

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2011-0161 - 2205 Parmer Lane

**Z.A.P. DATE:** January 3, 2012

**ADDRESS:** 2205 West Parmer Lane

**APPLICANT:** Cynthia D. Lindsay

**AGENT:** Professional Structural Civil Engineering (PSCE), Inc. (Mirza Tahir Baig)

**ZONING FROM:** NO

**TO:** LR-MU

**AREA:** 0.3058 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant LR-MU-CO, Neighborhood Commercial-Mixed Use-Conditional Overlay District, zoning. The conditional overlay will limit development on the site to less than to less than 2,000 vehicle trips per day and will prohibit Drive-in Service as an accessory use to a commercial use.

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

1/03/12: Approved staff recommendation of LR-MU-CO zoning on consent (5-0, C. Banks and G. Bourgeois-absent); P. Seeger-1<sup>st</sup>, P. Baldrige-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question currently contains an office/day care use. There is single-family residence to the east that faces Limerick Avenue. The lots to the west are developed with a personal services use (Taru Hair Braiding), an office use (Horton Realty), and a personal improvement services use (Light Touch Medical Spa). To the north, across Parmer Lane, there is a medical office (Austin Dental). To the south, there is a single-family residential neighborhood. The applicant is requesting a re-zoning of the site under consideration to LR-MU zoning to develop a bakery/café (Restaurant-Limited) use.

The staff recommends LR-MU-CO zoning at this location because this site meets the intent of the Neighborhood Commercial-Mixed Use District. LR-MU-CO zoning will be compatible with surrounding commercial, office and residential land uses and will provide a transition in the intensity of permitted uses along Parmer Lane, an arterial roadway, to the east. The property is located adjacent to LR district zoning to the west.

The applicant agrees with the staff's recommendation.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	NO	Office/Day Care
<i>North</i>	LO-CO	Medical Office (Austin Dental)
<i>South</i>	SF-1	Single-Family Residences
<i>East</i>	NO	Single-Family Residence

<i>West</i>	LR	Personal Services use (Taru Hair Braiding), Office (John Horton Realty), Personal Improvement Services use (Light Touch Medical Spa), Office (Allstate)
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**AREA STUDY:** North Lamar Area Study

**TIA:** Not Required

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
Austin Independent School District  
Austin Monorail Project  
Austin Neighborhoods Council  
Austin Northwest Association  
Home Builders Association of Greater Austin  
Homeless Neighborhood Association  
Lamplight Village Area Neighborhood Association  
League of Bicycling Voters  
North Growth Corridor Alliance  
Northstar Neighborhood Association  
Pflugerville Independent School District  
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>
C14-2010-0058 – 2209 W. Parmer Lane	NO to LR-CO	6/15/10: Approved staff's recommendation for LR-CO zoning on the consent agenda (7-0); D. Tiemann-1 <sup>st</sup> , S. Baldrige-2 <sup>nd</sup> .	7/29/10: Approved LR-CO zoning on consent on all 3 readings (7-0); Morrison-1 <sup>st</sup> , Martinez-2 <sup>nd</sup> .
C14-2010-0030 – 12500 Limerick Ave	NO-MU to GO* *The applicant amended his re-zoning request to LO zoning at the 5/04/10 ZAP Commission meeting.	5/04/10: Approved LO-CO zoning with the following conditions: limit the building size on the site to 2,000 sq. ft. and limit the site to less 200 vehicle trips per day (4-3, D. Tiemann, P. Seeger and B. Baker-No); S. Baldrige-1 <sup>st</sup> , T. Rabago-2 <sup>nd</sup> .	5/13/10: Denied LO-CO zoning.
C14-2009-0078 - Limerick	NO to LR* *The applicant sent an e-mail to the staff on	4/20/10: Recommended denial of the applicant's re-zoning request (7-0); D. Tiemann-1 <sup>st</sup> , P. Seeger-2 <sup>nd</sup> .	6/24/10: Pending

