

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Southeast Combined Neighborhood Plan

CASE#: NPA-2009-0014.01

PC DATE: Sept. 8, 2009

ADDRESS/ES: 6511 E. Ben White Blvd. EB

SITE AREA: 4.5 acres

APPLICANT/AGENT: Real Estate Consulting, James Leverett

OWNER: DJK Inc., John Bushman

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Industry

To: Commercial

Base District Zoning Change

Related Zoning Case:

From: LI-CO-NP

To: CS-NP

NEIGHBORHOOD PLAN ADOPTION DATE: October 10, 2002

STAFF RECOMMENDATION: The staff recommendation is to **APPROVE** the requested change from INDUSTRY on the Future Land Use Map (FLUM) to COMMERCIAL land use designation.

BASIS FOR RECOMMENDATION: The applicant's request meets the following goals and objectives of the Southeast Combined Neighborhood Plan.

Retail and Office Locations (Page 53)

Goal 2: Provide opportunities for the development of neighborhood and community-serving businesses and activities.

Action Item: Where appropriate, upzone properties to allow for a wider variety of uses along principal corridors and at primary street intersections.

IH-35 and Ben White corridors (Page 54)

Goal 3: Encourage employment centers, commercial activities, and other non-residential development to locate along major thoroughfares.

Objective 3.1: Maintain prevailing land use pattern of commercial, office and industrial development to ensure compatibility of existing and future land uses.

The plan amendment request supports the following land use planning principles:

- Ensure that the decision will not create an arbitrary development pattern;
- Minimize negative effects between incompatible land uses;
- Discourage intense uses within or adjacent to residential areas;
- Ensure neighborhood businesses are planned to minimize adverse effects to the neighborhood;
- Minimize development in floodplains and environmentally sensitive areas;
- Ensure adequate transition between adjacent land uses and development intensities;
- Recognize current City Council priorities;
- Avoid creating undesirable precedents;
- Promote expansion of the economic base and create job opportunities;
- Ensure similar treatment of land use decisions on similar properties;
- Balance individual property rights with community interests and goals;
- Consider infrastructure when making land use decisions;
- Promote development that serves the needs of a diverse population.

PLANNING COMMISSION RECOMMENDATION: APPROVED ON CONSENT AGENDA WITH COMMISSIONER DEALEY'S MOTION, COMMISSIONER REDDY'S SECOND. VOTE 7-0. COMMISSIONERS CHIMENTI AND KIRK ABSENT.

BACKGROUND: 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. The requested plan amendment is located in the Southeast Neighborhood Planning Area. The boundaries of the planning area are: Ben White on the north, Montopolis, Burleson, Smith School Rd, and Williamson Creek on the east, Williamson Creek on the south and Nuckols Crossing, St. Elmo and IH-35 on the west.

The property is zoned LI-CO-NP (Limited Industrial Services – Conditional Overlay – Neighborhood Plan) with the property designated as INDUSTRY on the future land use map. The property owners propose to rezone the property to CS-NP (General Commercial Services – Neighborhood Plan) and to change the land use on the future land use map to COMMERCIAL. The property owners propose to build a commercial strip center on the site.

The application was filed during the month of July, which is the open application period for approved neighborhood plans located on the east side of IH-35.

PUBLIC MEETING: Forty-two neighborhood planning meeting notices were mail to property owners and utility account holders who live within 500 feet of the property, in addition to the Southeast Combined Neighborhood Planning Contact Team, neighborhood associations, and environmental groups registered with the city. The meeting was conducted on Tuesday, August 18, 2009. Four citizens attended the meeting, in addition to two Planning and Development Review Department staff members (Margaret Valenti and Maureen Meredith). Three of the four citizens were associated with the applicant and the fourth attendee was the president of the Southeast Corner Alliance of Neighborhoods, who submitted a letter of support with the application when it was filed.

