

ZONING REVIEW SHEET**CASE:** C14-2007-0047**Z.A.P. DATE:** May 15, 2007**ADDRESS:** 2300 Cedar Bend Drive**OWNER:** Austin Diagnostic Clinic Association
(Robert Spurck)**AGENT:** Minter, Joseph & Thornhill, PC
(John M. Joseph)**REZONING FROM:** SF-3 (Family residence) district**TO:** GO (General office) district**AREA:** 2.65 Acres**SUMMARY ZONING AND PLATTING COMMISSION RECOMMENDATION:**
May 15, 2007**APPROVED STAFF'S RECOMMENDATION.**
[J.PINNELLI, J.MARTINEZ 2ND] (9-0)**SUMMARY STAFF RECOMMENDATION:**

Staff recommends the rezoning from SF-3 to GO-CO (General office –conditional overlay) combining district. The recommended conditional overlay shall address the following:

1. Limit the daily vehicle trips to less than 2,000 per day per [LDC, 25-6-117];
2. Install and maintain a 15-foot vegetative buffet along and adjacent to the north property line; and
3. Install and maintain a 12-foot wide vegetative buffer along and adjacent to the east property line abutting SF-3 zoning.

The Staff recommendation is based on the following considerations:

- 1.) The recommended conditional overlay shall promote land use compatibility with established office uses along Cedar Bend Drive while maintaining buffers and setbacks form the established neighborhood to the north and east.
- 2.) The rezoning will encourage a unified development in conjunction with the Austin Diagnostic Clinic for shared parking; and
- 3.) The recommended zoning classification will allow continual operation of the existing day care.

DEPARTMENT COMMENTS:

The subject rezoning area consists of an undeveloped 2.65 acre site fronting Cedar Bend Drive and SF-3. The property is developed with a daycare housing approximately 180 children under site plan SPC-94-0374C. Access to the property is off Cedar Bend Drive. The applicant proposes to rezone the property to GO to facilitate a unified development in conjunction with the abutting ADC site to the west for shared parking. The applicant has also offered to place a 12-foot vegetative buffer along the eastern property line as a buffer to existing residential development to the east. This property is located within the North Lamar Study Area which recommends commercial development for this site.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Daycare
<i>North</i>	SF-2	Single-family residences
<i>South</i>	GO-CO	Medical center / Undeveloped
<i>East</i>	SF-3	Duplexes
<i>West</i>	LR-CO	Undeveloped land

AREA STUDY: North Lamar**TIA:** Waived (See Transportation comments)**WATERSHED:** Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

55--Northwood Homeowners Assn.
64--River Oaks Lakes Estates Neighborhood
114--North Growth Corridor Alliance
480--Scofield Farms Residents Assn.
511--Austin Neighborhoods Council
742--Austin Independent School District
786--Home Builders Association of Greater Austin

SCHOOLS:

Austin Independent School District

- Pillow Elementary School
- Burnet Middle School
- Anderson High School

RELATED CASES: N/A**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-96-0113	GO-CO to GO-CO	10/22/96: APVD STAFF ALT REC OF GO-CO (9-0)	11/21/96: APVD GO-CO SUBJ TO CONDS (6-0); (ALL 3 READINGS)
C14-96-0114	LR-CO to LR-CO	10/22/96: APVD STAFF ALT REC OF LR-CO (9-0)	10/21/96: APVD LR-CO SUBJ TO CONDS (6-0); ALL 3 READINGS
C14-94-0174	SF-3 to LO	03/21/95: APVD LO-CO W/CONDS (8-0)	06/01/95: APVD LO-CO (5-0-2, RR/EM-ABSTAIN); 1ST RDG. 11/30/95: APVD LO-CO (6-0); 2ND/3RD RDG
C14-96-0112	LO-CO to LO-CO	10/22/96: APVD STAFF ALT REC OF LO-CO; (9-0)	11/21/96: APVD LO-CO SUBJ TO CONDS (6-0); (ALL 3 READINGS)
C14-06-0092	LO-CO to GO-CO	08/01/06: APVD GO-CO W/CONDS (6-1, JP-NO)	08/10/06: APVD GO-CO (7-0); ALL 3 RDGS

