

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0081

Z.A.P. DATE: July 17, 2007

ADDRESS: 11625 Jollyville Road

OWNER/APPLICANT: Rox B. Covert, Duke M. Covert and Danay Covert

AGENT: Armbrust & Brown, L.L.P. (Lynn Ann Carley)

ZONING FROM: LR-CO

TO: Tract 1: LO

AREA: 0.4050 acres

Tract 2: GR-MU

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is grant LO-CO, Limited Office-Conditional Overlay District, zoning for Tract 1 and GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay District, zoning for Tract 2. The conditional overlay would limit the site to uses that generate no more than 2,000 vehicle trips per day.

ZONING AND PLATTING COMMISSION:

7/17/07: Approved staff's recommendation of LO-CO zoning for Tract 1 and GR-MU-CO zoning for Tract 2 with added prohibition of Automotive Sales, Automotive Rentals, Automotive Repair, Automotive Washing (of any type) and Pawn Shops uses (8-0), J. Martinez-1st, S. Hale-2nd.

DEPARTMENT COMMENTS:

The property in question is currently undeveloped and contains several large trees. This tract of land is located at the northeast intersection of Jollyville Road and Duval Road. The applicant is requesting a rezoning because they would like the ability to develop the property in the future with commercial mixed-use.

The staff recommends GR-MU-CO zoning for Tract 2 because the subject tract meets the intent of the 'GR' district as it will allow for uses that serve neighborhood and community needs and that are generally accessible from major traffic ways, such as Jollyville Road and Duval Road. The addition of the 'MU' combining district will permit a mixture of residential and commercial uses to be developed on the site.

The staff is also recommending a 120-foot buffer of LO-CO zoning along Jollyville Road for Tract 1 in accordance with the intent of the U.S. 183/Jollyville Road Area Study. The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date. The purpose of the 120-foot strip was to allow for a buffer of office uses along Jollyville Road to separate the intensive commercial uses fronting U.S. Highway 183/Research Boulevard from the office and residential uses existing on the western side of Jollyville Road.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LR-CO	Undeveloped
<i>North</i>	GR-CO	Restaurant (Chuy's, Joe's Crab Shack)
<i>South</i>	MF-2-CO	Multifamily Residential (Marquis Apartments)
<i>East</i>	LO, LR	Office (Hand Surgery & Orthopedic Associates of Austin)
<i>West</i>	GR-CO	Undeveloped Tract, Automotive Sales (Covert Auto Dealership)

AREA STUDY: U.S. 183/Jollyville Road Area Study

(This Area Study designates the property in question for commercial/GR district uses. The U.S. 183 Study was approved by the City Council in November of 1978. The Area Study recommended that a 120-foot deep strip of land along Jollyville Road be zoned "O" Office zoning (which was converted to LO, Limited Office, in 1985) and that a 200 foot strip of land along the west side of Jollyville Road be zoned "A" Residence (which was converted to SF-3, Family Residence, in 1985). The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date. The policy of SF-3 on the west side of Jollyville Road was never approved or implemented, and today the west side of Jollyville Road is primarily zoned office and multi-family, with the majority of office zoning being LO zoning. The recommendation for a 120-foot strip of LO zoning along the eastern portion of Jollyville Road was incorporated into the Jollyville Road Study, which was adopted in 1984).

TIA: Not required

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- 46 - North Oaks Neighborhood Association
- 157 - Courtyard Homeowners Association
- 426 - River Place Residential Community Association, Inc.
- 475 - Bull Creek Foundation
- 724 - Austin Independent School District

SCHOOLS:

