

**ZONING CHANGE AND NEIGHBORHOOD PLAN AMENDMENT  
REVIEW SHEET**

**ZONING CASE:** C14-2007-0130

**PC Date:** September 11, 2007

**PLAN AMENDMENT:** NPA-2007-0015.02

October 9, 2007

**ADDRESS:** 2906 Rogge Lane

**OWNER/APPLICANT:** Willie Hays, Virginia Conley & Jody Self

**AGENT:** Reg Inc. (Stephen Jensen)

**ZONING FROM:** SF-3-NP

**TO:** GR-MU-CO-NP and LR-MU-CO-NP

**LAND USE FROM:** Single Family

**TO:** Mixed Use

**AREA:** 0.745 acres

**STAFF RECOMMENDATION:**

1. Staff recommends approval of LO-MU-CO-NP zoning.
2. Staff recommends approval of Neighborhood Mixed Use zoning.

**PLANNING COMMISSION RECOMMENDATION:**

**September 11, 2007:** Postponed to October 9, 2007 at the request of staff.

**October 9, 2007:**

- 1) APPROVED GR-MU-CO-NP & LR-MU-CO-NP WITH CONDITIONS OF 2000 DAILY VEHICLE TRIPS PER DAY AND LIMIT THE PERMITTED NON-RESIDENTIAL USES TO NO MORE THAN 8,000 SQ.FT. [J.REDDY, M.DEALEY 2<sup>ND</sup>] (9-0)
- 2) APPROVED STAFF'S RECOMMENDATION FOR NEIGHBORHOOD MIXED USE. [J.REDDY, M.DEALEY 2<sup>ND</sup>] (9-0)

**DEPARTMENT COMMENTS:**

The subject tract includes a single family property with an existing home. The bulk of the tract is undeveloped including the main portion adjacent to multi-family and mixed use zoned property, and a smaller wooded portion across a small creek. This wooded portion is adjacent to multi-family and single family zoned and used properties. Across Rogge lane is a developed single family neighborhood.

The property is currently zoned family residence – neighborhood plan (SF-3-NP) and is designated on the future land use map as appropriate for single family residential uses.

The intent is to

- 1) Leave the existing single family structure intact,
- 2) Leave the wooded portion of the tract across the creek undeveloped, used for only as a greenspace or recreational area, and
- 3) Develop the remainder of the property with a mix of 15-20 condominium units and 3000-8000 square feet of retail uses along the Rogge Lane.

**Zoning Request.** The zoning request is to change the zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for the bulk of the property and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning for the remainder. The conditional overlay would

- Limit the permitted non-residential uses (see list – page 17 of this packet)
- Limit non-residential uses to no more than 8,000 square feet
- Limit the total development to less than 2000 daily vehicle trips.

The neighborhood supports the zoning request.

Staff recommendation is for limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning for the entire property. Staff believes that GR zoning is not appropriate mid-block and across the street from existing SF-2 and SF-3 zoned property. Additionally, the commercial uses associated with LR zoning would place an excessive number of trips on Rogge Lane. Staff recommendation is for LO-MU-NP base zoning, which still allow for the condominium use as well as neighborhood serving office uses.

**Neighborhood Plan Amendment Request.** The neighborhood plan amendment request is to change the future land use designation to mixed use.

The neighborhood supports the request for mixed use land use.

Staff recommendation is for neighborhood mixed use land use. A land use change to neighborhood mixed use would allow for appropriately scaled infill residential development in the neighborhood and other neighborhood-serving uses.

