

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0082 (Stokes Ranch)

Z.A.P. DATE: July 15, 2014

ADDRESS: 11900 Buckner Road

APPLICANT: Robert H. Stokes

AGENT: MFH Engineering (Martha H. Mangum, P.E.)

ZONING FROM: Tract 1: SF-2
Tract 2: DR

TO: Tract 1: GR-MU
Tract 2: SF-6

AREA: Tract 1: 4.989 acres
Tract 2: 9.293 acres
Total: 14.282 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay Combining, District zoning for Tract 1 and SF-6-CO, Townhouse & Condominium Residence-Conditional Overlay Combining, District zoning for Tract 2. The conditional overlay will limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

The staff's recommendation includes a condition that 25 feet of right-of-way from the existing centerline of Buckner Road should be dedicated through a street deed to the City of Austin prior to third reading of this zoning case at City Council in accordance with the Transportation Plan. [LDC, 25-6-55; TCM, Tables 1-7, 1-12].

ZONING AND PLATTING COMMISSION RECOMMENDATION:

7/15/14: Approved staff's recommendation of GR-MU-CO zoning for Tract 1 and SF-6-CO zoning for Tract 2 by consent (5-0, C. Banks & S. Compton-absent); P. Seeger-1st, R. McDaniel-2nd.

DEPARTMENT COMMENTS:

The property in question consists of an undeveloped area (Tract 1) and a single-family residence with outlying structures (Tract 2). The applicant is requesting GR-MU zoning for Tract 1 to develop commercial mixed use along FM 620 Road and SF-6 zoning for Tract 2 to redevelop this site with higher density single-family residential uses.

The staff recommends the applicant's request for GR-MU-CO zoning for Tract 1 as the proposed zoning meets the intent of the Community Commercial-Mixed Use Combining District as the rezoning of Tract 1 on this property will permit commercial uses on the site to serve the public along a major arterial roadway within the city. In addition, the staff is supportive of SF-6-CO zoning on Tract 2 as this parcel of land is set back from FM 620 Road and is located adjacent to other single family residential uses to the west along Buckner Road.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2, DR	Undeveloped Tract, Single-Family Residence with outlying structures (barn, shed)
<i>North</i>	DR, GR-CO	Undeveloped area, Plant Nursery (Austin Grass and Soils), General Retail Sales-General (Rainbow Playscapes)
<i>South</i>	LO-CO, DR, SF-2	Office, Construction Sales and Services (American Drywall System, Inc.), Services Station (Vehicle Inspection), Automotive Repair (Rivera RPM Auto Repair, Dearing Auto Repair, MC Tires)
<i>East</i>	County, CS-1-CO, LR-CO	Religious Assembly (Peace Lutheran Church), Liquor Sales (Spec's Wine and Spirits), Restaurant (Mr. Doughnuts), Service Station and Foodmart (Chevron), Restaurant (Prima Pizza and Pasta)
<i>West</i>		Undeveloped, Single-Family Residences

