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ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0012 / Waterford House

ZAP DATE: April 5, 2011

ADDRESS: 2008 Brandt Road

OWNER: Shoreline Church, Inc. (Donald R. Dickey II) 512-310-2244

AGENT: Brown McCarroll, LLP. (Jerry Harris) 512-479-9710

ZONING FROM: I-RR

TO: GR

SITE AREA: 9.07 acres (395,089.2 sq. ft.)

SUMMARY STAFF RECOMMENDATION: The staff recommendation is to approve the change from I-RR (Interim Rural Residence) district zoning to GR-CO (Community Commercial - Conditional Overlay) combining zoning district. The Conditional Overlay will limit the trips to less than 2,000 per day and prohibit the following uses: Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type), Commercial off-street parking, Congregate living, Drop-off recycling collection facility, Exterminating services, Hotel-motel, Off-site accessory parking, Outdoor entertainment, Outdoor sports and recreation, Pawn shop services, Service station and Residential treatment.

Additional Right-of-Way is still under discussion and may be required prior to third reading of the zoning case. Staff will provide an update at the Zoning and Platting Commission meeting on April 5, 2011.

SUMMARY ZONING AND PLATTING COMMISSION RECOMMENDATION:

Pending. This case is scheduled for the Zoning and Platting Commission meeting of April 5, 2011.

DEPARTMENT COMMENTS: The 9.07-acre site is currently zoned I-RR (Interim Rural Residence) district and is located on Brandt Road just east of its intersection with IH-35 and west of E. Slaughter Lane.

The subject property is currently developed with a one-story 10,600 square foot building, with shuttered double-hung windows. The structure also has a large back porch and a circular portico at the entrance. Cupolas top both ends of the gabled roof. The existing building is used for a wedding event center.

The site was recently annexed into the City and received the Interim-Rural Residence (I-RR) zoning district. Since there is an existing building used as a wedding event center on the site, the applicant is requesting Community Commercial (GR) to allow the indoor entertainment use to be permitted. There is currently a site plan submitted to allow for additional surface parking. (See exhibit attached to the back of this report).

Staff recommends GR-CO, Community Commercial – Conditional Overlay combining district zoning. The Conditional Overlay will limit the trips to less than 2,000 per day and prohibit the above-mentioned uses based on other GR zoned sites in proximity to the property. The GR zoning district would be compatible with the existing zoning and land uses in the area. Additionally, the

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existing building provides a transition from the IH-35 corridor to the residential development located to the east.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|-------------------------|--|
| <i>Site</i> | I- RR | Indoor Entertainment |
| <i>North</i> | Unzoned (County); LI-CO | Equipment sales; Equipment repair; Adult book store; Adult video |
| <i>South</i> | I-RR | Undeveloped |
| <i>East</i> | SF-4A | Undeveloped / Single-family residence |
| <i>West</i> | GO-CO | Undeveloped / Warehouse distribution |

AREA STUDY: The property does not lie within a designated neighborhood planning area.

TIA: 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]

WATERSHED: Onion Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

- Del Valle Community Coalition
- Home Builders Association of Greater Austin
- Sierra Club, Austin Regional Group
- Super Duper Neighborhood Objectors and Appealers Organization
- Onion Creek Home Owners Association
- The Real Estate Council of Austin, Inc.
- Austin Monorail Project

RELATED CASES: The subject property (Waterford House Annexation Area) consisting of approximately 9 acres was annexed into the city limits on October 28, 2010 (C7a-10-009) under Ordinance 20101028-025.

There is a site plan currently under review for this property (SP-2010-0347D) which provides for a new parking lot and drainage facilities to serve the existing land use. These proposed improvements will add 2.930 acres of impervious cover to the existing development.

