

**Zoning Ordinance Approval  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: 56  
AGENDA DATE: Thu 03/23/2006  
PAGE: 1 of 1**

**SUBJECT:** C14-05-0216 - 4803, 4807, 4811 Commercial Park Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4803, 4807 and 4811 Commercial Park Drive (Walnut Creek Watershed) from interim-single family-standard lot (I-SF-2) district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning. First reading approved on March 9, 2006. Vote: 7-0. Applicant and Agent: Dalton Wallace. City Staff: Robert Heil, 974-2330.

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

## SECOND / THIRD READINGS SUMMARY SHEET

**ZONING CASE NUMBER:** C14-05-0216 (4803 Commercial Park Drive)

**REQUEST:**

Approve second and third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4803, 4807 and 4811 Commercial Park Drive (Walnut Creek Watershed) from Interim Single Family Standard Lot (I-SF-2) district zoning to Limited Industrial Services – Conditional Overlay (LI-CO) combining district zoning.

**DEPARTMENT COMMENTS:**

Staff recommends approval of Limited Industrial Services – Conditional Overlay (LI-CO) combining district zoning. The Conditional Overlay would limit the vehicle trips to less than 2000 per day.

The site is zoned Interim Single Family Standard Lot (I-SF-2) and is currently the site of Applied Industrial Technologies – a manufacturer of custom electric motors for industrial uses.

This area was annexed on December 31, 2004, and the Zoning and Platting Commission has heard several similar cases in the area recently as property owners have applied for permanent zoning.

**APPLICANT/AGENT:** H. Dalton Wallace

**OWNER:** H. Dalton Wallace

**DATE OF FIRST READING:** March 9, 2006 (7-0).

**COMMISSION ACTION:** ZAP approved staff recommendation of LI-CO on consent (6-0) on 2/7/06

**CITY COUNCIL ACTION:** Council approved staff recommendation of LI-CO on consent (6-0) on 3/9/06 on first reading (7-0 vote). **(PENDING)**

**ORDINANCE NUMBER:**

**ASSIGNED STAFF:** Robert Heil, e-mail: robert.heil@ci.austin.tx.us

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 4803, 4807, AND 4811 COMMERCIAL PARK DRIVE AND CHANGING THE ZONING MAP FROM INTERIM SINGLE FAMILY RESIDENCE STANDARD LOT (I-SF-2) 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 25-2-191 of the City Code is amended to change the base district from interim single family residence standard lot (I-SF-2) district to limited industrial services-conditional overlay (LI-CO) combining district on the property described in Zoning Case No. C14-05-0216, on file at the Neighborhood Planning and Zoning Department, as follows:

Lots 29-31, Northeast Commercial Business Park Section Two Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 80, Page 145, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 4803, 4807, and 4811 Commercial Park Drive, 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  
2 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2006.  
3  
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5 **PASSED AND APPROVED**  
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8  
9 \_\_\_\_\_, 2006