North Oaks Elementary School
Canyon Vista Middle School
Anderson High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0172	<p>LO to</p> <p>Tract 1(1.570 acres): GR-MU (for 866 to 896 ft above sea level) and MF-6 (for 896 to 986 ft above sea level)</p> <p>Tract 2(0.424 acres): LO-MU (an area 120 ft in depth on the site from the property line along Jollyville Road)</p>	<p>10/17/06: Approved GR-MU-CO zoning on Tract 1 for an area 866 to 896 ft above sea level and MF-6-CO zoning for an area 896 to 926 ft above sea level; with conditions of a 60-foot height limit and 2,000 vehicle trip limit and approved LO-MU-CO zoning on Tract 2; with conditions of 2,000 vehicle trip limit, limit site to 'LO' district uses and residential accessory uses (prohibiting dwelling units). Vote: 9-0; K. Jackson-1st, J. Martinez-2nd.</p> <p>1/09/07: Approved staff rec. of GR-MU-CO zoning for Tract 1 and LO-CO zoning for Tract 2, with a 2,000 vehicle trip limit per tract (6-0, B. Baker, S. Hale, J. Martinez-absent); J. Pinnelli-1st, C. Hammond-2nd.</p>	<p>1/25/07: Approved GR-MU-CO for Tract 1 and LO-CO for Tract 2 (6-0); all 3 readings</p>
C14-06-0013	<p>GR, SF-2 to MF-6*</p> <p>*On 4/27/06, the agent requested to amend the case to allow for a 65 foot strip of SF-3 zoning along the southeast property line.</p>	<p>5/02/06: Motion to approve MF-6-CO zoning, with a 60 foot height limit, and SF-3 zoning for an area 65 feet from the southeastern property line (5-3, B. Baker, M. Hawthorne, C. Hammond-No, J. Martinez-absent); K. Jackson-1st, B. Baker-2nd.</p> <p>Motion made to rescind and reconsider previous action (8-0, J. Martinez-absent); K. Jackson-1st, B. Baker-2nd.</p> <p>Motion to deny the applicant's request for MF-6 zoning (6-2, J. Gohil, S. Hale-No, J. Martinez-absent); K. Jackson-1st, J. Pinnelli-2nd.</p>	<p>6/22/06: Case withdrawn by applicant</p>
C14-02-0088	LO to LR-CO	<p>6/18/02: Approved staff's recommendation of LR-CO zoning, by consent (8-0, A. Adams-absent)</p>	<p>7/18/02: Approved LR-CO, prohibiting the following uses as offered by the applicant: Restaurant (Drive-in, Fast Food), Service Station, Counseling Services, Guidance Services, and Safety Services(7-0); all 3 readings</p>

C14-01-0160	LO to GO	Withdrawn by applicant on 12/14/01	N/A
C14-99-0040	SF-2 to GO	4/06/99: Approved staff rec. of LO (9-0)	5/06/99: Approved PC rec. of LO (6-0); all 3 readings
C14-97-0118	SF-2 to SF-3	10/07/97: Approved staff's rec. of SF-3 (8-0)	11/06/97: Approved PC rec. of SF-3 (7-0); all 3 readings
C14-97-0067	LO, SF-2 to LO	7/22/97: Approved staff rec. of LO by consent (8-0)	8/21/97: Approved LO (5-0); all 3 readings
C14-93-0141	SF-2 to GR	11/16/93: Approved LO and GR-CO: On Tract 2 - General Retail Sales (General and Convenience) uses shall be a max FAR of 13,269 sq. ft.; Restaurant (Drive-in, Fast Food) use shall be a max FAR of 3,163 sq. ft.; Restaurant (General) use shall be a max FAR of 9,735 sq. ft.; Food Sales use shall be a max FAR of 11,259 sq. ft.; Financial Services use shall be a max FAR of 11,500 sq. ft.	12/02/93: Approved LO and GR-CO (7-0); all 3 readings
C14-93-0070	LO to LI-PDA	7/20/93: Approved LI-PDA (9-0)	8/05/93: Approved LI-PDA (6-0); 1 st reading 12/16/93: Approved LI-PDA 6-0); 2 nd /3 rd readings
C14-92-0133	SF-2, SF-3, SF-6, LO, GO to MF-2	5/23/93: Approved MF-2 w/ conditions (6-0): limit density to 224 dwelling units; no structure shall be constructed within 50 feet of SF-2 zoning, any structure beyond the 50 foot setback, within 400 feet of Ladera Vista Drive shall not exceed 32 feet in height; allow only emergency access to Taylor Draper Lane; maintain a 50 foot vegetative buffer along Taylor Draper Lane; construct a six foot high privacy fence along Taylor Draper Lane; no structures within 220 feet of Taylor Draper Lane, any structure within 80 feet of the 220 foot setback shall not be 32 feet or higher within said 80 foot strip of land; construct a six foot high privacy fence along the property abutting single-family zoned lots.	6/03/93: Approved MF-2-CO (6-0); 1 st reading 6/10/93: Approved MF-2-CO (5-0); 2 nd /3 rd readings
C14-92-0051	SF-2 to MF-2	8/27/92: Approved MF-2-CO: limit density to 17.3 units per acre, driveway access for the property shall be reviewed and approved at the time of site plan be	9/03/92: Approved MF-2-CO on all 3 readings

