

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0044 – Western Trails Boulevard
Zoning Change

Z.A.P. DATE: May 4, 2010
May 18, 2010
June 1, 2010

ADDRESS: 2301, 2303 and 2305 Western Trails Boulevard

OWNERS & APPLICANTS: Kristine Alpert; Wilfred W. Kellas, Jr.;
Joe M. and Janet D. Sullivan

AGENT: Karl A. Burkett

ZONING FROM: SF-3

TO: NO-MU

AREA: 0.7903 acres
(34,425 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant neighborhood office – mixed use – conditional overlay (NO-MU-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

May 4, 2010: *APPROVED NO-MU-CO DISTRICT ZONING AS STAFF RECOMMENDED.*
[G. BOURGEOIS; S. BALDRIDGE – 2ND] (5-2) B. BAKER; D. TIEMANN – 2ND

May 18, 2010: *MOTION MADE TO RESCIND AND RECONSIDER ACTION OF MAY 4, 2010; DIRECTED STAFF TO SHOW HOW PARKING COULD BE PROVIDED ON-SITE AND TO RE-NOTIFY AND RE-POST FOR THE JUNE 1, 2010 MEETING.*
{P. SEEGER; T. RABAGO – 2ND} (5-1) G. BOURGEOIS – NAY; C. BANKS – ABSENT

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject platted lots are developed with three duplexes and has family residence (SF-3) district zoning. There are four duplexes adjacent to the west, a single family residence to the east (all SF-3), single family residences to the south within Western Trails subdivision (SF-3), and office uses with a parking area across Western Trails Boulevard to the north (LO; CS).

The Applicants have requested a zoning change to the neighborhood office – mixed use (NO-MU) district in order to have the opportunity to convert one or both the units to administrative and professional office use, while also retaining residential use of the property. The owners of two other lots to the east have also submitted a rezoning request to NO-MU with the same intentions (C14-2009-0093). The Applicants also approached the adjacent property owner to the east about joining the rezoning application to the NO-MU district, however the owner did not elect to participate. Unlike other sections of the Western Trails subdivision, the six duplex lots on Western Trails Boulevard are not subject to deed restrictions that limit the property to residential uses.

Western Trails Boulevard contains both residential and office uses, and a residential/office use would be compatible with the established land use character of the street. Therefore, Staff recommends NO-MU district zoning in the context of its location on a collector street, compatibility with the office zoning across Western Trails, and with the single family residences to the south that are deed restricted.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Three duplexes
<i>North</i>	LO; CS; CS-1	Parking; Offices
<i>South</i>	SF-3	Single family residences
<i>East</i>	SF-3	One duplex lot; Two duplex lots requested for NO-MU zoning (C14-2009-0093)
<i>West</i>	SF-3	One single family residence

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

428 – Barton Springs / Edwards Aquifer Conservation District
 511 – Austin Neighborhoods Council
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 943 – Save Our Springs Alliance
 1075 – League of Bicycling Voters
 1113 – Austin Parks Foundation
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1224 – Austin Monorail Project

627 – Onion Creek Homeowners Association
 1037 – Homeless Neighborhood Association
 1108 – Perry Grid 644
 1164 – Austin Southwest Association
 1228 – Sierra Club, Austin Regional Group

SCHOOLS:

Joslin Elementary School Covington Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0093 – 2203 & 2205 Western Trails Boulevard	SF-3 to NO-MU	Scheduled for 6-1-10	Scheduled for 6-24-10
C14-05-0087 – 4611 Manchaca Road	SF-3 to LO	Granted LO-CO with CO for maximum building cover – 35%, impervious cover – 60%, maximum height 35 feet, 2 stories, maximum F.A.R. –0.11 to 1, 300 trips and list of prohibited uses.	Approved LO-CO as ZAP recommended (8- 4-05).
C14-04-0152 – 4607 Manchaca Road	SF-3 to LO	Granted as requested	Approved LO-CO with the CO limiting the F.A.R. to the existing building square footage; medical offices as the only LO use and all NO, Neighborhood Office uses; all NO development standards and 300 vehicle trips (1-13-05).
C14-04-0093 – Woodlawn Baptist Church	SF-3 to GO-CO, as amended	Case expired	Not applicable

