

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0011 (Westover Hills Club, Inc.) **Z.A.P. DATE:** March 17, 2015

ADDRESS: 8706 and 8800 Westover Club Drive

DISTRICT AREA: 10

OWNER/APPLICANT: President of Westover Hills Club, Inc. (Evan Rowe)

AGENT: Metcalfe Wolff Stuart & Williams (Michele R. Lynch)

ZONING FROM: SF-3 **TO:** CR-CO** **AREA:** 3.56 acres

* The applicant has offered to prohibit the following uses on the property through a conditional overlay for this re-zoning case: Campground, Consumer Convenience Services, Hotel-Motel, Restaurant (General), Service Station, Hospital Services (Limited), Local Utility Services, Theater, Counseling Services (Please see Application Letter – Attachment A).

**On March 9, 2015, the agent for this case sent the staff an e-mail stating that she had agreed with the Balcones Civic Association to amend the applicant’s initial rezoning request to allow for SF-3 district uses and only four CR district uses: Community Recreation (Private), Community Recreation (Public), Outdoor Sports and Recreation and Indoor Sports and Recreation as permitted uses on the property (Please see Attachment B).

SUMMARY STAFF RECOMMENDATION:

The staff’s recommendation is to grant CR-CO, Commercial Recreation-Conditional Overlay District, zoning. The conditional overlay would prohibit the following uses on the site: Bed & Breakfast (Group 2), Art Gallery, Art Workshop, Campground, Consumer Convenience Services, Hotel-Motel, Indoor Entertainment, Marina, Outdoor Entertainment, Personal Improvement Services, Recreational Equipment Maintenance and Storage, Recreational Equipment Sales, Restaurant (General), Service Station, Theater, Counseling Services and Hospital Services (Limited) and would make Cultural Services as a conditional use.

ZONING & PLATTING COMMISSION RECOMMENDATION:

3/17/15: Approved staff’s recommendation of CR-CO zoning by consent, with the added condition (as read into the record) that the property be limited to SF-3 setbacks with all other CR site development regulations (4-0, S. Compton-recused himself, J. Goodman-not yet arrived, G. Rojas-absent); P. Seeger-1st, C. Banks-2nd.

DEPARTMENT COMMENTS:

The property in question is developed with a private recreational club that includes a pool area, tennis courts and an indoor gymnasium (Westover Hills Club). The owner is requesting to rezone the property to CR-CO to allow the current use of the property, Community Recreation (Private) to be a permitted use on the site.

The applicant/agent has met with the President of the Balcones Civic Association and has agreed to prohibit the following uses on this site through a conditional overlay in this zoning case: Bed & Breakfast (Group 2), Art Gallery, Art Workshop, Campground, Consumer Convenience Services, Hotel-Motel, Indoor Entertainment, Marina, Outdoor Entertainment, Personal Improvement Services, Recreational Equipment Maintenance and Storage, Recreational Equipment Sales, Restaurant (General), Service Station, Theater, Counseling Services and Hospital Services (Limited) and would make Cultural Services as a conditional use.

The staff is recommending CR-CO zoning because the existing development of a recreational facility with an outdoor pool, tennis courts, indoor gymnasium and pro shop is consistent with the proposed CR district. In addition, the proposed zoning will allow for a reasonable use of the property as it will make it possible for the applicant to improve or remodel the existing country club buildings on the site.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|---|
| <i>Site</i> | SF-3 | Community Recreation-Private (Westover Hills Club - includes pool area, tennis courts, retail shop, and indoor gymnasium) |
| <i>North</i> | SF-3 | Single-Family Residences |
| <i>South</i> | SF-3 | Single-Family Residences |
| <i>East</i> | SF-3 | Single-Family Residences |
| <i>West</i> | SF-3 | Single-Family Residences |

AREA STUDY: N/A

TIA: Not required

WATERSHED: Bull Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Heritage Tree Foundation
 Austin Neighborhoods Council
 Bull Creek Foundation
 SELTEXAS
 Sierra Club, Austin Regional Group

