

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0032
6610 Shelton Road

DISTRICTS: 1 and 3

ZONING FROM: SF-2

TO: P

ADDRESS: 6610 Shelton Road

SITE AREA: 1.64 acres

PROPERTY OWNER:
City of Austin
(Jerry Rusthoven)

AGENT:
City of Austin Housing and Planning Department
(Heather Chaffin)

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)

STAFF RECOMMENDATION:

Staff supports the Applicant's request for rezoning to P district zoning.

For a summary of the basis of staff's recommendation, see case manager comments on page 2.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

June 15, 2021: To grant P- Public zoning as recommended, on consent.(10-0)

June 1, 2021: Staff postponement to June 15, 2021 granted on consent.

May 18, 2021: Staff postponement to June 1, 2021 granted on consent.

CITY COUNCIL ACTION:

July 29, 2021:

ORDINANCE NUMBER:

ISSUES:

The rezoning request is intended to rezone City-owned property to P zoning in accordance with City policy. The SF-2 zoning on the property was brought to the attention of the City by a nearby property owner who was concerned that a non-residential property owned by the City may trigger compatibility standards when redevelopment occurs on their own parcel. Zoning and Platting Commission heard a presentation regarding the request on December 15th and voted to support Housing and Planning Department initiation of the request on a vote of 10-0. ***Please see Exhibit C- ZAP Initiation Documents.***

CASE MANAGER COMMENTS:

The subject property is located along the east side of Ed Bluestein Boulevard slightly south of where the rail right-of-way (ROW) of the proposed Capital Metro Red Line. The Southern Walnut Creek Greenbelt Trail runs along the northern property line, and Boggy Creek runs through the subject property. The surrounding area includes single family residential areas, undeveloped parcels, and the Southern Walnut Creek Greenbelt. These properties are designated with a mix of SF-2, LI, and P zoning. Southern Walnut Creek Greenbelt was previously zoned SF-2 but rezoned to P in 2011. ***Please see Exhibits A and B- Zoning Map and Aerial Exhibit.***

Staff supports the rezoning request. The 2011 rezoning reflected City policy of correcting inaccurate zoning designation of City-owned parcels, as is this rezoning request. The property forms a part of the Southern Walnut Creek Greenbelt system.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*
2. *Granting of the request should result in an equal treatment of similarly situated properties.*

Public (P) district is the designation for a governmental, civic, public service, or public institution use. A P district designation may be applied to a use located on property used or reserved for a civic or public institutional purpose or for a major public facility, regardless of ownership of the land on which the use is located. A P district designation may not be applied to government-owned property that is leased to a nongovernmental agency for a use other than a governmental service or for a use that supports a primary civic or public institutional use.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-2	Undeveloped
North	LI-NP, SF-2-NP	Capital Metro rail ROW, Undeveloped, Single family residential
South	P, SF-2	Civic, Single family residential
East	P, SF-2	Walnut Creek Greenbelt, Single family residential
West	N/A	Ed Bluestein Boulevard

NEIGHBORHOOD PLANNING AREA: N/A

TIA: N/A

WATERSHED: Boggy Creek (Urban)

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation	Del Valle Community Coalition
Austin Neighborhoods Council	Friends of Austin Neighborhoods
Bike Austin	Imperial Valley Neighborhood Association
SEL Texas	Sierra Club, Austin Regional Group
FRS Property Owners Association	Del Valle ISD
Austin ISD	
Lower Boggy Creek Neighborhood Association	
East MLK Combined Neighborhood Contact Team	

AREA CASE HISTORIES:

NUMBER	REQUEST	ZAP/PLANNING COMMISSION	CITY COUNCIL
C14-2020-0150 6705 and 6501 Regiene Road	SF-2-NP and LI-NP to LI- PDA-NP	TBD	TBD
C14-2017-0148 Zen Garden	LI-NP to LI- PDA-NP	January 14, 2020: To grant with conditions	November 12, 2020: To grant with conditions
C14-2019-0137 Delwau RV Park	SF-2 to CS- MU-CO	January 7, 2020: To grant with conditions	January 23, 2020: To grant with conditions
C14-2018-0002 Delwau Campgrounds	SF-2 to CS- MU-CO and CS-1-MU-CO	May 15, 2018: To grant with conditions	August 23, 2018: To deny request
C14-2016-0017 Driveway Austin	GO to GR	August 2, 2016: <i>TO GRANT GR DISTRICT ZONING AS RECOMMENDED BY STAFF, ON CONSENT. (8-0) [B. Evans- 1st, S. Lavani- 2nd. G. Rojas, B. Greenberg, and J. Kiolbassa- Absent]</i>	September 22, 2016: <i>To grant GR zoning as recommended by Staff, on consent (10-0) on CM Houston's motion, CM Casar's second. CM Troxclair was absent.</i>
C14-2011-0114 Southern Walnut Creek Hike & Bike Trail	CITY INITIATED SF-2 to P	October 18, 2011: To grant P as requested	November 3, 2011: To grant P as requested

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Shelton Road	47' – 62'	23'	Level 1	No	N/A	No

ADDITIONAL STAFF COMMENTS:Comprehensive Planning

Imagine Austin

The site is not located within an Activity Center or along an Activity Corridor. However, sustainability is the basis of the Imagine Austin vision statement and its hundreds of policies and actions developed through the input of thousands of community members. These policies and actions express six core principles for action to make our imagined Austin a reality, and one in particular appears to support this project: 2.) Integrate nature into the city. A beautiful, world-class system of outdoor places for recreation and environmental protection will define Austin as a world-class city. We need to develop our natural assets into a network of connected greenways and waterways. By strengthening our "green infrastructure" - parks, the urban forest, trails and greenbelts, rivers, creeks, lakes, gardens, urban agriculture, open spaces, and wildlife habitat - Austin can protect the natural environment and enhance recreational opportunities.

