

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



**AGENDA ITEM NO.: Z-3
AGENDA DATE: Thu 01/26/2006
PAGE: 1 of 1**

SUBJECT: C14-05-0111.06 - Trinity Church - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3000 Montopolis Drive (Country Club Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to general commercial services (CS) district zoning. Planning Commission Recommendation: To grant general commercial services (CS) district zoning. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey



MEMORANDUM

TO: Mayor Will Wynn and Council Members

FROM: Greg Guernsey, Director
Neighborhood Planning and Zoning Department

CC: Toby Futrell, City Manager
Laura Huffman, Assistant City Manager
Jerry Rusthoven, Zoning Manager

DATE: January 20, 2006

SUBJECT: Update on East Riverside Zoning cases, Commercial Design and Vertical Mixed Use Standards

At the January 12, 2006 City Council meeting Council Member McCracken had questions regarding the absence of mixed-use zoning in several zoning cases along East Riverside Drive (Agenda items Z-8, Z-9, Z-10, Z-11 and Z-16). The following memorandum provides an overview of the process leading to the zoning recommendation and an update on the Commercial Design and Vertical Mixed Use (VMU) Standards.

East Riverside Neighborhood Plan Issue

Residents of the East Riverside Neighborhood Planning Area have expressed concerns over the high concentration of apartments in the area. In particular, neighborhood plan participants felt that the mixed-use overlay zoning district, as written, would merely result in more apartments, and not true mixed use development. In response to these concerns the Planning Commission postponed the consideration of the East Riverside/Oltorf combined neighborhood plan from October 25, 2005 until March 28, 2006, to allow for further discussion of the issue.

Several tracts were recommended by the Planning Commission, separated from the neighborhood plan and forwarded to City Council for approval. These tracts had a consensus opinion from staff, the neighborhoods, the property owners and the Planning Commission. Based on this staff brought these cases forward to Council for consideration.

Most of these cases did not include the mixed-use overlay. However, tracts 304 and 305 did include a recommendation for neighborhood commercial mixed (LR-MU) zoning along Riverside Drive and single family zoning (SF-3) along the residential street of Penick Drive. The neighborhood felt comfortable with supporting the MU overlay in this case as a result of private deed restrictions negotiated with the applicant.

These cases have been brought back for Council. The property owners, neighborhood representatives, staff and the Planning Commission support the following rezonings.

Case.....	Address.....	Plan/Tract(s).....	From ..	To
C14-05-0112.01....	1902-1912 E Riverside.....	Riverside/15	CS-1....	GR
C14-05-0112.02....	2410 E Riverside Dr.....	Riverside/30	CS	GR
C14-05-0112.03....	2410 E Riverside Dr.....	Riverside/31	CS-1....	GR
C14-05-0112.04....	1605 E Riverside Dr	Riverside/46	CS	GR
C14-05-0113.03....	5700, 5602, 5604 E Riverside ...	Pleasant Valley/304-305	SF-3	SF-1, LR-MU-CO

One additional case is being heard by City Council related to these neighborhood plans. Case C14-05-0111.06 located at 3000 Montopolis, is being recommended for rezoning from SF-3 to CS. This case, too is supported by the neighborhood, property owner, staff and Planning Commission. This is the first time this case is being heard by the City Council.

Case.....	Address.....	Plan/Tract(s).....	From ..	To
C14-05-0112.06....	3000 Montopolis	Parker Ln/225.....	SF-3	CS

The draft neighborhood plans are attached to provide the context for these zoning recommendations. The final neighborhood plan will be formally presented to City Council after Planning Commission action on March 28, 2006.

Update on Commercial Design and Vertical Mixed Use (VMU) Standards

There are three initiatives under way related to the Commercial Design Standards. First, the City has contracted with Clarion and Associates of Denver, Colorado to develop an ordinance based on the Commercial Design Standards Report approved by Council on May 12 and revised on November 17, 2005. The Consultant will deliver an outline of the ordinance the week of January 23, 2006. The outline will be reviewed by staff and then presented to the City Council along with a review of National Best Practices on design standards.

Once Council has reviewed the ordinance outline Clarion will move forward with drafting an ordinance. The ordinance will include the Vertical Mixed Use provisions described in the Commercial Design Standards Report.

Second, on Nov. 17, 2005 the City Council approved a set of revisions to the Commercial Design Standards and directed staff to draft interim rules to permit vertical mixed use as soon as possible. Staff is working on a draft ordinance to amend Section 25-2-647 of the Land Development Code (Mixed Use (MU) Combining District Regulations) to address this directive. We anticipate having a draft ordinance to the Planning Commission in mid-to-late February and to City Council in late-February or early March.

