

## AGENDA



Thursday, June 8, 2006

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**Zone Hearings/App Ordinances/Restrictive Covenants  
RECOMMENDATION FOR COUNCIL  
ACTION**

ITEM 108 PH

**Subject:** C14-06-0023 - Marks-4 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2301 Riverside Drive (Town Lake Watershed) from family residence (SF-3) district zoning to neighborhood commercial (LR) district zoning. Planning Commission Recommendation: To be reviewed on June 13, 2006. Applicant: Eddie Dean. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Robert Heil, 974-2330.

**Additional Backup Material**

(click to open)

[Staff Report](#)

**For More Information: Robert Heil, 974-2330**

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-06-0023 Marks-4

**PC. DATE:** April 11, 2006

**ADDRESS:** 2301 E. Riverside Dr

**OWNER/APPLICANT:** Eddie Dean

**AGENT:** Jim Bennett Consulting (Jim Bennett)

**ZONING FROM:** SF-3

**TO:** LR-MU-CO

**AREA:** 4.472 Acres

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends LR-MU-CO for that portion of the tract located north of Woodland Avenue, and SF-6-CO for that portion of the tract south of Woodland Avenue. The conditional overlay would limit the daily vehicle trips to less than 2000 trips per day.

**PLANNING COMMISSION RECOMMENDATION:**

**April 11, 2006:** Postponed until May 23, 2006.

**May 23, 2006:**

**DEPARTMENT COMMENTS:**

The site is a roughly 4.5 acre undeveloped site currently zoned family residence (SF-3). The request is for neighborhood commercial-mixed use-conditional overlay combining district zoning (LR-MU-CO). The conditional overlay would limit the daily vehicle trips to less than 2000 trips per day.

Staff recommends LR-MU-CO for that portion of the tract located north of Woodland Avenue, and SF-6-CO for that portion of the tract south of Woodland Avenue.

Townhome and Condominium Residence (SF-6) zoning would add to the mix of housing opportunities available in the vicinity.

SF-6 provides mix of housing opportunities. Hope is that SF-6 would allow the flexibility needed considering the floodplain.

Currently access from the site to Riverside Dr would have to be taken through a large, vacant stretch of right-of-way to the north of the site.

The most recent draft of the Riverside Neighborhood Plan calls for "higher density single family" land uses on the tract. SF-6 would be consistent with this recommendation. However, mixed use would not be consistent with the draft land use plan. Staff would amend the draft land use plan for the northern portion of the tract to reflect the result of this case. The rationale for amending the land use plan is recommendation of staff to remove single family residential uses from the floodplain.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3	Undeveloped
<i>North</i>	GR and CS	Vacant right of way, Fast food, shopping center
<i>South</i>	MF-3	Apartments
<i>East</i>	MF-3	Apartments
<i>West</i>	LR and MF-3	Undeveloped and Auto Wash

**AREA STUDY:** The site falls within the Riverside Neighborhood Plan, currently underway.

**TIA:** Not Required

**WATERSHED:** Town Lake

**DESIRED DEVELOPMENT ZONE:** Yes

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

**REGISTERED COMMUNITY ORGANIZATIONS:**

- South River City Citizens' Association
- Southeast Austin Neighborhood Alliance
- Baron Springs/Edwards Aquifer Conservation District
- South Central Coalition
- PODER - People Organized to Defend Earth and her Resources
- Austin Neighborhoods Council
- East Riverside/Oltorf Neighborhood Planning Team

**SCHOOLS:**

- Metz Elementary School
- Martin Middle School
- Johnston High School

**ABUTTING STREETS:**

<b>NAME</b>	<b>RIGHT OF WAY</b>	<b>PAVEMENT</b>	<b>CLASSIFICATION</b>	<b>BICYCLE PLAN</b>	<b>CAPITAL METRO ROUTE</b>	<b>SIDEWALKS</b>
Riverside	Varies	Varies	Arterial	Yes	Yes	Yes