At the meeting, Mr. Leverett, the applicant's agent, distributed a list of uses that are not allowed in the LI district, but are allowed in the CS zoning district they are proposing. These uses are pet services, pawn shop services, family home, guidance services, hospital services (limited), private primary education services, public primary educational facilities, public secondary educational facilities, bed and breakfast. The one neighborhood attendee did not have any issues with these uses.

Mr. Leverett stated that the investors who own the property would like to build a commercial strip center on the property.

City staff asked questions regarding possible flood plain and vehicular access issues. The applicant's agent stated that the creek located to the south of the property does not have any flood plain issues. He stated that vehicles leaving the property would exit on the eastbound lanes of East Ben White Boulevard. If people needed to travel west, they would travel east on E. Ben White Boulevard then make a U-turn at the light at East Riverside Drive, which is a little more than a mile away from the site.

The Southeast Combined Planning Contact Team supports the plan amendment and zoning change request.

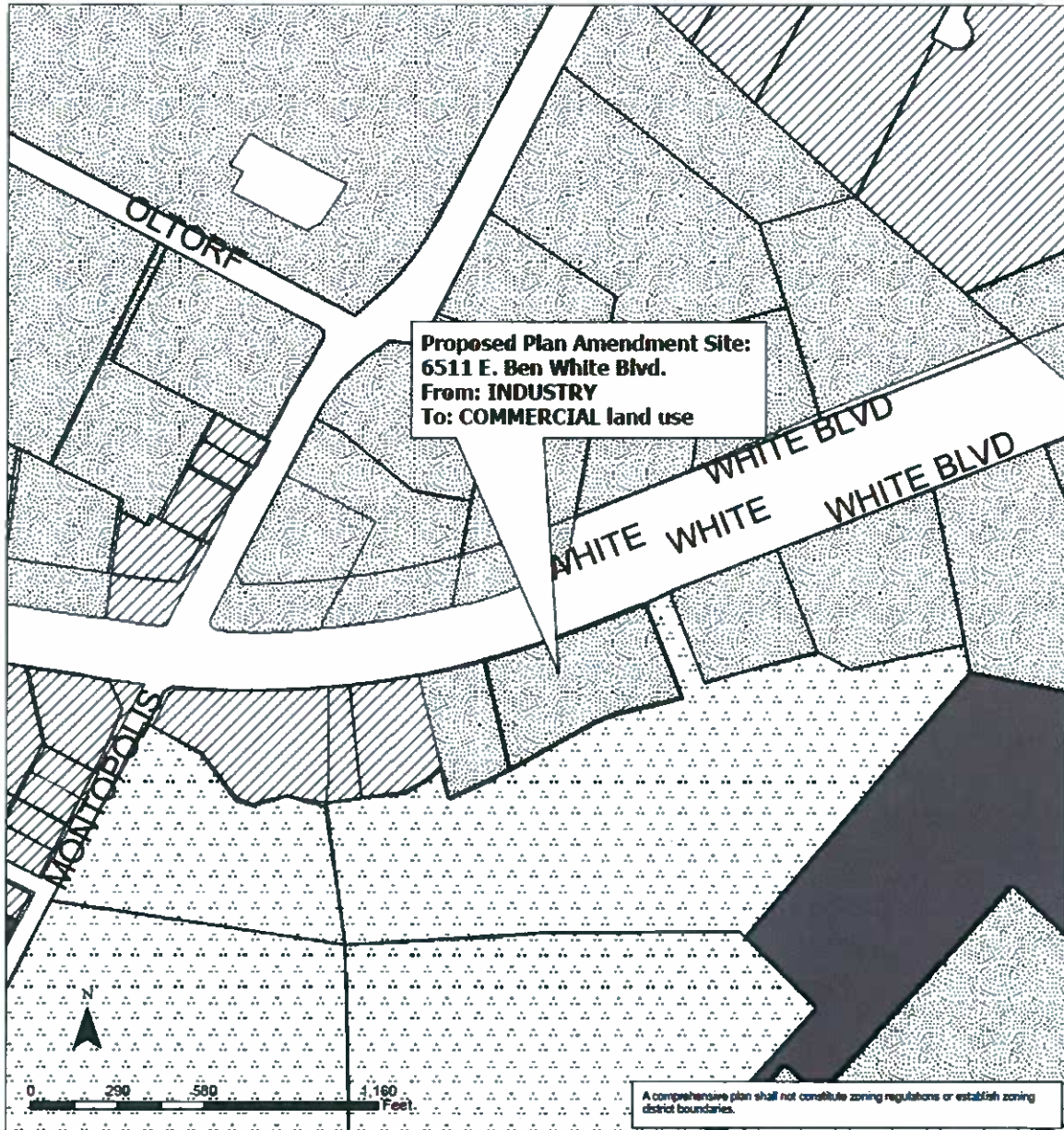
CITY COUNCIL DATE: September 24, 2009

ACTION: (pending)

CASE MANAGER: Maureen Meredith, Senior Planner

PHONE: 974-2695

E-MAIL: maureen.meredith@ci.austin.tx.us



Southeast Combined Neighborhood Plan NPA-2009-0014.01

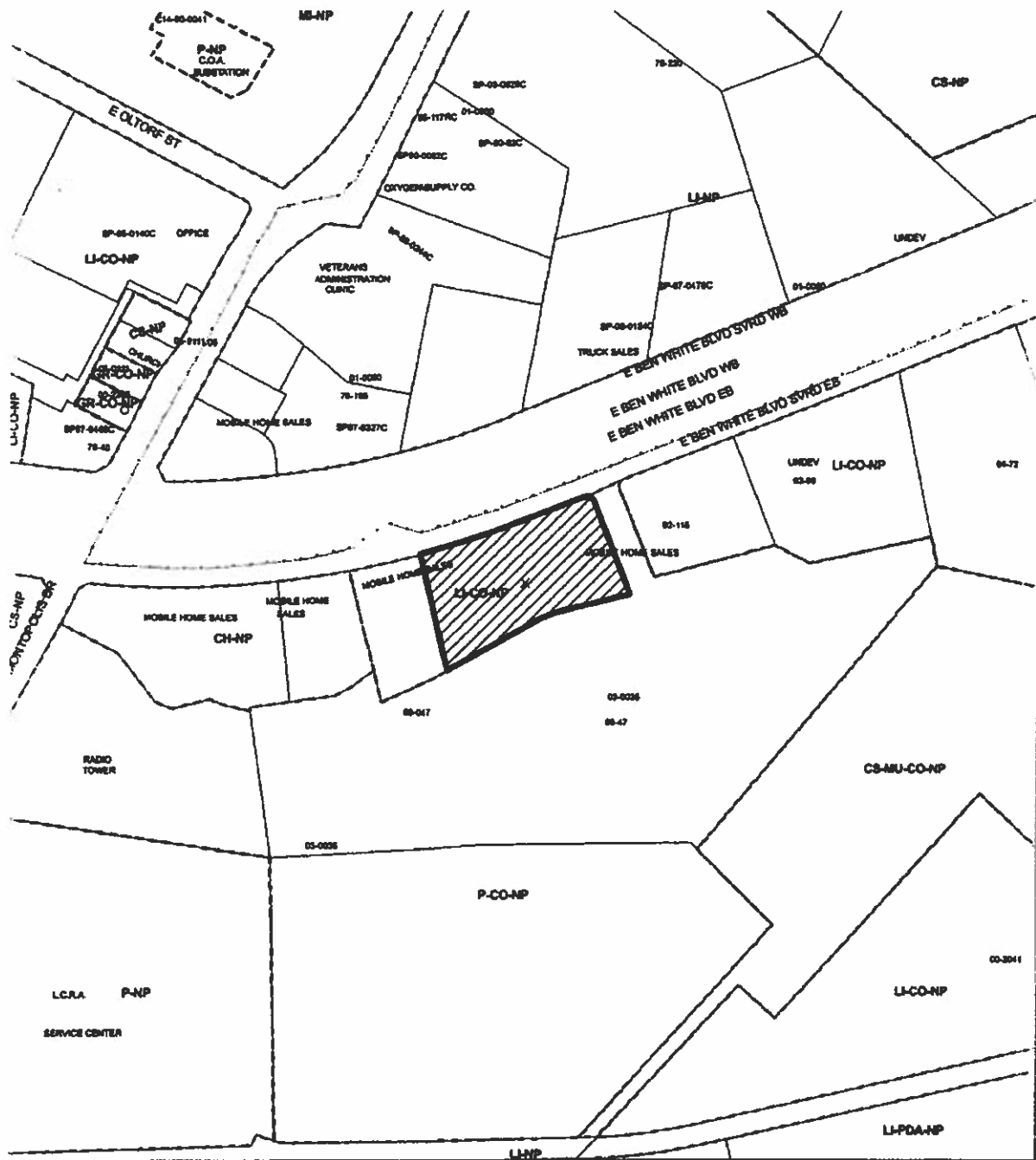
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Created on July 23, 2009_MM

