

ZONING CHANGE REVIEW SHEET

CASE: C14-2009-0033 – Upgrade Electrical Service

Z.A.P. DATE: April 7, 2009

ADDRESS: 513 Thompson Lane

OWNER: Lourdes E. Pelayo

AGENT: Kool Daddy Motorcycles
(Juan Galvan)

ZONING FROM: I-RR

TO: CS

AREA: 0.5 acres
(21,780 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

April 7, 2009: *APPROVED CS-CO DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT.*

[K. JACKSON; D. TIEMANN – 2ND] (7-0)

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject property is developed with a business repairing motorcycles (an automotive repair use), is located on Thompson Lane and is zoned interim – rural residence (I-RR) district zoning. The property was annexed in September 2001 and was previously used as an automotive repair business. There is an office/warehouse use and a Capital Metro service yard to the north (I-RR; P-CO); undeveloped property to the east (I-RR); commercial businesses to the south (I-RR; CS; CS-1-CO; LI), and an agricultural sales and services use and single family residences across Thompson Lane to the west (CS; I-SF-2).

The property also lies within Airport Overlay Zone – 3 (also known as the ½ mile buffer zone) which does not allow for new residential development to occur outside of recorded final plats, municipal utility district boundaries or neighborhood plan combining district boundaries. Commercial and industrial uses are permitted in the AO-3 Zone.

The Applicant has requested a zoning change to the general commercial services (CS) district in order to obtain a permit to upgrade the electrical service to his property. Staff recommends CS zoning given: 1) the site is in close proximity to a major freeway, Bastrop

Highway / U.S. Highway 183; and 2) it is compatible with the surrounding commercial properties, general land use character and uses permitted within Airport Overlay Zone-3.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Automotive repair business
<i>North</i>	I-RR	Office/warehouse; Capital Metro service yard; Manufactured home park
<i>South</i>	I-RR	Office/warehouse; Undeveloped; Adult-oriented business; Supply company; Service station with food sales
<i>East</i>	I-RR	Undeveloped
<i>West</i>	CS; I-SF-2; RR	Farm supply company; Auto sales; Single family residences

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Carson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 774 – Del Valle Independent School District
 1037 – Homeless Neighborhood Association 1075 – League of Bicycling Voters
 1113 – Austin Parks Foundation 1168 – E-mail Notification Test Group

SCHOOLS:

The subject property is within the Del Valle Independent School District.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0112 – Najib 11 – 423 Thompson Lane	I-RR to CS	To Grant CS-CO with CO prohibiting equipment sales, equipment repair, kennels, laundry services, vehicle storage, transportation terminal and adult- oriented uses, and limit of 2,000 trips	Approved CS-CO as Commission recommended (12-6- 07).

C14-02-0144 – Bull's Ally Motorcycle Accessories – 519 Thompson Lane	I-RR to CS	To Grant CS	Approved CS (10-24-02)
C14-00-2004 – Fitzpatrick Zoning (City-initiated) – Hergotz Lane, 275, 403, 413 and 445 Bastrop Highway and 414, 422, 426 and 434 Thompson Lane	I-RR to RR; DR and CS	To Grant RR; DR and CS	Approved RR; DR and CS (2-8-01).
C14-99-0096 – Special Transit Services Facility – 509 Thompson Lane	I-RR to P	To Grant P-CO, with Conditional Overlay limited to 1,000 vehicle trips per day.	Approved P-CO, as recommended by PC (8/19/99).
C14-97-0095 – Rodriguez Zoning Change – 523 Thompson Lane	LI to CS-1	To Grant CS-1-CO with conditions to prohibit adult-oriented uses and limited to 2,000 vehicle trips per day.	Granted CS-1-CO as recommended by PC (10-16-97).

RELATED CASES:

The subject property was annexed into the City limits on September 6, 2001 by Ordinance Number 010830-64 and zoned I-RR.

The subject zoning area is platted as Lot 18 of Commerce Square, a subdivision recorded on January 29, 1979 (C8s-78-171). Please refer to Exhibit B.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic
Thompson Lane	70 feet	24 feet	Collector	526 (COA, 06/01/07)

- There are no existing sidewalks along Thompson Lane.
- Thompson Lane is not classified in the Bicycle Plan as a bike route.
- Capital Metro bus service is not available within 1/4 mile of this property.