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Cedar Bend Drive	70'	44'	Collector	Yes	#174, North Burnet Limited	No

CITY COUNCIL DATE:**June 7, 2007****ACTION:****ORDINANCE READINGS:****1st****2nd****3rd****ORDINANCE NUMBER:****CASE MANAGER:** Jorge E. Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** jorge.rousselin@ci.austin.tx.us





C14-07-0050

C14-07-0047

Legend

- Zoning
- Center Line
- Major Roads

60 0 60 120 180 Feet

C14-07-0047
C14-07-0050

This map has been produced by the City of Austin as a working staff map and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.

STAFF RECOMMENDATION

Staff recommends the rezoning from SF-3 to GO-CO (General office –conditional overlay) combining district. The recommended conditional overlay shall address the following:

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The Staff recommendation is based on the following considerations:

- 1.) The recommended conditional overlay shall promote land use compatibility with established office uses along Cedar Bend Drive while maintaining buffers and setbacks form the established neighborhood to the north and east.
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BASIS FOR RECOMMENDATION

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The recommended conditional overlay will promote compatibility with adjacent office uses. Furthermore, the conditional overlay will provide for setbacks and buffering abutting residential development.

2. *The proposed zoning should promote consistency, and orderly planning.*

Established office uses along Cedar Bend Drive exists which contribute to the orderly planning of like land uses.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area consists of an undeveloped 2.65 acre site fronting Cedar Bend Drive and SF-3. The property is developed with a daycare housing approximately 180 children under site plan SPC-94-0374C. Access to the property is off Cedar Bend Drive.

Transportation

1. No additional right-of-way is needed at this time.
2. The trip generation under the requested zoning is estimated to be 4,505 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). The existing day care facility currently generates approximately 852 vehicle trips per day.

3. 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]

Environmental and Impervious Cover

1. 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 Walnut Creek 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%

2. According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.
3. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
4. 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.
5. 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.
6. 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.

Water and Wastewater

1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once he landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

1. There is an approved site plan for this tract (SPC-94-0374C) which provides for 10,754 square feet (building coverage) of day care use, along with associated parking and drainage facilities.
2. Any new development would be subject to compatibility standards. Along the north and east property lines, the following standards apply:
 - No structure may be built within 25 feet of the SF-2 or SF-3 property line.
 - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - No parking or driveways are allowed within 25 feet of the property line.
 - In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
3. Additional design regulations will be enforced at the time a site plan is submitted.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2007-0047

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

May 15, 2007 Zoning and Platting Commission

Pasha Biorote

Your Name (please print)

2307 Thorswild Pass Austin, TX 78758

Your address(es) affected by this application

Biorote

Signature

Date

5/14/07

Comments:

I strongly object this zoning

request/charge! This parcel of land

is located behind my fence/

backyard.

RECEIVED

MAY 15 2007

Neighborhood Planning & Zoning

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-8810



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Public Hearing:

May 15, 2007 Zoning and Platting Commission

☒ I am in favor
☐ I object

Debra West
Your Name (please print)

2331 Inornwild Pass
Your address(es) affected by this application

Jeffrey West
Signature

May 15 07
Date

Comments:

We Already Have Plenty
Of Apartments & Duplexes In The Area
This Would Be A Welcomed Addition
Thank

RECEIVED

MAY 15 2007

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Public Hearing:

May 15, 2007 Zoning and Platting Commission

ALISON GOODGAME

Your Name (please print)

2209 THORNWILD PASS

Your address(es) affected by this application

[Signature]

Signature

5/14/2007

Date

Comments:

RECEIVED

MAY 15 2007

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