



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-18
AGENDA DATE: Thu 07/28/2005
PAGE: 1 of 1

SUBJECT: C14-05-0043 - Warren Broz - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as U.S. Highway 183 North at Caldwell Drive (Lake Creek Watershed) from single family residence standard lot (SF-2) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) district zoning. Applicant: Warren Broz. Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0043

Z.A.P. DATE: April 19, 2005
May 17, 2005
June 7, 2005

ADDRESS: U.S. Highway 183 North at Caldwell Drive

OWNER/APPLICANT: Warren Broz

AGENT: Thrower Design (Ron Thrower)

ZONING FROM: SF-2

TO: GR

AREA: 1.32 acres

SUMMARY STAFF RECOMMENDATION:

The staff recommendation is to grant GR-CO, Community Commercial-Conditional Overlay, district zoning for the property in question. The conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day, and prohibit access to Caldwell until the pavement width of that roadway is upgraded to a minimum of 30 feet.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

4/19/04: Postponed to May 17, 2005 by the Applicant/Neighborhood (7-0, K. Jackson/C. Hammond-absent); J. Martinez-1st, M. Whaley-2nd.

5/17/05: Postponed to June 7, 2005 by Applicant (9-0); J. Martinez-1st, J. Donisi-2nd.

6/07/05: Approved staff's recommendation of GR-CO zoning with additional condition to prohibit the following uses:

- Drop-Off Recycling Collection Facility;
- Exterminating Services;
- Automotive Rentals;
- Automotive Repair Services;
- Automotive Sales;
- Automotive Washing (of any type);
- Daycare Services (Commercial);
- Daycare Services (General);
- Daycare Services (Limited)
- Drive-through Services;

Vote: (9-0); K. Jackson-1st, J. Martinez-2nd.

ISSUES:

On May 12, 2005, the staff received a fax from the Acres West Homeowner's Association stating their concerns regarding the proposed GR zoning (Letter from Cindy Barron – Attachment A). The agent for this case, Ron Thrower, also provided the staff with information concerning the applicant's discussions with the neighborhood association about the proposed rezoning (Letter from Thrower Design – Attachment B). In addition, Mr. Thrower submitted a Technical Memorandum from John F. Hickman & Associates regarding transportation issues for this case (Technical Memorandum – Attachment C).

DEPARTMENT COMMENTS:

The property in question is undeveloped and heavily wooded. The applicant is requesting a rezoning for this site because he wants to develop the property with commercial/retail uses.

The staff recommends the GR-CO zoning for this tract because the property fronts onto and will take access from a major arterial roadway, U.S. Highway 183 (Research Boulevard). The site is located adjacent to commercial and office uses to the north. There is GR-CO zoning to the east and LO, LR, and GR-CO zoning to the north of the proposed area. This tract of land fronts onto a major arterial roadway that has recently been widened and improved.

The applicant agrees with the staff recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Undeveloped Tract
<i>North</i>	SF-2	Auto Repair Services, Personal Services, Retail Sales, Office
<i>South</i>	LO, GR	Undeveloped, Auto Repair Services, Office Uses, Hair Salon, Veterinary Clinic, Retail Shopping Center
<i>East</i>	SF-2, GR-CO	Undeveloped, Automotive Sales Dealership
<i>West</i>	County	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:

2 – Acres West Homeowners Association
281 – Anderson Mill Neighborhood Association
426 – River Place Residential Community Association, Inc.
454 – Neighborhood Association of SW Williamson County

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0086	LO to GR	7/20/04: Postponed to 9/7/04 by Applicant and Staff (8-0, J. Pinnelli-absent). 9/7/04: Continued to 9/21/04 ZAP meeting. Public Hearing remained open (8-0, J. Martinez-absent). 9/21/04: Postponed to 11/16/04 by the Applicant and Neighborhood (8-0, J. Gohil-absent).	N/A

		11/16/04: Case withdrawn by applicant.	
C14-03-0180	I-SF-2 to GR-CO (TR1), CS-1-CO (TR2)	1/20/04: Approved staff's recommendation of GR-CO (Tract 1), CS-1-CO (Tract 2) zoning by consent (6-0, J. Cortez, J. Donisi, K. Jackson-absent)	2/26/04: Approved GR-CO for Tract 1, CS-1-CO for Tract 2 by consent (7-0, Thomas-off dias); all 3 readings
C14-03-0104	I-RR, SF-2, GR, CS to GR-CO	8/12/03: Approved staff's recommendation of GR-CO zoning by consent (9-0)	9/25/03: Granted GR-CO (7-0); all 3 readings
C14-02-0059	SF-3 to CS	5/6/03: Approved staff's alternate rec. of CS-CO w/conditions (8-0)	7/17/03: Approved CS-CO (7-0); all 3 readings
C14-02-0020	I-RR to LR	4/9/02: Approved staff's alternate rec. of LR-CO w/conditions (9-0)	8/29/02: Approved LR-CO (7-0); 1 st reading 9/26/02: Approved LR-CO (7-0); 2 nd /3 rd readings
C14-02-0002	I-RR to GR	2/12/02: Approved staff's rec. of GR-CO zoning (6-0, N. Spelman, V. Aldridge, J. Martinez -absent), with CO to allow only LR uses and prohibit the following other uses: Restaurants (Drive-In, Fast Food); Service Station; Congregate Living; Family Home; Group Home, Class I (General); Group Home, Class I (Limited); Group Home, Class II; Guidance Services; Residential Treatment	8/8/02: Approved GR-CO w/ conditions on 1st reading (6-0, Wynn-out of room) 8/29/02: Approved (7-0); 2 nd /3 rd readings
C14-01-0165	CS-CO to CS-CO	12/11/01: Approved staff rec. of CS-CO (7-0)	1/17/02: Approved CS-CO (6-0); all 3 readings
C14-01-0155	I-RR to GR	11/21/01: Approved staff rec. of GR-CO by consent (8-0)	1/10/02: Approved GR-CO (6-0, Goodman out of room); all 3 readings
C14-00-2105	I-RR to GR	7/25/00: Approved staff rec. of GR-CO w/height limit of 35 ft. (7-1, BB-Nay)	8/24/00: Approved GR-CO (7-0), all 3 readings
C14-00-2244	I-RR to LR	2/6/01: Approved GR-CO for personal improvement use only & all LR uses w/ conditions (9-0)	7/19/01: Withdrawn by applicant.
C14-00-2200	GR-CO to CS-1	11/14/00: Approved staff rec. of CS-1 by consent (8-0)	12/14/00: Approved CS-1-CO w/ conditions: Prohibit Pawn Shops and Adult Oriented Businesses (7-0); all 3 readings
C14-00-2054	I-RR to LI-CO	11/14/00: Postponed indefinitely by applicant (re-notification required)	5/14/01: Administrative-Expired (Indefinite PP only good for 6 months)

