

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0115 (2510 West Parmer Lane)

Z.A.P. DATE: October 17, 2017

ADDRESS: 2510 West Parmer Lane

DISTRICT AREA: 7

OWNER/ APPLICANT: CSW 2510 West Parmer, LLC

AGENT: Lenworth Consulting, LLC (Nash Gonzales)

ZONING FROM: GR

TO: CS

AREA: 0.08 acres (3,490 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is CS, General Commercial Services District, zoning.

If the requested zoning is granted for this site, then 100 feet of right-of-way from the existing centerline should be dedicated for Parmer Lane through a street deed prior to 3rd reading of the case at City Council according to the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55].

ZONING AND PLATTING COMMISSION RECOMMENDATION:

10/17/17: Approved the staff's recommendation of CS zoning, with conditions (8-0, D. Breithaupt, Y. Flores and S. Trinh-absent); D. King-1st, S. Lavani-2nd.

DEPARTMENT COMMENTS:

The property in question is a suite within an existing retail building that is part of a larger commercial center (Parmer Crossing) located at the northeast intersection of Parmer Lane and the northbound feeder of the Mopac Expressway. The applicant is requesting to rezone a 3,490 square foot pad site on this tract from GR to CS. The applicant plans to construct a small dry cleaning establishment in the suite to provide a full service laundry service use to serve the surrounding residential areas.

The staff recommends the applicant's request for CS zoning because there is commercial zoning surrounding the site to the north, south and west. In addition, there is a precedent for CS zoning within this retail development as there is CS-CO, General Commercial Services-Conditional Overlay District, zoning to the north (Fry's Electronics). The property in question is located within an established retail center that fronts North Mopac Expressway and takes access to two state maintained highways.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR	Retail Strip Center (Buyback\$ DVD, Games, Music, Blue Ray)
<i>North</i>	GR	Parmer Crossing Retail Center (Half Price Books, Tuesday Morning)
<i>South</i>	GR	The Market at Parmer Lane Retail Center (HEB Grocery, Restaurant Uses: Starbucks, Chick-Fil-A, etc.)
<i>East</i>	P	City of Austin Fire/EMS Station
<i>West</i>	GR	Financial Services (BBVA Compass Bank)

AREA STUDY: North Lamar Area Study**TIA:** Not Required**WATERSHED:** Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation
 Austin Independent School District
 Austin Neighborhoods Council
 Bike Austin
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 North Growth Corridor Alliance
 SELTEXAS
 Sierra Club, Austin Regional Group

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0055(Kessler Zoning Change)		7/19/11: Approved staff's recommendation for denial (6-0); D. Tiemann-1st, B. Baker-2nd. 10/18/11: Move to approve the staff's recommendation of NO-MU-CO zoning (3-3, B. Baker, P. Seeger, and G. Rojas-No) – Motion failed. The Commission forwarded the case to City Council with no recommendation.	1/12/12: Approved staff's rec. of NO-MU-CO zoning on consent on 1st reading (7-0); S. Cole-1st, L. Morrison-2nd. 2/09/12: Approved NO-MU-CO district zoning on 2nd/3rd readings on consent (6-0, S. Cole-off dais); B. Spelman-1st, L. Morrison-2nd.
C14-2010-0166 – (12412 Tomanet Trail)	NO to GR* *On 1/03/10, the applicant amended their request to the	1/04/11: Approved the staff's recommendation of GO-CO zoning on consent (5-0, B. Baker-absent); G. Bourgeois-1 st , S. Baldrige-2 nd .	2/10/11: Approved GO-CO zoning on consent on all 3 readings (6-0, Martinez- absent); Spelman-1 st , Morrison-2 nd .

