

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0033 (9501 Stonebridge Drive)

P.C. DATE: May 23, 2017

ADDRESS: 9501 Stonebridge Drive

DISTRICT AREA: 4

OWNER/APPLICANT: David and Reyna Lippincott

ZONING FROM: LO-CO-NP

TO: LO-NP

AREA: 0.1898 acres (8,268.50 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff recommendation is to grant LO-NP, Limited Office-Neighborhood Plan Combining District, zoning.

PLANNING COMMISSION RECOMMENDATION:

5/23/17: Approved staff's recommendation for LO-NP zoning by consent (8-0, F. Kazi, A. De Hoyos Hart, J. Schissler, J. Thompson and T. White-absent); P. Seeger-1st, N. Zaragoza-2nd.

DEPARTMENT COMMENTS:

The property in question is located on the northeast corner of Rutland Drive and Stonebridge Drive. According to County records, this lot has been used as an office since 1973. The current dental office/laboratory use has a paved parking area in the back on the eastern portion of the lot. The surrounding land uses include single family residences to the north, apartment complexes to the south and east and the Quail Creek Residential Subdivision clock tower to the west. The applicant is requesting a rezoning to remove the existing conditional overlay that was placed on the property through zoning case C14-88-0129-CO to develop a professional office on the site. Ordinance No. 890803-B limits the use of the property to dental laboratories and uses permitted in the SF-3 zoning district, prohibits vehicular access from the property to Stonebridge Drive and allows only façade signs on the front door of the property.

The staff recommends the applicant's request of LO-NP zoning because this tract of land meets the intent of the Limited Office zoning district. The site under consideration is located adjacent to a residential neighborhood and the uses permitted under the proposed zoning district will serve surrounding community needs. The North Austin Civic Association Neighborhood Planning Area future land use map (FLUM) designates this property for Commercial land use.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO-CO-NP	Medical/Dental Office
<i>North</i>	SF-3-NP	Single-Family Residences
<i>South</i>	MF-2-NP	Apartments
<i>East</i>	MF-2-NP	Multifamily (Cross Creek Apartments)
<i>West</i>	SF-3-NP	Vacant, Sign/Clock Tower for Quail Creek Residential Subdivision

AREA STUDY: North Austin Civic Association NP **TIA:** Not required

WATERSHED: Little Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Independent School District
Austin Neighborhoods Council
Bike Austin
Friends of Austin Neighborhoods
Homeless Neighborhood Association
North Austin Civic Association Contact Team
North Austin Civic Association
North Growth Corridor Alliance
SELTEXAS
Shoal Creek Conservancy
Sierra Club, Austin Regional Group

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0141 (EDI Parkfield Expansion: 11100 Parkfield Drive)	NO, LO-CO to LO	8/05/08: Approved staff recommendation of LO-CO zoning, with condition limiting the property to 'NO' district site development regulations (5-1, Baker-No, Hammond-absent); K. Jackson-1 st , J. Gohil-2 nd .	9/25/08:
C14-06-0113	NO to LR	7/18/06: Approved staff rec. of LR zoning by consent (6-0)	8/24/06: Approved LR on all 3 readings (7-0)
C14-06-0030	NO to GO	4/25/06: Approved GO-MU-CO- NP with conditions (8-0)	5/25/06: Approved GO-MU-CO- NP (7-0); all 3 readings
C14-06-0022	SF-6-NP to LO-MU-NP	4/11/06: Approved staff rec. of LO-MU-CO-NP (7-0)	5/18/06: Approved LO-MU-CO- NP (7-0)
C14-05-0097	GR-CO to GR-CO	8/16/05: Approved staff rec. of GR-CO by consent; TIA to be met before 3 rd reading (8-0)	9/29/05: Approved GR-CO (7-0); all 3 readings

