

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



**AGENDA ITEM NO.: Z-12
AGENDA DATE: Thu 03/02/2006
PAGE: 1 of 1**

SUBJECT: C14-05-0198 - Highland Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the northwest corner of Cactus Lane and Redd Street (also known as 2101-2117 West Ben White Blvd.) (Williamson Creek Watershed) from multi-family residence-medium density (MF-3) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant limited office (LO) district zoning. Applicant: Shaw Hamilton Consultants (Shaw Hamilton). Agent: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0198

Z.P.C. DATE: January 17, 2006
January 31, 2006

ADDRESS: Northwest corner of Cactus Lane and Redd Street (also known as 2101 – 2117 West Ben White Boulevard)

OWNER: 2101 W. Ben White Boulevard, Inc.
(Alfred E. Fielder, Jr.);
Winona Fielder

AGENT: Shaw Hamilton
Consultants
(Shaw Hamilton)

ZONING FROM: MF-3

TO: GR

AREA: 2.920 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. The Conditional Overlay prohibits residential treatment.

ZONING & PLATTING COMMISSION RECOMMENDATION:

January 17, 2006: *APPROVED A POSTPONEMENT REQUEST TO 01/31/06 (STAFF)*
[J. MARTINEZ; M. HAWTHORNE – 2ND] (7-0) J. GOHIL; K. JACKSON –
ABSENT

January 31, 2006: *APPROVED LO DISTRICT ZONING.*
[J. MARTINEZ; T. RABAGO 2ND] (8-0) J. GOHIL – ABSENT

ISSUES:

The Applicant would like to pursue his original request for GR zoning.

A memo from Mr. Dan Robertson, Director of Planning Services at Austin ISD is attached at the back of the Staff packet.

Should GR zoning be recommended, then in accordance with AISD policy and consistent with other zoning cases, then the Staff recommends a Conditional Overlay to prohibit the following uses: automotive rentals; automotive sales; bail bond services; drop-off recycling collection facility; exterminating services; hotel-motel; outdoor entertainment; pawn shop services; indoor entertainment; residential treatment; and theater.

DEPARTMENT COMMENTS:

The subject unplatted tract serves as a parking area for the shopping center to the north, has been zoned multi-family residence – medium density (MF-3) since 1967, and is

situated at the northwest corner of Cactus Lane and Redd Street. There are two driveways to Redd Street from this tract and access to Ben White Boulevard is taken through the adjacent shopping center (GR). The lots to the west are predominantly used for offices (LO), to the east there is a grocery store and church (GR, SF-3), and to the south there is the Western Trails single family residential neighborhood, Joslin Park and Joslin Elementary School (SF-3). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to develop the property with unspecified commercial uses and requests community commercial (GR) zoning. Access to the site would be from Redd Street, and also through the adjacent shopping center to Cactus Lane and Ben White Boulevard. In consideration of the tract's proximity to single family residences, the park and the AISD – Joslin Elementary School, and access to Redd Street, a collector roadway, the Staff recommends neighborhood commercial (LR-CO) district zoning. LR zoning will establish a land use transition between the commercial uses oriented towards Ben White Boulevard and the Western Trails subdivision, with a Conditional Overlay to prohibit residential treatment, in accordance with an expressed AISD policy for zoning requests that are in close proximity to elementary schools.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-3	Parking area for the adjacent shopping center
<i>North</i>	GR; CS	Shopping center; Restaurant (general)
<i>South</i>	SF-3	Single family residences; Joslin Park; Joslin Elementary School
<i>East</i>	GR; SF-3; CS	Grocery store; Church; Service station; Food sales
<i>West</i>	LO; CS; CS-1	Offices – medical and professional; Video game repair; Financial services; Warehouse; Restaurant; Pawn shop

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

378 – Western Trails Neighborhood Association

384 – Save Barton Creek Association

385 – Barton Springs Coalition

428 – Barton Springs / Edwards Aquifer Conservation District

446 – Westgate Boulevard / Jones Road Neighborhood Association

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

742 – Austin Independent School District

943 – Save Our Springs Alliance

SCHOOLS:

Joslin Elementary School

Porter Middle School

Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0087 – 4611 Manchaca Road	SF-3 to LO	Granted LO-CO with CO for maximum building cover – 35%, impervious cover – 60%, maximum height 35 feet, 2 stories, maximum F.A.R. ~0.11 to 1, 300 trips and list of prohibited uses.	Approved LO-CO as ZAP recommended (8- 4-05).
C14-04-0152 – 4607 Manchaca Road	SF-3 to LO	Granted as requested	Approved LO-CO with the CO limiting the F.A.R. to the existing building square footage; medical offices as the only LO use and all NO, Neighborhood Office uses; all NO development standards and 300 vehicle trips (1-13-05).
C14-04-0093 – Woodlawn Baptist Church	SF-3 to GO-CO, as amended	Case expired	Not applicable

RELATED CASES:

The property has been zoned for multi-family residence purposes since 1967. A 1986 Rezoning Site Plan known as Highland Center identifies the rezoning area as "existing asphalt", and adjacent areas to the north for personal services, retail services and parking areas (RZ-85-081). Please refer to Exhibit B.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Ben White Boulevard	365 feet	Varies	Major Arterial
Cactus Lane	65 feet	34 feet	Collector
Redd Street	50 feet	28 feet	Collector

CITY COUNCIL DATE: March 2, 2006

ACTION:

ORDINANCE READINGS: 1st

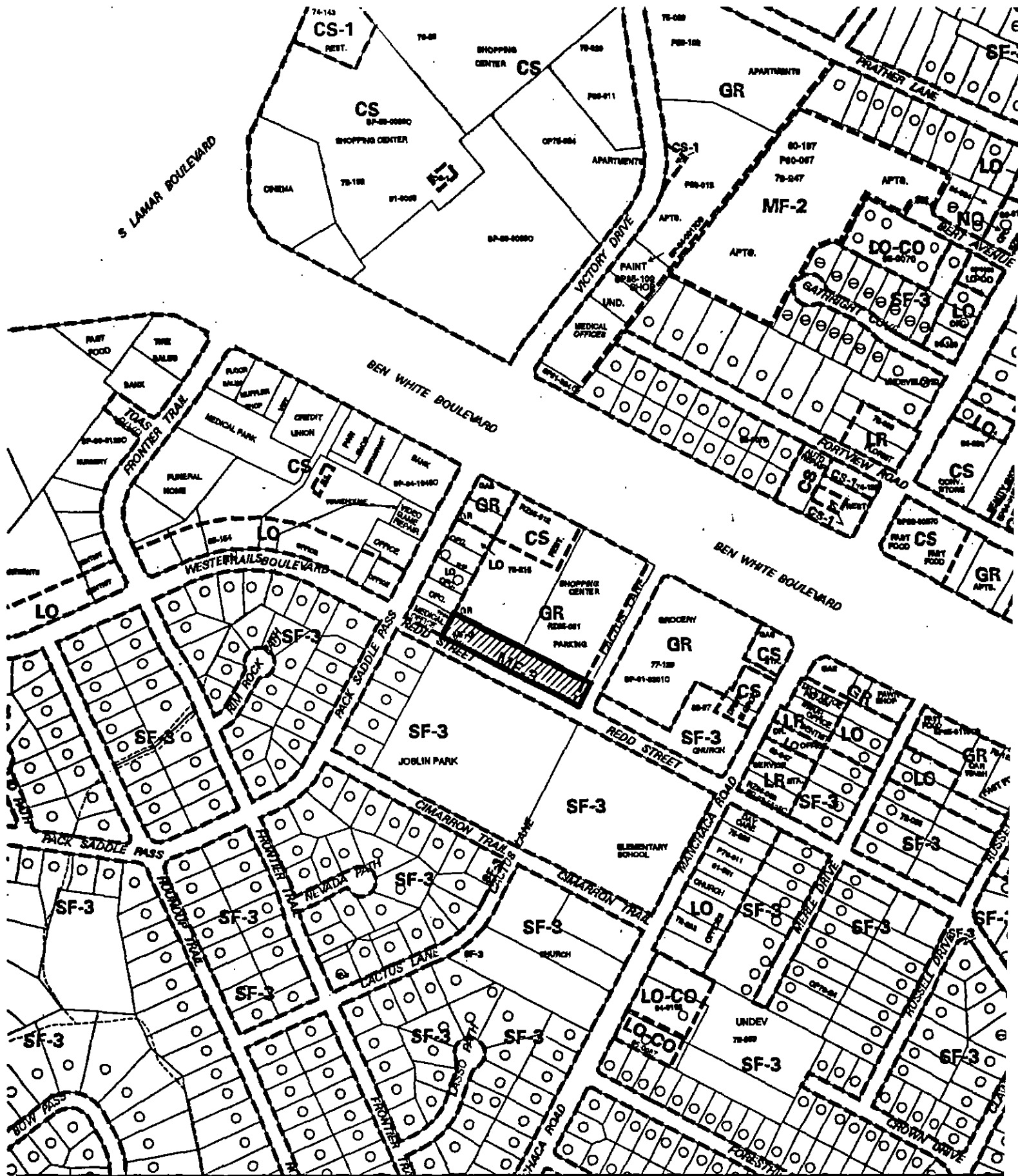
2nd


3rd

ORDINANCE NUMBER:

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

PHONE: 974-7719



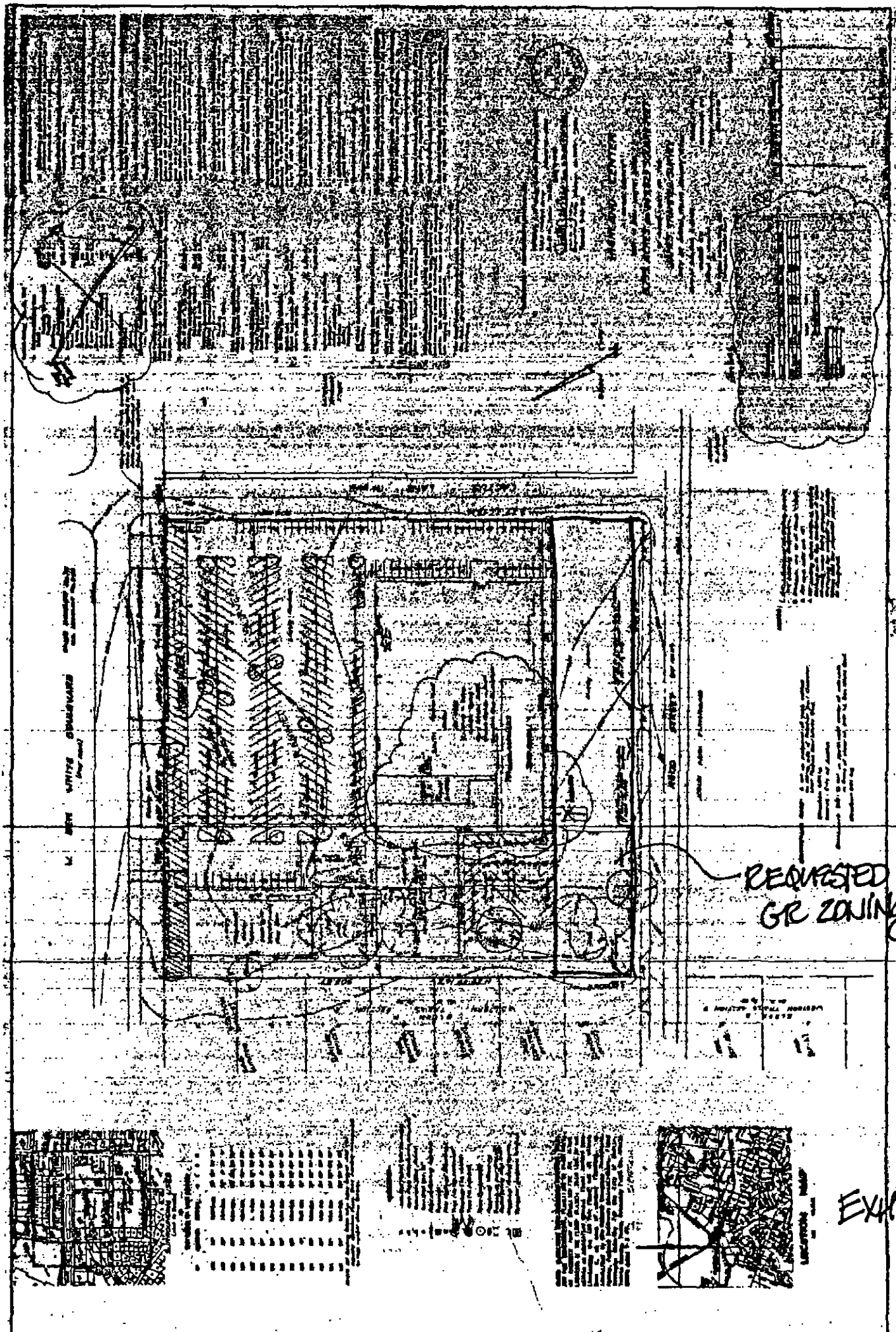

 1" = 400'
 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: W.WALSH

CASE #: C14-05-0198
 ADDRESS: 2101 - 2117 W BEN WHITE
 BLVD
 SUBJECT AREA (acres): 2.920

ZONING **EXHIBIT A**
 DATE: 05-12
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 G19

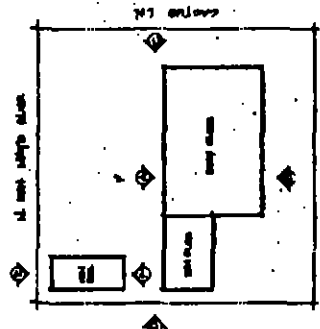




REQUESTED
GR ZONING

EXHIBIT B

KEY SITE PLAN



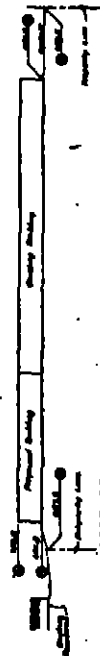
SOUTH ELEVATION



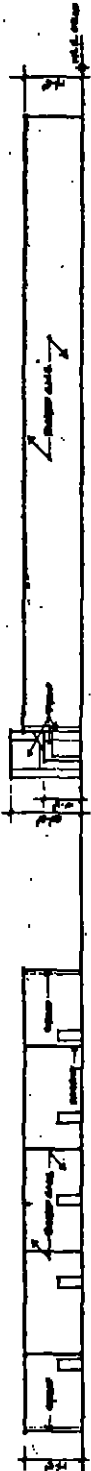
WEST ELEVATION



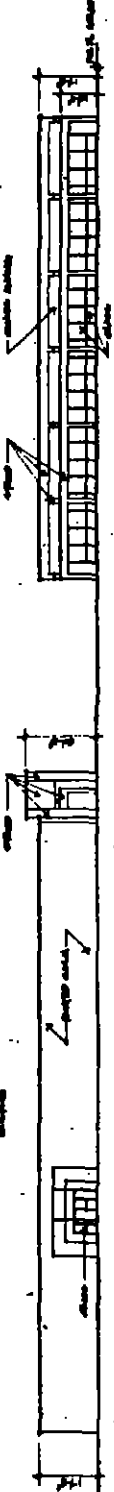
SITE SECTION



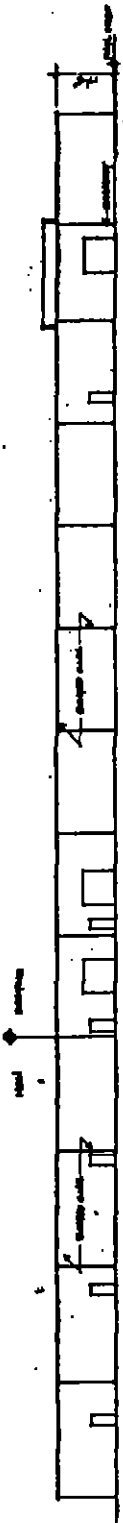
WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



