



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-16
AGENDA DATE: Thu 04/28/2005
PAGE: 1 of 1

SUBJECT: C14-04-0212 - Dessau Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1000 West Howard Lane (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to multi-family residence low density (MF-2) district zoning and limited industrial services (LI) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence low density-conditional overlay (MF-2-CO) district zoning for Tract 1 and limited industrial services-conditional overlay (LI-CO) district zoning for Tract 2. Applicant: Beal Bank (William T. Saurenmann). Agent: Bury and Partners, Inc. (Jon C. Kanak). City Staff: Sherri Sirwaitis, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0212

Z.A.P. DATE: March 1, 2005
March 15, 2005
March 29, 2005

ADDRESS: 1000 West Howard Lane

OWNER/APPLICANT: Beal Bank (William T. Saurenmann)

AGENT: Bury & Partners, Inc. (Jon C. Kanak)

ZONING FROM: I-RR

TQ: Tract 1: MF-2
Tract 2: LI

AREA: 8.368 acres
8.309 acres
16.677 acres total

SUMMARY STAFF RECOMMENDATION:

The staff's alternate recommendation is for MF-2-CO, Multifamily Residence-Low Density-Conditional Overlay District, zoning for Tract 1 and LI-CO, Limited Industrial Services-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity for the entire site to less than 2,000 vehicle trips per day above the existing development.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

3/01/05: Postponed to March 15, 2004 by staff (8-0, K. Jackson-absent); J. Martinez-1st, J. Gohil-2nd.

3/15/05: Zoning and Platting Commission meeting cancelled due to posting error. Meeting rescheduled for March 29, 2005.

3/29/05: Approved staff's recommendation for MF-2-CO zoning for Tract 1 and LI-CO zoning for Tract 2 by consent (9-0); J. Martinez-1st, J. Gohil-2nd.

DEPARTMENT COMMENTS:

The site under consideration is currently undeveloped. These tracts of land were annexed by the City of Austin on December 31, 2003 (Case C7A-03-012). The property is located to the north of an industrial warehouse/trucking distribution center known as Tech Ridge 4, which fronts West Howard Lane. Tracts 1 and 2 are part of a larger site that was designated as a no fly zone for the Austin Executive Airport previously situated to the south, across Howard Lane. This property is a portion of a 16.567 acre out parcel that is surrounded by the Northtown Municipal Utility District to the north, east, and west (MUD Land Use Plan-Attachment A). The adopted land use plan for the Northtown MUD designates 52.20 acres of land to the west of the Tract 1 for future multifamily use. Therefore, the applicant is requesting MF-2 zoning for Tract 1 because they would like to develop this property with residential uses. In addition, the applicant is requesting LI zoning for Tract 2 because the Northtown MUD land use plan designates the 52.10 acres of land located to the northeast of this site for future industrial uses.

The staff recommends MF-2-CO zoning for Tract 1 because the site is adjacent to a large parcel of land in the Northtown MUD that is proposed for future multifamily uses. The multifamily zoning will create housing opportunities in an area with numerous retail and industrial employers.

The staff also recommends LI-CO zoning for Tract 2 because this property is directly to the north of LI-CO zoning and existing industrial uses. The Northtown MUD land use plan calls for additional industrial uses to the north and east of Tract 2. The Northtown MUD land use plan proposes a residential street to be developed through the 16.567 out parcel, which will separate the proposed uses on Tracts 1 and 2. Tract 1 will also be buffered from the planned industrial uses to the north and east by existing floodplain/ designated green space.

The applicant agrees with the staff recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	County	Undeveloped
<i>South</i>	LI-CO	Trucking/Distribution Center for Applied Materials, Ryder, Pearson, and APL Logistics
<i>East</i>	County	Undeveloped Tract, Single-Family Residential Neighborhood
<i>West</i>	County	Undeveloped