C14-03-0182	GO to CS	2/03/04: Approved staff rec. of GR-CO by consent (9-0)	3/04/04: Approved GR-CO (6-0); 1 st reading only 3/25/04: Approved GR-CO (7-0); 2 nd /3 rd readings
C14-03-0009	SF-3, LR, GR to CS	3/25/03: Approved LR for Tract 1 and NO for Tracts 2 & 3 (8-0)	5/08/03: Approved LR for Tract 1 and NO for Tracts 2 and 3 (7-0); 1 st reading 6/12/03: Approved LR-CO (7-0); 2 nd /3 rd readings
C14-02-0187	SF-6 to LO	2/12/02: Approved LO-MU-CO-NP (7-0)	3/20/03: Approved LO-MU-CO-NP (7-0); 1 st reading 4/24/03: Approved LO-MU-CO-NP (6-0); 2 nd /3 rd readings
C14-01-0037 NACA Neighborhood Plan)	MF-2, SF-2, SF-3 to NO-NP	4/17/01: Approved staff rec. of NO-NP, CS-NP, MF-2-NP, LO-NP, GR-NP, P-NP, LI-NP, (9-0)	5/24/01: Approved PC rec. on all 3 readings, except for Tract 9 (6-0); 1 st reading only 7/19/01: PP Tract 9 to 8/09/01 by staff (6-0) 8/09/01: Approved CS-NP zoning for Tract 9 (7-0); 2 nd /3 rd readings

RELATED CASES: C14-88-0129(RCT) - Associated Restrictive Covenant Termination Case
C14-01-0037 - NACA Neighborhood Plan Rezoning
C14-88-0129-CO - Previous Zoning Case

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Stonebridge Drive	50 ft.	27 ft.	Local	No	No	Yes
Rutland Drive	70 ft.	50 ft.	Collector	Yes	No	Yes

CITY COUNCIL DATE: June 22, 2017

ACTION: Postponed to August 3, 2017 at the neighborhood's request (10-0, E. Troxclair-absent); L. Pool-1st, G. Casar-2nd.

August 3, 2017

ACTION:

ORDINANCE READINGS: 1st

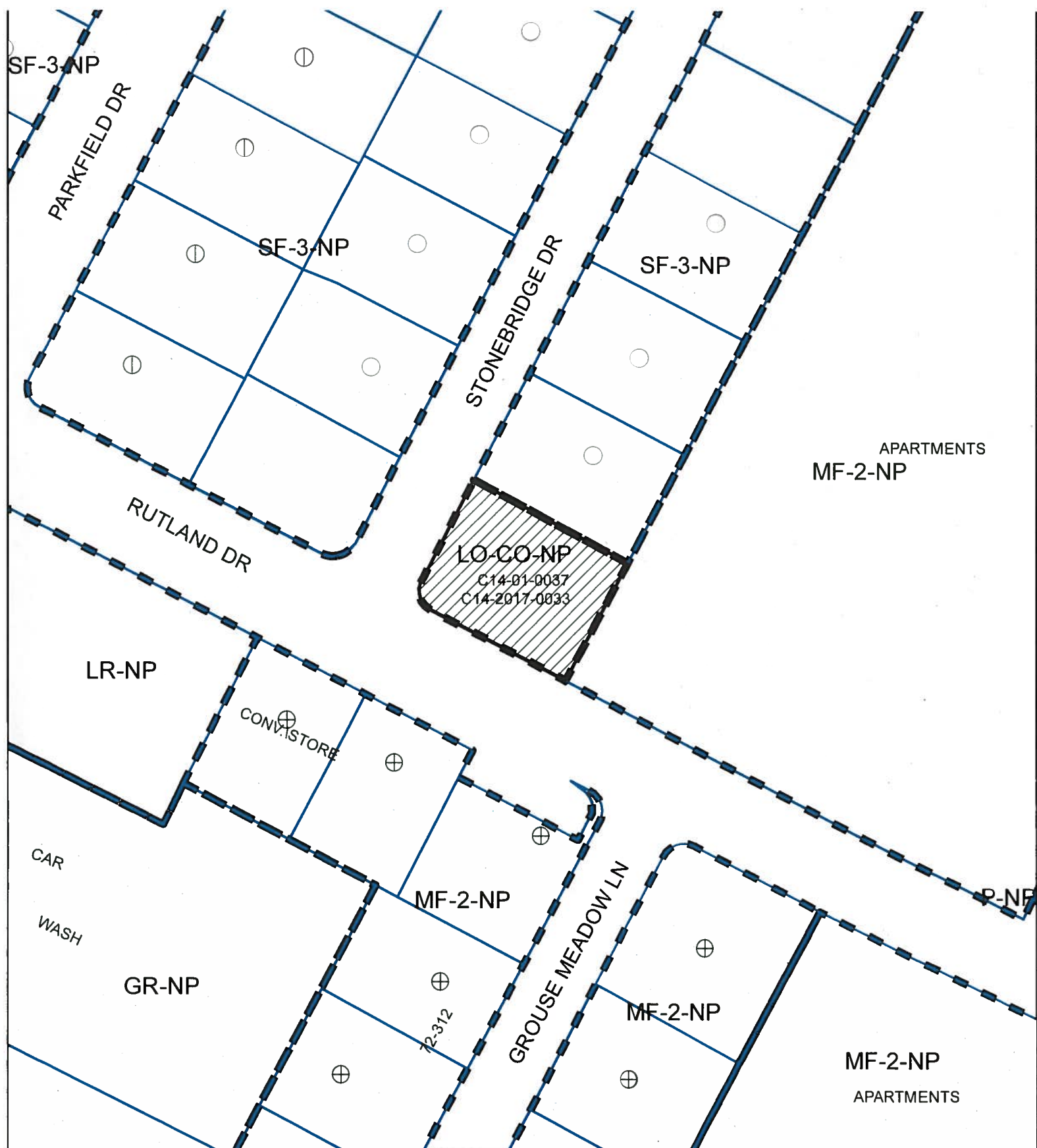
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: (512) 974-3057
sherri.sirwaitis@austintexas.gov



