

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0028 (Capital Produce, L.L.C.)

Z.A.P. DATE: April 20, 2010

ADDRESS: 9514 Anderson Mill Road

OWNER/APPLICANT: Monarcha Investment Group, Ltd. (Luis Valencia, Sandra Valencia)

AGENT: A.E.C. Inc. (Phil Moncada)

ZONING FROM: GR-CO **TO:** W/LO

AREA: 0.992 acres

SUMMARY STAFF RECOMMENDATION:

The staff recommends Warehouse/Limited Office-Conditional Overlay, district zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

4/20/10: Approved staff's recommendation of W/LO-CO zoning, with additional conditions to allow Limited Warehousing and Distribution as the only permitted 'W/LO' use and allow all other permitted 'GR' district uses (7-0); T. Rabago-1st, G. Bourgeios-2nd.

DEPARTMENT COMMENTS:

The property in question is developed with a vacant warehouse structure that was previously used as a roller skating rink (Indoor Sports and Recreation use). The applicant is requesting zoning for the site to W/LO because they would like to remodel the existing warehouse building to have a wholesale produce supply company (Limited Warehousing and Distribution use) at this location.

The staff recommends W/LO-CO zoning for this property because the proposed zoning would be consistent and compatible with the surrounding land uses. The site is surrounded by commercial zoning: GR-CO zoning to the south and west, LR and LR-CO zoning to the east, and W/LO-CO zoning to the north. The property is located between on an arterial roadway between two major intersections, U.S. Highway 183 North at Anderson Mill Road and Anderson Mill Road at Pond Springs Road.

The applicant agrees with the staff recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO	Vacant Roller Skating Rink (Indoor Sports and Recreation)
<i>North</i>	W/LO-CO	Public Mini-Storage Units (Convenience Storage)
<i>South</i>	GR-CO, CS-1-CO	Commercial Retail Center, Driveway, Detention Pond
<i>East</i>	LR	Commercial Uses (Dream Bakery, Voice Com Wireless, UPS/Fed Ex, Computer Sales and Repair)

<i>West</i>	LI-CO, GR-CO	Sign Shop(Fast Signs), Office (Allstate Insurance), Commercial Retail Center (BBVA Compass Bank, Gun Sales, Twin Liquors, PC Plus, Best Dressed Dog, Citywide Realty, H&R Block)
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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:

Austin Monorail Project
Austin Parks Foundation
Home Builders Association of Greater Austin
Homeless Neighborhood Association
League of Bicycling Voters
Neighborhood Association of SW Williamson County
Sierra Club, Austin Regional Group
Super Duper Neighborhood Objectors and Appeals Organization
The Real Estate Council of Austin, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0192	I-RR to GR	12/06/05: Approved staff recommendation of GR-CO zoning by consent (7-0, K. Jackson, J. Pinnelli-absent); M. Hawthorn-1 st , J. Donisi-2 nd .	1/12/06: Approved GR-CO zoning by consent (6-0, D. Thomas-absent); R. Alvarez-1 st , L. Leffingwell-2nd; all 3 readings
C14-03-0180	I-SF-2 to Tract 1: GR-CO, Tract 2: CS-1-CO	1/20/04: Approved staff's recommendation of GR-CO for Tract 1; prohibiting Recycling Collection and Residential Treatment and CS-1-CO for Tract 2; prohibiting Drop-Off Recycling Collection, Residential Treatment, Agricultural Sales and Services, Art and Craft Studio (General), Building Maintenance Services, Campground, Cocktail Lounge, Commercial Blood Plasma Center, Construction Sales and Services, Convenience Storage, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Plant Nursery, Vehicle Storage, Veterinary Services, Custom	2/26/04: Approved GR-CO for Tract 1, CS-1-CO for Tract 2 by consent (7-0, Thomas-off dias); all 3 readings

