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ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0063 – Christian Life Austin **ZAP DATE:** July 17, 2012

ADDRESS: 4700 West Gate Boulevard; 4701 Sunset Trail

OWNERS: Christian Life Church of Austin
(Josh Reynolds)

AGENT: Enabler Design
(DeVon Wood)

ZONING FROM: SF-2; SF-2-CO; MF-2-CO **TO:** GO **AREA:** 4.71 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – conditional overlay (GO-CO) combining district zoning. The Conditional Overlay limits the number of vehicle trips to no more than 2,000 per day.

If the requested zoning is granted for this site, then 57 feet of right-of-way from the existing centerline should be dedicated for Westgate Blvd. according to the Transportation Plan.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

July 17, 2012:

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject rezoning area consists of five contiguous platted lots that have frontage on West Gate Boulevard and Sunset Trail. The existing church building, accessory structures and parking areas are zoned multi-family residence – conditional overlay (MF-2-CO) combining district, and single family residence – conditional overlay (SF-2-CO) combining district. The northern two lots which front on Sunset Trail contain one single family residence and are zoned single family residence-standard lot (SF-2) district. There are offices, a child care facility, apartments and retail/commercial uses to the north (CS), a commercial shopping center, a four-plex and duplexes across West Gate Boulevard to the east (CS, LO, LR-CO, SF-3), two single family residences and four-plexes to the south (SF-2; MF-2), and an electric supply company, undeveloped property, two single family residences and a private primary school on the west side of Sunset Trail (SF-2). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the property to the general office (GO) district to accommodate a further expansion of the religious assembly use and parking areas. Staff recommends the Applicant's request based on its orientation on a major arterial roadway,

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adjacency to commercially zoned property and a mix of commercial, office and multi-family uses. The Conditional Overlay limits development to 2,000 vehicle trips per day and the dedication of additional right-of-way on West Gate Boulevard is also required.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2; SF-2-CO; MF-2-CO	One single family residence, Religious assembly and accessory parking
<i>North</i>	CS	Offices, Commercial, Four-plexes, Child care facility
<i>South</i>	SF-2	Two single family residences, Four-plexes
<i>East</i>	MF-2	Shopping center, Offices, Four-plex; Duplexes
<i>West</i>	SF-2	Electric supply company; Undeveloped; Two single family residences; Private primary educational facility and adjacent parking area

NEIGHBORHOOD PLANNING AREA: South Austin Combined (Westgate)

Note: The South Austin Combined NPA is underway as of June 28, 2012. The subject case was filed on June 5, 2012, hence it is scheduled to be reviewed by the ZAP Commission.

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Assoc.
 742 – Austin Independent School District
 779 – Oak Hill Neighborhood Plan – COA Liaison
 786 – Home Builders Association of Greater Austin 943 – Save Our Springs Alliance
 1037 – Homeless Neighborhood Association 1075 – League of Bicycling Voters
 1108 – Perry Grid 644
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group
 1280 – WestGate Neighborhood Plan – COA Liaison
 1236 – The Real Estate Council of Austin, Inc. 1340 – Austin Heritage Tree Foundation
 1363 – SEL Texas

SCHOOLS:

Sunset Valley Elementary School Covington Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0118 – Westgate Professional Center – 4701 West Gate Boulevard	LO; GO to LR	To Grant LR-CO with CO prohibiting off-site accessory parking, residential treatment and service station	Approved LR-CO as ZAP recommended (8- 21-2008).
C14-2007-0165 – Sunset Lot 1 – 5001 Sunset Trail	SF-2 to SF-3	To Grant SF-3-CO with the CO limiting trips to 300 per day	Approved SF-3-CO as ZAP recommended (11-1-2007).
C14-03-0065 – Tejas Liquors – 4526 West Gate Boulevard	CS to CS-1	To Grant CS-1-CO with the CO prohibiting adult- oriented businesses	Approved CS-1-CO as Commission recommended (5-22- 03).

