SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2007-0232 - Rundberg Business Park

REQUEST:
Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 320 E. Rundberg Lane (Little Walnut Creek Watershed) from multi-family residence-medium density (MF-3) district zoning, limited office (LO) district zoning, and community commercial (GR) district zoning for Tract 1; and multi-family residence-medium density (MF-3) district zoning, limited office (LO) district zoning, and community commercial (GR) district zoning for Tract 2 to warehouse-limited office-conditional overlay (W/LO-CO) combining district zoning for Tract 1, and general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 2. First reading approved on August 28, 2008. Vote: 7-0.

DEPARTMENT COMMENTS:

The subject rezoning area consists of an undeveloped 22.622 acre site zoned GR, LO, MF-3, and MF-2 accessed via Showplace Lane to the east. There are two stub-outs at the northern potion of the subject property where East Longspur and Brownie Drive reach a terminus point. The site is surrounded by a combination of residential and commercial uses to the east and west. The applicant proposes to rezone the property to CS to develop the property with warehousing/distribution businesses.

ISSUES:
On February 26, 2008, the applicant amended the application to include the following modifications the rezoning request (Please see Attachment "A"):

- Remove 0.923 acres of land from rezoning request at the northernmost portion of the subject tract;
- For the 12.931 acres abutting residential, the requested zoning shall be W/LO and overhead doors shall not be oriented to the west; and
- For the eastern 8.768 acres of the property, the requested zoning shall be CS-CO prohibiting the following uses:
    - Bail Bond Services;
    - Campground;
    - Kennels;
    - Pawn Shop Services;
    - Pet Services;
    - Vehicle Storage

Staff has no objections to this modification.

OWNER/APPLICANT: Rundberg Business Park LP (John Dimeblid)

AGENT: Thrower Design (Ron Thrower)

DATE OF FIRST READING: August 28, 2008

CITY COUNCIL HEARING DATE: November 6, 2008

CITY COUNCIL ACTION:
August 28, 2008:
The first reading of the ordinance for warehouse-limited office-conditional overlay (W/LO-CO) combining district zoning for Tract 1 with conditions, and general commercial services-conditional overlay (CS-CO) combining district zoning with conditions for Tract 2 was approved. The following conditions will be included in a conditional overlay or a restrictive covenant: Additional prohibited uses for Tract 2 are adult oriented businesses and commercial blood plasma centers. There will be an additional condition that there will be no extension of East Longspur Boulevard or Brownie Drive into the subject property.

ASSIGNED STAFF: Jorge E. Rousselin , e-mail: jorge.rousselin@ci.austin.tx.us

ZONING REVIEW SHEET

CASE: C14-2007-0232 **P.C. DATE:** February 12, 2008

ADDRESS: 320 East Rundberg Lane

OWNER: Rundberg Business Park LP (John Dimeblid)

AGENT: Thrower Design (Ron Thrower)

REZONING FROM: GR (Community commercial); LO (Limited office); MF-3 (Multi-family – residence – medium density); and MF-2 (Multi-family residence-low density)

TO: CS (Commercial services) **AREA:** 22.622 Acres

SUMMARY PLANNING COMMISSION RECOMMENDATION:
March 11, 2008:
APPROVED STAFF'S RECOMMENDATION OF W/LO-CO DISTRICT ZONING FOR TRACT 1; CS-CO DISTRICT ZONING FOR TRACT 2; BY CONSENT.
[J.REDDY, M.DEALEY 2ND] (9-0)

ISSUES:

On February 26, 2008, the applicant amended the application to include the following modifications the rezoning request (Please see Attachment "A"):

- Remove 0.923 acres of land from rezoning request at the northernmost portion of the subject tract;
- For the 12.931 acres abutting residential, the requested zoning shall be W/LO and overhead doors shall not be oriented to the west; and
- For the eastern 8.768 acres of the property, the requested zoning shall be CS-CO prohibiting the following uses:
  - Bail Bond Services;
  - Campground;
  - Kennels;
  - Pawn Shop Services;
  - Pet Services;
  - Vehicle Storage

Staff has no objections to this modification.

SUMMARY STAFF RECOMMENDATION:

Staff offers an alternate recommendation as follows:

- Tract 1: W/LO-CO; with a 50 building setback along the western property line and northern zoning boundary line abutting residential uses and prohibiting overhead bay doors from orientating west; and
- Tract 2: CS-CO

The recommended conditional overlay shall limit the daily vehicle trips to less than 2,000 per day throughout the entire site.

