

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0148

Z.A.P. DATE: September 18, 2007
October 2, 2007

ADDRESS: 11726 Jollyville Road

OWNER/APPLICANT: Raymond H. Roark

AGENT: Shaw Hamilton Consultants
(Shaw Hamilton)

ZONING FROM: SF-2, LO

TO: LO

AREA: 1.53 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is grant LO-CO, Limited Office- Conditional Overlay District, zoning. The conditional overlay would limit the site to uses that generate no more than 2,000 vehicle trips per day.

ZONING AND PLATTING COMMISSION:

9/18/07: Continued to October 2, 2007 at the neighborhood's request (7-0, B. Baker-absent);
K. Jackson-1st, S. Hale-2nd.

10/02/07: Approved staff's recommendation for LO-CO zoning with 35' height limit (6-0,
C. Hammond, B. Baker-absent); J. Shieh-1st, K. Jackson-2nd.

DEPARTMENT COMMENTS:

The property in question is currently developed with a day care facility. The applicant is requesting LO, Limited Office District, zoning because they would like to expand the existing use on the site.

The staff recommends LO-CO district zoning for this property because the site is located adjacent to W/LO zoning to the north and LO zoning to the east. The proposed LO- CO zoning will permit the applicant to rezone the rear portion of this tract of land to be consistent with the existing 'LO' portion that fronts Jollyville Road. LO-CO zoning is compatible with the surrounding office uses and will allow the applicant to expand the day care facility on the site while complying with compatibility setbacks along the south and west boundaries shared with the Summit Oaks residential neighborhood.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2, LO	Day Care Facility, Undeveloped Area
<i>North</i>	W/LO	Office/Warehouse
<i>South</i>	SF-2	Single-Family Residences
<i>East</i>	LO	Asian American Cultural Center, Magic Dragon Preschool
<i>West</i>	SF-2	Single-Family Residences

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

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
633 - Summit Oaks Sec 2 Neighborhood Association
724 - Austin Independent School District
772 - Raintree Estates
786 - Homebuilders Association of Greater Austin

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0123	SF-2 to GR-MU	8/04/07: Postponed to 10/02/07 by the neighborhood (8-0)	Pending
C14-2007-0082	LO, LR to GR-MU	7/17/07: Approved staff's recommendation of GR-MU-CO zoning with added prohibition of Automotive Sales, Automotive Rentals, Automotive Repair, Automotive Washing (of any type) and Pawn Shops uses (8-0)	8/23/07: Approved GR-MU-CO zoning on all 3 readings (7-0)
C14-2007-0081	LR-CO to Tract 1: LO, Tract 2: GR-MU	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)	8/23/07: Approved LO-CO and GR-MU-CO zoning on all 3 readings (7-0)
C14-06-0172	LO to 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) Tract 2 (0.424 acres): LO-MU (an area 120 ft in depth on the site)	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 (9-0)	1/25/07: Approved GR-MU-CO for Tract 1 and LO-CO for Tract 2 (6-0); all 3 readings

	from the property line along Jollyville Road)	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)	
C14-06-0013	GR, SF-2 to MF-6* *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.	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) Motion made to rescind and reconsider previous action (8-0, J. Martinez-absent); K. Jackson-1 st , B. Baker-2 nd . Motion to deny the applicant's request for MF-6 zoning (6-2, J. Gohil, S. Hale-No, J. Martinez-absent); K. Jackson-1 st , J. Pinnelli-2 nd .	6/22/06: Case withdrawn by applicant
C14-02-0088	LO to LR-CO	6/18/02: Approved staff's recommendation of LR-CO zoning, by consent (8-0, A. Adams-absent)	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
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	12/02/93: Approved LO and GR-CO (7-0); all 3 readings

		11,500 sq. ft.	
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 Transportation review.	9/03/92: Approved MF-2-CO on all 3 readings
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	7/27/89: Approved GR-CO and LR w/conditions on 1 st reading

		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.	1/18/90: Approved GR-CO and LR-CO on 2 nd /3 rd readings
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RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Jollyville Ave	100'	60'	Arterial	Yes	Yes	392 Braker 982 Pavilion 983 US 183

CITY COUNCIL DATE: November 8, 2007

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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

STAFF RECOMMENDATION

The staff's recommendation is grant LO-CO, Limited Office- Conditional Overlay District, zoning. 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.*

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.

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

The proposed LO-CO zoning is consistent and compatible with the surrounding W/LO zoning to the north and LO zoning to the east, across Jollyville Road. LO-CO zoning will create a transition in the intensity of uses from Jollyville Road to the residential uses to the west.

3. *The proposed zoning should allow for a reasonable use of the property.*

The proposed LO- CO zoning will permit the applicant to rezone the rear portion of this tract of land to be consistent with the existing 'LO' portion that fronts Jollyville Road. LO-CO zoning will allow the applicant to expand the day care facility on the site while complying with compatibility setbacks along the south and west boundaries shared with the Raintree Estates residential neighborhood.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is currently developed with a day care facility, with a storage shed and a swimming pool. The rear/western portion of the site is undeveloped. There is a solid wood fence that separates this site from the single-family residential uses to the south and west.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by 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.