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

Zoning Case: C14-2017-0033

1" = 83'

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.







RUTLAND DR

GROUSE MEADOW LN

STONEBRIDGE DR

PARKFIELD DR

SF-3-NP

APARTMENTS

MF-1-NP

LO-CNP

COW STOP

GR-NP

2-NP

2-B

STAFF RECOMMENDATION

The staff recommendation is to grant LO-NP, Limited Office-Neighborhood Plan Combining District, zoning.

BASIS FOR RECOMMENDATION

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

Limited office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

2. *The proposed zoning should promote consistency and orderly planning.*

The site under consideration is located adjacent to a residential neighborhood and the uses permitted under the proposed zoning district will serve surrounding community needs.

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

The 'LO' zoning district would allow for a fair and reasonable use of the site. The proposed zoning would allow the applicant to utilize the existing structure on the site for an Administrative and Business Office or Professional Office use.

The North Austin Civic Association Neighborhood Planning Area future land use map designates this property for Commercial land use.

EXISTING CONDITIONS

Site Characteristics

The site under consideration case is located at the northeast corner of Rutland Drive, a collector roadway, and Stonebridge Drive, a local street. The property is developed with a dental office use with a paved parking area in the rear/on the east portion of the lot. The surrounding land uses include single family residences to the north, apartment complexes to the south and east and the Quail Creek Residential Subdivision clock tower to the west.

Comprehensive Planning

LO-CO-NP to LO-NP

This case is located on the northeast corner of Rutland Road and Stonebridge Drive, on a 0.19 acre parcel, which contains a dental office. The property is located within the boundaries of the North Austin Civic Association Neighborhood Planning Area. Surrounding land uses includes single family housing to the north; two small apartment complexes to the south; the Quail Creek Residential Subdivision clock tower to the east; and an apartment complex to the east. The proposal is to remove the existing CO, which prohibits vehicular access onto subject property from Stonebridge Drive (the driveway to the parking lot is located off Rutland Drive), and remove the conditional overlay that

allows only permitted and conditional uses in SF-3 zone with the exception of a dental office to change the existing use from a dental office to a professional office.

Connectivity: Sidewalks are non-existent on Stonebridge Drive but are located along Rutland Drive. A Cap Metro stop is located within 100 ft. property on Rutland Road. The walk score for this area is 55/100, meaning some errands may be accomplished on foot.

