



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-6
AGENDA DATE: Thu 03/04/2004
PAGE: 1 of 1

SUBJECT: C14-03-0184 - Schuh Driveway - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10104 Diamondback Trail (Little Walnut Creek Watershed) from single family residence standard lot (SF-2) district zoning to limited office (LO) district zoning. Zoning and Platting Commission Recommendation: To grant limited office (LO) district zoning. Applicant: Oak and Pine Superstore (Dwain Schuh). Agent: Land Answers (Jim Wittliff). City Staff: Sherri Gager, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-03-0184

Z.A.P. DATE: February 3, 2004

ADDRESS: 10104 Diamondback Trail

OWNER/APPLICANT: Oak and Pine Superstore
(Dwain Schuh)

AGENT: Land Answers
(Jim Wittliff)

ZONING FROM: SF-2

TO: LO

AREA: 0.14 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant the LO (Limited Office) zoning district.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

2/3/04: Approved staff's recommendation of LO zoning, by consent (9-0); J. Martinez-1st,
J. Gohil-2nd.

DEPARTMENT COMMENTS:

The property in question is currently an undeveloped strip of grassy land. The applicant is requesting a rezoning of the site from SF-2 to LO in order to construct a commercial driveway to serve the property to the south.

The staff is recommending the applicant's request for LO, Limited Office District, zoning because the proposed zoning would be compatible with adjacent land uses. There is existing 'LO' district zoning to the north, across Diamondback Trail. The applicant's request is consistent with the purpose statement of the Limited Office district designation.

The applicant agrees with the staff recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Undeveloped
<i>North</i>	LO, SF-2	Parking Lot (for Church and Retail Uses to the North)
<i>South</i>	LI	Retail Sales
<i>East</i>	CS	Convenience Storage
<i>West</i>	MF-2	Four-Plex Residences

AREA STUDY: N/A

TIA: N/A

WATERSHED: Little Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

114 - North Growth Corridor Alliance
 511 - Austin Neighborhoods Council
 643 - Northeast Action Group
 937 - Taking Action, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0142	LR to CS	10/14/03: Approved staff rec. of CS-CO, CO for 2,000 vehicle trip limit, by consent (9-0)	11/20/03: Approved ZAP rec. of CS-CO (6-0); all 3 readings
C14-02-0172	SF-2 to CS	12/3/02: Approved CS-CO (CO for 2,000 vehicle trip limit), w/ additional condition prohibiting Pawn Shop Services (6-0)	1/9/03: Approved CS-CO (7-0); all 3 readings
C14-01-0088	CS to CS-1	7/10/01: Motion to deny staff alternate rec. of CS-1-CO failed (4-3); Send to CC without rec. (7-0)	8/30/01: Denied CS-1-CO (7-0)
C14-00-2215	SF-2 to CS	11/28/00: Approved staff alternate rec. of CS-CO (7-0) w/ adult oriented businesses prohibited	1/18/01: Approved CS-CO w/ conditions (6-0); all 3 readings
C14-99-0136	LO to CS	9/21/99: Approved staff rec. to deny CS (7-0-1, BB-abstain)	10/28/99: Denied CS rezoning as rec. by PC (5-0, WL/JG-absent)
C14-97-0140	SF-2 to CS	12/16/97: Approved staff alternate rec. of CS-CO, CO for 2,000 vehicle trip limit, (7-0)	1/15/98: Approved PC rec. of CS-CO (7-0); all 3 readings
C14-97-0045	SF-2 to LI	6/17/97: Approved CS-CO, CO limit trips to 2,000 vehicle trips per day, (7-0)	9/4/97: Approved CS-CO w/ following prohibited uses: Auto Rental, Auto Repair Services, Auto Sales, Building Maintenance Services, Commercial Blood Plasma Center, Construction Sales and Services, Equipment Repair Services, Indoor Entertainment, Service Station, Agricultural Sales and Services, Day Care Services (Limited/ General/ Commercial), Hotel-Motel, Laundry Services, Pawn Shop Services, Recreation Equipment Maintenance & Storage, Outdoor Entertainment, Restaurant (Drive-In-Fast Food/ Limited/ General), Theater, Drop-Off Recycling Collection Facility, Local Utility Services, Transitional Housing, Transportation Terminal,

			Limited Warehousing and Distribution (5-0); 1 st reading 9/25/97: Approved CS-CO w/conditions (7-0); 2 nd /3 rd readings
C14-96-0096	SF-2 to CS	9/24/96: Approved CS-CO subject to conditions: 2,000 vehicle trip limit, no access to Middle Fiskville Road (7-0)	10/24/96: Approved PC rec. of CS-CO (6-0); all 3 readings
C14-95-0037	SF-2 to LI	4/25/95: Approved LI-CO by consent (9-0)	5/25/95: Approved LI-CO w/ conditions: Applicant shall maintain a 6-foot privacy fence along rear property line, 2,000 vehicle trip limit (5-0); all 3 readings

