

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0269

P.C. DATE: March 25, 2008

ADDRESS: 11112 Georgian Drive

OWNER/APPLICANT: VNA Investments, Inc. (Tam Luu)

ZONING FROM: LO

TO: CS

AREA: 0.8787 acres

SUMMARY STAFF RECOMMENDATION:

The staff recommends CS-CO, General Commercial-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity for the site to less than 2,000 vehicle trips per day.

PLANNING COMMISSION RECOMMENDATION:

3/25/08: To approve the staff's recommendation of CS-CO zoning, with an additional condition that upon redevelopment/any new improvements on the site the applicant will provide a dense 5-foot vegetative screen/buffer along the western property line (9-0)

DEPARTMENT COMMENTS:

The property in question is currently developed with a radiator shop and a manufactured home. The applicant is requesting CS, General Commercial Services District, zoning to bring the existing automotive repair use on the site into conformance with land use regulations in the City of Austin Code.

The staff is recommending CS-CO, General Commercial-Conditional Overlay District, zoning because the site is located in an area with many intensive commercial uses. The tract of land to the north is developed with a metal fabrication business and there is a sign manufacturing shop on the lot to the south. In addition, the properties to east contain office/warehouse, custom manufacturing, construction sales and services and automotive repair services uses. There is CS zoning to the north and east of the requested rezoning site.

This property is located within the North Lamar Neighborhood Planning area. This plan had a kickoff meeting on November 15, 2007. The staff brought this case before the Planning Commission Subcommittee on February 20, 2008, and the Committee decided to allow the case to continue forward through the rezoning process.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO	Manufactured Home, Automotive Repair (North Side Radiator Shop)
<i>North</i>	CS-CO	Custom Manufacturing (Metalisys.com – Metal Stamping, Fabrication and Welding)
<i>South</i>	LO	Sign Construction (General Erectors)

<i>East</i>	CS	Office, Warehouse, Manufacturing, Telecommunication Tower
<i>West</i>	LO	Church (Praise Jesus Korean United Pentecostal Church)

AREA STUDY: North Lamar Area Study
North Lamar Planning Area

TIA: Waived

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

114 – North Growth Corridor Alliance
511 – Austin Neighborhoods Council
742 – Austin Independent School Districts
786 – Home Builders Association of Greater Austin
937 – Taking Action Inc.
1037 – Homeless Neighborhood Association
1048 – Austin Northwest Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0128	GR-CO to GR-CO	8/15/2006: Approved GR-CO (7-1, C. Hammond-no), with conditions: 1) 2,000 vehicle trip per day limit; 2) Prohibit the following uses: Automotive Sales, Automotive Rentals, Automotive Washing, Restaurant (General), Bed & Breakfast (Group 1), Bed & Breakfast (Group 2), Commercial Off-Street Parking, Congregate Living, Consumer Convenience Services, Consumer Repair Services, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, General Retail Sales (General), Guidance Services, Hotel-Motel, Indoor Entertainment. Off-Site Accessory Parking, Outdoor Entertainment, Pawn Shop Services, Personal Improvement Services, Residential Treatment, Theater	10/05/06: Approved GR-CO (7-0); all 3 readings

C14-06-0120	LO to LR	<p>9/05/06: Approved staff rec. to deny LR zoning (7-0)</p> <p>11/07/06: Approved LR-CO by consent (9-0); with conditions: 1) Prohibit the following uses: Service Station, Food Sales, Guidance Services, Business or Trade Schools, Off-Site Accessory Parking, Consumer Convenience Services, Restaurant (Limited); 2) Limited access to one driveway cut on the property</p>	<p>10/19/06: Sent case back to ZAP for additional review</p> <p>12/14/06: Approved LR-CO (6-); all 3 readings</p>
C14-01-0176	SF-3 to LO	<p>1/22/02: Approved staff rec. of NO zoning by consent (8-0)</p>	<p>2/28/02: Approved NO zoning (6-0); 1st reading</p> <p>3/21/02: Approved NO zoning (7-0); 2nd/3rd readings</p>
C14-01-0116	LO to CS	<p>1/22/02: Approved staff rec. of CS-CO (8-0); with following conditions: 1) Site will be subject to TIA conditions 2) Prohibit the following uses: Automotive Washing, Commercial Off-Street Parking, Convenience Storage, Equipment Sales, Funeral Services, Kennels, Outdoor Sports and Recreation, Residential Treatment, Local Utility Services, Service Station, Campground, Construction Sales and Services, Equipment Repair Services, Exterminating Services, Hotel-Motel, Laundry Services, Outdoor Entertainment, Vehicle Storage, Community Recreation (Public), Community Recreation (Private), Off-Site Accessory Parking, Drop-Off Recycling Collection Facility 3) Prohibit drive-in service as an accessory uses to commercial uses within the area generally described as being 1,150 feet west and parallel to the east property line.</p>	<p>2/28/02: Approved CS-CO (6-0); all 3 readings</p>

