

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



**AGENDA ITEM NO.: Z-13
AGENDA DATE: Thu 10/06/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0106.02 - West Congress Neighborhood Plan Rezoning, Tract B - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 400-414 West Stassney Lane (Williamson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Planning Commission Recommendation: To grant general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0106.02

P.C. DATE: September 13, 2005

ADDRESS: 400 – 414 West Stassney Lane

APPLICANT: City of Austin
(Kathleen Welder)

AGENT: Neighborhood Planning &
Zoning Department
(Wendy Walsh)

ZONING FROM: SF-3-NP

TO: GO-MU-NP

AREA: 2.208 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general office – mixed use – neighborhood plan (GO-MU-NP) combining district zoning.

PLANNING COMMISSION RECOMMENDATION:

September 13, 2005: *APPROVED GO-MU-NP DISTRICT ZONING AS STAFF
RECOMMENDED; BY CONSENT.*

[J. M. CORTEZ; D. SULLIVAN – 2ND] (9-0)

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a three platted lots and a portion of a fourth lot, is developed with one single family residence with the remainder undeveloped, and is zoned family residence – neighborhood plan (SF-3-NP) district. The property has access to West Stassney Lane, an arterial and Hummingbird Lane, a local street. There are single family residences to the north (SF-3-NP); undeveloped land, single family residences and a child care facility to the east (GO-MU-NP); a service station with food sales, restaurant, television repair, undeveloped land and a health care center to the south (GR-MU-CO-NP; P-NP; GO-MU-NP); and a charter school, retail center and fast food restaurant to the west (GR-MU-CO-NP). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View), A-2 (Boundaries of the West Congress Neighborhood Planning Area), A-3 (Future Land Use Map of the West Congress Neighborhood Planning Area) and B (Recorded Plat).

The subject property was inadvertently omitted from the rezonings accompanying the West Congress Neighborhood Planning Area. Similarly situated properties located to the east were rezoned to general office – mixed use – neighborhood plan (GO-MU-NP) district with the Plan and designated as Mixed Use – Office on the Future Land Use Map (FLUM). In addition, GO-MU-NP zoning is consistent with the goal of locating mixed – use development

and commercial uses along major commercial corridors, and a corresponding objective of transitioning commercial areas along Stassney Lane from larger-scale east of South Congress Avenue to more neighborhood-scaled areas in proximity to South First Street. For these reasons, Staff recommends GO-MU-NP district zoning.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single family residence; Undeveloped
<i>North</i>	SF-3-NP	Single family residences; Undeveloped
<i>South</i>	GR-MU-NP; P-NP; GO-MU-NP	Convenience store; Restaurant; TV repair; Undeveloped; Health care center
<i>East</i>	GO-MU-NP	Undeveloped; Single family residences; Child care center
<i>West</i>	GR-MU-NP	Charter school; Retail shopping center; Fast food restaurant

NEIGHBORHOOD PLANNING AREA:

TIA: Is not required

South Congress Combined Neighborhood Planning Area
(West Congress)

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 170 – Fairview Estates Neighborhood Association
 300 – Terrell Lane Interceptor Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District 950 – Southwood Neighborhood Organization

SCHOOLS:

Pleasant Hill Elementary School Bedichek Middle School Crockett High School

CASE HISTORIES:

Please refer to Related Cases below.

RELATED CASES:

The South Congress Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on August 18, 2005 (C14-05-0106).

As shown in Exhibit B, the rezoning area is platted as Lots 3-5 and a portion of Lot 6, Block 3 of the Pleasant Hill Addition subdivision, recorded in November 1937.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Stassney Lane	Varies	Varies	Arterial	Yes	No	Route #76
South First Street	90 feet	Varies	Arterial	Yes	Route #10	No
Ben White Boulevard	Varies	Varies	Arterial	No	Route #28	No
Congress Avenue	120 feet	Varies	Arterial	No	Route #13	Route #47

