

**Zoning Public Hearing  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-4  
AGENDA DATE: Thu 01/13/2005  
PAGE: 1 of 1**

**SUBJECT:** C14-04-0172 - Filipino Video and Oriental Store - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2309 West Parmer Lane (Walnut Creek Watershed) from neighborhood office (NO) district zoning to neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Applicant: Henry Gammad. Agent: Sammy Tolentino. City Staff: Glenn Rhoades, 974-2775.

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S  
AUTHORIZATION:** Greg Guernsey

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-04-0172

**Z.A.P. DATE:** November 16, 2004

**C. C. DATE:** January 13, 2005

**ADDRESS:** 2309 West Parmer Lane

**OWNERS:** Henry Gammad

**AGENT:** Sammy Tolentino

**ZONING FROM:** NO

**TO:** LR

**AREA:** .304 acres

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends the proposed change to neighborhood commercial (LR) district zoning.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

November 16, 2004 – Approved neighborhood commercial-conditional overlay (LR-CO) combining district zoning. The conditional overlay prohibits drive through as an accessory use (Vote: 9-0).

**ISSUES:**

The applicant intends to use the site for a video store and market.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	NO	Day Care
<i>North</i>	SF-2 IRR	Quick Lube Pool Supplies
<i>South</i>	SF-1	Single Family
<i>East</i>	NO LR	Office Office, Salon
<i>West</i>	NO	Home being converted to office

**AREA STUDY:** N/A

**TIA:** N/A

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

#037 – Lamplight Village Area Neighborhood Association  
#064 – River Oaks Lakes Estates Neighborhood  
#114 – North Growth Corridor Alliance  
#511 – Austin Neighborhoods Council

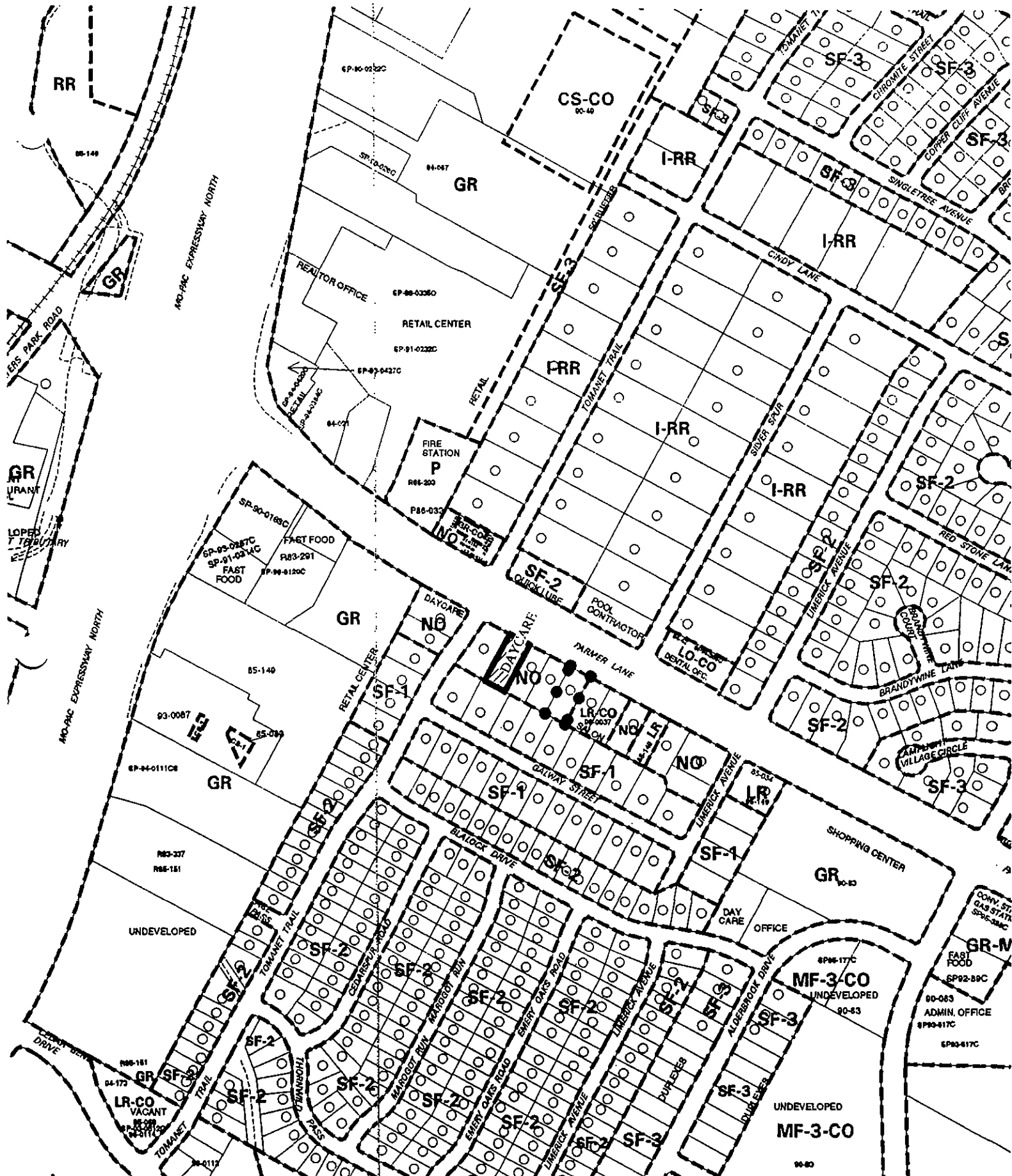
**CASE HISTORIES:**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-96-0037	NO to LR	Approved LR-CO. The CO limited trips to 300 per day and prohibited more than 12 parking spaces (Vote: 8-0). 5/7/96	Approved PC recommendation (Vote: 7-0). 8/8/96.
C14-04-0119	NO to LR	Approved LR without conditions (Vote: 7-0). 9/21/04.	Approved ZAP recommendation (Vote: 7-0). 10/21/04.