### **Public Meetings**

Neighborhood Planning staff held a community meeting on September 18, 2007 to discuss the project. Attendees at the meeting were supportive of amending the FLUM to change the land use on the site to Neighborhood Mixed Use. The Pecan Springs/Springdale Neighborhood Association has also discussed the proposed project at a recently monthly meeting. A letter from the Pecan Springs/Springdale Neighborhood Association is forthcoming. There currently is not an active Neighborhood Plan Contact Team for the Pecan Springs/Springdale planning area; staff will be working with community members to form a team.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3	Undeveloped and one single family house
<i>North</i>	MF-3-NP	Four-plexes and apartments
<i>South</i>	SF-2-NP and SF-3-NP	Single family homes
<i>East</i>	SF-3-NP	Single family homes
<i>West</i>	GR-MU-CO-NP	Single Family Home

**AREA STUDY:** This property lies within the East MLK Neighborhood Planning area. The future land use for this map calls for single family residential on the property.

**TIA:** 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] A Neighborhood Traffic was triggered because of the projected number of vehicle trips. The NTA memo is attached.

**WATERSHED:** Fort Branch

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**REGISTERED COMMUNITY ORGANIZATIONS:**

- Taking Action Inc.
- East MLK Neighborhood Planning Contact Team
- Mueller Neighborhoods Coalition
- Windsor Park Neighborhood Association
- Pecan Springs / Springdale Neighborhood Association
- PODER
- Anberly Airport Association
- University Hills / Windsor Park Neighborhood Planning Contact Team
- Austin Neighborhoods Council
- Austin Independent School District
- Homebuilder's Association of Greater Austin

**SCHOOLS:**

Pecan Elementary School    Pierce Middle School    Reagan High School

**ABUTTING STREETS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Bus Routes</b>
Rogge Lane	53'	33'	Collector	Yes	Rt 28	300 Govalle

**CITY COUNCIL DATE:**

**ACTION:**

November 8, 2007

**ORDINANCE READINGS:**

1<sup>st</sup>

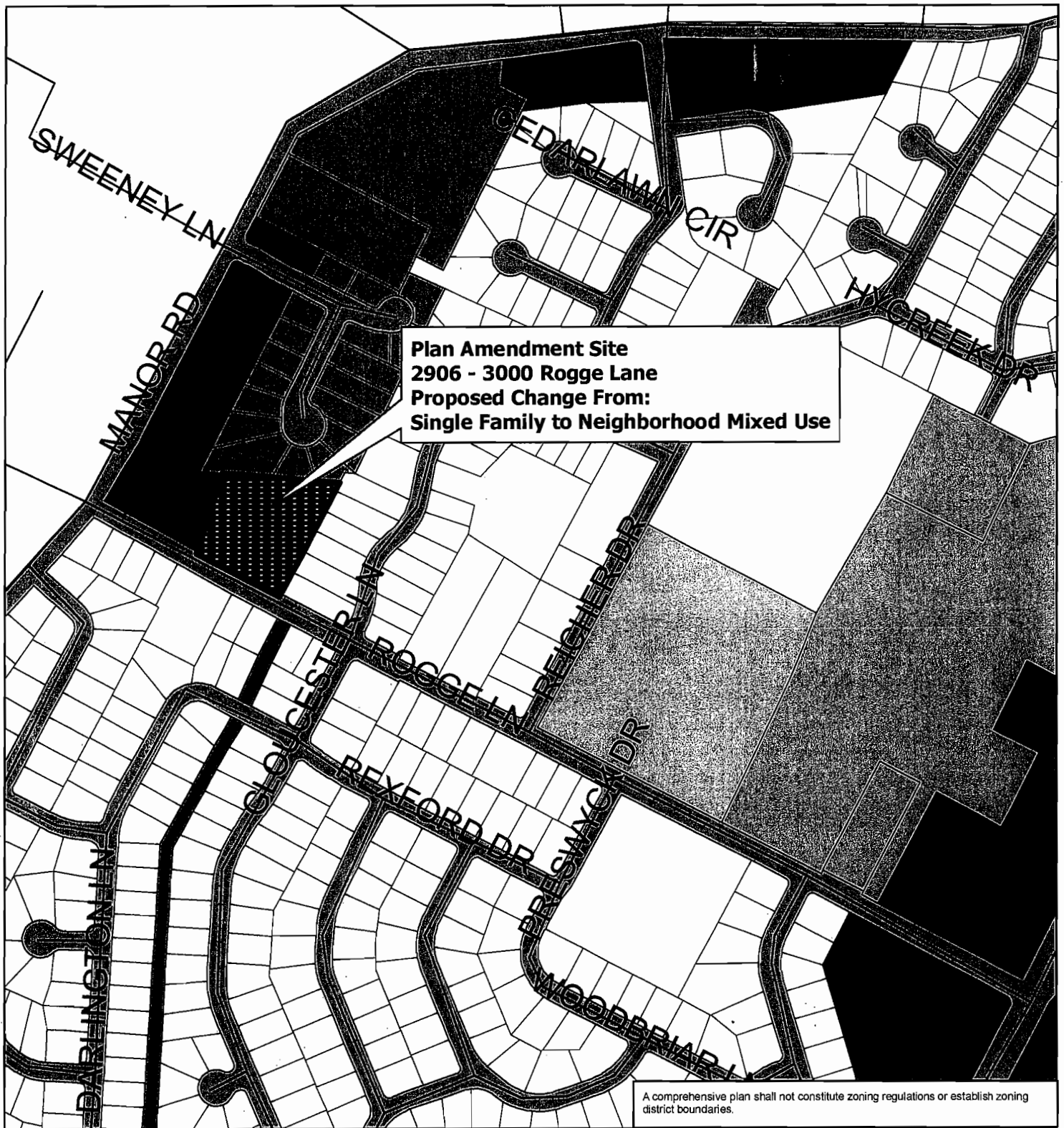
2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Robert Heil  
e-mail address: robert.heil@ci.austin.tx.us