RELATED CASES: There are no pending related cases.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Diamondback Trail	60'	43'	Collector	N/A
IH 35	300'	188'	Arterial	172,000

CITY COUNCIL DATE: March 4, 2004

ACTION:

ORDINANCE READINGS: 1st

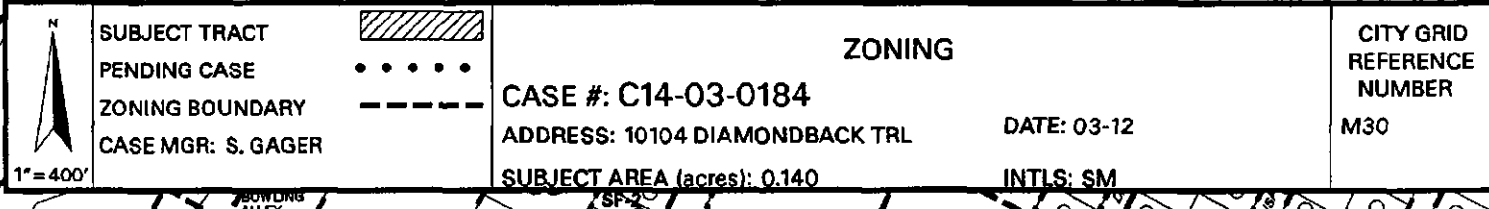
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Gager

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





STAFF RECOMMENDATION

The staff's recommendation is to grant the LO (Limited Office) zoning district.

BACKGROUND

The property in question is currently an undeveloped strip of grassy land. The applicant is requesting a rezoning of the site from SF-2 to LO in order to construct a commercial driveway to serve the property to the south.

The staff is recommending the applicant's request for LO, Limited Office District, zoning because the proposed zoning would be compatible with adjacent land uses. There is existing 'LO' district zoning to the north, across Diamondback Trail. The applicant's request is consistent with the purpose statement of the Limited Office district designation.

The applicant agrees with the staff recommendation.

BASIS FOR RECOMMENDATION

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

The LO zoning district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods.

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

The LO-CO zoning district would be compatible and consistent with the surrounding uses because there is LO zoning to the north, across Diamondback Trail. This area contains commercial and industrial zoning, which fronts onto Interstate Highway 35, with multi-family and single-family residential zoning (development) transitioning away from I-35 to the west.

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

The LO-CO zoning district would allow for a fair and reasonable use of the site. The proposed zoning would allow the applicant to construct a driveway to serve the primary retail use to the south.

LO-CO zoning is appropriate for this property because the location of the property and the commercial character of the area.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently undeveloped. The property is a slender strip of grassy land perpendicular to Diamondback Trail, a collector street.

Impervious Cover

The maximum impervious cover allowed by the LO zoning district would be 70 %. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. Impervious cover is not limited in this watershed class.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. Impervious cover is not limited in this watershed class. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

According to flood plain maps, there is no flood plain within the project area.

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.

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, no information has been provided as to whether this property has any pre-existing approvals, which would preempt current water quality or Code requirements.

Transportation

No additional right of way is required at this time; however, additional right of way may be required at the time of site plan for the future expansion of IH 35.

The trip generation under the requested zoning is estimated to be 208 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).

There are no sidewalks along Diamondback Trail or IH 35.

A section of Diamondback Trail (Route 370) near the subject tract is classified in the Bicycle Plan as a Priority 1 bike route.

Capital Metro bus (Route #935) service is available within 1/4 mile of this property.

Existing Street Characteristics:

<u>Name</u>	<u>ROW</u>	<u>Pavement</u>	<u>Classification</u>	<u>Daily Traffic</u>
Diamondback Trail	60'	43'	Collector	N/A
IH 35	300'	188'	Arterial	172,000

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.

