

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0050 – 2705 East Highway 71 **Z.A.P. DATE:** May 18, 2010

ADDRESS: 2705 East State Highway 71

OWNER: Gustavo Aldama; Oscar Aldama

AGENT: Brent Hammond

ZONING FROM: I-RR

TO: CS

AREA: 0.16 acres
(6,969.60 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

May 18, 2010: *APPROVED CS-CO DISTRICT ZONING WITH THE CO ALLOWING CONSTRUCTION SALES AND SERVICES AND ALL GR USES, PROHIBITING ADULT-ORIENTED BUSINESSES, ALL AUTOMOTIVE RELATED USES, DRIVE-THROUGH SERVICES AS AN ACCESSORY USE, AND PAWN SHOP SERVICES. RESTRICTIVE COVENANT THAT PROHIBITS 24-HOUR BUSINESS OPERATIONS.*

[P. SEEGER; G. BOURGEOIS – 2ND] (6-0) C. BANKS – ABSENT

ISSUES:

The Applicant is in agreement with the recommendation of the Zoning and Platting Commission.

DEPARTMENT COMMENTS:

The subject property is undeveloped, is located on the East State Highway 71 and is zoned interim – rural residence (I-RR) district. The property was annexed in September 2001. There is a mobile home park to the north (I-RR); undeveloped property used for the storage of construction vehicles, and the sale of automobiles and recreational vehicles to the east (I-RR); the Austin International Bergstrom Airport to the south (AV), and a restaurant to the west (I-SF-2).

The Applicant has requested a zoning change to the general commercial services (CS) district in order to develop the property with commercial uses, including a carpet cleaning company, which is a construction sales and services use. The Conditional Overlay limits development of the site to uses that generate no more than 2,000 vehicle trips per day. Based on case histories in proximity to this property, Staff recommends the more restrictive GR district based upon the following considerations of the property: 1) it is compatible with the adjacent

uses along East S.H. 71 between Lyle Road and Cardinal Lane; 2) its frontage on a major arterial roadway allows for good vehicular; 3) the rezoning area is in close proximity to the Austin Bergstrom International Airport, and commercial zoning and uses are compatible with airport activities; and 4) an established maximum number of daily vehicle trips that will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	I-RR	Mobile home park
<i>South</i>	AV	Austin Bergstrom International Airport
<i>East</i>	I-RR	Vehicle storage; Automobile and RV sales
<i>West</i>	I-SF-2	Restaurant; Undeveloped

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Colorado River

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 774 – Del Valle Independent School District
 786 – Home Builders Association of Greater Austin
 1005 – Elroy Preservation Association 1037 – Homeless Neighborhood Association
 1075 – League of Bicycling Voters 1113 – Austin Parks Foundation
 1200 Super Duper Neighborhood Directors and Appealers Organization
 1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group
 1236 – The Real Estate Council of Austin, Inc.

SCHOOLS:

The subject property is within the Del Valle Independent School District.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0011 – Frenchville – 2859 State Highway 71 East	I-RR to CS	To Grant GR-CO with CO limiting to 2,000 trips	Approved GR-CO as Commission recommended (3-11- 04).
C14-00-2258 – Dairy Queen –	I-SF-2 to GR	To Grant GR	Approved GR (2-8- 01).

2517 East State Highway 71			
C14-00-2176 – Silverstone Inn Project – 2525 East State Highway 71	I-SF-2 to CS; GR	To Grant CS; GR	Approved GR-CO with CO for 2,000 trips and prohibiting adult-oriented businesses and pawn shop services (1-18-01).
C14-00-2061 – Stamey Zoning – 2601 East State Highway 71	I-RR to GR for Tract 1, CS-1 for Tract 2	To Grant GR-CO for Tract 1; CS-1-CO for Tract 2 with a 2,000 trip limit	Approved GR-CO for Tract 1, CS-1-CO for Tract 2 as Commission recommended (6-1-00).
C14-00-2060 – Stamey Zoning – 2777 East State Highway 71	I-RR to GR	To Grant GR-CO	Approved GR-CO with the CO for a 2,000 trip limit (6-1-00).
C14-98-0056 – Austin Airport Hotel, L.C. – 2751 East State Highway 71	I-RR to GR	To Grant GR	Approved GR (2-25-99).

