Zoning CITY OF AUSTIN RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-10 AGENDA DATE: Thu 10/21/2004

PAGE: 1 of 1

SUBJECT: C14-04-0117 - 509 Radam Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 509 Radam Lane (Williamson Creek Watershed) from family residence (SF-3) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Planning Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Mark A. Macaulay. Agent: Lenworth Consulting (Nash Gonzales). City Staff: Wendy Walsh, 974-7719.

REQUESTING

Neighborhood Planning

DIRECTOR'S

DEPARTMENT:

and Zoning

AUTHORIZATION: Alice Glasco

RCA Serial#: 6556 Date: 10/21/04 Original: Yes Published:

Disposition: Adjusted version published:

ZONING CHANGE REVIEW SHEET

<u>CASE</u>: C14-04-0117 <u>P.C. DATE</u>: September 14, 2004

ADDRESS: 509 Radam Lane

OWNER AND APPLICANT: Mark A. Macaulay

AGENT: Lenworth Consulting
(Nash Gonzales)

ZONING FROM: SF-3 TO: GR-CO AREA: 0.280 acres (12,196.80 square feet)

SUMMARY STAFF RECOMMENDATION:

The staff's alternate recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay prohibits access to Radam Lane and requires that access be taken through the adjacent properties to the west and south.

PLANNING COMMISSION'RECOMMENDATION:

September 14, 2004: APPROVED STAFF RECOMMENDATION OF GR-CO DISTRICT ZONING. [D.S, 1^{ST} ; M.M, 2^{ND}] (8-0)

ISSUES:

The applicant is in agreement with the recommendation of the Planning Commission.

DEPARTMENT COMMENTS:

The subject property is developed with a portion of an automotive repair business and is zoned family residence (SF-3) district. The property has frontage on the south side Radam Lane, a local street and is under the same ownership as the adjacent auto washing use at the southeast corner of Radam Lane and South First Street, and an automotive repair business with access on South First Street. There is a wooden fence at the north property line on Radam Lane and therefore, access to the rezoning tract is taken through the auto washing use and the service station.

The surrounding area is generally characterized by commercial uses on South First Street and a mix of residential, office and commercial land uses on Radam Lane. The Missouri – Pacific Railroad right-of-way also extends in an east-west direction within 50 feet of the south property line. Adjacent to this property on the south side of Radam Lane, there are two single family residences and proceeding east, an office / warehouse development, a Salvation Army facility and a lumber company at its corner with Congress Avenue Lane (zoned CS, SF-3, LO-CO and LI). On the north side of Radam Lane, there is a service station adjacent to an established single family residential neighborhood, a child care facility and a boarding house (CS, SF-3, MF-4). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The applicant proposes to rezone the property to the community commercial (GR-CO) district and redevelop the property with an office parking area. Staff is able to recommend GR-CO zoning because access to this property is taken to South First Street, an arterial street that has a predominately commercial character, and it will be developed in conjunction with the adjacent commercial properties to the west. The access restriction is reflected in the staff's Conditional Overlay.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3	Automotive repair use that takes its access to South First Street
North	CS; SF-3	Service station; Single family residences; Child care facility; Boarding house
South	GR; LR; LO; MF-2	Auto repair; Offices; Retail; Condominiums; Apartments
East	SF-3; LO-CO; W/LO- CO; IP-CO; LI	Two single family residences; Office and warehouse development under construction; Salvation Army
West	CS; GR; SF-3	Auto washing; Jewelry shop; Office; Single family residences; St. Elmo Elementary School

NEIGHBORHOOD PLANNING AREA: South

TIA: Is not required

Congress Combined NPA (West Congress)

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 - Far South Austin Community Association

300 - Terrell Lane Interceptor Association

428 - Barton Springs / Edwards Aquifer Conservation District

511 - Austin Neighborhoods Council

627 - Onion Creek Homeowners Assn.