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|---|------------|---|---|
| C14-04-0204 9701 - 9817 BLOCK OF S I 35 SVC RD NB (NE CORNER OF I 35 SERVICE RD | I-GR to GR | 1/18/2005 APVD STAFF ALT REC OF GR-CO (TR 1), GO-CO (TR 2); (7-0) | 2/17/2005 APVD GR-CO & GO-CO (7-0); ALL 3 RDGS [DIRECTED STAFF THAT IF PROPERTY DOES NOT CLOSE W/PROPOSED SALE, SHOULD BE BROUGHT IMMEDIATELY BACK TO CC FOR A ROLLBACK TO RR] The following uses are prohibited on TR 1: Commercial off-street |

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| | | | |
|---|-------------------|--|--|
| <p>& BRANDT RD -- CITY INITIATED)</p> | | | <p>parking, Congregate living, Drop-off recycling collection facility, Exterminating services, Hotel-motel, Off-site accessory parking, Outdoor entertainment, Outdoor sports and recreation, Pawn shop services and Residential treatment. The following uses are prohibited on TR 2: Congregate living and Residential treatment.</p> |
| <p>C14-04-0104 S I 35 SVC RD NB (PARKSIDE AT SLAUGHTER CREEK, LOT 19, BLOCK A)</p> | <p>I-RR to GR</p> | <p>10/5/2004 APVD STAFF ALT REC OF GR-CO BY CONSENT (9-0)</p> | <p>11/4/2004 APVD GR-CO (7-0); ALL 3 RDGS The following uses are prohibited: Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type), Commercial off-street parking, Congregate living, Drop-off recycling collection facility, Exterminating services, Hotel-motel, Off-site accessory parking, Outdoor entertainment, Outdoor sports and recreation, Pawn shop services, Service station and Residential treatment.</p> |
| <p>C14-04-0103 NATIONAL PARK BLVD (PARKSIDE AT SLAUGHTER CREEK, LOT 127, BLOCK C)</p> | <p>I-RR to GR</p> | <p>8/3/2004 APVD STAFF REC OF GR-CO INCL TIA REC, PROHIBITING FINANCIAL SERVICES (8-0)</p> | <p>9/2/2004 APVD GR-CO (7-0); ALL 3 RDGS The following uses are prohibited: Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type), Commercial off-street parking, Congregate living, Drop-off recycling collection facility, Exterminating services, Hotel-motel, Off-site accessory parking, Outdoor entertainment, Outdoor sports and recreation, Pawn shop services, Service station and Residential treatment.</p> |
| <p>C14-2007-0102</p> | <p>I-RR to LI</p> | <p>12/12/2007 ZAP Apvd LI-CO (Tr 1), GR-CO (Tr 2), RR (Tr 3); (7-1, CH-no)</p> | <p>1/15/2009 Apvd Ord. 20090115-076 for LI-CO, GR-CO & RR-CO (7-0); 2nd/3rd rdgs. The following uses are prohibited on TR1: Agricultural sales and services, Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type) Bail bond services, Basic industry, Campground, Congregate living, Commercial off-street parking, Consumer convenience services, Convalescent services, Drop-off recycling collection facility, Employee recreation, Equipment sales, Financial services, Food sales, Financial services, Food sales, Funeral services, General retail sales (convenience) General retail sales (general), Group home Class I (general and limited) Group home Class II, Hotel-motel, Indoor entertainment, Indoor sports and recreation, Kennels, Laundry services, Liquor sales, Maintenance and service facilities, Medical offices, Monument retail sales, Off-site accessory parking, Outdoor</p> |

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| | | | <p>entertainment, Outdoor sports and recreation, Personal improvement services, Personal services, Plant nursery, Printing and publishing, Professional office, Railroad facilities, Recycling center, Research services, Residential treatment, Resource extraction, Restaurant (general/limited), Service station, Scrap and salvage, Software development, Special use historic, Theater, Transitional housing, Transportation terminal, Vehicle storage, and Veterinary services.</p> <p>The following uses are conditional uses on TR 1: Business or trade school, College and university facilities, Community recreation (private), Community recreation (public), Construction sales and services, Convenience storage, Equipment repair services, Exterminating services and Club or lodge.</p> <p>The following uses are prohibited on TR 2: Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type), Commercial off-street parking, Congregate living, Drop-off recycling collection facility, Exterminating services, Hotel-motel, Off-site accessory parking, Outdoor entertainment, Outdoor sports and recreation, Pawn shop services, Service station and Residential treatment.</p> |
|--|--|--|--|

ABUTTING STREETS:

| Name | ROW | Pavement | Class | Sidewalk | Bus Route | Bike Route |
|-------------|------------|-----------------|--------------|-----------------|------------------|-------------------|
| Brandt Road | Varies | 25 feet | Local | No | No | No |