Drive						
Willow Springs	70'	50'	Collector	Yes	No	No

**CITY COUNCIL DATE:**   **ACTION:**

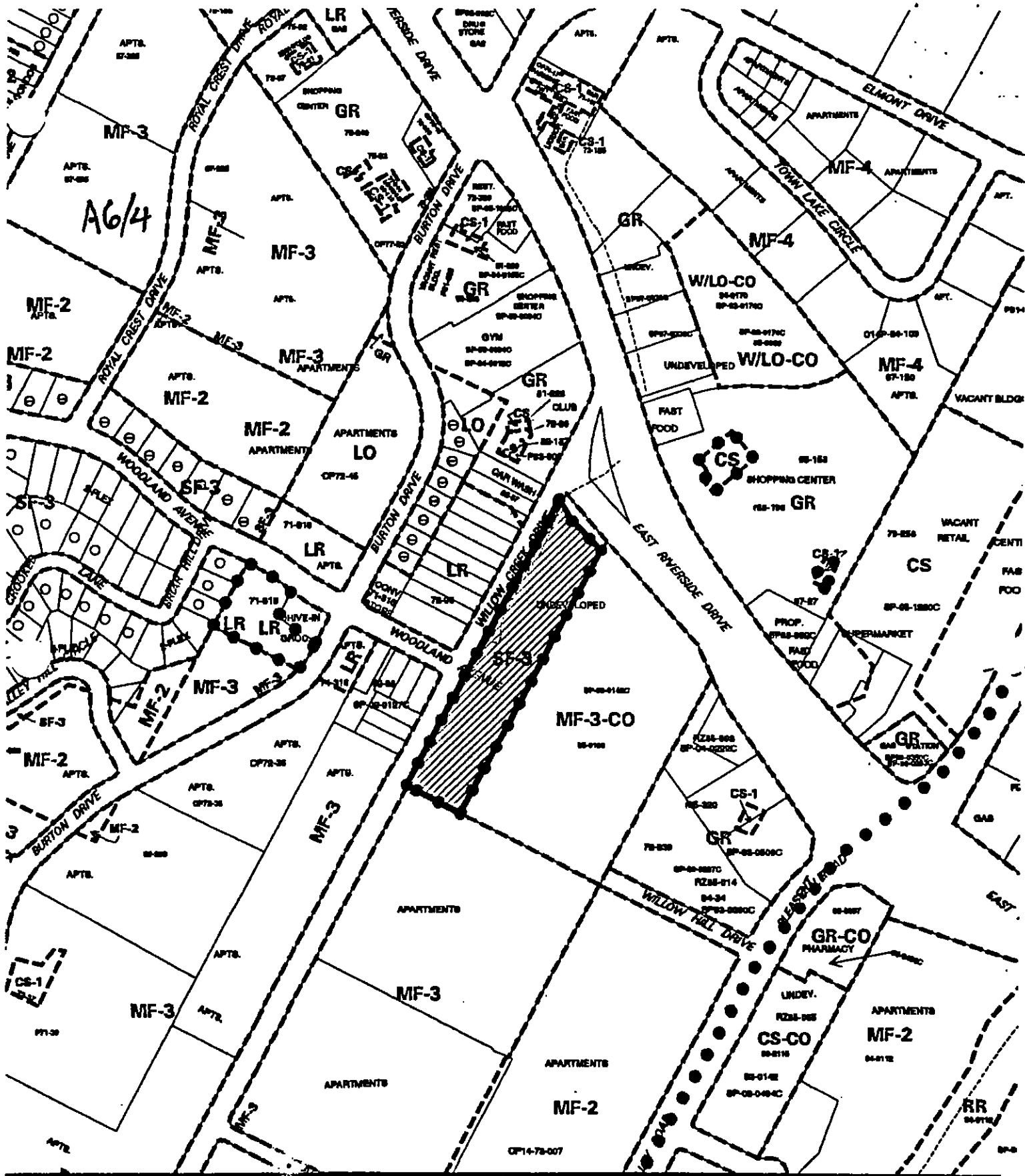
April 27, 2006:




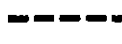
**ORDINANCE READINGS:**      1<sup>st</sup>:                                  2nd                                  3rd

