

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-12
AGENDA DATE: Thu 09/29/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0088 - Oak Hill Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7212 State Highway 71 West (Williamson Creek Watershed-Barton Springs Zone) from rural residence (RR) district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant and Agent: Midbar Investment Co., L.L.C., (Claire Brooks). City Staff: Robert Heil, 974-2330.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0088 Oak Hill Center **ZAP Date:** July 19, 2005
August 16, 2005

ADDRESS: 7212 W State Highway 71

OWNER/APPLICANT: MidBar Investment Co. **AGENT:** MidBar Investment Co.
(Claire & Richard Brooks)

ZONING FROM: RR **TO:** CS-CO **AREA:** 0.590 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends community commercial – conditional overlay (GR-CO) district zoning. The existing self-storage use would become a legal, non-conforming use.

The conditional overlay would limit the vehicle trips to 2000 or less per day.

The applicant agrees to the staff recommendation.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

July 19, 2005: Postponed until August 16, 2005 at the request of applicant.
[J.G, M.W 2ND] (7-0) J.M, J.P – ABSENT

August 16, 2005: *Approved GR-CO ZONING:* [C.H, M.W 2ND] (8-0) K.J– ABSENT

DEPARTMENT COMMENTS:

Staff recommends community commercial (GR) district zoning. The existing self-storage use would become a legal, non-conforming use. The conditional overlay would limit the vehicle trips to 2000 or less per day.

The applicant agrees to the staff recommendation.

The site fronts State Highway 71 and backs up to Williamson Creek. The front of the property is developed with two small offices housing an automotive rental business in the front and self-storage in the back.

The site is entirely in the floodplain of Williamson Creek.

The property is located in the proposed West Oak Hill Neighborhood Planning Area, that is scheduled to begin in the October 2005. The tentative Planning Commission Public hearing dates should occur in the June 2006, and the City Council will consider the neighborhood plan and rezoning in the summer of 2006.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	RR	Commercial Office & Self Storage
<i>North</i>	GR & RR	Convenience Store
<i>South</i>	RR & GO	Florist and Vacant
<i>East</i>	RR, GR	Single Family Residence
<i>West</i>	RR & LO	Art Studio and Vacant

AREA STUDY: The property lies within the proposed West Oak Hill Planning Area which is scheduled to begin in September, 2005.

TIA: N/A

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

REGISTERED COMMUNITY ORGANIZATIONS:

- Oak Hill Association of Neighborhoods
- Oak Hill Association of Neighborhoods – 78735
- Oak Hill Association of Neighborhoods – 78736
- Oak Hill Association of Neighborhoods – 78737
- Oak Hill Association of Neighborhoods – 78738
- Oak Hill Association of Neighborhoods – 78739
- Oak Hill Association of Neighborhoods – 78749
- Save Our Springs Alliance
- Save Barton Creek Association
- Barton Springs Coalition
- Austin Independent School District
- City of Rollingwood

SCHOOLS: (AISD)

Oak Hill Elementary School Small Middle School Austin High School

ABUTTING STREETS and TRAFFIC INFORMATION:

NAME	ROW	PAVEMENT	CLASSIFICATION
State Highway 71	150'	60'	Arterial

Capital Metro bus service is not available within 1/4 mile of this property. The Oak Hill Flyer (171) makes limited runs to a park and ride lot roughly 1/2 mile to the south.

CITY COUNCIL DATE: September 29, 2005

ACTION:

ORDINANCE READINGS:

1st

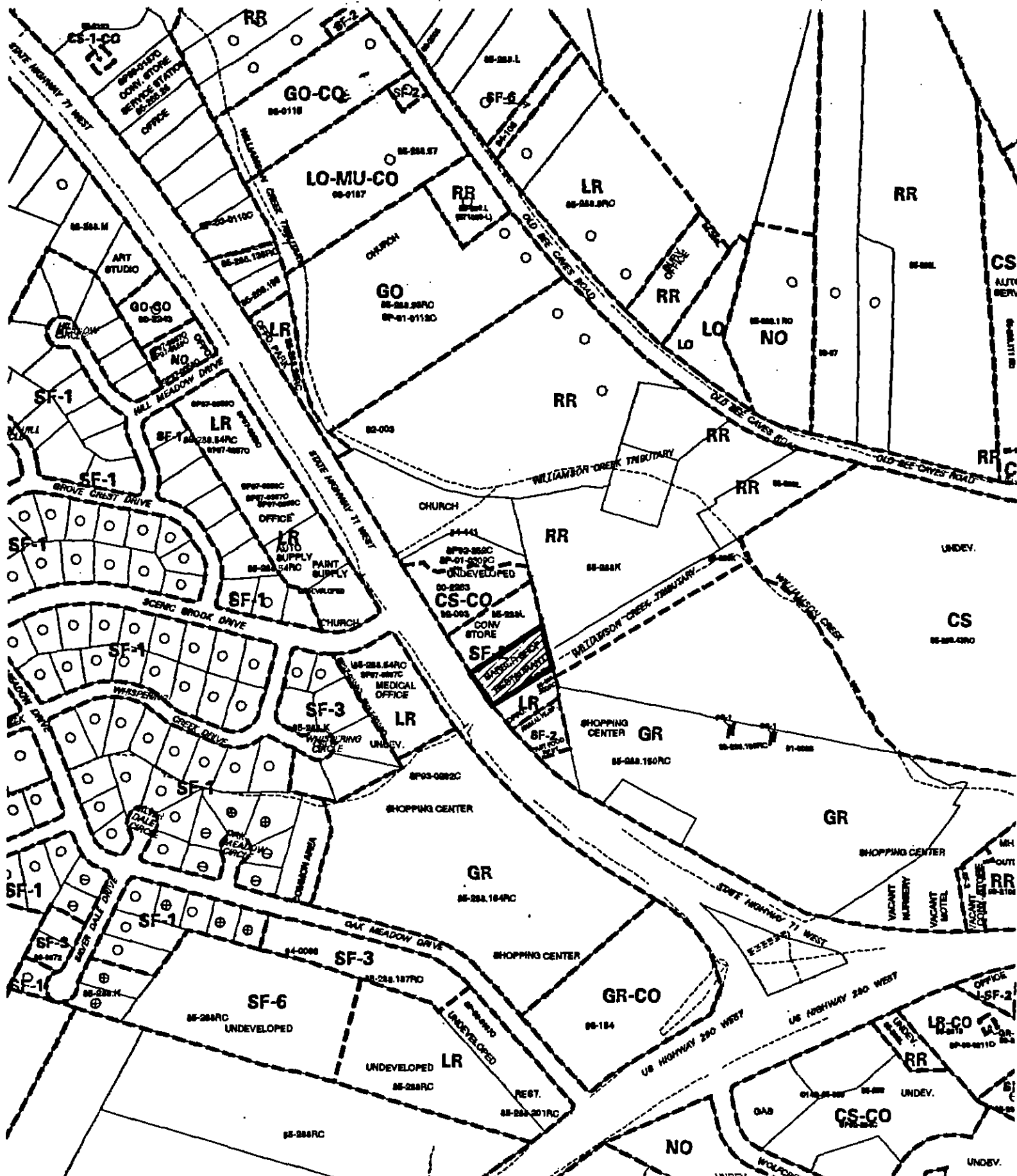
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330



 1" = 400'	SUBJECT TRACT		ZONING CASE #: C14-05-0088 ADDRESS: 7212 W STATE HWY 71 SUBJECT AREA (acres): 0.760	DATE: 05-09 INTLS: SM	CITY GRID REFERENCE NUMBER B20
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: R.HEIL				

SUMMARY STAFF RECOMMENDATION

C14-05-0088

Staff recommends community commercial (GR) district zoning. The existing self-storage use would become a legal, non-conforming use. The conditional overlay would limit the vehicle trips to 2000 or less per day. The applicant agrees to the staff recommendation.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Granting of the request should result in an equal treatment of similarly situated properties.*

The site is adjacent to similar tracts with GR zoning.

2. *Zoning should allow for reasonable use of the property.*

GR zoning allows for the continuation of the current uses, with the exception of the self-storage use, which would become a legal, non-conforming use.

3. *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.*

This site is not located at an intersection, which is typical for approval of CS zoning. Large tracts of CS zoning are currently located at the intersection of State Highway 71 and US Hwy 290 West ("the Y"). That intersection is a more appropriate site for CS zoning than along either of those arterials.

EXISTING CONDITIONS

The site fronts State Highway 71 and backs up to Williamson Creek. The front of the property is developed with two small offices housing an automotive rental business in the front and self-storage in the back.

The site is entirely in the floodplain of Williamson Creek.

Site Plan

The site is subject to compatibility standards. Along the east 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.

In the Barton Springs Zone, no individual retail use may exceed 50,000 square feet and no food sales use may exceed 100,000 square feet. [Sec. 25-2-651]

Transportation

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

The trip generation under the requested zoning is estimated to be 4,406 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 not available within 1/4 mile of this property. The Oak Hill Flyer (171) makes limited runs to a park and ride lot roughly 1/2 mile to the south.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
State Highway 71	150'	60'	Arterial

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 utility 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 of Austin utility design criteria and specifications.

