

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2011-0092 (Hoffman-Pauls Triangle)

**ZAP DATE:** October 4, 2011

**ADDRESS:** 8901, 8903 and 8905 FM 969 Road

**OWNER/APPLICANT:** Connie Hoffman

**ZONING FROM:** DR

**TO:** GR

**AREA:** 1.197 acres

### **SUMMARY STAFF RECOMMENDATION:**

Staff's recommendation is to grant GR-CO, Community Commercial-Conditional Overlay Combining District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day and a 25-ft vegetative buffer along the south property line.

In addition, the applicant will be required to dedicate 70 feet of right-of-way from the existing centerline for FM 969 according to the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55], through a street deed prior to 3<sup>rd</sup> reading of this case at City Council.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

10/04/11: Approved the GR-CO zoning, with the following conditions: 1) limit development on the site to less than 2,000 vehicle trips per day, 2) the applicant will be required to reserve 70-feet of right-of-way from the existing centerline for FM 969 through a public restrictive covenant document prior to 3<sup>rd</sup> reading of this case at City Council. Vote (5-1, P. Seeger-No); G. Bourgeois-1<sup>st</sup>, G. Rojas-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is currently developed with single-family residences. The applicant is requesting GR district zoning because they would like to redevelop the site with a mixture of commercial uses.

The staff is recommending GR-CO zoning for these three lots because the property meets the intent of the Community Commercial district because it is accessible from a major traffic way as it fronts onto a major arterial roadway, FM 969 Road. The proposed zoning is compatible with the surrounding uses because there is a TXDOT maintenance/storage facility to the north, across FM 969, and institutional buildings located behind the site to the south (Austin City Ridge, former Travis State School). In addition, the property to the west was zoned for CS-CO zoning in 1998. The CS-CO zoning allows Construction Sales and Services as the only permitted CS district use, permits all other GR district uses, limits the site to 2,000 vehicle trips per day, limits vehicular access from the Property to FM 969 Road only, and requires a 25-ft vegetative buffer along the south property line. The staff's recommendation of GR-CO zoning for this site is consistent with the previous approval for the property to the west.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	DR	Single-Family Residences
<i>North</i>	DR	TXDOT Vehicle Storage
<i>South</i>	SF-3	Institutional Buildings (Austin City Ridge)
<i>East</i>	DR	Single-Family Residences
<i>West</i>	CS-CO	Vehicle Storage, Billboard

**AREA STUDY:** N/A**TIA:** Waived**WATERSHED:** Elm Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
 Austin Monorail Project  
 Austin Neighborhoods Council  
 Austin Parks Foundation  
 City of Manor  
 Del Valle Community Coalition  
 FM 969 Woodland Hills Homeowners Association, Inc.  
 Home Builders Association of Greater Austin  
 Homeless Neighborhood Association  
 Imperial Valley Neighborhood Association  
 League of Bicycling Voters  
 Manor ISD Population and Survey Analysts  
 Sierra Club, Austin Regional Group  
 Super Duper Neighborhood Objectors and Appealers Organization  
 The Real Estate Council of Austin, Inc.

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2007-0101 (NE corner of FM 969 and Decker Lane)	DR, I-RR to GR, IP	8/21/07: Approved staff rec. of GR-CO and IP-CO on consent (7-0)	9/27/07: Approved GR-CO for Tract 1 and IP-CO for Tract 2, with conditions: 1) 2,000 vehicle trip limit per day and 2) Prohibit General Warehousing and Distribution use on Tract 2, (5-0); all 3 readings
C14-06-0201 (Cearly Mobile Home Park: 8703 FM 969 Road)	DR to CS-1* * Amended to MH on 3/30/07	11/21/06: Approved staff rec. of CS-CO zoning with the following changes: permit Art Workshop, Automotive Washing, Bail	1/11/07: Approved the ZAP Commission rec. of CS-CO (7-0) 6/29/07: Approved MH

