

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2011-0046 (6207 McNeil)

**Z.A.P. DATE:** June 7, 2011

**ADDRESS:** 6702 Mc Neil Drive

**OWNER/APPLICANT:** Terry Armstrong and M&M Interests (Terry Armstrong)

**AGENT:** The Faust Group (Bill Faust)

**ZONING FROM:** RR

**TO:** W/LO

**AREA:** 0.297 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant W/LO-CO, Warehouse Limited Office-Conditional Overlay District, zoning. The proposed conditional will maintain a 40-foot buffer/ building setback along the north property line of the site.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

6/07/11: Approved staff's recommendation of W/LO-CO zoning by consent (5-0, G. Bourgeois-absent); P. Seager-1<sup>st</sup>, D. Tiemann-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is currently developed with an office-warehouse use (DAC International). There is a single-family residential neighborhood behind the property to the north. The lots to the south, across McNeil Drive, are developed with industrial uses (Northwest Techniplex: IREX, Texas Instruments, etc.). There is a Daycare Services-Commercial use (Stepping Stone School) and a General Retail Sales-Convenience use (Thrifty Nifty Donation and Resale Shop) to the east. The tract of land to the west contains a multifamily complex (Madison at Stone Creek Apartments). The applicant is requesting W/LO, Warehouse Limited Office, district zoning to bring the existing uses on this site into conformance with the City of Austin Land Development Code use regulations.

The staff is recommending W/LO-CO, Warehouse Limited Office-Conditional Overlay District, zoning for this site. The proposed W/LO-CO zoning will allow for limited office and warehouse uses on a lot that fronts onto an arterial roadway, McNeil Drive. The zoning will provide a transition from the industrial uses (LI zoning) to the south, across McNeil Drive, to the residential uses to the north (The Cove at Los Indios neighborhood). The proposed conditional overlay will maintain the existing 40-foot buffer/building setback along the northern property line. The 40-foot buffer/building setback will provide a physical separation from the office/warehouse uses on this site and the single family residential uses to the north.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	RR	Office/Warehouse (DAC International)
<i>North</i>	SF-1	Single-Family Residences (The Cove at Los Indios neighborhood)
<i>South</i>	LI	Office/Warehouse/Distribution (Northwest Techniplex-IREX)
<i>East</i>	RR, LR	Day Care (Stepping Stone School), General Retail Sales-Limited (Nifty Thrift Donation and Resale Shop)
<i>West</i>	RR, SF-2	Multifamily (Madison at Stone Creek Apartments), Restaurant-Limited (Sonic Drive-Thru)

**AREA STUDY:** N/A**TIA:** Not Required**WATERSHED:** Rattan 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  
 Sierra Club, Austin Regional Group  
 Super Duper Neighborhood Objectors and Appealers Organization  
 The Real Estate Council of Austin, Inc.

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2008-0098 (12205 Pecan Street Rezoning)	SF-3 to LI	7/01/08: Approved staff's recommendation of LI-CO zoning, with added condition to prohibit Adult Oriented Businesses, by consent (6-0, J. Martinez, K. Jackson-absent) T. Rabago-1 <sup>st</sup> , J. Shieh-2 <sup>nd</sup> .	8/07/08: Approved LI-CO district zoning by consent (7-0); B. McCracken-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .
C14-2008-0069 (IABA Phase 1 - 12460 Los Indios Trail)	I-RR to MF-3	6/17/08: Approved SF-6-CO district zoning with conditions of: 1) Restricting to no duplexes, multi-family, town homes or condominiums; 2) Maximum of 30 units; 3) 25' undisturbed vegetative setback and a 50' building setback from the northern property line; 4) 300 vehicle trips per day; Was approved by Commissioner	7/24/08: Approved the ZAP Commission's recommendation of SF-6-CO zoning, with restrictions as follows: no attached single family dwellings and 35' height limitation with exceptions allowed under the Code up to 40'. The parking will be agreed upon by involved parties. (7-0); Council Member Cole-1 <sup>st</sup> , Council Member Martinez-2 <sup>nd</sup> , 1 <sup>st</sup> reading