	staff's rec. of GO-CO		
C14-2010-0058 (2209 W. Parmer Lane)	NO to LR-CO	6/15/10: Approved the staff's recommendation of LR-CO zoning by consent (7-0); P. Seeger-1 st , S. Baldrige-2 nd .	7/29/10: Approved LR-CO on consent (7-0); L. Morrison-1 st , M. Martinez-2 nd .
C14-2010-0030 (12500 Limerick Ave.)	NO-MU to GO* *The applicant amended his re-zoning request to LO zoning at the 5/04/10 ZAP Commission meeting.	5/04/10: Approved LO-CO zoning with the following conditions: limit the building size on the site to 2,000 sq. ft. and limit the site to less 200 vehicle trips per day (4-3, D. Tiemann, P. Seeger and B. Baker-No); S. Baldrige-1 st , T. Rabago-2 nd .	5/13/10: Denied LO-CO zoning (6-1, L. Leffingwell-No); B. Spelman-1 st , L. Morrison-2 nd .
C14-2009-0078 (Limerick: 12412 Limerick Ave.)	NO to LR* *The applicant sent an e-mail to the staff on 4/29/10 asking to amend his re-zoning request to the GO zoning.	4/20/10: Recommended denial of the applicant's re-zoning request (7-0); D. Tiemann-1 st , P. Seeger-2 nd .	9/23/10: Denied the re-zoning request (6-0, S. Cole-off dais); L. Morrison-1 st , M. Martinez-2 nd .
C14-2009-0005 (Tomanet: 12408 Tomanet Trail)	SF-1 to NO	2/17/09: Approved staff's recommendation to deny 'NO' district zoning (6-0, R. Evans- absent); C. Hammond-1 st , B. Baker-2 nd .	3/26/09: Denied the request for 'NO' zoning (6-0, B. McCracken-off the dais); J. Morrison-1st, R. Shade-2 nd
C14-07-0027	SF-2 to NO	4/03/07: Approved the staff's recommendation of NO-MU zoning on consent (6-0, J. Gohil- abstained; K. Jackson and S. Hale-absent)	5/03/07: Approved NO-MU zoning by consent (7-0); all 3 readings
C14-06-0097 (Cody Pools: 2300 West Parmer Lane)	I-RR to: GR CS* * On June 6, 2006, the staff received an e- mail from the agent for this case asking to amend the rezoning request for this property from 'GR' to 'CS'. The CS District will permit the	8/01/06: Approved LR-CO zoning with the following conditions: 700 vehicle trip limit per day and 100-feet of right-of- way reservation from the centerline of Parmer Lane (9-0); K. Jackson-1 st , B. Baker-2 nd .	8/31/06: Approved LR-CO zoning on 1 st reading (7-0); J. Kim-1 st , L. Leffingwell-2 nd . 9/28/06: Approved LR-CO zoning with conditions by consent (7-0); 2 nd /3 rd readings

	Construction Sales and Services use that currently exists on the site.		
C14-05-0054 (Tomanet Estates Zoning #4, City Initiated: 2206-2310 Cindy Lane)	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dais); all 3 readings
C14-05-0053 (Tomanet Estates Zoning #3, City Initiated: 12503-12609 Silver Spur)	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dais); all 3 readings
C14-05-0052 (Tomanet Estates Zoning #2, City Initiated: 12505-12605 Tomanet Trail, 12502-12610 Silver Spur)	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dais); all 3 readings
C14-05-0051 (Tomanet Estates Zoning #1, City Initiated: 12502-12604 Tomanet Trail)	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dais); all 3 readings
C14-04-0201 (12503 Tomanet Trail)	I-RR to LR	2/01/05: Approved staff's recommendation for SF-1 zoning (9-0); J. Martinez-1 st , B.Baker-2 nd . Motion made for staff to initiate a zoning case for all properties that are zoned I-RR on Cindy Lane, Tomanet Trail and Silver Spur Streets, to SF-1 zoning (9-0); B. Baker-1 st , K. Jackson-2 nd .	3/03/05: Approved SF-1 on 1 st reading (7-0) 4/07/05: Approved SF-1 (7-0); 2 nd /3 rd readings
C14-04-0172 (Filipino Video and Oriental Store: 2309 W. Parmer Lane)	NO to LR	11/16/04: Approved staff rec. of LR-CO (9-0), with the following condition: Drive-in service is prohibited as an accessory use to a commercial use.	1/13/05: Approved LR-CO (7-0); all 3 readings

