ZONING REVIEW SHEET

CASE: C14-2007-0085 **Z.A.P. DATE:** July 17, 2007

ADDRESS: 8888 Tallwood Drive

APPLICANT: Tallwood Partners LP (H.M. (Mac) Pike **AGENT:** Clark, Thomas & Winters, PC (John Joseph)

REZONING FROM: CS (Commercial services)

TO: CS-MU (Commercial services -mixed use) combining district

AREA: 2.715 Acres

SUMMARY ZONING AND PLATTING COMMISSION RECOMMENDATION:
July 17, 2007:
RECOMMENDED CS-MU-CO. CONDITIONAL OVERLAY SHALL PROHIBIT ADULT ORIENTED USES ON THE SITE ON CONSENT. [J. MARTINEZ; S. HALE 2ND (8-0-1)]

SUMMARY STAFF RECOMMENDATION:

Staff offers an alternate recommendation of CS-MU-CO. The conditional overlay shall limit the vehicle trips to less than 2,000 per day. The recommendation is based on the following observations:

1.) The proposed rezoning is consistent with the underlying zoning classification and will not have a detrimental impact on the surrounding land uses;
2.) The mixed-use overlay will allow a mixture of land uses on the site allowing a residential component to the proposed redevelopment; and
3.) The requested zoning classification is compatible with existing and surrounding land uses along MoPac Expressway and Tallwood Drive.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a 2.715 acre site developed as a multifamily residential fronting MoPac Expressway and Tallwood Drive zoned CS. The property is developed with condominium residential and the existing zoning of CS does not permit a residential component on the site. The applicant seeks to add a mixed-use overlay to the site to allow for residential development on the site. A change to the underlying base district is not proposed. Existing access to the site is off Tallwood Drive. A portion of this site lies within the Scenic Roadway overlay.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	CS	Condominium residential
North	CS	Offices
South	SF-3 / GR	Single-family residences / Offices
East	N/A	MoPac Expressway
West	CS	Office buildings

AREA STUDY: N/A **TIA:** Not required (See Transportation comments)

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

SCENIC CORRIDOR: Yes

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:
5--Balcones Civic Assn.
283--North Austin Neighborhood Alliance
511--Austin Neighborhoods Council
742--Austin Independent School District
786--Home Builders Association of Greater Austin

SCHOOLS:
Austin Independent School District

- Hill Elementary School
- Murchison Middle School
- Anderson High School

RELATED CASES: N/A

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-00-2096	CH to GR	07/13/00: WITHDRAWN BY APPLICANT	07/13/00: WITHDRAWN BY APPLICANT
C14-01-0105	CH-CO to CH	08/28/01: APVD STAFF ALT REC OF CH-CO (6-3, LO/RC/JM-NO)	10/11/01: APVD CH-CO W/CONDS (7-0); ALL 3 RDGS

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
MoPac	Varies	Varies	Freeway	Yes	Yes	No
Tallwood Drive	64'	44'	Collector	Yes	No	No
Business Park Drive	70'	40'	Collector	Yes	No	No

CITY COUNCIL DATE:
August 9, 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

