



Thursday, February 15, 2007

+ Back Print

**Zoning and Neighborhood Plan Amendments  
(Public Hearings and Possible Action)  
RECOMMENDATION FOR COUNCIL ACTION**

**ITEM No. 58**

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**Subject:** C14-06-0232 - 11200 F.M. 2222 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11200 F.M. 2222 (Bull Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Henry B. Mayes, Jr. Trustee. Agent: Graves, Dougherty, Hearon & Moody, P.C. (Peter Cesaro). City Staff: Wendy Walsh, 974-7719.

**Additional Backup  
Material**

(click to open)

- ☐ **Staff Report**
- ☐ **Ordinance**

**For More Information:**

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-06-0232

**Z.A.P. DATE:** January 23, 2007

**ADDRESS:** 11200 F M. 2222

**OWNER/APPLICANT:** Henry B. Mayes. Jr., Trustee

**AGENT:** Graves, Dougherty, Hearon & Moody, P.C. (Peter J. Cesaro)

**ZONING FROM:** I-SF-2 (Interim-Single Family Residence Standard Lot)

**TO:** GR-CO (Community Commercial-Conditional Overlay)

**AREA:** 0.292 acres

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends GR-CO. The conditional overlay would limit the development to us that generate no more than 2,000 vehicle trips per day.

**ZONING AND PLATTING COMMISSION:**

January 23, 2007. Approved GR-CO on consent with the following conditions

- Limit to uses that generate no more than 2,000 vehicle trips per day
- Prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Pawn Shop Services

Vote: 8-0 (J. Martinez 1<sup>st</sup>, S. Hale 2<sup>nd</sup>, J. Pinelli absent)

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-SF-2	Undeveloped
<i>North</i>	PUD	Four Points PUD, including Target retail store
<i>South</i>	I-SF-2, GR-CO	I-SF-2: Boat repair/sales GR-CO: Undeveloped.
<i>East</i>	PUD	Four Points PUD, including Target retail store
<i>West</i>	GR-MU-CO	Car wash facility, Townhomes

**AREA STUDY:** N/A

**TIA:** Not required

**COUNTY:** Travis

**WATERSHED:** Bull Creek

**DESIRED DEVELOPMENT ZONE:** No

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** Yes

**REGISTERED NEIGHBORHOOD/COMMUNITY ORGANIZATIONS:**

965--Old Spicewood Springs Rd. Neighborhood Assn.

475--Bull Creek Foundation

426--River Place Residential Community Assn., Inc.

434--Lake Austin Business Owners

439--Concerned Citizens For P&B of FM 2222  
 448--Canyon Creek Homeowners Assn.  
 260--Comanche Trail Community Assn. (CTCA)  
 190--Middle Bull Creek Neighborhood Assn.  
 194--2222 Property Owners Assn  
 157--Courtyard Homeowner Assn  
 269--Long Canyon Homeowners Assn  
 416--Long Canyon Phase II Homeowners Assn Inc.  
 762--Steiner Ranch Community Association  
 786--Home Builders Association of Greater Austin

