

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0152 – Felter Investments

P.C. DATE: November 13, 2007

ADDRESS: 7910 Burleson Road

OWNER: Felter Interests, Ltd.
(Brenda Horton)

AGENT: Permit Solutions
(Betty Torres)

ZONING FROM: RR-CO-NP; IP-NP; IP-CO-NP **TO:** RR-CO-NP for Tract 1 and
LI-CO-NP for Tract 2

AREA: 29.187 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant rural residence – conditional overlay – neighborhood plan (RR-CO-NP) combining district zoning for Tract 1 and limited industrial service – conditional overlay – neighborhood plan (LI-CO-NP) combining district zoning for Tract 2.

On Tract 1, the Conditional Overlay establishes the building setback at 50 feet on either side of the centerline of an open waterway. Improvements permitted within the setback are limited to utility crossings, hike and bike trails, driveway crossings and roadway crossings, or those improvements that may be otherwise required by the City of Austin. On Tracts 1 and 2, the Conditional Overlay limits the number of daily vehicle trips to 2,000.

PLANNING COMMISSION RECOMMENDATION:

November 13, 2007: *APPROVED RR-CO-NP DISTRICT ZONING FOR TRACT 1 AND LI-CO-NP DISTRICT ZONING FOR TRACT 2 AS STAFF RECOMMENDED; BY CONSENT.*
[J. REDDY; M. DEALEY – 2ND] (9-0)

ISSUES:

The Southeast Combined Neighborhood Plan Contact Team (SEAC) supports the Applicant's request for the neighborhood plan amendment and rezoning. Please refer to the letter attached at the back of the staff report.

The Applicant is in agreement with the Staff recommendation.

DEPARTMENT COMMENTS:

The subject property contains a vacant, single story office-warehouse zoned industrial park – neighborhood plan (IP-NP) district and is otherwise undeveloped, with rural residence – conditional overlay – neighborhood plan and industrial park – conditional overlay – neighborhood plan (RR-CO-NP; IP-CO-NP) zonings. The RR zoned portion had an

unnamed tributary running through it before the tributary was re-engineered in 2003. The tributary is now located at the northwest corner of the property. FEMA has provided documentation confirming the relocation of the tributary. Currently, the tributary is subject to a Conditional Overlay that establishes a 50-foot wide setback on both sides prohibiting any development, with certain exceptions.

The Applicant is requesting a rezoning to convert the industrial park (IP) zoned portions to limited industrial service – conditional overlay and to relocate the rural residence (RR) to the northwest corner of the property, as further illustrated in Exhibit B. The Staff supports the Applicant's request because it maintains the preservation of the unique, rare and significant features of the Southeast Combined Planning Area's natural environment, and LI zoning is consistent and compatible with other similarly industrial zoned properties in the area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	RR-CO-NP; IP-NP; IP-CO-NP	Office; Office-warehouse
<i>North</i>	LI-CO-NP; CS-CO-NP	Undeveloped
<i>South</i>	County; I-RR	Undeveloped; Three single family residences
<i>East</i>	IP-CO-NP; W/LO-NP	Office-warehouse; Office; Single family residences and mobile homes within the Bluebonnet Gardens subdivision
<i>West</i>	LI-CO-NP; GR-MU-NP	Single family residences

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Onion Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

428 – Barton Springs / Edwards Aquifer Conservation District
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 634 – Montopolis Area Neighborhood Alliance
 688 – Southeast Neighborhood Planning Contact Team
 774 – Del Valle Independent School District
 786 – Home Builders Association of Greater Austin

SCHOOLS:

The subject rezoning area is within the Del Valle Independent School District.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0039 – Southeast Combined Creek Setback – Northeast of Burleson Road, Southeast of McCall Lane and West of U.S. 183 – City Initiated	RR-NP; CS-NP; IP-NP; LI-NP; LI-CO-NP to RR-CO-NP; CS- CO-NP; IP-CO- NP; LI-CO-NP, to establish a setback that prohibits development for 50 feet in both directions from the centerline of an open waterway, with certain exceptions	To Grant as requested	Approved (6-12-03).
C14-96-0024 – Araclean Services, Inc.-Bldg II Rezoning	IP to LI	To Grant LI-CO, subject to an Integrated Pest Management Program	Approved LI-CO with the CO prohibiting restaurants and food sales, and limiting the F.A.R. of financial services to 0.287 to 1 (3-24-94).
C14-86-141 – James W. Akin, Et Ux	DR to W/LO and IP	To Grant W/LO and IP with conditions	Approved W/LO and IP with Restrictive Covenant requiring a contact person during construction;no access through Bluebonnet Gardens to Norwood Lane as long as the west side of Norwood remains residentially zoned; 25' strip of DR to remain on east side of tract; any land determined to be in the 100-year floodplain will be zoned RR if Waterway Development Permit precludes alteration or

			fill which would remove land from the floodplain (5-14-87).
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RELATED CASES:

The Southeast Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on October 10, 2002 (C14-02-0128.03, Ordinance 021010-12c). There is a related neighborhood plan amendment case to change the locations of the Open Space and Industry on the Future Land Use Map (NPA-2007-0014.01 – Felter Investments).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
Burleson Road	96 feet	64 feet	Arterial	Yes, Route 72	No	No

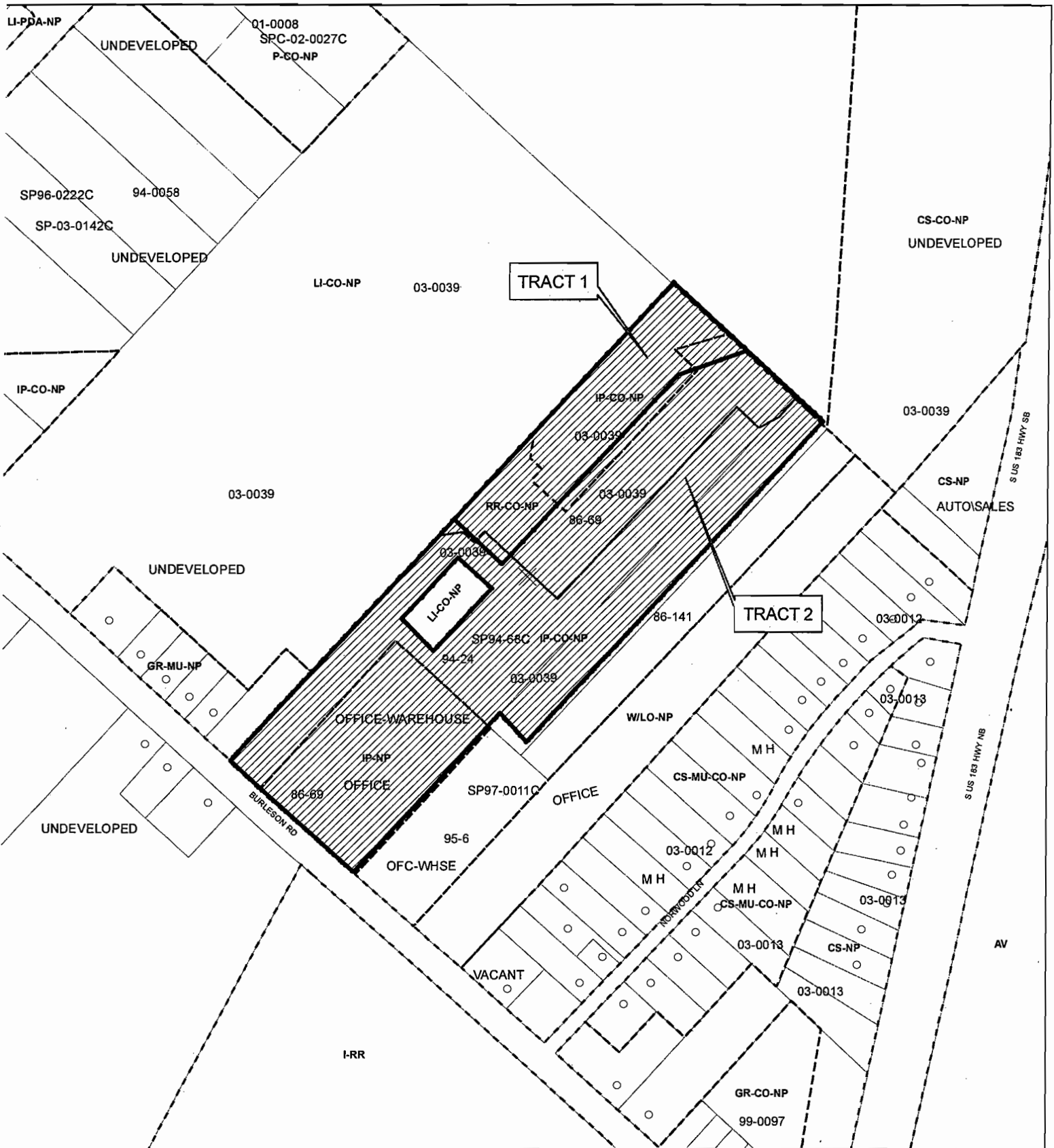
CITY COUNCIL DATE: December 13, 2007 **ACTION:**