The Staff recommendation is based on the following considerations:

1.) The requested zoning classification of CS has the potential to adversely affect abutting residential land uses to the west of the subject site;
2.) The recommended zoning classifications allow for a transition of land uses from intensive commercial uses abutting Interstate 35 to less intensive residential uses along Oriole Drive;
3.) The recommended zoning classifications allow for a transition of land uses; and
4.) The recommended conditional overlay shall limit the traffic impact on the area.

DEPARTMENT COMMENTS:

The subject rezoning area consists of an undeveloped 22.622 acre site zoned GR, LO, MF-3, and MF-2 accessed via Showplace Lane to the east. There are two stub-outs at the northern potion of the subject property where East Longspur and Brownie Drive reach a terminus point. The site is surrounded by a combination of residential and commercial uses to the east and west. The applicant proposes to rezone the property to CS to develop the property with warehousing/distribution businesses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	GR, LO, MF-3, and MF-2	Undeveloped land
North	SF-2 / P/ MF-2	Single family residences / Park / Duplexes
South	GR / CS	Undeveloped land / Service Station / Retail
East	CS / CS-CO	Automotive repair / Bowling alley
West	SF-3	Duplexes

AREA STUDY: N/A

TIA: N/A (See Transportation comments)

WATERSHED: Little Walnut

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

28--Northcreek & Georgian Acres Neighborhood Assn.
114--North Growth Corridor Alliance
511--Austin Neighborhoods Council
742--Austin Independent School District
745--Brownie Drive HOA
937--Taking Action Inc.
786--Home Builders Association of Greater Austin
643--NorthEast Action Group
1037--Homeless Neighborhood Organization
1048--Austin Northwest Association
1075--League of Bicycling Voters

SCHOOLS:
Austin Independent School District

- Barrington Elementary School
- Webb Middle School
- Lanier High School

RELATED CASES: N/A

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-02-0185	CS to CS-1	01/28/03: DENIED STAFF REC OF CS-1-CO (5-1, JC-NO)	WITHDRAWN
C14-04-0143	SF-3 to LR	10/19/04: APVD GO-CO (9-0), ONLY ALLOWABLE GO USE IS PERSONAL SVCS & PERMITTED NO USES	11/04/04: APVD GR-CO (7-0); 1ST RDG 12/02/04: APVD GO-CO (7-0); 2ND/3RD RDGS
C14-04-0188	SF-3 to LO	01/04/05: APVD LO W/NO USES BY CONSENT (9-0)	01/27/05: APVD LO-CO (6-0); 1ST RDG 02/17/05: APVD LO-CO; 2ND/3RD RDGS
C14-00-2215	SF-2 to CS	APPROVED CS-CO (7-0) ON 11/28/0	APPROVED CS-CO PROHIBITING W/ADULT-ORIENTED BUSINESSE PROHIBITED AND 2000-TRIP CONDITION (6-0); ALL 3 READINGS ON 1/18/01
C14-01-0088	CS-CO to CS-1-CO	FORWARDED TO COUNCIL W/O RECOMMENDATION (7-0) ON 07/10/01	DENIED CS-1-CO (7-0) ON 08/30/01
C14-02-0172	SF-2 to CS	APPROVED CS-CO (6-0) ON 12/03/0	APPROVED CS-CO W/PAWN SHOPS PROHIBITED AND 2000-TRIP CONDITION (7-0); ALL 3 READINGS ON 1/09/03
C14-03-0184	SF-2 to LO	APPROVED LO (9-0) ON 2/03/04	APPROVED LO (6-0); ALL 3 READINGS ON 3/04/04
C14-03-0131	SF-2 to SF-3	DENIED SF-3 (8-1) ON 09/23/03	APPROVED SF-3 (6-0); 1ST READING ON 10/23/03 APPROVED SF-3 (6-0); 2ND/3RD READINGS ON 11/20/03
C14-03-0142	LR to CS-CO	APPROVED CS-CO (9-0) ON 10/14/0	APPROVED CS-CO WITH 2000-TRI CONDITION (6-0); ALL 3 READINGS ON 11/20/03

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Side-walks	Bike Route	Bus Routes
E Rundberg Ln	90'	63'	Arterial	Yes	Rt 370	15 Red River 325 Ohlen 142 Metric Flyer 485 Night Owl

CITY COUNCIL DATE:
August 28, 2008

ACTION:
The first reading of the ordinance for warehouse-limited office-conditional overlay (W/LO-CO) combining district zoning for Tract 1 with conditions, and general commercial services-conditional overlay (CS-CO) combining district zoning with conditions for Tract 2 was approved. The following conditions will be included in a conditional overlay or a restrictive covenant: Additional prohibited uses for Tract 2 are adult oriented businesses and commercial blood plasma centers. There will be an additional condition that there will be no extension of East Longspur Boulevard or Brownie Drive into the subject property.

