



**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-1<sup>st</sup>,  
J. Gohil-2<sup>nd</sup>.

**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:**

	<b>ZONING</b>	<b>LAND USES</b>
<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:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
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 <sup>st</sup> reading  9/25/97: Approved CS-CO w/conditions (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> 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:** 1<sup>st</sup>

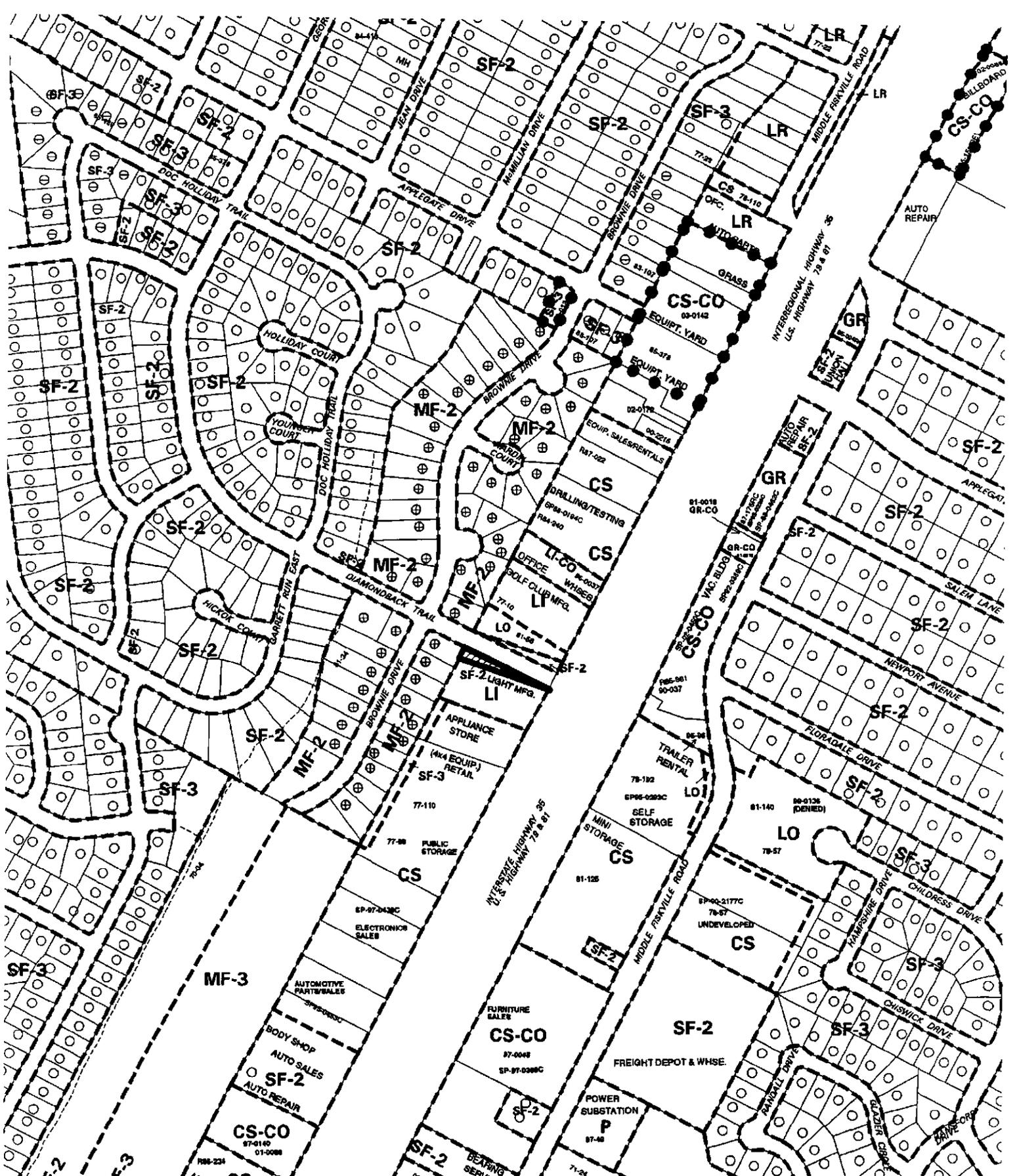
2<sup>nd</sup>

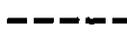
3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Gager

