

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0159 – Bluff Springs Rezoning **Z.A.P. DATE:** February 2, 2016

ADDRESS: 8006 Bluff Springs Road

DISTRICT AREA: 2

OWNER: Davis Kalogridis Foundation
(Mitchell Kalogridis)

AGENT: Davis Kalogridis Foundation
(Susan Bartram)

ZONING FROM: I-RR

TO: GR

AREA: 21.61 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The conditional overlay limits the daily number of vehicle trips to 2,000 and prohibits the following uses: automotive rentals; automotive repair services; automotive sales; automotive washing; commercial off-street parking; exterminating services; plant nursery and service station.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

February 2, 2016: *APPROVED GR-CO DISTRICT ZONING AS STAFF RECOMMENDED, WITH THE ADDITION OF PAWN SHOP SERVICES AS A PROHIBITED USE*
[J. GOODMAN; D. BREITHAUPT – 2ND] (10-0) 1 VACANCY ON THE COMMISSION

ISSUES:

Letters of support from the owner of apartments to the west and the Bluff Springs Neighborhood Association are attached at the back of this packet.

DEPARTMENT COMMENTS:

The subject undeveloped property consists of one platted lot that has frontage on Bluff Springs Road and is zoned interim – rural residence (I-RR) district. There is undeveloped land and a service station, a few single family residences, a towing yard and a plumbing company to the north (I-RR; County), a manufactured home park community to the east (MH-CO), undeveloped land to the south (County) and apartments to the west (MF-3). South Boggy Creek flows through the center of this property and a 100-foot wide electric transmission easement extends at a diagonal across the site in proximity to Bluff Springs Road. Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant proposes to zone the property to the community commercial (GR) district so that it may be developed with a food truck court with an outdoor entertainment component.

A mobile food vending court is not a defined land use in the Land Development Code, but is subject to a stand-alone ordinance that establishes licensing by the health authority, regulates hours of operation, distance from residential properties, noise levels, etc. (LDC 25-2-812 – *Mobile Food Establishments*). In addition, a mobile food establishment is not considered a principal use, however, is permitted in all commercial and industrial zoning districts. Outdoor entertainment is a conditional use that is first permitted in the GR zoning district and will require a full site plan including the location of access and circulation on paved parking areas, restrooms and subsequently, a building permit. The extension of South Boggy Creek and related floodplain as well as the electric easement present challenges in developing this lot, and the most usable portion is along the Bluff Springs Road frontage between to a depth between 75 and 300 feet, approximately.

Staff believes the zoning request is appropriate in terms of the limited amount of development that can occur on this lot, its location on a four-lane arterial roadway and the presence of other commercial uses on this stretch of Bluff Springs Road. The Conditional Overlay limits the prohibits some of the more intense land uses permitted in the GR district due to the presence of South Boggy Creek.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|---|
| <i>Site</i> | I-RR | Undeveloped |
| <i>North</i> | I-RR; County | Undeveloped; Service station and food sales; Single family residences; Vehicle storage; Construction sales and services |
| <i>South</i> | County | Undeveloped |
| <i>East</i> | MH-CO | Chateau at Onion Creek manufactured home park |
| <i>West</i> | MF-3 | Apartments |

AREA STUDY: N/A

TIA: Is not required

WATERSHED: South Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

96 – Southeast Corner Alliance of Neighborhoods (SCAN)
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District 1228 – Sierra Club, Austin Regional Group
 1258 – Del Valle Community Coalition
 1305 – Bluff Springs Valley Neighborhood Association
 1340 – Austin Heritage Tree Foundation 1341 – Indian Hills Neighborhood Watch
 1363 – SEL Texas 1408 – GO! Austin/VAMOS! Austin – Dove Springs
 1424 – Preservation Austin 1438 – Dove Springs Neighborhood Association
 1441 – Dove Springs Proud 1447 – Friends of the Emma Barrientos MACC

1528 – Bike Austin

1530 – Friends of Austin Neighborhoods

SCHOOLS:

Perez Elementary School

Paredes Middle School

Akins High School

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|--|------------------|---|--|
| C14-2013-0089 – Marbella Multifamily Phase 2 & Marbella Multifamily Phase 1 – 8001 and 8111 S IH 35 Service Rd | I-RR; GO to MF-3 | To Grant MF-3 w/RC for the conds of the Traffic Impact Analysis | Apvd. MF-3 w/RC as Commission rec. (12-12-2013). |
| C14-97-0079 – Regency Village at Onion Creek – 7703 Bluff Springs Rd | I-RR to MH | To Forward to Council without a recommendation | Apvd. MH-CO with CO for max 350 units; require vehicular access to Bluff Springs Rd and Pleasant Valley Rd; 75' setback for structures in proximity to Pleasant Valley Rd, 50' and 100' buffers along Bluff Springs Rd, min. site area of 5,750 sf for each manufactured home dwelling unit (3-12-1998). |

RELATED CASES:

The property was annexed into the full-purpose City limits on October 24, 2013 (C7a-2013-0006).