950 - Southwood Neighborhood Association

SCHOOLS:

St. Elmo Elementary School

Bedichek Middle School

Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0062	SF-3 to LR	To Grant LR-CO	Approved LR-CO with
	Ĭ		CO for limited restaurant
			without drive-in service
			only and all limited
		İ	office uses; establishes
			an interior side yard of 5
			feet and a rear yard of 5
			feet (8-26-04).
C14-00-2253	SF-3 to LO	To Grant LO-CO	Approved LO-CO with
			CO for a 25' undisturbed
]		-	buffer along the west
		1	property line; 30' height
			limit and 1 ½ story limit
			and prohibiting medical
			office use (4-19-01).
		<u></u>	

C14-00-2252	SF-3 to W/LO-CO	To Grant W/LO-CO for	Approved W/LO-CO for
C14-00-2232		-	1
	for Tract 1; IP-CO	Tract 1; IP-CO for Tract	Tract 1; IP-CO for Tract
+	for Tract 2, as	2	2: CO establishes a 50'
	amended		setback for buildings,
			parking and interior
			driveways along south,
			southeast and southwest
		ļ	property lines (adjacent
			to existing residential
			properties); limits light
			manufacturing and
			warehousing to 90,000
			square feet; list of
			prohibited uses on Tract
			2 that allows for custom
			manufacturing and all
T.	10		W/LO uses to occur (4-
			19-01).

RELATED CASES:

The rezoning area was divided by metes and bounds from the adjacent square-shaped property to the east and therefore, is not a legal tract. There are no code enforcement issues on the tract. There are no related subdivision or site plan applications on the subject property.

ABUTTING STREETS:

STREET	RIGHT- OF-WAY	PAVEMENT WIDTH	CLASSIFICATION
Radam Lane	56 feet	20 feet	Local

- There are existing sidewalks along Radam Lane.
- Capital Metro bus service is available along Congress Avenue.

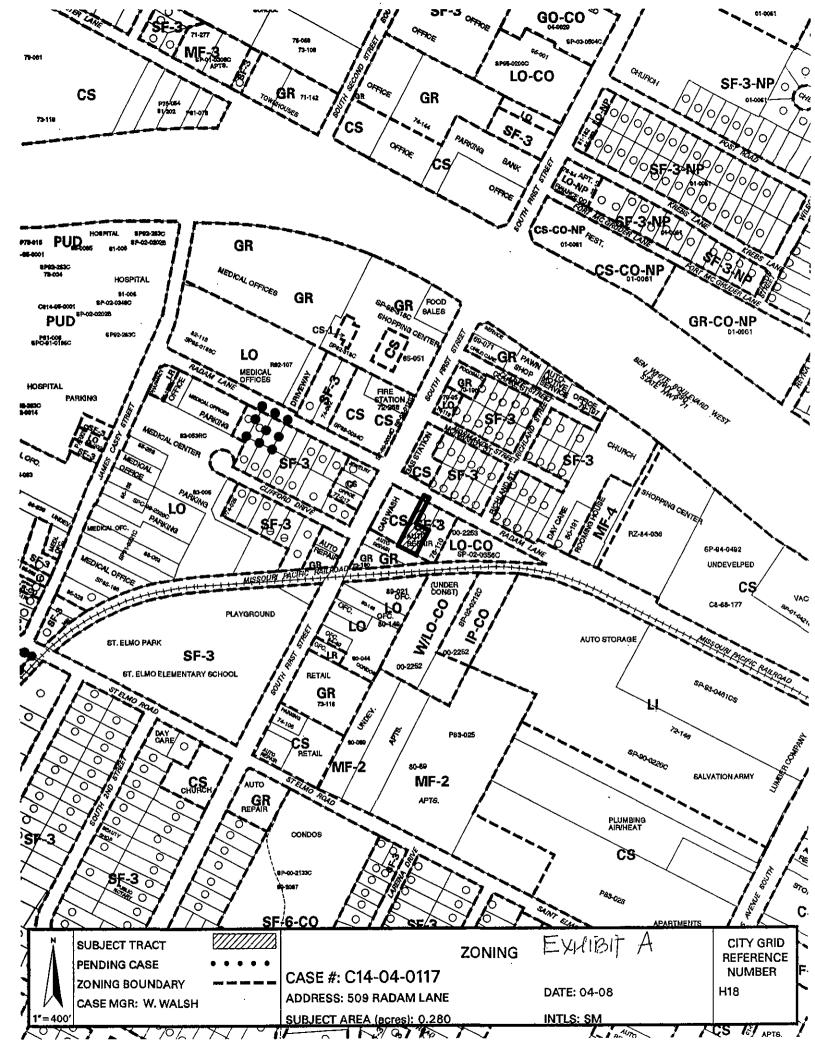
CITY COUNCIL DATE: October 21, 2004 ACTION:

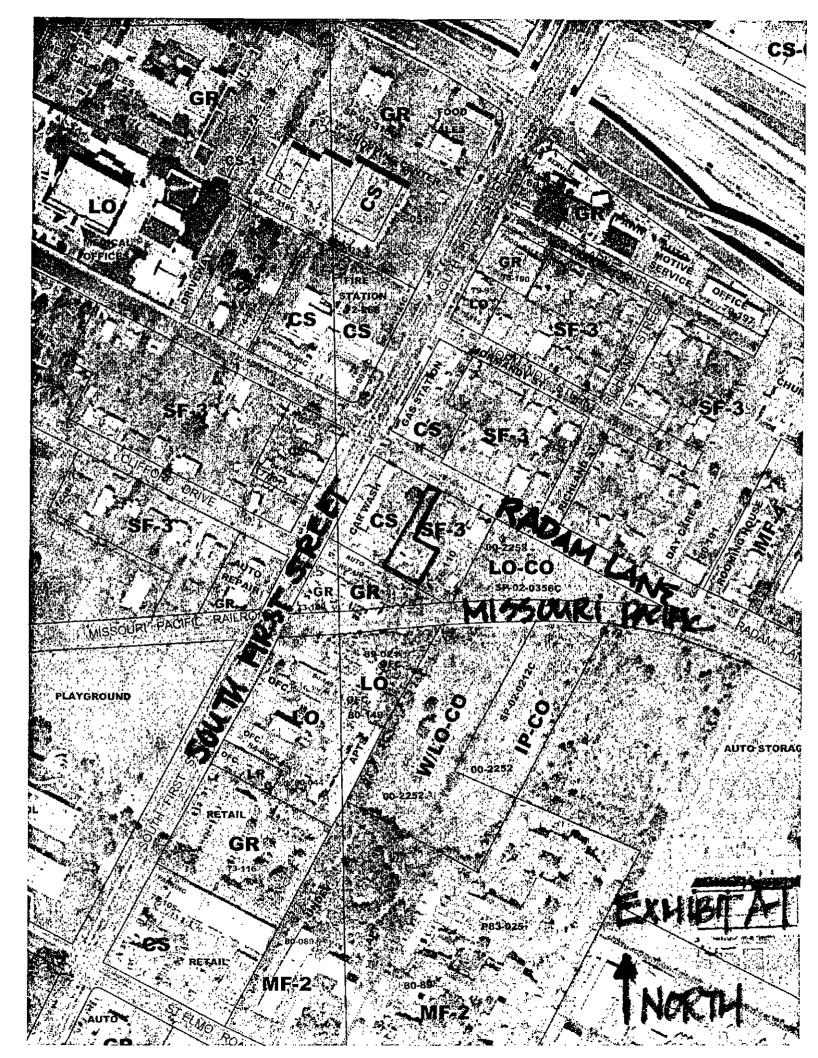
ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh PHONE: 974-7719

e-mail: wendy.walsh@ci.austin.tx.us





SUMMARY STAFF RECOMMENDATION:

The staff's alternate recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay prohibits access to Radam Lane and requires that access be taken through the adjacent properties to the west and south.

BACKGROUND

The subject property is developed with a portion of an automotive repair business and is zoned family residence (SF-3) district zoning. The property has frontage on the south side Radam Lane, a local street and is under the same ownership as the adjacent auto washing use at the southeast corner of Radam Lane and South First Street, and an automotive repair business with access on South First Street. There is a wooden fence at the north property line on Radam Lane and therefore, access to the rezoning tract is taken through the auto washing use and the service station.

The surrounding area is generally characterized by commercial uses on South First Street and a mix of residential, office and commercial land uses on Radam Lane. The Missouri – Pacific Railroad right-of-way also extends in an east-west direction within 50 feet of the south property line. Adjacent to this property on the south side of Radam Lane, there are two single family residences and proceeding east, an office / warehouse development, a Salvation Army facility and a lumber company at its corner with Congress Avenue Lane (zoned CS, SF-3, LO-CO and LI). On the north side of Radam Lane, there is a service station adjacent to an established single family residential neighborhood, a child care facility and a boarding house (CS, SF-3, MF-4).

