

**Zoning Public Hearing  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-6  
AGENDA DATE: Thu 01/29/2004  
PAGE: 1 of 1**

**SUBJECT:** C14-03-0162 - Ruffi's Taqueria - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11800 North Lamar Boulevard (Walnut Creek Watershed) from limited office (LO) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Lamar Ventures Partners Limited. Agent: Land Answers: (Jim Whitliff). City Staff: Glenn Rhoades, 974-2775.

<b>REQUESTING</b>	Neighborhood Planning	<b>DIRECTOR'S</b>
<b>DEPARTMENT:</b>	and Zoning	<b>AUTHORIZATION:</b> <u>Greg Guernsey</u>

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## ZONING CHANGE REVIEW SHEET

**CASE:** C14-03-0162

**Z.A.P. DATE:** December 2, 2003  
December 16, 2003

**C.C. DATE:** January 29, 2003

**ADDRESS:** 11800 North Lamar Blvd.

**OWNER/APPLICANT:** Lamar Ventures Partners Ltd.

**AGENT:** Land Answers  
(Jim Witliff)

**ZONING FROM:** LO

**TO:** GR

**AREA:** .134 acres

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends the proposed change to GR, Community Commercial district zoning.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

December 2, 2003 – Postponed at the request of staff, due to a notice error (Vote: 9-0).

December 16, 2003 – Approved GR-CO, Community Commercial-Conditional Overlay district zoning. The conditional overlay limited the site to restaurant general and restaurant limited as the only allowed GR uses and all allowed LO uses (Vote: 8-0, C. Hammond – absent).

**DEPARTMENT COMMENTS:**

After action by the Zoning and Platting Commission, the applicant amended the request to rezone only a building footprint of 5,837 square feet

The property is developed with an existing legal non-conforming restaurant and the owner is seeking the zoning change in order to sell alcohol.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	LO	Restaurant
<i>North</i>	DR	Monument/Retail Sales, Salon, Restaurant
<i>South</i>	LO	Computer Sales, Mini-Storage, Appliance Repair
<i>East</i>	LO SF-1	Auto Repair, Office Single Family
<i>West</i>	DR SF-2	Undeveloped Single Family

**AREA STUDY:** N/A

**TIA:** N/A

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

#064 – River Oaks Lakes Estates Neighborhood  
#085 – Walnut Creek Neighborhood Association  
#114 – North Growth Corridor Alliance  
#511 – Austin Neighborhoods Council  
#937 – Taking Action Inc.