AREA STUDY: N/A**TIA:** Waived**WATERSHED:** Lake Travis**DESIRED DEVELOPMENT ZONE:** No**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** Yes
(Please see Site Plan comments below)**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation
 Austin Monorail Project
 Bike Austin
 Bull Creek Foundation
 Homeless Neighborhood Association
 Leander ISD Population and Survey Analysts
 Long Canyon Homeowners Association
 Long Canyon Phase II & LLL Homeowners Association, Inc.
 SELTEXAS
 Sierra Club, Austin Regional Group
 Super Duper Neighborhood Objectors and Appealers Organization
 The Parke HOA
 The Real Estate Council of Austin, Inc.
 2222 Coalition of Neighborhood Associations
 Volente Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2010-0152 M&S Project #2: 10601 N. FM 620 Road)	LR-CO to CS-1	10/05/10: Approved the CS-1-CO zoning with the following conditions: 1) Limit the property to 2,000 vehicle trips per day per Ordinance No. 010125-14; 2) Prohibit Cocktail Lounge, Exterminating Services, Pawn Shop Services, Hotel-Motel, Indoor Sports and Recreation, and Auto Related Uses and 3) Limit the site to all other GR permitted uses (7-0); S. Baldridge-1 st , P. Seeger-2 nd .	10/28/10: Approved CS-1-CO zoning on consent on 2 nd /3 rd readings (7-0); B. Spelman-1 st , L. Morrison-2 nd .
C14-2008-0199 (Time Warner 620 HUB: 11827 Buckner Road)	DR to LO-CO	10/31/08: Approved staff rec. of LO-CO zoning by consent (4-0)	12/02/08: Approved LO-CO zoning (6-0); all 3 readings
C14-04-0207 (ECO Resources: 9511 North FM 620 Road)	I-RR to Tract 1: P and Tract 2: GO	2/01/05: Approved staff's recommendation on consent for P-CO for Tract 1, GO-CO for Tract 2, with additional conditions to: 1) Prohibit access to Savannah Ridge Drive (other than for emergency vehicles), 2) Create a Tract 3 designated as RR-CO district zoning for a distance of 300-feet from the eastern most property line that is adjacent to SF-2 zoning, Vote: (9-0); J. Martinez-1 st , J. Gohil-2 nd .	3/03/05: Approved P-CO for Tract 1, GO- CO for Tract 2, and RR-CO for Tract 3(7-0); all 3 readings
C14-04-0197 (Buckner: 11833 Buckner Road)	DR to CS* * Amended request to SF-3 on 1/03/05	3/29/05: Approved staff rec. of SF-3 zoning by consent (7-0)	5/12/05: Approved SF-3 zoning (7-0); 1 st reading 6/23/05: Approved SF-3 zoning; 2 nd /3 rd readings
C14-04-0183 (Escalon at Canyon Creek Apartments: 9715 North FM 620 Road)	I-RR to MF-3	12/21/04: Approved MF-2-CO, with staff condition to limit development to less than 2,000 vehicle trips per day beyond the existing development and additional condition for a 568 unit limit for the site (9-0)	1/27/05: Approved MF-2-CO (6-0, Dunkerley-absent); 1 st reading 3/03/05: Approved MF-2-CO on consent (7-0); 2 nd /3 rd readings
C14-04-0137 (Estates at Canyon Creek: 9501 North FM 620 Road)	I-RR to MF-1	9/21/04: Approved staff's recommendation of MF-1-CO zoning by consent (7-0, K. Jackson-off dais, J. Gohil-absent)	10/21/04: Approved ZAP recommendation of MF-1-CO by consent (7-0); 1 st reading 11/4/04: Approved MF-1-CO (7-0); 2 nd /3 rd readings

C14-04-0035 (Eppright 12-Acre Tract: 9300-9800 Block of North FM 620 Road)	I-RR to SF-6	5/18/04: Approved staff's rec. for SF-6-CO zoning, with the addition of the conditions listed in the Letter of Agreement between the applicant and the neighborhood, by consent (8-0)	8/12/04: Granted SF-6-CO on all 3 readings (5-1, B. McCracken – No, J. Goodman – off the dais)
C14-04-0003 (Canyon Creek West Section Three: 9800-9920 Block of Savannah Ridge Drive)	I-RR, I-SF-2 to SF-2	2/3/04: Approved staff's recommendation of SF-2 zoning, by consent (9-0)	3/4/04: Granted SF-2 zoning (6-0, McCracken-absent); all 3 readings
C14-04-0002 (Canyon Creek West Section One: 10012-10129 Brabrook Drive)	I-SF-2, I-RR to SF-2	2/3/04: Approved staff's recommendation of SF-2 zoning, by consent (9-0)	3/4/04: Granted SF-2 zoning (6-0, McCracken-absent); all 3 readings
C14-02-0154 (McDougal 620 Property: Windy Ridge Road at North FM 620 Road)	SF-2, DR to CS-CO	1/28/03: Approved W/LO-CO zoning with conditions of: • Limiting trips to 2,000 per day; • 50' vegetative buffer along the western property line; • 20' buffer along the southern property line; • Prohibit access on the western property line, with the exception of emergency access; • Only 2 access points on the southern property line; • Restrict semi-trucks, 3 axles or more to Windy Ridge entrance. Vote: (7-1, J.P.-Nay, J.D.-absent); K.J.-1 st , M. W.-2 nd .	3/20/03: Approved staff recommendation of GR-CO for 1st 700 feet off 620 and RR for balance (7-0); 1 st reading only 3/25/03: Approved staff recommendation of GR-CO for 1st 700 feet off 620 and RR for balance (7-0); 2 nd reading 1/27/05: Approved staff recommendation of GR-CO for 1st 700 feet off 620 and RR for balance (7-0); 3 rd reading
C14-00-2122 (M & S Corner: North FM 620 Road)	RR to CS-1-CO for Tract 1 and LR-CO for Tracts 2 & 3	9/12/00: Approved LR-CO zoning for Tracts 1, 2, & 3 with following conditions: 1) Limit vehicle trips to 2,000 per day for Tracts 1&2; 2) Limit vehicle trips to 3,223 per day for Tract 3; 3) Property owner shall have a 10-foot setback with a vegetative buffer and hooded lights; 4) Garbage pickup shall be from 6-10 p.m.; 5) Construct an 8 foot fence (7-0, B.B. & S.A.-absent); S.L.-1 st , B.H.-2 nd .	10/12/00: Approved Planning Commission rec. of LR-CO, with conditions (7-0); 1 st reading 11/30/00: Approved LR-CO for Tracts 1&2, and CS-1-CO for Tract 3, prohibiting cocktail lounge use (7-0); 2 nd reading 1/25/01: Approved LR-CO for Tracts 1&2, and CS-1-CO for Tract 3, with the following conditions: 1) A 10-foot building setback along the east property

