



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 01/13/2005
PAGE: 1 of 1

SUBJECT: C14-04-0178 - Monroe Zoning Change - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 10816 Crown Colony Drive (Onion Creek Watershed) from interim-single family residence standard lot (I-SF-2) district zoning to neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Applicant: Rick M. Monroe. City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0178

Z.P.C. DATE: December 7, 2004

ADDRESS: 10816 Crown Colony Drive

APPLICANT: Rick M. Monroe

ZONING FROM: I-SF-2

TO: LR

AREA: 0.700 acres (30,492 square feet)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant neighborhood commercial (LR) district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

December 7, 2004: *APPROVED LR-CO DISTRICT ZONING, WITH THE CO PROHIBITING DRIVE-IN SERVICES; BY CONSENT*

[J.M., J.G. – 2ND] (8-0) C.H. – INELIGIBLE TO VOTE

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject rezoning area consists of one platted lot that is developed with an 8,400 square foot, two-story building that includes offices and a beauty salon and spa, and has carried interim – rural residence (I-RR) district zoning since its annexation on December 31, 2003. The lot takes direct access to Crown Colony Drive and driveway access also occurs through adjacent properties to Boca Raton Drive and to the northbound IH-35 frontage road. The property is surrounded to the north and south by other commercial development that serves residents of the Onion Creek subdivision, including two service stations with convenience stores, two dry cleaning pick-up facilities and a bank (all zoned I-SF-2). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The applicant proposes to zone the lot to the neighborhood commercial (LR) district to be consistent with the existing uses (a beauty salon is a personal services use and first allowed in the LR district). LR zoning is appropriate in proximity to the IH-35 northbound frontage road, and is consistent with the existing development and the types of land uses that have been established between Onion Creek Parkway and Crown Colony Drive. Furthermore, commercial zoning will establish a transition between the IH-35 frontage road and residential component of the Onion Creek development.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-SF-2	Offices, beauty salon with associated fitness center
<i>North</i>	I-SF-2	Service station with convenience store; Dry cleaners; Townhouses; Automotive sales
<i>South</i>	I-SF-2; GR-CO; CS-1-CO; SF-6	Financial services; Undeveloped; Service station with convenience store; Duplexes
<i>East</i>	I-SF-2	Townhomes; Duplexes; Single family residences
<i>West</i>	N/A	IH-35 frontage road and main lanes

AREA STUDY: N/A**TIA:** Is not required**WATERSHED:** Onion Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

300 – Terrell Lane Interceptor Association

428 – Barton Springs / Edwards Aquifer Conservation District

627 – Onion Creek Homeowners Association

948 – South by Southeast Neighborhood Organization

SCHOOLS:

Langford Elementary School

Mendez Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0114	I-RR; MF-2-CO to CS-CO; GR-CO	Pending completion of the TIA	Pending
C14-04-0111	I-RR to GR	To Grant GR-CO with CO for a list of prohibited uses and 2,000 trips	Approved GR-CO as recommended by the ZAP (10-7-04)
C14-04-0074	I-RR to SF-6; GR; CS-1	To Grant GR-CO for Tract 1; CS-1-CO for Tract 2; SF-6 for Tract 3, with a Restrictive Covenant for the TIA. The Conditional Overlay is for a list of prohibited uses	Approved GR-CO; CS-1-CO and SF-6, and the Restrictive Covenant for the TIA as recommended by ZAP (9-30-04)
C14-04-0048	I-RR to GO	Withdrawn	N/A
C14-04-0044	I-RR to CR	To Grant CR-CO with CO for list of prohibited uses	Approved CR-CO as recommended by Commission (5-6-04).
C14-04-0020	I-RR (Upon Annexation) to	To Grant CS-MU-CO with conditions of the	Approved CS-MU-CO; MF-2 as recommended

