

Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION



AGENDA ITEM NO.: 68
AGENDA DATE: Thu 03/03/2005
PAGE: 1 of 1

SUBJECT: C14-04-0189 - Superior Service Company - Approve second/third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally know as 2020 West Howard Lane (Walnut Creek Watershed) from community commercial (GR) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. Conditions met as follows: Conditional overlay incorporates the conditions imposed at first ordinance reading. First reading on February 10, 2005. Vote: 7-0. Applicant: Superior Service Company (Robert Dale Steenrod). Agent: Holt Planners (David Holt, Jr.). City Staff: Sherri Sirwaitis, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-04-0189

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 2020 West Howard Lane from GR, Community Commercial District, zoning to LI-CO, Limited Industrial-Conditional Overlay District zoning.

PROPERTY OWNER: Superior Service Company (Robert Dale Steenrod)

AGENT: Holt Planners (David B. Holt, Jr.)

DEPARTMENT COMMENTS:

The property in question is currently being used for a refrigeration service business. The property owner recently received a red tag for constructing a parking addition on this site. The applicant is requesting LI, Limited Industrial District, zoning to bring the existing Construction Sales and Services use into conformance with Land Development Code requirements.

The staff recommends LI-CO zoning for this property because the site is located in an area that is developed with intense commercial and industrial uses. The properties in this area along the north side of Avenue N and Howard Lane are utilized for office/warehouse uses, a COA water pumping station, automotive repair uses, oil storage tanks, machine shops, construction sales and service uses, generator and air-conditioning service businesses, a moving company, etc. The tracts of land surrounding the site to the north and west are zoned LI and a large tract to the southeast is zoned LI-CO (for a Federal Express Shipping business). The site under consideration is located at the intersection of two collector roadways. There are plans to widen West Howard Lane to accommodate traffic generated by the industrial and commercial development in this area.

The applicant agrees with the City Council's recommendation at first reading.

DATE OF FIRST READING/VOTE: February 10, 2005/ Approved staff's recommendation of LI-CO (7-0)

CITY COUNCIL DATE: March 3, 2005

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Sirwaitis

PHONE: 974-3057

sherri.sirwaitis@ci.austin.tx.us

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2020 WEST HOWARD LANE FROM COMMUNITY COMMERCIAL (GR) DISTRICT TO LIMITED INDUSTRIAL SERVICES-CONDITIONAL OVERLAY (LI-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-91 of the City Code is amended to change the base district from community commercial (GR) district to limited industrial services-conditional overlay (LI-CO) combining district on the property described in Zoning Case No. C14-04-0189, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 1, Kings Village Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 4, Page 304, of the Plat Records of Travis County, Texas, (the "Property")

locally known as 2020 West Howard Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the limited industrial services (LI) base district and other applicable requirements of the City Code.

1 **PART 3.** This ordinance takes effect on _____, 2005.

2
3
4 **PASSED AND APPROVED**

5
6
7
8 _____, 2005

9
10 Will Wynn
11 Mayor

12
13 **APPROVED:**

14 David Allan Smith
15 City Attorney

ATTEST:

Shirley A. Brown
City Clerk

DRAFT

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0189

ZAP DATE: December 21, 2004

ADDRESS: 2020 West Howard Lane

OWNER/APPLICANT: Superior Service Company
(Robert Dale Steenrod)

AGENT: Holt Planners
(David B. Holt, Jr.)

ZONING FROM: GR

TO: LI

AREA: 0.690 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant LI-CO (Limited Industrial Services-Conditional Overlay) zoning district. The conditional overlay would limit the site to less than 2,000 trips per day.

In addition, the staff recommends that the applicant dedicate 35-feet of right-of-way from the centerline of West Howard Lane in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site [LDC, 25-6-55; TCM, Tables 1-7, 1-12].*

* On January 10, 2005, the Transportation reviewer for this case stated that the applicant had provided the staff with a copy of a street deed for this property that shows that the property owner had already dedicated the required amount of right-of-way. Therefore, additional right-of-way is no longer required for this zoning case.