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§  
§

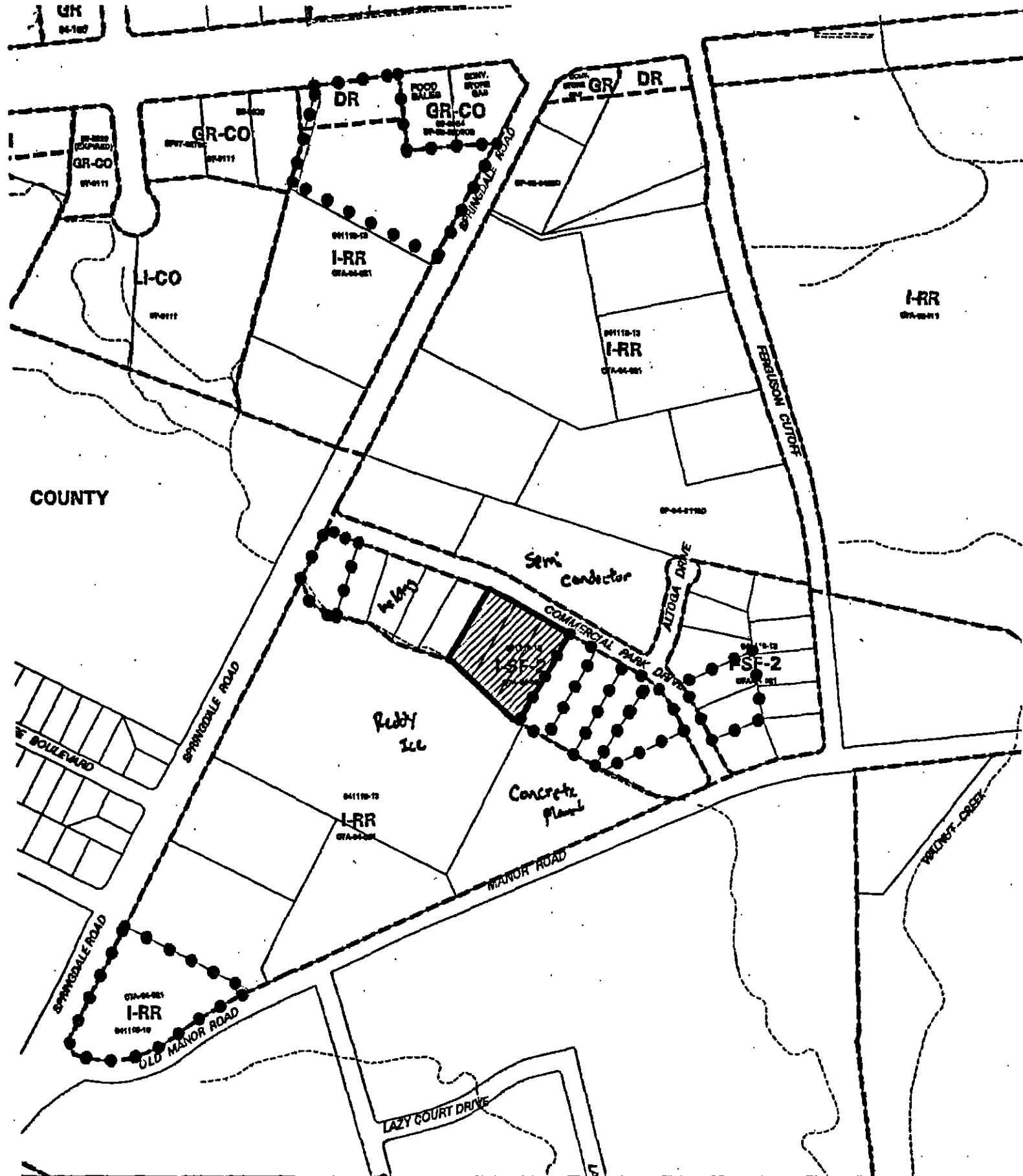
Will Wynn  
Mayor


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14 **APPROVED:** \_\_\_\_\_

David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk



<p>   <b>SUBJECT TRACT</b>  <b>PENDING CASE</b>  <b>ZONING BOUNDARY</b>  <b>CASE MGR: R.HEIL</b> </p>	<p align="center"> <b>ZONING EXHIBIT A</b> </p> <p> <b>CASE #: C14-05-0216</b>  <b>ADDRESS: 4803 - 4811 COMMERCIAL</b>  <b>PARK DR</b>  <b>SUBJECT AREA (acres): 2.320</b> </p> <p> <b>DATE: 05-12</b>  <b>INTLS: SM</b> </p>	<p> <b>CITY GRID</b>  <b>REFERENCE</b>  <b>NUMBER</b>  <b>N27</b> </p>
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**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-05-0216

**ZAP Date:** February 7, 2006

**ADDRESS:** 4803, 4807, 4811 Commercial Park Drive.

**OWNER/AGENT:** H. Dalton Wallace

**ZONING FROM:** I-SF-2

**TO:** LI-CO

**AREA:** 2.320 acres

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of Limited Industrial – Conditional Overlay (LI-CO) combining district zoning. The Conditional Overlay would limit the vehicle trips to less than 2000 per day.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**February 7, 2006: *APPROVED STAFF'S RECOMMENDATION FOR LI-CO DISTRICT ZONING; BY CONSENT.***

***[M.HAWTHORNE, J.PINNELLI 2<sup>ND</sup>] (6-0) K.JACKSON, J.MARTINEZ, J.GOHIL – ABSENT***

**DEPARTMENT COMMENTS:**

The site is zoned Interim Single Family Standard Lot (I-SF-2) and is currently the site of a document shredding company and vacant industrial/warehouse buildings.

This area was annexed on December 31, 2004, and the Zoning and Platting Commission has heard several similar cases in the area recently as property owners have applied for permanent zoning. (See below)

Along Commercial Park Drive there are multiple industrial and intense commercial uses on Interim Family Residence (I-SF-2) zone land. These include a welding shop, a cable contractor, a self storage facility, two sign manufacturers and printers, a custom manufacturing facility and a semi-conductor manufacturing operation. There are also several undeveloped tracts along Commercial Park Drive.

