

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0039

ZAP DATE: June 5, 2007

ADDRESS: 13265 U.S. Highway 183 North

OWNER/APPLICANT: La Tierra De Simmons Familia, Ltd. (Steve Simmons)

ZONING FROM: SF-2, I-RR, GR

TO: GR

AREA: 1.715 acres

SUMMARY STAFF RECOMMENDATION:

The staff recommendation is to grant GR-CO, Community Commercial-Conditional Overlay district, zoning. The conditional overlay will limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

ZONING & PLATTING COMMISSION RECOMMENDATION:

6/05/07: Approved staff recommendation of GR-CO with additional condition prohibiting Pawn Shops, Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing uses by consent(7-0, S. Hale, J. Martinez-absent); J. Pinnelli-1st, J. Shieh-2nd.

DEPARTMENT COMMENTS:

The property in question is currently developed with a vacant Auto Repair business and a billboard sign. The applicant is requesting GR, Community Commercial District, zoning to redevelop the site with other uses. The staff is recommending GR-CO district zoning for this location because the property meets the purpose statement of the GR district as it fronts onto and will take access from a major arterial roadway, U.S. Highway 183 North. This tract of land is located adjacent to existing commercial and industrial uses. The proposed zoning will promote consistency and orderly planning because there is GR zoning to the south, east and west and LI-CO zoning to the northeast.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2, GR, I-RR	Billboard Sign, Vacant Commercial Structure
<i>North</i>	GR	Indoor Entertainment (Main Event Entertainment)
<i>South</i>	GR	Service Station (Shell), Office
<i>East</i>	GR, LI-CO, GR-CO	Medical Office, Office/Warehouse (Office Outlet), Service Station (Shell)
<i>West</i>	GR	Parking Area, Retail Shopping Center, Indoor Entertainment (Main Event Entertainment)

AREA STUDY: N/A

TIA: Waived

WATERSHED: Lake Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

157 – Courtyard Homeowner Association
416 – Long Canyon II Homeowners Association, Inc.
426 – River Place Residential Community Association, Inc.
786 – Home Builders Association of Greater Austin
901 - Tanglewood Estates Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0167	GR-CO to CS-1	9/05/06: Approved staff's recommendation of CS-1-CO zoning on consent (8-0, J. Shieh-absent)	10/05/06: Approved CS-1-CO zoning by consent (5-0, M. Martinez, B. McCracken-off dias); all 3 readings
C14-06-0107	I-SF-2 to LI	6/20/06: Approved staff's recommendation for LI-CO zoning by consent (7-0, J. Gohil, S. Hale – absent)	7/27/06: Approved LI-CO district zoning (7-0); all 3 readings
C14-05-0143	I-RR to Tract 1: GR, Tract 2: CS-1	9/20/05: Approved GR-CO for Tract 1 and CS-1-CO for Tract 2, prohibit on-site consumption, limit to 2,000 vehicle trips per day (9-0)	10/27/05: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2 by consent (6-0, Alvarez-off dias); all 3 readings
C14-04-0157	I-RR to CS	11/2/04: Approved staff's recommendation of CS-CO zoning by consent (9-0)	12/02/04: Approved CS-CO (7-0); all 3 readings
C14-03-0169	I-SF-2 to CS-CO	12/16/03: Approved staff's recommendation for CS-CO by consent (8-0, C. Hammond-absent)	1/15/04: Approved PC rec. of CS-CO by consent (6-0, Mc Cracken-off dias); all 3 readings
C14-02-0159	I-RR to GR-CO	10/29/02: Approved staff's recommendation of GR-CO zoning with the deletion of Congregate Living as a prohibited use, by consent (7-0, A. Adams-absent)	12/05/02: Granted GR-CO on all 3 readings (7-0), the CO limits site to less than 2,000 vehicle trips per day and prohibits the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Commercial Off-Street Parking, Drop-Off Recycling