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



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



## **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**

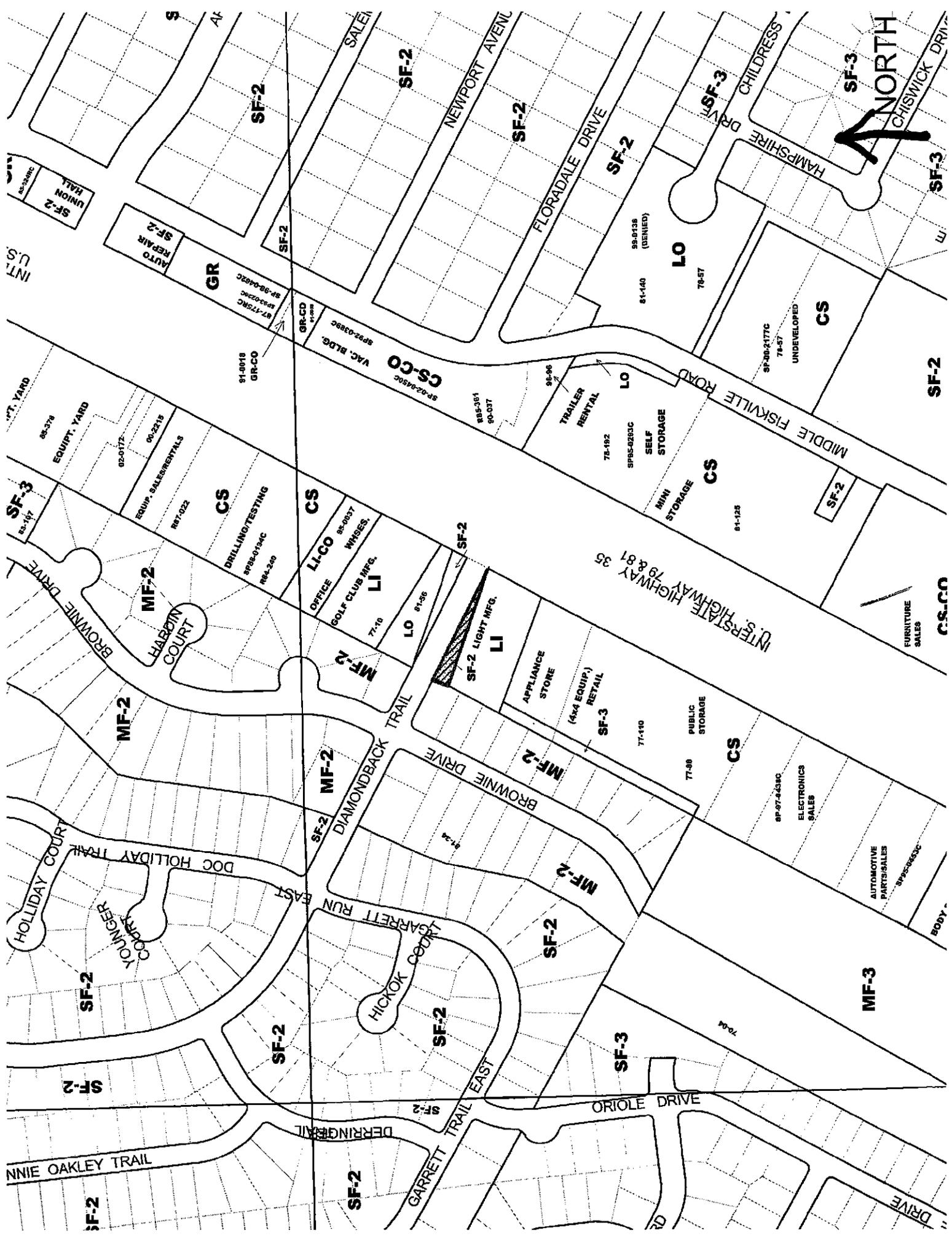
The site is served with City water and wastewater utilities. If water or wastewater utility improvements, or utility relocation, or utility adjustment are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water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