Water and Wastewater

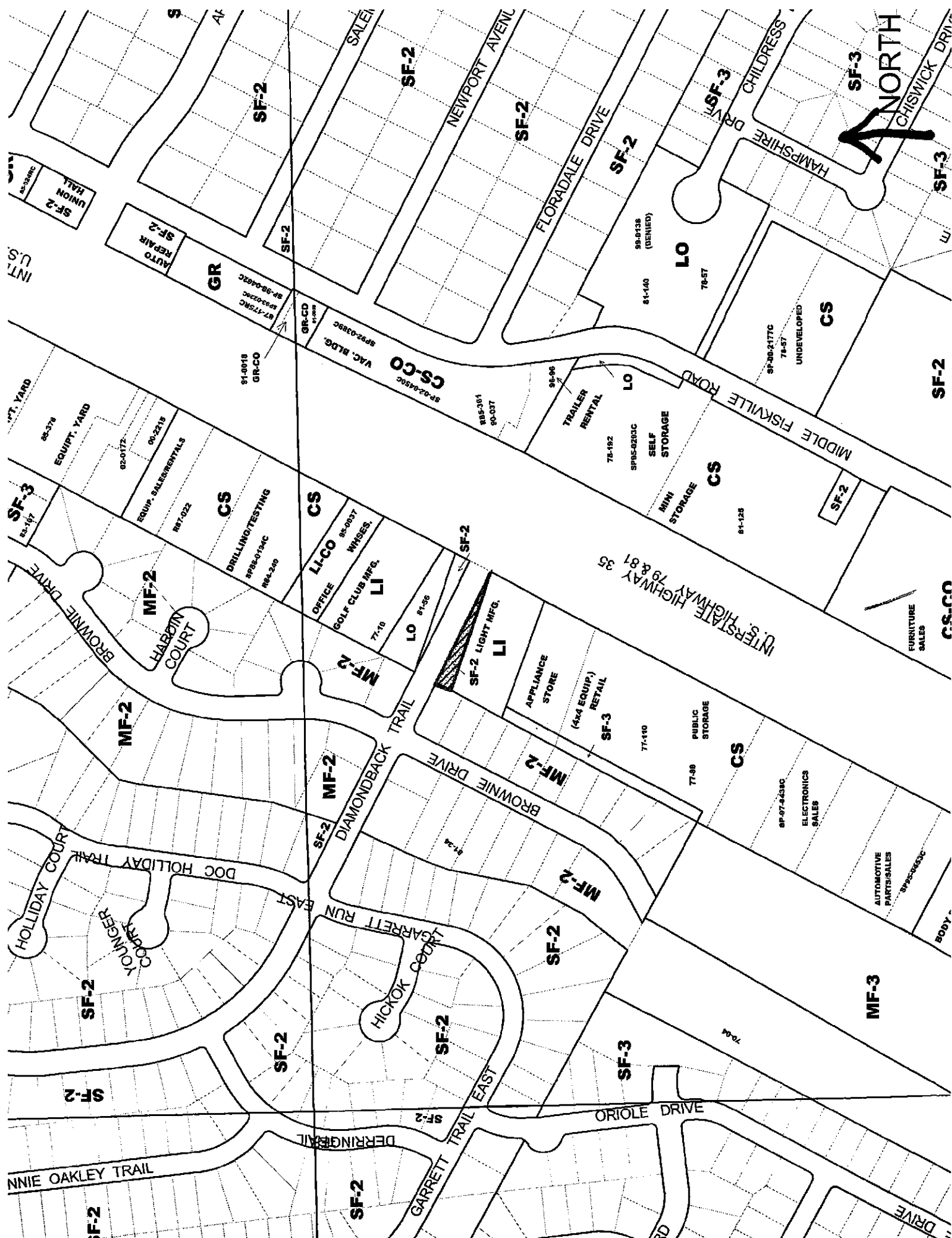
The site is served with City water and wastewater utilities. If water or wastewater utility improvements, or utility relocation, or utility adjustment are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City's utility design criteria.

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.

Compatibility Standards

This tract appears to be developed and the proposed zoning change is a footprint within the existing development. A change of use within the existing structure would not trigger compatibility development regulations. However, any new construction on this site would be subject to compatibility development regulations due to the existing SF-2 zoned property to the west (within 540 feet), and would be subject to the following requirements: 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. Additional design regulations will be enforced at the time a site plan is submitted.



ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 10104 DIAMONDBACK TRAIL FROM SINGLE
3 FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO LIMITED
4 OFFICE (LO) DISTRICT.

