

ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0083 - Southern Walnut Creek Hike & Bike Trail

P.C. DATE: 10/11/2011 – postponed by staff
10/25/2011 – postponed by staff
11/8/2011 - approved staff recommendation of P-NP

ADDRESS: 5200 Bolm Road; 5509-5609 Stuart Circle

OWNER/APPLICANT: City of Austin Parks and Recreation Department (Gregory Montes)

ZONING FROM: SF-3-NP

TO: P-NP

AREA: 29.61 acres (1,289,811 ft²)

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of the rezoning request to (P-NP) Public-Neighborhood Plan combining district Zoning.

PLANNING COMMISSION RECOMMENDATION: The motion to approve staff's recommendation for P-NP zoning, was approved by Commissioner Sandra Kirk's motion, Commissioner Richard Hatfield seconded the motion on a vote of 6-1; Commissioner Jean Stevens voted against the motion (nay); Commissioners Danette Chimenti and Donna Tiemann were absent.

DEPARTMENT COMMENTS: The Parks and Recreation Department (PARD) is requesting that this section of the Southern Walnut Creek Trail project be rezoned to a public zoning designation which will facilitate the completion of construction for the 7.3 mile trail from Govalle Park to Johnny Morris Road and Daffan Lane.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Park
<i>North</i>	SF-3-NP	Undeveloped
<i>South</i>	SF-3-NP	Park
<i>East</i>	GR-MU-NP, CS-MU-CO-NP, GR-NP	Single Family
<i>West</i>	SF-3-NP	Single Family

TIA: Waived

WATERSHED: Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council
East MLK Combined Neighborhood Association
Johnston Terrace/Boggy Creek Neighborhood Association
Edward Joseph Homeowners Association, Inc.
M.E.T.S.A. Neighborhood Association
FRS Property Owners Association
Lower Boggy Creek Neighborhood Association

BASIS FOR RECOMMENDATION

- 1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.***

The requested rezoning of this section of the Southern Walnut Creek Trail project will facilitate the completion of construction for the 7.3 mile trail from Govalle Park to Johnny Morris Road and Daffan Lane.

EXISTING CONDITIONS

Environmental

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. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

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

According to flood plain maps, there is a flood plain within the project area.

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.

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

Water and Wastewater

If 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, offsite main extensions, system upgrades, utility relocations and or abandonments

required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. 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 the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

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.

Transportation:

Name	ROW	Pavement	Classification	Daily Traffic
Bolm Road	Varies	41'	Collector	Not Available
Shady Lane	Varies	40'	Collector	Not Available
Jain Lane	Varies	30'	Collector	Not Available

Existing Street Characteristics:

If the requested zoning is recommended for this site, 35 feet of right-of-way should be dedicated from the centerline of Bolm road in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site [LDC, 25-6-55; TCM, Tables 1-7, 1-12].

The traffic impact analysis for this site was waived because this is a City of Austin initiated project.

There are existing sidewalks along Bolm Road, Shady Lane, and Jain Lane.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
Bolm Road	Wide Curb	Bike Lane
Shady Lane	None	None
Jain Lane	None	None

Capital Metro bus service (route no. 17) is available along Bolm Road.

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.

There is a site plan currently under review for this property (SPC-2010-0367C) which provides for approximately 7 miles of a hike and bike trail, with parking and other associated improvement.

The site is subject to compatibility standards. Along all property lines adjacent to single family, the following standards will apply with any future development:

- 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.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining property used or zoned as SF-5 or more restrictive. [Sec. 25-2-1067(F)]
- If a community recreation use is a conditional use, baseball, softball, and football fields and other similar outdoor athletic fields must be at least 300 feet from an SF-5 or more restrictive zoning district. [Sec. 25-2-837(E)]
- Additional design regulations will be enforced at the time a site plan is submitted.

