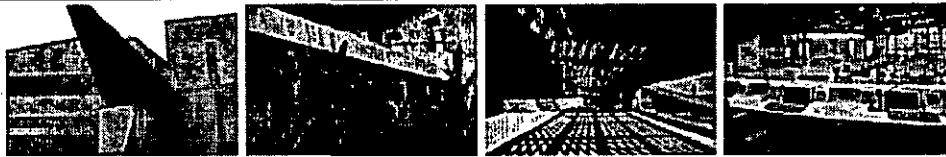


A U S T I N C I T Y C O U N C I L  
**AGENDA**

Thursday, August 31, 2006

+ Back Print

**Zoning and Neighborhood Plan Amendments  
(Public Hearings and Possible Action)  
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 54**

**Subject:** C14-06-0135 - Private Mini Storage - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 604 and 700 Corral Lane and 7116 South IH-35 Service Road Southbound (South Boggy Creek Watershed) from single-family residence-standard lot (SF-2) district zoning and family residence (SF-3) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To deny general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on September 5, 2006. Applicant: Amy Trost and Christopher Masey; DL Chase Investments (Daniel Case). Agent: Lopez-Phelps & Associates, LLP (Amelia Lopez-Phelps). City Staff: Wendy Walsh, 974-7719.

**Additional Backup Material**  
(click to open)  
 **Staff Report**

**For More Information:** Wendy Walsh, 974-7719.

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-06-0135

**Z.P.C. DATE:** August 1, 2006  
August 15, 2006

**ADDRESS:** 604 and 700 Corral Lane; 7116 South IH-35 Service Road Southbound

**OWNER:** Amy Trost and Christopher Masey  
DL Case Investments, Inc. (Daniel Case)

**AGENT:** Lopez-Phelps & Associates,  
LLC (Amelia Lopez-Phelps)

**ZONING FROM:** SF-2; SF-3      **TO:** CS      **AREA:** 2.030 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to maintain family residence (SF-3) district zoning and single family residence (SF-2) district zoning for the properties.

If the requested zoning is granted, it is recommended that a conditional overlay: 1) prohibit access to Corral Lane and 2) limit development to less than 2,000 vehicle trips per day.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

August 1, 2006: *POSTPONED AT THE REQUEST OF THE STAFF & APPLICANT TO 08/15/06.*

*[J. MARTINEZ, J. PINNELLI 2<sup>ND</sup>] (9-0)*

August 15, 2006: *CONTINUED TO 09/05/06 (ZAP)*

*[S. HALE, J. PINNELLI 2<sup>ND</sup>] (6-0-2) C. HAMMOND, B. BAKER – ABSTAINED; K. JACKSON – ABSENT*

### **ISSUES:**

The Applicant would like to discuss the Staff recommendation. Correspondence between the Agent and the Far South Austin Neighborhood Association is attached at the back of the Staff packet.

### **DEPARTMENT COMMENTS:**

The subject rezoning area is developed with two single family residences (SF-2) along Corral Lane and the west and southern portions of the existing convenience storage lot (SF-3) at the corner of Corral Lane and the IH-35 service Road. The majority of the north side of Corral Lane consists of single family residences (SF-2), with a design-build office, one multi-family residence and a warehouse five lots to the west (also SF-2). The land across Corral Lane to the south consists of undeveloped land, a general contracting company and a class ring company (LI). To the north there are also single family residences and manufactured homes (SF-2) that access Chaparral Road. The corner lots of Chaparral Road and Corral Lane are developed with a manufactured home sales business and a convenience storage use,

respectively. Both properties were zoned CS with a 10 to 25-foot wide SF-3 strips adjacent to the single family residences and the local street frontages for the purposes of providing a buffer from the commercial uses and to prohibit access to Corral Lane and Chaparral Road. Please refer to Exhibits A and A-1.

The Applicants have requested general commercial services (CS) district zoning for an expansion of the convenience storage use located at the intersection of Corral Lane and IH-35. This use is first allowed in the warehouse / limited office (W/LO) zoning district as a conditional use and in the CS district as a permitted use. The Applicants' conceptual site plan is presented as Exhibit C.