RELATED CASES:

The property was annexed into the City limits on December 19, 1985 (C7A-85-032). The MF-2-CO and SF-2-CO portions of the property are platted as Tract "A" of WestGate Apostolic Subdivision, recorded in October 1977 (C8s-77-210). The SF-2 portion of the property is platted as Lots 9 and 10 of Block B of the Flournoy Acres Sec. 4 subdivision, recorded in August 1958 (C8s-58-085). Please refer to Exhibit B.

The zoning for the SF-2-CO and MF-2-CO portion of the property and have frontage on Sunset Trail was approved on July 27, 1995 (C14-95-0079 – Christian Life Church). The Conditional Overlay prohibits multi-family residential use, restricts multifamily development to 12 units per acre, and prohibits access to Sunset Trail.

The second revision to the site plan for an accessory parking area on the SF-2-CO and MF-2-CO zoned portions with Sunset Trail frontage was administratively approved in July 2006 (SP-95-0153C – Christian Life Church). Please refer to Exhibit C.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
Sunset Trail	50 feet	30 feet	Local	No	Yes	No
West Gate Boulevard	90 feet	55 feet	Major Arterial (17,949 vpd.)	Route No. 43	Yes	Route Nos. 5, 311, 328, 331, 338

CITY COUNCIL DATE: August 16, 2012**ACTION:****ORDINANCE READINGS:** 1st2nd3rd

C14-2012-0063

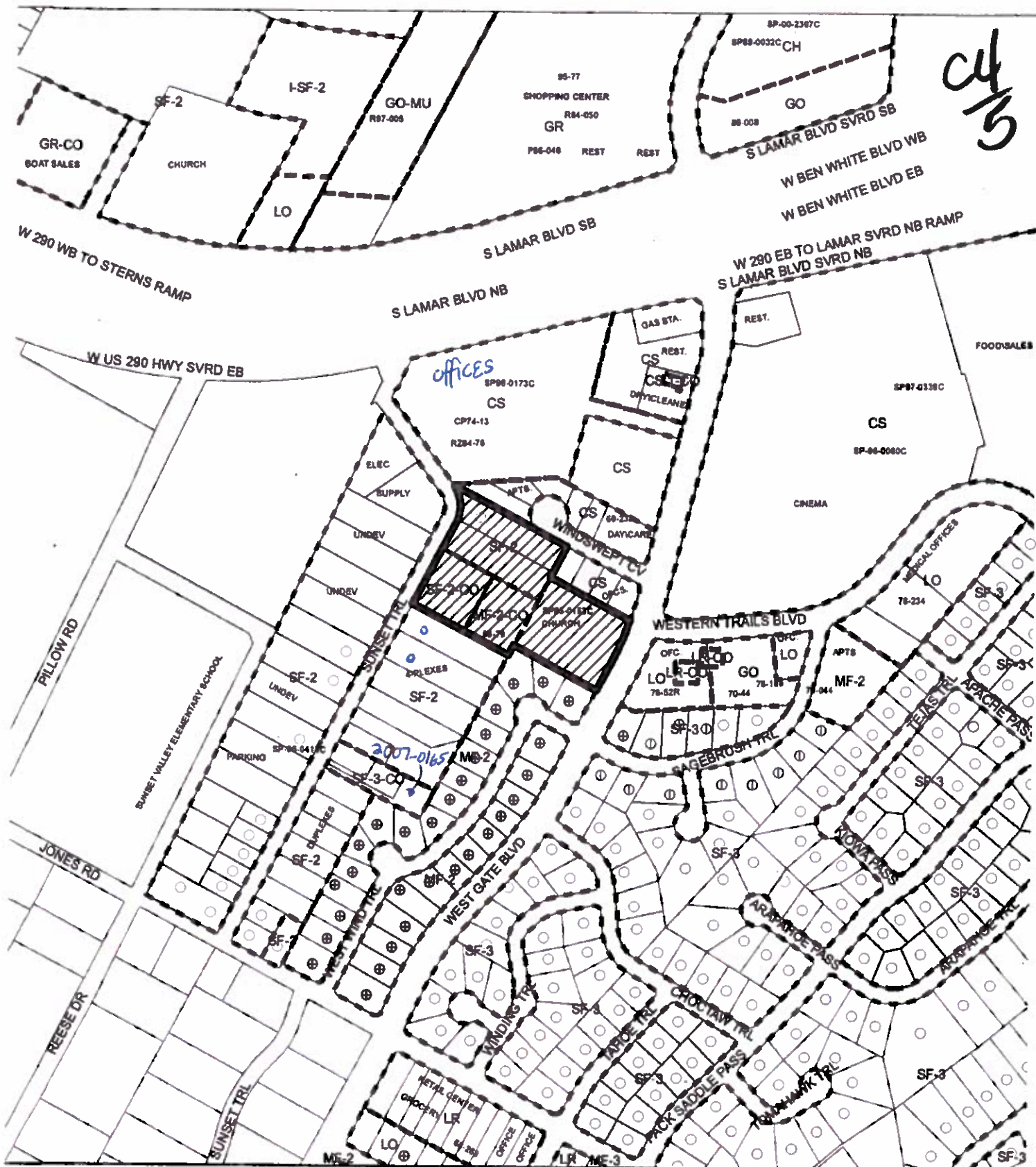
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ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 974-7719



