

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2018-0148 (12202 Pecan Street Rezoning)

**Z.A.P. DATE:** March 5, 2019

**DISTRICT AREA:** 6

**ADDRESS:** 12202 Pecan Street

**OWNER/APPLICANT:** Perry Barth

**AGENT:** Thrower Design (A. Ron Thrower)

**ZONING FROM:** SF-3

**TO:** CS

**AREA:** 0.31 acres (13, 503.6 sq. ft.)

**SUMMARY STAFF RECOMMENDATION:**

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

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**DEPARTMENT COMMENTS:**

The property in question is currently developed with a single-family residence and is zoned SF-3, Family Residence. The site is surrounded by LI, Limited Industrial District, zoning. There is a medical office use fronting McNeil Drive to the north, a single-family residence to the south, an automotive sales use to the east, and undeveloped lots to the west along Jekel Circle. The applicant is requesting CS zoning to utilize this property for a construction sales and services use.

The staff recommends CS, General Commercial Services District, zoning because the area is transitioning from residential to commercial and industrial uses. The lots surrounding this site to the north, south, east and west are zoned with the LI district for commercial and industrial use. There are commercial uses to the north (dentist office) and east (automotive sales). The proposed zoning will permit the applicant to utilize the property for office and commercial uses that are consistent with surrounding land use patterns in this area. The proposed rezoning site is located within the designated '183 & McNeil Neighborhood Center', as identified on the Growth Concept Map in the Imagine Austin Comprehensive Plan.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3	Single-Family Residence
<i>North</i>	LI	Medical Office (Oral Surgeon)
<i>South</i>	LI	Single-Family Residence
<i>East</i>	LI, CS	Automotive Sales (Mini Cooper of Austin, BMW of Austin)
<i>West</i>	LI-CO	Undeveloped Lots

**AREA STUDY:** N/A

**TIA:** Deferred

**WATERSHED:** Rattan Creek

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Bike Austin  
Friends of Austin Neighborhoods  
Homeless Neighborhood Association  
Neighborhood Empowerment Foundation  
Northwest Austin Coalition  
SELTEXAS  
Sierra Club, Austin Regional Group

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2016-0123 (6914 McNeil Dr.)		1/17/17: Approved staff recommendation of GR-CO zoning, with CO to prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales Automotive Washing (of any type), Bail Bond Services Commercial Off-Street Parking Drop Off Recycling Facility Exterminating Services, Funeral Services, Pawn Shop Services Research Services, Service Station; with additional conditions to prohibit Hospital Services, Alternative Financial Services, and Drive-In Services uses and to include a public restrictive covenant to require the installation of sidewalks and sidewalk improvements (8-2, J. Kiolbassa, B. Greenberg-No; D. Breithaupt-absent); S. Harris-1 <sup>st</sup> , B. Evans-2 <sup>nd</sup> .	1/26/17: Approved ZAP Commission's recommendation of GR-CO zoning, with conditions, on 1 <sup>st</sup> reading on consent (11-0); D. Garza-1 <sup>st</sup> , P. Renteria-2 <sup>nd</sup> .  3/02/17: Ordinance No. 20170302-050 was approved for community commercial-conditional overlay (GR-CO) combining district zoning, with conditions, on Council Member Troxclair's motion, Council Member Flannigan's second on a 10-0 vote. Council Member Kitchen was off the dais.
C14-2015-0136 (6914 McNeil Dr.)	I-RR to GR	11/17/15: Postponed at the applicant's request to December 15, 2015 (10-0); A. Denkler-2 <sup>nd</sup> , B. Evans-2 <sup>nd</sup> .  12/15/16: Postponed at the applicant's request to January 5, 2016 (7-0, D. Breithaupt, Y. Flores, S. Harris-absent); B. Evans-1 <sup>st</sup> , S. Lavani-2 <sup>nd</sup> .	12/10/15: Postponed to February 11, 2016 at the staff's request (10-0, S. Adler-absent)  02/11/16: Postponed indefinitely at the request of the applicant (11-0); L. Pool-1 <sup>st</sup> , D. Zimmerman-2 <sup>nd</sup> .