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0177	SF-2 to GR-CO	01/06/04: Approved GR-CO with condition of 2000 trips and with additional condition that Auto rental, Auto repair, Auto sales, Auto washing, and Pawn shops be prohibited uses (9-0)	02/05/04: Approved ZAP rec. of GR-CO on consent (7-0) on all 3 readings
C14-03-0073	SF-2 to GR-CO	05/20/03: Approved staff rec. of GR-CO with condition of 2000 trips; but with additional prohibition of Convenience storage, Auto sales, Auto rentals, and Pawn shops (7-0)	08/07/03: Approved GR-CO on consent (6-0) on 1 <sup>st</sup> reading  08/28/03: Approved GR-CO, condition of 2000 trip limit, on consent (6-0) on 2 <sup>nd</sup> and 3 <sup>rd</sup> readings
C14-03-0043	I-RR to GR-CO	03/04/03: Approved staff rec. of GR-CO, condition of 2000 trip limit, on consent (8-0)	08/28/03: Approved GR-CO, condition of 2000 trip limit, on consent (6-0) on 3 <sup>rd</sup> reading
C14-01-0058	SF-2 to GR-CO	05/08/01: Approved staff rec. of GR-CO with 2000 trip limit but additionally prohibited Auto-related uses (6-2, JM/RC-NO)	07/19/01: Approved PC rec. of GR-CO on consent (6-0) on all 3 readings. Conditions of 2000 trip limit and Prohibited Auto rentals, Auto sales, Auto repair, and Auto washing
C14-01-0057	SF-2 to GR-CO	05/08/01: Approved staff rec. of GR-CO with 2000 trip limit but additionally prohibited Auto-related uses (6-2, JM/RC-NO)	07/19/01: Approved PC rec. of GR-CO on consent (6-0) on all 3 readings. Conditions of 2000 trip limit and Prohibited Auto rentals, Auto sales, Auto repair, and Auto washing.
C14-01-0056	SF-2 to GR-CO	05/08/01: Approved staff rec. of GR-CO with 2000 trip limit but additionally prohibited Auto-related uses (6-2, JM/RC-NO)	07/19/01: Approved PC rec. of GR-CO on consent (6-0) on all 3 readings. Conditions of 2000 trip limit and Prohibited Auto rentals, Auto sales, Auto repair, and Auto washing.

C14-01-0040	GR-CO to GR-CO	05/08/01. Approved staff rec. of GR-CO with 2000 trip limit but additionally prohibited Auto-related uses (6-2, JM/RC-NO)	07/19/01: Approved PC rec of GR-CO on consent (6-0) on all 3 readings Conditions of 2000 tip limit and Prohibited Auto rentals, Auto sales, Auto repair, and Auto washing.
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**RELATED CASES:** There are no pending related cases.

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
RM 2222	110'	50'	Arterial	Yes	No	No

**CITY COUNCIL DATE:** Feb. 15, 2007

**ACTION:**

**ORDINANCE READINGS:**

1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Tina Bui

**PHONE:** 974-2755

**E-MAIL:** tina.bui@ci.austin.tx.us

## STAFF RECOMMENDATION

Staff recommends GR-CO. The conditional overlay would limit the development to us that generate no more than 2,000 vehicle trips per day.

## BASIS FOR RECOMMENDATION

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

The GR district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways.

### *2. The proposed zoning should allow for a reasonable use of the property.*

The proposed zoning would allow for a fair and reasonable use of this site. The GR zoning is appropriate because of the location of the property on a major arterial roadway and the commercial character of the area.

### *3. The proposed zoning should promote consistency.*

The two most recent zoning cases to the south granted the owners GR-CO zoning in 2003. Both cases were recommended by City staff under the condition that each site not be developed with uses that generate no more than 2,000 vehicle trips per day. No uses were recommended by the staff for prohibition on those sites. The same recommendation for this case would be consistent with those recommendations. Additionally, in rezoning cases dating back to 2001, the staff has not recommended prohibited uses as conditions (though prohibited uses were imposed by the land use commission and/or by Council).

## EXISTING CONDITIONS

### Site Characteristics

The site is currently developed with a real estate office.

### Hill Country Roadway

The site is within a Hill Country Roadway Corridor.

### Environmental & Impervious Cover

- 1) The site is located over the Edward's Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. 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%

- 2) According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.
- 3) The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.
- 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) At this time, site specific information is unavailable regarding existing trees and 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 on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.
- 7) At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

### **Transportation**

Additional right-of-way will be required at the time of subdivision or site redevelopment

The trip generation under the requested zoning is estimated to be 2,517 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

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]

Capital Metro bus service is not available within 1/4 mile of this property

### **Existing Street Characteristics.**

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
RM 2222	110'	50'	Arterial	Yes	No	No

