

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2018-0076 (Sam's Auto Shop, Part 2)

**Z.A.P. DATE:** August 7, 2018

**ADDRESS:** 11815 Buckner Road

**DISTRICT AREA:** 6

**APPLICANT:** City of Austin-Planning and Zoning Department (Sherri Sirwaitis)

**OWNER:** Samar Siavash and Famoori-Sheshdeh Nooshin

**ZONING FROM:** SF-2, GR

**TO:** GR

**AREA:** 0.88 acres

**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant GR, Community Commercial District zoning.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

8/07/18: Approved the staff's recommendation for GR zoning by consent (8-0, D. Breithaupt- arrived late, B. Evans-absent); S. Lavani-1<sup>st</sup>, A. Denkler-2<sup>nd</sup>.

**ISSUES:**

On May 15, 2018, Mr. Shaw Hamilton spoke to the Zoning and Platting Commission at Citizen Communication to request that the Commission direct staff to initiate a new rezoning case to correct an error in Ordinance No. 20170803-106. An incorrect field note description for a 0.524 acre area was submitted with the rezoning application in case C14-2017-0041(Sam's Auto) and was subsequently attached to the zoning ordinance for the property located at 11815 Buckner Road. The address and the zoning case map showed the correct area which is described as 0.88 acres according to the property deed. Therefore, at their June 5, 2018 meeting, the Zoning and Platting Commission directed the staff to initiate a new zoning case to rezone the property to correct the legal/field note description in a new zoning ordinance for this property.

**DEPARTMENT COMMENTS:**

The property in question contains a vacant manufactured trailer from the previous Construction Sales and Services use (former American Drywall System, Inc. site). The tract of land to the north is zoned GR-MU-CO and is undeveloped. The properties to the south, in the county, are developed with an automotive repair use (MC Tires and Auto Repair) and a general retail sales use (Court Builders of Austin Sport Court). To the east is another automotive repair use (Rivera RPM Auto Repair, Dearing Auto Repair and a General Retail Sales use (Yesimports). The tract to the west contains a single family residence with a warehouse structure. The applicant is requesting GR zoning to develop an automotive repair use on the site.

The staff recommends the applicant's request for GR zoning as the proposed zoning meets the intent of the Community Commercial District. The proposed GR zoning will permit office and commercial uses adjacent to other like businesses that will serve the public. The staff has recommended

Community Commercial zoning along the FM 620 Road corridor to a similar depth to allow for commercial services along this major arterial roadway, FM 620 Road, within the city.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-2, GR	Vacant Manufactured Trailer (former Construction Sales and Services use - American Drywall System, Inc.)
<i>North</i>	GR-MU-CO	Undeveloped Tract
<i>South</i>	County	Automotive repair use (MC Tires and Auto Repair), General Retail Sales use (Court Builders of Austin Sport Court)
<i>East</i>	SF-2	Automotive Repair (Rivera RPM Auto Repair, Dearing Automotive Repair, General Retail Sales (Yesimports)
<i>West</i>	SF-2	Single-Family Residence with Warehouse Structure (currently for sale)

**AREA STUDY:** N/A

**TIA:** Deferred

**WATERSHED:** Lake Travis

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** Yes

**NEIGHBORHOOD ORGANIZATIONS:**

Bike Austin  
 Bull Creek Foundation  
 Canyon Creek H.O.A.  
 Friends of Austin Neighborhoods  
 Leander ISD Population and Survey Analysts  
 Long Canyon Homeowners Association  
 Long Canyon Phase II & LLL Homeowners Association, Inc.  
 Mountain Neighborhood Association (MNA)  
 Neighborhood Empowerment Foundation  
 Northwest Austin Coalition  
 NW Austin Working Group  
 SELTEXAS  
 Sierra Club, Austin Regional Group  
 TNR BCP – Travis County Natural Resources  
 The Parke HOA  
 2222 Coalition of Neighborhood Associations  
 Volente Neighborhood Association

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2017-0041 (Sam's Auto Shop: 11815 Buckner Road)	SF-2 to GR	6/06/17: Approved staff's recommendation of GR zoning on consent (10-0, D. Breithaupt-absent); Aguirre-1 <sup>st</sup> , S. Lavani-2 <sup>nd</sup> .	8/03/17: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170803-106 for community commercial (GR) district zoning was approved on