	CS-MU for Tract 1; MF-3 for Tract 2	TIA and the CO is for list of prohibited uses for Tract 1; MF-2 with conditions of the TIA for Tract 2	by Commission (5-6-04).
C14-04-0019	I-RR to CS (Upon Annexation)	To grant CS-CO with conditions of the TIA and the CO is for list of prohibited uses	Approved CS-CO as recommended by Commission (5-6-04).
C14-03-0053	I-RR to CS	To Grant CS-CO for Tract 1; GR-CO for Tract 2, with conditions. CO is for list of prohibited uses; and prohibit access to Old San Antonio Road. Restrictive Covenant for the Traffic Impact Analysis.	Approved CS-CO; GR-CO as recommended by Commission (12-11-03).
C14-00-2181	I-RR to MF-2	To Grant MF-2-CO with CO for 25' setback along the south and southeast property lines adjacent to residential properties and conditions of the TIA; RR for the flood plain	Approved MF-2-CO as recommended by Commission (2-8-01)

RELATED CASES:

The subject property is platted as Lot 4 of Onion Creek Section 4D (C8-79-52.1(82)). Please refer to Exhibit B.

A northwest triangular portion of the property previously carried "O-1", Office, First Height and Area district zoning with an attached site plan (approved on December 15, 1983 by C14r-83-209). The property was disannexed in 1989 which voided the Office zoning and the attached zoning site plan. (For information, "O-1" converted to LO, Limited Office district by the 1984 Conversion Ordinance.)

Lot 4 was annexed into the Full-Purpose Jurisdiction on December 31, 2003 along with other portions of the Onion Creek development.

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION
Crown Colony Drive	60 feet	40 feet	Collector

- There are existing sidewalks along Crown Colony Drive.
- Capital Metro bus service is not available within ¼ mile of this property.

CITY COUNCIL DATE: January 13, 2005

ACTION:

ORDINANCE READINGS: 1st

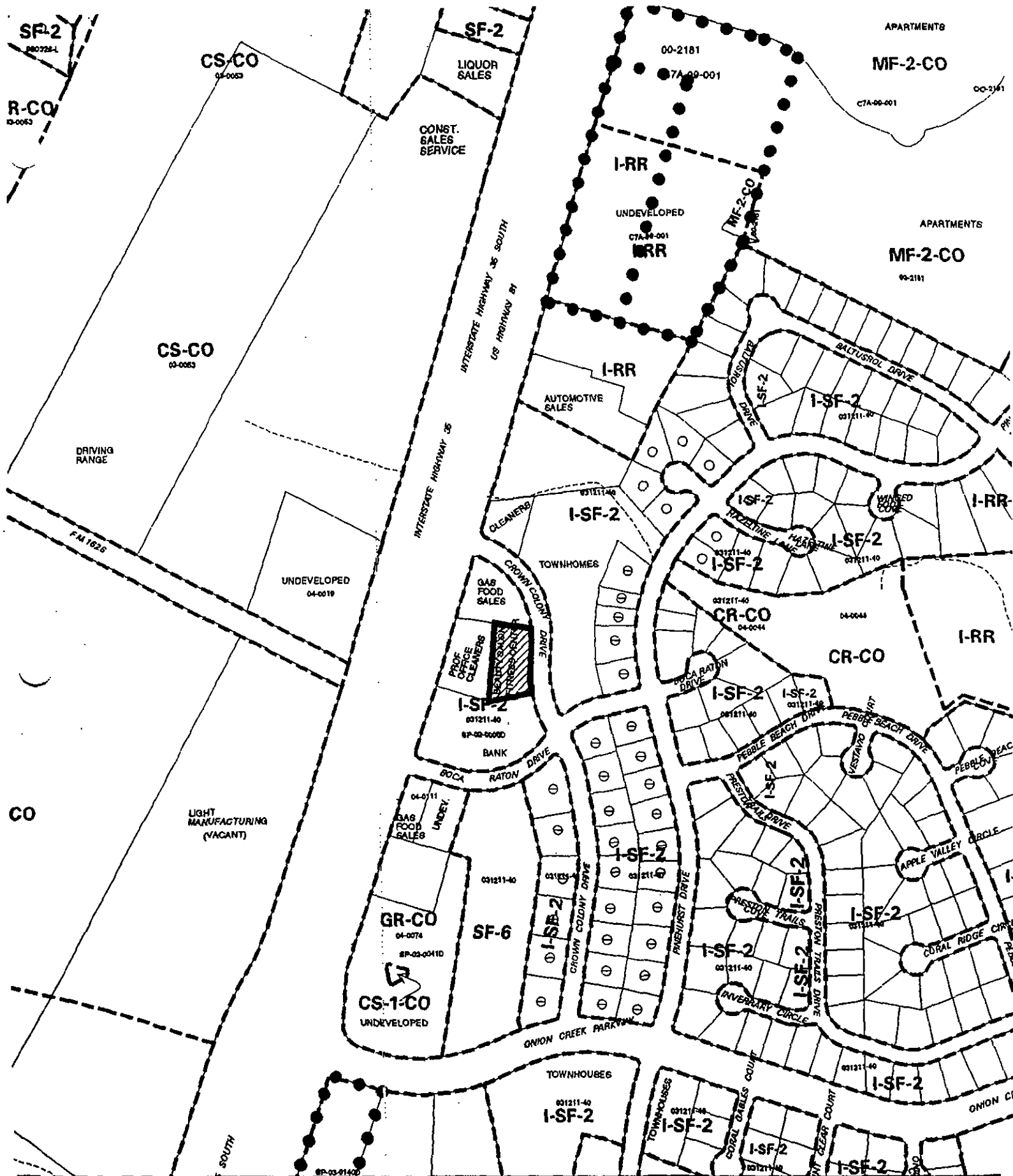
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