		Keith Jackson's motion, Commissioner Joseph Martinez second the motion on a vote of 8-0; with 1 vacancy on this commission.	7/23/09: Approved SF-6-CO zoning on consent on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0); Morrison-1 <sup>st</sup> , Martinez-2 <sup>nd</sup> .
C14-05-0086 (McNeil House Apartments: 6280 McNeil Drive)	I-RR to MF-2	8/16/05: Approved staff's recommendation for MF-2 zoning by consent (8-0, K. Jackson- absent); J. Gohil-1 <sup>st</sup> , M. Hawthorne-2 <sup>nd</sup> .	9/29/05: Approved MF-2 zoning by consent (7-0); all 3 readings
C14-03-0107 (Los Indios Lift Station - 12507 Oro Valley Trail)	SF-4A to P	8/26/03: Approved staff's recommendation of 'P' zoning by consent (8-0, K. Jackson- absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	9/25/03: Granted 'P' (7-0); all 3 readings
C14-03-0074 (Gateway Community Church - 7014 McNeil Drive)	SF-6-CO to GO	6/3/03: Approved GO-CO zoning, with the following conditions: 1) Limit the development intensity on the site to less than 2,000 vehicle trips per day. 2) Allow GO, General Office district, zoning height (60 feet) and impervious cover (80%) standards. Limit all other site development regulations to LO, Limited Office district, zoning standards. 3) Permit LO district uses (prohibit the following GO district uses): Business or Trade School, Business Support Services, College and University Facilities, Congregate Living, Hospital Services (General), Hospital Services (Limited), Private Secondary Education Facilities, Off-Site Accessory Parking, Personal Services, Restaurant (Limited); 4) Provide a 25-foot setback (buffer zone) from the North property line for the area that is zoned SF-1. 5) Provide a 25-foot setback from the East property line for the area that is zoned SF-1 and the lot zoned SF-2.	7/17/03: Granted GO-CO; prohibiting vehicle access to Lobelia Dr. (7-0); all 3 readings

C14-03-0059 (McNeil Deal - 6917 McNeil Drive)	SF-3 to CS	5/6/03: Approved staff's rec. of CS-CO zoning with condition to prohibit the following uses: <ul style="list-style-type: none"> <li>• Drop-off Recycling Collection Facility</li> <li>• Scrap and Salvage</li> <li>• Convenience Storage</li> <li>• Pawnshop Services</li> </ul> (8-0, K. Jackson-absent)	6/5/03: Approved CS-CO (7-0); all 3 readings
C14-01-0063 (Baunach Neighborhood Office - 12719 Dakota Lane)	SF-3 to LO	6/26/01: Approved staff's alternate rec. of NO-MU-CO zoning, with a CO to limit the permitted uses to Administrative and Professional Office and Software Development, allow for a rollback provision to SF-1 if the office use ceases, and limit the site to 20 trips per day; by consent (8-0)	8/02/01: Approved PC rec. of NO- MU (6-0); all 3 readings

**RELATED CASES:** N/A

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
McNeil Drive	90'	60'	Arterial	No	No	No

**CITY COUNCIL DATE:** June 23, 2011

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057,  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)



1"= 400'

 SUBJECT TRACT PENDING CASE ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2011-0046

