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 3rd 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-1st, G. Bourgeios-2nd.

DEPARTMENT COMMENTS:

The property is 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:

	ZONING	LAND USES
Site	LI	Automotive Repair (Cottman Transmission)
North	LO	Undeveloped Area, Office
South	LO	Undeveloped
East	LI	Retail (St. Vincent de Paul Donation Collection Center), Custom Manufacturing (Bridge Farmers Custom Trophy and Screen Printing)
West	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:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
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-1st, J. Mather-2nd	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); 3rd reading

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:** Postponed to October 20, 2011 at a neighbor's request (7-0)

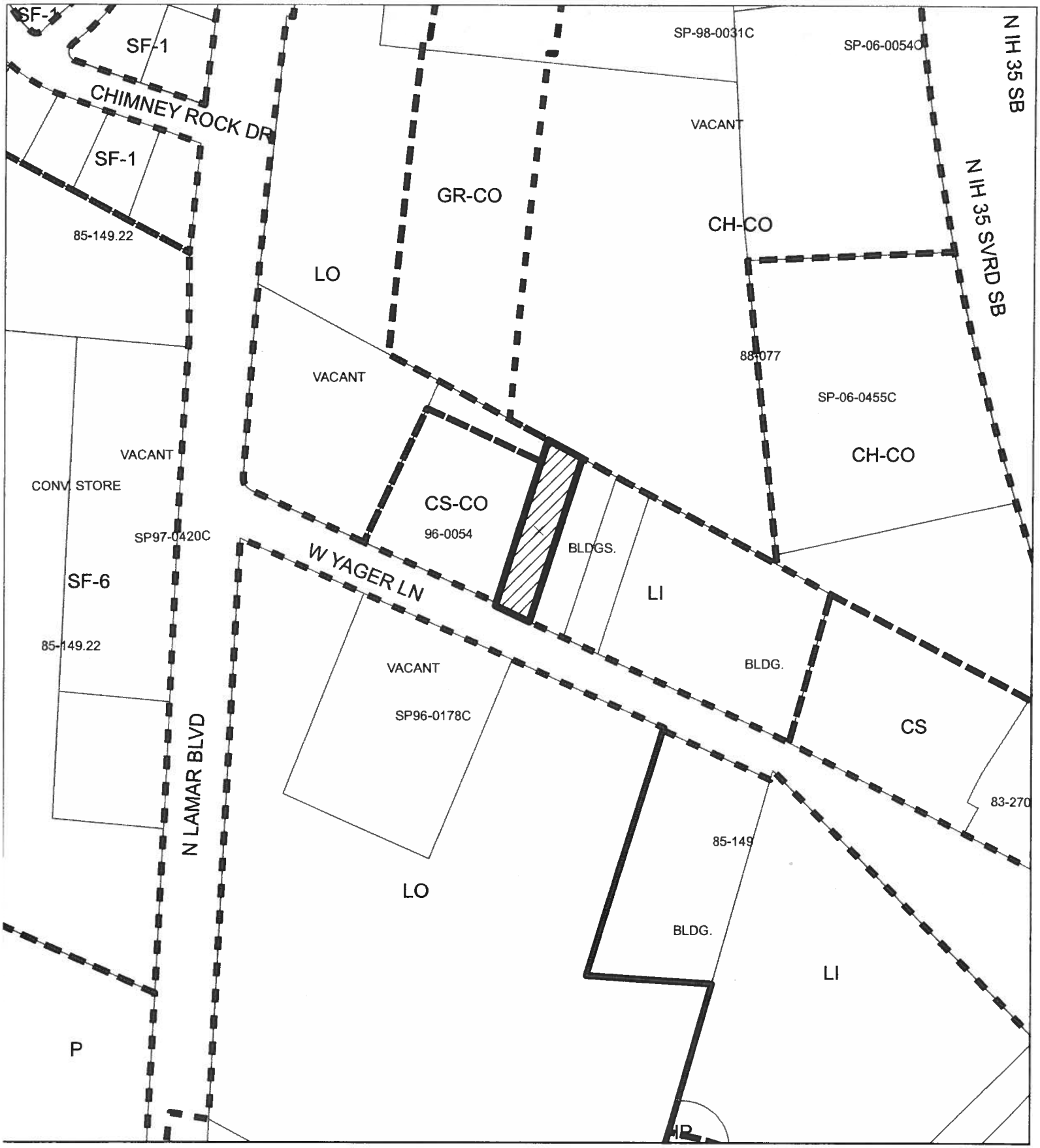
October 20, 2011 **ACTION:** Case re-noticed for November 10, 2011 meeting

November 10, 2011 **ACTION:**

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis **PHONE:** 974-3057, sherri.sirwaitis@ci.austin.tx.us



