

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0125 / FNA

ZAP DATE: September 7, 2010

ADDRESS: 7234 and 7300 E US 290 Highway Westbound

OWNER: Walnut Creek Partners, LP (Elwood Domaschik) 713-932-7028

AGENT: FNA Land and Development Consultants (Justin Henry) 817-701-8432

ZONING FROM: MF-3-CO, GR-CO and RR-CO **TO:** GO

SITE AREA: 9.06 acres

SUMMARY STAFF RECOMMENDATION: The staff recommendation is to grant the change from MF-3-CO (Multifamily Residence Medium Density – Conditional Overlay), GR-CO (Community Commercial – Conditional Overlay) and RR-CO (Rural Residence-Conditional Overlay) to GO-CO (General Office – Conditional Overlay) zoning district. The Conditional Overlay would limit vehicle trips to less than 2,000 per day and require a 25-foot wide vegetative buffer along the northwest property line.

SUMMARY ZONING AND PLATTING COMMISSION RECOMMENDATION:

September 7, 2010: Approved staff's recommendation of GO-CO district zoning; by Consent.
[G. BOURGEOIS, T. RABAGO 2ND] (7-0)

DEPARTMENT COMMENTS: The 9.06-acre site is currently zoned MF-3-CO, GR-CO and RR-CO combining district zoning and is located on north side of US 290 Highway, west of its intersection with East Anderson Lane. The site is bordered by PUD zoning and a residential development to the north, a large undeveloped tract zoned SF-3 to the east, Highway 290 to the south and auto repair uses and CS zoning to the west.

The majority of the subject property is currently undeveloped. There is a small auto repair use on the southernmost portion of the tract. The applicant requests to change the zoning to GO to allow for a convalescent services use. According to the agent, the plans are to build a two-story, 30,000 square foot building. This building will be a skilled nursing facility clinic used to rehabilitate and provide physical therapy to patients after their hospital stay and prior to returning home.

The staff recommends the requested zoning change as GO is appropriate on a highway and is a good transition between the residential use to the north and the more intensive CS uses to the west, and also between the residential uses and the highway. The Conditional Overlay would limit vehicle trips to less than 2,000 per day and continue a 25-foot wide vegetative buffer along the northwest property line that was placed on the property by a 1995 zoning case.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-3	Auto repair, undeveloped
<i>North</i>	PUD	Townhouse/Condominium Residence

<i>South</i>	US Highway 290	Expressway
<i>East</i>	SF-3	Undeveloped
<i>West</i>	CS	Auto repair

AREA STUDY: The property does not lie within a designated neighborhood planning area.

TIA: 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]

WATERSHEDS: Little Walnut Creek
Buttermilk Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council
Homeless Neighborhood Organization
Home Builders Association of Greater Austin
Austin Parks Foundation
Austin Street Futbol Collaborative
Sierra Club, Austin Regional Group
Edward Joseph Developments, LTD
Coronado Hills Neighborhood Association
League of Bicycling Voters
Austin Monorail Project
The Real Estate Council of Austin, Inc.
Super Duper Neighborhood Objectors and Appealers

RELATED CASES ON THE PROPERTY:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-00-2204 7000 - 7200 BLOCK OF E US HWY 290 (U.S. 290 OFFICE/WAREHOUSE FACILITY)	SF-3 to LI	3/1/2001 APVD STAFF REC OF MF-3 (8-1, RC-NO) W/NO XT OF CORONADO HILLS	6/7/2001 APVD MF-3- CO (7-0); 2ND/3RD RDGS – The CO requires a 25-foot wide vegetative buffer along the northwest property line.
C14-95-0023 7320 US HWY 290 (BLUEBONNET RETIREMENT CENTER)	SF-3 to GR-CO for (TR 1), SF-3 to MF-3-CO (TR 2), and SF- 3 to RR (TR 3)	5/2/1995 APVD MF-3- CO, GR-CO & RR W/CONDS (6-0)	6/8/1995 APVD GR-CO (TR 1) the CO prohibits automotive sales, automotive repair, food sales, hotel-motel, pawnshop services and restaurants. MF-3-CO (TR 2) The CO prohibits vehicle access from the property to Coronado Hills Drive, prohibits

