Zoning Public Hearing CITY OF AUSTIN RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-11 AGENDA DATE: Thu 01/26/2006 PAGE: 1 of 1

<u>SUBJECT:</u> C14-05-0112.04 - East Riverside/Oltorf Neighborhood Plan, Tract 46 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1605 E. Riverside Drive (Country Club Creek Watershed) from general commercial services (CS) district zoning to community commercial (GR) district zoning. Planning Commission Recommendation: To grant community commercial (GR) district zoning. Applicant: Michael J. Sullivan. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.

REQUESTINGNeighborhood Planning**DIRECTOR'SDEPARTMENT:**and Zoning**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.

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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 .	. Ta
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 B 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.

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

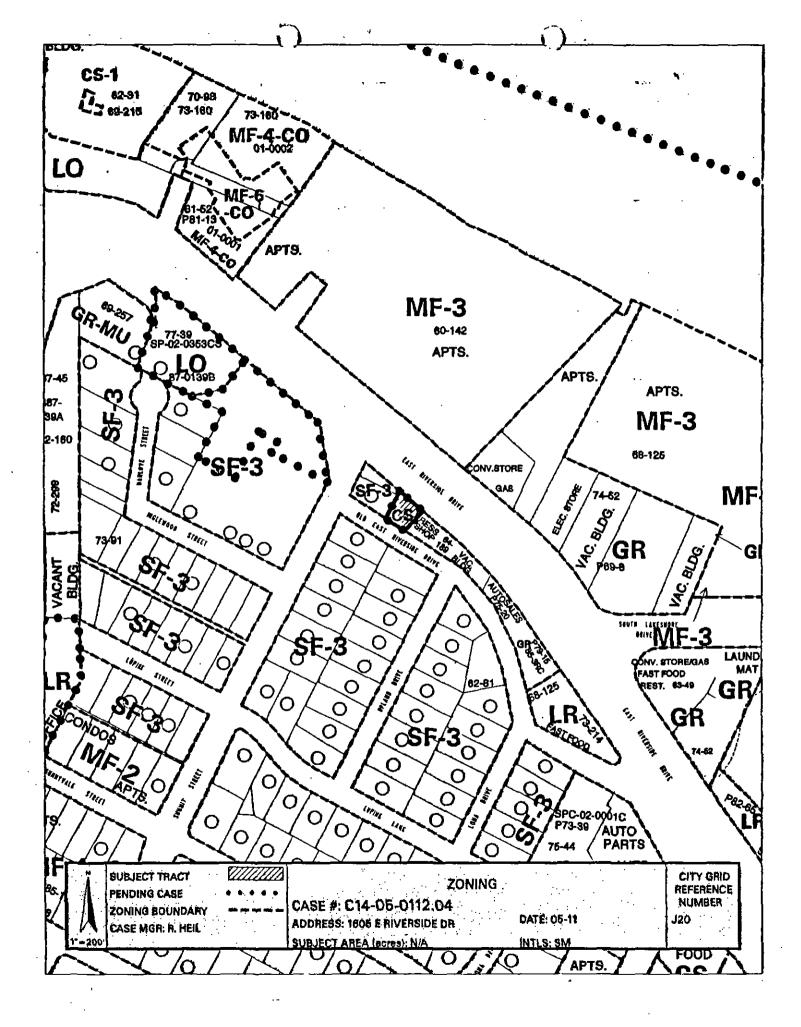
--- recommendations will be incorporated into Clarion's presentation to Council once an ordinance is drafted.

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.

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MEMORANDUM

- TO: Will Wynn, Mayor and City Councilmembers
- FROM: Greg Guernsey, Director Neighborhood Planning and Zoning Department
- DATE: January 9, 2006

RE: East Riverside / Oltorf Combined Neighborhood Plan

On October 25, the Planning Commission held a public hearing on the East Riverside / Oltorf Combined Neighborhood Plan and three associated zoning cases for the Parker Lane (C14-05-0111), Riverside (C14-05-0112) and Pleasant Valley (C14-05-0113) neighborhood plans.

Planning Commission postponed action on the Neighborhood Plan and on the associated rezoning cases until March 28, to allow additional time for areas of disagreement to be worked out.

However, rezoning on several tracts was supported by the property owners, staff and the stakeholders that had been involved in the neighborhood planning process. The Planning Commission recommended that City Council approve the rezoning on these tracts while work continues on the rest of the neighborhood plan.

The property owners, neighborhood representatives, staff and the Planning Commission support the following rezoings. These consensus tracts are:

Item Case	Address	. Plan/Tract(s)	. From	.To
Z-3 C14-05-0111.01	2600 Pleasant Valley	. Parker Lane/203	. LR	.SF-3
Z-4 C14-05-0111.02	.2507 Burleson Rd	. Parker Lane/204	. GR	.MF-2
Z-5 C14-05-0111.03	.2800, 2904 Metcalfe Rd	. Parker Lane/208	. SF-3	. P
Z-6 C14-05-0111.04	.2101 Wickshire	. Parker Lane/213	. SF-3	. P
Z-7 C14-05-0111.05	.4705-4811 E. Oltorf	. Parker Lane/224	. MF-2	.SF-6
Z-8 C14-05-0112.01	1902-1912 E Riverside	. Riverside/15	. CS-1	.GR
Z-9 C14-05-0112.02	2410 E Riverside Dr	. Riverside/30	. CS	.GR
Z-10., C14-05-0112.03	2410 E Riverside Dr	. Riverside/31	. CS-1	.GR
Z-11., C14-05-0112.04	1605 E Riverside Dr	. Riverside/46	. CS	.GR
Z-12., C14-05-0112.05		. Riverside/49	.LR	LO
Z-13 C14-05-0112.06		. Riverside/57	. LR	.MF-3
Z-14., C14-05-0113.01	1005 1/2 Pleasant Valley	. Pleasant Valley/300	.MF-3/MF-5.	. P
	East Riverside & Oltorf	-		
Z-16 C14-05-0113.03	5700, 5602, 5604 E Riverside D	r Pleasant Valley/304-305	. SF-3	SF-1, LR-MU-CO
	Grove Blvd & Hogan	-		

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.

