

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2013-0010  
B.C. Child Development Center – Toddler House

**P.C. DATE:** 04/09/13

**ADDRESS:** 5801 Travis Cook Road

**AREA:** 0.9513 (41,439 sq. ft.)

**OWNER:** Michael P. Muller

**APPLICANT:** Hollister House and Home (Peter Hollister)

**ZONING FROM:** RR-NP; Rural Residence – Neighborhood Plan Combining District

**ZONING TO:** LO-MU-NP, Limited Office - Mixed Use - Neighborhood Plan

**NEIGHBORHOOD PLAN AREA:** Oak Hill

**SUMMARY STAFF RECOMMENDATION**

Staff recommends LO-MU-NP, Limited Office – Mixed Use – Neighborhood Plan

**PLANNING COMMISSION ACTION:**

The motion to approve staff's recommendation for LO-MU-CO-NP district zoning, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Richard Hatfield seconded the motion on a vote of 8-0; Commissioner Jean Stevens was absent.

**DEPARTMENT COMMENTS:**

The property is a platted lot (see Exhibit A-4) and is currently developed with a single family dwelling. The owner of this lot also owns the lot to the south and operates a day care center at that location. The lot to the south was zoned LO-CO-NP in 2007 with case number C14-2007-0139 and has been operating as a day care since that date. The owner has indicated that she would like to expand her business but does not want to add on to the existing property but would like to utilize the single family dwelling to the north. This area has a mix of uses including single family residences, apartments and the Natural Gardener. The Natural Gardener is a very large nursery complex located to the west of the subject tract offering a variety of plant stock as well as bulk soils, mulch and compost. The only entrance /exit onto Travis Cook Road for the Natural Gardener is right in front of the subject tract. Large trucks as well as customers use this entrance/exit Monday through Saturday, 8 a.m. to 6 p.m. as well as Sunday to 10 a.m. to 5:30 p.m. This large volume of traffic diminishes the viability of the single family dwelling unit to be used a residence. However the staff recommendation included the MU –Mixed Use overly should there ever be a need to use the structure for a residence.

**ABUTTING STREETS:**

Street Name	ROW Width	Pavement Width	Classification/ ADT	Bicycle Plan	Capital Metro	Sidewalks
Travis Cook Road	Varies	24'	Collector/7,310	Yes, Route 109	No	No

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	RR-NP	Single-family residential
<i>North</i>	RR-NP; SF-3 NP	Single-family residential – with day care
<i>East</i>	RR-NP; SF-2- CO-NP	Single-family residential; Detention Pond/Open Space
<i>South</i>	LO-CO-NP; RR-NP; CS- CO-NP' CS- NP	Day Care; Single-family residential
<i>West</i>		Natural Gardner

**AREA STUDY:** N/A**WATERSHED:** Williamson Creek**CAPITOL VIEW CORRIDOR:** No**TIA:** Not Required**DESIRED DEVELOPMENT ZONE:** No**HILL COUNTRY ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

Oak Hill Association of Neighborhoods	298
City of Rollingwood	605
OHAN	705
Travis Country West Home Owners Association	712
Austin Independent School District	742
Save Our Springs Alliance	943
Homeless Neighborhood Organization	1037
League of Bicycling Voters (Bike Austin)	1075
Oak Hill Neighborhood Planning Contact Team	1166
Super Duper Neighborhood Objectors and Appealers Organization	1200
Austin Monorail Project	1224
Sierra Club, Austin Regional Group	1228
The Real Estate Council of Austin, Inc.	1236
Austin Heritage Tree Foundation	1340
Oak Hill Trails Association	1343
SEL Texas	1363
Beyond2ndNature	1409