The landowner must pay all required water and wastewater utility tap permit, impact, construction inspection, and utility plan review fees.

Environmental

This site is not located over the Edward's Aquifer Recharge Zone. The site is located within the Contributing Zone of the Edwards Aquifer. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. Project

applications at the time of this report are subject to the SOS Ordinance which allows 25% impervious cover in the contributing zone.

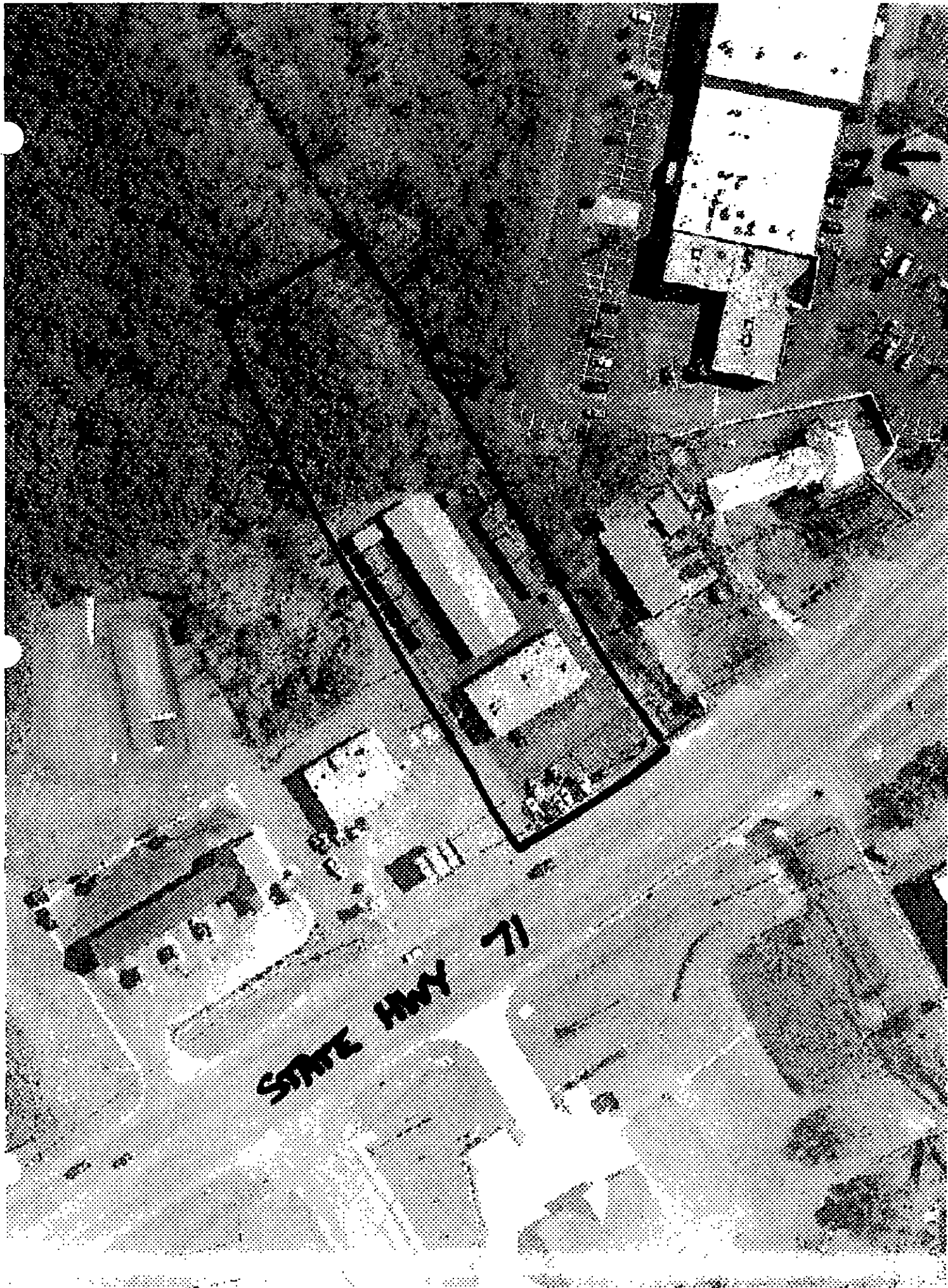
According to flood plain maps, there is flood plain within the project location.

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

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. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code regulations.





ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7212 STATE HIGHWAY 71 WEST 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 25-24.91 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. C14-05-0088, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 1, Bowden-Angerman Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 78, Pages 13 and 14, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 7212 State Highway 71 West, in the City of Austin, Travis 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:

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 **PART 3.** This ordinance takes effect on _____, 2005.
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4 **PASSED AND APPROVED**
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8 _____, 2005

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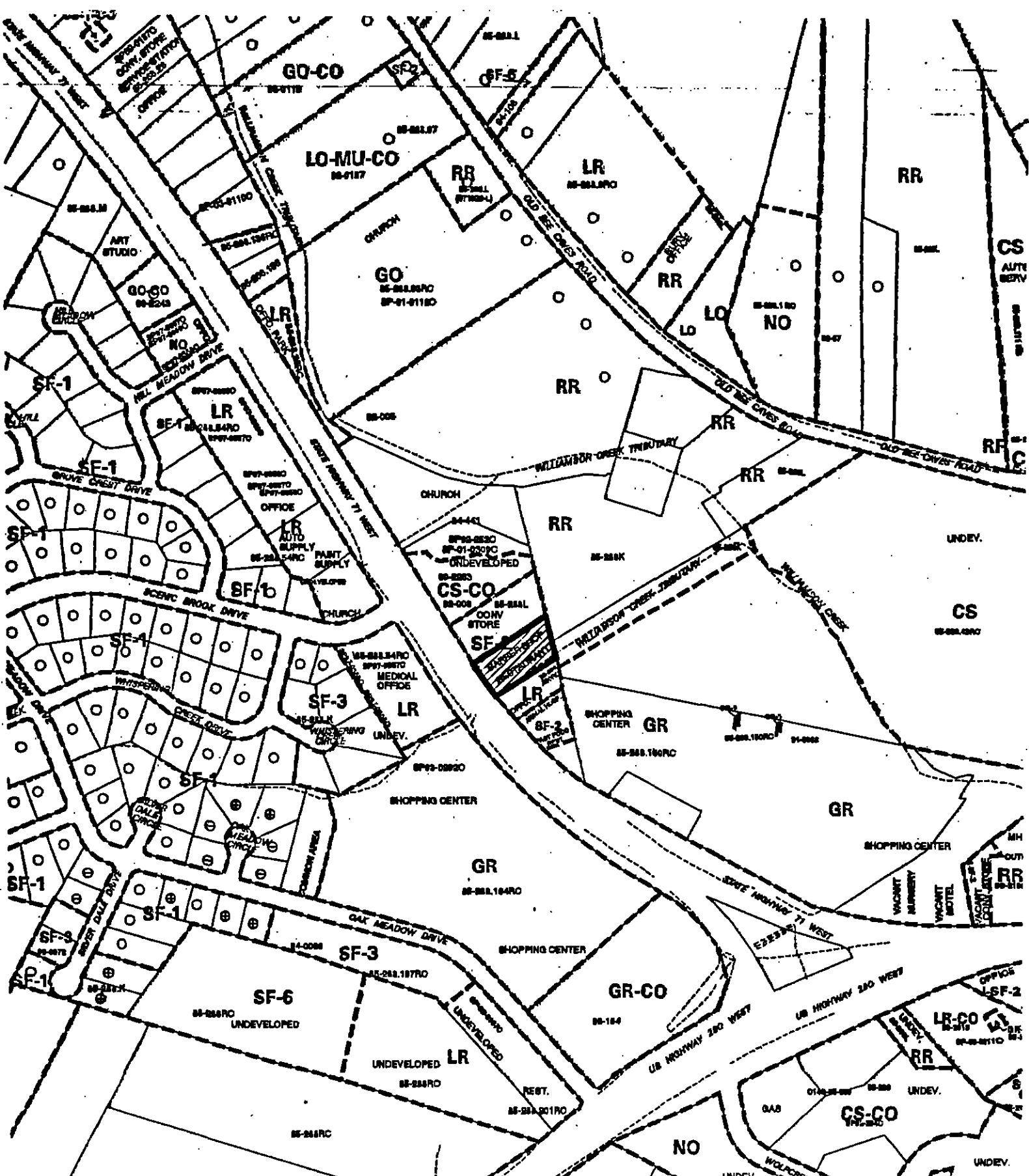
Will Wynn
Mayor

11
12
13 **APPROVED:** _____

14 David Allan Smith
15 City Attorney

ATTEST: _____

Shirley A. Brown
City Clerk



 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT A CITY GRID REFERENCE NUMBER B20
	PENDING CASE		
	ZONING BOUNDARY		
	CASE MGR: R. HEIL		
CASE #: C14-05-0088 ADDRESS: 7212 W STATE HWY 71 SUBJECT AREA (acres): 0.780		DATE: 05-09 INTLS: SM	

14-0088 SF-2/ 71