Future Land Use

	Civic		Mixed Residential
	Office		Mixed Use
	Commercial		Multi-Family
	Industry		Single-Family
			SDE.TCAD_Parcels



1" = 400'

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE

OPERATOR: S. MEEKS

ZONING

ZONING CASE#: NPA-2009-0014.01
 ADDRESS: 6511 E BEN WHITE BLVD EB
 SUBJECT AREA: 4.5 ACRES
 GRID: K17 & L17
 MANAGER: M. MEREDITH

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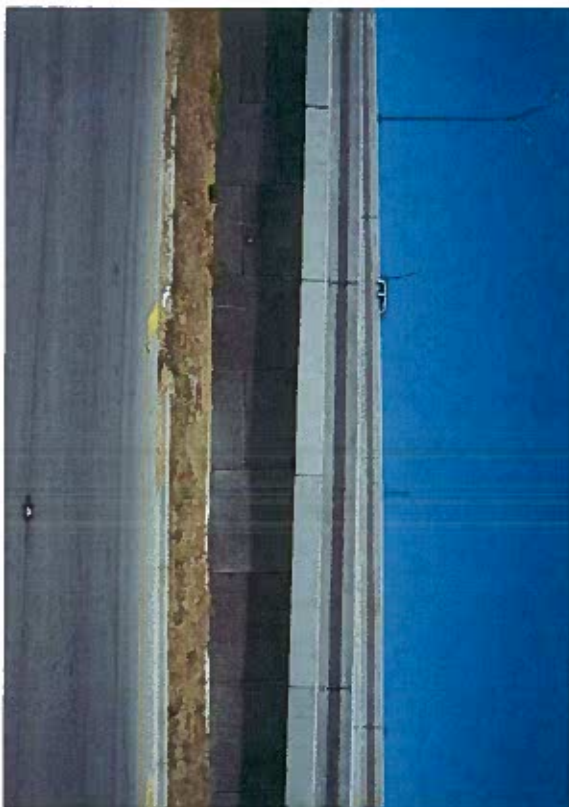


6511 E. Ben
White Blvd.

Site



View west on E. Ben
White frontage road



View north across from
the site



View east on E. Ben
White EB frontage road

Site



Site



Road to LCRA property

From: [REDACTED]
Sent: Friday, August 28, 2009 2:29 PM
To: Meredith, Maureen; [REDACTED]
Subject: Re: NPA-2009-0014.01 6511 E Ben White

Dear Ms. Meredith,

The SE Combined Neighborhood Plan Contact Team has no objections to the zoning change proposed by the applicant under the above-referenced case and we support changes to the Neighborhood Plan and Zoning to effect such a change.

