

ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0123 (Wells Branch Properties)

Z.A.P. DATE: November 15, 2011

ADDRESS: 1215, 1301, and 1307 Wells Branch Parkway

OWNER/APPLICANT: River City Partners, Ltd. (Lee T. Raines)

AGENT: The Faust Group (William M. Faust)

ZONING FROM: RR

TO: LI*

AREA: 9.9957 acres

*On November 7, 2011, the agent for this case stated that the applicant agrees with the staff's recommendation of CS district zoning for this site. Mr. Faust also said that his client would like to offer a conditional overlay for this case to prohibit Adult Oriented Business and Pawn Shop uses at this location.

SUMMARY STAFF RECOMMENDATION:

The staff recommends CS, General Commercial Services District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

11/15/11: Approved CS-1-CO zoning on consent (6-0, G. Bourgeois-absent); P. Seeger-1st, C. Banks-2nd.

DEPARTMENT COMMENTS:

The property in question is developed with commercial and industrial uses. There are three separate office/warehouse structures on the site that contain an exterminating services use (Orkin Pest Control), and two limited warehousing and distribution uses (UPS Freight and AAA Cooper Transportation). To the north there is undeveloped land and a water tower (Manville Water Tower). The tract of land to the south is part of a cemetery use (Capital Parks, Inc. Memorial Gardens, Memorial Hill Cemetery, Mausoleum, and Crematory). The property to the east is also developed with commercial and industrial uses (Wells Branch Tech Center). The land to the west is currently undeveloped. The applicant is requesting to rezone this site to the LI, Limited Industrial District, zoning to bring the existing uses on the site into conformance with City of Austin Land Development Code use regulations. The applicant is currently in the process of leasing the vacant UPS Freight building to a plumbing supply company (Construction Sales and Services use).

The staff recommends CS, General Commercial Services District, zoning for the site under consideration. The property meets the intent of the CS district as it fronts onto an arterial roadway, Wells Branch Parkway, and is not located adjacent to residential uses. The proposed zoning is compatible with surrounding zoning and uses as there is CS-CO zoning to the east (undeveloped tract) and CS-CO zoning to the west (Wells Branch Tech Center). The proposed CS zoning will permit the existing uses on the site.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	RR	Exterminating Services (Orkin), Limited Warehousing and Distribution (UPS Freight, ACT AAA Cooper Transportation)
<i>North</i>	I-RR, RR	Undeveloped Tract, Manville Water Tower
<i>South</i>	SF-2, RR	Cemetery (Capital Parks, Inc. Memorial Gardens, Memorial Hill Cemetery, Mausoleum, and Crematory)
<i>East</i>	CS-CO	Undeveloped
<i>West</i>	CS-CO	Wells Branch Tech Center (Emerson Network Power, NGS-National Service Group, Mr. Rekey Locksmith Services, UHS, Harmony Science Academy)

AREA STUDY: N/A**TIA:** Not Required**WATERSHED:** Harris Branch**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation
 Austin Monorail Project
 Austin Parks Foundation
 Home Builders Association of Greater Austin
 Homeless Neighborhood Association
 North Growth Corridor Alliance
 League of Bicycling Voters
 Pflugerville Independent School District
 Sierra Club, Austin Regional Group
 The Real Estate Council of Austin, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0148 (North IH-35 and West Howard Lane)	I-RR to CS-MU	10/18/05: Approved staff's recommendation for CS-MU-CO zoning, with 2,000 vehicle trip limit, by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	11/17/05: Approved ZAP recommendation of CS-MU-CO zoning by consent (7-0)
C14-04-0212	I-RR to MF-2, LI	3/29/05: Approved staff's recommendation for MF-2-CO zoning for Tract 1 and LI-CO zoning for Tract 2, w/ 2,000 vtpd limit, by consent (9-0)	4/28/05: Granted MF-2-CO for Tract 1 and LI-CO for Tract 2 (5-0-McCracken/Wynn-off the dias); all 3 readings
C14-03-0125	SF-2 to CS	6/1/04: Approved GR-CO zoning with the following prohibited uses: Automotive Repair Services; Drop-Off Recycling Collection Facility;	6/17/04: Granted CS-CO as recommended by staff, with additional conditions agreed to between the applicant and the neighborhood association the

