



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-7
AGENDA DATE: Thu 08/26/2004
PAGE: 1 of 1

SUBJECT: C14-04-0070 - 12952 Pond Springs Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 12952 Pond Springs Road (Rattan Creek Watershed) from interim-rural residence (I-RR) 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: Joe A. Carr. Agent: Lenworth Consulting (Nash Gonzalez). City Staff: Sherri Gager, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0070

Z.A.P. DATE: July 20, 2004

ADDRESS: 12952 Pond Springs Road

OWNER/APPLICANT: Joe A. Carr

AGENT: Lenworth Consulting
(Nash Gonzalez)

ZONING FROM: I-RR

TO: GR-CO

AREA: 0.814 acres

SUMMARY STAFF RECOMMENDATION:

The staff's alternate recommendation is to grant GR-CO (Community Commercial-Conditional Overlay) zoning. The conditional overlay would impose the following conditions:

- 1) The only permitted GR uses are Auto Sales and Auto Repair;
- 2) Permit LR Uses, with the exception of the following LR uses:
 - a) Service Station;
 - b) Restaurant (General);
 - c) Restaurant (Limited);
- 3) Limit the development intensity to less than 2,000 vehicle trips per day;
- 4) Require a 25' vegetative buffer along the northern property line.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

7/20/04: Approved staff's recommendation of GR-CO zoning by consent (8-0, J. Pinnelli-absent); J. Martinez-1st, J. Gohil-2nd.

DEPARTMENT COMMENTS:

The property in question is developed with a vacant office building and warehouse. The applicant is proposing to use the site for an automotive sales use. The staff recommends the applicant's request for GR-CO, Community Commercial-Conditional Overlay District, zoning for this tract of land because the property is located on an arterial roadway and is adjacent to existing commercial and industrial uses. There is GR-CO zoning to the east of this property, across Pond Springs Road, which is currently developed with automotive sales uses. The staff's recommendation for this case includes conditions that were adopted for this site across Pond Springs Road, in case C14-02-0132. The two properties are similar in situation as they are located adjacent to multi-family development (Martha's Vineyard Apartments) or MF-3-CO, Multi-Family Residence-Medium Density District, zoning.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Vacant Office/Warehouse Building
<i>North</i>	MF-3-CO	Undeveloped
<i>South</i>	I-RR	Warehouse, Heavy Equipment Rental/Hose Supply Company
<i>East</i>	GR-CO	Automotive Sales Dealerships

<i>West</i>	I-RR	Warehouses, Heavy Equipment Rental/Hose Supply Company, Boat Sales
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AREA STUDY: N/A

TIA: Waived

WATERSHED: Rattan Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

495 – Northwest Austin Neighborhood Alliance (NWANA)

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0080	MF-3-CO to GR	6/10/03: Approved staff's alternate recommendation of GR-CO zoning with the following conditions: Limit the site to 2,000 vehicle trips per day; Prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type), Pawn Shop Services, Restaurant (Drive-In, Fast Food), Personal Improvement Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Adult Oriented Businesses, Urban Farm; Require a 10-foot landscape buffer along the Eastern property line (8-0, J. Martinez-absent)	7/17/03: Approved ZAP rec. of GR-CO (7-0); with the following 8/14/03: Approved (7-0); 2 nd /3 rd readings
C14-02-0138	I-RR to CS	9/17/02: Approve staff's rec. of CS-CO zoning with the following conditions: add Equipment Sales and Automotive Rentals as allowed/permitted uses (7-0)	10/24/02: Granted ZAP rec. of CS-CO on all 3 readings (6-0, Dunkerley-absent), including the following conditions: 1) 2,000 vehicle trips per day limit; 2) Allow Convenience Storage and Equipment Sales as the only "CS" uses; 3) Limit the property to "GR" uses; 4) Prohibit the following additional uses: a) Automotive Repair Services b) Automotive Sales