September 25, 2008

This item was postponed to November 6, 2008 at the applicant's request.

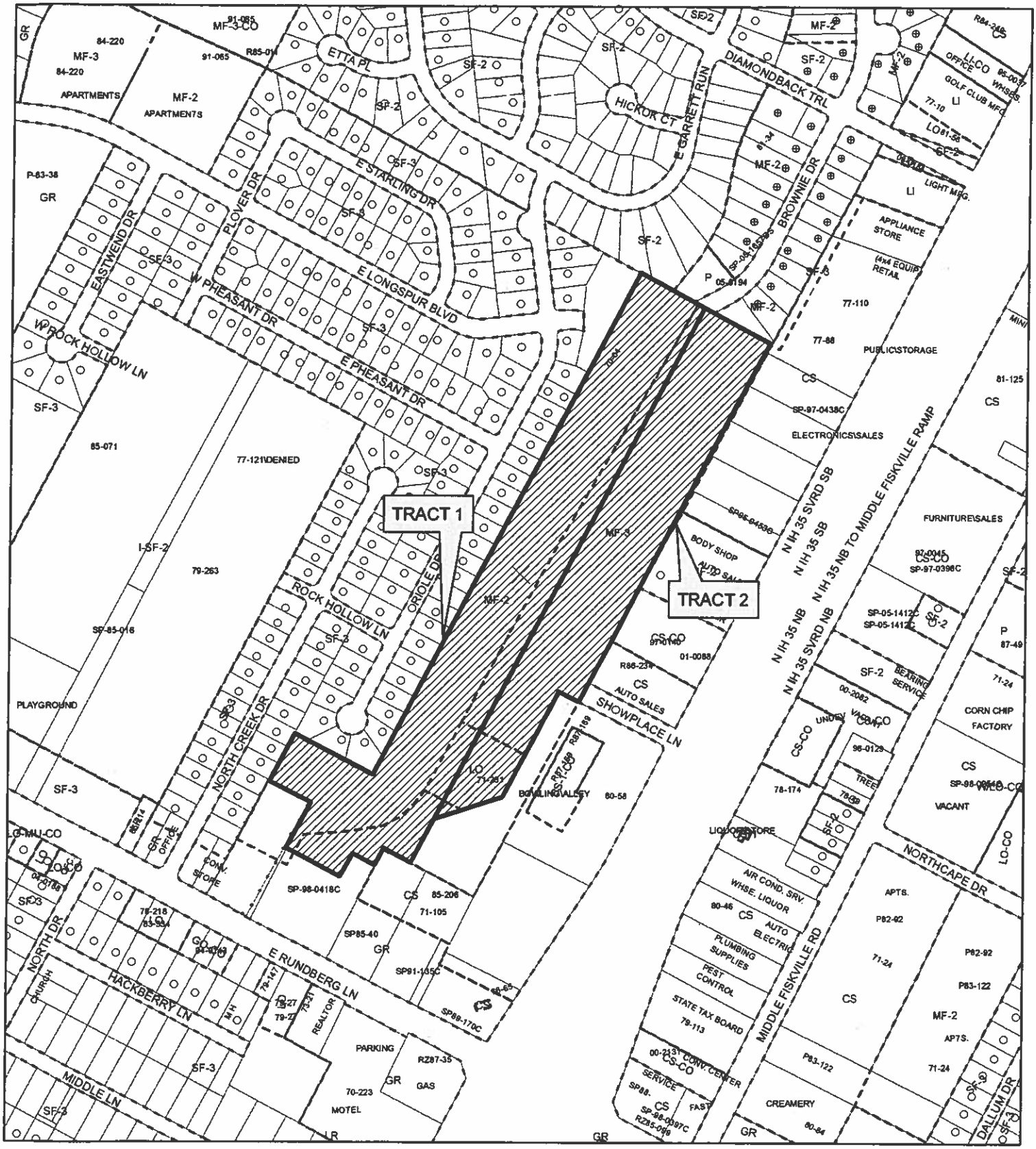
November 6, 2008

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Jorge E. Rousselin, NPZD **PHONE:** 974-2975

E-MAIL: jorge.rousselin@ci.austin.tx.us



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

OPERATOR: S. MEEKS

1" = 400'

ZONING

ZONING CASE#: C14-2007-0232
ADDRESS: 320 E RUNDBERG LANE
SUBJECT AREA: 21.698 ACRES
GRID: L30
MANAGER: J. ROUSSELIN

CITY OF AUSTIN FOUNDED 1839

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.


