

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0017

Z.A.P. DATE: May 1, 2007

ADDRESS: 15639 North IH-35 Service Road Northbound

OWNER/APPLICANT: Ronald Schwierking

ZONING FROM: SF-2

TO: CS

AREA: 0.680 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant CS-CO (General Commercial Services-Conditional Overlay) zoning district. The conditional overlay would limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

5/01/07: Approved CS-CO district zoning with additional conditions to prohibit Adult Oriented Businesses, Pawn Shops and Commercial Blood Plasma Center uses (8-0, J. Martinez-absent); K. Jackson-1st, C. Hammond-2nd.

DEPARTMENT COMMENTS:

The property in question currently developed with a warehouse structure that is used as a sheet metal shop. The applicant is requesting a rezoning of the site to bring the existing Construction Sales and Services use on the property into conformance with the Land Development Code regulations. The staff recommends CS-CO, General Commercial Services-Conditional Overlay District, zoning for the property because it is located on a major arterial roadway and meets the purpose statement for the CS district. The site is surrounded by existing commercial and industrial uses to the north, south, east and west. There is CS zoning to the south and LI zoning to the east of the property.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Warehouse
<i>North</i>	SF-2	Undeveloped
<i>South</i>	CS	Warehouse, Industrial Storage
<i>East</i>	LI	Mobile Homes, Construction Sales and Services Use, Outdoor Storage
<i>West</i>	County	Interstate Highway-35, Outdoor Play Equipment (Homeplace Structures), Home Sales (United Built Homes)

AREA STUDY: N/A

TIA: Waived

WATERSHED: Gilleland Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS: N/A**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0048	SF-2 to CS	6/07/05: Approved staff's recommendation of CS-CO zoning with additional condition to prohibit Commercial Blood Plasma Center, Pawn Shop Services, Adult Oriented Businesses; with a public restrictive covenant stating that, "If the Mobile Home (Equipment Sales) use ceases on the site for 180-days or more the applicant will not object to a rezoning of the site to CS-CO to prohibit the Equipment Sales use." Vote: (8-0-1, K. Jackson-absained)	8/25/0: Approved CS-CO (7-0); 1 st reading 9/29/05: Approved CS-CO (7-0) by consent (7-0); 2 nd /3 rd readings
C14-05-0008	SF-2 to CS-CO	2/15/05: Approved staff's recommendation of CS-CO, the staff's rec. CO would limit the site to less than 2,000 vehicle trips per day, prohibit Adult Oriented uses and include a reservation of 200-feet of right-of-way from the existing centerline of IH-35; add condition to prohibit Pawn Shop Services (8-0, K. Jackson-absent)	3/10/05: Approved CS-CO on all 3 readings (7-0)
C14-03-0159	SF-2 to LI	11/18/03: Approved the staff's alternate rec. of LI-CO, with an additional condition prohibiting Adult Oriented Businesses (9-0)	1/8/04: Granted LI-CO (7-0); all 3 readings
C14-03-0101	I-RR to CS	8/12/03: Approved staff's alternate recommendation of CS-CO zoning, w/ condition of no Adult Oriented Businesses (8-0, J. Cortez-left early)	10/23/03: Approved CS-CO (6-0); all 3 readings
C14-03-0083	I-RR to CS	6/24/03: Approved staff's rec. of CS-CO zoning; by consent (7-0, J. Cortez-Not yet arrived, J. Donisi-absent)	7/31/03: Approved CS-CO (7-0); all 3 readings