C14-04-0119 (Ivarra Zoning Change from NO to LR: 2303 W. Parmer Lane)	NO to LR	9/21/04: Approved staff's rec. of LR (7-0)	10/21/04: Approved LR (7-0); all 3 readings
C14-02-0135 (Perfect Shirt: 12500 Tomanet Trail)	NO to GR	9/17/02: Approved staff's rec. of GR-CO zoning by consent (7-0)	10/24/02: Granted GR-CO on all 3 readings (6-0, Dunkerley-absent)
C14-01-0184 (Perfect Shirt: 12500 Tomanet Trail)	NO to GR	1/29/02: Postponed to 2/26/02 by applicant (8-0, A.Adams-absent) 2/26/02: Approved staff's recommendation of GR-CO zoning with the following conditions: Limit the development intensity to less than 2,000 vehicle trips per day; restrict vehicle access from the property to Tomanet Trail; permit Personal Services as the only 'GR' use; and limit the property to 'NO' uses. (6-0, K. Jackson-absent; N. Spelman, D. Castaneda-left early)	4/4/02: Approved ZAP rec. of GR-CO with conditions on all 3 readings (6-0, Goodman out of room)
C14-00-2045 (Perfect Shirt: 12500 Tomanet Trail)	NO to GR	5/9/00: Approved GR-CO (6-2, JR/JM-Nay); for building footprint only for dry cleaning use; permitted 'NO' uses; no access to Tomanet Trail; 2,000 vehicle trip limit per day; limit landscape buffer between sidewalk and street; sidewalks on Tomanet Trail; building square feet not to exceed 2,000 sq. ft.	6/8/00: Approved PC rec. of GR-CO w/ conditions on 1 st reading (7-0) 10/12/00: Approved GR-CO (7-0); 2 nd /3 rd readings

RELATED CASES: C14-84-021 (Previous Zoning Case)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Parmer Lane	~157'	~113'	Major Arterial	~6' existing public, none on private drive	Yes	Yes

CITY COUNCIL DATE: November 9, 2017

ACTION:

ORDINANCE READINGS: 1st

2nd

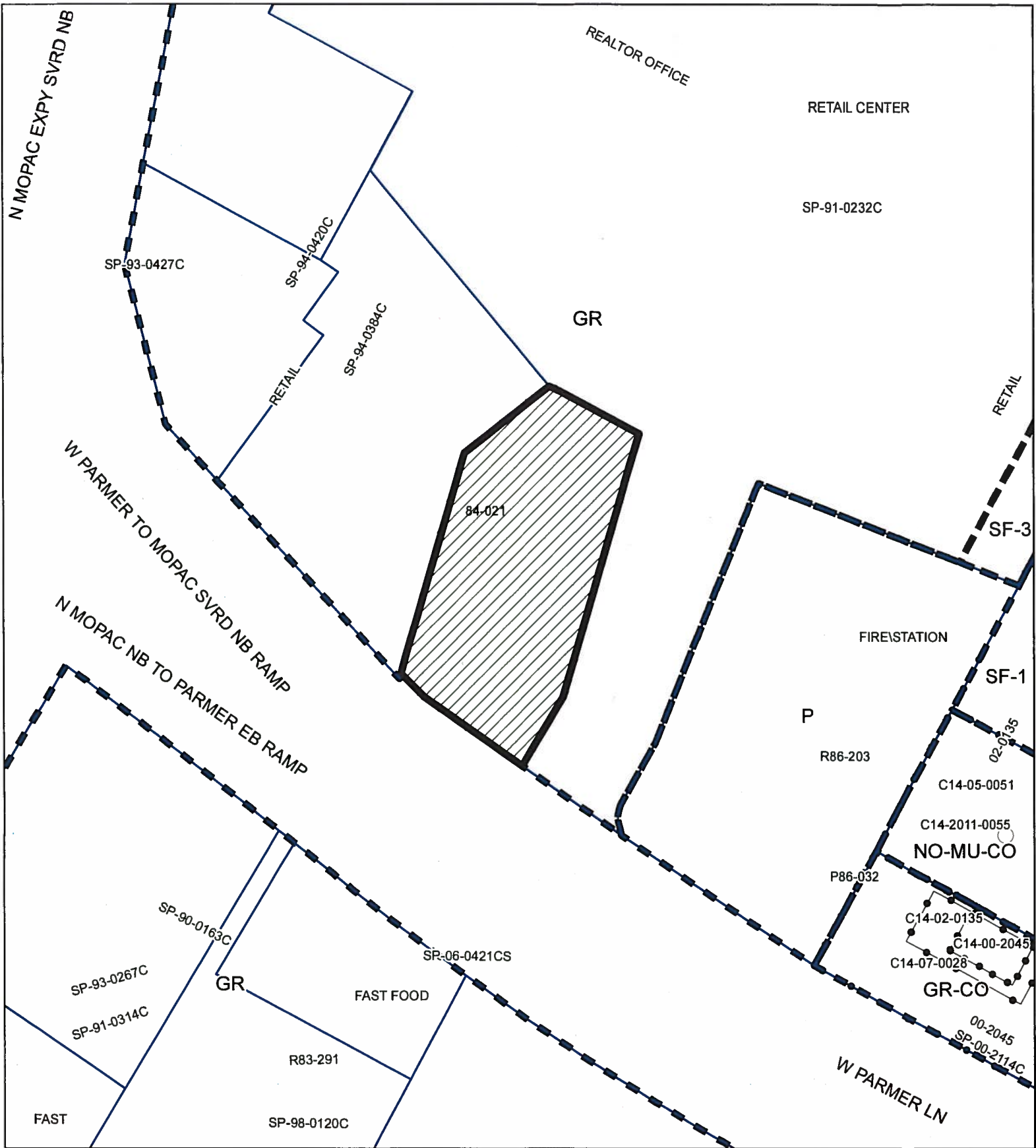
3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057