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|--|----------------|---|---|
| C14-01-0092 (Grace Covenant Church: 9310 Jollyville Road) | GO to GO | 7/31/01: Approved staff's recommendation of GO-CO zoning, with conditions (8-0) | 8/30/01: Approved GO-CO zoning, with conditions (7-0); all 3 readings |

RELATED CASES: N/A

ABUTTING STREETS:

| Name | ROW | Pavement | Classification | ADT |
|-------------------|------------|-----------------|-----------------------|------------|
| Westover Club Dr. | 60' | 30' | Collector | 298 |
| Wildridge Drive | 60' | 40' | Collector | 1,638 |

CITY COUNCIL DATE: April 16, 2015

ACTION:

ORDINANCE READINGS: 1st

2nd

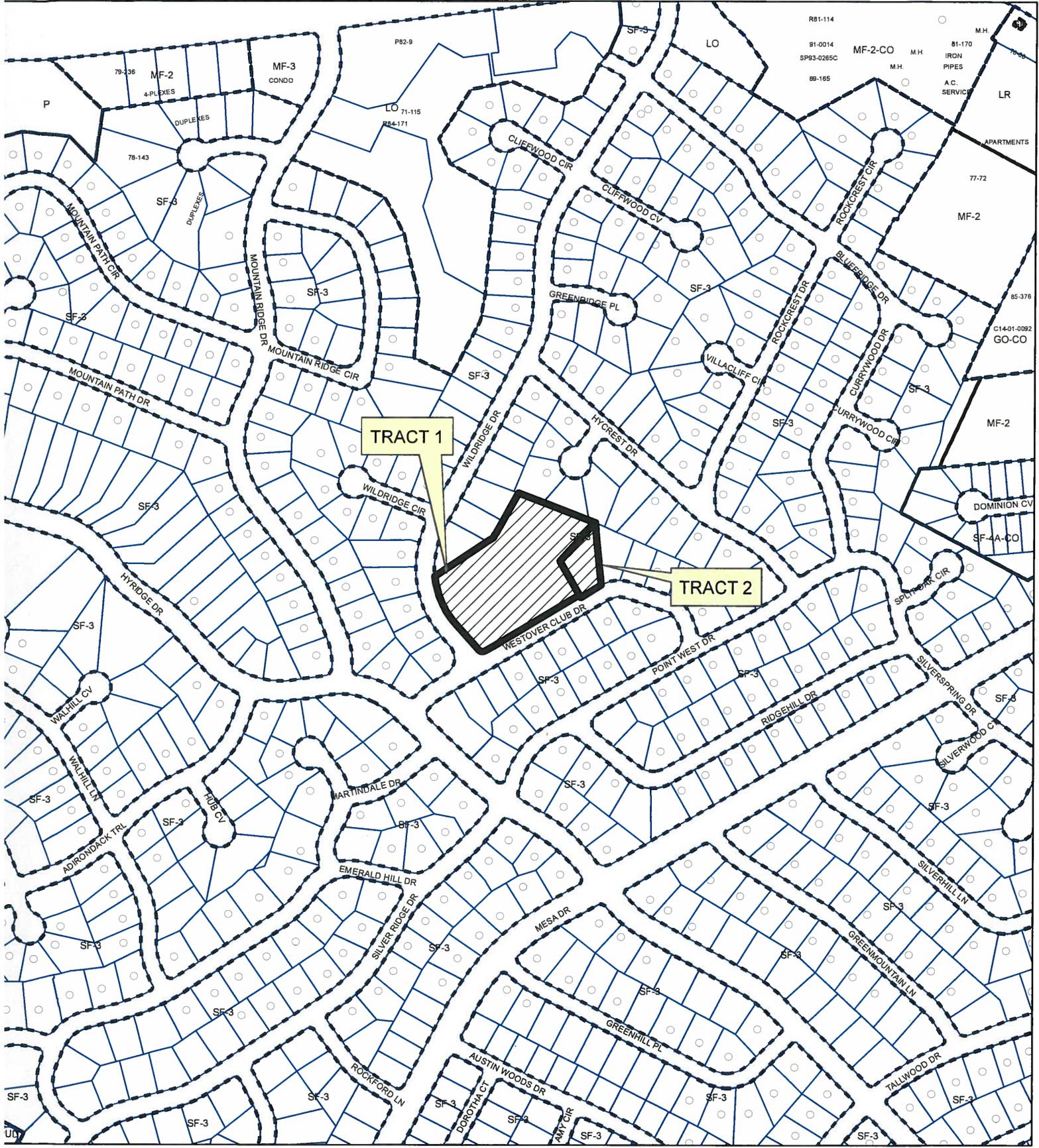
3rd

ORDINANCE NUMBER:

ZONING CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057

E-mail: sherri.sirwaitis@austintexas.gov



TRACT 1

TRACT 2

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2015-0011

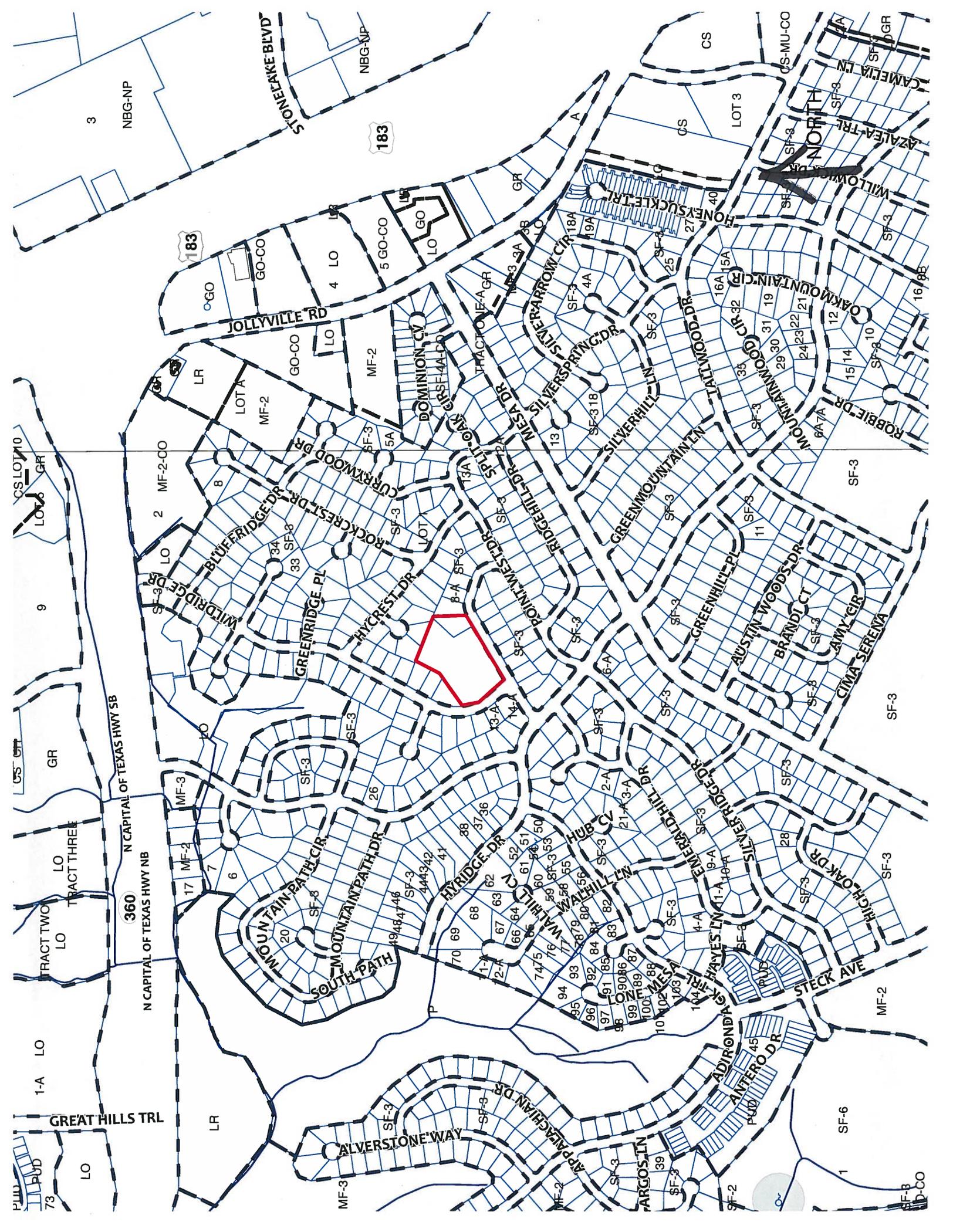


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.