			Council Member Garza's motion, Council Member Casar's second on an 11-0 vote.
C14-2014-0082 (Stokes Ranch: 11900 Buckner Road)	Tract 1: SF-2 to GR-MU and Tract 2: DR to SF-6	7/15/14: Approved staff's recommendation of GR-MU-CO zoning for Tract 1 and SF-6-CO zoning for Tract 2, with a CO to limit the entire site to less than 2,000 vehicle trips per day and a street deed to dedicate 25 feet of right-of-way from the existing centerline of Buckner Road, by consent (5-0, C. Banks & S. Compton-absent); P. Seeger-1 <sup>st</sup> , R. McDaniel-2 <sup>nd</sup> .	8/07/14: Approved CS-CO zoning by consent on 1 <sup>st</sup> reading only (7-0); B. Spelman-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup> .  10/16/14: Approved GR-MU-CO zoning for Tract 1 and SF-6-CO zoning for Tract 2 on consent on Mayor Pro Tem Cole's motion, Council Member Morrison's second on a 7-0 vote.
C14-2010-0152 M&S Project #2: 10601 N. FM 620 Road)	LR-CO to CS-1	10/05/10: Approved the CS-1-CO zoning with the following conditions: 1) Limit the property to 2,000 vehicle trips per day per Ordinance No. 010125-14; 2) Prohibit Cocktail Lounge, Exterminating Services, Pawn Shop Services, Hotel-Motel, Indoor Sports and Recreation, and Auto Related Uses and 3) Limit the site to all other GR permitted uses (7-0); S. Baldrige-1 <sup>st</sup> , P. Seeger-2 <sup>nd</sup> .	10/28/10: Approved CS-1-CO zoning on consent on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0); B. Spelman-1 <sup>st</sup> , L. Morrison-2 <sup>nd</sup> .
C14-2008-0199 (Time Warner 620 HUB: 11827 Buckner Road)	DR to LO-CO	10/31/08: Approved staff rec. of LO-CO zoning by consent (4-0)	12/02/08: Approved LO-CO zoning (6-0); all 3 readings
C14-04-0207 (ECO Resources: 9511 North FM 620 Road)	I-RR to Tract 1: P and Tract 2: GO	2/01/05: Approved staff's recommendation on consent for P-CO for Tract 1, GO-CO for Tract 2, with additional conditions to: 1) Prohibit access to Savannah Ridge Drive (other than for emergency vehicles), 2) Create a Tract 3 designated as RR-CO district zoning for a distance of 300-feet from the eastern most property line that is adjacent to SF-2 zoning, Vote: (9-0); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	3/03/05: Approved P-CO for Tract 1, GO-CO for Tract 2, and RR-CO for Tract 3 (7-0); all 3 readings
C14-04-0197 (Buckner: 11833 Buckner Road)	DR to CS* * Amended request to SF-3 on 1/03/05	3/29/05: Approved staff rec. of SF-3 zoning by consent (7-0)	5/12/05: Approved SF-3 zoning (7-0); 1 <sup>st</sup> reading  6/23/05: Approved SF-3 zoning; 2 <sup>nd</sup> /3 <sup>rd</sup> readings

