

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0208, Eastbourne Crossing

ZAP DATE: May 1, 2007

COUNCIL DATE: May 24, 2007

ADDRESS: 3400-3517 Block of South FM 973 Road

OWNER: Eastbourne Crossing Limited Partnership (Frank Egan)

AGENT: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson)

ZONING FROM: DR

TO: CS-CO

AREA: 11.76 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general commercial services (CS) district zoning.

If the rezoning is to be approved, the Transportation Staff has offered in the attached Traffic Impact Analysis (TIA) memo a list of requirements that should be fulfilled before 1st and final readings of the approval ordinance by the City Council.

ZONING & PLATTING (ZAP) COMMISSION RECOMMENDATION:

May 1, 2007: Approved Staff's recommendation of CS on consent [8-0 (Keith Jackson, Clarke Hammond 2nd; Joseph Martinez absent)] but added the following uses for prohibition:

- Adult Oriented Businesses
- Agricultural Sales and Services
- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Bail Bond Services
- Campground
- Commercial Blood Plasma Center
- Convenience Storage
- Drop-Off Recycling Collection Facility
- Equipment Sales
- Group Home Class I – Limited
- Group Home Class I – General
- Group Home Class II
- Pawn Shop Services
- Vehicle Storage

DEPARTMENT COMMENTS:

The subject lot is 11.76 acres and is undeveloped. This property was annexed into the City's Full-Purpose Jurisdiction in 2001. This is located just east of the Austin Bergstrom International Airport, near the intersection of SH 71 and FM 973 and less than one mile west of the future intersection of SH 130 and SH 71.

On the subject site, the applicant is currently proposing a 20,000 square foot specialty retail center; a 4,500 square foot fast food restaurant with a drive-through window; and a 6,000 square

foot high turnover restaurant. Proposed access will be from both FM 973 and SH 71, which is classified as a City of Austin Scenic Roadway. The proposed development is part of the larger almost 400-acre Eastbourne Crossing mixed use planned development, most of which is within Travis County, that will stretch to the future SH 130.

A TIA was provided as part of this rezoning request. Because this proposed development is part of a larger planned development, an interlocal agreement governing significant improvements to SH 130 and SH 71 is currently being finalized by the applicant, the Texas Department of Transportation, and Travis County. The Transportation Staff has reviewed the TIA and has offered requirements that should be met before 1st and final readings by the Council if the requested rezoning is to be approved. Please see the attached memo from the Transportation Staff for details.

As of May 16, 2007, the applicant was in the process of fulfilling the requirements enumerated in the TIA memo. The applicant anticipates meeting these obligations before the Council hears the case on May 24, 2007.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Undeveloped
<i>North</i>	DR	Del Valle ISD and community center
<i>South</i>	DR	Undeveloped
<i>East</i>	Unzoned (County)	Undeveloped
<i>West</i>	Unzoned (County); I-RR; P-CO	Unzoned: Community center, Sports complex, Correctional facility; I-RR: Vehicle maintenance and storage; P-CO: Residential treatment, Transitional housing

AREA STUDY: N / A

TIA: Submitted. See attached memo.

WATERSHED: Colorado River

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

REGISTERED NEIGHBORHOOD/COMMUNITY ORGANIZATIONS:

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

750 – Del Valle Neighborhood Association

774 – Del Valle Independent School District

SCHOOLS:

This site is served by the Del Valle Independent School District.

