

## SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-06-0211 Valdez Zoning

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2819-2823 Manor Road (Boggy Creek Watershed) from neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning.

DEPARTMENT COMMENTS:

The Rosewood Neighborhood Planning Team supports the requested zoning.

APPLICANT: Valdez Trust (F. Gary & Doyle Valdez).

AGENT: Alice Glasco Consulting (Alice Glasco).

DATE OF FIRST READING: First reading approved on March 1, 2007. Vote: 7-0.

PLANNING COMMISSION ACTION: January 30, 2007: Approved staff's recommendation of CS-MU-CO-NP on consent (8-0)

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Robert Heil, 974-2330. e-mail: robert.heil@ci.austin.tx.us

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

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2819-2823 MANOR ROAD IN THE ROSEWOOD NEIGHBORHOOD PLAN AREA FROM NEIGHBORHOOD COMMERCIAL-MIXED USE-NEIGHBORHOOD PLAN (LR-MU-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district on the property described in Zoning Case No. C14-06-0211, on file at the Neighborhood Planning and Zoning Department, as follows:

Being 0.918 acres of land, more or less out of Lots 3-6, Block 3, Outlot 48, Division B, Austin Heights Subdivision, a subdivision in the City of Austin, and being more particularly described in certain documents of record in Volume 12222, Page 351 and Page 327, and Volume 12283, Page 126, of the Official Public Records of Travis County, Texas (the "Property"),

locally known as 2819-2823 Manor Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

**PART 2.** Except as specifically provided in Part 3 and Part 4, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

**PART 3.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

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

- 1 B. Development of the Property may not exceed a height of 40 feet from grade level.  
2  
3 C. The Property shall be developed with a minimum of 10 percent of the gross square  
4 floor area for commercial uses.  
5  
6 D. The Property shall be developed with a minimum of 20 percent of the gross square  
7 floor area for residential uses.  
8

9 **PART 4.** The Property is subject to Ordinance No. 020110-17 that established the  
10 Rosewood neighborhood plan combining district.  
11

12 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2007.  
13

14  
15 **PASSED AND APPROVED**  
16

17 §  
18 §  
19 \_\_\_\_\_, 2007 § \_\_\_\_\_  
20 Will Wynn  
21 Mayor  
22

23  
24 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
25 David Allan Smith Shirley A. Gentry  
26 City Attorney City Clerk



## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-06-0211

**PC Date:** January 16, 2007  
January 30, 2007

**ADDRESS:** 2819-2823 Manor Drive

**OWNER/APPLICANT:** Valdez Trust (F. Gary and Doyle Valdez)

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

**ZONING FROM:** LR-MU-NP

**TO:** CS-MU-CO-NP

**AREA:** 0.918 acres

### **STAFF RECOMMENDATION:**

Staff recommends approval General Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan (CS-MU-CO-NP) combining district zoning. The conditional overlay would:

- Limit the project to no more than 2000 daily vehicle trips.
- Limit the maximum height to 40 feet.
- Require a minimum of 10% of the gross square footage will be retail uses
- Require a minimum of 20% of the gross square footage will be residential uses
- Require adherence to the Commercial Design Standards.

### **PLANNING COMMISSION RECOMMENDATION:**

**January 16:** Meeting canceled due to extreme weather.

**January 30, 2007:** Approved staff's recommendation of CS-MU-CO-NP

### **DEPARTMENT COMMENTS:**

The site is a roughly one acre site along Manor Road in the Transition Zone of the MLK Transit District Zone. The site is currently developed with 3 single family structures and is zoned Neighborhood Commercial – Mixed Use – Neighborhood Plan (LR-MU-CO). The request is to rezone the property to General Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan (CS-MU-CO-NP) combining district zoning.

The Rosewood Neighborhood Planning Team supports the requested zoning.