ZONING

N

SUBJECT TRACT

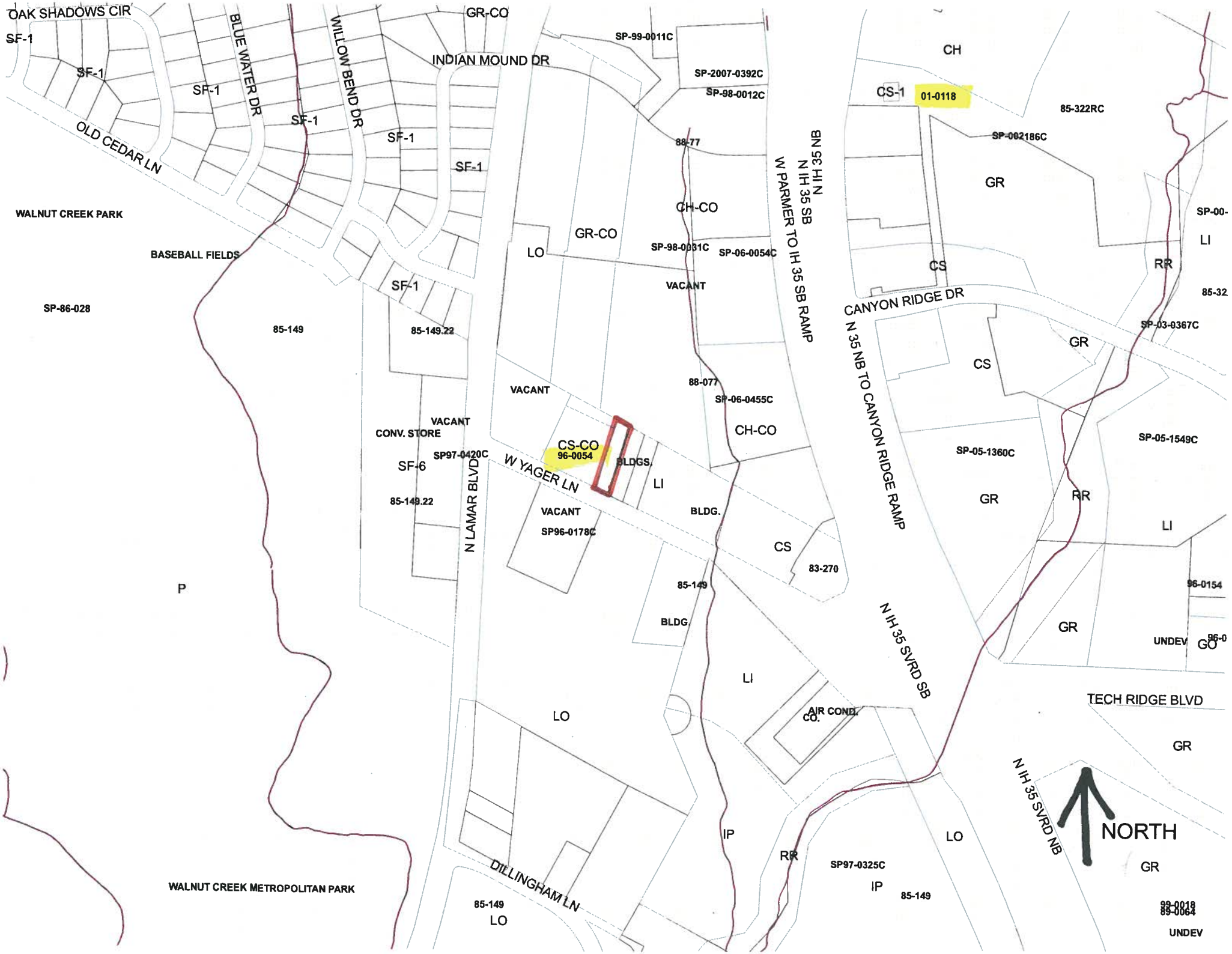
PENDING CASE

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.


OAK SHADOWS CIR
SF-1
SF-1
SF-1
BLUE WATER DR
SF-1
WILLOW BEND DR
SF-1
SF-1
GR-CO
INDIAN MOUND DR
OLD CEDAR LN
WALNUT CREEK PARK
BASEBALL FIELDS
SP-86-028
SF-1
85-149
85-149.22
SP-99-0011C
SP-2007-0392C
SP-98-0012C
88-77
CH-CO
GR-CO
LO
SP-98-0031C
SP-06-0054C
VACANT
VACANT
CONV. STORE
SF-6
SP97-0420C
VACANT
SP-06-0455C
88-077
CH-CO
CS-CO
96-0054
BLDGS.
LI
W YAGER LN
85-149.22
VACANT
SP96-0178C
BLDG.
CS
83-270
N LAMAR BLVD
P
85-149
BLDG.
LI
LO
AIR COND. CO.
WALNUT CREEK METROPOLITAN PARK
DILLINGHAM LN
85-149
LO
IP
RR
SP97-0325C
IP
85-149
LO
W PARMER TO IH 35 SB RAMP
N IH 35 NB
N IH 35 SB
CH
CS-1
01-0118
85-322RC
SP-002186C
GR
CS
CANYON RIDGE DR
N 35 NB TO CANYON RIDGE RAMP
GR
CS
SP-05-1360C
GR
RR
LI
SP-05-1549C
SP-03-0367C
SP-00-
LI
RR
85-32
96-0154
GR
UNDEV
GO
96-0
N IH 35 SVRD SB
TECH RIDGE BLVD
GR
N IH 35 SVRD NB
NORTH
GR
99-0018
89-0064
UNDEV


OLD CEDAR LN
WILLOW BEND DR
BASEBALL FIELDS
N LAMAR BLVD
W PARMER TO IH 35 SB RAMP
N IH 35 SB
CANYON RIDGE DR
N 35 NB TO CANYON RIDGE RAMP
N IH 35 SVRD
N IH 35 NB
NORTH
GR-CO
LO
CANT
CS-CO
96-0054
CH-CO
LO-CO
CS
GR
SP-05-1360C
83-270

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 3rd 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:

Development Classification	*% of Net Site Area*	*% with Transfers*
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.