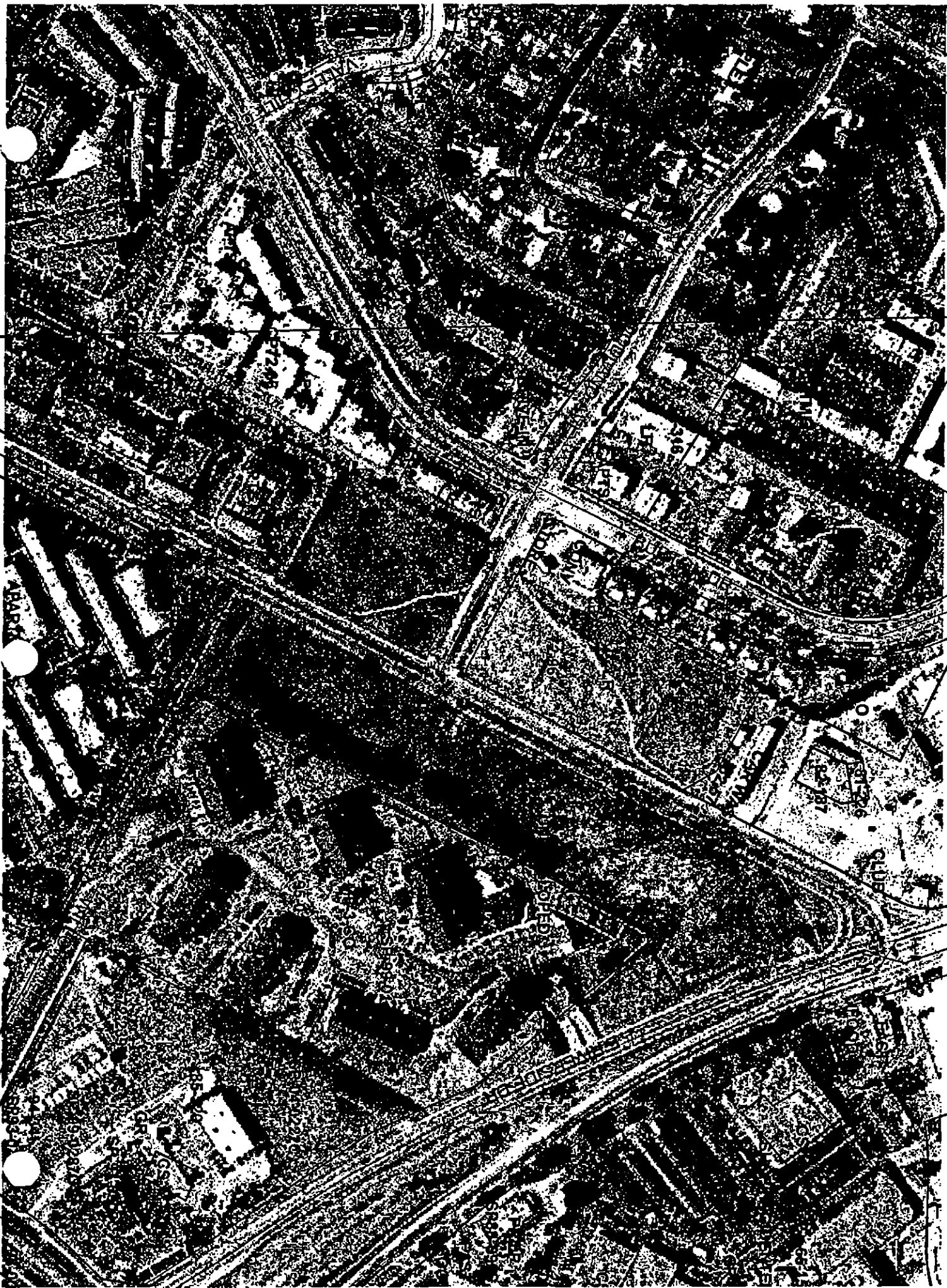
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