Finally, an interdepartmental team is developing recommendations for implementation of 10 policies items included in the Commercial Design Standards Report. Clarion and Associates will review the staff recommendations on the policy items and provide feedback on the staff recommendations in light of their experience with National Best Practices. These

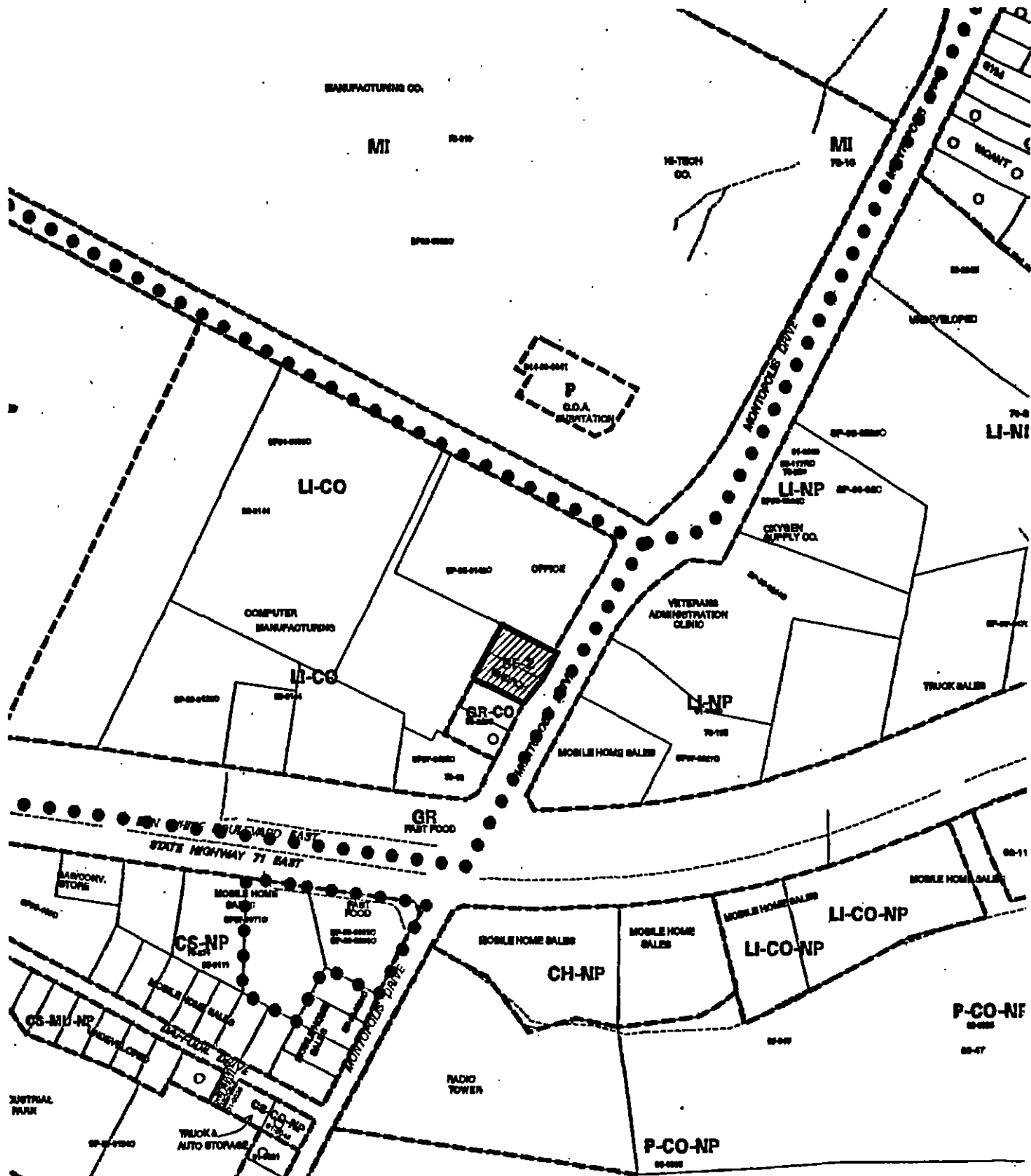
recommendations will be incorporated into Clarion's presentation to Council once an ordinance is drafted.





