

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2011-0075 (NYOS Charter School Inc.)      **Z.A.P. DATE:** August 16, 2011

**ADDRESS:** 820 West Yager Lane

**OWNER/APPLICANT:** NYOS Charter School Inc. (Kathleen Zimmermann)

**ZONING FROM:** LI

**TO:** CS

**AREA:** 0.38 acres (16,552.8 sq. ft.)

### **SUMMARY STAFF RECOMMENDATION:**

Staff's recommendation is to approve CS-CO, General Commercial Services-Conditional Overlay Combining District, zoning. The conditional overlay will limit the site to less than 2,000 vehicle trips per day and will prohibit the following uses: Outdoor Entertainment, Art Gallery, Art Workshop, Automotive Repair Services, Automotive Rentals, Automotive Sales, Automotive Washing (of any type), Custom Manufacturing, Agriculture Sales and Services, Convenience Storage, Vehicle Storage, Equipment Repair Services, Equipment Sales, Exterminating Services, Indoor Entertainment, Kennels, Outdoor Sports and Recreation, Pawn Shop Services, Restaurant (Limited), Drop-off Recycling Collection Facility, and Outdoor Entertainment.

In addition, the applicant will be required to dedicate 35-feet of right-of-way from the existing centerline of Yager Lane in accordance with the Transportation Criteria Manual. LDC, 25-6-55(b), (c) through a street deed prior to 3<sup>rd</sup> reading of this case at City Council.

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

8/16/11: Approved staff's recommendation of CS-CO zoning, with additional condition to prohibit Bail Bond Services use, by consent (6-0, G. Rojas-absent); D. Tiemann-1<sup>st</sup>, G. Bourgeois-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is developed with an automotive repair business (Cottmann Transmission). To the west there is a school (NYOS Charter School Facility). The tracts of land to the north and south are undeveloped. The lots to the east are developed with a retail use (St. Vincent de Paul Collection Center) and a custom manufacturing use (Bridge Farmers Custom Trophy and Screen Printing). The applicant is requesting CS-CO zoning to expand the existing charter school that is located to west.

The staff recommends CS-CO, General Commercial Services-Conditional Overlay Combining District, zoning at this location because the site meets the intent of the 'CS' district as it fronts onto a collector street near the intersection of North Lamar Boulevard and Yager Lane. The requested CS-CO zoning will allow for commercial, office and civic uses that provide services in this area of the City. The proposed conditional overlay will limit the intensity of development on the site to be consistent with the existing zoning that has been approved the north, south and west of the property under consideration.

The applicant agrees with the Zoning and Platting Commission's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LI	Automotive Repair (Cottman Transmission)
<i>North</i>	LO	Undeveloped Area, Office
<i>South</i>	LO	Undeveloped
<i>East</i>	LI	Retail (St. Vincent de Paul Donation Collection Center), Custom Manufacturing (Bridge Farmers Custom Trophy and Screen Printing)
<i>West</i>	CS-CO	School (NYOS Charter School Facility)

**AREA STUDY:** N/A**TIA:** Waived**WATERSHED:** Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ASSOCIATIONS:**

Austin Monorail Project  
 Austin Neighborhoods Council  
 Austin Parks Foundation  
 Austin Northwest Association  
 Home Builders Association of Greater Austin  
 Homeless Neighborhood Association  
 League of Bicycling Voters  
 North Growth Corridor Alliance  
 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:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-01-0118 (Capital Vineyards-Center Park @ Tech Ridge: 401 East Parmer Lane)	GR to CS-1	9/18/01: Approved staff's recommendation of CS-1 zoning by consent (9-0) M. Casias-1 <sup>st</sup> , J. Mather-2 <sup>nd</sup>	11/25/01: Approved CS-1 on all 3 readings (7-0)
C14-96-0054 (JKI Professional Building: North Lamar Boulevard and Yager Lane)	LO to LI	5/07/96: Approved amended request to CS-CO w/conditions (8-0)	10/03/96: Approved CS-CO with following conditions: 1) Dedicate 35-feet of ROW from the centerline of Yager Lane; 2) Prohibited the following uses: Outdoor Entertainment, Adult Oriented Businesses, Art and Craft Studio (Limited), Art and Craft Studio