Staff supports the requested zoning.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LR-MU-NP	3 Single Family Structures
<i>North</i>	CS-MU-CO-NP	Distribution Center
<i>South</i>	SF-3-NP	Single Family Homes
<i>East</i>	CS-MU-CO-NP	Undeveloped (Redeemer Presbyterian future site)
<i>West</i>	CS-MU-CO-NP	Auto-related and other commercial uses

**AREA STUDY:** The property lies within the Rosewood Neighborhood plan adopted in 2003, and is designated as Mixed Use. The request would not change the adopted future land use map, and therefore does not require a plan amendment.

**TIA:** N/A

**WATERSHED:** Boggy Creek      **DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No      **HILL COUNTRY ROADWAY:** No

**REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS**

- Cherrywood Neighborhood Assn.
- Martin Luther King Jr./Airport Blvd. Sector
- Clifford-Sanchez Neigh. Assn.
- Austin Neighborhoods Council
- Mueller Neighborhoods Coalition
- Upper Boggy Creek Neighborhood Planning Team Contact
- Upper Boggy Creek Neighborhood Planning Team
- Keep the Land
- UBC Neighborhood Planning Team Contact
- Austin Independent School District
- Sentral Plus East Austin Koalition (SPEAK)
- Taking Action Inc.
- PODER People Organized in Defense of Earth & Her Resources
- City of Austin Neighborhood Planning (Chestnut)
- Anberly Airport Assn.

**SCHOOLS: (AISD)**

Campbell Elementary School    Kealing Middle School    McCallum High School

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Manor Road	65'	50'	Collector	Yes	#42	#20
Alexander Ave.	50'	30'	Local	No	No	No

**CITY COUNCIL DATE:**

**March 1, 2007**

**ACTION:**

The first reading of the ordinance for general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning was approved (consent). 7-0

**April 5, 2007**

**ORDINANCE READINGS:**

**1<sup>st</sup>**

**2<sup>nd</sup>**

**3<sup>rd</sup>**

**ORDINANCE NUMBER:**

**CASE MANAGER:** Robert Heil

e-mail address: robert.heil@ci.austin.tx.us

**PHONE:** 974-2330





## **SUMMARY STAFF RECOMMENDATION**

Staff recommends approval General Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan (CS-MU-CO-NP) combining district zoning. The conditional overlay would:

- Limit the project to no more than 2000 daily vehicle trips.
- Limit the maximum height to 40 feet.
- Require a minimum of 10% of the gross square footage will be retail uses
- Require a minimum of 20% of the gross square footage will be residential uses

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

1. *Granting of the request should result in an equal treatment of similarly situated properties.*

CS-MU-CO-NP zoning exists on properties to the west, north and east of the property. The site is very similar to the other properties along Manor Road zoned CS-MU-CO-NP.

## **Transportation**

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

The trip generation under the requested zoning is estimated to be 6209 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]

## **Existing Street Characteristics:**

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Manor Road	65'	50'	Collector	Yes	#42	#20
Alexander Ave.	50'	30'	Local	No	No	No

## **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. Impervious cover is not limited in this watershed class. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when

5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

According to flood plain maps, there is no flood plain within the project area.

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.

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, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

### **Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustments are required, the landowner, at own expense, will be responsible for providing. Also, 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 design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

### **Site Plan**

Site plans submitted after January 13, 2007 will be subject to review requirements of Commercial Design Standards.

## **The Rosewood Neighborhood Contact Team**

1000 Glen Oaks Court, Austin, TX 78702  
(512) 477-2352

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January 08, 2007

Chair and Members, Austin Planning Commission

Case # C14-06-0211, 2819 – 2823 Manor Rd.  
Scheduled: January 16, 2007

Dear Chair Sullivan and Members, Austin Planning Commission:

This letter is to inform you that the Rosewood Neighborhood Contact Team supports the project listed above which will require an amendment of the zoning approved in the Rosewood Neighborhood Plan, which is LR-MU-NP.