Closed Caption Log, Council Meeting, 01/12/06

Mayor Wynn: OPPOSED? MOTION PASSES ON A VOTE OF SIX TO ZERO WITH MAYOR PRO TEM THOMAS OFF THE DAIS. MR. GURNSEY?

...

ITEMS NUMBER 2-3, THIS IS CASE C-14-05-0111.01, THE EAST RIVERSIDE OLTORF NEIGHBORHOOD PLAN, TRACT 203, STAFF IS WITHDRAWING THIS ITEM FROM YOUR EATIOND, AGENDA, THERE'S NO ACTION. THIS WILL PROBABLY COME BACK WITH OTHER NEIGHBORHOOD ITEMS LATER THIS YEAR PROBABLY IN APRIL OR MARCH, BUT THERE'S NO ACTION REQUIRED ON ITEM NUMBER 2-3.

ON ITEM NUMBER Z-4, WHICH IS CASE C-14-05-0111.02, THE EAST RIVERSIDE/OLTORF NEIGHBORHOOD PLANNING AREA, TRACT 204, STAFF IS ALSO PULLING THIS ITEM OFF THE AGENDA, NO ACTION IS REQUIRED TODAY AND IT WILL BE BROUGHT BACK LATER THIS YEAR. ITEMS 3 AND 4 I UNDERSTAND THE STAFF HAS BEEN IN DISCUSSION WITH THE NEIGHBORHOOD REGARDING THESE ITEMS AND IT IS THEIR DESIRE TO PULL THESE BACK, THE ITEMS WE THOUGHT WOULD ACTUALLY GO CONSENT, BUT WITH THAT DISCUSSION WE THOUGHT IT BEST THESE BE PULLED OFF YOUR AGENDA TODAY FOR ACTION.

ITEM Z-5 IS CASE C-14-05-0111.03, THE EAST RIVERSIDE/OLTORF NEIGHBORHOOD PLAN, TRACT 208 FOR PROPERTIES LOCATED AT 2800 AND 2904 METCALF ROAD. THIS IS A REQUEST FROM SF-3 TO P PUBLIC ZONING. THIS IS READY FOR FIRST READING ONLY. ITEM

Z-6 IS CASE C-14-05-0111.04, THE EAST RIVERSIDE/OLTORF NEIGHBORHOOD PLAN AREA, TRACT 213 AT 2101 WICKSHIRE, AND THIS IS A REZONING REQUEST FROM SF-3 FAMILY RESIDENCE DISTRICT TO P PUBLIC DISTRICT ZONING. THE PLANNING COMMISSION RECOMMENDED P PUBLIC DISTRICT ZONING AND THIS IS READY FOR CONSENT FOR FIRST READING ONLY.

ITEM NUMBER Z-7, C-14-05-0111.05, THE EAST RIVERSIDE/OLTORF PLANNING AREA, TRACT 224 FOR THE PROPERTIES LOCATED AT 4505, 4707, 4709, 4801, 4803, 4805, 4857, 4808 AND 4811 FROM NF-2 TO SF-6. THE RK RECOMMENDED TOWNHOUSE AND CONDOMINIUM SF-6 ZONING AND THIS IS UP FOR CONSENT ON FIRST READING ONLY.

ITEM NUMBER Z-8, CASE C-14-05-002.01 EAST RIVERSIDE OLTORF NEIGHBORHOOD PLANNING AREA, TRACT 15. THIS IS A REZONING REQUEST AT 1902 TO 1912 EAST RIVERSIDE DRIVE FROM COMMERCIAL LIQUOR SALES, CS-1 ZONING TO COMMUNITY COMMERCIAL GR DISTRICT ZONING. THE PLANNING COMMISSION RECOMMENDED COMMUNITY COMMERCIAL GR DISTRICT ZONING AND THIS IS READY FOR FIRST READING ONLY. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] ITEM NO. Z-13, THIS IS CASE C 1405122. 0 OF, OLTORF, TRACT 57, A REZONING REQUEST AT 1840 BURTON DRIVE. FROM NEIGHBORHOOD COMMERCIAL LR DISTRICT ZONING TO MULTH FAMILY RESIDENCE MEDIUM DISTRICT FOR DENSITY ZONING. WHICH IS MF 3. THE PLANNING COMMISSION RECOMMENDS MULTI-FAMILY RESIDENCE MEDIUM DENSITY, MF 3 DISTRICT ZONING, READY FOR CONSENT APPROVAL ON FIRST READING ONLY.

Z-14, C 14050113, TRACT 300. THIS IS A REZONING REQUEST AT 1005 AND A HALF SOUTH PLEASANT VALLEY ROAD. REZONING REQUEST FOR MULTI-FAMILY RESIDENCE MEDIUM DENSITY MF 3 DISTRICT ZONING TO MULTI-FAMILY RESIDENCE HIGH DENSITY MF 8 DISTRICT ZONING, TO P PUBLIC DISTRICT ZONING, THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT P PUBLIC DISTRICT ZONING, THIS IS RECOMMENDED FOR CONSENT APPROVAL ON FIRST READING. ITEM NO.

Z-15, C 14050113.02, EAST RIVERSIDE/OLTORF NEIGHBORHOOD PLAN AREA, TRACTS 302 AND 303, KNOWN AS 1601 GROVE BOULEVARD. REZONING REQUEST FROM NEIGHBORHOOD COMMERCIAL LR DISTRICT ZONING TO SF 1 DISTRICT ZONING. NEIGHBORHOOD COMMERCIAL MIXED USE, THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT SF 1 DISTRICT ZONING WHICH IS SINGLE FAMILY RESIDENCE, LARGE LOT DISTRICT ZONING IN TRACT 302, NEIGHBORHOOD COMMERCIAL MIXED USE CONDITIONAL OVERLAY WHICH IS LR MU CO ON TRACT 303. READY FOR FIRST READING ONLY. ITEM NO.