CITY COUNCIL DATE: April 30, 2009

ACTION:

ORDINANCE READINGS: 1st

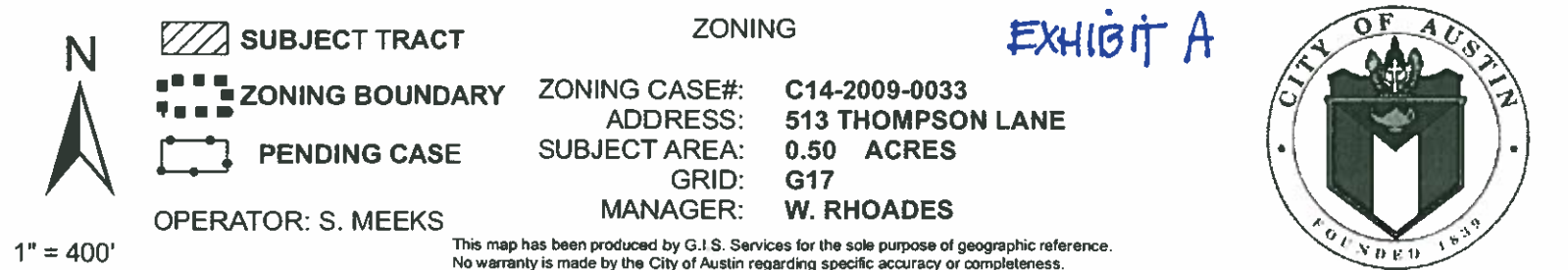
2nd

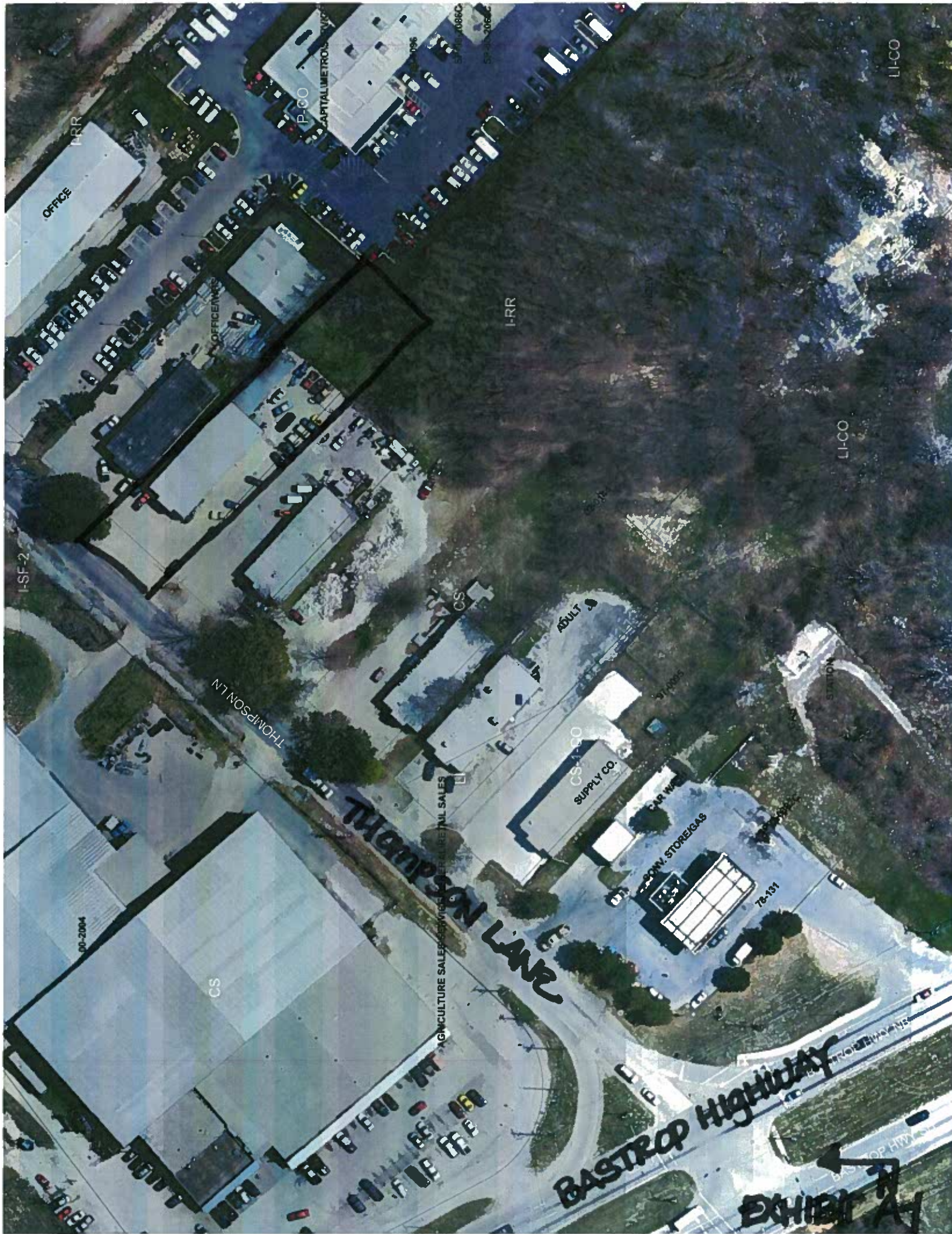
3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719



