

ZONING CHANGE REVIEW SHEET

CASE: C14-2010- 0193 – Life Force Chiropractic

P.C. DATE: January 11, 2011

ADDRESS: 1705 South Lamar Boulevard

OWNER/APPLICANT: Life Force Chiropractic Corporation (Matt Ruiz)

AGENT: Land Answers, Inc. (Jim Whittliff)

ZONING FROM: CS-V and SF-3

TO: CS-V-MU-CO

AREA: 0.1144 acres (4,983 ft²)

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of CS-V-MU-CO (Commercial Services-Vertical Mixed Use-Conditional Overlay) combining district zoning. The conditional overlay will prohibit the following uses as agreed upon by the applicant and the Zilker Neighborhood Association:

- Auto Repair
- Auto Sales
- Auto Washing
- Auto Rentals
- Vehicle Storage
- Drive-Through Services
- Bail Bond Services
- Convenience Storage
- Outdoor Entertainment
- Outdoor Sports and Recreation
- Pawn Shop Services
- Restaurant (General)

PLANNING COMMISSION RECOMMENDATION: 1/11/11- The Planning Commission approved the request on consent (8-0; Reddy absent).

DEPARTMENT COMMENTS: This 0.1144 acre tract is currently developed with a single family structure that spans two lots with commercial and residential zoning. The applicant seeks to rezone both lots to CS-V-MU-CO in order to allow for a medical office use on the property. Since the current zoning on the property divides the existing single family structure into residential and commercial zoning categories, the mixed use designation (MU) will allow the applicant to obtain a unified building permit. Given the support of the neighborhood association and the surrounding commercial zoning, staff recommends the request for rezoning.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------------|--------------------------|
| <i>Site</i> | CS-V and SF-3 | Single Family |
| <i>North</i> | CS-V | Single Family |
| <i>South</i> | CS-V and GR-MU-V-CO | Retail/Auto Repair |
| <i>East</i> | GR-MU-V-CO | Commercial/Single Family |
| <i>West</i> | CS-MU-V-CO | Commercial/Condominium |

NEIGHBORHOOD PLAN: Zilker Planning Area**TIA:** Waived**WATERSHED:** West Bouldin Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**HILL COUNTRY ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

South Central Coalition
Bouldin Creek Neighborhood Association
Austin Neighborhoods Council
Zilker Neighborhood Association

CASE HISTORIES

| NUMBER | REQUEST | COMMISSION | COUNCIL |
|---------------|-------------------------------|------------------------|--------------------------|
| C14-2008-0060 | Vertical Mixed Use Overlay | Approved 7-0; 9/3/2008 | Approved 7-0; 10/20/2008 |

BASIS FOR RECOMMENDATION

1. ***Zoning should allow for reasonable use of the property.***

The recommended zoning will allow the property to obtain a single zoning category that conforms to the zoning district and provides a range of available uses for the tract.

2. ***Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.***

The recommended zoning is compatible with surrounding zoning and the prohibited uses will encourage appropriate uses.

EXISTING CONDITIONS

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin 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. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

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 rim rock, caves, sinkholes, and wetlands.

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

Water and Wastewater

If 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.

Transportation:

Existing Street Characteristics:

| Name | ROW | Pavement | Classification | Daily Traffic |
|------------------------|-----|----------|----------------|----------------------|
| Lamar Blvd. (Loop 343) | 90' | 60' | Arterial | 40,000 (TXDOT, 2009) |

No additional right-of-way is needed at this time.

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].

There are existing sidewalks along Lamar Blvd. (Loop 343).

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or proposed along the adjoining streets as follows:

| Street Name | Existing Bicycle | Proposed Bicycle |
|------------------------|------------------|------------------|
| Lamar Blvd. (Loop 343) | Shared Lane | Wide Curb |

Capital Metro bus service (route nos. 3, 338, & 484) is available along Lamar Blvd. (Loop 343).

Site Plan:

Lamar Boulevard is classified as a Core Transit Corridor, and would be required to comply with Subchapter E. Design Standards and Mixed Use if any new development is proposed. Additional comments will be made when the site plan is submitted.

CITY COUNCIL DATE: February 17, 2011

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Stephen Rye

PHONE: 974-7604
stephen.rye@ci.austin.tx.us



PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2010-0193

Contact: Stephen Rye, 512-974-7604

Public Hearing: Jan 11, 2011, Planning Commission

Feb. 17, 2011 City Council

VISHAS GURADI

Your Name (please print)

3803 S. Lamar Blvd. Austin TX 78704

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: 445-2665

Comments: NONE AT THIS TIME

☒ I am in favor
☐ I object

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810