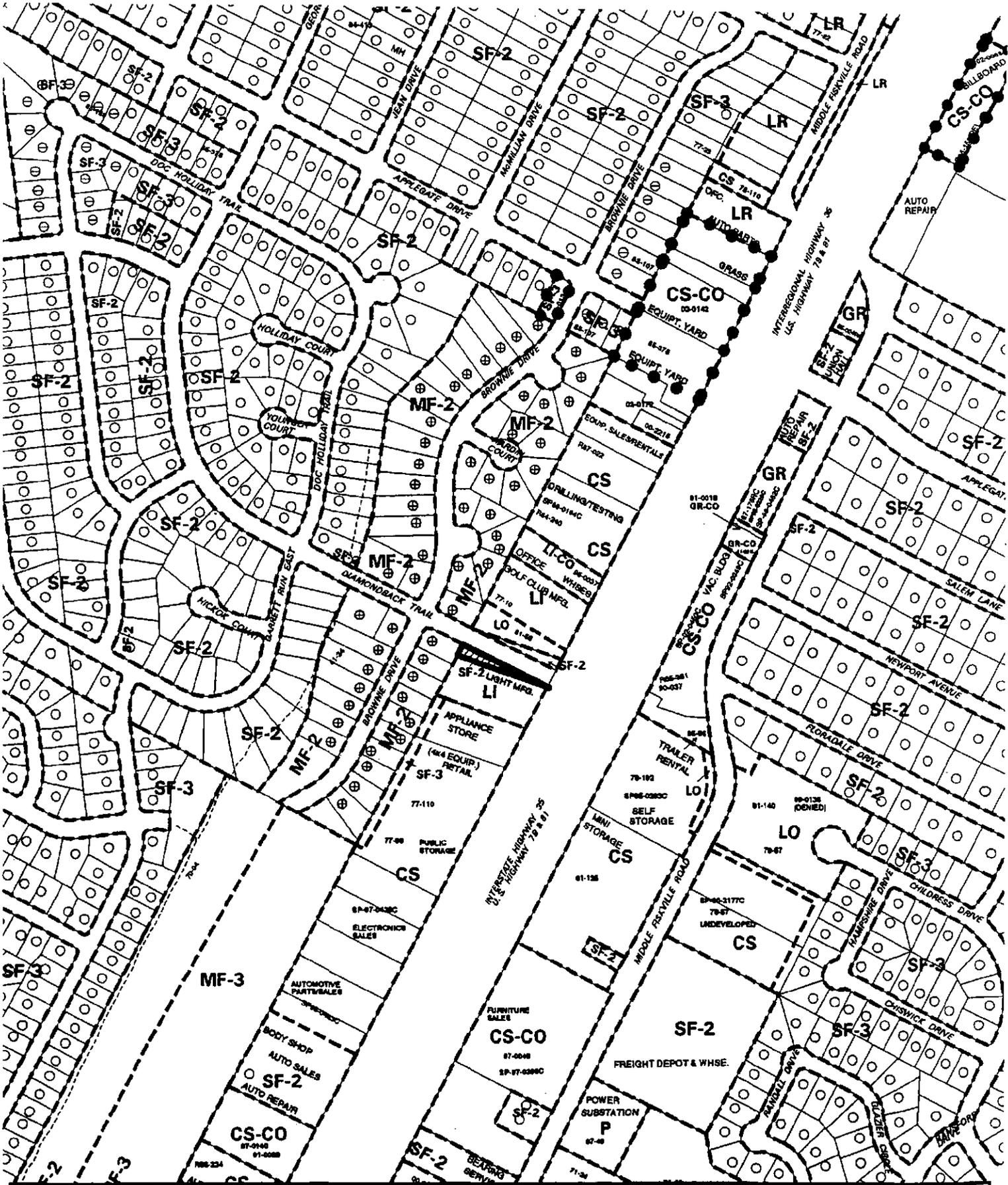


INTL. U.S.  
SF-2  
UNION HALL  
A-2000C

85-378  
EQUIPT. YARD  
SF-3  
82-167

81-0016  
GR-CO  
GR  
SF-2  
AUTO REPAIR  
SF-2





SUBJECT TRACT   
 PENDING CASE   
 ZONING BOUNDARY   
 CASE MGR: S. GAGER

**CASE #: C14-03-0184**  
**ADDRESS: 10104 DIAMONDBACK TRL**  
**SUBJECT AREA (acres): 0.140**

**ZONING EXHIBIT A**

DATE: 03-12  
 INTLS: SM

**CITY GRID REFERENCE NUMBER**  
 M30