

Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION



AGENDA ITEM NO.: 78
AGENDA DATE: Thu 12/16/2004
PAGE: 1 of 1

SUBJECT: C14-04-0063 - 2222 Business Park - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10700 RM 2222 (West Bull Creek Watershed) from general office-conditional overlay (GO-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First reading on December 2, 2004. Vote: 7-0. Conditions met as follows: Conditional overlay and restrictive covenant incorporates the conditions imposed or accepted by Council on first ordinance reading. Applicant: International Bank of Commerce (Dennis Nixon). Agent: Urban Design (Laura Touns). City Staff: Glenn Rhoades, 974-2775.

REQUESTING	Neighborhood Planning	DIRECTOR'S
DEPARTMENT:	and Zoning	AUTHORIZATION: <u>Greg Guernsey</u>

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-04-0063

REQUEST:

Approve second/third reading of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 10700 RM 2222 from general office-conditional overlay (GO-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning.

DEPARTMENT COMMENTS:

Staff's alternate recommendation is community commercial-conditional overlay (GR-CO) combining district zoning. The conditional overlay will prohibit automotive rentals, automotive sales, automotive repair and automotive washing (of any type).

The applicant has also submitted a Traffic Impact Analysis (TIA) for the subject tract and a memo from City staff is included with this report. Staff recommends that Council incorporate the recommendations included in the TIA.

APPLICANT: International Bank of Commerce (Dennis Nixon)

AGENT: Urban Design (Laura Toups)

DATE OF FIRST READING/VOTE:

December 2, 2004 – Approved community commercial-conditional overlay (GR-CO) combining district zoning (Vote: 7-0).

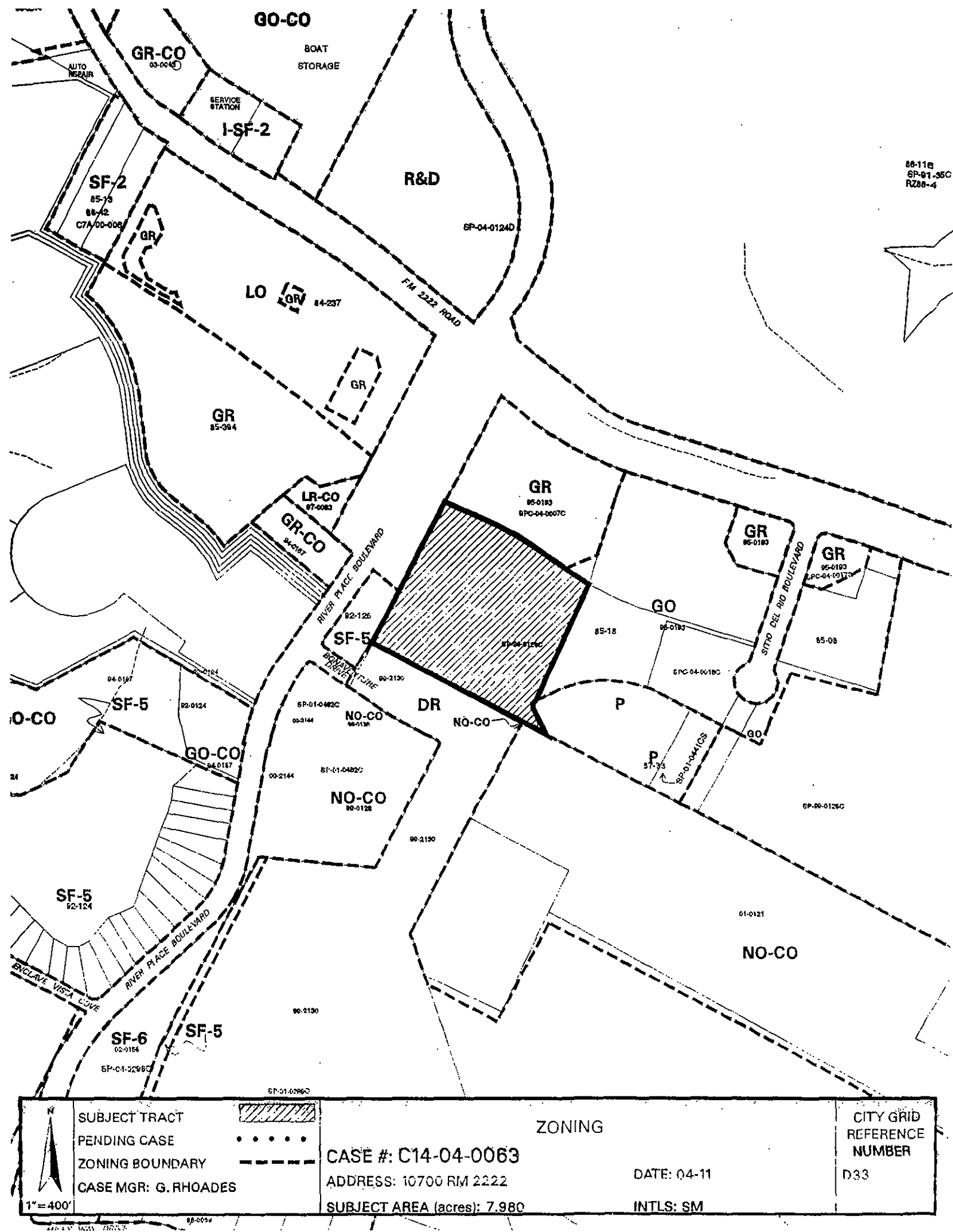
CITY COUNCIL DATE:

December 2, 2004 – Approved GR-CO combining district zoning.

December 16, 2004 -

ASSIGNED STAFF: Glenn Rhoades

PHONE: 974-2775
glenn.rhoades@ci.austin.tx.us



ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 10700 RM 2222 FROM GENERAL OFFICE-
3 CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT TO
4 COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO)
5 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 general office-conditional overlay (GO-CO) combining
11 district to community commercial-conditional overlay (GR-CO) combining district on the
12 property described in Zoning Case No. C14-04-0063, on file at the Neighborhood Planning
13 and Zoning Department, as follows:
14

15 Lot 2, Twenty-Two Twenty-Two Business Park Subdivision, a subdivision in the
16 City of Austin, Travis County, Texas, according to the map or plat of record in Plat
17 Book 100, Page 170, of the plat records of Travis County, Texas, (the "Property")
18

19 locally known as 10700 RM 2222, in the City of Austin, Travis County, Texas, and
20 generally identified in the map attached as Exhibit "A".
21

22 **PART 2.** The Property within the boundaries of the conditional overlay combining district
23 established by this ordinance is subject to the following conditions:
24

25 The following uses are prohibited uses of the Property:
26

27 Automotive rentals

Automotive sales

28 Automotive repair services

Automotive washing (of any type)
29

30 Except as specifically restricted under this ordinance, the Property may be developed and
31 used in accordance with the regulations established for the community commercial (GR)
32 base district and other applicable requirements of the City Code.
33
34
35
36
37

1 **PART 3.** This ordinance takes effect on _____, 2004.

2
3
4 **PASSED AND APPROVED**

5
6
7
8 _____, 2004

§
§
§

9
10 **Wynn**
11 **Mayor**

12
13 **APPROVED:** _____

ATTEST: _____

14 **David Allan Smith**
15 **City Attorney**

Shirley A. Brown
City Clerk



ZONING CHANGE REVIEW SHEET

CASE: C14-04-0063

Z.A.P. DATE: November 2, 2004

C.C. DATE: December 2, 2004
December 16, 2004

ADDRESS: 10700 RM 2222

OWNERS: International Bank of Commerce
(Dennis Nixon)

AGENT: Urban Design
(Laura Toups)

ZONING FROM: GO-CO

TO: GR

AREA: 7.980 acres

SUMMARY STAFF RECOMMENDATION:

Staff's alternate recommendation is community commercial-conditional overlay (GR-CO) combining district zoning. The conditional overlay will prohibit automotive rentals, automotive sales, automotive repair and automotive washing (of any type).

