

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2010-0129

**Z.A.P. DATE:** September 7, 2010

**ADDRESS:** 1705 Century Street

**OWNER/APPLICANT:** Guy G. Mathews and Barbara P. Mathews

**AGENT:** Graves, Dougherty, Hearon & Moody, P.C. (Peter J. Cesaro)

**ZONING FROM:** SF-2

**TO:** CS

**AREA:** 1.2310 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant CS-CO, General Commercial Services-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day.

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

9/07/10: Approved the staff's recommendation of CS-CO zoning on consent, with additional conditions to prohibit Adult Oriented Businesses and Pawn Shop Services (7-0);  
G. Bourgeois-1<sup>st</sup>, T. Rabago-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is currently developed with a sheet metal business. To the north and east of the site, there are other construction sales and services uses (Southern Shingles and Austin Pallet Company). The property to the south is developed with a retail center that contains office uses (an Army Career Center, Edward Jones Insurance), a general retail sales use (Ashley Furniture), restaurant-limited uses (Austin Pizza, Which-Which Sandwich Shop), and an indoor entertainment use (Tinseltown USA Movie Theater). To the west of the site, there are automotive repair businesses (G&G Auto Body, Austin Car Protection and Window Tint) and a construction sales and services use (Pflugerville Propane Rental). In this case, the applicant is requesting CS, General Commercial Services District, zoning to bring the existing use into conformance with the City of Austin zoning regulations.

Staff supports the requested rezoning because the property is located adjacent to existing commercial and industrial uses to the north, east and west. There is LI-CO zoning to the north and east, CS-CO zoning to the west and GR-CO zoning to the south of the site under consideration. The proposed rezoning of the site will allow the applicant to continue the existing use or develop new commercial uses at this location.

The applicant agrees with the staff recommendation.

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

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-2	Construction Sales and Services (Sheet Metal Sales)
<i>North</i>	LI-CO, LI	Construction Sales and Services (Southern Shingles), Warehouse and Distribution (Snappy Snacks Mobile Catering)

<i>South</i>	GR-CO	Office (Army Career Center, Edward Jones), General Retail Sales (Ashley Furniture), (Personal Services (Enzo Nails), Restaurant-Limited (Austin Pizza, Which Which Sandwiches), Indoor Entertainment (Tinseltown USA Movie Theater)
<i>East</i>	SF-2, LI-CO	Radio Tower, Construction Sales and Services (Austin Pallet Company)
<i>West</i>	SF-2, CS-CO	Construction Sales and Services (Pflugerville Propane Rental), Automotive Repair (G&G Auto Body, Austin Car Protection and Window Tint)

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Gilleland Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Monorail Project  
Austin Parks Foundation  
Home Builders Association of Greater Austin  
Homeless Neighborhood Association  
League of Bicycling Voters  
Pflugerville Independent School District  
Sierra Club, Austin Regional Group  
The Real Estate Council of Austin, Inc.

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0118 (15400, 15417, 15420 and 15424 Pecan Street (F M 1825 Road))	GR-CO to GR-CO	11/01/05: Approved staff recommendation of GR-CO, with conditions to limit development to no more than 2 story buildings for a depth of 100' from Pecan Street (F.M. 1825) and incorporating TIA recommendations, by consent (9-0); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	12/01/05: Approved GR-CO with conditions by consent (6-0, McCracken-absent); 1 <sup>st</sup> reading  1/12/06: Approved GR- CO zoning with conditions (6-0, D. Thomas- absent); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-05-0008 (15601 N. Interstate-35 Service Road North Bound)	SF-2 to CS-CO	2/15/05: Approved staff's rec. of CS-CO, with conditions to 1) limit the site to less than 2,000 vehicle trips per day; 2) prohibit Adult Oriented uses and Pawn Shop Services; and 3) reserve 200-feet of right-of-way from the existing centerline of IH 35	3/10/05: Approved CS-CO on all 3 readings

