

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0104 / Schiffgens Tract

P.C. DATE: May 27, 2008

ADDRESS: 9621 North Interstate Highway 35 Service Road NB

OWNER: Mark E. Schiffgens, 512-657-2291

AGENT: McMinn Land Surveying Co., (Mike McMinn) 512-343-1970

ZONING FROM: SF-2

TO: CS

SITE AREA: 0.936 acres (40,772 sq. ft.)

ISSUES: The Windsor Hills neighborhood planning process has begun for this area. The kick-off will be held on May 22, 2008. The process will take approximately 18 months to 2 years and the land use discussion is not scheduled to occur until after the midpoint.

The Planning Commission has a policy to postpone zoning cases for six months with the initiation of a neighborhood plan. Because the application was submitted prior the kick-off public meeting, the six month waiting period is not triggered.

SUMMARY STAFF RECOMMENDATION: The staff recommendation is to grant the change from SF-2 (Single-family residence standard lot district) to CS-CO (General Commercial Services district – Conditional Overlay). The conditional overlay will limit the vehicle trips to less than 2,000 per day.

SUMMARY PLANNING COMMISSION RECOMMENDATION: May 27, 2008: Planning Commission approved staff's recommendation of CS-CO district zoning; by consent. [J. Reddy, M. Dealey 2nd] (8-0) with S. Kirk absent.

DEPARTMENT COMMENTS: The 0.936-acre site is currently zoned SF-2 (single family residential) district zoning and fronts the access road of North IH-35 SVRD NB, to which both ingress and egress access shall be taken.

The subject property is currently undeveloped and moderately vegetated. The property is surrounded by a used car lot to the north which has a strip that wraps around the subject property to the east. Immediately south is a vacant lot, but further south is a fenced in volleyball court and adjacent to the court is a bar.

The applicant intends to subdivide and rezone the property to CS-CO in order to expand the existing car lot and possible develop an office building.

The conditional overlay will restrict the vehicle trips to less than 2,000 per day.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Undeveloped
<i>North</i>	CS-CO	Used Car Lot
<i>South</i>	CS	Undeveloped
<i>East</i>	CS-CO	Undeveloped (strip), Part of the used car lot
<i>West</i>	N/A	IH-35

NEIGHBORHOOD PLAN AREA: Windsor Hills**TIA:** The traffic impact analysis has been waived because the applicant agrees to a conditional overlay that will limit vehicle trips to less than 2,000 per day.**WATERSHED:** Little Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

First American Commercial Property Group
 North Growth Corridor Alliance
 Home Builders Association of Greater Austin
 Austin Neighborhoods Council
 NorthEast Action Group
 Taking Action Inc.
 Homeless Neighborhood Organization

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-00-2082 (Parson Place Subdivision)	SF-2 to CS-CO	Approved staff recommendation on 5-16-2000 of CS-CO by consent (9-0). (CO -prohibits a development that would generate more than 2,000 vehicle trips per day and prohibits adult oriented businesses.)	On 6-22-2000, Council approved CS-CO on all three readings (7-0).
C14-01-0088 (Ramses Club)	From CS-CO to CS-1-CO	On 7-10-2001 No Recommendation by Planning Commission. Comments: MOTION TO DENY STAFF ALT REC OF CS-1-CO FAILED 4-3; SEND TO CC W/O REC (7-0)	On 8-30-2001, Council DENIED CS-1-CO (7-0)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic
IH-35	300'	Varies	Freeway	164,000 (TXDOT 2006)

CITY COUNCIL DATE: July 24, 2008

ACTION:

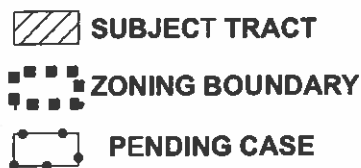
ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Joi Harden

PHONE: 974-2212

E-MAIL: joi.harden@ci.austin.tx.us;



C14-2008-0104 - Schiffgens Tract
9621 N IH 35
From: SF-2 To: CS-CO

From: SF-2 To: CS-CO



SUMMARY STAFF RECOMMENDATION

The staff recommendation is to grant the change from SF-2 (Single-family residence standard lot district) to CS-CO (General Commercial Services district – Conditional Overlay). The conditional overlay will limit the vehicle trips to less than 2,000 per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

CS - General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic services requirements generally incompatible with residential environments. The subject property has frontage on the access road of N IH35 and is surrounded by commercially zoned property.

Conditional Overlay combining district (CO) may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties. (LDC, 25-2-164). The applicant will limit vehicle trips to less than 2,000 per day.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

The proposed rezoning will allow for reasonable use of the site while maintaining the character of the surrounding area. Staff recommends rezoning based on its compatibility with the character of the surrounding area and access from the Interstate.

EXISTING CONDITIONS

Site Characteristics

The site is undeveloped and is moderately vegetated.

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 CS-1 zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance. 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. Impervious cover is not limited in this watershed class.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Harris Branch Watershed and the Walnut Creek Watershed of the Colorado River Basin, which are classified as Suburban Watersheds 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:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family	50%	60%

(minimum lot size 5750 sq. ft.)		
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

2. According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.
3. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
4. 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.
5. 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.
6. 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

1. The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for IH 35. TxDOT may request the reservation of additional right-of-way in accordance with the Transportation Plan when the site is redeveloped [LDC, Sec. 25-6-51 and 25-6-55].
2. 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].
3. There are no existing sidewalks along the north-bound frontage road of North IH 35.
4. IH 35 (south-bound frontage road) is classified in the Bicycle Plan as a Priority 2 bike route.
5. Capital Metro bus service is not 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.

Site Plan Review

1. 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.
2. Any new development would be required to comply with Subchapter E (Commercial Design Guidelines).