

Thursday, November 02, 2006

+ Back Print

**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 52

Subject: C14-06-0184 - Austin Christian Fellowship Phase II - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6401 River Place Boulevard (West Bull Creek Watershed) from development reserve (DR) district zoning and single-family residence-large lot-conditional overlay (SF-1-CO) combining district zoning to neighborhood office (NO) district zoning. Staff Recommendation: To grant neighborhood office (NO) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant neighborhood office-conditional overlay (NO-CO) combining district zoning. Applicant: RP Preserve, Ltd. (Blake Magee); Christina Fellowship (Cordel Robinson). Agent: Linseisen & Associates (Andrew Linseisen). City Staff: Jorge E. Rousselin, 974-2975.

Additional Backup Material

(click to open)

Staff Report

For More Information: Jorge E. Rousselin, 974-2975

ZONING REVIEW SHEET**CASE:** C14-06-0184**Z.A.P. DATE:** October 3, 2006**ADDRESS:** 6401 River Place Boulevard**OWNER:** RP Preserve, Ltd (Blake Magee), Austin Christina Fellowship (Cordel Robinson)**AGENT:** Linseisen & Associates (Andrew Linseisen)**REZONING FROM:** DR (Development reserve) and SF-1-CO (Single-family residence – large lot – conditional overlay)**TO:** NO (Neighborhood office)**AREA:** 1 647 Acres**ZONING AND PLATTING COMMISISON RECOMMENDATION:***October 3, 2006****APPROVED STAFF'S RECOMMENDATION FOR NO-CO ZONING; BY CONSENT.******[J.MARTINEZ, J.GOHIL 2ND] (7-0) J.PINNELLI, K.JACKSON – ABSENT*****SUMMARY STAFF RECOMMENDATION:**

Staff recommends NO (Neighborhood office) district zoning with conditions. A restrictive covenant shall prohibit the construction of any structure on the property. The recommendation is based on the following considerations:

- 1) The proposed zoning classification will match the existing zoning for continuous property to the north under the same ownership,
- 2) The restrictive covenant will deter any structure to be constructed on the property, and
- 3) With the recommended restrictive covenant, the proposed zoning classification will not infringe on the residential character of the established residential land uses.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a 1 647 acre site part of the existing Austin Christian Fellowship proposed redevelopment site. The subject property has not direct access to any right of way and can only be accessed via the parcels to the north or south. The applicant seeks to rezone the property to NO to match the existing parcel to the north and combine it with the existing Austin Christian Fellowship parcel. Such a combination will allow the property owner to take advantage of impervious cover allowed under NO to provide necessary parking requirements for the proposed improvement at the Austin Christian Fellowship parcel. No structures are proposed on the subject property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR / SF-1-CO	Undeveloped land
<i>North</i>	DR	Undeveloped land
<i>South</i>	SF-1-CO	Undeveloped land
<i>East</i>	DR	Undeveloped land
<i>West</i>	SF-1-CO	Undeveloped land

AREA STUDY: N/A**TIA:** N/A (See Transportation comments)**WATERSHED:** West Bull Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

157--Courtyard Homeowner Assn
 269--Long Canyon Homeowners Assn
 426--River Place Residential Community Assn , Inc.
 434--Lake Austin Business Owners
 439--Concerned Citizens For P&B of FM 2222
 475--Bull Creek Foundation
 762--Steiner Ranch Community Association
 786--Home Builders Association of Greater Austin
 965--Old Spicewood Springs Rd. Neighborhood Assn

SCHOOLS:

Leander Independent School District

- Steiner Ranch Elementary School
- Canyon Ridge Middle School
- Cedar Park High School

RELATED CASES: N/A**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-99-0128	DR to NO	08/31/99 APVD NO-CO W/2,000 VEHICLE TRIPS LIMIT (7-0)	09/30/99 APVD NO W/LIMITATION OF 500 VEHICLE TRIPS PER DAY, ALL 3 RDGS (6-1, WATSON-NAY)
C14-99-2130	SF-3 to SF-4	09/26/00 APVD STAFF REC OF NO-CO BY CONSENT W/AGREEMENT BY NEIGH/AP INCLUDED (8-0)	10/26/00 APVD NO-CO W/CONDS (7-0) ALL 3 RDGS
C14-00-2144	SF-5 to NO	08/22/00 APVD STAFF REC OF NO-CO BY CONSENT (8-0), SA-ABSENT	09/28/00 APVD NO (7-0) ALL 3 RDGS

