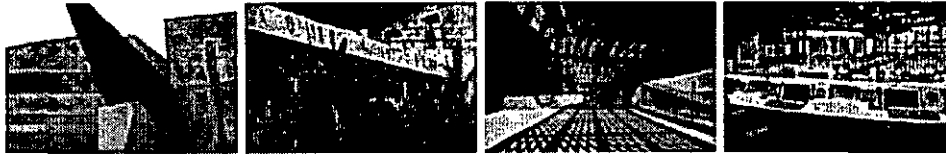


A U S T I N C I T Y C O U N C I L  
**AGENDA**

Thursday, August 31, 2006

+ Back Print

**Zoning and Neighborhood Plan Amendments  
(Public Hearings and Possible Action)  
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 58**

**Subject:** C14-06-129 - Pavilion Park and Ride Expansion - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11979 Research Boulevard and 11933 Jollyville Road (Walnut Creek Watershed) from public (P) district zoning; limited office (LO) district zoning; and community commercial (GR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. Applicant: Capital Metropolitan (John E. Hodges); Compass Properties (Mitchell Wong). Agent: Doucet & Associates (Ted McConaghy). City Staff: Sherri Sirwaitis, 974-3057.

**Additional Backup Material**

(click to open)

**Staff Report****For More Information:**

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-06-0129

**Z.A.P. DATE:** August 15, 2006

**ADDRESS:** 11979 Research Boulevard and 11933 Jollyville Road

**OWNER/APPLICANT:** Capital Metropolitan (John E. Hodges),  
Compass Properties (Mitchell Wong)

**AGENT:** Doucet & Associates (Ted McConaghy)

**ZONING FROM:** P, LO, GR

**TO:** CS

**AREA:** 7.190 acres

### **SUMMARY STAFF RECOMMENDATION:**

Staff's recommendation is to grant CS-CO, General Commercial Services-Conditional Overlay District, zoning for Tract 1 and LO-CO, Limited Office-Conditional Overlay District, zoning for Tract 2 (an area measured 120-feet from the property line along Jollyville Road – see Attachment A). The conditional overlay would limit the development intensity on the entire property to less than 2,000 vehicle trips per day. In addition, the conditional overlay will restrict Tract 1 to the following: allow Transportation Terminal as the only 'CS' permitted use, allow for all 'GR' permitted uses, and prohibit Pawn Shop Services use on the site.

### **ZONING AND PLATTING COMMISSION:**

8/15/06: Approved the staff's recommendation of CS-CO zoning for Tract 1 and LO-CO zoning for Tract 2 (8-0, K. Jackson-absent); J. Martinez-1<sup>st</sup>, S. Hale-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The portion of the property in question zoned LO and P is currently developed with a Capital Metro park and ride facility. The area at the northeastern corner of the site is zoned GR and is currently undeveloped. The applicant is requesting to rezone this tract of land to expand the existing transportation terminal use.

The staff recommends CS-CO zoning for Tract 1 and LO-CO zoning for Tract 2 (an area measured 120-feet from the property line along Jollyville Road). The proposed CS-CO zoning for Tract 1 will allow the applicant to expand the existing Capital Metro transportation terminal use on this property along a major arterial roadway, U.S. Highway 183 North. The staff is recommending a 120-foot buffer of LO-CO zoning along Jollyville Road (Tract 2) in accordance with the intent of the U.S. 183/Jollyville Road Area Study. The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date to maintain a setback from the residential and office uses to the west.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LO, P, GR	Transportation Terminal (Capital Metro Park & Ride), Undeveloped Area
<i>North</i>	LI	Manufacturing Company
<i>South</i>	SF-6, GO	Townhouse/Condominiums, Office Park
<i>East</i>	GR, LO	Office (Austin Eye Center), Retail Sales (Academy)
<i>West</i>	GR, LO	Hotel

**AREA STUDY:** U.S. 183/Jollyville Road Area Study

(This Area Study designates the property in question for commercial/GR district uses. The U.S. 183 Study was approved by the City Council in November of 1978. The Area Study recommended that a 120-foot deep strip of land along Jollyville Road be zoned "O" Office zoning (which was converted to LO, Limited Office, in 1985) and that a 200 foot strip of land along the west side of Jollyville Road be zoned "A" Residence (which was converted to SF-3, Family Residence, in 1985). The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date. The policy of SF-3 on the west side of Jollyville Road was never approved or implemented, and today the west side of Jollyville Road is primarily zoned office and multi-family, with the majority of office zoning being LO zoning. The recommendation for a 120-foot strip of LO zoning along the eastern portion of Jollyville Road was incorporated into the Jollyville Road Study, which was adopted in 1984).