C14-99-2139	I-RR to CS	3/7/00: Approved W/LO-CO (5-0-1, RC-abstain); CO would limit site to convenience storage as only W/LO use, limit site to 2,000 vehicle trips per day	4/6/00: Approved W/LO-CO w/ conditions as recommended by PC; on all 3 readings (6-0, Lewis out of room)
C14-99-0137	I-RR to LI	8/24/99: Approved LI-CO; agree to rollback zoning to GR if use ceases, limited to 2,000 vehicle trips per day, dedicate ROW at time of subdivision process (5-1, RC-Nay)	12/2/99: Approved LI-CO; limited to 2,000 vehicle trips per day; require RC for to "GR" if use ceases (7-0); 3 rd reading
C14-99-0036	GR-CO, I-RR to MF-2, GR-MU	6/22/99: Approved staff alternate rec. of MF-2 (TR1) and GR-MU (TR 2&3) (5-0)	7/22/99: Approved PC rec. of MF-2 (TR1) and GR-MU (TR 2&3) w/ conditions (7-0); 1 st reading 10/28/99: Approved (5-0, WL/JG-absent)
C14-98-0272	I-RR to LR	2/2/99: Approved staff recommendation of LR by consent (8-0)	3/4/99: Approved LR (7-0); 1 st reading 3/25/99: Approved LR (6-0); 2 nd /3 rd readings
C14-98-0086	SF-2 to GR	8/18/98: Approved GR-CO with conditions by consent (7-0)	10/8/98: Approved PC rec. of GR-CO w/ conditions (6-0); all 3 readings
C14-96-0022	LO-CO & GR-CO to GR	3/26/96: Approved GR-CO and GO-CO subject to the following conditions (9-0)	4/25/96: Approved PC rec. of GR-CO (TR1), GO-CO (TR2); subject to conditions (5-0); 1 st reading 5/23/96: Approved GR-CO (TR1), GO-CO (TR2); subject to conditions (7-0); 2 nd /3 rd readings

RELATED CASES: N/A

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Us Hwy 183	400'	Varies	Major Arterial
Caldwell	50'	20'	Local

CITY COUNCIL DATE: July 28, 2005

ACTION:

ORDINANCE READINGS: 1st

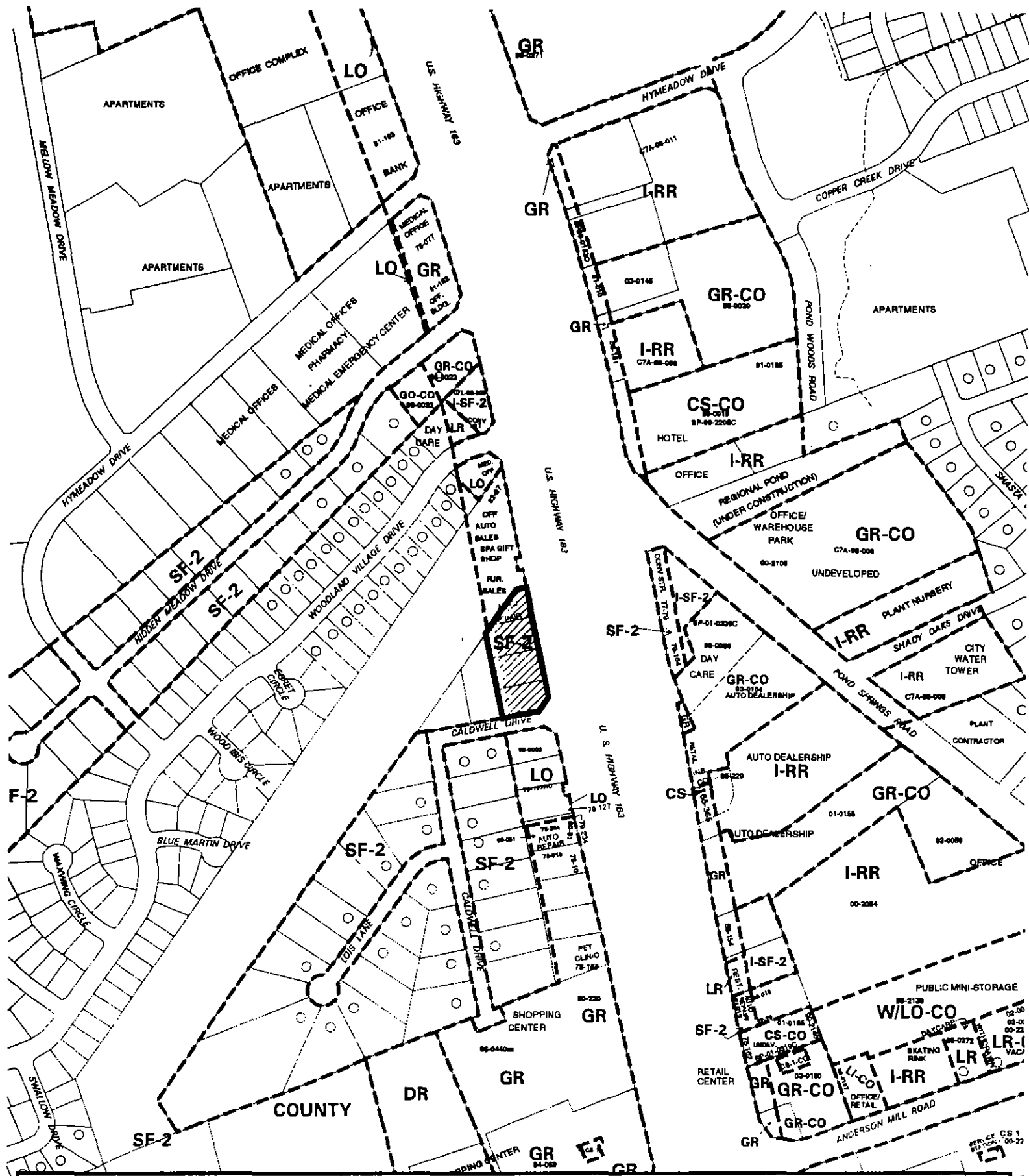
2nd

3rd

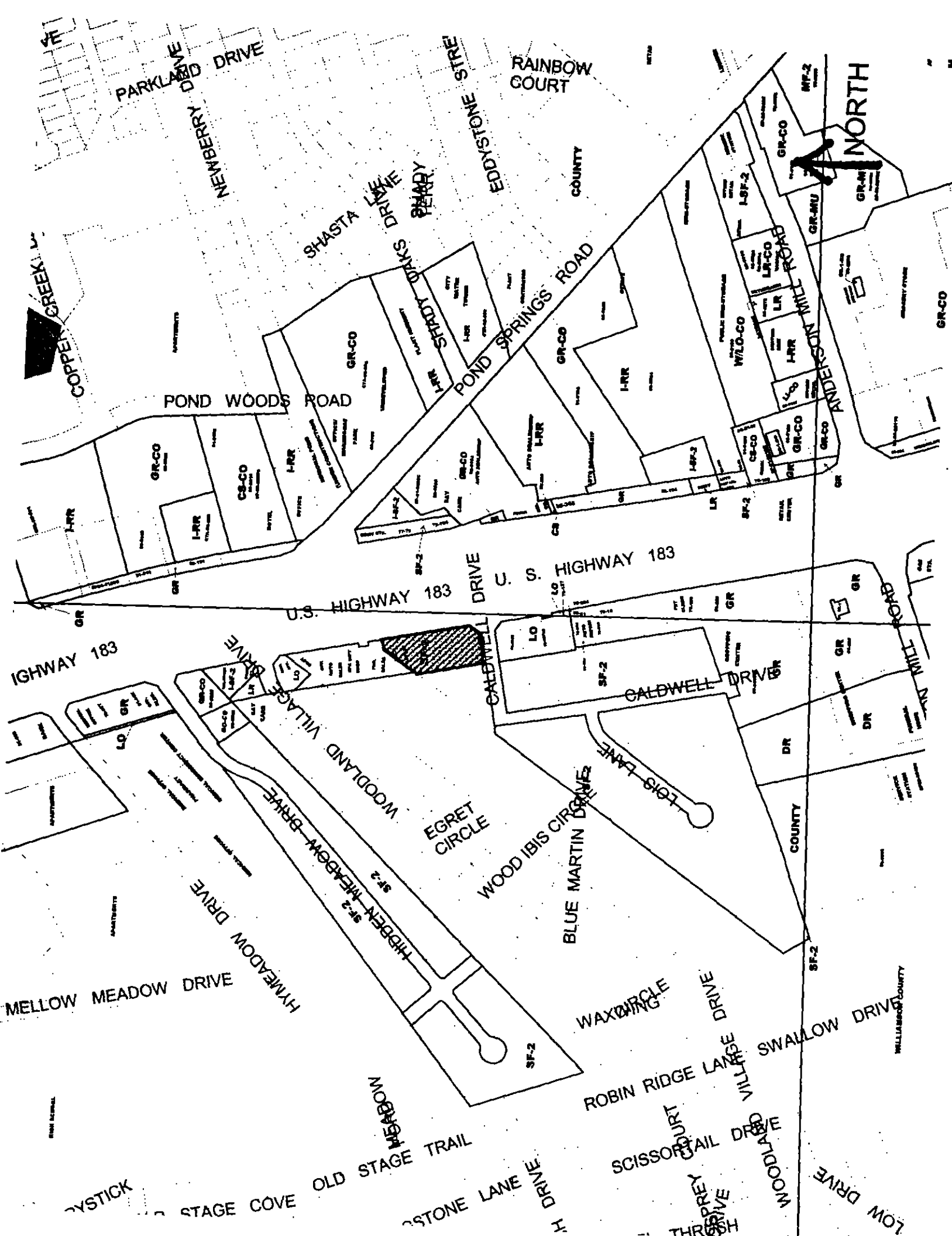
ORDINANCE NUMBER:

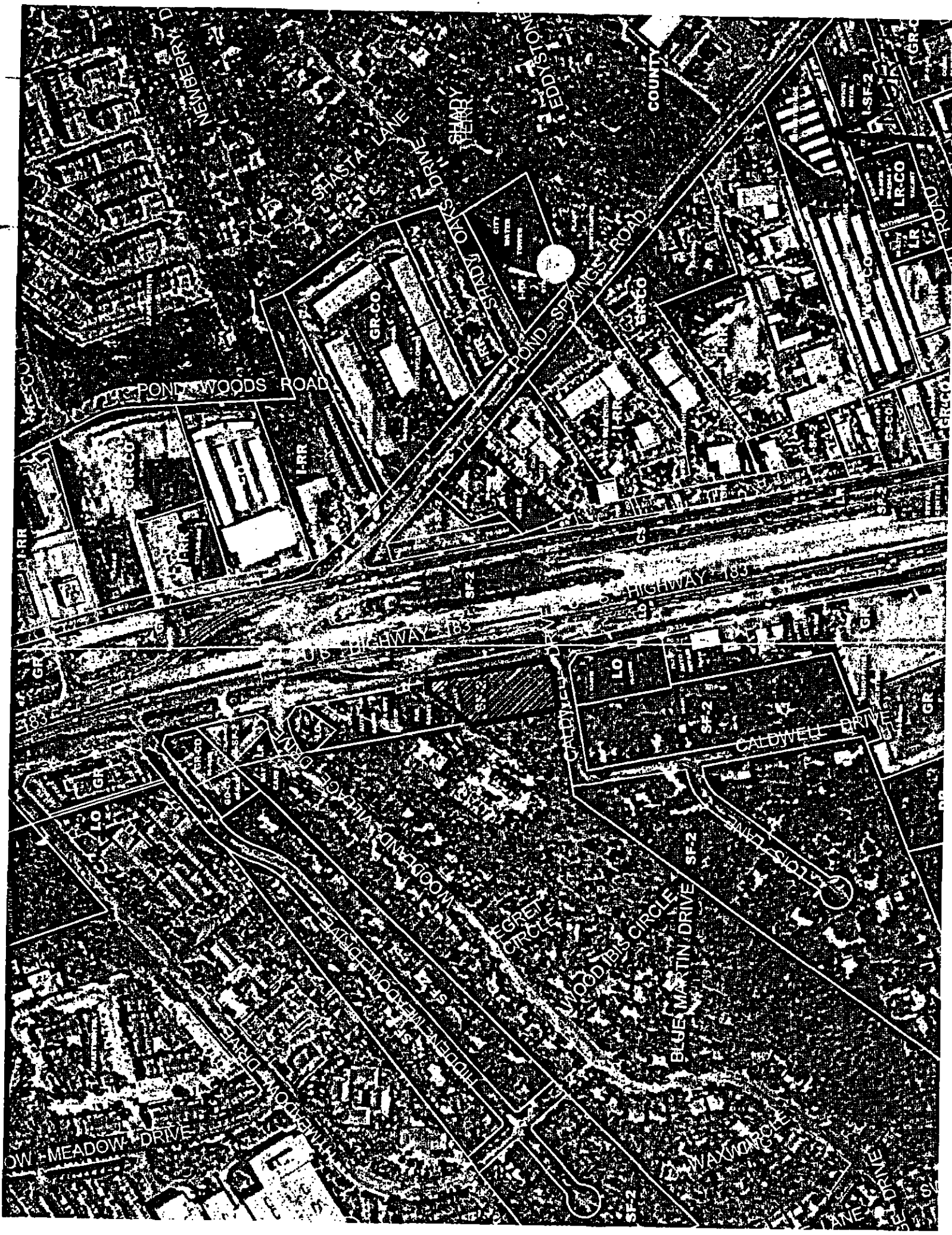
CASE MANAGER: Sherri Sirwaitis

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



 1" = 400'	SUBJECT TRACT		ZONING CASE #: C14-05-0043 ADDRESS: N US HWY 183 @ CALDWELL SUBJECT AREA (acres): 1.320	DATE: 05-03 INTLS: SM	CITY GRID REFERENCE NUMBER F38
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: S. GAGER				





STAFF RECOMMENDATION

The staff recommendation is to grant GR-CO, Community Commercial-Conditional Overlay, district zoning for the property in question. The conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day.

BASIS FOR RECOMMENDATION

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

The Community Commercial (GR) 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 GR zoning district designation would be appropriate for this site because the property in question is located at the intersection of a collector street and a major arterial roadway. The site will take access to Research Boulevard (U.S. Highway 183 North).

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

The site under consideration is located adjacent to commercial and office uses to the north and east. The property to the south and west of the site is currently undeveloped.

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

The GR-CO zoning district would allow for a fair and reasonable use of the property because it would allow for commercial uses to be located in a heavily traveled area. The property fronts U.S. Highway 183, which has recently been widened and improved through this area of the city.

EXISTING CONDITIONS

Site Characteristics

The site is currently undeveloped and heavily wooded. The property is located at the intersection of Caldwell Drive and U.S. Highway 183 North, a collector street and a major arterial roadway.