CITY COUNCIL DATE: May 12, 2011

ACTION: N/A

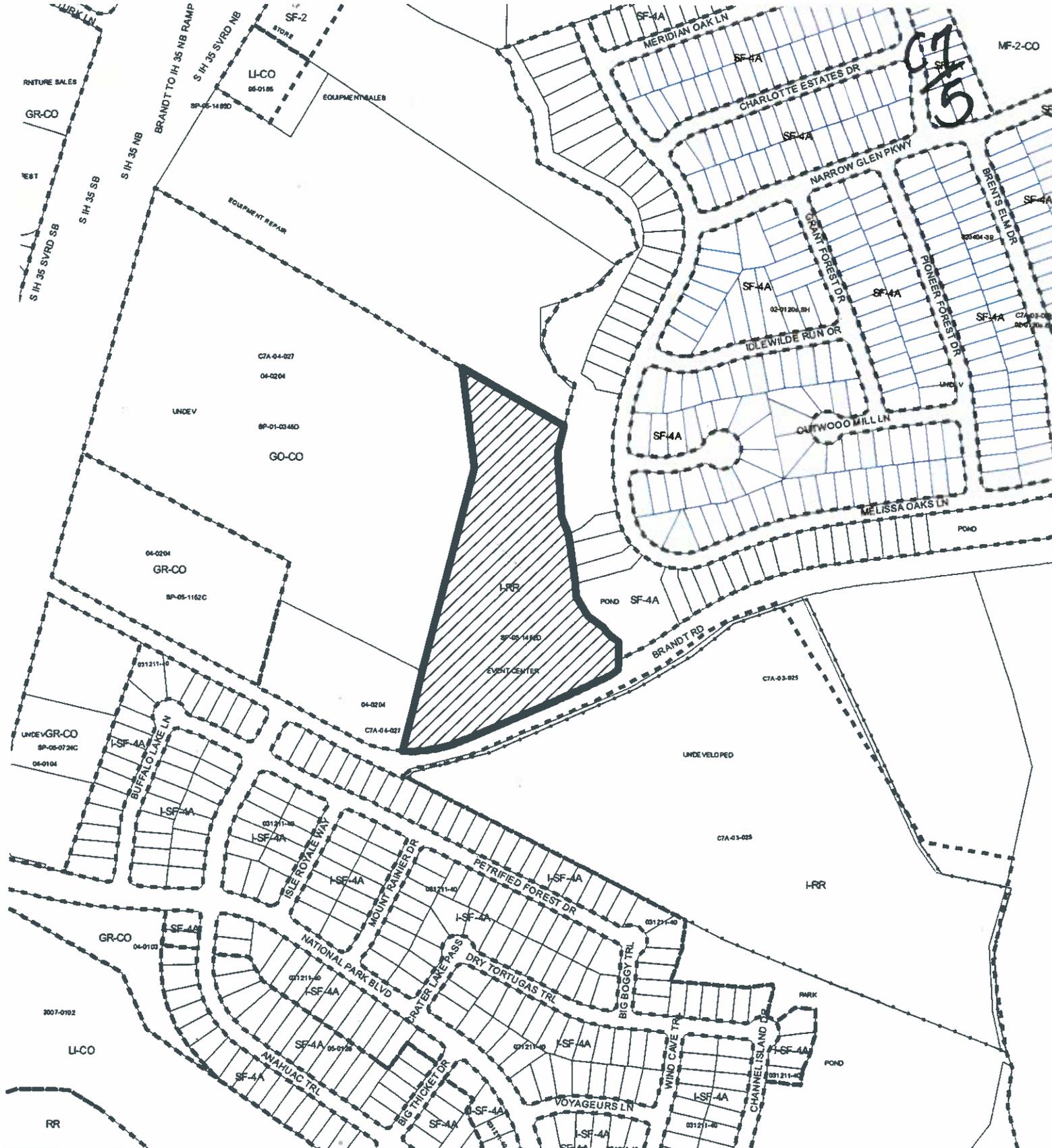
ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Joi Harden

PHONE: 974-2122

E-MAIL: joi.harden@ci.austin.tx.us;