		Manufacturing, Limited Warehousing and Distribution, Maintenance and Service Facilities, Transitional Housing, and Transportation Terminal, with a 2,000 vehicle trips per day limit for the entire site; by consent (6-0, J. Cortez, J. Donisi, K. Jackson-absent)	
C14-03-0104	I-RR, SF-2, GR, CS to GR-CO	8/12/03: Approved staff's recommendation of GR-CO, with CO to limit the development intensity to less than 2,000 vehicle trips per day, by consent (9-0)	9/25/03: Granted ZAP rec. of GR-CO (7-0); all 3 readings
C14-02-0059	SF-3 to CS	5/6/03: Approved staff's rec. of CS-CO, with a 2,000 vehicle trips per day limit for development on the site; adding the following conditions to prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing; by consent (8-0)	7/17/03: Approved ZAP rec. of CS-CO (7-0); all 3 readings
C14-02-0020	I-RR to LR	4/9/02: Approved staff's rec. of LR-CO, with a 2,000 vehicle trips per day limit for development on the site and the dedication of 57 feet of right-of-way from the future centerline of Anderson Mill Road, w/additional conditions prohibiting Service Stations; Congregate Living; Family Homes; Group Home, Class I (General); Group Home Class I (Limited); Group Home Class II; and Residential Treatment (9-0)	8/29/02: Approved ZAP rec. of LR-CO (7-0); 1 st reading 9/26/02: Approved LR-CO (7-0); 2 nd /3 rd readings
C14-02-0002	I-RR to GR	2/12/02: Approved staff's rec. of GR-CO zoning (6-0, N. Spelman, V. Aldridge, J. Martinez –absent), with CO to allow only LR uses and prohibit the following other uses: Restaurants (Drive-In, Fast Food); Service Station; Congregate Living; Family Home; Group Home, Class I (General); Group Home, Class I (Limited); Group Home, Class II; Guidance Services; Residential Treatment	8/8/02: Approved GR-CO w/ conditions on 1st reading (6-0, Wynn-out of room) 8/29/02: Approved (7-0); 2 nd /3 rd readings

C14-01-0165	CS-CO to CS-CO	12/11/01: Approved staff rec. of CS-CO, w/ CO to limit the site to Convenience Storage as the only CS use, allow all LR uses with the exception of a Service Station, limit the site to a maximum building height of 45 feet, and limit the development intensity to less than 2,000 vehicle trips per day (7-0)	1/17/02: Approved PC rec. of CS-CO (6-0); all 3 readings
C14-01-0155	I-RR to GR	11/21/01: Approved staff rec. of GR-CO, with CO to limit the development intensity to less than 2,000 vehicle trips per day, by consent (8-0)	1/10/02: Approved GR-CO (6-0, Goodman out of room); all 3 readings
C14-00-2105	I-RR to GR	7/25/00: Approved staff rec. of GR-CO, with height limit of 35 ft. (7-1, BB-Nay)	8/24/00: Approved GR-CO (7-0), all 3 readings
C14-00-2244	I-RR to LR	2/6/01: Approved GR-CO for personal improvement use only & all LR uses w/ conditions (9-0)	7/19/01: Withdrawn by applicant.
C14-00-2200	GR-CO to CS-1	11/14/00: Approved staff rec. of CS-1 by consent (8-0)	12/14/00: Approved CS-1-CO w/ conditions: Prohibit Pawn Shops and Adult Oriented Businesses (7-0); all 3 readings
C14-00-2054	I-RR to LI-CO	11/14/00: Postponed indefinitely by applicant (re-notification required)	5/14/01: Administrative-Expired (Indefinite PP only good for 6 months)
C14-99-2139	I-RR to CS	3/7/00: Approved W/LO-CO (5-0-1, RC-abstain); CO would limit site to convenience storage as only W/LO use, limit site to 2,000 vehicle trips per day	4/6/00: Approved W/LO-CO w/ conditions as recommended by PC; on all 3 readings (6-0, Lewis out of room)
C14-99-0137	I-RR to LI	8/24/99: Approved LI-CO; agree to rollback zoning to GR if use ceases, limited to 2,000 vehicle trips per day, dedicate ROW at time of subdivision process (5-1, RC-Nay)	12/2/99: Approved LI-CO; limited to 2,000 vehicle trips per day; require RC for "GR" if use ceases (7-0); 3 rd reading
C14-99-0036	GR-CO, I-RR to MF-2, GR-MU	6/22/99: Approved staff alternate rec. of MF-2 (TR1) and GR-MU (TR 2&3) (5-0)	7/22/99: Approved PC rec. of MF-2 (TR1) and GR-MU (TR 2&3) w/ conditions (7-0); 1 st reading 10/28/99: Approved (5-0, WL/JG-absent)
C14-98-0272	I-RR to LR	2/2/99: Approved staff recommendation of LR by consent (8-0)	3/4/99: Approved LR (7-0); 1 st reading 3/25/99: Approved LR (6-0); 2 nd /3 rd readings