			(General), Automotive Repair Services, Automotive Rentals, Automotive Sales, Automotive Washing (of any type), Custom Manufacturing, Agriculture Sales and Services, Convenience Storage, Vehicle Storage, Equipment Repair Services, Equipment Sales, Exterminating Services, Indoor Entertainment, Kennels, Outdoor Sports and Recreation, Pawn Shop Services, Restaurant (Drive-in, Fast Food), Drop-off Recycling Collection Facility, and Outdoor Entertainment (5-0); 3 <sup>rd</sup> reading
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**RELATED CASES:** C14-85-149 (North Lamar Area Study)

**ABUTTING STREETS:**

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Yager Lane	64	25	Collector	No	No	Yes

**CITY COUNCIL DATE:** September 22, 2011

**ACTION:**

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

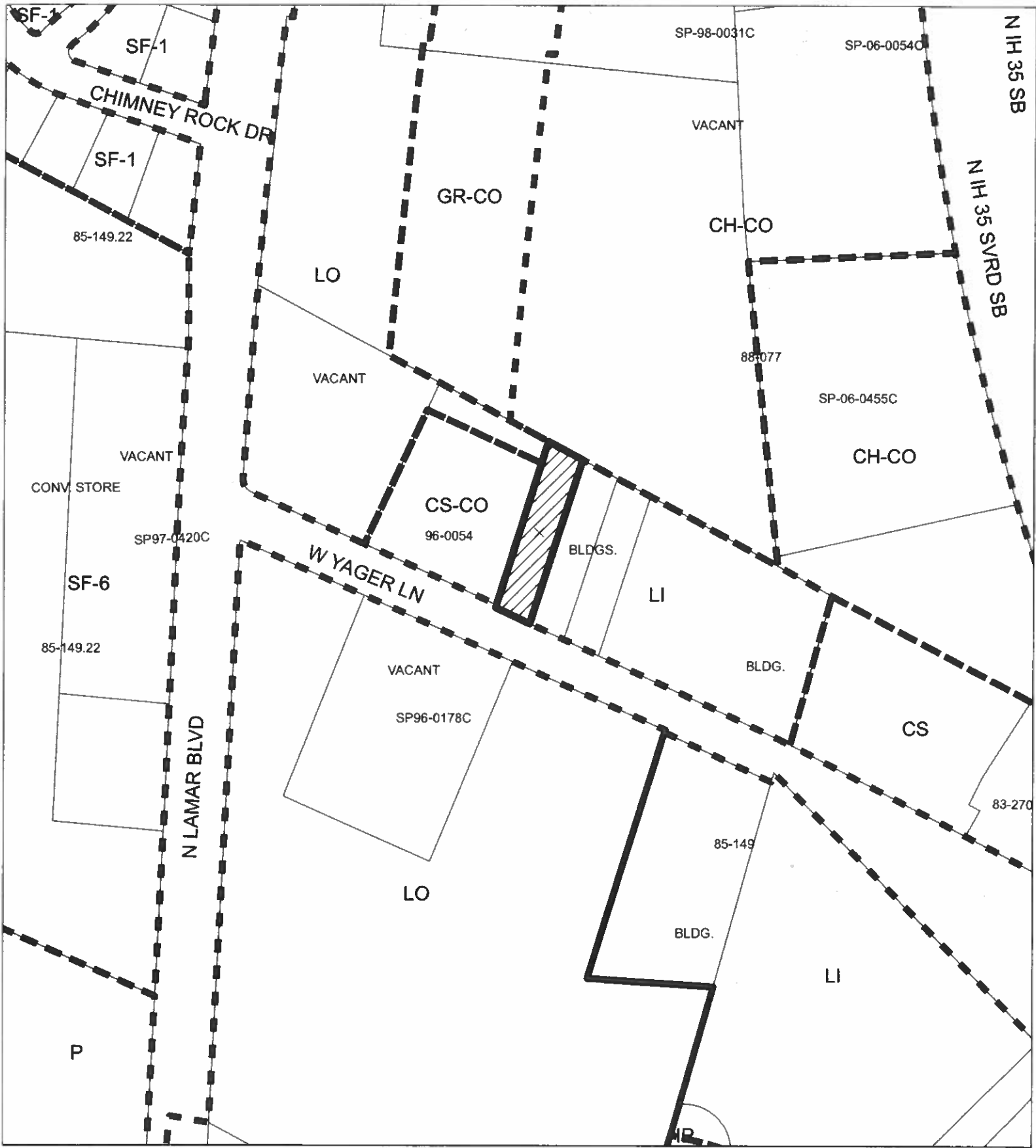
2<sup>nd</sup>

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)



## ZONING



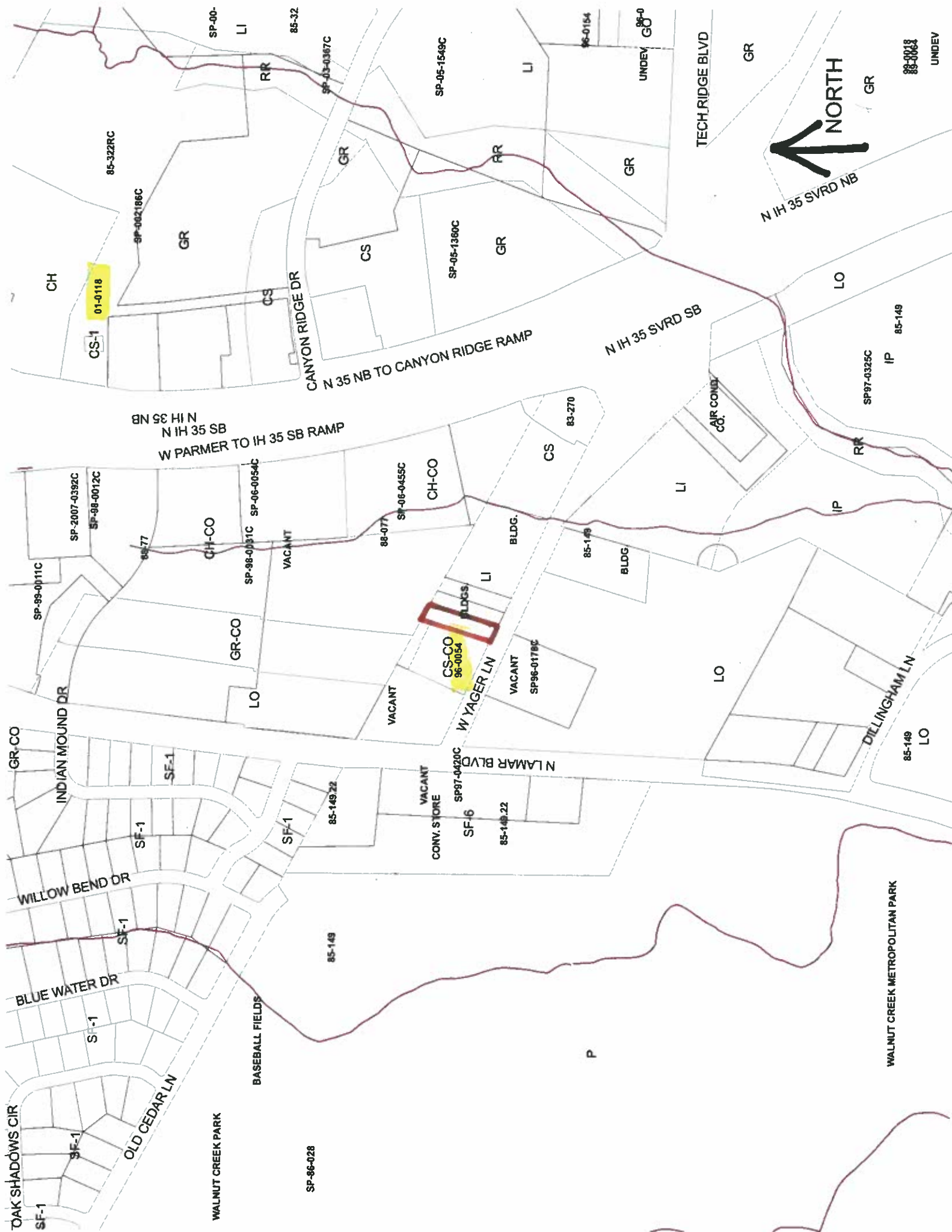
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING CASE#: C14-2011-0075  
 LOCATION: 820 W YAGER LN  
 SUBJECT AREA: 0.38 ACRES  
 GRID: M33  
 MANAGER: SHERRI SIRWAITIS