C14-01-0121	RR to NO	09/25/01: DENIED STAFF ALT REC OF NO-CO (9-0)	10/11/01 APVD NO-CO (7-0); 1ST RDG 12/06/01 APVD NO-CO (7-0), 2ND/3RD RDGS
C14-04-0063	GO-CO to GR	11/02/04: APVD STAFF ALT REC OF GR-CO W/TIA INCL BY CONSENT (9-0)	12/02/04 APVD GR-CO (7-0); 1ST RDG 12/16/04: APVD GR-CO (7-0), 2ND/3RD RDGS
C14-04-0063	GO-CO to GR	11/02/04: APVD STAFF ALT REC OF GR-CO W/TIA INCL BY CONSENT (9-0)	12/02/04: APVD GR-CO (7-0); 1ST RDG 12/16/04: APVD GR-CO (7-0), 2ND/3RD RDGS

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Route
River Place Blvd	80'	45'	Arterial	Yes	No	No

CITY COUNCIL DATE:
November 2, 2006

ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

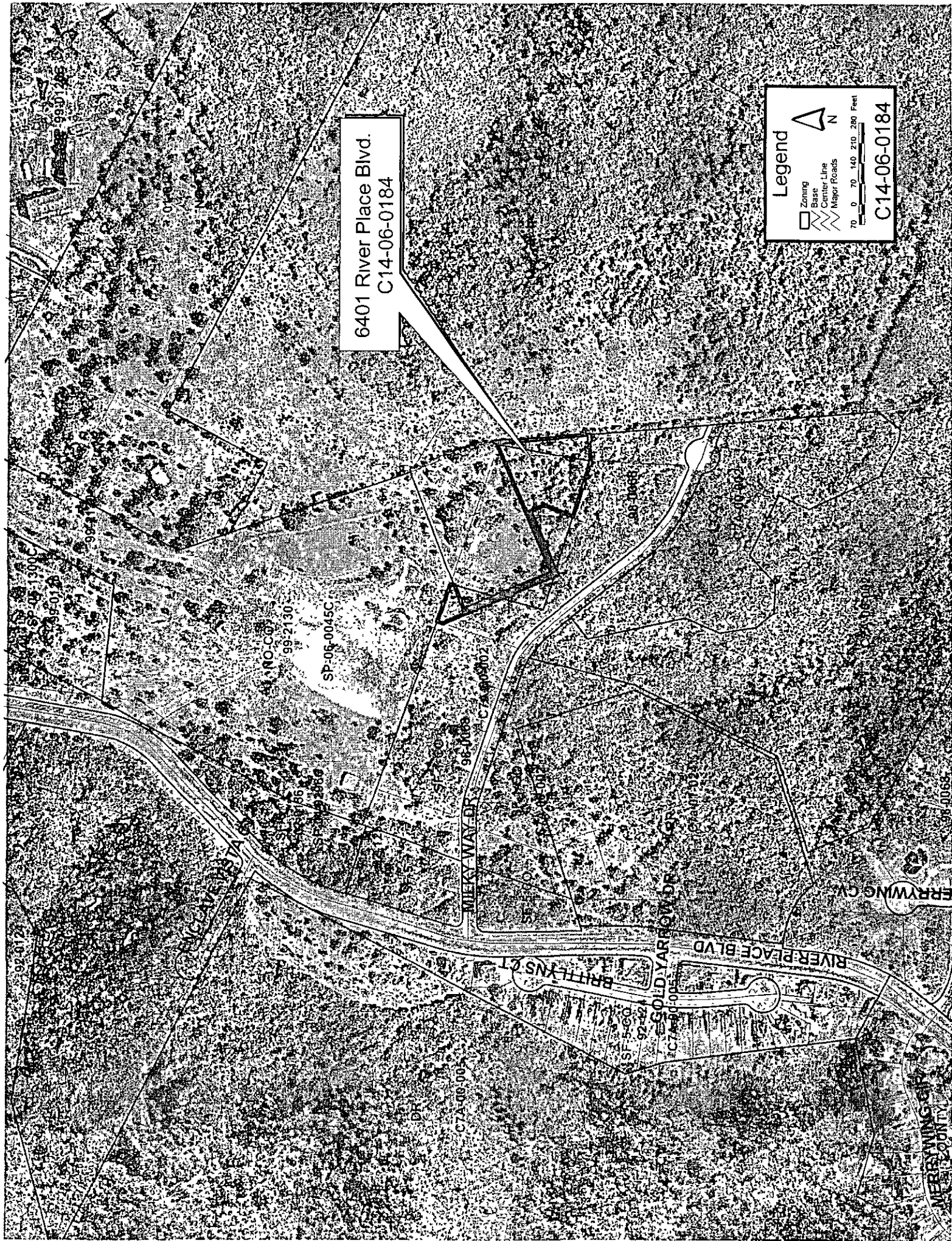
ORDINANCE NUMBER:

CASE MANAGER: Jorge E Rousselin, NPZD

PHONE: 974-2975

E-MAIL: jorge.rousselin@ci.austin.tx.us





6401 River Place Blvd.
C14-06-0184

Legend

- Zoning
- Base
- Center Line
- Major Roads

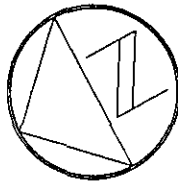
70 0 70 140 210 280 Feet

C14-06-0184



LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR WITH CAP SET
- CONCRETE MONUMENT FOUND
- ▲ 60D NAIL FOUND
- * COTTON SPINDLE FOUND



SCALE
1"=100'

① AUSTIN CHRISTIAN FELLOWSHIP
1/647 ACRES
(2000005917)

② RP PRESERVE, LTD
REMAINDER OF
49.315 ACRES
(13356/1541)

LOT 1
AUSTIN CHRISTIAN FELLOWSHIP
(2002000020)

N70°22'21"W
760.22'
(898.51')

P.O.B.

1.843 ACRES

3.75 AC
EUGENE MARCUS BARNES III
EMILY PUCKETT BARNES
(3909/1174)

1.843 ACRES

REX L BRADLEY
(11345/325)
TRACT 19 - 79.9 AC
APPROX 40 AC
(5094/2176)

S04°58'27"E 320.15'
(S02°38'55"E 320.04')

N66°35'23"E 465.28'
(N70°20'00"E 496.80')

S23°33'39"E 332.65'
S23°33'39"E 332.65'
N23°33'39"W 433.70'

LOT 7
BLOCK B
THE PRESERVE AT RIVER PLACE
SECTION 2
(200000178)

LOT 8
BLOCK B
THE PRESERVE AT RIVER PLACE
SECTION 2
(200000178)

LOT 9
BLOCK B
THE PRESERVE AT RIVER PLACE
SECTION 2
(200000178)

LOT 10
BLOCK B
THE PRESERVE AT RIVER PLACE
SECTION 2
(200000178)

LOT 11
BLOCK B
THE PRESERVE AT RIVER PLACE
SECTION 2
(200000178)

LOT 12
BLOCK B
THE PRESERVE AT RIVER PLACE
SECTION 2
(200000178)

MILKY WAY DRIVE
(50' ROW)