The zoning area is platted as Lot 4, Block A, Marbella Section 2, a subdivision recorded on November 13, 2013 (C8J-2013-0020.0A). Please refer to Exhibit B.

ABUTTING STREETS:

| Name | ROW | Pavement | Classification | Sidewalks | Bike Route | Bus Routes |
|--------------------|--------|----------|----------------|-----------|-------------------|------------|
| Bluff Springs Road | Varies | Varies | MAD-4 Arterial | No | Yes, Route No. 59 | No |

CITY COUNCIL DATE: March 24, 2016**ACTION:**

ORDINANCE READINGS: 1st

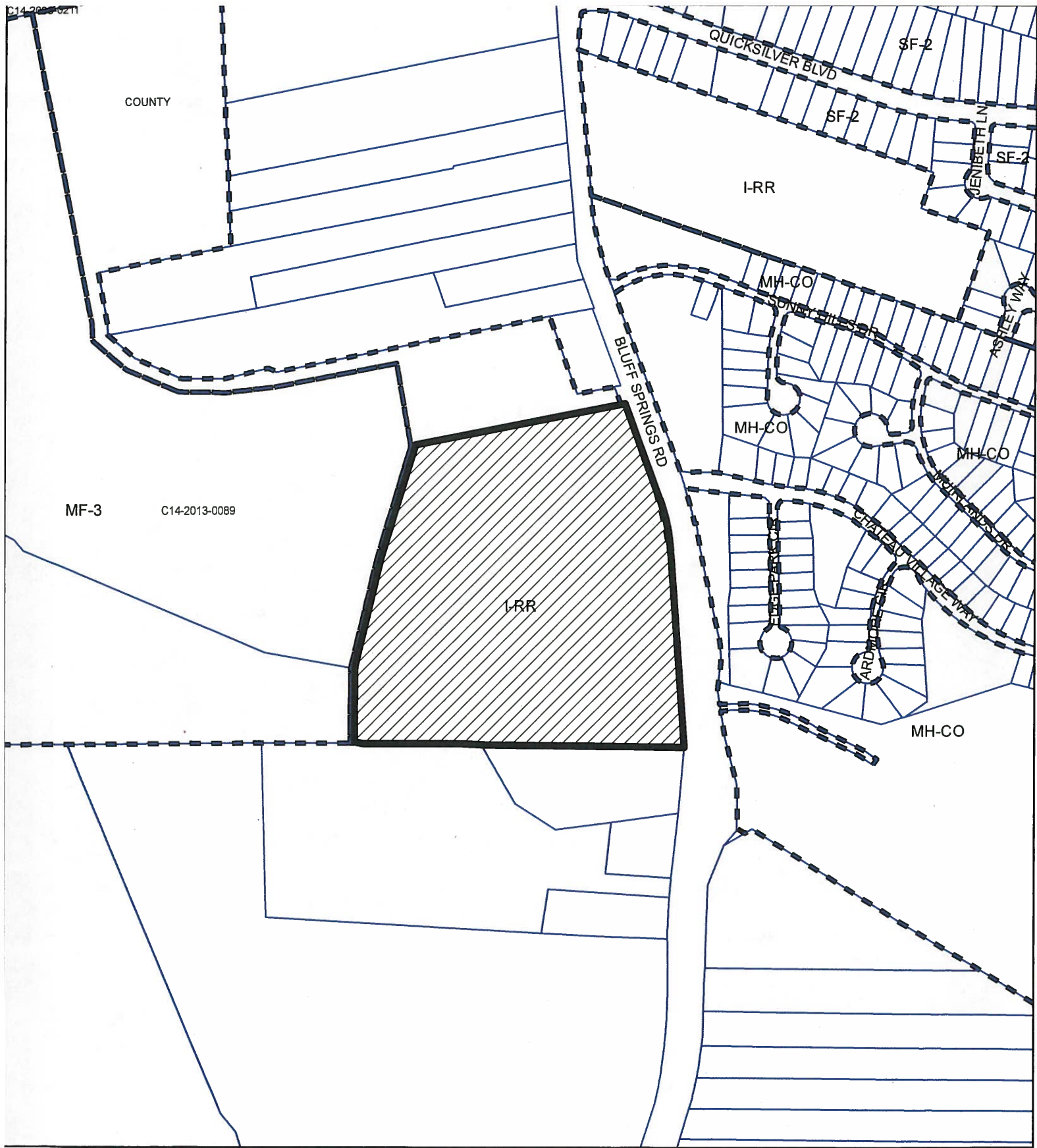
2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 512-974-7719



