

## SECOND/THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2014-0077 – Whole Life Learning Center

REQUEST:

Approve second/third readings of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 10801 Old San Antonio Road (Onion Creek Watershed) from interim – rural residence (I-RR) district zoning to limited office – mixed use – conditional overlay (LO-MU-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

DEPARTMENT COMMENTS:

The ordinance is consistent with City Council action taken on First Reading.

OWNER & APPLICANT:

DATE OF FIRST READING: August 7, 2014, Approved LO-MU-CO combining district zoning, on First Reading (7-0).

CITY COUNCIL HEARING DATE: November 6, 2014

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades  
e-mail: [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2014-0077 – Whole Life Learning Center      **Z.A.P. DATE:** July 1, 2014  
July 15, 2014

**ADDRESS:** 10801 Old San Antonio Road

**OWNERS & APPLICANTS:** Michael Carberry and Caroline Riley

**ZONING FROM:** I-RR                      **TO:** LR-MU    **AREA:** 1.7 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant limited office – mixed use (LO-MU-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

July 1, 2014: *MEETING CANCELLED DUE TO LACK OF QUORUM; CASE RENOTIFIED FOR JULY 15, 2014*

July 15, 2014: *APPROVED LO-MU-CO DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT*

*[P. SEEGER; G. ROJAS – 2ND] (5-0) C. BANKS; S. COMPTON - ABSENT*

### **ISSUES:**

The Applicant is in agreement with the Zoning and Platting Commission's recommendation.

### **DEPARTMENT COMMENTS:**

The subject property consists of both platted and unplatted land, has interim – rural residence (I-RR) district, and one driveway to Old San Antonio Road. Akins High School is located across Old San Antonio Road to the west and its football field is to the north (I-RR). The Double Creek Village development and right-of-way for a loop road extending between FM 1626 and the southbound IH-35 service road (both undeveloped) is to the east (CS-CO). There two single family residences to the south (I-RR). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The single family residence on the property has been converted to a private primary educational facility for kindergarten through 8<sup>th</sup> grade and has a current enrollment of 45 students receiving a holistic education in mixed-age classrooms. The owner estimates the site could accommodate a maximum of 50 to 60 students. A private primary educational facility is first permitted by right in the neighborhood office (NO) district, and the Applicant has requested the neighborhood commercial – mixed use (LR-MU) district. A replat of the current lot and the triangular-shaped unplatted acreage along the northeast property line may be required, and a site plan showing

onsite improvements, including the location of buildings, parking areas and driveways, landscaping and detention/water quality facilities will be required prior to issuance of a Certificate of Occupancy by the City.

Staff's alternative recommendation of limited office – mixed use – conditional overlay (LO-MU-CO) zoning for the property is based on the following considerations: 1) access is presently taken to a collector street and may be available to future collector street right-of-way that abuts the northeast corner of the site (this acreage is in the acquisition and street vacation process); and 2) compatibility with the adjacent uses to the north and east, and single family residences to the south.

#### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Private primary educational facility
<i>North</i>	I-RR	Football field for Akins High School
<i>South</i>	I-RR; SF-2; GR-CO	Two single family residences; Undeveloped
<i>East</i>	R-O-W; CS-CO	Undeveloped (planned for a loop road and the Double Creek Village commercial development)
<i>West</i>	I-RR	Akins High School

**AREA STUDY:** N / A

**TIA:** Is not required

**WATERSHED:** Onion Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

#### **NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association    627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District    1037 – Homeless Neighborhood Association  
 1075 – Bike Austin    1200 – Super Duper Neighborhood Objectors and Appealers Organization  
 1224 – Austin Monorail Project    1228 – Sierra Club, Austin Regional Group  
 1340 – Austin Heritage Tree Foundation    1363 – SEL Texas

#### **SCHOOLS:**

Menchaca Elementary School

Paredes Middle School

Akins High School

#### **CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2013-0123 – Onion Creek Fire Station – 11112 Old	GR-MU-CO to P	To Grant	Apvd (11-21-2013).