Staff Recommendation

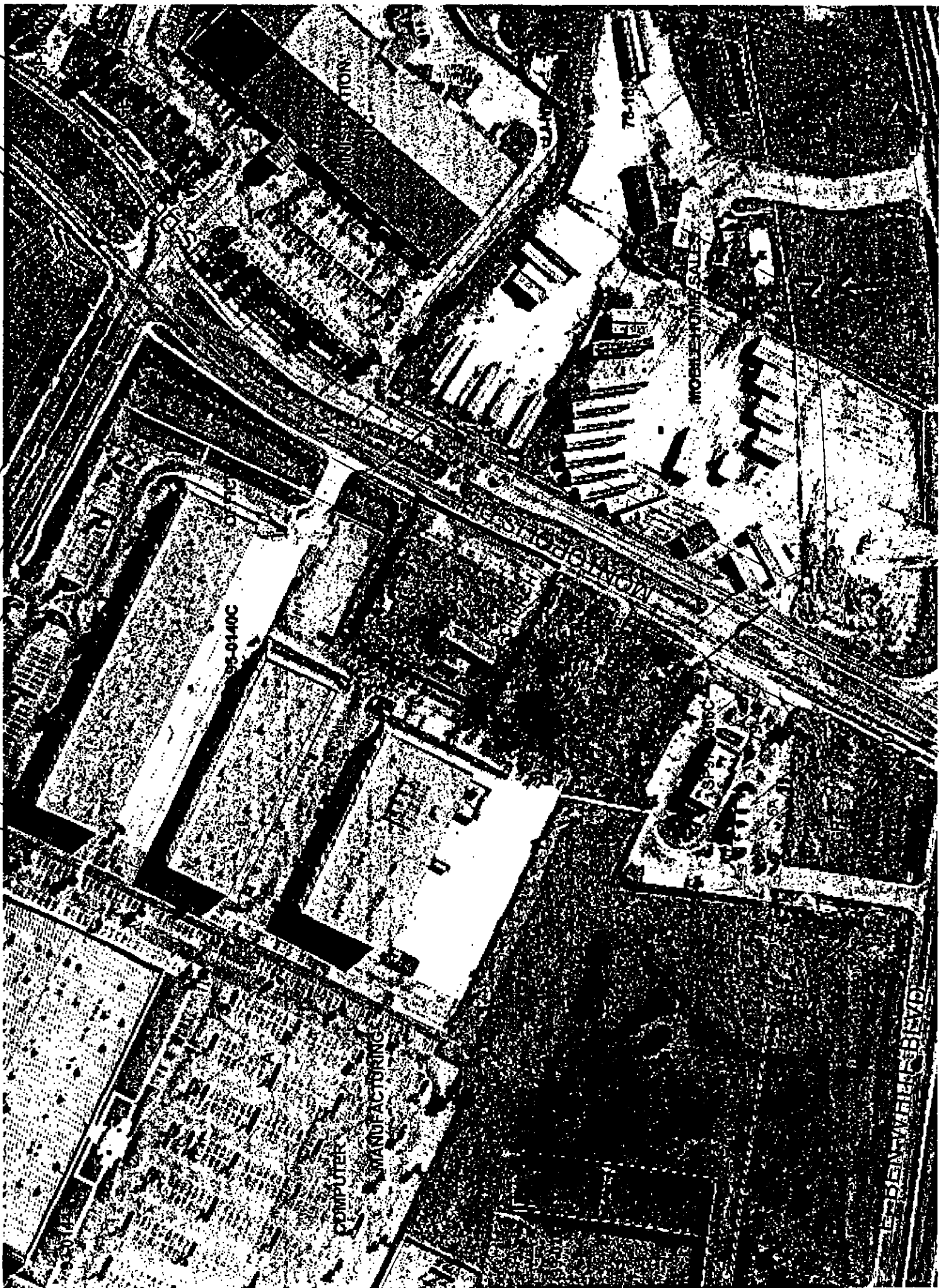
Staff recommends approval of the referenced zoning cases due to the consensus reached by the various stakeholders involved in the neighborhood planning process. Once the Commercial Design Standards ordinance is adopted the Vertical Mixed Use standards will apply to Riverside Drive, as well as the other Core Transit Corridors. These zoning cases in no way prohibit application of the proposed Vertical Mixed Use standards to these properties in the future.

If you have questions or need additional information on the referenced zoning cases please contact Robert Heil at 974-2330 or for more information on the Commercial Design Standards please contact George Adams at 974-2146.

