

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



**AGENDA ITEM NO.: Z-5
AGENDA DATE: Thu 10/20/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0095 - Alacance de Restauracion - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1007 Montopolis Drive (Carson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning. Planning Commission Recommendation: To grant limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning. Applicant: Alacance de Restauracion. Agent: Oscar Gonzalez. City Staff: Robert Heil, 974-2330.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0095

Planning Commission Date: September 13, 2005

ADDRESS: 1007 Montopolis Drive

OWNER/APPLICANT: Alacance de Restauracion

AGENT: David Weiss

ZONING FROM: SF-3-NP

TO: LO-CO-NP

AREA: 4.799 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends Limited Office-Conditional Overlay-Neighborhood Plan (LO-CO-NP) combining district zoning. The suggested Conditional Overlay would make the following used prohibited:

- Communications Services
- Medical Offices --exceeding 5000 sq. ft. gross floor area
- Medical Offices --not exceeding 5000 sq. ft. gross floor area
- Professional Office
- Software Development

PLANNING COMMISSION RECOMMENDATION:

September 13, 2005: MOTION: APPROVE BY CONSENT

VOTE: 8-0 (JMC-1ST, DS-2ND; KJ-ARRIVED LATER)

DEPARTMENT COMMENTS:

There is a site plan that was recently approved for this property (SP-04-0954C) which provides for 31,143 square feet of church uses, along with associated parking and drainage facilities.

Civic uses are permitted uses in the current zoning (SF-3). However, there is a cap on the allowable parking for civic uses in SF-3 or more restrictive districts equal to the minimum allowable parking spots. That is, in residential districts, civic uses must build the minimum required parking, but may build no more.

The applicant has requested a zoning change to allow for the construction of roughly an additional 20 parking spaces for the church. Staff supports the request, provided a conditional overlay limiting the uses is included.

There is an associated neighborhood plan amendment, to change the Montopolis Future Land Use Map from Single Family to Public use.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3 NP	Church (Under Construction)
<i>North</i>	PUD-NP	Single Family Homes
<i>South</i>	SF-3-NP	Church
<i>East</i>	SF-3-NP	Single Family Homes
<i>West</i>	SF-3-NP	Single Family Homes

AREA STUDY: Montopolis Neighborhood Planning Area **TIA:** N/A

WATERSHED: Carson Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Southeast Austin Neighborhood Alliance (189)
- Crossing Garden Home Owners Association (299)
- Terrell Lane Interceptor Association (300)
- Barton Springs / Edwards Aquifer Conservation District (428)
- Austin Neighborhoods Council (411)
- Montopolis Area Neighborhood Alliance (634)
- Riverside Farms Road Neighborhood Association (934)
- P.O.D.E.R. (People Organized in Defense of Earth and her Resources (972)

SCHOOLS: (AISD)

Allison Elementary School Martin Middle School Johnston High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Montopolis Drive	75'	40'	Collector

- There are existing sidewalks along Montopolis Drive.
- Montopolis Drive is classified in the Bicycle Plan as a Priority 1 bike route.
- Capital Metro bus service is available along Montopolis Drive.

CITY COUNCIL DATE: **ACTION:**

October 20, 2005

C14-05-0095

ORDINANCE READINGS:

1st

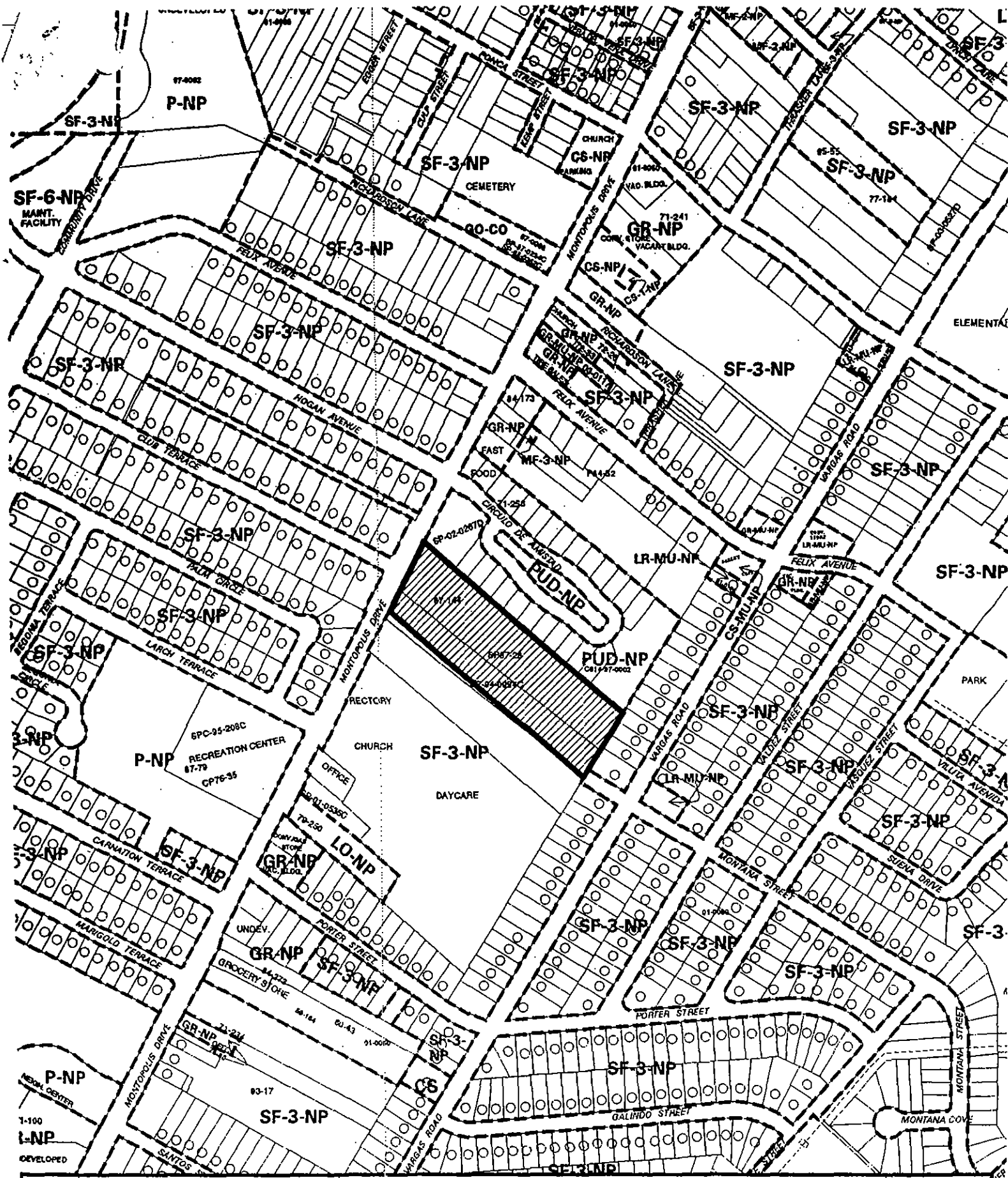
2nd

3rd

ORDINANCE NUMBER:

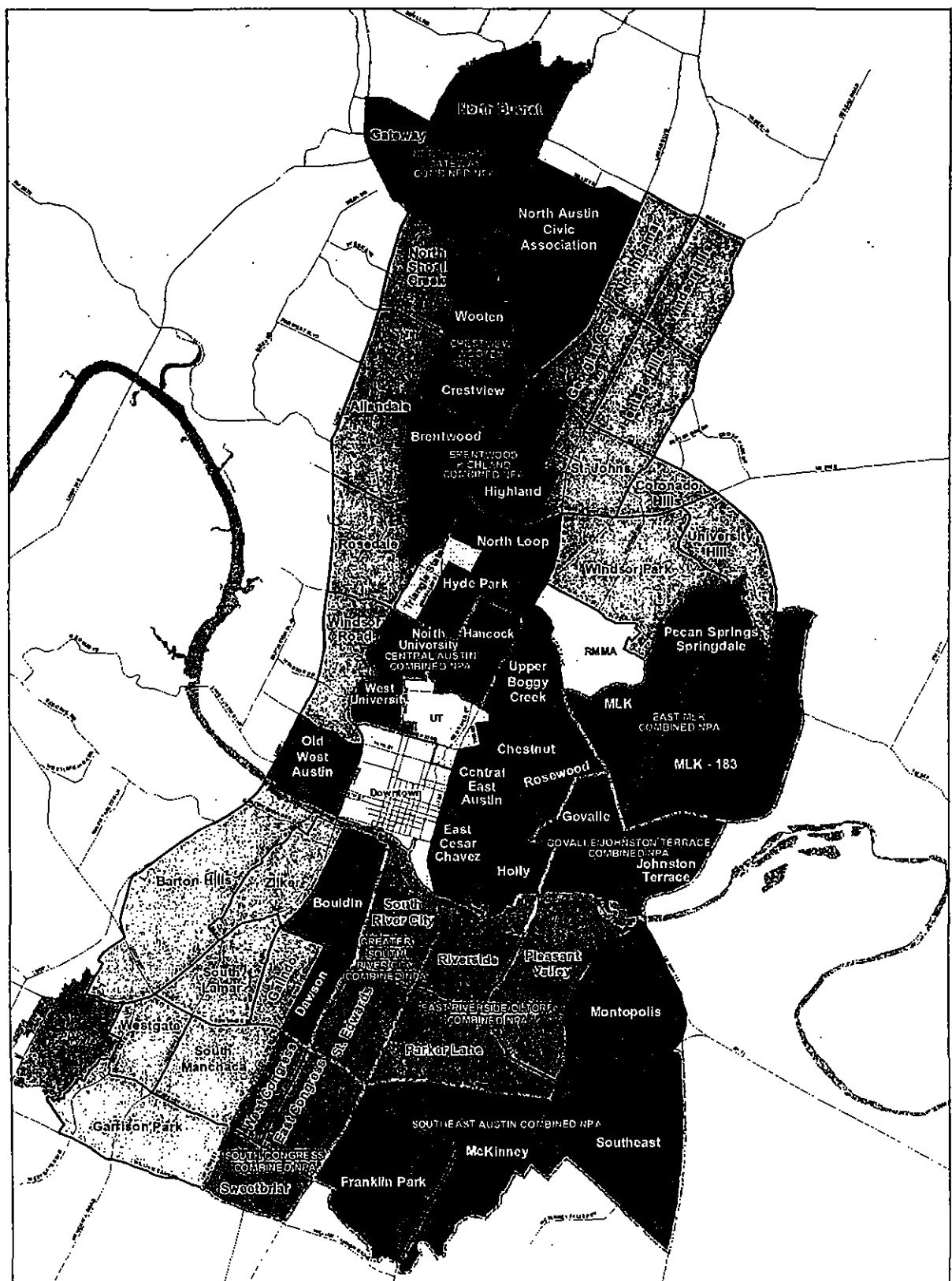
CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330



 1" = 400'	SUBJECT TRACT 	ZONING CASE #: C14-05-0095 ADDRESS: 1007 MONTOPOLIS DR SUBJECT AREA (acres): 4.799		DATE: 05-06 INTLS: SM	CITY GRID REFERENCE NUMBER L19
	PENDING CASE 				
	ZONING BOUNDARY 				
	CASE MGR: R. HEIL				





City of Austin Neighborhood Planning Areas



Produced by City of Austin
Neighborhood Planning & Zoning Department
August 18, 2006