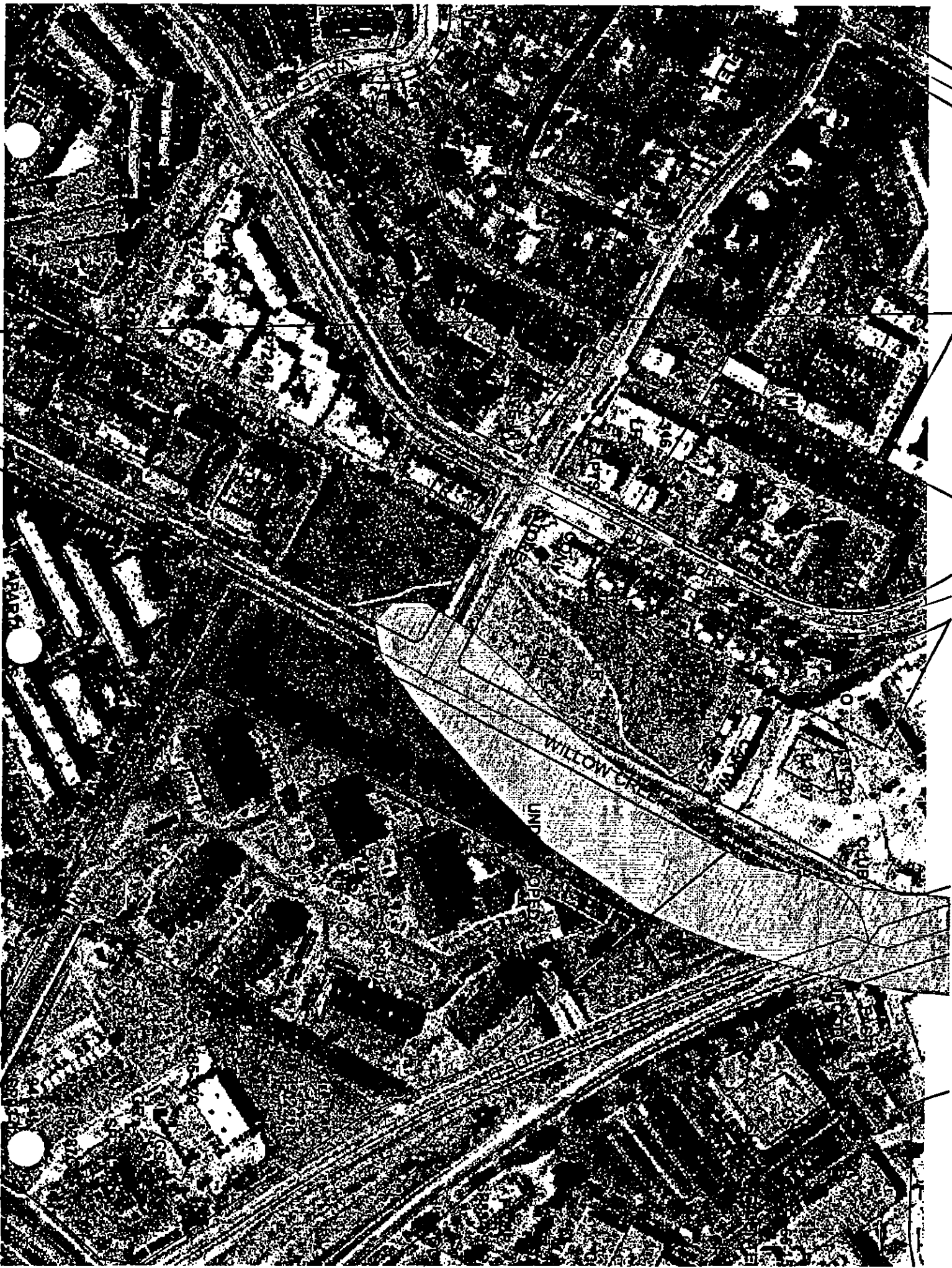
**CASE MANAGER:** Robert Heil  
e-mail address: robert.heil@ci.austin.tx.us