			<ul style="list-style-type: none"> c) Automotive Washing d) Drive-Through Facilities e) Drop-Off Recycling f) Pawn Shop Services
C14-02-0132	MF-3-CO to GR	<p>10/22/02: Approved GR-CO zoning with the following conditions:</p> <ul style="list-style-type: none"> 1) The only permitted GR uses are Automotive Sales and Automotive Repair Services; 2) Permit LR uses, with the exception of the following uses: <ul style="list-style-type: none"> a) Service Station b) Food Sales c) Accessory Off-Site Parking d) Restaurant (Drive-In, Fast Food) e) Restaurant (Limited); 3) 2,000 vehicle trip per day limit; 4) Require that protected trees shall remain undisturbed; 5) Require that Compatibility Standards be applied along the eastern property line; 6) Require a 25' vegetative buffer along the eastern property line; 7) Limit structures to 40' in height, with an increase in height according to Compatibility Standards; 8) Require that all Automotive Maintenance and Repair be contained within a structure; 9) Restrict access to San Felipe Boulevard to emergency access only; 10) Allow no inoperable vehicle storage on the site; 11) Parking lot not allowed adjacent to the proposed vegetative buffer along the eastern property line. 	<p>11/21/02: Granted ZAP rec. of GR-CO zoning w/ conditions and a public restrictive covenant (6-0, Goodman-absent); 1st reading</p> <p>12/5/02: Granted GR-CO zoning (7-0); 2nd reading, with the following conditions:</p> <ul style="list-style-type: none"> 1) No structural detention or water quality facility shall be allowed within the proposed 25' vegetative buffer; 2) Grow green standards shall be utilized; 3) Structural parking shall be prohibited <p>12/12/02: Granted GR-CO zoning (7-0); 3rd reading [valid petition withdrawn]</p>

C14-02-0017	I-RR to GR	2/26/02: Approved staff's rec. of GR-CO zoning by consent (7-0, K. Jackson-absent, A. Adams-off dias)	4/4/02: Approved ZAP rec. of GR-CO (6-0, Goodman out of room); all 3 readings, with the following conditions: 1) 2,000 vehicle trip per day limit; 2) Prohibit the following uses: a) Automotive Rentals b) Automotive Repair Services c) Automotive Sales d) Automotive Washing; e) Drive-Through Facilities
C14-01-0080	CS-CO to MF-2	6/26/01: Approved staff rec. of MF-2 by consent (8-0)	12/6/01: Approved MF-2 (7-0); all 3 readings
C14-00-2113	I-RR to GR	7/25/00: Approved staff rec. of GR-CO by consent (7-1, RC-Nay)	8/24/00: Approved GR-CO w/ conditions on all 3 readings (7-0)
C14-99-0016	I-RR to MF-3	2/23/99: Approved staff alternate rec. of MF-3-CO by consent (6-0)	5/20/99: Approved PC rec. of MF-3-CO w/ conditions (7-0); all 3 readings
C14-99-0005	I-RR to MF-3	2/23/99: Approved staff alternate rec. of MF-3-CO by consent (6-0)	5/20/99: Approved PC rec. of MF-#-CO w/ conditions (7-0); all 3 readings
C14-98-0200	I-RR to GR	12/8/98: Approved GR-CO by consent (8-0)	1/7/99: Approved PC rec. of GR-CO w/ conditions (7-0); all 3 readings
C14-98-0127	I-RR to GR	10/13/98: Approved GR-CO (9-0)	11/19/98: Approved PC rec. of GR-CO; all 3 readings
C14-98-0093	I-RR to LI	8/18/98: Approved LI-CO by consent (7-0)	10/8/98: Approved PC rec. of LI-CO w/ conditions (6-0); all 3 readings
C14-98-0003	I-RR to LI	2/17/98: Approved W/LO w/conditions (7-0)	3/26/98: Approved PC rec. of W/LO w/ conditions (6-0); 1 st reading 4/30/98: Approved CS-CO w/ conditions (7-0); 2 nd reading 6/11/98: Approved CS-CO w/ conditions (7-0); 3 rd reading
C14-95-0131	SF-2 to GO	11/7/95: Approved GO by consent (8-0)	12/7/95: Approved GO (6-0); 1 st reading 2/29/96: Approved GO (7-0); 2 nd /3 rd readings

