

SECOND/THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-06-0221, 1st Reading

REQUEST: Approve 2nd/3rd readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 0 (21.2 Ac. of Abs 22 Sur 29 Tannehill JC) Springdale Road (Little Walnut Creek Watershed) from public-neighborhood plan (P-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning.

AREA: 21.12 acres

APPLICANT: City of Austin for Seiders Family Trust (Jerry Rusthoven)

AGENT: Graves, Dougherty, Hearon and Moody, LLC (Peter Cesaro)

CITY COUNCIL DATES & ACTIONS:

February 1, 2007: Approved Staff recommendation of GR-MU-CO-NP on Tract 1 with the prohibition of all auto-related uses and pawn shops. Approved MF-3-NP on Tract 2. Multifamily residential use is conditional on entire property.

PLANNING COMMISSION RECOMMENDATION:

January 30, 2007: Approved GR-MU-CO-NP on Tract 1 and SF-6-NP on Tract 2. Prohibited multifamily rental on entire property. [J. Reddy, T. Atkins 2nd] (9-0)

STAFF RECOMMENDATION:

GR-MU-CO-NP with a conditional overlay prohibiting automotive-related uses and pawn shops on Tract 1 and MF-3-NP on Tract 2.

Tract 1 would include the property up to the adjacent GR zoning along Springdale to the north and the conditional overlay matches that on the adjoining property.

CITY COUNCIL DATE: June 21, 2007

ASSIGNED STAFF: Jerry Rusthoven, 974-3207, jerry.rusthoven@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-06-06-0221

P.C. DATE: January 30, 2007

COUNCIL DATE: February 1, 2007

February 15, 2007

June 21, 2007

ADDRESS: 0 (21.2 Ac. of Abs 22 Sur 29 Tannehill JC) Springdale Road

OWNER/APPLICANT: COA for Seiders Family Trust

AGENT: Graves, Dougherty
(Peter Cesaro)

ZONING FROM: P-NP

TO: GR-MU-NP

AREA: 21.12 Acres

SUMMARY STAFF RECOMMENDATION:

To recommend rezoning from P-NP (Public-Neighborhood Plan) to GR-MU-CO-NP (Community commercial mixed use- neighborhood plan) with a conditional overlay prohibiting automotive related uses and pawn shops on Tract 1 and MF-3 on Tract 2. Tract 1 would include the property up to the adjacent GR zoning along Springdale to the north and the conditional overlay matches that on the adjoining property.

PLANNING COMMISSION RECOMMENDATION:

January 30, 2007: Approved GR-MU-CO-NP on Tract 1 and SF-6-NP on Tract 2. Prohibited multifamily rental on entire property. [J. Reddy, T. Atkins 2nd] (9-0)

ISSUES:

This property has was mistakenly zoned P-Public as a part of the East MLK Combined Neighborhood Plan.. The P category is for governmental uses and this property is under private ownership. The City has agreed to file a zoning case at no cost to the applicant to correct this mistake. The applicant seeks GR-MU for the entire property. Staff is supporting GR-MU to the point where there is adjacent GR zoning and MF-3 behind that. Staff believes that MF-3 is more compatible with the adjacent SF-6 and P zoning in this area.

DEPARTMENT COMMENTS:

This property is situated along Springdale Road. The front portion of the property is between two tracts zoned GR and the rear of the property is between P and SF-6 zoning. Staff did not require a TIA at this time because the City is the applicant. If the applicant submits a site plan that exceeds 2,000 trips per day a TIA will be required at that time.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
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<i>Site</i>	P-NP	Vacant
<i>North</i>	GR-CO-NP	Private School
<i>South</i>	GR-NP	AT&T switching facility
<i>East</i>	P-NP	Open Space
<i>West</i>	GR-CO-NP	Nursing home and vacant

AREA STUDY: E. MLK Neighborhood Plan **TIA:** Not required.