	4/29/10 asking to amend his re-zoning request to the GO zoning .		
C14-07-0027	SF-2 to NO	4/03/07: Approved the staff's recommendation of NO-MU zoning on consent (6-0, J. Gohil-abstained; K. Jackson and S. Hale-absent)	5/03/07: Approved NO-MU zoning by consent (7-0); all 3 readings
C14-06-0097	I-RR to: GR CS* * On June 6, 2006, the staff received an e-mail from the agent for this case asking to amend the rezoning request for this property from 'GR' to 'CS'. The CS District will permit the Construction Sales and Services use that currently exists on the site.	8/01/06: Approved LR-CO zoning with the following conditions: 700 vehicle trip limit per day and 100-feet of right-of-way reservation from the centerline of Parmer Lane (9-0); K. Jackson-1 <sup>st</sup> , B.Baker-2 <sup>nd</sup> .	8/31/06: Approved LR-CO zoning on 1 <sup>st</sup> reading (7-0); J. Kim-1 <sup>st</sup> , L. Leffingwell-2 <sup>nd</sup> .  9/28/06: Approved LR-CO zoning with conditions by consent (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-05-0054	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dias); all 3 readings
C14-05-0053	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dias); all 3 readings
C14-05-0052	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dias); all 3 readings
C14-05-0051	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dias); all 3 readings
C14-04-0201	I-RR to LR	2/01/05: Approved staff's recommendation for SF-1 zoning	3/03/05: Approved SF-1 on 1 <sup>st</sup> reading (7-0)

		(9-0); J. Martinez-1 <sup>st</sup> , B. Baker-2 <sup>nd</sup> . Motion made for staff to initiate a zoning case for all properties that are zoned I-RR on Cindy Lane, Tomanet Trail and Silver Spur Streets, to SF-1 zoning (9-0); B. Baker-1 <sup>st</sup> , K. Jackson-2 <sup>nd</sup> .	4/07/05: Approved SF-1 (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-04-0119	NO to LR	9/21/04: Approved staff's rec. of LR (7-0)	10/21/04: Approved LR (7-0); all 3 readings
C14-02-0135	NO to GR	9/17/02: Approved staff's rec. of GR-CO zoning by consent (7-0)	10/24/02: Granted GR-CO on all 3 readings (6-0, Dunkerley-absent)
C14-01-0184	NO to GR	1/29/02: Postponed to 2/26/02 by applicant (8-0, A. Adams-absent) 2/26/02: Approved staff's recommendation of GR-CO zoning with the following conditions: Limit the development intensity to less than 2,000 vehicle trips per day; restrict vehicle access from the property to Tomanet Trail; permit Personal Services as the only 'GR' use; and limit the property to 'NO' uses. (6-0, K. Jackson-absent; N. Spelman, D. Castaneda-left early)	4/4/02: Approved ZAP rec. of GR-CO with conditions on all 3 readings (6-0, Goodman out of room)
C14-00-2045	NO to GR	5/9/00: Approved GR-CO (6-2, JR/JM-Nay); for building footprint only for dry cleaning use; permitted 'NO' uses; no access to Tomanet Trail; 2,000 vehicle trip limit per day; limit landscape buffer between sidewalk and street; sidewalks on Tomanet Trail; building square feet not to exceed 2,000 sq. ft.	6/8/00: Approved PC rec. of GR-CO w/ conditions on 1 <sup>st</sup> reading (7-0)  10/12/00: Approved GR-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-98-0082	NO to GR	8/4/98: Approved GR-CO w/ conditions (9-0)	9/10/98: Approved PC rec. of GR-CO w/ conditions (6-0); 1 <sup>st</sup> reading Administrative-EXPIRED 9/7/99, no 3 <sup>rd</sup> reading
C14-96-0037	NO to LR	5/7/96: Approved LR-CO subject to conditions of no more than 12 parking spaces on the site and a 300 vehicle trip per day limit (8-0)	5/23/96: Approved LR-CO subject to conditions (6-0); 1 <sup>st</sup> reading 8/8/96: Approved LR-CO subject to conditions (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-94-0042	NO to LO	4/26/94: Approved LO-CO (6-0); subject to ROW; medical offices as only permitted 'LO'	6/9/94: Approved LO-CO (5-0); 1 <sup>st</sup> reading

		use, permit 'NO' uses; 0.15 FAR; 'NO' development regulations	11/17/94: Approved LO-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
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**RELATED CASES:** N/A

**ABUTTING STREETS:**

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Parmer Lane	160'	MAD 6	Arterial	Yes	No	Yes