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

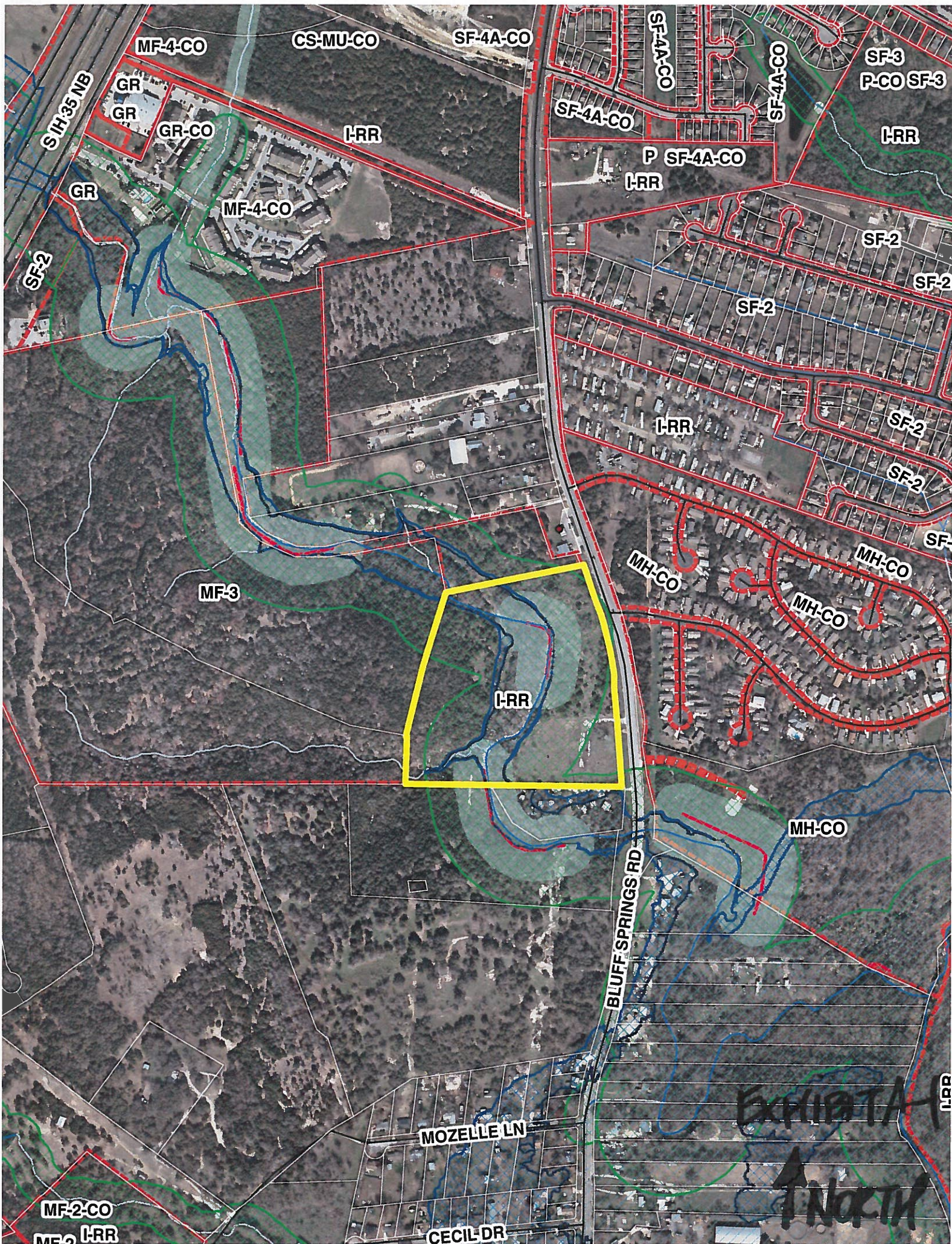
ZONING
ZONING CASE#: C14-2015-0159

Exhibit A

1" = 400'

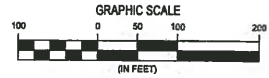
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.