**JUSTICE
PARK**



 1" = 400'	SUBJECT TRACT 	ZONING CASE #: C14-05-0111.06 ADDRESS: 3000 MONTOPOLIS DR SUBJECT AREA (acres): N/A I.C.R.A.		CITY GRID REFERENCE NUMBER K18
	PENDING CASE 			
	ZONING BOUNDARY 	INTLS: SM		
	CASE MGR: R. HEIL			



ZONING CHANGE REVIEW SHEET

CASE: C14-05-0111 (Parker Lane NP)

P. C. Date: August 9, 2005
October 11, 2005
October 25, 2005

AREA: 1130.72 acres

APPLICANT: City of Austin, Neighborhood Planning and Zoning Department (NPZD)

AGENT: City of Austin, Neighborhood Planning and Zoning Department (NPZD)
(Robert Heil)

REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS

- Austin Neighborhoods Council
- Barton Springs/ Edwards Aquifer Conservation Dist.
- Burleson Heights Neighborhood Association
- Burleson Parker Neighborhood Associations
- The Crossing Gardenhome Owners Association
- East Riverside/Oltorf & Montopolis Neighborhood Planning Team
- Franklin Park Neighborhood Association
- Kensington Park Homeowners Association
- Metcalfe Neighborhood Association
- Montopolis Area Neighborhood Alliance
- Onion Creek Homeowners Association
- PODER – People Organized in Defense of Earth & Her Resources
- Riverside Farms Road Neighborhood Assn.
- South Austin Commercial Alliance
- South Central Coalition
- South River City Citizens Association.
- Southeast Austin Neighborhood Alliance
- Southeast Corner Alliance of Neighborhoods (SCAN)
- Southeast Neighborhood Planning Contact Team
- Southeast Austin Trails & Greenbelt Alliance
- Sunridge Homeowners Association.
- Terrell Lane Interceptor Association.

AREA OF PROPOSED ZONING CHANGES: The Parker Lane Neighborhood Planning Area is bounded by Oltorf to the north, Montopolis Blvd to the east, Ben White Blvd to the south and IH-35 to the west (see Attachment 1: Map of the Neighborhood Planning Area).

AREA STUDY: East Riverside/Oltorf Combined Neighborhood Planning Area

TIA: Not required

WATERSHEDS: Blunn, County Club, Harper's Branch, and Williamson Creeks

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes (US Highway 71)

SCHOOLS: (AISD)

Travis Heights Elementary School

Linder Elementary School

Martin Middle School

Fulmore Middle School

Travis High School

SUMMARY OF STAFF RECOMMENDATION:

The proposed zoning change creates a Neighborhood Plan Combining District (NPCD) for the entire area.

For each of the 26 tracts (numbered 200-225) the attached chart lists the street address, the existing zoning, and proposed zoning. Staff recommends the adoption of the proposed zoning base zoning for these tracts. (See Attachment 4).

Additionally there are some tracts not recommended for rezoning by staff which are being offered by the neighborhood stakeholders for consideration by the commission. (See Attachment 5)

This case is associated with C14-05-0112 Riverside Neighborhood Plan Rezoning; C14-05-0113 Pleasant Valley Neighborhood Plan and NP-05-0021 East Riverside/Oltorf Combined Neighborhood Plan.

LIST OF ATTACHMENTS:

Attachment 1: Map of Neighborhood Planning Area

Attachment 2: Neighborhood Planning Area Current Zoning

Attachment 3: Tracts Proposed for Rezoning

Attachment 4: Map of Tracts Proposed for Rezoning

Attachment 5: Properties Proposed for Rezoning by the Neighborhood (but not recommended by staff).

Attachment 6: Description of Proposed Base Districts

Attachment 7: Neighborhood Plan Special Uses

Attachment 8: Neighborhood Design Tools

PLANNING COMMISSION RECOMMENDATION:

August 9, 2005: Postponed to 10/11 (staff).

October 11, 2005: Postponed to 10/25 (staff).

October 25, 2005:

CITY COUNCIL DATE:

ACTION:

ORDINANCE READINGS:

2nd

3rd

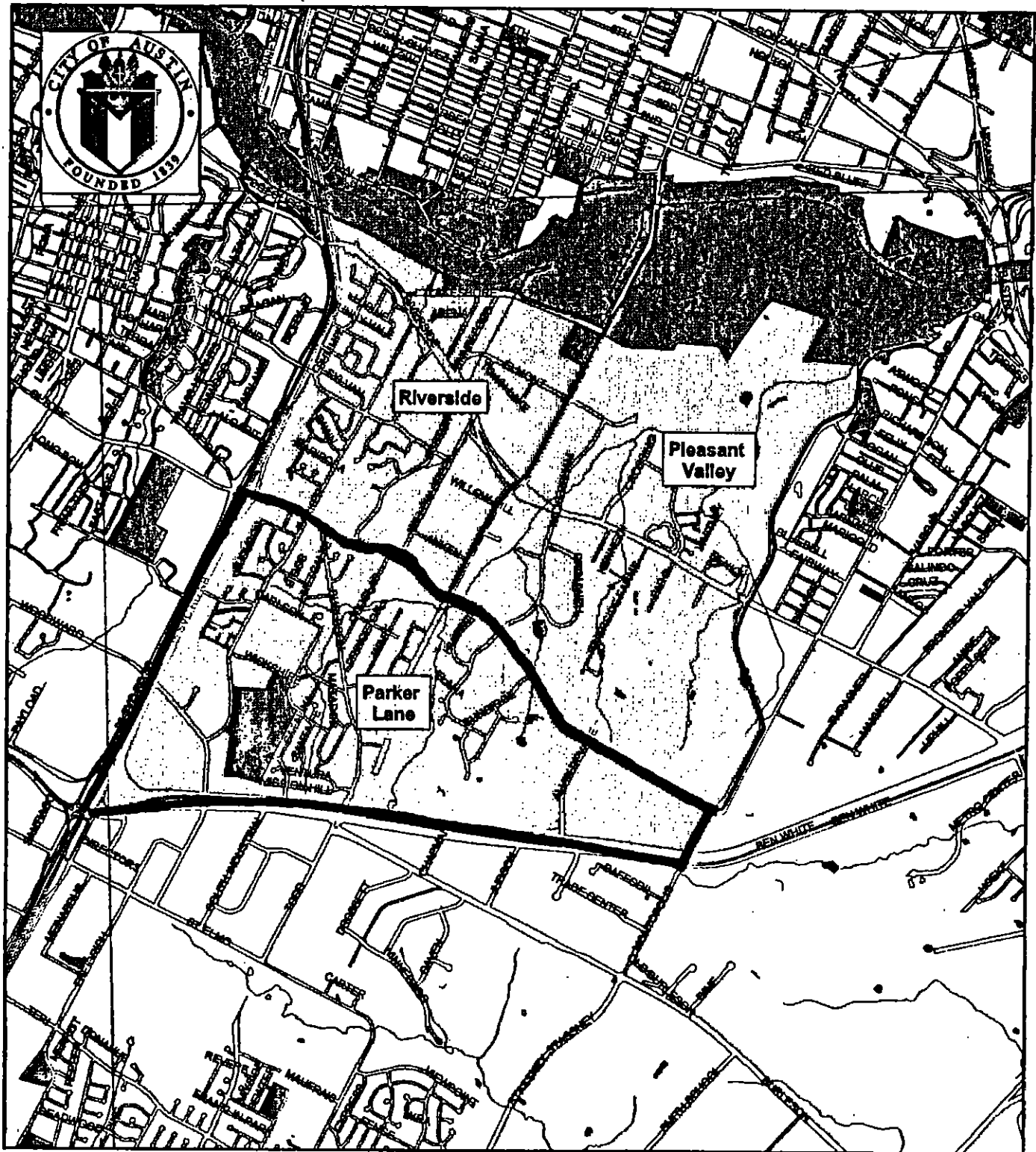
ORDINANCE NUMBER:

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

PHONE: 974-2330

NEIGHBORHOOD PLANNER: Jackie Chuter
e-mail address: jackie.chuter@ci.austin.tx.us

PHONE: 974-2613



East Riverside/Oltorf Combined Neighborhood Planning Area

Legend

- | | |
|--------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
|  Park |  Planning Area |
|  Creek |  Street |
|  Lake or Pond | |