In consideration of the Applicants' request, the Staff reviewed previous rezoning cases on Chaparral Road and Corral Lane from the late 1970's forward. CS zoning was requested in nine of the eleven cases as summarized in the Case Histories table on Page 3. With the exception of the two corner lots located at the IH-35 frontage road and Chaparral Road / Corral Lane, all other requests for CS zoning have not been recommended by Staff on the basis that it would introduce intensive commercial zoning into an established single family residential neighborhood. To this end, Staff is unable to recommend the Applicants' request for CS zoning because the zoning and use is incompatible with the adjacent single family residences to the west and north, and would set precedent. The Circle "S" Ridge subdivision that contains the rezoning area was originally platted for residential development, and proposes some challenges in order to redevelop with commercial uses. If CS zoning is granted, this site will have to comply with CS site development standards, which includes a 25 feet setback from SF-6 or more restrictive district and any single family residence.

#### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-2; SF-3	Two single family residences; Detention pond
<i>North</i>	CS; SF-2	Manufactured home sales; Single family residences; A few manufactured homes
<i>South</i>	LI	Undeveloped; Class ring company; General contractor's company
<i>East</i>	N / A	Frontage road and main lanes of IH-35
<i>West</i>	SF-2; SF-3	Single family residences; Design / build office; One multi-family residence; One warehouse structure

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHED:** South Boggy 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 Association

646 – Circle S Ridge Neighborhood Association

742 – Austin Independent School District

### **SCHOOLS:**

Pleasant Hill Elementary School

Bedichek Middle School

Crockett High School

### **CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0092 – Hackney south side of Chaparral	SF-2; SF-3 to LO-MU-CO, as amended from CS	To Grant LO-MU-CO with the CO prohibiting access to Chaparral.	Denied LO-MU-CO, therefore SF-2 and SF-3 are maintained (11-20-03).
C14-03-0091 – 4 lots on the north side of Chaparral Road, also related to C14-94-0084 and C14-99-0123	NO-MU-CO; SF-2 to GR-CO, as amended from CS	Approved GR-CO with CO prohibiting access to Chaparral Road and providing for a 2,000 trip limit (8-26-03).	Approved GR-CO for the easternmost lot only, with the CO for 2,000 trips and prohibiting access to Chaparral Road (11-20-03).
C14-99-0117 – 6 contiguous lots on the south side of Chaparral Road	SF-2 to CS-CO	Approved staff recommendation to deny the proposed request (Vote: 8-0-1, one abstention). 9-14-99.	Expired administratively on 9-18-00.
C14-79-061 – 2 lots on the south side of Chaparral Road	Interim “AA” Residence, First Height and Area to “C” Commercial, First Height and Area, as amended	To Deny “C” Commercial, First Height and Area, but to Grant “A” Residence, First Height and Area	Approved “AA” First Height and Area (5-17-79).

C14-94-0084 – 3 lots on the north side of Chaparral Road, also related to C14-99-0123 and C14-03-0091	SF-2 to NO-MU	Approved NO-MU-CO. The CO limits trips to 600 per day (Vote: 9-0). (8-23-94)	Approved P.C. recommendation (Vote: 5-0). (2-1-96).
C14-99-0123 – 3 lots on the north side of Chaparral Road, also related to C14-94-0084 and C14-03-0091	NO-MU-CO to CS	Approved staff recommendation to deny the proposed request (Vote: 8-0). (10-26-99)	Expired administratively on 11-13-00.
C14-03-0091 – 4 lots on the north side of Chaparral Road, also related to C14-94-0084 and C14-99-0123	NO-MU-CO; SF-2 to CS	Approved GR-CO with CO prohibiting access to Chaparral Road and providing for a 2,000 trip limit (8-26-03).	Approved GR-CO for the easternmost lot only, with the CO for 2,000 trips and prohibiting access to Chaparral Road (11-20-03).
C14-95-0184 – Northwest corner of IH-35 and Chaparral Road	SF-2 to CS	Granted CS zoning (1-9-96)	Approved CS zoning (2-1-96)
C14-79-288 – Corner of IH-35 and Chaparral Road	Interim "A" Residence, Interim First Height and Area to "C" Commercial,	Granted "C" Commercial, First Height and Area for all of property, save and except a 10 foot strip along the westernmost and northernmost boundaries that	Approved PC recommendation (2-14-80)

