

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-7
AGENDA DATE: Thu 09/01/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0102 - Terrace at Onion Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 2110 Boca Raton Drive (Onion Creek Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning to neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Applicant: TAOC Ltd. (Robert McDonald, III). Agent: Vigil & Associates (Hermann Vigil). City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0102

Z.P.C. DATE: August 2, 2005

ADDRESS: 2110 Boca Raton Drive

OWNER: TAOC Ltd
(Robert W. McDonald, III)

AGENT: Vigil & Associates
(Hermann Vigil)

ZONING FROM: I-SF-2

TO: LR

AREA: 2 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant neighborhood commercial – conditional overlay (LR-CO) district zoning. The Conditional Overlay limits the development of the property to 2,000 trips per day.

ZONING & PLATTING COMMISSION RECOMMENDATION:

August 2, 2005: *APPROVED STAFF'S RECOMMENDATION FOR LR-CO ZONING; BY CONSENT.*

[M. W. HAWTHORNE, T. RABAGO - 2ND] (8-0) J. MARTINEZ – ABSENT

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject property is developed with a financial services use, zoned interim – single family residence standard lot (I-SF-2, upon its annexation into the City limits) and takes access to the northbound IH-35 frontage road, Boca Raton Drive and Crown Colony Drive. The property is adjacent to a professional office, dry cleaners and day spa with fitness center to the north (under consideration for GR-CO and existing LR-CO), townhouses and duplexes to the east (LR-CO), and a service station with food sales, undeveloped property and duplexes to the south (GR-CO; SF-6; I-SF-2). Single family residences are located further east. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the lot to the neighborhood commercial (LR) district to be consistent with the existing use (a financial services use is first allowed in LR). LR zoning is appropriate along the IH-35 northbound frontage road and one of the primary Onion Creek subdivision entrances, and the permitted uses are appropriate to serve this subdivision. Furthermore, LR zoning is compatible and consistent with the land uses and zonings that have been established north of Onion Creek Parkway. Furthermore, commercial zoning will establish a transition between IH-35 and the residential component of Onion Creek subdivision. The Conditional Overlay calls for a maximum number of daily vehicle trips that

will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-SF-2	Financial services
<i>North</i>	I-SF-2	Professional office; Dry cleaners; Service station with food sales; Undeveloped (under consideration for GR-CO zoning – Cella 2); Automotive sales and repair – motorcycle use
<i>South</i>	I-SF-2; LR-CO	Service station with food sales; Undeveloped; Duplexes
<i>East</i>	I-SF-2; CR-CO	Townhouses; Duplexes
<i>West</i>	N / A	Frontage road and main lanes of IH-35

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Onion Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 300 – Terrell Lane Interceptor Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 499 – Park Ridge Owners Association
 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District
 948 – South by Southeast Neighborhood Organization

SCHOOLS:

Graham Elementary School

Dobie Middle School

Reagan High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0101 – Onion Creek Commercial	I-SF-2 to GR	Scheduled for August 2, 2005.	Pending.
C14-05-0044 – Cella 2	I-RR to GR	To Grant GR-CO with CO for building setback; size of building footprint; height limit;	Scheduled for July 28, 2005.

		impervious cover limit; list of prohibited uses; 2,000 trips per day. Restrictive Covenant to address limitations on auto repair and auto sales to motorcycles.	
C14-04-0114 (Keese Tract)	I-RR; MF-2-CO to GR-MU-CO for Tract One; CS-MU-CO for Tract Two	To Grant GR-MU-CO for Tract One; CS-MU- CO for Tract Two with added conditional uses of auto repair, sales and washing; and the conditions of the TIA	Scheduled for July 28, 2005.
C14-04-0178	I-SF-2 to LR	To Grant LR-CO	Approved LR-CO (12- 9-04).
C14-04-0044 (Onion Creek Golf Course)	I-RR to CR	To Grant CR-CO with CO for list of prohibited uses	Approved CR-CO as recommended by ZAP (5-6-04).
C14-04-0020 (Double Creek Village)	I-RR (Upon Annexation) to CS-MU for Tract 1; MF-3 for Tract 2	To Grant CS-MU-CO with conditions of the TIA for Tract 1. The CO is a list of prohibited uses; MF-2 with conditions of the TIA for Tract 2.	Approved CS-MU-CO with Restrictive Covenant for the TIA as recommended by ZAP (5-6-04).
C14-04-0019 (Double Creek Village)	I-RR (Upon Annexation) to CS	To grant CS-CO with conditions of the TIA and the CO is for list of prohibited uses	Approved CS-CO with Restrictive Covenant for the TIA as recommended by ZAP (5-6-04).
C14-03-0053 (Double Creek Village)	I-RR to CS	To Grant CS-CO for Tract 1; GR-CO for Tract 2, with conditions of the TIA. CO is for list of prohibited uses; and prohibit access to Old San Antonio Road. Restrictive Covenant for the TIA.	Approved CS-CO for Tract 1 and GR-CO for Tract 2 with Restrictive Covenant for the TIA as recommended by ZAP (12-11-03).
C14-00-2181 (Keese Tract)	I-RR to MF-2	To Grant MF-2-CO with CO for 25' setback along the south and southeast property lines adjacent to residential properties	Approved MF-2-CO as recommended by PC (2-8-01).