		Transportation review.	
C14-90-0056	SF-2 to LO	10/09/90: Approved LO (6-0-2, SR/HG-abstain)	10/18/90: Approved LO (6-0); 1 st reading 1/10/91: Approved LO; 2 nd /3 rd readings
C14-90-0050	LO to LI-PDA	9/11/90: Approved staff rec. of LI-PDA (7-0)	9/13/90: Approved LI-PDA (6-0); 1 st reading 4/25/91: Approved LI-PDA on 2 nd /3 rd readings
C14-89-0024	SF-2, GO to GR	5/23/89: Approved GR & SF-2	6/29/89: Approved GR & SF-2 (6-0); 1 st reading 10/04/90: Approved GR & SF-2 (7-0); 2 nd /3 rd readings
C14-89-0022	LO to GR	6/27/89: Approved GR-CO and LR w/conditions: No direct vehicular access to Thunder Creek or Stanwood Road; Food Sales use shall be a max FAR of .041 to 1; General Retail Sales (General and Convenience) uses shall be a max FAR of .08 to 1; Restaurant (General and Limited) uses shall be a max FAR of .009 to 1; Restaurant (Drive-In, Fast Food) uses is restricted to a FAR of .003 to 1; FAR calculations shall be based on the combined area of Tract 1 (29.909 acres) and Tract 2 (1.482 acres); uses shall comply with the TIA.	7/27/89: Approved GR-CO and LR w/conditions on 1 st reading 1/18/90: Approved GR-CO and LR-CO on 2 nd /3 rd readings

RELATED CASES: C14-2007-0082

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Jollyville Road	106'	57'	Major Arterial	No	Yes	Priority 2

CITY COUNCIL DATE: August 23, 2007

ACTION:

ORDINANCE READINGS: 1st

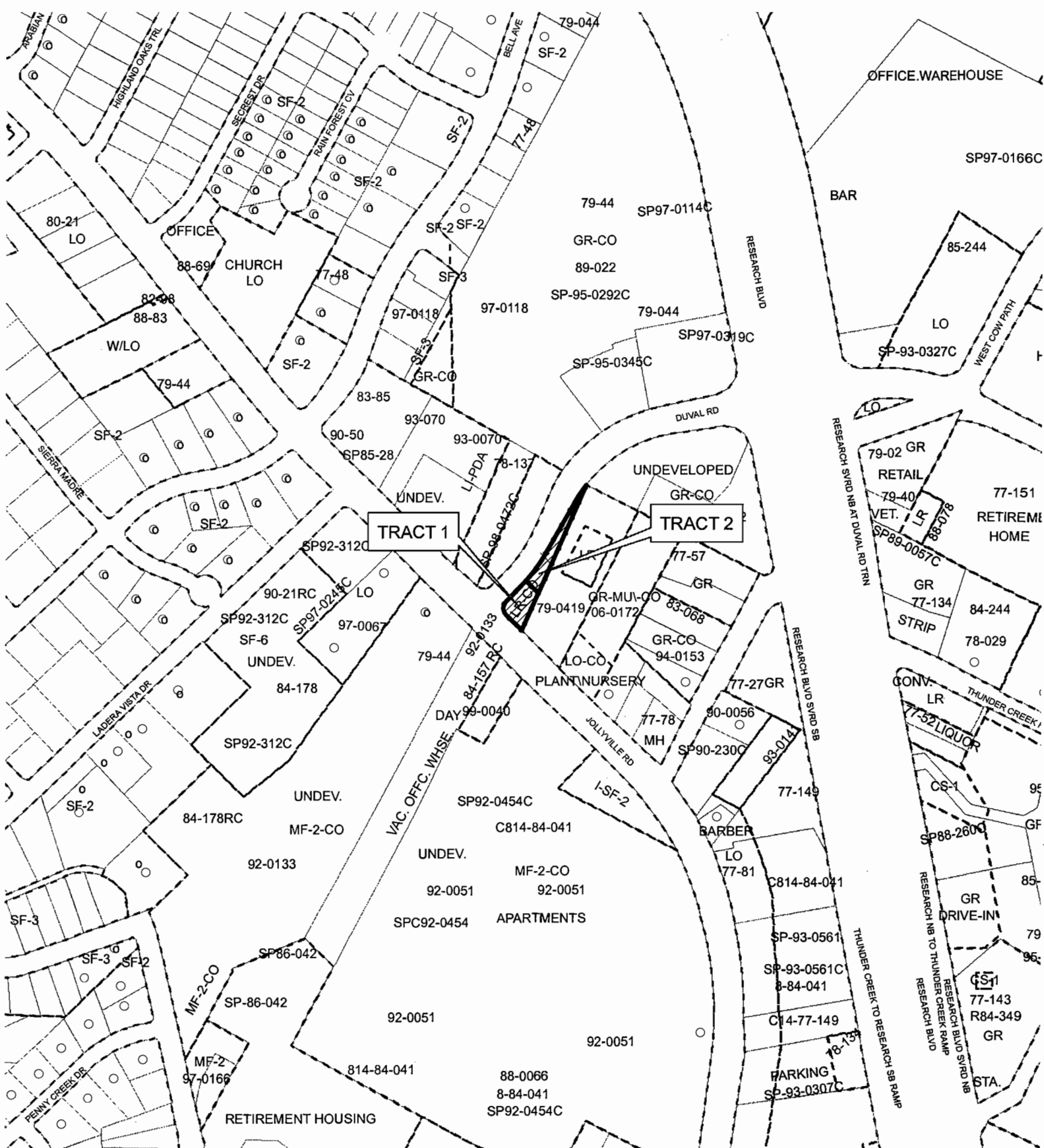
2nd

3rd

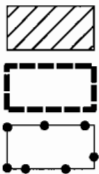
ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



ZONING



Subject Tract

Zoning Boundary

Pending Cases

ZONING CASE#: C14-2007-0081
ADDRESS: 11625 JOLLYVILLE RD
SUBJECT AREA: 0.4050 ACRES
GRID: J35
MANAGER: S. SIRWAITIS



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.

STAFF RECOMMENDATION

The staff's recommendation is grant LO-CO, Limited Office-Conditional Overlay District, zoning for Tract 1 and GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay District, zoning for Tract 2. The conditional overlay would limit the site to uses that generate no more than 2,000 vehicle trips per day.

BASIS FOR RECOMMENDATION

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

The Land Development Code states that, "Community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways."

"The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development."

The subject tract meets the intent of the 'GR' district as it will allow for uses that serve neighborhood and community needs and that are generally accessible from major traffic ways, such as Jollyville Road and U. S. Highway 183 North. The addition of the 'MU' combining district will permit a mixture of residential and commercial uses to be developed on the site that may provide services to this site and the surrounding areas.

"Limited office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment."

The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date to maintain a setback from the residential and office uses to the west.

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

The staff's recommendation for GR-MU-CO zoning for Tract 2 will promote consistency and orderly planning because the subject tract is located adjacent to GR-CO zoning to the north and LR and LO zoning to the east and west. There are existing commercial uses to the north and office uses to the east and west of the site.

The LO-CO zoning proposed for Tract 1 will allow for a 120-foot buffer of office uses along Jollyville Road to separate the intensive commercial uses fronting U.S. Highway 183/Research Boulevard from the office and residential uses existing on the western side of Jollyville Road. There is existing LO zoning to a depth of 120-feet adjacent to this tract to the east and the west that is consistent with the intent of the policies applied in the U.S. 183/Jollyville Road Area Study.

3. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The site under consideration is located at the northeastern intersection of two arterial roadways, Jollyville Road and Duval Road.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is currently undeveloped and contains several large trees. This tract of land is located at the northeast intersection of Jollyville Road and Duval Road. There is a medical office use to the east (Orthopedic Associates of Austin) and an undeveloped tract and automotive sales dealership (Covert) to the west across Duval Road. The property to the north is developed with restaurant uses (Chuy's and Joes Crab Shack) and to the south, across Jollyville Road, there are multifamily uses (Marquis Apartments).

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90% and the LO zoning district would be 70%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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%

Environmental

The site is located over the northern 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.

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.

Transportation

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

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
Duval	64'	44'	Collector	Yes	Yes	Priority 2
Jollyville Road	100'	60'	Arterial	No	Yes	Priority 2

Water and Wastewater

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 extension, system upgrades, and utility 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 water and wastewater 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.