**TIA:** Not required**WATERSHED:** Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**REGISTERED NEIGHBORHOOD ORGANIZATIONS:**

- 46 - North Oaks Neighborhood Association
- 157 - Courtyard Homeowners Association
- 426 - River Place Residential Community Association, Inc.
- 475 - Bull Creek Foundation

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-06-0013	GR, SF-2 to MF-6	5/02/06: Motion to approve MF-6-CO zoning, with a 60 foot height limit, and SF-3 zoning for an area 65 feet from the southeastern property line (5-3, B. Baker, M. Hawthorne, C. Hammond-No, J. Martinez-absent) Motion made to rescind and reconsider previous action (8-0, J. Martinez-absent)	6/22/06: Case withdrawn by applicant.

		Motion to deny the applicant's request for MF-6 zoning (6-2, J. Gohil, S. Hale-No, J. Martinez-absent)	
C14-02-0088	LO to LR-CO	6/18/02: Approved staff's recommendation of LR-CO zoning, by consent (8-0, A. Adams-absent)	7/18/02: Approved LR-CO, prohibiting the following uses as offered by the applicant: Restaurant (Drive-in, Fast Food), Service Station, Counseling Services, Guidance Services, and Safety Services(7-0); all 3 readings
C14-01-0160	LO to GO	Withdrawn by applicant on 12/14/01	N/A
C14-89-0024	SF-2, GO to GR	Approved GR & SF-2 on 5/23/89	Approved GR & SF-2 (6-0); 1 <sup>st</sup> reading on 6/29/89  Approved GR & SF-2 (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings on 10/04/90

**RELATED CASES:** There are no pending related cases.

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
Pavilion Blvd.	70'	40'	Collector	No	No	Yes

**CITY COUNCIL DATE:** August 31, 2006

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057,  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)