Z-16, C 14050113.13, EAST RIVERSIDE/OLTORF, TRACTS 304, 305 LOCATED AT 5602, 5604, 5607 EAST RIVERSIDE DRIVE, FROM FAMILY RESIDENCE SF 3 DISTRICT ZONING TO SINGLE FAMILY RESIDENCE, [INDISCERNIBLE] DISTRICT ZONING, NEIGHBORHOOD COMMERCIAL MIXED USE CONDITIONAL OVERLAY LR MU CO. THE PLANNING COMMISSION RECOMMENDATION IS TO GRANT SINGLE FAMILY RESIDENCE LARGE LOT SF 1 DISTRICT ZONING IN TRACT 304 AND AVAILABLE COMMERCIAL MIXED USE CONDITIONAL ON TRACT 305. LR MU CO ON TRACT 305. READY FOR CONSENT ON FIRST READING. ITEM

Z-17 CASE C 14050113.04, EAST RIVERSIDE OLTORF NEIGHBORHOOD PLANNING AREA, TRACT 309, LOCATE AT 2101 WICKERSHAM LANE. REZONING FROM COMMUNITY COMMERCIAL CONDITIONAL OVERLAY ZONE OR COMMUNITY COMMERCIAL CONDITIONAL OVERLAY ZONING TO COMMUNITY COMMERCIAL MIXED USE COMBINING DISTRICT OR GR-MU, THE PLANNING COMMISSION D RECOMMENDATION IS TO GRANT GR MU CO. READY FOR FIRST READING ONLY. SIEF.

C14-05-- THIS IS A REZONING REQUEST FROM GENERAL OFFICE CONDITIONAL OVERLAY TO GENERAL OFFICE MIXED USE CONDITIONAL OVERLAY. ZONING OR GO-CO TO GO-MU CO. THE PLANNING COMMISSION RECOMMENDATION WAS TO GRANT GR-MU-CO. READY FOR CONCEPT ON FIRST READING ONLY.

COUNCILMEMBER MCCRACKEN?

McCracken: MR. GUERNSEY, I HAVE A QUESTION. THERE ARE A NUMBER OF ITEMS FOR THE EAST RIVERSIDE/OLTORF NEIGHBORHOOD PLAN. AND WHAT IS THE - IS THIS LIKE AN ALREADY APPROVED NEIGHBORHOOD PLAN AND THESE ARE ZONING ITEMS COMING THROUGH ON IT?

THESE ARE ITEMS WHERE MY UNDERSTANDING THERE'S AGREEMENT AMONG ALL OF THE PARTIES, PROPERTY OWNER, NEIGHBORHOOD, A COUPLE OF THE ITEMS ACTUALLY PULLED OFF TONIGHT, THERE WERE SOME PARTIES THAT WERE NOT IN AGREEMENT. SO THOSE ITEMS WILL BE BROUGHT BACK WITH THE REST OF THE NEIGHBORHOOD PLANNING ITEMS, THIS WILL GO TO COMMISSION SOMETIME IN MARCH, BE BROUGHT BACK TO COUNCIL IN APRIL. THESE ARE THE ITEMS THAT WE ARE AWARE OF THAT WE HAVE CONSENSUS, EVERYONE SEEMS TO BE IN AGREEMENT OF THESE ITEMS MOVING FORWARD. THERE WERE SEVERAL OF THEM, WE DID SEPARATE THEM IN CASE THERE WAS AN ISSUE ON ANY GIVEN ONE THAT WE COULD PULL THEM DOWN TODAY. AND AS FAR AS I KNOW, THERE ARE NO SPEAKERS ON THESE ITEMS EXCEPT FOR Z-3 AND Z-4 THERE MY BE AN INDIVIDUAL THAT HAD A CONCERN, THAT'S WHY WE PULLED THOSE DOWN?

I HAVE BIG CONCERNS ABOUT SOME OF THESE. THESE APPEAR TO BE AT LEAST WHAT IS LISTED HERE TO BE PRETTY SUBSTANTIAL DEVIATIONS FROM THE ENVISION CENTRAL TEXAS DIRECTIVES WHICH ARE TO HAVE MORE MIXED USE IN OUR CORRIDORS AND ACTUALLY CAN YOU GIVE US BACKGROUND, SOME OF THESE APPEAR TO BE SOME --QUITE A BIT OF -- NOT VERY MUCH MIXED USE THAT WOULD BE VERY DIFFERENT FROM THE SOUTH CONGRESS NEIGHBORHOOD PLAN THAT RECENTLY CAME THROUGH WHERE THERE WAS QUITE A BIT OF MIXED USE. CAN YOU GIVE ME BACKGROUND ON WHAT'S HAPPENING HERE?

Guemsey: WELL, THESE TRACTS THERE HAVE BEEN A LOT OF DISCUSSION AND NEGOTIATION ABOUT THE MIXED USE ELEMENT. WE WILL BE COMING BACK IN MARCH AND APRIL, HOPEFULLY TO HAVE AN AMENDMENT THAT MAY ADDRESS SOME OF THE MIXED USE CONCERNS. PART OF THE MU THERE'S A CONCERN ABOUT THE NUMBER OF APARTMENTS BEING BUILT IN THIS AREA OF THE CITY. THE NEIGHBORHOODS HAVE AN OBJECTION TO SOME OF THE OTHER TYPES OF USES THAT MIGHT GO IN, CONDOMINIUM OR SINGLE FAMILY OR DUPLEX TYPE USES, THOSE ITEMS COULD COME BACK. SO THESE ARE JUST INDIVIDUAL TRACTS WHERE PARTIES HAVE ALL AGREED, THE STAFF WOULD RECOMMEND NOT NECESSARILY FOR MIXED USE IN THESE PARTICULAR TRACTS, BUT TO ALLOW THESE TO GO FORWARD SO PROPERTY OWNERS AREN'T HELD UP BY WAITING FOR THOSE TRACTS THAT WILL COME BACK IN MARCH AND APRIL. SO THIS ISN'T THE ENTIRE NEIGHBORHOOD, BUT THESE ARE TRACTS WHERE EVERYONE SEEMS TO HAVE CONSENSUS. THE COMMISSION ALSO AGREES THAT THESE CASES COULD GO FORWARD. YOU WILL SEE A LOT OF CASES WHERE THE MIXED USE WILL PROBABLY BE DISCUSSED ON A MAJORITY OF THOSE TRACTS ALONG EAST RIVERSIDE, WHERE THERE'S A LOT OF CONCERN JUST ABOUT EXACTLY WHAT YOU ARE SAYING.

