

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



**AGENDA ITEM NO.: Z-4  
AGENDA DATE: Thu 03/23/2006  
PAGE: 1 of 1**

**SUBJECT:** C14-05-0207 - 6863 U.S. Hwy. 290 West - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 6863 U.S. Highway 290 West (Williamson Creek Watershed) from interim single-family residence-standard lot (I-SF-2) district zoning to neighborhood commercial (LR) district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning. Applicant and Agent: Narciso Saucedo, Jr. City Staff: Robert Heil, 974-2330.

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-05-0207

**PC. DATE:** February 14, 2006

**ADDRESS:** 6863 US HWY 290 W.

**OWNER/AGENT:** Narciso Saucedo

**ZONING FROM:** I-SF-2

**TO:** LR-MU

**AREA:** 0.135 acres

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of neighborhood commercial-mixed use (LR-MU) combining district zoning.

### **P.C. NEIGHBORHOOD PLANNING SUB-COMMITTEE RECOMMENDATION:**

**January 11, 2006:** Recommended that this case be heard by the full Planning Commission and considered on its merits.

### **PLANNING COMMISSION RECOMMENDATION:**

**February 14, 2006:** *APPROVED LR-MU DISTRICT ZONING; BY CONSENT.  
[D.SULLIVAN, M.DEALEY 2<sup>ND</sup>] (8-0) J.REDDY – ABSENT*

### **DEPARTMENT COMMENTS:**

The original request was from interim single family residence standard lot (I-SF-2) district zoning to neighborhood commercial (LR) district zoning. The applicant subsequently amended his request to neighborhood commercial-mixed use (LR-MU) combining district zoning.

The site is located within the East Oak Hill neighborhood planning area, which is already underway. Because this case was submitted after the beginning of a neighborhood plan, the case was referred to subcommittee for review. On January 11, the neighborhood planning subcommittee of the Planning Commission recommended that this case be heard by the full Planning Commission and considered on its merits.

The site is a vacant building near the intersection of US 290 W and HWY 71 (the "Y" at Oak Hill). Originally a single family home, the structure has been used for a variety of uses over the years, most recently a restaurant. The structure is currently vacant, and it is the applicant's intent to renovate the structure for use as a daycare center.

Interim SF-2 zoning presents little or no opportunity for reuse of the structure, excepting as a single family residence. Staff recommends rezoning to LR-MU.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-SF-2	Vacant
<i>North</i>	SF-2, GR, RR, LR	Various uses, increasingly being vacated for right-of-way acquisition.
<i>South</i>	LR-CO	Vacant
<i>East</i>	LR	Office
<i>West</i>	LR-CO	Vacant

**AREA STUDY:** The site falls within the East Oak Hill Neighborhood Plan, currently underway.

**TIA:** Not Required

**WATERSHED:** Williamson Creek (Barton Creek Zone)

**DESIRED DEVELOPMENT ZONE:** No

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

**REGISTERED COMMUNITY ORGANIZATIONS:**

- Oak Hill Association of Neighborhoods (OHAN)
- Save Barton Creek Association
- Barton Springs Coalition
- Barton Springs/Edwards Aquifer Conservation District
- Save Our Springs Alliance