			Multifamily residential, limits density to 23 units per acre and requires a 25-ft wide buffer along the northern property line, RR (TR 3); (5-0); ALL 3 RDGS
C14-01-0120 – 7234 E US HWY 290 (U.S. 290 COMMERCIAL ZONING)	SF-3 to GR-CO	10/2/2001 APVD GR-CO (9-0) W/CONDS	11/1/2001 APVD GR-CO (7-0); ALL 3 RDGS. The CO limits trips to 2,000 per day and prohibits automotive rentals, automotive sales, automotive repair, automotive washing, hotel motel and pawn shop services

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
US 290	Varies	FWY 4	Arterial	Yes	Yes	Yes (990)

CITY COUNCIL DATE:

September 23, 2010

ACTION:

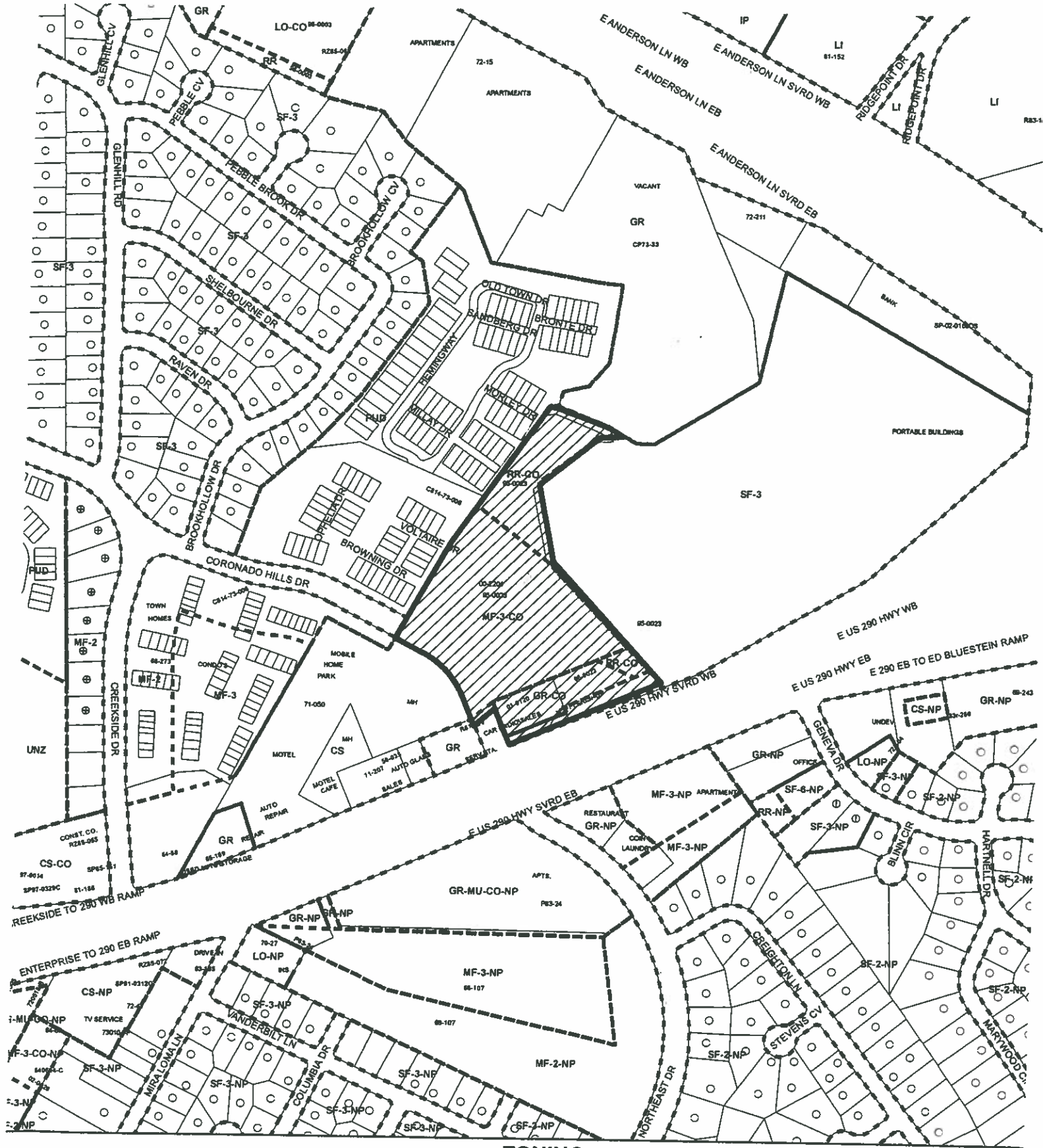
ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Joi Harden