YEAH BECAUSE ANOTHER THING IS THAT THESE ALL OF THESE RIVERSIDE PROPERTIES ARE ALREADY IN THE COUNCIL'S ADOPTED MIXED USE OVERLAY FOR RIVERSIDE DRIVE. WHICH IDENTIFIED RIVERSIDE DRIVE AS THE CORE TRANSIT CORRIDOR. WITH UNANIMOUS SUPPORT. I WANT TO MAKE SURE THERE'S NOT A DEVIATION FROM THE COUNCIL'S ALREADY ADOPTED ACTION WITH ESTABLISHING EAST RIVERSIDE AS A CORE TRANSIT CORRIDOR WITH THE VERTICAL MIXED USE OVERLAY. I'M A LITTLE CONCERNED THAT THERE DOES APPEAR TO BE SOME DEVIATION HERE. ALSO – ALSO THERE APPEARS TO BE SOME DEVIATION FROM ENVISION CENTRAL TEXAS. WHAT STAFF CAN DO IS SUGGEST POSTPONE THE NEXT MEETING FOR THOSE ITEMS ON RIVERSIDE, PROBABLY SPECIFY WHICH ONES THAT YOU WOULD LIKE, WE CAN TAKE A LOOK AT THOSE ITEMS AND GIVE YOU THAT INFORMATION BEFORE OUR NEXT MEETING.

McCracken: YEAH, I WOULD BE A LOT MORE COMFORTABLE WITH THAT ON THE RIVERSIDE DRIVE ONES. JUST BECAUSE I WANT TO MAKE SURE THAT WE ARE NOT WITH THIS ACTION CONTRADICTING SEVERAL THINGS THAT WE HAVE WORKED ON FOR QUITE A WHILE AND WE MAY NOT BE, BUT -- BUT I WANT TO MAKE SURE THAT WE ARE CONSIDERING ALL OF THOSE TOGETHER. I WOULD BE A LOT MORE COMFORT IF WE REMOVED THE RIVERSIDE DRIVE ITEMS THAT ARE BROUGHT HERE. I THINK IN GENERAL IT'S HELPFUL FOR US TO SEE THE NEIGHBORHOOD PLAN ALSO WHEN WE START TO GET THESE ZONING ITEMS, BECAUSE WE AS THE POLICY MAKERS DO HAVE A NEED TO CONSIDER WHEN WE GET INDIVIDUAL ZONING CASES WE HAVE NO CONTEXT IN WHICH TO JUDGE WHETHER YOU KNOW THE POLICY OF THE COMMUNITY BEING CARRIED OUT I THINK THAT THERE'S A SUBSTANTIAL INTEREST IN THIS COUNCIL AS WE SEE THE BOND PACKAGE COMING UP, TO -- TO CARRY OUT THE -- THE -- THE OVERWHELMING PUBLIC GOALS OF ENVISION CENTRAL TEXAS. SO THAT'S WHY [INDISCERNIBLE] AND THE ZONING ITEMS IN CONJUNCTION WITH THEM.

Guernsey: WITH THAT, I THINK THE ITEMS -

Mayor Wynn: IF YOU COULD HELP ME IDENTIFY THEN THE RIVERSIDE DRIVE TRACTS.

Guernsey: ITEMS Z-3 AND 4 STAFF PULLED OFF AND -- THERE'S NO ACTION REQUIRED ON THOSE. BUT ITEMS Z-5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, ARE THOSE ITEMS THAT ARE DESCRIBED AS THE EAST RIVERSIDE/OLTORF NEIGHBORHOOD PLAN AREA.

Mayor Wynn: BUT I THINK THE COUNCILMEMBERS COMMENTS WERE MORE SPECIFICALLY ABOUT RIVERSIDE DRIVE ITSELF.

McCracken: MAYOR. I THINK THAT IT IS -- MY SPECIFIC CONCERN IS RIVERSIDE DRIVE. IF WE

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0112 (Riverside NP)

<u>F. C. Date:</u> August 9, 2005 October 11, 2005 October 25, 2005

AREA: 729.96 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

- South Austin Neighborhood Alliance
- The Crossing Gardenhome Owners Association
- Southeast Austin Trails and Greenbelt Alliance
- South River City Citizens Assn.
- Burleson Heights Neighborhood Assn.
- Terrell Lane Interceptor Assn.
- Metcalfe Neighborhood Assn.
- Barton Springs/ Edwards Aquifer Conservation Dist.
- South Central Coalition
- Austin Neighborhoods Council
- Montopolis Area Neighborhood Alliance
- Burleson Parker Neighborhood Associations
- PODER People Organized in Defense of Earth & Her Resources
- Southeast Austin Trails & Greenbelt Alliance

<u>AREA OF PROPOZED ZONING CHANGES:</u> The Riverside Neighborhood Planning Area is bounded by Town Lake to the north, Pleasant Valley Road to the east, Oltorf 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: County Club and Harper's Branch Creeks, and Town Lake

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: Yes

SCENIC ROADWAY: Yes (Riverside Drive)

SCHOOLS: (AISD)

Travis Heights Elementary School Metz 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 60 tracts (numbered 1-58, including 10A and 45A) 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.

