

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



**AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 01/26/2006
PAGE: 1 of 1**

SUBJECT: C14-05-0168 - KB Sheldon 230 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 7900 Thaxton Road (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Applicant: FC Properties One, Ltd. (William A. McDonald). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0168

Z.P.C. DATE: December 20, 2005

ADDRESS: 7900 Thaxton Road

OWNER: FC Properties One, Ltd.
(William A. McDonald)

AGENT: Thrower Design
(Ron Thrower)

ZONING FROM: I-RR

TO: GR

AREA: 1.473 acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant neighborhood commercial – conditional overlay (LR-CO) combining district zoning. The Conditional Overlay limits the number of daily trips to 700.

If non-residential zoning is recommended for this site, then Staff recommends a Restrictive Covenant to include all recommendations listed in the Neighborhood Traffic Analysis memorandum, dated November 9, 2005 and provided as Attachment A.

ZONING & PLATTING COMMISSION RECOMMENDATION:

December 20, 2005: *APPROVED GR-CO DISTRICT ZONING WITH THE CONDITIONAL OVERLAY ALLOWING FOR RESTAURANT (GENERAL) AND ALL LR USES; PROHIBIT OFF-SITE ACCESSORY PARKING AND DRIVE-IN SERVICES AS AN ACCESSORY USE; RESTRICTIVE COVENANT FOR THE NEIGHBORHOOD TRAFFIC ANALYSIS AS STAFF RECOMMENDED UNLESS A TRAFFIC IMPACT ANALYSIS IS SUBMITTED.*

[K. JACKSON; J. MARTINEZ – 2ND] (9-0).

ISSUES:

The Applicant is in agreement with the recommendation of the Zoning and Platting Commission.

DEPARTMENT COMMENTS:

The subject tract is undeveloped and zoned interim – rural residence (I-RR) district. The tract is situated at the intersection of Salt Springs Drive and Thaxton Road, both of which are classified as collector streets. The property is surrounded by a single family residential subdivision under construction to the north and east; an existing residential subdivision and tributary of Onion Creek to the west; and single family residences, both on large and standard size lots, and a drainage facility to the south. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The applicant proposes to zone the property to the community commercial (GR) district zoning for future commercial development, potentially for a convenience store (food sales) and service station. The Staff recommends neighborhood commercial (LR) zoning which is a less intensive commercial district, which can also accommodate these uses and is more compatible with the surrounding residences. The Staff recommends commercial zoning because the property is situated at the intersection of two collector streets, and notes that there is an absence of commercial businesses to serve the surrounding and nearby residential subdivisions. The closest, existing commercial uses are located along William Cannon Drive, at its intersection with Pleasant Valley Road, approximately 1 ¼ miles to the northwest.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	SF-3	Under construction for single family residences
<i>South</i>	County; RR; SF-3	Single family residences on large and standard lots; Undeveloped; Drainage facility
<i>East</i>	SF-3	Under construction for single family residences
<i>West</i>	SF-3	Single family residences; Tributary of Onion Creek

AREA STUDY: N / A

NTA: Is required – please refer to Attachment A

WATERSHED: Onion Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

428 – Barton Springs / Edwards Aquifer Conservation District

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

697 – Springfield Village HOA

742 – Austin Independent School District

SCHOOLS:

Palm Elementary School

Paredes Middle School

Charles Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0089.SH	I-RR to SF-3	To Grant SF-3	Approved SF-3 (7-31-03).
C14-03-0090.SH	I-SF-2; SF-3; I-SF-4A	To Grant SF-2 for Tracts 1 and 7; SF-3 for Tracts 2 and 3; SF-	Approved RR; SF-2 and SF-3, with the Restrictive Covenant

		4A for Tracts 4, 5 & 6, with a Restrictive Covenant for the Traffic Impact Analysis	as recommended by the Commission (1-8- 04).
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RELATED CASES:

The property was annexed into the City limits on March 17, 2003. There are no related subdivision or site plan cases on the subject property.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Salt Springs Road	90 feet	30 feet	Collector	No	No	No
Thaxton Road	70 feet	45 feet	Collector	No	No	No

CITY COUNCIL DATE: January 26, 2006

ACTION:

ORDINANCE READINGS: 1st

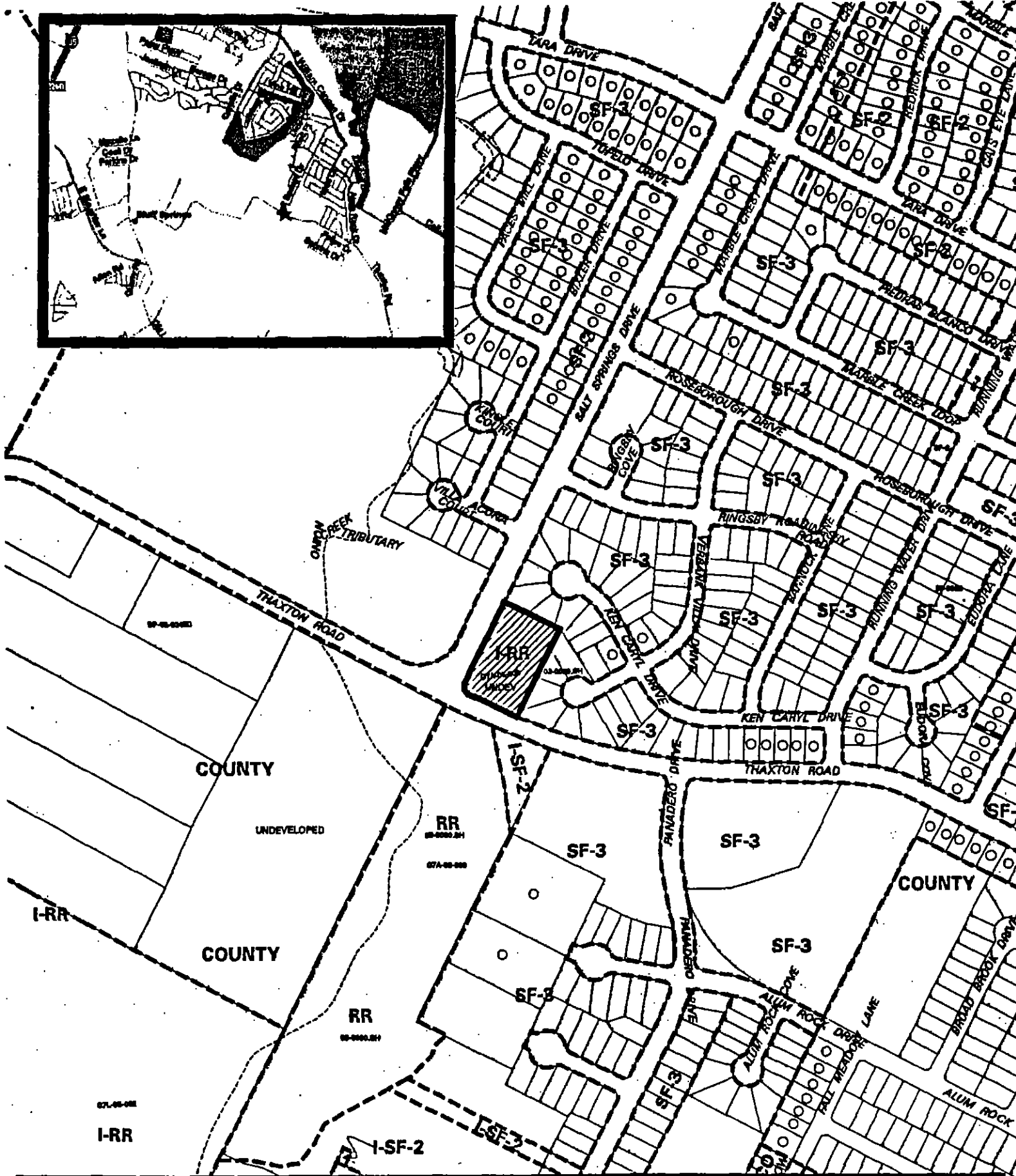
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3rd

