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ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0200 (Lankford 2.49)

Z.A.P. DATE: February 1, 2011

ADDRESS: 13635 Rutledge Spur

OWNER/APPLICANT: Janice Lankford

AGENT: Jim Bennett Consulting (Jim Bennett)

ZONING FROM: I-RR

TO: CS

AREA: 2.49 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant SF-3-CO, Family Residence-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity for the site to less than 2,000 vehicle trips per day

In addition, the applicant will be required to dedicate 35-feet of right-of-way from the existing centerline of Rutledge Spur in accordance with the Transportation Criteria Manual. LDC, 25-6-55(b),(c) through a street deed prior to 3rd reading of this case at City Council.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The property in question is currently developed with a vacant single-family residence and a garden home (granny flat). The applicant is requesting CS, General Commercial Services, district zoning because they would like to redevelop the site with a Construction Sales and Services business. The property is located within the Northwest Park and Ride Town Center Transit Oriented Development (TOD) District. This tract of land is in the transition zone, which is the area at the periphery of the TOD district. Development intensity is compatible with the existing or anticipated future development adjacent to the TOD district. A transition zone has the lowest density and building height in a TOD district. In a TOD district, the following uses are prohibited: automotive sales; automotive washing; basic industry; convenience storage; equipment repair services; equipment sales; recycling center; scrap and salvage services; vehicle storage and a use with a drive-in service is prohibited. In addition, an automotive repair services use, automotive rentals use, or commercial off-street parking use that would otherwise be a permitted use is a conditional use. Finally, a residential use is permitted above the first floor of a commercial building.

The land to the west of the site, across Rutledge Spur, is currently zoned for a Planned Unit Development (Hog Farm/Leander Rehabilitation Center PUD). This portion of the PUD is designated for CRE uses which allow for a variety of residential, civic, and commercial uses (Attachment B). The Leander Rehabilitation Center PUD has compatibility standards on the land use plan to maintain a reduction in height to a maximum of 40-feet to protect the existing single-family residences along the eastern side of Rutledge Spur Drive.

The staff is recommending SF-3-CO zoning for this tract of land because the site fronts onto a residential roadway that is currently 18-feet wide and dead ends into the Southern Pacific Railroad line. There are existing large lot single-family residences to the north of this site along Rutledge

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Spur. To the south and west the tracts of land are undeveloped. The property to the east is also undeveloped and is zoned for multi-family use with access to F.M. 620.

The applicant does not agree with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Vacant Single-Family Residence and Granny Flat
<i>North</i>	I-RR	Large Lot Single-Family Residences
<i>South</i>	I-RR, SF-2	Vacant (previously a Single-Family Residence), Shed
<i>East</i>	MF-3, GR-MU-CO	Undeveloped Tract, Multifamily (The Remington Apartments)
<i>West</i>	PUD	Undeveloped

AREA STUDY: N/A

TIA: Waived

WATERSHED: Lake Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Monorail Project
Austin Parks Foundation
Davis Spring HOA
Davis Springs President
Home Builders Association of Greater Austin
Homeless Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0110	GR-CO to GR	12/15/09: Approved GR-CO zoning (Vote: 7-0, D. Tiemann-1 st , P. Seeger-2 nd), with following conditions: 1) No 24-hour uses; 2) Prohibit the following uses – Automotive Rentals, Automotive Repair Services, Automotive Sales, Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Off-Site Accessory Parking, Pawn Shop Services, Personal Improvement Services, Congregate Living, Group Home, Class I (General),	2/25/10: Approved GR-CO zoning on consent (7-0); B. Spelman-1 st , C. Riley-2 nd . 11/18/10: Approved GR-CO zoning with conditions on 2 nd /3 rd readings on consent (7-0); Cole-1 st , Spelman-2 nd .