**RELATED CASES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>LAND USE COMMISSION</b>	<b>CITY COUNCIL</b>
<b>WEST OF TRAVIS COOK – NORTH TO SOUTH</b>			
Southwest Parkway at Travis Cook Road and Old Bee Caves Road at Bell Drive C14-02-0164	From RR and DR to MF-1-CO	Approved MF-1-CO (limits vtd, units, units/acre and access); 12/17/2002	Approved as rec; 06/05/03
Bell Drive at Travis Hills	From SF-2 to LO-MU	Approved LO-MU-CO (prohibits Medical	Approved Approved as rec;

C14-96-0021		Office; limits to 20K sq ft); 03/26/96	04/25/1996
8634 Old Bee Caves Road C14-06-0067	From RR to CS	Forwarded without recommendation; 04/12/2006	RR to CS-CO (limits vtd); 06/19/2006
C14-2012-0024 - 6000 Mountain Shadows	From RR-NP LO-MU-NP	Approved LO-MU-NP; 05/22/2012	Approved LO-MU-NP; 06/28/2012
6001 Mountain Shadows Drive C14-04-0038	From RR to CS	Approved GR-CO 04/06/2004; Rescinded and Approved W/LO-CO (limits vtd and access); 04/20/2004	Approved W/LO-CO with additional conditions (street dedication, IPM, & more); 06/10/2004
8800 and 8702 Sky Mountain Drive C14-06-0142	From RR to W/LO	08/22/2006 Denied	10/19/2006 Denied
8800 Sky Mountain Drive C14-2011-0038	From RR-NP to MF-I-NP	Approved; MF-1-CO-NP (limits vtd and access); 7/12/2011	Approved as rec; 8/18/2011
8705 Old Bee Caves Road C14-01-0129	From LR to W/LO	Approved W/LO-CO (limits vtd, access, and height), required ROW dedication; 10/23/2001	Approved as rec; 11/29/2001

<b>EAST OF TRAVIS COOK – NORTH TO SOUTH</b>			
5601 Sunset Ridge C14-94-0044	From GO to GO-MU	Approved GO-MU-CO; 05/24/1994	Approved GO-MU-CO (CO restricts to 1 residential dwelling unit); 06/23/1994
C14-06-0061 8509 Southwest Parkway	From GO-MU-CO to GO-MU-CO to remove 1 residential dwelling unit restriction	Approved; Add CO for 2000 vtd limit; 05/23/2006	Approved; 07/27/2006
8401 Southwest Parkway C14-85-288.166	As part of Oak Hill Study, From I-RR to IP		Approved IP and RC (limits uses and FAR); 09/17/1987
C14-2010-0042 C14-85-288.166 (RCA)	From IP-NP to GO-NP  Limits uses, adds additional environmental development standards	Approved GO-CO-NP and RCA; 05/11/2010	Approved as rec; 06/21/2010
Travis Country West (Sunset Ridge Drive and Old Bee Caves	From RR to SF-2	Approved SF-2-CO (limits units/acre);	

Road) C14-99-2143  (Southwest Parkway at Travis Cook Road C14-99-2144)	From LR, GR, & IP to SF-2	03/21/2000  Approved SF-2-CO (limits units/acre and assess); 03/21/2000	Approved as rec; 10/5/2000
C14-04-0067 5607, 5611 and 5701 Travis Cook Road	From RR to SF-3	Approved SF-3; 06/01/2004	Approved SF-3- CO (limits min lot size); 10/12/2004
C14-2007-0139 5805 Travis Cook Road	From RR to LO	Approved LO-CO (limits vtd); 9/25/2007	Approved as rec; 11/09/2007
8501-8635 Old Bee Caves Road C14-00-2104	From I-RR and RR to MF- 1-CO (amended)	Approved MF-1-CO (limits vtd and access), required ROW dedication; 07/11/2000	Approved as rec; 11/30/2000

**CASE HISTORIES:**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
5801 Travis Cook Road C14-95-0125	From LO to RR	Approved RR, required ROW dedication; 10/24/1995	Approved as rec; 11/30/1995

**CITY COUNCIL DATE:** May 9<sup>th</sup>, 2013**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup>2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:**

**CASE MANAGER:** Lee Heckman  
e-mail address: lee.heckman@austintexas.gov

**PHONE:** 974-7604

## **SUMMARY STAFF RECOMMENDATION**

### **BASIS FOR RECOMMENDATION**

*Granting of the request should result in an equal treatment of similarly situated properties.*

Granting Limited Office zoning to this tract of land would be in keeping with the Limited Office zoning to the South.

