

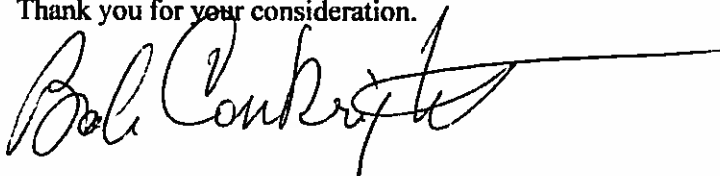
April 11, 2013

Ms. Sherri Sirwaitis
Planning and Development Review Department
City of Austin

Dear Ms. Sirwaitis,

The Rainforest Estates Neighborhood Association would like to request a postponement of the scheduled hearing on the rezoning of the property located at 11800 Arabian Trail (C14-2013-0011) before the Zoning and Plating Commission on April 16, 2013. We have not had the opportunity to meet with the applicant. Both parties would benefit from a discussion of the particulars of the case before the hearing. As of yet, we have not been able to discuss the matter with the whole membership of the association and survey their opinions. We would like to reschedule the hearing for May 21, 2013. If additional information is required, contact me.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "Bob Conkright", with a long horizontal line extending to the right.

Bob Conkright, Vice-President
In the absence of President Mike Doyle.

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ZONING CHANGE REVIEW SHEET

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CASE: C14-2013-0011

Z.A.P. DATE: April 16, 2013

ADDRESS: 11800 Arabian Trail

OWNER/APPLICANT: Xue Yun Tang

AGENT: Shaw Hamilton Consultants (Shaw Hamilton)

ZONING FROM: SF-2

TO: GR GR-CO*

AREA: 0.50 acres

*On April 1, 2013, the applicant sent the staff an e-mail requesting to prohibit access on the property to Arabian Trail. Therefore, the applicant will not have to collect traffic counts and the neighborhood traffic analysis for this site has been waived.

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to deny GR, Community Commercial District, zoning.

However, if the zoning is recommended by the Zoning and Platting Commission and granted by the City Council, the staff would recommend that a conditional overlay be established that would prohibit access to Arabian Trail and limit the development intensity on the site to less than 2,000 vehicle trips per day.

ZONING AND PLATTING COMMISSION:

DEPARTMENT COMMENTS:

The property in question is currently developed with a single-family residence and that fronts onto Arabian Trail and fenced off from Jollyville Road. The applicant is requesting GR, Community Commercial District, zoning because he would like to redevelop the property with a restaurant use..

The staff recommends denial of the applicant's request because this tract of land is situated at the entrance to a single-family residential neighborhood and is located adjacent to SF-2 and SF-3 zoning to the north, east and west. The site does not meet the intent of the GR zoning district because the property and the existing residential structure front onto Arabian Trail, a local residential street. The property in question is located within a single-family residential neighborhood and is surrounded by single-family houses on three sides. In addition, the U.S. 183/Jollyville Road Area Study designates the property in question for single-family district uses.

The applicant does not agree with the staff's recommendation.

EXISTING ZONING AND LAND USES:

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	ZONING	LAND USES
<i>Site</i>	SF-2	Single-Family Residence
<i>North</i>	SF-2	Single-Family Residences
<i>South</i>	LO	Vacant Office Structure
<i>East</i>	SF-2	Single-Family Residences
<i>West</i>	SF-3, GR, LO	Undeveloped Area, Restaurant and parking area (Jollyville Bar & Grill), Office (Jollyville Professional Building)

AREA STUDY: U.S. 183/Jollyville Road Area Study

(This Area Study designates the property in question for single-family district uses. The U.S. 183 Study was approved by the City Council in November of 1978. The Area Study recommended that a 120-foot deep strip of land along Jollyville Road be zoned "O" Office zoning (which was converted to LO, Limited Office, in 1985) and that a 200 foot strip of land along the west side of Jollyville Road be zoned "A" Residence (which was converted to SF-3, Family Residence, in 1985). The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date. The policy of SF-3 on the west side of Jollyville Road was never approved or implemented, and today the west side of Jollyville Road is primarily zoned office and multi-family, with the majority of office zoning being LO zoning. The recommendation for a 120-foot strip of LO zoning along the eastern portion of Jollyville Road was incorporated into the Jollyville Road Study, which was adopted in 1984).