**PHONE:** 974-2330

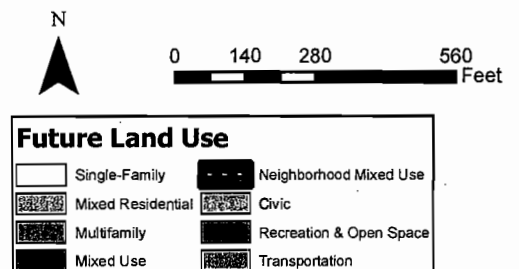


## East MLK Combined Neighborhood Plan (Pecan Springs Planning Area) Amendment NPA-07.0015.02

This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for the sole purpose of assisting in neighborhood planning discussions and decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.



Created on 08/28/2007







3000 Rogge Lane  
C14-2007-0130  
From SF-3-NP to GR-MU-CO-NP



~~MF-3~~

**EXISTING  
GR-MU-CO**

**PROPOSED**  
**GR-MU-CO**

**PROPOSED**  
**LR-MU-CO**

**EXISTING**  
**SF-3**

100 YR FLOODPLAIN  
500 YR FLOODPLAIN

145 F

P.O.B. -- TRACT ONE  
GRACE HALL, SEVEN CORNERS

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GRACE HALL, SEVEN CORNERS



## **SUMMARY STAFF RECOMMENDATION**

1. Staff recommends approval of LO-MU-CO-NP zoning.
2. Staff recommends approval of Neighborhood Mixed Use zoning.

## **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

1. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*
2. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Site development standards for limited office (LO) zoning are designed to ensure that the use is compatible with and complimentary in scale with the residential environment.

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.*

Community commercial (GR) zoning is the designation for an office or other commercial use that serves neighborhood and commercial needs and that generally is accessible from major traffic ways. Mid-block on Rogge lane is not an appropriate site for GR zoning.

## **Goals in the East MLK Neighborhood Plan related to this project include:**

“Preserve established residential areas and improve opportunities for home ownership by promoting the rehabilitation of existing housing and construction of new, infill housing that is compatible with the existing style of the neighborhood.”

“Promote a mix of land uses that respect and enhance the existing neighborhood and address compatibility between residential, commercial, and industrial uses.”

“Preserve existing small businesses and encourage new neighborhood-serving commercial services in appropriate locations.”

The proposed project and the proposed associated land use change are consistent with these goals because they would allow for infill residential development in the neighborhood and also allow for other neighborhood-serving uses.