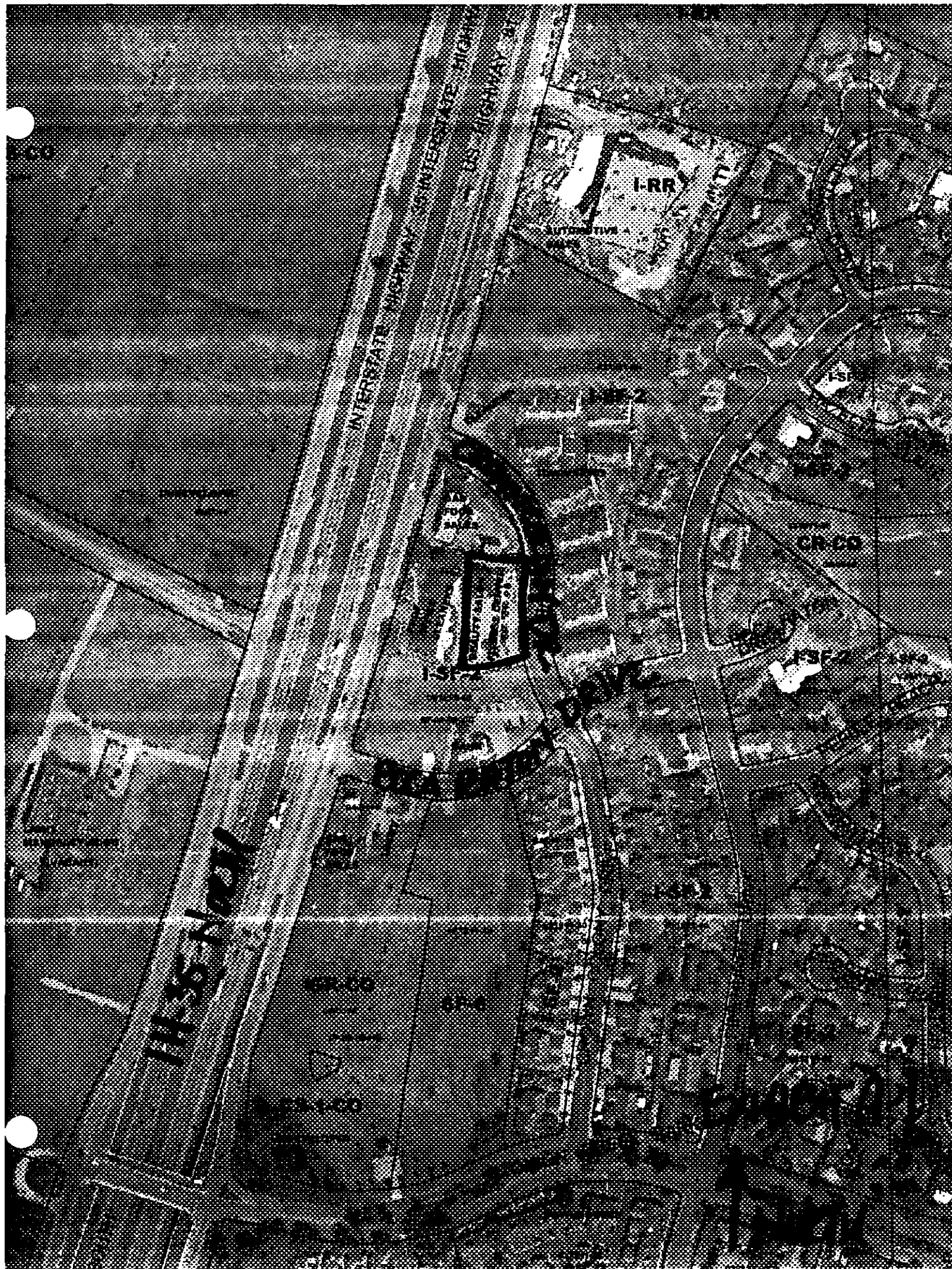
ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us