		(8-0, K. Jackson-absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	
C14-04-0148	I-SF-2 to CS	11/2/04: Approved staff's recommendation of CS-CO zoning, with additional condition prohibiting Adult Oriented Businesses (9-0)	12/2/04: Approved CS-CO (7-0); all 3 readings
C14-03-0101	I-RR to CS	8/12/03: Approved staff's alternate recommendation of CS-CO zoning, with condition of no Adult Oriented Businesses (8-0, J. Cortez-left early);	10/23/04: Granted CS-CO (6-0, Dunkerly-absent); all 3 readings
C14-03-0083	I-RR to CS	6/24/03: Approved staff's rec. of CS-CO zoning; by consent (7-0, J. Cortez-Not yet arrived, J. Donisi-absent)	7/31/03: Approved CS-CO (7-0); all 3 readings
C14-01-0132	I-RR to GR	11/13/01: To approve staff's recommendation of GR-CO zoning with a condition to limit development to no more than 2 story buildings for a depth of 100' from Pecan Street (F.M. 1825). (8-0, J. Martinez- absent)	12/13/01: Approved GR-CO on consent (7-0).  1/17/02: Approved (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-00-2226	SF-2 to LI	12/19/00: Approved staff alternate rec. of LI-CO by consent (6-0)	1/8/01: Approved LI-CO w/conditions (6-0); 1 <sup>st</sup> reading  7/19/01: Approved LI-CO with conditions (6-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings
C14-00-2185	SF-2 to LI	10/24/00: Approved staff alternate rec. of LI-CO (9-0) w/ conditions- prohibiting pawn shops/ adult oriented businesses	11/30/00: Approved LI-CO (7-0); 1 <sup>st</sup> reading  5/24/01: Approved LI-CO (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-99-0084	SF-2 to CS-CO	6/22/99: Approved staff alternate rec. of LI-CO (6-0)	7/22/99: Approved PC rec. of LI-CO w/ conditions (7-0); 1 <sup>st</sup> reading  4/20/00: Approved LI-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-99-0054	LI to CS-CO	5/25/99: Denied CS-CO (6-0-1, RR-abstain)	7/29/99: Approved staff recommendation of CS-CO w/ conditions (7-0); 1 <sup>st</sup> reading  11/18/99: Denied CS-CO (5-2, BG/WL-Nay); valid petition filed, lack of super majority
C14-99-0031	SF-2 to LI	3/23/99: Approved staff alternate rec. of LI-CO (9-0)	5/6/99: Approved P/C recommendation of LI-CO (9-0); all 3 readings

**RELATED CASES:** N/A

**ABUTTING STREETS:**

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
IH-35	300'	Varies	Arterial	N/A
FM 1825	120'	Varies	Arterial	N/A

**CITY COUNCIL DATE:** October 14, 2010

**ACTION:**

**ORDINANCE READINGS:** 1st

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

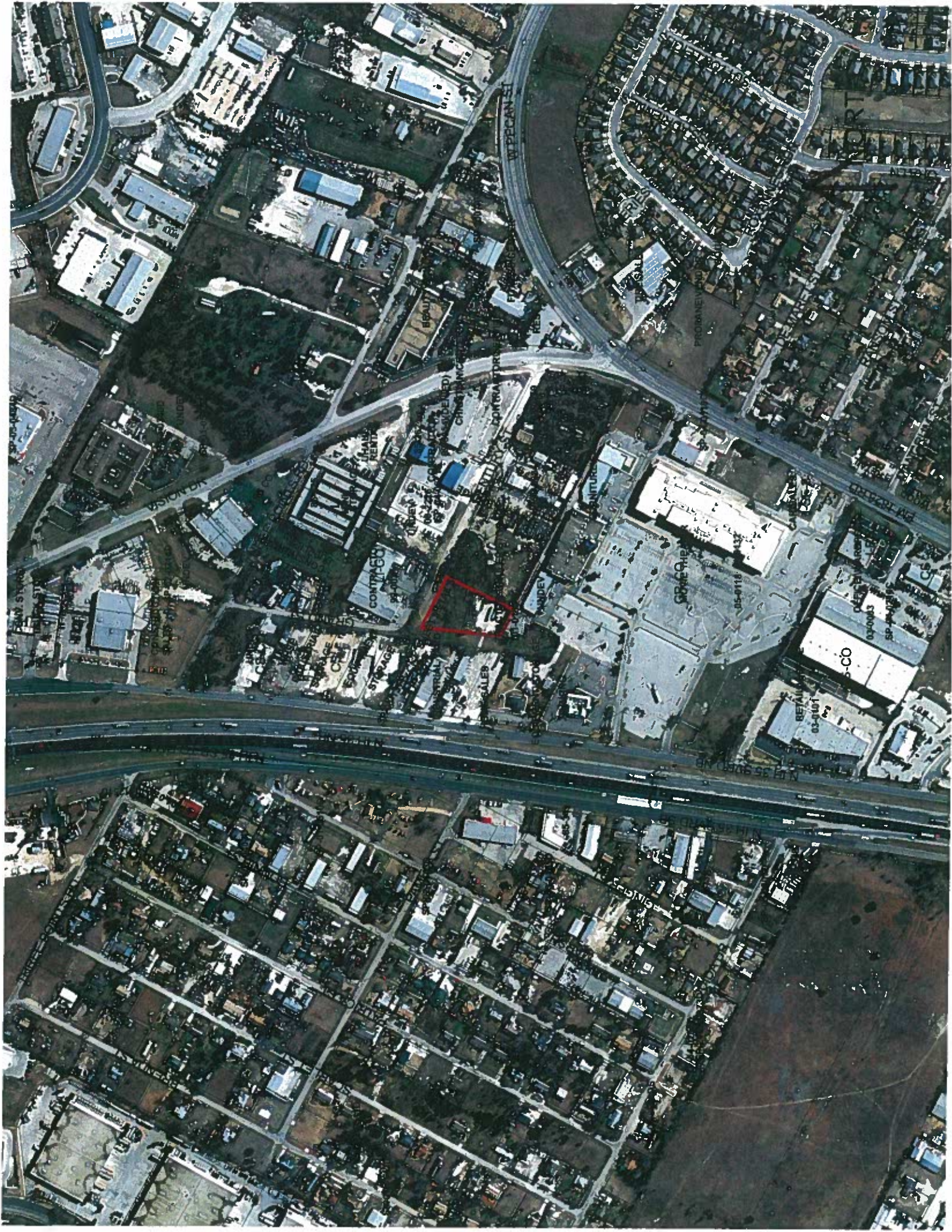
**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057,  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)