		Bond Services, Automotive Repair Services, Service Station, and Laundry Services - but prohibit pick-up and drop-off (9-0)	zoning (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings
C14-05-0020 (Austin Ridge Phase 1: 8509 FM 969 Road)	SF-3 to LR	4/05/05: Approved staff's rec. of LR-CO zoning for Tract 1 and GO-CO zoning for Tract 2 by consent (9-0)	5/12/05: Approved LR-CO zoning for Tract 1, and GO-CO zoning for Tract 2, with CO for 2,000 vehicle trip limit per day, (7-0); all 3 readings
C14-04-0033 (The Woodlands: 9000-9210 FM 969 Road)	DR, SF-3 to SF-4A (Tract 1), GR (Tract 2)	4/06/04: Approved staff's rec. of SF-A zoning for Tract 1 and GR-CO zoning for Tract 2, the CO will prohibit Automotive Rental, Automotive Repair, Automotive Sales, Automotive Washing, Drive-In Services (as an accessory use), Exterminating Services, Pawn Shop Services, Personal Improvement Services, and Guidance Services uses and will limit the entire site to 2,000 vehicle trips per day (7-0)	5/06/04: Approved SF-4A-CO for Tract 1 and GR-CO zoning for Tract 2 (7-0); all 3 readings
C14-98-0112 (Hollins Zoning Change: 8811 FM 969 Road)	DR to CS	11/13/98: Approved staff's rec. of CS-CO zoning, with Construction Sales and Services as the only permitted CS district use, permit all other GR district uses, limit the site to 2,000 vehicle trips per day, vehicular access only permitted from the Property to FM 969 Road, and require a 25-ft vegetative buffer along the south property line (9-0)	11/19/98: Approved PC rec. of CS-CO with conditions (7-0); all 3 readings

**RELATED CASES:** N/A

**ABUTTING STREETS:**

<u>Street Name</u>	<u>ROW</u>	<u>Pavement</u>	<u>Classification</u>	<u>ADT</u>
FM 969	Varies	MAU4	Major Arterial	15,500
Park at Woodlands Dr.	60'	40'	Collector Street	N/A