- N
- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1" = 400'

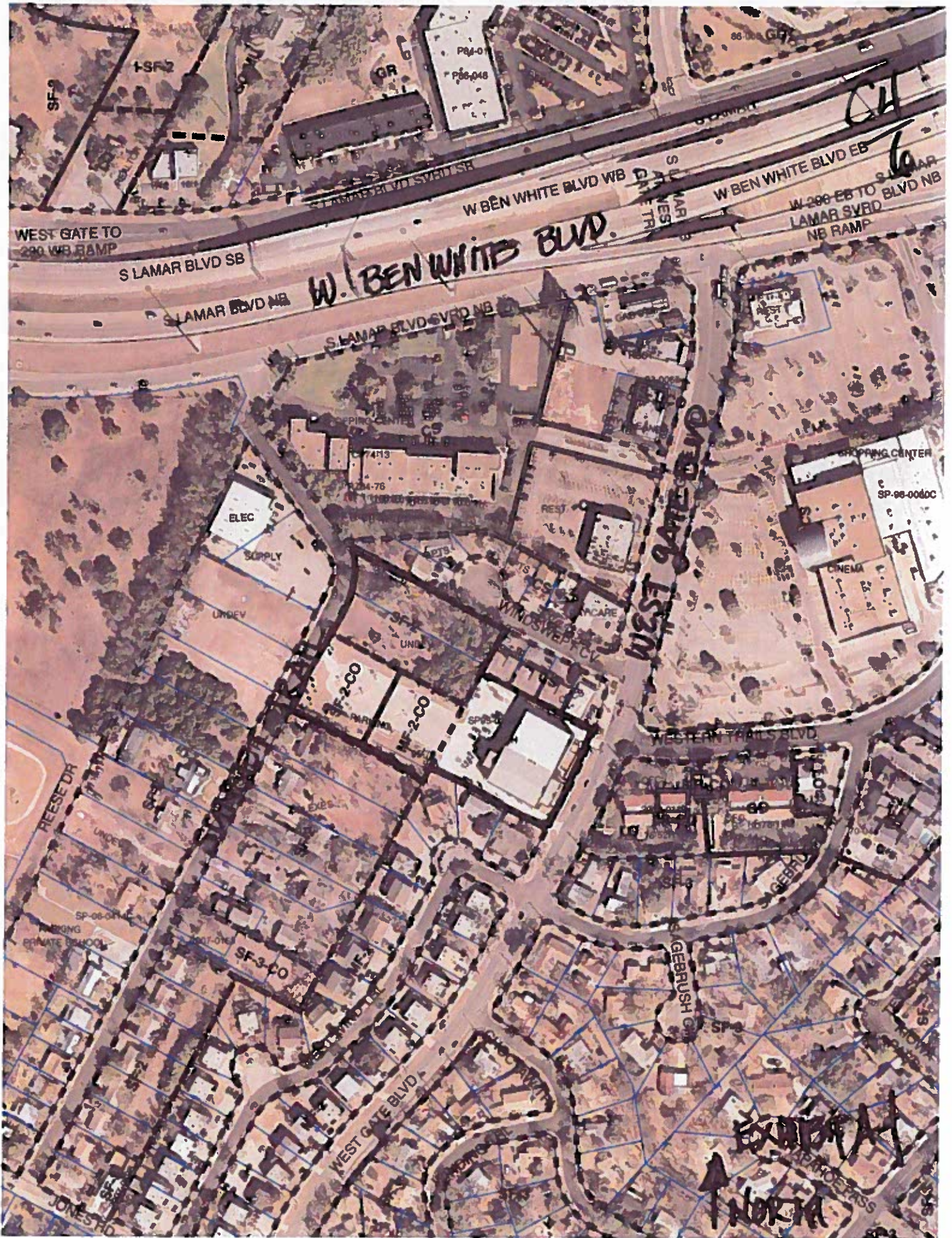
ZONING *EXHIBIT A*

ZONING CASE#: C14-2012-0063



This product is for informational