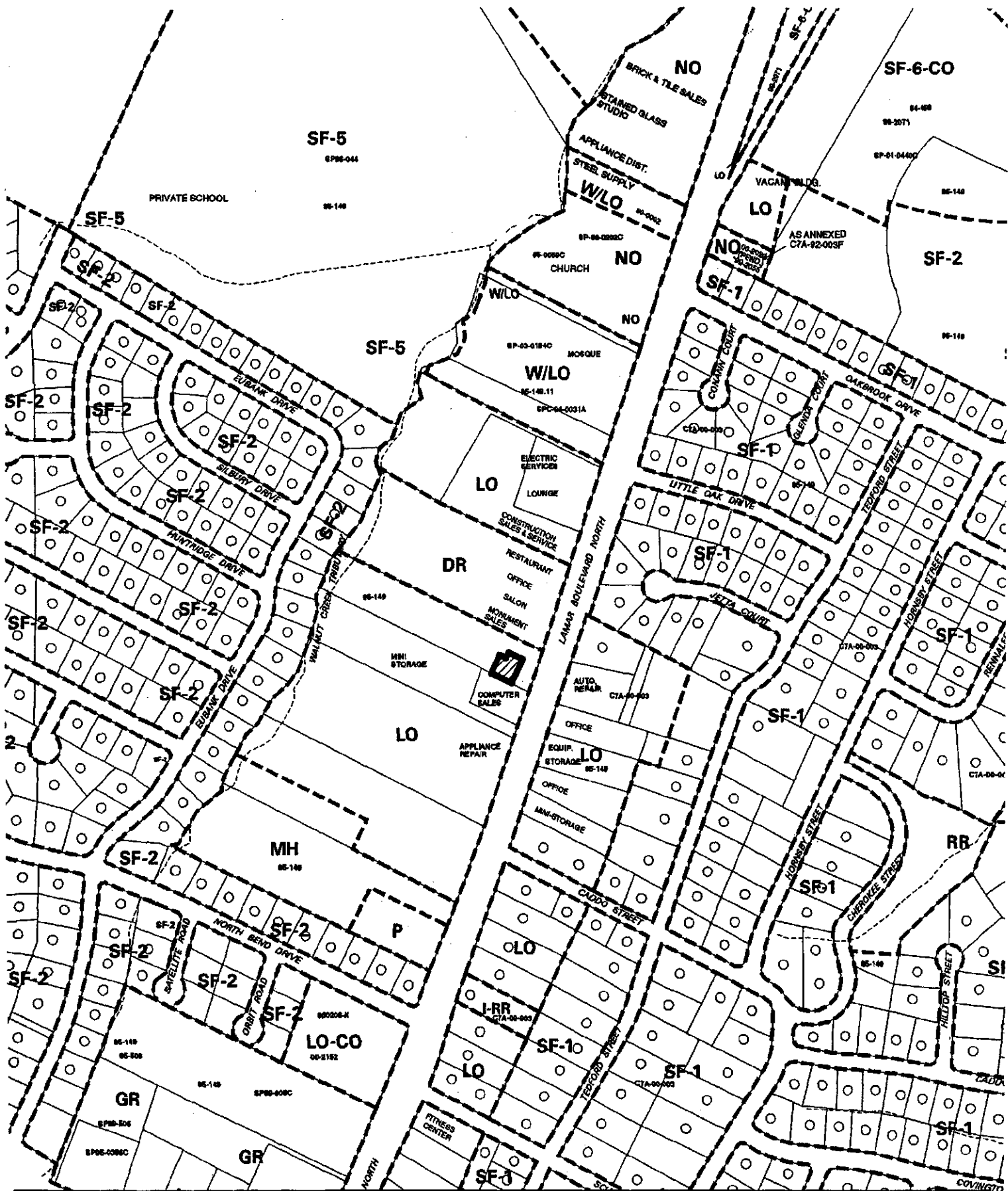
**CASE HISTORIES:**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-99-2055	RR to NO	Withdrawn. There was a mapping error, the property was already zoned NO	
C14-00-2020	RR to GO-CO	Denied (Vote: 6-0). 4/18/00	Withdrawn on 8/30/00
C14-00-2152	DR to LO-CO	Approved LO-CO. The CO prohibits access to North Bend Dr. and limits trips to 2,000 per day (Vote: 8-0). 8/22/00.	Approved LO-CO (vote: 5-0). 10/5/00.