ZONING

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING CASE#: C14-2011-0012
 LOCATION: 2008 BRANDT RD
 SUBJECT AREA: 9.07 ACRES
 GRID: G12, G13
 MANAGER: WENDY RHOADES



1' = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



C14-2011-0012 - 2008 Brandt Road
From I-RR to GR-CO combining district zoning



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SUMMARY STAFF RECOMMENDATION

The staff recommendation is to approve the change from I-RR (Interim Rural Residence) district zoning to GR-CO (Community Commercial - Conditional Overlay) combining zoning district. The Conditional Overlay will limit the trips to less than 2,000 per day and prohibit the following uses: Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type), Commercial off-street parking, Congregate living, Drop-off recycling collection facility, Exterminating services, Hotel-motel, Off-site accessory parking, Outdoor entertainment, Outdoor sports and recreation, Pawn shop services, Service station and Residential treatment.

Additional Right-of-Way is still under discussion and may be required prior to third reading of the zoning case. Staff will provide an update at the Zoning and Platting Commission meeting on April 5, 2011.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood a community needs that generally is accessible from major traffic ways.

The site is located approximately ¼ mile east of IH-35. The existing building on the site is used as a wedding event center and is available for community use.

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

The GR zoning district would be compatible with the existing zoning and land uses in the area. The site is adjacent to more intensive uses and comparable commercial zoning. There is a natural buffer by the pond and vegetation to the east adjacent to the site and the single family. Additionally, this building provides a transition from the IH-35 corridor to the residential development.

EXISTING CONDITIONS

Site Characteristics

- The subject property is currently developed with a one story 10,600 square foot building, with shuttered double hung windows. The structure also has a large back porch and a circular portico at the entrance. Cupolas top both ends of the gabled roof. The property slopes down in the rear into a creek. The site is partially cleared with some large trees.

Impervious Cover

The maximum impervious cover allowed by the GR, Community Commercial zoning district is 90%.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Onion Creek Watershed of the Colorado River Basin, which is

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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% |

According to flood plain maps, there is a floodplain 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.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding 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.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

Additional Right-of-Way is still under discussion and may be required prior to third reading of the zoning case. Staff will provide an update at the Zoning and Platting Commission meeting on April 5, 2011.

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 any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility

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for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay a tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan Review

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

There is a site plan currently under review for this property (SP-2010-0347D) which provides for a new parking lot and drainage facilities to serve an existing wedding events land use. These proposed improvements will add 2.930 acres of impervious cover to the existing development.

The site is subject to compatibility standards. Along the eastern property line, 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.
- A landscape area is required along 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.

