

**Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: 57
AGENDA DATE: Thu 06/09/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0037.SH - Hearthside (S.M.A.R.T. Housing) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7101 North I.H. 35 from limited industrial services (LI) district zoning and general commercial services (CS) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Conditions met as follows: Conditional Overlay incorporates the conditions imposed at first ordinance reading. First reading on May 12, 2005. Vote 7-0. Applicant: Austin CSAI, L.P. (Todd Dobson). Agent: Foundation Communities (Walter Moreau). City Staff: Robert Heil, 974-2330.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-05-0037.SH

REQUEST:

Approve second / third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7101 North IH-35 (Waller Creek Watershed) to General Commercial Services – Mixed Use combining district with a conditional overlay limiting the trips to no more than 2,000 vehicle trips per day. (CS-MU-CO). The applicant agrees with this condition

DEPARTMENT COMMENTS:

The tract is zoned Limited Industrial Services (LI) , and the request was for General Commercial Services (CS). The will be developed by Foundation Communities, a nationally-recognized non-profit providing affordable housing, community learning centers, supportive housing, and asset-building opportunities. The proposed project will be housed in an existing building currently used as an extended stay hotel.

The site lies on IH-35 and is surrounded by intense commercial and office uses. The site is intended to be redeveloped as a residential complex with onsite services for residents.

The project has been certified by the City's S.M.A.R.T. Housing program.

OWNER/APPLICANT: Austin CSAI, L.P (Todd A. Dobson)

AGENT: Foundation Communities (Walter Moreau)

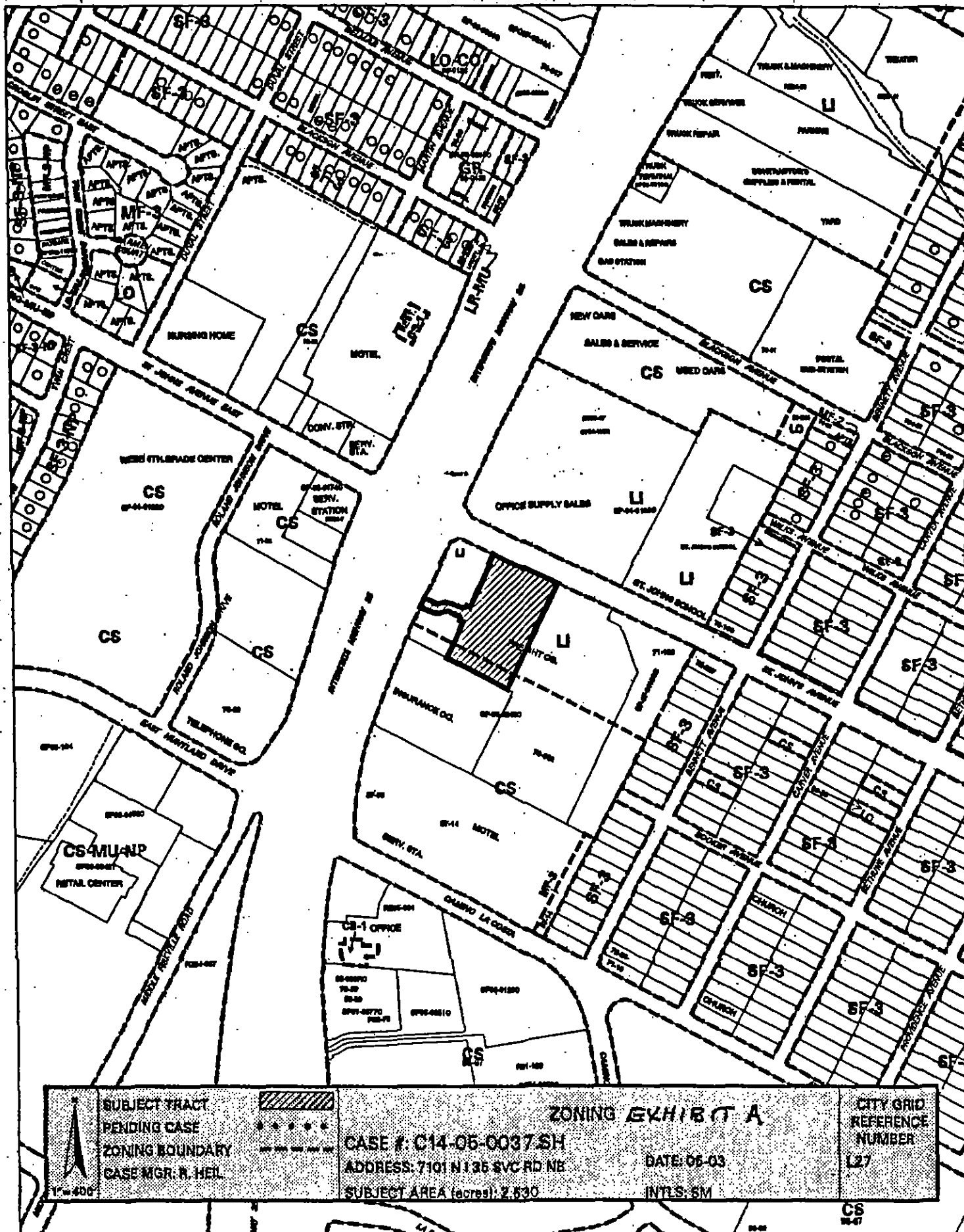
DATE OF FIRST READING: May, 12, 2005. Approved CS-MU-CO (7-0 on consent).