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 C14-05-0111 Parker Lane 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 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 until 10/11 (staff).

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

October 25, 2005:

C14-05-0112

<u>CITY COUNCIL DATE:</u>

ACTION:

ORDINANCE READINGS:

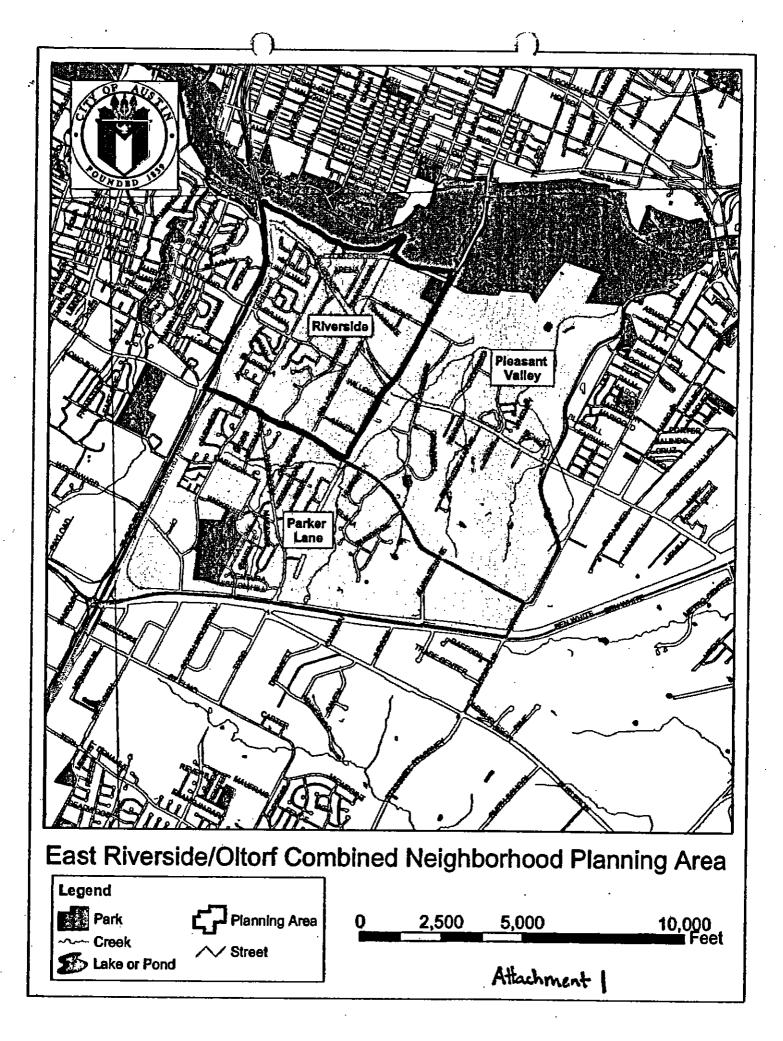
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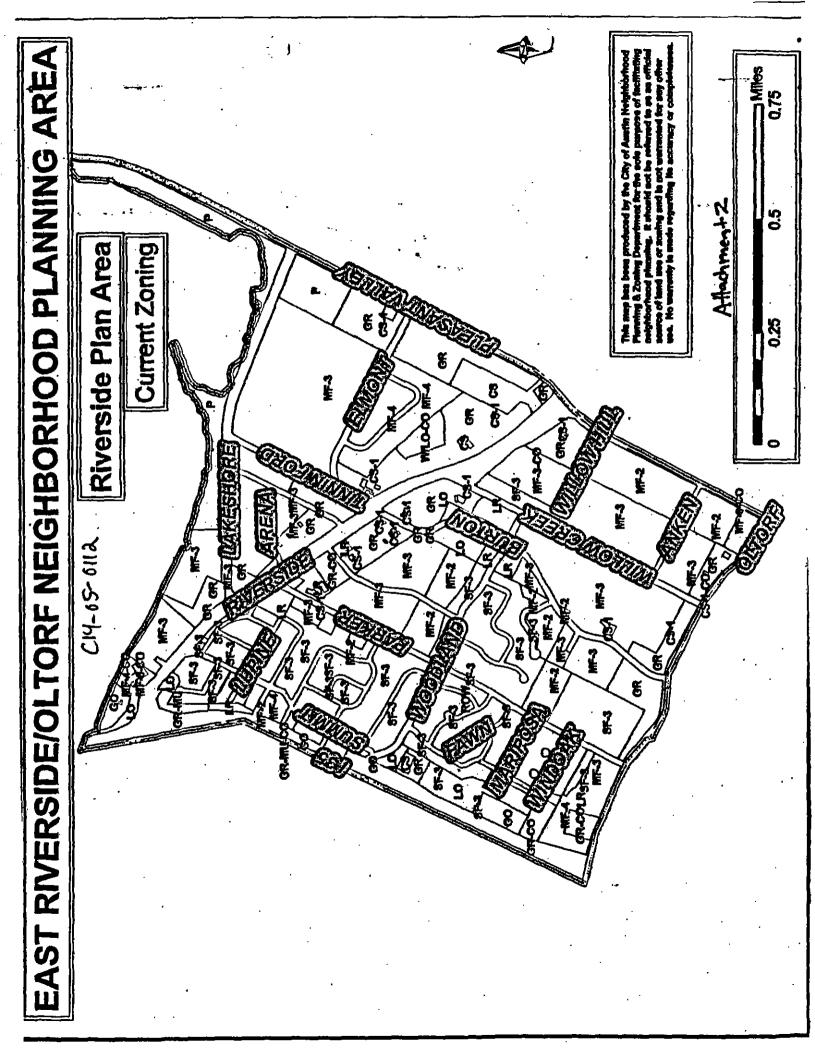
3rd

ORDINANCE NUMBER:

<u>CASE MANAGER</u>: Robert Heil e-mail address: robert.heil@ci.austin.tx.us PHONE: 974-2330

NEIGHBORHOOD PLANNER: Jackie Chuter PHONE: 974-2613 e-mail address: jackie.chuter@cl.austin.tx.us





SUMMARY STAFF RECOMMENDATION

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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.