PLANNED UNIT DEVELOPMENT

N

Subject Tract

Zoning Boundary

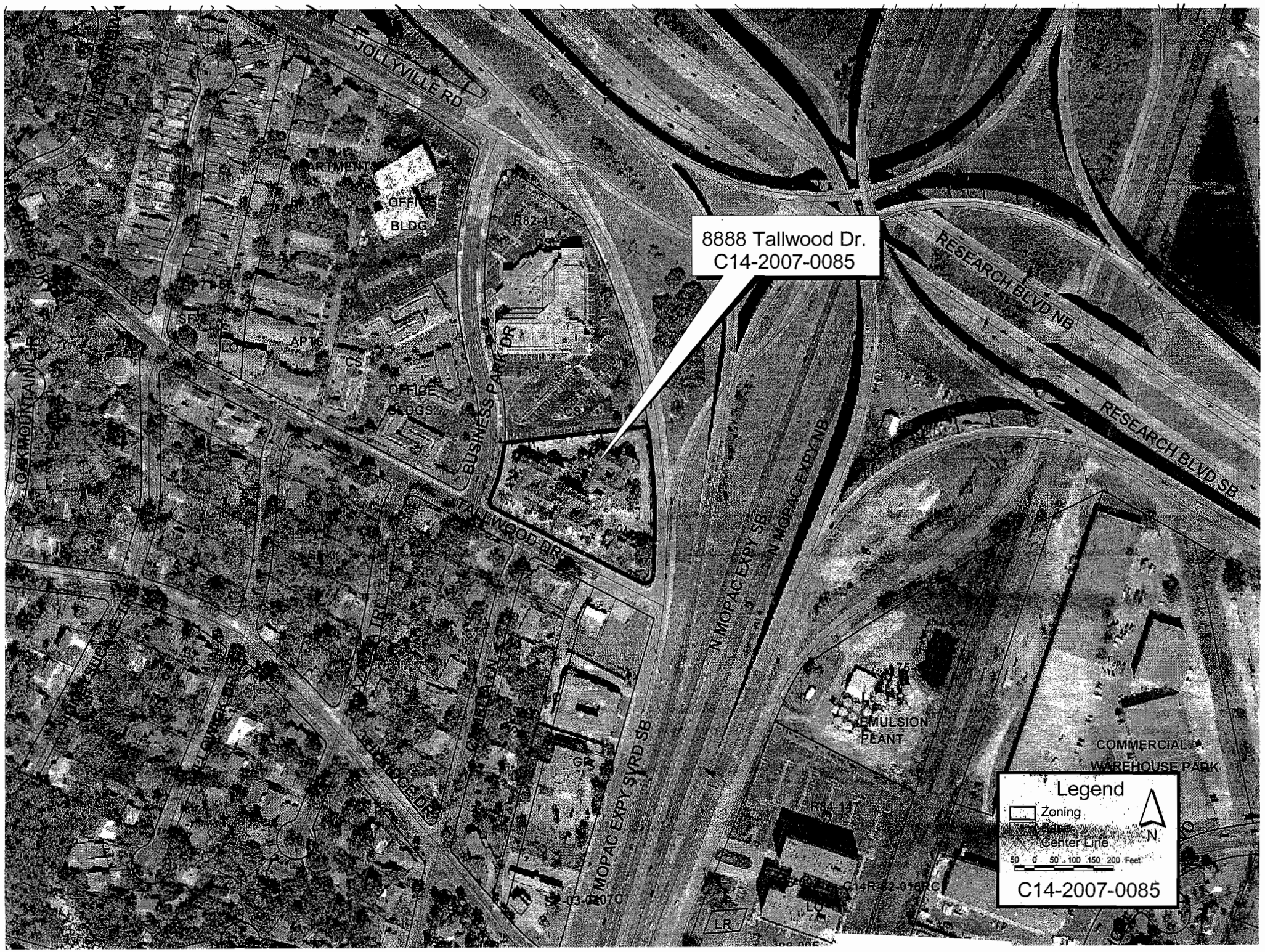
Pending Cases

ZONING CASE#: C14-2007-0085
ADDRESS: 8888 TALLWOOD DR
SUBJECT AREA: 2.715 ACRES
GRID: J31
MANAGER: J. ROUSSELIN

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.

CITY OF AUSTIN FOUNDED 1839


8888 Tallwood Dr.
C14-2007-0085
JOLLYVILLE RD
RESEARCH BLVD NB
RESEARCH BLVD SB
N MOPAC EXPY NB
N MOPAC EXPY SB
N MOPAC EXPY SVRD SB
BUSINESS PARK DR
TALLWOOD DR
OFFICE BLDG
OFFICE BLDGS
APTS
EMULSION PLANT
COMMERCIAL WAREHOUSE PARK
Legend
Zoning
Center Line
N
50 0 50 100 150 200 Feet
C14-2007-0085

STAFF RECOMMENDATION

Staff offers an alternate recommendation of CS-MU-CO. The conditional overlay shall limit the vehicle trips to less than 2,000 per day. The recommendation is based on the following observations:

1.) The proposed rezoning is consistent with the underlying zoning classification and will not have a detrimental impact on the surrounding land uses;
2.) The mixed-use overlay will allow a mixture of land uses on the site allowing a residential component to the proposed redevelopment; and
3.) The requested zoning classification is compatible with existing and surrounding land uses along MoPac Expressway and Tallwood Drive.

BASIS FOR RECOMMENDATION

1. The proposed zoning should promote consistency, and orderly planning.

The proposed change and recommended conditional overlay is compatible with the surrounding area as and land uses and will encourage a mixture of land uses.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

The proposed residential land uses will be an integral part of the mix of land uses in the area.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area consists of a 2.715 acre site developed as a multifamily residential fronting MoPac Expressway and Tallwood Drive zoned CS. The property is developed with condominium residential and the existing zoning of CS does not permit a residential component on the site. Existing access to the site is off Tallwood Drive. A portion of this site lies within the Scenic Roadway overlay.

Transportation

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

2. 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

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Urban 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.

2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for any redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

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

5. At this time, site-specific information is unavailable regarding environmental features; however, the site appears to be fully developed.

6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for any redevelopment.

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 the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

1. The site is subject to compatibility standards. Compatibility standards are applicable to all property adjoining or across the street from a lot zoned or used as SF-5 or more restrictive, or within 540 feet from a lot zoned SF-5 or more restrictive. This property is to the north of SF-3 zoned residential structures.

2. Along the south side of the property line, the following standards apply:
   - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the SF property line.
   - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the SF property line.

3. Additional design regulations will be enforced at the time a site plan is submitted, including Subchapter E: Design Standards.

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: C14-2007-0085
Contact: Jorge Rousselin, (512) 974-2975
Public Hearing:
July 17, 2007 Zoning and Platting Commission

☒ **I am in favor**
☐ **I object**

FRAN G. DRISKELL
Your Name *(please print)*

8800 A&B Camelia Ln. Austin 78759
Your address(es) affected by this application

Frances Driskell 7/6/07
Signature Date

Comments:

How did it get to this point — regardless — I'd much rather have ownership of the properties than rentals — or even retail. Thus, I am in favor of the change.

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