## **EXISTING SITE CHARACTERISTICS AND REVIEW COMMENTS**

### **Site Characteristics**

The subject tract contains an existing single-family structure, which, according to TCAD, dates from 1997 and contains just over 1000 square feet. It appears a portion of the site may be used for parking, but on an unimproved surface. The remainder of the heavily treed site contains a circular driveway that connects with property to the south (an existing daycare facility under the same ownership) and east (by way of the northern property line to a private residence).

As indicated on the schematic of the existing subdivision plat (see Exhibit A-4), these shared driveways are contained within dedicated Joint Use Access Easements. In addition, the northern property line abuts a water quality easement and the southern property line is within a dedicated drainage and public utility easement. Lastly, the eastern third of the subject tract is encumbered by water quality or drainage easements.

### **NPZ Environmental Review - Mike McDougal 512-974-6380**

1. This site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. It is in the Drinking Water Protection Zone.
2. Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the Recharge Zone, 20% impervious cover in the Barton Creek Watershed, and 25% impervious cover in the Contributing Zone. This tract lies in the Contributing Zone.
3. According to flood plain maps there is no flood plain within the project location.
4. The site is located within the endangered species survey area.
5. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
6. 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.

7. Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.
8. At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code regulations.

#### **NPZ Site Plan Review - Michael Simmons-Smith (512) 974-1225**

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1. Development on this site will be subject to *Subchapter E: Design Standards and Mixed Use*. The Principal Street will be Travis Cook Road, which is classified as a Suburban Roadway.
2. This site is within 540 feet of residential properties zoned SF-5 or more restrictive, and will be subject to compatibility standards.
3. F.Y.I. – For the site plan, define enrollment capacity based on state standards (1:30 sq. ft. usable floor area and 1:80 sq. ft. outdoor fenced area), Texas Department of Human Services and Department of Protective and Regulatory Services. Enrollment capacity may be limited by site constraints as a condition of City approval [Section 3100 (81.410) Human Resources Code, Chapter 42].