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. Under

current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	% of Net Site Area	% with Transfers
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Environmental

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]

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Jollyville Rd	96'	60'	Arterial	No	Rt. 21	392 Braker 982 Pavillion 983 183 Ex

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 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.

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.

Site Plan

The site is subject to compatibility standards due to single family zoned lots to the west, south, and east (Section 25-2-1051).

Along the west property line, at the back of the property, the following standards apply:

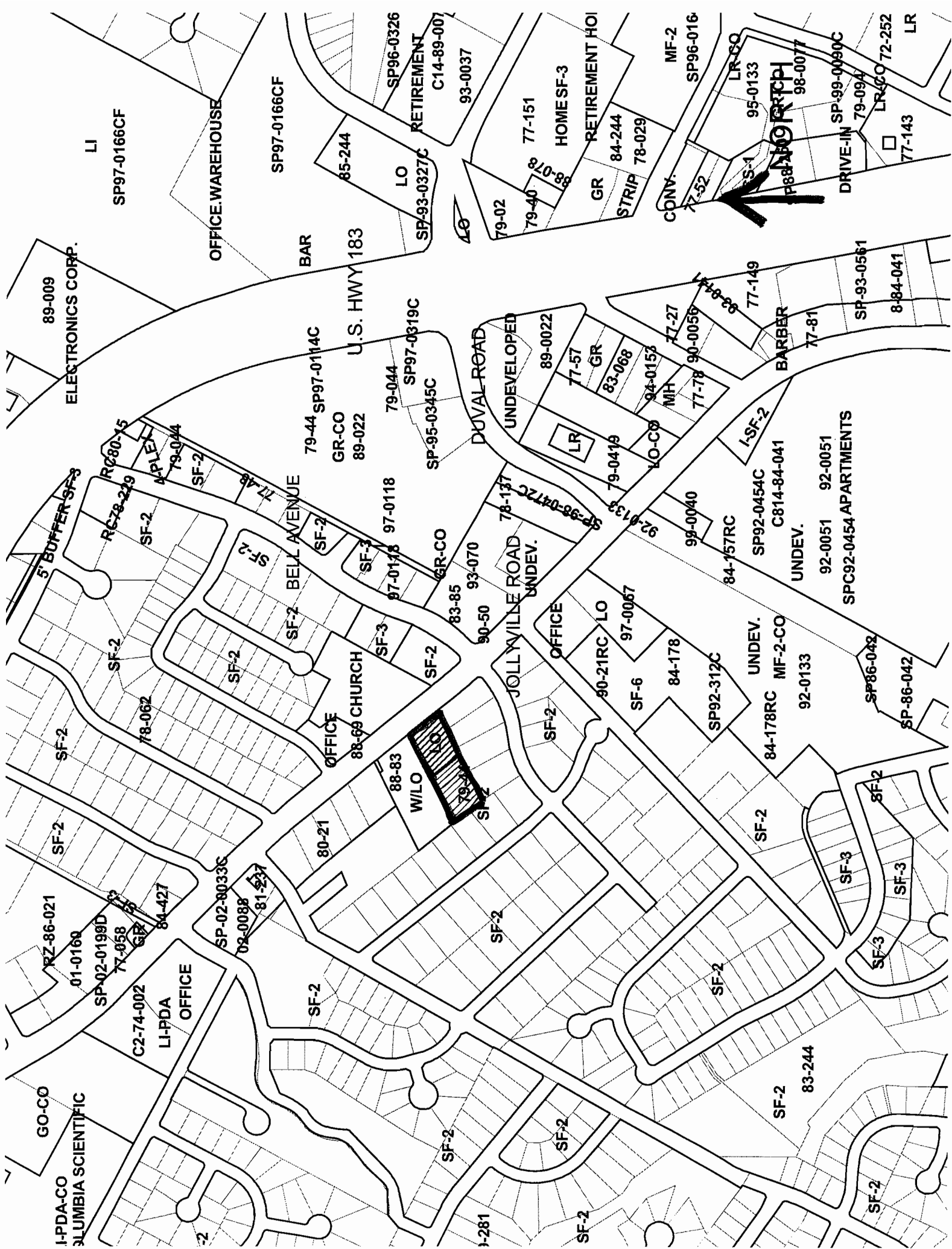
- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- Additional design regulations will be enforced at the time a site plan is submitted.