purposes and may not have been prepared for or be suitable for legal engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



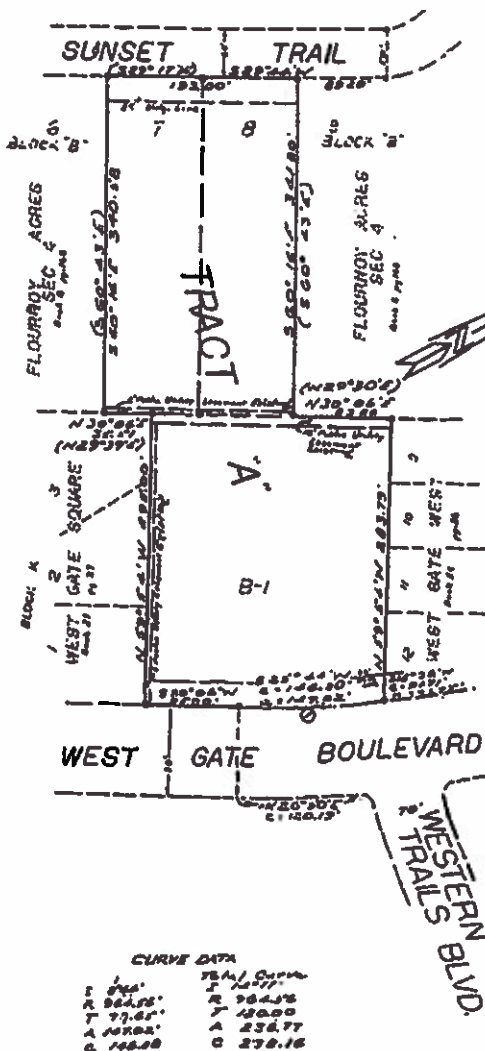
W. BEN WHITE BLVD.