#### **NPZ Transportation Review - Ivan Naranjo - (512) 974-7649**

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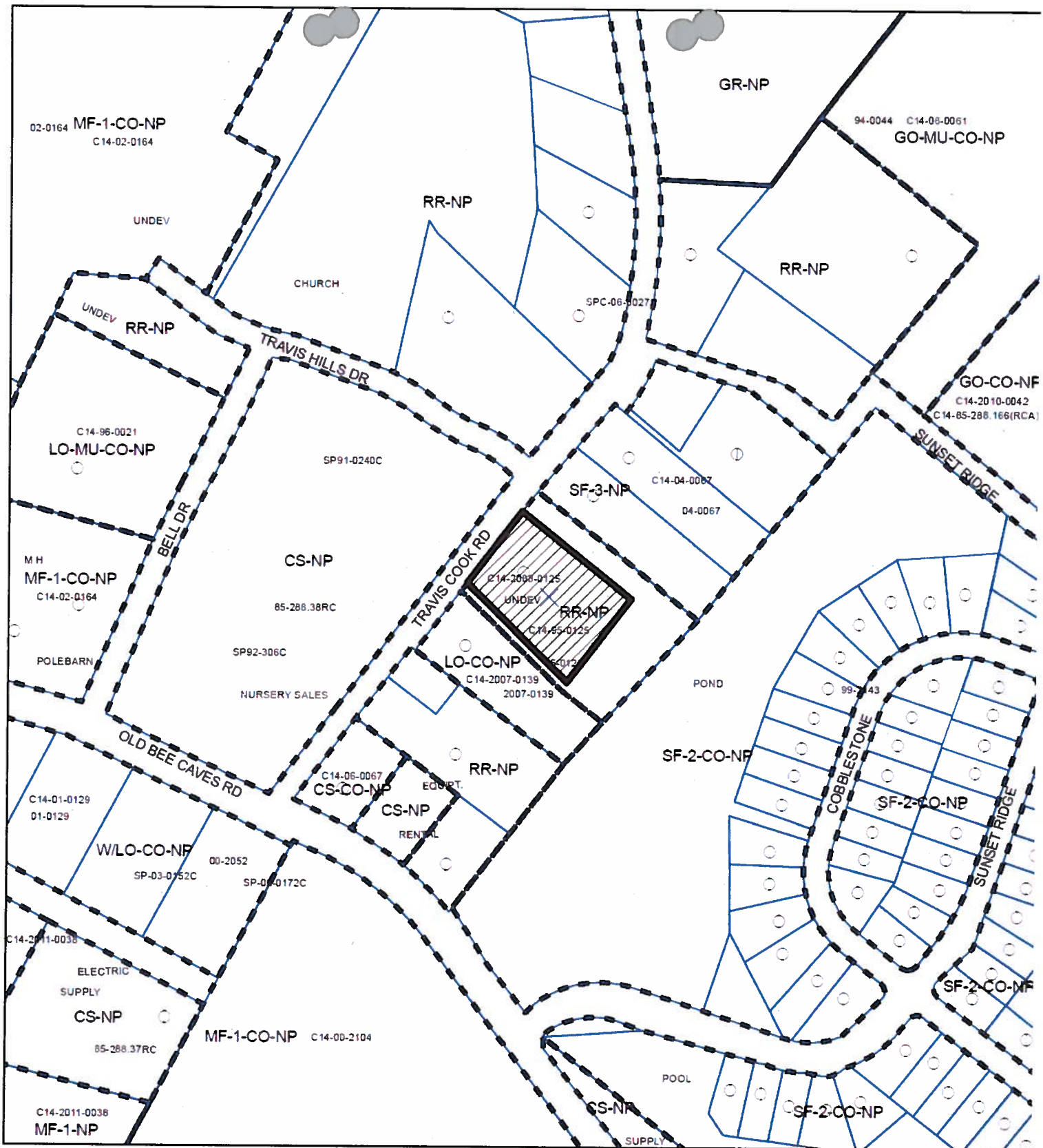
1. No additional right-of-way is needed at this time.
2. TR2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]
3. TR3. Travis Cook Road is classified in the Bicycle Plan as Bike Route No. 109.
4. TR4. Capital Metro bus service is not available along Travis Cook Road.
5. TR5. There are no existing sidewalks along Travis Cook Road.
6. TR6. Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
Travis Cook Road	Varies	24'	Collector	7,310

**NPZ Water Utility Review - Bradley Barron 512-972-0078**

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1. 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 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.



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2013-0010

1" = 251'

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.