PHONE: 974-2122

E-MAIL: joi.harden@ci.austin.tx.us;

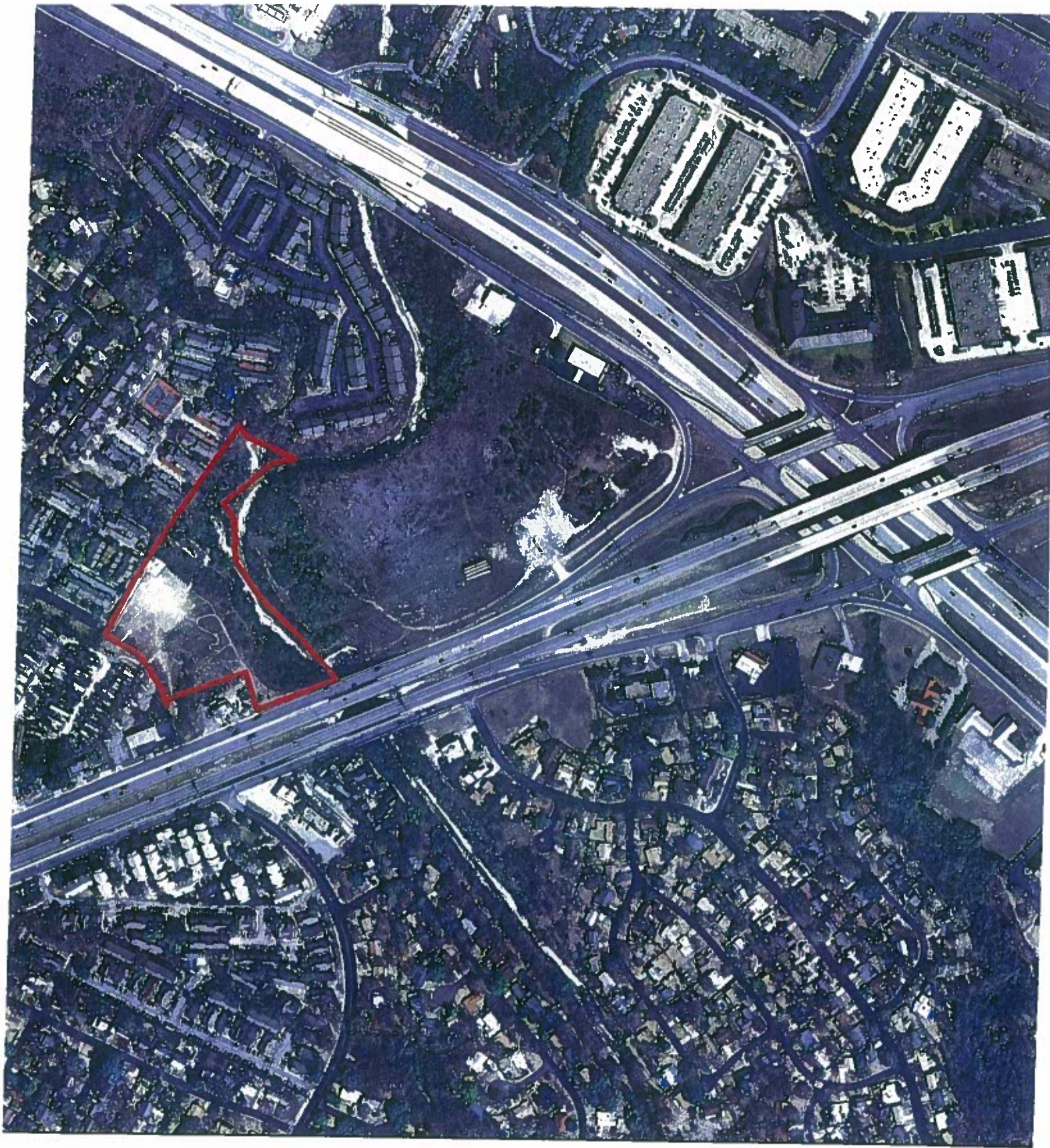


ZONING

ZONING CASE#: C14-2010-0125
 LOCATION: 7234 E US 290 HWY WB
 SUBJECT AREA: 9.06 AC.
 GRID: M27
 MANAGER: JOI HARDEN



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



C14-2010-0125 - 7234 & 7300 E US 290 HWY WB
From RR-CO, MF-3-CO, and GR-CO to GO-CO
combined district zoning



SUMMARY STAFF RECOMMENDATION

The staff recommendation is to grant the change from MF-3-CO (Multifamily Residence Medium Density – Conditional Overlay), GR-CO (Community Commercial – Conditional Overlay) and RR-CO (Rural Residence-Conditional Overlay) to GO-CO (General Office – Conditional Overlay) zoning district. The Conditional Overlay would limit vehicle trips to less than 2,000 per day and require a 25-foot wide vegetative buffer along the northwest property line.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

- 1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The applicant's request of GO, General Office district is the designation for offices and selected commercial uses predominantly serving community or citywide needs, such as medical or professional offices. The applicant requests to change the zoning to GO to allow for a convalescent services use. According to the agent, the plans are to build a two-story, 30,000 square foot building. This building will be a skilled nursing facility clinic used to rehabilitate and provide physical therapy to patients after their hospital stay and prior to returning home. The proposed use is consistent with the purpose statement.

- 2. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The staff recommendation is to recommend the requested zoning change as GO is appropriate on a highway and is a good transition between the residential use to the north and the more intensive CS uses to the west and also between the residential uses and the highway.