RELATED CASES:

The subject zoning area is platted as Lots 14, 15 and 16 of Western Trails, Section 9, a subdivision recorded on September 3, 1964 (C8-64-036). Please refer to Exhibit B.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic
Western Trails Boulevard	70 feet	36 feet	Collector	5,414 (COA, 05/18/04)

- There are existing sidewalks along Western Trails Boulevard.
- According to the Austin 2009 Bicycle Plan Update approved by the Austin City Council in June 2009, a bicycle facility is not proposed on Western Trails Boulevard.
- Capital Metro bus service (route numbers 5, 30, 328 and 331) is available along Western Trails Boulevard.

CITY COUNCIL DATE: May 27, 2010

ACTION:

ORDINANCE READINGS: 1st

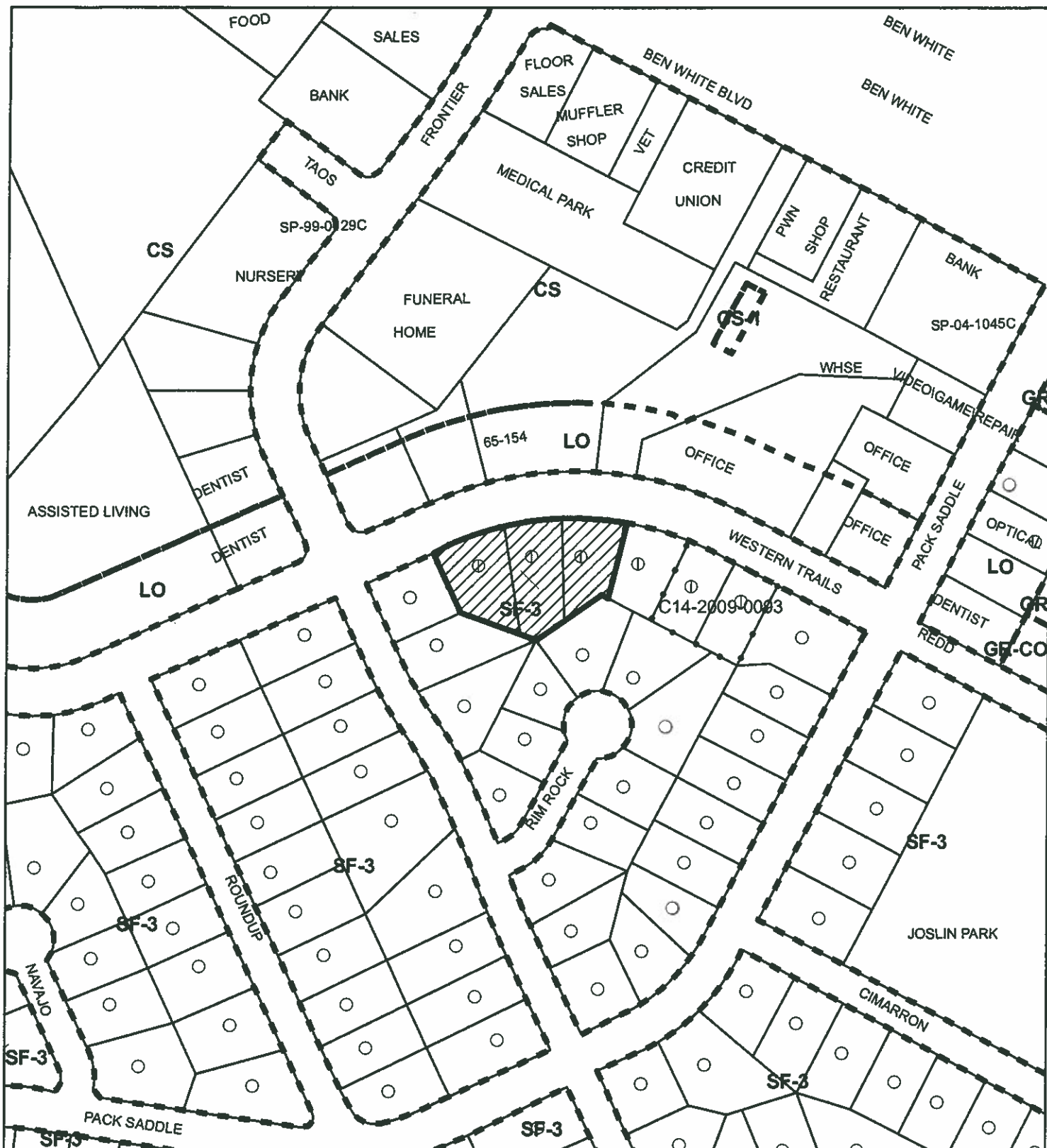
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719