18

18-NP

CO-MU-CO-NP

BELL DR

TRAVIS HILLS DR

TRAVIS COOK RD

18

GF

CO-MU-CO-NP

SUNSET RIDGE

SUBJECT TRACT

SF-2 CO-NP

CS-NP

CS-NP

W/O CO-NP

CS-NP

OLD BEE CAVES RD

COBBLESTONE

SUNSET RIDGE

CS-NP

SF-2 CO-NP

59





Google earth

feet 9  
meters 2

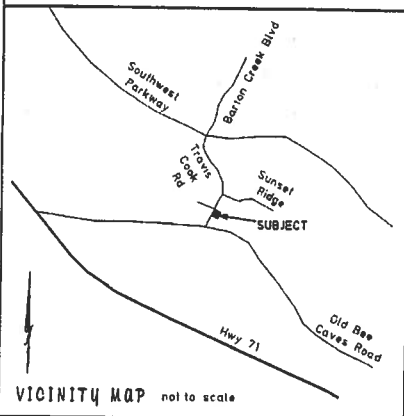


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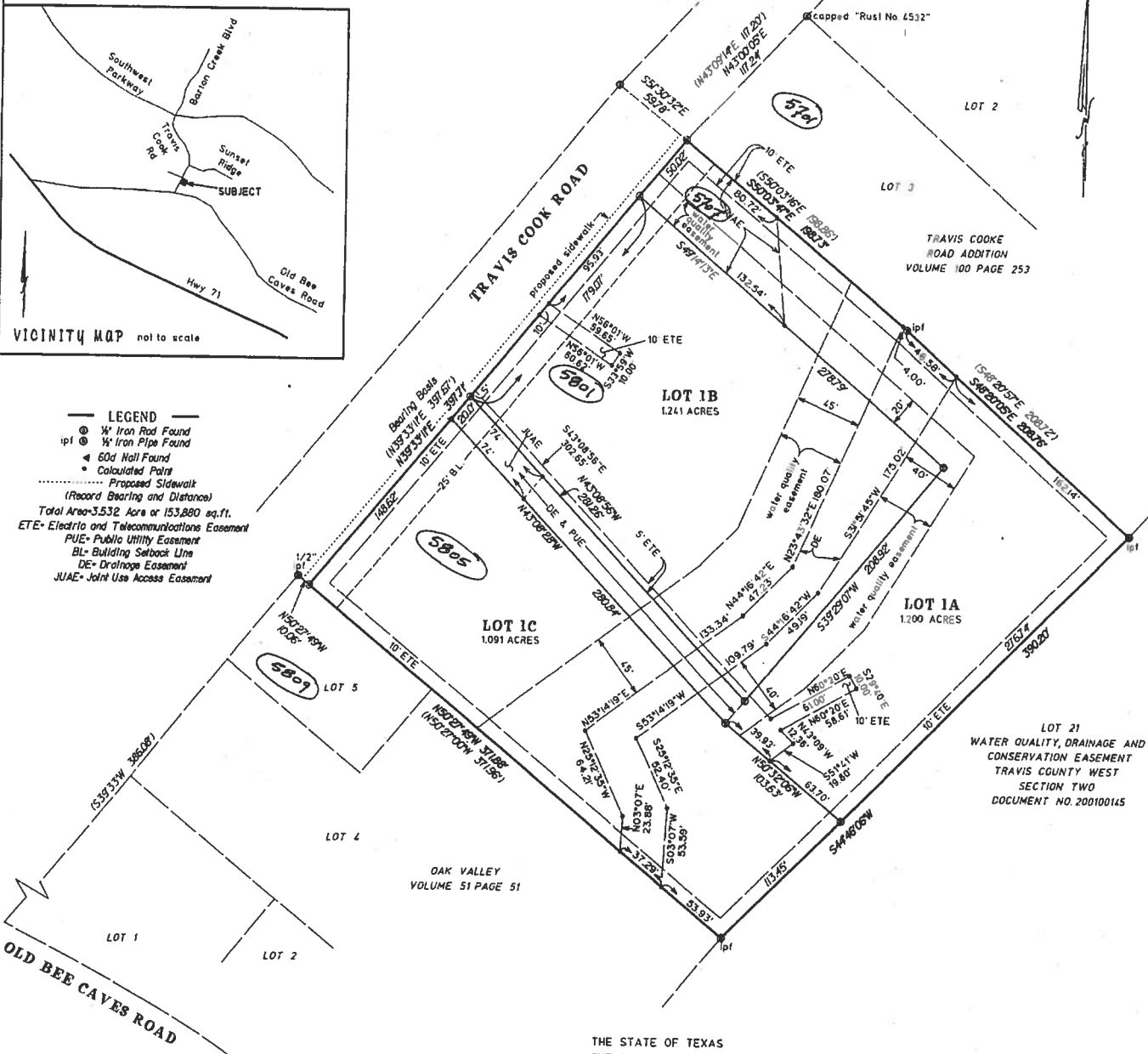
# REPLAT OF MULLER SUBDIVISION

prepared: May 18, 2007

SCALE: 1"=50'