			Collection Facility, Exterminating Services, Funeral Services, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services, Service Station, Theater, Guidance Services, Residential Treatment
C14-02-0158	I-RR to GR-CO	10/29/02: Approved staff's recommendation of GR-CO zoning with the deletion of Congregate Living as a prohibited use, by consent (7-0, A. Adams-absent)	12/05/02: Granted GR-CO on all 3 readings (7-0), the CO limits site to less than 2,000 vehicle trips per day and prohibits the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services, Service Station, Theater, Guidance Services, Residential Treatment
C14-01-0163	I-RR to CS-CO	12/11/01: Approved staff's recommendation of CS-CO zoning, adding a condition prohibiting vehicle storage (6-0, A. Adams, V. Aldridge-Left Early)	1/17/02: Approved CS-CO on 3 readings (6-0, Wynn out of room)

C14-01-0111	I-RR, SF-2 to GR	11/27/01: Approved staff rec. of GR by consent (8-0)	1/10/02: Postponed to 1/31/02 at the request of the applicant (7-0) 1/31/02: Approved GR on all 3 readings (6-0, Goodman-off dias)
C14-01-0074	I-RR to LI	6/19/01: Approved staff's alternate recommendation of CS-CO district zoning, with CO limiting the site to 2,000 vtpd, by consent (7-1, Cravey-Nay, Garza-Absent)	7/19/01: Approved CS-CO, all 3 readings
C14-99-2036	I-RR to GR	10/5/99: Approved GR-CO (7-1, RC-Nay) w/ only permitted GR use being a car wash and prohibiting the following uses: Automotive Rental, Automotive Repair Services, Automotive Sales, Business Trade School, Business Support Services, Commercial Off-Street Parking, Communication Services, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Medical Offices, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services, Restaurant (General), Theater, Hospital Services (General), Off-Site Accessory Parking	11/4/99: Approved GR-CO (6-0); all 3 readings
C14-98-0238	I-RR to CS	2/2/99: Approved staff alternate rec. of CS-CO, limiting the site to 2,000 vtpd (8-0)	3/4/99: Approved CS-CO (7-0); all 3 readings
C14-98-0229	I-SF-2 to GR	1/19/99: Approved staff rec. of GR-CO, limiting	2/25/99: Approved PC rec. of GR-CO (7-0); all

		the site to 2,000 vtpd	3 readings
C14-98-0201	I-SF-2 to LI	12/8/98: Approved LI by consent (8-0)	1/7/99: Approved LI-CO w/ condition of 2,000 vehicle trips per day limit (7-0); all 3 readings
C14-98-0199		1/12/99: Approved GR-CO zoning, limiting the site to 2,000 vtpd	2/11/99: Approved PC rec. of GR-CO (5-0); all 3 readings
C14-98-0198	I-RR to GR	1/19/99: Approved staff rec. of GR-CO zoning, limiting the site to 2,000 vtpd (9-0)	2/25/99: Approved PC rec. of GR-CO (7-0), all 3 readings
C14-98-0167	I-SF-2 to CS	11/17/98: Approved staff alternate rec. of CS-CO, w/ 2,000 vehicle trips per day limit, by consent (9-0)	1/21/99: Approved CS-CO w/ conditions (7-0); all 3 readings
C14-98-0152	I-RR to CS	11/10/98: Approved staff alternate rec. of CS-CO, prohibiting adult oriented businesses, by consent (8-0)	12/10/98: Approved CS-CO, with CO limiting the site to 2,000 vtpd (7-0, 1 st) 2/25/99: Approved CS-CO (7-0, 2 nd / 3 rd)
C14-98-0099	I-RR to CS	8/18/98: Approved CS-CO, w/ 2,000 vehicle trips per day limit, by consent (7-0)	10/8/98: Approved PC rec. of CS-CO w/ conditions (6-0); 1 st reading 12/10/98: Approved CS-CO w/ conditions (7-0); 2 nd / 3 rd readings
C14-98-0097	I-RR to CS	8/18/98: Approved CS-CO, w/ conditions (7-0)	10/8/98: Approved PC rec. of CS-CO w/ 35 feet of deferred ROW dedication and 2,000 vehicle trips per day limit by consent (6-0); 1 st reading 12/10/98: Approved CS-CO with conditions (7-0); 2 nd / 3 rd readings
C14-98-0096	I-SF-2 to LI-CO	8/18/98: Approved CS-CO w/ conditions (7-0)	10/8/98: Approved PC rec. of CS-CO w/ 35 feet of deferred ROW dedication and 2,000 vehicle trips per day limit by consent (6-0); 1 st reading