5
6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

7
8 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from single family residence standard lot (SF-2) district to limited
10 office (LO) district on the property described in Zoning Case No.C14-03-0184, on file at
11 the Neighborhood Planning and Zoning Department, as follows:

12
13 Lot B, Western Trails of Quail Creek Section 2 Subdivision, a subdivision in the
14 City of Austin, Travis County, Texas, according to the map or plat of record in Plat
15 Book 81, Page 214, of the Plat Records of Travis County, Texas,

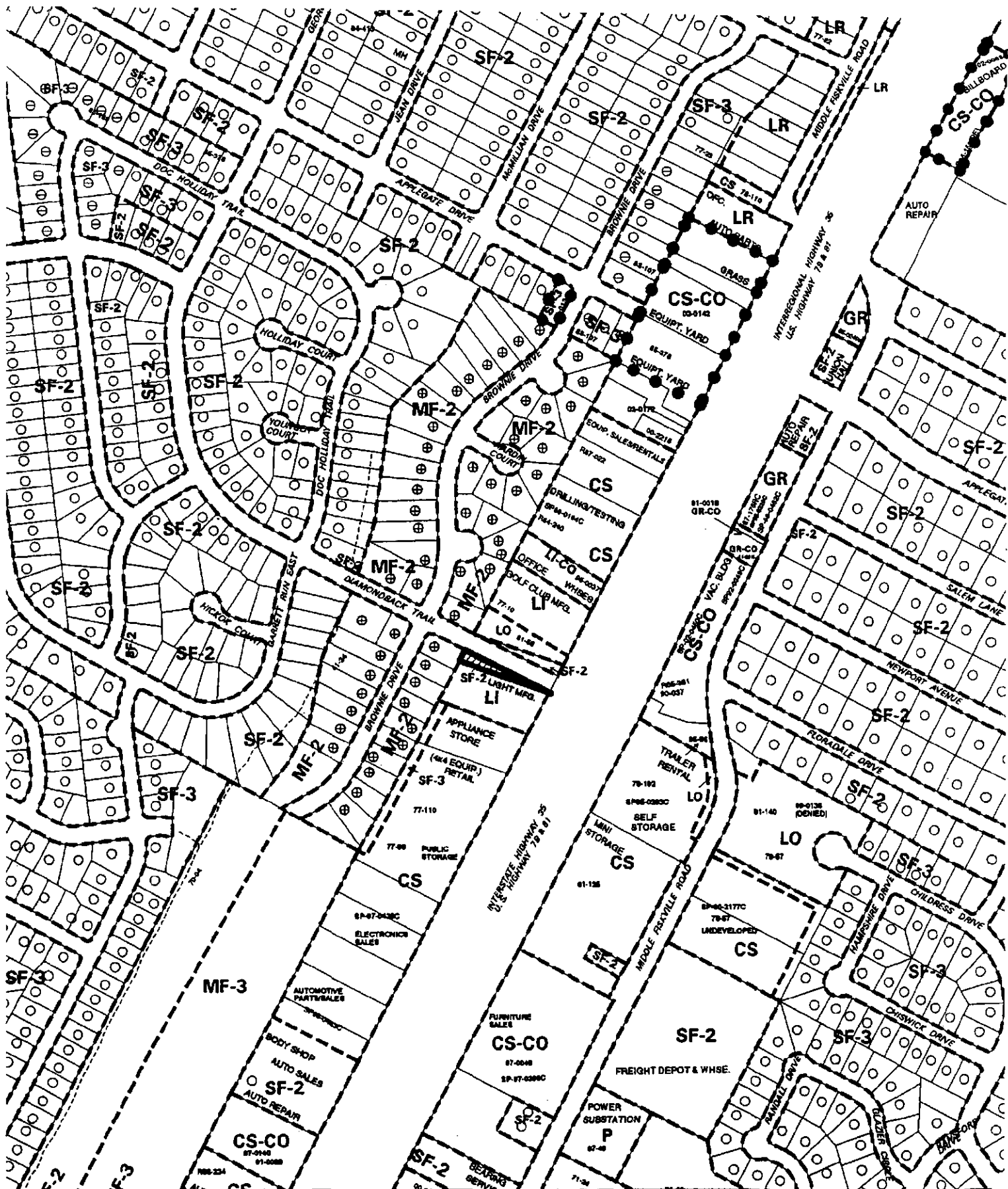
16
17 locally known as 10104 Diamondback Trail, in the City of Austin, Travis County, Texas,
18 and generally identified in the map attached as Exhibit "A".




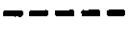
19
20 PART 2. This ordinance takes effect on _____, 2004.

21
22
23 PASSED AND APPROVED

24
25 §
26 §
27 _____, 2004 § _____
28 Will Wynn
29 Mayor

30
31
32 APPROVED: _____ ATTEST: _____
33 David Allan Smith Shirley A. Brown
34 City Attorney City Clerk



 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT A CASE #: C14-03-0184 ADDRESS: 10104 DIAMONDBACK TRL SUBJECT AREA (acres): 0.140	DATE: 03-12 INTLS: SM	CITY GRID REFERENCE NUMBER M30
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: S. GAGER				