C14-04-0183 (Escalon at Canyon Creek Apartments: 9715 North FM 620 Road)	I-RR to MF-3	12/21/04: Approved MF-2-CO, with staff condition to limit development to less than 2,000 vehicle trips per day beyond the existing development and additional condition for a 568 unit limit for the site (9-0)	1/27/05: Approved MF-2-CO (6-0, Dunkerley-absent); 1 <sup>st</sup> reading  3/03/05: Approved MF-2-CO on consent (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-04-0137 (Estates at Canyon Creek: 9501 North FM 620 Road)	I-RR to MF-1	9/21/04: Approved staff's recommendation of MF-1-CO zoning by consent (7-0, K. Jackson-off dais, J. Gohil-absent)	10/21/04: Approved ZAP recommendation of MF-1-CO by consent (7-0); 1 <sup>st</sup> reading 11/4/04: Approved MF-1-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-04-0035 (Eppright 12-Acre Tract: 9300-9800 Block of North FM 620 Road)	I-RR to SF-6	5/18/04: Approved staff's rec. for SF-6-CO zoning, with the addition of the conditions listed in the Letter of Agreement between the applicant and the neighborhood, by consent (8-0)	8/12/04: Granted SF-6-CO on all 3 readings (5-1, B. McCracken – No, J. Goodman – off the dais)
C14-04-0003 (Canyon Creek West Section Three: 9800-9920 Block of Savannah Ridge Drive)	I-RR, I-SF-2 to SF-2	2/3/04: Approved staff's recommendation of SF-2 zoning, by consent (9-0)	3/4/04: Granted SF-2 zoning (6-0, McCracken-absent); all 3 readings
C14-04-0002 (Canyon Creek West Section One: 10012-10129 Brabrook Drive)	I-SF-2, I-RR to SF-2	2/3/04: Approved staff's recommendation of SF-2 zoning, by consent (9-0)	3/4/04: Granted SF-2 zoning (6-0, McCracken-absent); all 3 readings
C14-02-0154 (McDougal 620 Property: Windy Ridge Road at North FM 620 Road)	SF-2, DR to CS-CO	1/28/03: Approved W/LO-CO zoning with conditions of: • Limiting trips to 2,000 per day; • 50' vegetative buffer along the western property line; • 20' buffer along the southern property line; • Prohibit access on the western property line, with the exception of emergency access; • Only 2 access points on the southern property line; • Restrict semi-trucks, 3 axles or more to Windy Ridge entrance. Vote: (7-1, J.P.-Nay, J.D.-absent); K.J.-1 <sup>st</sup> , M.W.-2 <sup>nd</sup> .	3/20/03: Approved staff recommendation of GR-CO for 1st 700 feet off 620 and RR for balance (7-0); 1 <sup>st</sup> reading only  3/25/03: Approved staff recommendation of GR-CO for 1st 700 feet off 620 and RR for balance (7-0); 2 <sup>nd</sup> reading  1/27/05: Approved staff recommendation of GR-CO for 1st 700 feet off 620 and RR for balance (7-0); 3 <sup>rd</sup> reading
C14-00-2122 (M & S Corner: North FM 620 Road)	RR to CS-1-CO for Tract 1 and LR-CO for Tracts 2 & 3	9/12/00: Approved LR-CO zoning for Tracts 1, 2, & 3 with following conditions: 1) Limit vehicle trips to 2,000 per day for Tracts 1&2;	10/12/00: Approved Planning Commission rec. of LR-CO, with conditions (7-0); 1 <sup>st</sup> reading

		<p>2) Limit vehicle trips to 3,223 per day for Tract 3; 3) Property owner shall have a 10-foot setback with a vegetative buffer and hooded lights; 4) Garbage pickup shall be from 6-10 p.m.; 5) Construct an 8 foot fence (7-0, B.B. &amp; S.A.-absent); S.L.-1<sup>st</sup>, B.H.-2<sup>nd</sup>.</p>	<p>11/30/00: Approved LR-CO for Tracts 1&amp;2, and CS-1-CO for Tract 3, prohibiting cocktail lounge use (7-0); 2<sup>nd</sup> reading</p> <p>1/25/01: Approved LR-CO for Tracts 1&amp;2, and CS-1-CO for Tract 3, with the following conditions: 1) A 10-foot building setback along the east property line; 2) Limit vehicle trips to 2,000 per day for Tracts 1&amp;2; 3) Limit vehicle trips to 3,223 per day for Tract 3; 4) Prohibit the following uses on Tract 1: Adult Businesses, Automotive Rental, Automotive Repair Services, Automotive Sales, Automotive Washing, Agricultural Sales and Services, Art and Craft Studio (General), Building Maintenance Services, Business or Trade School, Business Support Services, Campground, Cocktail Lounge, Commercial Blood Plasma Center, Commercial Off-Street Parking, Communication Services, Construction Sales and Services, Convenience Storage, Drop-Off Recycling Collection Facility, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Exterminating Services, Funeral Services, General Retail Sales, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Kennels, Laundry Services, Monument Retail Sales, Outdoor Sports and Recreation, Pawn Shop Services, Personal Improvement Services, Research Services, Restaurant (General), Theater, Vehicle Storage, Veterinary Services, Custom Manufacturing, Limited Warehousing and Distribution, Maintenance and Service Facilities (7-0); 3<sup>rd</sup> reading</p>
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**RELATED CASES:** C14-2017-0041 (Previous Zoning Case)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Buckner Road	46'	21'	Local	No	No	No