To the north along Springdale road, there is a large tract of vacant land. North from Commercial Park Drive on Springdale road towards US Highway 290 East, there are several large vacant tracts, and tracts developed with various industrial or intense commercial uses including, a ice plant, a commercial plumbing supply business (including a large yard storing PVC and concrete pipe), a Federal Express depot, a paint wholesaler, and a research and development site. At the intersection of Springdale Road and US Highway 290 East there are two convenience stores.

To the south along Old Manor road is a large vacant tract, a Starflight helicopter pad, and a concrete plant. Much of the land along Old Manor Road is undeveloped.

Further south, approaching Ed Bluestein Blvd (US Hwy 183) there are undeveloped tracts and a large AISD facility, the Delco Events Center.

The only residential uses near the site are further to the east along Pecan Brook drive, where a residential neighborhood surrounds LBJ High School.

The property lies within the proposed LBJ Neighborhood Planning Area, which has not yet been scheduled.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-SF-2	Document Shredding & Vacant
<i>North</i>	I-RR	Semi-Conductor Manufacturing
<i>South</i>	I-RR	Ice Plant and Concrete Plant
<i>East</i>	I-SF-2 and LI-CO	Storage and Industrial Uses
<i>West</i>	I-SF-2	Vacant & Industrial Uses

**AREA STUDY:** The property lies within the proposed LBJ Neighborhood Planning Area, which has not yet been scheduled.

**TIA:** N/A

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS**

- LBJ Neighborhood Association
- North East Action Group
- Taking Action Inc.
- Austin Neighborhoods Council
- Austin Independent School District

**SCHOOLS: (AISD)**

Winn Elementary School

Dobie Middle School

LBJ High School

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION
Commercial Park Drive	60'	40'	Collector

**CITY COUNCIL DATE:**

**ACTION:**

3/09/06:

Approved LI-CO on first reading on consent. (7-0)

3/23/06

**ORDINANCE READINGS:**

1<sup>st</sup>

3/09/06

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Robert Heil

**PHONE:** 974-2330

e-mail address: robert.heil@ci.austin.tx.us



FERGUSON CUTOFF

67A-01-024

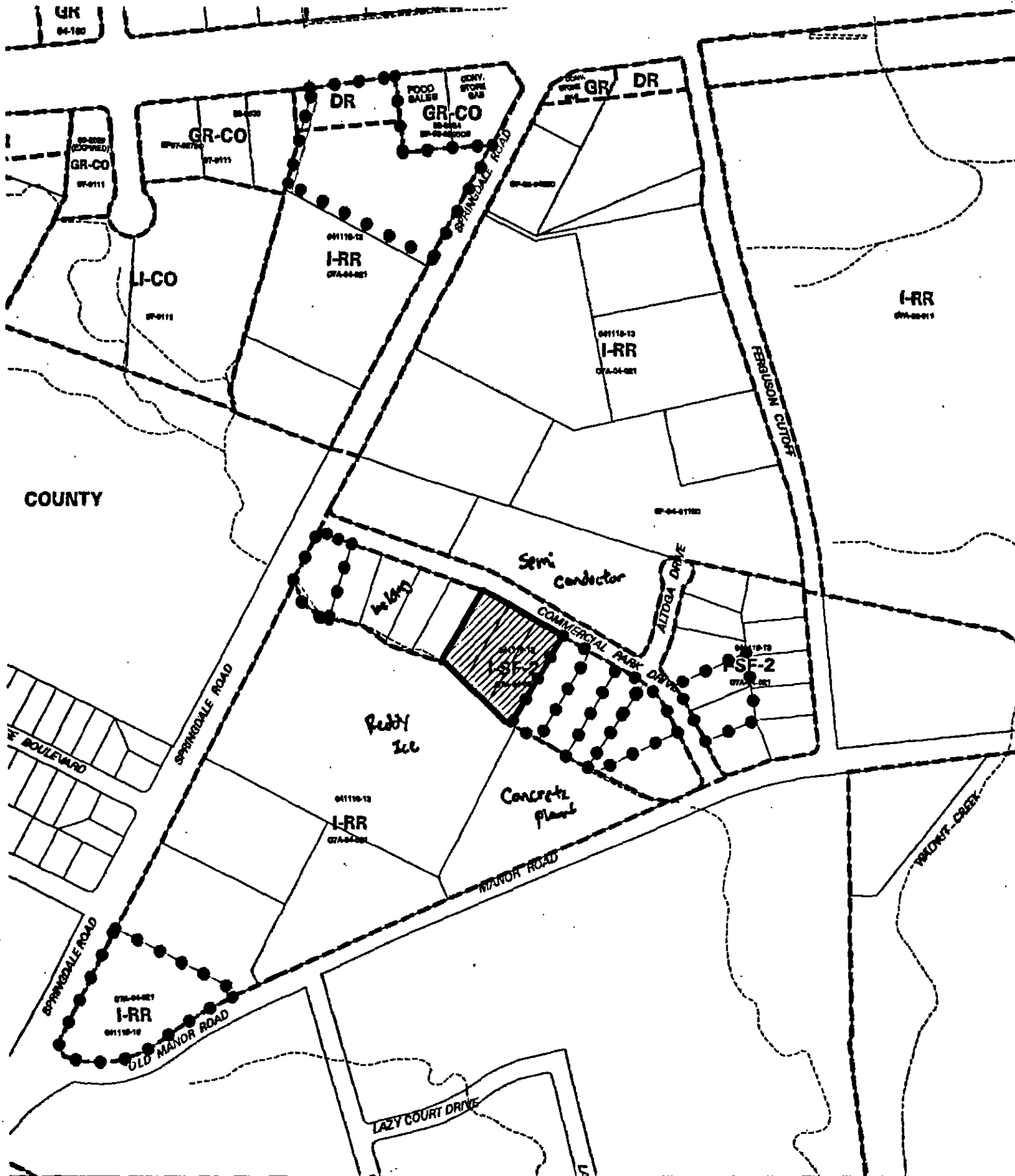
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10000