PHONE: 974-7719

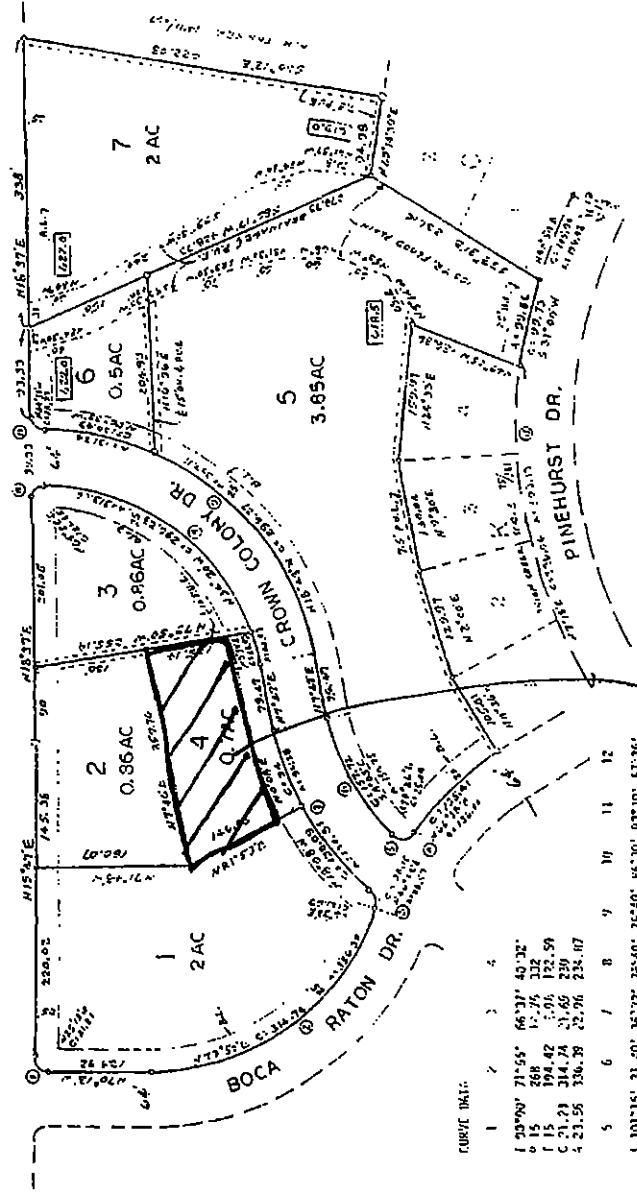


 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT A	CITY GRID REFERENCE NUMBER F11
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: W. WALSH			
CASE #: C14-04-0178 ADDRESS: 10816 CROWN COLONY DR SUBJECT AREA (acres): 0.700			DATE: 04-10 INTLS: SM	



ONION CREEK SECTION 4D

I.H. 35



CURVE DATA:

	1	2	3	4	5	6	7	8	9	10	11	12
1	23°00'	71°55'	66°31'	40°32'	101°15'	31°40'	35°12'	25°40'	75°40'	85°30'	93°10'	57°30'
2	15	268	17.76	332	16.22	200.04	351.03	268	332	21.11	15	505.89
3	15	194.42	1.06	122.59	15.70	81.07	118.53	278.13	297.41	19.06	15.95	327.69
4	21.21	314.74	1.60	230	27.04	157.77	221.33	378.76	307.20	28.93	21.85	574.14
5	23.55	136.39	22.96	234.07	20.66	159.75	225.11	313.93	432.15	31.27	24.48	509.05

EXHIBIT B
RECORDED PLAT

NOTES:

1. Sidewalks shall be installed on both sides of Crown Colony Dr. and Boca Ratón Dr. (see sketch).
2. No lot in this subdivision shall be occupied until connection is made to a subdivision water and wastewater system approved by the State Health Department.
3. Prior to construction on any lot in this subdivision, construction plans shall be submitted to the City of Austin Engineering Department for review. All work shall be held to the extent existing at undeveloped station by the use of sounding or other approved methods.

FLOOD PLAIN NOTE:
THE MINIMUM FIRST FLOOR FLOORING HEIGHTS INDICATED ON THIS PLAT ARE 1'-0" ABOVE THE 100 YEAR FLOOD ELEVATION, U.S.G.S. DATUM.
6/4/82
James T. Watson, P.E.



I, James T. Watson, an authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that this plat was prepared from an actual survey made of the property, under my supervision, on the ground.
Date: 6/4/82
James T. Watson, P.E. & 290



THE STATE OF TEXAS:
COUNTY OF TRAVIS:

KNOW ALL MEN BY THESE PRESENTS:

THAT OILON CREEK DEVELOPMENT COMPANY, A TEXAS CORPORATION, AND C. D. INVESTMENTS, PARTNERSHIP OF WHICH JAMES H. CONNOLLY AND JAMES H. DEBARET ARE PARTNERS, OWNER OF 897.23 ACRES OF LAND OUT OF THE OILON CREEK TRACT, TRAVIS COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED IN THE DEED FROM J. D. CONNOLLY ET AL TO LUMBERMEN'S INVESTMENT CORPORATION AND C. D. INVESTMENTS, DATED NOVEMBER 10, 1972 AND RECORDED IN VOLUME 4487, PAGE 806 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, DOES HEREBY ADOPT THIS MAP AND PLAN TO BE KNOWN AS OILON CREEK SECTION 4-0, SUBDIVIDES 3.61 ACRES OF SAID 897.23 ACRES TRACT IN ACCORDANCE WITH THIS MAP AND PLAN, SAID MAP, SAID SUBDIVIDES BEING A PORTION OF THAT ACRES TRACT WHICH WAS VACATED BY INSTRUMENT IN VOLUME 62-07, PAGE 450 OF THE TRAVIS COUNTY TEXAS DEED RECORDS, AND DOES HEREBY DEDICATE TO THE PUBLIC USE THE STREETS AND EASEMENTS AS SHOWN HEREOF.