		<p>01/05/16: Postponed at the applicant's request to January 19, 2016 (8-0, S. Lavani-absent, J. Goodman-arrived late); T. Webber-1<sup>st</sup>, A. Denkler-2<sup>nd</sup>.</p> <p>01/19/16: Postponed at the applicant's request to February 2, 2016 (10-0); T. Webber-1<sup>st</sup>, S. Lavani-2<sup>nd</sup>.</p> <p>02/02/16: Approved applicant's request for an indefinite postponement (10-0); J. Goodman-1<sup>st</sup>, J. Kiolbassa-2<sup>nd</sup>.</p> <p>Case expired on July 31, 2016 in accordance with LDC Section 25-2-246(A)(2).</p>	
C14-2012-0099 (Myers Zoning Change: 6810 McNeil Drive)	I-SF-2 to €S GR	<p>11/06/12: Approved GR-CO zoning (6-0, G. Rojas-absent); P. Seeger-1<sup>st</sup>, J. Meeker-2<sup>nd</sup>, with the following conditions 1) Limit the development intensity for the site to less than 2,000 vehicle trips per day, 2) Prohibit the following uses as offered by the applicant: Automotive Repair Services, Automotive Washing (of any kind), Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Food Sales, Funeral Services, Hotel/Motel, Indoor Entertainment, Indoor Sports and Recreation, Off-Site Accessory Parking, Outdoor Entertainment, Outdoor Sports and Recreation, Plant Nursery, Theater, Custom Manufacturing, College and University Facilities, Communication Service Facilities, Community Recreation (Private &amp; Public), Counseling Services, Guidance Services, Hospital Services (General), Hospital Services (Limited), Local Utility Services, Private Primary</p>	<p>11/08/12: Approved GR-CO zoning on consent on 1<sup>st</sup> reading (6-0, S. Cole-off dais); L. Morrison-1<sup>st</sup>, M. Martinez-2<sup>nd</sup>.</p> <p>12/13/12: Approved GR-CO zoning on consent on 2<sup>nd</sup>/3<sup>rd</sup> readings (7-0), L. Morrison-1<sup>st</sup>, B. Spelman-2<sup>nd</sup>.</p>