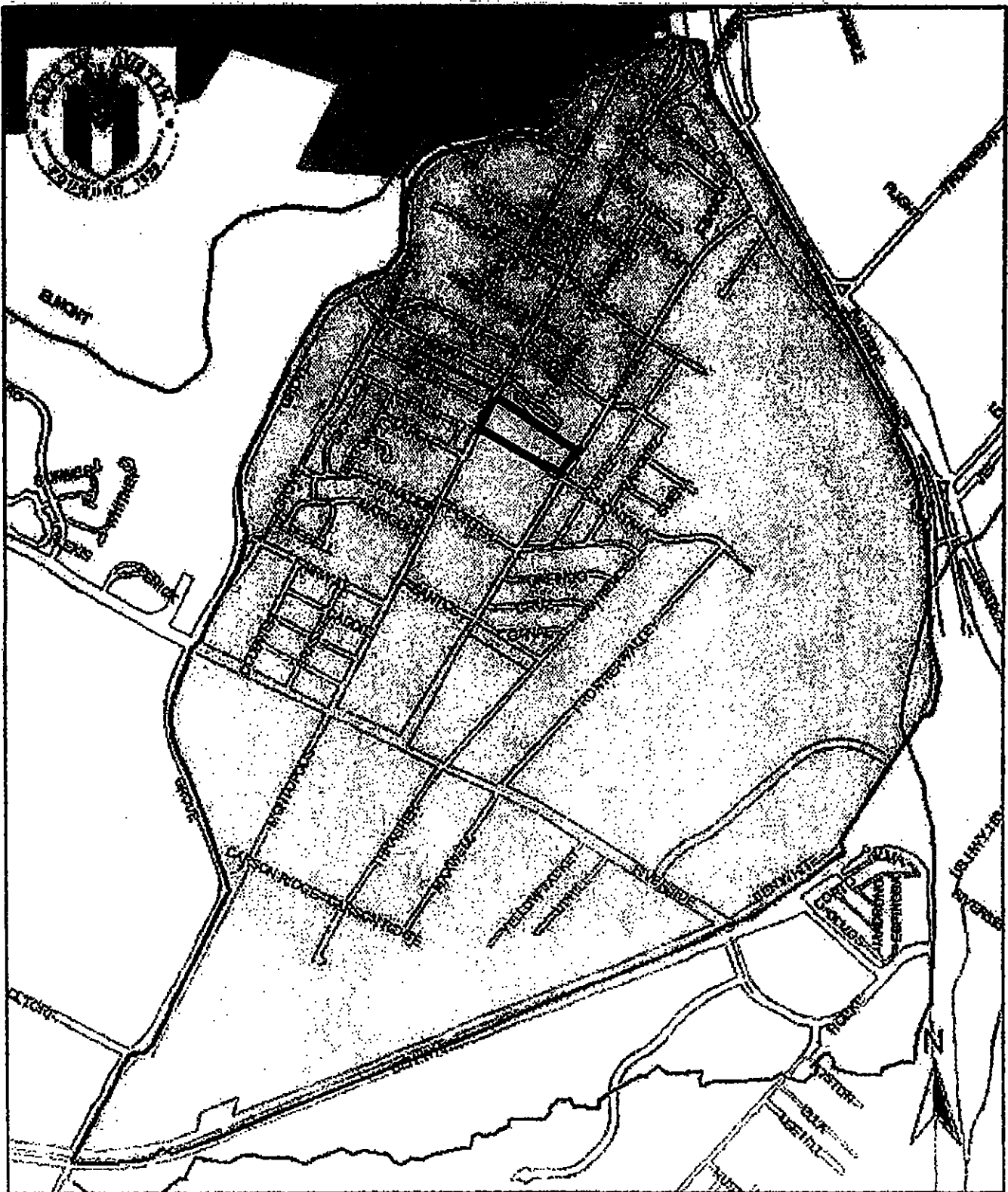
Combined Neighborhood
Planning Areas

Neighborhood Plan Status

- Adopted Neighborhood Plan & Zoning
- Neighborhood Plan Underway
- Future Neighborhood Planning Area
- Non-Neighborhood Planning Area

0 1,000 2,500 5,000 10,000 Feet

This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.



Montopolis Neighborhood Planning Area

 Parks

0.4 0 0.4 0.8 Miles



SUMMARY STAFF RECOMMENDATION

C14-05-0095

Staff recommends Limited Office-Conditional Overlay-Neighborhood Plan (LO-CO-NP) combining district zoning. The suggested Conditional Overlay would make the following used prohibited:

- Communications Services
- Medical Offices --exceeding 5000 sq. ft. gross floor area
- Medical Offices --not exceeding 5000 sq. ft. gross floor area
- Professional Office
- Software Development

BASIS FOR LAND USE RECOMMENDATION

1. *Civic uses are appropriate along Montopolis Drive, and have been historically located there.*
2. *The conditional overlay will help ensure the intended use of the property is maintained.*

EXISTING CONDITIONS**Site Characteristics**

The site is located along Montopolis Blvd, in the heart of the Montopolis Neighborhood. It lies just to the south of a single family development built by Habitat for Humanity, and just to the north of Delores Catholic Church. It is a large lot, with out significant constraints, and suitable for the construction of a church.

Site Plan

There is a site plan that was recently approved for this property (SP-04-0954C) which provides for 31,143 square feet of church uses, along with associated parking and drainage facilities.

The site is subject to compatibility standards. Along the north, south, east and 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.

- 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.

This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.

Transportation

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

The trip generation under the requested zoning is estimated to be 5,770 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 and neighborhood traffic 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 300 vehicle trips per day. [LDC, 25-6-117] The proposed use as a 30,000sf church will generate approximately 273 trips per day.

There are existing sidewalks along Montopolis Drive.

Montopolis Drive is classified in the Bicycle Plan as a Priority 1 bike route.

Capital Metro bus service is available along Montopolis Drive.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Montopolis Drive	75'	40'	Collector

Water and Wastewater

The site 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, or utility adjustment are required, the landowner, at own expense, will be responsible for providing. Also, 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 water and wastewater utility construction must be inspected by the City. The landowner must pay the associated City fees.

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 Carson and Country Watersheds of the Colorado River Basin, which are 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 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.