PUNCH MARK
IN SWLK

Chaparral

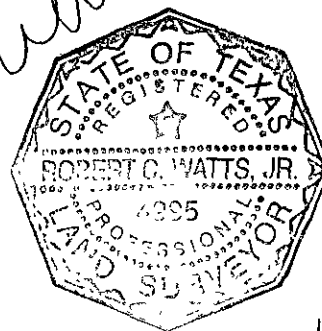
R.L. PREECE
SURVEY NO. 2

DATE OF SURVEY 7/21/06
PLOT DATE 08/10/06
DRAWING NO 014-101-Z3
PROJECT NO 014-101

SKETCH TO ACCOMPANY A DESCRIPTION OF A DESCRIPTION OF 1.843 ACRES (80265 S.F.) OF LAND IN THE R.L. PREECE SURVEY NO. 2, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOTS 8 AND 9, BLOCK B, THE PRESERVE AT RIVER PLACE SECTION 2, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200000178, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF A 1.647 ACRE TRACT OF LAND DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN TO AUSTIN CHRISTIAN FELLOWSHIP DATED JANUARY 10, 2000, OF RECORD IN DOCUMENT NO. 2000005917 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND A PORTION OF A 49.315 ACRE TRACT OF LAND CONVEYED TO RP PRESERVE, LTD., IN WARRANTY DEED WITH VENDOR'S LIEN DATED JANUARY 21, 1999, RECORDED IN VOLUME 13356, PAGE 1541, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY TEXAS.