CITY COUNCIL DATE: September 29, 2005

ACTION: pp to 10/6

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

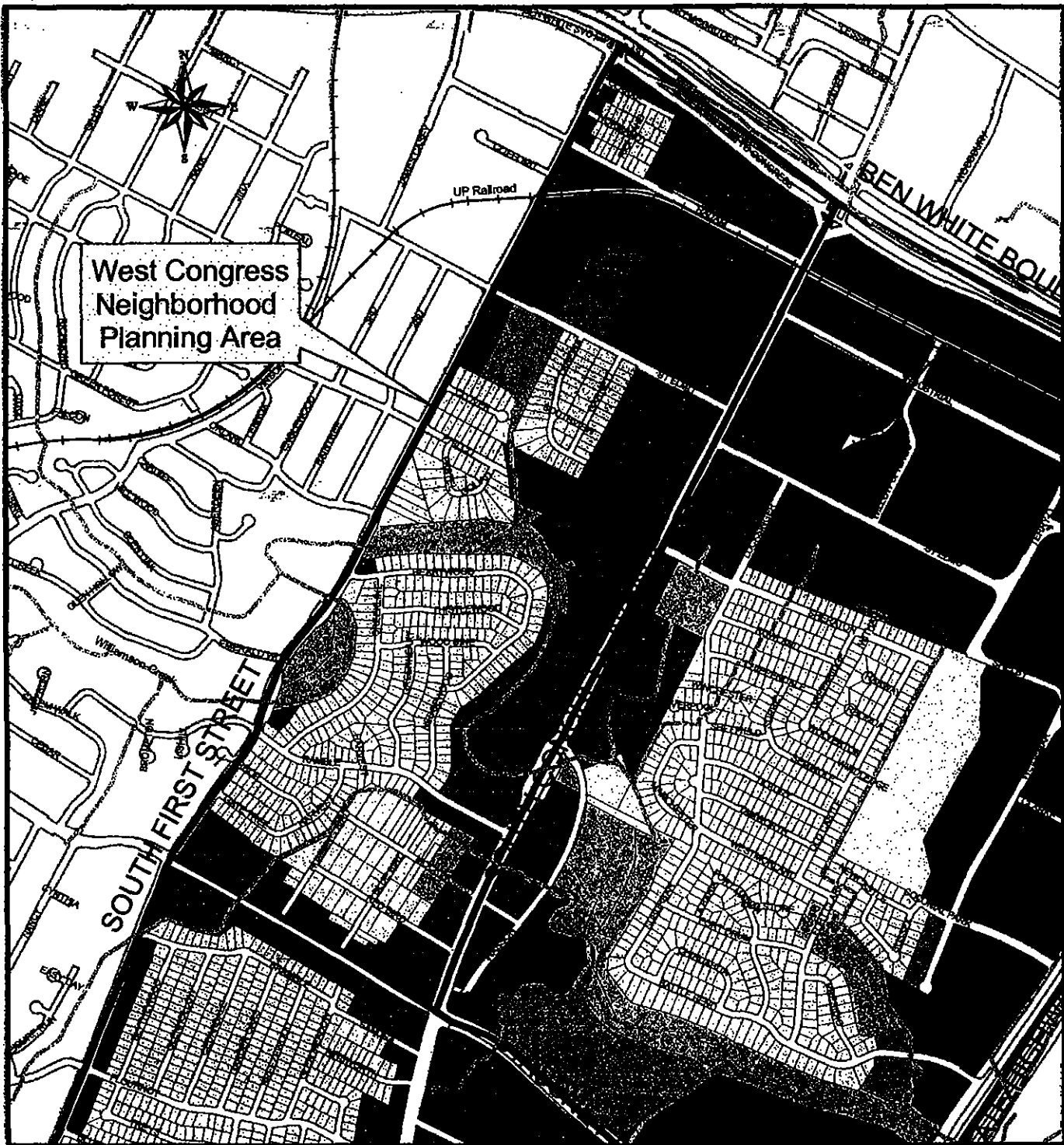
CASE MANAGER: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us

PHONE: 974-7719



 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT A	CITY GRID REFERENCE NUMBER G17
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: W.WALSH			
CASE #: C14-05-0106.02 ADDRESS: 400-414 W.STASSNEY LA. SUBJECT AREA (acres): 2.208			DATE: 05-09 INTLS: TRC	