The applicant has also submitted a Traffic Impact Analysis (TIA) for the subject tract and a memo from City staff is included with this report. Staff recommends that Council incorporate the recommendations included in the TIA.

ZONING AND PLATTING COMMISSION:

November 2, 2004 – Approved community commercial-conditional overlay (GR-CO) combining district zoning by consent. The Commission also recommends the inclusion of the recommendations set forth in the TIA. Vote: 9-0.

ISSUES:

According to the TIA, the applicant intends to use the site for a restaurant, drive through bank, health club, day care center, general-office and a shopping center. The property will take access to River Place Blvd as well as RM 2222.

Staff has received a letter of support from the River Place Residential Community Association (see attached)

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO	Undeveloped
<i>North</i>	R&D	3M
<i>South</i>	DR, NO-CO	Church Property, Undeveloped Undeveloped
<i>East</i>	GO P	Undeveloped Drainage
<i>West</i>	SF-5 GR-CO, GR	Undeveloped Office

AREA STUDY: Bull Creek Study

TIA: Required

WATERSHED: West Bull Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

#194 – 2222 Property Association

#426 – River Place Residential Community Association

#434 – Lake Austin Business Owners

#439 – Concerned Citizens for the P&B of FM 2222

#475 – Bull Creek Foundation

#965 – Old Spicewood Springs Road Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-95-0193	SF-2 to GR (Tr 1), SF-2 to GR(Tr 2) SF-2 to GO-CO(Tr 3) SF-2 and RR to MF-2-CO(Tr 4)	Approved GR, GO-CO and MF-2-CO. The CO for tracts 1, 2 and 3 are that no structure beyond 1,000 feet of 2222 for office or retail are to be no more than 40 feet. The CO for tract 4 is a limit of 14 units per acre (Vote: 8-1). 4/16/96	Approved PC recommendation (Vote: 6-1). 8/15/96.
C14-97-0083	DR to LR-CO	Approved LR-CO. The CO prohibits service stations (Vote: 8-1). 9/30/97.	Approved PC recommendation (Vote: 6-1). 4/19/98.
C14-99-0128	DR to NO-CO	Approved NO-CO. The CO limited trips to 2,000 per day (Vote: 7-0). 8/31/99.	Approved NO-CO. The CO limited trips to 500 per day (Vote: 6-1). 9/30/99.
C14-99-2130	DR to NO-CO	Approved NO-CO. The CO limited trips to 2,000 per day (Vote: 9-0). 9/26/00	Approved PC recommendation (Vote: 7-0). 10/26/00
C14-00-2144	SF-5 to NO-CO	Approved NO-CO. The CO limited trips to 500 per day (Vote: 8-0). 8/22/00	Approved PC recommendation (Vote: 7-0). 9/28/00.
C14-01-0121	DR to NO-CO	Denied NO-CO (Vote: 9-0). 9/25/01	Approved NO-CO. The CO limited vehicle trips to 2,000 per day (Vote: 7-0). 12/6/01
C14-02-0156	SF-5 to SF-6	Approved SF-6 (Vote: 6-0). 12/3/02	Approved PC recommendation (Vote: 7-0). 1/9/03.
C14-03-0040	I-RR to GR-CO	Approved GR-CO. The CO limits the trips to 2,000 per day (Vote: 8-0). 3/4/03	Approved PC recommendation (Vote: 6-0). 8/28/03

CITY COUNCIL DATE: December 2, 2004

ACTION: Approved GR-CO on 1st reading
(Vote: 7-0).