**CITY COUNCIL DATE:** February 9, 2012

**ACTION:**

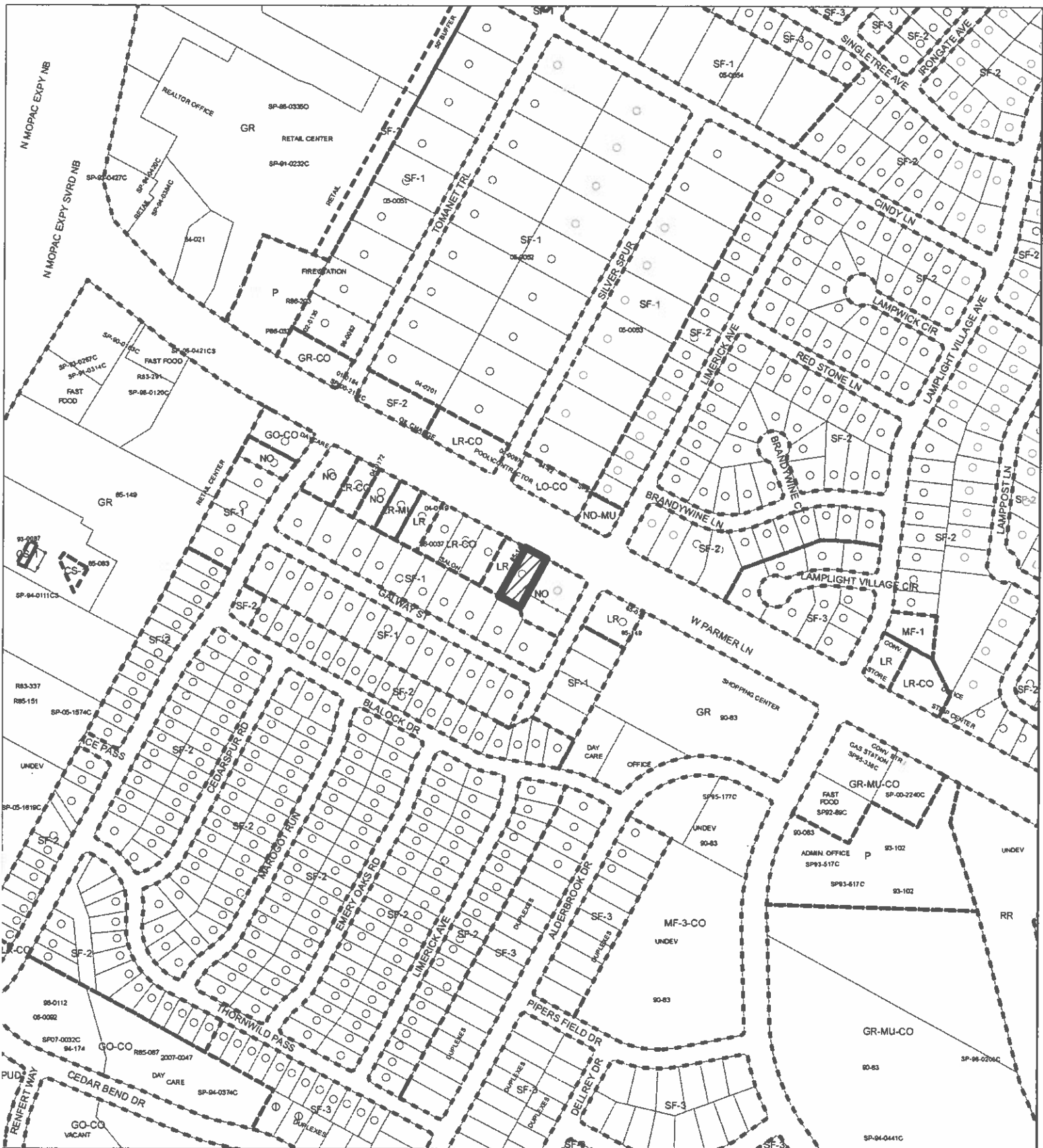
**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057

[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)



# ZONING

ZONING CASE#: C14-2011-0161

N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1" = 400'