C14-01-0132	I-RR to GR	11/13/01: To approve staff's recommendation of GR-CO zoning, with a condition to limit development to no more than 2 story buildings for a depth of 100' from Pecan Street (F.M. 1825). (8-0, J. Martinez- absent)	12/13/01: Approved GR-CO on consent (7-0). 1/17/02: Approved (7-0); 2 nd /3 rd readings
C14-00-2226	SF-2 to LI	12/19/00: Approved staff alternate rec. of LI-CO by consent (6-0)- Prohibiting Adult Oriented Businesses, 2,000 vehicle trips per day limit	1/8/01: Approved LI-CO w/conditions (6-0); 1 st reading 7/19/01: Approved LI-CO with conditions (6-0); 2 nd / 3 rd readings
C14-00-2185	SF-2 to LI	10/24/00: Approved staff alternate rec. of LI-CO (9-0) w/ conditions- Prohibiting Pawn Shop Services/ Adult Oriented Businesses	11/30/00: Approved LI-CO (7-0); 1 st reading 5/24/01: Approved LI-CO (6-0); 2 nd /3 rd readings
C14-99-0084	SF-2 to CS-CO	6/22/99: Approved staff alternate rec. of LI-CO (6-0)- 2,000 vehicle trips per day limit	7/22/99: Approved PC rec. of LI-CO w/ conditions (7-0); 1 st reading 4/20/00: Approved LI-CO (7-0); 2 nd /3 rd readings
C14-99-0054	LI to CS-CO	5/25/99: Denied CS-CO (6-0-1, RR-abstain)	7/29/99: Approved staff recommendation of CS-CO w/ conditions (7-0); 1 st reading 11/18/99: Denied CS-CO (5-2, BG/WL-Nay); valid petition filed, lack of super majority
C14-99-0031	SF-2 to LI	3/23/99: Approved staff alternate rec. of LI-CO (9-0)	5/6/99: Approved P/C recommendation of LI-CO (9-0); all 3 readings
C14-94-0063	SF-2 to CS	6/28/94: Approved LI (7-0)	7/28/94: Approved LI, as amended (7-0); all 3 readings

RELATED CASES: C7A-83-011 (Annexation September 13, 1984)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
IH 35	300'	Varies	Freeway	No	No	No

CITY COUNCIL DATE: June 7, 2007

ACTION:

ORDINANCE READINGS: 1st

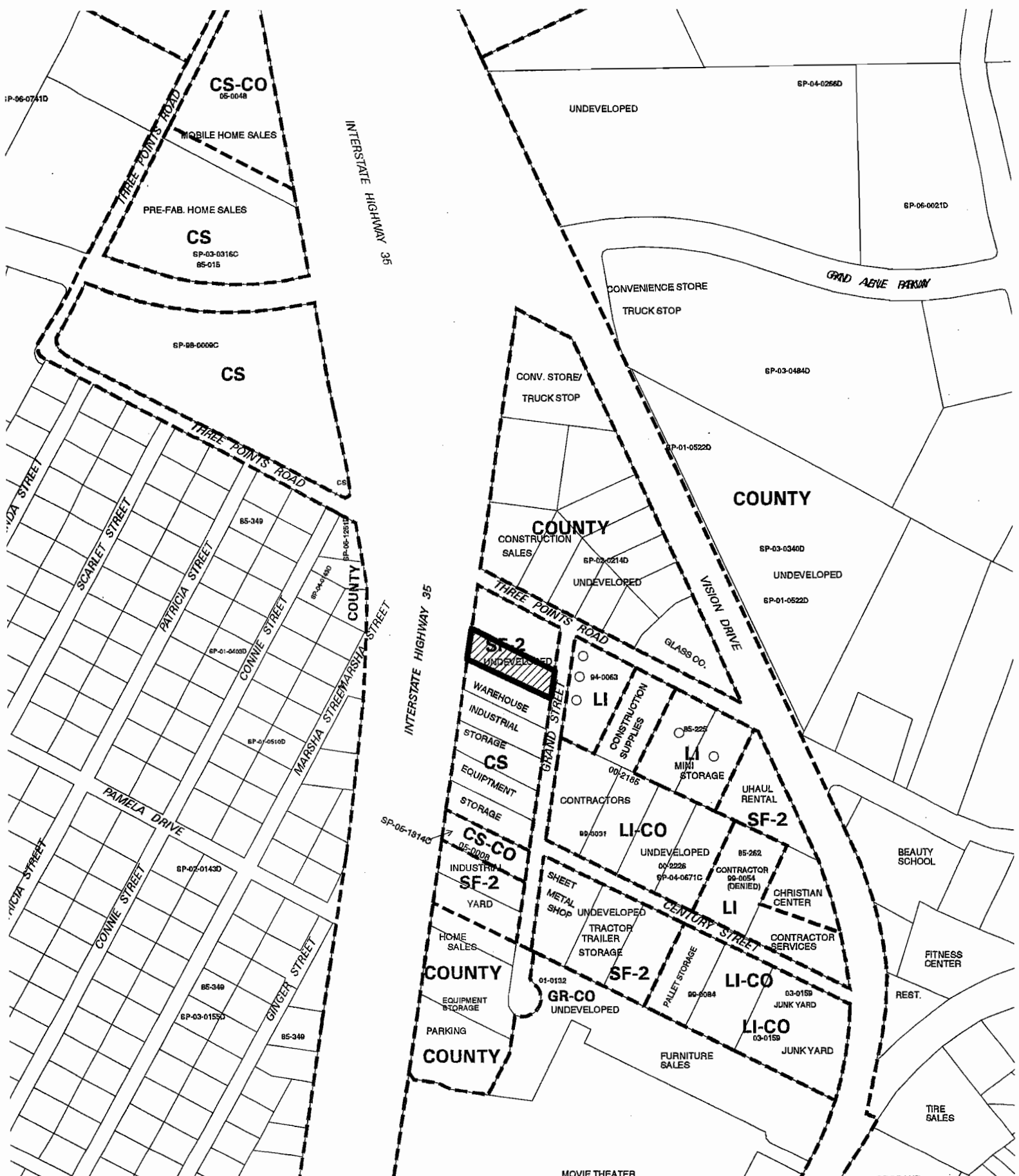
2nd


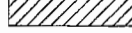


3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



 1" = 400'	SUBJECT TRACT		ZONING	CITY GRID REFERENCE NUMBER N38
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: S. SIRWAITIS			
	CASE #: C14-2007-0017		DATE: 07-03	
	ADDRESS: 15639 N IH 35 SVRD NB			
	SUBJECT AREA (acres): 0.680		INTLS: SM	

STAFF RECOMMENDATION

The staff's recommendation is to grant CS-CO (General Commercial Services-Conditional Overlay) zoning district. The conditional overlay would limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

BASIS FOR RECOMMENDATION

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

The CS zoning district is intended for commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

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

The property is adjacent to existing commercial and industrial uses to the north, south, and east. There is CS, General Commercial District, zoning to the south of the site and LI, Limited Industrial District, zoning to the northeast of the site.

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

The CS zoning district would allow for a fair and reasonable use of the site. The proposed zoning would bring the current use into compliance with the City of Austin Land Development Code regulations.

CS zoning is appropriate for this location because of the commercial and industrial character of the area.

The property in question fronts onto a major arterial roadway, Interstate Highway-35 North.

EXISTING CONDITIONS

Site Characteristics

The site is developed with a warehouse structure and is located adjacent to other commercial and industrial uses to the south and east. The property has frontage on the Northbound Service Road for Interstate Highway-35.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 95%. However, because 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 current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	% of Net Site Area	% with Transfers
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Note: The most restrictive impervious cover limit applies.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Gilleland 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.

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

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

At this time, it appears that the site is entirely developed, therefore there are no known significant environmental features.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

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

The trip generation under the requested zoning is estimated to be 4,832 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

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]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
IH 35	Varies	Varies	Freeway	No	No	No
Grand Street	50'	20'	Collector	No	No	No

Water and Wastewater

The landowner intends to serve the site with water and wastewater utilities. If water or wastewater utility improvements, or system upgrades, or offsite main extension, or utility relocation, or utility adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City utility design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

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.

Compatibility Standards

This site is currently developed, if a new site plan is submitted, it will need to show compliance with compatibility standards on the north property line.

Compatibility Standards:

For redevelopment of this site the following standards apply along the north property line:

- No structure may be built within 24 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 is allowed within 20 feet of the property.
- No driveways are allowed within 15 feet of the property line.
- 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.

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- 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 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- 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.