1" = 400'



3 NBG-NP

183

183

CS LOT 10
LO 6 GR

9

GR

TRACT TWO
LO

TRACT THREE
LO

1-A LO

73
LO

360
N CAPITAL OF TEXAS HWY NB
N CAPITAL OF TEXAS HWY SB

GREAT HILLS TRL

STONELAKE BLVD

NBG-NP

JOLLYVILLE RD

LOT A

MF-2

GO-CO

LO

MF-2

GO-CO

LO

MF-2

GO-CO

LO

MF-2

GO-CO

4 LO

5 GO-CO

LOT 3

CS

LOT 3

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CS

LOT 3

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LOT 3

CS

LOT 3

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LOT 3

CS

CS-MU-CO

CS

STAFF RECOMMENDATION

The staff's recommendation is to grant CR-CO, Commercial Recreation-Conditional Overlay District, zoning. The conditional overlay would prohibit the following uses on the site: Bed & Breakfast (Group 2), Art Gallery, Art Workshop, Campground, Consumer Convenience Services, Hotel-Motel, Indoor Entertainment, Marina, Outdoor Entertainment, Personal Improvement Services, Recreational Equipment Maintenance and Storage, Recreational Equipment Sales, Restaurant (General), Service Station, Theater, Counseling Services and Hospital Services (Limited) and would make Cultural Services as a conditional use.

BASIS FOR RECOMMENDATION (ZONING PRINCIPLES):

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

Commercial recreation (CR) district is the designation for a commercial or recreation use that serves visitors to major recreational areas, including Lake Travis and Lake Austin. Site development regulations applicable to a CR district use are designed to minimize visual and environmental disruptions of scenic views.

The existing development of a recreational facility with an outdoor pool, tennis courts, indoor gymnasium and pro shop is consistent with the proposed CR district.

2. *Zoning should allow for reasonable use of the property.*

The proposed rezoning of the property will make it possible for the applicant to improve or remodel the existing country club buildings on the site.

EXISTING CONDITIONS

Site Characteristics

The site is developed with a private recreation club that includes a pool area, tennis courts, a pro shop, and a gymnasium with full court indoor basketball and volleyball.

Comprehensive Planning

This zoning case is located along the northeast corner of Westover Club Drive and Wildridge Drive. The property is approximately 3.56 acres in size and contains the Westover Hills Club, a private recreation club. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes single family houses to the east, west and south. The proposal is to change the zone of this property acknowledge the pre-existing use on the property, namely a private club.

Imagine Austin

As this site is not located along an Activity Corridor or within an Activity Center and is a pre-existing private club that has existed on this site for years, this case falls below the scope of Imagine Austin; and consequently the plan is neutral on the proposed rezoning. However, due to the site's location in an environmentally sensitive area (the Edwards Aquifer), there will be at the site planning stage if this property is redeveloped, 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 Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

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.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the CR zoning district would be 60%. However, if 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> |
|-----------------------------------|---------------------------|-----------------------------|
| One or Two Family Residential | 30% | 40% |
| Multifamily Residential | 40% | 55% |
| Commercial | 40% | 55% |

Development within a Water Quality Transition Zone is limited to 18%.

Site Plan

Any new development is subject to Subchapter E. This site is located on an Urban Roadway, and may require sidewalk and streetscape improvements with any new development. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the SOUTH, NORTH, EAST AND WEST 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 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.

Additional design regulations will be enforced at the time a site plan is submitted.

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

No additional right-of-way is needed 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]

Westover Club Dr. and Wildridge Drive are not classified in the Bicycle Plan.