San Antonio Rd			
C14-2010-0111 - Sheldon Stablewood, L.P – 10301 Old San Antonio Rd	MF-2-CO to MF-2-CO, to remove the existing CO that prohibits access to Old San Antonio Road	To Grant removal of the existing CO that prohibits access to Old San Antonio Rd, and add a CO that limits the number of driveways on Old San Antonio Rd to one. Public RC to: 1) require the owner to build access through the loop road that adjoins the property along the southeast property line to the IH-35 service road prior to issuance of a Certificate of Occupancy and 2) restrict construction traffic to the loop road	Apvd a change to the CO and adding a Restrictive Covenant regarding access issues, as recommended by Commission (8-18-2011).
C14-2010-0027 – Colonial Grand at Cityway – 11001 South 1 <sup>st</sup> St	GR-MU-CO to MF-3	To Grant MF-3-CO w/CO for limited access to Old San Antonio Rd., max. units of 430 and max. 5,753 trips day, and conds. of updated TIA	Apvd MF-3-CO w/conds. as recommended by Commission (5-27-2010).
C14-2008-0220 – Double Creek Village – 10200 – 10614 S IH 35 Service Rd SB	I-RR; CS to CS-MU	To Grant CS-MU-CO w/the CO for list of prohibited uses, Restrictive Covenant for conds of the TIA, and Street Deed for r-o-w for the new loop road between FM 1826 and IH 35 is part of TIA approval and required to be dedicated at the time of zoning.	Apvd CS-MU-CO with RC for conds of the TIA and Street Deed for r-o-w for new loop road as Commission recommended (11-18-2010).
C14-03-0053 – Double Creek Village – E side of Old San Antonio Rd	I-RR to CS	To Grant CS-CO for Tract 1; GR-CO for Tract 2, with conditions. CO is for list of prohibited uses;	Apvd Commission recommendation (12-11-2003).

		and prohibit access to Old San Antonio Rd. Restrictive Covenant for the Traffic Impact Analysis.	
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**RELATED CASES:**

The subject property was annexed into the City limits on December 31, 1997 and assigned I-RR district zoning (C7a-97-013 – Ordinance No 971211-B). The majority of the property is platted as Tract A of Morris Dale subdivision, recorded in October 1961 (C8s-61-133). The remaining triangular-shaped portion along the northeast side is unplatted. There are no site plan applications on the property.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Old San Antonio Road	60 feet	22 feet	Collector	No	No	No