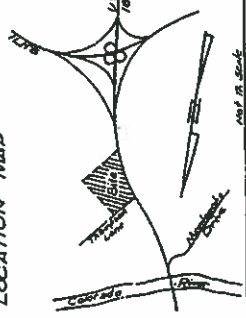


COMMERCE SQUARE

H. Arva Smith 50Ac.

ZONING AREA

LOCATION MAP



AREAS
Area in Lots 44,976.8 Acres
Area in Streets 0.0081 Acres
Area in Subdivision 45,180.0 Acres

EXHIBIT B
RECORDED
PLAT

CURVE DATA

- 1. 203.90
- 2. 286.22
- 3. 347.84

LEGEND

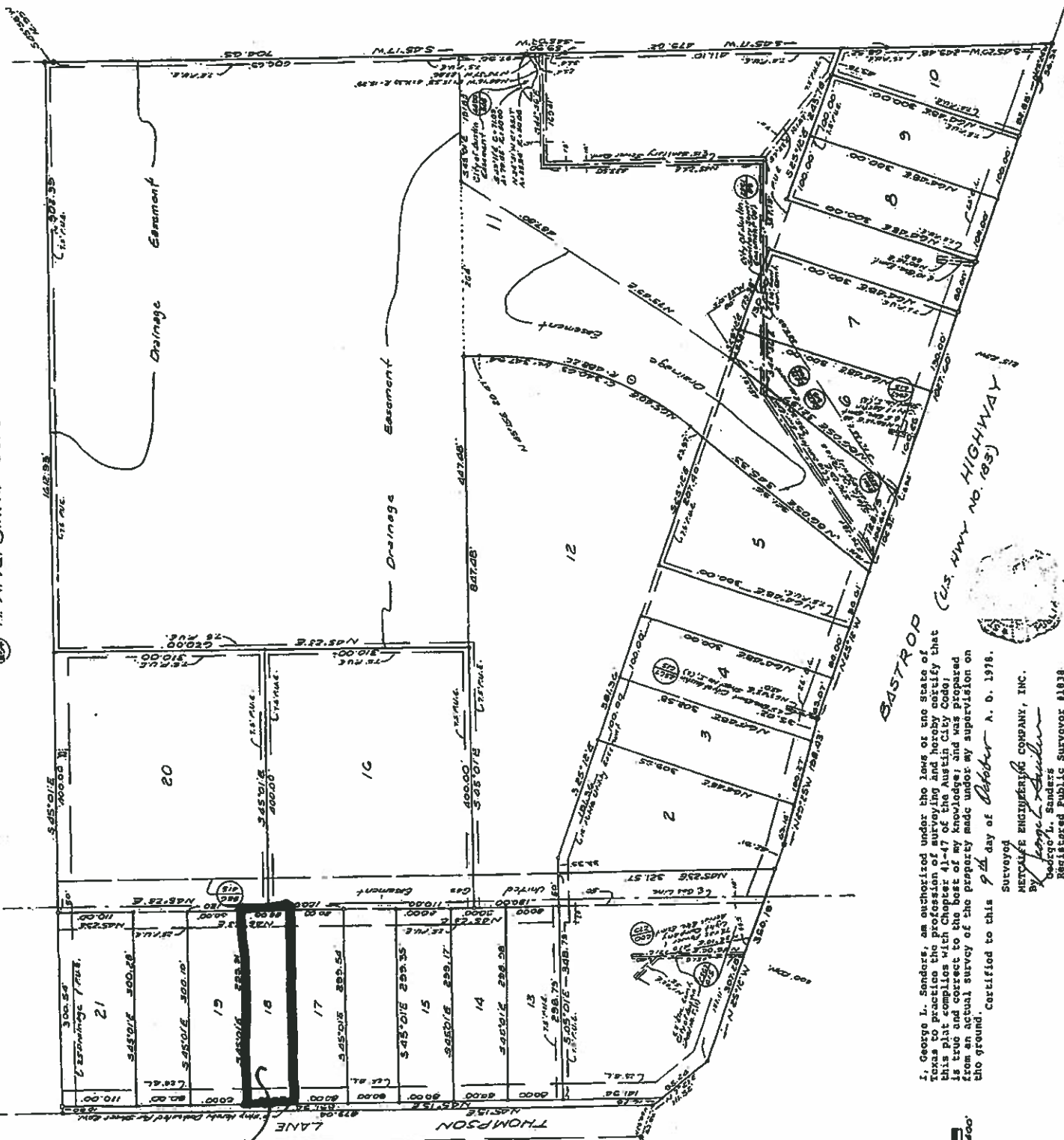
- Iron Stake Set
- Iron Stake Round
- Iron Stake Square
- Iron Stake Triangular
- Iron Stake Hexagonal
- Iron Stake Octagonal
- Iron Stake Circular
- Iron Stake Elliptical
- Iron Stake Irregular
- Iron Stake Unlabeled