CITY COUNCIL DATE: 11/3/11
12/8/11
1/12/12
2/2/12

ACTION: Postponed by staff
Postponed by staff
Postponed by staff

ORDINANCE READINGS: 1st

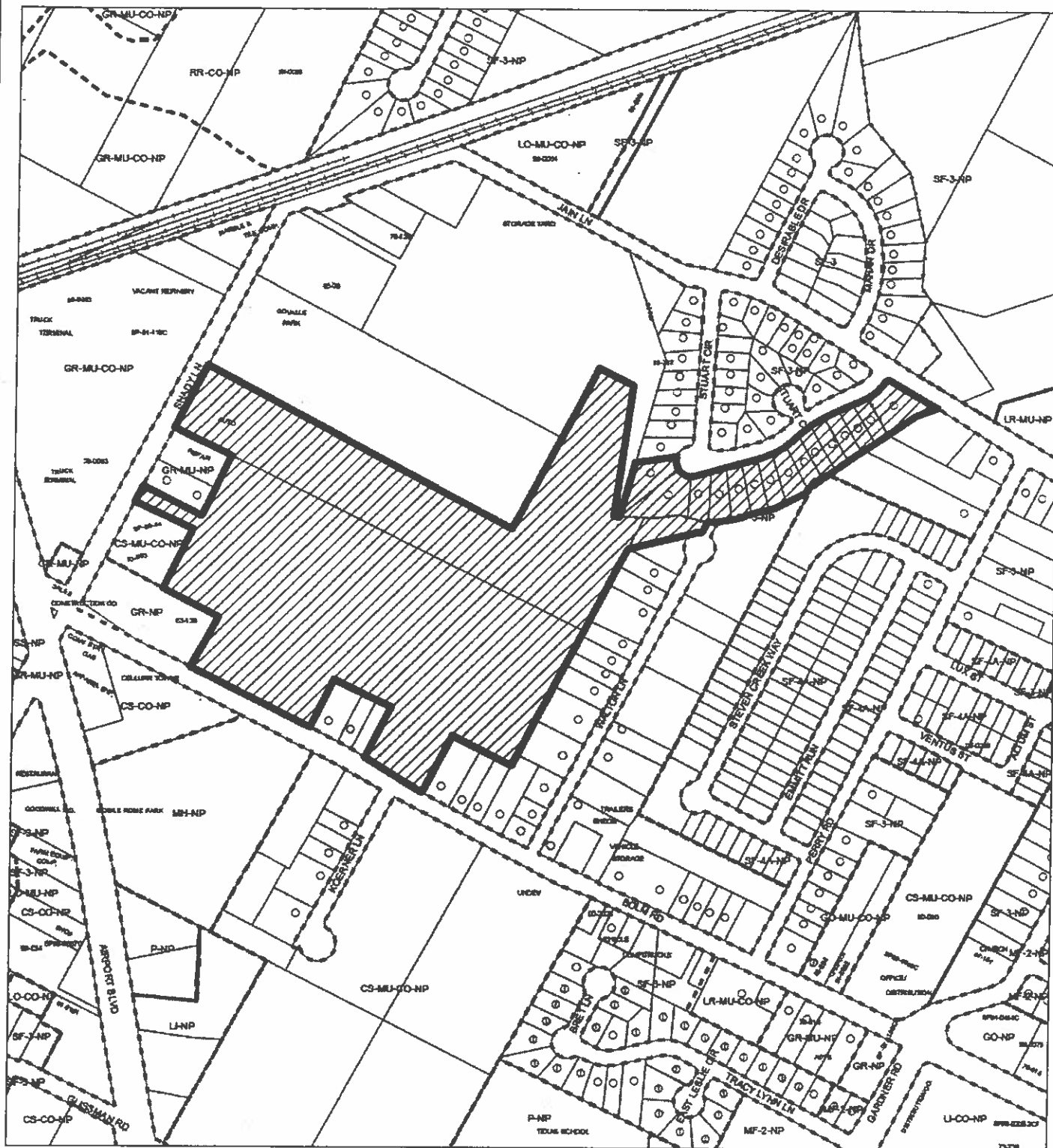
2nd




3rd

ORDINANCE NUMBER:

CASE MANAGER: Stephen Rye

PHONE: 974-7604
stephen.rye@austintexas.gov



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

ZONING

ZONING CASE#: C14-2011-0083
 LOCATION: 5200 BOLM RD
 5509-5609 STUART CIR
 SUBJECT AREA: 29.61 ACRES
 GRID: L21, M21
 MANAGER: STEPHEN RYE



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.