Capital Metro bus service is not available along Westover Club Dr. and Wildridge Drive.

There are no existing sidewalks along Westover Club Dr. and Wildridge Drive.

Nathan Wilkes and Eric Dusza with the Public Works Dept. may provide additional comments regarding mobility enhancement and bicycle/pedestrian facilities.

Existing Street Characteristics:

| Name | ROW | Pavement | Classification | ADT |
|-------------------|-----|----------|----------------|-------|
| Westover Club Dr. | 60' | 30' | Collector | 298 |
| Wildridge Drive | 60' | 40' | Collector | 1,638 |

Water and Wastewater

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.

Attachment A



METCALFE WOLFF
STUART & WILLIAMS, LLP

MICHELE ROGERSON LYNCH
Director Land Use & Entitlements

mlynch@mwswtexas.com
512-404-2251

January 13, 2015

Mr. Greg Guernsey, Director
Planning and Development Review Dept.
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Via Hand Delivery

Re: Application for Rezoning; 3.5635 acres located 8706 & 8800 Westover Club Drive, Austin, Texas 78759 (the "Property")

Dear Mr. Guernsey:

As representatives of the owner of the above stated Property we respectfully submit the attached Application for Rezoning. The Property is located at 8706 & 8800 Westover Club Drive and is currently zoned SF-3. The Property is occupied by the Westover Hills Club and has been used as Community Recreation (Private). The Application for Rezoning requests to rezone the Property to CR-CO in order to allow the current use of the Property, Community Recreation (Private) to be a permitted use.

The Property is not in an approved neighborhood plan. The Property is surrounded by SF-3 zoning and the surrounding uses are residential.

We propose that the Conditional Overlay (CO) prohibit the following uses:

- Campground
- Consumer Convenience Services
- Hotel-Motel
- Restaurant (General)
- Service Station
- Hospital Services (Limited)
- Local Utility Services
- Theater
- Counseling services



Mr. Guernsey
January 13, 2015
Page 2

If you have any questions about this Application for Rezoning or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,

Michele Rogerson Lynch

cc: Evan Rowe, President of the Westover Hills Club

Sirwaitis, Sherri

From: Michele Rogerson Lynch <MLynch@mwswtexas.com>
Sent: Monday, March 09, 2015 10:26 PM
To: Sirwaitis, Sherri
Cc: deb_bai@yahoo.com; Will Herring
Subject: Westover Hills Club Zoning - C14-2015-0011

Hi Sherri. I have been talking with Debra Bailey, President of the Balcones Civic Association, about the proposed uses. After further discussion, we have agreed to some additional conditions on the uses with the proposed request. Here is our amended request:

We propose to amend our initial request to allow for SF-3 uses with only the following four CR uses to be allowed with the CR zoning:

- Community Recreation (Private)
- Community Recreation (Public)
- Outdoor Sports & Recreation
- Indoor Sports & Recreation

Please note this in the staff report and let me know if you have questions.

With this amended request, you should be receiving a letter of support from the Balcones Civic Association.

Thanks,
M

Michele Rogerson Lynch
Director of Land Use & Entitlements
Metcalf Wolff Stuart & Williams, LLP
221 W. 6th Street, Suite 1300
Austin, Texas 78701
(512) 404-2251 ofc
(512) 404-2245 fax
MLynch@mwswtexas.com

Sirwaitis, Sherri

From: Jay Sands <jaysands2@gmail.com>
Sent: Tuesday, March 10, 2015 7:47 PM
To: Sirwaitis, Sherri
Cc: Michele Rogerson Lynch; D Bailey
Subject: Westover Hills Club Zoning - C14-2015-0011

Sherri,

I'm writing on behalf of the Balcones Civic Association regarding the Zoning Request for the Westover Hills Club. We have discussed this request with the Applicant who has agreed to restrict uses for the property to those allowed under SF3 plus the following:

- Community Recreation (Private)
- Community Recreation (Public)
- Outdoor Sports & Recreation
- Indoor Sports & Recreation

On this basis, we are supportive of the requested zoning change.