010-2146 E 33M

EXHIBIT A
NORTH

WESTGATE APOSTOLIC SUBDIVISION

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STATE OF TEXAS:
COUNTY OF TRAVIS:

KNOW ALL MEN BY THESE PRESENTS:

That Westgate Apostolic Church acting by and through its duly appointed Trustee ... Cornelia Delgado, Richard Johnson, Marvin Trooper, and Curtis Deal, Owner of Lot B-1, Block A, of Resubdivision of Blocks A, C, and D of West Gate Square Commercial, a subdivision of a portion of the James Trammel 1/3 League Survey No. 4 in The City of Austin, Travis County, Texas, according to a plat of record in Book 47 at Page 62 of the Plat Records of Travis County, Texas, said Lot B-1 having been conveyed to Westgate Apostolic Church by deed of record in Volume 3746 at Page 1475 of the Deed Records of Travis County, Texas, and Lots 7 and 8, Block B, Flournoy Acres Section 4, a subdivision of record in Book 8, Page 168 of the Plat records of Travis County, Texas, said Lots 7 and 8 having been conveyed to Westgate Apostolic Church by deed of record in Volume 3144 at Page 1076 of the Deed Records of Travis County, Texas, do hereby resubdivide said Lots B-1 of said Resubdivision of Blocks A, C, and D of West Gate Square Commercial and Lots 7 and 8, Block B, Flournoy Acres Section 4 in accordance with the attached plat, said resubdivision to be known as "WESTGATE APOSTOLIC SUBDIVISION," and do hereby dedicate to the public the streets and easements shown hereon.

WITNESS OUR HANDS this the 21st day of September, 1977

Cornelia Delgado
Cornelia Delgado
Richard Johnson
Richard Johnson
Marvin Trooper
Marvin Trooper
Curtis Deal
Curtis Deal

STATE OF TEXAS:
COUNTY OF TRAVIS:
Before me the undersigned authority on this day personally appeared Cornelia Delgado, Richard Johnson, Marvin Trooper, and Curtis Deal, known to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this the 21st day of September, 1977

Richard H. Little
Richard H. Little
Director of Planning
Date 9-21-77

APPROVED FOR ACCEPTANCE: By the Planning Commission of the City of Austin, the 27th day of September, A.D. 1977

Miguel A. Sanchez
Miguel A. Sanchez
Chairman
Mark Anderson
Mark Anderson
Secretary

FILED FOR RECORD: At 4:30 o'clock P. M. on the 10 day of Oct., A.D. 1977

Heria Shropshire
Heria Shropshire
Clerk
Deputy

STATE OF TEXAS:
COUNTY OF TRAVIS:
I, Doris Shropshire, Clerk of the County Court within and for the State and County aforesaid, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 10 day of Oct., A.D. 1977 at 4:30 o'clock P. M. and duly recorded on the 10 day of Oct., A.D. 1977 at 4:30 o'clock P. M. in the Plat Records of said County in Book 76 at Page 24.

WITNESS MY HAND and seal of the Court of said County the 10 day of Oct., A.D. 1977 written above.
Doris Shropshire, Clerk, County Court, Travis County, Texas

BY: Alan G. Abbe
Alan G. Abbe, P.E.
Data 9/16/77
I, Alan G. Abbe, am authorized under the laws of the State of Texas to practice the profession of Engineering and hereby certify that this plat complies with Chapter 41-27 of the Austin City Code; is true and correct; and was prepared from an actual survey of the property made under my supervision on the ground.



RECEIVED
SEP 6 1977
PLANNING DEPT.

In approving this plat by the Commissioners' Court of Travis County, Texas, it is understood that the building of all streets, roads, or other public thoroughfares and any bridges or culverts necessary to be constructed or placed in such streets, roads, or other public thoroughfares as shown on this plat, or in connection therewith, shall be the responsibility of the owner and/or developer of the tract of land covered by this plat, in accordance with the plans and specifications prescribed by the Commissioners' Court of Travis County, Texas, and said Court assumes no obligation to build or maintain any of the streets, roads, or other public thoroughfares as shown on this plat, or of constructing any bridges or culverts in connection therewith.

BE IT RESOLVED by the Commissioners' Court of Travis County, Texas: That the acceptance for maintenance by Travis County, Texas, of the roads or streets in real-estate subdivisions does not obligate the county to install street marking signs, as this is considered to be a part of the developers' construction; but that erecting signs for traffic control, such as for speed limits and STOP and YIELD signs, shall remain the responsibility of the county.