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
IH 35	Varies	Varies	Arterial	No	#14, 61	No
Oltorf Street	90'	60, -	Arterial	Yes	#27, 14, 26, 300, 331	#61, 68
Pleasant Valley Rd.	120'	Varies	Arterial	Yes	#8, 26, 300, 320, 490	#59, 61
Parker Lane	70'	40	Collector	Yes	#27, PL	#59
E. Riverside Dr.	Varies	2@33	Arterial	Yes	#26, 27, 350, 411, LS, NR, CP	#60
Woodland Ave.	.80'	36'	Collector	Yes	No	#68
Burton Drive	70'	44'	Collector	Yes	#27, 300	No
Lakeshore Blvd.	120'	44'	Arterial	No	#411, LS	#62

Existing Conditions:

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Country Club Creek, Harpers Branch Creek, and Town Lake Watersheds of the Colorado River Basin. Country Club Creek is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment within the Country Club Creek Watershed portion of the neighborhood area will be subject to the following impervious cover limits:

Development Classification	% of Net Site Area	% with Transfers
Single-Family	50%	60%
(minimum lot size 5750 sq. ft.)		
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

According to flood plain maps, there is flood plain in, or within close proximity of, the Country Club Creek watershed portion of the neighborhood area. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone shall be limited to 30%.

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 within the Country Club Creek Watershed portion of the neighborhood area 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 preexisting approvals which preempt current water quality or Code requirements.

<u>Site Plan</u>

Several tracts within this area are located within a Capitol View Corridor – Longhorn Shores and Pleasant Valley at Lakeshore Drive. Height restricts apply for each corridor.

Portions of this area lie within the 100 and 500 year flood plain.

East Riverside Drive is a Scenic Roadway. [Sec. 25-10-6]

Portions of this area are within the Waterfront Overlay; East Riverside subdistrict [Section 25-2-734] and South Lakeshore subdistrict [Section 25-2-741].

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 will be subject to compatibility development regulations. Additional design regulations will be enforced at the time a site plan is submitted.

Water and Wastewater

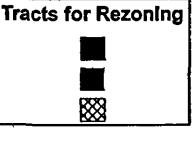
The area is currently served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustments are required, the landowner, at own expense, will be responsible for providing. Also, the 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.



Zoning Case #C-14-05-0112 Exhibit



City of Austin Neighborhood Planning and Zoning Department September 20, 2005



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Feet

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TRACT NUMBER	ADDRESS	FROM	ŢO
1	1300 E Riverside Drive (except a 152.29 square foot tract of land zoned CS- 1 and described in Tract 1A)	LO, GO	GR-CO-NP
1A	1300 E Riverside Drive (A 152.29 square foot tract of land out of Lot 10, Colorado River Park Addition)	CS-1	CS-1-NP
2	900-909 Manlove Street (A 4,743 square foot tract out of Lot A Phil Miller Addition PLUS the adjacent portion of the ROW of Edgecliff Street vacated in Ordinance 040729-37, extending on the east to the centerline of Manlove Street)	LO	LO-NP
3	900-909 Manlove Street (A 58,156 square foot tract of land, more or less, out of the Santiago Del Valle Grant)	MF-4-CO	MF-4-CO-NP
4	900-909 Manlove Street (A 1,929 square foot tract of land out of the vacated Edgecliff Street ROW Reserve)	MF4-co SF-3-	Metr MF-4-CO SF-3-NP
5	1400-1410 E. Riverside Drive (A 21,161 square foot tract of land, more or less, out of the Santiago Del Valle Grant PLUS the adjacent vacated ROW of Edgecliff St.)	MF-4-CO	MF-4-CO-NP
6A	900-909 Manlove St. and 1400-1410 E. Riverside Dr. (A tract composed of two tracts of land out of the Santiago del Valle Grant, the first a 8,639 square foot tract of land and the second a 279 square foot tract of land, PLUS half of the vacated ROW of Edgecliff St. adjacent to each of the two tracts)	MF-6-CO	MF-6-CO-NP
6B	900-909 Manlove St. and 1400-1410 E. Riverside Dr. (A tract composed of two tracts of land out of the Santiago del Valle Grant, the first a 7,244 square foot tract of land and the second a 798 square foot tract of land, PLUS the adjacent vacated ROW of Edgecliff St.)	MF- 8 -CO	MF-6-CO-NP
6C	900-909 Maniove Street (A 5,452 square foot tract of land, more or less, out of the Santiago Del Valle Grant)	MF-8-CO	MF-6-CO-NP
7	1500 E. Riverside Drive	MF-3	MF-3-NP
8	1620-1644 E. Riverside Drive	GR	GR-NP
9	1708-1818 S. Lakeshore Blvd.	MF-3	MF-3-NP
10	1700-1712 E. Riverside Drive and 0 S. Lakeshore Blvd. (Lot 2, Riverside Divide Sec. 2)	GR	GR-NP
10A	1806 E. Riverside Drive	LR	LR-NP
11	1701-1801 S. Lakeshore Blvd.; 0 S. Lakeshore Blvd. (W 144 FT AV Lot 2, BLK B Townlake Plaza) and 1414 Arena Drive	MF-3	MF-3-NP
12	1333 Arena Drive	MF-3	MF-3-NP
13	1902-1928 E. Riverside Drive and 1422-1510 Town Creek Drive (except for the portions zoned CS-1 as described in Tracts 14, 15 and 16)	GR	GR-NP
14	1902-1912 E. Riverside Drive (a 1,200 square foot tract of land out of Lot 2- A, Block "D" Townlake Plaza)	CS-1	CS-1-NP

