

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0108 – 6805 Manchaca

Z.A.P. DATE: June 3, 2008

June 17, 2008

July 1, 2008

ADDRESS: 6805 Manchaca Road

OWNER: Hyden Family Partnership, L.P.
(William E. Hyden)

AGENT: Drenner & Golden Stuart
Wolff LLP (Michele Rogerson)

ZONING FROM: LR

TO: GR

AREA: 0.489 acres (21,300 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay: 1) makes community recreation (private), community recreation (public) and hospital services (limited) a conditional use; 2) prohibits the following uses: automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), bail bond services, business or trade school, business support services, commercial off-street parking, communication services, drop-off recycling collection facility, exterminating services, food preparation, funeral services, hospital services (general), hotel-motel, indoor entertainment, indoor sports and recreation, outdoor entertainment, outdoor sports and recreation, pawn shop services, personal improvement services, research services, restaurant (general), and theater; and 3) limits development to 2,000 motor vehicle trips per day.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

June 3, 2008: *MEETING CANCELLED DUE TO AGENDA POSTING ERROR*

June 17, 2008: *ITEM PULLED FROM THE AGENDA DUE TO NOTIFICATION ERROR*

July 1, 2008: *APPROVED GR-CO DISTRICT ZONING, AS STAFF RECOMMENDED; BY CONSENT.*

[T. RABAGO, J. SHIEH – 2ND] (6-0) K. JACKSON, J. MARTINEZ – ABSENT

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject property contains a vacant 6,000 square foot building, is zoned neighborhood commercial (LR), and has driveways to Manchaca Road and to Bissel Lane through the adjacent commercially zoned lot. There are commercially zoned lots to the north and south,

developed with a service station (GR) and a medical office (LR), single family residences within the Matthews Place subdivision to the east (SF-3), and a retail shopping center and two single family residences to the west (GR; SF-3; MF-1). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant is proposing to rezone the lot to the community commercial – conditional overlay (GR-CO) combining district in order to occupy the building with a general retail sales (general) use. A recent amendment to the Land Development Code permits the general retail sales (general) use in the LR district, however, the building square footage is limited to 5,000 square feet. The Applicant's proposed Conditional Overlay would allow for general retail sales (general) use as the only GR use, and all permitted LR uses, and has been incorporated into the Staff recommendation.

Staff recommends the Applicant's request for GR-CO zoning based on the following considerations of the property: 1) location on a major arterial roadway and proximity to a major intersection, and 2) the requested rezoning allows for an incremental change and continues to prohibit uses that are less compatible with the adjacent single family residences to the east.

	ZONING	LAND USES
<i>Site</i>	LR	Vacant commercial building
<i>North</i>	LR; LO	Medical office building; Church
<i>South</i>	GR	Service station
<i>East</i>	SF-3	Single family residences
<i>West</i>	GR; SF-3	Financial services; Single family residence

NEIGHBORHOOD PLAN AREA: N/A

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

16 – Cherry Meadows Neighborhood Association
 26 – Far South Austin Community Association
 77 – Southwest Oaks – Shiloh Neighborhood Association
 461 – Cherry Creek SW Neighborhood Association
 511 – Austin Neighborhoods Council
 428 – Barton Springs / Edwards Aquifer Conservation District
 461 – Cherry Creek SW Neighborhood Association
 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 790 – Cherry Creek Village Neighborhood Association
 943 – Save Our Springs Alliance 997 – Tanglewood Oaks Owners Association

1037 – Homeless Neighborhood Association

SCHOOLS:

Cunningham Elementary School Covington Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0036 and C14-81-113 (RCA) – SAM	MF-2 to LO-MU AND an amendment to terminate the Restrictive Covenant as it applies to this property	To Grant LO-MU-CO with the CO for a 20' vegetative buffer along the west property line, a maximum of 14 units and prohibiting convalescent services day care services (all types) and medical offices AND to amend the RC to terminate the provisions that apply to this property	Scheduled for June 18, 2008.
C14-2007-0173 – 6414 Manchaca Road	GR to GR-MU- V	To Grant GR-MU-V- CO for Tract 1 and GR-MU-CO for Tract 2	Approved GR-MU-V- CO for Tract 1 and GR-MU-CO for Tract 2 with the CO for 2,000 trips (3-6-08).
C14-00-2121 – 6708 Manchaca Road	SF-3 to MF-2	To Grant MF-1	Approved MF-1 with the CO for 2,000 trips (11-30-00).

RELATED CASES:

The property is platted as Lot 21 of Matthews Place subdivision, recorded in July 1949 (C8-1949-1926). Please refer to Exhibit B.

The property was zoned from Interim-SF-3 to LR on July 17, 1986 (C14-85-191 – Hazel Hyden).

A site plan for the subject lot and that to the north was approved on May 27, 1999 and is provided as Exhibit C (SP-98-0445C – Hyden Site Plan).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Manchaca Road	80 – 85 feet	51 feet	Major Arterial Undivided – 4 lanes; Not classified as a Core Transit Corridor (31, 168 vpd, 2007)	Yes	Rt. 27, Priority 1	3 Manchaca 103 Manchaca Flyer 484
Bissel Lane	50 feet	32 feet	Local (333 vpd, 2001)	No	No	No

COUNCIL DATE: June 18, 2008**ACTION:** Item pulled from the agenda due to notification error.