Prior to additional construction, drainage plans will be submitted to the City Engineering Department for approval. Rainfall runoff shall be held to the amount existing at undeveloped status by use of ponding or other approved methods.

STATE OF TEXAS:
COUNTY OF TRAVIS:

I, Doris Shropshire, County Clerk of Travis County, Texas, do hereby certify that on the 10 day of October, A.D. 1977, the Commissioners' Court of Travis County, Texas, passed an order authorizing the filing for record of this plat and that said order has been duly entered in the Minutes of said Court in Book 76 at Page 24.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE 10 day of October, A.D. 1977.
Doris Shropshire, County Clerk, Travis County, Texas.

C4-77-210

EXHIBIT B
RECORDED
PLAT

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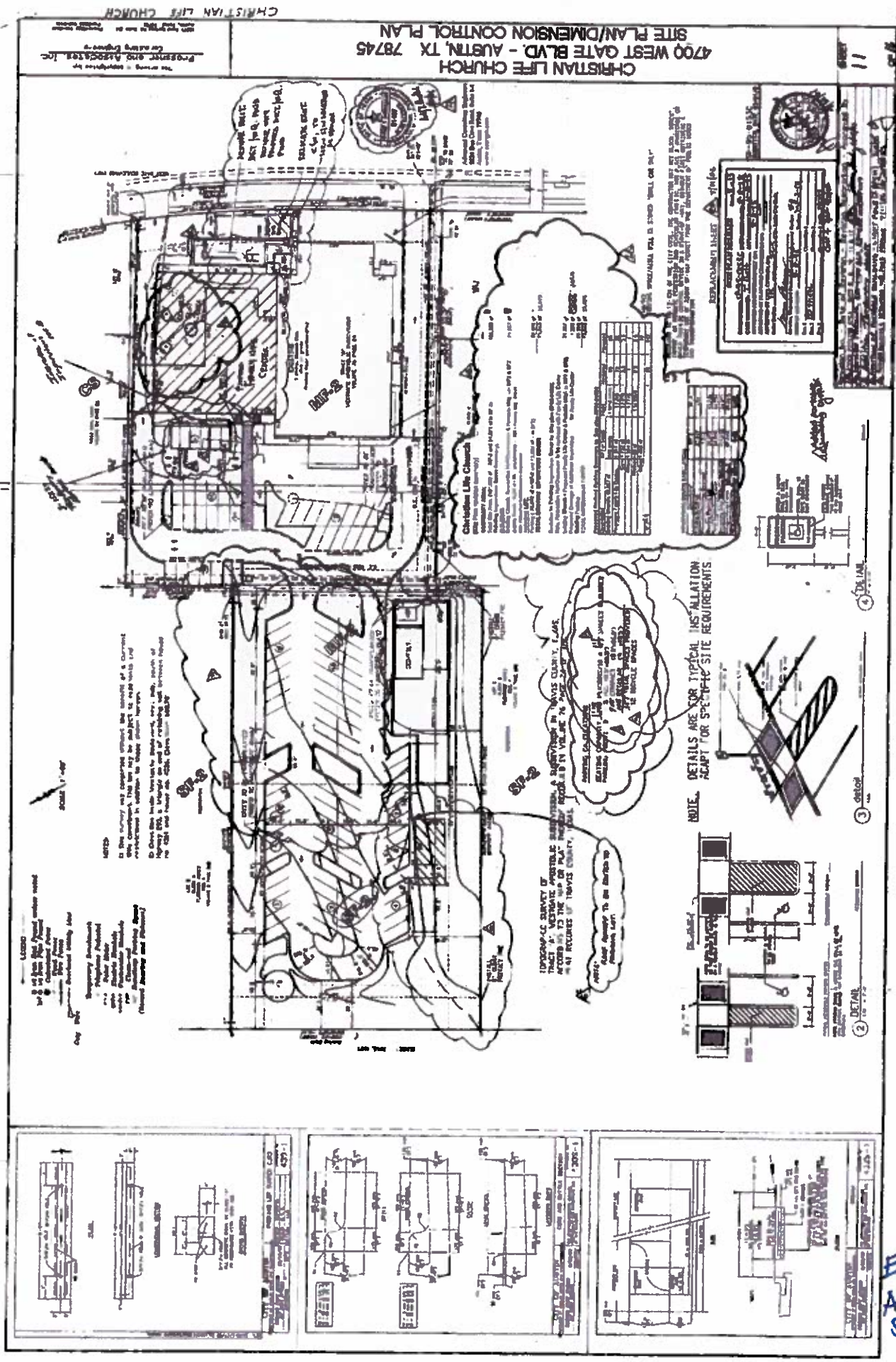