- LEGEND**
- 1/4" Iron Rod Found
  - ipf 1/4" Iron Pipe Found
  - ▲ 60d Nail Found
  - Calculated Point
  - Proposed Sidewalk (Record Bearing and Distance)
  - Total Area: 3,532 Acres or 153,880 sq.ft.
  - ETE- Electric and Telecommunications Easement
  - PUE- Public Utility Easement
  - BL- Building Setback Line
  - DE- Drainage Easement
  - JUAE- Joint Use Access Easement



This subdivision is located in the Full Purpose Jurisdiction of the City of Austin this the 8th day of November, 2007.

APPROVED, ACCEPTED AND AUTHORIZED for record by the Director, Watershed Protection and Development Review Department, City of Austin, County of Travis, this the 8th day of November, 2007, A.D.

Dana DeBeauvoir  
Victoria L. P.E., Director, Watershed Protection and Development Review Department

THE STATE OF TEXAS  
THE COUNTY OF TRAVIS  
I, Dana DeBeauvoir, Clerk of Travis County, Texas, do hereby certify that the foregoing Instrument of Writing and its Certificate of Authentication was filed for record in my office on the 16th day of November, 2007, A.D., at 11 o'clock AM and duly recorded on the 16th day of November, A.D., at 11 o'clock AM in the Official Public Records of said County and State in Document No 200700341

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK OF SAID COUNTY this the 16th day of November, 2007, A.D.

DANA DEBEAUVOIR, COUNTY CLERK TRAVIS COUNTY, TEXAS

By: Mary Clark  
Deputy MARY CLARK

FILED FOR RECORD at 11 o'clock AM, this the 16th day of November, 2007, A.D.

DANA DEBEAUVOIR, CLERK OF TRAVIS COUNTY, TEXAS.

By: Mary Clark  
Deputy MARY CLARK



✓X B14

Sunset  
Ridge

SUBJECT

Old Bee  
Caves Road

1



**ORDINANCE NO. 20071108-086**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5805 TRAVIS COOK ROAD FROM RURAL RESIDENCE (RR) DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY (LO-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 rural residence (RR) district to limited office-conditional overlay (LO-CO) combining district on the property described in Zoning Case No. C14-2007-0139, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 1C, Replat of Lot 1, Block A, Muller Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Document No. 200200056, of the Official Public Records of Travis County, Texas (the "Property"),

locally known as 5805 Travis Cook Road, 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.

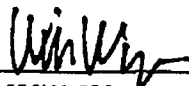
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the limited office (LO) base district, and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on November 19, 2007.

**PASSED AND APPROVED**

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November 8, 2007

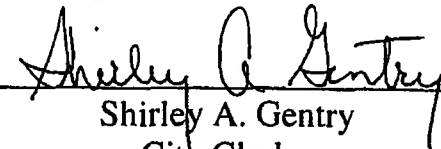
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Will Wynn  
Mayor