AREA STUDY: N/A

TIA: Waived

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

114 – North Growth Corridor Alliance

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0120	I-LI to LI	9/7/04: Approved staff's recommendation of LI-CO by consent (8-0, J. Martinez-absent)	10/21/04: Approved LI-CO zoning (7-0); all 3 readings
C14-04-0073	CS-CO to CS-1	7/20/04: Approved staff's recommendation of CS-1 zoning by consent (8-0, J. Pinnelli-absent)	8/26/04: Approved CS-1 (7-0); all 3 readings
C14-03-0069	SF-2 to CS	5/6/03: Approved CS-CO zoning with condition to prohibit Adult Oriented Businesses, by consent (8-0, K. Jackson-absent)	6/5/03: Granted CS-CO on all 3 readings (7-0)
C14-02-0111	Tract 1: GR-CO to GR Tract 2: CS-CO to CS	10/15/02: Approved staff's recommendation of GR-CO; CS-CO zoning with added condition to prohibit Automotive Sales; by consent (7-0, D. Castaneda-absent)	12/5/02: Granted GR-CO for Tract 1 and CS-CO for Tract 2 on all 3 readings (7-0)

C14-01-0169	IP to CS	2/5/02: Approved staff's alternate rec. of CS-CO w/conditions by consent (8-0)	3/21/02: Approved CS-CO w/ other conditions (7-0); 1 st reading 4/11/02: Approved CS-CO (6-0); 2 nd /3 rd readings
C14-00-2099	SF-2, GR to CS	10/17/00: Approved staff's rec. of CS-CO, with no Adult Oriented Businesses (8-0)	12/14/00: Approved CS-CO w/ additional prohibited uses (7-0); all 3 readings
C14-98-0265	AV to LI	5/25/99: Approved staff rec. of LI-PDA w/ condition regarding bicycle parking	6/3/03: Approved LI-PDA w/ conditions (7-0); all 3 readings-on emergency passage
C14-98-0212	I-RR to CS	Approved GR-CO w/conditions for front to match existing GR and CS-CO for remainder of property, prohibit auto repair and auto washing except for on-site tenants (5-2, GW/DS-Nay) on 12/15/98	Approved PC rec. of GR-CO w/ conditions 97-0); 1 st reading on 1/14/99 Approved CS-CO w/ conditions (7-0); 2 nd /3 rd readings on 4/15/99
C14-96-0131	SF-2 to GR	12/10/96: Approved staff rec. of GR (9-0)	1/9/97: Approved GR-CO w/ conditions (7-0); 1 st reading 3/20/97: Approved GR-CO w/conditions (7-0); 2 nd /3 rd readings
C14-93-0094	SF-2 to GR, CS-1	8/17/93: Approved CS-1-CO (TR1), GR-CO (TR2) w/ conditions (5-0)	11/3/94: Approved CS-1-CO & GR-CO (5-0); all 3 readings
C14-93-0047	SF-2 to CS	4/27/93: Approved GR-CO (6-0)	5/6/93: Approved GR-CO & CS-CO w/ conditions (6-0); 1 st reading 6/17/93: Approved GR-CO (7-0); 2 nd /3 rd readings

RELATED CASES: C7A-03-012 – Annexation

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Howard Lane	130'	2@30'	Arterial
Heatherwilde/Arterial #14	Not yet constructed	Not yet constructed	Arterial

CITY COUNCIL DATE: April 28, 2005

ACTION:

ORDINANCE READINGS: 1st

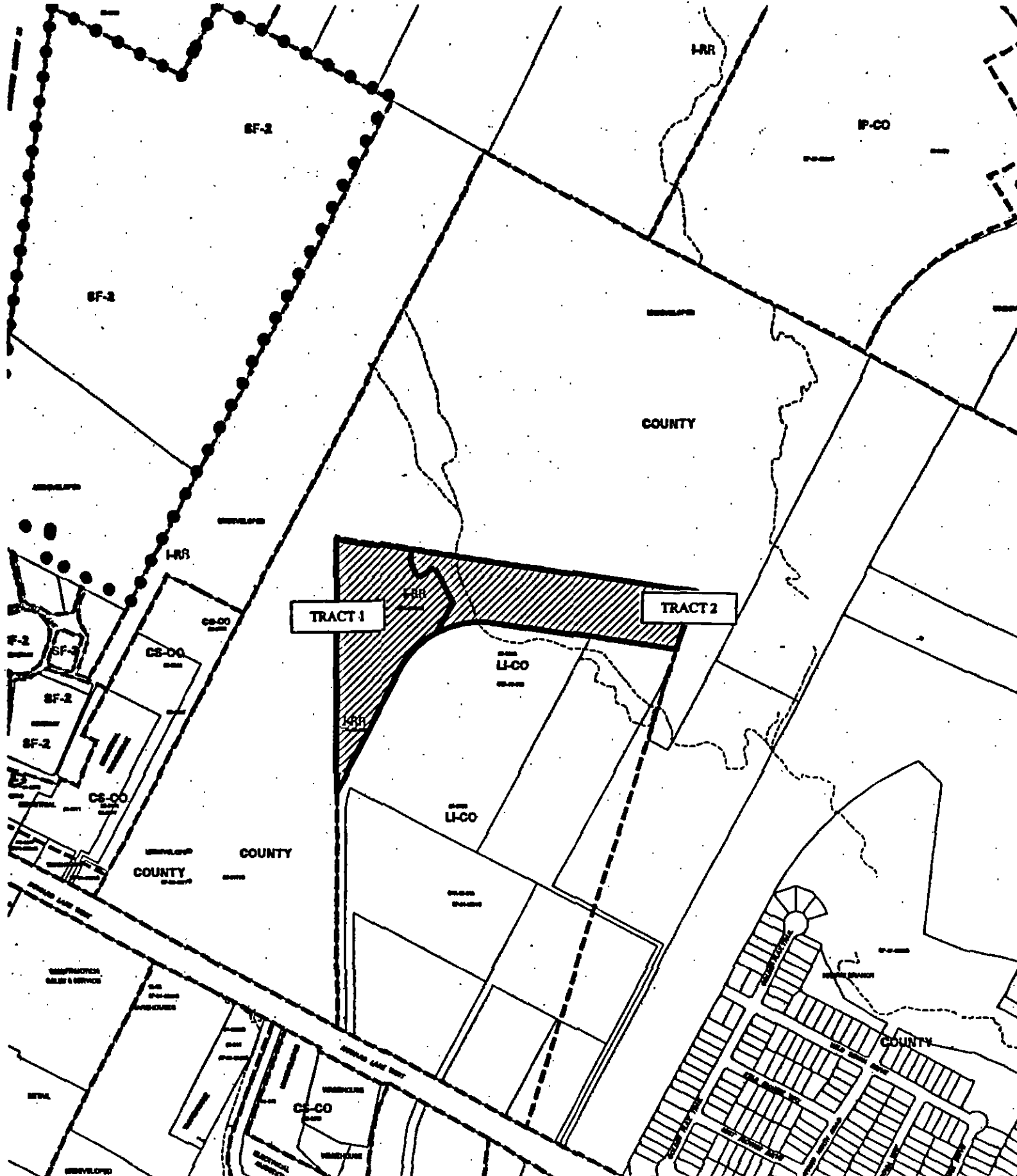
2nd


3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