North Austin Civic Association Neighborhood Planning Area (NACANPA)

The NACANPA Future Land Use Map designates this portion of the planning area as Commercial and Zone LO is permitted in this land use district. The Commercial FLUM category is defined as lots or parcels containing retail sales, services, hotels, hotel/motels and all recreational services that are predominantly privately owned and operated for profit. The following text, policies, objectives and actions are taken from the NACANPA plan and pertain to this case:

NACA will generally oppose requests for zoning changes or variances within the NACA boundaries if the action would result in one or more of the following conditions. NACA is willing to discuss individual circumstances with persons making the requests. The items listed below apply to commercial property inside the neighborhood planning boundaries, near residential, and do not apply to property located on Lamar Boulevard, Metric Boulevard or Research Boulevard. (pgs 19-20)

- Allowing the sale of alcoholic beverages, unless it is for those classified as Restaurant-General.
- Allowing a “late hours” permit from the Texas Alcoholic Beverage commission in order to serve alcohol between 12:00 midnight and 2:00 a.m.
- Substantially increasing the vehicular traffic within NACA boundaries (substantial would be a 50% increase or more).
- Allowing a business to operate between 6:00 p.m. and 6:00 a.m. inside the boundary streets of the neighborhood near residential areas.

Objective 2: Rezone and recommend alternatives for reuse and redevelopment to protect the residential areas of the neighborhood and to direct growth along Lamar Boulevard (p. 23)

NACA Design Guidelines (p. 57)

Commercial Objective 3: Minimize the Visual Impact of Parking Lots and Parking Structures

Commercial Guideline 3.1. Locate all parking and service access between the buildings. Parking lots located to the side of buildings should be limited in width to 64'; the minimum required for a single 2 way driveway with a parking space at 90 degrees on both sides.

Commercial Guideline 3.2. Encourage screening the view of parking areas from the street with landscaping or ornamental fencing at a height of 3'6”.

The NACANPA appears to support commercial uses in this portion of the planning area as long as residential areas are not impacted.

Imagine Austin

This portion of the planning area is not located within the boundaries of an Activity Center or an Activity Corridor. Based on the comparative scale of the site relative to other commercial uses located along Rutland Drive, as well as the project area not being located along an existing Activity Corridor or within an Activity Center as identified on the Imagine Austin Growth Concept Map, this

case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

Environmental

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.

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 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.

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 sq. ft. cumulative is exceeded, and on site control for the two-year storm.

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 LO zoning district would be 70%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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.

Zoning district impervious cover limits apply in the Urban Watershed classification.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

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

Compatibility Standards

The site is subject to compatibility standards. Along the north and south property lines, the following standards apply:

- No structure may be built within 15 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 5 feet of the property line.
- 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.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

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

FYI – This site is located within the North Austin Civic Association Overlay. Additional comments may be generated during the site plan review process.

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

Staff recommends the removal of the existing conditional overlay which prohibits vehicular access from Stonebridge Drive to the tract.

Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

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

A Neighborhood Traffic Analysis shall be required at the time of site plan if triggered per LDC 25-6-114. LDC, Sec. 25-6-114.

Janae Ryan, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

FYI – Existing and proposed driveways shall comply with LDC and TCM standards at the time of site plan application.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Stonebridge Drive	50 ft.	27 ft.	Local	No	No	Yes
Rutland Drive	70 ft.	50 ft.	Collector	Yes	No	Yes

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 Austin Water 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 fees once the landowner makes an application for Austin Water utility tap permits.

ORDINANCE NO. 890803- B

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS: LOT 1, QUAIL CREEK, PHASE III, SECTION 2 SUBDIVISION, FROM "SF-3" FAMILY RESIDENCE DISTRICT TO "LO-CO" LIMITED OFFICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 9501 STONEBRIDGE DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 13-2 of the Austin City Code of 1981 is amended to change the base zoning district from "SF-3" Family Residence district to "LO-CO" Limited Office district-Conditional Overlay combining district on the property described in File C14-88-0129-CO, as follows:

Lot 1, Quail Creek, Phase III, Section 2 Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Book 55, Page 63, of the Plat Records of Travis County, Texas

locally known as 9501 Stonebridge Drive, in the City of Austin, Travis County, Texas.