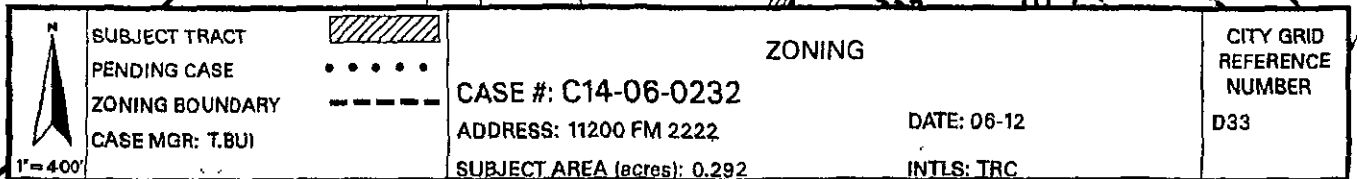
### **Water and Wastewater**

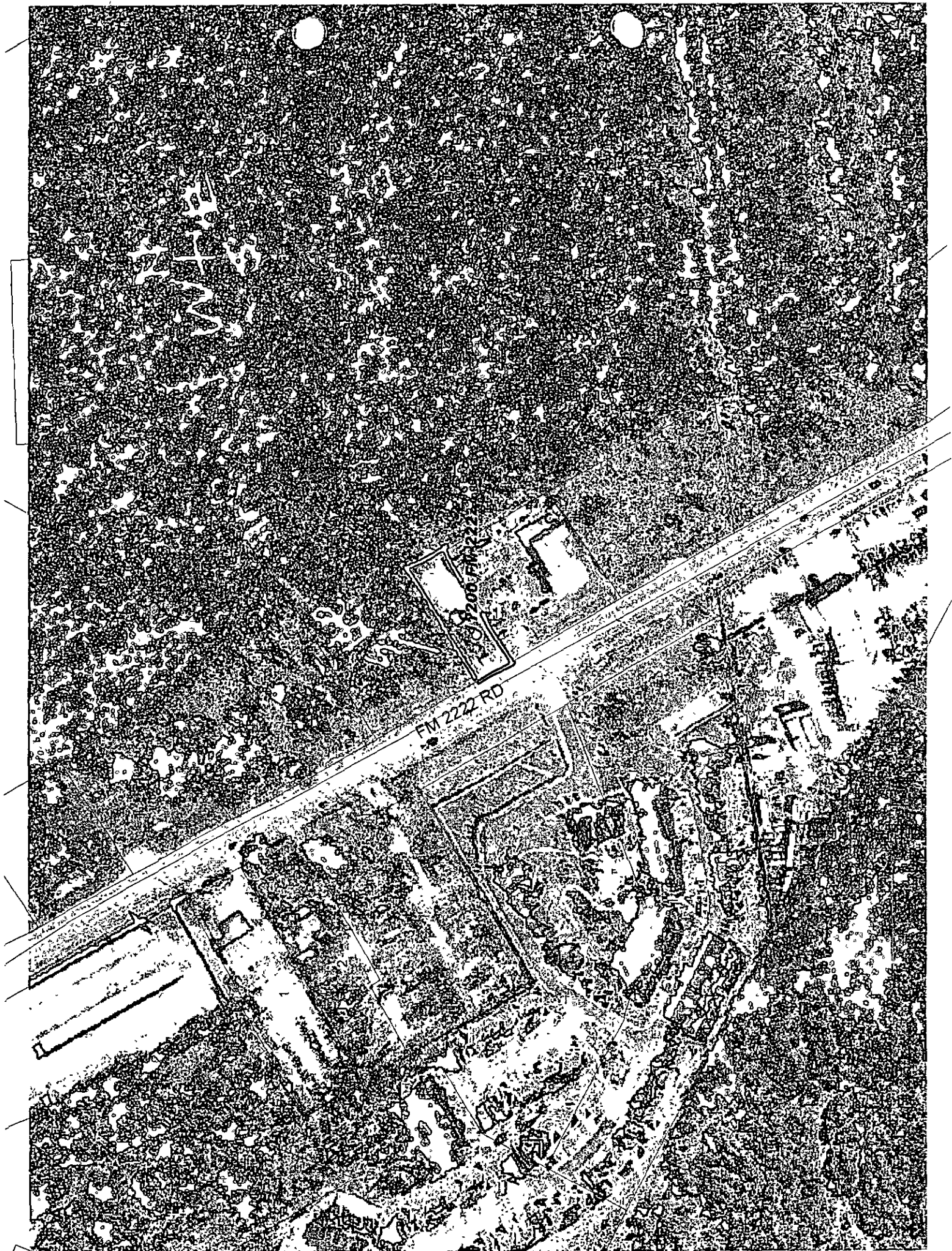
The landowner intends to serve the site with City of Austin water and wastewater utility service. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, system upgrades, utility adjustments, and relocation. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin utility design criteria. The water and wastewater

utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

**Compatibility Standards**

The site is not subject to compatibility standards. The adjacent I-SF-2 zoning does not trigger compatibility for the subject site. The townhomes across the street on FM 2222 also do not trigger compatibility because there are more than ten units.





ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE  
2 PROPERTY LOCATED AT 11200 F.M. 2222 ROAD AND CHANGING THE  
3 ZONING MAP FROM INTERIM SINGLE FAMILY RESIDENCE STANDARD  
4 LOT (I-SF-2) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL  
5 OVERLAY (GR-CO) COMBINING DISTRICT.  
6

7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
8

9 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
10 change the base district from interim single family residence standard lot (I-SF-2) district  
11 to community commercial-conditional overlay (GR-CO) combining district on the property  
12 described in Zoning Case No. C14-06-0232, on file at the Neighborhood Planning and  
13 Zoning Department, as follows:  
14

15 A 0.292 acre tract of land, more or less, out of the Alex Dunlap Survey No. 805,  
16 Travis County, the tract of land being more particularly described by metes and  
17 bounds in Exhibit "A" incorporated into this ordinance (the "Property"),  
18

19 locally known as 11200 F.M. 2222 Road, in the City of Austin, Travis County, Texas, and  
20 generally identified in the map attached as Exhibit "B".  
21

22 **PART 2.** The Property within the boundaries of the conditional overlay combining district  
23 established by this ordinance is subject to the following conditions:  
24

25 A. A site plan or building permit for the Property may not be approved, released,  
26 or issued, if the completed development or uses of the Property, considered  
27 cumulatively with all existing or previously authorized development and uses,  
28 generate traffic that exceeds 2,000 trips per day.  
29

30 B. The following uses are prohibited uses of the Property:  
31

32 Automotive rentals  
33 Automotive sales  
34 Pawn shop services  
35

Automotive repair services  
Automotive washing (of any type)

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2007.

**PASSED AND APPROVED**

\_\_\_\_\_, 2007

§  
§  
§

\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
David Allan Smith Shirley A. Gentry  
City Attorney City Clerk



Professional Land Surveying, Inc.  
Surveying and Mapping

Office: 512-443-1724  
Fax: 512-441-6987

2807 Manchaca Road  
Building One  
Austin, Texas 78704

EXHIBIT A

0.292 ACRES  
MAYES TRACT

A DESCRIPTION OF 0.292 ACRES OF LAND OUT OF THE ALEX DUNLAP SURVEY NO. 805 IN TRAVIS COUNTY, TEXAS, CONVEYED TO HENRY B. MAYES, JR. BY GENERAL WARRANTY DEED WITH VENDOR'S LIEN, DATED MAY 15, 1998 AND RECORDED IN VOLUME 13187, PAGE 2996 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.292 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a ½" rebar found in the east right-of-way line of F.M. 2222 (80' right-of-way width), for the northwest corner of said 0.292 acre tract of land and the southwest corner of Lot 4, Block "B", Four Points Centre, a subdivision in Travis County according to the plat recorded in Document No. 200200080 of the Official Public Records of Travis County, Texas;


**THENCE** North 58°32'42" East, with the north line of the 0.292 acre tract and the south line of said Lot 4, a distance of 212.85 feet to a ½" rebar found for the northeast corner of the 0.292 acre tract and angle point in the south line of Lot 4, also being a northwest corner of Lot 5, Block "B", Four Points Centre;