**SCHOOLS:**

- Patton Height Elementary School
- Small Middle School
- Austin High School

**ABUTTING STREETS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>
US 290 West	150'	Varies	Arterial	No	No

**CITY COUNCIL DATE:**

3/23/06

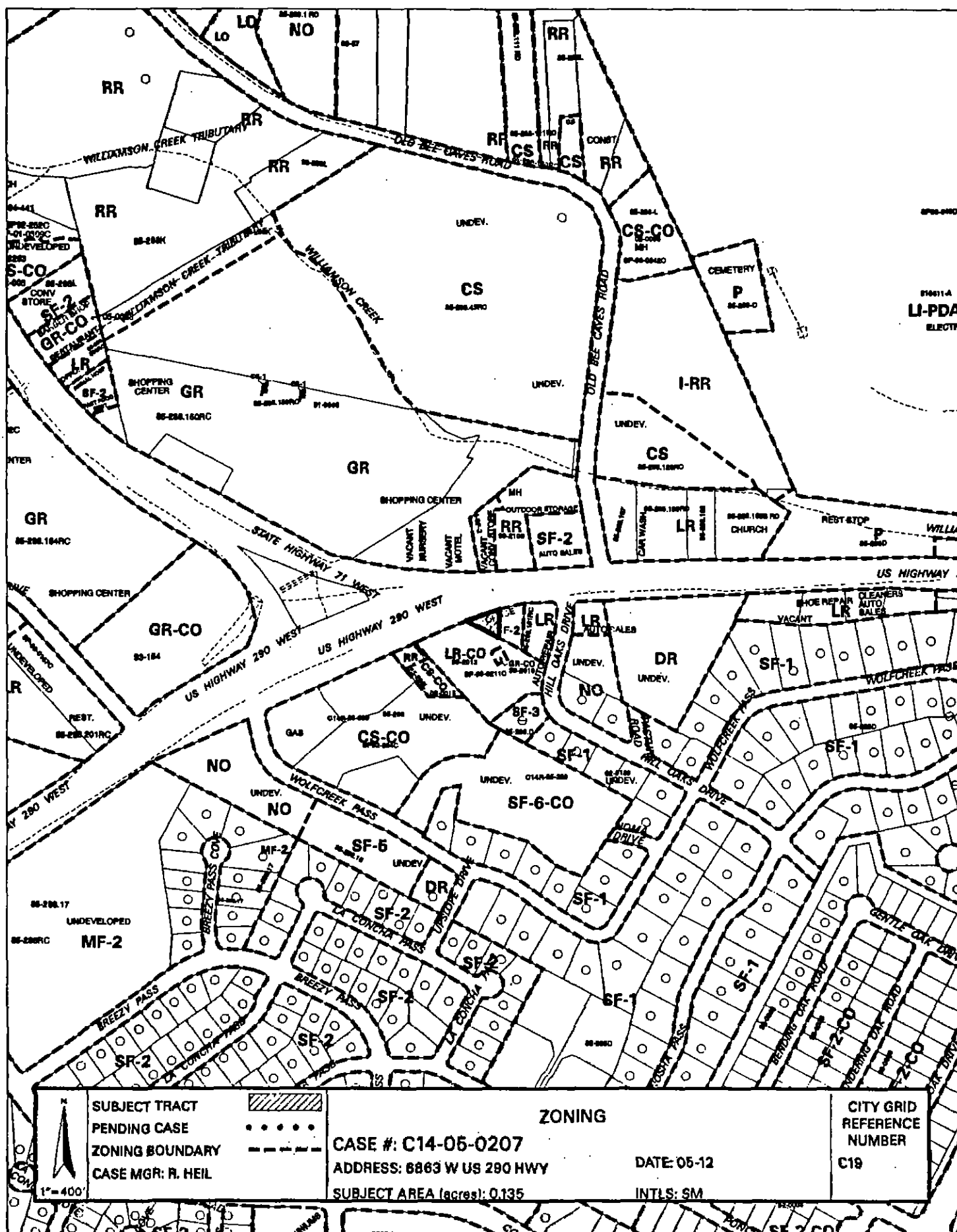
**ACTION:**

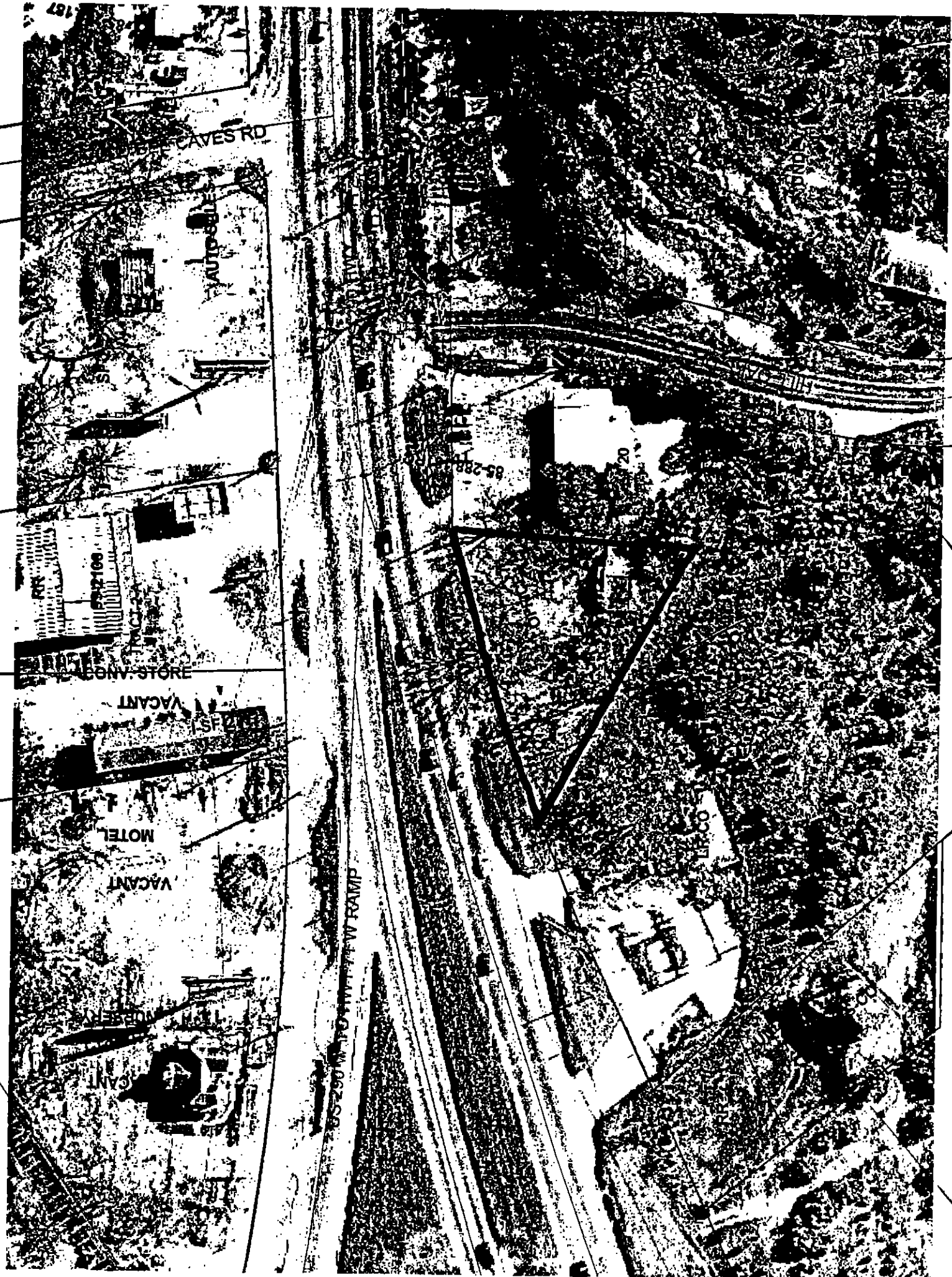
**ORDINANCE NUMBER:**

**CASE MANAGER:** Robert Heil

**PHONE:** 974-2330

e-mail address: robert.heil@ci.austin.tx.us





## **SUMMARY STAFF RECOMMENDATION**

Staff recommends approval of Neighborhood Commercial (LR) zoning.

## **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

The site is no longer appropriate for residential use. LR-MU zoning would allow for reasonable use of the property located on US 290.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is a vacant building near the intersection of US 290 W and HWY 71 (the "Y" at Oak Hill). Originally a single family home, the structure has been used for a variety of uses over the years, most recently a restaurant. The structure is currently vacant, and it is the applicant's intent to renovate the structure for use as a daycare center.

Increasingly the land across 290 is being acquired for right of way for planned highway expansion.

The site is currently uses on-site septic system. The applicant is pursuing connection to the City of Austin's waste water system.

### **Environmental**

This site is not located over the Edward's Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing zone. This tract lies in the Contributing Zone.

According to flood plain maps, there is no flood plain within the project location.

The site is not located within the endangered species survey area.

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 providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.

### **Transportation**

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for US 290 West. Reservation of additional right-of-way may be required during the subdivision or site plan process. [LDC, Sec. 25-6-51 and 25-6-55]