C14-98-0086	SF-2 to GR	8/18/98: Approved GR-CO, with CO to limit the development intensity to less than 2,000 vehicle trips per day, by consent (7-0)	10/8/98: Approved PC rec. of GR-CO w/ conditions (6-0); all 3 readings
C14-97-0148	I-RR to GR	5/5/98: Approved staff rec. of GR-CO by consent; CO limits to LR development standards (7-0)	6/25/98: Approved PC recommendation of GR-CO with conditions; defer fiscal to site plan (6-0); 1 st reading 7/23/98: Approved GR-CO (7-0); 2 nd / 3 rd readings

RELATED CASES: C14-05-0192 (Previous Zoning Case)

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Anderson Mill Road	100'	Varies	Major Arterial	N/A

CITY COUNCIL DATE: May 13, 2010

ACTION:

ORDINANCE READINGS: 1st

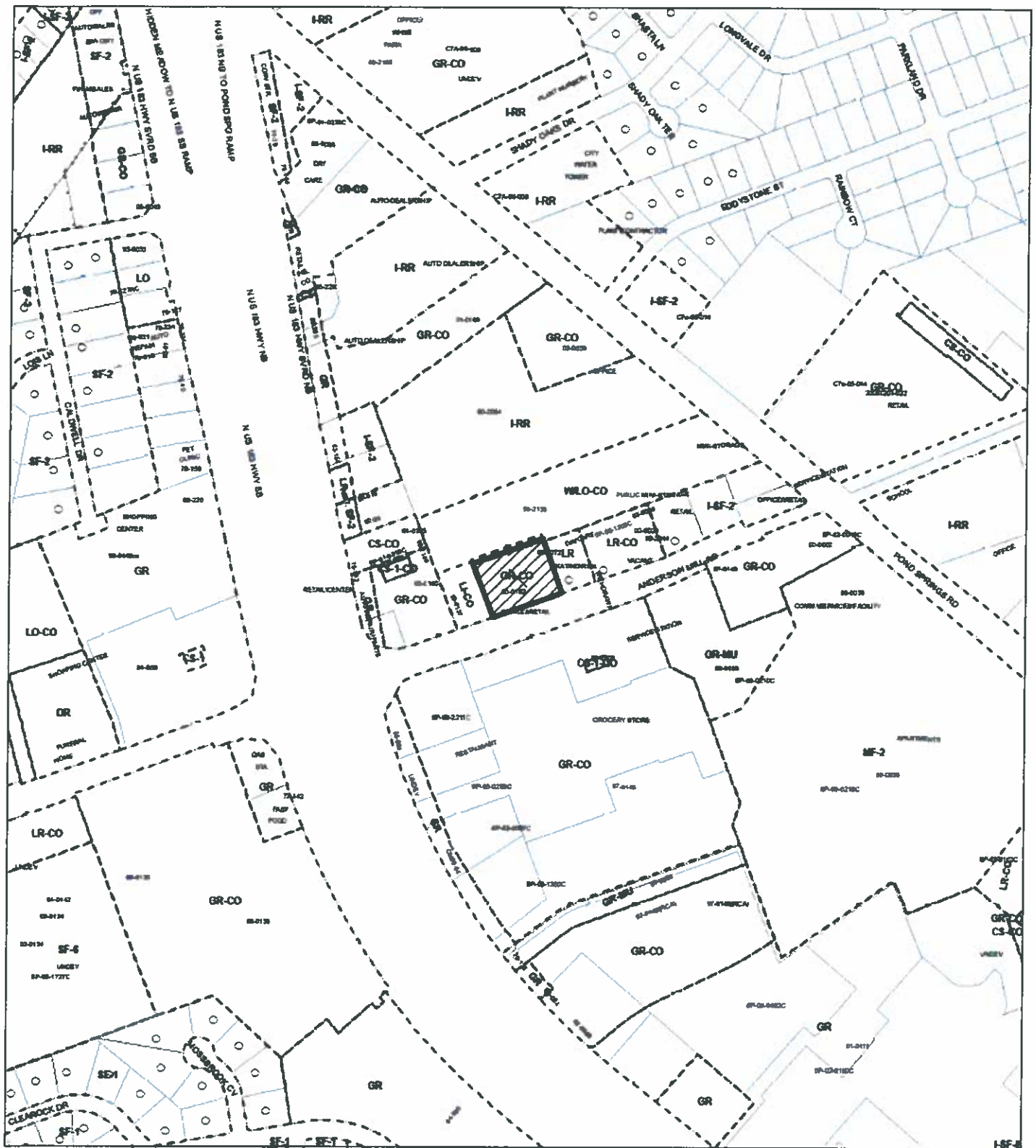
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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