We support the change to CS-MU-NP as the conceptual site plan we have seen includes all the following, which is in the spirit of the plan:

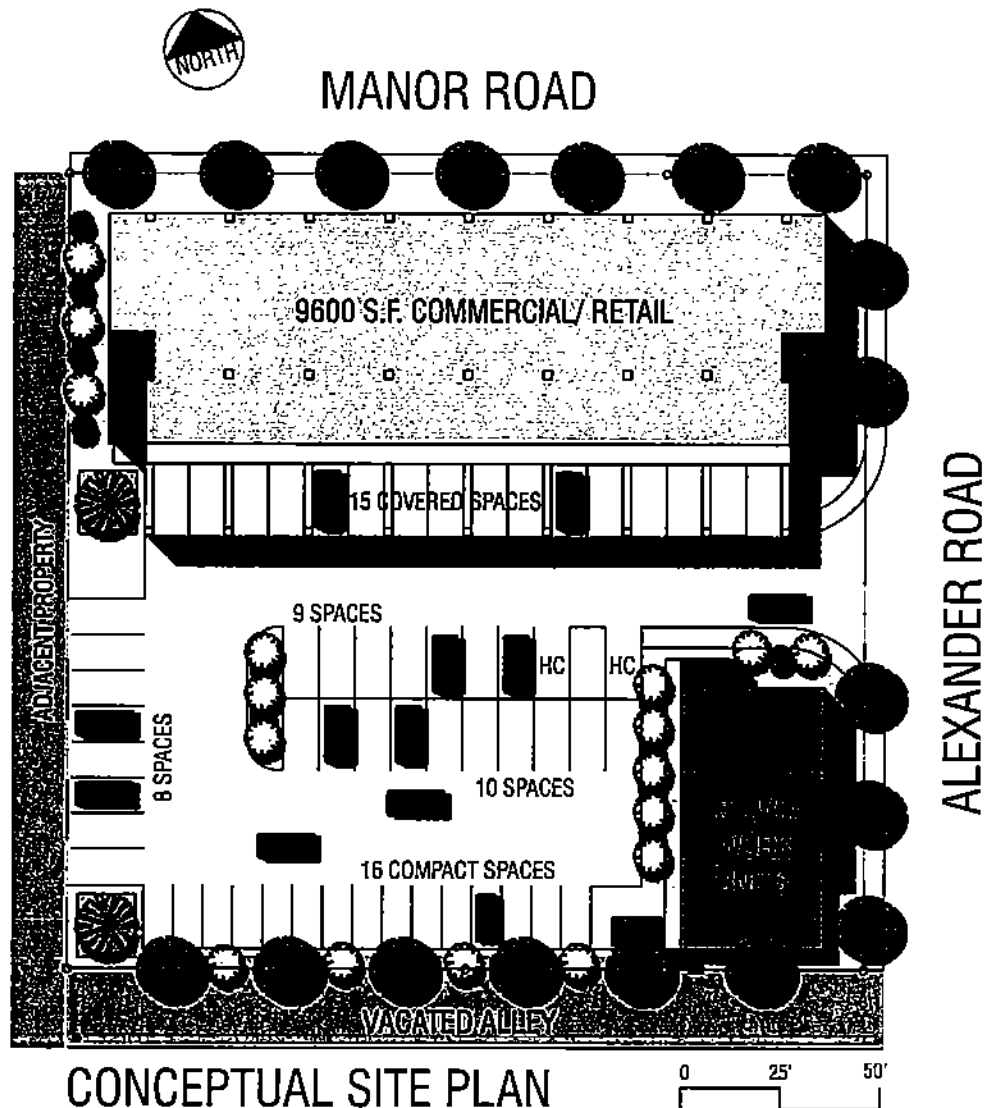
- The project will adhere to the 40' height limit established in the neighborhood plan.
- The proposed Mixed Use development will have approximately 10,000 square feet of ground floor retail facing Manor Road.
- There will be shared live/work spaces along Alexander Road.
- The upper floors will consist of 36-40 residential units.
- The project will adhere to the Commercial Design Standards.

I would be glad to answer any questions prior to the meeting, should you have any.

Sincerely,

Jane Rivera, Chair  
Rosewood Neighborhood Contact Team

Days: 463-2482  
Nights: 477-2352



2823 MANOR ROAD  
AUSTIN TEXAS

11-26-06

**WEISS**  
ARCHITECTURE