



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 04/15/2004
PAGE: 1 of 1

SUBJECT: C14-04-0042 - 13802 Research Boulevard - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 13802 Research Boulevard (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning and neighborhood commercial (LR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Rebota, Inc. (Jim Gauntt). Agent: Carlson, Brigrance & Doering, Inc. (Debbie Guerra). City Staff: Sherri Gager, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0042

Z.A.P. DATE: April 6, 2004

ADDRESS: 13802 Research Boulevard (U.S. Highway 183 North)

OWNER/APPLICANT: Rebota, Inc.
(Jim Gauntt)

AGENT: Carlson, Brigance & Doering
(Debbie Guerra)

ZONING FROM: I- RR, LR

TO: GR

AREA: 1.904 acres (29,407 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

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

ZONING AND PLATTING COMMISSION RECOMMENDATION:

4/6/04: Approved staff's recommendation of GR-CO by consent (7-0, K. Jackson-absent);
J. Martinez-1st, J. Gohil-2nd.

DEPARTMENT COMMENTS:

The property in question is currently developed as commercial building within an existing retail shopping center. The applicant is requesting a rezoning to GR to allow a Personal Improvement Services use on the site. The applicant plans to lease the existing structure to a physical fitness studio/gym facility.

The staff recommends GR-CO, Community Commercial-Conditional Overlay District, zoning for this property because this site is part of an established retail shopping center located at the corner of U.S. Highway 183 North, a major arterial roadway, and Lake Creek Parkway, a designated collector street. The proposed GR-CO zoning would be compatible with the adjacent uses because there is GR zoning located to the south, east, and west of the property. GR zoning is appropriate for this location because of the commercial character of the area and the frontage of the retail development along a highway.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LR	Vacant Commercial/Retail Building
<i>North</i>	I-RR, GR	Vacant Office/Commercial Structure
<i>South</i>	GR	Retail Shopping Center
<i>East</i>	GR	Retail Shopping Center
<i>West</i>	GR	Retail Shopping Center

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:

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
C14-01-0112	I-RR to GR (TR1), CS-1 (TR2)	9/11/01: Approved staff's rec. for GR (Tract 1), CS-1-CO (Tract 2), district zoning, adding a conditional overlay to prohibit Adult Oriented uses, on consent. (7-0, J. Martinez- left early, D. Castaneda-absent)	10/11/01: Approved GR for Tract 1 and CS-1-CO for Tract 2 with conditions (7-0); all 3 readings
C14-00-2184	DR to GR	Approved GR (5-2-1; JM/RC-Nay, BB-abstain)	Approved GR (7-0; all 3 readings)
C14-99-2112	I-RR to GR	Approved GR (7-1; RC-Nay)	Approved GR-CO (6-0; all 3 readings)
C14-98-0187	DR to GR	Approved GR by consent (8-0)	Approved GR-CO with conditions (7-0; all 3 readings)
C14-97-0136	GR to GR DR to GR	Approved GR by consent (6-0-1; WB-abstain)	Approved GR on emergency pass, (7-0; all 3 readings)
C14-97-0078	GR-CO to CS-1	Approved staff alternate recommendation of CS-1-CO (9-0)	Approved CS-1-CO with conditions (7-0; all 3 readings)
C14-97-0026	LR to GR	Approved GR (7-0-1)	Approved GR (5-0-1, RR- abstain; all 3 readings)

RELATED CASES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-79-199	AA to GR	10/23/79: Grant "GR" zoning, with a condition from the staff rec. for improvement of U.S. 183 (dedication of additional ROW from the centerline of 183); (6-0-1)	11/29/79: 1 st reading 1/10/80: Granted "LR" zoning; 2 nd /3 rd reading (Ordinance No. 790110-F)

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
US Hwy 183	400'	Varies	Major Arterial	N/A

CITY COUNCIL DATE: April 15, 2004

ACTION:

ORDINANCE READINGS: 1st

2nd




3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Gager

PHONE: 499-3057,
sherri.gager@ci.austin.tx.us



 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: S. GAGER	 	ZONING CASE #: C14-04-0042 ADDRESS: 13802 RESEARCH BLVD SUBJECT AREA (acres): 1.900	DATE: 04-03 INTLS: SM	CITY GRID REFERENCE NUMBER F39
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STAFF RECOMMENDATION

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

BACKGROUND

The property in question is currently developed as commercial building within an existing retail shopping center. The applicant is requesting a rezoning to GR to allow a Personal Improvement Services use on the site. The applicant plans to lease the existing structure to a physical fitness studio/gym facility.