**CITY COUNCIL DATE:** August 7, 2014

**ACTION:** Approved LO-MU-CO district zoning as the Zoning and Platting Commission recommended, on First Reading (7-0).

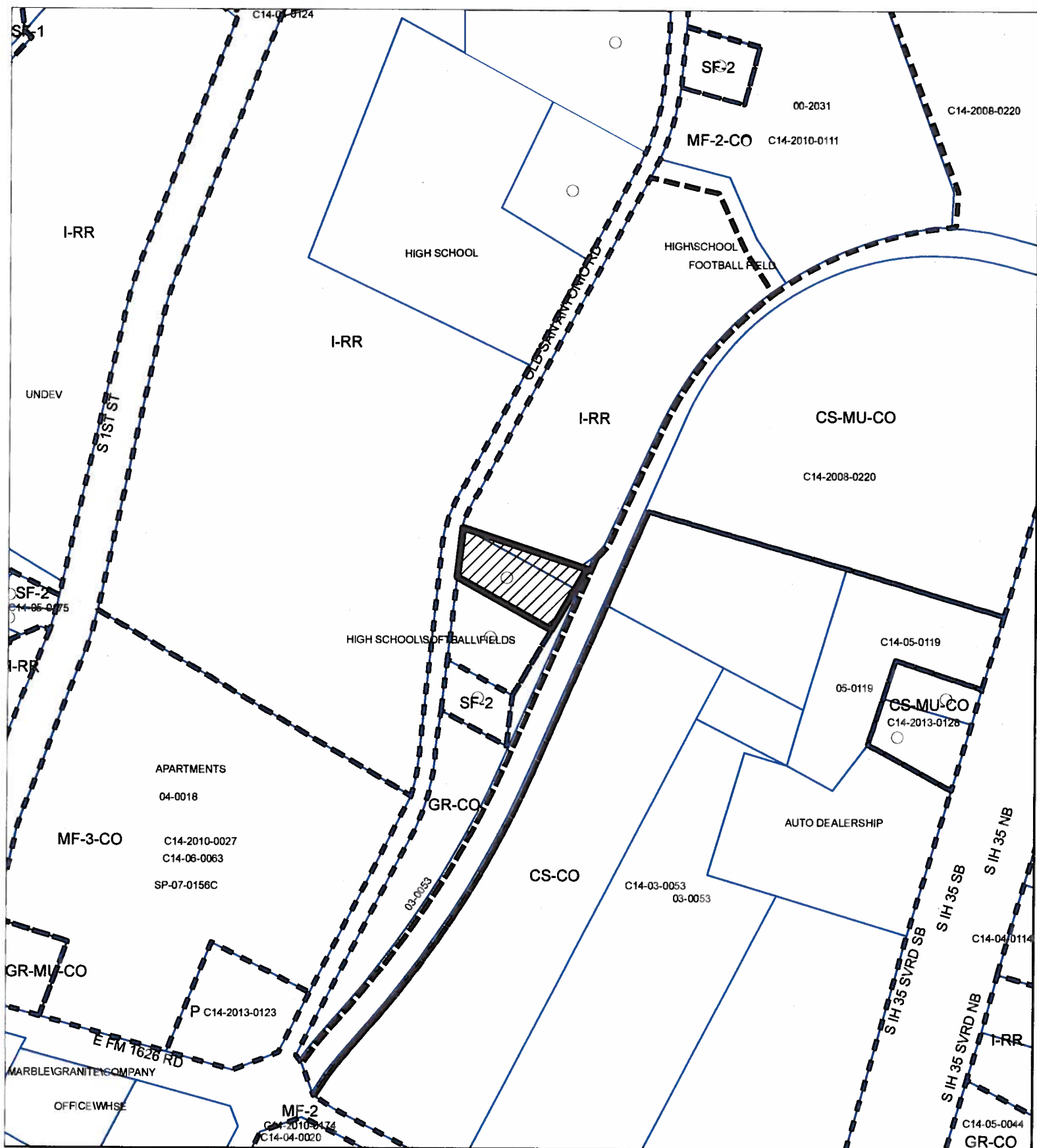
November 6, 2014

**ORDINANCE READINGS:** 1<sup>st</sup> August 7, 2014    2<sup>nd</sup>    3<sup>rd</sup>




**ORDINANCE NUMBER:**

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

**PHONE:** 512-974-7719



1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2014-0077

Exhibit A

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.













**SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant limited office – mixed use (LO-MU-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

*Applicant's request:* The neighborhood commercial (LR) district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: "The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment." The mixed use (MU) combining district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

*Staff recommendation:* Limited office (LO) zoning is intended for office use predominantly serving the neighborhood or community needs, such as professional, semi-professional and medical offices, which may be located within or adjacent to residential neighborhoods.

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

Staff's alternative recommendation of limited office – mixed use – conditional overlay (LO-MU-CO) zoning for the property is based on the following considerations: 1) access is presently taken to a collector street and may be available to future collector street right-of-way that abuts the northeast corner of the site (this acreage is in the acquisition and street vacation process); and 2) compatibility with the adjacent uses to the north and east, and single family residences to the south.

**EXISTING CONDITIONS****Site Characteristics**

The subject property contains a private primary educational facility and is fairly flat.

**Impervious Cover**

The maximum impervious cover allowed by the *LR-CO* zoning district would be 80%, which is a consistent figure between the zoning and watershed regulations. The maximum impervious cover allowed by the *LO* zoning district would be 70%, which is based on the more restrictive zoning regulations.

### **Comprehensive Planning**

This zoning case is located on east side of Old San Antonio Road, in South Austin. The property is approximately 1.7 acres in size, contains a one-story building that is used as a private primary school, and is not located in an area with an adopted neighborhood plan. Surrounding land uses includes vacant land to the north and east, a single family house to the south, and Akins High School and tennis courts to the west. The proposed use is to continue to utilize this property as a private school.

### **Imagine Austin**

The comparative scale of this site relative to other uses nearby including a school, 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 this proposed rezoning.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Onion 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. The site is in the Desired Development Zone.

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 Gross Site Area</i>	<i>% of Gross Site Area 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 location.

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

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.

### **Transportation**

Additional right-of-way may be required at the time of subdivision and/or site plan.

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**

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, water or wastewater easements, 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 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.

### **Site Plan & Compatibility Standards**

This site will be subject to *Subchapter E: Design Standards and Mixed Use*. Related comments will be provided when a site plan is submitted for review.

The subject site is located 540 feet or less from property in an SF-5 or more restrictive zoning district; therefore, compatibility standards will apply (LDC Section 25-2-1051(b)). Along the south property line, the following standards apply:

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. A landscape area at least 25 feet wide 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.