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		<p>Group Home, Class I (Limited), Group Home (Class II), Guidance Services, Residential Treatment.</p> <p>01/19/10: Approved GR-CO zoning, with following conditions: 1) No 24-hour uses; 2) Prohibit the following uses – Automotive Sales, Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Off-Site Accessory Parking, Pawn Shop Services, Personal Improvement Services, Congregate Living, Group Home, Class I (General), Group Home, Class I (Limited), Group Home (Class II), Residential Treatment and encourage the neighborhood and the applicant to enter into a private restrictive covenant before 3rd reading of the case at City Council that will limit the type of Automotive Rental and Automotive Repair uses allowed on the site (Vote: 5-2, D. Tiemann. T. Rabago-No; S. Baldrige-1st, P. Seeger-2nd).</p>	
C14-02-0160	I-SF-2 to GR	<p>11/12/02: Approved staff's recommendation of GR-CO zoning with additional conditions (as agreed to by the Neighborhood and the Applicant) prohibiting the following uses: Automotive Rentals, Automotive Repair Services, Automotive Washing (of any type), Consumer Convenience Services, Drop-Off Recycling Collection Facility, Off-Site Accessory Parking, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shops, Custom Manufacturing, Urban Farm, Club or Lodge, Community Recreation</p>	<p>12/12/02: Granted GR-CO – Subject to dedication of 75 feet of ROW and resolution of the 200 feet of ROW reservation from the future center line of FM-620 (7-0); 1st reading.</p> <p>12/12/03: Administrative- Case expired per Section 25-2-249(B), no 3rd reading occurred.</p>

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		(Private), Community Recreation (Public), Congregate Living, Cultural Services, Guidance Services, Residential Treatment, Telecommunication Towers; by consent (6-0, A. Adams, J. Gohil-absent); J.Martinez-1 st , D. Castaneda-2 nd .	
C14-01-0161	SF-2 to GR	12/11/01: Approved NO-CO w/ conditions (8-0)	2/7/02: Approved GR-CO w/ conditions agreed to between Neighborhood & Applicant (5-0); 1 st reading 4/25/02: Approved ZAP rec. of NO-CO w/ changes in conditions (7-0); 2 nd reading only 5/23/02: Approved NO-CO (7-0); 3 rd reading
C14-99-0090	R&D to LI	7/27/99: Approved IP (TR1), IP-CO (TR2) (6-0-1)	8/26/99: Approved PC rec. of IP (TR1) and IP-CO w/ conditions (TR2) (7-0); 1 st reading 9/30/99: Approved 2 nd /3 rd readings (7-0)
C14-98-0251	I-RR, DR to MF-3, GR	4/13/99: Approved MF-3 w/ conditions & RC (7-0)	12/9/99: Approved PC rec. of MF-3 w/ conditions (7-0); 1 st reading 6/29/00: Approved 2 nd /3 rd readings (7-0)
C14-98-0237	I-RR to MF-3	Approved staff's rec. of MF-3-CO, ROW dedication required (9-0)	Approved PC rec. of MF-3-CO w/ conditions (7-0); 1 st reading Approved MF-3-CO w/ conditions (6-0); deleted parkland dedication requirement; 2 nd /3 rd readings
C814-97-0001.07 (Leander Rehabilitation PUD Amendment #8)	PUD to PUD: The applicant is requesting to amend the Leander Rehabilitation Planned Unit Development (PUD) to revise the Land Use Plan (Exhibit A) and the Development Standards Table (Exhibit E) in the State of Texas Special Board Orders to include additional notes to	2/10/09: Approved staff's recommendation for PUD zoning on the consent (9-0); J. Reddy-1 st , M. Dealey-2 nd .	2/12/09: Approved PUD district zoning to change a condition of zoning was approved on consent on 1 st reading (7-0); Martinez-1 st , Wynn-2 nd 4/02/09: Approved PUD zoning with the following amendment on consent on Mayor Pro Tem McCracken's motion, Council Member Cole's second on a 7-0 vote. The amendment was as follows: Part 4 A 2) should read:

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	<p>clarify conditions to permit the following:</p> <p>1) Modification of the Development Standards Table (shown in this proposed amendment as Exhibit E.3) to allow for an increase in impervious cover of up to 85% for parcels CRE-6, CRE-7, CRE-14 (except for the portion of CRE-14 located at the southeastern corner of Lago Drive and Arbor Way) and CRE-15.</p> <p>2) Modification of the Development Standards Table (shown in this proposed amendment as Exhibit E.3) to allow for an increase in impervious cover of up to 75% for parcels ECO-3, CRE-8, CRE-9, COR-1, COR-2 and COR-4.</p> <p>3) Modification of Section 14(A) of the Order and of the Land Use Plan (Exhibit A) to eliminate the 35-foot OSE (Open Space Easement) area along portions of Lyndhurst Drive, Lakeline Mall Boulevard, and Lago Drive to allow buildings to be located closer to those streets.</p> <p>4) Modification of the Land Use Plan set forth on Exhibit A in the Order to eliminate the "Compatibility Height and Setbacks" along Rutledge Spur, if and only if the property</p>		<p>"to allow impervious cover to be increased to (i) 85% for Parcels CRE-6, CRE-7, CRE-14 (save and except the area located at southeastern corner of Lago Drive and Arbor Way), and CRE-15; and (ii) 75% for Parcels ECO-3, CRE-8, CRE-9, CO-1, COR, COR-4, and the portion of CRE-14 located at the southeastern corner of Lago Drive and Arborway, if the mitigation standards are met as set forth in Exhibit E-3A."</p>
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	adjacent to parcels CRE-8 and CRE-9 along Rutledge Spur should ever be used for any use other than single-family residential use.		
C14-96-0101	TR1: GO, LR to GR TR2: LR-LO to MF-3-CO TR3: DR to GR	Approved staff's alternate rec. of GR (TR 1&3), Mf-3-CO (TR2), RR (9-0)	Approved PC rec. of GR (1&3); MF-3-CO (portion of TR2); RR (balance of TR2) w/conditions (6-0); all 3 readings
C14-95-0164	LR to CS-1	1/16/96: Approved GR-CO for entire tract, excluding recommended CS-1-CO, and resolve with property owner a voluntary set of development standards for area not within City limits (5-2-1)	3/07/96: Approved GR-CO subject to conditions (4-0); 1 st reading 4/25/96: Approved GR-CO (TR1) and CS-1-CO (TR2) subject to conditions (5-0); 2 nd /3 rd readings
C14-95-0163	GR-CO to CS-1	12/12/95: Approved GR-CO & RR w/ conditions (8-0)	3/07/96: Approved GR-CO subject to conditions (4-0); 1 st reading 4/25/96: Approved GR-CO (TR1); RR (TR2) w/ additional conditions (5-0); 2 nd / 3 rd readings

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Rutledge Spur	55	18	Local	No	No	No

CITY COUNCIL DATE: February 17, 2011

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



ZONING



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1' = 400'

ZONING CASE#: C14-2010-0200
 LOCATION: 13635 RUTLEDGE SPUR
 SUBJECT AREA: 2.49 ACRES
 GRID: G40
 MANAGER: SHERRI SIRWAITIS



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.



SP-89-2129C
SP-99-0115C

99-1090

IP-CO

UNDEV

SP-2007-0225C

IP

ELECTRIC SUBSTATION
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85-345

PUD

CAPITAL METRO PARK & RIDE
SP-02-0263C

UNDEV

UNDEV

UNDEV
GR-MU-CO

SP-05-1602C

39-0027B

N FM 620 RD SB

N SH 45 W WB

N SH 45 W EB

UNDEV

02-0160
(EXPIRED)

RUTLEDGE SPUR

HOG FARM

C814-97-0001.07

PUD

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UNDEV
(SP-05)

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GR-CO CS-1-CO
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NORTH



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BRIAR HOLLOW DR

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NORTH

AMBERGLEN BLVD

BRIAN HOLLOW DR

BROADMEADE AVE

ONE BEEBRO

ELEMENTARY SCHOOL

N FAYETTE RD NE

N SH 45 W WB

N SH 46 W EB

N FM 620 RD 38

UNDEV 65-100-00

65-15-16000

50-07278

UNDEV 65-100-00

50-07278

UNDEV 65-100-00

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UNDEV 65-100-00

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STAFF RECOMMENDATION

The staff's recommendation is to grant SF-3-CO, Family Residence-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity for the site to less than 2,000 vehicle trips per day

In addition, the applicant will be required to dedicate 35-feet of right-of-way from the existing centerline of Rutledge Spur in accordance with the Transportation Criteria Manual. LDC, 25-6-55(b),(c) through a street deed prior to 3rd reading of this case at City Council.

