

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0075 – 2885 US Highway 71 **Z.A.P. DATE:** September 4, 2012

ADDRESS: 2885 East State Highway 71 Westbound

OWNERS: Jack W. Anderson and
Helen M. Detert

AGENT: Cuatro Consultants, Ltd.
(Hugo Elizondo)

ZONING FROM: I-RR **TO:** CS **AREA:** 6.62 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay prohibits the vehicle storage use and limits the number of daily trips to 2,000.

If the requested zoning is granted, then 200 feet of right-of-way should be reserved from the existing centerline of East SH 71 in accordance with the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].

ZONING & PLATTING COMMISSION RECOMMENDATION:

September 4, 2012: *APPROVED CS-CO DISTRICT ZONING WITH CONDITIONS OF RIGHT-OF-WAY RESERVATION ON EAST SH 71, AS STAFF RECOMMENDED, BY CONSENT*

[P. SEEGER; C. BANKS – 2ND] (7-0)

ISSUES:

The Applicant is in agreement with the Staff recommendation.

An environmental red tag was issued circa 2001 for development in a critical water quality zone in the absence of a site plan, sedimentation control, and fill over 4 feet.

DEPARTMENT COMMENTS:

The subject property is located along East SH 71, to the north of the airport between Golf Course Road and Terry Lane. The subject tract is a “flag tract” stretching from the Highway nearly to the Colorado River. At the front of the tract is a United States Post Office. The tract is immediately west of an abandoned concrete ready mix site, known as Rainbow Concrete, and lies to the east of a self-storage facility and manufactured housing community. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant has requested general commercial services (CS) district zoning in order to possibly develop a hotel or other commercial venture. Staff recommends CS-CO zoning for the property given that it has access to a major arterial roadway with the Conditional Overlay prohibiting vehicle storage in the context of its location across from the Airport which is considered a gateway to the City; 2) is consistent with the surrounding commercial properties, general land use character and uses permitted within Airport Overlay Zone – 3 (AO-3, also known as the ½ mile buffer zone that does not allow for new residential development to occur); and 3) a maximum of 2,000 daily vehicle trips will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections. The Staff is also recommending that the Applicant reserve additional right-of-way along SH 71 East, consistent with TXDOT's identified long term needs, to be accomplished by way of Restrictive Covenant.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Vacant 2-story building; Undeveloped
<i>North</i>	DR	Colorado River
<i>South</i>	AV	Austin-Bergstrom International Airport
<i>East</i>	CS-CO	Undeveloped (abandoned concrete plant)
<i>West</i>	I-SF-2; GR-CO; CS-CO; I-RR	Post Office; Roofing company; Convenience storage; Auto repair business; Manufactured home park

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Colorado River

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council	627 – Onion Creek Homeowners Association
750 – Del Valle Association	774 – Del Valle Independent School District
786 – Home Builders Association of Greater Austin	
1005 – Elroy Neighborhood Association	
1195 – Imperial Valley Neighborhood Association	
1200 – Super Duper Neighborhood Objectors and Appealers Organization	
1224 – Austin Monorail Project	1037 – Homeless Neighborhood Organization
1075 – League of Bicycling Voters	1236 – Real Estate Council of Austin, Inc.
1258 – Del Valle Community Coalition	1340 – Austin Heritage Tree Foundation
1228 – Sierra Club, Austin Regional Group	1363 – Sel Texas

SCHOOLS:

Del Valle Independent School District:

Hillcrest Elementary School Dailey Middle School

Del Valle High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14H-2007-0244 – Keller Zoning and McKinney's Mill Historic Site – 2935 East SH 71 Westbound; 2901, 2903 and 2905 Ellon Road; and 2936 Terry Lane	I-RR and I-SF-2 to CS; I-RR and I-SF-2 to CS	To Grant CS-CO and CS-H with conditions (07/01/2008).	Approved as CS-CO for Tracts 1 & 2, with a CO for a maximum of 2,999 vehicle trips/day, a prohibition against access to Ellron Road, and a prohibition against vehicle storage use, and CS-H for Tract 3. Restrictive Covenant creating a right-of-way reserve of 500 feet from centerline of E SH 71 (7-24-2008).
C14-2008-0039 – Airport Self Storage – 2725 Lyle Rd.	I-RR to CS	To Grant CS-CO	Approved CS-CO with the CO for a max. of 300 trips (5-8-08).
C14-04-0011 – Frenchville – 2959 E SH 71 WB	I-SF-2 to CS	To Grant GR-CO	Approved GR-CO with CO for 2,000 trips (3-11-04).
C14-01-0186 – State Highway 71 East 3039 – 3039-3101 E SH 71	I-SF-2; RR to LI	To Grant CS-CO	Approved CS-CO with CO for a list of prohibited uses (5-16-02).
C14-00-2060 – Stamey Zoning – 2777 E SH 71 WB	RR to GR	To Grant GR-CO	Approved GR-CO with CO for trips (6-1-00).
C14-98-0086 – Austin Airport Hotel L.C. – 2751 E SH 71 WB	I-RR to GR	Approved; 06/02/1998	Approved (02/25/1999).

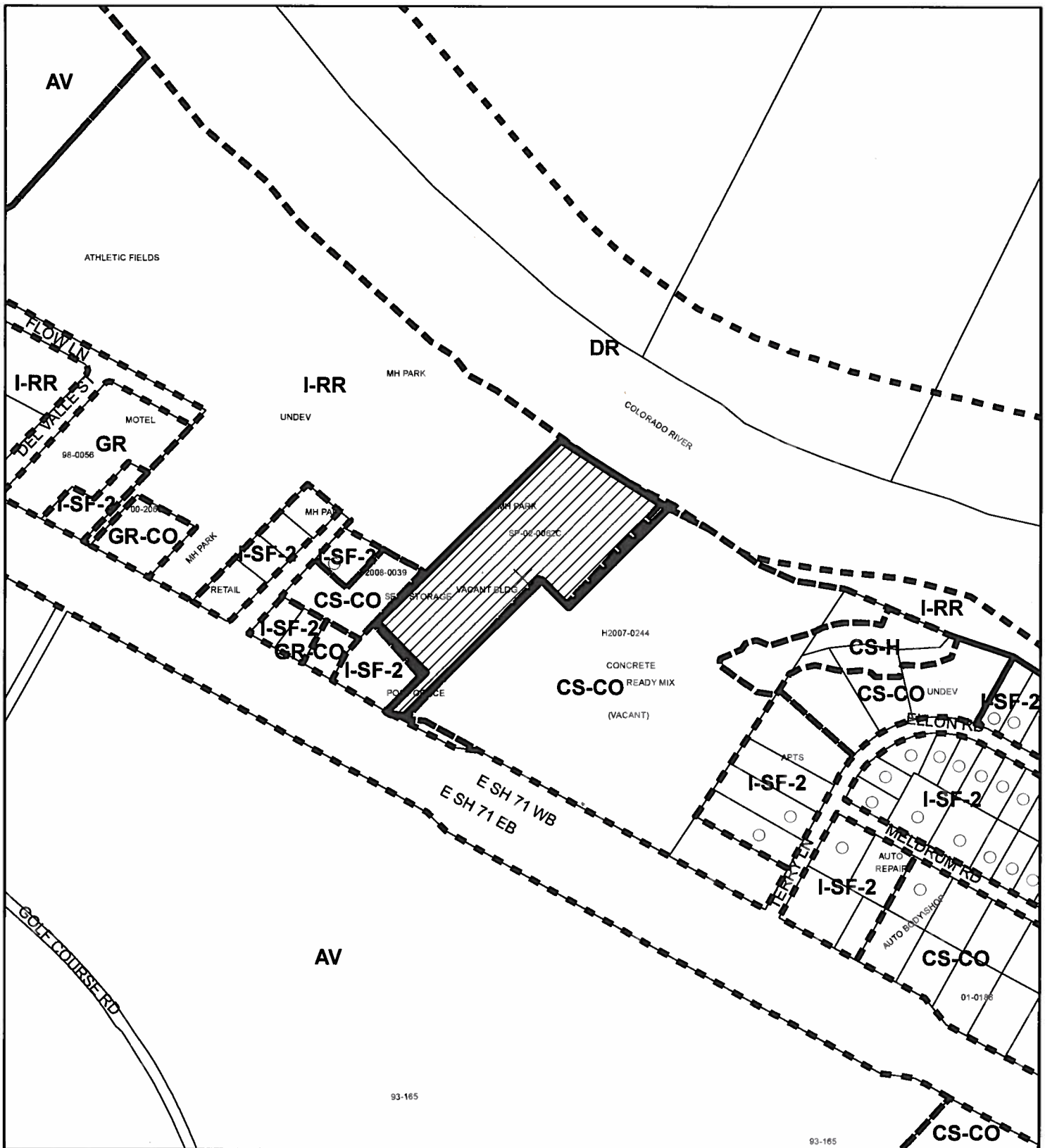
RELATED CASES:




The property was annexed into Limited Purpose jurisdiction in 1998 (C7L-98-001) and into Full Purpose jurisdiction in 2001 (C7A-01-002). The property is considered a legal tract based on the five-acre platting exemption (C8i-01-0362). There are no related subdivision or site plan applications on the subject property.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
East State Highway 71	Approx. 275 feet	FWY-6 (approx. 120 feet)	Freeway-6 (52,000)	No	No	Yes, Route No. 350

CITY COUNCIL DATE: October 11, 2012**ACTION:****ORDINANCE READINGS:** 1st 2nd 3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov**PHONE:** 974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

ZONING CASE
C14-2012-0075

Exhibit A



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.

C14-2012-0075 / 2885 E US Highway 71



Image Data: 2009

0 100 200 400 600 800 Feet

EXHIBIT A-1

1 inch = 400 feet



Watershed Protection and Development Review Department

Land Status Determination
**Legal Tract Platting Exception
Certification**

January 2, 2002

File Number: C8i-01-0362

Address: 2885 State Hwy 71 East

Tax Parcel I.D. #'s: 31531 0302 & -22 Tax Map Date: 10/05/2000

The Watershed Protection and Development Review Department has determined that the property described below and as shown on the attached tax map:

is a **Legal Tract** consisting of **7.63 acres** out of the Santiago Del Valle Grant in Travis County, Texas, according to the deed recorded in Vol. 8146, Page 482 of the Travis County Deed Records on 06/30/1983, and is eligible to receive utility service.

This determination of the status of the property is based on the five-acre subdivision exception provided in Texas Local Government Code, Section 212.004(a). Recognition hereby does not imply approval of any other portion of the Austin City Code or any other regulation.

By: *Duncan Muir*

Duncan Muir
Representative of the Director,
Watershed Protection and Development Review Department

Map Attachment

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay prohibits the vehicle storage use and limits the number of daily trips to 2,000.

If the requested zoning is granted, then 200 feet of right-of-way should be reserved from the existing centerline of East SH 71 in accordance with the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities.

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

Staff recommends CS-CO zoning for the property given that it has access to a major arterial roadway with the Conditional Overlay prohibiting vehicle storage in the context of its location across from the Airport which is considered a gateway to the City; 2) is consistent with the surrounding commercial properties, general land use character and uses permitted within Airport Overlay Zone – 3 (AO-3, also known as the ½ mile buffer zone that does not allow for new residential development to occur); and 3) a maximum of 2,000 daily vehicle trips will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections. The Staff is also recommending that the Applicant reserve additional right-of-way along SH 71 East, consistent with TXDoT's identified long term needs, to be accomplished by way of Restrictive Covenant.

EXISTING CONDITIONS**Site Characteristics**

The zoning area is undeveloped, relatively flat and slopes to the north, towards the Colorado River.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 80% which is a consistent figure between the watershed and 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 Colorado River 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 floodplain maps there is a floodplain adjacent to the project boundary. Based upon the close proximity of floodplain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

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.

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for East SH 71. If the requested zoning is granted, then 200 feet of right-of-way should be reserved from the existing centerline of East SH-71 in accordance with 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]

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 proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Since the site is over 5 acres, the Principal Roadway would be an Internal Circulation Route. Additional comments will be made when the site plan is submitted.

This property is within the Airport Overlay Zone AO-3. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Section 25-13-23, are prohibited. Noise level reduction measures may be required for certain new structures. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.