0 2,500 5,000 10,000 Feet

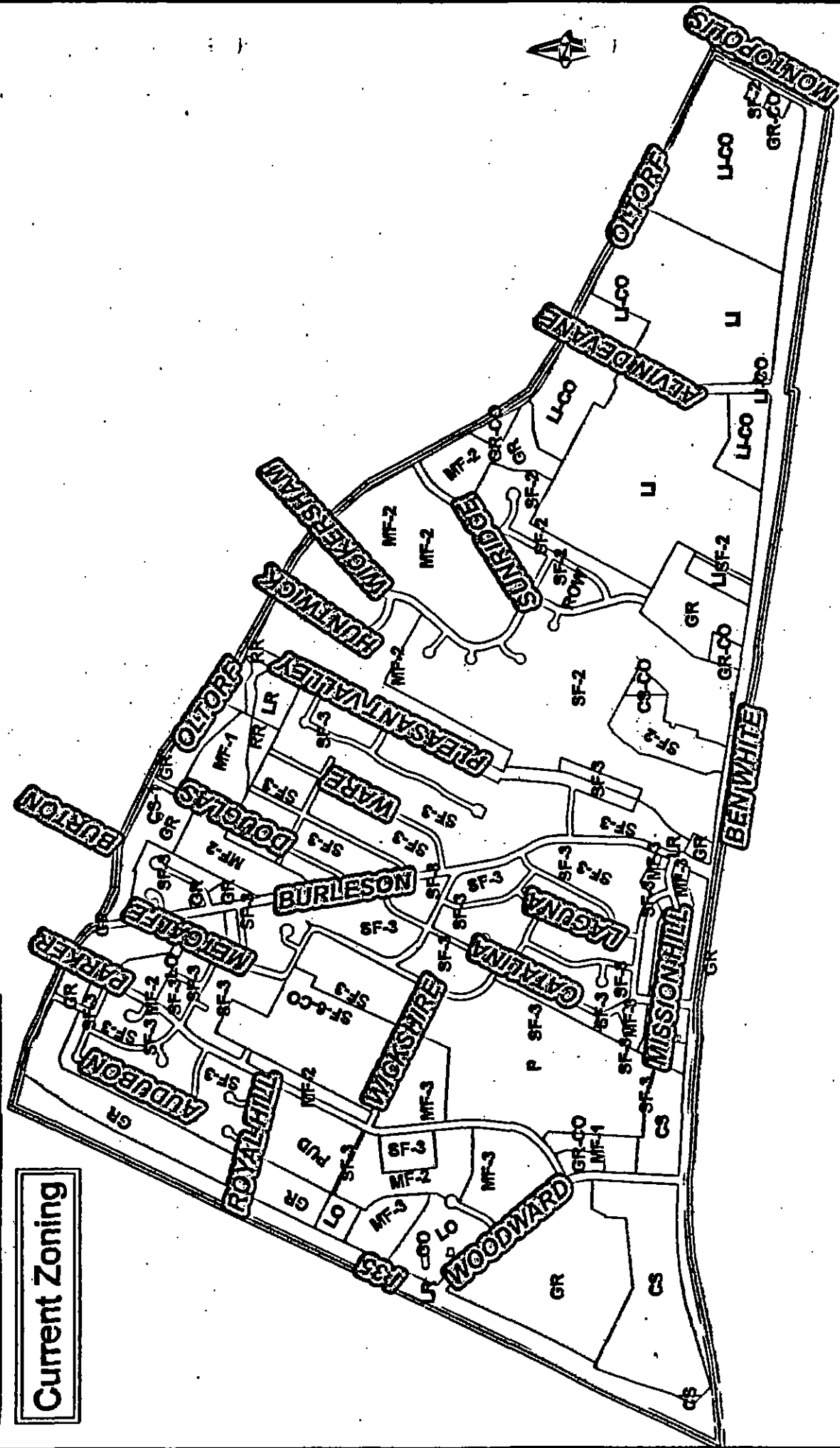
EAST RIVERSIDE/OLTORF NEIGHBORHOOD PLANNING AREA

Parker Lane Plan Area

C14-05-0111.

Attachment 2

Current Zoning



This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for the sole purpose of facilitating neighborhood planning. It should not be referred to as an official source of land use or zoning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.



SUMMARY STAFF RECOMMENDATION

C14-05-0111

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For each of the 26 tracts (numbered 200-225) the attached chart lists the street address, the existing zoning, and proposed zoning. Staff recommends the adoption of the proposed zoning base zoning for these tracts. (See Attachment 4).

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BASIS FOR LAND USE RECOMMENDATION

The staff recommendation is derived from the goals and objectives for land use as described in the East Riverside/Oltorf Combined Neighborhood Plan.

DEPARTMENT COMMENTS:

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.

Existing Conditions:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
IH 35	Varies	Varies	Arterial	No	#14, 61	No
Ben White Blvd.	Varies	Varies	Arterial	Yes	#14	No
Oltorf Street	90'	60'	Arterial	Yes	#27, 14, 26, 300, 331	#61, 68
Burleson Road	70'	50'	Arterial	Yes	#14	#61
Woodward Street	80'	40'	Arterial	Yes	#328	#59
Montopolis Drive	80'	45'	Arterial	Yes	#4, 350	#65
Pleasant Valley Rd.	120'	Varies	Arterial	Yes	#8, 26, 300, 320, 490	#59, 61
Parker Lane	70'	40'	Collector	Yes	#27, PL	#59

Environmental

The neighborhood is not located over the Edward's Aquifer Recharge Zone. The neighborhood is in the Desired Development Zone. The majority of the neighborhood lies in the Country Club Creek Watershed of the Colorado River Basin, while some portions fall within the Carson Creek and Williamson Creek watersheds, all of which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. Smaller parts of the western side of this neighborhood lie within the Blunn and Harpers Branch Creek watersheds, which are classified as Urban Watersheds.

Under current watershed regulations, development or redevelopment within the Suburban Watershed parts of this neighborhood is 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%

Impervious cover is not limited in the Urban Watershed; therefore the zoning district impervious cover limits apply.

According to flood plain maps, there is a floodplain within the Country Club Creek Watershed portion of the neighborhood. 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.

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.