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 GR 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%.

Note: The most restrictive impervious cover limit applies.

Environmental

The site is located over the North Edward's 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.

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

At this time, site-specific information is unavailable regarding existing trees and 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.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8: Endangered Species in conjunction with subdivision and/or site plan process.

Transportation

No additional right-of-way is needed at this time.

It is recommended that access to Caldwell be prohibited until the pavement width of that roadway is upgraded to a minimum of 30'.

The trip generation under the requested zoning is estimated to be 4,739 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 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]

Capital Metro bus service is available along US Highway 183 (route #71).

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Us Hwy 183	400'	Varies	Major Arterial
Caldwell	50'	20'	Local

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 City of Austin Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) projects only. A comment from this reviewer that no right-of-way is needed applies only to needs for these categories, and does not preclude the need to dedicate right-of-way to satisfy requirements by others. There are separate right-of-way dedication and reservation requirements enforced by other City Departments and other governmental jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan that may not yet be funded, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

No aspect of the proposed project is being considered or approved as part of this review other than the need for right-of-way for City-funded roadway projects. If the configuration of the site/subdivision/plan will require any variances to Transportation Criteria Manual standards, the variance request(s) must be submitted separately through the assigned City of Austin case manager.

We have reviewed the proposed subdivision, site plan, or 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.

Water and Wastewater

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

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 storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Compatibility Standards

The site is subject to compatibility standards. Along the south property line, the following standards apply:

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the SF property line.

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the SF 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.
- Additional design regulations will be enforced at the time a site plan is submitted.

Attachment A

May 10, 2005

Mr. Ron Thrower
Thrower Design
2807 Manchaca Road, Building 2
Austin, TX 78704

RE: C14-05-0043

Dear Mr. Thrower,

Thank you for meeting with Mr. and Mrs. Morse and myself Monday evening to discuss our concerns regarding your client's request to obtain "GR" zoning for his property at Caldwell Drive and US HWY 183 N.

The neighbors in Acres West have reviewed the City's list of permitted uses under GR and are opposed to many of those allowed uses. It is strongly viewed by the majority of homeowners that LO is a more appropriate zoning. It is further hoped that the City would impose additional restrictions/limitations that would apply to either zoning status:

1. No adult-oriented businesses.
2. No pawnshops, tattoo or massage parlors.
3. No fast food or drive-in restaurants.
4. No service stations or convenience stores.
5. No 24-hour operations. (limit hours of operation from 6:00AM to 10:00PM)
6. No trash/custodial services after 10:00PM or before 6:00AM.
7. No outdoor speakers, ringers, alarms or lighting to invade residential premises.

AND MOST IMPORTANTLY...

8. **NO CURB CUTS ONTO CALDWELL DRIVE.**

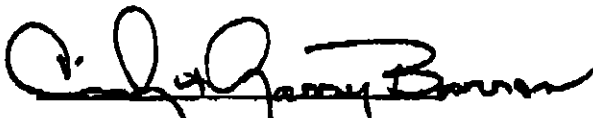
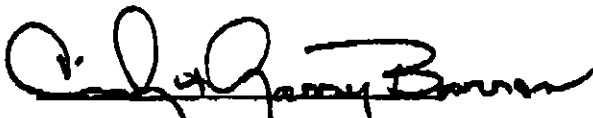
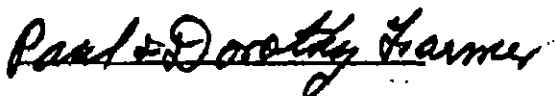



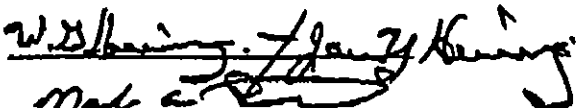
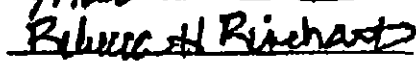
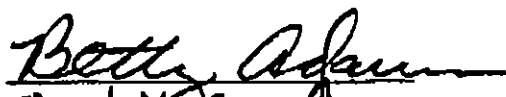
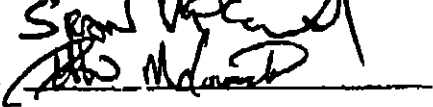

We look forward to continuing communications to resolve this case.


Cindy Barron
Acres West Homeowner

Enclosure (1)

cc: Mr. Blecker Morse, Acres West Homeowners Association
Mrs. Sherri Sirwaltis, City of Austin

ACRES WEST SUBDIVISION (05/05/05)

Block A, Lot 1 _____ Caldwell Drive	Cathyville, Ltd.	____(undeveloped)____ 
Block A, Lot 2 13602 Caldwell Drive	Garry & Cindy Barron	
Block A, Lot 3 13600 Caldwell Drive	Paul & Dorothy Farmer	
Block A, Lot 4 _____ Lois Lane	Lonnie E. Crawford, Jr.	____(undeveloped)____ 
Block A, Lot 5 _____ Lois Lane	Lonnie E. Crawford, Jr.	____(undeveloped)____ 
Block A, Lot 6 13508 Lois Lane	Mary Kay McGriff	
Block A, Lot 7 _____ Lois Lane	Cathyville, Ltd.	____(undeveloped)____
Block A, Sec.2 Lot 8A 13504 Lois Lane	Gene & Jan Herring	
Block A, Sec.2 Lot 9A 13___ Lois Lane	Mark & Rebecca Rinchart	
Block A, Sec.2 Lot 9B 13410 Lois Lane	Betty Adams	
Block A, Sec.2 Lot 10A 13___ Lois Lane	Sean & Debbie McCormick	
Block A, Sec.2 Lot 10B 13407 Lois Lane	Cliff & Peggy Shaw	

Block A, Sec.2 Lot 10C
13409 Lois Lane

Bill & Leslie Allen

Bill & Leslie Allen

Block A, Sec.2 Lot 10D
13411 Lois Lane

Kathleen Robertson

Kathleen Robertson

Block A, Sec.2 Lot 10E
13413 Lois Lane

Edwin
Edwin Mazariegos

Block A, Sec.2 Lot 11A
13501 Lois Lane

Janet & Alan Case

Janet and Alan Case

Block A, Sec.2 Lot 11B
13415 Lois Lane

Sam & Barbara Smith

Sam & Barbara Smith

Block A, Lot 12
13503 Lois Lane

Angelo & JoAnn Baylon

*Angelo S. Baylon
JoAnn Baylon*

Block A, Lot 13
13505 Lois Lane

Kelli McAnally &
Julie Johnston

*Kelli McAnally
Julie Johnston*

Block A, Lot 14
13507 Lois Lane

Ian & Uoc Nguyen

*(undeveloped)
(available at list time)*

Block A, Lot 15
13509 Lois Lane

Joe & Carolyn Pils

*Joe Pils
Carolyn Pils*

Block A, Lot 16
13516 Caldwell Drive

Dale & Ester Porter

Dale & Ester Porter

Block A, Lot 17
13514 Caldwell Drive

Charlotte Rotthoff

Charlotte Rotthoff

Block A, Lot 18
13510 Caldwell Drive

Carl & Brenda Snow

Carl & Brenda Snow

Block A, Lot 19
13506 Caldwell Drive

Brett Hardeman

Brett Hardeman

Block A, Lot 20
_____ Caldwell Drive

Cathyville, Ltd.