C14-00-2162	LO to LR	11/14/00: Approved LR-CO (8-0); with the following conditions: Consumer Repair use as only LR use with all other LO uses and LO site development standards	12/14/00: Approved LR-CO zoning (7-0), with rollback to LO is current use ceases for more than 90 days; 1 st reading only 2/08/01: Approved LR zoning with conditions (6-0); 2 nd /3 rd readings
C14-99-0021	CS to CS-MU	3/16/99: Approved staff rec. of CS-MU-CO by consent (7-0); with conditions: 1) 2,000 vehicle trip per day limit.	4/15/99: Approved PC rec. of CS-MU-CO (7-0); all 3 readings
C14-93-0105	GR to CS	8/29/95: Approved CS-CO (5-0); with the conditions: 1) Prohibit the following uses: Restaurant (Drive-in, fast food), Restaurant (Limited), Restaurant (General), Food Sales; 2) Restrict Limited Warehousing and Distribution use to a max of 450,560 sq. ft. of gross floor area. 3) Restrict General Retail Sales (General) and General Retail Sales (Convenience) uses to a max of 13, 269 sq. ft. of gross floor area. 4) Restrict Medical Office use to a max of 58,560 sq. ft. of gross floor area.	9/25/95: Approved CS-CO (5-0); all 3 readings
C14-89-0041	LO to CS	8/22/89: Approved CS zoning	10/05/89: Approved CS zoning (5-0); all 3 readings

RELATED CASES: N/A

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Georgian Drive	50'	20'	Local	N/A

CITY COUNCIL DATE: April 24, 2008

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

STAFF RECOMMENDATION

The staff recommends CS-CO, General Commercial-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity for the 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 in question is adjacent to existing commercial and industrial uses to the north, south, and east. There is currently CS, General Commercial District, zoning to the north and east 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.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is currently developed with a radiator repair shop and a manufactured home. The property to the north is developed with a metal fabrication business. To the south there is a sign manufacturing shop. The properties to east contain office/warehouse, manufacturing businesses, construction sales and services, and automotive repair uses. The tract of land to the west is developed with a church/religious assembly use.

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 on this site would be limited by the watershed ordinance.

The site is in the Walnut 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. 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.

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.

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.

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	DAILY TRAFFIC
Georgian Drive	50'	20'	Local	N/A

There are NO existing sidewalks along Georgian Dr.

Georgian Dr is NOT classified in the Bicycle Plan as a Priority bike route.

Capital Metro bus service is available along Braker Lane.

Capital Metro bus service is available within 1/4 mile of this property.

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 relocations and or abandonments required. 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 stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Site Plan Comments

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.





City of Austin

CERTIFICATE OF OCCUPANCY

BUILDING PERMIT NO. 2008-011098 BP

ISSUE DATE: 03/03/2008

BUILDING ADDRESS: 11112 GEORGIAN DR

LEGAL DESCRIPTION:

PROPOSED OCCUPANCY: C-1000 Commercial Remodel
Remodel - Amnesty CO only for Auto Body & Repair.

BUILDING GROUP / DIVISION: S-1 Mod-Hazard Storage, Repair Garages

REMODEL BUILDING SQUARE FOOTAGE: 400 SQ. FT.

SPRINKLER SYSTEM: N

CODE YEAR: 2003

CODE TYPE: IBC

FIXED OCCUPANCY: 0

NON FIXED OCCUPANCY: 0

TYPE OF CONSTRUCTION: 5B

CONTRACTOR: Tam Luu,

******* CERTIFICATE OF OCCUPANCY *******

THIS IS TO CERTIFY THAT THE BUILDING OR STRUCTURE AT THE ADDRESS LISTED ABOVE HAS BEEN INSPECTED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE AUSTIN CITY CODE FOR THE GROUP AND DIVISION OF OCCUPANCY LISTED ABOVE.

NEITHER THE ISSUANCE OF THIS CERTIFICATE NOR THE INSPECTIONS MADE SHALL LESSEN THE RESPONSIBILITY OR LIABILITY OF ANY PERSON, FIRM OR CORPORATION

OWNING, OPERATING, CONTROLLING OR INSTALLING ANY APPLIANCE OR MATERIAL UPON THE PREMISE, OR DOING ANY WORK WHATSOEVER ON SUCH PREMISE.

THE CITY OF AUSTIN DOES NOT ASSUME ANY RESPONSIBILITY OR LIABILITY BY REASON OF THE INSPECTION OR REINSPECTION OF THE PREMISE; OR THE ISSUANCE OF THIS "CERTIFICATE OF OCCUPANCY"; OR BY ANY REASON OF ANY APPROVAL OR DISAPPROVAL.

BUILDING CODE REVIEWER: Jesse Aguilar

for Leon Barba, Building Official