Sincerely,

Jay Sands
Balcones Civic Association

Sent from my iPad

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: C14-2015-0011
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: Mar 17, 2015, Zoning and Platting Commission
Apr 16, 2015, City Council

NORMA FOWLER
 Your Name (please print)

I am in favor
 I object

8801 WESTBLUFF CIRCLE

Your address(es) affected by this application

Norma Foster 11 MAR 2015

Signature Date

Daytime Telephone: 512-471-1295 (office) 512-922-0353 (cell)

Comments: Please see attached letter

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

8801 Westbluff Circle
Austin, TX 78759

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

Re: Case Number C14-2015-0011 (Westover Hills Club).
Public Hearing Mar 17, Zoning and Platting Commission

Date: 11 March 2015

To whom it may concern:

I object to the proposed re-zoning of the land presently occupied by the Westover Hills Club. The rezoning would put the land into a category, CR-CO, described in the Notice sent to me by the City of Austin as "intended to provide for the commercial services and recreational needs of tourists and visitors to major recreational areas such as Lake Travis."

The suggested overlays rule out some potential uses, such as hotel and "restaurant (general)." The suggested overlays do not, however exclude a number of highly disruptive types of commercial recreational land use completely unsuitable for a small tract of land surrounded on all sides by a quiet residential neighborhood and narrow neighborhood streets. I am particularly concerned about uses such as renting space for outdoor events, bars, a music venue, a health club, and any other noisy and/or high-traffic use.

Since the Club is already present and operational, the request for re-zoning strongly suggests plans for changing the use of this tract.

The current use of the land is very similar to that of a small public park: swimming for children, tennis courts, and small exercise classes. A couple of times a year, there is an evening party loud enough to keep me awake at night. These have been infrequent enough that I have never complained.

The Club is surrounded on all sides by blocks of homes, mostly single-family but some duplexes. The narrow streets around it and nearby are heavily used by joggers, dog-walkers, parents with strollers, and kids on bikes, as well as by cars. Traffic-calming bumps have already been placed on one of the residential streets bordering the Club (Westridge), indicating that traffic is already heavier than is completely safe.

Thank you.



Norma Fowler

email: nfowler2@sbcglobal.net
cell phone: 512-922-0353

8801 Westbluff Circle
Austin, TX 78759

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

Re: Case Number C14-2015-0011 (Westover Hills Club).
Public Hearing Mar 17, Zoning and Platting Commission

Date: 16 March 2015

To whom it may concern:

In my letter of March 11, 2015, I objected to the proposed re-zoning of the land presently occupied by the Westover Hills Club. Briefly, the conditional overlay described in the various City documents then available to me does not sufficiently protect the neighborhood from excessive traffic and noise.

Since then I have been told by Ms. Lynch, the lawyer for the Westover Hills Club, that the Club has now changed the proposed conditional overlay to restrict it to only four CR uses:

- community recreation (private)
- community recreation (public)
- outdoor sports and recreation
- indoor sports and recreation.

An email this morning to me from Ms. Sirwaitis said that "The public hearing notice that was sent out reflected the applicant's original request in this case. The updated/current conditional overlay request is stated in the zoning case report (please see attached) and this information is what will be presented to the Zoning and Platting Commission tomorrow night." I hope that this means that the Commission will be voting on the new, four-use-only conditional overlay.

I believe that this new, four-use-only conditional overlay is sufficient to protect our neighborhood. If the new, four-use-only conditional overlay is being voted on, I have no objections.

If, however, the original conditional overlay described in various City documents and approved by City staff is being voted on, I still object to it, for all the reasons described in my letter of March 11.

Thank you.



Norma Fowler

email: nfowler2@sbcglobal.net
cell phone: 512-922-0353

PUBLIC HEARING INFORMATION

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Case Number: C14-2015-0011
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: Mar 17, 2015, Zoning and Platting Commission
Apr 16, 2015, City Council

I am in favor
 I object

Denis Kohl
Your Name (please print)

8206 Mountain Ridge Dr
Your address(es) affected by this application

DKohl 3/9/15
Signature Date

Daytime Telephone: 512 345 4154

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