LOCATION: 6702 MC NEIL DR

SUBJECT AREA: 0.927 ACRES

GRID: H37

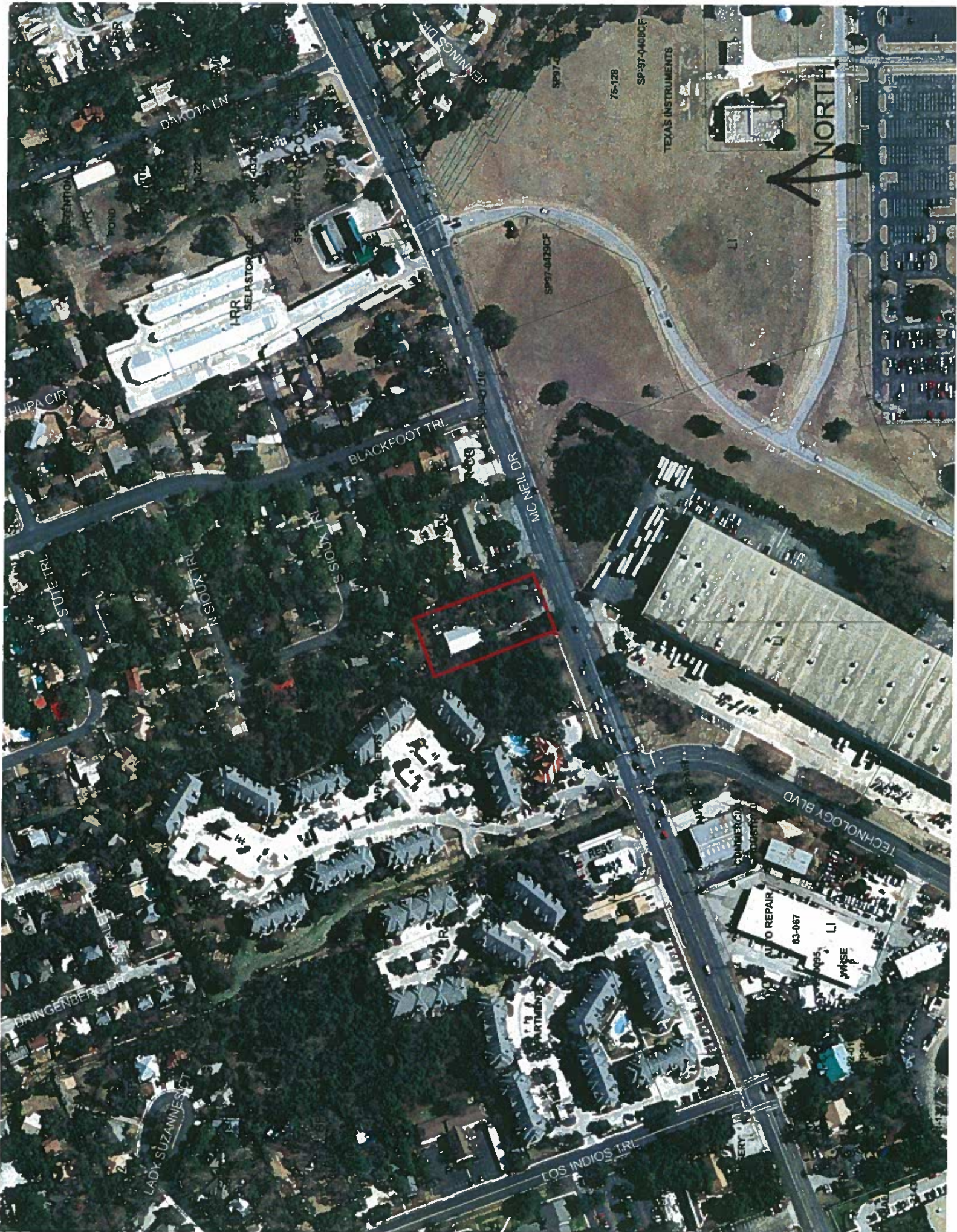
MANAGER: SHERRI SIRWAITIS



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







DAKOTA LN

SELF STORAGE

BLACKFOOT TRL

MC NEIL DR

LOS INDIOS TRL

TEXAS INSTRUMENTS

NORTH

TO REPAIR  
83-067

WHSE



## **STAFF RECOMMENDATION**

The staff's recommendation is to grant W/LO-CO, Warehouse Limited Office-Conditional Overlay District, zoning. The proposed conditional will maintain a 40-foot buffer/ building setback along the north property line of the site.

## **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.

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

The proposed W/LO-CO zoning will promote consistency and orderly planning as it will allow for limited office and warehouse uses on a site that fronts onto an arterial roadway, McNeil Drive. The zoning will provide a transition from the industrial uses (LI zoning) to the south, across McNeil Drive, to the residential uses to the north (The Cove at Los Indios neighborhood).

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

The proposed W/LO-CO zoning will allow the applicant to bring the existing uses on this site into conformance with the City of Austin Land Development Code land use regulations.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is developed with a two-story office building, with an adjacent warehouse structure (DAC International). There is a single-family residential neighborhood behind the property to the north. The lots to the south, across McNeil Drive, are developed with industrial uses (Northwest Techniplex: IREX, Texas Instruments, etc.). There is a Daycare Services-Commercial use (Stepping Stone School) and a General Retail Sales-Convenience use (Thrifty Nifty Donation and Resale Shop) to the east. The tract of land to the west contains a multifamily complex (Madison at Stone Creek Apartments).

### **Environmental**

The site is located over the North Edwards Aquifer Recharge Zone. It is in the Desired Development Zone. The site is in the Rattan 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.

Numerous 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 W/LO zoning district would be 70%. However, because 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>% 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 Comments**

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

The site is subject to compatibility standards. Along the three sides of the property adjoining RR and SF-1-zoned properties, 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 vehicle parking, mechanical equipment, storage, and refuse collection.

Further comments will be provided upon submittal of the site plan.

### **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 stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

### **Transportation**

The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for McNeil drive. Additional right-of-way dedication will be required at the time of subdivision or site plan application. [LDC, Sec. 25-6-51 and 25-6-55].

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:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Capital Metro</b>
McNeil Drive	90'	60'	Arterial	No	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.

FYI. City wastewater service is currently not available to serve the site, and will require a Service Extension Request to extend wastewater service to the site if On-Site Sewage Facilities are not utilized. For more information pertaining to the Service Extension Request process and submittal requirements contact James Grabbs with the Austin Water Utility, Utility Development Services at 625 E. 10th St., 7<sup>th</sup> floor. Ph: 512-972-0207. For more information pertaining to the On-Site Sewage

Facilities process and submittal requirements contact Loan Nguyen with the Austin Water Utility, Utility Development Services at 625 E. 10th St., 7<sup>th</sup> floor. Ph: 512-972-0261.