Legend

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING

SCALE: 1" = 200'

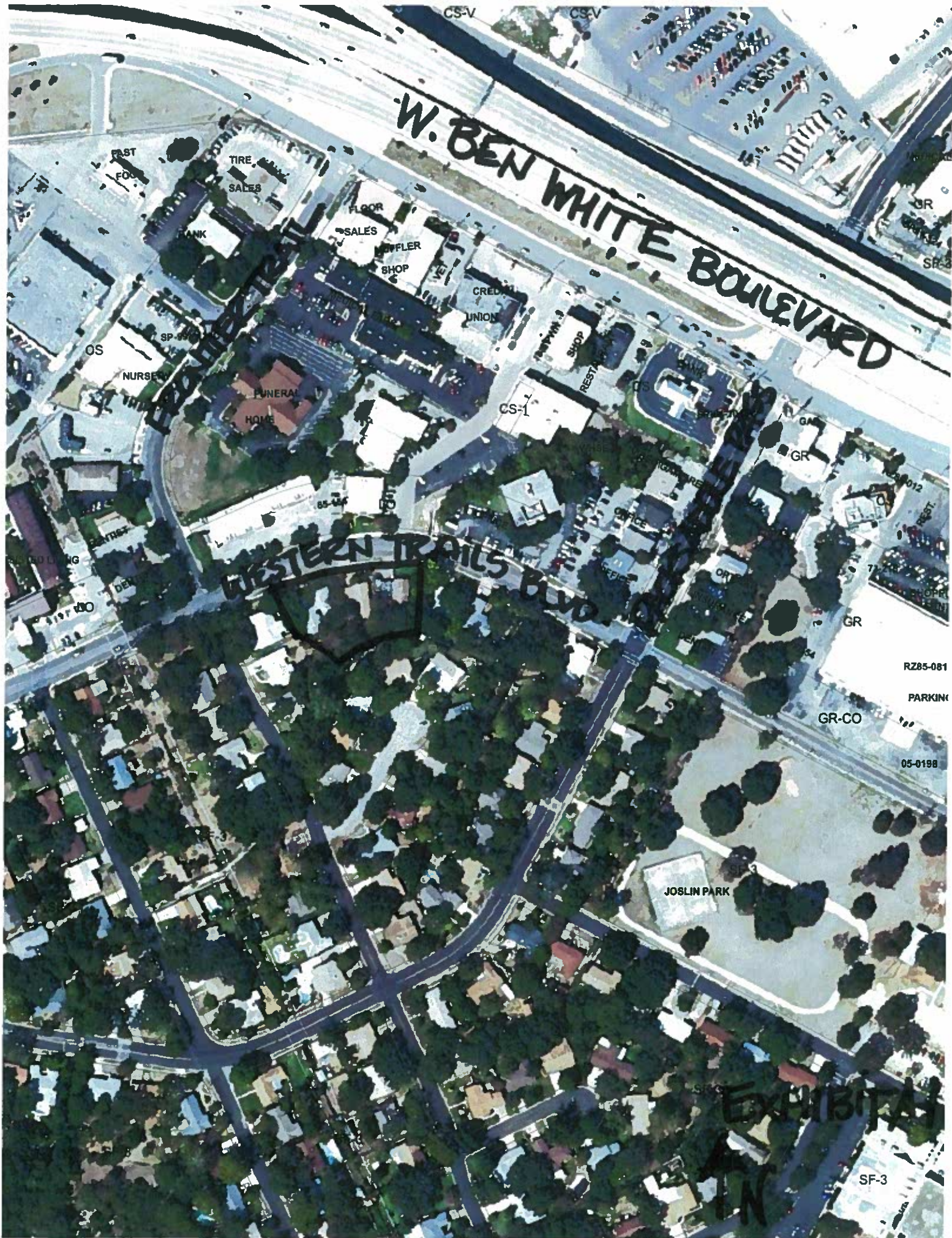
ZONING

EXHIBIT A

CASE NUMBER: C14-2010-0044
ADDRESS: 2301, 2303 & 2305 WESTERN TRAILS BLVD
AREA: 0.7903 AC.
GRID: F19
CASE MGR: W. RHOADES



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.



W. BEN WHITE BOULEVARD

WESTERN TRAILS BLVD.

EXHIBIT A

RZ85-081

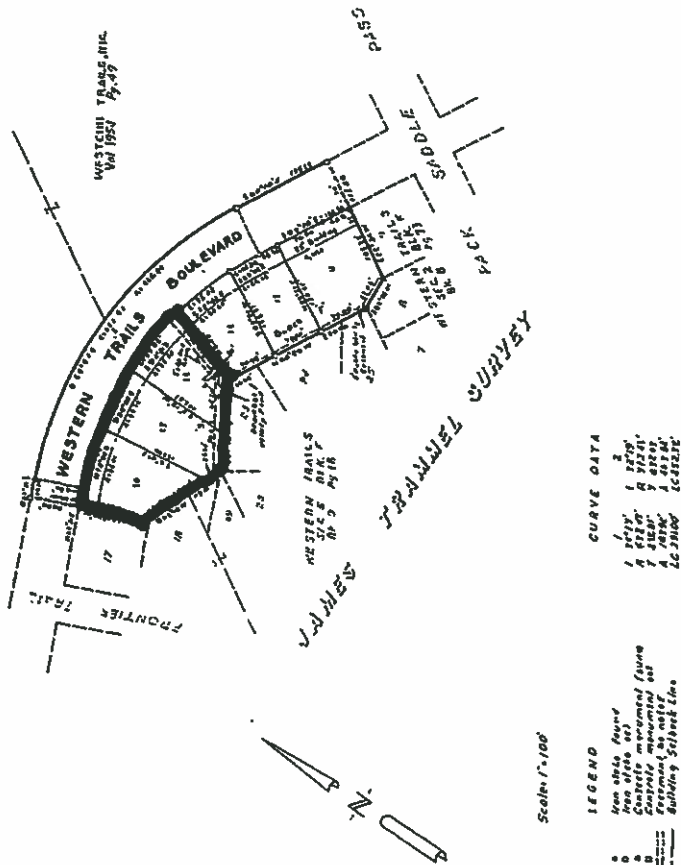
PARKING

GR-CO

05-0198

JOSLIN PARK

SF-3



STATE OF TEXAS,
COUNTY OF TRAVIS:

[illegible]

...into the 3rd day of June, A.D., 1881.

William D. Lewis
William D. Lewis, Vice President

ZEPHYRUS TRADING, INC.,

Richard Stewart
President
Ray B. Stewart
Vice President, Treasurer

THE STATE OF TEXAS:

ALONG 152, the undersigned authority, Halsey Public to and Leo Teorio County, Texas, on this day personally appeared Harold Steiner, Ray B. Steiner, and William L. Lewis officers of the HALLAM TRAIL, INC., each known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that the same was the act and deed of the said HALLAM TRAIL, INC., and that they executed the same for the purposes and considerations therein expressed,