EXISTING CONDITIONS

Site Characteristics

The majority of the subject property is currently undeveloped and moderately vegetated. There is a small auto repair use on the southernmost portion of the tract.

Impervious Cover

The maximum impervious cover allowed by the GO zoning district is 80%.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Buttermilk Creek Watershed and the Little Walnut Creek Watershed of the Colorado River Basin, which are classified as Urban Watersheds 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 a flood plain within the project area.

Numerous 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.

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

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 by the land use. The water and wastewater utility plan 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 Review

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

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.

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: C14-2010-0125

Contact: Joi Harden, 512-974-2122

Public Hearing: Sept. 7, 2010, Zoning & Platting Commission
Sept. 23, 2010, City Council

GERALD DUANE THOMAS, SR.

Your Name (please print)



7227 HWY 290 E #3-204 AUSTIN, TX 23

Your address(es) affected by this application

Baradl Duane Thomas, SR.

9-1-10

Signature

Date

Daytime Telephone: 552-2910

Comments: YOUR ATTENTION IS INVITED TO
THE CLEAR AND CONVINCING FACT THAT,
THIS RESPONDANT RESIDES ON 290
EAST BOUND. I AM OF THE OPINION THAT,
WHAT EVER IS DEVELOPED ON THE WEST
BOUND SIDE OF 290 IS CLEARLY AND
CONVINCINGLY, NONE OF MY BUSINESS,
THERE TO THIS IS MY RESPONSE, WE
CITIZENS AND GOVERNMENT NEEDS TO MIND OUR
OWN BUSINESS, KEEPING OUR MOUTHS OUT OF OTHERS.
If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Joi Harden

P. O. Box 1088

Austin, TX 78767-8810