

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0135
Little Walnut Creek

P.C. DATE: November 12, 2014
October 28, 2014
October 14, 2014

ADDRESS: 7400, 7424, and 7450 East U.S. Highway 290 and 2509 East Anderson Lane

DISTRICT: 1

AREA: 22.487 acres

OWNER: Cozy Living, LLC, AAA Fire & Safety, Inc. and Seyed Miri

AGENT: Mike Dallas Properties (Mike Dallas)

FROM: GO-NP

TO: GO-MU-NP

WATERSHED: Little Walnut Creek

TIA: N/A

DESIRED DEVELOPMENT ZONE: Yes

SCENIC ROADWAY: No

NEIGHBORHOOD PLAN AREA: St. Johns/Coronado Hills

SUMMARY STAFF RECOMMENDATION:

Staff recommends general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning, with the following conditional overlay: vehicular trips shall be less than 2,000 vehicles per day.

PLANNING COMMISSION RECOMMENDATION:

November 12, 2014: *TO DENY GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GO-MU-CO-NP) COMBINING DISTRICT ZONING. (6-2-1) [S. OLIVER- 1ST, A. HERNANDEZ- 2ND; J. NORTEY AND R. HATFIELD – NAY; L. VARGHESE- ABSENT]*

October 28, 2014: *TO GRANT POSTPONEMENT TO NOVEMBER 12, 2014, AS REQUESTED BY NEIGHBORHOOD, ON CONSENT. 8-0 (J. STEVENS-1ST, A. HERNANDEZ-2ND, B. ROARK- ABSENT)*

October 14, 2014: *PULLED – NO ACTION TAKEN; TO BE RE-NOTICED FOR OCTOBER 28, 2014*

DEPARTMENT COMMENTS:

The subject property is located on East Highway 290, slightly west of the intersection with East Anderson Lane. The property is currently undeveloped. The property has frontage and access on the westbound frontage road of East Highway 290 only. The western property line of the subject tract is the centerline of a branch of Little Walnut Creek, and the property is significantly impacted by floodplain and critical water quality zone (CWQZ) setbacks. Beyond the creek, properties west of the rezoning tract are zoned GR-MU-NP, PUD-NP, and GR-CO-NP. These properties are developed with multifamily, townhomes, and auto repair. Immediately north of the rezoning tract are properties zoned GR-MU-NP and GR-NP that are developed with multifamily, a retail store, and a bank. The interchange of Highway 290 and East Anderson Lane is east of the property; the westbound frontage road of East Highway 290 is located to the south. Please refer to *Exhibits A and B (Zoning Map and Aerial Exhibit)*.

The Applicant has stated in the Zoning Application that approximately 110 detached condominium units are proposed on the 22.487 acre property. Correspondence received regarding the rezoning request is attached. Please refer to *Exhibit C (Correspondence)*.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-NP	undeveloped
<i>North</i>	GR-MU-NP, GR-NP	multifamily, retail, financial services
<i>South</i>	East Highway 290	
<i>East</i>	E. 290/ E. Anderson Lane Interchange	
<i>West</i>	GR-MU-NP, PUD-NP, GR-CO-NP	multifamily, townhomes, auto repair

RELATED CASES:

NUMBER	REQUEST	COMMISSION	COUNCIL
C14-2010-0125 / FNA 7234 AND 7300 E US 290 HIGHWAY WESTBOUND	MF-3-CO, GR-CO, RR- CO TO GO	ZAP: 9/7/2010: APPR. STAFF REC. OF GO-CO W/ 2000 VPD AND 25' VEGETATIVE BUFFER ON NW PROPERTY LINE	9/23/2010: 1 ST READING APPR. GO- CO, ON CONSENT (7-0); DID NOT PROCEED TO 2 ND & 3 RD READINGS; EXPIRED.
C14-01-0120 7234 E US HWY 290	SF-3 TO GR- CO	10/2/2001 APVD GR-CO (9-0) W CONDITIONS	11/1/2001 APVD GR-CO (7-0); ALL 3 RDGS. W/ 2,000 VPD AND PROHIBITS AUTOMOTIVE RENTALS, AUTOMOTIVE SALES, AUTOMOTIVE REPAIR,; AUTOMOTIVE WASHING, HOTEL- MOTEL, PAWN SHOP SERVICES
C14-95-0023 / BLUEBONNET RETIREMENT CENTER 7320 US HWY 290	SF-3 TO GR- CO FOR (TR 1), SF-3 TO MF-3-CO (TR 2), AND SF-3 TO RR (TR 3)	5/2/1995 APVD MF-3- CO, GR-CO & RR W/CONDS (6-0)	6/8/1995 APVD GR-CO (TR 1): PROHIBIT AUTOMOTIVE SALES, AUTOMOTIVE REPAIR, FOOD SALES, HOTEL-MOTEL, PAWN SHOP SERVICES AND RESTAURANTS. MF-3-CO (TR 2) PROHIBITS VEHICLE ACCESS TO CORONADO HILLS DRIVE, PROHIBITS MULTIFAMILY RESIDENTIAL, LIMITS DENSITY TO 23 UNITS/ACRE, AND REQUIRES A 25' WIDE BUFFER ALONG THE NORTHERN PROPERTY LINE, AND RR (TR 3); (5-0); ALL 3 RDGS