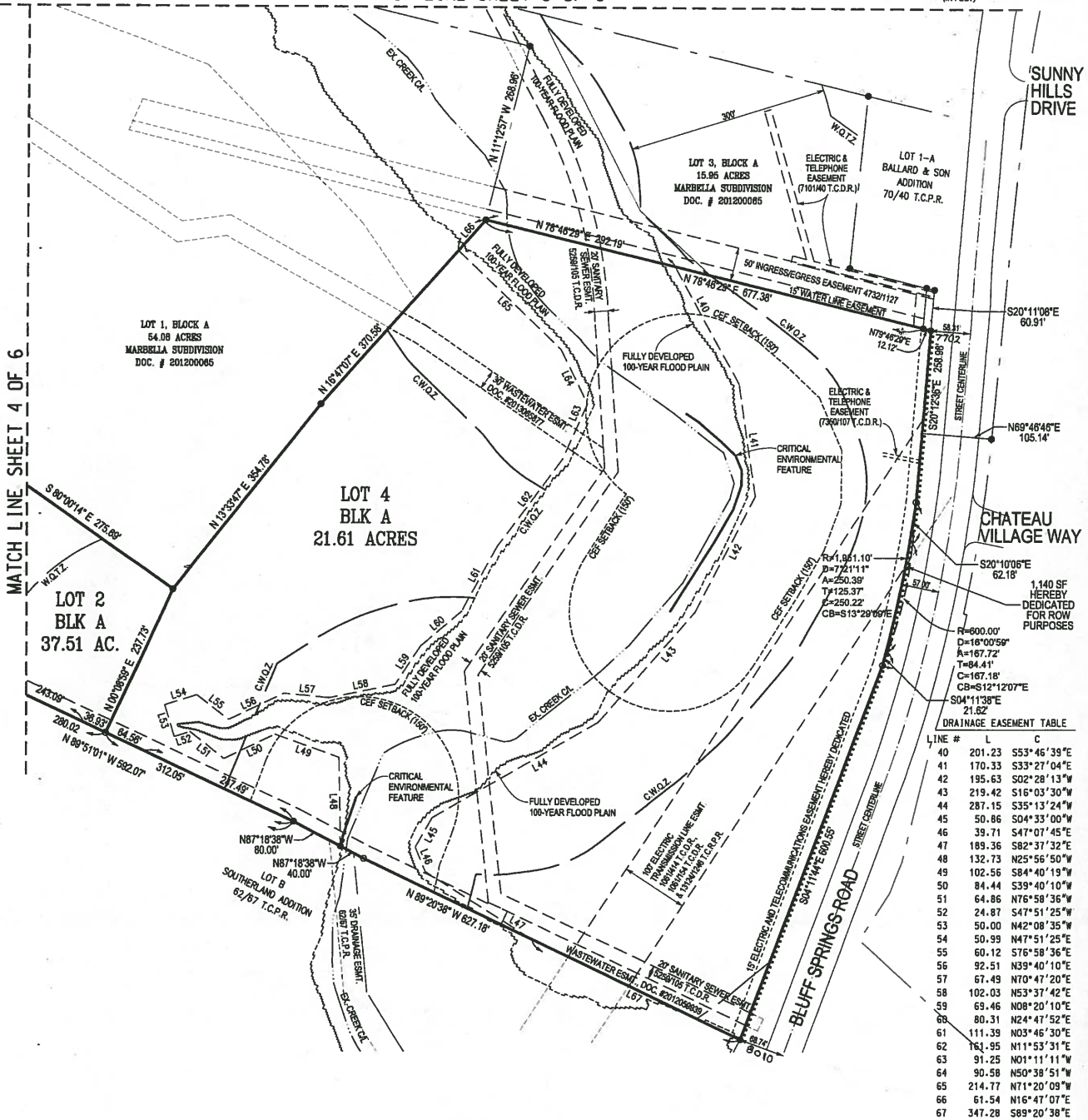
MARBELLA SECTION 2

SUBMITTED: MARCH 14, 2013



MATCH LINE SHEET 3 OF 6

MATCH LINE SHEET 4 OF 6



DRAINAGE EASEMENT TABLE

| LINE # | L | C |
|--------|--------|-------------|
| 40 | 201.23 | S53°46'39"E |
| 41 | 170.33 | S33°27'04"E |
| 42 | 195.63 | S02°28'13"W |
| 43 | 219.42 | S16°03'30"W |
| 44 | 287.15 | S35°13'24"W |
| 45 | 50.86 | S04°33'00"W |
| 46 | 39.71 | S47°07'45"E |
| 47 | 189.36 | S82°37'32"E |
| 48 | 132.73 | N25°56'50"W |
| 49 | 102.56 | S84°40'19"W |
| 50 | 84.44 | S39°40'10"W |
| 51 | 64.86 | N76°58'36"W |
| 52 | 24.87 | S47°51'25"W |
| 53 | 50.00 | N42°08'35"W |
| 54 | 50.99 | N47°51'25"E |
| 55 | 60.12 | S76°58'36"E |
| 56 | 92.51 | N39°40'10"E |
| 57 | 67.49 | N70°47'20"E |
| 58 | 102.03 | N53°37'42"E |
| 59 | 65.46 | N08°20'10"E |
| 60 | 80.31 | N24°47'52"E |
| 61 | 111.39 | N03°46'30"E |
| 62 | 761.95 | N11°53'31"E |
| 63 | 91.25 | N01°11'11"W |
| 64 | 90.58 | N50°38'51"W |
| 65 | 214.77 | N71°20'09"W |
| 66 | 61.54 | N16°47'07"E |
| 67 | 347.28 | S89°20'38"E |

LEGEND

- IRON ROD FOUND
- IRON ROD w/UDG CAP SET
- SIDEWALK REQUIRED
- D.E. DRAINAGE EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- ▲ MONUMENT



Urban Design Group

3660 STONERIDGE ROAD
SUITE E101
AUSTIN, TEXAS 78746
PHONE: (512) 347-0040
FAX: (512) 347-1311
E-MAIL: GENERAL@UDG.COM
WWW: WWW.UDG.COM

SHEET 5 OF 6
C8J-2013-0020.0A

14386

EXHIBIT B
RECORDED PLAT

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The conditional overlay limits the daily number of vehicle trips to 2,000 and prohibits the following uses: automotive rentals; automotive repair services; automotive sales; automotive washing; commercial off-street parking; exterminating services; plant nursery and service station.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways.

This property has frontage on Bluff Springs Road.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

Staff believes the zoning request is appropriate in terms of the limited amount of development that can occur on this lot, its location on a four-lane arterial roadway and the presence of other commercial uses on this stretch of Bluff Springs Road. The Conditional Overlay prohibits some of the more intense land uses permitted in the GR district due to the presence of South Boggy Creek.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and generally slopes towards South Boggy Creek, which flows in a U-shape through the property. The recorded plat shows critical environmental features and corresponding setbacks, as well as critical water quality zones (CWQZ) in proximity to South Boggy Creek. A 100-foot wide electric transmission easement extends at a diagonal across the site in proximity to Bluff Springs Road.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 80%, which is based on the more restrictive watershed regulations described below.