## **Site Plan**

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

### **Compatibility Standards**

The site is subject to compatibility standards. Along the East & South property lines, the following standards apply:

1. No structure may be built within 25 feet of the property line.
2. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
3. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
4. No parking or driveways are allowed within 25 feet of the property line.
5. A landscape area at least 25 feet wide is required along 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.
6. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

Additional design regulations will be enforced at the time a site plan is submitted.

This site is in the Urban Roadway as defined by commercial design standards. A Condo use **will be required** to comply with Subchapter E, Commercial Design Standards, if zoned GR-MU. The site must comply with Urban Roadway Sidewalks and Building placement (2.2.3), building entryways (2.2.6), as well as lighting and screening requirements.

### **Transportation**

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]

A Neighborhood Traffic was triggered because of the projected number of vehicle trips. The NTA memo is attached.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Fort Branch 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.

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.

According to flood plain maps, there is 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.

### **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.

October 9, 2007

Watershed Protection and Development Review  
City of Austin  
505 Barton Spring Road  
Austin, TX 78752

RE: Zoning Application for 3000 Rogge

Dear Planning Commissioners,

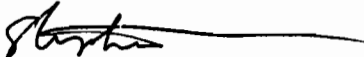
The developers for 3000 Rogge Lane met with leadership of the Pecan Springs-Springdale Hills Neighborhood Association (PSSNA) in June, there was a follow-up meeting with the development subcommittee in July, a special meeting for PSSNA on August 25, and a city-facilitated meeting on September 18, 2007.

In those meetings, the developers presented a plan for a mixed use project with 15-20 condos and commercial retail facing Rogge Lane. We are excited about the opportunity for the project to serve as a catalyst for transformation in the community. With specific plans for a coffee shop and a restaurant, we look forward to the opportunity these venues will provide as a gathering place for neighbors--something sorely lacking in the area. When put to a vote at both the development subcommittee meeting and the neighborhood special meeting, the proposed project received unanimous support.

The plans include uses that fall under the "Restaurant (General)" classification and we understand that the proposal would require a rezoning to GR-MU. We have discussed the conditional overlay restrictions and believe that the proposal with square footage limits and a restriction of uses will ensure that the project serves the community and maintains a scale and application that is consistent with the surroundings.

We ask that you approve the zoning request for GR-MU-CO with a neighborhood mixed use special building option.

Sincerely,



Stephanie Tsen  
PSSNA President

October 7, 2007

Watershed Protection and Development Review  
City of Austin  
505 Barton Spring Road  
Austin, TX 78752

RE: Zoning Application for 3000 Rogge

Dear Planning Commission and City Council Members,

We are writing this letter in support of the zoning application for 2906 and 3000 Rogge.

Steve Jensen, engineer and developer, presented a mixed use development with plans for a coffee shop and/or restaurant and 15-20 condos. We support the plans for this development and believe that a restaurant or coffee shop at 3000 Rogge Lane would be a great gathering place for the neighborhood since nothing like this exists in the area.

The plans include uses that fall under the "Restaurant (General)" classification and we understand that the proposal would require a rezoning to GR-MU. We have discussed the conditional overlay restrictions and believe that the proposal with square footage limits and a restriction of uses will ensure that the project serves the community and maintains a scale and application that is consistent with the surroundings.

We ask that you approve the zoning request for GR-MU-CO with a neighborhood mixed use special building option.

Sincerely,

*Lillian Smith (as per meeting minutes)  
Library in April 2007  
10-7-2007*

3003 Rogge

October 7, 2007

Watershed Protection and Development Review  
City of Austin  
505 Barton Spring Road  
Austin, TX 78752

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Sincerely,



Eric Schavda  
2911 Rogge Ln



October 7, 2007

Watershed Protection and Development Review  
City of Austin  
505 Barton Spring Road  
Austin, TX 78752

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Sincerely,

*Mrs. Willard Bostic*  
*LaNelle Brown*

*5705 Manor*