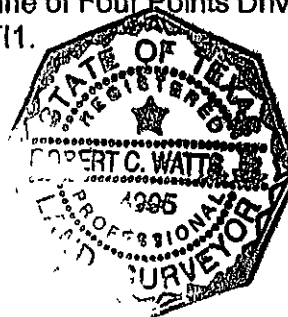
**THENCE** South 28°21'48" East, with the east line of the 0.292 acre tract and the west line of said Lot 5, a distance of 58.71 feet to a ½" rebar found for the southeast corner of the 0.292 acre tract and the northeast corner of a 0.987 acre tract described in Volume 11225, Page 1031 of the Real Property Records of Travis County, Texas;

**THENCE** South 58°02'08" West, with the south line of the 0.292 acre tract and the north line of said Lot 5, a distance of 213.59 feet to a ½" rebar found in the east right-of-way line of F.M. 2222 for the southwest corner of the 0.292 acre tract and the northwest corner of said 0.987 acre tract;

**THENCE** North 27°45'42" West, with the east right-of-way line of F.M. 2222 and the west line of the 0.292 acre tract, a distance of 60.66 feet to the **POINT OF BEGINNING** containing 0.292 acres more or less.

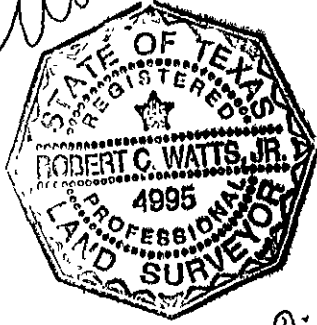
Surveyed on the ground in January, 1998, Updated on January 24, 2006. Bearing basis is Four Points Centre P.U.D. Plat (90/19), south line of Four Points Drive (South 57°08'49" East). Attachments: Survey Drawing 014-053-T11.

  
Robert C. Watts, Jr.  
Registered Professional Land Surveyor  
State of Texas, No. 4995



2-1-06

A SKETCH TO ACCOMPANY A DESCRIPTION OF 0.292 ACRES OF LAND OUT OF THE ALEX DUNLAP SURVEY NO. 805 IN TRAVIS COUNTY, TEXAS, CONVEYED TO HENRY B. MAYES, JR. BY GENERAL WARRANTY DEED WITH VENDOR'S LIEN, DATED MAY 15, 1998 AND RECORDED IN VOLUME 13187, PAGE 2996 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.



LOT 4, BLK B  
FOUR POINTS CENTRE  
(200200080)

NEW TPG-FOUR POINTS  
(2004203573)

DATE OF SURVEY: 1/24/06  
PLOT DATE: 1/29/07  
DRAWING NO.: 014-053-EX1  
PROJECT NO.: 014-053

F. M. 2222  
(80' RIGHT-OF-WAY WIDTH)  
ASPHALT PAVING

18+21.38  
30.34' LT.  
P.O.B.

30' WATER &  
WASTEWATER ESMT.  
(1999048517)

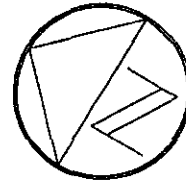
N27°45'42"W 60.66'  
(N27°56'00"W 52')

LOT 5, BLK B  
FOUR POINTS CENTRE  
(200200080)

NEW TPG-FOUR POINTS  
(2004203573)

S28°21'48"E 58.71'  
(S28°03'20"E 52.00')

6.72'  
(6.71')



1"=30'