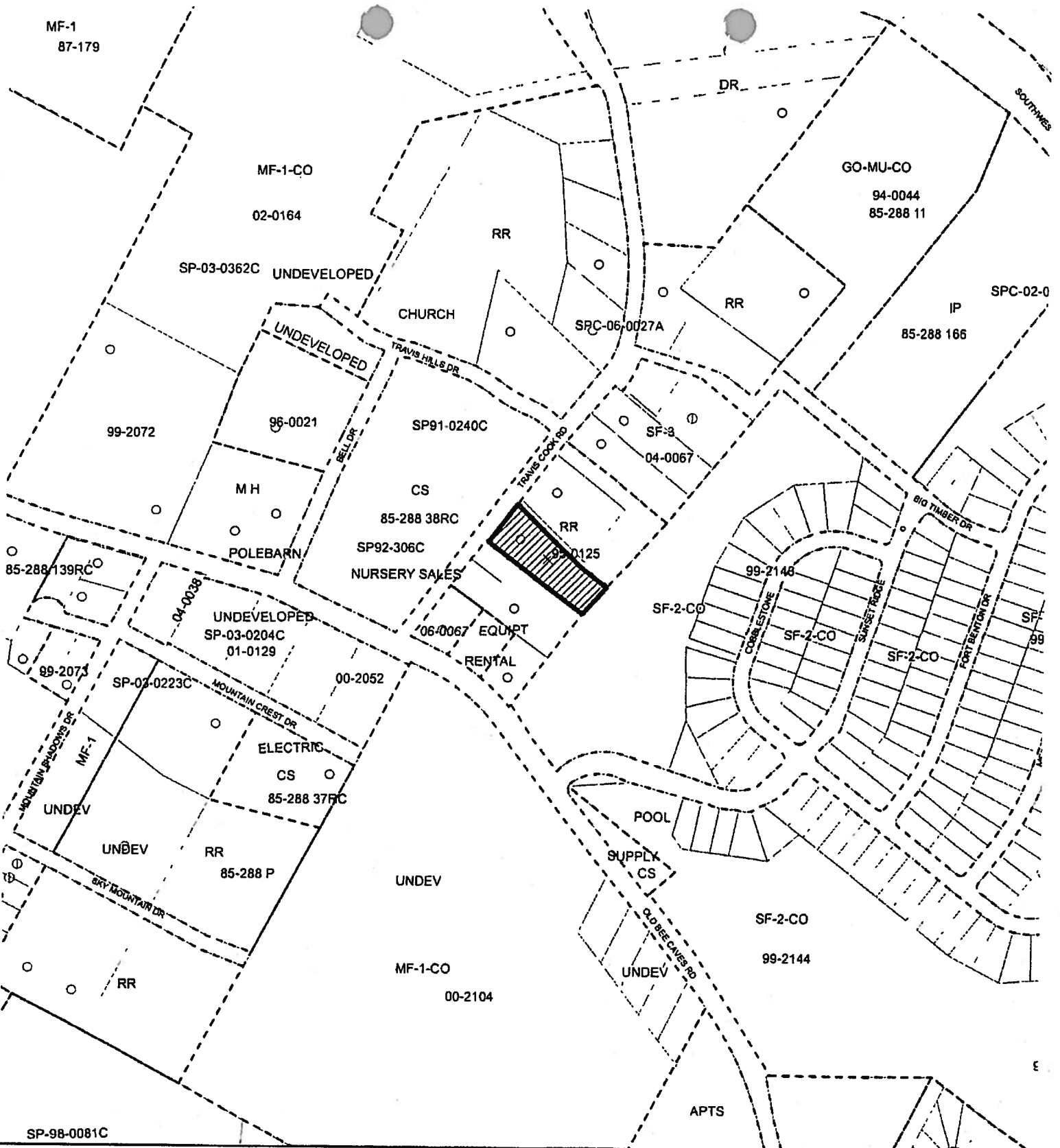
**APPROVED:**

\_\_\_\_\_  
  
David Allan Smith  
City Attorney

**ATTEST:**

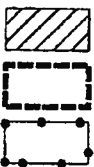
\_\_\_\_\_  
  
Shirley A. Gentry  
City Clerk

MF-1  
87-179



ZONING *EXHIBIT A*

ZONING CASE#: C14-2007-0139  
ADDRESS: 5805 TRAVIS COOK RD  
SUBJECT AREA: 1.091 ACRES  
GRID B21  
MANAGER: R. HEIL



Subject Tract

Zoning Boundary

Pending Cases

1" = 400' OPERATOR SM

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