TIA: Not required

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Independent School District
Austin Monorail Project
Beyond2Nature
Bike Austin
Bull Creek Foundation
Homeless Neighborhood Association
League of Bicycling Voters
Long Canyon Homeowners Association
North Oaks Neighborhood Association
SELTEXAS
Sierra Club, Austin Regional Group
Super Duper Neighborhood Objectors and Appealers Organization
The Real Estate Council of Austin

SCHOOLS:

North Oaks Elementary School
 Canyon Vista Middle School
 Anderson High School

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CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2010-0146 (Jollyville Food Mart: 11794 Jollyville Road)	LR-CO, LO to LR	10/05/10: Approved staff's recommendation of LR-CO zoning on consent with the following conditions: 1) Limit the site to less than 2,000 vehicle trip per day, 2) prohibit Restaurant (Limited), Counseling Services, Guidance Services and Safety Services (7-0); P. Seeger-1 st , D. Tiemann-2 nd .	11/4/10: Approved LR-CO zoning on all 3 readings on consent (7-0); Cole-1 st , Spelman-2 nd .
C14-2010-0097 (11777 Jollyville Road Rezone)	SF-2 to LO	8/03/10: Postponed to September 7, 2010 at the neighborhood's request (5-1, S. Baldrige-No, T. Rabago-absent); P. Seeger-1 st , D. Tiemann-2 nd . 9/07/10: Postponed to September 21, 2010 at the applicant's request (7-0); P. Seeger-1 st , D. Tiemann-2 nd . 9/21/10: Postponed indefinitely at the applicant's request (7-0); G. Bourgeois-1 st , P. Seeger-2 nd . 3/21/11: Case expired according to Land Development Code-Sec. 25-2-246(A)(2).	N/A
C14-2008-0151 (Bary Chiropractic: 11777 Jollyville Road)	SF-2 to GR-MU* *Amended by the applicant to LO-MU at the ZAP meeting	9/02/08: Recommended denial of LO-MU zoning (6-1, K. Jackson-No); T. Rabago-1 st , J. Gohil-2 nd .	12/08/08: Denied LO-MU zoning (6-1, W. Wynn-Nay)
C14-2007-0148 (Beaver Brook Children Center: 11726 Jollyville Road)	SF-2, LO to LO	10/02/07: Approved staff's recommendation for LO-CO zoning with 35' height limit (6-0, C. Hammond, B. Baker-absent); J. Shieh-1 st , K. Jackson-2 nd .	11/08/07: Approved LO-CO zoning (7-0); all 3 readings
C14-2007-0123 (11701 Jollyville Road)	SF-2 to GR-MU* The applicant	10/02/07: Approved staff's recommendation for LO-MU-CO zoning (6-0, B. Baker, C. Hammond-absent); K. Jackson-1 st ,	11/08/07: Approved ZAP recommendation of LO-MU-CO zoning (6-1, J. Kim-No)

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	amended their rezoning request to LR-MU-CO	T. Rabago-2 nd .	11/29/07: Approved LO-MU-CO zoning by consent (5-0, J. Kim, M. Martinez-off dais)
C14-2007-0082 (11603 Jollyville Road)	LO, LR to GR-MU	7/17/07: Approved staff's recommendation of GR-MU-CO zoning with added prohibition of Automotive Sales, Automotive Rentals, Automotive Repair, Automotive Washing (of any type) and Pawn Shops uses (8-0)	8/23/07: Approved GR-MU-CO zoning on all 3 readings (7-0)
C14-2007-0081 (11625 Jollyville Road)	LR-CO to Tract 1: LO, Tract 2: GR-MU	7/17/07: Approved staff's recommendation of LO-CO zoning for Tract 1 and GR-MU-CO zoning for Tract 2 with added prohibition of Automotive Sales, Automotive Rentals, Automotive Repair, Automotive Washing (of any type) and Pawn Shops uses (8-0)	8/23/07: Approved LO-CO and GR-MU-CO zoning on all 3 readings (7-0)
C14-06-0172 (Arboretum Retirement Community: 11601 Jollyville Road)	LO to Tract 1 (1.570 acres): GR-MU (for 866 to 896 ft above sea level) and MF-6 (for 896 to 986 ft above sea level) Tract 2 (0.424 acres): LO-MU (an area 120 ft in depth on the site from the property line along Jollyville Road)	10/17/06: Approved GR-MU-CO zoning on Tract 1 for an area 866 to 896 ft above sea level and MF-6-CO zoning for an area 896 to 926 ft above sea level; with conditions of a 60-foot height limit and 2,000 vehicle trip limit and approved LO-MU-CO zoning on Tract 2; with conditions of 2,000 vehicle trip limit, limit site to 'LO' district uses and residential accessory uses (prohibiting dwelling units). Vote: 9-0; K. Jackson-1 st , J. Martinez-2 nd . 1/09/07: Approved staff rec. of GR-MU-CO zoning for Tract 1 and LO-CO zoning for Tract 2, with a 2,000 vehicle trip limit per tract (6-0, B. Baker, S. Hale, J. Martinez-absent); J. Pinnelli-1 st , C. Hammond-2 nd .	1/25/07: Approved GR-MU-CO for Tract 1 and LO-CO for Tract 2 (6-0); all 3 readings
C14-06-0013 (Pavilion Condominiums: 11819 Pavilion Boulevard)	GR, SF-2 to MF-6* *On 4/27/06, the agent requested to amend the case to allow for a 65 foot strip of SF-3 zoning along the southeast property line.	5/02/06: Motion to approve MF-6-CO zoning, with a 60 foot height limit, and SF-3 zoning for an area 65 feet from the southeastern property line (5-3, B. Baker, M. Hawthorne, C. Hammond-No, J. Martinez-absent); K. Jackson-1 st , B. Baker-2 nd . Motion made to rescind and reconsider previous action (8-0, J. Martinez-absent); K. Jackson-1 st , B. Baker-2 nd .	6/22/06: Case withdrawn by applicant