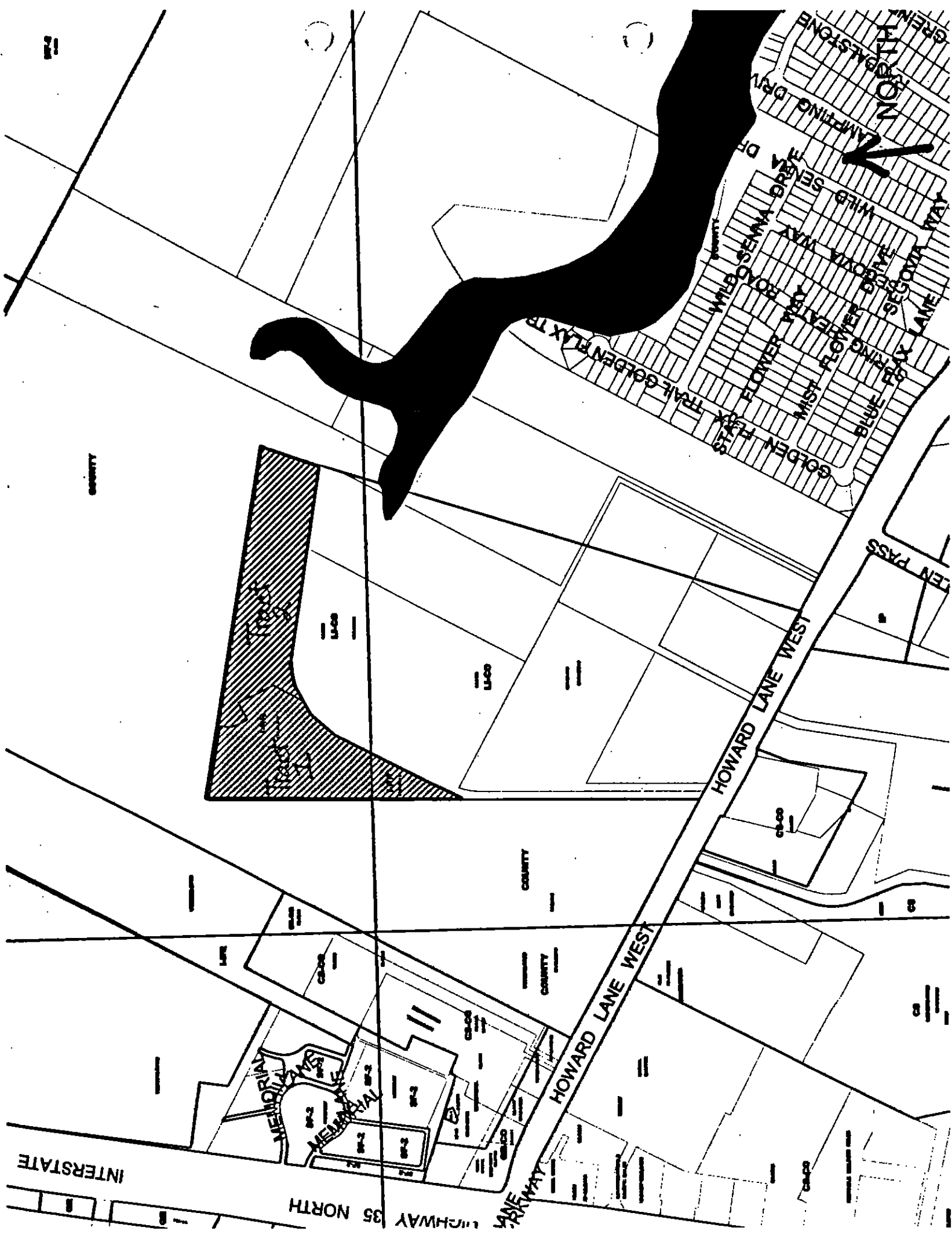
PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us