		and conditions of the TIA; RR for the flood plain	
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RELATED CASES:

As shown in Exhibit B, the rezoning area is platted as Lot 1, Onion Creek Section 4D, recorded in December 1982.

Lot 1 was annexed into the Full-Purpose Jurisdiction on December 31, 2003 along with other portions of the Onion Creek development.

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
IH-35	Varies; 300-400 feet	Varies	6 lane Freeway	115,000 (2000)
Boca Raton Drive	60 feet	40 feet	Collector	N / A
Crown Colony Drive	70 feet	40 feet	Collector	N / A

- IH-35 is classified in the Bicycle Plan as a Priority 2 bike route.
- Capital Metro bus service is not available within 1/4 mile of this property.

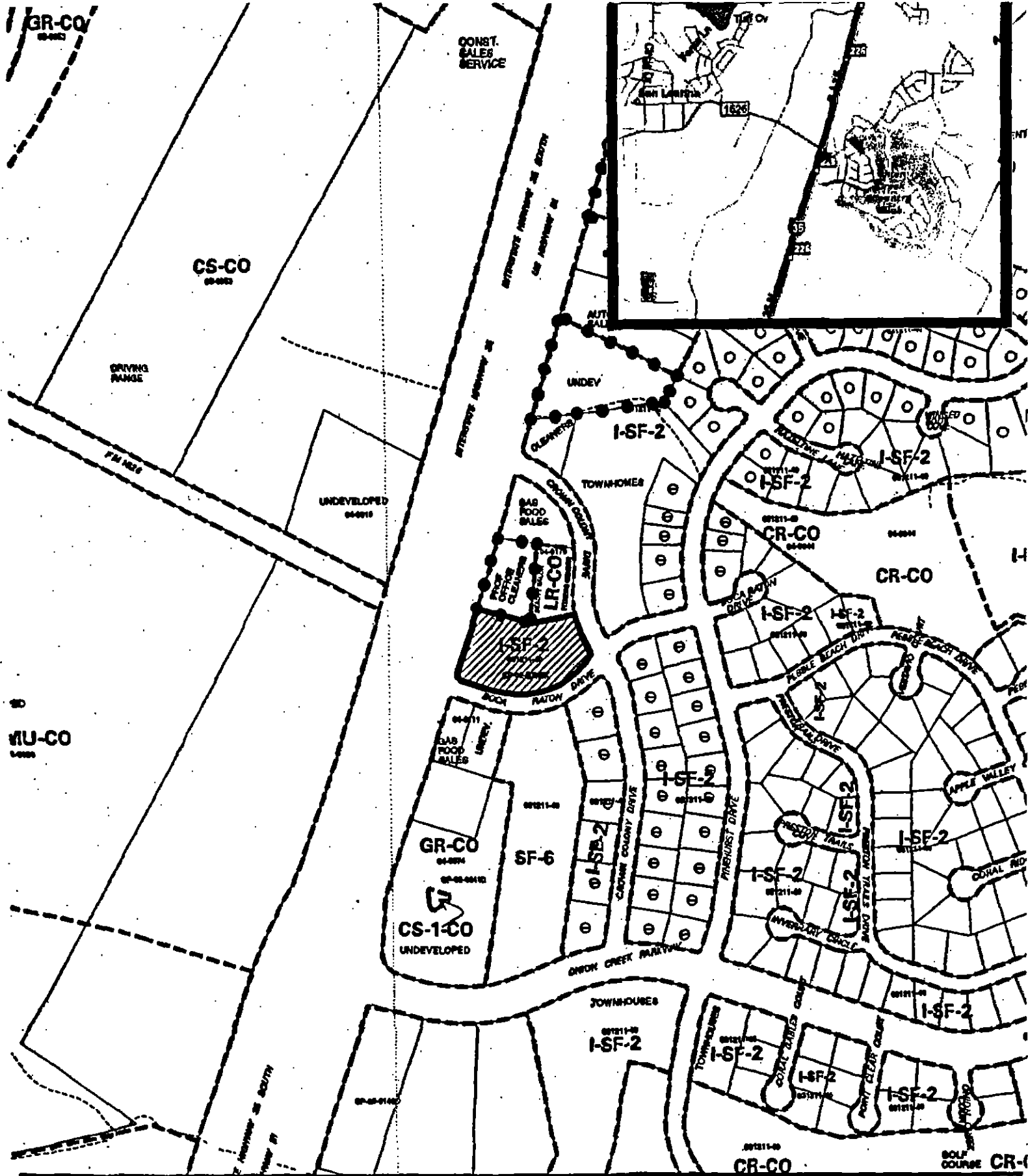
CITY COUNCIL DATE: September 1, 2005 **ACTION:**