118

SPRINGDALE RD

118



 1" = 400'	<p><b>SUBJECT TRACT</b></p> <p>PENDING CASE</p> <p>ZONING BOUNDARY</p> <p>CASE MGR: R.HEIL</p>	<p><b>ZONING</b></p> <p><b>CASE #: C14-05-0216</b></p> <p>ADDRESS: 4803 - 4811 COMMERCIAL PARK DR</p> <p>SUBJECT AREA (acres): 2.320</p> <p>DATE: 05-12</p> <p>INTLS: SM</p>	<p><b>CITY GRID REFERENCE NUMBER</b></p> <p>N27</p>
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## **SUMMARY STAFF RECOMMENDATION**

Staff recommends approval of Limited Industrial – Conditional Overlay (LI-CO) combining district zoning. The Conditional Overlay would limit the vehicle trips to less than 2000 per day.

## **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

### ***1. Zoning changes should promote compatibility with adjacent and nearby uses.***

Commercial Park Drive, Springdale and Manor Roads are being developed with light industrial and intense commercial uses. Large truck traffic is common, especially along Springdale roads which links US 183 and US 290. Industrial use on the tract is appropriate.

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

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

## **RELATED CASES**

<b>Case</b>	<b>Address</b>	<b>Request</b>	<b>ZAP Rec.</b>	<b>City Council Action</b>
C14-05-0084	7700 Old Manor Road	I-RR to LI-CO	LI-CO ((10/04)	Approved LI-CO (12/15)
C14-05-0156	4909 Commercial Park	I-SF-2 to LI-CO	LI-CO(10/04)	Approved LI-CO (12/15)
C14-05-0173	4903 Commercial Park	I-SF-2 to LI-CO	LI-CO(12/06)	Approved LI-CO (12/15)
C14-05-0191	5005 Commercial Park	I-SF to CS-1-CO	CS-1-CO (12/06)	Approved CS-1-CO (2/2)
C14-05-0206	5100 Commercial Park	I-SF-2 to LI-CO	LI-CO(1/31)	To City Council on (3/2)
C14-05-0214	4603 Commercial Park	I-SF-2 to LI-CO	LI-CO (2/7)	To City Council on 3/9

## **EXISTING CONDITIONS**

The site is zoned Interim Single Family Standard Lot (I-SF-2) and is currently the site of a document shredding company and vacant industrial/warehouse buildings.

Along Commercial Park Drive there are multiple industrial and intense commercial uses on Interim Family Residence (I-SF-2) zone land. These include a welding shop, a cable contractor, a self storage facility, two sign manufacturers and printers, a custom manufacturing facility and a semi-conductor manufacturing operation. There are also several undeveloped tracts along Commercial Park Drive.

The only residential uses near the site are further to the east along Pecan Brook drive, where a residential neighborhood surrounds LBJ High School.

There is a floodplain within the project boundary. Offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the

Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

### **Transportation**

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

The trip generation under the requested zoning is estimated to be 6,838 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 beyond the existing trips. [LDC, 25-6-117]

Capital Metro bus service is not available within ¼ mile of this project.