A Neighborhood Plan Amendment (NPA) has been filed in conjunction with the proposed rezoning under City File NPA-2014-0029.01.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
US 290 WB Frontage Road	245'	Varies	Interstate Highway	Yes	No	No

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council
Del Valle Community Coalition
PODER
Coronado Hills/Creekside Neighborhood Association
University Hills Neighborhood Plan Contact Team
University Hills Neighborhood Association
North Growth Corridor Alliance
Harris Branch Master Association, Inc.
Coronado Hills Contact Team
Old Town Homeowners Association

CITY COUNCIL DATE/ACTION:

April 2, 2014:

February 12, 2014: This item was postponed on consent to April 2, 2015 at the applicant's request on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.

November 20, 2014: This item was postponed on consent to February 12, 2015 at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.

November 6, 2014: This item was postponed on consent to November 20, 2014 at the staff's request on Council Member Morrison's motion, Council Member Martinez' second on a 6-0 vote. Council Member Spelman was absent.

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

PHONE: 974-2122

STAFF RECOMMENDATION:

Staff recommends general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning, with the following conditional overlay: vehicular trips shall be less than 2,000 vehicles per day.

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*
GO-MU zoning provides for flexibility in development options, without permitting intensive site development standards or land uses.
2. *Granting of the request should result in an equal treatment of similarly situated properties.*
The rezoning property is adjacent to both apartments and townhomes (zoned GR-MU-NP and PUD-NP). The proposed rezoning will allow similar, but less intense development to the neighboring properties.
3. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*
The rezoning property is adjacent to both apartments and townhomes (zoned GR-MU-NP and PUD-NP). The proposed rezoning will allow similar, but less intense development to the neighboring properties. Due to site constraints (the creek, property configuration, and highway frontage), the rezoning property does not appear to have any options for street connection with surrounding residential areas. Therefore, residential streets will not be affected, and the highway frontage road will received all traffic.

SITE PLAN

SP 1. Development on this tract will be subject to Subchapter E: Design Standards and Mixed Use. Additional review comments will be provided upon submittal of a site development permit application.

TRANSPORTATION

TR1. Additional right-of-way may be required at the time of subdivision and/or site plan.

TR2. 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]

TR3. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities exist and/or are recommended along the adjoining streets as follows: US 290 EB Frontage Road.

TR4. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
US 290 WB Frontage Road	245'	Varies	Interstate Highway	Yes	No	No