C14-2007-0232
C14-2007-0231
Legend
Zoning
Base
Center Line
Major Roads
N
C14-2007-0231
C14-2007-0232

STAFF RECOMMENDATION

Staff offers an alternate recommendation as follows:

- Tract 1: W/LO-CO; with a 50 building setback along the western property line and northern zoning boundary line abutting residential uses and prohibiting overhead bay doors from orientating west; and
- Tract 2: CS-CO

The recommended conditional overlay shall limit the daily vehicle trips to less than 2,000 per day throughout the entire site.

The Staff recommendation is based on the following considerations:

1.) The requested zoning classification of CS has the potential to adversely affect abutting residential land uses to the west of the subject site;
2.) The recommended zoning classifications allow for a transition of land uses from intensive commercial uses abutting Interstate 35 to less intensive residential uses along Oriole Drive;
3.) The recommended zoning classifications allow for a transition of land uses; and
4.) The recommended conditional overlay shall limit the traffic impact on the area.

BASIS FOR RECOMMENDATION

1. ***The proposed zoning should promote consistency, and orderly planning.***

The recommended zoning classifications and conditional overlays will allow for a land use transition from intensive land uses along IH-35 to the established residential land uses west of the subject property.

2. ***Zoning changes should promote compatibility with adjacent and nearby uses.***

With the recommended conditional overlay and setback requirement will allow for land use compatibility with existing residences to the west of the subject site. Orientation of proposed bay doors is recommended to be towards the West to minimize impact to abutting residential uses.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area consists of an undeveloped 22.622 acre site zoned GR, LO, MF-3, and MF-2 accessed via Showplace Lane to the east. There are two stub-outs at the northern potion of the subject property where East Longspur and Brownie Drive reach a terminus point. The site is surrounded by a combination of residential and commercial uses to the east and west.

Transportation

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

2. 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]

3. PLEASE NOTE: A 15,000 square foot shopping center and a 4,000 square foot drive through restaurant separately generate 2,000 trips each. This 22 acre site has the potential to generate much more than 2,000 trips. By limiting the trips to 2,000, a significant portion of the site will not be developable. Once the 2,000 trips is expended, the site will have to return to City Council to remove the conditional overlay for further development.

Environmental and Impervious Cover

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut 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.

2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

3. 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.

4. According to flood plain maps, there is flood plain within the project area.

5. 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.

6. 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

1. 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.

Site Plan and Compatibility Standards

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

2. Compliance with Commercial Design Standards (Subchapter E) is required.

3. 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

a. The site is subject to compatibility standards. Along the West property line, the following standards apply:
b. No structure may be built within 25 feet of the property line.
c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
e. 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.
f. No parking or driveways are allowed within 25 feet of the property line.
g. 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.
h. 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.

Thrower Design
4608-A South Lamar Boulevard
Austin, Texas 78745
(512) 476-4456 • Fax (512) 476-4454

February 26, 2008

North Creek / Georgian Acres Neighborhood Association
Attn: Larry Hardison
9510 North Creek Drive
Austin, Texas 78753

RE: Rundberg Zoning Cases
C14-2007-0231
C14-2007-0232

Dear Mr. Hardison,

Thanks again to you, Lyn and Alan for meeting with us to discuss the above referenced zoning cases. As a part of that meeting it was discussed that I would forward to you a list of uses that we would offer to prohibit as a part of the rezoning efforts for the property.

Case C14-2007-0231 is for the 1.396 acres on Rundberg Lane that is currently "GR", Community Commercial and "MF-2", Multy-Family Residence - Low Density. We have requested that the zoning be for "GR-MU", Community Commercial, Mixed-Use. While we did not specifically discuss prohibited uses for this site, I believe it is important that we do so to keep it in alignment with the intent of the project and to also exclude other undesirable that are currently permitted on the property under the current "GR" zoning. We plan to exclude the following uses:

1) Bail Bond Services;
2) Pawn Shop Services

The City staff has recommended a 2,000 vehicle trip limitation which we agree with and this will be made a part of the overall Conditional Overlay that will incorporate the prohibited uses and trip limitations. Therefore, the rezoning will have the initials of "GR-MU-CO", which stands for Community Commercial, Mixed-Use, Conditional Overlay.