PART 2. The property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following restrictions:

1. Use of the Property shall be restricted to (i) those permitted and conditional uses authorized in the "SF-3" Family Residence district as set forth in Sec. 13-2-221 of the Austin City Code, and (ii) dental laboratory uses.
2. There will be no direct vehicular access from the Property to Stonebridge Drive. All direct vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
3. Facade signs shall be permitted on the front door of the Property.

Except as specifically restricted pursuant to this ordinance, the property may be developed and used in accordance with the regulations established for the "LO" Limited Office base district and other applicable requirements of the Land Development Code.

PART 3. It is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1981 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

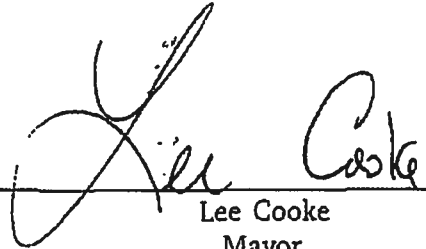
PART 4. The requirement imposed by Section 2-2-3 of the Austin City Code of 1981 that this ordinance be read on three separate days shall be waived by the affirmative vote of five members of the City Council to pass this ordinance through more than one reading on a single vote.

PART 5. This ordinance shall be effective ten days after the date of its final passage.

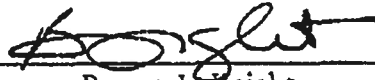
PASSED AND APPROVED:

August 3, 1989

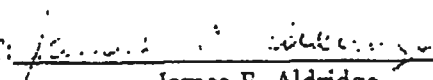
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Lee Cooke
Mayor

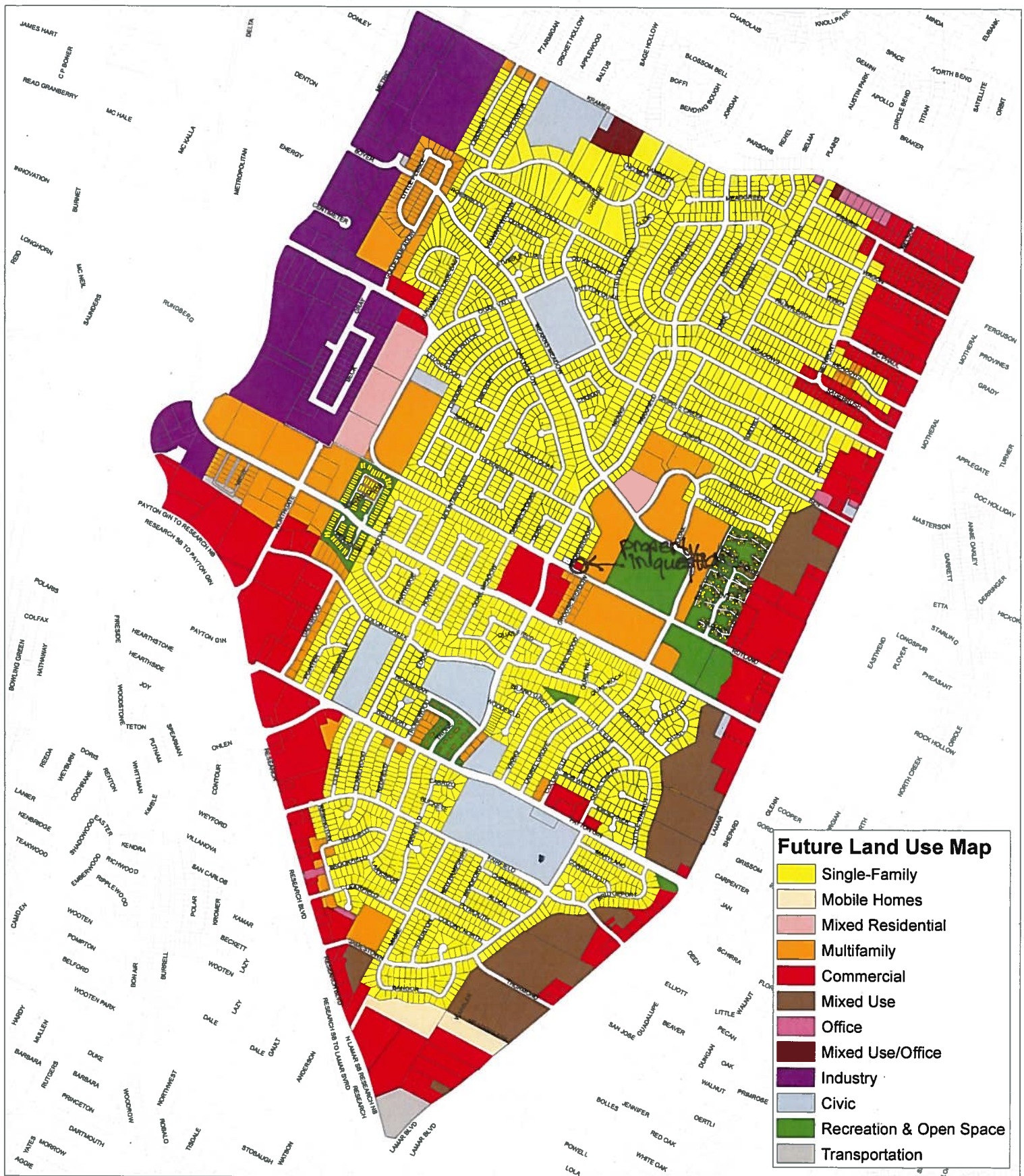
APPROVED:


Barney L. Knight
City Attorney

ATTEST:


James E. Aldridge
City Clerk

SS/jj



North Austin Civic Association Neighborhood Plan

Future Land Use Map
Adopted June 2000
Last Modified 1/06/2015

Planning & Zoning Department

A comprehensive plan shall not
constitute zoning regulations or
establish zoning district boundaries.



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: C14-2017-0033
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: May 23, 2017, Planning Commission
June 22, 2017, City Council

Mrs. T. Brian Almon
 Your Name (please print)

9500 Stonebridge Dr.
 Your address(es) affected by this application

T. Brian Almon 5-15-2017
 Signature Date

Daytime Telephone: 512-431-3243

Comments: Termination of restricted covenant
will allow for improvements to be made
by occupants. Otherwise, property will
continue to deteriorate and be
an eyesore to the neighborhood.

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

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

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Case Number: C14-2017-0033
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: May 23, 2017, Planning Commission
June 22, 2017, City Council

CHAD PEA
Your Name (please print)

☐ I am in favor
☒ I object

9509 SUNBELT DR
Your address(es) affected by this application

5/17/17
Date

310-738-9886
Daytime Telephone:

Comments: *I am in favor of residential zoning only & against any commercial business off use of any kind.*

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

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

Sirwaitis, Sherri

Subject: FW: Case #C14-2017-0033

From: D Johnson []
Sent: Friday, May 26, 2017 12:03 PM
To: Sirwaitis, Sherri
Cc: NACA Contact Team
Subject: RE: Case #C14-2017-0033

Let me know you have any questions about the NACA Contact Team disagreement with the zoning request.

Case# C14-2017-0033. The NACA contact team is not in agreement with the request to change the zoning on 9501 Stonebridge Dr to unconditional LO and removal of the restrictive covenant.

Based on the fact that all the residential neighbors signed that original zoning/restriction and clearly did not want any more intrusive use than a dental lab, the location of the parcel at the entrance to a street of single family housing, and the possibilities of development that could occur under LO, it would not be a compatible zoning change with the residences on Stonebridge.

Obviously, if the parcel reverts to SF3 when they discontinue the dental lab, then the restrictive covenant could be removed. But then the parcel will be treated like any other SF3 rezoning request.

Sincerely
Dawn Johnson
Chair, NACA Contact Team