LEGEND

● 1/2" REBAR FOUND

AUSTIN MARINE SERVICE  
CORPORATION  
(11225/1031)  
0.987 ACRES

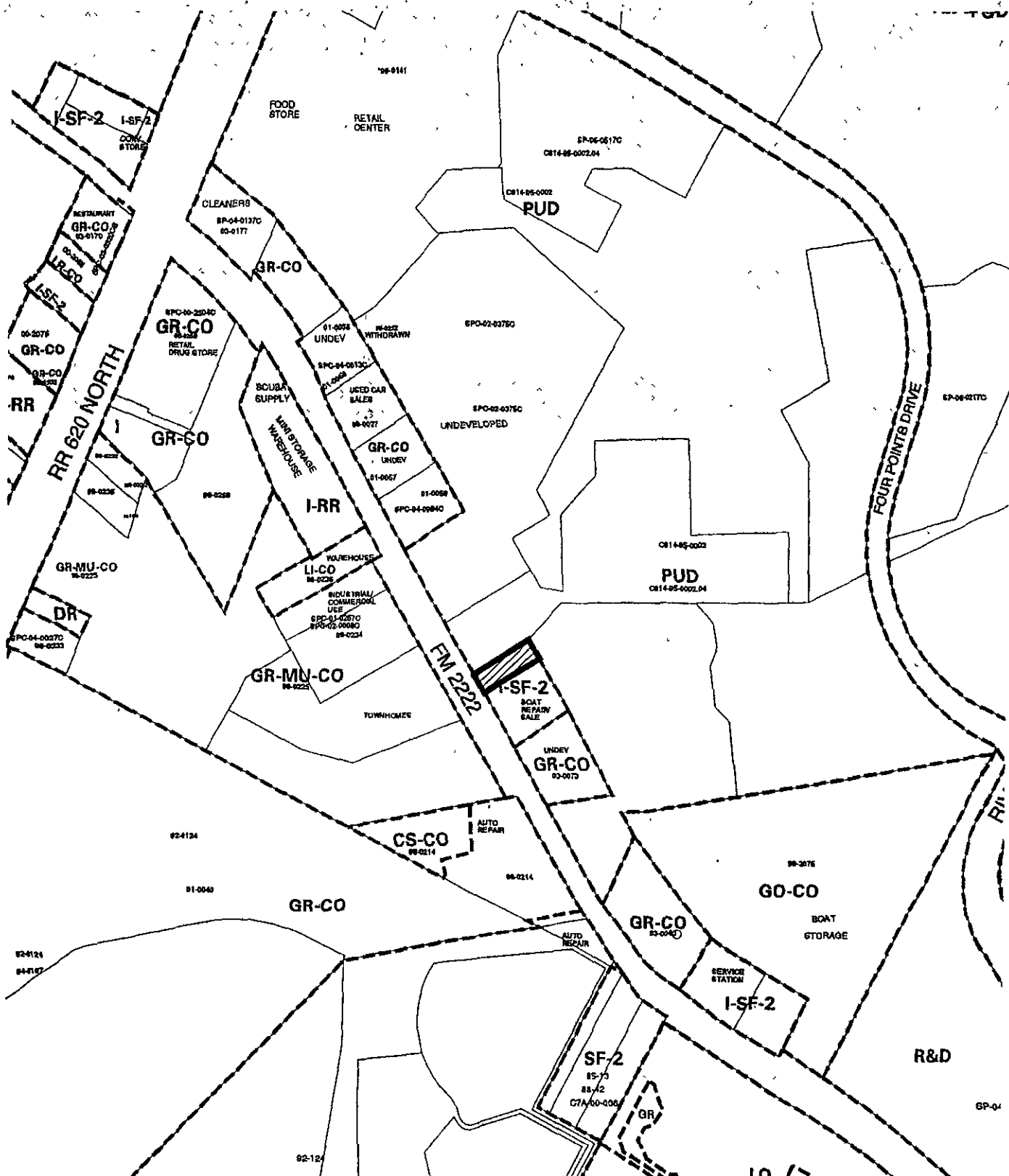
AGREED BOUNDARY  
11225/1048

8.52'  
(8.50')

18+82.03  
30.63' LT.

0.037 ACRE BOUNDARY AND USE AGREEMENT VOL. 11225 PAGE 1048

*Chaparral*



 1" = 400'	SUBJECT TRACT	<b>CASE #:</b> C14-06-0232 <b>ADDRESS:</b> 11200 FM 2222 <b>SUBJECT AREA (acres):</b> 0.292	<b>DATE:</b> 06-12 <b>INTLS:</b> TRC	<b>CITY GRID REFERENCE NUMBER</b> D33
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: T.BUI			

ZONING EXHIBIT B