OLIVER CROOKER AT HAWKS AND SEAL COY OFFICE THIS EVE DAY OF JUNE, A.D., 1954

Thos B. Watts (SEA1)

APPROVED FOR RELEASE

1010 Sep 2, 1964

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION, CITY OF AUSTIN, TEXAS,

W. S. L. Lewis
Secretary

WILSON FOR MEXICO
at 4 o'clock P M. into the 3

Emilia Quaresima
1108 Latta Place, Clark, Twenty East,
Travis County, Texas

THE STATE OF TEXAS,

[illegible]

Finis Wachtel

THIS IS TO CERTIFY THAT AUSTIN CITY
CODE CHAPTER 53.37 OF 1988 HAS BEEN
COMPLIED WITH.

UNIT-CLIPPING INC.

BY [Signature] FORWARDED THIS 11/11/84 DATE 11/11/84

45-7800

EXHIBIT B
RECORDED PLAT

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant neighborhood office – mixed use – conditional overlay (NO-MU-CO) 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 neighborhood office (NO) district is intended for offices predominantly serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods. Offices in the NO district would typically locate on collector streets with a minimum of 40 feet of pavement width, and would not unduly affect traffic in the area. The NO district is designed to accommodate small, single-use offices and to encourage and preserve compatibility with existing neighborhoods through renovation and modernization of existing structures. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

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

Western Trails Boulevard contains both residential and office uses, and a residential/office use would be compatible with the established land use character of the street. Therefore, Staff recommends NO-MU district zoning in the context of its location on a collector street, compatibility with the office zoning across Western Trails, and with the single family residences to the south that are deed restricted.

EXISTING CONDITIONS**Site Characteristics**

The subject property is developed with three duplexes. The site is relatively flat and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the NO-MU zoning district would be 60%, which is based on the more restrictive zoning 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 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.

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

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

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 any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required with the change of zoning. 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

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

New development is subject to Commercial Design Standards, Subchapter E. The Principal Street is Western Trails, and is a Suburban Roadway.

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 south, east and west property lines, the following standards apply:

- No structure may be built within 19.5 feet of the rear and side yard property line.
- No structure in excess of two stories and 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.
- A building must have a front building line setback of at least 25 feet from the right of way if the tract adjoins single family property, zoned or used for residential use.
- No parking is allowed within 13 feet of the property line.
- No driveways are allowed within 8 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.

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: C14-2010-0044

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: May 4, 2010, Zoning & Platting Commission
May 27, 2010, City Council

Your Name (please print) Martha Jean Butler

Your address(es) affected by this application
4502 Rim Rock Path

M. Jean Butler

Signature

Date

4-26-10

Daytime Telephone: 444-2208

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor ☐ I object
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Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: May 4, 2010, Zoning & Platting Commission
May 27, 2010, City Council**

NELLIE B. CARROLL

Your Name (please print)

4503 Frontier Trail Aurora 78745

Your address(es) affected by this application

Nellie B. Carroll (widow) 4-30-10

Date _____

Signature

Daytime Telephone: 512.442-6475

Comments:

Comments: My only objection - I would like a tall light be put up at night next to creek on back of property as vagrants use the creek to drink and carouse at night. If people leave the property at night it will be even worse. This would be a very small price to pay for safety to neighbors nearby as well as requested land property. Thanks
WZ

If you use this form to comment, it may be returned to:
City of Austin

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City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

see drawing
attached

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Case Number: C14-2010-0044

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: May 4, 2010, Zoning & Platting Commission
May 27, 2010, City Council

LLOYD E. BRITIAN

Your Name (please print)

4501 FRONTIER TRAIL

Your address(es) affected by this application

Lloyd E. Britian

Signature

Date

Daytime Telephone: 444-1661

Comments: My home for 51 years is on the corner. Commercial is on the North side of Western Trailer Blvd. Backing a car to enter traffic from the South side of the street is hazardous by adding congestion. There is ample commercial office spaces available in this block. People need rental houses, not offices. Please keep the South side of this block residential as it was from the original development.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810