The following Imagine Austin policies are also applicable to this case:

- ☐ LUT P23. Integrate citywide and regional green infrastructure, to including such elements as preserves and parks, trails, stream corridors, green streets, greenways, agricultural lands, and the trail system, into the urban environment and the transportation network.
- ☐ CFS P42. Increase connectivity between neighborhoods and from neighborhoods to parks and greenways through the use of sidewalks, bicycle lanes, multi-use paths, and trails
- ☐ CFS P47. Extend existing trail and greenway projects to create an interconnected green infrastructure network that includes such elements as preserves and parks, trails, stream corridors, green streets, greenways, agricultural lands linking all parts of Austin and connecting Austin to nearby cities.

Based on the Imagine Austin policies and text above, which supports the expansion and preservation of parks, trails, greenways, and other green and blue infrastructure facilities and projects in all areas of the city, the rezoning of this property to 'Public' supports the Imagine Austin Comprehensive Plan.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is a floodplain within or adjacent to the project location.

Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.

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 vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

Site Plan

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Parks & Recreation

PR1 : PARD is supportive of the rezoning to P.

Transportation

ASMP Assessment

No right of way is required for the Austin Strategic Mobility Plan for Shelton Road. [LDC 25-6-51 and 25-6-55].

There is an existing urban trail adjacent to the northern boundary of this site (Southern Walnut Creek Trail).

Transportation Assessment

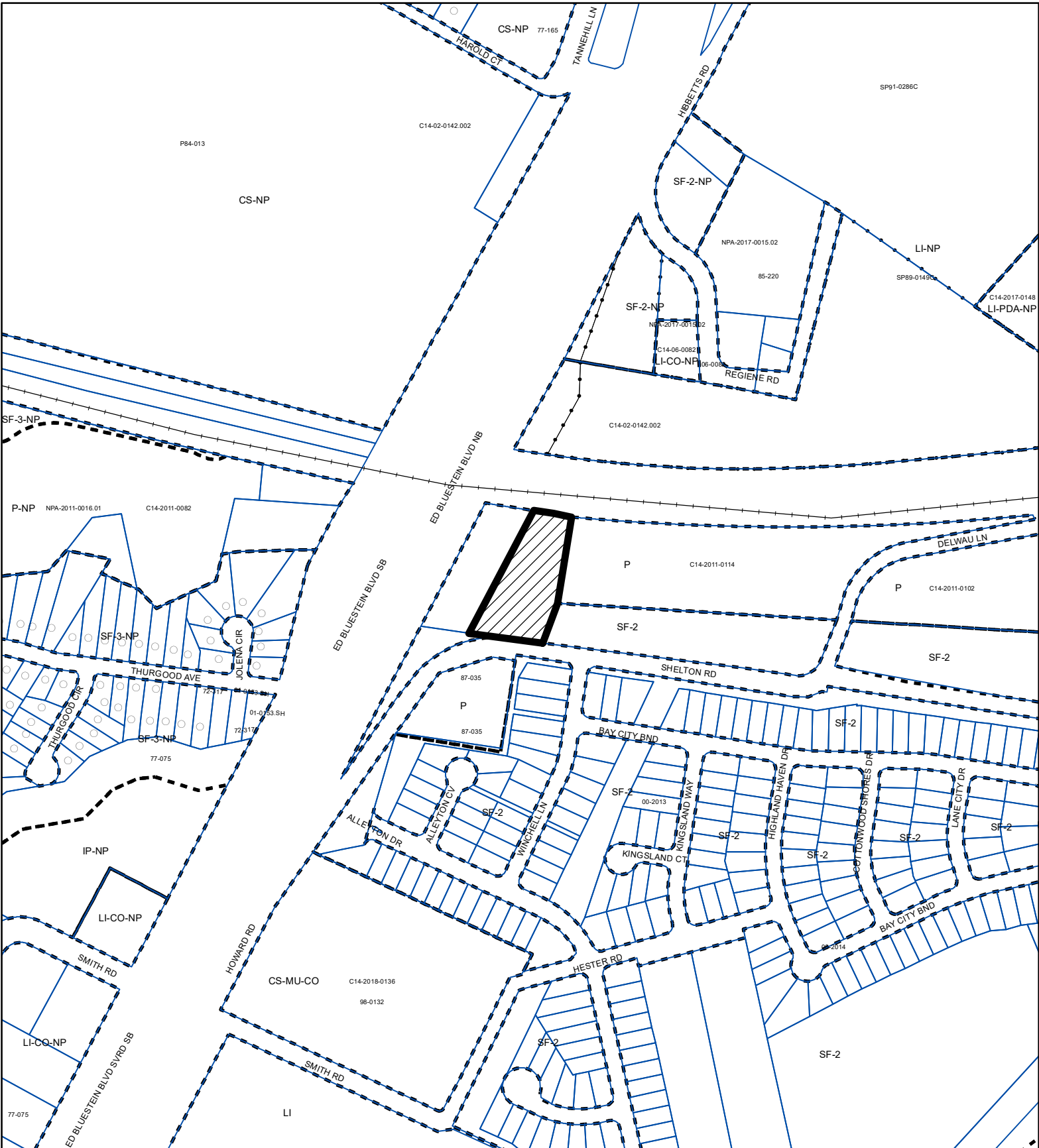
No TIA is required for this request.




The adjacent street characteristics table is provided below:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Shelton Road	47' – 62'	23'	Level 1	No	N/A	No

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Exhibit
- C. ZAP Initiation Documents



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2021-0032

1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



Created: 3/16/2021



MEMORANDUM

TO: File

FROM: Heather Chaffin
Housing and Planning Department

DATE: March 11, 2021

RE: 6610 Shelton Road Rezoning

On December 15, 2020, the Zoning and Platting Commission initiated a rezoning of the above referenced property from SF-2 to P. The rezoning is for a City-owned parcel that is part of the Walnut Creek Greenbelt and Hike and Bike Trail system. While in the past the City of Austin has allowed public parkland to retain its original zoning, in recent years the City has moved to have public parkland to have consistent P- Public zoning. In 2017, the City initiated rezoning cases for other, larger, areas of City parkland, but smaller tracts spread across the city were not systematically rezoned.