		Pawn Shop Services (8-0, Pinnelli-absent)	applicant and the neighborhood association (7-0); 1 st reading 3/24/05: Approved CS-CO with TIA conditions (public restrictive covenant) on 2 nd /3 rd readings (7-0)
C14-02-0111	TR1: GR-CO to GR TR2: CS-CO to CS	10/15/02: Approved staff's rec. of GR-CO; CS-CO zoning with added condition to prohibit Automotive Sales; by consent (7-0, D. Castaneda-absent)	12/5/02: Granted GR-CO for Tract 1 and CS-CO for Tract 2 on all 3 readings (7-0)
C14-98-0212	I-RR to CS	12/15/98: Approved GR-CO w/conditions for front to match existing GR and CS-CO for remainder of property, prohibit auto repair and auto washing except for on-site tenants (5-2, GW/DS-Nay)	1/14/99: Approved PC rec. of GR-CO w/ conditions 97-0); 1 st reading 4/15/99: Approved CS-CO w/ conditions (7-0); 2 nd /3 rd readings
C14-98-0076	I-RR to LI	7/14/98: Approved W/LO-CO w/conditions (7-1, SA-Nay)	10/8/98: Approved CS-CO w/many conditions (6-0); 1 st reading 4/1/99: Approved CS-CO w/ conditions (7-0); 2 nd /3 rd readings
C14-98-0069	I-RR to CS	7/14/98: Approved GR (8-1, RR-Nay)	8/13/98: Approved CS-CO (6-0); 1 st reading 10/1/98: Approved CS-CO w/ conditions (7-0); 2 nd /3 rd readings
C14-96-0131	SF-2 to GR	12/10/96: Approved staff rec. of GR (9-0)	1/9/97: Approved GR-CO w/ conditions (7-0); 1 st reading 3/20/97: Approved GR-CO w/ conditions (7-0); 2 nd /3 rd readings
C14-95-0195	GR to CS	1/23/96: Approved CS-CO (7-0)	7/18/96: Approved CS-CO subject to conditions (6-0); all 3 readings
C14-93-0055	SF-2 to GR	5/18/93: Approved GR by consent (9-0)	6/3/93: Approved GR (5-0-1); all 3 readings
C14-93-0047	SF-2 to CS	4/27/93: Approved GR-CO (6-0)	5/6/93: Approved GR-CO and CS-CO w/conditions (6-0); 1 st reading 6/17/93: Approved GR-CO and CS-CO (7-0); 2 nd /3 rd readings
C14-93-0005	SF-2 to LO	2/16/93: Approved LO (6-0)	3/4/93: Approved LO (6-0); 1 st reading 5/27/93: Approved LO; 2 nd /3 rd readings

RELATED CASES: There are no pending related cases.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic
Wells Branch Parkway	140'	2@29'	Arterial	Not Available

CITY COUNCIL DATE: December 8, 2011

ACTION:

ORDINANCE READINGS: 1st

2nd

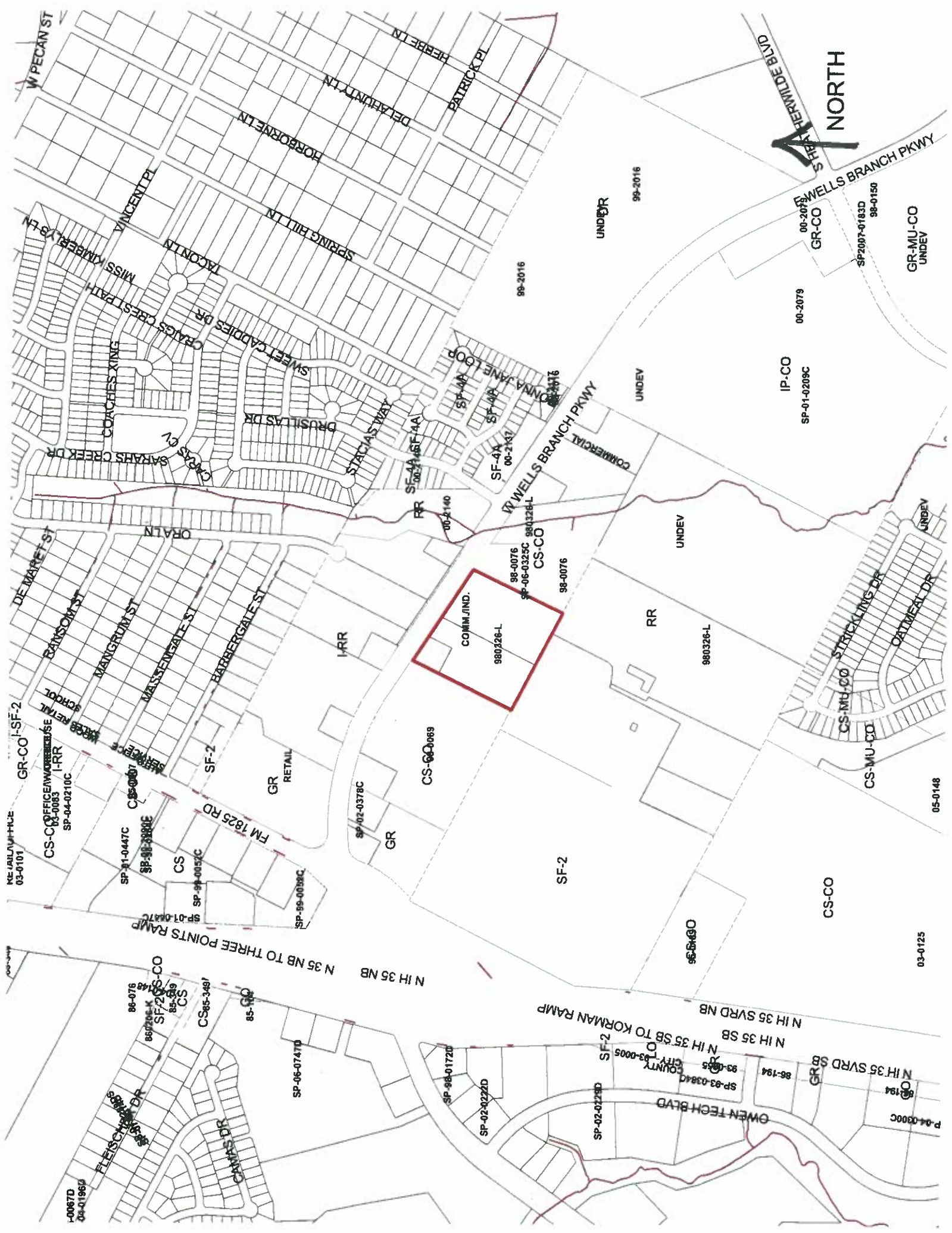
3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us