WITNESS OUR HANDS, THIS THE 19th DAY OF August A.D. 1982

UNION CREEK DEVELOPMENT COMPANY
P.O. Box 40, Austin, Texas

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NOEL WOODWARD WILKINS, S. 1328 136TH

84

REF ID: A67980

C & D INVESTMENTS

by.

JAMES O. COMBES, JR., D.D.S.

THE STATE OF TEXAS,
COUNTY OF DALLAS.

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED K. S. JASTROW III PRESIDENT OF LUMBERLAND INVESTMENT CORPORATION, AND JAMES C. CONNOLLY, A PARTNER OF C & D INVESTMENTS, BOTH OF WHOM HAVE BEEN PERSONALLY KNOWN TO ME FOR SOME TIME, AND BOTH OF WHOM ARE INVESTORS IN THE FOREGOING INVESTMENT, AND THEY ACKNOWLEDGED TO ME THAT EACH OF THEM HAS ENTERED THE STONE FOR THE PURPOSES, AND FOR THE REASONS, SET FORTH IN THE CAPACITIES HEREIN STATED, AS THE ACTS AND DEEDS OF SAID CORPORATION AND ENTERPRISE.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 18th DAY OF February, A.D. 1982

EXHIBIT B
RECORDED
PLAT

NOTICE PUBLIC- IN AND FOR TRAVIS COUNTY, TEXAS

APPROVED FOR ACCEPTANCE, THIS FILE
DATE OF RECEIPT 02/24/2003

RICHARD R. LITTLE, DIRECTOR OF PLANNING

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, THIS 14TH DAY OF DECEMBER, A.D. 1982.

SECRET

שם המכיל:

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, THE DATE LAST WRITTEN ABOVE
DORIS SHROPSHIRE, CLERK, COUNTY COURT, FRANKLIN COUNTY, TEXAS

B:1 Dr. D. O'Neal _____

10710

THE STATE OF TEXAS:
COUNTY OF DAVIS:

1. DORIS SHROPSHIRE, CLERK OF THE COUNTY COURT WITHIN AND FOR THE COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT ON THE 29 DAY OF December, A.D. 1962 THE COMMISSIONERS COURT OF TRAVIS COUNTY TEXAS, PASSED AN ORDER AUTHORIZING THE FILING FOR RECORD OF THIS PLAT, AND THAT SAID ORDER HAS BEEN ENTERED IN THE MINUTES OF SAID COURT IN BOOK 3 PAGE 442

WITNESS MY HAND AND SEAL OF OFFICE, THIS 15E 29 DAY OF December A.D. 1944.

BOOKS SHIPPED BY MAIL. CLERK. FORTY CENTS. TOWNSHIP. 17948

Doris Shropshire
County Clerk, Travis County, Texas

FILED FOR RECORD, ON THE 30th DAY OF December, A.D. 1942, AT 3:20 P.M.

DONIS SHROPSHIRE, CLERK, COUNTY COMPT. TAYLOR COUNTY, TEXAS

BY W. J. Sells DEPUTY

THE STATE OF TEXAS:
COUNTY OF TRAVIS.

I, DORIS SHROPSHIRE, CLERK OF THE COUNTY COURT WITHIN AND FOR THE COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING, WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 30TH DAY OF December, A.D. 1988, AT 3:27 O'CLOCK P.M. AND WAS DULY RECORDED ON THE 30TH DAY OF December, A.D. 1988, AT 3:25 O'CLOCK P.M. IN THE PLAT SECTION OF SAID COUNTY. IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE.

CS-79-521 (22)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant neighborhood commercial (LR) district zoning.

BACKGROUND

The subject rezoning area consists of one platted lot that is developed with an 8,400 square foot, two-story building that includes offices and a beauty salon and spa, and has carried interim – rural residence (I-RR) district zoning since its annexation on December 31, 2003. The lot takes direct access to Crown Colony Drive and driveway access also occurs through adjacent properties to Boca Raton Drive and to the northbound IH-35 frontage road. The property is surrounded to the north and south by other commercial development that serves residents of the Onion Creek subdivision, including two service stations with convenience stores, two dry cleaning pick-up facilities and a bank (all zoned I-SF-2).