- SUBJECT TRACT**
- ZONING BOUNDARY**
- PENDING CASE**

OPERATOR: S. MEEKS

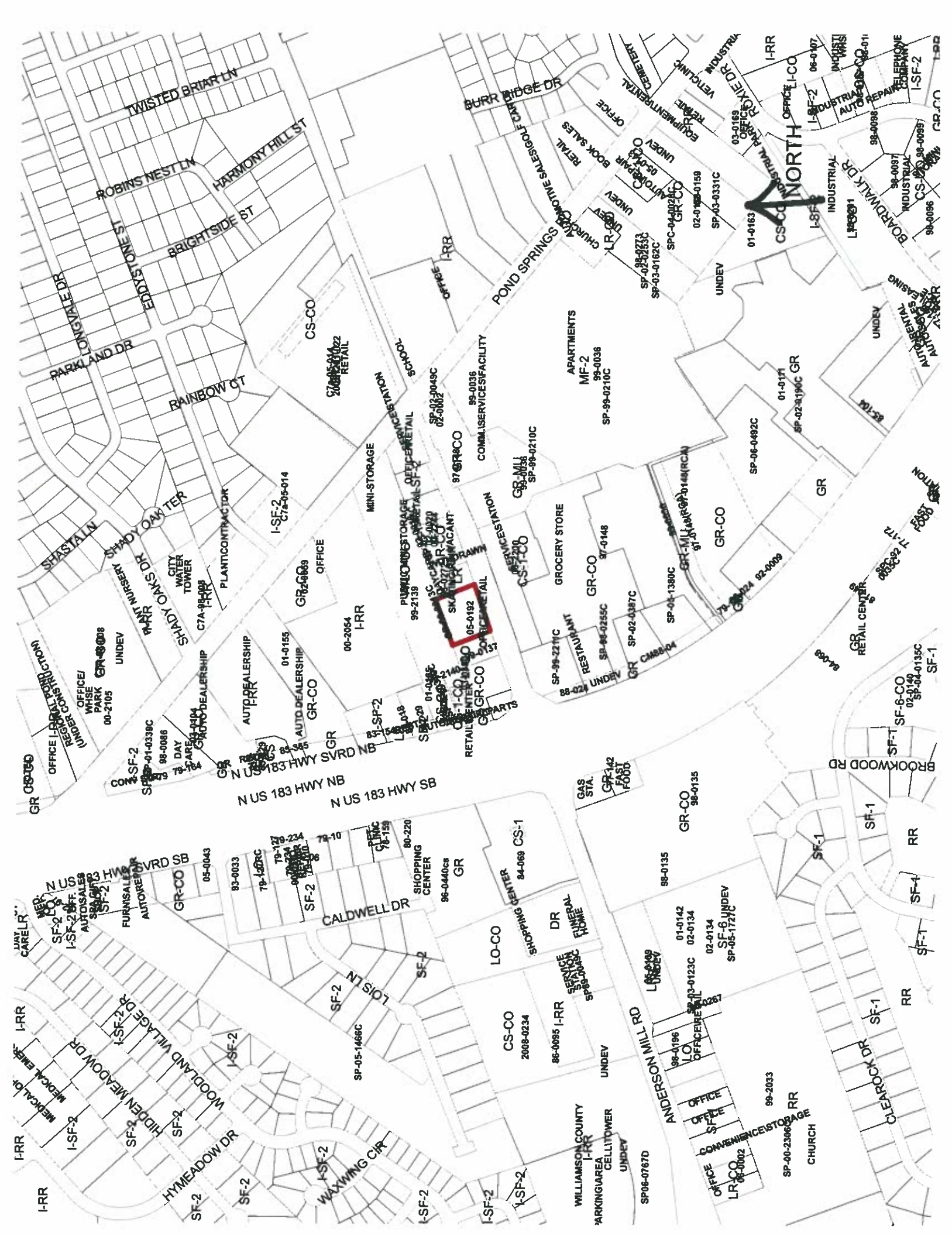
ZONING