ORDINANCE READINGS: 1st 12/2/04

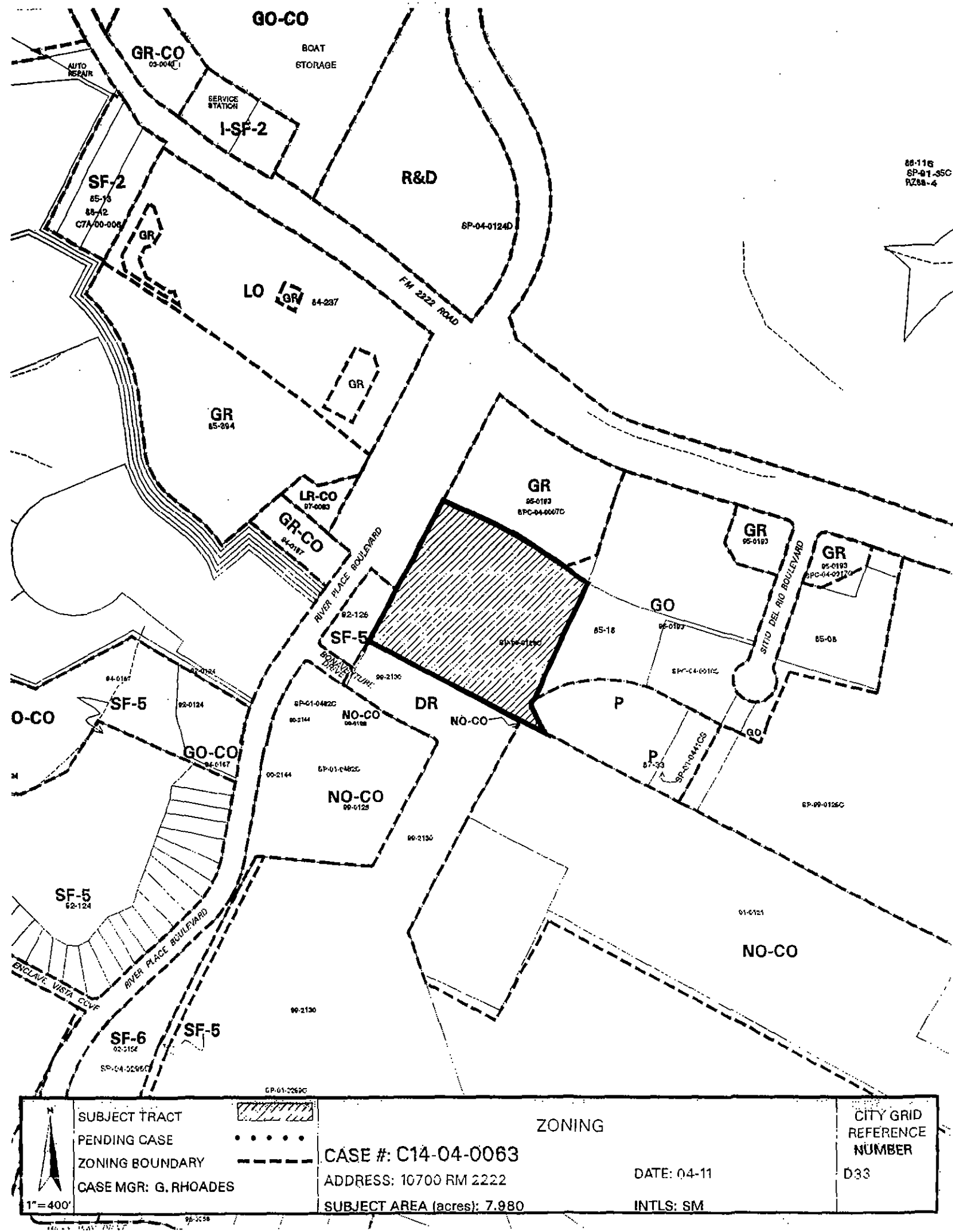
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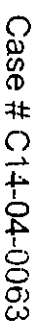
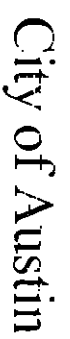
3rd

ORDINANCE NUMBER:

CASE MANAGER: Glenn Rhoades

PHONE: 974-2775





2050
Quarterly



It must be noted that the results of the present study are not directly comparable with those of other studies. For example, the results of the present study are not directly comparable with those of the study by Kohn et al. (1992) because the latter study was conducted in a different population and used a different methodology. However, the results of the present study are consistent with those of the study by Kohn et al. (1992) in that the results of the present study suggest that the results of the study by Kohn et al. (1992) are not generalizable to the population of the present study.