CASE #: C14-06-0129

ADDRESS: RESEARCH BLVD AT  
JOLLYVILLE RD  
SUBJECT AREA (acres): 7.190

### ZONING

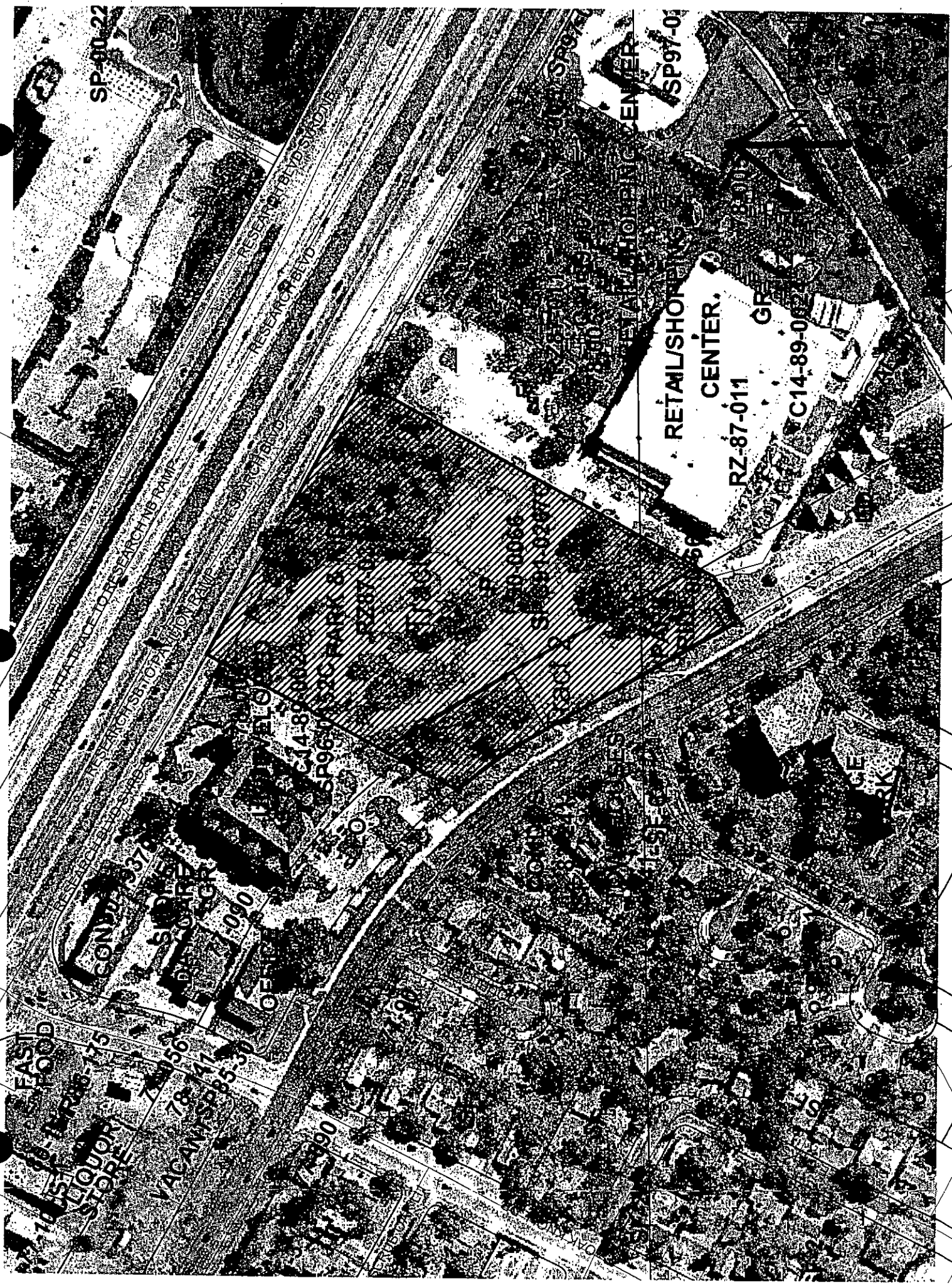
DATE: 06-06

INTLS: SM

### CITY GRID REFERENCE NUMBER

H36





SP-90-22

SP97-01

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FOOD  
STORE

CONDO  
5:00 PM  
VACANT

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RETAIL/SHOPPING CENTER

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RZ-87-011

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C14-89-002

GREEN

## STAFF RECOMMENDATION

Staff's recommendation is to grant CS-CO, General Commercial Services-Conditional Overlay District, zoning for Tract 1 and LO-CO, Limited Office-Conditional Overlay District, zoning for Tract 2 (an area measured 120-feet from the property line along Jollyville Road – see Attachment A). The conditional overlay would limit the development intensity on the entire property to less than 2,000 vehicle trips per day. In addition, the conditional overlay will restrict Tract 1 to the following: allow Transportation Terminal as the only 'CS' permitted use, allow for all 'GR' permitted uses, and prohibit Pawn Shop Services use on the site.

## BASIS FOR RECOMMENDATION

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

General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

Limited office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed CS-CO zoning for Tract 1 will allow the applicant to expand the existing transportation terminal facility in this area. The staff is recommending 'GR' uses for this site to promote consistency with the permitted uses developed adjacent to this tract in the existing Community Commercial zoning located to the east and west.

In addition, the staff is recommending a 120-foot buffer of LO-CO zoning along Jollyville Road (Tract 2) in accordance with the intent of the U.S. 183/Jollyville Road Area Study. The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date to maintain a setback from the residential and office uses to the west.

## EXISTING CONDITIONS

### Site Characteristics

The site under consideration is contains an undeveloped tract of land (zoned 'GR') at the northeast corner of the property fronting Research Boulevard/U.S. Highway 183 North, a transportation terminal facility (Capital Metro Park & Ride – zoned 'P'), and a tree shaded parking area (zoned 'LO' and 'P'). The property to the north of the proposed rezoning area, on the other side of U.S. Highway 183 North, is developed as a manufacturing facility (zoned 'LI'). To the east, there is a retail shopping center containing an Academy store (zoned GR) and a medical office (Austin Eye Center – zoned LO). Along the west side of the property in question, there is a hotel (zoned 'GR') and office uses (zoned 'LO').



### **Hill Country Roadway**

The site is not within a Hill Country Roadway Corridor.

### **Impervious Cover**

The maximum impervious cover allowed by the CS zoning district would be 95%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

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

### **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 Walnut 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.

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.

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 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 22,381 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	Sidewalks	Bus Route	Bike Route
US 183	300'	Varies	Arterial	No	Yes	No
Jollyville Road	130'	60'	Arterial	Yes	Yes	Priority 2

**Water and Wastewater**

The landowner intends to serve the site with City of water and wastewater utilities. The landowner, at their own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and utility relocation. 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 utility design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

**Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

**Compatibility Standards**

Any new development for a Transportation Terminal will require a conditional use permit.

The site is subject to compatibility standards. Along the south property line, the following standards apply:

- No structure in excess of three stories or 40 feet in height may be constructed within 100 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.