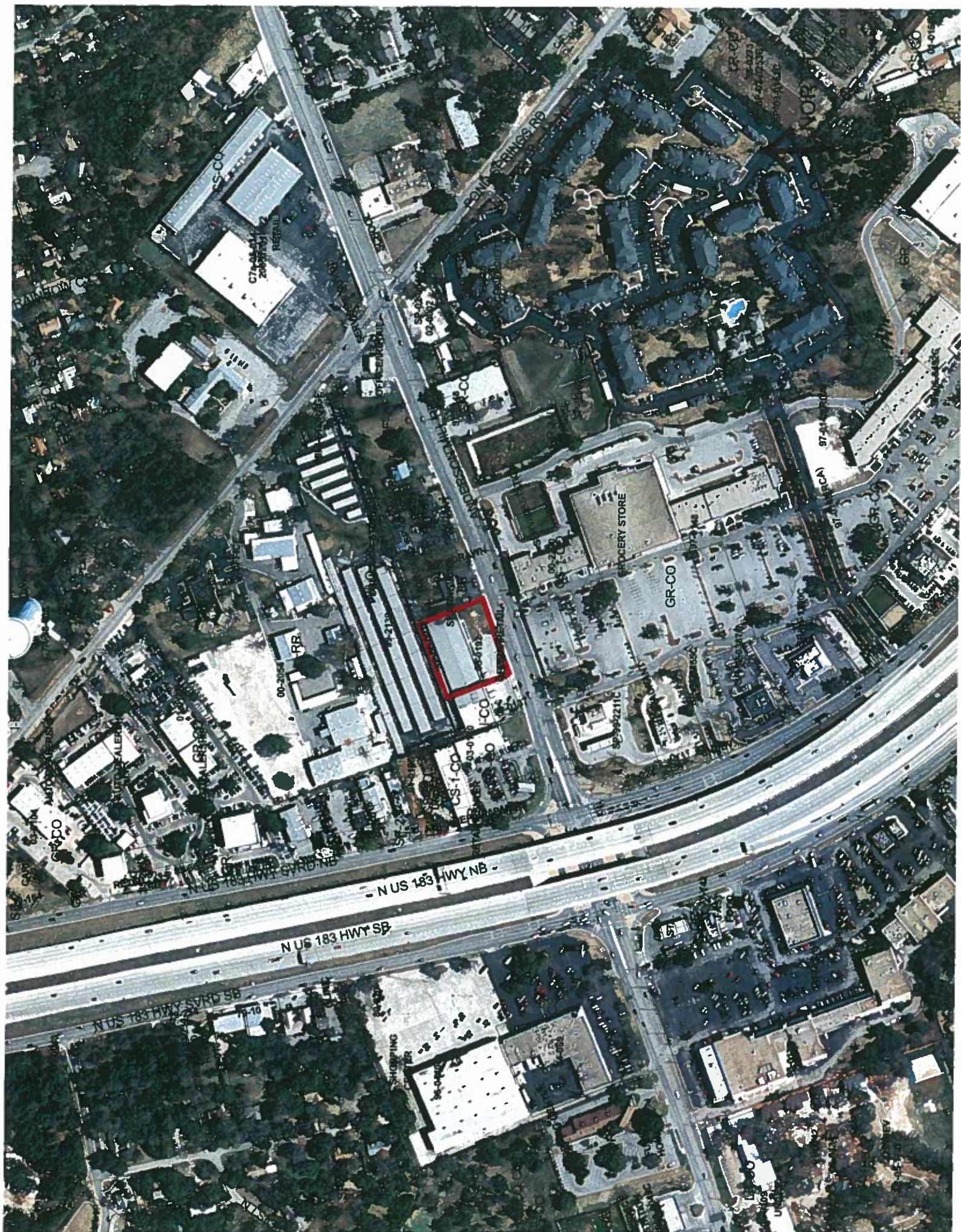
ZONING CASE#: C14-2010-0028
 ADDRESS: 9514 ANDERSON MILL RD
 SUBJECT AREA: 0.992 ACRES
 GRID: G38
 MANAGER: S. SIRWAITIS