**ABUTTING STREETS:**

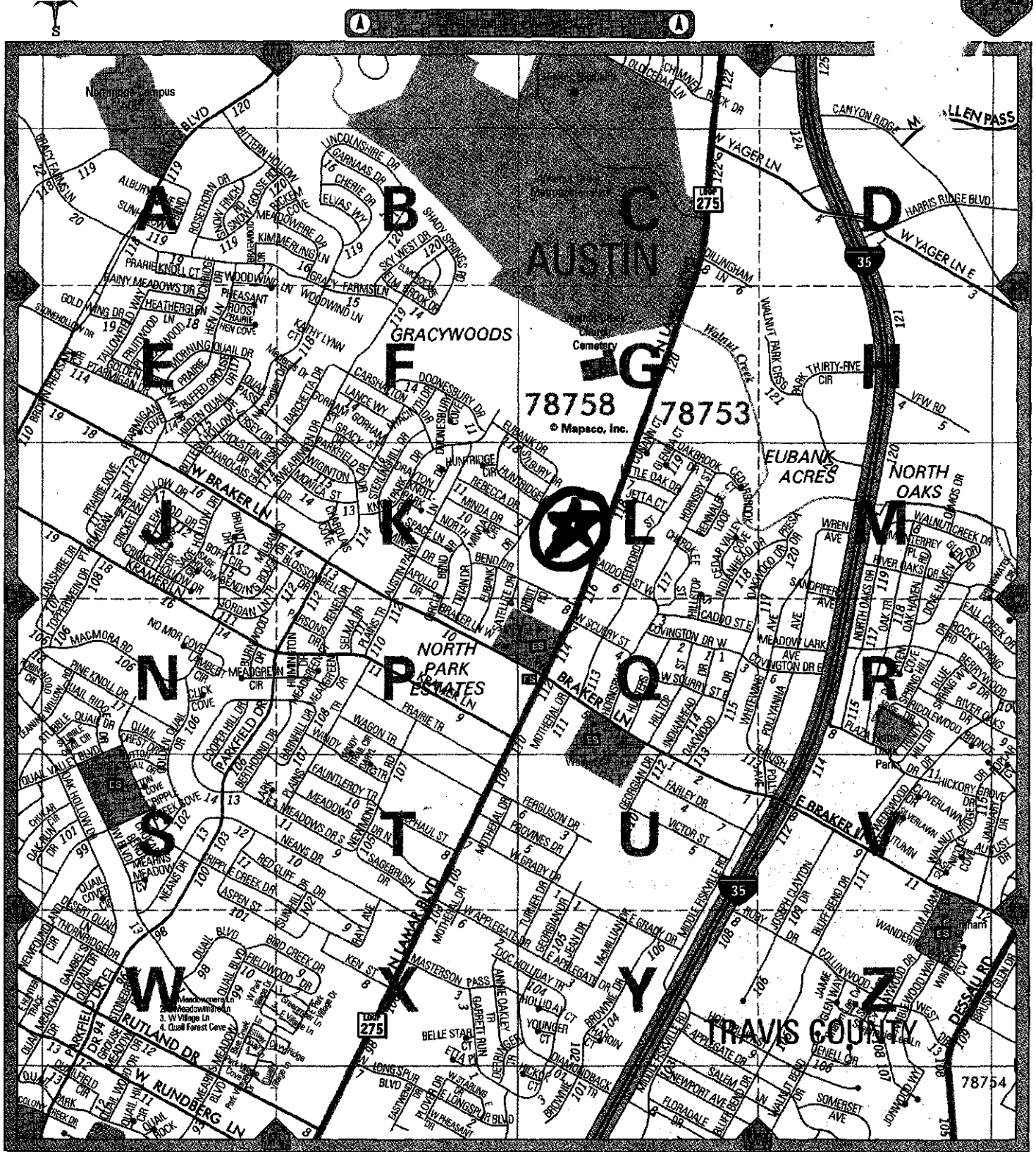
NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Lamar Boulevard	100'	Varies	Major Arterial	N/A

**CITY COUNCIL DATE:** January 29, 2003**ACTION:****ORDINANCE READINGS:** 1st2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Glenn Rhoades**PHONE:** 974-2775



 1" = 400'	SUBJECT TRACT		<b>ZONING</b>  <b>CASE #:</b> C14-03-0162 <b>ADDRESS:</b> 11800 N LAMAR BLVD <b>SUBJECT AREA (acres):</b> 0.134	<b>DATE:</b> 04-01  <b>INTLS:</b> SM	<b>CITY GRID REFERENCE NUMBER</b>  M32
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: G. RHOADES				





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## **STAFF RECOMMENDATION**

Staff recommends the proposed change to GR, Community Commercial district zoning.

## **BASIS FOR RECOMMENDATION**

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

GR – Community Commercial is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major roadways.

The applicant's request meets the purpose statement for GR district zoning set forth in the Land Development Code. It is located adjacent to a major arterial roadway near services that are generally incompatible with residential environments, such as mini-storage and auto repair to the south and east, and monument sales, a lounge and construction sales and service uses to the north.

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

The proposed change will be consistent with the commercial nature of the area. While there may not be GR zoning in the immediate vicinity, most of the properties along this portion of North Lamar are GR or CS uses.

*Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The subject tract is located on and will take access from North Lamar Blvd., a major arterial roadway.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is currently occupied with a restaurant.

### **Transportation**

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 1,822 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

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]

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

There are existing sidewalks along Lamar Boulevard.



### **Impervious Cover**

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. 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%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

### **Environmental**

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.

At this time, site specific information is unavailable regarding existing trees and 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.

### **Right of Way**

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.



**DISCUSSION AND ACTION ON ZONING CASES****CONTINUED CASES**

3. C14-03-0164 – 4810 SPICEWOOD LTD. (Scott Morledge), By: Land Creek Development (Rick Lindley), 4810 Spicewood Springs Road, Bldg. B. (Bull Creek). **FROM SF-3 TO LO. RECOMMENDED. City Staff: Glenn Rhoades, 974-2775. POSTPONED FROM 12-2; NOTIFICATION PROBLEMS (STAFF)**

*CONTINUED TO 01/06/04 (ZAP)*

*[J.M; J.G 2<sup>ND</sup>] (7-1) M.W – NAY; C.H – ABSENT*

4. C14-03-0162 – LAMAR VENTURES PARTNERSHIP, LTD. (Michael Votickky), By: Land Answers (Jim Wittliff), 11800 North Lamar Blvd. (Walnut Creek). **FROM LO TO GR. RECOMMENDED. City Staff: Glenn Rhoades, 974-2775. POSTPONED FROM 12-2; NOTIFICATION PROBLEMS (STAFF)**