NORTH

COMM./IND.
980328-L

W WELLS BRANCH PKWY
GR-CO
00-2079
IP-CO
SP-01-0209C
GR-MU-CO
UNDEV
SP2007-0183D
98-0150

CS-CO

RR

SF-2

CS-CO

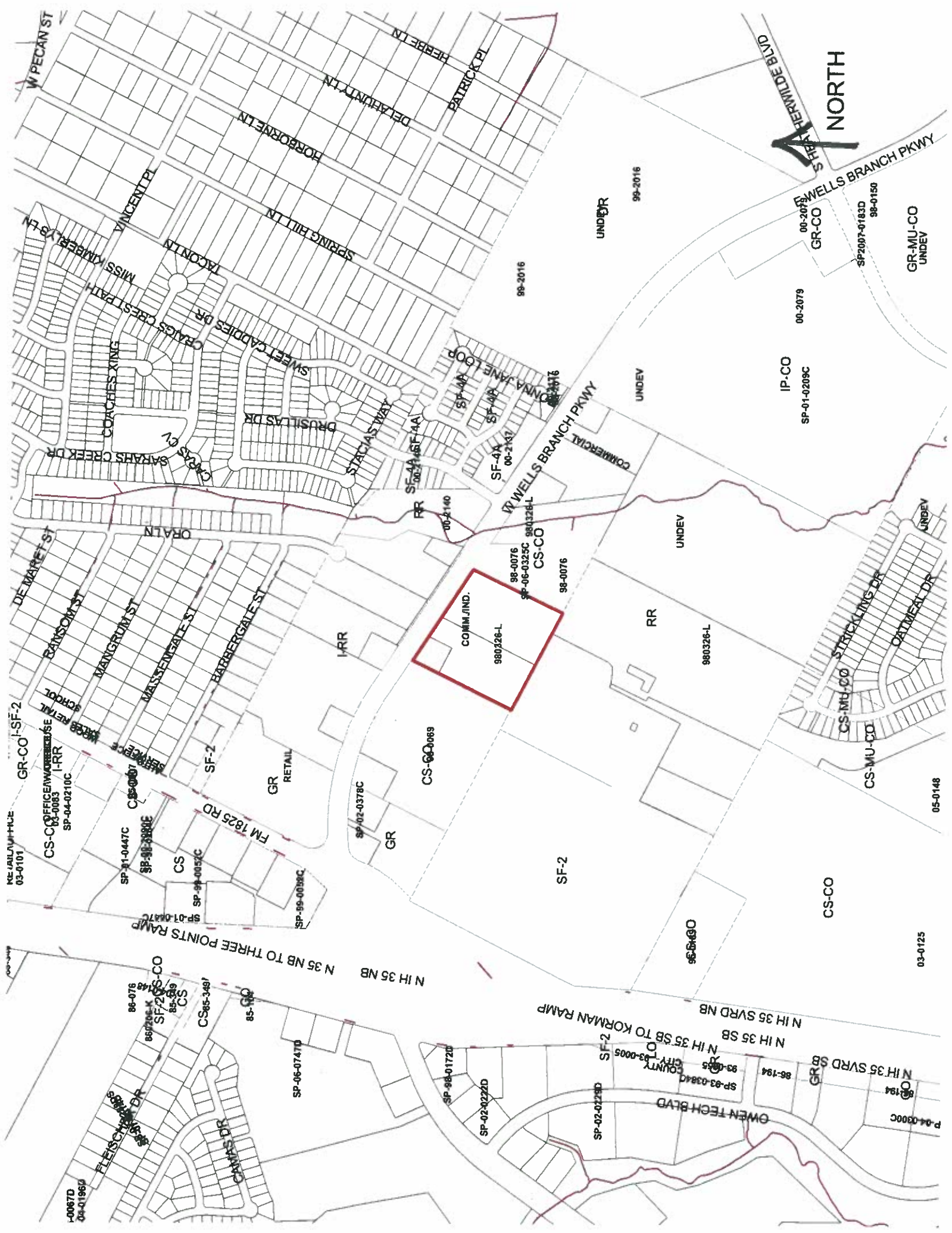
CS-60069

I-RR

GR
RETAIL

SF-2

ORAIN



NORTH

COMM./IND.
980328-L

W WELLS BRANCH PKWY
GR-CO
00-2079
IP-CO
SP-01-0209C
GR-MU-CO
UNDEV
SP2007-0183D
98-0150

CS-CO

RR

SF-2

CS-CO

CS-60069

I-RR

GR
RETAIL

SF-2

ORAIN



STAFF RECOMMENDATION

The staff recommends CS, General Commercial Services District, zoning.

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 property meets the intent of the CS district as it fronts onto an arterial roadway, Wells Branch Parkway, and is not located adjacent to residential uses.

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

The proposed zoning is compatible with surrounding zoning and uses as there is CS-CO zoning to the east (undeveloped tract) and CS-CO zoning to the west (Wells Branch Tech Center).

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

The proposed CS zoning will allow the applicant to bring the existing uses on the site (exterminating services use: Orkin Pest Control and limited warehousing and distribution use: AAA Cooper Transportation) into conformance with City of Austin Land Development Code use regulations. In addition, the CS district will permit the proposed plumbing supply company use (construction sales and services use) to relocate to the vacant UPS Freight structure on the property.

EXISTING CONDITIONS

Site Characteristics

The site in question is developed with office/warehouse structures that contain an exterminating services use (Orkin Pest Control), and two limited warehousing and distribution uses (UPS Freight and AAA Cooper Transportation). The property to the north contains undeveloped tracts of land and a water tower (Manville Water Tower). To the south there is a cemetery use (Capital Parks, Inc. Memorial Gardens, Memorial Hill Cemetery, Mausoleum, and Crematory). The land to the east is undeveloped. To the west, there is an industrial center (Wells Branch Tech Center: Emerson Network Power, NGS-National Service Group, Mr. Rekey Locksmith Services, UHS, Harmony Science Academy).

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 Harris Branch 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 LI zoning district would be 80%. However, because the Watershed impervious cover is more restrictive than the 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

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

The site is subject to compatibility standards. Along all property lines adjacent to single family uses or zonings, such as RR to the east and south, the following standards will apply with any future development:

- 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.
- A landscape area 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.
- Additional design regulations will be enforced at the time a site plan is submitted.

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

Transportation

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
Wells Branch Parkway	140'	2@29'	Arterial	Not Available

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 Wells Branch Parkway.

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

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
Wells Branch Parkway	Bike Lane	Bike Lane

Capital Metro bus service is not available within 1/4 mile of this property.

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.