The applicant proposes to zone the lot to the neighborhood commercial (LR) district to be consistent with the existing uses (a beauty salon is a personal services use and first allowed in the LR district). LR zoning is appropriate in proximity to the IH-35 northbound frontage road, and is consistent with the existing development and the types of land uses that have been established between Onion Creek Parkway and Crown Colony Drive. Furthermore, commercial zoning will establish a transition between the IH-35 frontage road and residential component of the Onion Creek development.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The LR, Neighborhood Commercial district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: "The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment."

The site borders on the established Onion Creek neighborhood to the east and primarily serves this neighborhood.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

LR zoning is appropriate in proximity to the IH-35 northbound frontage road, and is consistent with the existing development and the types of land uses that have been established between Onion Creek Parkway and Crown Colony Drive. Furthermore, commercial zoning will establish a transition between the IH-35 frontage road and residential component of the Onion Creek development.

EXISTING CONDITIONS

Site Characteristics

The rezoning area is developed with a 2-story building that includes office space and a beauty salon and spa with an associated fitness center and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the LR district would be 80% which is a consistent figure between the zoning and watershed regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Onion 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:

<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%

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

According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.

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

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.

TPSD Right-of-Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway

projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Transportation

Additional right-of-way may be required at time of site plan.

The trip generation under the requested zoning is estimated to be 2,000 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City utility design criteria.

Compatibility Standards

There is an existing zoning site plan on this property (C14 r-83-209) which provides for 8,214 square feet of office uses, along with associated parking and drainage. This tract is already developed and the proposed zoning change is a footprint with the existing development. Any new construction on this site would be subject to compatibility development regulations due to the existing I-SF-2 residential property to the southeast.

ORDINANCE NO. _____

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE
2 PROPERTY LOCATED AT 10816 CROWN COLONY DRIVE AND CHANGING
3 THE ZONING MAP FROM INTERIM SINGLE FAMILY RESIDENCE
4 STANDARD LOT (I-SF-2) DISTRICT TO NEIGHBORHOOD COMMERCIAL-
5 CONDITIONAL OVERLAY (LR-CO) COMBINING DISTRICT.
6

7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
8

9 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from interim single family residence standard lot (I-SF-2) district
11 to neighborhood commercial-conditional overlay (LR-CO) combining district on the
12 property described in Zoning Case No. C14-04-0178, on file at the Neighborhood Planning
13 and Zoning Department, as follows:
14

15 Lot 4, Onion Creek Section 4D Subdivision, a subdivision in the City of Austin,
16 Travis County, Texas, according to the map or plat of record in Plat Book 83,
Pages 55C-55D, of the Plat Records of Travis County, Texas, (the "Property")
17

18 locally known as 10816 Crown Colony Drive, in the City of Austin, Travis County, Texas,
19 and generally identified in the map attached as Exhibit "A".
20

21 **PART 2.** The Property within the boundaries of the conditional overlay combining district
22 established by this ordinance is subject to the following conditions:
23

24 Drive-in service is prohibited as an accessory use to a commercial use.
25

26 Except as specifically restricted under this ordinance, the Property may be developed and
27 used in accordance with the regulations established for the neighborhood commercial (LR)
28 base district and other applicable requirements of the City Code.
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PART 3. This ordinance takes effect on _____, 2005.