CITY COUNCIL HEARING DATE: June 9, 2005.

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Robert Heil, e-mail: robert.heil@ci.austin.tx.us



	<p>SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR. R. HEIL</p>	<p>ZONING EXHIBIT A</p> <p>CASE #: C14-05-0037.SH ADDRESS: 7101 N 135 SVC RD NB SUBJECT AREA (acres): 2.530</p>	<p>DATE: 06-03 INTLS: 5M</p>	<p>CITY GRID REFERENCE NUMBER L27</p>
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ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7101 NORTH IH-35 FROM LIMITED INDUSTRIAL SERVICES (LI) DISTRICT AND GENERAL COMMERCIAL SERVICES (CS) DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-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 limited industrial services (LI) district and general commercial services (CS) district to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district on the property described in Zoning Case No. C14-05-0037.SH, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 3, Block A, Hendricks Commercial Properties Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 102, Page 192, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 7101 North IH-35, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

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

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

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

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2 **PART 3.** This ordinance takes effect on _____, 2005.
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5 **PASSED AND APPROVED**
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7

8
9 _____, 2005

10
11 Will Wynn
12 Mayor
13

14 **APPROVED:** _____

15 David Allan Smith
16 City Attorney

ATTEST: _____

Shirley A. Brown
City Clerk

ZONING CHANGE REVIEW SHEET**CASE:** C14-05-0037.SH**ZAP Date:** April 19, 2005**PROJECT:** Hearthside (S.M.A.R.T. Housing)**ADDRESS:** 7101 N IH-35**OWNER/APPLICANT:** Austin CSAI, L.P.
(Todd A. Dobson)**AGENT:** Foundation Communities
(Walter Moreau)**ZONING FROM:** LI and CS**TO:** CS-MU**AREA:** 2.530 acres**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the request to General Commercial Services – Mixed Use combining district with a conditional overlay limiting the trips to no more than 2,000 vehicle trips per day. (CS-MU-CO). The applicant agrees with this condition.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

April 19, 2005: Approved by consent the request to General Commercial Services – Mixed Use . (CS-MU-CO) combining district with a conditional overlay limiting the trips to no more than 2,000 vehicle trips per day. [Vote: 7-0 consent, Commissioners Hammond and Jackson absent]

DEPARTMENT COMMENTS:

The tract is zoned Limited Industrial Services (LI) , and the request was for General Commercial Services (CS). The will be developed by Foundation Communities, a nationally-recognized non-profit providing affordable housing, community learning centers, supportive housing, and asset-building opportunities. The proposed project will be housed in an existing building currently used as an extended stay hotel.