The applicant proposes to rezone the property to the community commercial (GR-CO) district and redevelop the property with an office parking area. Staff is able to recommend GR-CO zoning because access to this property is taken to South First Street, an arterial street that has a predominately commercial character, and it will be developed in conjunction with the adjacent commercial properties to the west. The access restriction is reflected in the staff's Conditional Overlay.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The purpose statement per the City of Austin <u>Land Development Code</u> states: "The proposed 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 trafficways." Access from the subject property would take be taken through adjacent property under common ownership and to South First Street.

2. Zoning changes should promote compatibility with adjacent and nearby uses.

The applicant proposes to rezone the property to the community commercial (GR-CO) district and redevelop the property with an office parking area. Staff is able to recommend GR-CO zoning because access to this property is taken to South First Street, an arterial street that has a predominately commercial character, and it will be developed in conjunction with the adjacent commercial properties to the west. The access restriction is reflected in the staff's Conditional Overlay.

EXISTING CONDITIONS

Site Characteristics

The site is developed with an auto repair use. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 80%, which is based on the more restrictive watershed regulations described below.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Williamson 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. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	% of Net Site Area	% with Transfers
Single-Family	50%	60%
(minimum lot size 5750 sq. ft.)		
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%.

According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.

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

The trip generation under the requested zoning is estimated to be 1,648 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]

Additional right-of-way may be required at the time of subdivision and/or site plan.

TPSD 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 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 offsite main extension, or system upgrades, 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 of Austin design criteria and specifications.

Compatibility Standards

This site is located in the proposed West Congress Neighborhood Plan. The site is subject to compatibility standards. Along the north and east 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.
- · A landscape area at least 25 feet wide is required along the front 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.

You may send your written comments to the Planting Commission Assistant, Neighborhood Planning and Zoning Department, P. O. Box 1088, Austin, TX 78767-1088.
File # C14-04-0117-WW Planning Commission Hearing Date: September 14, 2004
Name (please print) DON SCONC)
Address 619 Flamingo Blvd owner of 504 Radam (Estoy de acuerdo) [No estoy de acuerdo)
The second secon
You may send your written comments to the Planning Commission Assistant, Neighborhood Planning and Zoning Department, P. O. Box 1088, Austin, TX 78767-1088.
File # C14-04-0117-WW Planning Commission Hearing Date: September 14, 2004
Name (please print) ANNETTE SCONCIA
Address 506 Radam & Quotin TX 78745 X (Estoy de acuerdo)
509 Radam Lane Durett Ifen from (No estoy de acuerdo)
The second of th
Wendy Walsh - hankyou for
Calling me hackanthis matter.
I have lived at 506 Radam Sane
for 54 years and Dappreciate
on Radam on Theare a grad tightory
IRank gave Funette Scanci
Thank your Sparker Deance

File# C14-04-0117-WW

Dear planning commission I object to the zoning change. The zoning should stay SF3, Commercial zoning on this tract - in my opinion is wrong because the tract is very for into a neighborhood. It goes was behind a house on Radam Lu and will almost connect to the big project being built behind the RR tracks we were notall that happy about that one ether The entrance is on Radam Lawe to the property according to the map we were supplied with. At the very least No matter what the zoning is the entrance Show ago out to S. 1st - they own that pc. also. I don't believe the property owner would like the same situation behind his house in his neighborhood Use the property with existing zoning. They bought A years aso that way

Thank you Won Scone

MEETING SUMMARY

Approved by PC 9/28/04

CITYPLANNINGCOMMISSION

September 14, 2004 One Texas Center 505 Barton Springs Road Conference Room 325

CALL TO ORDER - 6:00 P.M. COMME	NCE 6:10PM; ADJOURN ~11:30PM		
John-Michael Cortez	Matthew Moore, Secretary		
Cid Galindo	Jay Reddy		
Matt Hollon, Asst. Secretary	Chris Riley, Chair		
Cynthia Medlin, Vice-Chair	Dave Sullivan, Parliamentarian		
A. REGULAR AGENDA EXECUTIVE SESSION (No public disc	ussion)		
	it will go into Executive Session, if necessary, pursuant Code, to receive advice from Legal Counsel on matters		

on this agenda.