	First Height and Area	was approved for "A" Residence, First Height and Area	
C14-78-230 – Corner of IH-35 and Corral Lane	Interim "AA" Residence, Interim First Height and Area to "C" Commercial, First Height and Area		Approved "C" Commercial, First Height and Area, save and except the western 10' and the southern 25' which was approved for A" Residence, First Height and Area (5-3-79).
C14-84-232 – 2 adjacent lots on north side of Corral Lane	Interim "AA" First Height and Area to "A" Residence, First Height and Area	Approved "A" Residence, First Height and Area (9/5/84)	Approved "A" Residence, First Height and Area (11/15/84)

**RELATED CASES:**

The rezoning area represents two whole lots and portions of a third lot that consist of a 10-foot wide strip along its west side and a 25-foot wide strip along Corral Lane. All lots or portions thereof are out of the Circle "S" Ridge, Section 1 subdivision, recorded in September 1946 (C8-1946-1780). In 1979, the lot at the northwest corner of IH-35 and Corral Lane was zoned CS with a 10 foot wide SF-2 buffer along the western property line and a 25 foot wide SF-2 buffer along the south property line. Please refer to Exhibit B.

The property was annexed on December 21, 1975.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Corral Lane	54 feet	20 feet	Local	No	No	No
IH 35	Varies	Varies	Arterial	No	No	No