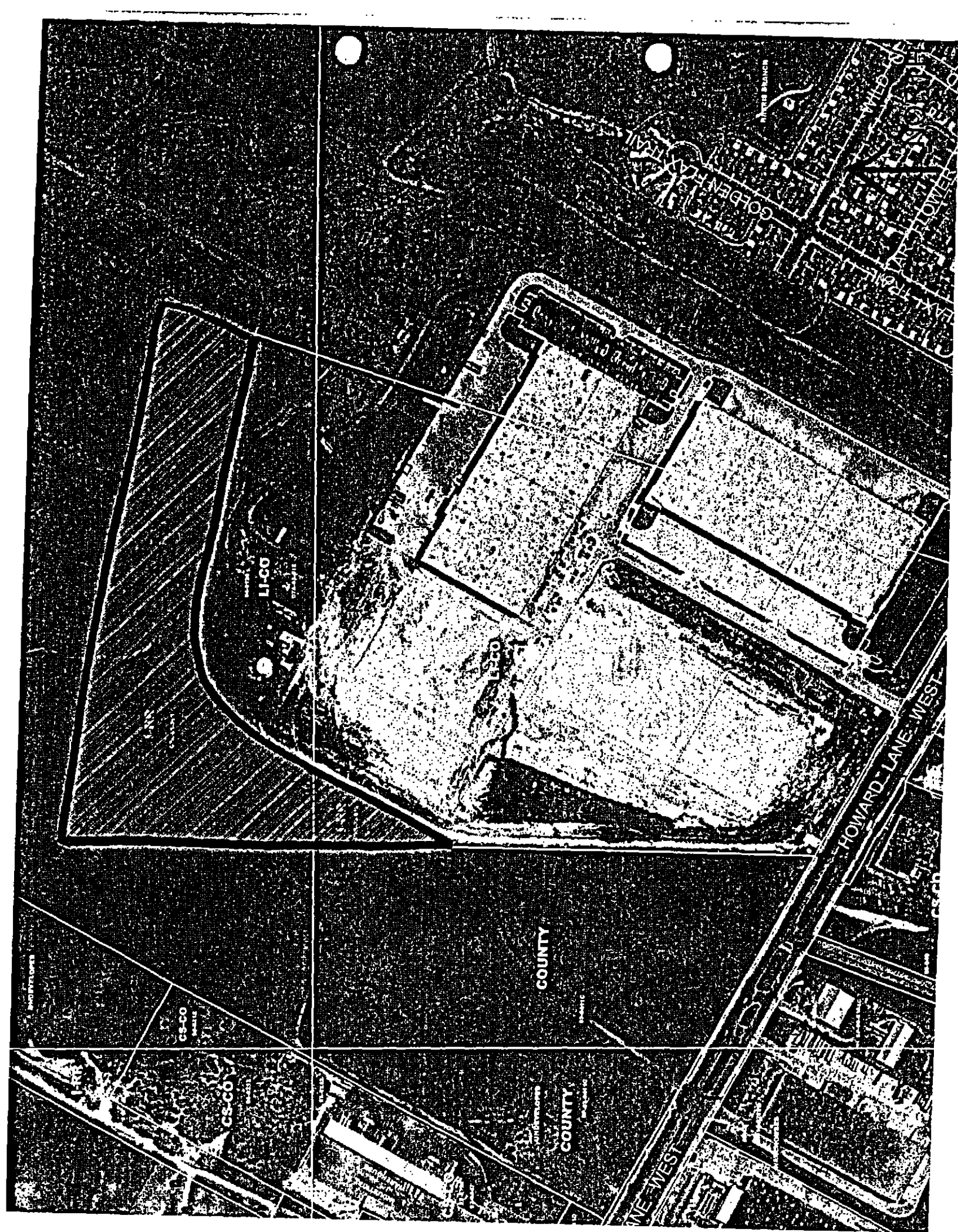


 1" = 800'	<p>SUBJECT TRACT</p> <p>PENDING CASE</p> <p>ZONING BOUNDARY</p> <p>CASE MGR: S. GAGER</p>	<p style="text-align: center;">ZONING</p> <p>CASE #: C14-04-0212</p> <p>ADDRESS: 1000 W HOWARD LANE</p> <p>SUBJECT AREA (acres): 10.677</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>N36</p>
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DATE: 05-04

INTLS: SM





STAFF RECOMMENDATION

The staff's alternate recommendation is for MF-2-CO, Multifamily Residence-Low Density-Conditional Overlay District, zoning for Tract 1 and LI-CO, Limited Industrial Services-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity for the entire site to less than 2,000 vehicle trips per day above the existing development.

BASIS FOR RECOMMENDATION

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

Multifamily residence low density (MF-2) district is the designation for a multifamily use with a maximum density of up to 23 units per acre, depending on unit size. An MF-2 district designation may be applied to a use in a multifamily residential area located near single-family neighborhoods or in an area for which low density multifamily use is desired.

The Limited Industrial Services district (LI) is the designation is for a commercial service use or limited manufacturing use generally located on a moderately sized site.

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

The MF-2-CO zoning district would allow for additional residential development adjacent to the planned 52.20 acre multifamily use in the Northtown MUD to the west. The Northtown MUD land use plan proposes a roadway to be developed through the 16.567 out parcel, which will separate the proposed uses on Tracts 1 and 2. Tract 1 will also be buffered from the planned industrial uses to the north and east by existing floodplain/ designated green space.

The LI-CO zoning district would be compatible and consistent with the surrounding uses because the property is located adjacent to existing commercial and industrial uses to the south. There is LI-CO, CS-CO, LI-PDA, and IP zoning to the south of the property in question, across Howard Lane. The Northtown MUD land use plan calls for additional industrial uses to the north and east of the proposed Tract 2.

3. *The proposed zoning should allow for a reasonable use of the property.*

The MF-2-CO zoning district will allow for a fair and reasonable use of the proposed Tract 1 area. The multifamily zoning will create housing opportunities in an area with numerous retail and industrial employers.

The LI-CO zoning district would allow for a fair and reasonable use of the proposed Tract 2. The industrial zoning will allow for the continuation of an industrial park to the north of the existing Tech Ridge 3 (south of Howard Lane) and Tech Ridge 4 (the LI-CO to the south of this site) developments.

EXISTING CONDITIONS

Site Characteristics

The site is currently an undeveloped grassy field. The property is located to the north of an industrial warehouse/trucking distribution center know as Tech Ridge 4, which fronts West Howard Lane. To the east and west of the property are large undeveloped parcels of land.