RELATED CASES: There are no pending related cases.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Pond Springs Road	100'	20'	MNR2	N/A

CITY COUNCIL DATE: August 26, 2004

ORDINANCE READINGS: 1st

ORDINANCE NUMBER:

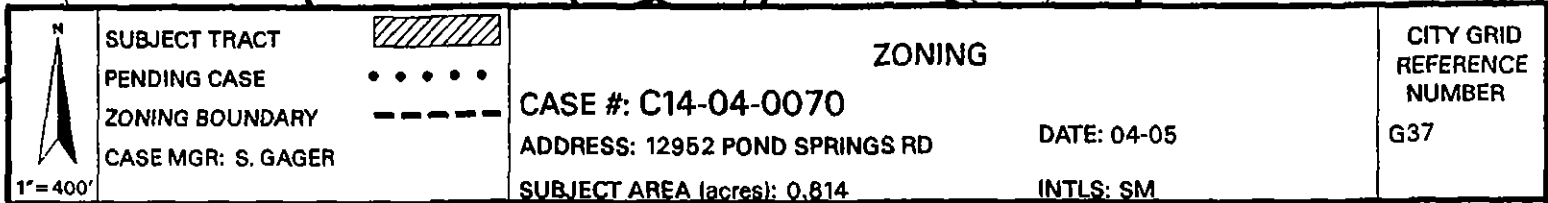
CASE MANAGER: Sherri Gager

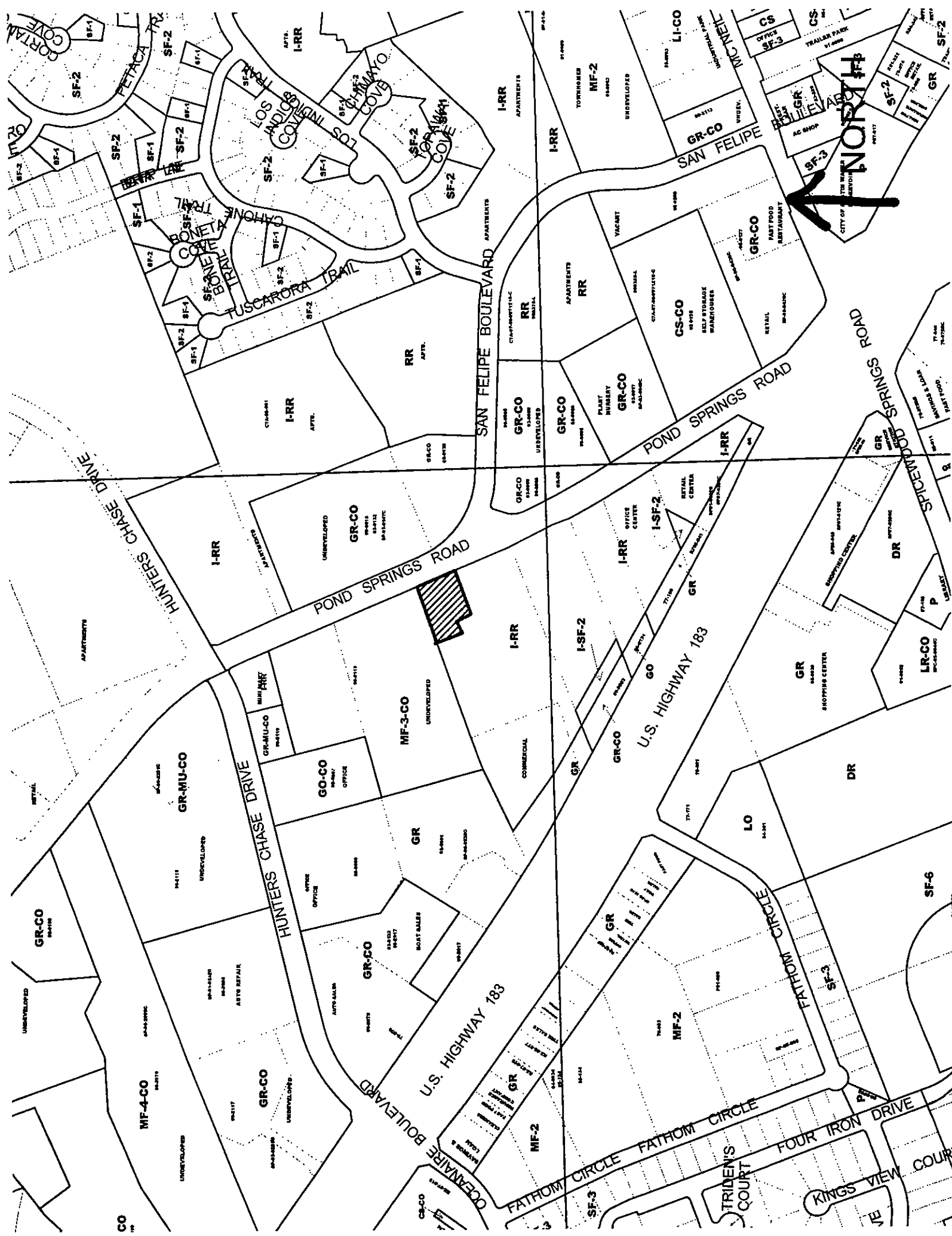
ACTION:

2nd

3rd

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







STAFF RECOMMENDATION

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BACKGROUND

The property in question is developed with a vacant office building and warehouse. The applicant is proposing to use the site for an automotive sales use. The staff recommends the applicant's request for GR-CO, Community Commercial-Conditional Overlay District, zoning for this tract of land because the property is located on an arterial roadway and is adjacent to existing commercial and industrial uses. There is GR-CO zoning to the east of this property, across Pond Springs Road, which is currently developed with automotive sales uses. The staff's recommendation for this case includes conditions that were adopted for this site across Pond Springs Road, in case C14-02-0132. The two properties are similar in situation as they are located adjacent to multi-family development (Martha's Vineyard Apartments) or MF-3-CO, Multi-Family Residence-Medium Density District, zoning.

The applicant agrees with the staff's recommendation.

BASIS FOR RECOMMENDATION

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

The Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

The property is located on and takes access to an arterial roadway, Pond Springs Road.

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

The GR-CO zoning district would be compatible and consistent with the surrounding uses because there is GR-CO zoning to the east and southeast of this site along Pond Springs Road.

There are commercial and industrial uses located adjacent to the south, east and west of the property in question.

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

The GR-CO zoning district would allow for a fair and reasonable use of the site. The proposed zoning will allow the applicant to reuse an existing vacant commercial building.

GR-CO zoning is appropriate for this location because of the commercial character of the area.

EXISTING CONDITIONS

Site Characteristics

The site under consideration contains a vacant office building and a warehouse structure. There is an undeveloped tract of land to the north and commercial/light industrial uses located to the south and west of the site.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90 %. However, because the Watershed impervious cover is more restrictive than the GR 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.)	45%	50%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	65%
Commercial	65%	70%

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 Rattan 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

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

The trip generation under the requested zoning is estimated to be 3,500 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]

Capital Metro bus service is available along US Highway 183 (Route #71).

A portion of Pond Springs just south of the subject site is classified in the Bicycle Plan as a Priority 1 bike route. (Route #21)

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Pond Springs Road	100'	20'	MNR2	N/A

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 landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or system upgrades, or offsite main extension, or utility adjustment, or relocation 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 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 tract is already 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 single family residence to the south.

The site is subject to compatibility standards. Along the south property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of 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.

Additional design regulations will be enforced at the time a site plan is submitted.