(undeveloped)

Block A, Lot 21 _____ Caldwell Drive	David G. Johnson	____(undeveloped)____
Block A, Lot 22-25 US HWY 183 N	Warren Broz	____(undeveloped)____
Block B, Lot 1 US HWY 183 N 13542 Research Blvd.	Raymond Johnson	____(commercial: 78-159)
Block B, Lot 2 US HWY 183 N 13552 Research Blvd.	Diane Shigley	____(commercial: _____)
Block B, Lot 3 US HWY 183 N 13560 Research Blvd.	Fritz Becker	____(commercial: 79-10)
Block B, Lot 4 US HWY 183 N _____ Research Blvd.	Orlie Wenzel	____(commercial: _____)
Block B, Lot 5 US HWY 183 N _____ Research Blvd.	Jain Kewal	____(commercial: 90-051)
Block B, Lots 6-8 US HWY 183 N	Anderson Mill, Ltd.	____(undeveloped): 79-127, 93-0033
Block B, Lot 9 13601 Caldwell Drive	Joe & Sandy Coffey	(rental) <u>Joe & Sandy Coffey</u>
Block B, Lot 10 _____ Caldwell Drive	Coffey/Morse	(joint lot) <u>Coffey/Morse</u>
Block B, Lot 11 13601 Caldwell Drive	Blecker & Kitty Morse	<u>Blecker & Kitty Morse</u>
Block B, Lot 12 13517 Caldwell Drive	Mike & Cecelia Stark	<u>Mike & Cecelia Stark</u>

Block B, Lot 13-14
13515 Caldwell Drive

Fred & Lottie Dittrich

Fred & Lottie Dittrich

Block B, Lot 15-16
13511 Caldwell Drive

Dan & Barbara Smith

Dan & Barbara Smith

Block C, Lots 1-13
US HWY 163 N

Resubdivided: commercial uses

CS:85-365

INS

03-0104

98-0086

79-164

C14-01-0155

C14-03-0104

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: C14-05-0043

Contact: Sherri Gager, (512) 974-3057

Public Hearing:

April 19, 2005 Zoning and Platting Commission

Joe M Caffey And Sandra

Your Name (please print)

13609 CALDWELL DR

Your address(es) affected by this application

[Signature]

Signature

4-14-5

Date

Comments:

- TOO MUCH TRAFFIC
- TOO SMALL A LOT
- EXCESSIVE NOISE

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Gager

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object

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: C14-05-0043

Contact: Sherri Gager, (512) 974-3057

Public Hearing:

April 19, 2005 Zoning and Platting Commission

C. H. Brown

Your Name (please print)

1005 Woodland Vlg Dr.

Your address(es) affected by this application

Austin TX 78750

Signature

Date

4/20/05

Comments:

I HOPE IT MIGHT
INCREASE EMPLOYMENT

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Gager

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor
☐ I object

Attachment B

Sirwaitis, Sherri

From: Ron Thrower [ron@throwerdesign.com]
Sent: Friday, May 13, 2005 1:20 PM
To: Betty Baker; Janis Pinnelli; 'Melissa Whaley-Hawthorne'; Keith Jackson; Jay Gohil; Joseph Martinez; Teresa Rabago; Clarke Hammond; John Donisi
Cc: Sirwaitis, Sherri
Subject: C14-05-0043

Commissioners,

For those that may desire some reading pleasure over the weekend, attached is a brief for the US 183 / Caldwell Drive zoning case.

If anyone has any comments, concerns or questions, please call me at office 476-4456, mobile 731-2524, home 301-1815.

Hope everyone has a great weekend.

Ron Thrower

Thrower Design

2807 Manchaca Road, Bldg. 2

Austin, Texas 78704

512 / 476-4456

512 / 476-4454 fax

5/17/2005

Thrower Design

2807 Manchaca Road, Building 2
Austin, Texas 78704
(512) 476-4456 • Fax (512) 476-4454

MEMORANDUM

DATE: May 13, 2005
TO: Zoning & Platting Commissioners
FROM: Ron Thrower
RE: C14-05-0043
US 183 & Caldwell Drive

Commissioners,

The following is a summation of the reasoning for the request to re-zone the above referenced property from "SF-2" to "GR";

Property size – 1.24 Acres

Frontage - US 183 = 399'
Caldwell Drive = 156'

3 Driveways constructed as a part of the 183 improvements – 1 driveway in use today with adjoining property.

Conceptual Layout provides for 11,000 s.f. building, retaining joint access driveway, closing two driveway cuts on US 183, providing 1 driveway on Caldwell Drive.

Prohibited Uses we have offered in writing to neighbors:

- | | |
|-----------------------------------|---|
| 1) Bail Bond Services; | 13) Restaurant (General); |
| 2) Business or Trade School; | 14) Service Station; ✓ |
| 3) Commercial Off-Street Parking; | 15) Theater; |
| 4) Communications Services; | 16) College & University Facilities; |
| 5) Financial Services; | 17) Counseling Services; |
| 6) Food Sales; | 18) Guidance Services; |
| 7) Funeral Services; | 19) Hospital Services Limited; |
| 8) Hotel – Motel; | 20) Public & Private, Primary & Secondary |
| 9) Indoor entertainment; | Education Services; |
| 10) Indoor Sports & Recreation; | 21) Residential Treatment; |
| 11) Outdoor Sports & Recreation; | 22) Urban Farm. |
| 12) Pawn Shop Services; ✓ | |

Permitted Uses:

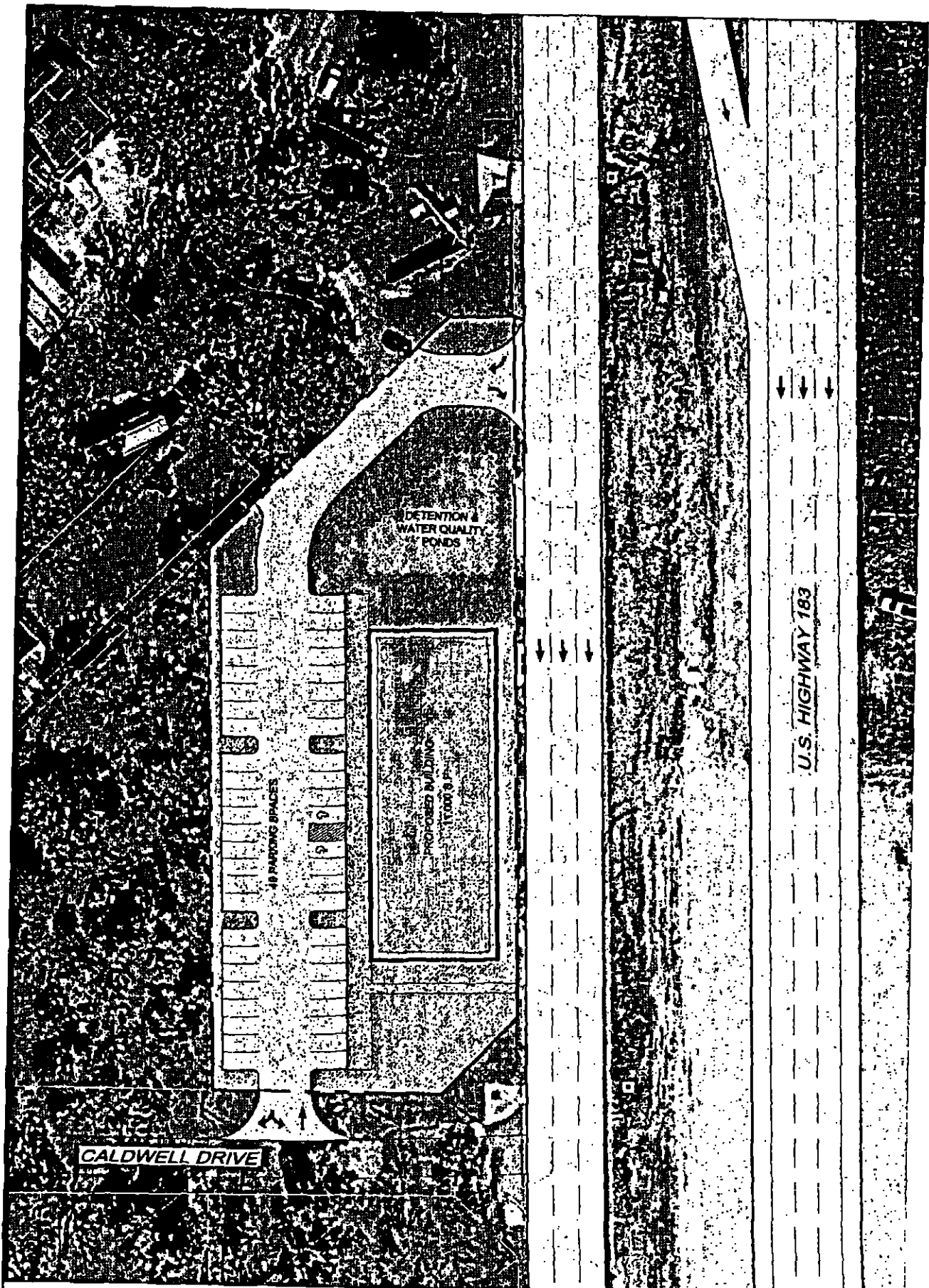
- | | |
|--|--|
| 1) Bed & Breakfast Residential (Group 1 & 2) | 15) Personal Services; ✓ |
| 2) Administrative & Business Office; | 16) Printing & Publishing; |
| 3) Art Workshop; | 17) Professional Office; |
| 4) Automotive Repair; | 18) Research Services; |
| 5) Automotive Sales; | 19) Restaurant (Limited); |
| 6) Automotive Washing; | 20) Software Development; |
| 7) Business Support Services; | 21) Community Recreation (Public & Private); |
| 8) Consumer Convenience Services; | 22) Congregate Living; |
| 9) Consumer Repair Services; | 23) Cultural Services; |
| 10) Exterminating Services; | 24) Day Care; |
| 11) General Retail Sales (Convenience & ✓
General); | 25) Family Home; |
| 12) Medical Offices; | 26) Group Home; |
| 13) Off-Site Accessory Parking; | 27) Religious Assembly; |
| 14) Personal Improvement Services; | 28) Safety Services. |

We are in agreement with staff recommendation and the additional Prohibited Uses.

Currently Caldwell Drive is a dead-end street without a cul-de-sac. Neighbors often complain about the vehicles that enter on Caldwell have to turn-around in one of their driveways.

We believe;

- 1) That a driveway to Caldwell will provide an opportunity for those that turn onto Caldwell the ability to enter the subject property to either turn-around or pass through the site and return to US 183.
- 2) That a driveway to Caldwell would provide a secondary outlet for vehicles should the intersection of Caldwell / US 183 be blocked with an accident. Secondary access for emergency service vehicles is important.
- 3) That re-zoning the property to "GR" allows for a building to be constructed as far away from the neighbors as possible.
- 4) That re-zoning the property to "GR" will potentially provide for uses that may serve the neighbors and a driveway is essential for this to occur. Currently, every resident within Acres West must enter the highway for every commercial service they need.



WARREN BROZ
U.S. HIGHWAY 183 & CALDWELL DRIVE

Thruway Design
1007 BARRACUDA RD., BLDG. 2 • ALBUQUERQUE, NM 87104 • (505) 475-4400
LAND PLANNERS

Thrower Design

2807 Manchaca Road, Building 2
Austin, Texas 78704
(512) 476-4456 • Fax (512) 476-4454

April 18, 2005

Mr. Bleecker L. Morse
Acres West Homeowners Association
13601 Caldwell
Austin, Texas 78750

RE: C14-05-0043
US 183 & Caldwell Drive

Dear Mr. Bleecker,

Thank you to yourself and the neighbors for meeting this past Wednesday to discuss the re-zoning of the property covered under case # C14-05-0043.

Pursuant to the meeting I have compiled a list of uses that we can prohibit with the "GR" zoning requested for the property with a Conditional Overlay. The list includes the uses that should not be in close proximity to single-family development such as the Acres West Subdivision or would not be likely candidates for occupancy of the site.

Prohibited Uses:

- 1) Bail Bond Services;
- 2) Business or Trade School;
- 3) Commercial Off-Street Parking;
- 4) Communications Services;
- 5) Financial Services;
- 6) Food Sales;
- 7) Funeral Services;
- 8) Hotel – Motel;
- 9) Indoor entertainment;
- 10) Indoor Sports & Recreation;
- 11) Outdoor Sports & Recreation;
- 12) Pawn Shop Services;

- 13) Restaurant (General);
- 14) Service Station;
- 15) Theater;
- 16) College & University Facilities;
- 17) Counseling Services;
- 18) Guidance Services;
- 19) Hospital Services Limited;
- 20) Public & Private, Primary & Secondary Education Services;
- 21) Residential Treatment;
- 22) Urban Farm.

Which leaves as Permitted Uses the following:

- 1) Bed & Breakfast Residential (Group 1 & 2)
- 2) Administrative & Business Office;
- 3) Art Workshop;
- 4) Automotive Repair;
- 5) Automotive Sales;
- 6) Automotive Washing;
- 7) Business Support Services;
- 8) Consumer Convenience Services;
- 9) Consumer Repair Services;
- 10) Exterminating Services;
- 11) General Retail Sales (Convenience & General);
- 12) Medical Offices;
- 13) Off-Site Accessory Parking;
- 14) Personal Improvement Services;
- 15) Personal Services;
- 16) Printing & Publishing;
- 17) Professional Office;
- 18) Research Services;
- 19) Restaurant (Limited);
- 20) Software Development;
- 21) Community Recreation (Public & Private);
- 22) Congregate Living;
- 23) Cultural Services;
- 24) Day Care;
- 25) Family Home;
- 26) Group Home;
- 27) Religious Assembly;
- 28) Safety Services.

The neighborhood attendees to the meeting had discussed the access issue to Caldwell Drive as a major issue to re-zoning the subject property. While I understand the issue of cut-through traffic within the neighborhood is an impossibility as no outlet exists, I strongly believe that any use on the subject property should have access to Caldwell Drive for the following reasons;

- 1) Should a visitor of the site pass the site, they would automatically turn onto Caldwell Drive anticipating a secondary entrance rather than circulating the freeway system and coming back around.
- 2) The potential to provide services that the homeowners within Acres West Subdivision may patronize should be accommodated with not only vehicular access but also pedestrian access. Currently, everyone seeking any commercial service must enter the highway.