			line; 2) Limit vehicle trips to 2,000 per day for Tracts 1&2; 3) Limit vehicle trips to 3,223 per day for Tract 3; 4) Prohibit the following uses on Tract 1: Adult Businesses, Automotive Rental, Automotive Repair Services, Automotive Sales, Automotive Washing, Agricultural Sales and Services, Art and Craft Studio (General), Building Maintenance Services, Business or Trade School, Business Support Services, Campground, Cocktail Lounge, Commercial Blood Plasma Center, Commercial Off-Street Parking, Communication Services, Construction Sales and Services, Convenience Storage, Drop-Off Recycling Collection Facility, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Exterminating Services, Funeral Services, General Retail Sales, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Kennels, Laundry Services, Monument Retail Sales, Outdoor Sports and Recreation, Pawn Shop Services, Personal Improvement Services, Research Services, Restaurant (General), Theater, Vehicle Storage, Veterinary Services, Custom Manufacturing, Limited Warehousing and Distribution, Maintenance and Service Facilities (7-0); 3 rd reading
C14-99-2083	GO to MF-1	11/16/99: Approved staff rec. of MF-1 by consent (7-0)	12/16/99: Approved PC rec. of MF-1-CO (7-0); all 3 readings
C14-99-0022	DR to SF-2	3/9/99: Approved staff rec. of SF-2 by consent (6-0)	4/8/99: Approved PC rec. of SF-2 (5-0); all 3 readings
C14-98-0050	LR, SF-6 to MF-2	5/26/98: Approved staff's alternate rec. of MF-2-CO (TR1), GO-CO (TR-2) by consent (8-0)	7/23/98: Approved MF-2 and GO (7-0); all 3 readings
C14-92-0058	SF-6 to NO, LR	9/1/92: Approved NO-CO	10/22/92: Approved NO-CO (6-0)

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
RM 620	140'	81'	Arterial Segment: Anderson Mill Rd to Quinlan Park Rd.	No	No	No
Buckner Road	46'	21'	Local	No	No	No

CITY COUNCIL DATE: August 7, 2014

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:




CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@austintexas.gov


$$1'' = 400'$$

ZONING

CASE#: C14-2014-0082

-  SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

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.





STAFF RECOMMENDATION

The staff's recommendation is to grant GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay Combining, District zoning for Tract 1 and SF-6-CO, Townhouse & Condominium Residence-Conditional Overlay Combining, District zoning for Tract 2. The conditional overlay will limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

The staff's recommendation includes a condition that 25 feet of right-of-way from the existing centerline of Buckner Road should be dedicated through a street deed to the City of Austin prior to third reading of this zoning case at City Council in accordance with the Transportation Plan. [LDC, 25-6-55; TCM, Tables 1-7, 1-12].

BASIS FOR RECOMMENDATION

- 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 and community needs and that generally is accessible from major traffic ways.

The purpose of a Mixed Use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

Townhouse and condominium residence (SF-6) district is the designation for a moderate density single family, duplex, two-family, townhouse, and condominium use that is not subject to the spacing and location requirements for townhouse and condominium use in an SF-5 district. An SF-6 district designation may be applied to a use in an area with large lots that have access to streets other than minor residential streets. An SF-6 district may be used as a transition between a single family and multifamily residential use.

- 3. The proposed zoning should allow for a reasonable use of the property.*

The proposed rezoning of Tract 1 will permit the development of commercial uses on the site to serve the public along a major arterial roadway within the city. In addition, the staff is supportive of SF-6-CO zoning on Tract 2 as this parcel of land is set back from FM 620 Road and is located adjacent to other single family residential uses to the west along Buckner Road.

