ZONING CHANGE REVIEW SHEET

CASE: C14-2009-0072 – Carson Creek

P.C. DATE: September 8, 2009

ADDRESS: 6511 East Ben White Boulevard

OWNER & APPLICANT: DJK, Inc. (John Bushman)

AGENT: Real Estate
Consulting (Jim Leverett)

ZONING FROM: LI-CO-NP

TO: CS-CO-NP

AREA: 4.5 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay – neighborhood plan (CS-CO-NP) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

PLANNING COMMISSION RECOMMENDATION:

September 8, 2009: APPROVED CS-CO-NP DISTRICT ZONING AS STAFF RECOMMENDED; BY CONSENT.

[M. DEALEY; J. REDDY – 2ND] (7-0) D. CHIMENTI, S. KIRK – ABSENT

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject property located on the eastbound lanes of East Ben White Boulevard consists of a vacant manufactured home sales business and is zoned limited industrial services – conditional overlay – neighborhood plan (LI-CO-NP) combining district. There is a vacant manufactured home sales business to the east (LI-CO-NP), an LCRA service center to the south (P-CO-NP) and a manufactured home business to the west (LI-CO-NP).

The Applicant has requested a zoning change to the general commercial services – neighborhood plan (CS-NP) district in order to develop the property with a commercial center, including several land uses which are not allowed in the LI district. Staff recommends the Applicant's request based on its location on an arterial roadway, and compatibility with the surrounding land uses and zonings. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LI-CO-NP	Vacant manufactured home sales business
North	LI-NP	Vacant business
South	P-CO-NP	LCRA service center
East	LI-CO-NP	Vacant commercial business; Undeveloped
West	LI-CO-NP; CH-NP	Manufactured home sales business

NEIGHBORHOOD PLAN AREA: Southeast

TIA: Is not required

WATERSHED: Carson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

96 - Southeast Corner Alliance of Neighborhoods (SCAN)

189 - Southeast Austin Neighborhood Alliance

299 - The Crossing Gardenhome Owners Association

300 - Terrell Lane Interceptor Association

428 - Barton Springs / Edwards Aquifer Conservation District

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

634 - Montopolis Area Neighborhood Alliance

743 – Southeast Austin Trails and Greenbelt Alliance

774 – Del Valle Independent School District

786 - Home Builders Association of Greater Austin

1037 – Homeless Neighborhood Association

1075 – League of Bicycling Voters

1126 – Montopolis Neighborhood Association

1113 - Austin Parks Foundation

1173 - Southeast Neighborhood Plan Contact Team

1188 - Austin Street Futbol Collaborative

1200 – Super Duper Neighborhood Objectors and Appealers Organization

SCHOOLS:

The subject property is within the Del Valle Independent School District.

CASE HISTORIES:

NUMBER	REQUEST	PLANNING	CITY COUNCIL
		COMMISSION	
C14-02-0128.03	Southeast	Approved staff	Approved with
	Neighborhood	recommendations (8-	conditions. Staff
	Plan Combining	28-02)	directed to initiate a
	District		rezoning change to add
	Rezonings		a Conditional Overlay

			for properties within close proximity to a waterway (10/10/02). There are a total of 12 related creek setback cases: C14-03-0022; 0026-0030; 0035-0040.
C14-93-0096 – Bougham-Sims Subdivision – 6511 East Ben White Boulevard	DR to LI	To Grant LI-CO with CO limiting uses and FAR	Approved LI-CO with CO limiting FAR of general retail sales, restaurants, food sales and financial services (9-2-93).
C14-92-0115 – Lutton Subdivision – 7001 Block of East Ben White Boulevard	DR to LI	To Grant LI-CO	Approved LI-CO with CO limiting general retail sales and personal services to a maximum of 13,000 s.f., and restaurant uses to a maximum of 2,600 s.f. (1-7-93).

RELATED CASES:

The property was rezoned to limited industrial service – conditional overlay (LI-CO) combining district on March 9, 1989 (C14-86-047). The Conditional Overlay limits the maximum floor-to-area ratio of the property to 0.222 to 1.

The subject zoning area is platted as Lot 2, Block A of the Carson Creek Commercial Subdivision, a subdivision recorded in 1998 (C8-84-140.01.2A). Please refer to Exhibit B.

The rezonings associated with the Southeast Neighborhood Plan Area were approved by Council on October 10, 2002 (C14-02-0128.03 - Ordinance 021010-12c). The base district of the subject property did not change, and the NP combining district was added.