	ADDRESS	FROM	n in the
15	1902-1912 E. Riverside Drive (a 1,560 square foot tract of land out of Lot 2- A, Block "D" Townlake Plaza)	CS-1	GR-NP
16	1914-1926 E. Riverside Drive (a 4,000 square foot tract of land out of Lot 7- A of the Resubdivision of Lots 4-A and 6-A of the Resubdivision of Lot 4-A of the Resubdivision of Block "D" Townlake Plaza)	CS-1	CS-1-NP
17	2020 E. Riverside Drive; 1400, 1506, 1514, 1516 Tinnin Ford Road; 1501, 1505 Town Creek Drive	GR	GR-NP
18	1201 Town Creek Drive	GR	MF-3-NP
19	1200 Tinnin Ford Road	MF-3	MF-3-NP
20	1201-1401 Tinnin Ford Road and 2109-2401 Lakeshore Blvd.	MF-3	MF-3-NP
21	1300, 1400, 1410 S Pleasant Valley Road, 2510, 2510 1/2, 2512 1/2, 2520, 2520 1/2, 2538, 2538 1/2 Elmont Drive	GR, CS-1	GR-NP
22	1500, 1600, 1700 S. Pleasant Valley Road	CS, GR	GR-NP
23	2215-2439 Town Lake Circle; 2425 Elmont Drive	MF-4	MF-4-NP
24	2222-2400 Town Lake Circle and 2217-2225 Elmont Drive	MF-4	MF-4-NP
25	2101 Elmont Drive	GR	MF-4-NP
26	2100 E. Riverside Drive (a 7,185 square foot tract of land out of and a part of Lot 2-C, Resubdivision of Lot C, Sunny-Day Addition and a 12,750 square foot tract of land out of Lot C, Sunny-Day Addition)		CS-1-NP
27	Sunny Day Addition)	CS-1	CS-1-NP
28	2100-2508 E. Riverside Drive (excluding portions described in Tracts 26, 27, 30, 31, 32 and 33)	GR	GR-NP
29	2314 E. Riverside Drive	W/LO-CO	W/LO-CO-NP
30	2410 E. Riverside Drive (a 0.4286 acre tract of land in Lots 1, 2, and 6 in the Sloan-Bryan Subdivision)	CS	GR-NP
31	2410 E. Riverside Drive (2,933 square foot tract of land out of the Santiago Del Valle Grant and being a part of Lot & Sloan-Bryan Subdivision)	CS-1	GR-NP
32	2508 E. Riverside Drive (A 3.823 acre tract of land, more of less, out of the Amended Plat of Lot A Riverside-Pleasant Valley Addition)	CS	GR-NP
33	1908 S. Pleasant Valley Road (excluding the portion identified in Tract 32)	GR	GR-NP
34	2512 E. Riverside Drive	GR	GR-NP
35	2425 1/2, 2429, 2435, 2439, 2505, 2507, 2515 1/2 E. Riverside Drive; 2400 1/2, 2500, 2500 1/2, 2510 1/2 Willow Hill Drive; 2018 1/2 S. Pleasant Valley Road (Crossroads South Resub of Tracts 2 and 3, lots 2-4; Lot 1 Crossroads South)	GR, CS-1	GR-NP

TRACIT NUMBER	ADDRESS	FROM S	······································
36	1801 1/2 Willow Creek Drive; 2301 E. Riverside Drive	SF-3	SF-6-NP
37	2109-2237 E. Riverside Drive (Burton Terrace Sec 1-A Amended, lots 4 and 5, and Riverside Drive Plaza Joint Venture, lots 8-9 except for 10,012 square foot tract of land out of Lot 9 as described in Tract 38); 1700-1720 1/2 Willow Creek Drive (Riverside Drive Plaza Joint Venture lots 10-20)	LO, LR, GR, CS, CS-1	gr-Np
38	2237 E. Riverside Drive (10,012 square foot tract of land out of Lot 9 Riverside Drive Plaza Joint Venture)	CS-1	CS-1-NP
39	1701, 1703, 1705, 1707, 1709, 1711, 1713 Burton Drive	LO	LO-MU-NP
40	1700, 1708 Burton Drive	LO, LR, GR	MF-3-NP
41	2017 E. Riverside Drive (a 12,695 square foot tract of land, being comprised of three tracts of land, one containing 4,305 square feet, another containing 2,648 square feet, and the last containing 5,742 square feet, out of Lot 11D of the Second Resubdivision of Colorado Hills Estates Section Five)	CS-1	CS-1-NP
42	2021, 2023 E. Riverside Drive (approximately 4,200 square foot tract of land out of Lot 11E, Second Resub of Colorado Hills Estates, Section 5 plus vacated street)	CS-1	CS-1-NP
43	2001, 2003, 2005, 2007, 2009, 2011, 2013, 2015, 2017, 2019, 2021, 2023 E. Riverside Drive; 1407 1/2 Royal Crest Drive, (excluding portons identified in Tracts 41, 42 and 44)	LR, GR, CS	GR-NP
44	2003 E. Riverside Drive (5,983 square foot tract of land out of Lot 11C of the First Resubdivision of Colorado Hills Estates)	CS-1	CS-1-NP
45	1801-1919 E. Riverside Drive (Lot B River Hills Addition) except for the portion described in Tract 45A	LR, GR, GR-CO, CS, CS-1	GR-NP
45A	1805-1909 E. Riverside Drive (a 6,490 square foot tract of land out of Lot 10 of Colorado Hills Estates, Section 5)	CS-1	CS-1-NP
46	1605 E Riverside Drive	CS	GR-NP
47	1005 (Lot 3 Less N24ft Av Thomas & Burch Subdivision), 1007 Summit St.	SF-3	LR-MU-CO-NP
48	1317 E. Riverside Drive and Lot 1, Block A of the Schuler Subdivision	GR-MU	GR-MU-NP
49	1301 S. I-35 Svc Road NB (Lot 3-A, Resub of Lot 3 Parkinson Lela Subdivision and Lot 12 Block 10 Belivue Park save and except the portion described in Tract 50)	LR	LO-NP
50	1301 S. I-35 Svc Road NB (A 0.2 acre tract, more or less, out of Lot 3-A, Resub of Lot 3 Parkinson Lela Subdivision and Lot 12 Block 10 Bellvue Park, comprised of the E 50 feet west of and parallel to the western property line of Lot 11, Block 10, Bellvue Park Subdivision)	SF-3	LO-CO-NP
61	1710, 1730 E. Oltorf Street (Lot 2 Harper's Creek)	LR, MF-3	MF-3-NP
52	2124, 2124 1/2 Burton Drive	GR	MF-3-NP
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TRANE NUMBER	ADDRESS	TRON	n () (i to, -) (
53	2121 Burton Drive	GR	MF-3-NP
54	2101 Burton Drive (A 14,800.5 square foot tract of land out of Lot 2, Burton Terrace, Section 2)	CS-1	MF-3-NP
55	1900 Burton Drive (approximately .31 acres out of lot 6 Colorado Hills Estates Section 6)	SF-3	MF-2-NP
56	1900, 1901, 1902, 1904, 1906, 1908, 1910, 1912, 1914, 1916, 1918, 1920, 1922, 1924 Valley Hill Circle	SF-3	SF-3-NP
57	1840 Burton Drive (Lot 3 of the Resub of Lot 3 and Lot B Burton Terrace Section Two, same being approximately 1.22 acres out of Silverado Condominiums)	LR	MF-3-NP
58	1845 Burton Drive (Lot 3A of the Resub of Lot 3 and Lot B Burton Terrace Section Two)	LR	LR-MU-NP