Sincerely,

Jack Howison
Lee Sloan

SE Combined Neighborhood Plan Contact Team

**Southeast Corner
Alliance of Neighbors
5007 Parell Path, Austin, TX 78744
512-451-5016**

To whom this may concern:

As President of our Southeast Corner Alliance of Neighbors, I am submitting this letter on behalf of our alliance. We have no objections to a zoning change on the 4.5 acre tract at 6511 E. Ben White. We concur with a zoning change from the LI-CO to CS. A plat map of the tract is included and highlighted.

Yours truly,



Bob Larson
5007 Parell Path
Austin, TX 78744

From: David Cabell [REDACTED]
Sent: Monday, August 03, 2009 9:56 AM
To: Meredith, Maureen
Subject: Case Number NPA-2009-0014.01

I am in favor of the neighborhood plan amendment for the location at 6511 E. Ben White Blvd. I own properties at 2901 Montopolis Blvd. and 6600 E Ben White Blvd. David W. E. Cabell, Managing Partner, David Winston Early Cabell Family Limited Partnership

Sign-In sheet for the August 18, 2009 Neighborhood Plan Meeting

Southeast Combined Neighborhood Planning Area
 Sign-in Sheet
 Plan Amendment Meeting
 NPA-2009-0014.01 - Address: 6511 E. Ben White Blvd.
 Tuesday, August 18, 2009

Name (Please Print Clearly)	Mailing Address	Phone Numbers	E-mail	Do you own property within the Planning Area? Please list property address (if different from mailing address).
Boris Larson	5507 Maple Park 78744	(M) 443-8072 (M) 457-5016		<input type="checkbox"/> Yes <input type="checkbox"/> No
JIM GUARD	113 GARLAND DR, HILLSBORO, TX 76645	(M) 817-582-1221 (M) 817-733-4065		<input checked="" type="checkbox"/> Yes COMPANY DOES <input type="checkbox"/> No PROPERTY! DTX INC.
Margaret Valenti	City of Austin	(M) 974-2648		<input type="checkbox"/> Yes <input type="checkbox"/> No
Sergio Lozano	2113 THREASHER LN	(M) 494-0908 (M) 582-7236		<input type="checkbox"/> Yes <input type="checkbox"/> No
		(M)		<input type="checkbox"/> Yes <input type="checkbox"/> No
		(M)		<input type="checkbox"/> Yes <input type="checkbox"/> No

(More spaces on the back!)

ORDINANCE NO.

**AN ORDINANCE AMENDING ORDINANCE NO. 021010-11, WHICH
ADOPTED THE SOUTHEAST COMBINED NEIGHBORHOOD PLAN AS AN
ELEMENT OF THE AUSTIN TOMORROW COMPREHENSIVE PLAN, TO
CHANGE THE LAND USE DESIGNATION ON THE FUTURE LAND USE MAP
FOR PROPERTY LOCATED AT 6511 EAST BEN WHITE BOULEVARD
EASTBOUND.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Ordinance No. 021010-11 adopted the Southeast Combined Neighborhood Plan as an element of the Austin Tomorrow Comprehensive Plan.

PART 2. Ordinance No. 021010-11 is amended to change the land use designation from industry use to commercial use for the property located at 6511 East Ben White Boulevard Eastbound on the future land use map attached as Exhibit "A" and incorporated in this ordinance, and described in File NPA-2009-0014.01 at the Neighborhood Planning and Zoning Department.

PART 3. This ordinance takes effect on _____, 2009.