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us

PHONE: 974-7719



 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: W. WALSH	 	ZONING EXHIBIT A CASE #: C14-05-0102 ADDRESS: 2110 BOCA RATON DR SUBJECT AREA (acres): 2 I-RR	DATE: 05-07 INTLS: SM	CITY GRID REFERENCE NUMBER F11
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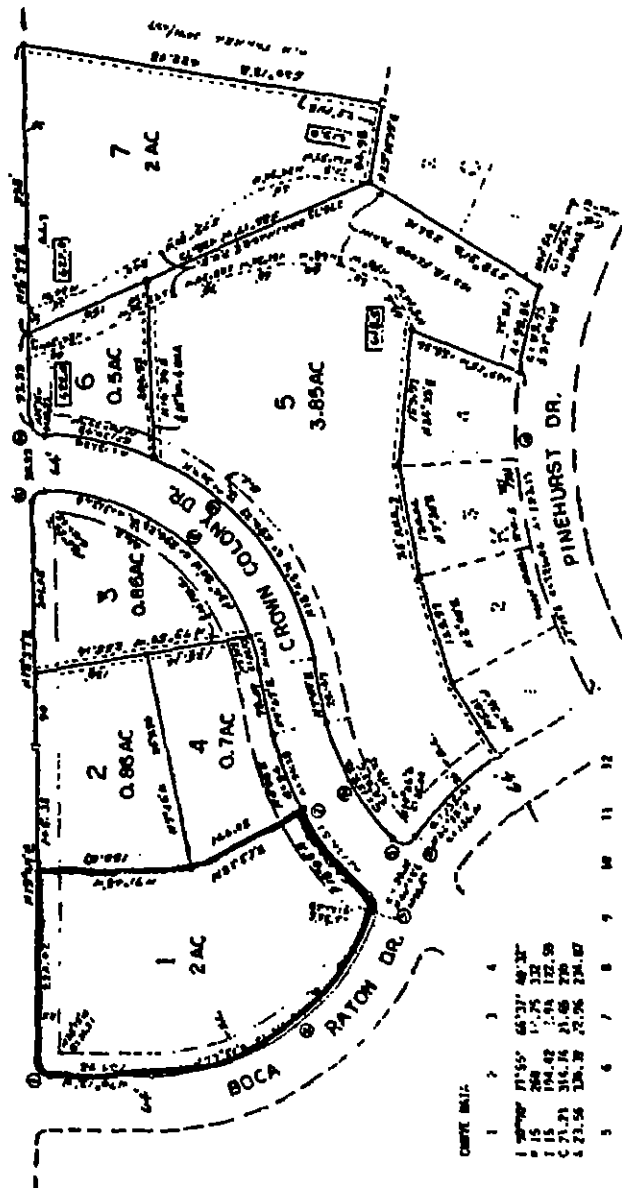
14-35

Exhibit A-1

ONION CREEK SECTION 4D

81 1129

1. H. 35



6/4/58
 James J. Malone, Jr.

James J. Wilson, Jr.