		<p>Educational Facilities, Private Secondary Educational Facilities, Public Primary Educational Facilities, Residential Treatment, Safety Services; 3) Add Automotive Sales and Service Station as prohibited uses.</p> <p>4) Prohibit/restrict hours of operation between 12:00 a.m. and 6:00 a.m.</p>	
C14-2008-0098 (12205 Pecan Street)	SF-3 to LI	7/01/08: Approved staff's rec. of LI-CO zoning, with added condition to prohibit Adult Oriented Businesses, by consent (6-0, J. Martinez, K. Jackson-absent) T. Rabago-1 <sup>st</sup> , J. Shieh-2 <sup>nd</sup> .	8/07/08: Approved LI-CO district zoning, with the following conditions: 2,000 vtpdl, prohibit Adult Oriented Businesses and 35-feet of right-of-way should be dedicated from the centerline of Pecan Street through a street deed, by consent (7-0); B. McCracken-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .
C14-2008-0095 (Jekel Rezoning: 12214 Jekel Circle)	SF-3 to LI	7/01/08: Approved staff's recommendation of LI-CO zoning, with added condition to prohibit Adult Oriented Businesses, by consent (6-0, J. Martinez, K. Jackson-absent) T. Rabago-1 <sup>st</sup> , J. Shieh-2 <sup>nd</sup> .	8/07/08: Approved LI-CO district zoning, with the following conditions: 2,000 vtpdl, prohibit Adult Oriented Businesses and 35-feet of right-of-way should be dedicated from the centerline of Jekel Circle through a street deed, by consent (7-0); B. McCracken-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .
C14-2008-0069 (IABA Phase-1: 12460 Los Indios Trail)	I-RR to MF-3	6/17/08: Approved SF-6-CO district zoning with conditions of: Restricting to no duplexes, multi-family, town homes or condominiums; Maximum of 30 units; 25' undisturbed vegetative setback and a 50' building setback from the northern property line; 300 vehicle trips per day; Commissioner Keith Jackson's motion, Commissioner Joseph Martinez second the motion on a vote of 8-0; with 1 vacancy on this commission.	<p>7/24/08: Approved the ZAP Commission's rec. of SF-6-CO zoning, with restrictions as follows: no attached single family dwellings and 35' height limitation with exceptions allowed under the Code up to 40'. The parking will be agreed upon by involved parties. (7-0); Council Member Cole-1<sup>st</sup>, Council Member Martinez-2<sup>nd</sup>; 1<sup>st</sup> reading</p> <p>7/23/09: Approved SF-6-CO zoning on consent on 2<sup>nd</sup>/3<sup>rd</sup> readings (7-0); Morrison-1<sup>st</sup>, Martinez-2<sup>nd</sup>.</p>
C14-03-0107 (Los Indios Lift Station: 12507 Oro Valley Trail)	SF-4A to P	8/26/03: Approved staff's recommendation of 'P' zoning by consent (8-0, K. Jackson-absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	9/25/03: Granted 'P' (7-0); all 3 readings

C14-03-0074 (Gateway Community Church: 7014 McNeil Drive)	SF-6-CO to GO	6/3/03: Approved GO-CO zoning, with the following conditions: 1) Limit the development intensity on the site to less than 2,000 vehicle trips per day. 2) Allow GO, General Office district, zoning height (60 feet) and impervious cover (80%) standards. Limit all other site development regulations to LO, Limited Office district, zoning standards. 3) Permit LO district uses (prohibit the following GO district uses): Business or Trade School, Business Support Services, College and University Facilities, Congregate Living, Hospital Services (General), Hospital Services (Limited), Private Secondary Education Facilities, Off-Site Accessory Parking, Personal Services, Restaurant (Limited); 4) Provide a 25-foot setback (buffer zone) from the North property line for the area that is zoned SF-1. 5) Provide a 25-foot setback from the East property line for the area that is zoned SF-1 and the lot zoned SF-2.	7/17/03: Granted GO-CO; prohibiting vehicle access to Lobelia Dr. (7-0); all 3 readings
C14-03-0059 (McNeil Deal: 6917 McNeil Drive)	SF-3 to CS	5/6/03: Approved staff's rec. of CS-CO zoning with condition to prohibit the following uses: <ul style="list-style-type: none"> <li>• Drop-off Recycling Collection Facility</li> <li>• Scrap and Salvage</li> <li>• Convenience Storage</li> <li>• Pawnshop Services</li> </ul> (8-0, K. Jackson-absent)	6/5/03: Approved CS-CO (7-0); all 3 readings
C14-00-2218 (6514 McNeil Drive)	I-RR to GO	2/13/01: Approved staff rec. of GO-CO by consent (9-0)	3/22/01: Approved GO-CO zoning, with the following conditions: 660 vehicle trip limit and 40 foot height limit (7-0); all 3 readings
C14-99-0095	SF-3 to CS	6/29/99: Approved staff's alternate rec. of CS-CO (8-0)	7/29/99: Approved PC rec. of CS-CO (6-0); all 3 readings

**RELATED CASES:** C8-64-0152 (Subdivision)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Pecan St	50 feet	19 feet	Local	No	No	No

**CITY COUNCIL DATE:** March 28, 2019

**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)

## **STAFF RECOMMENDATION**

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

## **BASIS FOR RECOMMENDATION**

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

General commercial services (CS) district is the designation for a 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 located near the southwest corner of McNeil Drive, an arterial roadway, and Pecan Street, a local roadway.