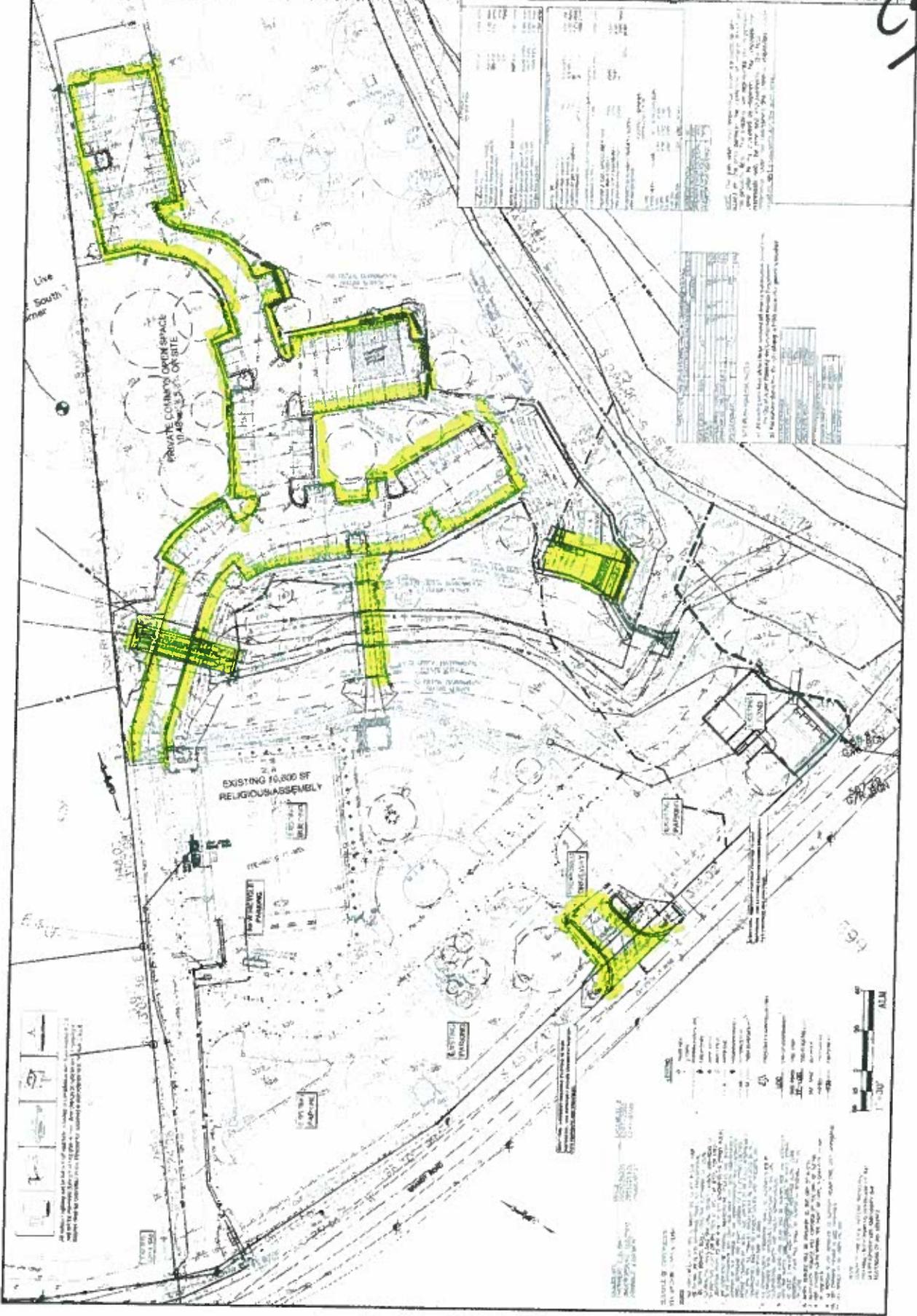
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| | | | |
|------|----------|----------|---------------------------|
| DATE | REVISION | SCALE | PROJECT |
| | | AS SHOWN | WATERFORD HOUSE PARK ADD. |
| | | | 2006 BRANDT ROAD |
| | | | AUSTIN, TEXAS |

ALM ENGINEERING, INC.



WATERFORD HOUSE PARK ADD.
2006 BRANDT ROAD
AUSTIN, TEXAS



ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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1" = 30'
ALM

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Harden, JoiC7
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From: djohnson@lawyer.com
Sent: Friday, April 01, 2011 4:48 AM
To: Harden, Joi
Cc: melissaatparkside@yahoo.com; gal66stang@yahoo.com; msban949@yahoo.com; Celeste.Schulz@Goodwintx.com
Subject: Zoning Application Case No. C14-2011-0012

Joi,

Please allow this e-mail to confirm our conversation regarding Shoreline Church's (the "Owner") application for re-zoning of their property located at 2008 Brandt Road (the "Property"). As I mentioned, I am a member of the Board of Directors of the Parkside at Slaughter Creek Owners Association. Our subdivision is located directly across Brandt Road from the Property. The Board and homeowners feel that it is in the best interest of our neighborhood to have the Property zoned GR-CO which would prohibit use of the Property for services such as automotive repair, recycling collection, hotel/motel, pawn shops, etc. Pursuant to your staff recommendation, we understand that the Owner is offering its application for consent (to GR-CO) at the Apr. 5, 2011, Zoning and Platting Commission hearing. Our association agrees with this zoning recommendation and feels it would best preserve our property values and the integrity of our neighborhood.

Should anything occur at the Commission hearing on April 5th that would indicate a less-restrictive zoning may be approved, please notify me immediately so that we can plan to attend the City Council hearing on May 12th.

Thank you again for modifying the Owner's original zoning request from GR to GR-CO in response to our request. Our community appreciates your efforts.

Debbie Johnson
Secretary
Parkside at Slaughter Creek Owners Association, Inc.
512-669-8091

4/1/2011