**PHONE:** 974-2330



 1" = 400' <b>SUBJECT TRACT</b> <b>PENDING CASE</b> <b>ZONING BOUNDARY</b> <b>CASE MGR: R. HEIL</b>	<div style="display: flex; justify-content: space-between;"> <div>      </div> <div> <b>ZONING</b>  <b>CASE #: C14-06-0023</b>  <b>ADDRESS: 2301 E RIVERSIDE DR</b>  <b>SUBJECT AREA (acres): 4.470</b> </div> <div> <b>DATE: 06-03</b>  <b>INTLS: SM</b> </div> </div>	<b>CITY GRID</b> <b>REFERENCE</b> <b>NUMBER</b> <b>K19</b>
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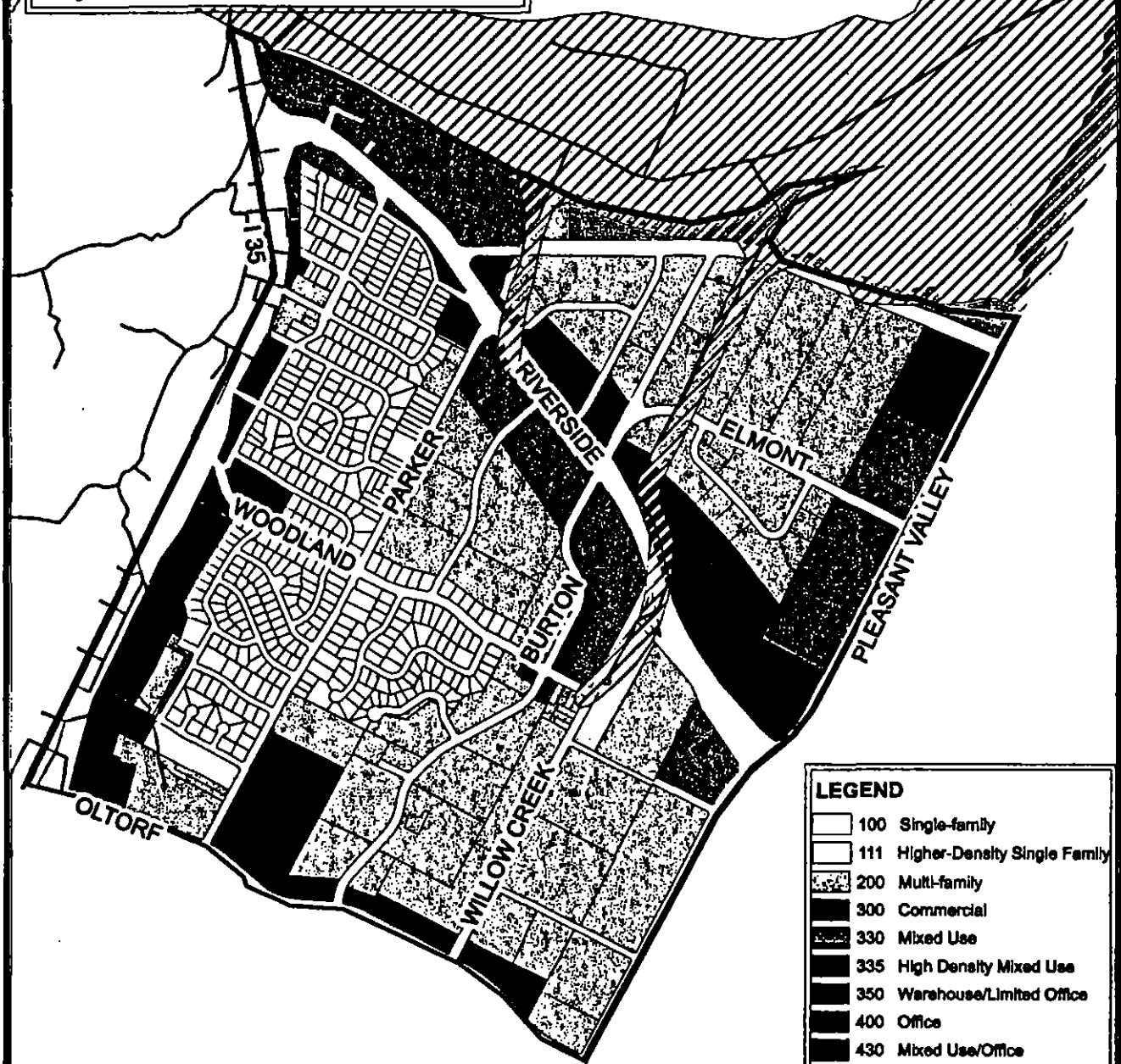