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

The General Commercial Services (CS) district would be compatible and consistent with the surrounding land use patterns because there is LI/LI-CO zoning surrounding the property and existing commercial uses to the north and east of this site.

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. The General Commercial Services zoning is appropriate for this property as it is located within the designated '183 & McNeil Neighborhood Center', identified on the Growth Concept Map in the Imagine Austin Comprehensive Plan.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is developed with a single-family residence. There is a medical office use fronting McNeil Drive to the north, a single-family residence to the south, an automotive sales use to the east, and undeveloped lots to the west along Jekel Circle.

### **Comprehensive Planning**

Friday December 07, 2018

This zoning case is located on the west side of Pecan Street, on a 0.31 acre parcel that contains a house. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes a doctor's office, a used car lot, retail stores, a large church and single family houses to the north; to the south are single family houses, a building foundation repair/outdoor storage facility, and an auto storage/truck sales lot; to the east is large auto dealership (Mini), office and retail uses, and another large auto dealership (BMW); and to the west is a vacant lot, an office, an outdoor wood storage/sales yard, an office building and two large parking lots. The request is to obtain commercial zoning for a construction/sales office.

**Connectivity:** A CapMetro stop is located approximately 1,700 ft. southwest at the intersection of Springwood Springs Road and Research Blvd. There are no public sidewalks available on Pecan Street and public sidewalks are only sparsely located along this section of McNeil Drive. There are no bike lanes or urban trails in the area. The Walkscore for this site is **62/100, Somewhat Walkable**, meaning some errands can be accomplished on foot. The mobility and connectivity options available in the area are below average.

### **Imagine Austin**

This project is located within the designated '**183 & McNeil Neighborhood Center**', as identified on the Imagine Austin's Growth Concept Map. The map illustrates the desired manner to accommodate new residents, jobs, open space, and transportation infrastructure over the next 30 years, and is intended to promote a compact and connected city, infill and redevelopment. Neighborhood Centers are defined as, *"The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikeable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods. Neighborhood centers range in size between approximately 5,000-10,000 people and 2,500-7,000 jobs."* (pgs. 105 – 106)

The following IACP policies are also relevant to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a **compact and connected city** in line with the growth concept map.
- **LUT P3.** Promote development in **compact centers**, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

Analyzing the area along and off McNeil Drive, many of the uses in this area have a regional rather than neighbor serving focus (auto sales, auto storage, construction services, and a large church) and provide much needed goods and services to North Austin. Lots along Pecan Street are a mish mash of low intensity residential to high intensity commercial/light industrial uses. Based on the scale of this proposed commercial/office use, compared to other commercial uses along Pecan Street, and the property being by a Neighborhood Center, which supports small scaled and local businesses but a lack of mobility in the area, this project appears to partially support the Imagine Austin Comprehensive Plan.



## **Environmental**

Wednesday December 26, 2018

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Rattan Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It 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.

At this time, site specific information is unavailable regarding 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, 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 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 Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

## **Site Plan**

Tuesday January 08, 2019

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.

For a structure that is more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, the height limitation is 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

### **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.

Additional right-of-way maybe required at the time of subdivision and/or site plan.

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

FYI – the existing driveways along Pecan Street may be required to be removed and/or reconstructed at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

FYI – sidewalks shall be constructed along Pecan Street at the time of the site plan application according to City of Austin standards.