Impervious Cover

The maximum impervious cover allowed by the MF-2 zoning district would be 60% and in the LI zoning district would be 80 %. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under 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>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within, or adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

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 and Harris Branch Watersheds of the Colorado River Basin, which are classified as a Suburban Watersheds by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is a floodplain within, or adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

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.

Transportation

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

The trip generation under the requested zoning is estimated to be 17,175 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]

Capital Metro bus service is not available within 1/4 mile of this property.

Howard Lane is classified in the Bicycle Plan as a Priority 1 bike route.

There are existing sidewalks along Howard Lane.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Howard Lane	130'	2@30'	Arterial
Heatherwilde/Arterial #14	Not yet constructed	Not yet constructed	Arterial

Right-of-Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Water and Wastewater

The landowner intends to serve the site with water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, system upgrades, offsite main extension, utility adjustment, and utility relocation to serve the site and land use.

The water and wastewater utility system serving this site must be in accordance with the City design criteria. The utility plan must be reviewed and approved by the Austin Water Utility. The utility construction must be inspected by the City.

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

This site is not subject to compatibility development regulations.

The applicant should be sure to consider and verify that appropriate access will be available.

Site plans will be required for any new development other than single-family or duplex residential.

- 4. Zoning:** C14-04-0212 - Dessau Park
Location: 1000 West Howard Lane, Walnut Creek Watershed
Owner/Applicant: Beal Bank (William T. Saurenmann)
Agent: Bury & Partners, Inc. (Jon C. Kanak)
Prev. Postponed on 03/01/05 to 03/15/05 (by staff); rescheduled on 3/15/05
Postponement to 3/29/05 (staff)
Request: I-RR to MF-2 for Tract 1 and LI for Tract 2
Staff Rec.: Alternate Recommendation: MF-2-CO for Tract 1, LI-CO for Tract 2
Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@ci.austin.tx.us
 Neighborhood Planning and Zoning Department

**APPROVED STAFF'S RECOMMENDATION FOR MF-2-CO ZONING FOR TRACT 1;
 AND LI-CO ZONING FOR TRACT 2, BY CONSENT.
 [J.M; J.G 2ND] (9-0)**

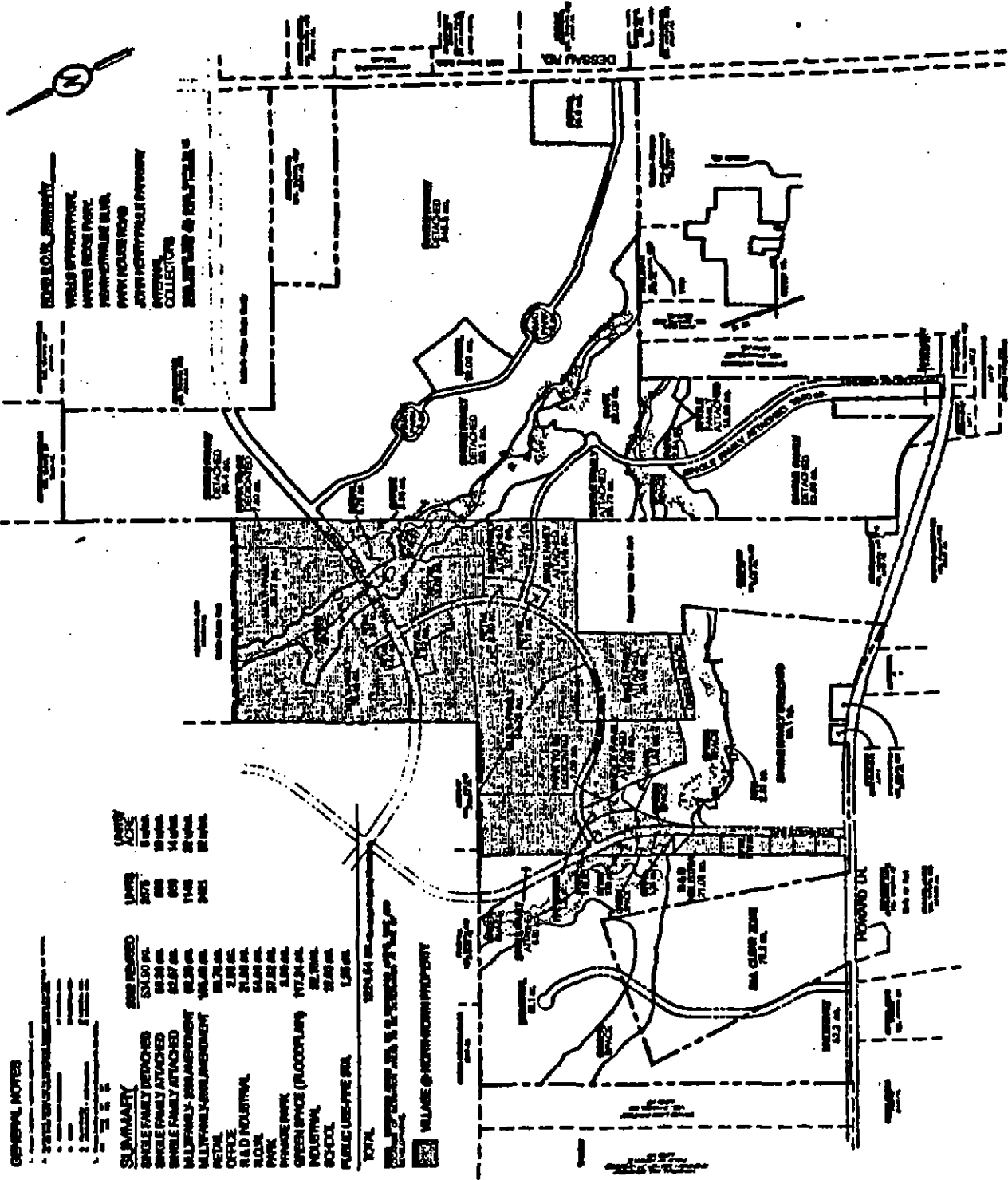
- 5. Rezoning:** C14-04-0186 - Helen, Ltd.
Location: 10700 Anderson Mill Road, Bull Creek Watershed
Owner/Applicant: Helen, Ltd. (William B. Phol)
Agent: Pohl, Brown, and Associates, Inc. (Lee Miks)
Prev. Rescheduled from 3/15/05 to 3/29/05 (staff)
Postponements
Request: GR, LR, SF-6 to GR
Staff Rec.: Alternate Recommendation: GR-CO for Tract 1, LR for Tract 2,
 LO for Tract 3
Staff: Sherri Sirwaitis, 974-3057, sherri.sirwaitis@ci.austin.tx.us
 Neighborhood Planning and Zoning Department