Comprehensive Planning

The zoning case is located on the west side of Bluff Springs Road, across the street from Chateau Village Way, and is not located within the boundaries of a neighborhood planning area. The property is approximately 21.6 acres in size, is heavily wooded and undeveloped.

Surrounding land uses includes undeveloped land to the north, single family housing to the south, undeveloped land and an apartment complex to the west, and a residential subdivision to the east. The proposed use is a food trailer court with outdoor entertainment. Bluff Springs Road (also called Old Lockhart Highway) is a locally used collector road with rural characteristics, including large lots with huge building setbacks, a lack of sidewalks, limited goods and services, and a dearth of civic uses.

Regarding development and redevelopment, the overall goal of the IACP is to achieve 'complete communities' across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. This property is within the "Other Development within City Limits" Growth Concept Map category. Page 107 of the IACP states, *"While most new development will be absorbed by centers and corridors, development will happen in other areas within the city limits to serve neighborhood needs and create complete communities. Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas. The design of new development should be sensitive to and complement its context."*

The following IACP policies are applicable to this case:

- **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

Analysis and conclusions

Analyzing the land uses within a mile of radius of this subject property, there appears to be both benefits and challenges to this location. Most importantly, this area of Austin is currently lacking a variety of goods and services for nearby residents, including public schools, medical offices, employment, entertainment, and recreational areas. There is small shopping center located to the north with an HEB grocery store located just over a mile away (on William Cannon), and a CapMetro stop located within 7/10 of a mile to the north, but this would necessitate walking alongside the road, since sidewalks have not been completely installed on both sides of the Bluff Springs Road, especially on the same side (the west side) of this proposed project.