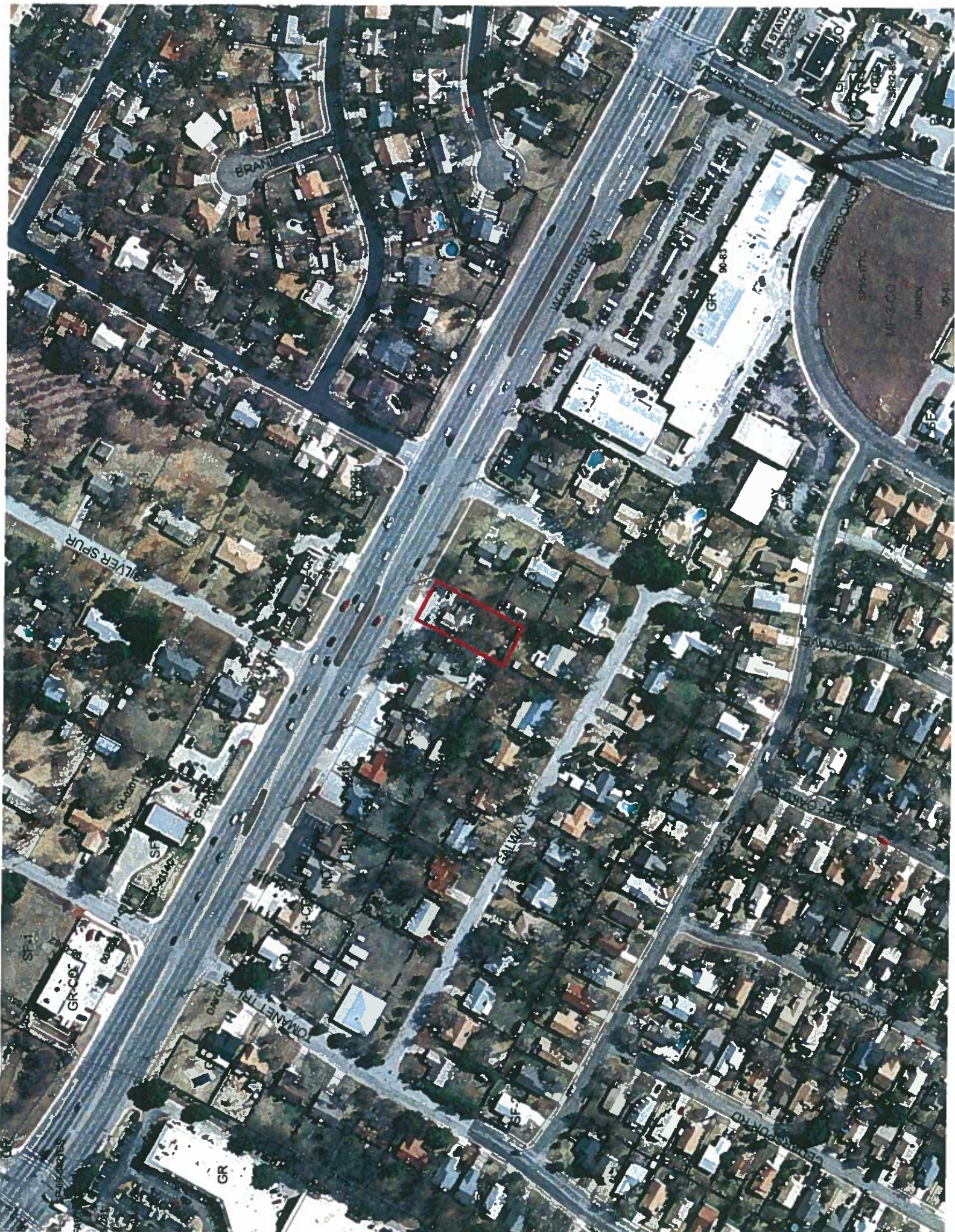
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This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.











## **STAFF RECOMMENDATION**

The staff's recommendation is to grant LR-MU-CO, Neighborhood Commercial-Mixed Use-Conditional Overlay District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day and will prohibit Drive-in Service as an accessory use to a commercial use.

## **BASIS FOR RECOMMENDATION**

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

Neighborhood commercial (LR) district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

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

LR-MU-CO zoning will promote consistency and orderly planning as it will be compatible with surrounding commercial, civic and residential land uses. The property in question is located adjacent to existing LR zoning to the west and takes access to Parmer Lane, an arterial roadway. The proposed Neighborhood Commercial District zoning will provide a transition (step down) in the intensity of permitted uses along Parmer Lane to the east, away from the MOPAC Expressway.

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

The LR-MU-CO zoning district will allow the applicant to utilize this property for low intensity commercial uses that will provide services for the residential areas located to the north and south of Parmer Lane.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is currently developed with an office/day care use.

### **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 floodplain 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 LR zoning district would be 80%. However, if 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>% 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%

### **Site Plan / Compatibility Standards**

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.

#### **Compatibility Standards**

- a. The site is subject to compatibility standards. Along the South property line, the following standards apply:
- b. No structure may be built within 25 feet of the property line.
- c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- e. No parking or driveways are allowed within 25 feet of the property line.
- f. A landscape area at least 25 feet wide 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.

- g. for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- h. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- i. 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 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 a total of 200 feet of right-of-way for West Parmer Lane (FM 734). Reservation of 100 feet of right-of-way measured from the existing centerline of West Parmer Lane (FM 734) in accordance with the Transportation Plan may be required at the time of site plan or subdivision [LDC, Sec. 25-6-51 and 25-6-55].

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 Conditions:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Parmer Lane	160'	MAD 6	Arterial	Yes	No	Yes

### **Water and Wastewater**

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. City records indicate the property is currently served by an on-site sewage facility. Due to the higher strength wastewater associated with the proposed change of use/redevelopment the landowner will be required to connect to city sewer and properly abandon the existing OSSF. Contact AWU's OSSF Group (972-0261) and Industrial Waste (972-1060) for information regarding what will be required to comply with City and State criteria. City public wastewater service is available at the street. 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. 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.