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

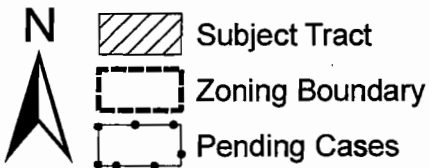
PHONE: 974-7719



ZONING

ZONING CASE#: C14-2007-0152
 ADDRESS: 7910 BURLESON RD
 SUBJECT AREA: 29.187 ACRES
 GRID: L15
 MANAGER: W. RHOADES

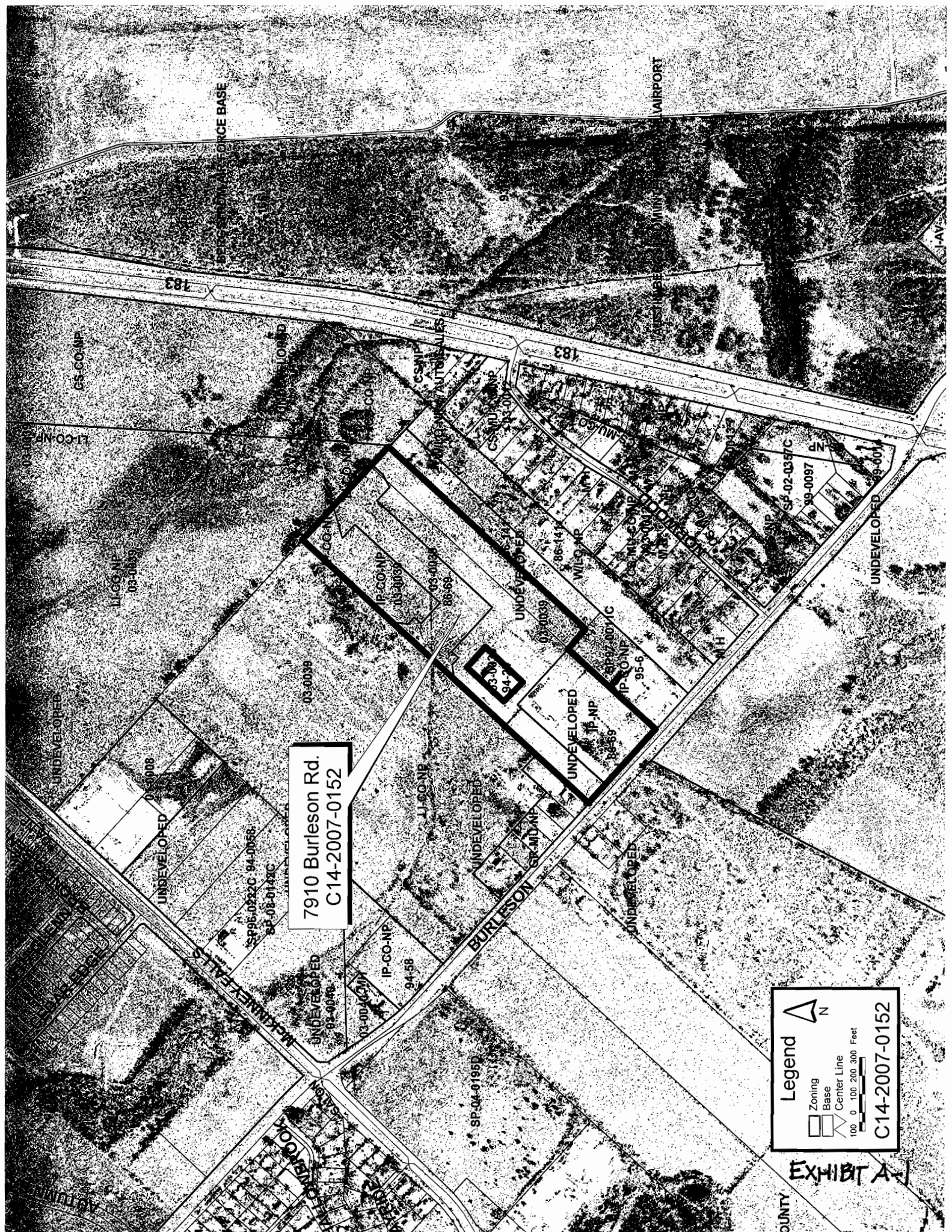
Exhibit A



1" = 400' OPERATOR: S MEEKS

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.