For more information, please see the attached exhibits. Exhibit 1 is an excerpt from the approved minutes of December 15, 2020 that document the initiation of the request. Exhibit 2 is a presentation that was included as part of the December 15, 2020 agenda. For additional information, please contact the Zoning Case Manager, Heather Chaffin, at 512-974-2122 or heather.chaffin@austintexas.gov.

Attachments

XC: Rosie Truelove, Director of Housing and Planning Department
Jerry Rusthoven, Assistant Director of Housing and Planning Department
Joi Harden, Zoning and Urban Design Division Manager, Housing and Planning Department

Submitted for approval on January 5, 2021

recused due to a conflict of interest; member of board funded by Applicant. Commissioner Denkler absent.

C. ITEMS FROM THE COMMISSION

- 1. Discussion and possible action to initiate a rezoning for property located at 6610 Shelton Road from single family residence-standard lot (SF-2) district zoning to public (P) district zoning.(Sponsors: Commissioners Bray and Ray)**

Motion by Commissioner Duncan, seconded by Commissioner Acosta to initiate a rezoning for property located at 6610 Shelton Road from single family residence-standard lot (SF-2) district zoning to public (P) district zoning was approved on a vote of 10-0. Commissioner Denkler absent.

2. Discussion and possible action regarding matters related to any proposed revisions to the Land Development Code including but not limited to staff updates, presentations and scheduling. (Sponsors: Chair Kiolbassa and Commissioner Duncan)

Item disposed without discussion.

3. Discussion and possible action to adopt recommendations regarding the update to the Transportation Criteria Manual. (Sponsors: Chair Kiolbassa and Vice-Chair Barrera-Ramirez)

Motion by Commissioner King, seconded by Vice-Chair Barrera Ramirez to forward to staff Transportation Criteria Manual recommendations and questions, was approved on a vote of 8-0. Commissioners Bray and Smith off the dais. Commissioner Denkler absent.

Note: See Minutes Exhibit A, email from Chair Kiolbassa to staff.

D. OTHER BUSINESS

1. Selection of three members to attend and participate in the virtual meeting *Resilience Is Community – A Conversation with Austin Boards and Commissions*

Selection of Commissioners Aguirre and King to attend and participate in the virtual meeting *Resilience Is Community – A Conversation with Austin Boards and Commissions* was approved on the motion by Commissioner Evans, seconded by Commissioner Duncan on a vote of 10-0. Commissioner Denkler absent.

E. FUTURE AGENDA ITEMS

Future agenda items will not be discussed at the current meeting, but will be offered for initiation, discussion or possible recommendation at a future meeting.

Commissioners King and Aguirre – Staff briefing regarding Tesla site.

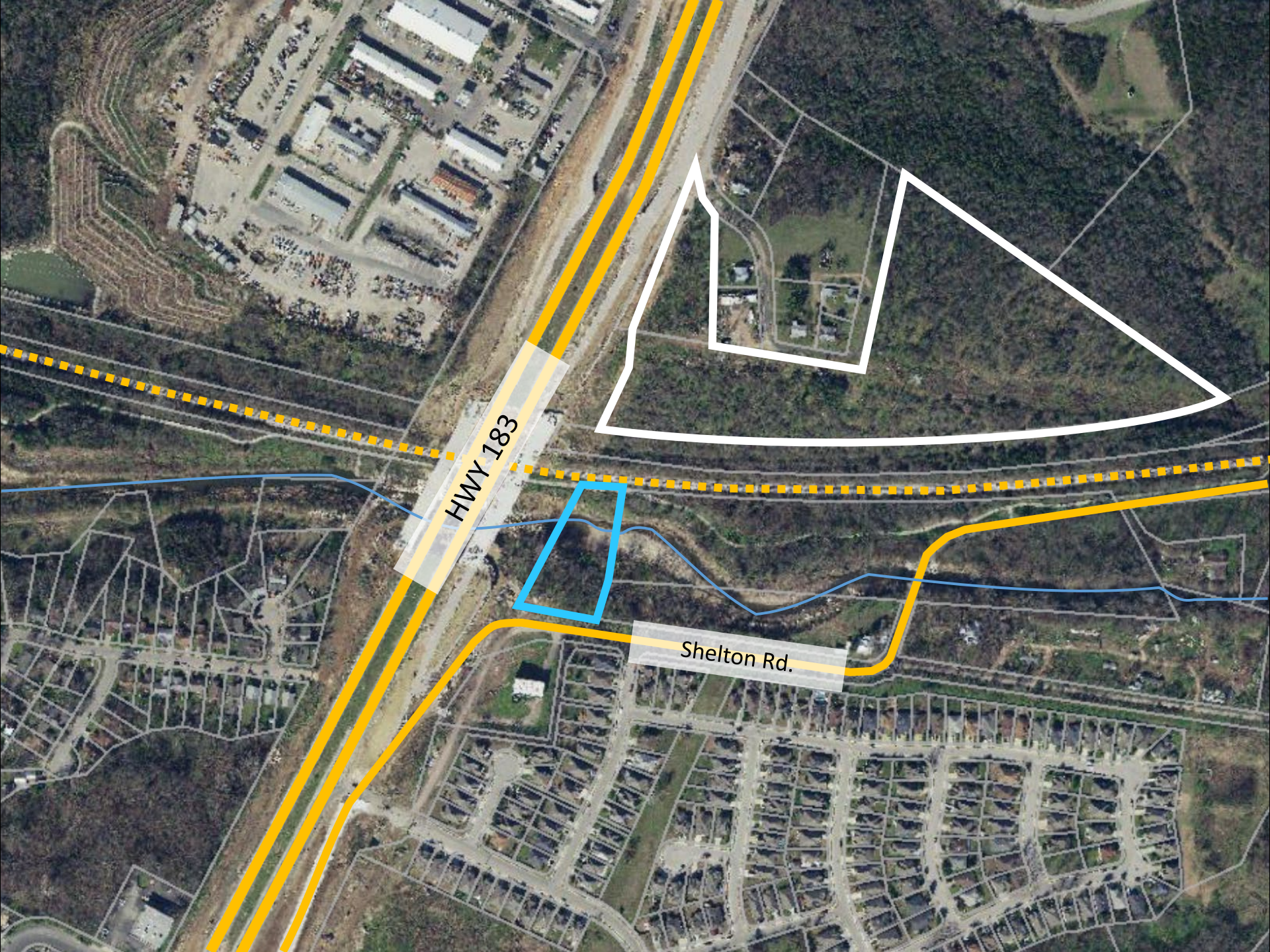
Request for Initiation of Rezoning: 6610 Shelton Road