BEARING BASIS. GRID AZIMUTH FOR TEXAS CENTRAL ZONE,
1983/93 HARN VALUES FROM LCRA CONTROL NETWORK

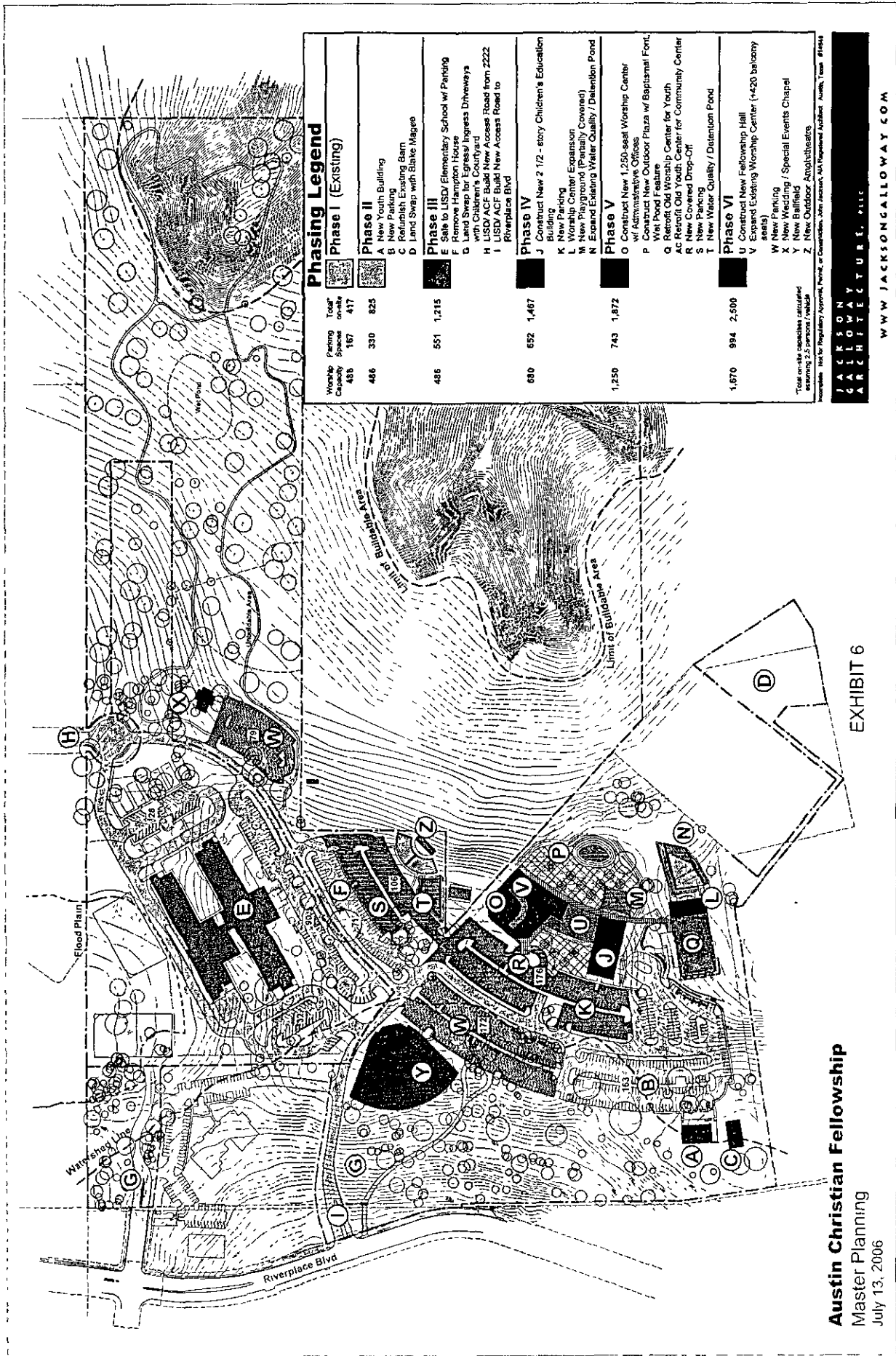
ATTACHMENTS METES AND BOUNDS DESCRIPTION 014-101-Z3



LINE TABLE			RECORD	
No	BEARING	LENGTH	BEARING	LENGTH
L1	S70°19'39"E	137.88'	S70°19'39"E	137.88'
L2	S14°48'46"W	13.47'	S14°48'46"W	13.47'
L3	S68°26'16"W	91.21'		
L4	N67°31'56"E	24.88'	(N69°57'51"E)	(24.98')
L5	S85°04'54"W	92.68'	(S87°21'05"W)	(92.72')
L6	N72°41'09"W	99.90'	(N70°19'59"W)	(99.91')
L7	N72°38'29"W	104.85'	(N70°19'59"W)	(104.88')
L8	N24°14'41"E	107.44'		
L9	N23°24'37"W	54.03'		
L10	N18°11'36"E	21.11'	(N20°32'46"E)	

DATE OF SURVEY 7/21/06
PLOT DATE 08/10/06
DRAWING NO 014-101-Z3
PROJECT NO 014-101

Chaparral



STAFF RECOMMENDATION

Staff recommends NO (Neighborhood office) district zoning with conditions. A restrictive covenant shall prohibit the construction of any structure on the property. The recommendation is based on the following considerations.

- 1.) The proposed zoning classification will match the existing zoning for continuous property to the north under the same ownership,
- 2.) The restrictive covenant will deter any structure to be constructed on the property; and
- 3.) With the recommended restrictive covenant, the proposed zoning classification will not infringe on the residential character of the established residential land uses

BASIS FOR RECOMMENDATION

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

The recommended conditional overlay will deter any structure from being constructed on the site and will impede a negative impact on the surrounding residences.

2. *Zoning should allow for reasonable use of the property.*

The recommended zoning classification and conditional overlay will encourage the reasonable use of the entire property for the orderly development of adjacent properties.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area consists of a 1.647 acre site part of the existing Austin Christian Fellowship proposed redevelopment site. The subject property has not direct access to any right of way and can only be accessed via the parcels to the north or south. The applicant seeks to rezone the property to NO to match the existing parcel to the north and combine it with the existing Austin Christian Fellowship parcel. Such a combination will allow the property owner to take advantage of impervious cover allowed under NO to provide necessary parking requirements for the proposed improvement at the Austin Christian Fellowship parcel. No structures are proposed on the subject property.

Transportation

1. No additional right-of-way is needed at this time.
2. 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].
3. There are existing sidewalks along River Place Blvd.
4. Capital Metro bus service is not available within 1/4 mile of this property.
5. The plan complies with all applicable transportation requirements.

Environmental

- 1 The site is located over the north Edward's Aquifer Recharge Zone. The site is in the West Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under the 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>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

2. According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.
- 3 The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process
- 4 Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment
- 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 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
- 7 At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

Water and Wastewater

- 1 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, utility adjustments, and 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 of Austin utility design criteria. The utility construction must be inspected by the City. The landowner must pay all associated and applicable City fees.