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: C14-2011-0083

Contact: Stephen Rye, (512) 974-7604

Public Hearing: Oct 11, 2011, Planning Commission

Nov 3, 2011, City Council

Geoff Cole

Your Name (please print)

1109 desirable Ln. Austin TX 78721

Your address(es) affected by this application

Geoff

Signature

Daytime Telephone: (512) 736-5913

Date

10/6/11

Comments: I THINK THIS IS A GREAT IDEA!

I want the green belt in my neighborhood, I can't wait to use it! Please re-zone this land to make this plan a reality.

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

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor
☐ I object

Rye, Stephen

From: Rick Hughes CCIM [rhughes@strasburger.net]
Sent: Tuesday, August 09, 2011 3:39 PM
To: Rye, Stephen
Subject: Case numbers C14-2011-0083 & NPA-2011-0016.02 Stuart Circle and Bolm Road

Stephen,

In our current economic condition, we don't see changing a property that could be developed and generate property taxes, to a non tax generating status.

Sell the property off to a developer and let them build. That will generate thousands of dollars in tax revenue.

We are adamantly against the proposals.

Rick Hughes, CCIM

Real Estate Consultant for

Strasburger
Providing Strategic Business Research

HUGHES REALTY GROUP

COMMERCIAL REAL ESTATE

PO Box 325

Temple, TX 75603

254 773-0038 phone

254 773-9500 fax

254 913-8657 cell

rhughes@ccim.net



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8/9/2011



National Headquarters
6002 Jam Lane • Austin, Texas 78721

512.462.2181 • fax: 512.462.2028 • email: info@swkey.org • www.swkey.org

October 19, 2011

Dave Sullivan
Chair
Planning Commission
P.O. Box 1088
Austin, Texas 78767-1088
Via First Class Mail and email to sully.jumpnet@sbcglobal.net

City of Austin
Planning & Development Review Department
Stephen Rye
P.O. Box 1088
Austin, Texas 78767-8810
Via First Class Mail and email to stephen.rye@ci.austin.tx.us

Re: Rezoning of 5702 ½ Jain Lane, Austin, TX 78721; 5200 Bolm Rd & 5509-5609 Stuart Circle

Dear Mr. Sullivan and Mr. Rye,

Enclosed please find a Valid Petition indicating Southwest Key Programs, Inc.'s opposition to the rezoning of the property located at 5702 ½ Jain Lane, Austin, TX 78721 - C14-2011-0082 and NPA-2011-0016.01 from SF-3-NP (Family Residence -Neighborhood Plan district) to P-NP-Public. We also oppose the rezoning of 5200 Bolm Rd & 5509-5609 Stuart Circle – C14-2011-0083 and NPA-2011-0016.02 from SF-3-NP (Family Residence – Neighborhood Plan district) to P-NP-Public.

Southwest Key feels that it is vital for the City of Austin to carefully consider the neighborhood concerns regarding this zoning change that will have an impact the entire Johnston/Govalle neighborhood. There are many possible uses for the impacted land and I believe that at least a portion of it should be reserved for potential development, including low income housing. I urge the Land Use Commission and City Council to deny this request until the concerns of Southwest Key and the community have been addressed.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

Juan J. Sanchez
El Presidente/CEO
Southwest Key Programs, Inc.

Valid Petition

We the undersigned, petition the Austin City Council with our opposition on the rezoning of the property located at 5702 ½ Jain Lane, Austin, TX 78721 - C14-2011-0082 and NPA-2011-0016.01 from SF-3-NP (Family Residence -Neighborhood Plan district) to P-NP-Public.

We also oppose the rezoning of 5200 Bolm Rd & 5509-5609 Stuart Circle – C14-2011-0083 and NPA-2011-0016.02 from SF-3-NP (Family Residence – Neighborhood Plan district) to P-NP-Public.

Name(please print):Southwest Key Programs, Inc.

Signature

Juan J. Sanchez
El President/CEO

Address: 6002 Jain Lane, Austin, TX, 78721

Phone# (512) 462-2181

Date: October 25, 2011

Rye, Stephen

From: Gilbert Merritt [REDACTED]@gmail.com]
Sent: Wednesday, October 26, 2011 10:57 AM
To: Rye, Stephen
Cc: mike merritt
Subject: Case Numbers: C14-2011-0083 and NPA 3011-0016.02

Stephen,

My wife and I own a house at 5405 Stuart Circle. We heard that there were some negative comments on the subject project and zoning changes at the public meeting on Oct.11.