December 15, 2020



HWY 183

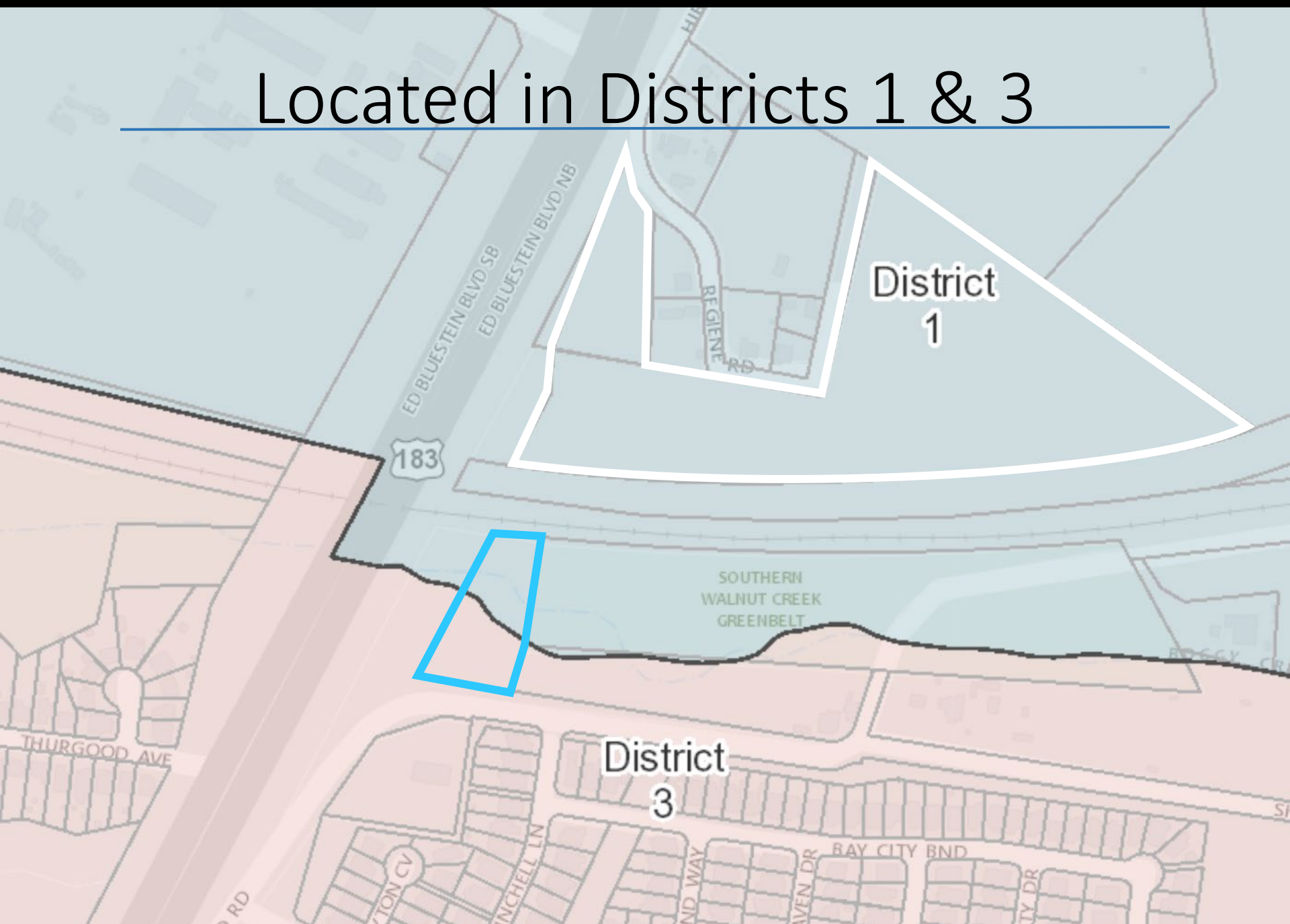
Shelton Rd.