**POSTPONED TO 04/19/05 (APPLICANT)
 [J.M; J.G 2ND] (9-0)**

- 6. Zoning:** C814-04-0144 - 6th and Lamar Market District
Location: 601-711 North Lamar Blvd., Shoal Creek Watershed
Owner/Applicant: Broadcast Financial Services Inc. and Berr Properties (E.B. Granger)
Agent: Schlosser Development (David Vatanza)
Prev. Postponed on 03/01/05 to 03/15/05 (by staff & applicant); rescheduled
Postponement from 3/15/05 to 3/29/05 (staff)
Request: CS to PUD
Staff Rec.: RECOMMENDED
Staff: Glenn Rhoades, 974-2775, glenn.rhoades@ci.austin.tx.us
 Neighborhood Planning and Zoning Department

**POSTPONED TO 04/19/05 (APPLICANT)
 [J.M; J.G 2ND] (8-0-1) M.H - ABSTAINED**

NORTHOWN MUD REVISED LAND USE PLAN PER SIXTH AMENDMENT



ALL AREAS SHOWN ON THIS MAP ARE SUBJECT TO THE PROVISIONS OF THE NORTHOWN ZONING ORDINANCE, AS AMENDED.

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

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: C14-04-0212

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing:

March 29, 2005 Zoning and Platting Commission

MICHAEL PURSLEY

Your Name (please print)

1001 W. HOWARD LANE

Your address(es) affected by this application

M. Pursley

Signature

3-23-05

Date

Comments: WE FEEL THAT THIS REQUEST FOR REZONING SHOULD BE DENIED. WE FEEL THAT THE MF-2 ZONING WILL NEGATIVELY IMPACT THE ALREADY SEVERELY CONGESTED SITUATION ON HOWARD LANE DURING PEAK DRIVING TIMES. THIS WILL NOT ONLY AFFECT ACCESS TO OUR LOCATION BUT ALSO TO OUR IMMEDIATE NEIGHBORS & CAUSE MORE BACKUPS AT THE IH 35+ HOWARD LANE INTERSECTION.

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

City of Austin

Neighborhood Planning and Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