The staff recommends GR-CO, Community Commercial-Conditional Overlay District, zoning for this property because this site is part of an established retail shopping center located at the corner of U.S. Highway 183 North, a major arterial roadway, and Lake Creek Parkway, a designated collector street. The proposed GR-CO zoning would be compatible with the adjacent uses because there is GR zoning located to the south, east, and west of the property. GR zoning is appropriate for this location because of the commercial character of the area and the frontage of the retail development along a highway.

The applicant agrees with the staff's recommendation.

BASIS FOR RECOMMENDATION

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

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

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

The GR-CO zoning district would be compatible and consistent with the surrounding uses because there is GR (Community Commercial) zoning to the south, east, and west of this site. The property in question contains a commercial building that is located within an existing retail shopping center. The site is surrounded on all sides by commercial development.

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

The proposed GR-CO zoning district would allow for a fair and reasonable use of the site. GR-CO zoning is appropriate for this location because of the commercial character of the area and the frontage of the retail development along a highway, which has recently been upgraded and expanded. The size of the tract (1.900 acres) is adequate to accommodate more intensive commercial uses.

4. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The property in question is located in an existing retail center at the intersection of U.S. Highway 183 North, a major arterial roadway, and Lake Creek Parkway, a designated collector.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently developed as a commercial building within a retail shopping center.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover 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>% 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%

Note: The most restrictive impervious cover limit applies.

Environmental

The site is located over the Northern Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Lake 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%

According to flood plain maps, there is a floodplain within, or adjacent to the project boundary. Based upon the close proximity of flood plain, 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.

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.

Transportation

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

The trip generation under the requested zoning is estimated to be 6,036 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 Hwy 183 (Route #71).

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
US Hwy 183	400'	Varies	Major Arterial	N/A

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 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 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 will be responsible for all costs and providing. Also, the

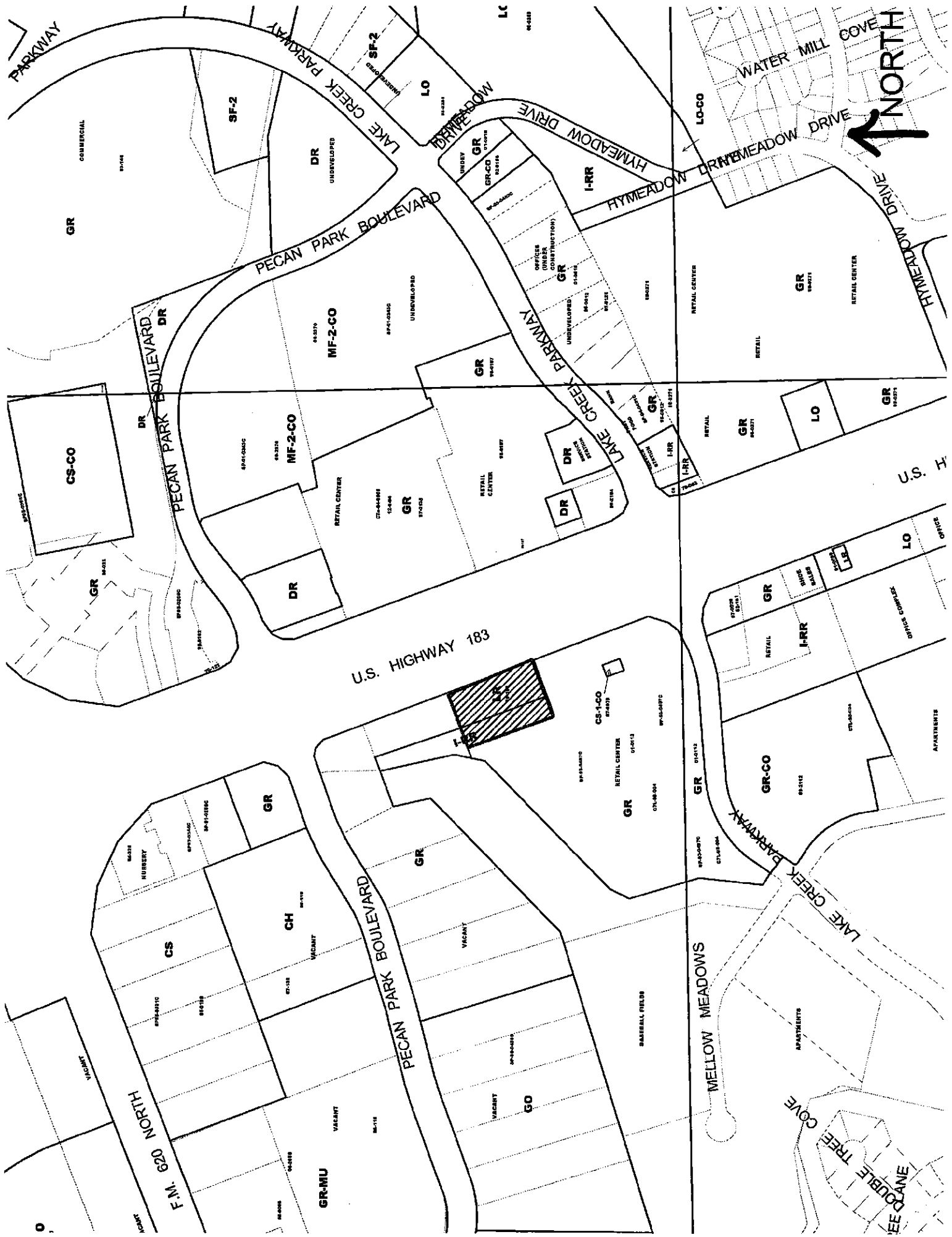
utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City's utility design criteria.