I, George L. Sanders, am authorized under the laws of the State of Texas to practice the profession of surveying and hereby certify that this plat complies with Chapter 41-47 of the Austin City Code; is true and correct to the best of my knowledge; and was prepared from an actual survey of the property made under my supervision on the ground. Certified to this 9th day of October A. D. 1978.

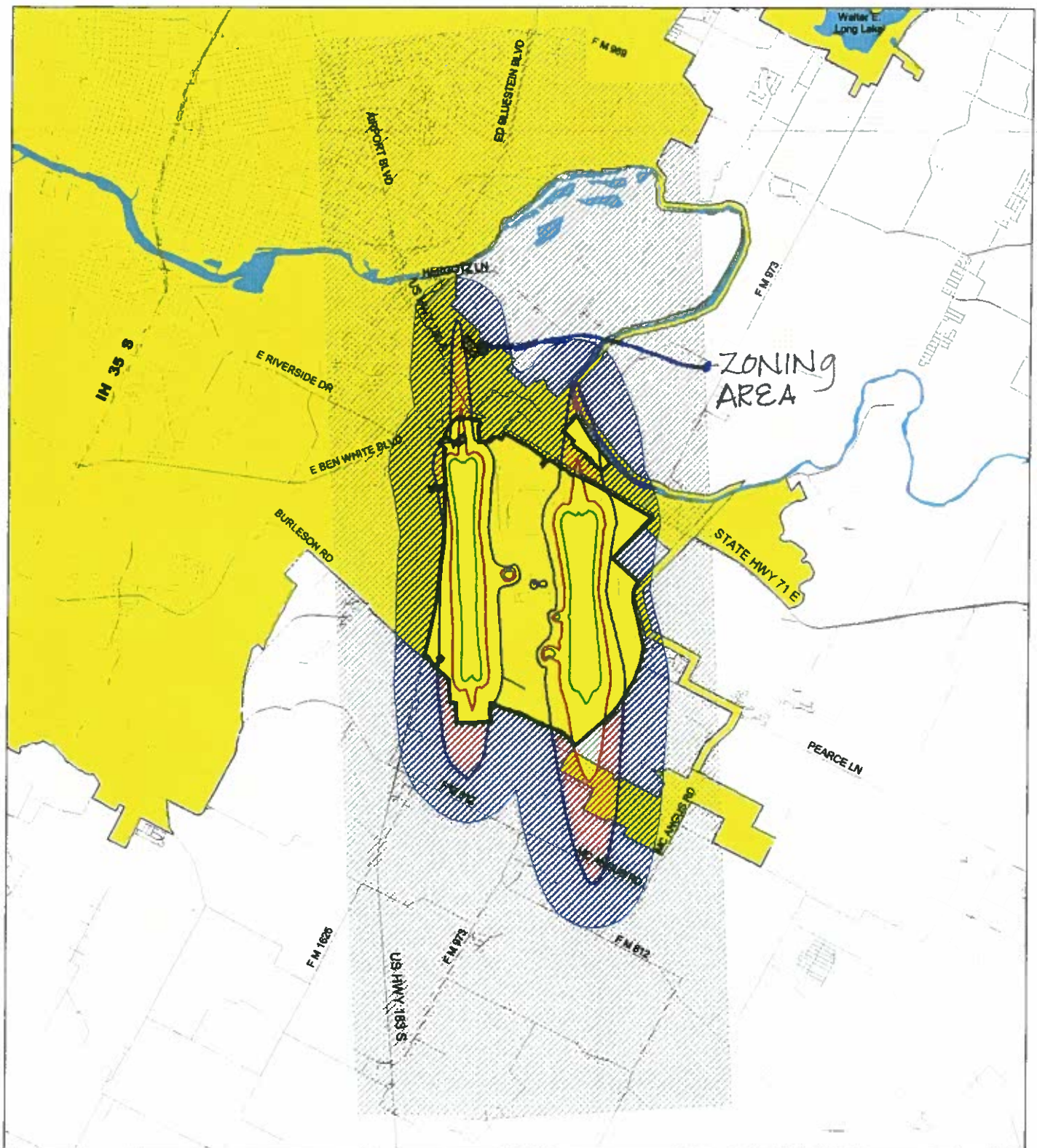
Surveyed
METCALFE ENGINEERING COMPANY, INC.
By *George L. Sanders*
George L. Sanders
Registered Public Surveyor #1038
Austin, Texas

78.553 R 1
PLAN 8443



Robert E. Kelly et al 21424 Ac

78.553 R 1
PLAN 8443



Austin-Bergstrom International Airport

Controlled Compatible
Land Use Area

Produced by: Infrastructure
Support Services



Date Plotted: August 16, 2001

- Airport Overlay Zone AO-1
- Airport Overlay Zone AO-2
- Airport Overlay Zone AO-3
- Controlled Compatible Land Use Area
- City of Austin

- 65 DNL Contour
- 70 DNL Contour
- 75 DNL Contour
- Airport Property Boundary

EXHIBIT C
AIRPORT OVERLAY
ZONE MAP

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities.

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

Staff recommends CS zoning given: 1) the site is in close proximity to a major freeway, Bastrop Highway / U.S. Highway 183; and 2) it is compatible with the surrounding commercial properties, general land use character and uses permitted within Airport Overlay Zone-3.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and slopes to the east, towards the fully developed 100-year flood plain that extends in a north-south direction, close to the east property line.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 80%, which is based on the more restrictive zoning regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Carson 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:

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

According to flood plain maps, there is a floodplain adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

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

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding 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.

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].

Water and Wastewater

The landowner is currently served with COA water and onsite septic. A City sewer line is currently in construction at the property. With the change in use the landowner must serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for

compliance with City criteria. 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 and Compatibility Standards

Properties which have interim single family zoning (e.g. I-SF-2) are not protected by compatibility standards, unless the property has an existing single family use. If these abutting properties are used for single family residences or properties within 540 feet have existing single family residences, these comments will apply.

The site is subject to compatibility standards. Along the north property line, the following standards apply:

- No structure may be built within 25 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 or driveways are allowed within 25 feet of 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.

Additional design regulations will be enforced at the time a site plan is submitted.

Any new development is subject to Subchapter E: *Design Standards and Mixed Use*. Additional comments will be made when the site plan is submitted.

The property is also located within the Airport Overlay Zone (AO-3) also known as the ½ mile buffer zone that permits commercial and industrial uses. The AO-3 Zone does not allow for new residential development to occur outside of recorded final plats, municipal utility district boundaries or neighborhood plan combining district boundaries.