Private Consultation with Attorney – Section 551.071

CITIZEN COMMUNICATION:

1. The first four (4) speakers signed up to speak will each be allowed a three-minute allotment to address their concerns regarding items *not* posted on the agenda.

specifically listed on this agenda. The Planning Commission may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item

NO SPEAKERS

APPROVAL OF MINUTES

2. Approval of minutes from August 10, 2004 and August 24, 2004.

MOTION: APPROVE BY CONSENT

VOTE: 6-0 (DS-1st, JMC-2nd; JR, MH, DS-ARRIVED LATE)

DISCUSSION AND ACTION

Facilitator: Katie Larsen 974-6413 katie,larsen@ci.austin.tx.us

MEETING SUMMARY

Approved by PC 9/28/04

3. Briefing on the

Staff

Recommendations for the Rainey Street Area:

Request:

Review and Comment on Staff Recommendations

Staff:

George Adams, 974-2146, george adams@ci.austin.tx.us

Jana McCann, 974-6096, jana.mccann@ci.austin.tx.us

Transportation, Planning and Sustainability

George Adams briefed the Commission.

SEE ITEM 9 FOR DISCUSSION OF PROPOSAL AND RELATED ZONING CASES

4. Rezoning: C14-04-0117 - 509 Radam Lane

Location: 509 Radam Lane, Williamson Creek Watershed, South Congress

Combined (West Congress) NPA

Owner/Applicant: Mark A. Macaulay

Agent: Lenworth Consulting (Nash Gonzales)

Request: SF-3 to GR-CO Staff Rec.: Recommended.

Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us

Neighborhood Planning and Zoning

Commissioner Sullivan commented that the address should not be for street that access is not taken to.

MOTION: APPROVE STAFF RECOMMENDATION

VOTE: 8-0 (DS-1st, MM-2nd)

5. Rezoning: C14-04-0118 - 204 - 206 Stassney Lane West

Location: 204 - 206 Stassney Lane West, Williamson Creek Watershed, South

Congress Combined (West Congress) NPA

Owner/Applicant: Felix A. Estrada and Felix Michael Estrada Agent: Lenworth Consulting (Nash Gonzales)

Request: SF-2; SF-3 to GR-CO Staff Rec.: Not recommended.

Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us

Neighborhood Planning and Zoning

Wendy Walsh presented the staff recommendation.

PUBLIC HEARING

FOR

Jim Bennett, representing the owner, said the owner would like to continue to operate his business. They bought the property in the 1970s, and have documents from the state and county

Facilitator: Katie Larsen 974-6413 katie.larsen@ci.austin.tx.us

ORDINANCE NO.	
ORDINANCE NO.	

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 509 RADAM LANE FROM FAMILY RESIDENCE (SF-3) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence (SF-3) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-04-0117, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.28 acre tract of land, more or less, out of Block 15, Fortview Addition in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 509 Radam Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

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

Vehicular access from the Property to Radam Lane is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property to the west and south of the Property.

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

il

Draft: 10/7/2004

Page 1 of 2

COA Law Department

PART 3. This of	rdinance takes effect on			, 2
PASSED AND A	APPROVED			
		Ş		
	, 2004	8 8		
	, = , , , ,		Will Wynn	
			Mayor	
		•		
APPROVED:		ATTEST:		
_	David Allan Smith		Shirley A. Brown	
	City Attorney		City Clerk	

Draft: 10/7/2004

Page 2 of 2

COA Law Department

C14-04-017 GR-00 HARRET Black

"EXHIBIT A"

FIELD NOTES OF A SURVEY PERFORMED ON JUNE 24TH, 2004 BY B & G SURVEYING, INC. ON A 0.28 ACRE OF LAND BEING OUT OF AND A PART OF BLOCK 15, FORTVIEW ADDITION ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BOOK 26, PAGE 606, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.28 ACRE IS PART OF THAT CERTAIN PARCEL IDENTIFIED AS TRACT II IN A DEED TO R.J. MACAULY, OF RECORD IN VOLUME 4407, PAGE 1422, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THE SAID 0.28 ACRE TRACT IS NOW OWNED BY THE ROMAMI COMPANY, THE DEED OF WHICH IS OF RECORD IN VOLUME 8375, PAGE 691, ... OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.28 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at 1/2inch iron rod set at the northwest corner of the Vera Marie Balcom tract (7,700 sq. ft.), as recorded in Volume 7278, Page 444, of the Deed Records of Travis County, Texas, said rod is on the South r-o-w line of Radam Lane and is the PLACE OF BEGINNING hereof, and from which rod another 1/2inch iron rod set at the Northwest corner of the aforementioned Tract II bears N 60° 37' 09" W, 24.50 feet;