Existing Street Characteristics:

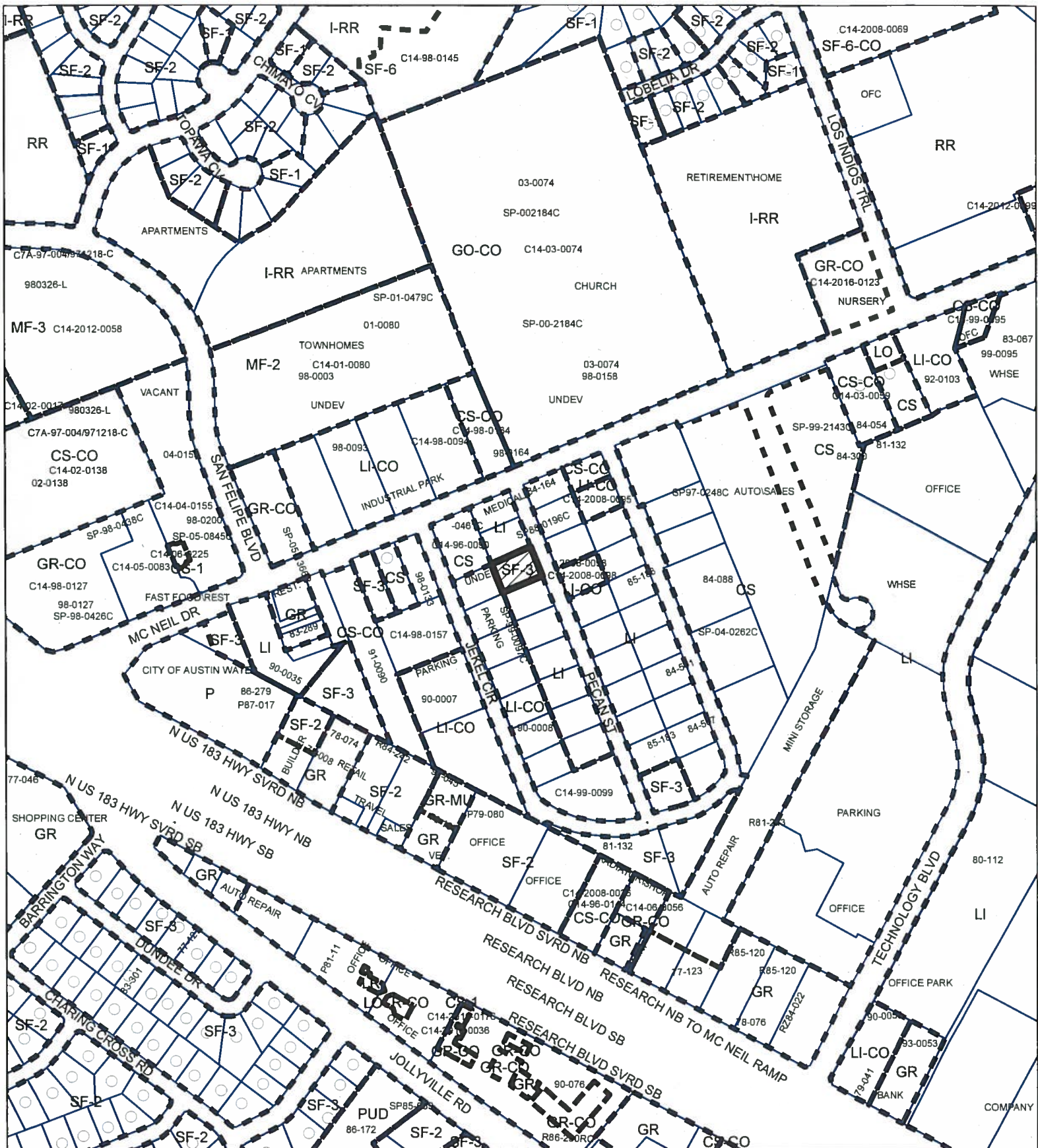
<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bicycle Route</b>	<b>Capital Metro (within ¼ mile)</b>
Pecan St	50 feet	19 feet	Local	No	No	No

### **Water and Wastewater**

Wednesday December 05, 2018

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.



## ZONING

ZONING CASE#: C14-2018-0148



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

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.

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Created: 12/5/2018