We would like to add our comments in **support** of the project and zoning changes. We believe that the neighborhood's attractiveness and home values would be enhanced by the proposed bike trail and green space enlargement.

Please keep us informed of the progress of the project.

Ben Gilbert Merritt
5405 Stuart Circle
Austin, TX 78721

10/26/2011

Rye, Stephen

From: Christopher Stanton [mailto:crs@delaware.gov]
Sent: Tuesday, November 08, 2011 8:13 AM
To: Rye, Stephen
Subject: 10' wide concrete trail from Bolm Road to Johnny Morris Road

Follow Up Flag: Follow up
Flag Status: Green

Good morning Stephen. I just wanted to voice my support for a off road paved connector from Bolm to Delwau Road which would enable cyclists to access the road without riding on the shoulder of 183.

Christopher Stanton

Rye, Stephen

From: David Wenger [david.wenger@gmail.com]
Sent: Monday, November 07, 2011 9:11 PM
To: Rye, Stephen
Subject: Delwau Connector
Follow Up Flag: Follow up
Flag Status: Green

Hi Stephen,

I'm writing you in support of the trail connector to Delwau Ln. off of what could be the South Walnut Creek Trail. A connector would greatly increase my safety when returning from the riding at dusk, and make getting to the events much easier, as it would mitigate navigating Hwy 183 by bike. I consider bike safety a matter of workplace safety, I make my living from riding a bicycle.

More than the racers heading east would benefit from connecting trail. A range of cyclists attend the Driveway races to spectate, and frequently bring kids of all ages with them to the races. Often, they do this by bicycle. Thank you for your time and consideration.

--

David Wenger
USA Cycling South Central Regional Camp Manager
[REDACTED]
<http://texascyclingcamps.com>
<http://duratatraining.com>

Rye, Stephen

From: Ian Dille ([REDACTED]@gmail.com)
Sent: Monday, November 07, 2011 9:43 AM
To: Rye, Stephen
Cc: Lindy Alton
Subject: delwau ln trail connector
Follow Up Flag: Follow up
Flag Status: Green

Hi Stephen,

I'm writing you in support of the trail connector to Delwau Ln. off of the proposed South Walnut Creek Trail. My wife, Lindy, and I regularly ride from central Austin to the Driveway races at the end of Delwau Ln. A connector would greatly increase our safety when returning from the races at dusk, and make getting to the events much easier, as it would mitigate navigating Hwy 183 by bike.

But it's not just racers that would benefit from a connector trail. A wide variety of cyclists attend the Driveway races as spectators, and frequently bring their young children with them to the races by bike, as well.

Additionally, the Urban Roots youth farming program takes place at the Hands of the Earth Farm off of Delwau Ln. A connector trail would provide easy bike access for kids from East Austin who are participating in the Urban Roots program, and would get a considerable amount of use during the Bicycle Sport Short Urban Farm Bike Tour.

Sincerely,
Ian Dille

512-[REDACTED]
www.iandille.com
twitter.com/iandille

12/14/2011

Rye, Stephen

From: Stefan Rothe [stefan@rothetraining.com]
Sent: Friday, November 04, 2011 11:00 AM
To: Rye, Stephen
Subject: Concrete trail from Bolm Road / Delwau Ln to Johnny Morris Road
Follow Up Flag: Follow up
Flag Status: Green

Good morning Mr. Rye,

as a cyclist, coach, and Austin resident I support the planned trail between Bolm Rd and Johnny Morris Rd. Having a cyclist and/or pedestrian trail would get more cyclists off a major Highway and be a quicker way to commute around East Austin.

Thank You,
Stefan

--

Stefan Rothe
ROTHE Training, LLC
stefan@rothetraining.com
cell - 512.291.1193
fax - 512.291.1193



Rye, Stephen

From: D Bailey [mailto:debra@baileysolutions.com]
Sent: Friday, November 04, 2011 8:35 AM
To: Rye, Stephen
Subject: I Support South/Eastern Extension
Follow Up Flag: Follow up
Flag Status: Green

Please continue to build connections for cyclist...I support the concrete trail from Bolm Road to Johnny Morris Road.