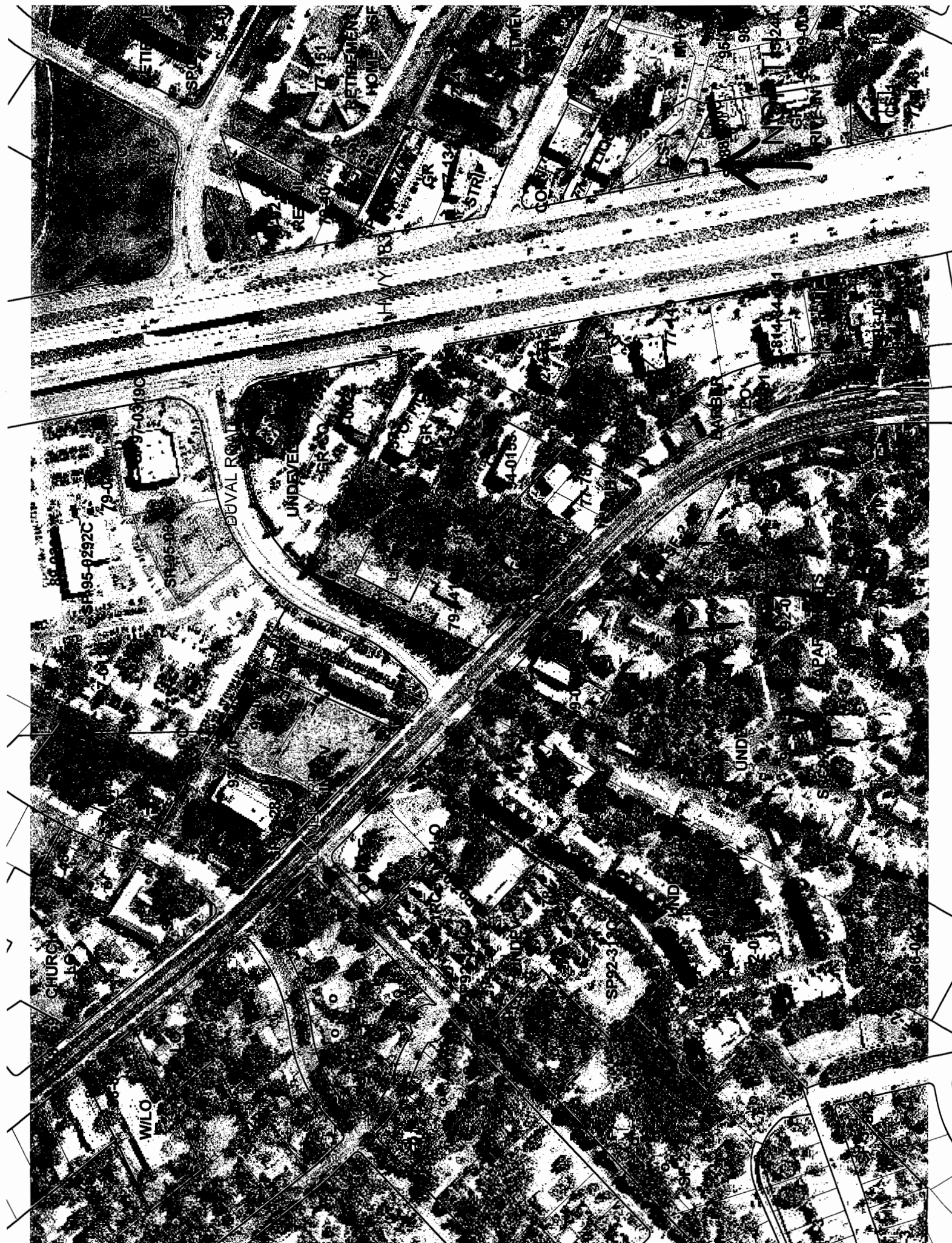
Stormwater Detention

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

Reviewer has no comments. The site is not subject to compatibility standards.





Sirwaitis, Sherri

From: Skip Cameron [scameron@austin.rr.com]
Sent: Friday, July 06, 2007 8:43 AM
To: Betty Baker; Jay Gohil; Clarke Hammond; Janis Pinnelli; Keith Jackson; Joseph Martinez; Teresa Rabago; Stephanie Hale; James Shieh
Cc: Sirwaitis, Sherri; Anguiano, Dora
Subject: C14-2007-0082 11603 Jollyville Rd & C14-2007-0081 11625 Jollyville Rd

Planning Commissioners:

Since this zoning request is the same as that hammered out in the lengthy previous case for an adjacent tract at 11601 Jollyville Road, it is appropriate to grant these zoning requests, as they are compatible with that adjacent zoning.

Skip Cameron, President
Bull Creek Foundation
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Austin, TX 78759-7801
(512) 794-0531
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for more information www.bullcreek.net

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