Compatibility Standards

- 1 Compatibility standards in accordance with [LDC Article 10] will apply on the northern, southern, eastern and western property line abutting SF-1-CO
- 2 Additional design regulations will be enforced at the time a site plan is submitted

ORDINANCE NO. _____

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE
2 PROPERTY LOCATED AT 8610 NORTH FM 620 ROAD AND CHANGING THE
3 ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO
4 NEIGHBORHOOD COMMERCIAL-CONDITIONAL OVERLAY (LR-CO)
5 COMBINING DISTRICT.

6
7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

8
9 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from interim rural residence (I-RR) district to neighborhood
11 commercial-conditional overlay (LR-CO) combining district on the property described in
12 Zoning Case No. C14-06-0180, on file at the Neighborhood Planning and Zoning
13 Department, as follows:

14
15 Lot 1, Block B, Texas Beef Council Subdivision, a subdivision in the City of
16 Austin, Travis County, Texas, the property being more particularly described in an
17 instrument recorded in Document No. 20000195444, of the Official Public
18 Records of Travis County, Texas (the "Property");

19
20 locally known as 8610 North FM 620 Road, in the City of Austin, Travis County, Texas,
21 and generally identified in the map attached as Exhibit "A".

22
23 PART 2. The Property within the boundaries of the conditional overlay combining district
24 established by this ordinance is subject to the following conditions:

25
26 A site plan or building permit for the Property may not be approved, released, or
27 issued, if the completed development or uses of the Property, considered cumulatively with
28 all existing or previously authorized development and uses, generate traffic that exceeds
29 2,000 trips per day.

30
31 Except as specifically restricted under this ordinance, the Property may be developed and
32 used in accordance with the regulations established for the neighborhood commercial (LR)
33 base district and other applicable requirements of the City Code.

1 **PART 3.** This ordinance takes effect on _____, 2006.