THENCE, along the East line of the aforementioned Romami tract and the West line of the said Balcom tract, S 29° 00' 00" W, 120.00 feet to a 1/2inch iron rod set at an inside ell corner of the said Romami tract, same being the Southwest corner of said Balcom tract, for an inside ell corner hereof;

THENCE, along the common line of the aforementioned Romami and Balcom tracts, S 60° 37' 09" E, 60.00 feet, to a point inside of a metal shed (no monument recovered), being an outside ell corner of the Romami tract, the Southeast corner of the Balcom tract, said point is on the West line of the David and Colleen Allan tract (0.45 acre), as recorded in Document Number 2001161131 of the Official Public Records of Travis County, Texas, for an outside ell corner hereof;

THENCE, along the dividing line of the aforementioned Romami and Allan tracts S 29° 00' 00" W (Bearing Basis) 114.97 feet to an iron pipe found at the common rear corner of the Romami and Allan tracts, for the Southeast corner hereof;

THENCE along the South line of the aforementioned Romami tract, N 61° 16' 26" W, 85.65 feet to a 1/2inch iron rod found at the Southwest corner of the said Romami tract, for the Southwest corner hereof;

THENCE, along the West line of the aforementioned Romami tract, N 29° 16' 50" E, 235.94 feet to a 1/2inch iron rod set at the Northwest corner of the said Romami tact, being a point on the aforementioned South r-o-w line of Radam Lane, for the northwest corner hereof;

THENCE, along the North line of the aforementioned Romami tract and the aforementioned South r-o-w line of Radam Lane, S 60° 37' 09" E, 24.50 to the PLACE OF BEGINNING and containing 0.28 of an acre of land, more or less.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ACCOMPANING SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.

DAVID L. BELL R.P.L.S. NO. 3994

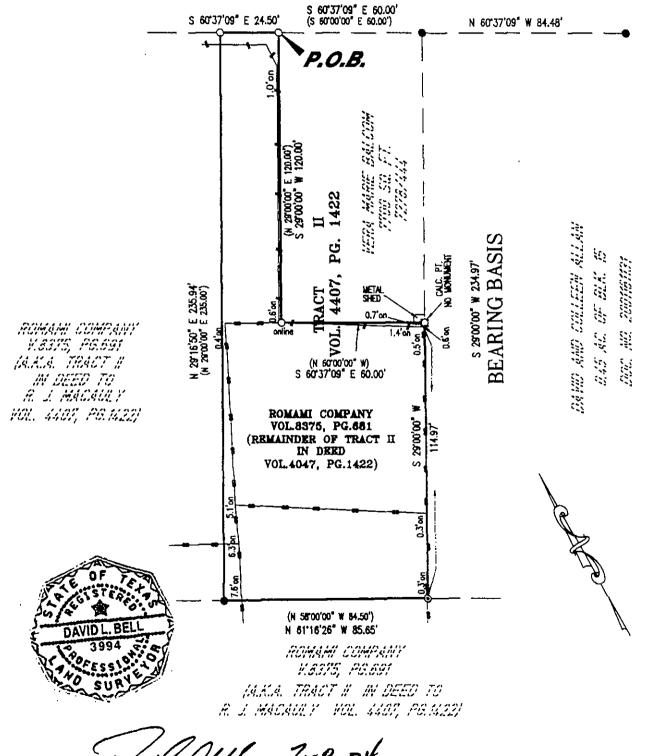
DATE

B & G SURVEYING, INC. 1404 W. NORTH LOOP BLVD. AUSTIN, TEXAS 78756 (512) 458 – 6969. JOB.NO. B0615404



0.28 ACRE OUT OF BLOCK 15 FORTVIEW ADDITION (VOL. Z, PAGE 606) DEED RECORDS OF TRAVIS COUNTY, TEXAS SKETCH TO ACCOMPANY METES AND BOUNDS

509 RADAM LANE



120 Feet 0 40 08 B0615404_TA 1"= 40"