7910 Burlison Rd.
C14-2007-0152

Legend

- Zoning
- Base
- Center Line

100 0 100 200 300 Feet

C14-2007-0152

EXHIBIT A

EXHIBIT "A"
SKETCH TO ACCOMPANY
METES AND BOUNDS DESCRIPTION
FOR ZONING CHANGE

BRADSHAW FAMILY TRUST AND PAP REALTY PARTNERSHIP - V1280 P51 - 149.89 ACRES

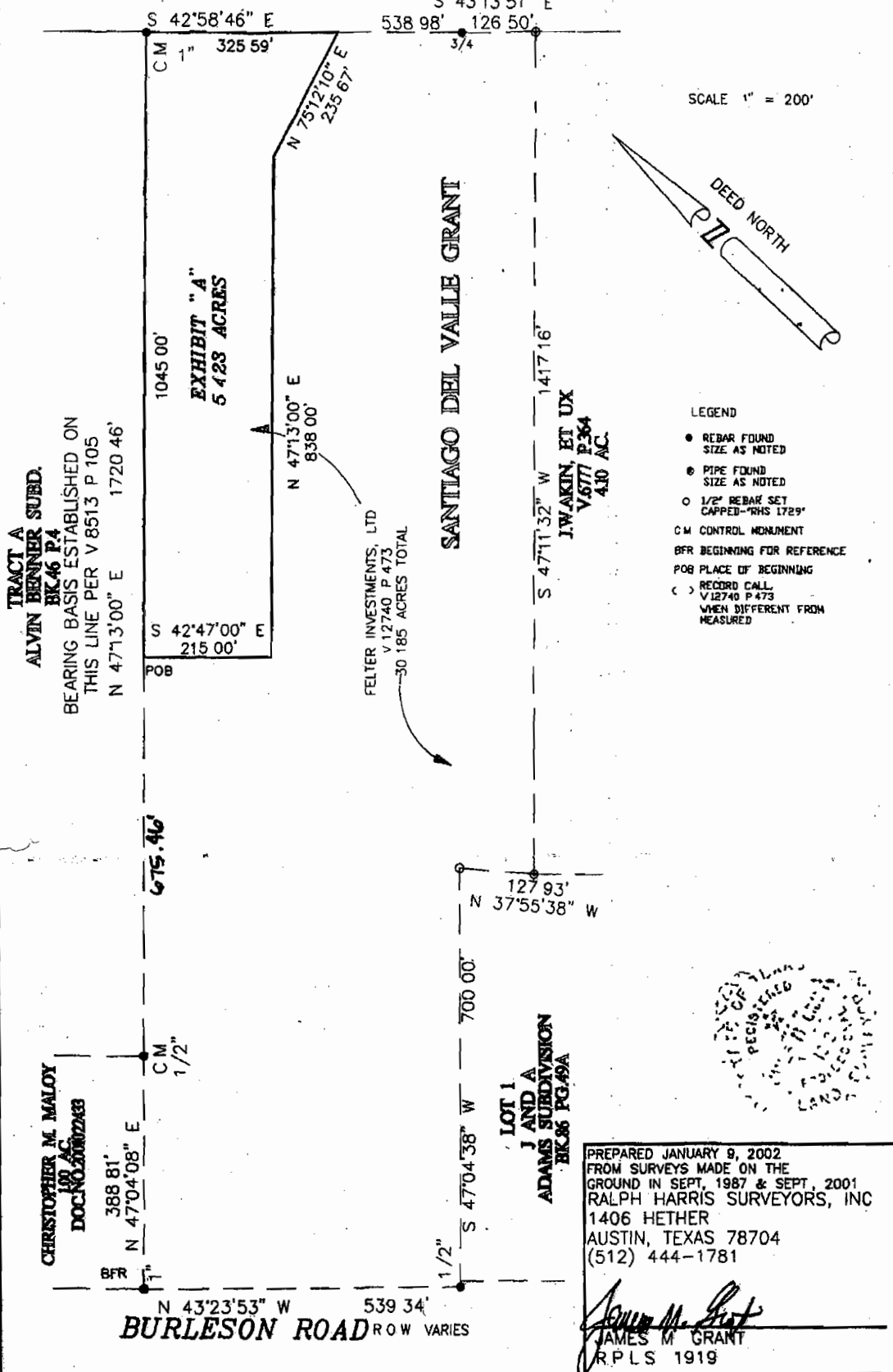


EXHIBIT B

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant rural residence – conditional overlay – neighborhood plan (RR-CO-NP) combining district zoning for Tract 1 and limited industrial service – conditional overlay – neighborhood plan (LI-CO-NP) combining district zoning for Tract 2.

On Tract 1, the Conditional Overlay the building setback is 50 feet on either side of the centerline of an open waterway. Improvements permitted within the setback are limited to utility crossings, hike and bike trails, driveway crossings and roadway crossings, or those improvements that may be otherwise required by the City of Austin. On Tracts 1 and 2, the Conditional Overlay limits the number of daily vehicle trips to 2,000.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The LI district designation is for a commercial service use or limited manufacturing use generally located on a moderately sized site.

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

The Staff supports the Applicant's request because it maintains the preservation of the unique, rare and significant features of the Southeast Combined Planning Area's natural environment, and LI zoning is consistent and compatible with other similarly industrial zoned properties in the area.

EXISTING CONDITIONS**Site Characteristics**

The property contains an office-warehouse and is otherwise undeveloped. A portion of an open waterway is located at the northwest corner and continues west and north.

Impervious Cover

The maximum impervious cover allowed by LI-NP zoning would be 80%, which is a consistent figure between the zoning and watershed regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Onion 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:

<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%

According to flood plain maps, there is a floodplain within the project boundary. Based on this, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

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]

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his 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.

Compatibility Standards

This property is within the Airport Overlay Zone AO-3, also known as the ½ mile buffer. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Section 25-13-23, are prohibited. Noise level reduction measures may be required for certain new structures. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.

4202 Afton Lane
Austin, TX 78744
29 October 2007

City of Austin
Neighborhood Planning and Zoning Department
Gregory Montes
P. O. Box 1088
Austin, Texas 78767-8810

RE: Case No. NPA-2007-014.01

Dear Mr. Montes,

With the agreed-on designation of the re-located creek and wetlands as an RR zoned and protected area, the Southeast Combined Neighborhood Plan Contact Team (SEAC) supports the applicant's request for amendment and rezoning.

Sincerely,

M. L. Sloan,
on behalf of SEAC