			12/10/98: Approved CS-CO w/ conditions (7-0); 2 nd / 3 rd readings
C14-98-0036	I-SF-2 to LI-CO	4/14/98: Approved LI-CO w/ conditions of 2,000 vehicle trips per day limit, prohibiting Agricultural Sales and Service, Automotive Repair Services, Construction Sales and Services, Equipment Sales, Equipment Repair Services, Scrap and Salvage, Vehicle Storage, Basic Industry, Recycling Center, Resource Extraction, and Railroad Facilities (8-0)	5/14/98: Approved PC rec. of LI-CO w/ conditions (5-0); 1 st reading 1/21/99: Approved LI-CO w/ conditions (7-0); 2 nd / 3 rd readings
C14-95-0033	SF-2 to GR	4/25/95: Approved GR-CO by consent (9-0)	5/25/95: Approved GR-CO (5-0); all 3 readings

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification
North US 183 Highway	325'	300' (including frontage roads)	Major Arterial

CITY COUNCIL DATE: July 26, 2007

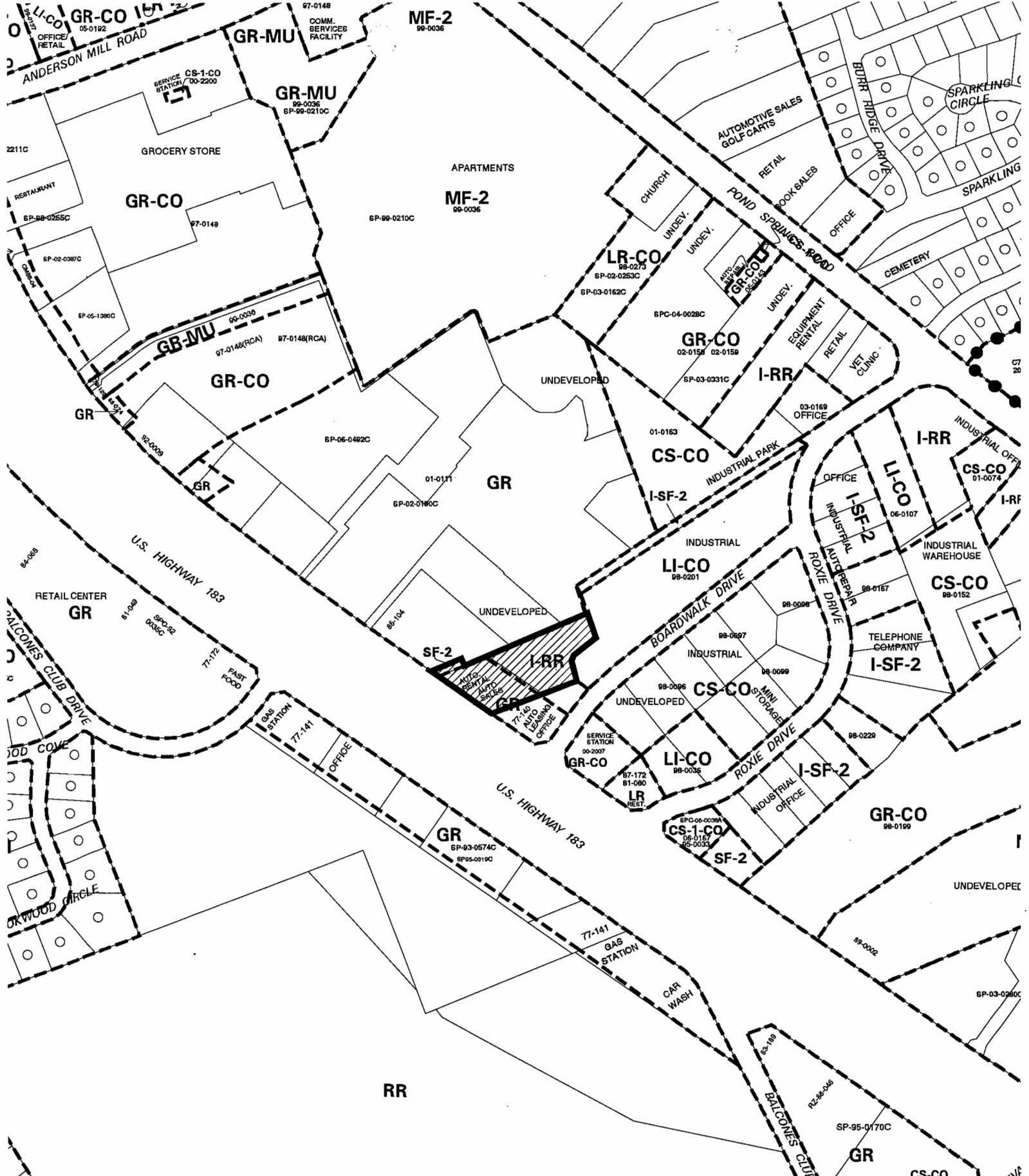
ACTION:

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 G37
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: S. SIRWAITIS			
CASE #: C14-2007-0039			DATE: 07-04	
ADDRESS: 13265 N US 183 HWY				
SUBJECT AREA (acres): 1.715			INTLS: SM	

STAFF RECOMMENDATION

The staff recommendation is to grant GR-CO, Community Commercial -Conditional Overlay district, zoning. The conditional overlay will 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 GR zoning district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

The property in question fronts onto and will take access from a major arterial roadway, U.S. Highway 183 North.

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

The proposed zoning will promote consistency and orderly planning because there is GR zoning to the south, east and west and LI-CO zoning to the northeast.

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

The GR-CO zoning district would allow for a fair and reasonable use of the site because the property in question meets the minimum lot requirements for the proposed zoning designation.

The GR-CO zoning is appropriate for this location because of the frontage of this property on an arterial roadway. The proposed GR-CO zoning area is surrounded by commercial and industrial uses.

EXISTING CONDITIONS

Site Characteristics

The subject tract is developed with a vacant commercial building and a billboard sign. There is an indoor entertainment use (Main Event Entertainment) and a retail center with restaurants and a bank located to the north and west. To the northeast, there is an industrial use (Office Outlet- The sign says soon to be Cheer Station). The property to the west is developed with medical office uses. The tracts of land to the south, across U.S. Highway 183 North, are developed with an office complex and a service station (Shell).

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90%. 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	% NSA with Transfers
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Environmental

The site is located over the North Edward's Aquifer Recharge Zone. It is in the Desired Development Zone. The site is in the Lake Creek Watershed, 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, site specific information is unavailable regarding existing trees and 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 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.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8: Endangered Species in conjunction with subdivision and/or site plan process.

Transportation

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

The trip generation under the requested zoning is estimated to be 4,210 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]

A Neighborhood Traffic Analysis is not required for this property.

Existing Street Characteristics:

Name	ROW	Pavement	Classification
North US 183 Highway	325'	300' (including frontage roads)	Major Arterial

There are intermittent sidewalks along North US 183 Highway.

US highway 183 is not classified in the Bicycle Plan.

Capital Metro bus service is available along North US 183 Highway. Route 383, a cross-town route provides service from North Lamar Transit Center to Northwest Park and Ride.

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 the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. 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.

In order to obtain City water service for the land use, the landowner must obtain City approval of a Service Extension Request. For more information pertaining to the process and submittal requirements, contact James Grabbs or Phillip Jaeger, Austin Water Utility, 625 East 10th Street, 5th Floor Waller Creek Center. The Austin Water Utility reserves the right to make additional comments and to establish other requirements with the City review of the Service Extension Request.

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

At the time of site plan application, this project will be required to design to Commercial Design Standards, subchapter E of the Land Development Code.