The site lies on IH-35 and is surrounded by intense commercial and office uses. The site is intended to be redeveloped as an residential complex with onsite services for residents.

The project has been certified by the City's S.M.A.R.T. Housing program.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LI	Extended Stay Hotel
<i>North</i>	LI	Home Depot
<i>South</i>	CS	Offices
<i>East</i>	LI	Freight Company
<i>West</i>	CS (across IH-35)	Gas Station and Motel

AREA STUDY: The property lies within the proposed St. John's Neighborhood Planning Area

TIA: N/A

WATERSHED: Waller Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Edward Joseph Developments, Ltd.
- Austin Neighborhoods Council
- North East Action Group
- Taking Action Inc.
- St. John's Neighborhood Association
- St. John's Advisory Board
- Village at Coronado Hills Homeowners' Association

SCHOOLS: (AISD)

Pickle Elementary School Webb Middle School Reagan High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	ADT
St. Johns Ave	Varies	Varies	Freeway	216,000 (2003)
Manor Road	Varies	Varies	Arterial-Minor	12,567

There are sidewalks existing along the north side of St. Johns Avenue only – none along this property's street frontage. There are no existing sidewalks along this property's street frontage of IH-35.

Capital Metro bus service is available within ¼ mile of this property along IH-35 with bus routes #142 (Flyer), #174 (Flyer), #495 (Special), #975 (Express), and CR (UT Shuttle); and along St. Johns Avenue with bus route #300/320 (Crosstown).

CITY COUNCIL DATE:

ACTION:

May 12, 2005:

Approved CS-MU-CO on consent
(1st reading)

June 9, 2005:

ORDINANCE READINGS:

1st: 5/12/05

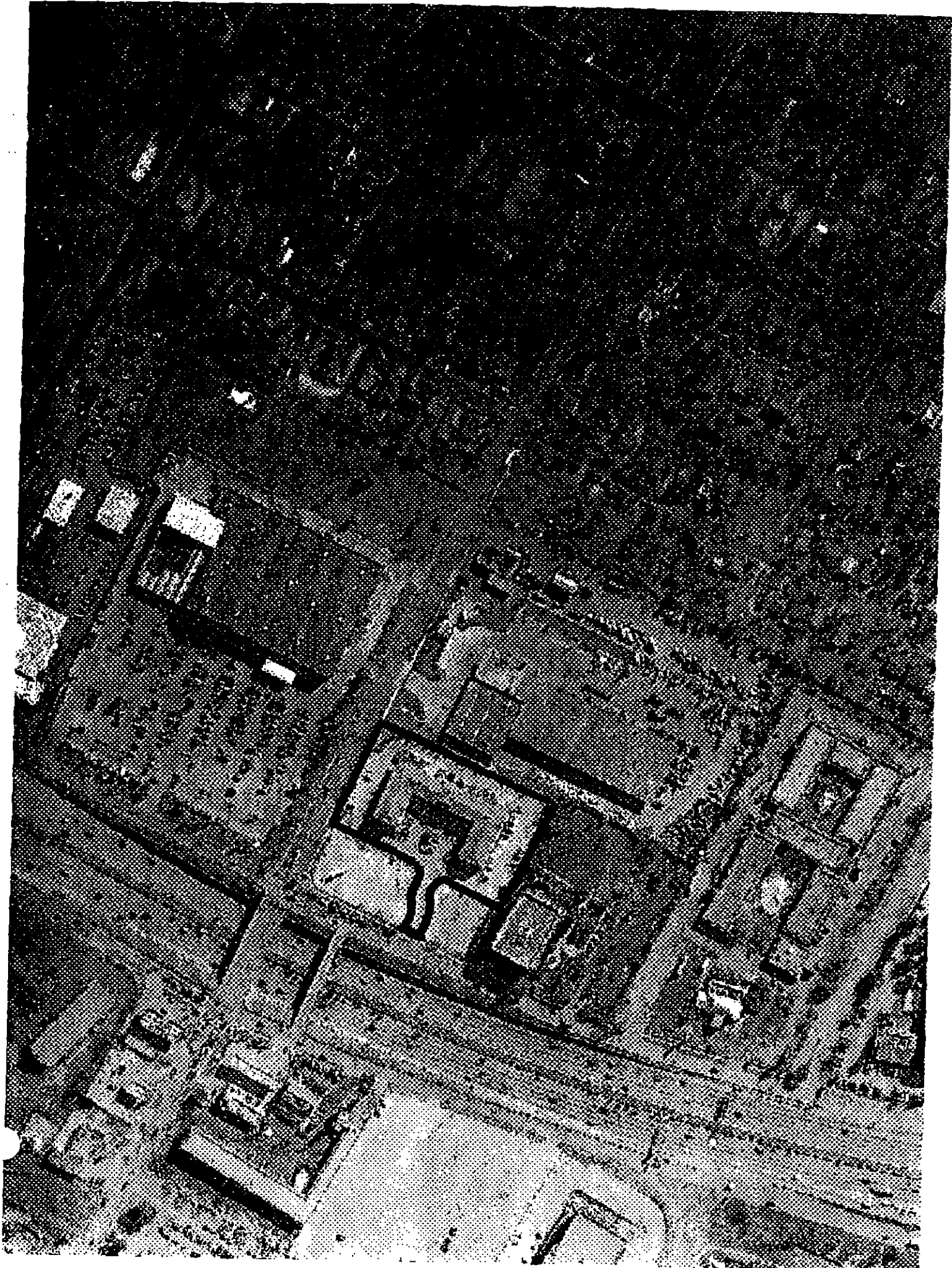
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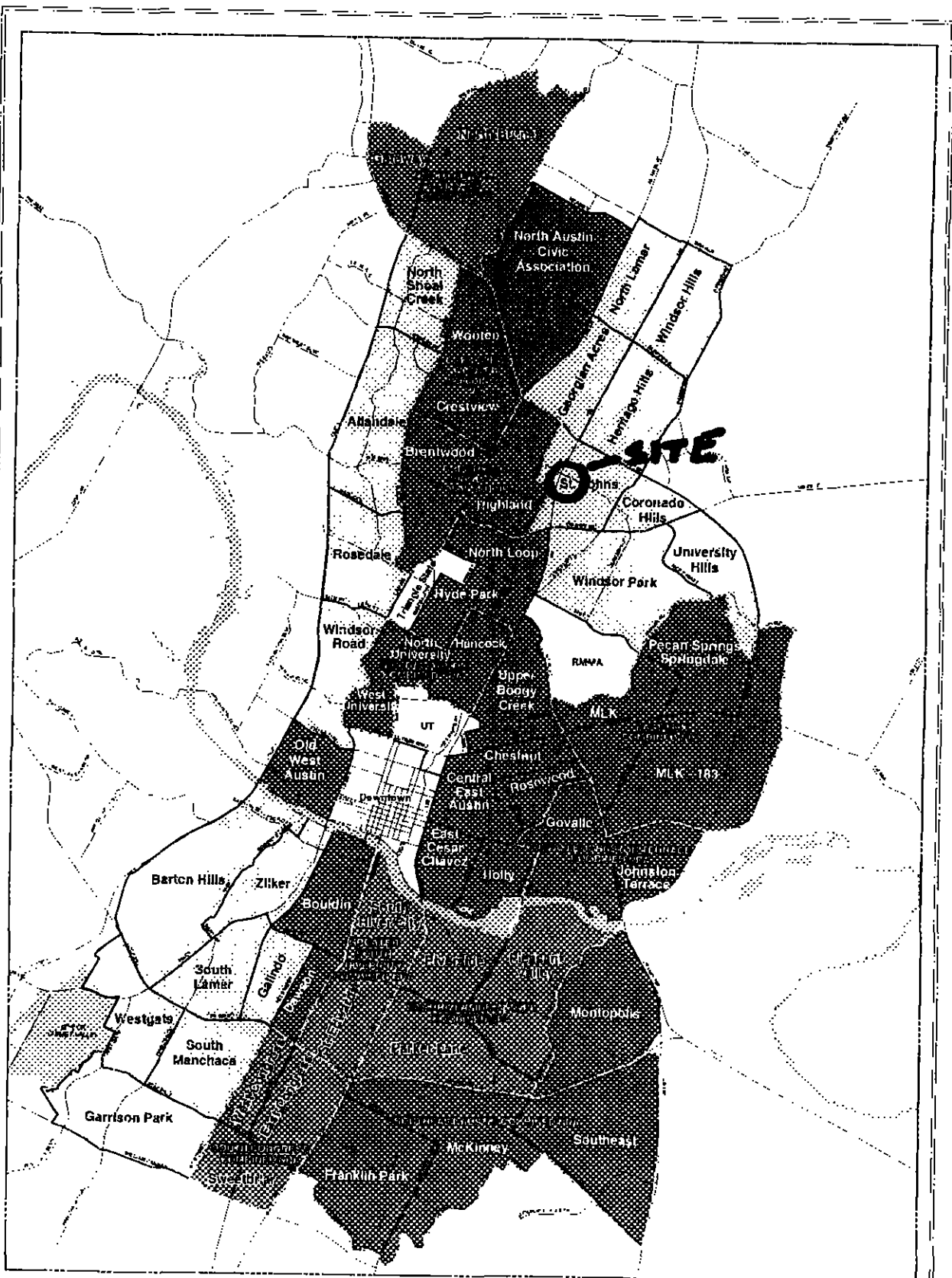
3rd

