

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2007-0127

**Z.A.P. DATE:** September 4, 2007

**ADDRESS:** 1614 Ferguson Lane

**OWNER/APPLICANT:** M. James Moritz

**AGENT:** Austin Civil Engineering  
(Brent Hammond)

**ZONING FROM:** SF-3

**TO:** LI

**AREA:** 0.341 acres

**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant LI, Limited Industrial District, zoning.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

9/04/07: Approved LI-CO zoning, the conditional overlay will prohibit Vehicle Storage and Convenience Storage uses on the site (8-0); J. Martinez-1<sup>st</sup>, S. Hale-2<sup>nd</sup>.

**DEPARTMENT COMMENTS:**

The property in question is currently developed with a single-family residence. The applicant is requesting a rezoning to the LI, Limited Industrial District, to construct an office/warehouse use on the site. The staff recommends the applicant's request for LI, Limited Industrial District, zoning, with the addition of a conditional overlay, because this zoning is consistent and compatible with surrounding zoning and land use patterns for this area. The site under consideration is surrounded by LI zoning to the north, east and west and there is CS zoning to the south, across Ferguson Lane.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3	Undeveloped
<i>North</i>	LI	Undeveloped
<i>South</i>	CS	Construction Sales and Services Use (Paint Shop)
<i>East</i>	LI	Undeveloped
<i>West</i>	LI	Undeveloped

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Little Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

114 – North Growth Corridor Alliance  
342 – Edward Joseph Developments, Ltd.

511 – Austin Neighborhoods Council  
 643 – NorthEast Action Group  
 786 – Home Builders Association of Greater Austin  
 937 – Taking Action Inc.

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0098	SF-3 to LI	8/21/07: Approved staff's recommendation of LI-CO zoning by consent (7-0, K. Jackson-absent)	9/27/07: Pending
C14-02-0186	SF-3 to LI	1/7/03: Approved staff's recommendation of LI-CO zoning with Recycling Collection Facility as the only LI permitted use and all permitted CS uses (9-0)	1/06/03: Granted LI-CO on all 3 readings (7-0)
C14-01-0114	LI to CS-1	10/2/01: Denied CS-1 (9-0) [previous motion to approve failed (4-5)]	11/29/01: Approved CS-1 (4-3, BG/DT/WW-No); 1 <sup>st</sup> reading  1/10/02: Approved CS-1 (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-01-0068	SF-3 to LI	5/15/01: Approved staff rec. of LI-CO by consent (6-1, SG-abstain)	6/14/01: Approved LI-CO (7-0); 1 <sup>st</sup> reading  11/29/01: Approved LI-CO (5-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-00-2156	SF-3 to CS	2/13/01: Approved staff rec. of CS w/ conditions (5-3-1, JR/JM/RC-No, SL-abstain)	3/22/01: Approved CS-CO w/ conditions (6-1, D. Slusher-No); 1 <sup>st</sup> reading  7/19/01: Approved CS-CO (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-95-0159	TR1: SF-3 to LR-CO TR2: SF-3 to LI-CO	11/28/95: Approved LR-CO & LI-CO w/ conditions (8-0)	1/4/96: Approved LR-CO (TR1) & LI-CO (TR2), subject to conditions (5-0); all 3 readings
C14-95-0097	SF-3 to LI-CO	8/29/95: Approved GO-CO & LI-CO w/ conditions (5-0)	9/28/95: Approved GO-CO & LI-CO (5-0); all 3 readings

**RELATED CASES:** There are no pending related cases.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Ferguson Lane	23'	70'	Collector	No	No	325 Ohlen

**CITY COUNCIL DATE:** October 11, 2007

**ACTION:**

**ORDINANCE READINGS:** 1st

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057,  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)



## **STAFF RECOMMENDATION**

The staff's recommendation is to grant LI, Limited Industrial District, zoning.

## **BASIS FOR RECOMMENDATION**

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

The LI district designation is for a commercial service use or limited manufacturing use generally located on a moderately sized site.

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

The proposed zoning is consistent and compatible with surrounding zoning and land use patterns for this area. The site under consideration is surrounded by LI zoning to the north, east and west. In addition, there is an existing paint shop (Construction Sales and Services use) on the CS zoned property to the south, across Ferguson Lane.

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

The LI zoning district would allow for a fair and reasonable use of the site. The proposed rezoning would allow the applicant to develop an office/warehouse use in an area that has been designated for commercial and industrial uses (Brown-Dungan Lane Area Study).

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is currently developed with a single-family residence. There is a large undeveloped tract of land surrounding the property to the north, east and west. The tract of land to the south, across Ferguson Lane, is developed with a paint shop.

### **Impervious Cover**

The maximum impervious cover allowed by the LI zoning district would be 80 %. 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.

