



Thursday, January 11, 2007

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**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 74

Subject: C14-06-0201 - Cearley Mobile Homes - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8703 F M 969 (Walnut Creek Watershed) from development reserve (DR) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant and Agent: Daniel Cearley City Staff. Robert Heil, 974-2330.

**Additional Backup
Material**

(click to open)

Staff Report

For More Information:

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0201 Cearley Mobile Homes

ZAP Date: November 21, 2006

ADDRESS: 8703 FM 969 Road

AREA: 4 63 acres

OWNER/AGENT: Daniel J. Cearley

ZONING FROM: DR **TO:** CS-1-CO

STAFF RECOMMENDATION:

Staff alternatively recommends CS-CO, with a conditional overlay to limit daily vehicle trips to no more than 2000 per day, and allowing access only to FM 969. Additionally, comparable to the zoning case C14-98-0112 on the case to the south at 8811 FM 969, a 25 foot wide vegetative buffers should be required along the south boundary of the property and the following uses should be prohibited:

- Adult Oriented Businesses
- Agricultural Sales and Services
- Art Workshop
- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Bail Bond Services
- Building Maintenance Services
- Bulk Laundry Services
- Veterinary Services
- Campground
- Equipment Sales
- Equipment Repair Services
- Kennels
- Monument Retail Sales
- Pawn Shop Services
- Research services
- Recreational Equipment maintenance and storage
- Service Station
- Theater

ZONING AND PLATTING COMMISSION RECOMMENDATION:

November 21, 2006: APPROVED CS-CO ZONING WITH ADDED CONDITIONS:

- PERMIT ART WORKSHOP;
- PERMIT AUTO WASHING;
- PERMIT BAIL BOND SERVICES;
- PERMIT AUTO REPAIR SERVICES,
- PERMIT SERVICE STATIONS,

[J.MARTINEZ, S.HALE 2ND] (9-0)

DEPARTMENT COMMENTS:

This 4.63 acre site on FM 969 is currently zoned development reserve (DR) and developed with a mobile home park. The owner of the tract seeks rezoning to CS-1 to allow for more intense commercial uses.

The site is surrounded by low intensity mobile home development, institutional uses or undeveloped land. More intense commercial uses would not be in conflict with any of the surrounding land uses.

The landowner intends to serve the site with City of Austin water and wastewater utility service. To obtain City utility service, the landowner must obtain City approval of an off site main extension and system upgrades.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Mobile Home Park
<i>North</i>	SF-2, DR	Undeveloped, Mobile Homes and Service Yard
<i>South</i>	SF-3	Single Family Home, Travis State School (Brown Unit)
<i>East</i>	DR and CS-CO	Vehicle Storage
<i>West</i>	DR	Undeveloped

AREA STUDY: N/A

TIA: 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]

WATERSHED: Walnut Creek **DESIRED DEVELOPMENT ZONE:** No

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Del Valle Neighborhood Association
- Austin Neighborhood Council
- Home Builders Association of Greater Austin

SCHOOLS: Manor ISD

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
FM 969	100'	64'	Arterial	No	No	Priority 2

CITY COUNCIL DATE:

ACTION:

January 11, 2007

ORDINANCE READINGS:

1st

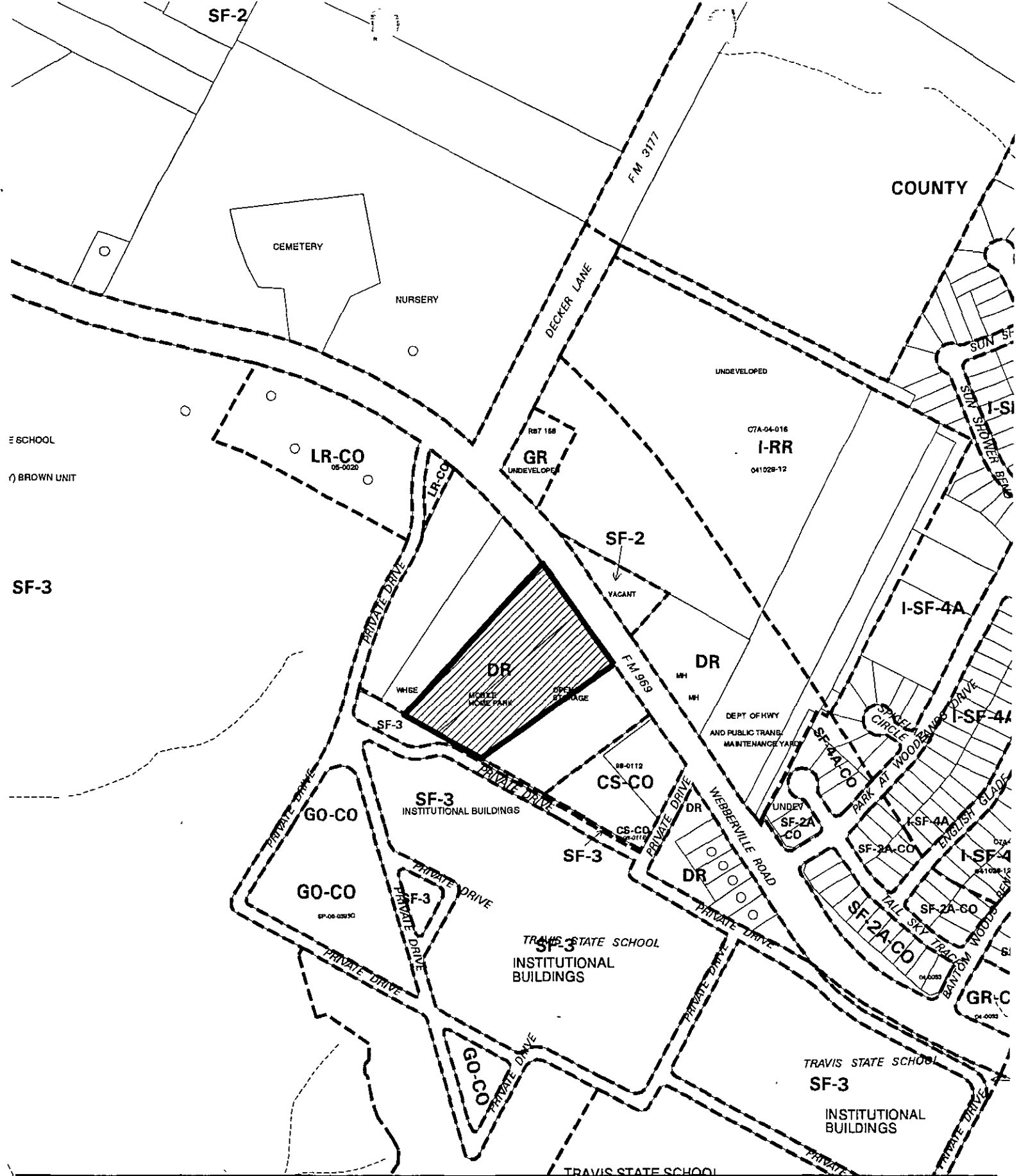
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil
e-mail address robert.heil@ci.austin.tx.us

PHONE: 974-2330



 1" = 400'	SUBJECT TRACT		ZONING	CITY GRID REFERENCE NUMBER P23
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR. R. HEIL			
CASE #: C14-06-0201			DATE 06-10	
ADDRESS: 8703 FM 969 RD				
SUBJECT AREA (acres): 4.630			INTLS: SM	

5-2460

SUMMARY STAFF RECOMMENDATION

Staff alternatively recommends CS-CO, with a conditional overlay to limit daily vehicle trips to no more than 2000 per day, and allowing access only to FM 969. Additionally, comparable to the zoning case C14-98-0112 on the case to the south at 8811 FM 969, a 25 foot wide vegetative buffers should be required along the south boundary of the property and the following uses should be prohibited:

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- Service Station
- Theater
- Veterinary Services

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

CS zoning is the appropriate district for intense commercial uses intended for the site.

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

The site is surrounded by low intensity mobile home development, institutional uses or undeveloped land. More intense commercial uses would not be in conflict with the surrounding land uses.

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for FM 969. Dedication of additional right-of-way will be required during the subdivision or site plan process. [LDC, Sec. 25-6-51 and 25-6-55)

The trip generation under the requested zoning is estimated to be 16,813 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]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
FM 969	100'	64'	Arterial	No	No	Priority 2

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 and Elm Creek Watersheds of the Colorado River Basin, which are classified as a Suburban Watersheds 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 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.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utility service. Offsite main extension and system upgrades are necessary for City of Austin water and wastewater utility service. In order to obtain City utility service, the landowner must obtain City approval of a Service Extension Request. For information pertaining to the process and submittal requirements, contact Phillip Jaeger, Austin Water Utility 625 East 10th Street, 5th Floor Waller Creek Center. The Austin Water Utility reserves the right to make additional comments and to establish other requirements with the Service Extension Request review.

The landowner, at own expense will be responsible for providing the water and wastewater system improvements, offsite main extension, and system upgrades. 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 utility design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay all associated and applicable City fees.

Site Plan

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations. This site triggers compatibility standards.

This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited.

This property is within the Airport Overlay Zone AO-1, [or ,AO-2, or AO-3] Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Section 25-13-23, are prohibited. Noise level reduction measures may be required for certain new structures.