**CITY COUNCIL DATE:** August 31, 2006

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

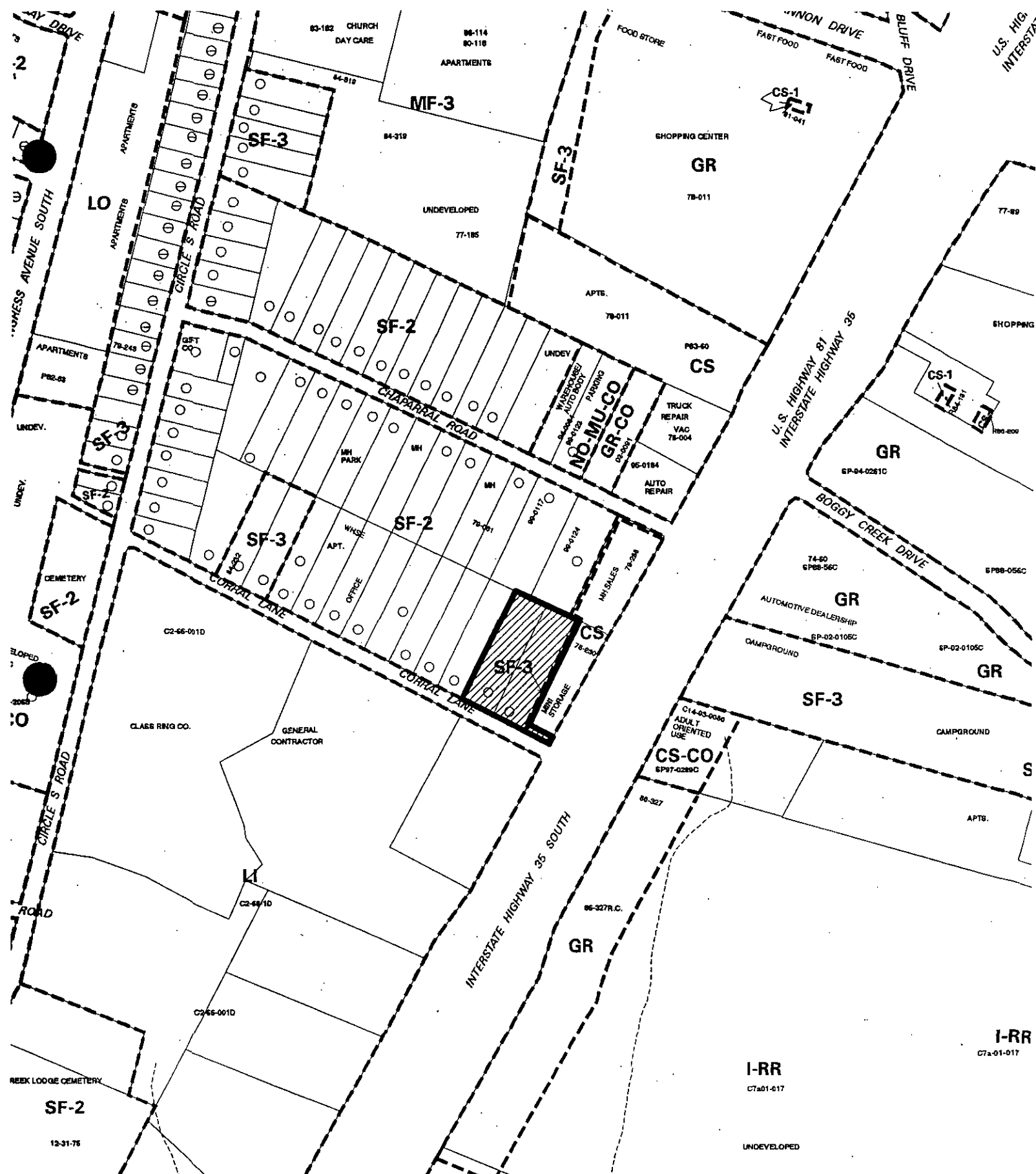
2<sup>nd</sup>