## **STAFF RECOMMENDATION**

The staff's recommendation is to grant CS-CO, General Commercial Services-Conditional Overlay District, zoning. The conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day.

## **BASIS FOR RECOMMENDATION**

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

The Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

2. *The proposed zoning should promote consistency and orderly planning.*

The property in question is located adjacent to existing commercial and industrial uses to the north, east and west. There is LI-CO zoning to the north and east, CS-CO zoning to the west and GR-CO zoning to the south of the site under consideration.

3. *The proposed zoning should allow for a reasonable use of the property.*

The CS-CO zoning district would allow for a fair and reasonable use of the site. CS-CO zoning is appropriate for this location because of the commercial/industrial character of the area.

The proposed rezoning of the site will allow the applicant to bring the existing Construction Sales and Services use into conformance with City of Austin zoning use regulations.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site in question is currently developed with a sheet metal business. The property is heavily wooded and screened. This tract of land does not have access to Grand Street, as the right of way for Grand Street has never been completed beyond Century Street to the south.

### **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 Gilleland 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. 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.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. 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.

### **Hill Country Roadway**

The site is not within a Hill Country Roadway Corridor.

### **Impervious Cover**

The maximum impervious cover allowed by the CS zoning district would be 95%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations. The site is in the Gilleland 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%

Note: The most restrictive impervious cover limit applies.

### **Site Plan/Compatibility Standards**

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.

#### **Compatibility Standards**

- a. The site is subject to compatibility standards. Along the East and North property lines, the following standards apply:
- b. No structure may be built within 25 feet of the property line.
- c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

- e. No parking or driveways are allowed within 25 feet of the property line.
- f. A landscape area at least 25 feet wide is required along 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.
- g. for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- h. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- i. Additional design regulations will be enforced at the time a site plan is submitted.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

### **Transportation**

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

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:

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Capital Metro</b>
Century Street	50'	Unpaved	Local	No	No	No
Grand Street	50'	Unpaved	Local	No	No	No

### **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 any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the 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.

## 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: C14-2010-0129

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Sept. 7, 2010, Zoning & Platting Commission  
Oct. 14, 2010, City Council

SIRVAN PROPERTIES

Your Name (please print)

DAVID CAMPBELL

1605-12 CENTURY ST

Your address(es) affected by this application

David Campbell

Signature

Date

Daytime Telephone: 512-990-0090

8-30-10

☒ I am in favor  
☐ I object

Comments:

I am also in favor of

C14-2010-0130

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

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810