

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0043 – Gift Shop

Z.A.P. DATE: June 15, 2010

ADDRESS: 2305 West Parmer Lane

APPLICANT: Hyon Suk Yi and Meyoung Yi

AGENT: David Atherton

ZONING FROM: NO

TO: LR-MU

AREA: 0.30 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant LR-MU-CO, Neighborhood Commercial-Mixed Use-Conditional Overlay District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day and will prohibit Drive-in Service as an accessory use to a commercial use.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

6/15/10: Approved the staff's recommendation of LR-MU-CO zoning by consent (7-0); P. Seeger-1st, S. Baldridge-2nd.

DEPARTMENT COMMENTS:

The property in question currently contains a commercial structure that has NO, Neighborhood Office District, zoning. The applicant is requesting a re-zoning to the Neighborhood Commercial-Mixed Use District to utilize the existing building for a gift shop (General Retail Sales-Convenience) use. There LR district zoning that is developed with a commercial use (Cody Pools) to the north of the site, across Parmer Lane. The property to the south of the site consists of a single-family neighborhood. To the east, there is LR district zoning and a mixture of retail sales and personal service uses (Angel's Formal Wear & Alterations), Psychic Reader, Angel's Hair & Nail Salon). To the west, there is a low density commercial use (Gammad Oriental Store) and office uses (State Farm Insurance, Real Estate Showcase of Homes).

The staff recommends LR-MU-CO zoning at this location because this site meets the intent of the Neighborhood Commercial District. LR-MU-CO zoning will be compatible with surrounding commercial, office and residential land uses and will provide a transition in the intensity of permitted uses along Parmer Lane, an arterial roadway, to the east.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	NO	Personal Services (AJ's Skin Care)
<i>North</i>	LR-CO	Construction Sales and Services (Cody Pool Contractor)
<i>South</i>	SF-1	Single-Family Residences
<i>East</i>	LR	General Retail Sales-Convenience / Personal Services (Angel's Formal Wear & Alterations), Psychic Reader, Angel's Hair & Nail Salon

<i>West</i>	NO	Office (State Farm Insurance, Real Estate Showcase of Homes)
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AREA STUDY: North Lamar Area Study
WATERSHED: Walnut Creek

TIA: Not Required
DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Monorail Project
Austin Neighborhoods Council
Austin Parks Foundation
Home Builders Association of Greater Austin
Homeless Neighborhood Association
Lamplight Village Area Neighborhood Association
League of Bicycling Voters
North Growth Corridor Alliance
Northwood Homeowners Association
Pflugerville Independent School District
River Oaks Lakes Estates Neighborhood
Sierra Club, Austin Regional Group
Super Duper Neighborhood Objectors and Appealers Organization
The Real Estate Council of Austin, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2010-0030 – 12500 Limerick Ave	NO-MU to GO* *The applicant amended his re-zoning request to LO zoning at the 5/04/10 ZAP Commission meeting.	5/04/10: Approved LO-CO zoning with the following conditions: limit the building size on the site to 2,000 sq. ft. and limit the site to less 200 vehicle trips per day (4-3, D. Tiemann, P. Seeger and B. Baker-No); S. Baldrige-1 st , T. Rabago-2 nd .	5/13/10: Denied LO-CO zoning.
C14-2009-0078 - Limerick	NO to LR* *The applicant sent an e-mail to the staff on 4/29/10 asking to amend his re-zoning request to the GO zoning .	4/20/10: Recommended denial of the applicant's re-zoning request (7-0); D. Tiemann-1 st , P. Seeger-2 nd .	6/24/10: Pending
C14-07-0027	SF-2 to NO	4/03/07: Approved the staff's recommendation of NO-MU zoning on consent (6-0, J. Gohil-	5/03/07: Approved NO-MU zoning by consent (7-0); all 3 readings