July 24, 2008

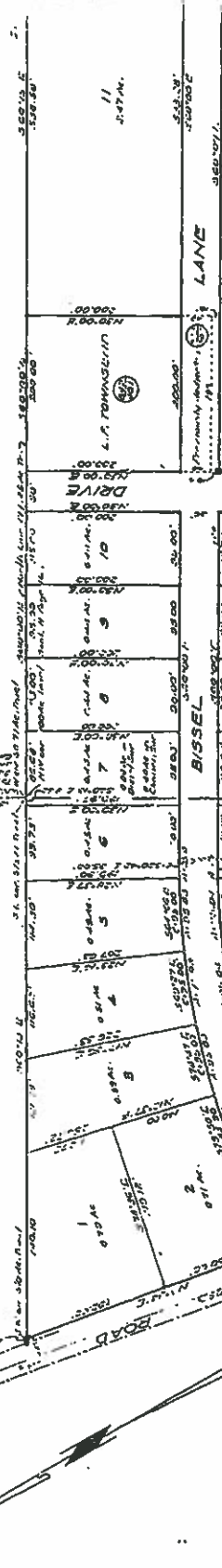
ORDINANCE READINGS: 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us**PHONE:** 974-7719

1" = 400'



MATTHEWS PLACE

OW C. LAYTON



STATE OF TEXAS
COUNTY OF TRAVIS
I, George S. Matthews, of the County of Travis, State of Texas, do hereby certify that the within and foregoing plat of the Matthews Place, as recorded in Book 4, Page 83, and subdivision as be shown and described in the original shown herein and do hereby certify that the same is correct and true to the best of my knowledge and belief.

IN WITNESS WHEREOF, we have hereunto set our hand and seal of office.

July 1, 1929.

George S. Matthews

STATE OF TEXAS
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I, George S. Matthews, of the County of Travis, State of Texas, do hereby certify that the within and foregoing plat of the Matthews Place, as recorded in Book 4, Page 83, and subdivision as be shown and described in the original shown herein and do hereby certify that the same is correct and true to the best of my knowledge and belief.

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CURVE DATA

1. Radius 100.00
2. Angle 90.00
3. Chord 141.42
4. Tangent 70.71
5. Arc Length 157.08

EASEMENTS

In easement of 10' for feet is reserved off the rear of all lots, also for feet is reserved off the west line of lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20.

ENGINEERS NOTE

1. This is a plat of land of 200.00 acres, more or less, situated in the County of Travis, State of Texas, and is being subdivided into 20 lots, each of 10.00 acres, more or less.

2. The total area of the land is 200.00 acres, more or less.

3. The area of each lot is 10.00 acres, more or less.

4. The area of the land is 200.00 acres, more or less.

5. The area of each lot is 10.00 acres, more or less.

LEGEND

• 100.00' = 100.00' = 100.00'

• 100.00' = 100.00' = 100.00'

• 100.00' = 100.00' = 100.00'

PROPOSED
REZONING
AREA

APPROVED FOR ACCEPTANCE

July 14-49

Walter L. Matthews
Director of Public Works

APPROVED BY CITY PLANNING COMMISSION

July 14-49

Walter L. Matthews
Chairman

July 14-49

Walter L. Matthews
Chairman

Matthews Place, as recorded in Book 4, Page 83, and subdivision as be shown and described in the original shown herein and do hereby certify that the same is correct and true to the best of my knowledge and belief.

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PLAN 5554

For Restrictions See
Vol. 1004, Pages 252-
254, Travis County
Book 4, Record
Emilie Limburg
Co. clk.

in connection to
the 100.00' = 100.00' = 100.00'

EXHIBIT B
RECORDED PLAT

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay: 1) makes community recreation (private), community recreation (public) and hospital services (limited) a conditional use; 2) prohibits the following uses: automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), bail bond services, business or trade school, business support services, commercial off-street parking, communication services, drop-off recycling collection facility, exterminating services, food preparation, funeral services, hospital services (general), hotel-motel, indoor entertainment, indoor sports and recreation, outdoor entertainment, outdoor sports and recreation, pawn shop services, personal improvement services, research services, restaurant (general), and theater; and 3) limits development to 2,000 motor vehicle trips per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed GR, Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The property has access to Manchaca Road, a major arterial roadway and is in proximity to West William Cannon Drive, also a major arterial roadway.

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

Staff recommends the Applicant's request for GR-CO zoning based on the following considerations of the property: 1) location on a major arterial roadway and proximity to a major intersection, and 2) the requested rezoning allows for an incremental change and continues to prohibit uses that are less compatible with the adjacent single family residences to the east.

EXISTING CONDITIONS**Site Characteristics**

The rezoning area is developed with a vacant commercial building. According to the approved site plan, there are no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 80%, which is based on the more restrictive zoning regulations. The existing amount of impervious cover shown on the approved Site Plan is 52.31%.

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 Williamson 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 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.

Transportation

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

Information Only: This site has access to Bissel Lane via an existing joint access driveway.

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 own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. 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

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 across the street from, adjoining or located 540-feet or less from property zoned SF-5 or more restrictive, or on which a use permitted in an SF-5 or more restrictive zoning district is located will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the east and west property lines, 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.
- 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.

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

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- 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.
- No parking or driveways are allowed within 25 feet of the property line
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.