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Riverside Neighborhood Plan Combining District C14-05-0112

Overlay Conditions and Infill Options

1. The following applies to an existing legal lot with single-family residential use or secondary apartment special use within the boundaries of the NP combining district:

- 1. The minimum lot area is 2,500 square feet.
- 2. The minimum lot width is 25 feet.
- 3. For a lot with an area of 4,000 square feet or less, the impervious coverage may not exceed 25 percent.

2. The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the NP:

- 1. Impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.
- 2. Garage placement restrictions apply as set forth in Section 25-2-1604 of the Code.
- 3. Front or side yard parking restrictions apply as set forth in Section 25-2-1406 of the Code.

3. Urban Home Special Use is permitted on lots in residential districts within the boundaries of the Valley Hill Subdistrict.

4. The following tracts may be developed as a neighborhood mixed use building special use as set forth in Section 25-2-1502 through 25-2-1504 of the Code: 21, 22, 35, 37, 38, 41, 42, 43, 44, 45, 45A, and 47.

5. The following tracts may be developed as a neighborhood urban center special use as set forth in Section 25-2-1552 through 25-2-1557 of the Code: 21, 22, 35, 37, 38, 41, 42, 43, 44, 45, and 45A.

6. A building or structure may not exceed a height of 60 feet above ground level within an area between 100 feet and 160 feet south of Town Lake on Tracts 3, 6A, 6B, and 6C.

> 47 and noth north half of tract 4

7. The maximum height of a building or structure on Tracts 6A and 6C is 60 feet from ground level.

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8. The maximum height of a building or structure on Tract 6B is 90 feet from ground level.

9. The maximum height of a building or structure on Tract 50 is 12 feet from ground level.

10. A 35-foot wide landscape buffer shall be provided and maintained along the south property line of Tract 5 adjacent to Riverside Drive. Improvements permitted within the landscape buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

11. The following conditions apply to Tract 29:

- 1) Custom manufacturing and Limited warehousing and distribution shall be prohibited uses.
- 2) Except for improvements related to drainage improvements, underground utility improvements, or those improvements that may be otherwise required by the City of Austin, Owner shall construct and maintain a vegetative buffer 25 feet wide along the eastern property line.

12. The following uses shall be prohibited uses of Tracts 1 and 47: Service station, Drivethrough service as an accessory use to a principal commercial use.

() C14-05-0111, -OHA, -OHB

East Riverside/Oltorf Combined Neighborhood Planning Area

Properties Proposed for Rezoning by a Majority of Stakeholders

(These tracts may require separate action by the Planning Commission to proceed.)

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	Riverside #17	1221 S. IH-35	LR		Majority recommendation: LO-NP	Opposed
	Riverside #32	1317-1405 E. Riverside Dr.	gr-Mu	Undeveloped	Majority recommendation: LO-NP Property owner recommendation: GR-MU- NP (existing zoning)	Opposed
	Riverside #37	1713-1729 E. Riverside Dr.	LR	Verloue Retail	Majority recommendation: LR-CO-NP (prohibit service stations and drive thru services and make restaurant limited conditional)	No Feedback
	Parker Lane #25	5010 É. Ben White Bivd.	GR	Undeveloped	Majority recommendation: GR-CO-NP with a 50' setback on north and west property lines abutting the church and single-family	Opposed
	Parker Lane #28	2140 & 2208 E. Ben White Bivd.	CS	Undeveloped	No majority recommendation. LO-NP and GO-NP also proposed.	Opposed
Ţ.	Parker Lane #33	2801 S. IH-35	GR	Office	Majority Recommendation: LO-NP	No Feedback
0	Pleasant Valley #51	1901 Crossing Pi.	LR-MU- CO	Condominiums	Majority Recommendation: SF-6-NP	No Feedback
	Pleasant Valley #311	850 Grove Blvd.	GO-CO	Lindeveloped	Majority Recommendation: GO-MU-CO- NP with a Private Restrictive Covenant to prohibit specific residential uses (keep existing CO)	in Favor

Attachment 5