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION (PC) / ZONING & PLATTING COMMISSION (ZAP)	CITY COUNCIL
C14-99-0085	I-RR to CS	Approved Staff rec. of CS-CO but added the prohibition of outside auto uses (2000 trip limit; Prohibited uses: vehicle storage, pawn shop, auto repair and sales, equipment repair and sales, adult-oriented businesses).	Approved PC rec. of CS-CO (1/27/00).
C14-99-2052 (Interport)	DR; UNZ; I-SF-2; I-RR to LI-PDA	Approved Staff rec. of LI-PDA.	Approved PC rec. of LI-PDA (9-28-00).
C14-00-2002	I-RR to RR	Approved Staff rec. of RR.	Approved PC rec. of RR (7-0).
C14-01-0027	I-SF-2 to GR	Approved Staff rec. of GR-CO (2000 trip limit).	Approved PC rec. of GR-CO (4-19-01).
C14-01-0075	I-SF-2 to GR	Approved Staff rec. of GR-CO (2000 trip limit).	Approved Commission rec. (7-19-01).
C14-01-0103	I-RR to LI	Withdrawn by applicant	Not applicable
C14-01-0186	I-SF-2 and RR to LI	Approved Staff rec. of CS-CO but added prohibited uses and 15-ft wide veg. buffer along Meldrum Rd. Prohibited uses: [Staff & ZAP] bed & breakfast, campground, cocktail lounge, commercial blood plasma center, funeral services, hotel-motel, indoor entertainment, indoor sports & rec., outdoor entertainment,	Approved Commission rec. of CS-CO but deleted ltd. warehouse and distribution & convenience storage from prohibited uses (6-0).

		stables, theatre, custom manufacturing, ltd. warehousing & distribution, outdoor sports & rec., marina, scrap & salvage, special use historic; [ZAP] adult-oriented businesses, convenient storage, pawnshops, auto/vehicle storage, off-site advertisement/billboards)	
C14-02-0013 (Interport South)	DR to LI-CO	Approved Staff rec. of LI-CO which had numerous conditions and added conditions.	Approved LI-CO (7-0)
C14-03-0047A	I-RR to GR	Approved Staff rec. of GR.	Approved ZAP rec. of GR (6-5-03).
C14-03-0047B	I-RR to GR	Approved Staff rec. of GR-CO (2000 trip limit).	Approved ZAP rec. of GR-CO (6-5-03).
C14-05-0017	I-SF-2 to GR-CO	Approved Staff rec. of GR-CO (2000 trip limit).	Approved ZAP rec. of GR-CO (7-0).
C14-05-0070	I-RR to P-CO	Approved Staff rec. of P-CO (2000 trip limit).	Approved ZAP rec. of P-CO (7-0).

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
East SH 71	200 feet	4 lanes at 36 feet each	Divided Major Arterial (CAMPO 2030: 6-lane freeway)	45,000 – 49,000 (in 2004)
South FM 973	100 feet	2 lanes at 30 feet each	Minor Arterial	8,800 (b/t SH 71 and Pearce Lane)

Capital Metro bus service is available along both F.M. 973 and State Highway 71.

CITY COUNCIL DATE:**ACTION:**

ORDINANCE READINGS:

1st

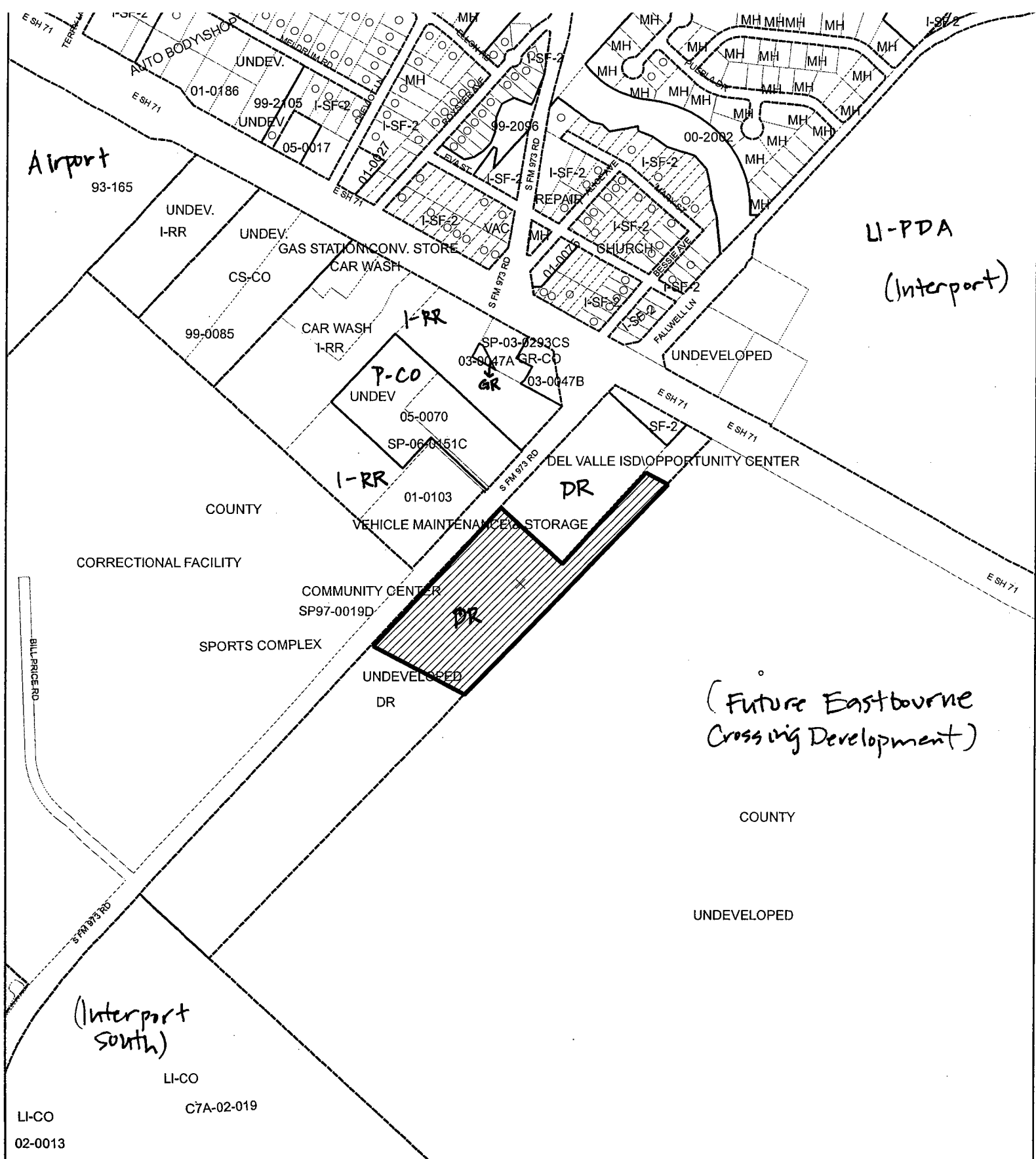
2nd

3rd

CASE MANAGER: Tina Bui

PHONE: (512) 974-2755

EMAIL: tina.bui @ci.austin.tx.us



ZONING

CASE#: C14-06-0208

ADDRESS: 3400-3517 BLK S FM 973 RD

ACRES: 11.76

GRID: P16

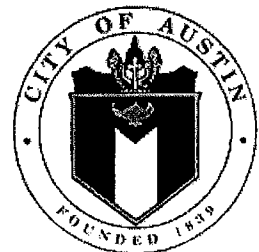
MANAGER: T. BUI



Subject Tract

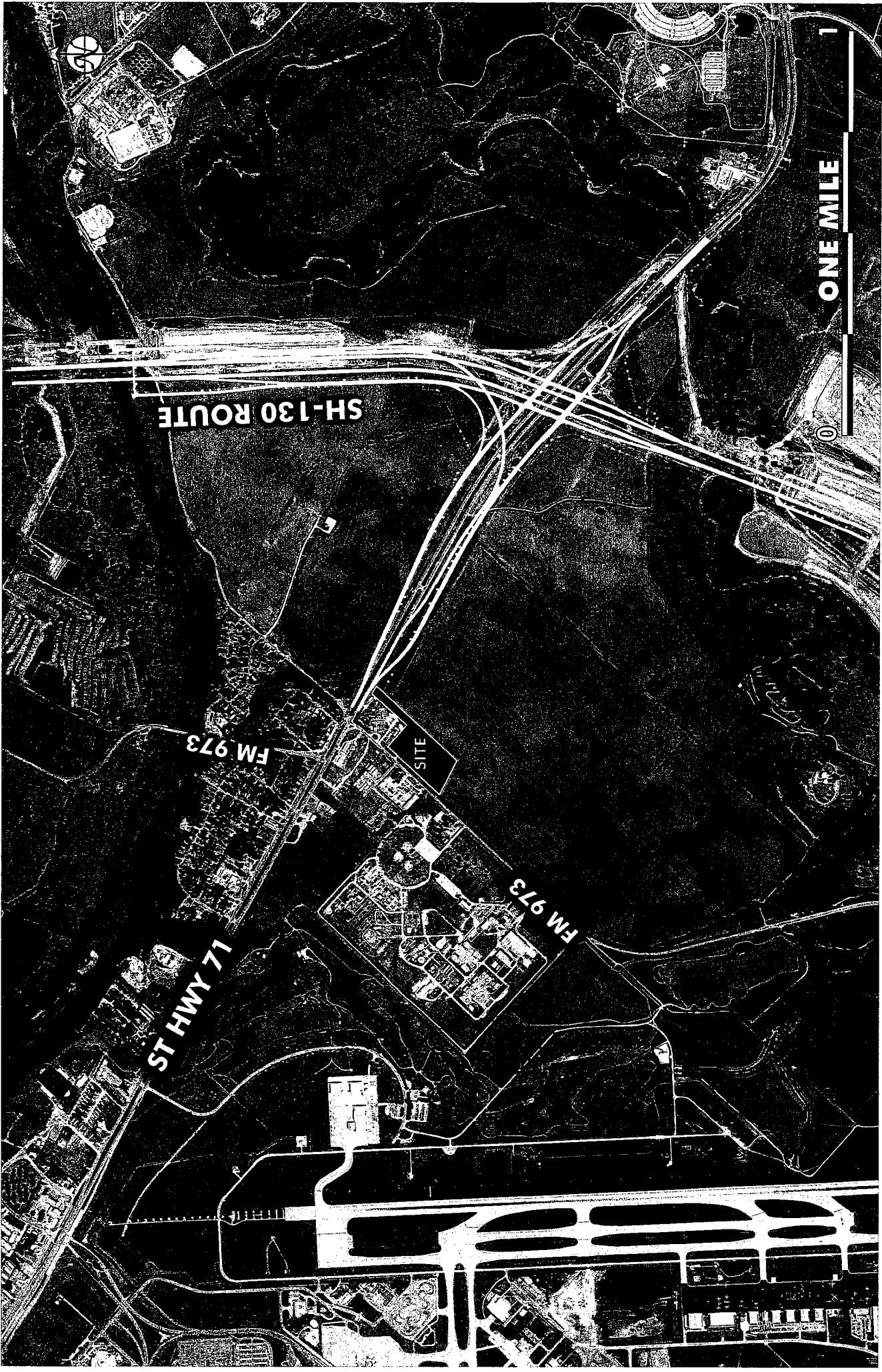


Zoning Boundary



1" = 600'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



ONE MILE

SH-130 ROUTE

FM 973

SITE

FM 973

ST HWY 71

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BACKGROUND

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BASIS FOR LAND USE RECOMMENDATION

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

General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments. This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code and within the Airport Overlay Zone AO-1. Development on this property is limited by Chapter 25-13 of the Austin City Code. Residential uses are prohibited in the Airport Overlay Zone AO-1.

- 2. Zoning should allow for reasonable use of the property.*

General Commercial Services zoning is compatible with the surrounding intense land uses and commercial nature of the area. Additionally, this is located near the intersection of FM 973 and SH 71 with future SH 130 intersecting SH 71 less than a mile away. Other sizable properties nearby (Interport, Interport South) were granted more permissive levels of zoning.

EXISTING CONDITIONS

Site Characteristics

The subject property is undeveloped. The site is relatively flat and there appear to be no significant topographical constraints on the site.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Colorado River Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under 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>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

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 existing trees and other 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 on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

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

Site Plan

This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited.

This property is within the Airport Overlay Zone AO-1. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation

Regulations Part 77, as adopted by the City in Section 25-13-23, are prohibited. Noise level reduction measures may be required for certain new structures.

This location is in the Scenic Roadway. All signs must comply with Scenic Roadway sign district regulations.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Transportation

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments are provided in a separate memo.

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, offsite main extension, 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 all associated and applicable City fees.