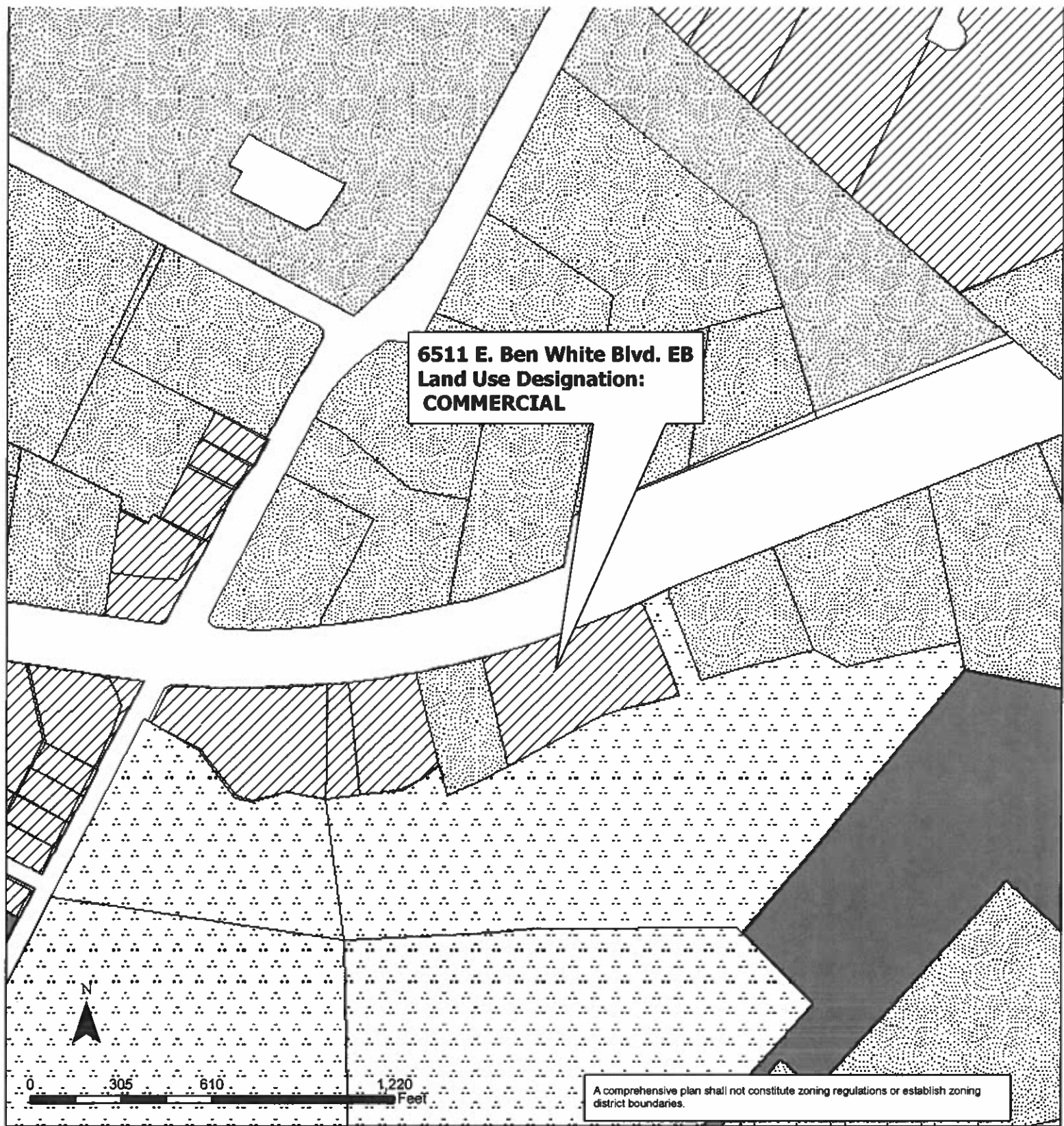
PASSED AND APPROVED

_____, 2009 §
 §
 §
_____, 2009 §

Lee Leffingwell
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk



Southeast Combined Neighborhood Plan NPA-2009-0014.01

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Future Land Use

Civic	Mixed Residential
Office	Mixed Use
Commercial	Multi-Family
Industry	Single-Family