STAFF RECOMMENDATION

Staff's alternate recommendation is community commercial-conditional overlay (GR-CO) combining district zoning. The conditional overlay will prohibit automotive rentals, automotive sales, automotive sales and automotive washing (of any type).

BASIS FOR RECOMMENDATION

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

GR – Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways.

Staff believes the proposed change meets the purpose statement set forth in the Land Development Code. Further to the southwest is the River Place neighborhood, and the proposed uses will potentially serve an area in need of services. In addition it will have access to River Place Blvd. and RM 2222, classified as a major arterial roadway.

The proposed zoning should promote consistency, and orderly planning.

The proposed change is consistent with what exists in the immediate vicinity. According to the zoning map GR zoning already extends to the same depth along River Place Blvd as the subject tract. The property will also have access to the presently zoned GR tract to the north.

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

Given the similarly zoned tracts in the area, the request is a fair and reasonable use of the site.

EXISTING CONDITIONS

Site Characteristics

The site is currently undeveloped.

Transportation

A traffic impact analysis addendum is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo.

Impervious Cover

The site is located over the Northern Edward's Aquifer Recharge Zone. The site is in the Lake Austin Watershed of the Colorado River Basin, and is classified as a Water Supply Rural Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone. Under the 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>	<i>Allowable Density</i>
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

Environmental

Single family or duplex development within a Water Quality Transition Zone may not exceed a density of one unit per three acres, exclusive of land within a 100-year floodplain, and must have a minimum lot size of 2 acres.

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

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.

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 providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

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. Water and wastewater utility improvements are necessary to serve the site and land use. The landowner will be responsible for all costs and providing.

The water and wastewater utility system must be in accordance with the City's utility design criteria and specifications. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The utility construction must be inspected by the City. The landowner must pay all associated City inspection and plan review fees.

The landowner must pay the tap and impact fee once the landowner makes an application for a City water and wastewater utility tap permit.

Compatibility Standards

There is a site plan currently under review for this property (SP-99-0126D) which provides for 10,280 square feet or 23.6 acres of retail uses, along with associated parking and drainage facilities.

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

- No structure may be built within 25 feet of the property line.
 - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - No parking or driveways are allowed within 25 feet of the 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.

HILL COUNTRY ROADWAY ORDINANCE:

The site/A portion of the site is located within 1,000 feet of RM 2222 and within a Hill Country Roadway Corridor. The site is located within the moderate intensity zone of RM 2222. The site may be developed with the following maximum floor-to-area ratio (FAR):

<u>Slope</u>	<u>Maximum FAR</u>
0-15%	.25:1
15-25%	.10:1
25-35%	.05:1

Except for clearing necessary to provide utilities or site access, a 100 foot vegetative buffer will be required along Riverplace Blvd. At least 40% of the site (excluding dedicated right-of-way) must be left in a natural state. The allowable height is as follows: Within 200 feet of Riverplace Blvd. the maximum height is 28 feet, and beyond 200 feet the maximum height is 40 feet.

Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Planning Commission



Date: October 28, 2004
To: Glenn Rhoades, Case Manager
CC: Scott Feldman, P.E. Alliance Transportation Engineering Company
Reference: 2222 Business Park Addendum C14-04-0063

The Transportation Review Section has reviewed the Traffic Impact Analysis Addendum for the 2222 Business Park, dated April 2004, prepared by Scott Feldman, P.E. Alliance Transportation Engineering Company, and offers the following comments:

TRIP GENERATION

2222 Business Park is located in north Austin at the southeast intersection of RM 2222 and Riverplace Boulevard. The purpose of the TIA addendum was to provide access to Riverplace Boulevard and modify the land uses not previously assumed in the original TIA. The estimated completion of the project is expected in the year 2005.