I encourage the homeowners to consider the driveway access with the above reasons, but also to understand that signage can be gained to warn those that exit the site on Caldwell Drive to not turn right. Further, signage can be gained to provide "No Outlet" information and I encourage "Children at Play" signage for the subdivision. While Caldwell Drive is primarily a residential street, commercial uses do have frontage on the street and can be used for access with very little to no impact on the neighborhood with proper pavement markings and signage.

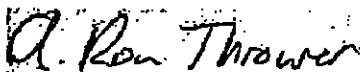
Further, I believe that two particularly perceived intense uses would serve the Acres West neighborhood with facilities which do not exist in the immediate area and within walking distance. One is General Retail Sales (Convenience & General) and the other is Restaurant (Limited). The retail sales could have some benefit to the neighbors but the prohibition of service station use would prohibit gasoline sales and therefore the use would never be a true convenience store. A Restaurant (Limited) use could include the possibility of a coffee shop which can provide neighborhood potential use for residents of the area.

I, and City staff, strongly agree that "GR" is the most appropriate zoning for the subject property given the surrounding development as well as the fact that the property fronts on a roadway with a considerable amount of additional traffic versus the time which the subdivision or annexation of the property occurred.

As you are aware, the case is scheduled for consideration by the Zoning & Plating Commission on April 19th for which it is our desire to continue with the case before the commission. Should Acres West Homeowners Association require any additional time to consider the request please contact me to discuss postponement possibilities.

Should you have any questions or need additional information, please call me at my office.

Sincerely,



A. Ron Thrower

Attachment C

Sirwaitis, Sherri

From: Ron Thrower [ron@throwerdesign.com]
Sent: Monday, May 16, 2005 5:50 PM
To: Betty Baker; Janis Pinnell; 'Melissa Whaley-Hawthorne'; Keith Jackson; Jay Gohil; Joseph Martinez; Teresa Rabago; Clarke Hammond; John Donisi
Cc: Sirwaitis, Sherri
Subject: RE: C14-05-0043

Commissioners,

Attached is a Technical Memorandum from John F. Hickman & Associates regarding the transportation issues associated with the US 183 / Caldwell Drive Zoning case. Item #10.

Ron Thrower

Thrower Design

2807 Manchaca Road, Bldg. 2
 Austin, Texas 78704
 512 / 476-4456
 512 / 476-4454 fax

From: Ron Thrower [mailto:ron@throwerdesign.com]
Sent: Friday, May 13, 2005 1:20 PM
To: Betty Baker; Janis Pinnell; 'Melissa Whaley-Hawthorne (apsinc@bga.com)'; Keith Jackson; Jay Gohil; Joseph Martinez (josephmartinez@yahoo.com); Teresa Rabago; Clarke Hammond; John Donisi
Cc: 'Sherri.Sirwaitis@ci.austin.tx.us'
Subject: C14-05-0043

Commissioners,

For those that may desire some reading pleasure over the weekend, attached is a brief for the US 183 / Caldwell Drive zoning case.

If anyone has any comments, concerns or questions, please call me at office 476-4456, mobile 731-2524, home 301-1815.

Hope everyone has a great weekend.

Ron Thrower

Thrower Design

2807 Manchaca Road, Bldg. 2
 Austin, Texas 78704
 512 / 476-4456
 512 / 476-4454 fax

5/17/2005

John F. Hickman & Associates*Transportation • Parking • Urban Planning***TECHNICAL MEMORANDUM**

TO: Ron Thrower
Thrower Design

FROM: John Hickman, AICP

DATE: May 16, 2005

SUBJECT: Broz Property - US 183 and Caldwell Drive

INTRODUCTION

This memorandum primarily concerns transportation planning aspects of rezoning and subsequent commercial development of subject property.

SITE INFORMATION

The Broz property is located along the southbound US 183 frontage road directly north of Caldwell Drive. The property is currently vacant, and a rezoning application has been filed to accommodate commercial development. Directly across Caldwell Drive from the Broz property is another vacant parcel currently being offered by Pohl Brown & Associates, presumably also for commercial development. Both of these currently vacant parcels are densely vegetated, which provides a natural buffer from the US 183 highway corridor for the existing suburban residential neighborhood located west of US 183 along Caldwell Drive and Lois Lane.

Caldwell Drive currently exists with approximately 20' of pavement and no curb/gutter. At its intersection with the US 183 frontage road, Caldwell Drive has the look and feel of a country lane and provides no outlet other than to the single-family residential subdivision. A "no outlet" indication is posted on the stop sign which controls the Caldwell Drive intersection approach at the US 183 service road.

SITE ACCESS

With rezoning and commercial development of the Broz tract, property ingress/egress is a consideration. One alternative is to provide access to/from both adjacent roadways; the other option is to provide access only to/from the US 183 service road. Both of these options could support a site design which pushes the building footprint up to the service road with parking being located behind the building.

From a traffic circulation perspective, the provision of access to/from each of the adjacent roadways provides benefits. Vehicles along the service road which drive past the service road access point could then access the property with a right-turn onto Caldwell then another right-turn

John F. Hickman & Associates

into the site from a Caldwell Drive access point. Additionally, access to/from Caldwell Drive would enable local trips originating in the adjacent neighborhood to access the property by vehicle without having to drive south along the frontage road, u-turn at the Anderson Lane signalized location, travel north along the opposite frontage road, and u-turn again at the Lake Creek Parkway signalized location. Accessing the Broz property only from the US 183 service road would not provide these traffic circulation benefits. It should be noted that access to/from Caldwell Drive for the property being offered by Pohl Brown & Associates would not provide these traffic circulation benefits, so access needs for this particular property could be adequately accommodated with driveways restricted to the service road only.

AREA ACCESS PATTERNS

In order to evaluate if access to/from Caldwell Drive would be consistent with commercial property ingress/egress patterns in this area, a windshield survey was conducted to determine if property access was available along side streets for parcels in the immediate vicinity of the Broz tract. Results of this windshield survey indicate that six similarly situated properties exist with ingress and/or egress to both the service road and the side street. Two properties access only the side street. A listing of these properties is included within an appendix to this report. It should be noted that all of these side streets were observed with standard urban pavement sections of varying widths, and the land uses along these streets are of a more urban nature than the subdivision served by Caldwell Drive.

CONCLUSIONS AND RECOMMENDATIONS

Commercial development of the Broz tract and the other currently vacant parcel with frontage along Caldwell Drive will remove much of the residential neighborhood's natural vegetative buffer from the US 183 highway corridor, and the country lane gateway effect of Caldwell Drive into the neighborhood will be changed. From a traffic circulation perspective, Broz property access to/from both Caldwell Drive and the US 183 frontage road is preferred, and it should be noted that a service road access point is to be shared with an adjacent property immediately north. "Cut-through" traffic along Caldwell Drive would not be an issue as no connectivity is available through the existing neighborhood to other streets serving other areas. Access to/from Caldwell Drive for the tract across Caldwell from the Broz site would not be as necessary or desirable. From an urban design perspective, pushing the Broz building footprint to the edge of the highway frontage road and placing the parking area behind the building is a design concept currently in favor. It should be noted, however, that in cases such as this, the parking area becomes located directly next to the residential neighborhood which may create unwanted visual or other environmental impacts. To address this potentiality, it appears from preliminary site plan concepts that much vegetation will be retained at the rear of the property, and it is also likely that with parking at the rear of the building more attention will be devoted to building aesthetics in this location than would be otherwise.