Water quality requirements for each watershed classification are as follows

Suburban: Under current watershed regulations, development or redevelopment will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Urban: Projects are required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm and 25-8 for all development and/or redevelopment.

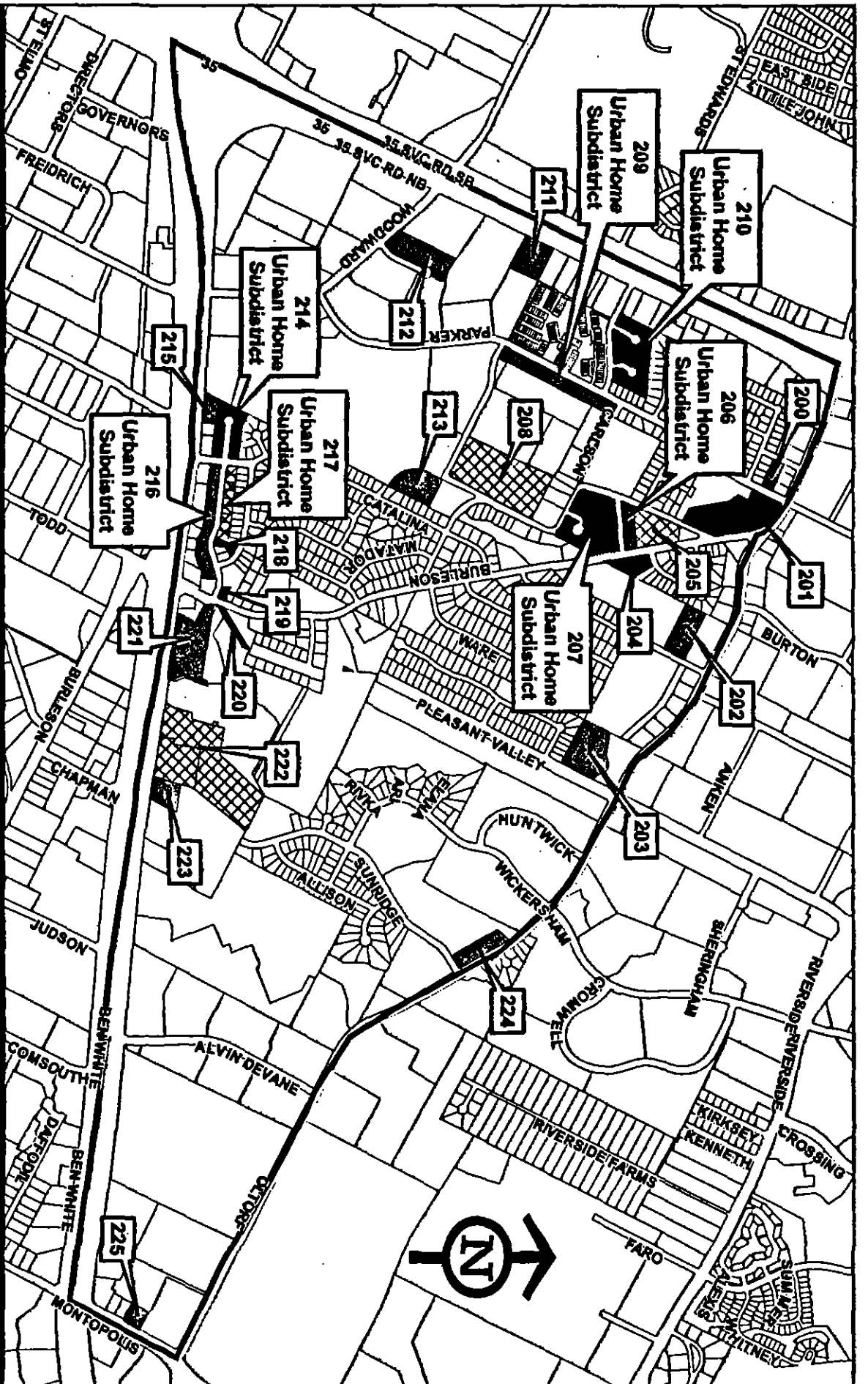
Site Plan

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district or used as single family residential, will be subject to compatibility development regulations. Additional design regulations will be enforced at the time a site plan is submitted.

Highway 71 is a scenic roadway.

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, or adjustments 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 utility construction must be inspected by the City. The landowner must pay the associated City fees.