**CITY COUNCIL DATE:** November 3, 2011

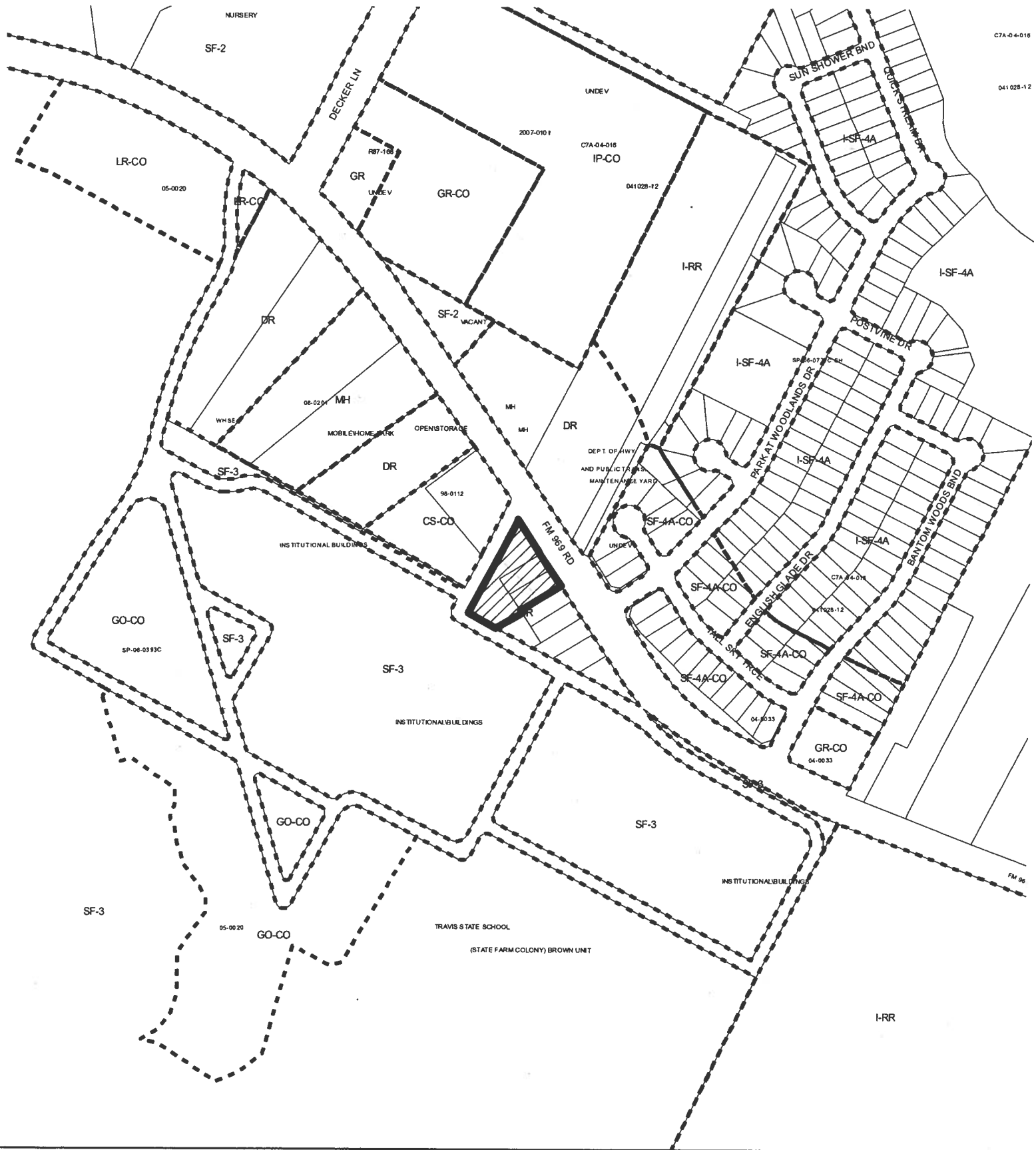
**ACTION:**




**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2011-0092  
 LOCATION: 8901, 8903, 8905 FM 969  
 SUBJECT AREA: 1.197 ACRES  
 GRID: P22-23  
 MANAGER: JERRY RUSTHOVEN



1"=400'

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.







## **STAFF RECOMMENDATION**

Staff's recommendation is to grant GR-CO, Community Commercial-Conditional Overlay Combining District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day.

In addition, the applicant will be required to dedicate 70 feet of right-of-way from the existing centerline for FM 969 according to the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55], through a street deed prior to 3<sup>rd</sup> 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.*

The Community Commercial (GR) zoning district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

The proposed change meets the purpose statement set forth in the Land Development Code. The property is located on and takes access to a major arterial roadway, North FM 969 Road.

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

The proposed zoning is compatible with the surrounding uses because there is a TXDOT storage facility to the north, across FM 969, and institutional buildings located behind the site to the south (Austin City Ridge, former Travis State School).

3. *Zoning should allow for reasonable use of the property.*

The proposed GR-CO zoning will permit the applicant to redevelop the property with a mixture of office, commercial, or civic uses that can provide services to the residential areas to the northeast.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is currently developed with single-family uses. There is a Texas Department of Transportation Maintenance facility to the north of this site, across FM 969. To the east there are additional single-family residences. To the west, there is vehicle storage. The property to the south contains institutional buildings that are part of Austin City Ridge.

### **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 Elm 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.

According to flood plain maps, there is no flood plain 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.

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 GR zoning district would be 90%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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%

### **Site Plan**

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

A 12- foot sidewalk consisting of a 7-foot planting zone and (minimum) 5-foot clear zone is required on all three street frontages.

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.

### **Compatibility Standards**

- a. The site is subject to compatibility standards. Along the South property line, the following standards apply:
- b. No structure may be built within 25 feet of the property line.
- c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- e. No parking or driveways are allowed within 25 feet of the property line.



- f. A landscape area at least 25 feet wide is required along 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.
- g. 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.
- h. 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.
- i. Additional design regulations will be enforced at the time a site plan is submitted.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

### **Transportation**

The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for FM 969. If the requested zoning is granted for this site, then 70 feet of right-of-way from the existing centerline should be dedicated for FM 969 according to the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55].

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].

FM 969 is classified in the Bicycle Plan as Bike Route No. 44.

Capital Metro bus service is not available along FM 969 Road or Park at Woodlands Drive.

There are no existing sidewalks along FM 969. There are existing sidewalks along Park at Woodlands Drive.

Existing Street Characteristics:

Street Name	ROW	Pavement	Classification	ADT
FM 969	Varies	MAU4	Major Arterial	15,500
Park at Woodlands Dr.	60'	40'	Collector Street	N/A

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water utilities and On-Site Sewage Facilities approved by the City of Austin. The landowner, at own expense, will be responsible for providing any water utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water 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.