05/27/90



1. James T. Watson, an authorized under the laws of the State of Texas to execute the profession of Surveying and hereby certify that this plat complies with Chapter 13-3 of the Austin City Codes it is true and correct; and was prepared from an actual survey made of the property, under my supervision, and to the record.

James J. Dwyer

James J. Dwyer



Siderall; shall be installed on both sides of Green Gallery Dr. and Back Room Dr. & necessary as per plan.)

g. No lot in this subdivision shall be occupied until connection is made to a subdivision water and sewerage system approved by the state health department.

1. Prior to construction on any lot to this subdivision, construction plans shall be submitted to the City of Austin Engineering Department for review. Rainfall runoff shall be held to the amount existing at undisturbed status by the use of modeling or other approved methods.

EXHIBIT B
RECORDED PAGE

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant neighborhood commercial – conditional overlay (LR-CO) district zoning. The Conditional Overlay limits the development of the property to 2,000 trips per day.

BACKGROUND

The subject property is developed with a financial services use, zoned interim – single family residence standard lot (I-SF-2, upon its annexation into the City limits) and takes access to the northbound IH-35 frontage road, Boca Raton Drive and Crown Colony Drive. The property is adjacent to a professional office, dry cleaners and day spa with fitness center to the north (under consideration for GR-CO and existing LR-CO), townhouses and duplexes to the east (LR-CO), and a service station with food sales, undeveloped property and duplexes to the south (GR-CO; SF-6; I-SF-2). Single family residences are located further east.

The Applicant proposes to rezone the lot to the neighborhood commercial (LR) district to be consistent with the existing use (a financial services use is first allowed in LR). LR zoning is appropriate along the IH-35 northbound frontage road and one of the primary Onion Creek subdivision entrances, and the permitted uses are appropriate to serve this subdivision. Furthermore, LR zoning is compatible and consistent with the land uses and zonings that have been established north of Onion Creek Parkway. Furthermore, commercial zoning will establish a transition between IH-35 and the residential component of Onion Creek subdivision. The Conditional Overlay calls for a maximum number of daily vehicle trips that will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The LR, Neighborhood Commercial district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: "The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment."

The property takes direct access to the northbound frontage road of I-35, as well as Boca Raton Drive and Crown Colony Drive, both of which are collector streets.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

LR zoning is appropriate along the IH-35 northbound frontage road and one of the primary Onion Creek subdivision entrances, and the permitted uses are appropriate to serve this subdivision. Furthermore, LR zoning is compatible and consistent with the land uses and zonings that have been established north of Onion Creek Parkway. Furthermore, commercial zoning will establish a transition between IH-35 and the residential component of Onion Creek subdivision. The Conditional Overlay calls for a maximum number of daily vehicle trips that will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING CONDITIONS

Site Characteristics

The subject property is developed with financial services. The site is relatively flat and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the LR-CO zoning district would be 80%, which is based on the more restrictive watershed regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Onion 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. 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%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.

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 3,347 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). This is currently built with a 16,335sf Bank w/ 4 drive thru lanes and a 2,314sf office which would generate approximately 1,651 trips per day and no new traffic from this site is anticipated.

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]

Water and Wastewater

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 and system upgrades to serve the site and land use. 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 design criteria. The construction must be inspected by the City. The landowner must pay the associated City fees.

Compatibility Standards

This tract is already developed. A change of use within the existing structure would not trigger compatibility development regulations. However, any new construction on this site would be subject to compatibility development regulations due to the existing I-SF-2 zoned property to the east, SF-6 zoned property to the south and would be subject to the following requirements:

Along the south and east property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 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.

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 2110 BOCA RATON DRIVE AND CHANGING THE ZONING MAP FROM INTERIM SINGLE FAMILY RESIDENCE STANDARD LOT (I-SF-2) DISTRICT TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL OVERLAY (LR-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 interim single family residence standard lot (I-SF-2) district to neighborhood commercial-conditional overlay (LR-CO) combining district on the property described in Zoning Case No. C14-05-0102, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 1, Onion Creek Section 4D Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 83, Page 55c and 55D, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 2110 Boca Raton Drive, 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 neighborhood commercial (LR-CO) base district and other applicable requirements of the City Code.

1 **PART 3.** This ordinance takes effect on _____, 2005.

