Subject: C14-05-0198 - Highland Center - Approve second/third readings of 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-conditional overlay (GR-CO) combining district zoning with conditions. First reading approved on March 2, 2006. Vote: 7-0. Applicant: 2101 W. Ben White Boulevard, Inc. (Avalon Burrows); Winona Fielder. Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Wendy Walsh, 974-7719.

For More Information:

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-05-0198

REQUEST:

Approve second / third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the northwest corner of Cactus Lane and Redd Street (also known as 2101 – 2117 West Ben White Boulevard (Williamson Creek Watershed) from multi-family residence – medium density (MF-3) district zoning to community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay establishes a set of prohibited and conditional uses based on permitting automobile sales as the only GR use and all neighborhood commercial (LR) uses. The Restrictive Covenant addresses the planting of 2-inch caliper, Class I native trees (for example, cedar elm) spaced 20 feet apart, on center. The plantings must occur prior to a change in use or the issuance of a building permit. This requirement will result in the planting of approximately 29 trees, based on the Redd Street frontage of 500 feet and the Cactus Lane frontage of 100 feet.

DEPARTMENT COMMENTS:

The Conditional Overlay and Restrictive Covenant incorporate the conditions imposed by the City Council at First Reading.

OWNERS/APPLICANTS: 2101 W. Ben White Boulevard, Inc. (Avalon Burrows); Winona Fielder.

AGENT: Shaw Hamilton Consultants (Shaw Hamilton)

DATE OF FIRST READING: March 2, 2006, approved GR-CO district zoning, on First Reading (7-0).

CITY COUNCIL HEARING DATE: June 22, 2006

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us
ORDINANCE NO. _______________________

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF CACTUS LANE AND REDD STREET, ALSO KNOWN AS 2101-2117 WEST BEN WHITE BOULEVARD, FROM MULTIFAMILY RESIDENCE MEDIUM DENSITY (MF-3) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from multifamily residence medium density (MF-3) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-05-0198, on file at the Neighborhood Planning and Zoning Department, as follows:

A 42,209 square foot tract of land, more or less, out of the James Trammel 1/3 League, Abstract No. 769 in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance (the “Property”),

locally known as the northwest corner of Cactus Lane and Redd Street, also known as 2101-2117 West Ben White Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit “B”.

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following uses are prohibited uses of the Property:

   - Automotive rentals
   - Automotive washing (of any type)
   - Business or trade school
   - Commercial off-street parking
   - Drop-off recycling collection facility
   - Food preparation
   - General retail sales (general)
   - Hotel-motel

   - Automotive repair services
   - Bail bond services
   - Business support services
   - Communications services
   - Exterminating services
   - Funeral services
   - Hospital services (general)
   - Indoor entertainment
2. The following uses are conditional uses of the Property:

<table>
<thead>
<tr>
<th>Indoor sports and recreation</th>
<th>Outdoor entertainment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outdoor sports and recreation</td>
<td>Pawn shop services</td>
</tr>
<tr>
<td>Personal improvement services</td>
<td>Research services</td>
</tr>
<tr>
<td>Restaurant (general)</td>
<td>Theater</td>
</tr>
</tbody>
</table>

Community recreation (private)  Community recreation (public)
Congregate living               Group homes (Class II)
Hospital services (limited)     Residential treatment
Medical offices (exceeding 5000 sq.ft. of gross floor area)

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community:commercial (GR) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on ________________________________, 2006.

PASSED AND APPROVED

__________________________, 2006

Will Wynn
Mayor

APPROVED: ____________________________ ATTEST: ____________________________

David Allan Smith            Shirley A. Gentry
City Attorney                City Clerk
FIELD NOTE DESCRIPTION OF 42,209 SQUARE FEET OF LAND OUT OF THE JAMES TRAMMEL 1/3 LEAGUE, ABSTRACT NO. 769 IN TRAVIS COUNTY, TEXAS BEING A PORTION OF THAT CERTAIN (2.92 ACRE) TRACT OF LAND AS CONVEYED TO ALFRED E. FIELDER BY DEED RECORDED IN VOLUME 2984, PAGE 1856 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF THAT CERTAIN (2.87 ACRE) TRACT OF LAND AS CONVEYED TO 2101 W. BEN WHITE BOULEVARD, INC. BY DEED RECORDED IN VOLUME 8111, PAGE 714 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING at a ¼" iron pipe found in the Northeasterly right-of-way line of Redd Street, at the Southwest corner of that certain (2.87 acre) tract of land as conveyed to the 2101 W. Ben White Boulevard, Inc. by deed recorded in Volume 8111, Page 714 of the Deed Records of Travis County, Texas, same being a point in the Southeasterly line of Lot 1, Block H, Western Trails Section 3, a Subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 8, Page 73 of the Plat Records of Travis County, Texas and the Southwest corner and PLACE OF BEGINNING of the herein described tract, from which a ¼" iron pipe found in the Southwest right-of-way line of Redd Street at the Northwest corner of that certain (5.89 acre) tract of land as conveyed to the City of Austin by deed recorded in Volume 1326, Page 149 of the Deed Records of Travis County, Texas, same being the Northeast corner of Lot 5, Block G, Western Trails Section 2, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Volume 8, Page 73 of the Plat Records of Travis County, Texas, bears, S 29 deg 26'17" W 59.00 ft.

