

**ZONING AND PLATTING COMMISISON  
SITE PLAN WAIVER REQUEST REVIEW SHEET**

**CASE NUMBER:** SP-2018-0092C(R1) **ZAP HEARING DATE:** 04/04/23

**PROJECT NAME:** The Greens on Cooper Lane Revision

**ADDRESS:** 7601 Cooper Lane

**COUNCIL DISTRICT #:** 2

**OWNER/APPLICANT:** VTC Coopers LLC  
14747 N Northsight Blvd, Ste 111-431  
Scottsdale, AZ 85260

**ENGINEER:** Thrower Design (Ron Thrower) (512) 476-4456  
PO Box 41957  
Austin, Texas, 78704

**CASE MANAGER:** Rosemary Avila (512) 974-2784  
[Rosemary.avila@austintexas.gov](mailto:Rosemary.avila@austintexas.gov)

**PROPOSED DEVELOPMENT:**

The applicant is revising an approved site plan for the construction of 30 condominium units with drives, sidewalks, utilities, a water quality/detention pond, and other associated site improvements. The site is currently under construction, the revision is required due to a survey showing the slabs are within the setback. The revision application is for the compatibility waiver for the two units within the compatibility setback.

**DESCRIPTION OF WAIVERS:**

The applicant is requesting a waiver from § 25-2-1063. The site is subject to a 25' compatibility setback from the north property line due to adjacent single-family use.

**COMPATIBILITY:**

Section 25-2-1051 states that Article 10 Compatibility Standards apply if a use in a SF-6 or less restrictive zoning district is located on a property across the street from or adjoining a property on which is zoned SF-5 or more restrictive or a use is permitted in a SF-5 or more restrictive zoning district is located.

§ 25-2-1063 - HEIGHT LIMITATIONS AND SETBACKS FOR LARGE SITES.

(A) This section applies to a site that has:

- (1) an area that exceeds 20,000 square feet; or
- (2) a street frontage that exceeds 100 feet.

(B) In this section, the term "structure" excludes a rain garden using no concrete that is designed in accordance with the Environmental Criteria Manual. A person may not construct a structure 25 feet or less from property:

- (1) in an urban family residence (SF-5) or more restrictive zoning district; or
- (2) on which a use permitted in an SF-5 or more restrictive zoning district is located

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the compatibility setback waiver request. The two units are 24 feet from the property line, the setback is 25 feet. The original site plan received a compatibility waiver approved

by ZAP on 1/29/19 for the water quality/detention pond for the that encroaches into the 25' compatibility setback along the east property line.

**PROJECT INFORMATION:**

<b>SITE AREA</b>	209,500 square feet	4.809 acres
<b>EXISTING ZONING</b>	SF-6-CO	
<b>WATERSHED</b>	South Boggy Creek	
<b>WATERSHED ORDINANCE</b>	Comprehensive Watershed Ordinance (Suburban)	
<b>TRAFFIC IMPACT ANALYSIS</b>	Not required	
<b>CAPITOL VIEW CORRIDOR</b>	None	
<b>PROPOSED ACCESS</b>	Cooper Lane	
	<b>Allowed</b>	<b>Proposed</b>
<b>FLOOR-AREA RATIO</b>	--	0.35:1
<b>BUILDING COVERAGE</b>	40%	19%
<b>IMPERVIOUS COVERAGE</b>	55%	48.3%
<b>PARKING</b>	60 required	75

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-6-CO	Condominium
<i>North</i>	SF-6 (front lot) and SF-6 (back lot)	Single Family (front lot) and condominium (back lot)
<i>South</i>	SF-6 (front lot) and DR (back lot)	Single Family
<i>East</i>	DR	Vacant
<i>West</i>	Cooper Lane	---

**ABUTTING STREETS:**

<b>Street</b>	<b>Right-of-Way Width</b>	<b>Pavement Width</b>	<b>Classification</b>
Cooper Lane	60'	20'	Residential Collector

**NEIGHBORHOOD ORGNIZATIONS:**

Austin Independent School District  
 Austin Neighborhoods Council  
 Bike Austin  
 Friends of Austin Neighborhoods  
 Friends of Williams Elementary  
 Go!Austin/Vamos!Austin (GAVA)-78745  
 Homeless Neighborhood Association  
 Matthews Lane Neighborhood Assn.  
 Neighborhood Empowerment Foundation

Onion Creek Homeowners Assoc.  
 Preservation Austin  
 SEL Texas  
 Sierra Club, Austin Regional Group  
 South Austin Neighborhood Alliance  
 South Boggy Creek Environmental Association  
 South Boggy Creek Neighborhood Association  
 South Park Neighbors



November 9, 2022

Ms. Denise Lucas, Director  
Development Services Department  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

RE: The Greens on Cooper Lane  
7601 Cooper Lane  
SP-2018-0092C

Dear Ms. Lucas,

On behalf of our client, we respectfully request favorable consideration for a waiver to Land Development Code Section 25-2-1063 to allow for a structure to encroach into the 25-foot setback. Strict compliance to the Code requires all structures to be setback 25-feet from a property zoned SF-5 or more restrictive, or, developed with a use that is permitted in SF-5 or more restrictive zoning. These requirements for development are commonly referred to as the Compatibility Standards. The triggering property in this instance is a single-family use on property zoned as SF-6. The use on the abutting property triggers the Compatibility Standards, not the zoning district.

The original design for The Greens on Cooper Lane complied with the Compatibility Standards of the Code honoring the setbacks with all structures on the site. The owners of the property commenced construction with site work and forms for slabs. A survey was completed that reflected the forms to be in compliance to the Compatibility Standards and the approved site plan. These forms were then poured with concrete and the site work was ultimately completed while the framing was occurring on these slabs. As part of the process to close out the site improvements, Chris McComb, P.E., obtained an as-built survey for all the improvements. This survey would be used for Mr. McComb to review and if the site improvements were generally in compliance with the approved plans, then his approval would lead to a Certificate of Compliance for the site improvements.

This as-built survey was performed by a different surveyor than the one that did the former survey and the results are that two slabs were built slightly over the Compatibility setback lines. The request before you is purely a waiver to a mistake that occurred in the field. The impact of this mistake is extremely minimal and unnoticeable in the field.

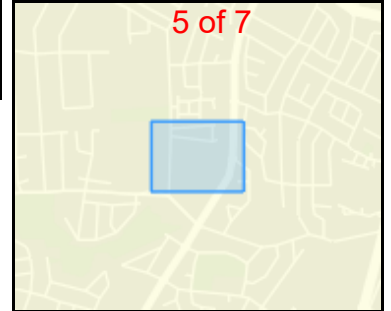
Therefore, we respectfully request positive consideration for a waiver to LDC Section 25-2-1063 to allow for a reduction in the 25-foot setback to 24-feet.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in cursive script that reads "A. Ron Thrower". The signature is written in black ink on a white background.

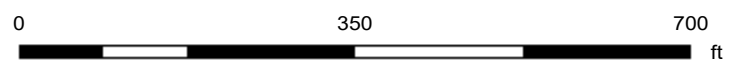
A. Ron Thrower



### Legend

Property

- Jurisdictions (No Fill)
  - FULL PURPOSE
- Jurisdictions Fill
  - FULL PURPOSE
- Jurisdiction
  - FULL PURPOSE
- Zoning 1
  - Zoning Text



3/23/2023

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### Notes

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