1"=200'

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.









## **STAFF RECOMMENDATION**

Staff's recommendation is to approve CS-CO, General Commercial Services-Conditional Overlay Combining District, zoning. The conditional overlay will limit the site to less than 2,000 vehicle trips per day and will prohibit the following uses: Outdoor Entertainment, Art Gallery, Art Workshop, Automotive Repair Services, Automotive Rentals, Automotive Sales, Automotive Washing (of any type), Custom Manufacturing, Agriculture Sales and Services, Convenience Storage, Vehicle Storage, Equipment Repair Services, Equipment Sales, Exterminating Services, Indoor Entertainment, Kennels, Outdoor Sports and Recreation, Pawn Shop Services, Restaurant (Limited), Drop-off Recycling Collection Facility, and Outdoor Entertainment.

In addition, the applicant will be required to dedicate 35-feet of right-of-way from the existing centerline of Yager Lane in accordance with the Transportation Criteria Manual. LDC, 25-6-55(b), (c) through a street deed prior to 3<sup>rd</sup> reading of this case at City Council.

## **BASIS FOR RECOMMENDATION**

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

General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The site meets the intent of the 'CS' district as it fronts onto a collector street near the intersection of North Lamar Boulevard and Yager Lane.

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

The proposed CS-CO zoning is consistent with the CS-CO zoning to the west and the GR-CO and CH-CO zoning that is currently permitted to the north of the site.

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

The requested CS-CO zoning will allow for commercial, office and civic uses that provide services in this area of the City.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The subject tract is currently developed with an automotive repair business (Cottmann Transmission). The tracts of land to the north and south are undeveloped. To the west there is a school (NYOS Charter School Facility). The lots to the east are developed with a retail use (St. Vincent de Paul Collection Center) and a custom manufacturing use (Bridge Farmers Custom Trophy and Screen Printing).

### **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.

### **Hill Country Roadway**

The site is not within a Hill Country Roadway Corridor.

### **Impervious Cover**

The maximum impervious cover allowed by the CS zoning district would be 95%. However, because the Watershed impervious cover is more restrictive than the CS 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>% 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%

Note: The most restrictive impervious cover limit applies.

### **Site Plan**

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.



### **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**

Dedicate 35 feet of right-of-way from the existing centerline of Yager Lane in accordance with the Transportation Criteria Manual. LDC, 25-6-55(b),(c). Provide a street deed showing right-of-way to be dedicated. Field notes must be verified before the deed is recorded.

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	Class	Sidewalk?	Bus Route?	Bike Route?
Yager Lane	64	25	Collector	No	No	Yes

### **Water and Wastewater**

The property is currently served by City water and an on-site septic system. With the change of use the landowner will be required to cut over to city sewer (available at the street) and properly abandon the existing septic system. For additional information regarding the requirements for cut over and abandonment of the septic system contact Loan Nguyen with the Utility's On-site Sewage Facilities Group at 972-0261. 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 proposed land use. Water and wastewater utility plans 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.