# RIVERSIDE NEIGHBORHOOD PLANNING AREA

Draft Future Land Use

City of Austin Staff Recommendation



## LEGEND

- 100 Single-family
- 111 Higher-Density Single Family
- 200 Multi-family
- 300 Commercial
- 330 Mixed Use
- 335 High Density Mixed Use
- 350 Warehouse/Limited Office
- 400 Office
- 430 Mixed Use/Office
- 500 Industry
- 600 Civic
- 700 Open Space
- 800 Transportation
- 870 Utilities
- 100-Year Floodplain
- Boundary-Riverside
- Creeks

August 30, 2005



0 500 1,000 2,000 3,000 Feet

This map has been produced by the City of Austin Neighborhood Planning & Zoning Department. A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. This draft map 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**

Staff recommends LR-MU-CO for that portion of the tract located north of Woodland Avenue, and SF-6-CO for that portion of the tract south of Woodland Avenue.

Townhome and Condominium Residence (SF-6) zoning would add to the mix of housing opportunities available in the vicinity.

SF-6 provides mix of housing opportunities. Hope is that SF-6 would allow the flexibility needed considering the floodplain.

Currently access from the site to Riverside Dr would have to be taken through a large, vacant stretch of right-of-way to the north of the site.

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

1. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

LR-MU zoning would be appropriate along the northern portion of the tract closer to Riverside Drive. Further to the south, neighborhood land uses are more residential, and SF-6 would more in keeping with the neighborhood character.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is a roughly 4.5 acre undeveloped site currently zoned family residence (SF-3). The request is for neighborhood commercial-mixed use-conditional overlay combining district zoning (LR-MU-CO). The conditional overlay would limit the daily vehicle trips to less than 2000 trips per day.

To the north lies an undeveloped stretch of right-of-way and then Riverside Drive with intense commercial uses. Apartments lie to the east and south. Largely undeveloped commercially zoned land lies to the west.

### **Environmental**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Town Lake Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

3. This site is 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. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is flood plain within the project area.
5. 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.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

### **Transportation**

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

The trip generation under the requested zoning is estimated to be 6,674 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 the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

### **Existing Street Characteristics:**

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO ROUTE	SIDEWALKS
Riverside Drive	Varies	Varies	Arterial	Yes	Yes	Yes
Willow Springs	70'	50'	Collector	Yes	No	No

### **Water and Wastewater**

The landowner intends to serve the site 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 adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the 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.

## PUBLIC HEARING INFORMATION

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

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

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

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

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

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

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

Case Number: C14-06-0023

Contact: Robert Heil, (512) 974-2330

Public Hearing:

April 11, 2006 Planning Commission

LINDA WATKINS

Your Name (please print)

2407 RIVERSIDE FARMS RD

Your address(es) affected by this application AUSTIN

*Linda Watkins*

Signature

Date

4-8-06

Comments: Despite an ongoing neighborhood plan in the East Riverside Old Leaf Combined area (ELCOC) applicant has NEVER contacted any stakeholders regarding this zoning change on Tract #36 of the Riverside NPH. Staff recommendation is SF-3-NP. There has also been illegal tree cutting done on the side on a Sunday. There is a significant portion of the property in the flood plain with the creek on the property.

ELCOC can't accept any MU zoning until the ordinance is changed to MANDATE a true mixed use.

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

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Contact: Robert Heil, (512) 974-2330

Public Hearing:

April 11, 2006 Planning Commission

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

Your Name (please print)

Bryan H. Smith  
3014 Madeline Dr.

Your address(es) affected by this application

Signature

Date

Comments: Creek should not be crushed  
by high density commercial development.

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

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Contact: Robert Heil, (512) 974-2330

Public Hearing:

April 11, 2006 Planning Commission

*WYNIS GREGG*

Your Name (please print)

*5702 DAVICK DR*

*78741*

Your address(es) affected by this application

Signature

Date

Comments:

*Take no action until applicant meets w/ neighborhood + City Council. Property combined w/ other lots is taken into consideration.*

*A creek runs thru the property which should not be compromised in any way (no removal of wetland requirements) and new First Floor plan data must be considered before any zoning changes.*

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City of Austin

Neighborhood Planning and Zoning Department

Robert Heil

P. O. Box 1088

Austin, TX 78767-8810

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