3<sup>rd</sup>

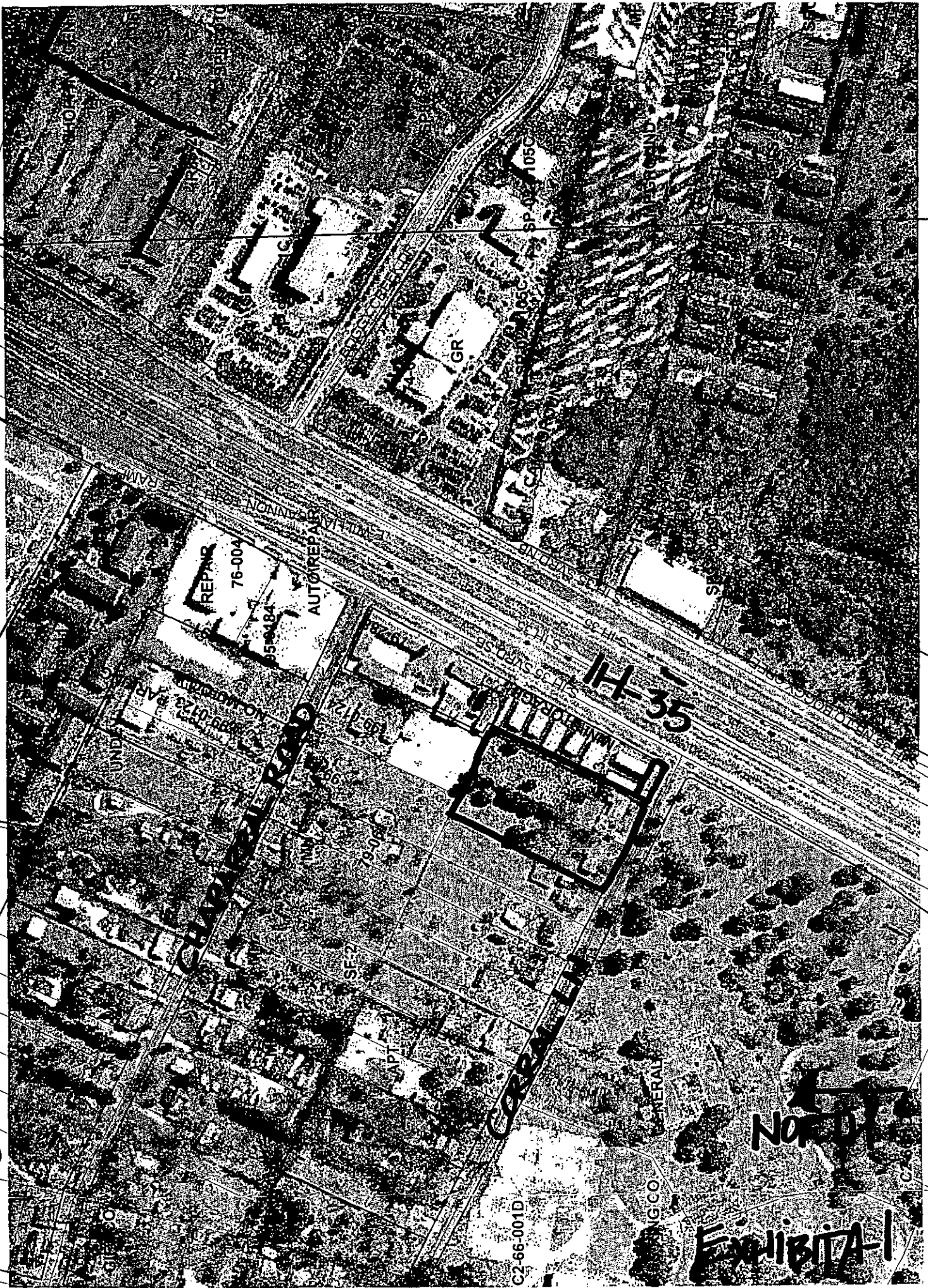
**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Walsh  
e-mail: wendy.walsh@ci.austin.tx.us