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 7,358 unadjusted average daily trips (ADT).

The table below shows the adjusted trip generation by land use for the proposed development:

Table 1. Trip Generation				
LAND USE	Size	ADT	AM Peak	PM Peak
Shopping Center	33,000	3,156	82	180
High Turn Over Restaurant	12,000	1,464	111	66
Health Club	6,000	138	2	26
Day Care Center	8,500	674	108	85
General Office	46,000	732	100	116
Drive In Bank	3,000	754	38	86
Total		6,918	441	559

ASSUMPTIONS

1. Traffic growth rates provided by the City of Austin were as follows:

Table 2. Growth Rates per Year	
Roadway Segment	%
All Roads	3.5%

2. In addition to these growth rates, background traffic volumes for 2004 included estimated traffic volumes for the following projects:

Four Points PUD

3. Reductions were taken for pass-by for the following uses:

Table 3. Summary of Pass-By Capture Reductions		
Land Use	Pass-By Reductions %	
	AM	PM
Shopping Center	0%	34%
High Turnover Restaurant	0%	43%
Drive-in Bank	0%	47%

4. A 9.5% reduction was taken for internal capture for the shopping center and high turnover restaurant and an 11.5% reduction was taken for general office.
5. No reductions were taken for transit use.

EXISTING AND PLANNED ROADWAYS

RR 2222 – This roadway is currently a four lane divided major arterial. The 2002 traffic volume on 2222 was 28,000 vehicles per day (vpd). This roadway is in the Bicycle Plan as a Priority 1 route.

Riverplace Boulevard – This roadway is classified as a four lane divided arterial. The 2003 traffic volume for this facility was 7,369 vpd.

Sitio Del Rio – Sitio Del Rio is classified as a collector roadway that services the 2222 Business Park.

INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 5 intersections, 2 of which are or are assumed to be signalized. Existing and projected levels of service are as follows, assuming that all improvements recommended in the TIA are built:

Table 4. Level of Service				
Intersection	2003 Existing		2005 Site + Forecasted	
	AM	PM	AM	PM
RR 2222 and Riverplace Boulevard*	E	D	E	E
RR 2222 and Sitio Del Rio*	D	A	C	D
RR 2222 and Driveway 1			A	A
RR 2222 and Driveway 2			A	A
Riverplace Boulevard and Driveway 3			A	A

* = SIGNALIZED

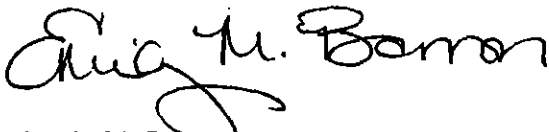
RECOMMENDATIONS

- 1) Prior to 3rd reading at City Council, fiscal is required to be posted for the following improvements:

Intersection	Improvements
RR 2222 and Sitio Del Rio	Install a Traffic Signal

- 2) Three copies of the final TIA are required to be submitted prior to 3rd Reading at City Council.
- 3) Final approval from DPWT ~ Signals and TXDOT is required prior to 1st Reading.
- 4) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA and the TIA addendum, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2788.



Emily M. Barron
Sr. Planner ~ Transportation Review Staff
Watershed Protection and Development Review

RIVER PLACE RESIDENTIAL COMMUNITY ASSOCIATION, INC.

c/o Certified Management of Austin

1111 West Pammel Lane

Austin, Texas 78717 • (512) 339-6862 • fax (512) 339-1317

October 15, 2004

City of Austin

RE: Village at River Place Lot 2 and Portion of Lot 9

To Whom It May Concern:

River Place Residential Community Association, Inc. (RPRCA) agrees to support International Bank of Commerce in the zoning change that is currently in process with the City of Austin on Lot 2 and that portion of Lot 9 from GO to GR.

Sincerely,

River Place Residential Community Association, Inc



Wick Tobias,
Association President

RMW/tm
cc: Board of Directors

- Auto uses

~~- stop -~~

-extremity
services

REC'D OCT 15 2004