ZONING & PLATTING COMMISSION RECOMMENDATION:

12/21/04: Approved CS-CO, with staff conditions to limit the site to less than 2,000 vehicle trips per day and that the applicant dedicate 35-feet of ROW from the centerline of West Howard Lane (9-0); J. Martinez-1st, J. Gohil-2nd.

ISSUES:

The agent for this case, Mr. David Holt, would like to address the City Council to reiterate his need for LI, Limited Industrial District, zoning for this site. Mr. Holt had agreed to CS, General Commercial Services District, zoning as proposed by chairperson of the Zoning and Platting Commission on December 21, 2004. However, prior to the public hearing for this case at City Council, Mr. Holt discovered that the existing structure on the property will not meet the setback requirements designated by the CS zoning district. Therefore, the applicant agrees with the staff's recommendation of LI-CO zoning for this site.

DEPARTMENT COMMENTS:

The property in question is currently being used for a refrigeration service business. The property owner recently received a red tag for constructing a parking addition on this site. The applicant is requesting LI, Limited Industrial District, zoning to bring the existing Construction Sales and Services use into conformance with Land Development Code requirements.

The staff recommends LI-CO zoning for this property because the site is located in an area that is developed with intense commercial and industrial uses. The properties in this area along the north side of Avenue N and Howard Lane are utilized for office/warehouse uses, a COA water pumping station, automotive repair uses, oil storage tanks, machine shops, construction sales and service uses, generator and air-conditioning service businesses, a moving company, etc. The tracts of land surrounding the site to the north and west are zoned LI and a large tract to the southeast is zoned LI-CO (for a Federal Express Shipping business). The site under consideration is located at the intersection of two collector roadways. There are plans to widen West Howard Lane to accommodate traffic generated by the industrial and commercial development in this area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR	Contractor Service (Refrigeration Business)
<i>North</i>	LI, CS-CO	Office/Warehouse
<i>South</i>	SF-6	Townhouses (under development)
<i>East</i>	CS-CO, CS	Vacant Tracts, Storage Tanks, Office, and an Outdoor Equipment Storage Area, Office
<i>West</i>	LI	Office/Warehouse

AREA STUDY: N/A

TIA: Waived

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

64 - River Oaks Lakes Estates Neighborhood
 114 - North Growth Corridor Alliance
 669 - Scofield Ridge Condominiums

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-01-0093	GR to CS-CO	7/10/01: To approve the staff's recommendation of CS-CO district zoning, adding the conditions to prohibit adult oriented uses and to require on-site detention (7-0, Cravey-off dias, Heimsath-absent)	8/9/01: Approved Planning Commission rec. of CS-CO (7-0); 1 st reading only 9/27/01: Approved CS-CO (7-0); 2 nd /3 rd readings
C14-01-0049	LI-CO to SF-6	5/01/01: To approve staff's recommendation for SF-6 zoning by consent (7-0, Ortiz & Robertson-absent)	7/19/01: Approved SF-6 on all 3 readings (6-0)
C14-00-2206	RR, P to SF-6-CO	11/14/00: Approved staff rec. of SF-6-CO by consent (8-0)	11/30/00: Approved SF-6-CO w/conditions (7-0); all 3 readings

C14-99-2128	GR, CS to P	1/25/00: Approved 'P' zoning by consent (8-0)	3/2/00: Approved PC rec. of 'P' zoning (7-0); 1 st reading 3/30/00: Approved 2 nd /3 rd readings (6-0)
C14-97-0094	CS to CS-MU	8/26/97: Approved CS-MU (9-0)	9/4/97: Approved CS-MU (5-0); all 3 readings
C14-95-0182	TR1: R&D, GO to LI TR2: GO to GR TR3: LO, GR to SF-6	6/4/96: Approved LI, GR, & SF-6 (8-0)	7/11/96: Approved LI-CO (TR1), GR (TR2), SF-6 (TR3) w/conditions (7-0), 1 st reading 8/1/96: Approved LI-CO (TR1), GR (TR2), SF-6 (TR3) w/conditions (7-0); 2 nd /3 rd readings