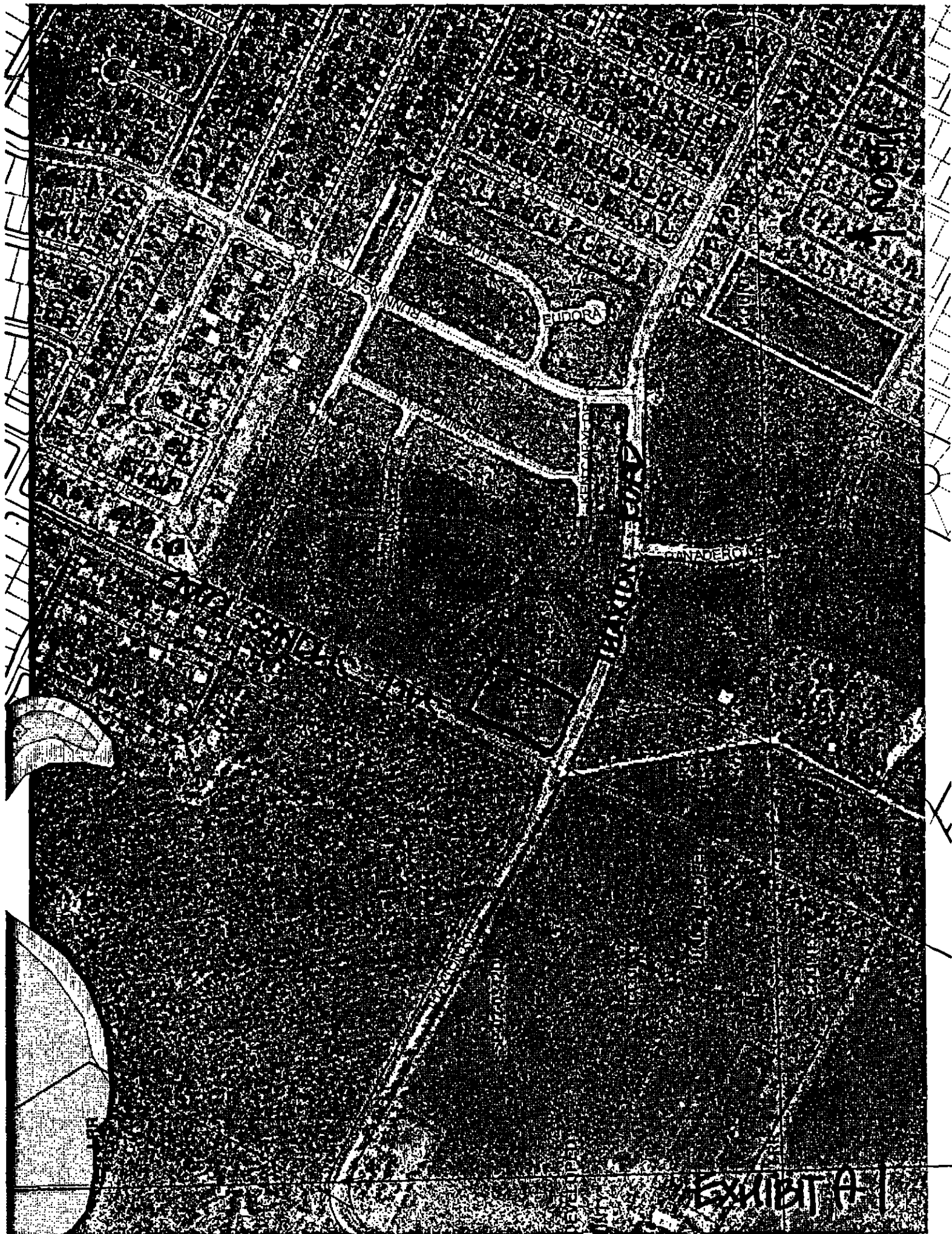
ORDINANCE NUMBER:

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

PHONE: 974-7719



 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT A CASE #: C14-05-0168 ADDRESS: 7900 THAXTON RD SUBJECT AREA (acres): 1.473	DATE: 05-10 INTLS: SM	CITY GRID REFERENCE NUMBER J13
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: W.WALSH				





MEMORANDUM

Date: November 9, 2005
To: Wendy Walsh, Case Manager
CC: Ron Thrower, Thrower Design
SUBJECT: Neighborhood Traffic Analysis for Salt Springs Drive and Thaxton Road
Zoning Case # C14-05-0168

The transportation section has performed a Neighborhood Traffic Impact Analysis for the above referenced case and offers the following comments.

The 1.473-acre tract is located in south Austin at the northeast corner of the intersection of Salt Springs Drive and Thaxton Road. The site is currently vacant and zoned Interim Rural Residence (I-RR). Single family uses surround the property. This case proposes to rezone the property to Community Commercial (GR) for use as a convenience store with four (4) fueling positions.

Roadways

Salt Springs Drive is classified as a residential collector. The roadway currently has 90 feet of right-of-way and 30 feet of pavement. The tract proposes access to Salt Springs Drive. Under Section 25-6-114 of the Land Development Code, Salt Springs Drive is classified as a residential collector street because at least 50 percent of its frontage is zoned for SF-5 or more restrictive uses. This street is currently carrying 4,623 vehicles per day (vpd) north of Thaxton Road.