THENCE leaving the Northeasterly right-of-way line of Redd Street with the common line of said Lot 1 and 2101 W. Ben White Boulevard, Inc. tract, N 29 deg 27'24" E, passing a ¼" iron rod found at a distance of 69.82 ft. for the Northeast corner of said Lot 1, same being the Southeast corner of Lot 2, Block H, Western Trails Section 2, continuing along said bearing for a total distance of 85.00 ft. to a point for the Northwest corner of the herein described tract;
THENCE crossing the interior of said 2101 W. Ben White Boulevard, Inc. (2.87 acre) tract, S 60 deg 15'39" E 248.08 ft. to a point in the Southeast line of said 2101 W. Ben White Boulevard, Inc. (2.87 acre) tract, same being a point in the Northwest line of that certain (2.92 acre) tract of land as conveyed to Alfred E. Fielder by deed recorded in Volume 2981, Page 1856 of the Deed Records of Travis County, Texas;

THENCE crossing the interior of said Fielder (2.92 acre) tract, S 60 deg 15'39" E 248.33 ft. to a point in the Southeast line of said Fielder (2.92 acre) tract, same being a point in the Northwest right-of-way line of Cactus Lane for the Northeast corner of the herein described tract;

THENCE with the Northwest right-of-way line of Cactus Lane, same being the Southeast line of said Fielder (2.92 acre) tract, S 29 deg 12'30" W 85.00 ft. to a point in the Southeast line of said Fielder (2.92 acre) tract, same being the record Northeast corner of that certain tract of land as conveyed to the City of Austin by Street Deed recorded in Volume 3011, Page 943 of the Deed Records of Travis County, Texas for the Southeast corner of the herein described tract, from which a 1" iron pipe found bears, S 29 deg 12'30" W 10.00 ft. and S 60 deg 16' E 2.20 ft.;

THENCE crossing the interior of said Fielder (2.92 acre) tract with the Northeasterly right-of-way line of Redd Street and with the record Northeast line of said City of Austin tract, N 60 deg 15'39" W 248.33 ft. to a point in the Northwest line of said Fielder (2.92 acre) tract, for the Northwest corner of said City of Austin tract, also being the Southeast corner of said 2101 W. Ben White Boulevard, Inc. (2.87 acre) tract;

THENCE with the Northeast right-of-way line of Redd Street, same being the Southwest line of said 2101 W. Ben White Boulevard, Inc. (2.87 acre) tract, N 60 deg 15'39" W 248.44 ft. to the PLACE OF BEGINNING, containing 42,209 Square Feet of land.

Surveyed: August 17, 2005

Holt Carson
Registered Professional Land Surveyor No. 5166

See accompanying map no. C 747090
PENDING CASE
ZONING BOUNDARY
CASE #: C14-05-0198
ADDRESS: 2101 - 2117 W BEN WHITE
D. W. WALSH

REFERENCE NUMBER
Q18

SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY
CASE MGR: W. WALSH

ZONING EXHIBIT B

CASE #: C14-05-0198
ADDRESS: 2101 - 2117 W BEN WHITE
DIAG: CITY GRID REFERENCE NUMBER
Q18
SUBJECT AREA (acres): 2.820
DATE: 05-12
INTLS: 50
Zoning Case No. C14-05-0198

RESTRICTIVE COVENANT

OWNER: 2101 W. Ben White Boulevard, Inc., a Texas corporation
ADDRESS: 856 Shovel Mountain Rd., Cypress Mill, Texas 78663
OWNER: Winona Fielder
ADDRESS: 4105 Manchaca Road, Austin, Texas 78704

CONSIDERATION: Ten and No/100 Dollars ($10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: A 42,209 square foot tract of land, more or less, out of the James Trammel 1/3 League, Abstract No. 769, in Travis County, the tract being more particularly described by metes and bounds in Exhibits “A” attached and incorporated into this covenant.

WHEREAS, the Owners of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owners of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owners of the Property, its heirs, successors, and assigns.

1. A site plan or building permit for the Property may not be approved, released, or issued if the site plan does not provide for the planting of Class I native trees each having a minimum caliper of 2 inches. The trees must be spaced 20 feet apart on center. A Class I native tree is defined under Section 3.5.1 of the Environmental Criteria Manual.

2. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.

3. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.