sherri.sirwaitis@austintexas.gov



ZONING

ZONING CASE#:is C14-2017-0115



SUBJECT TRACT



PENDING CASE



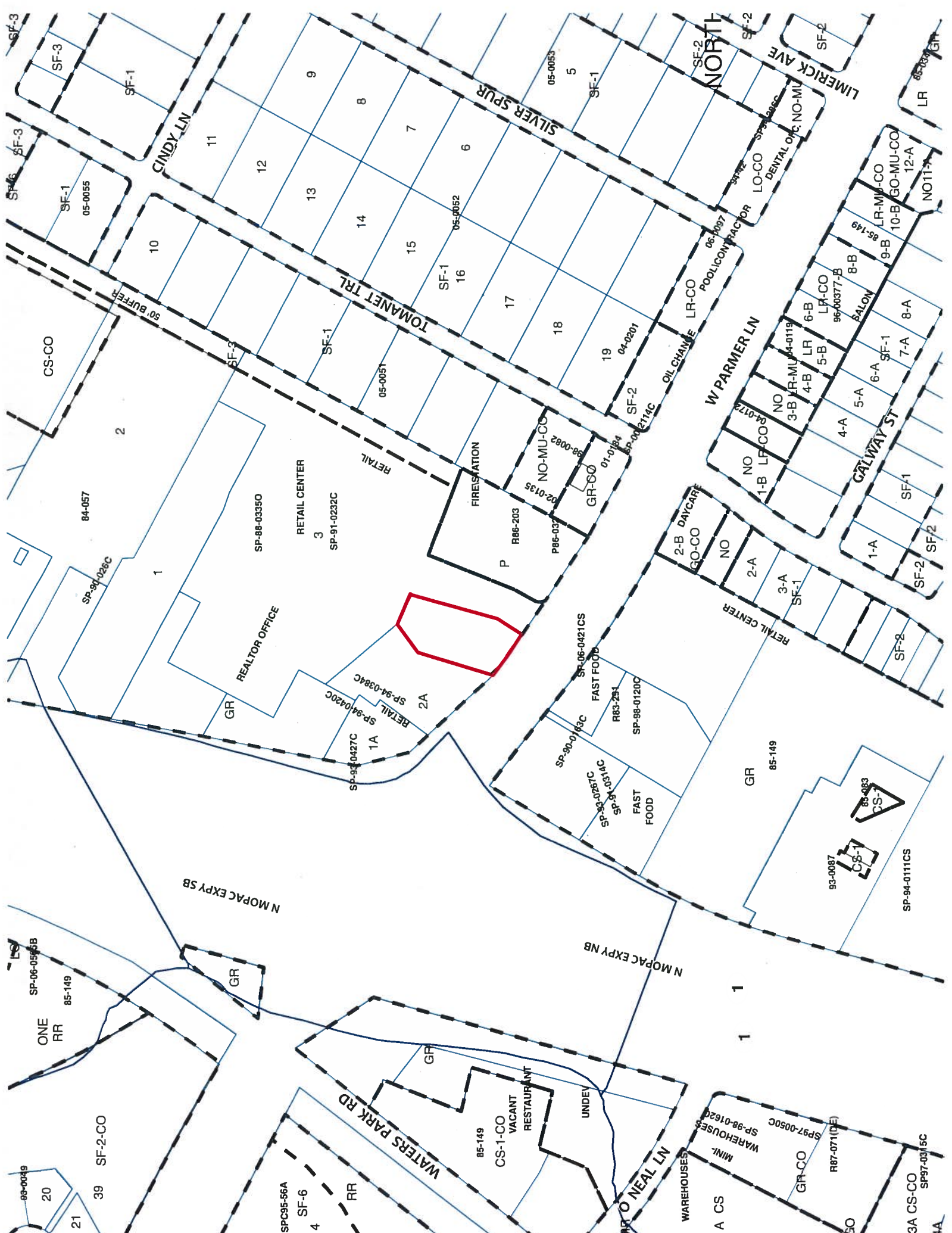
ZONING BOUNDARY

1" = 100'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







STAFF RECOMMENDATION

The staff's recommendation is CS, General Commercial Services District, zoning.

If the requested zoning is granted for this site, then 100 feet of right-of-way from the existing centerline should be dedicated for Parmer Lane through a street deed prior to 3rd reading of the case at City Council according to the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55].

BASIS FOR RECOMMENDATION

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

The CS zoning district is intended for commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The property in question is a 3,490 square foot suite located within an established shopping center at the northeast intersection of Parmer Lane and the northbound feeder of the Mopac Expressway.

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

The proposed footprint of CS zoning would be compatible and consistent with the surrounding zoning because there is GR, Community Commercial District, zoning adjacent to the site to the north, south and east. In addition, there is a precedent for CS zoning within this retail development as there is CS-CO, General Commercial Services-Conditional Overlay District, zoning to the north (Fry's Electronics).

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

The CS zoning district would allow for a fair and reasonable use of the site. CS zoning is appropriate for this site because the property is located on a designated Activity Corridor and is within an existing commercial center.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is a suite within an existing retail building that is part of a larger commercial center (Parmer Crossing) located at the northeast intersection of Parmer Lane and northbound Mopac Expressway. To the north, within this commercial center, there are general retail sales-convenience uses (Half Price Books, Tuesday Morning) and to the west is a financial services use (BBVA Compass Bank). To the south, across Parmer Lane, is another commercial center (The Market at Parmer Lane Retail Center: HEB Grocery, Starbucks, Chick-Fil-A, etc.). The tract of land to the east is developed with a City of Austin Fire/EMS Station.

Comprehensive Planning

This zoning case is located on the north side of W. Parmer Lane, on a 0.08 acre parcel, which contains an existing commercial building. The property is not located within the boundaries of the neighborhood planning area. Surrounding land uses are commercial uses to the north, south and west, and a fire station to the east. The proposed use is laundry services.