BASIS FOR RECOMMENDATION

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

Family residence (SF-3) district is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated as an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

2. *The proposed zoning should promote consistency and orderly planning.*

The SF-3-CO zoning district would be compatible and consistent with the surrounding uses because there are existing large lot single-family residences to the north along Rutledge Spur. The Leander Rehabilitation PUD to the west has compatibility setbacks on the land use plan to provide protection for the existing single-family uses along Rutledge Spur.

3. *The proposed zoning should allow for a reasonable use of the property.*

The SF-3 zoning district would allow for a fair and reasonable use of the site because the property is adequate in size to allow for residential uses.

EXISTING CONDITIONS

Site Characteristics

The site currently contains a vacant single-family residence with a granny flat. The property to the north is developed with large lot single-family residences. To the south, there is a vacant shed and undeveloped land at the northeast corner of Rutledge Spur and FM 620 North. The tracts of land to the east and to the west, across Rutledge Spur, are also undeveloped.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. It is in the Desired Development Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps there is no floodplain within or adjacent to the project boundary.

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

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.

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.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 95%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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>% NSA with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Site Plan Comments

This site is within the NW Park & Ride TOD overlay.

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.

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Transportation

Dedicate 35 feet of right-of-way from the existing centerline of Rutledge Spur in accordance with the Transportation Criteria Manual. LDC, 25-6-55(b),(c). Provide a street deed showing right-of-way to be dedicated. Field notes must be verified before the deed is recorded.

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]

Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Rutledge Spur	55	18	Local	No	No	No

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. 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.

Exhibit D			
Leander Rehabilitation Center PUD			
Permitted Uses			
The principal uses listed below, defined in the City of Austin Land Development Code as of June 1, 1997, and labeled as "P" in this table will be permitted in the Leander Rehabilitation Center Planned Unit Development. Principal uses listed below and labeled with an "X" are prohibited within the Leander Rehabilitation Planned Unit Development.			
	*CRE	CO	EC
Residential Uses			
Mobile Home Residential	X	X	X
Multiple-Family Residential	P	X	X
Congregate Living	P	X	X
Retirement Housing	P	X	X
Single-Family Attached Residential (incl. 0-lot line)	P	P	P
Single-Family Residential	P	P	P
Civic Uses			
Religious Assembly	P	P	P
Club or Lodge	P	P	X
Cultural Services	P	P	P
College and University Facilities	P	P	X
Hospital Services	P	P	P
Park and Recreation Services	P	P	P
Safety Services	P	P	P
Public or Private Educational Facilities	P	P	P

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	CRE	CO	EC
Liquor sales	P	P	X
Pawn Shop Services	X	X	X
Personal Improvement Services	P	P	X
Personal Services	P	P	P
Pet Services	P	X	P
Recreational Equipment Maintenance and Storage	X	X	X
Recreational Equipment Sales	X	X	X
Research Assembly Services	P	P	P
Research Services	P	P	P
Restaurant (alcohol sales permitted)	P	P	P
Scrap and Salvage Services	X	X	X
Service Station	P	P	X
Sexually-Oriented Business	X	X	X
Software Development	P	P	P
Theaters	P	P	X
Vehicle Storage	X	X	X
Veterinary Services	P	X	P
Any other similar use as determined by the Director	P	P	P
Office Uses			
Administrative and Business Offices	P	P	P
Medical Offices	P	X	P
Professional Office	P	P	P

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	CRE	CO	EC
Agricultural Uses			
All agricultural uses, other than those to maintain an exemption on an interim basis)	X	X	X
Accessory Uses			
Accessory uses	P	P	P
Automobile Washing	P	X	P
Customary home occupations	P	X	X
Day Care Services	P	P	- P
Service Station as a part of a convenience store	P	P	X

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