**PHONE:** 974-7719

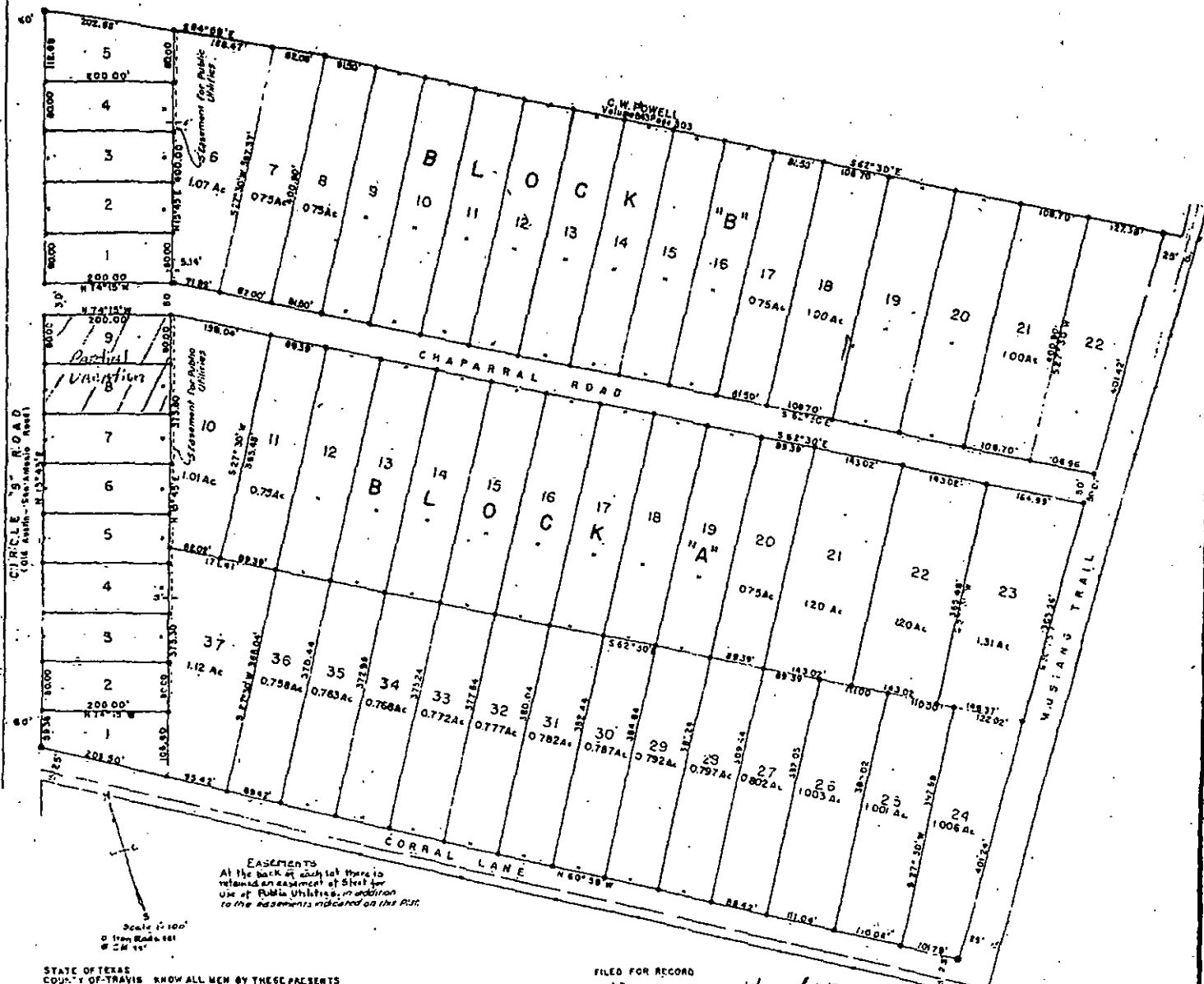


	SUBJECT TRACT		<b>ZONING Exhibit A</b>	<b>CITY GRID REFERENCE NUMBER</b> G15
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: W. WALSH			
CASE #: C14-06-0135 ADDRESS: 604 & 700 CORRAL LN & 7116 S IH 35 SVC RD SB SUBJECT AREA (acres): 2.030		DATE: 06-08 INTLS: SM		





See Plat Book of 1937 Ave. 1000 Pg. 1 Plat Book



EASEMENTS  
At the back of each lot there is  
retained an easement of right for  
use of Public Utilities, in addition  
to the easements indicated on this Plat.

Scale 1" = 100'  
0' from Road 100'  
0' from 100'

STATE OF TEXAS  
COUNTY OF TRAVIS. KNOW ALL MEN BY THESE PRESENTS  
That I, J. A. Shelby, owner of the above described land, do hereby certify that the same is the same as shown on the plat of the County of Travis, Texas, as conveyed to J. A. Shelby in a deed of record in Travis County, Texas, in Volume 4, Page 285 of the  
Deed Records of Travis County, Texas, by C. W. Powell, do hereby grant this plat and map as my  
subdivision of said tract, said subdivision as follows known as "CIRCLE 'S' RIDGE"  
and I have dedicated and do hereby dedicate to the public all streets shown herein so far as my inter-  
ests may appear.  
Witness my hand on this the 28th day of Aug. A.D. 1946.

*J. A. Shelby*  
J. A. Shelby

FILED FOR RECORD  
At 12 o'clock - M on the 14 day of Sept. A.D. 1946

*Emilie Limberg*  
Miss Emilie Limberg, Clerk, County Court of Travis County, Texas.  
By *Edwin Pruitt*  
Deputy

STATE OF TEXAS  
COUNTY OF TRAVIS. BEFORE ME, a Notary Public in and for Travis County, Texas, on this day  
personally appeared J. A. Shelby, known to me to be the person whose name is subscribed to the for-  
going, and acknowledged to me that he executed the same for the purposes and considera-  
tions therein expressed.  
Given under my hand and seal of office this the 28th day of Aug. A.D. 1946.

*Raymond Ruckey*  
Notary Public in and for Travis County, Texas.

STATE OF TEXAS  
COUNTY OF TRAVIS. I, Miss Emilie Limberg, Clerk of the County Court with and for the  
county and state aforesaid, do hereby certify that the within foregoing instrument of writing with  
its certificate of authentication was filed for record in my office on the 14 day of Sept. A.D. 1946  
at 12 o'clock - M, and duly recorded on the 14 day of Sept. A.D. 1946 at 12 o'clock - M  
in the Plat Book of said County in Plat Book 4, Page 285.  
Witness my hand and Seal of the County Court of said County the date last written above.

*Emilie Limberg*  
Miss Emilie Limberg, Clerk, County Court of Travis County, Texas.  
By *Edwin Pruitt*  
Deputy

APPROVE FOR ACCEPTANCE  
Date *2/28/47*  
J. E. Mitchell, Director of Public Works

APPROVED BY THE CITY PLANNING COMMISSION  
Date *2/28/47*  
Secretary

STATE OF TEXAS  
COUNTY OF TRAVIS  
I, Miss Emilie Limberg, Clerk of Travis County, Texas,  
do hereby certify that on the 14 day of Sept. 1946 The  
Commissioners Court of Travis County, Texas, passed an order  
authorizing the filing for record of this plat and map and  
order be placed on file in the minutes of said Court  
in Book 4, Page 285.  
Witness my hand and seal of office this the 14 day of  
Sept. 1946.  
*Emilie Limberg*  
Miss Emilie Limberg, Clerk, County Court of Travis County, Texas.