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4 **PASSED AND APPROVED**

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6
7
8 _____, 2005

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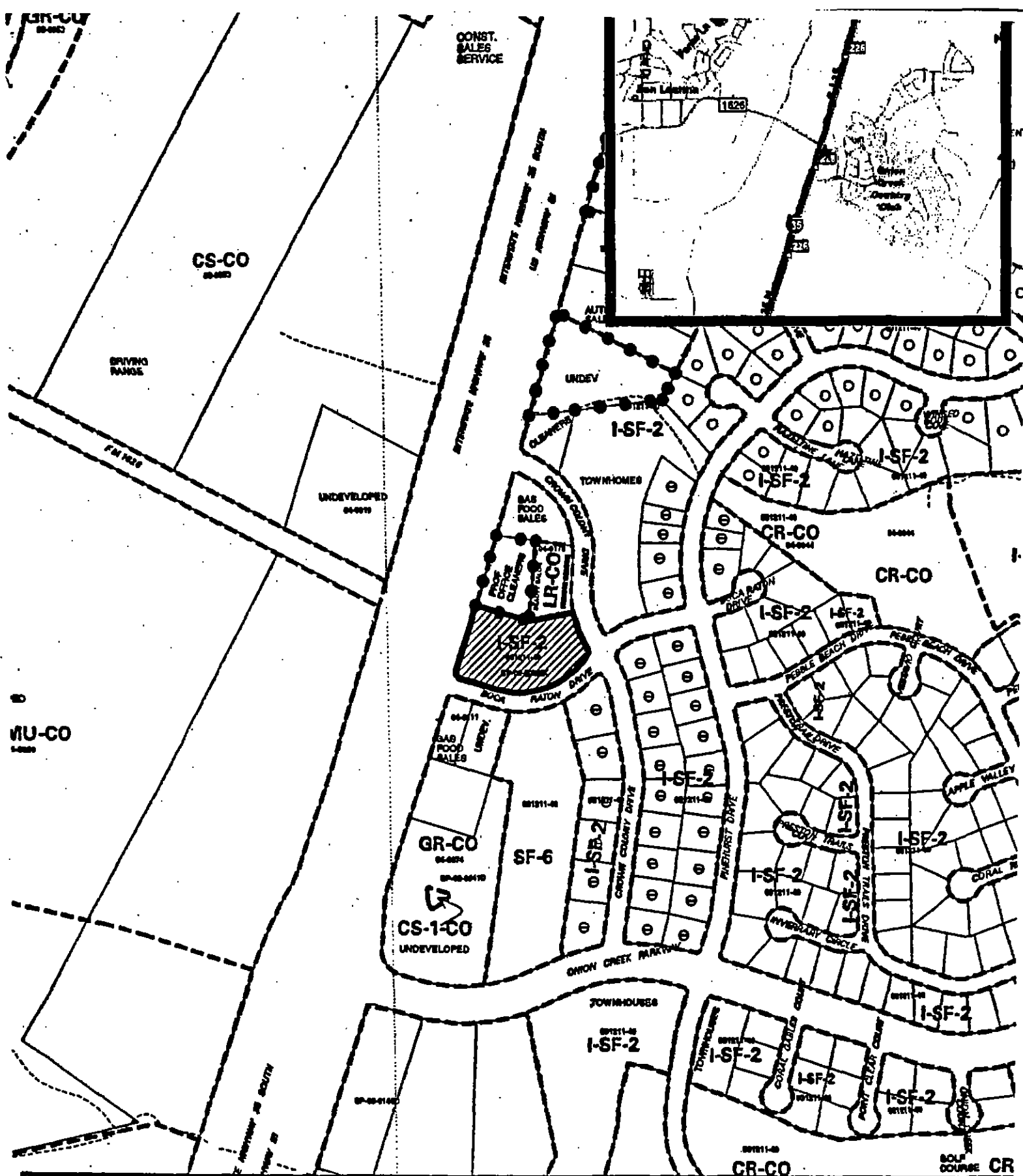
Will Wynn
Mayor

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13 **APPROVED:** _____

ATTEST: _____

14 David Allan Smith
15 City Attorney

Shirley A. Brown
City Clerk



 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT A		CITY GRID REFERENCE NUMBER F11
	PENDING CASE				
	ZONING BOUNDARY		CASE #: C14-05-0102	DATE: 05-07	
	CASE MGR: W. WALSH		ADDRESS: 2110 BOCA RATON DR	INTLS: SM	
			SUBJECT AREA (acres): 2	I-RR	