WATERSHED: Little Walnut Creek **DESIRED DEVELOPMENT ZONE:** Yes

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

NEIGHBORHOOD ORGANIZATIONS:

E. MLK Plan Contact Team
Pecan Springs NA

RELATED CASES: N/A

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
Springdale	100'	50'	Arterial	Yes	Yes	Yes

ORDINANCE READINGS:

1st Scheduled for February 1, 2007. Postponed to February 15, 2007.

February 15, 2007: Approved Staff recommendation of GR-MU-CO-NP on Tract 1 with the prohibition of all auto-related uses and pawn shops. Approved MF-3-NP on Tract 2. Multifamily residential use is conditional on entire property.

2nd and 3rd Scheduled for June 21, 2007.

ORDINANCE NUMBER:

CASE MANAGER: Jerry Rusthoven
e-mail address: jerry.rusthoven@ci.austin.tx.us

PHONE: 974-3207

BASIS FOR STAFF RECOMMENDATION

Staff recommends GR-MU-CO-NP for Tract 1 and MF-3-NP for Tract 2:

- The proposed use is compatible with adjacent zoning
- It is in the desired development zone
- It is along a major arterial roadway
- P-public is not appropriate zoning for privately owned land

ENVIRONMENTAL

Impervious Cover

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut 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. It is in the Desired Development Zone. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

Water Quality Control Requirements

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. 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.

Flood Plain, CEFs and Trees

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.

Transportation

A Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process a Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

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

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 utility relocation. 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 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.

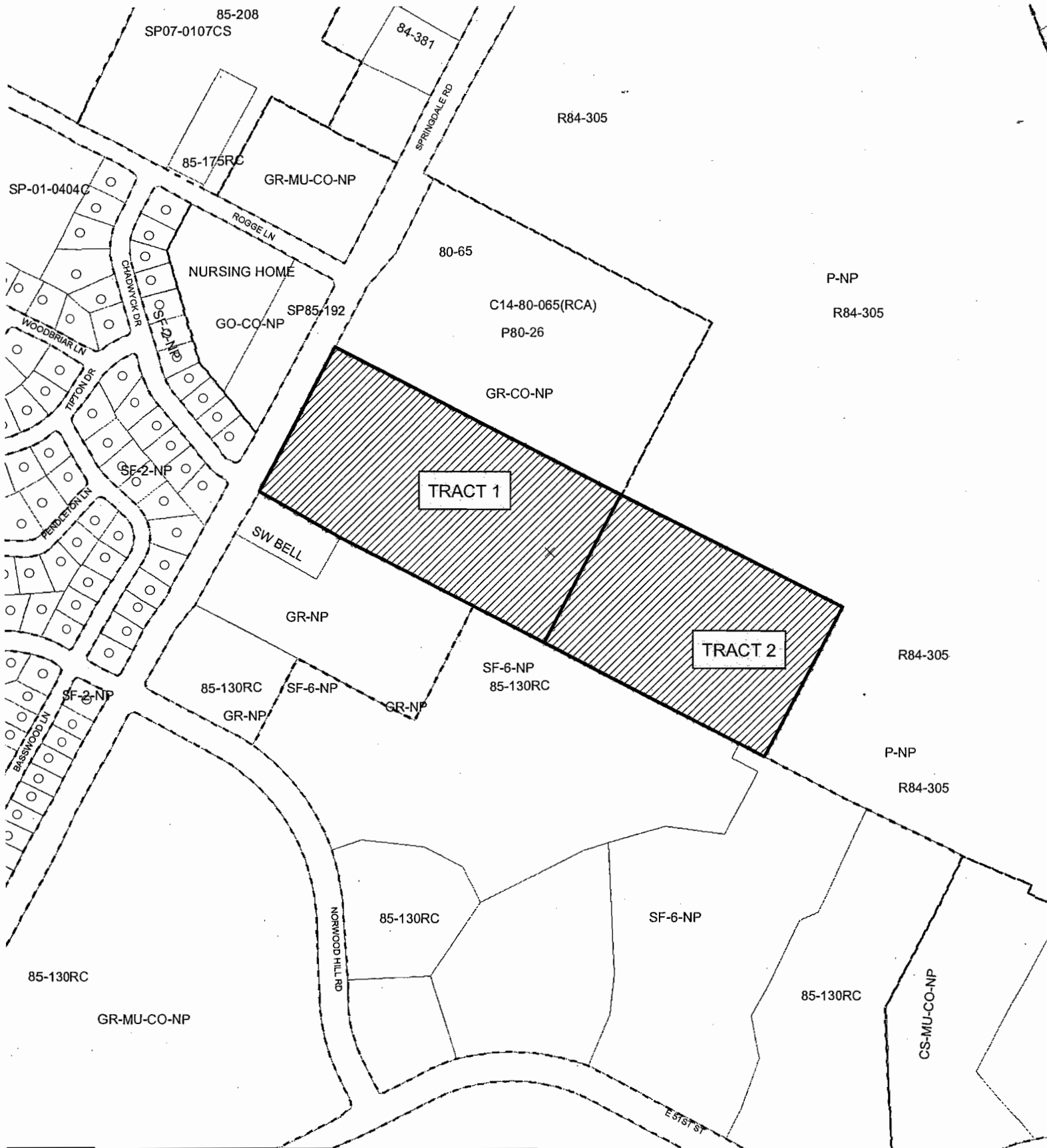
Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards

The site is subject to compatibility standards.





ZONING



Subject Tract



Zoning Boundary



Pending Cases

ZONING CASE#: C14-06-0221
ADDRESS: 5601 SPRINGDALE RD
SUBJECT AREA: 21.120 ACRES
GRID: M25
MANAGER: J. RUSTHOVEN



1" = 400'

OPERATOR: SM

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.

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 0 SPRINGDALE ROAD (21.2 AC. OUT OF JC TANNEHILL SUR NO. 29 ABS NO. 22) IN THE PECAN SPRINGS-SPRINGDALE NEIGHBORHOOD PLAN AREA FROM PUBLIC-NEIGHBORHOOD PLAN (P-NP) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-MU-CO-NP) COMBINING DISTRICT FOR TRACT ONE AND MULTIFAMILY RESIDENCE MEDIUM DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-3-CO-NP) COMBINING DISTRICT FOR TRACT TWO.

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 on the property described in Zoning Case No. C14-06-0221, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From public-neighborhood plan (P-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district.

A 11.957 acre tract of land, more or less, out of the J.C. Tannehill Survey No. 29, Abstract No. 22, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From public-neighborhood plan (P-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district.

A 9.087 acre tract of land, more or less, out of the J.C. Tannehill Survey No. 29, Abstract No. 22, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 0 Springdale Road (21.2 ac out of JC Tannehill Sur No. 29, Abs No. 22) in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

1 **PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the
2 Property may be developed and used in accordance with the regulations established for the
3 respective base districts and other applicable requirements of the City Code.
4

5 **PART 3.** The Property within the boundaries of the conditional overlay combining district
6 established by this ordinance is subject to the following conditions:
7

- 8 1. A multifamily residential use is a conditional use of the Property.
9
10 2. The following uses are prohibited uses of Tract One:

11 Automotive repair services Automotive sales
12 Automotive washing (of any type) Pawn shop services
13
14

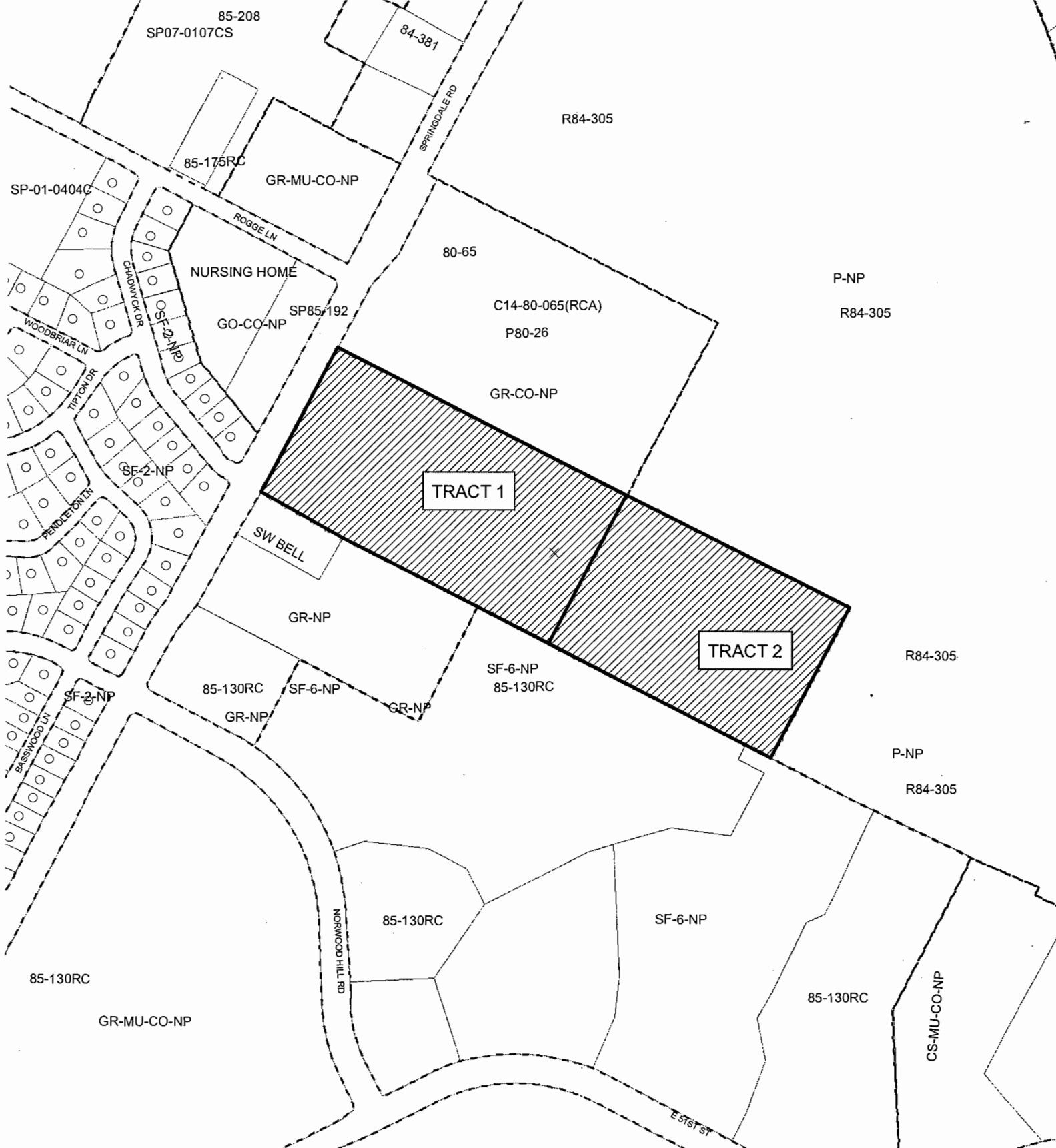
15 **PART 4.** The Property is subject to Ordinance No. 021107-Z-12a that established the
16 Pecan Springs-Springdale neighborhood plan combining district.
17

18 **PART 5.** This ordinance takes effect on _____, 2007.
19

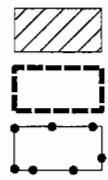
20
21 **PASSED AND APPROVED**
22

23 §
24 §
25 _____, 2007 § _____
26 Will Wynn
27 Mayor
28

29
30 **APPROVED:** _____ **ATTEST:** _____
31 David Allan Smith Shirley A. Gentry
32 City Attorney City Clerk

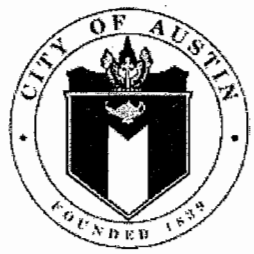


ZONING



Subject Tract
Zoning Boundary
Pending Cases

ZONING CASE#: C14-06-0221
ADDRESS: 5601 SPRINGDALE RD
SUBJECT AREA: 21.120 ACRES
GRID: M25
MANAGER: J. RUSTHOVEN



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