

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0138 – McElhenney Tract

P.C. DATE: November 8, 2011

ADDRESS: 526 & 626 Bastrop Highway

OWNER/APPLICANT: Jennifer McElhenney-Bertino

AGENT: Winstead, PC (Michelle Haussmann)

ZONING FROM: CS-NP, GR-CO-NP, & SF-2-NP

TO: CS-NP

AREA: 14.879 acres (648,129 ft²)

SUMMARY STAFF RECOMMENDATION: Staff recommends the rezoning request to CS-NP (General Commercial Services – Neighborhood Plan) combining district zoning.

PLANNING COMMISSION RECOMMENDATION: 11/8/11 - The Planning Commission approved the staff recommendation of CS-NP (7-0, Chimenti, Tiemann absent).

DEPARTMENT COMMENTS: This 14.879 acre tract is currently zoned under several districts (CS-NP, GR-CO-NP, & SF-2-NP), and is undeveloped. The property has frontage and access to US Highway 183 and is located near a mix of commercial, industrial and residential uses. The proposed zoning district is compatible and consistent with the surrounding land uses and districts.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-NP, GR-CO-NP, & SF-2-NP	Undeveloped
<i>North</i>	CS, CS-CO, LI	Automotive Sales, Retail, Industrial
<i>South</i>	P-NP, SF-3-NP	Park, Single Family
<i>East</i>	GR-CO-NP, CS-NP	Undeveloped, Automotive Service
<i>West</i>	GO-NP, CS-NP	Office, Mobile homes

NEIGHBORHOOD PLAN: Montopolis Neighborhood Plan

TIA: Waived

WATERSHED: Carson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council
Montopolis Neighborhood Association
Vargas Neighborhood Association
El Concilio Coalition of Mexican American Neighborhoods Association
Del Valle Community Coalition
Montopolis Are Neighborhood Alliance
Southeast Austin Neighborhood Alliance
Imperial Valley Neighborhood Association
Vasques Fields Neighborhood Association
Carson Ridge Neighborhood Association

CASE HISTORIES

NUMBER	REQUEST	COMMISSION	COUNCIL
C14-01-0060	Montopolis Neighborhood Plan	Approved 8/7/2001	Approved 9/7/2001

BASIS FOR RECOMMENDATION

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

General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.

- 2. Zoning changes should promote compatibility with adjacent and nearby uses.*

The requested zoning is compatible and consistent with adjacent commercially zoned properties and uses.

EXISTING CONDITIONS

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 Carson 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:

Development Classification	% of Net Site Area	% with Transfers
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 a floodplain within the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

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.

Water and Wastewater

If 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 the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. 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.

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:

Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
Bastrop Highway (US Hwy. 183)	200	Varies	6-Lane Major Arterial (MAD6)	N/A

There are no existing sidewalks along Bastrop Highway (US Hwy. 183).

Bastrop Highway (US Hwy. 183) is not classified in the Bicycle Plan as a bike route.

Capital Metro bus service is available along Bastrop Highway (US Hwy. 183) with the #100 Airport Flyer.

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]

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for Bastrop Highway (US Hwy. 183) for a future 8-lane freeway (FWY8). If the requested zoning is granted, then 75 feet of right-of-way should be dedicated and 125 feet of right-of-way reserved from the future centerline of Bastrop Highway (US Hwy. 183) in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55]

Site Plan:

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Any new development within 540 feet is subject to compatibility standards. Additional design regulations will be enforced at the time a site plan is submitted.

CITY COUNCIL DATE: December 8, 2011

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Stephen Rye

PHONE: 974-7604
stephen.rye@austintexas.gov



April 13, 2011

Mr. Greg Guernsey
Planning and Development Review Department
City of Austin
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Via Hand Delivery

Re: NPA-2010-0005.03 and C14-2010-0138 - McElhenney Tract – 46.3059 acres located at 626 and 530 Bastrop Highway (“Property”); Proposed Rezoning from GR-CO-NP, Community Commercial - Conditional Overlay - Neighborhood Plan District, CS-NP, General Commercial Services – Neighborhood Plan District, and SF-2-NP, Single Family Residence Standard Lot – Neighborhood Plan District, to CS-NP, General Commercial Services – Neighborhood Plan District; Proposed Neighborhood Plan Amendment from Commercial and Single Family to Commercial

Dear Mr. Guernsey:

As representatives of the owners of the above stated Property, we respectfully submit an amendment to the above stated neighborhood plan amendment and zoning applications (“Applications”). The purpose of the amendments is to reduce the size of the Property from 46.3059 acres to 14.879 acres as described in the attached field notes.

The original Applications included all of the Property owned by the applicant. The Property was included in the Applications in order to meet the July 31, 2010 deadline to submit a Neighborhood Plan amendment on the east side of Interstate Highway 35. As stated in the original applicant’s summary letter dated July 30, 2010, our intent was to submit these amendments to reduce the size of the Property by removing the areas that are under the pipeline easement, in the floodplain and west of the floodplain. An exhibit is enclosed for your review.