EXISTING CONDITIONS

Site Characteristics

The site under consideration consists of an undeveloped area (Tract 1) and a single-family residence with outlying structures (Tract 2). The property to the north, across Windy Ridge Road, contains a plan nursery (Austin Grass and Soils) and a general retail sales-general use (Rainbow Playscapes). To the south, across Buckner Road, there are office, construction sales and services (American Drywall System, Inc.), service station (Vehicle Inspection) and automotive repair (Rivera RPM Auto Repair, Dearing Auto Repair, MC Tires) uses. On the other side of North F.M. 620 Road to the east, there is a religious assembly use (Peace Lutheran Church), a restaurant use (Mr. Doughnuts), a liquor sales use (Spec' Wine and Spirits), a service station and food mart (Chevron) and another restaurant

use (Prima Pizza and Pasta). The tract of land to the west of the property is undeveloped and there are single-family residences to the west along Bucker Road.

Comprehensive Planning

SF-2 to GR-MU

This zoning case is located on the east side of FM 620, between Windy Ridge Road and Buckner Road. The subject property contains a small ranch with a house, situated on a 14.29 acre parcel, and is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes a landscape supply business to the north, a hospice, small office buildings and a car repair shop to the south, a liquor store and gas station to the east, and a warehouse building to the west. The proposed use is mixed use, which would permit the developer to build 31 condo/townhouse units and a commercial building approximately 14,300 square feet in size.

Imagine Austin

The comparative scale of this site relative to other nearby commercial and residential uses along FM 620, as well as the site not being located along an Activity Corridor or within an Activity Center, falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning. However, due to the site's location over the Edwards Aquifer, classified as an environmentally sensitive area, there will be during the site planning stage an environmental review to determine if any critical environmental features are located on the site. If any are located on the site, mitigation and setbacks necessitated by the land development code will be required.

Environmental

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Lake Travis Watershed of the Colorado River Basin, which is classified as a Water Supply Rural Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Single family or duplex development within a Water Quality Transition Zone may not exceed a density of one unit per three acres, exclusive of land within a 100-year floodplain.

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

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 512-974-1876. 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 requires water quality control with increased capture volume and control of the 2 year storm on site.

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

Impervious Cover

The maximum impervious cover allowed by the GR-MU zoning district would be 90% and the SF-6 zoning district would be 55%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under the 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>% NSA with Transfers</i>	<i>Allowable Density</i>
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

Note: The most restrictive impervious cover limit applies.

Site Plan

Development on this site will be subject to *Subchapter E: Design Standards and Mixed Use*.

The site is subject to compatibility standards. Along the south property lines as well as all the sides pertaining to the parcel that is not part of the rezoning, the following standards apply:

- No structure may be built within 25 feet of the property line where adjoining properties zoned SF-5 or more restrictive.
- 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 when adjacent to properties zoned SF-5 or more restrictive.
- 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.

This site is in the Scenic Roadway Sign District. All signage must comply with Scenic Roadway sign district regulations.

Hill Country Roadway

The site is located within 1,000 feet Ranch Road 620, and within a Hill Country Roadway Corridor. The site is located within the moderate intensity zone of Ranch Road 620. As per Section 25-2-1122(A)(2), the site may be developed with the following maximum floor-to-area ratio (FAR):

<u>Slope</u>	<u>Maximum FAR</u>
0-15%	.25
15-25%	.10
25-35%	.05

Except for clearing necessary to provide utilities or site access, a 100-foot vegetative buffer will be required along Ranch Road 620 (Section 25-2-1023), and at least 40% of the site (excluding dedicated right-of-way) must be left in a natural state (Section 25-2-1025).

The allowable height is as follows: Within 200 feet of 620 the maximum height is 28 feet, and beyond 200 feet the maximum height is 40 feet (Section 25-2-1124).

As per Section 25-2-142(2), prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Planning Commission.

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

FYI only: The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for FM 620. TxDOT may request the reservation of additional right-of-way in accordance with the Transportation Plan when the site is redeveloped [LDC, Sec. 25-6-51 and 25-6-55].

If the requested zoning is recommended for this site, 25 feet of right-of-way should be dedicated from the centerline of Buckner 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.

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]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
RM 620	140'	81'	Arterial Segment: Anderson Mill Rd to Quinlan Park Rd.	No	No	No

Buckner Road	46'	21'	Local	No	No	No
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Water and Wastewater

FYI: Water and wastewater SERs are currently in review for this site and must be approved prior to review and approval of development plans for the site. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria, the approved SERs and suitability for operation and maintenance. 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.

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: C14-2014-0082

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Jul 15, 2014, Zoning and Platting Commission

Aug 7, 2014, City Council

Dr. Carlos Amador
Your Name (please print)

11827 Buckner Road Austin
Your address(es) affected by this application

☒ I am in favor
☐ I object

7-16-14
Date

[Signature]
Signature
Daytime Telephone: *956-648-5053*

Comments:

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

City of Austin
Planning & Development Review Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810