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.

Compatibility Standards

This site is not subject to compatibility development regulations.





ORDINANCE NO. _____

(AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 13802 RESEARCH BOULEVARD FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT AND NEIGHBORHOOD COMMERCIAL (LR) 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 interim rural residence (I-RR) district and neighborhood commercial (LR) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-04-0042, on file at the Neighborhood Planning and Zoning Department, as follows:

A 1.904 acre tract of land, more or less, out of the William Frampton Survey Abstract 230, in Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 13802 Research Boulevard, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit "B".

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

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.

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

1
2 **PART 3.** This ordinance takes effect on _____, 2004.
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5 **PASSED AND APPROVED**
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8 _____, 2004
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§
§
§

Will Wynn
Mayor

10
11
12
13 **APPROVED:**

David Allan Smith
City Attorney

ATTEST:

Shirley A. Brown
City Clerk

STEVE H. BRYSON SURVEYING CO.

2499 Cap. of TX Hwy. S.,
Bldg. A, Ste. 205
Austin, TX 78746
(512) 347-9505
Fax: (512) 347-9510

FIELD NOTES

BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF AND A PART OF THE WILLIAM FRAMPTON SURVEY ABSTRACT 230 SITUATED IN WILLIAMSON COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING LOT 1, BLOCK A, ANDERSON MILL H.E.B., A SUBDIVISION OF RECORD IN CABINET C, SLIDES 101-102, PLAT RECORDS OF WILLIAMSON COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN 0.417 ACRE TRACT OF LAND AWARDED TO THE STATE OF TEXAS BY FINAL JUDGMENT FILED UNDER CAUSE NO. 90-533-C368 IN THE 368TH JUDICIAL DISTRICT COURT OF WILLIAMSON COUNTY, TEXAS AND RECORDED IN VOLUME 2228, PAGE 273, OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID TRACT OF LAND BEING 1.904 ACRES OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at an iron pin found at the northwest corner of said Lot 1, Block A, same point being in the south line of Anderson Mill Center Phase II, a subdivision of record in Cabinet D, Slides 11-12 of said Plat Records, for the northwest corner and the POINT OF BEGINNING of the herein described tract,

THENCE, following the north line of said Lot 1, Block A, same being the south line of said Anderson Mill Center Phase II, N71°50'30"E, 230.31 feet to a point in the new right-of-way line of U.S. Highway No. 183, an existing public right-of-way, same point being the northwest corner of said 0.417 Acre tract of land awarded to the State Of Texas as described in Exhibit "A" of said Volume 2228, Page 273, for the northeast corner of the herein described tract,

THENCE, following the west line of said 0.417 Acre tract, same being the new east right-of-way line of said U.S. Highway No. 183, S18°14'54"E, 360.04 feet to a point in the south line of said Lot 1, Block A, same point being the southwest corner of said 0.417 Acre tract, for the southeast corner of the herein described tract,

THENCE, following the south line of said Lot 1, Block A, S71°48'00"W, 230.51 feet to an iron pin found at the southwest corner of said Lot 1, for the southwest corner of the herein described tract,

THENCE, with the west line of said Lot 1, Block A, same being the easterly line of Anderson Mill Center Phase I Amended, a subdivision of record in Cabinet D, Slides 15-16 of said Plat Records, N18°13'00"W, 360.21 feet to the POINT OF BEGINNING containing 1.904 Acres Of Land.

Surveyed By: Steve H. Bryson

Steve H. Bryson ~ R.P.L.S. No. 4248
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Austin, Texas, 78746
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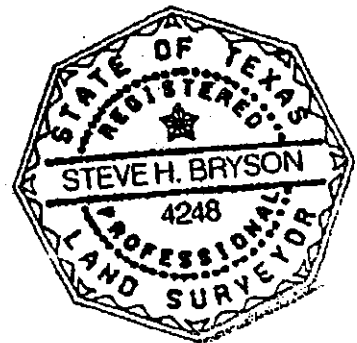


EXHIBIT A