4. If at any time the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.

5. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination.
EXECUTED this the 13 day of June, 2006.

OWNER:

2101 W. Ben White Boulevard, Inc.  
a Texas corporation

By: Avalon Burrows  
Secretary

OWNER:

Winona Fielder

ATTORNEY-IN-FACT FOR
Winona Fielder

APPROVED AS TO FORM:

Assistant City Attorney  
City of Austin

Restrictive covenant-2101 W. Ben White Blvd Inc
The State of Texas

County of Travis

This instrument was acknowledged before me on this the 13th day of June, 2006, by Avalon Burrows, Secretary of 2101 W. Ben White Boulevard, Inc., a Texas corporation, on behalf of the corporation.

[Signature]

Notary Public, State of Texas

The State of Texas

County of Travis

This instrument was acknowledged before me on this the 13th day of June, 2006, by Winema Fiedler, by Avalon Burrows, as Attorney-in-fact for Winema Fiedler.

[Signature]

Notary Public, State of Texas

After Recording, Please Return to:
City of Austin
Department of Law
P. O. Box 1088
Austin, Texas 78767
Attention: Diana Minter, Paralegal

Restrictive covenant-2101 W. Ben White Blvd Inc
FIELD NOTE DESCRIPTION OF 42,209 SQUARE FEET OF LAND OUT OF THE JAMES TRAMMEL 1/3 LEAGUE, ABSTRACT NO. 769 IN TRAVIS COUNTY, TEXAS BEING A PORTION OF THAT CERTAIN (2.92 ACRE) TRACT OF LAND AS CONVEYED TO ALFRED E. FIELDER BY DEED RECORDED IN VOLUME 2984, PAGE 1856 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF THAT CERTAIN (2.87 ACRE) TRACT OF LAND AS CONVEYED TO 2101 W. BEN WHITE BOULEVARD, INC. BY DEED RECORDED IN VOLUME 8111, PAGE 714 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

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Surveyed: August 17, 2005

Holt Carson
Registered Professional Land Surveyor No. 5166

See accompanying map no. C 747090
ZONING CHANGE REVIEW SHEET

CASE: C14-05-0198  ZRC 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.  AGENT: Shaw Hamilton
(Avalon Burrows);  Consultants
Winona Fielder (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 Restrictive Covenant addresses the planting of 2-inch caliper, Class I native trees (for example, cedar elm) spaced 20 feet apart, on center. The plantings must occur prior to a change in use or the issuance of a building permit. This requirement will result in the planting of approximately 25 trees, based on the Redd Street frontage of 500 feet and the Cactus Lane frontage of 100 feet.

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
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:

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

AREA STUDY: N/A

WATERSHED: Williamson Creek

TIA: Is not required

DESIRE 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:

<table>
<thead>
<tr>
<th>NUMBER</th>
<th>REQUEST</th>
<th>COMMISSION</th>
<th>CITY COUNCIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>C14-05-0087 - 4611 Manchaca Road</td>
<td>SF-3 to LO</td>
<td>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.</td>
<td>Approved LO-CO as ZAP recommended (8-4-05).</td>
</tr>
<tr>
<td>C14-04-0152 - 4607 Manchaca Road</td>
<td>SF-3 to LO</td>
<td>Granted as requested</td>
<td>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).</td>
</tr>
<tr>
<td>C14-04-0093 - Woodlawn Baptist Church</td>
<td>SF-3 to GO-CO, as amended</td>
<td>Case expired</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>NAME</th>
<th>ROW</th>
<th>PAVEMENT</th>
<th>CLASSIFICATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ben White Boulevard</td>
<td>365 feet</td>
<td>Varies</td>
<td>Major Arterial</td>
</tr>
<tr>
<td>Cactus Lane</td>
<td>65 feet</td>
<td>34 feet</td>
<td>Collector</td>
</tr>
<tr>
<td>Redd Street</td>
<td>50 feet</td>
<td>28 feet</td>
<td>Collector</td>
</tr>
</tbody>
</table>

CITY COUNCIL DATE: March 2, 2006

ACTION: Approved GR-CO district zoning with the CO to address automotive sales as the only permitted OR use and all LR uses.

The Applicant and Staff will work together on a Restrictive Covenant addressing landscaping along Redd Street and Cactus Lane, on First Reading (7-0).

June 22, 2006

ORDINANCE READINGS: 1\textsuperscript{st} March 2, 2006 \hspace{1cm} 2\textsuperscript{nd} \hspace{1cm} 3\textsuperscript{rd}

ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh

PHONE: 974-7719

e-mail: wendy.walsh@ci.austin.tx.us
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 OR 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:

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

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 IDC 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—

AISD 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.

No opposition.

Owners: Gerald & Mildred

4503

Jane Berenguer
2101 West Ben White Blvd.