A Neighborhood Plan Amendment to change the Future Land Use Map from Industry to Commercial is also in process (NPA-2009-0014.02).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Ben White Boulevard	350 feet	Varies	Highway	No	No	No

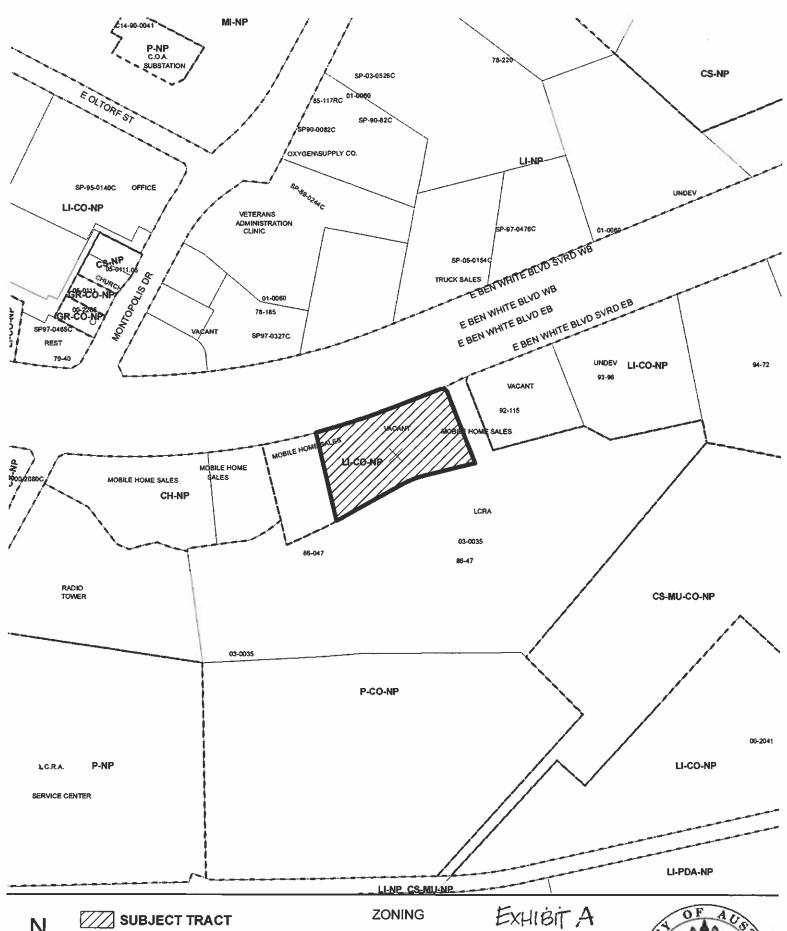
CITY COUNCIL DATE: September 24, 2009 **ACTION:**

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades **PHONE:** 974-7719

e-mail: wendy.rhoades@ci.austin.tx.us











OPERATOR: S. MEEKS

ZONING CASE#: C14-2009-0072

ADDRESS: 6511 E BEN WHITE BLVD EB

SUBJECT AREA: 4.5 ACRES

GRID: K17 & L17 MANAGER: W. RHOADES





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C8-84-140.01.24

STATE OF TEXAS COUNTY OF TRAMS

COMMISSION EXPIRES

EXHIBITB

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay – neighborhood plan (CS-CO-NP) combining district zoning. 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 general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities.

The property has frontage on the eastbound lanes of East Ben White Boulevard, a major arterial.

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

Staff recommends the Applicant's request based on its location on an arterial roadway, and compatibility with the surrounding land uses and zonings. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

EXISTING CONDITIONS

Site Characteristics

The subject property contains a vacant manufactured home sales business. The site slopes to the south, towards Carson Creek.

Impervious Cover

The maximum impervious cover allowed by the CS-CO-NP zoning district would be 80%, which is based on the more restrictive watershed regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Carson 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:

Development Classification	% of Net Site Area	% with Transfers
Single-Family	50%	60%
(minimum lot size 5750 sq. ft.)		
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's 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.

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

Additional right-of-way may be required at the time of subdivision or site plan approval.

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 any water and wastewater utility improvements, offsite main extensions, utility relocations and / or abandonments required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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

Ben White/Highway 71 is considered a scenic roadway for signs.

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

Additional comments will be made when the site plan is submitted.

Rhoades, Wendy

From: Meredith, Maureen

Sent: Tuesday, August 25, 2009 5:00 PM

To: Rhoades, Wendy

Subject: FW: NPA-2009-0014.01 6511 E Ben White

Wendy:

FYI. See below. I guess this is the letter of support from the SE Combined PCT.

Maureen

Maureen Meredith, Senior Planner
City of Austin, Planning & Development Review Department,
505 Barton Springs Road, 5th Floor
Austin, TX 78704
Phone: (512) 974-2695/FAX: (512) 974-2269
maureen.meredith@ci.austin.tx.us

www.ci austin ty us/planning

www.ci.austin.tx.us/planning

Please note: E-mail correspondence to and from the City of Austin is subject to requests for required disclosure under the Public Information Act.

From: Might Charles (against the larger)

Sent: Tuesday, August 25, 2009 4:57 PM

To: Meredith, Maureen **Cc:** jack@prismnet.com

Subject: RE: NPA-2009-0014.01 6511 E Ben White

Dear Ms. Meredith,

As a member of the SE Combined Neighborhood Plan Contact Team, I have no objections to the zoning change proposed by the applicant under the above-referenced case and would support changes to the Neighborhood Plan and Zoning to effect such a change.

Sincerely,

Lee Sloan

SE Combined Neighborhood Plan Contact Team