Connectivity

There is a public sidewalk located on both sides of W. Parmer Lane, and a Cap Metro transit stop within walking distance from this property. The Walkscore for this property is 51/100, Somewhat Walkable, meaning some errands may be accomplished on foot.

Imagine Austin

The Imagine Austin Growth Concept Map identifies this project as being located to the north side of an existing **Activity Corridor** (W. Parmer Lane). However, based the comparative scale of this project relative to other nearby commercial uses along this corridor, this falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

Environmental

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

According to floodplain maps there is no floodplain within or adjacent to the project location.

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 512-974-1876. 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 requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Impervious Cover

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

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 Gross Site Area</i>	<i>% of Gross Site Area 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%

Site Plan

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.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Compatibility Standards

The site is subject to compatibility standards. Along the northeast property line, 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.
- 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.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- 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.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

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

Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

The Austin Metropolitan Area Transportation Plan calls for 200 feet of right-of-way for Parmer Lane. If the requested zoning is granted for this site, then 100 feet of right-of-way from the existing centerline should be dedicated for Parmer Lane according to the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55].

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Parmer Lane	~157'	~113'	Major Arterial	~6' existing public, none on private drive	Yes	Yes

Water and Wastewater

FYI: 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, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. 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 fees once the landowner makes an application for Austin Water utility tap permits.