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION
Parmer Lane	150'	2@40'	Major Arterial

**CITY COUNCIL DATE:****ACTION:****ORDINANCE READINGS:** 1st2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Glenn Rhoades**PHONE:** 974-2775



	SUBJECT TRACT	ZONING		CITY GRID REFERENCE NUMBER  L35
	PENDING CASE			
	ZONING BOUNDARY	CASE #: C14-04-0172	DATE: 04-10	
	CASE MGR: G. RHOADES	ADDRESS: C14-04-0172	INTLS: SM	
		SUBJECT AREA (acres): 0.304		



Case # C14-04-0172

2000-2001

## **STAFF RECOMMENDATION**

Staff recommends the proposed change to neighborhood commercial (LR) district zoning.

## **BASIS FOR RECOMMENDATION**

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

LR - Neighborhood Commercial district is the designation for a commercial use that provides business and office facilities for the residents of a neighborhood.

The proposed change meets the purpose statement in the Land Development Code by being located on the periphery of a single-family neighborhood, with the potential to serve nearby residents.

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

The proposed change would be compatible with existing land uses. There are other LR zoned properties on this section of Parmer Lane that are or will be for commercial uses. In addition, it is across the street from several commercial businesses.

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

The LR zoning district would allow for a fair and reasonable use of the site. LR zoning is appropriate for this site because of the location of the property and the commercial character of this portion of Parmer Lane.

*Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The property in question is located on and will take access to West Parmer Lane, which is classified as a major arterial roadway.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is currently occupied with a single family structure use as a day care.

### **Transportation**

The trip generation under the requested zoning is estimated to be 1,163 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

There are existing sidewalks along Parmer Lane.

Capital Metro bus service is not available within 1/4 mile of this property.

Parmer Lane is classified in the Bicycle Plan as a Priority 1 bike route. (Route #2)

Additional right-of-way for Parmer Lane may be required with the subdivision and/or site plan.

### **Impervious Cover**

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development 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. 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%

### **Environmental**

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.

At this time, site specific information is unavailable regarding existing trees and 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.

### **Right of Way**

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

### **Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City.

### **Compatibility Standards**

The site is subject to compatibility standards. Along the southern property line, the following standards apply:

- No structure may be built within 20 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 13-feet of the property line, and no driveways are allowed within 8-feet of the property line.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.



ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2309 WEST PARMER LANE FROM NEIGHBORHOOD OFFICE (NO) DISTRICT TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL OVERLAY (LR-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from neighborhood office (NO) district to neighborhood commercial-conditional overlay (LR-CO) combining district on the property described in Zoning Case No. C14-04-0172, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 2B, Resubdivision of Lot 1, Block B, Parmer Lane Heights Section 1 Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 58, Page 78 of the Plat Records of Travis County, Texas, (the "Property")

locally known as 2309 West Parmer Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

Drive-in service is prohibited as an accessory use to a commercial use.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood commercial (LR) base district and other applicable requirements of the City Code.

1 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2005.

3  
4 **PASSED AND APPROVED**

5  
6  
7  
8 \_\_\_\_\_, 2005

§  
§  
§

Wynn  
Mayor

9  
0  
1  
2  
3 **APPROVED:**

David Allan Smith  
City Attorney

**ATTEST:**

Shirley A. Brown  
City Clerk