Thaxton Road is classified as a residential collector and contains 70 feet of right-of-way and 44 feet of pavement. Access to Thaxton Road is proposed. Under Section 25-6-114 of the Land Development Code, Thaxton Road is classified as a residential collector street because at least 50 percent of its frontage is zoned for SF-5 or more restrictive uses. This street is currently carrying 2,818 vehicles per day (vpd) east of Salt Springs Drive.

ATTACHMENT A

Trip Generation and Traffic Analysis

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the proposed development will generate approximately 651 unadjusted average daily trips (ADT).

Trip Generation		
LAND USE	Size	VPD
Convenience Store with Gas Station	4 Fueling Positions	651

Distribution of trips was estimated as follows:

Street	Site Traffic
Salt Springs Drive	62%
Thaxton Road	38%

Below is a table containing the estimated number of trips that will affect each street:

Street	Existing Traffic (vpd)	Site Traffic (vpd)	Total Traffic after Project (vpd)	Percent Increase
Salt Springs Road	4,623	404	5,027	8%
Thaxton Road	2,818	247	3,065	8%

The Land Development Code specifies desirable operating levels for certain streets in section 25-6-116. These levels are as follows: A residential local or collector street with a pavement width of 30 feet to less than 40 feet should carry approximately 1,800vpd or less. A residential local or collector street with a pavement width greater than 40 feet should carry approximately 4,000vpd or less.

Conclusions

1. The neighborhood traffic analysis was triggered because the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 trips per day, and the project has access to a local or residential collector street where at least 50 percent of the site frontage has an SF-5 or more restrictive zoning designation.
2. Thaxton Road currently functions at a desirable level and will continue to do so after site development. Therefore, no improvements are recommended along Thaxton Road.
3. The traffic along Salt Springs Drive currently exceeds the requirements established in Section 25-6-116 by 2,823vpd. Site traffic will increase this number to 3,227vpd. Adjacent to this tract, Salt Springs Drive has been recently upgraded with curb and gutter and sidewalk has been provided. Although no roadway improvements are recommended at this

time, the intensity and uses for this tract should be limited through a conditional overlay to less than 700 unadjusted vehicle trips per day.

4. The City Council may deny an application if the neighborhood traffic analysis demonstrates that the project traffic generated by the project(s) combined with existing traffic, exceeds the desirable operating level established on a residential local or collector street in the neighborhood traffic analysis study area.

If you have any questions or require additional information, please contact me 974-2628.



Amy Link
Sr. Planner - Transportation Review
Watershed Protection and Development Review Department

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant neighborhood commercial – conditional overlay (LR-CO) combining district zoning. The Conditional Overlay limits the number of daily trips to 700.

If non-residential zoning is recommended for this site, then Staff recommends a Restrictive Covenant to include all recommendations listed in the Neighborhood Traffic Analysis memorandum, dated November 9, 2005 and provided as Attachment A.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The LR, Neighborhood Commercial district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: "The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment."

The property has access to the Salt Springs Drive and Thaxton Road, both of which are collector streets.

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

The Staff recommends commercial zoning because the property is situated at the intersection of two collector streets, and notes that there is an absence of commercial businesses to serve the surrounding and nearby residential subdivisions. The closest, existing commercial uses are located along William Cannon Drive, at its intersection with Pleasant Valley Road, approximately 1 ¾ miles to the northwest.

EXISTING CONDITIONS**Site Characteristics**

The site is undeveloped. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by both the GR-CO and LR-CO zoning district would be 80%, which is a consistent figure between the zoning and watershed 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 Onion 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 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.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

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

The trip generation under the requested zoning is estimated to be 5,090 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). The proposed gas station with convenience store will generate approximately 651 trips per day.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

A Neighborhood Traffic Analysis is required and will be performed for this project by the Transportation Review staff. Results are provided in Attachment A. (LDC, Sec. 25-6-114)

Water and Wastewater

The landowner intends to serve each lot with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, and system upgrades to serve each lot. 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 and applicable City fees.

Compatibility Standards

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

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-05-0168

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

December 20, 2005 Zoning and Planning Commission

Kelley Coker, AVP

Your Name (please print)

NEC Thaxton & Salt Springs

Your address(es) affected by this application

Kelley Coker

Signature

Date

12/13/05

Comments:

Am associated with Owner - Fc Properties One, Ltd.

We feel this designation will allow tract to be developed to its highest and best use and for the ultimate benefit of the immediate neighborhood.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

<input checked="" type="checkbox"/> I am in favor <input type="checkbox"/> I object
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