0 1,000 2,000 Feet



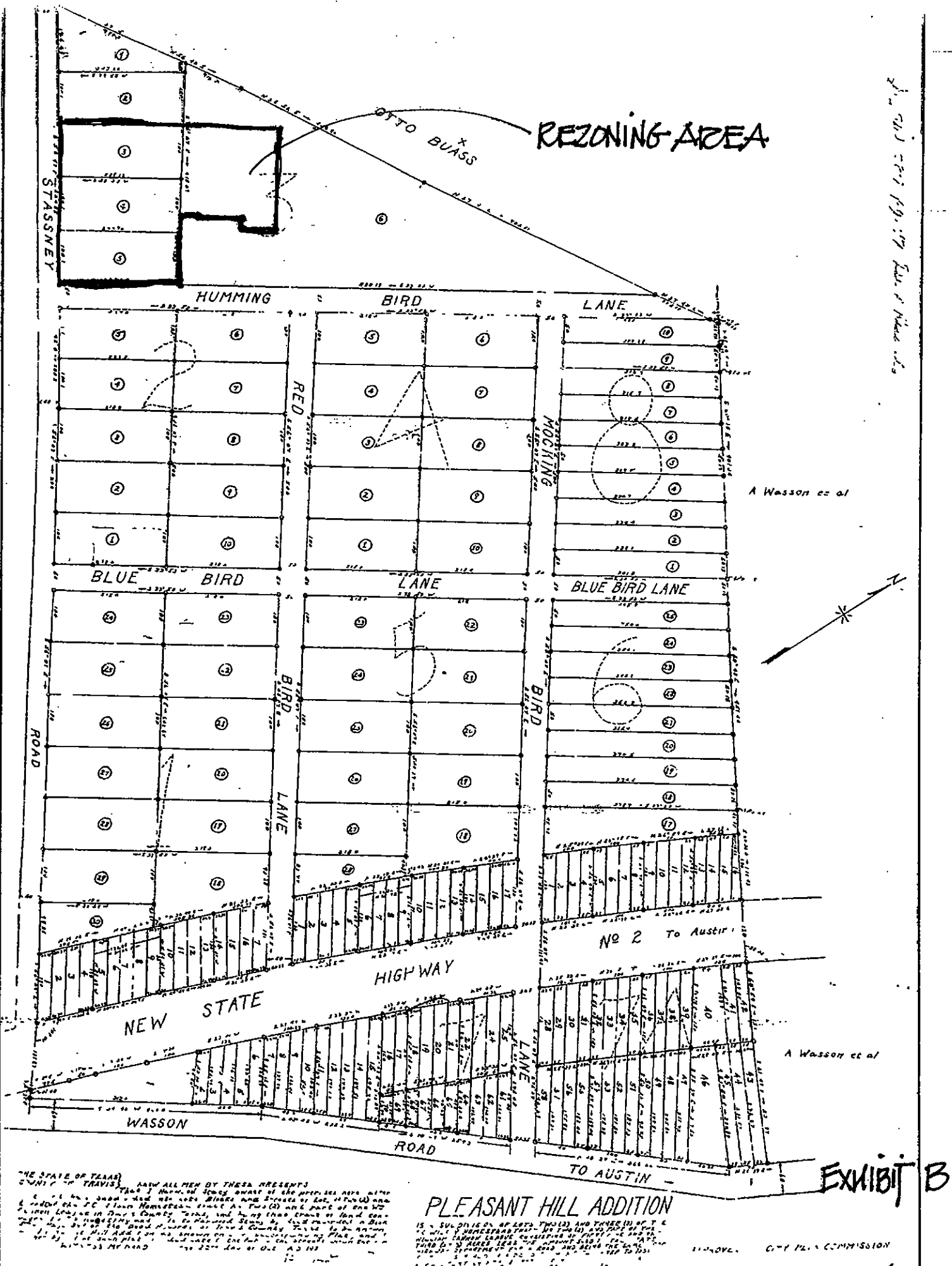
West Congress Neighborhood Planning Area: Future Land Use Map

Produced by the City of Austin
Neighborhood Planning and Zoning Department
August 18, 2005

This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for the sole purpose of aiding neighborhood planning decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.