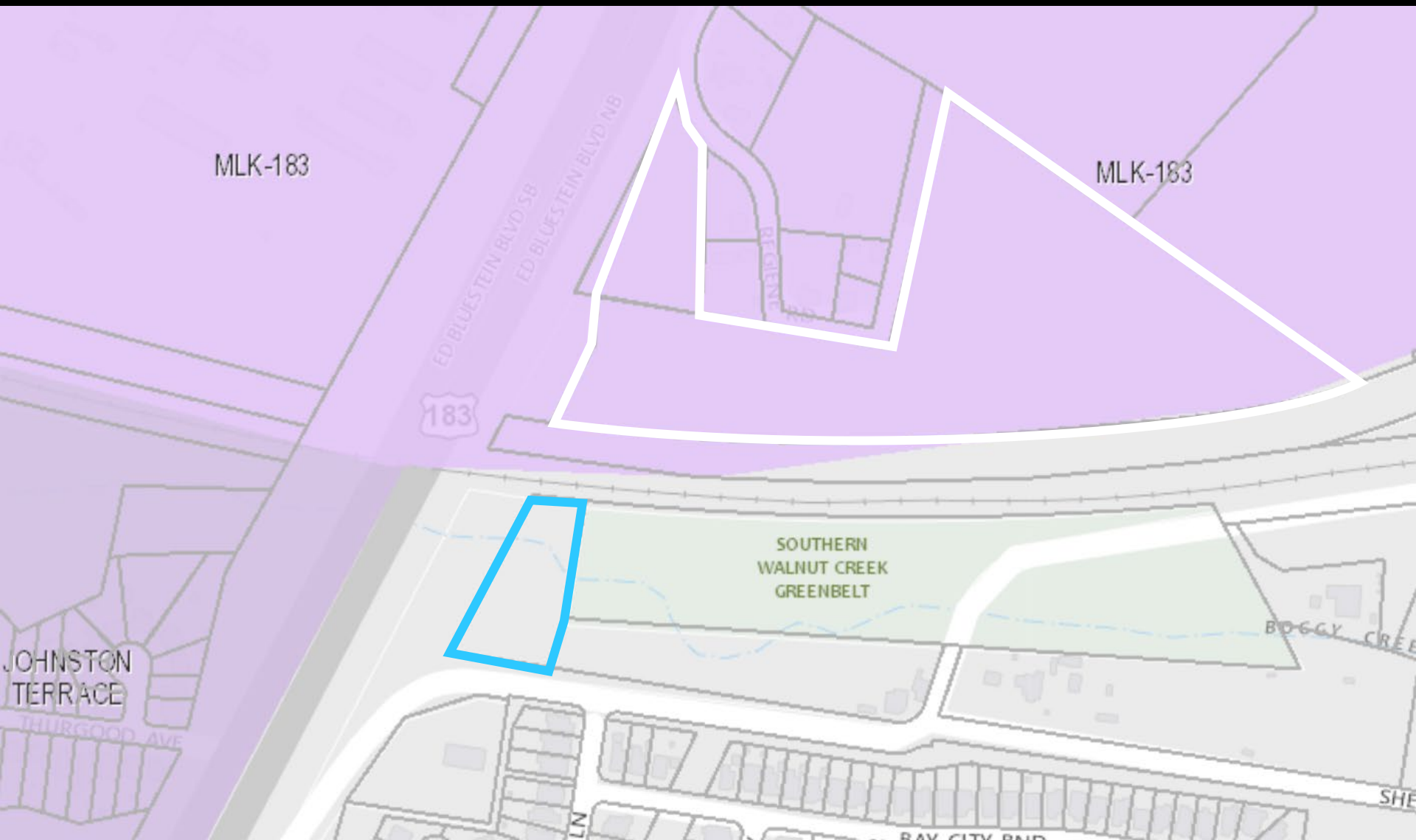
HWY 183

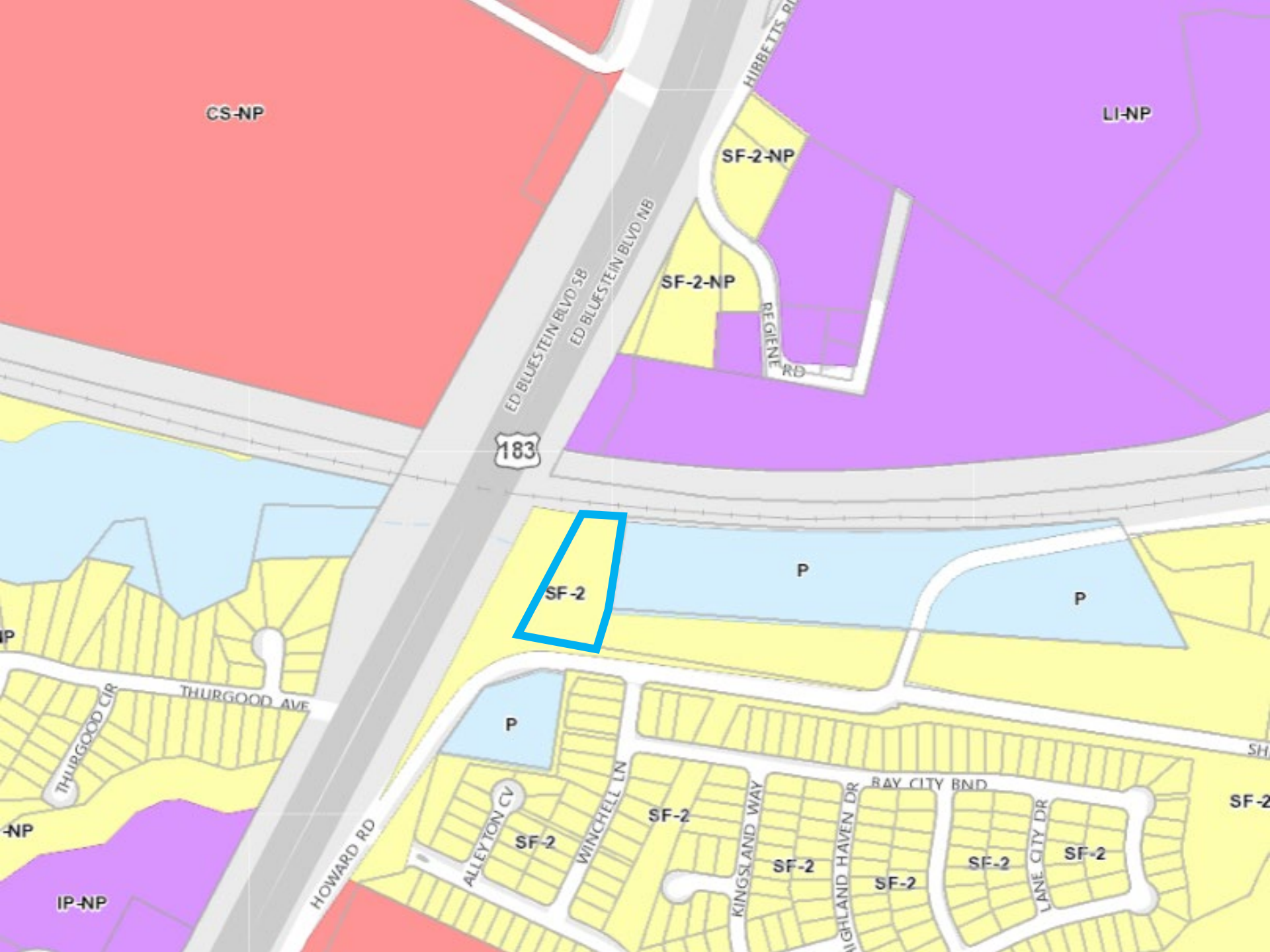
Shelton Rd.