**CITY COUNCIL DATE:** August 30, 2018

**ACTION:**

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

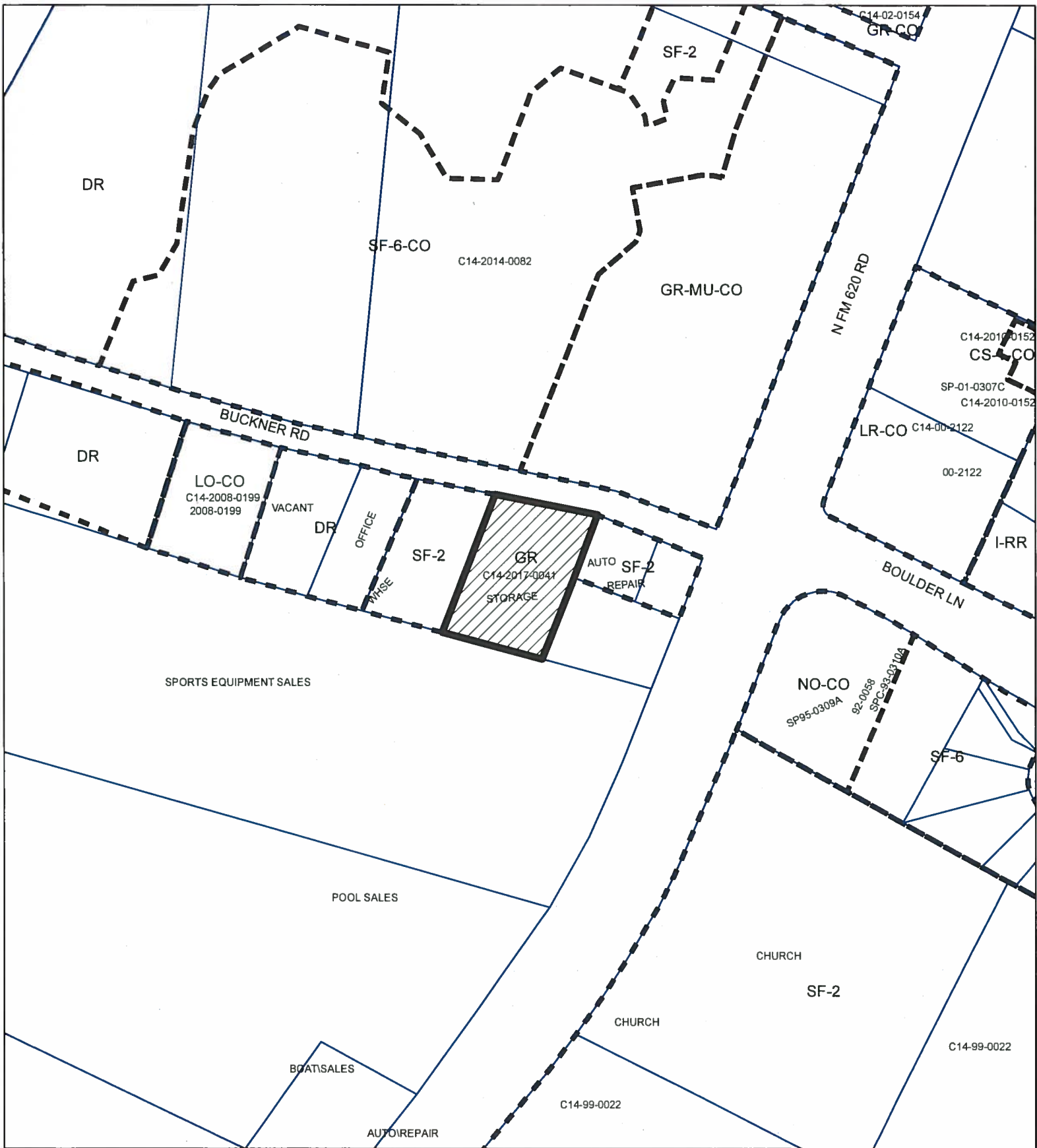
2<sup>nd</sup>




3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057,  
[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## Zoning Case

