution to achieve compliance and is the reason for the request of *Single Family—Large Lot – Conditional Overlay* (SF-1-CO) district zoning. The SF-1 zoning district allows for a maximum of 40% impervious cover and the resolution only needs to achieve 31%. Therefore, the CO will limit the impervious cover to 31% so as not to allow any additional impervious cover, above 31%.

We respectfully ask for Staff's support to rectify the matter. Please contact our office should additional information be needed.

Kind regards,

A handwritten signature in black ink, appearing to be 'Victoria Haase', with a stylized, flowing script.

Victoria Haase

cc: Wendy Rhoades, Housing & Planning Department (*via electronic delivery*)