Located in Districts 1 & 3



Not in Neighborhood Plan Area





Current/Requested Entitlements

Current Zoning:

- SF-2 (Single-Family Residence Standard Lot)
- Per §25-2-56, an SF-2 district is the designation for a moderate density single-family residential use.

Proposed Zoning:

- P (Public)
- Per §25-2-145, a P district is the designation for a governmental, civic, public service, or public institution use. A P district designation may be applied to a use located on property used or reserved for a civic or public institutional purpose or for a major public facility.

Site Summary

Property Size:

- 1.53 acres, or approximately 66,603 SF

Access:

- Shelton Drive
- Local City Street roadway classification

Environmental Features:

- 100- and 500-year floodplain
- Critical Water Quality Zone
- Erosion Hazard Zone

Easements:

- Channel easement
- Drainage easement
- 20-foot-wide gas pipeline easement (unspecified location)

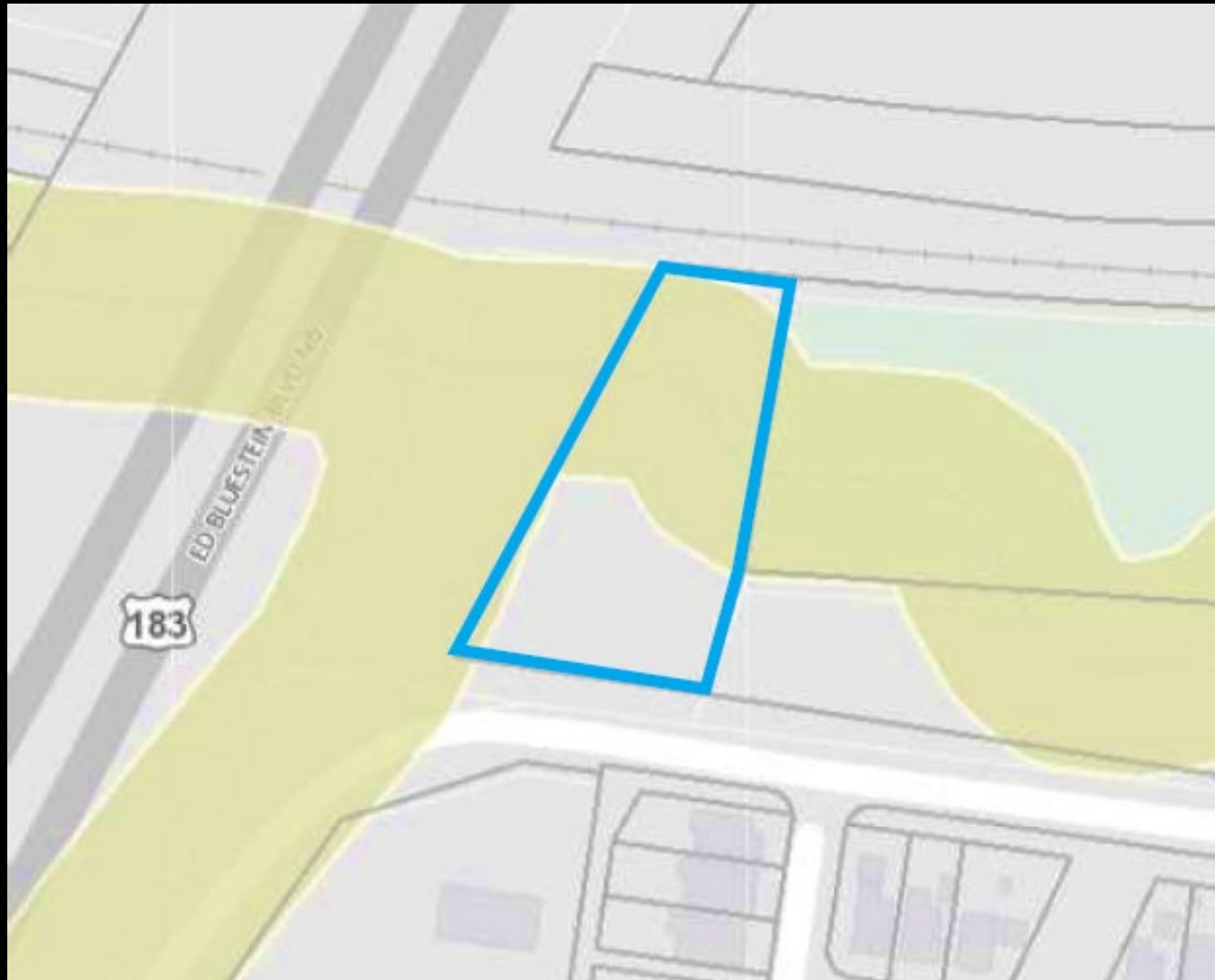
Critical Water Quality Zone



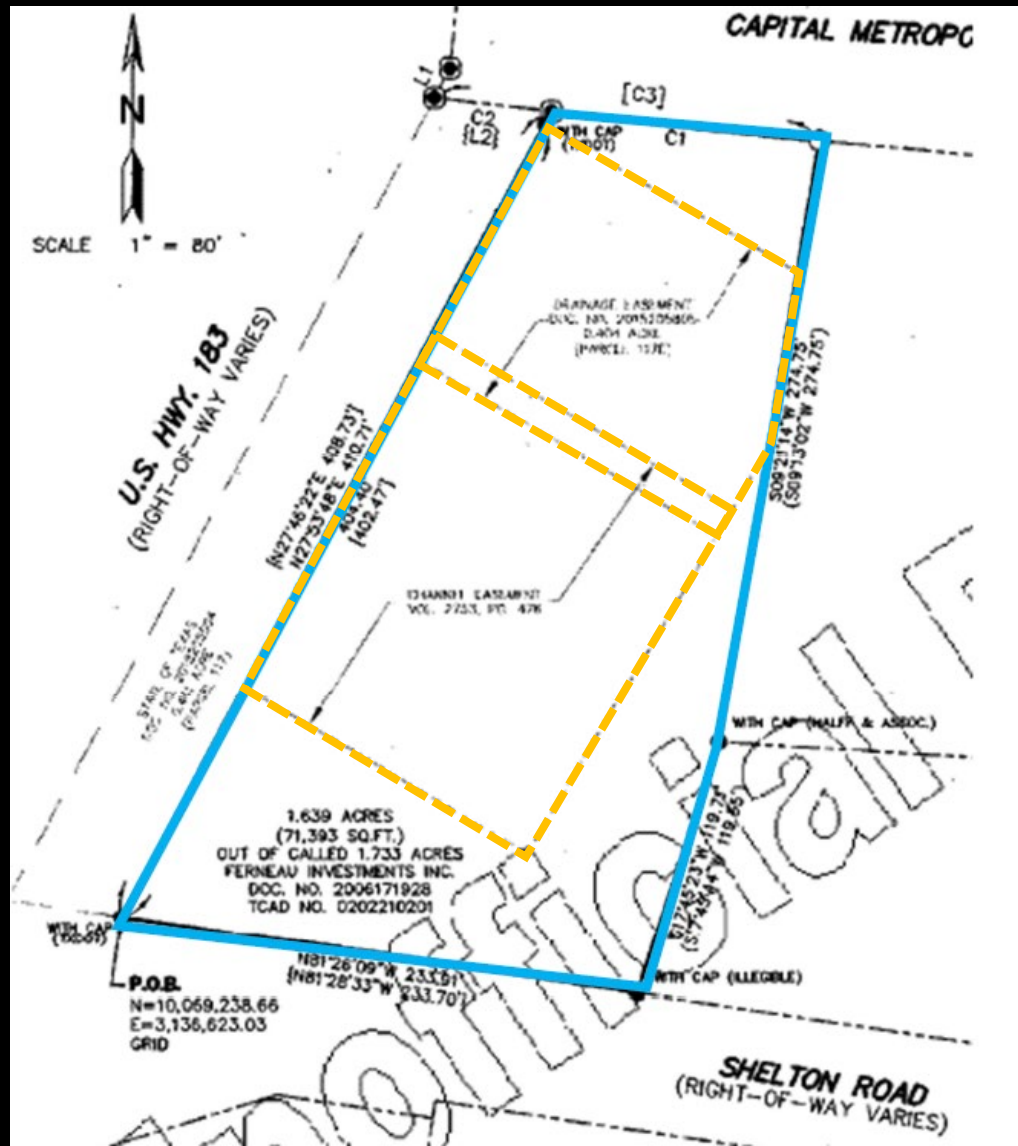
Floodplain

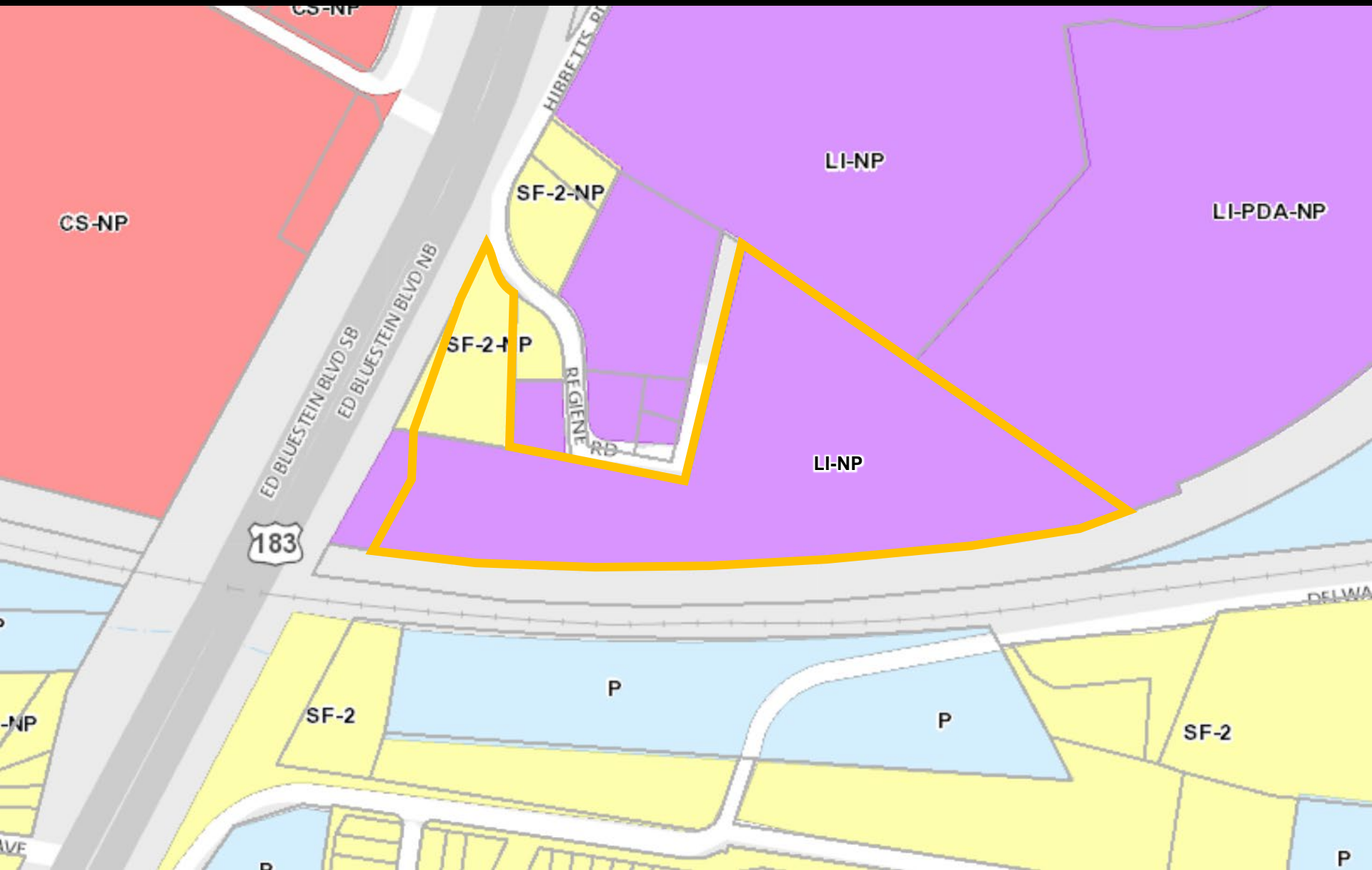


Erosion Hazard Zone



Drainage Easements





Regiene Rd. PDA Proposed Rezoning

Property Size:

- 15.69 acres (xx acres of developable land)
- Easements
- Compatibility
- Topography

Proposed Rezoning From:

- SF-2-NP (Single-Family Residence Standard Lot – Neighborhood Plan) and LI-NP (Limited Industrial Services – Neighborhood Plan)

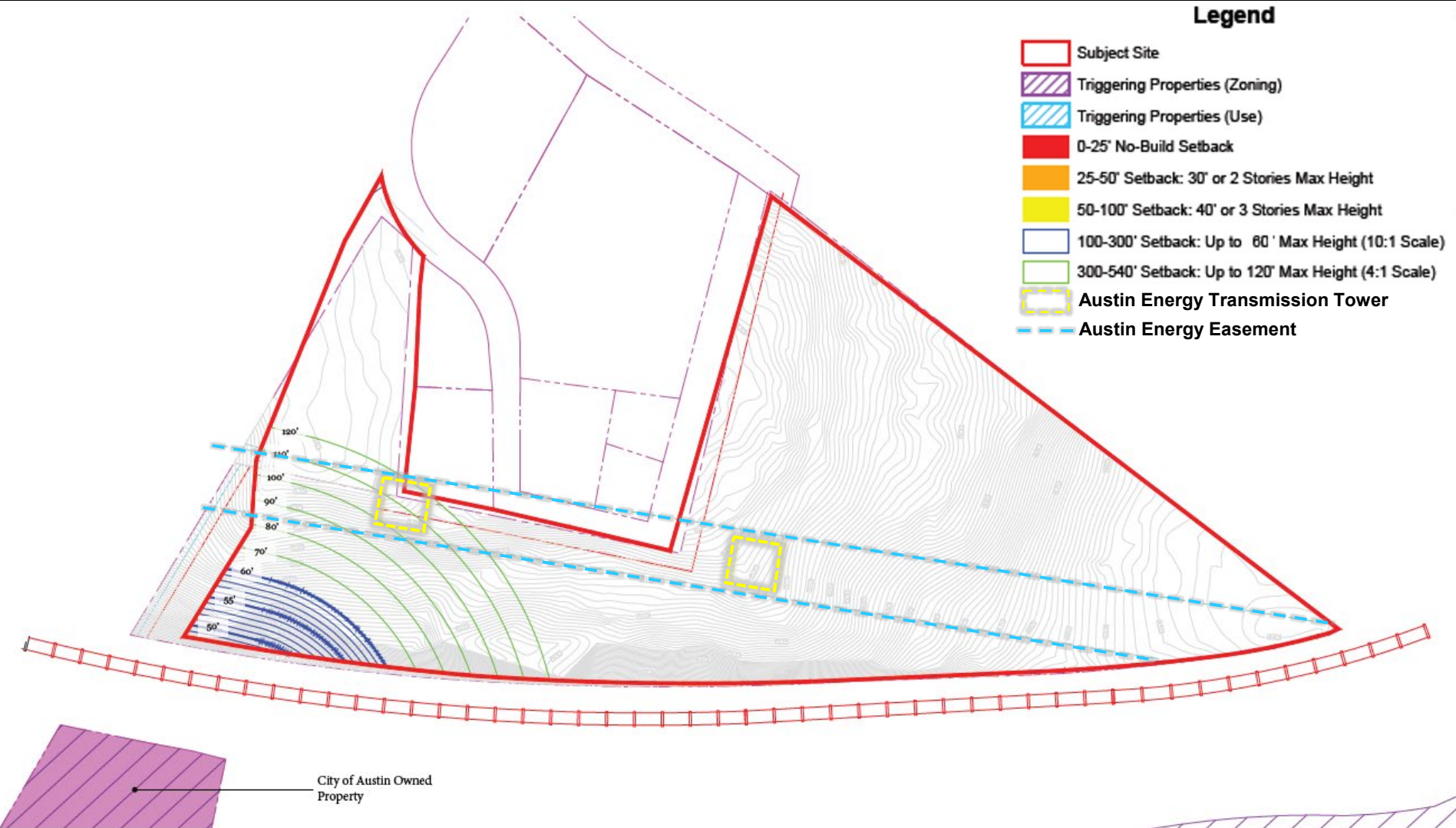
To:

- LI-PDA, Limited Industrial Services – Planned Development Area

Uses:

- Multifamily
- Commercial
- Light Industrial/Maker space

Regiene Rd. Compatibility Impact



Zoning Initiation Process

Per LDC §25-2-242, a Land Use Commission may initiate the rezoning of a property.

Initiation > Staff Review > ZAP Hearing > City Council Hearing

Request

We respectfully request that Zoning and Platting Commission initiate the rezoning of 6610 Shelton Road to “P” Public zoning designation.