Single-family	Mixed Use/Office
Higher-Density Single Family	Industry
Mobile Homes	Civic
Mixed Residential	Open Space
Multi-family	870 Utilities
Commercial	UP Railroad
Mixed Use	Creeks
Warehouse/Limited Office	boundary_soo layer
Office	

EXHIBIT A-3



SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general office – mixed use – neighborhood plan (GO-MU-NP) combining district zoning.

BACKGROUND

The subject rezoning area consists of a three platted lots and a portion of a fourth lot, is developed with one single family residence with the remainder undeveloped, and is zoned family residence – neighborhood plan (SF-3-NP) district. The property has access to West Stassney Lane, an arterial and Hummingbird Lane, a local street. There are single family residences to the north (SF-3-NP); undeveloped land, single family residences and a child care facility to the east (GO-MU-NP); a service station with food sales, restaurant, television repair, undeveloped land and a health care center to the south (GR-MU-CO-NP; P-NP; GO-MU-NP); and a charter school, retail center and fast food restaurant to the west (GR-MU-CO-NP).

The subject property was inadvertently omitted from the rezonings accompanying the West Congress Neighborhood Planning Area. Similarly situated properties located to the east were rezoned to general office – mixed use – neighborhood plan (GO-MU-NP) district with the Plan and designated as Mixed Use – Office on the Future Land Use Map (FLUM). In addition, GO-MU-NP zoning is consistent with the goal of locating mixed – use development and commercial uses along major commercial corridors, and a corresponding objective of transitioning commercial areas along Stassney Lane from larger-scale east of South Congress Avenue to more neighborhood-scaled areas in proximity to South First Street. For these reasons, Staff recommends GO-MU-NP district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The GO, General Office, district is intended for offices and selected commercial uses predominantly serving community or City-wide needs. The MU, Mixed-Use district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

This property accesses West Stassney Lane, an arterial roadway, and Hummingbird Lane.

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

The Staff's basis for recommendation is derived from rezonings approved for similarly situated properties to the east, and the goals and objectives for land use as described in the South Congress Combined Neighborhood Plan:

GOAL THREE

Focus mixed-use development and commercial uses along major commercial corridors and in specialized districts.

Objective 3.4

Stassney Lane from South Congress Avenue to South First Street should transition from the larger-scaled commercial areas east of South Congress Avenue to more neighborhood-scaled areas to the west.

EXISTING CONDITIONS**Site Characteristics**

The subject property consists of a single family residence and undeveloped land. The site is relatively flat and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GO-MU-NP zoning district would be 80%, which is a consistent figure between the watershed and zoning regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Williamson 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 the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

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

Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract by tract basis for any proposed land uses as would typically be provided.

A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

Water and Wastewater

The area is currently served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the applicable and associated City fees.

Compatibility Standards

Any new development on 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.

4202 Afton Lane
Austin, Texas 78744
12 September 2005

Chairman Chris Riley and Members
City of Austin Planning Commission

RE: Zoning Case C14-05-0106.02

Dear Chairman Riley and Planning Commission Members:

I am writing on behalf of the owner of the above-referenced property, David LaRocca, to ask your support of the requested zoning change. David would have been here personally before you tonight; however, he is currently in the New Orleans area helping local businesses get back on their feet following Katrina.

Your support in this matter is greatly appreciated.

Sincerely,

M. L. Sloan

Welder, Kathleen

From: mike beisman [mbeisman@austin.rr.com]

Sent: Tuesday, September 13, 2005 4:13 PM

To: Welder, Kathleen

Subject: case number:c14-05-0106.02

I am concerned about any possible increase in flooding that may occur with any new construction on this lot. My lot abuts this lot due north and I believe both lots share a common flood plain.

Mike Beisman owns 5500 Hummingbird Lane.

9/13/2005