I have no objection to the zoning request from "MF-3" to "SR" for the property located at 2101 West Ben White.

Owner: [Name]
Renter: [Name]
Address: 4507 Pack Saddle Pass
Printed Name: Terrie Mills Dirks
Signature: [Signature]

Date: 4/4/05-0198
2101 WEST BEN WHITE BLVD.

14-05-0198

I have no objection to the zoning request from "MF-3" to "SR" for the property located at 2101 West Ben White.

<table>
<thead>
<tr>
<th>OWNER</th>
<th>RENTER</th>
<th>ADDRESS</th>
<th>PRINTED NAME</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>4504 Park Saddle Pass</td>
<td>Loreyne Barr</td>
<td>A. Barr</td>
</tr>
</tbody>
</table>

[Signature]
17. Rezoning: C14-05-0198 - Highland Center
   Location: Northwest corner of Cactus Lane and Redd Street (also known as 2101 - 2117 West Ben White Boulevard), West Bouldin Creek Watershed
   Owner/Applicant: Winona Fielder and 2101 West Ben White Boulevard, Inc. (Alfred E. Fielder, Jr.)
   Agent: Shaw Hamilton Consultants (Shaw Hamilton)
   Postponements: Postponed from 01/17/06 (staff)
   Request: MF-3 to GR
   Staff Ret.: RECOMMENDATION OF LR-CO
   Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us

   Neighborhood Planning & Zoning Department

   APPROVED LO DISTRICT ZONING.
   [J.MARTINEZ; T.RABAGO 2ND (8-0) J.GOHIL – ABSENT]

   SUMMARY

   Wendy Walsh, staff, gave staff presentation.

   Commissioner Jackson – How deep is this MF-3 tract?

   Ms. Walsh – As I recall, it's 70-feet.

   Shaw Hamilton, representing his client – He's basically trying to zone this property as like the rest of the tract. It was zoned MF-3 back in 1967, staff states that they have no objections to these land uses, it is under just one ownership.

   Commissioner Baker – What is the depth of that LO zoning on Western Trails?

   Ms. Walsh – I'm going to guess about 100-feet.

   FAVOR

   No Speakers.

   OPPOSITION

   No Speakers.

   Commissioner Martinez and Rabago moved to close the public hearing.

   Commissioner Baker – I'm going to try something and hopefully someone will make a motion. In looking at this and knowing the area, I don't have a problem with LO zoning; to down zone that. But Redd Street is a very narrow and windy street; there's a school across the street. That's my personal opinion and I'm pleased that staff recommended denial; I can't see GR.

   Commissioner Martinez – I make a motion to approve LO-CO with the trip limitation.

Facilitator: Sherri Sirwaitis
City Attorney: David Lloyd, 974-2918
Commissioner Rabago – Second.

Commissioner Baker – Plus the residential treatment.

Ms. Walsh – If it's going to be LO, residential treatment is not permitted; so you won't need to prohibit it.

Commissioner Baker – So you won’t have a trip problem.

Ms. Walsh – No, we won’t have a trip problem.

Commissioner Baker – Not even if we all come out of the shopping center?

Ms. Walsh – That’s right; there is an existing rezoning site plan on this, so they will reanalyze the trip generation at that time of a future subdivision or site plan.

Commissioner Baker – So the motion is to approve LO zoning?

Commissioner Martinez – Yes, LO zoning.

Commissioner Rabago – And I'm the second.

Motion carried. (8-0)

18. Zoning: C814-04-0187.SH - Goodnight Ranch PUD
Location: East side of Old Lockhart Highway, between Nuckols Crossing Road and Capitol View Drive, Onion Creek Watershed
Owner/Applicant: MVE Venture, Ltd. (Dean Goodnight); Bradsher Family Trust (Jack Bradsher)
Agent: Momark Development (Tory Mitchell)
Request: I-RR to PUD
Staff Rec.: RECOMMENDATION OF PUD, WITH CONDITIONS
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
Neighborhood Planning and Zoning Department

A COMMITTEE WAS CREATED TO FURTHER ASSESS THIS APPLICATION. THE COMMITTEE IS COMPOSED OF COMMISSIONERS HAMMOND, RABAGO, MARTINEZ, JACKSON AND HALE; PLUS ZONING, LEGAL AND TRANSPORTATION STAFF. COMMISSIONER JACKSON IS THE COMMITTEE’S CHAIRPERSON.

THE COMMITTEE WILL GIVE A REPORT AT THE FEBRUARY 21, 2006, ZAP COMMISSION MEETING. RE-NOTIFICATION WILL OCCUR PRIOR TO PLACING THIS ITEM BACK ON THE AGENDA.

[J.MARTINEZ; S.HALE 2ND] (8-0) J.GOHIL – ABSENT

Facilitator: Sherri Sirwaitis
City Attorney: David Lloyd, 974-2918