The trip generation under the requested zoning is estimated to be 686 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 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]

### **Existing Street Characteristics:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Blke Route</b>
US 290 West	150'	Varies	Arterial	No	No

Capital Metro bus service is available along US 290 West.

### **Water and Wastewater**

The site is currently served with City water service and an onsite septic system. If the landowner intends to serve the site with City wastewater utility service, an offsite main extension and system upgrades are required and will be at the landowner expense. The landowner must provide written evidence that the septic system is approved and adequate for the land use.

### **Site Plan**

Although no plans have been stated to redevelop the property, the site is subject to compatibility standards. Along the south property line, the following standards apply because it's located within 540 feet from a single family residential use or a SF-5 or more restrictive zoning district.

- 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.**

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: C14-05-0207

Contact: Robert Heil, (512) 974-2330

Public Hearing:

February 14, 2006 Planning Commission

Don Stewart

Your Name (please print)

6911 US Hwy 290, Austin, TX

Your address(es) affected by this application

Don Stewart

Signature

Date

Comments:

good for the area and  
helps the city to have  
it is developed.

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

City of Austin

Neighborhood Planning and Zoning Department

Robert Heil

P. O. Box 1088

Austin, TX 78767-8810



**CITY PLANNING COMMISSION**

February 14, 2006

City Hall – Council Chambers

301 W. 2<sup>nd</sup> Street1<sup>st</sup> Floor*[Annotations & Zoning Summaries]***CALL TO ORDER – 6:00 P.M.****COMMENCED: 6:13 P.M.****ADJOURNED: 12:35 A.M.**

