

ZONING CHANGE REVIEW SHEET

#62

CASE: C14-2008-0218

P.C. DATE: 2/24/2009

3/10/2009

3/24/2009

ADDRESS: 900-1000 West Ben White Blvd.

OWNER/APPLICANT: Twin Oaks Associates LTD

AGENT: Urban Design Group (Laura Toups)

ZONING FROM: CS

TO: CS-MU

AREA: 7.951 acres (81195.84 ft²)

PLANNING COMMISSION RECOMMENDATION: 3/24/09 - The motion to approve staff's recommendation for CS-MU district zoning with conditions; was approved by Commissioner Jay Reddy's motion, Commissioner Sandra Kirk second the motion on a vote of 9-0.

SUMMARY STAFF RECOMMENDATION: The staff's recommendation is to approve CS-MU-CO (Commercial Services-Mixed Use-Conditional Overlay) zoning. The conditional overlay would prohibit driveway access to Banister Lane/South 2nd Street as a condition of zoning. A neighborhood traffic analysis was not performed for the roadway with the assumption that no access is proposed to the roadway. Staff also recommends that pedestrian and bicycle access be required to Bannister Lane through the conditional overlay. The applicants have also agreed to prohibit the following uses by conditional overlay:

- Agricultural Sales and Services
- Automotive Repair services
- Automotive Sales
- Automotive Washing
- Convenience Storage
- Drop-Off Recycling Collection Facility
- Pawn Shop Services
- Vehicle Storage

DEPARTMENT COMMENTS: This property is a 7.951 acre tract currently undeveloped and zoned CS (Commercial Services) district zoning. The applicant wishes to add a mixed-use designation to the zoning in order to develop 300 multi-family units and 10,000 square feet of retail on the site. A restrictive covenant termination application has also been filed on this property to remove a previous restrictive covenant that limits the uses to GR (Community Commercial) district zoning uses. City staff supports the termination of the restrictive covenant and rezoning of the property to CS-MU (Commercial Services Mixed-Use) district zoning.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS	Undeveloped
<i>North</i>	MF-2	Multi-family
<i>South</i>	Ben White Boulevard	Commercial Highway
<i>East</i>	MF-3, SF-3, GR	Multi-family, Single Family, Condominiums
<i>West</i>	LO, GR	Multi-family

PLANNING AREA: Galindo Planning Area

TIA: Yes

WATERSHED: Slaughter Creek, West Bouldin Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

800 Bannister Place Association
Homeless Neighborhood Association
Home Builders Association
Austin Neighborhoods Council
League of Bicycling Voters
Far South Austin Community Association
Southwood Neighborhood Association
South Lamar Neighborhood Association
Austin Parks Foundation
Barton Springs/Edwards Aquifer Conservation District
Galindo Elementary Neighborhood Association
North Southwood Neighborhood Association
Onion Creek Homeowners Association

SCHOOLS:

Galindo Elementary School
Fulmore Middle School
Travis High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-84-508	SF-3 to MF-2	2/5/1985 - APVD MF-2 AS AMENDED (6-0)	3/7/1985 - APVD MF-2; ALL 3 RDGS, EMERG. PASS.
C14-73-119	SF to GR	N/A	APVD GR; 3RD RDG
C14-79-081	GR to CS	N/A	APVD CS, 1ST H&A; 3RD RDG

BASIS FOR RECOMMENDATION

1. Zoning changes should promote compatibility with adjacent and nearby uses.

The zoning change will promote a transition between adjacent and nearby zoning districts, land uses, and development intensities

2. The zoning change will 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.

The subject property will locate a mix of retail and residential along frontage of a major commercial highway.

EXISTING CONDITIONS

ENVIRONMENTAL

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin 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 no flood plain within the project area.

Numerous trees will likely be impacted with this rezoning case. Please be aware that an approved rezoning status does not eliminate the requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding 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

If 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.

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.

TRANSPORTATION:

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
US 290 West (Ben White Boulevard)	varies	varies	Arterial (FWY6)	145,000 (TXDOT, 2007)
Banister Lane	50'	43'	Collector	5510 (TXDOT, 2007)
South 2 nd Street	70'	44'	Collector	Not available

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for Ben White. TxDOT may request the reservation of additional right-of-way in accordance with the Transportation Plan when the site is redeveloped [LDC, Sec. 25-6-51 and 25-6-55].

If the requested zoning is granted, it is recommended that access to Banister Lane be prohibited as a condition of zoning because a neighborhood traffic analysis was not performed based on the assumption that no access is proposed on Banister Lane.

Driveway access to Banister Lane/South 2nd Street is prohibited as a condition of zoning. A neighborhood traffic analysis was not performed for the roadway with the assumption that no access is proposed to the roadway.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

A traffic impact analysis is not required but has been received [LDC, Sec. 25-6-142]. Comments have been provided to the traffic consultant.

There are existing sidewalks along US 290 West (Ben White Boulevard) and along the north right-of-way line of Banister Lane.

There are no existing sidewalks along the south right-of-way line of Banister Lane.

Banister Lane is classified in the Bicycle Plan as a Priority 1 bike route, and US 290 West (Ben White Boulevard) is classified in the Bicycle Plan as a Priority 2 bike route.

Capital Metro bus service (route nos. 5 and 328) is available along Banister Lane and US 290 West (Ben White Boulevard).

Driveway access to Banister Lane/South 2nd Street is prohibited as a condition of zoning. A neighborhood traffic analysis was not performed for the roadway with the assumption that no access is proposed to the roadway.

Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

SITE PLAN

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.

The site is subject to compatibility standards. Along the north 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
- 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.
- No parking or driveways are allowed within 25 feet of 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.
- 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.

CITY COUNCIL DATE: 6/18/2009

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Stephen Rye

PHONE: 974-7604

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