RELATED CASES: C14-84-437 (Previous zoning case)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Route
Avenue N	70'	25'	Collector	No	No	No
W. Howard Lane	50'	30'	Collector	No	No	No

CITY COUNCIL DATE: January 27, 2005

ACTION: Postponed to 2/10/05 at the request of the applicant (7-0)

February 10, 2005

ACTION: Approved staff's recommendation of LI-CO (7-0); 1st reading

March 3, 2005

ACTION:

ORDINANCE READINGS: 1st

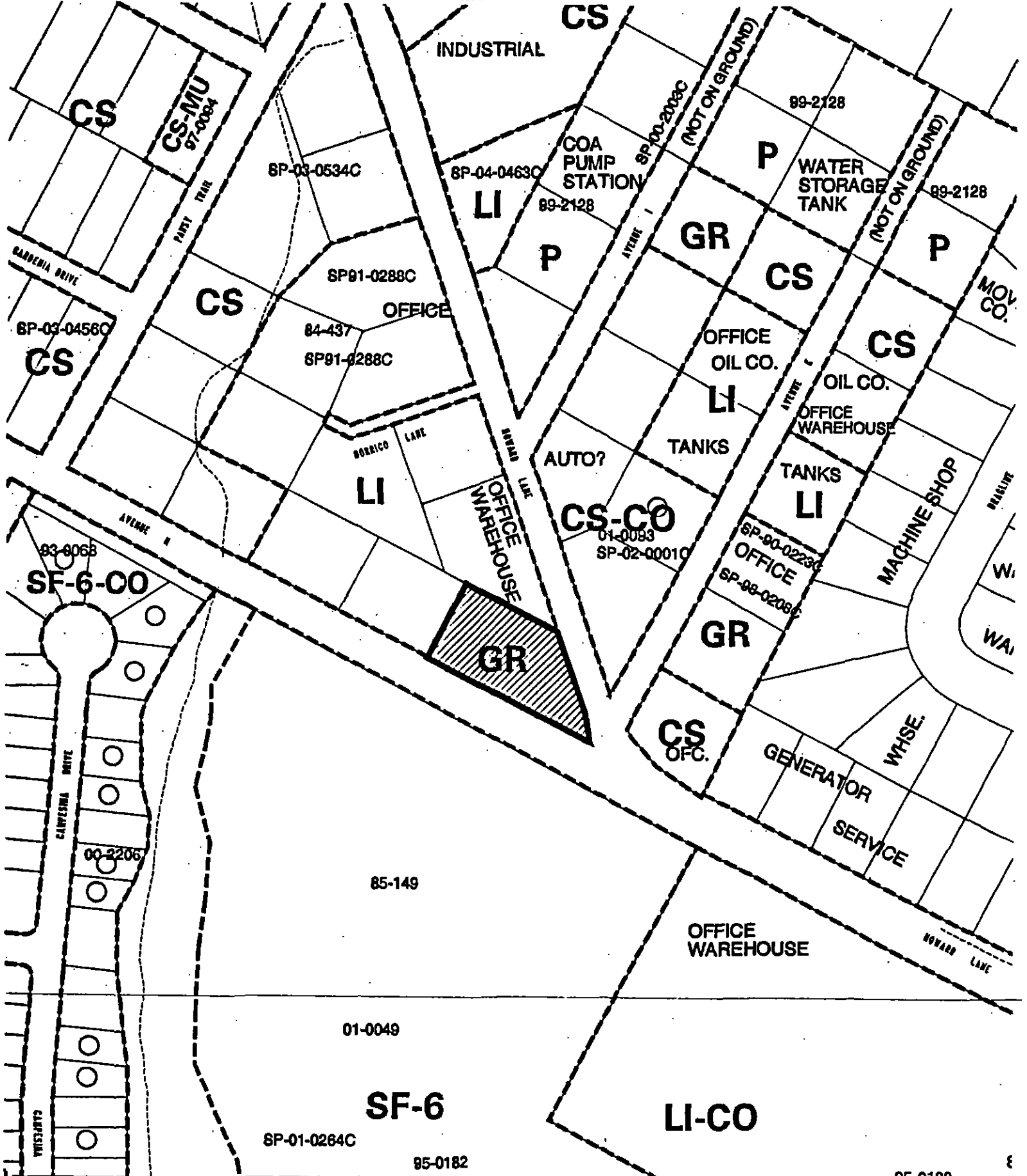
2nd





3rd

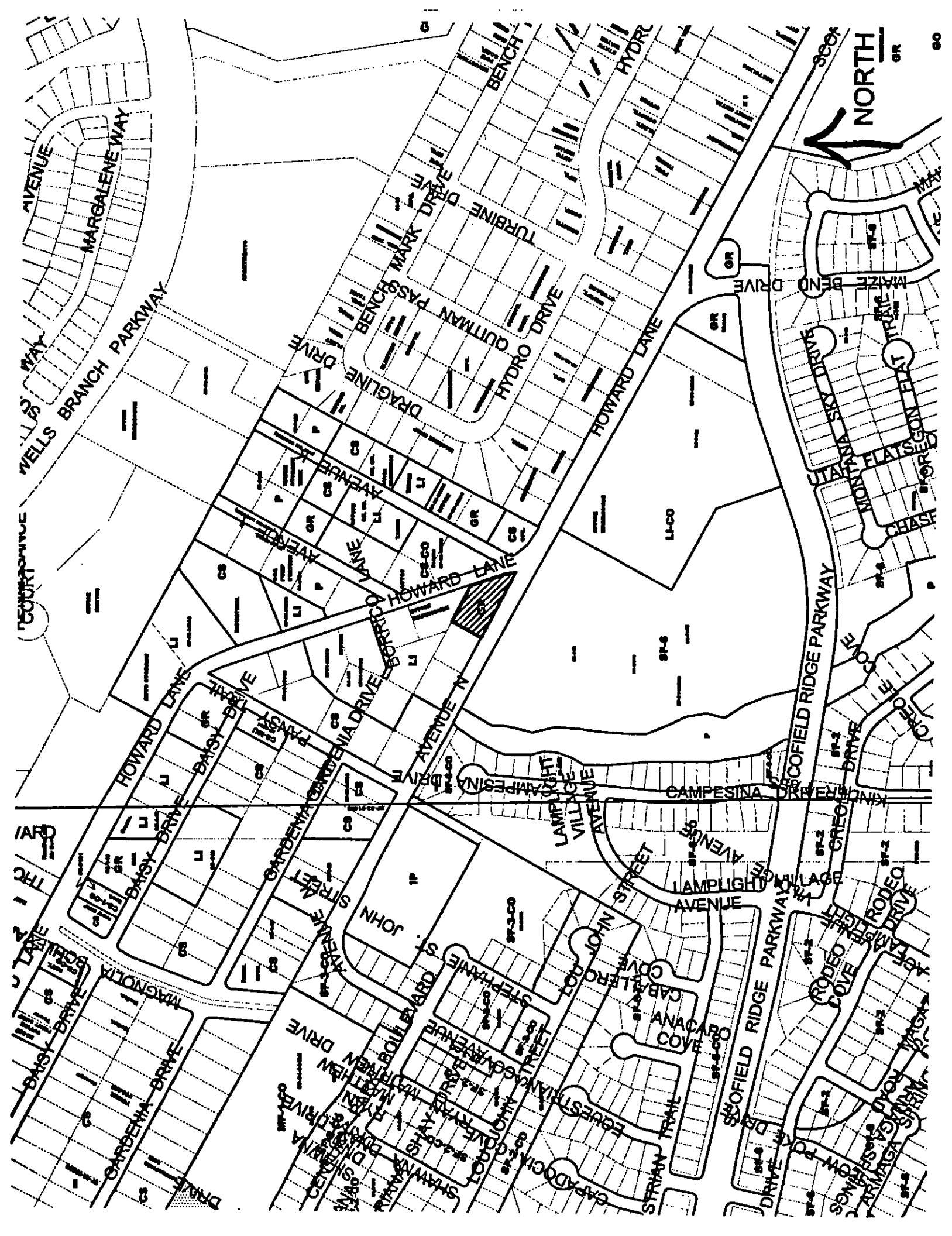
ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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



 1" = 200'	SUBJECT TRACT	  	ZONING		CITY GRID REFERENCE NUMBER M36	
	PENDING CASE		CASE #: C14-04-0189			DATE: 04-11
	ZONING BOUNDARY		ADDRESS: 2020 W.HOWARD LA.			INTLS: TRC
	CASE MGR: S.GAGER		SUBJECT AREA (acres): 0.690			





STAFF RECOMMENDATION

The staff's recommendation is to grant LI-CO (Limited Industrial Services-Conditional Overlay) zoning district. The conditional overlay would limit the site to less than 2,000 trips per day.