		abstained; K. Jackson and S. Hale-absent)	
C14-06-0097	I-RR to: GR CS* * On June 6, 2006, the staff received an e-mail from the agent for this case asking to amend the rezoning request for this property from 'GR' to 'CS'. The CS District will permit the Construction Sales and Services use that currently exists on the site.	8/01/06: Approved LR-CO zoning with the following conditions: 700 vehicle trip limit per day and 100-feet of right-of-way reservation from the centerline of Parmer Lane (9-0); K. Jackson-1 st , B.Baker-2 nd .	8/31/06: Approved LR-CO zoning on 1 st reading (7-0); J. Kim-1 st , L. Leffingwell-2 nd . 9/28/06: Approved LR-CO zoning with conditions by consent (7-0); 2 nd /3 rd readings
C14-05-0054	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dias); all 3 readings
C14-05-0053	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dias); all 3 readings
C14-05-0052	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dias); all 3 readings
C14-05-0051	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dias); all 3 readings
C14-04-0201	I-RR to LR	2/01/05: Approved staff's recommendation for SF-1 zoning (9-0); J. Martinez-1 st , B.Baker-2 nd . Motion made for staff to initiate a zoning case for all properties that are zoned I-RR on Cindy Lane, Tomanet Trail and Silver Spur Streets, to SF-1 zoning (9-0); B. Baker-1 st , K. Jackson-2 nd .	3/03/05: Approved SF-1 on 1 st reading (7-0) 4/07/05: Approved SF-1 (7-0); 2 nd /3 rd readings

C14-04-0119	NO to LR	9/21/04: Approved staff's rec. of LR (7-0)	10/21/04: Approved LR (7-0); all 3 readings
C14-02-0135	NO to GR	9/17/02: Approved staff's rec. of GR-CO zoning by consent (7-0)	10/24/02: Granted GR-CO on all 3 readings (6-0, Dunkerley-absent)
C14-01-0184	NO to GR	1/29/02: Postponed to 2/26/02 by applicant (8-0, A.Adams-absent) 2/26/02: Approved staff's recommendation of GR-CO zoning with the following conditions: Limit the development intensity to less than 2,000 vehicle trips per day; restrict vehicle access from the property to Tomanet Trail; permit Personal Services as the only 'GR' use; and limit the property to 'NO' uses. (6-0, K. Jackson-absent; N. Spelman, D. Castaneda-left early)	4/4/02: Approved ZAP rec. of GR-CO with conditions on all 3 readings (6-0, Goodman out of room)
C14-00-2045	NO to GR	5/9/00: Approved GR-CO (6-2, JR/JM-Nay); for building footprint only for dry cleaning use; permitted 'NO' uses; no access to Tomanet Trail; 2,000 vehicle trip limit per day; limit landscape buffer between sidewalk and street; sidewalks on Tomanet Trail; building square feet not to exceed 2,000 sq. ft.	6/8/00: Approved PC rec. of GR-CO w/ conditions on 1 st reading (7-0) 10/12/00: Approved GR-CO (7-0); 2 nd /3 rd readings
C14-98-0082	NO to GR	8/4/98: Approved GR-CO w/ conditions (9-0)	9/10/98: Approved PC rec. of GR-CO w/ conditions (6-0); 1 st reading Administrative-EXPIRED 9/7/99, no 3 rd reading
C14-96-0037	NO to LR	5/7/96: Approved LR-CO subject to conditions of no more than 12 parking spaces on the site and a 300 vehicle trip per day limit (8-0)	5/23/96: Approved LR-CO subject to conditions (6-0); 1 st reading 8/8/96: Approved LR-CO subject to conditions (7-0); 2 nd /3 rd readings
C14-94-0042	NO to LO	4/26/94: Approved LO-CO (6-0); subject to ROW; medical offices as only permitted 'LO' use, permit 'NO' uses; 0.15 FAR; 'NO' development regulations	6/9/94: Approved LO-CO (5-0); 1 st reading 11/17/94: Approved LO-CO (7-0); 2 nd /3 rd readings

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Parmer Lane	150'	2@40'	Major Arterial	Yes	Yes	No

CITY COUNCIL DATE: July 29, 2010

ACTION:

ORDINANCE READINGS: 1st

2nd

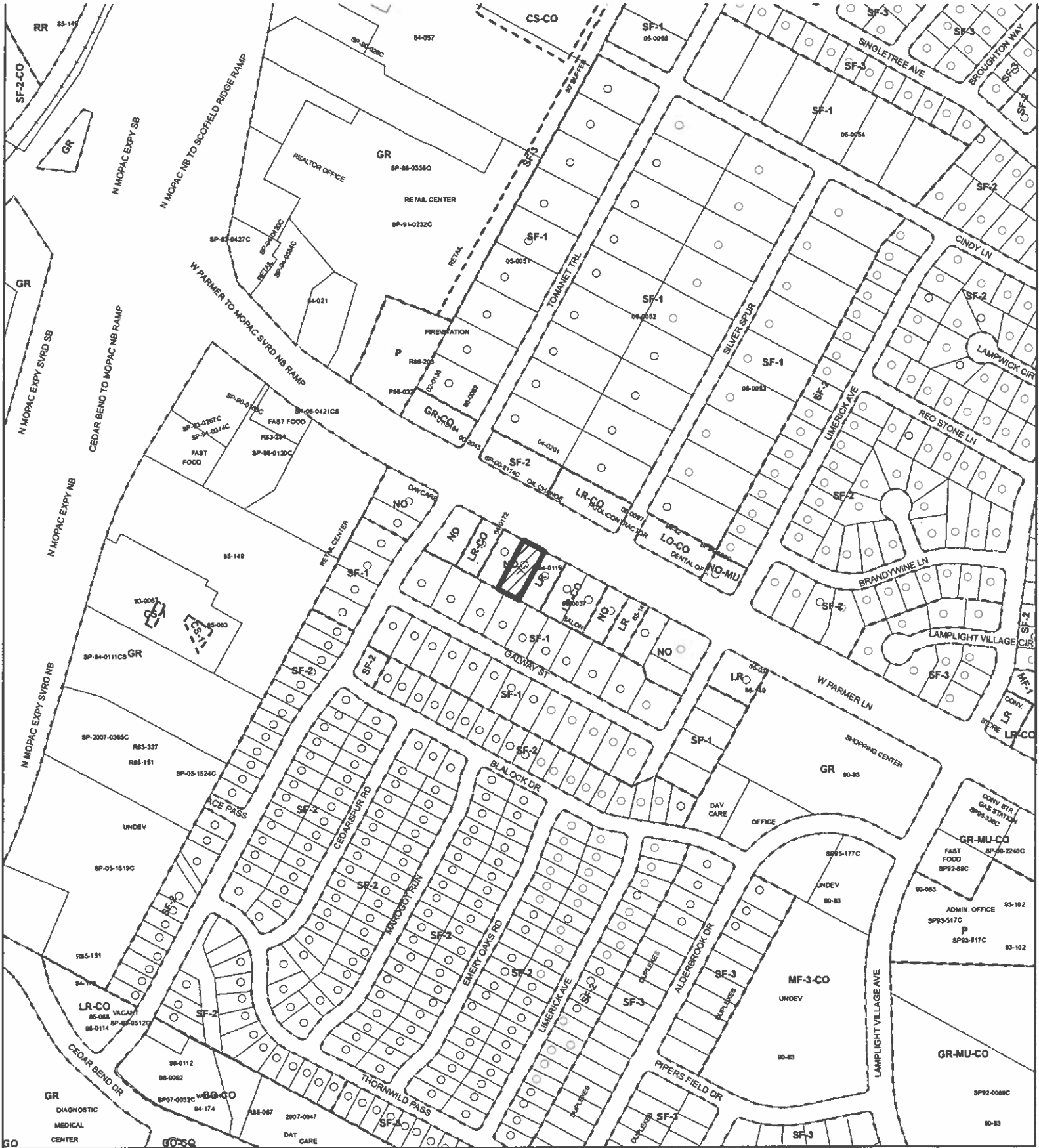
3rd




ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057

sherri.sirwaitis@ci.austin.tx.us



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

OPERATOR: S. MEEKS

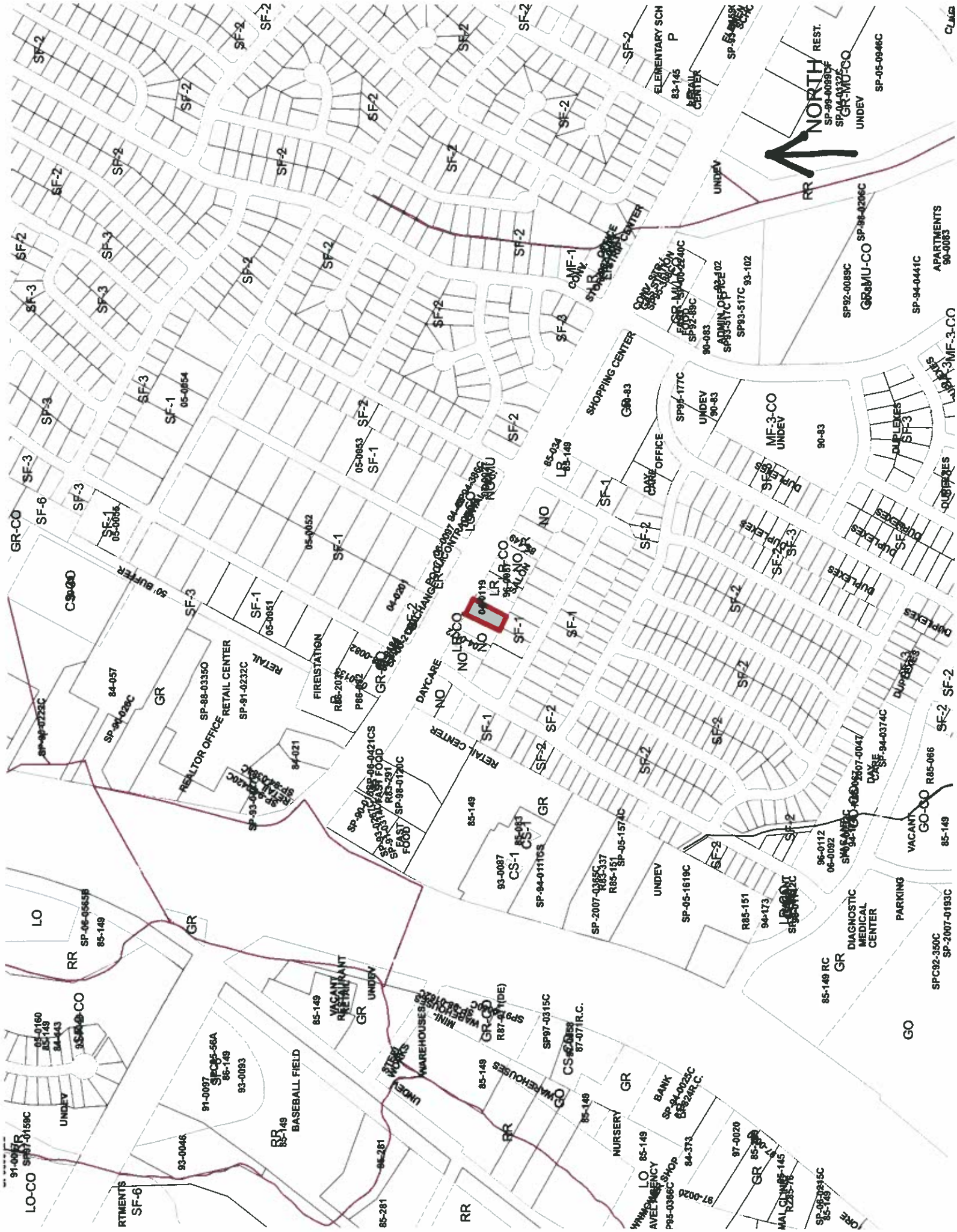
ZONING

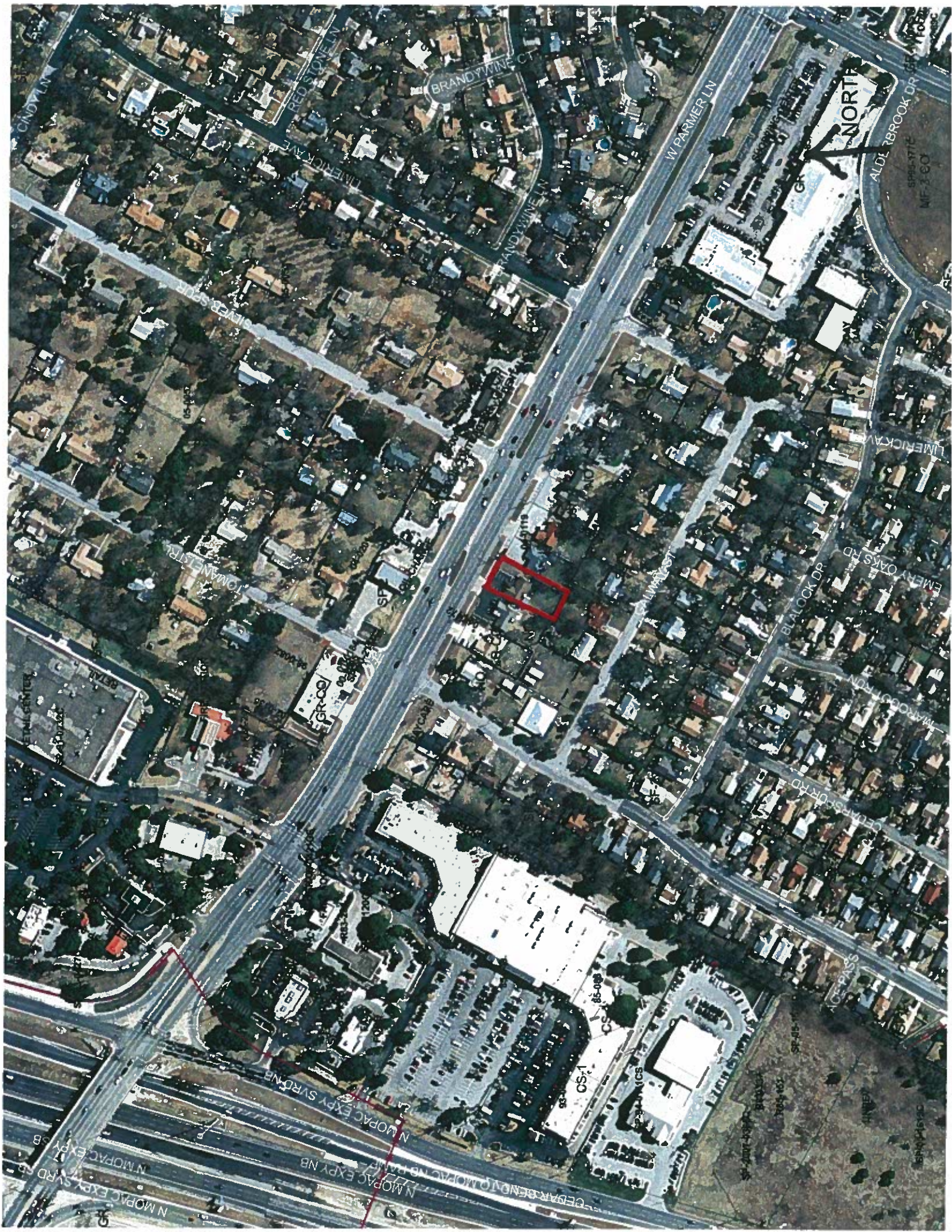
ZONING CASE#: C14-2010-0043
ADDRESS: 2305 W PARMER LANE
SUBJECT AREA: 0.30 ACRES
GRID: L35
MANAGER: S. SIRWAITIS



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's recommendation is to grant LR-MU-CO, Neighborhood Commercial-Mixed Use-Conditional Overlay District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day and will prohibit Drive-in Service as an accessory use to a commercial use.

BASIS FOR RECOMMENDATION

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

Neighborhood commercial (LR) district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

The purpose of the Mixed Use (MU) Combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

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

LR-MU-CO zoning will promote consistency and orderly planning as it will be compatible with surrounding commercial, civic and residential land uses. The proposed Neighborhood Commercial District zoning will provide a transition (step down) in the intensity of permitted uses along Parmer Lane to the east, away from the MOPAC Expressway.

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

The LR-MU-CO zoning district will allow the applicant to utilize this property for low intensity commercial uses that will provide services for the residential areas located to the north and south of Parmer Lane.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is currently developed with a Personal Services (AJ's Skin Care) use.

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 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.

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.

Impervious Cover

The maximum impervious cover allowed by the LR zoning district would be 80%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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%

Site Plan / Compatibility Standards

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 South property line, 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. for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- h. 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.
- i. Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

Additional right-of-way for Parmer Lane may be required with the subdivision and/or site plan.

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]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Parmer Lane	150'	2@40'	Major Arterial	Yes	Yes	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 proposed 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.