EXHIBIT C
APPROVED
SITE PLAN

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – conditional overlay (GO-CO) combining district zoning. The Conditional Overlay limits the number of vehicle trips to no more than 2,000 per day.

If the requested zoning is granted for this site, then 57 feet of right-of-way from the existing centerline should be dedicated for Westgate Blvd. according to the Transportation Plan.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The general office (GO) district is intended for offices and selected commercial uses predominantly serving community or City-wide needs, such as medical or professional offices. A building in a GO district may contain more than one use.

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

Staff recommends the Applicant's request based on its orientation on a major arterial roadway, adjacency to commercially zoned property and a mix of commercial, office and multi-family uses. The Conditional Overlay limits development to 2,000 vehicle trips per day and the dedication of additional right-of-way on West Gate Boulevard is also required.

EXISTING CONDITIONS**Site Characteristics**

The subject property is developed with one single family residence, a religious assembly use and accessory parking areas. The site is relatively flat and there appear to be no significant topographical constraints.

Impervious Cover

The maximum impervious cover allowed by the GO zoning district is 80%, a consistent figure between the *zoning and watershed* regulations.

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 Williamson 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%

According to floodplain maps there is no floodplain within or adjacent to the project boundary.

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.

Transportation

The Austin Metropolitan Area Transportation Plan calls for 114 feet of right-of-way for Westgate Blvd. If the requested zoning is granted for this site, then 57 feet of right-of-way from the existing centerline should be dedicated for Westgate Blvd. according to the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].

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. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay

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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.

Site Plan and Compatibility Standards

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

The site is subject to compatibility standards. Along the boundary lines adjoining properties zoned SF-5 or more restrictive, 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 (LDC 25-2-1063).

A fence, berm, or dense vegetation must be provided to screen adjoining residential properties from views of parking, mechanical equipment, storage, and refuse collection (LDC 25-2-1066). Additional design regulations will be enforced at the time a site plan is submitted.

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.austintexas.gov

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: C14-2012-0063

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: July 17, 2012, Zoning and Platting Commission

August 16, 2012, City Council

STEPHEN W. LAI

Your Name (please print)

4806 WESTGATE BLVD.

Your address(es) affected by this application

Stephen W. Lai

Signature

July 8, 2012

Date

Daytime Telephone: 480-855-7607

Comments: THIS ZONING REQUEST, IF APPROVED, WOULD DIMINISH THE SEPARATION OF SINGLE & MULTIPLE FAMILY RESIDENCE AREAS FROM COMMERCIAL ACTIVITIES. CHURCH PROPERTIES SHOULD BE TURNED INTO COMMUNITY USAGE, SUCH AS PLAY GROUND OR GARDEN AREA, WHEN REQUIRED FOR RELIGIOUS FUNCTIONS IS BEING REDUCED. MORE PLAY & GARDEN AREAS ARE GOOD FOR SPIRITUALITY, NOT MORE PARKING OR OFFICES.

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

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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