ARCHITECTS PLANNING CONSULTANTS
 10000 E. DAVIS ST. AUSTIN, TEXAS
 CROFT ASSOCIATES



ADDITION TO BUILDING
 10000 E. DAVIS ST. AUSTIN, TEXAS

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. The Conditional Overlay prohibits residential treatment.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The GR, Community Commercial district is intended for an office or other commercial use that serves neighborhood and community needs and is generally accessible from major traffic ways.

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."

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

In consideration of the tract's proximity to single family residences, the park and the AISD – Joslin Elementary School, and access to Redd Street, a collector roadway, the Staff recommends neighborhood commercial (LR-CO) district zoning. LR zoning will establish a land use transition between the commercial uses oriented towards Ben White Boulevard and the Western Trails subdivision, with a Conditional Overlay to prohibit residential treatment, in accordance with an expressed AISD policy for zoning requests that are in close proximity to elementary schools.

EXISTING CONDITIONS**Site Characteristics**

The property is developed with a parking lot. The site is relatively flat and there appear to be no significant topographical constraints on the site.

Impervious Cover

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

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

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

This site is currently developed with a parking lot.

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.

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 3,874 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 was waived for this case because there is an existing RZ site plan for this site. If and when a revision is submitted to this plan, trip generation will be reanalyzed and a traffic impact analysis may be required at that time.

Water and Wastewater

The landowner intends to serve the site 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, system upgrades, and utility adjustments. 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 utility construction must be inspected by the City. The landowner must pay the associated City fees.

Compatibility Standards

The site is subject to compatibility standards. Along the east and south property lines, 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.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

Additional design regulations will be enforced at the time a site plan is submitted.

Austin ISD

Date: 1/17/06

To: Wendy Walsh City of Austin, Development Review and Inspection

Cc: Curt Shaw, Director of Construction Management

From: Dan Robertson, Director of Planning Services

RE: Development Review of C14-05-0198

Wendy –

AIISD has no objection to the rezoning of the frontage on this tract from MF-3 to GR. As you know, it has long been our practice to allow GR in proximity to elementary schools and there are several examples of GR adjacent to Joslin Elementary at this time.

DR

I HAVE NO OBJECTION TO THE ZONING FROM
MF-3 TO GR AT 2101 WEST BEN WHITE BLVD.
* C14-05-0198
OWNERS: 4502 PACISABLE Ave Glenn Thibault
4503 - - - Irene Berenguel

4/14-05-0198

2101 WEST BEN WHITE BLVD.

I HAVE NO OBJECTION TO THE ZONING REQUEST FROM
"MF-3" TO "GR" FOR THE PROPERTY LOCATED AT 2101 WEST BEN WHITE BLVD.

OWNER	RENTER	ADDRESS	PRINTED NAME	SIGNATURE
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4507 PACK SADDLE PASS	TERRIE MILLS DIRKS	<i>Terrie Mills Dirks</i>
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			

K/4-05-0198

2101 WEST BEN WHITE BLVD.

I HAVE NO OBJECTION TO THE ZONING REQUEST FROM
"MF-3" TO "GR" FOR THE PROPERTY LOCATED AT 2101 WEST BEN WHITE

OWNER	RENTER	ADDRESS	PRINTED NAME	SIGNATURE
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4504 Pack Saddle Pass		Lorayne Barr or Mrs Robert A. Barr
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>			