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		Motion to deny the applicant's request for MF-6 zoning (6-2, J. Gohil, S. Hale-No, J. Martinez-absent); K. Jackson-1 st , J. Pinnelli-2 nd .	
C14-02-0088 (Ghodsi Tract: 11820 Jollyville Road)	LO to LR-CO	6/18/02: Approved staff's recommendation of LR-CO zoning, by consent (8-0, A. Adams-absent)	7/18/02: Approved LR-CO, prohibiting the following uses as offered by the applicant: Restaurant (Drive-in, Fast Food), Service Station, Counseling Services, Guidance Services, and Safety Services(7-0); all 3 readings
C14-01-0160 (11851 Jollyville Road)	LO to GO	Withdrawn by applicant on 12/14/01	N/A
C14-99-0040	SF-2 to GO	4/06/99: Approved staff rec. of LO (9-0)	5/06/99: Approved PC rec. of LO (6-0); all 3 readings
C14-97-0118	SF-2 to SF-3	10/07/97: Approved staff's rec. of SF-3 (8-0)	11/06/97: Approved PC rec. of SF-3 (7-0); all 3 readings
C14-97-0067	LO, SF-2 to LO	7/22/97: Approved staff rec. of LO by consent (8-0)	8/21/97: Approved LO (5-0); all 3 readings

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Jollyville Road	100'	60'	Arterial	No	392, 982, 983	Priority 1
Arabian Trail	50'	30'	Local	No	No	No

CITY COUNCIL DATE: May 9, 2013

ACTION:

ORDINANCE READINGS: 1st

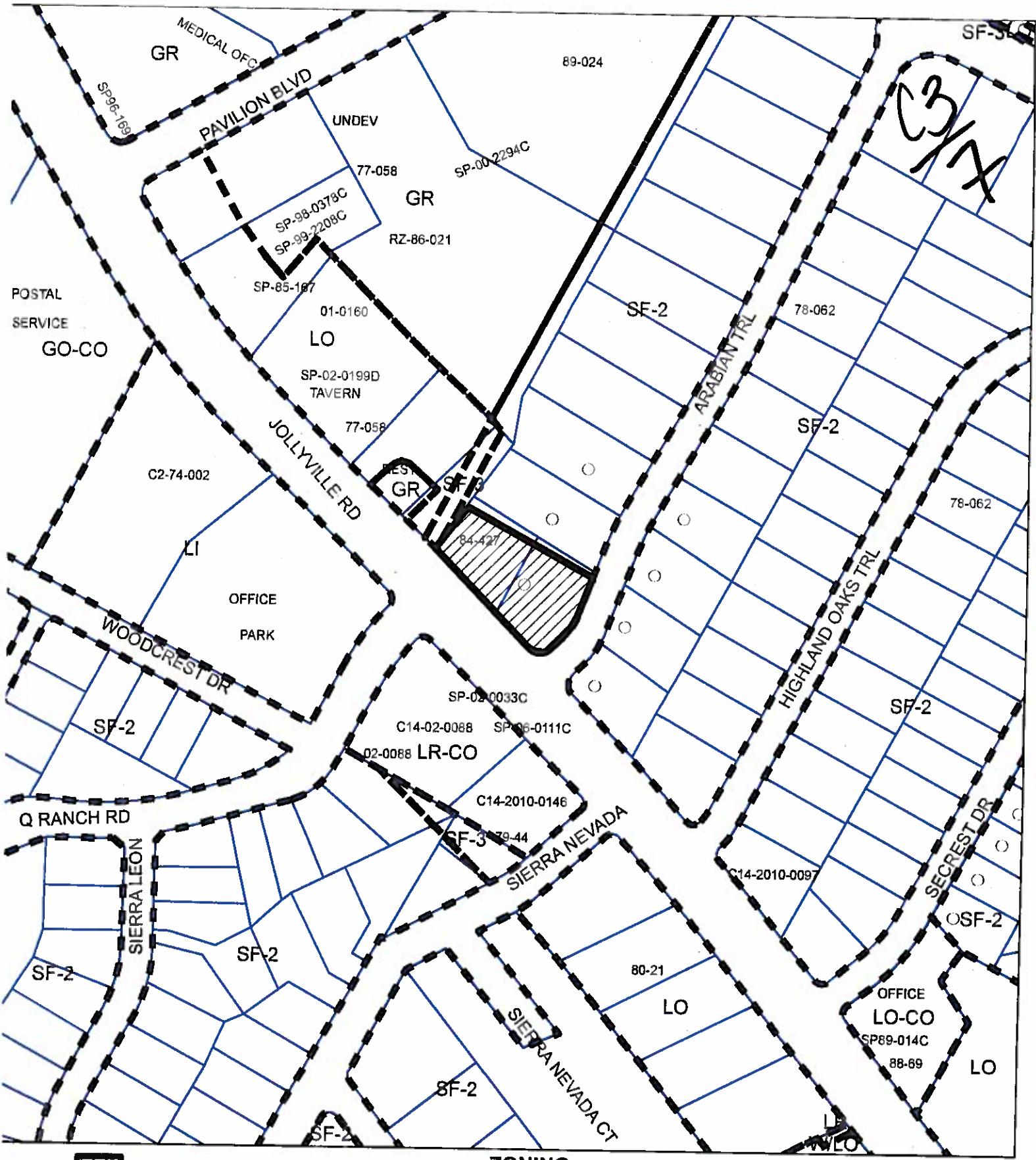
2nd





3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



- 
 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

ZONING
 ZONING CASE#: C14-2013-0011

1" = 200'

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.







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STAFF RECOMMENDATION

The staff's recommendation is to deny GR, Community Commercial District, zoning.

However, if the zoning is recommended by the Zoning and Platting Commission and granted by the City Council, the staff would recommend that a conditional overlay be established that would prohibit access to Arabian Trail and limit the development intensity on the site to less than 2,000 vehicle trips per day.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should promote consistency and orderly planning.*

The proposed zoning does not promote consistency and orderly planning because the lot under consideration is developed with a single-family home that is oriented to Arabian Trail. The property is surrounded by single-family uses and SF-2/SF-3 zoning to the north, east and west. In addition, the U.S. 183/Jollyville Road Area Study, which has continuously been administered in this area since 1985, designates the property in question for single-family district uses.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is currently developed with a single-family residence that fronts onto Arabian Trail.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Environmental

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut 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. 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.

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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.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90%. However, if the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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%

Site Plan/Compatibility Standards

Development on this site will be subject to *Subchapter E: Design Standards and Mixed Use*. Additional Subchapter E comments will be provided upon submittal of the site plan.

The site adjoins property zoned SF-5 or more restrictive to the north, east and west, and is therefore subject to compatibility standards. Along those 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 common property line shared with the adjacent SF-2 land use to the north.
- 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 may be specified at the time a site plan is submitted.

This proposed development appears to be comprised of two lots, and a Unified Development Agreement may be required for drainage facilities shared by the lots.

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.

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Transportation

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

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

A Neighborhood Traffic Analysis is required for Arabian Trail and will be performed for this project by the Transportation Review staff. Results will be provided in a separate memo. LDC, Sec. 25-6-114. The applicant is required to submit 24 hour traffic counts for Arabian Trail.*

*The applicant has agreed to prohibit access to Arabian Trail, a local residential street, as a condition of zoning. Therefore, the applicant will not have to collect traffic counts and the neighborhood traffic analysis for this site has been waived. 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]

Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Jollyville Road	100'	60'	Arterial	No	392, 982, 983	Priority 1
Arabian Trail	50'	30'	Local	No	No	No

Water and Wastewater

FYI: 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 proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans 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 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.