*APPROVED GR-CO ZONING WITH ADDED CONDITION THAT THE ONLY PERMITTED GR USE WILL BE GENERAL RESTAURANT AND LIMITED RESTAURANT; AND ALL OTHER LO USES.*

*[M.W; J.P 2<sup>ND</sup>] (8-0) C.H – ABSENT*

5. C14-03-0161 – SHIRLEY SLAUGHTER, By: Thrower Design (Ron Thrower), 1608 West 34<sup>th</sup> Street. (Shoal Creek). **FROM SF-3 TO NO. RECOMMENDED. City Staff: Glenn Rhoades, 974-2775. POSTPONED FROM 12-2; NOTIFICATION PROBLEMS (STAFF)**

*POSTPONED FROM 01/06/04 (NEIGHBORHOOD)*

*[J.M; J.G 2<sup>ND</sup>] (8-0)*

6. C14-03-0165 – SHAID ZONING, By: Orrin Shaid, Crocker Consultants (Sarah Crocker), 3206 West Slaughter Lane. (Slaughter Creek – Barton Springs Zone). **FROM I-RR TO SF-6. RECOMMENDED. City Staff: Wendy Walsh, 974-7719. POSTPONED FROM 12-2; NOTIFICATION PROBLEMS (STAFF)**

*APPROVED STAFF'S RECOMMENDATION OF SF-6 ZONING; BY CONSENT.*

*[J.M; J.G 2<sup>ND</sup>] (8-0) C.H – ABSENT*



City of Austin, Neighborhood Planning & Zoning Department  
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

**CORRECTED**  
**NOTICE OF ZONING & PLATTING COMMISSION PUBLIC**  
**HEARING FOR A PROPOSED ZONING CHANGE**

Este aviso es para informarles de una junta pública tocante a un cambio en el uso de la propiedad indicada así abajo. Si quiere una copia de este aviso en español, hable al teléfono (512) 974-2680.

Mailing Date of this Notice: December 3, 2003

File Number: C14-03-0162

Mailing Date of First Notice: October 6, 2003

ADDRESS AND/OR LEGAL DESCRIPTION OF PROPOSED ZONING CHANGE (See Map) 11800 North Larnar Blvd.

**PROPOSED ZONING CHANGE:**

**FROM:** LO--Limited Office district is intended for offices predominately serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods.

**TO:** GR--Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways.

**OWNER:** Lamar Ventures Partnership, Ltd. (Micahael Votickky)

**PHONE:** (512) 917-7338

**AGENT:** Land Answers (Jim Witliff)

**PHONE:** (512) 416-6611

**ZONING & PLATTING COMMISSION HEARING DATE:** December 16, 2003 **TIME:** 6:00 PM

**LOCATION:** 505 Barton Springs Road, One Texas Center 3<sup>rd</sup> Floor, Training Room #325, Austin

If you have any questions concerning this notice, please contact Glenn Rhoades at the City of Austin, Neighborhood Planning & Zoning Department, (512) 974-2775. Office hours are 7:45 a.m. to 4:45 p.m. Please be sure to refer to the File Number at the top of the page when you call. See enclosed sheet for more information on public hearings.

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

**File #** C14-03-0162-GR

**Zoning & Platting Commission Hearing Date:** 12/16/2003

**Name (please print)** Ellis & Rothberger, L.C.C.

**Address** 11804 North Larnar Austin TX 78753

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)



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File # C14-03-0162-GR

Zoning & Platting Commission Hearing Date: 12/16/2003

Name (please print) James F. Davis

☒ I am in favor  
(Estoy de acuerdo)

Address 11704 N. Lamar 78753

☐ I object  
(No estoy de acuerdo)



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**File #** C14-03-0162-GR

**Zoning & Platting Commission Hearing Date:** 12/16/2003

**Name (please print)** Betty Davis

**Address** 11706 N. LAMAR Austin TX 78753

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0162-GR

Zoning & Platting Commission Hearing Date: 12/16/2003

Name (please print) Don Keeling

Address 707 Setta CT Austin TX

78753

- ☒ I am in favor  
(Estoy de acuerdo)  
☐ I object  
(No estoy de acuerdo)