ATTACHMENT A

Case C14-2007-0232 is the interior of the site which is accessible from Showplace Lane and has E. Longspur Blvd. and Brownie Drive stubbing to the site on the north end. The current zoning is a mixed bag of "GR", Community Commercial, "LO", Limited Office, "MF-3", Multy-Family Residence - Medium Density, "MF-2", Multy-Family Residence - Low Density, and "SF-3", Family Residence. We had requested the zoning be for "CS", Commercial Services for the entire property. The City Staff recommendation is for "SF-3", W/LO-CO", Warehouse / Limited Office – Conditional Overlay, and "CS-CO". We are in agreement with staff's zoning districts but not in the areas as they have depicted this on their map. Pursuant to our meeting last week with neighborhood representatives, we agreed that the "SF-3" can remain as is on the north end of the site. This area totals 0.923 acres. Our potential development plan scenario contemplated a road running north-south down the center of the property and connected to only Showplace Lanes. The intent was not to connect this internal street to either E. Longspur Blvd. or Brownie Drive. Further, it is agreed that E. Longspur Blvd. and Brownie should not be connected as an independent street.

This leaves the commercial portions of the development with the "W/LO" portion at 12.931 acres and the "CS" portion at 8.768 acres. These acreages are derived by dividing the remaining larger commercial tract down the middle coinciding with the "proposed" right-of-way of the concept plan. This is more "W/LO" and less "CS" zoned land than the City Staff recommendation.

We plan to exclude the following uses from the "CS" portion of the property:

1) Bail Bond Services;
2) Campground;
3) Kennels;
4) Pawn Shop Services;
5) Pet Services;
6) Vehicle Storage

We do not plan to exclude any uses from the "W/LO" portion as this zoning district is limiting enough to provide for the transitional development through the use regulations and development regulations of that zoning district. The big one of Pawn Shop services is not a permitted use so that is not an issue for this district.

As such, the zoning case #C14-2007-0232 will have the following as an offering for consideration for approval:

1) The currently zoned "SF-3" portion at the north end of the site will be removed from the rezoning request and remain as is.
2) The western 12.931 acres is to be rezoned to "W/LO - CO", Warehouse / Limited Office – Conditional Overlay, zoning with the conditional over ay to include provisions for vehicle trip limitations.
3) The eastern 8.768 acres is to be rezoned to "CS-CO", Commercial Services – Conditional Overlay, zoning with the conditional overlay to include the list of prohibited uses listed above and provisions for vehicle trip limitations. The combined properties of the "W/LO" and "CS" properties will have a trip limitation of 2,000 vehicle trips per day.
4) That E. Longspur Blvd. and Brownie Drive will not be extended into the property.
5) A 50' building setback along the western property line abutting residential uses and no overhead doors will be oriented to the west. The intent here is to provide a reasonable buffer to the buildings and not have overhead doors directly facing the residential area.

That should cover everything we talked about. Should you have any questions, comments or concerns please let me know as quickly as possible so that we can address the issues prior to the public hearing.

Thanks again for your time and consideration to our request.

Sincerely,

A. Ron Thrower

A. Ron Thrower

Public Hearing:

☒ I object

RECEIVED
JAN 23 2008
Neighborhood Planning & Zoning

From: Glenda Griffin
9811 ORIOLE DR.
AUSTIN TEXAS 78753

Signature Glenda Griffin DATE January 14, 200

Phone # 803-2435

here your copy

To: Jorge Rousselin:

I object because due to excess traffic Passing by house on the corner lot of lonspur and ORIOLE DR. I lived on the corner lot of lonspur and ORIOLE DR. I Object because excess traffic, loud noise where I will Not get any rest at night. And the behind My house IN the back off My house 5 five Step when I walked out the back ~~PATIO~~ kitchen PATIO door and My bedroom is in the back It will be loud noise disturbance Me from getting My appropriate rest At Night And people driving by all the time could be drunk and hit My bedroom while I be sleeping, or hit My Grandkid's because they come and played outside where the corner lot is. I have the bad lot because I lived on the corner lot where excess traffic

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 seven 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: C14-2007-0232
Contact: Jorge Rousselin, (512) 974-2975
Public Hearing:
January 15, 2008 Planning Commission

☐ **I am in favor**
☒ **I object**

Lissa Hattersley

Your Name *(please print)*

302 E. Garrett Run

Your address(es) affected by this application

Lissa Hattersley

Signature

Date

Comments: This is a residential neighborhood. Folks here are struggling to be part of the American dream! This development would ultimately affect real estate values negatively!

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Jorge Rousselin
P. O. Box 1088
Austin, TX 78767-8810