\_\_\_\_ John-Michael Cortez – Secretary

\_\_\_A\_\_\_ Jay Reddy – Assistant Secretary

\_\_\_\_ Mandy Dealey – Parliamentarian

\_\_\_\_ Chris Riley – Chair

\_\_\_\_ Cid Galindo

\_\_\_\_ Gary Stegeman

\_\_\_\_ Keith L. Jackson

\_\_\_\_ Dave Sullivan – Vice Chair

\_\_\_\_ Mathew Moore

**CONDUCT OF PUBLIC HEARINGS**

1. Chair announces request.
2. Staff presents a summary of the case.
3. Chair calls on those **FAVORING** the request.
4. Applicant's presentation (5 minutes).
5. Others favoring the request (3 minutes).
6. Chair calls on those **OPPOSING** the request.
7. Primary presentation (5 minutes).
8. Others opposing the request (3 minutes).
9. Applicant is given opportunity to answer objections stated. (3 minutes)
10. Staff summation and questions from the Commission.
11. The public hearing on a zoning case may be closed and no further testimony is taken from the public.
12. If the public hearing is closed, the Commission shall make a recommendation to the City Council within 14 days or the case will be forwarded to the City Council without a recommendation. (Section 25-2-282).

All of the following items may be acted upon by one motion. The Commission does not consider items earlier than the time stated on the agenda; "Other Business" items can be taken at any time. After the posted time, the Commission Chairperson may announce the item and, if there is no opposition, the item may be taken "by consent" for approval without discussion.

**CITIZENS WISHING TO SPEAK BEFORE THE COMMISSION OR CITIZENS THAT ARE UNABLE TO SPEAK BUT WOULD LIKE TO MAKE THE COMMISSION AWARE OF THEIR POSITION ARE REQUESTED TO REGISTER BY SIGNING A CARD AT THE ENTRANCE.**

Any interested party aggrieved by a decision of the Planning Commission on a Hill Country Site Plan, Conditional Use Permit, Replacement Site Plan, or a Preliminary Subdivision Plan with an environmental variance may only appeal the Commission's decision to the City Council. The notice of appeal must be submitted in writing on a form provided by the Director of Neighborhood Planning & Zoning Department within fourteen (14) days following the decision of the Planning Commission.

Facilitator: Sylvia Limon

City Attorney: Ross Crow, 974-2159

**DISCUSSION AND ACTION ON ZONING CASES**

- 6. Rezoning:** **C14-05-0204 - Upper Boggy Creek NPCD & Design Tools**  
**Location:** Upper Boggy Creek Neighborhood Plan Area, Boggy and Waller Creeks Watershed, Upper Boggy Creek NPA  
**Owner/Applicant:** -  
**Agent:** City of Austin (Robert Heil)  
**Request:** Consider proposed zoning changes to the area covered by the Upper Boggy Creek Neighborhood Plan Combining District that will regulate the construction of new single-family construction and that will prohibit parking in the front yard. These changes may be applied to all of the planning area or in designated subdistricts.  
**Staff Rec.:** **RECOMMENDED**  
**Staff:** Robert Heil, 974-2330, Robert.Heil@ci.austin.tx.us  
 Mark Walters, 974-7695, Mark.Walters@ci.austin.tx.us  
 Neighborhood Planning and Zoning

**APPROVED STAFF'S RECOMMENDATION; BY CONSENT.**  
**[D.SULLIVAN; M.DEALEY 2<sup>ND</sup>] (8-0) J.REDDY - ABSENT**

- 7. Rezoning:** **C14-05-0145 - Redeemer Presbyterian**  
**Location:** 2105 Alexander Ave, Boggy Creek Watershed, Rosewood NPA  
**Owner/Applicant:** Redeemer Presbyterian  
**Agent:** Armbrust & Brown (Richard Suttle)  
**Request:** CS-MU-CO-NP (40 feet max) to CS-MU-CO-NP (60 ft max).  
 Previous Postponements: 10/11, 11/08, 12/13 and 1/10 (all by applicant)  
**Staff Rec.:** **RECOMMENDED**  
**Staff:** Robert Heil, 974-2330, Robert.Heil@ci.austin.tx.us  
 Neighborhood Planning and Zoning

**POSTPONED TO 03/14/06 (APPLICANT)**  
**[D.SULLIVAN; M.DEALEY 2<sup>ND</sup>] (8-0) J.REDDY - ABSENT**

- 8. Rezoning:** **C14-05-0207 - 6863 US 290 W**  
**Location:** 6863 US 290 W, Barton Creek Watershed, East Oak Hill NPA  
**Owner/Applicant:** Narciso Saucedo  
**Agent:** Narciso Saucedo  
**Request:** I-SF-2 to LR  
**Staff Rec.:** **RECOMMENDED**  
**Staff:** Robert Heil, 974-2330, Robert.Heil@ci.austin.tx.us  
 Neighborhood Planning and Zoning

**APPROVED LR-MU DISTRICT ZONING; BY CONSENT.**  
**[D.SULLIVAN, M.DEALEY 2<sup>ND</sup>] (8-0) J.REDDY - ABSENT**