### **Existing Street Characteristics:**

NAME	ROW	PAVEMENT	CLASSIFICATION
Commercial Park Drive	60'	40'	Collector

### **Site Plan**

Although the surrounding property is zoned Interim SF or RR, it appears compatibility is not triggered by any residential use.

### **Water and Wastewater**

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

### **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.** 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%

According to flood plain maps, there is a floodplain within the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

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.

**CITY ZONING AND PLATTING COMMISSION**

February 7, 2006

**CITY HALL - COUNCIL CHAMBERS**301 W. 2<sup>nd</sup> Street*[Annotations & Zoning Summaries]***CALL TO ORDER - 6:00 P.M.****COMMENCED: 6:18 P.M.****ADJOURNED: 7:13 P.M.**

\_\_\_\_ Betty Baker - Chair

\_\_\_\_ Melissa Hawthorne - Assist. Secretary

\_\_\_A\_\_\_ Jay Gohil

\_\_\_A\_\_\_ Keith Jackson - Parliamentarian

\_\_\_\_ Stephanie Hale

\_\_\_A\_\_\_ Joseph Martinez - Vice-Chair

\_\_\_\_ Clarke Hammond - Secretary

\_\_\_\_ Janis Pinnelli

\_\_\_\_ Teresa Rabago

**CONDUCT OF PUBLIC HEARINGS**

1. Chair announces request.
2. Staff presents a summary of the case.
3. Chair calls on those FAVORING the request.
4. Applicant's presentation (5 minutes).
5. Others favoring the request (3 minutes).
6. Chair calls on those OPPOSING the request.
7. Primary presentation (5 minutes).
8. Others opposing the request (3 minutes).
9. Applicant is given opportunity to answer objections stated. (3 minutes)
10. Staff summation and questions from the Commission.
11. The public hearing on a zoning case may be closed and no further testimony is taken from the public.
12. If the public hearing is closed, the Commission shall make a recommendation to the City Council within 14 days or the case will be forwarded to the City Council without a recommendation. (Section 25-2-282).

All of the following items may be acted upon by one motion. The Commission does not consider items earlier than the time stated on the agenda; "Other Business" items can be taken at any time. After the posted time, the Commission Chairperson may announce the item and, if there is no opposition, the item may be taken "by consent" for approval without discussion.

**CITIZENS WISHING TO SPEAK BEFORE THE COMMISSION MUST REGISTER BY SIGNING A LIST AT THE ENTRANCE (RED BOOK).**

Any interested party aggrieved by a decision of the Zoning & Platting Commission on a Hill Country Site Plan, Conditional Use Permit, Replacement Site Plan, or a Preliminary Subdivision Plan with an environmental variance may only appeal the Commission's decision to the City Council. The notice of appeal must be submitted in writing on a form provided by the Director of Neighborhood Planning & Zoning Department within fourteen (14) days following the decision of the Zoning & Platting Commission.

The Commission may recommend additional future land use designations that have not been requested or future land use designations that are more or less intensive than the requested future land use. The

Facilitator: Don Perryman

City Attorney: Alison Gallaway, 974-2671

**6:00 P.M.**

**PUBLIC HEARING**

**A. REGULAR AGENDA**

**EXECUTIVE SESSION (No public discussion)**

The Zoning & Platting Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The Zoning & Platting Commission may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item 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.

***NO SPEAKERS.***

**APPROVAL OF MINUTES**

2. Approval of minutes from January 31, 2006.

***APPROVED MINUTES FOR JANUARY 31, 2006; BY CONSENT.***

***[M.HAWTHORNE; J.PINNELLI 2<sup>ND</sup>] (6-0) K.JACKSON, J.MARTINEZ, J.GOHIL – ABSENT***

**DISCUSSION AND ACTION ON ZONING CASES**

3. **Rezoning:** C14-05-0186 - 404 Sterzing  
**Location:** 404 to 408 Sterzing St, Town Lake Watershed  
**Owner/Applicant:** Majorie Saad  
**Agent:** John Wooley  
**Postponements:** Postponements from 11/15/05 (applicant); Postponed from 1/17/06 (applicant)  
**Request:** CS to CS-CO  
**Staff Rec.:** RECOMMENDED  
**Staff:** Robert Heil, 974-2330, robert.heil@ci.austin.tx.us  
Neighborhood Planning and Zoning

***APPROVED STAFF'S RECOMMENDATION FOR CS-CO DISTRICT ZONING; BY CONSENT.***

***[M.HAWTHORNE, J.PINNELLI 2<sup>ND</sup>] (6-0) K.JACKSON, J.MARTINEZ, J.GOHIL – ABSENT***