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.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

### **Environmental**

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 sq. ft. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

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.

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

### **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]

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Ferguson Lane	23'	70'	Collector	No	No	325 Ohlen

### **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.

### **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 storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

### **Site Plan**

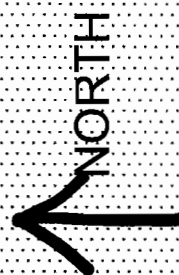
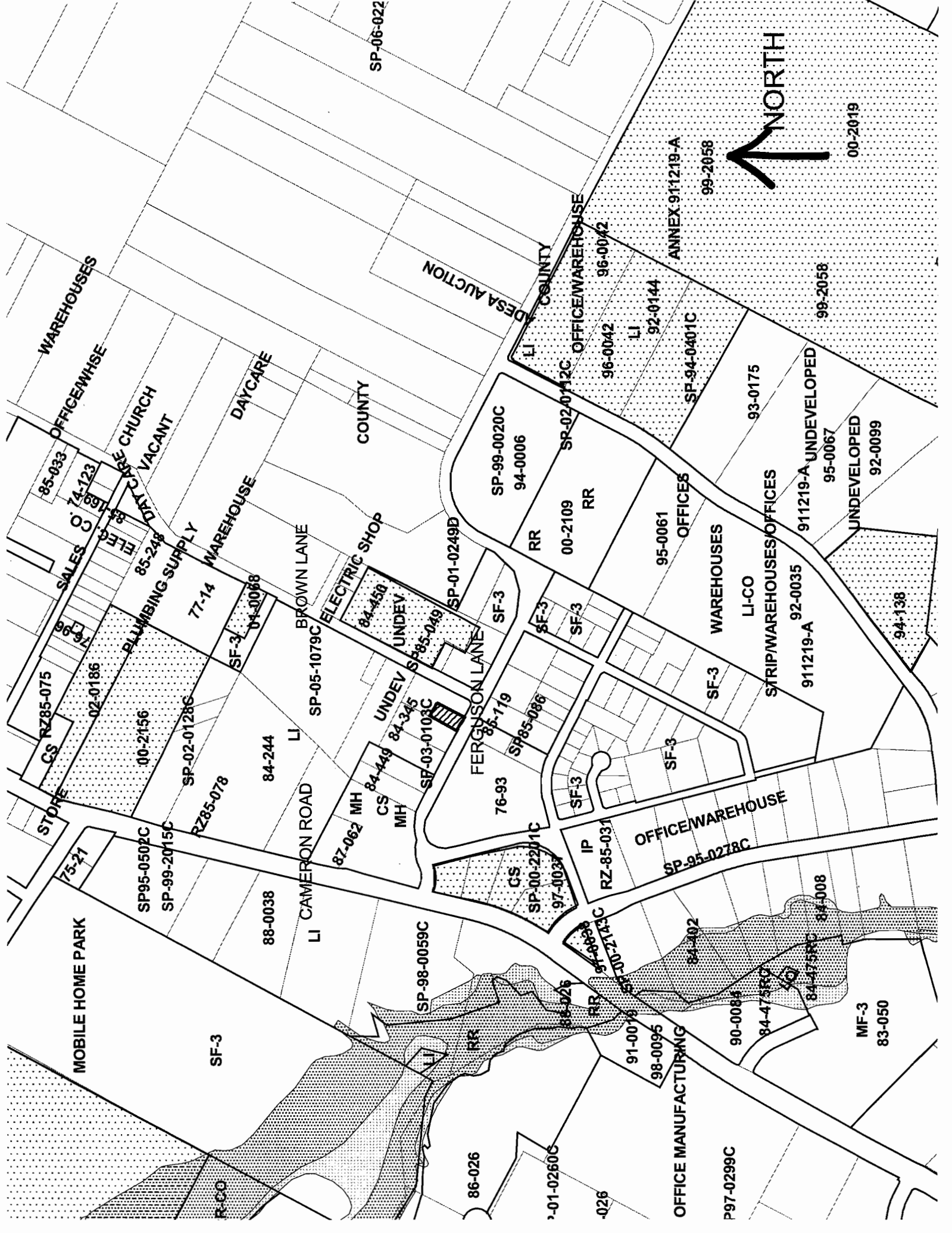
Site plans will be required for any new development other than single-family or duplex residential.

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.

### **Compatibility Standards**

- a. The site is subject to compatibility standards. Along the East and South property lines, the following standards apply:
- b. No structure may be built within 25 feet of the property line.
- c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- e. No parking or driveways are allowed within 25 feet of the property line.
- f. 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.
- g. 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.
- h. Additional design regulations will be enforced at the time a site plan is submitted.

This site must comply with Suburban roadway Design guidelines of Subchapter E, Commercial Design Standards.



NORTH