2
3
4 **PASSED AND APPROVED**

5
6
7
8 _____, 2006

§
§
§

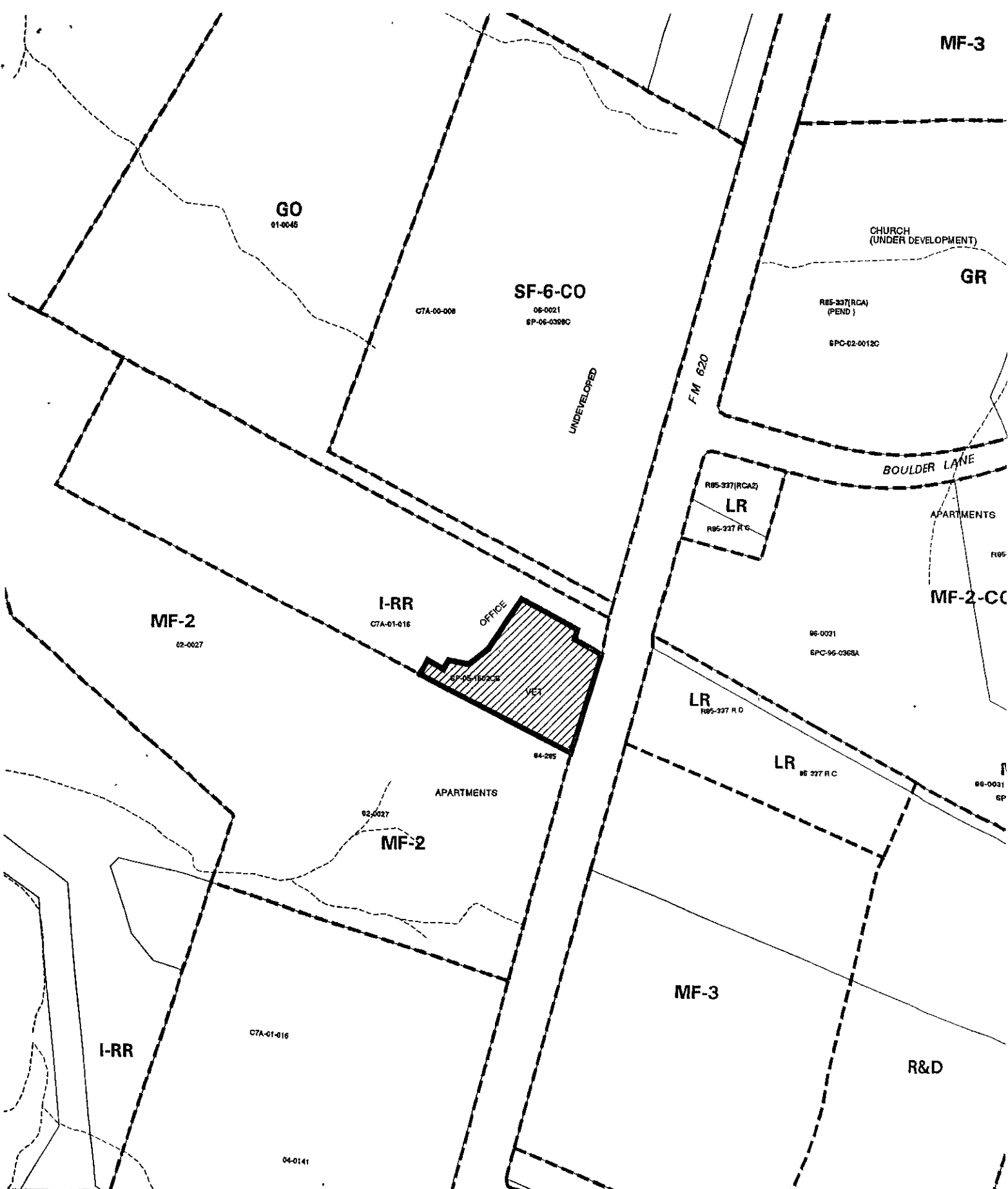
9 Will Wynn
10 Mayor





11
12
13 **APPROVED:** _____

14 David Allan Smith
15 City Attorney

ATTEST: _____

Shirley A. Gentry
City Clerk



 1" = 400'	SUBJECT TRACT	  	ZONING EXHIBIT A		CITY GRID REFERENCE NUMBER D36
	PENDING CASE				
	ZONING BOUNDARY		CASE #: C14-06-0180 ADDRESS: 8610 N FM 620 RD	DATE: 06-09	
	CASE MGR: J.ROUSSELIN		SUBJECT AREA (acres): 3.300 INTLS: SM		



RETURN THIS SIGN OFF SHEET AFTER REVIEWING DOCUMENTS

TO: Jorge Rousselin
Neighborhood Planning and Zoning Dept

FAX #4-6054
TOTAL PAGES

FROM: Diana Minter, Paralegal, 974-2341
Law Dept , FAX 974-6490

DATE: October 25 2006

SUBJECT: Zoning File No C14-06-0180

SEE COMMENTS BELOW

PLEASE REVIEW THE FOLLOWING DOCUMENTS.

If revisions are necessary, let me know as soon as possible and send written revisions. If acceptable, sign and return this sheet. Zoning cases should **NOT** be put on Council agenda until you have all documents necessary and this sheet has been returned to me.

- 1 ORDINANCE DRAFT
- 2 ORIGINAL RESTRICTIVE COVENANT (TERMINATION OR AMENDMENT)
- 3 ORIGINAL STREET DEED

If the document (#2 or #3) is acceptable, have the original executed by the owner of the property and notarized. When signed and acknowledged return it to me along with a check for recording fees payable to appropriate county clerk.

NOTE: ONLY THE CURRENT OWNER OF THE SUBJECT PROPERTY HAS AUTHORITY TO SIGN THESE DOCUMENTS.

Ordinance	<input type="checkbox"/> acceptable	<input type="checkbox"/> unacceptable
Restrictive Covenant		
(Termination/Amendment)	<input type="checkbox"/> acceptable	<input type="checkbox"/> unacceptable, Recording fees\$
Street Deed	<input type="checkbox"/> acceptable	<input type="checkbox"/> unacceptable, Recording fees \$
Legal description	<input type="checkbox"/> not accurate (Attach/provide correct description)	
Conditions	<input type="checkbox"/> Revise as follows Include in Comments below	

COMMENTS:

Planner signature _____ Date _____

Thanks DWM
Attachments

Rev 3/06