In order to provide driveway access to/from Caldwell Drive, the roadway will be required by City policy to be upgraded to an urban section - probably 30' of pavement with curb/gutter. This upgraded section would likely be required for the length of the adjacent property's frontage. This urban section would then be transitioned back into the current configuration of Caldwell Drive thus preserving the country lane effect within the residential area. If Broz tract access to Caldwell Drive is precluded for some reason, then my recommendation is that Caldwell Drive not be widened at all from its present configuration.

May. 16 2005 04:25PM P4

PHONE NO. : 512 472 4214

FROM : John F. Hickman & Associates



Windshield Survey

WINDSHIELD SURVEY

Properties with Service Road and Side Street Access

- Galleria Oaks. Side street = Balcones Club Drive
- Shell Convenience Market. Side street = Balcones Club Drive
- Small office property. Side street = Oceanair
- State Farm office building. Side street = Fathom
- First Care Health Alliance building. Side street = Fathom
- Office complex with Texas DPS. Side street = Hymeadow (egress only)

Properties with Only Side Street Access

- Summit Executive Centre. Side streets = Hymeadow and Hidden Meadow
- Amanda's Salon. Side street = Woodland Village



ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT U.S. HIGHWAY 183 NORTH AT CALDWELL DRIVE FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from single family residence standard lot (SF-2) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-05-0043, on file at the Neighborhood Planning and Zoning Department, as follows:

A portion of Lots 22, 23, 24, and 25, Block A, Acres West Subdivision, a subdivision in the City of Austin, Williamson County, Texas, according to the map or plat of record in Plat Book 4, Page 65, of the Plat Records of Williamson County, Texas (the "Property"),

locally known as the property located at U.S. Highway 183 North at Caldwell Drive, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit "A".

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

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
2. Vehicular access from the Property to Caldwell Drive is prohibited until the pavement width of this roadway is upgraded to a minimum width of 30 feet.
3. Drive-in service is prohibited as an accessory use to a commercial use.

1 4. The following uses are prohibited uses of the Property:

2
3 Automotive rentals

4 Automotive sales

5 Drop-off recycling collection facility

6 Daycare services (commercial

7 Daycare services (general)

Automotive repair services

Automotive washing (of any kind)

Exterminating services

Daycare services (limited)

8
9 Except as specifically restricted under this ordinance, the Property may be developed and
10 used in accordance with the regulations established for the community commercial (GR)
11 base district and other applicable requirements of the City Code.

12
13 PART 3. This ordinance takes effect on _____, 2005.

14
15
16 PASSED AND APPROVED

17
18
19
20 _____, 2005

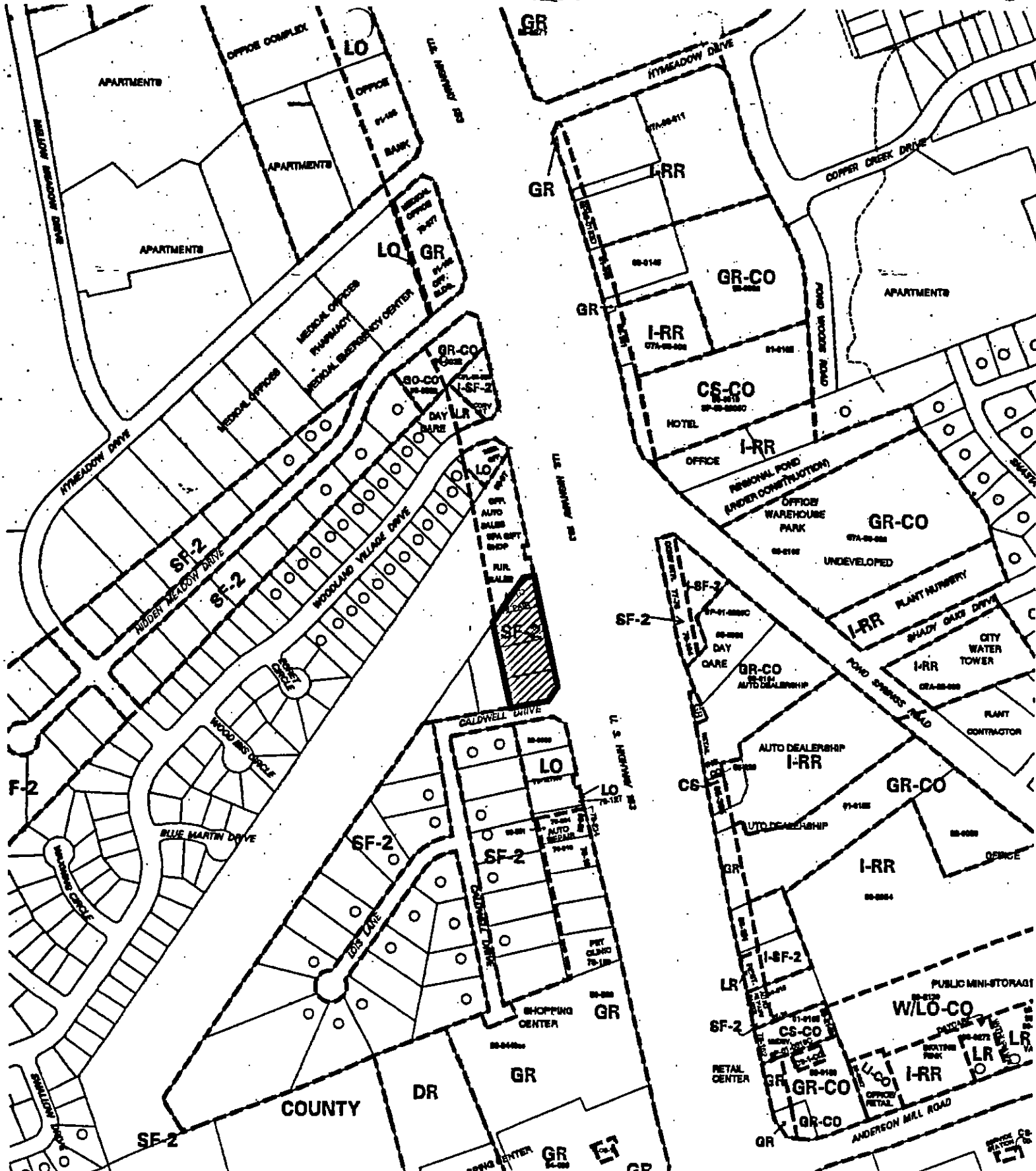
21 Will Wynn
22 Mayor

23
24
25 APPROVED: _____

26 David Allan Smith
27 City Attorney

ATTEST: _____

Shirley A. Brown
City Clerk



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT A		CITY GRID REFERENCE NUMBER F38
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-05-0043	DATE: 05-03	
	CASE MGR: S. GAGER	ADDRESS: N US HWY 183 @ CALDWELL DR	INTLS: SM	
SUBJECT AREA (acres): 1.320				