The applicant met with the City of Austin Parks and Recreation Department and the Watershed Protection Department regarding donation of the portion of the Property located in the floodplain to the City of Austin. The amendments to the Applications delete those portions of the Property from the Applications. In addition, a portion of the Property west of the floodplain area is deleted from the Applications. This area will remain in the family ownership and will not be rezoned at this time.

D & G
SW

Mr. Guernsey
April 13, 2011
Page 2

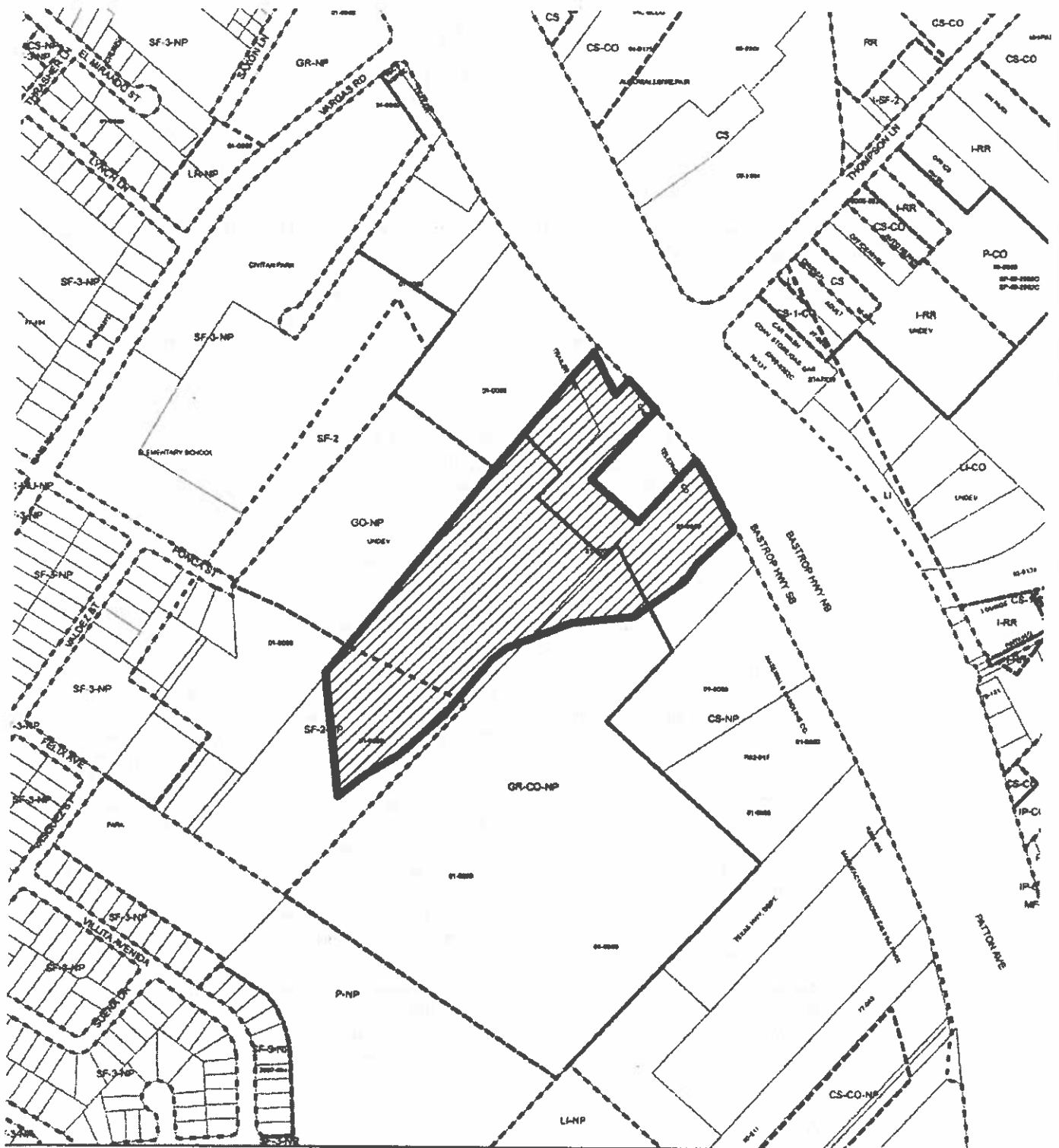
Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.




Very truly yours,



Michele C. Haussmann

cc: Jerry Rusthoven, Planning and Development Review Department, *via electronic mail*
Stephen Rye, Planning and Development Review Department, *via hand delivery*
Maureen Meredith, Planning and Development Review Department, *via hand delivery*
Susana Almanza, Montopolis Neighborhood Plan Contact Team, *via electronic mail*
Amy Barbce, *via electronic mail*
Steve Drenner, Firm



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

ZONING

ZONING CASE#: C14-2010-0138

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



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: C14-2010-0138

Contact: Stephen Rye, (512) 974-7604

**Public Hearing: Nov 8, 2011, Planning Commission
Dec 8, 2011, City Council**

Your Name (please print)

☐ I am in favor
☐ I object

Your address(es) affected by this application

Signature

Date

Daytime Telephone: _____

Comments: _____

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

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