ENVIRONMENTAL

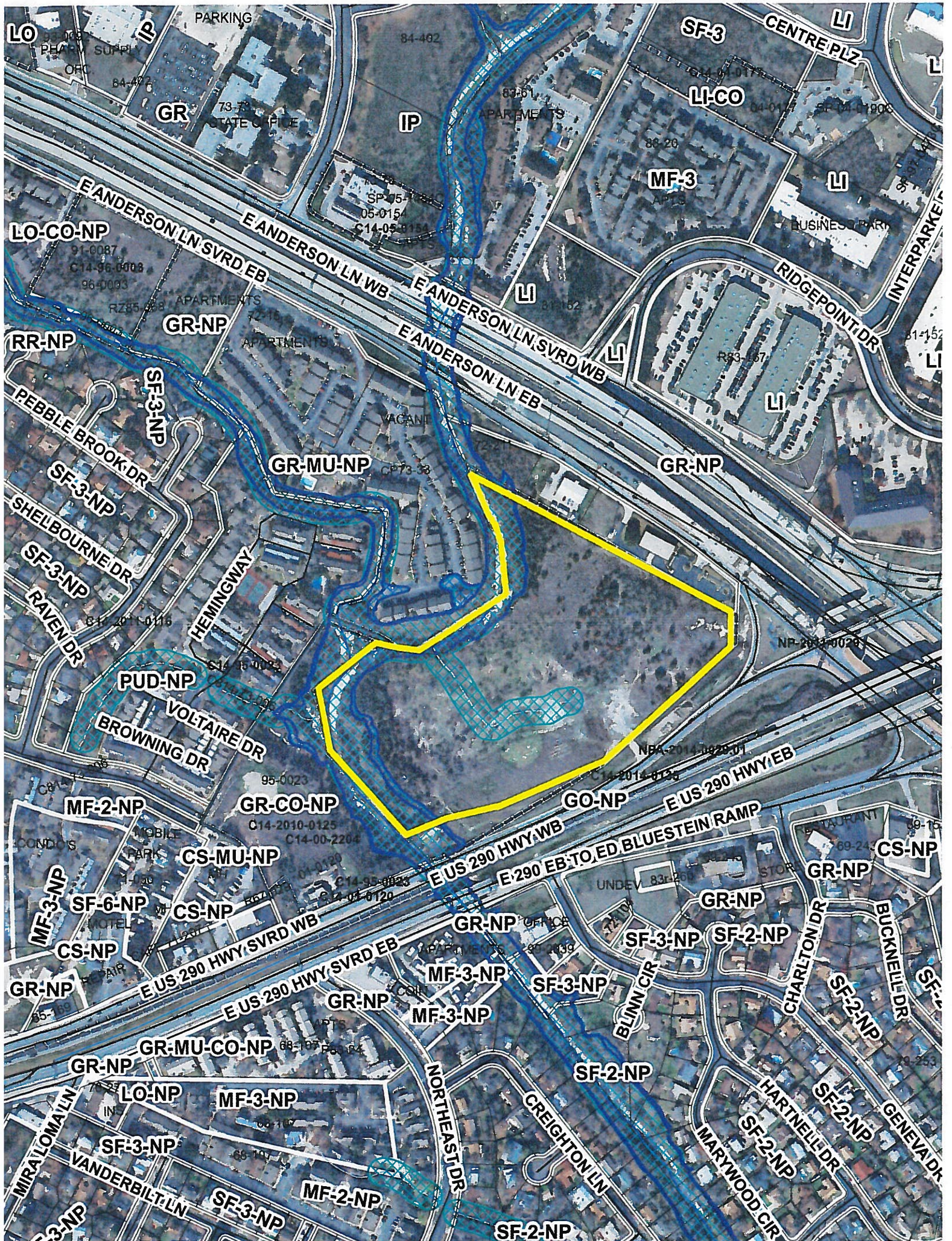
1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is a floodplain and a Critical Water Quality Zone within the project location. Development within these areas is limited by LDC 25-8.

4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
7. 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.

WATER UTILITY

WW1. 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 and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.





Chaffin, Heather

From: Anguiano, Dora
Sent: Wednesday, November 12, 2014 9:11 AM
To: Chaffin, Heather
Subject: FW: meeting 12 november 2014

I have forwarded to the Commission

From: Sammy Easterday [REDACTED]
Sent: Tuesday, November 11, 2014 6:53 AM
To: Anguiano, Dora
Cc: [REDACTED]
Subject: meeting 12 november 2014

This message is from Sammy Easterday. [REDACTED]

Please send to ALL commissioners only and a copy to me to let me know it was sent. Please know Coronado Hills/Creekside NA opposes plan to rezone C14-2014-0135, items 5 and 6 on your agenda 12 November. Planning department recommendations erroneously show documentation that does not apply to this area. Unfortunately I was on a medical trip when we were supposed to provide you printed copy prior to your meeting.

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:

<http://www.austintexas.gov/development>.

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: C14-2014-0135

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Oct 28, 2014, Planning Commission

Nov 6, 2014, City Council

Your Name (please print)

SIESAK LUANGVIRATH

Your address(es) affected by this application

1901 Brownwood Dr.

☐ I am in favor
☒ I object

Signature

Date

Daytime Telephone:

(512) 589-6764

Comments:

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

City of Austin

Planning & Development Review Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / rezonificación será repasada y acción será tomada de acuerdo a dos audiencias públicas: ante la Comisión de Usos Urbanos y el cabildo municipal. Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al propuesto desarrollo urbano o cambio de zonificación. Usted también puede contactar a una organización de protección al medio ambiente u organización de vecinos que haya expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rezonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la *Internet*: <http://www.austintexas.gov/development>.

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Numero de caso: C14-2014-0135

Persona designada: Heather Chaffin, 512-974-2122

Audiencia Publica: Oct 14, 2014, Planning Commission

Oct 23, 2014, City Council

NATALLIA QUINTANILLA

Su nombre (en letra de molde)

☐ I am in favor
☒ I object

2004 VOLTARE DR 78752

Su domicilio(s) afectado(s) por esta solicitud

J. COLE

Firma

10/8/14

Fecha

Daytime Telephone: 512-922-5120

Comments: I am concerned about

THE STREETS TO MY NEIGHBORHOOD
CHANGING / BEING AFFECTED.

Si usted usa esta forma para proveer comentarios, puede retornarlos :

City of Austin

Planning & Development Review Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810