**Parker Lane Neighborhood Plan Combining District
Tract Map for Rezoning
Zoning Case #C-14-05-0111
Exhibit _____**



City of Austin
Neighborhood Planning and Zoning Department
September 21, 2005



**Parker Lane Neighborhood Plan Combining District:
Tracts Proposed for Rezoning**

Case #C14-05-0111

TRACT NUMBER	ADDRESS	FROM	TO
200	2314 Parker Lane	GR	MF-2-NP
201	1817 E. Oltorf Street	LO, GR	MF-2-NP
202	2336 1/2 Douglas Street (A 2.529 acre tract of land comprised of the north 234.66 feet of Tract A Willow Creek Commercial as measured along the western ROW line of Douglas Street and the north 211.31 feet as measured along the eastern boundary of Parker Heights Section Four)	GR	MF-3-NP
203	2600, 2600 1/2 S Pleasant Valley Road	LR	SF-3-NP
204	2507, 2513 1/2 Burleson Road	GR	MF-2-NP
205	2500 Burleson Road, 2501 1/2 Metcalfe Road	GR	MF-2-NP
206	2000, 2002, 2004, 2006, 2008, 2010, 2012 Iroquois Lane	SF-3	SF-3-NP
207	2001, 2003, 2005, 2007, 2009, 2011, 2013, 2015, 2017, 2019 Iroquois Lane; 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2610, 2612, 2614, 2616 Reeves Circle; 2604, 2606 Burleson Road; 2609, 2611, 2701 Metcalfe Road	SF-3	SF-3-NP
208	2800, 2904 Metcalfe Road	SF-3	P-NP
209	2717, 2719, 2801, 2803, 2805, 2807, 2809, 2811, 2813, 2901, 2903, 2905, 2907, 2909, 3001, 3003, 3005, 3007 Parker Lane	MF-2	LR-MU-CO-NP
210	2700, 2701, 2702, 2703, 2704, 2705, 2706 Mulford Cove; 2700, 2701, 2702, 2703, 2704, 2705, 2706 Little Valley Cove; 1626, 1628, 1700, 1702, 1704, 1706, 1708, 1710, 1712 Royal Hill Drive; 2704, 2706, 2708, 2710, 2712, 2714 Parker Lane	SF-3	SF-3-NP
211	3105 S. IH-35 Svc Road NB	LO	MF-3-NP
212	3300 Parker Lane (3.52 acre tract of land out of Knoll Phase IV Subdivision, further described as west of the center line of San Marino Drive and extending north into the vacated portion of San Marino Drive)	LO	MF-3-NP
213	2101 Wickshire (Abs 24 Del Valle S Acr 2.717)	SF-3	P-NP
214	2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212 Mission Hill Drive	MF-3	LO-MU-NP
215	2214, 2216 1/2, 2222, 2230 E. Ben White Blvd.	MF-3	GR-NP
216	2215, 2217, 2219, 2221, 2301, 2303, 2305, 2401, 2403, 2405, 2407, 2409, 2411, 2413, 2501 Mission Hill Drive	MF-3	LO-MU-NP
217	2216, 2218, 2220, 2222, 2300, 2302, 2304, 2400, 2402 Mission Hill Drive	MF-3	LO-MU-NP
218	2404 Mission Hill Drive; 2407 Ventura Drive	SF-3, MF-3	P-NP
219	2414 Ventura Drive (Lot 20, Mission Hill, Section 3)	LR	MF-2-NP
220	0 Burleson Road (Abs 24 Del Valle S Acr .56)	SF-3	P-NP

**Parker Lane Neighborhood Plan Combining District:
Tracts Proposed for Rezoning**

Case #C14-05-0111

TRACT NUMBER	ADDRESS	FROM	TO
221	3507 Burleson Road and 4420 1/2 - 4500 E. Ben White Blvd. (A 4.55 acre tract, more or less, that is 328 feet north of and parallel to the north right-of-way line of Ben White Blvd.); 4514 E. Ben White Blvd.	SF-2	LO-NP
222	4600, 4604 E. Ben White Blvd.	SF-2	GO-NP
223	4818 E. Ben White Blvd.	GR-CO	GR-NP
224	4705, 4707, 4709, 4801, 4803, 4805, 4807, 4809, 4811 E. Oltorf Street	MF-2	SF-6-NP
225	2918, 3000 Montopolis Drive	SF-2	GR-NP

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3000 MONTOPOLIS DRIVE FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO GENERAL COMMERCIAL SERVICES (CS) 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 general commercial services (CS) district on the property described in Zoning Case No. C14-05-0111.06, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 5, J. Cody Boyd Subdivision Section 2, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 7, Page 66, of the Plat Records of Travis County, Texas; and

A 0.433 acre tract of land out of the Santiago Del Valle Grant in Travis County, the tract of land being more particularly described by metes and bounds in a deed recorded in Volume 6666 Page 2193 of the Deed Records of Travis County, Texas.

locally known as 3000 Montopolis Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. This ordinance takes effect on _____, 2006.

PASSED AND APPROVED

_____, 2006

§
§
§

Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry
City Clerk