Thank you,

Debra Bailey
(512) [REDACTED]
www.baileysolutions.com

12/14/2011

Rye, Stephen

From: Jesse Slate [jess@slate.com]
Sent: Thursday, November 03, 2011 4:48 PM
To: Rye, Stephen
Subject: 10' wide concrete trail from Bolm Road to Johnny Morris Road
Follow Up Flag: Follow up
Flag Status: Green

Austin voter very much in favor of this trail. It's a nightmare intersection.

--
Jesse

12/14/2011

Rye, Stephen

From: Rye, Stephen
Sent: Thursday, November 03, 2011 3:43 PM
To: Rye, Stephen
Subject: FW: Support for Southern Walnut Creek Trail
Follow Up Flag: Follow up
Flag Status: Green

Stephen Rye
Senior Planner
City of Austin Planning and Development Review Department
Current Planning Division
(512) 974-7604
(512) 974-6054 fax

From: Matthew Kessing [mailto:matthewkessing@gmail.com]
Sent: Thursday, November 03, 2011 3:31 PM
To: Rye, Stephen
Subject: Support for Southern Walnut Creek Trail

Stephen,

As a cyclist and a member of the racing community in Austin, I think this trail is an outstanding idea. Every Thursday evening from Mid-March to mid-October, hundreds of cyclists converge on the Driveway race track on Delwau Lane east of 183. Many of us choose to ride our bikes to the race, which means a trip down the 183 on-ramp from Bolm road, and crossing over 183 on our ways home after the race is over. The Driveway Race Series has grown into one of the best weekly criteriums in the country, and every year Andrew Willis continues to grow it and make it better. Without a doubt, more racers will attend next year. With increasing traffic to the Driveway, it makes sense to recognize the difficulty in traversing the area by making a better route, before there is an accident.

The trail would also provide access to training routes outside of town. We would be able to reach some of the rural areas without being exposed to high-traffic in-town riding. It would make motorists happier by getting cyclists off the road, and it would make the cyclists safer by not exposing them to motorists. It would be a win-win.

As a resident of Austin, I support the building of the Southern Walnut Creek Trail.

Thanks,

--
Matthew Kessing
v [REDACTED]

12/14/2011

Rye, Stephen

From: Tomek [t[REDACTED]]
Sent: Thursday, November 03, 2011 2:58 PM
To: Rye, Stephen
Subject: Delwau Road Connection
Follow Up Flag: Follow up
Flag Status: Green

Dear Stephen,

I would like to support considered bike path construction project connecting Bolm Road and Johnny Morris roads with extension to Delwau Road. Lack of proper roadways and increased cycling activities in this part of the city in recent few years due to fast traffic activities on Hwy 183 made traveling to and from the events quite dangerous.

Please count my voice in - I'm all in for safety and transportation development in our city.

Sincerely,

Tomek Baginski

12/14/2011

Rye, Stephen

From: leo buis ([REDACTED])
Sent: Thursday, November 03, 2011 11:54 AM
To: Rye, Stephen
Follow Up Flag: Follow up
Flag Status: Green

I just wanted to say thanks for pushing this project forward, it will be good for the neighborhood! I am glad to see the city putting in some much needed work on the park behind my house. I live next door to Nadia and am looking forward to biking the trail when done! Thanks again,

Leo Buis



Austin's Yellow Bike Project
1216 Webberville Road
Austin, TX 78721
www.austinyellowbike.org
austinyellowbike@gmail.com

January 5, 2011

City of Austin
Austin, TX 78701

We are writing you in support of the South Walnut Creek Trail project. This trail will not only provide recreational opportunities but could represent a significant transportation corridor for bicycle commuting. Separated facilities such as this are important if we are to increase modal by attracting potential cyclists who shy away from using roads and streets.

In addition, the trail, when connected to other projects, like the North Walnut Creek trail and the Lance Armstrong Bikeway, could make an attractive and functional bicycle network in the north part of Austin.

Sincerely,

Tim Starry
Transportation Coordinator
Austin Yellow Bike Project