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330





City of Austin Neighborhood Planning Areas

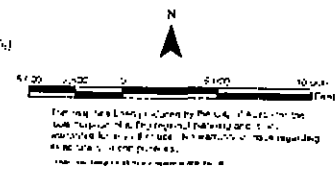


The City of Austin
Neighborhood Planning Areas
 7-10-11-12-13-14

Combined Neighborhood
Planning Areas

Neighborhood Plan Status

- Adopted Neighborhood Plan & Zoning
- Neighborhood Plan Underway
- Future Neighborhood Planning Area
- Non-Neighborhood Planning Area



SUMMARY STAFF RECOMMENDATION

C14-05-0037.SH

Staff recommends approval of the request to General Commercial Services – Mixed Use combining district with a conditional overlay limiting the trips to no more than 2,000 vehicle trips per day. (CS-MU-CO). The applicant agrees with this condition.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The Commercial Services-Mixed Use zoning request is consistent with the location and surrounding uses

2. *The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.*

The provision of affordable housing is a stated goal of the City Council, and this project is taking part in the City's SMART Housing program.

EXISTING CONDITIONS

Site Plan

SP 01. Site plans will be required for any new development other than single-family or duplex residential.

SP 02. This tract is already developed and the proposed zoning change is a footprint within the existing development. A change of use within the existing structure would not trigger compatibility development regulations.

Transportation

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

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 trips per day. [LDC, 25-6-117]

The trip generation under the requested zoning is estimated to be 11,348 trips per day assuming that the site develops to the maximum intensity allowed under the requested zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

There are sidewalks existing along the north side of St. Johns Avenue only – none along this property's street frontage. There are no existing sidewalks along this property's street frontage of IH-35.

Capital Metro bus service is available within ¼ mile of this property along IH-35 with bus routes #142 (Flyer), #174 (Flyer), #495 (Special), #975 (Express), and CR (UT Shuttle); and along St. Johns Avenue with bus route #300/320 (Crosstown).

St. Johns Avenue is classified as part of the Metropolitan Bicycle Route System.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	ADT
St. Johns Ave	Varies	Varies	Freeway	216,000 (2003)
Manor Road	Varies	Varies	Arterial-Minor	12,567

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustment are required, the landowner will be responsible for all costs and providing. Also, the 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 and specifications.

The landowner must pay all required water and wastewater utility tap permit, impact, construction inspection, and utility plan review fees.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Buttermilk 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. It is in the Drinking Water Protection Zone/ Desired Development Zone. Impervious cover is not limited in this watershed class. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

According to flood plain maps, there is no flood plain within the project area.

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.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.