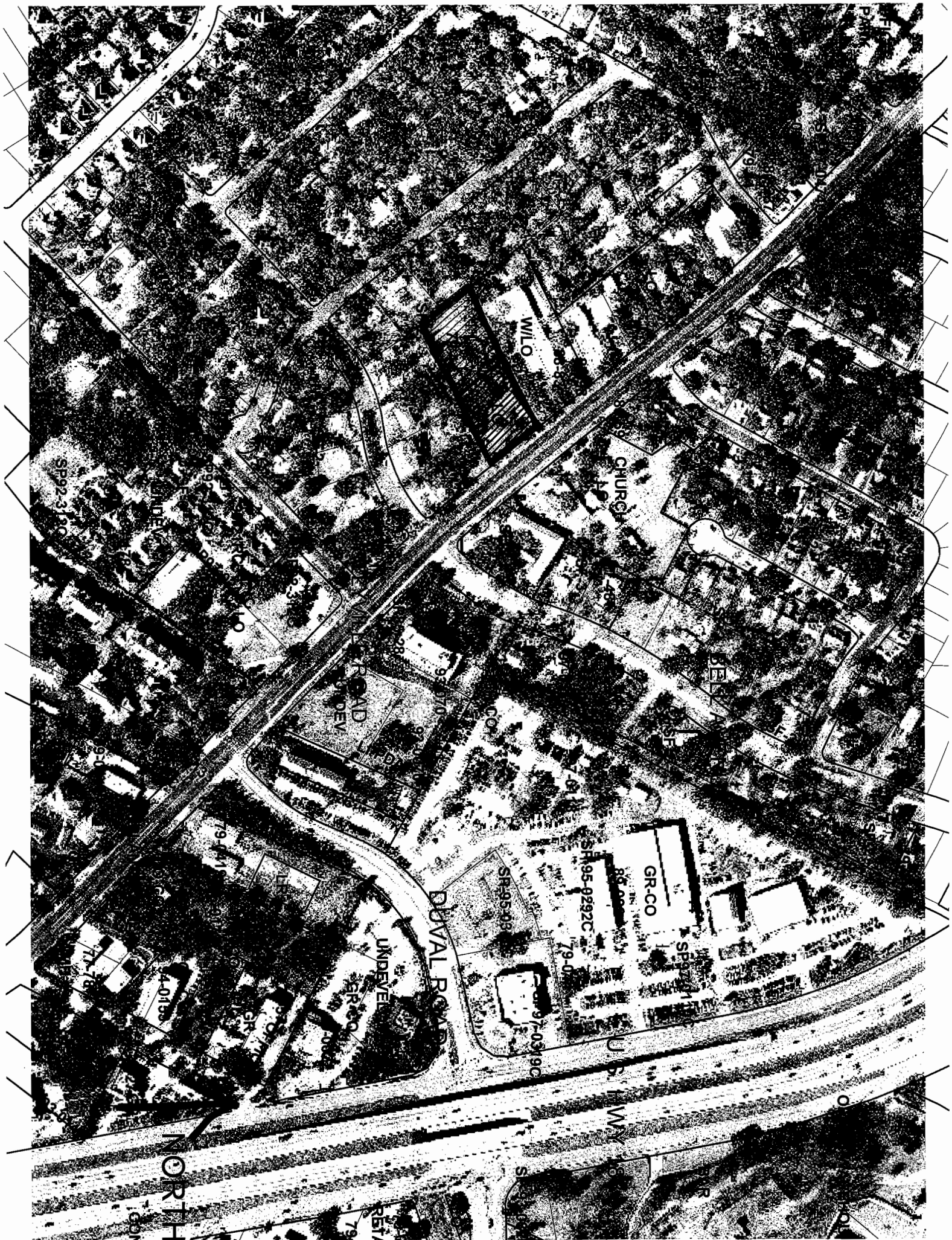
Along the south property line, the following standards apply:

- No structure may be built within 25 feet of the 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 structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- Additional design regulations will be enforced at the time a site plan is submitted.

Along the east property line, at the front of the property, the following standards apply:

- No structure may be built within 25 feet of the property line (Sect 25-2-1064).
- 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.





Sirwaitis, Sherri

From: Skip Cameron [scameron@austin.rr.com]
Sent: Friday, August 24, 2007 2:13 PM
To: Sirwaitis, Sherri
Cc: Jenny Shafer; Leslie Dolliver
Subject: C14-2007-0148 11726 Jollyville Road SF-2 to LO

I received this application notice today and spoke with the agent Shaw Hamilton. He says the only change is to the zoning of the back half of this lot to LO to match the LO on the front half, and that the use will not change from its existing: Beaver Day Care. Assuming that all this is correct, we have no objection to this request.

Skip Cameron, President
Bull Creek Foundation
8711 Bluegrass Drive
Austin, TX 78759-7801
(512) 794-0531

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for more information www.bullcreek.net

For better people mobility solutions see www.acprt.org

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 given 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: C14-2007-0148

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

September 18, 2007 Zoning and Platting Commission

☒ I am in favor
☐ I object

Deen Josseland

Your Name (please print)

11607 Bella Ave Austin Tx 78759

Your address(es) affected by this application

Deen Josseland 9/9/07

Signature

Date

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810