RELATED CASES:

The subject property was annexed into the Full-purpose City limits on September 6, 2001 by Ordinance Number 010830-64 and zoned I-RR.

There are no related subdivision or site plan cases on the subject property.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Plan	Bus Routes
State Highway 71	214 feet	Varies	Highway	No	Wide Curb exists/ recommended	No

CITY COUNCIL DATE: June 24, 2010

ACTION:

ORDINANCE READINGS: 1st

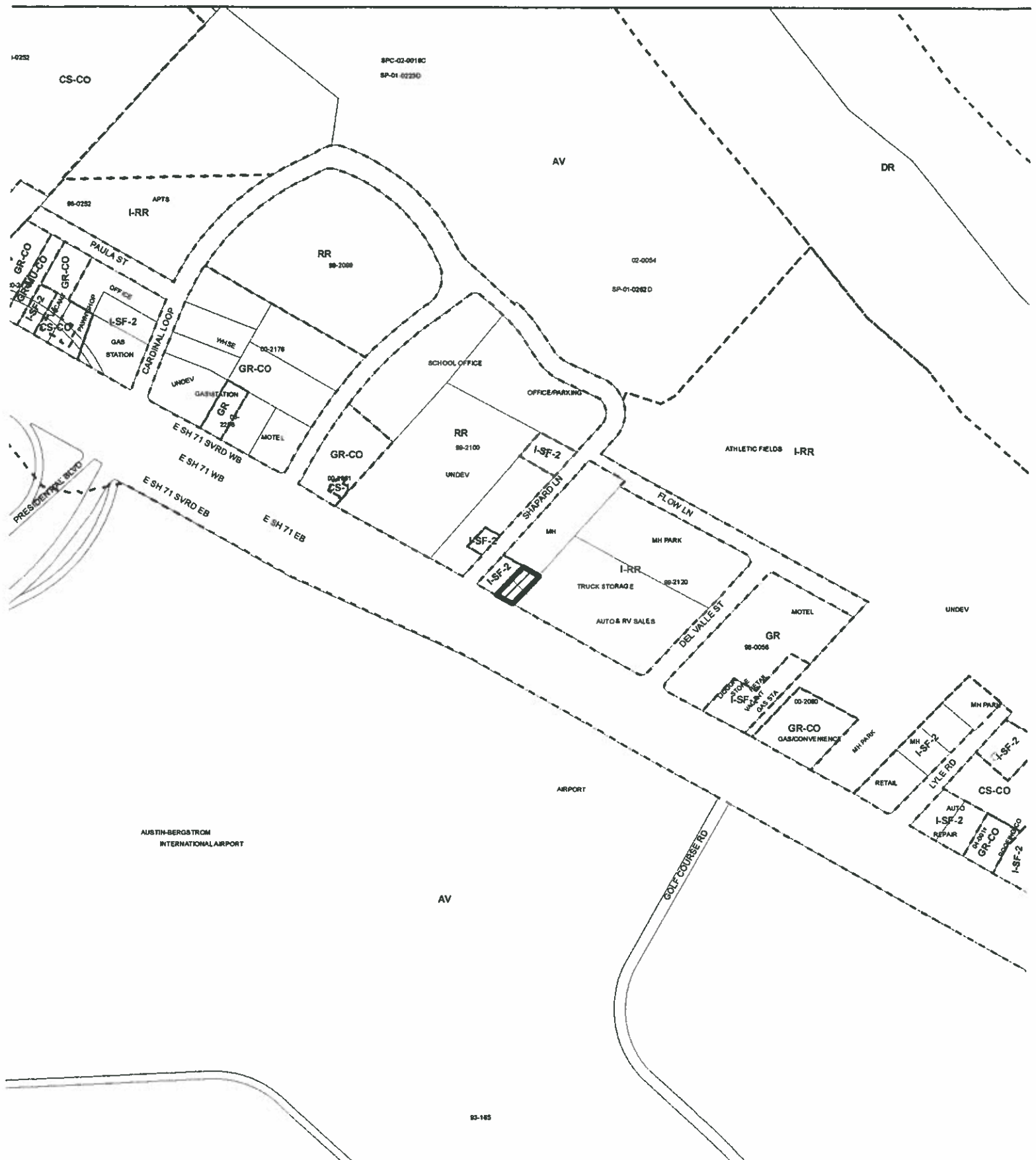
2nd





3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719




 **SUBJECT TRACT**
 **ZONING BOUNDARY**
 **PENDING CASE**

ZONING
 ZONING CASE#: C14-2010-0050
 ADDRESS: 2705 E STATE HWY 71
 SUBJECT AREA: 0.16 ACRES
 GRID: N17
 MANAGER: WENDY RHOADES

EXHIBIT A



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

Applicant's Request: 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.

Staff recommendation: 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.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

Based on case histories in proximity to this property, Staff recommends the more restrictive GR district based upon the following considerations of the property: 1) it is compatible with the adjacent uses along East S.H. 71 between Lyle Road and Cardinal Lane; 2) its frontage on a major arterial roadway allows for good vehicular; 3) the rezoning area is in close proximity to the Austin Bergstrom International Airport, and commercial zoning and uses are compatible with airport activities; and 4) an established maximum number of daily vehicle trips that will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and fairly flat, with sparse vegetative cover. There appear to be no significant topographical constraints on the site.

Impervious Cover

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

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Colorado River 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 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.

No trees are located on this property. At this time, site specific information is unavailable regarding 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.

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 any water and

wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan and Compatibility Standards

The site is located within Austin-Bergstrom Overlay AO-2. No use will be allowed that creates electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing.

This site is in the Scenic Roadway sign district. As a result, the subject tract will be limited to one freestanding sign not to exceed 12 feet in height and the lesser of 64 square feet or 0.4 square feet for each linear foot of street frontage.

Site plans will be required for any new development other than single-family or duplex residential.

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.

Rhoades, Wendy

From: Brent Hammond [bh@austincivil.com]
Sent: Monday, May 17, 2010 2:08 PM
To: Rhoades, Wendy
Subject: FW: HYW 71 Zoning

Wendy,

Can the email below be forwarded to the commission members?

The applicant initially requested CS for the undeveloped tract to accommodate a proposed carpet cleaning business. Since the city staff does not support the requested CS zoning and will only support GR zoning, the applicant requests that the zoning application be amended to CS-CO with a conditional overlay that prohibits all CS uses except a carpet cleaning business.

The applicant's carpet cleaning business primarily serves residential customers. The carpet cleaning business is classified by city staff as Construction Sales and Services which is not allowed in GR zoning. However, the GR zoning district permits Exterminating Services. The proposed carpet cleaning business is more similar exterminating services—which is permitted in GR districts-- than the typical construction sales and services business. Little, if any, truck or trailer traffic or loading will occur on this small tract.

The following CS uses are proposed to be prohibited:

- Agricultural Sales and Services
- Campground
- Commercial Blood Plasma Center
- Convenience Storage
- Drop-off Recycling Collection Facility
- Electronic Prototype Assembly
- Electronic Testing
- Equipment Repair Services
- Equipment Sales
- Kennels
- Laundry Service
- Monument Retail Sales
- Vehicle Storage
- Veterinary Services
- Limited Warehousing & Distribution

5/17/2010

Thank you,

Brent Hammond, PE

Mobile: 512-744-5734

Email: bh@austincivil.com

5/17/2010