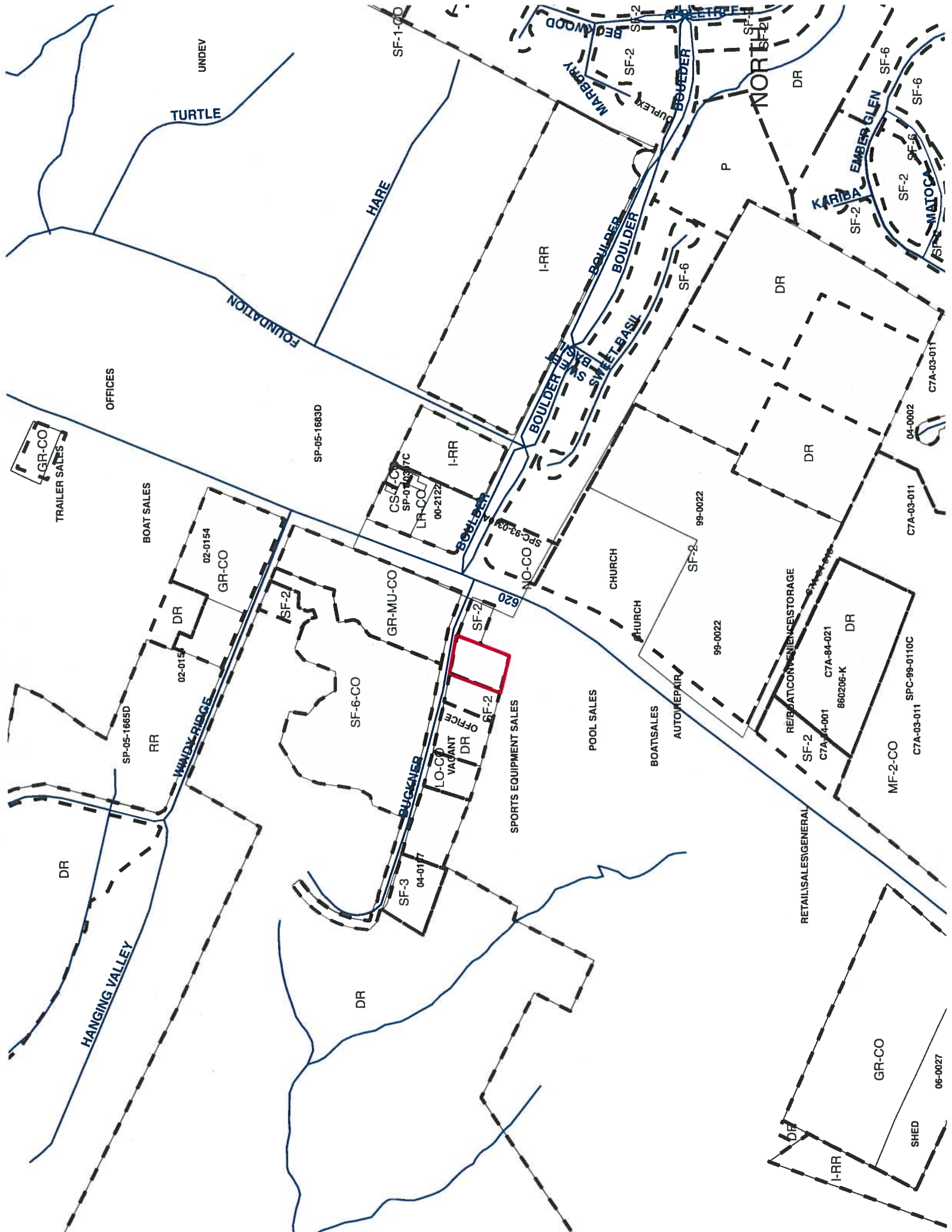
### C14-2018-0076



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.

1" = 200'









## STAFF RECOMMENDATION

The staff's recommendation is to grant GR, Community Commercial District zoning.

## 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.

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

The proposed rezoning will permit the development of commercial uses on the site to serve the public along a major arterial roadway, North FM 620 Road, within the city.