Based on the Imagine Austin text and policies above, and some of nearby land use (a CapMetro stop and a grocery store located about a mile away), this proposed project appears to be partially supported by the Imagine Austin Comprehensive Plan because it will provide neighborhood goods and services (food and entertainment). However, it is hoped in the future that this area develops in such a way to provide a variety of goods and amenities to nearby residents, including employment, a nearby public transit stop, public schools, recreational and additional goods and services, which can be reached by biking or walking, so this area eventually develops into a complete community. Staff also strongly encourages that the developer to consider installing sidewalks along the frontage road, and an internal

walk/bike trail throughout the project area to make this area more pedestrian friendly and reduce the reliance on the automobile.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the South Boggy 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 a floodplain and a Critical Water Quality Zone within to the project location. Development is very limited within the Critical Water Quality Zone and floodplain.

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.

Transportation

No additional right-of-way is needed at this time.

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].

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

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. Based on the proposed zoning and existing City infrastructure in the area, water and wastewater service extension requests will 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 and Compatibility Standards

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.



Sherman Residential
Owner of Ethos Apartments

January 7, 2016

To Mitchell Kalogridis

Re: Food Truck Trailer Park on Ethos Apartments (8001 S IH Frontage Road)

Dear Mitchell,

Sherman Residential is supportive of you moving forward with a zone change for the purpose of a food trailer park. We think it is something the residents will enjoy as food trucks are very popular in Austin. We support the zone change to make this possible.

Robin Cleary, Property Manager Ethos Apartments, sent out an email to property and informed residents that the purpose for the zone change is for the potential food trailer park. No objections were made. Several neighbors were excited at the potential for nearby eateries with a family friendly atmosphere.

The only issue that arose was concern of containment of rain runoff created by any addition of impervious cover. I do understand a zone change could not cover this issue; but please be aware that this will always be a sensitive subject in the area due to past and recent flooding downstream.

Sincerely,

A handwritten signature in black ink, appearing to read "Garrett Salk".

Garrett Salk

Asset Manager, Sherman Residential

CC: Robin Cleary, Property Manager Ethos Apartments

Bluff Springs Neighborhood Association
Member of ANC

January 6, 2016

To Mitchell Kalogridis

Re: Food Truck Trailer Park on Bluff Springs Road

Dear Mitchell,

The Bluff Springs Neighborhood Association is supportive of you moving forward with a zone change for the purpose of a food trailer park. We think it is something the residents will enjoy as food trucks are very popular in Austin. We support the zone change to make this possible.

Linda Donovan, Vice President of the BSNA sent out an email to the neighborhood and informed neighbors that the purpose for the zone change is for the potential food trailer park. No objections were made. Several neighbors were excited at the potential for nearby eateries with a family friendly atmosphere.

The only issue that arose was concern of containment of rain runoff created by any addition of impervious cover. I do understand a zone change could not cover this issue; but please be aware that this will always be a sensitive subject in the area due to past and recent flooding downstream.

Sincerely,

Marcia Zwilling

President, Bluff Springs Neighborhood Association

CC: Linda Donovan, VP Bluff Springs Valley Neighborhood Assn.

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/planning.

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: C14-2015-0159

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: February 2, 2016, Zoning and Planning Commission

March 24, 2016, City Council

Francisco Zuniga

(please print)

78744
2338 Chateau Village Way, Austin, TX

☐ I am in favor
☒ I object

Your address(es) affected by this application

Francisco Zuniga

Signature

January 28, 2016

Date

Daytime Telephone: 512-751-7989

Comments: We don't need this proposed community

commercial district. We have ample

shopping one mile away at the intersection

of IH35 and William Cannon & we have all

the shopping needed about 3 miles away

at Southpark Meadows. I've lived here

over 15 years and enjoy the low-density residential

use. Plus we are only 1 mile away from IH-35

and more development is going on there on the access

road like the new Golden Corral + the shooting range.

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810