1" = 400'

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 Warehouse/Limited Office-Conditional Overlay, district zoning. The conditional overlay will limit development on 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.*

Warehouse/limited office (W/LO) district is the designation for an office or warehouse use for a building trade or other business that does not require a highly visible location or generate substantial volumes of heavy truck traffic, that generates low or moderate vehicular trips, and that requires less access than a retail use. A W/LO district use may require special measures to be compatible with adjacent uses. A W/LO district use may be located on a site that is adjacent to or near an arterial or major nonresidential collector street, adjacent to a rail line, or near existing or proposed employment uses. A W/LO district use may also be located on a site that functions as a transition between commercial and industrial uses. A W/LO district use may be located adjacent to a residential use only if the density of the residential development is higher than a typical single-family density or if the physical conditions of the site allow for buffering and project design to mitigate potential adverse effects.

The W/LO district designation would be appropriate for this site because the property in question will take access from a major arterial roadway. The site is developed with an vacant warehouse structure, which fronts onto Anderson Mill Road.

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

The site under consideration is adjacent to GR-CO zoning to the south and west. There is W/LO-CO zoning to the north and LR zoning located to the east of the site. The LI-CO zoning directly to the west of the site contains a restrictive covenant that requires the zoning to be rolled back to GR if the existing use ceases.

The property is surrounded by existing commercial uses to the north, south, east, and west.

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

The proposed W/LO zoning district would allow the applicant to remodel a vacant warehouse structure for a new commercial use.

EXISTING CONDITIONS

Site Characteristics

The site is currently developed with a warehouse structure that was previously used as a roller skating rink.

Environmental

The site is located over the North Edwards 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.

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.

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.

Impervious Cover

The maximum impervious cover allowed by the W/O zoning district would be 70 %. However, because the Watershed impervious cover is more restrictive than the W/O zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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>% NSA with Transfers</i>
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%.

Site Plan / Compatibility Standards

What is the existing Conditional Overlay associated with the current GR-CO zoning?

Any new development may subject to Subchapter E – Design Standards and Mixed Use, depending on the proposed use. Additional comments will be made if and when a site plan is submitted.

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.

Transportation

Additional right-of-way may be required at the time of site plan and or subdivision application. 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	Sidewalks	Bike Route	Capital Metro
Anderson Mill Rd	100'	Varies	Arterial	Yes	No	No

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 any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. 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.