PASSED AND APPROVED

_____, 2005

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§
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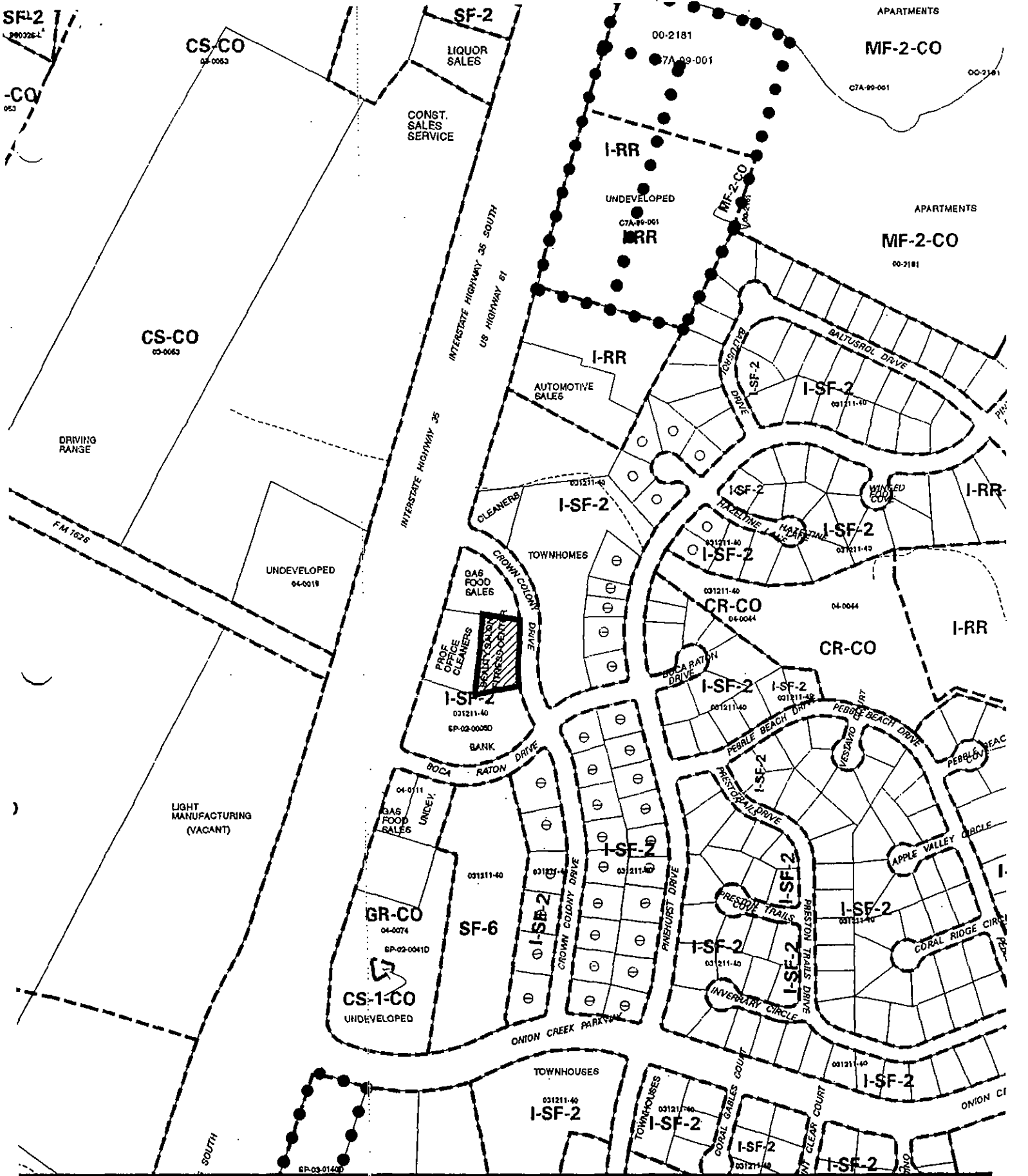
Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Brown
City Clerk



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: W. WALSH

ZONING EXHIBIT A

CASE #: C14-04-0178

ADDRESS: 10816 CROWN COLONY DR

SUBJECT AREA (acres): 0.700

CITY GRID REFERENCE NUMBER

F11

DATE: 04-10

INTLS: SM

CR-CO

I-SF-2