## EXISTING CONDITIONS

### Site Characteristics

The property in question contains a vacant manufactured trailer from the previous Construction Sales and Services use (former American Drywall System, Inc. site). The tract of land to the north is zoned GR-MU-CO and is undeveloped. The properties to the south, in the county, are developed with an automotive repair use (MC Tires and Auto Repair) and a general retail sales use (Court Builders of Austin Sport Court). To the east is another automotive repair use (Rivera RPM Auto Repair, Dearing Automotive Repair and a General Retail Sales use (Yesimports). The tract to the west contains a single family residence with a warehouse structure.

### Comprehensive Planning

Monday July 23, 2018

This zoning case is located on a 0.88 acres parcel that contains an auto repair shop, which is situated on the southside of Buckner Road, and approximately 300 feet off of FM 620. The subject property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes vacant land, a playhouse manufacturing facility, and a custom trailer manufacture to the north; several auto sale and services businesses, several small scale manufacturers, and vacant land to the south; vacant land, residential and office uses to the west; and three churches, a gas station; a liquor store, residential uses, and office uses to the east. The proposed use is to acknowledge the existing auto service use with the correct zoning district classification.

*Please Note: A compliance review was submitted on this same property in April 2017, and the property was subsequently rezoned to Zone GR. Months later it was discovered that there was a legal error in the description of the property in the field notes, and this case has been submitted again for rezoning, with the correct legal description.*

**Connectivity:** There are no public sidewalks or a Cap Metro transit stop located along this portion of Buckner Road or along the adjacent FM 620. The Walkscore for this property **16/100, Car Dependent**, meaning all errands are dependent on a car. There are no existing urban trails within a mile of this site.

### **Imagine Austin**

The property is not situated along an Activity Corridor or by an Activity Center according to the Imagine Austin Growth Concept Map. The following Imagine Austin policy is applicable to this case:

- ☐ **LUT P3** Promote development in compact centers, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- ☐ **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

Based on the existing and comparably sized auto-centric uses in the area (auto repair, auto sales, auto detailing, auto body shop, trailer manufacture, car tinting) and manufacturers in the area, as well as the site not being located along an Activity Corridor or within an Activity Center, this case 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 located over the Edwards Aquifer Recharge Zone. The site is in the Lake Travis Watershed of the Colorado River Basin, which is classified as a Water Supply Rural Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Single family or duplex development within a Water Quality Transition Zone may not exceed a density of one unit per three acres, exclusive of land within a 100-year floodplain.

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.

Numerous 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 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 GR zoning district would be 90%. 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.

Under the 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>% NSA with Transfers</i>	<i>Allowable Density</i>
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

Note: The most restrictive impervious cover limit applies.

### **Site Plan**

Tuesday July 10, 2018

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 north, east 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.
- ☐ 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.

### **Scenic Roadways**

This site is within the Scenic Roadway Sign District. All signs must comply with Scenic Roadway Sign District regulations. Contact Viktor Auzenne at 512-974-2941 for more information. Additional design regulations will be enforced at the time a site plan is submitted.

### **Hill Country Roadway**

The site is located within 1,000 feet of RM 620 and within a Hill Country Roadway Corridor. The site is located within the moderate intensity zone of the RM 620 corridor. The site may be developed with the following maximum floor-to-area ratio (FAR):

<u><i>Slope</i></u>	<u><i>Maximum FAR</i></u>
0-15%	0.25
15-25%	0.10
25-35%	0.05

Except for clearing necessary to provide utilities or site access, a 100 foot vegetative buffer will be required along RM 620. At least 40% of the site (excluding dedicated right-of-way) must be left in a natural state. The allowable height is as follows: Within 200 feet of RM 620, the maximum height is 28 feet, and beyond 200 feet the maximum height is 40 feet.

Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Planning Commission.

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

### **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.

A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113. LDC, Sec. 25-6-113.

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 (within ¼ mile)</b>
Buckner Road	45'	23'	Local	No	No	No

### **Water and Wastewater**

The tract is currently not served with Austin Water water and wastewater utilities.

The water service provider is a private well.

The wastewater service is assumed to be an On-Site Sewage Facility approved by Travis County. Travis County will need to approve the OSSF change of use.

If City water and wastewater service is desired, Service Extension Requests will be required. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7<sup>th</sup> floor, phone 512-972-0211. Austin Water reserves the right to make additional comments and to establish other requirements with the Service Extension Request review.