In addition, the staff recommends that the applicant dedicate 35-feet of right-of-way from the centerline of West Howard Lane in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site [LDC, 25-6-55; TCM, Tables 1-7, 1-12].*

* On January 10, 2005, the Transportation reviewer for this case stated that the applicant had provided the staff with a copy of a street deed for this property that shows that the property owner had already dedicated the required amount of right-of-way. Therefore, additional right-of-way is no longer required for this zoning case.

BASIS FOR RECOMMENDATION

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

The Limited Industrial Services district (LI) is the designation is for a commercial service use or limited manufacturing use generally located on a moderately-sized site.

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

The LI zoning district would be compatible and consistent with the surrounding uses because there is existing LI (Limited Industrial Services) zoning to the north and west. There is a mixture of CS, GR, LI, and LI-CO zoning to the north and east and southeast.

The area to the north and east of this site is developed with intense commercial and industrial uses.

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

The LI zoning district would allow for a fair and reasonable use of the site. LI zoning is appropriate for this location because of the commercial and industrial character of the area.

The site is located at the intersection of two collector roadways, West Howard Lane and Avenue N. There are plans to widen West Howard Lane to accommodate traffic generated by the industrial and commercial development in this area.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently developed with a 2,400 square foot office/warehouse structure that is utilized for a refrigeration service business.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the LI 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 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.

Environmental

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 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.

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.

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.

Transportation

If the requested zoning is recommended for this site, 35 feet of right-of-way should be dedicated from the centerline of West Howard Lane in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.

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

The trip generation under the requested zoning is estimated to be 3,109 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 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	Classification	Sidewalks	Blke Route	Bus Route
Avenue N	70'	25'	Collector	No	No	No
W. Howard Lane	50'	30'	Collector	No	No	No

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City utility design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City plan review and inspection fees.

The landowner must pay the tap and impact fee once the landowner makes an application for a City water and wastewater utility tap permit.

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.

Compatibility Standards

This site is not subject to compatibility development regulations.

Gager, Sherri

From: David B. Holt, Jr [holtplan@io.com]
Sent: Thursday, January 27, 2005 12:10 PM
To: Gager, Sherri
Subject: Superior Service Rezoning - C14-04-0189

Importance: High

January 27, 2005

Ms. Sherri Gager
City of Austin
Neighborhood Planning & Zoning Department
505 Barton Springs Road
Austin, TX. 78704

REF: Superior Service Company
2020 West Howard Lane
C14-04-0189
Rezoning Application
Postponment Request

Dear Ms. Gager,

I would like to request a postment, by the Austin City Council, of rezoning request application C14-04-0189 for Superior Service Company, located at 2020 West Howard Lane to Thursday, February 10, 2005. The rezoning request is scheduled to be heard today Thursday, January 27, 2005 at 4 PM by the Austin City Council.

I need additional time to prepare my presentation to the Austin City Council for the Superior Service rezoning request. The initially requested LI zoning and staff recommended LI zoning is more appropriate for my client because of existing site conditions than what I was not aware of at the Zoning and Platting Commission hearing on Dec. 21, 2004. I unfortunately agreed to the CS zoning as proposed by the Chairman at the Zoning and Platting Commission, on Dec. 21 which will not fit the setbacks for the existing building on my client's property.

Thanks very kindly for your time and cooperation.

Sincerely,
David B. Holt, Jr.
HOLT PLANNERS
1715 Capital of Texas Hwy. S.
Suite 108
Austin, TX. 78746
512-327-4660