CIRCLE "S" RIDGE

SECTION 1

EXHIBIT B  
RECORDED PLAT



### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to maintain family residence (SF-3) district zoning and single family residence standard lot (SF-2) district zoning for the properties.

If the requested zoning is granted, it is recommended that a conditional overlay: 1) prohibit access to Corral Lane and 2) limit development to less than 2,000 vehicle trips per day.

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

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

The general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities.

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

### **EXISTING CONDITIONS**

#### **Site Characteristics**

The site is developed with two single family residences and a detention pond, the latter located on the convenience storage lot. There appear to be no significant topographical constraints on the site.

#### **Impervious Cover**

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

#### **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 South Boggy 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	50%	60%

(minimum lot size 5750 sq. ft.)		
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

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.

### **Transportation**

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

If the requested zoning is granted, it is recommended that access to Corral Lane be prohibited as a condition of zoning because Corral Lane is classified as a local street with 54 feet of right-of-way and 20 feet of pavement. This roadway is not designed to accommodate commercial traffic.

The trip generation under the requested zoning is estimated to be 9,838 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. [LDC, 25-6-117]

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and utility relocation. Also, 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 of Austin design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay all associated and applicable City fees.

### **Compatibility Standards**

After rezoning, the abutting lot lines for properties zoned or used for single family use will trigger compatibility setbacks and will limit height of any proposed projects.

The site is subject to compatibility standards. Along the north and west property lines, 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.

Lopez-Phelps & Associates, LLC  
611 South Congress, # 340  
Austin, Texas 78704  
512-236-8708 / fax 236-8722

June 5, 2006

Ms. Betty Edgemond  
Far South Austin Neighborhood Association  
6401 Cooper Lane  
Austin, Texas 78745

Re: South IH 35 Mini-Warehouse  
Zoning request

Dear Ms. Edgemond:

On behalf of our client, we appreciate the time you have spent discussing this case with us. We provided the list of items you asked our client consider as part of his project, and after review with the project engineer and our client, I believe we are able to agree to all of the items. Please review and advise if we were correct in our understanding and if we included all items discussed from our previous meeting.

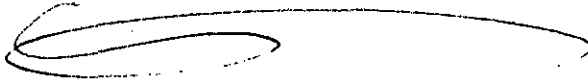
1.    a.    The height limit for structures on the site shall not exceed 40 feet;  
      b.    The building along the western boundary will not exceed one story with a height of not more than 18 feet;
2.    Use earth tone colors for bldg. and fence;
3.    Prohibit barb wire at top of fence;
4.    A masonry fence will be installed along the back boundary property line, which will be a height of 6-7 feet for additional security and visual protection. The masonry fence will not burn, which will provide additional fire protection.
5.    Provide vegetation, including trees, along western property line to enhance and provide an additional vegetated buffer. Trees will be provided and installed on the property of the abutting property to the west of our project site, at the expense of the applicant;
6.    Use of low and city-required lighting, shielded away from the residential properties;

7. Prohibit driveways and direct access to site from residential streets;
8. Prohibit outside vehicular storage, automotive related uses and pawn shops;
9. The project may include a \*10 foot set back at the western property line. This would enable us to design the project to prohibit access to the units in the units in the structure along the western property line, as well as not build a driveway along the rear property line. \*The 10 foot set back may require a variance.

This letter represents the items listed above as requested, and have been accepted by our client. If the items listed meet the requests as we discussed, we would appreciate a support letter and/or a signature below as approval of the items listed.

The time you have spent and assistance you have provided to discuss the concerns and recommendation to enhance the development design for our client's project has been extremely helpful and sincerely appreciated. We look forward to reviewing the site plans prior to submittal, should our zoning case be approved. Please feel free to contact me at any time to discuss this matter as well as other matters as related to your neighborhood.

Sincerely,



Amelia Lopez-Phelps



Ms. Betty Edgemond  
Far South Austin Neighborhood Association

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-06-0135

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

August 15, 2006 Zoning and Platting Commission

☐ I am in favor  
☒ I object

GREGG EDWARDS

Your Name (please print)

602 CARRAL LN AUSTIN, TX 78745

Your address(es) affected by this application

*Gregg Edwards*

Signature

08/14/06

Date

Comments: DO NOT WANT A STORAGE AREA NEXT DOOR.

THANK YOU

*Gregg Edwards*

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810