

Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION



AGENDA ITEM NO.: 49
AGENDA DATE: Thu 04/07/2005
PAGE: 1 of 1

SUBJECT: C14-04-0201 - 12503 Tomanet Trail - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally know as 12503 Tomanet Trail (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to neighborhood commercial (LR) district zoning. City Council approved single family residence large lot (SF-1) district zoning at first ordinance reading. Conditions met as follows: No conditions were imposed by Council at first ordinance reading. First reading on March 3, 2005. Vote: 7-0. Applicant: Thinh Giang. City Staff: Sherri Sirwaitis, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-04-0201

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 12503 Tomanet Trail from I-RR, Interim-Rural Residence District, zoning to SF-1, Single-Family Residence-Large Lot District, zoning.

PROPERTY OWNER: Thinh Giang

AGENT: N/A

DEPARTMENT COMMENTS:

The property in question is developed with a single-family house. The applicant is requesting LR, Neighborhood Commercial District, zoning to create a barbershop or hair salon on the site. The staff does not recommend the applicant's request for LR zoning on this property because the lot is located interior to a residential neighborhood and fronts and will take access onto a local collector street, Tomanet Trail. The site under consideration is located within the North Lamar Area Study. The study recommends single-family land use for this area located to the north of Parmer Lane (North Lamar Area Study-Map 4, page 16).

The staff presents an alternate recommendation of SF-1, Single-Family Residence-Large Lot District, zoning for this site because this proposed zoning category is consistent with the current residential use on and surrounding the property to the north, east and west. The size of the lot under consideration meets the minimum SF-1 district requirements. The North Lamar Area Study proposed SF-1 District zoning for this location on Map 3, Scenario 2: Recommended Zoning, page 15.

The applicant does not agree with the City Council's recommendation at 1st reading.

DATE OF FIRST READING/VOTE: March 3, 2005/Approved SF-1 on 1st reading (7-0)

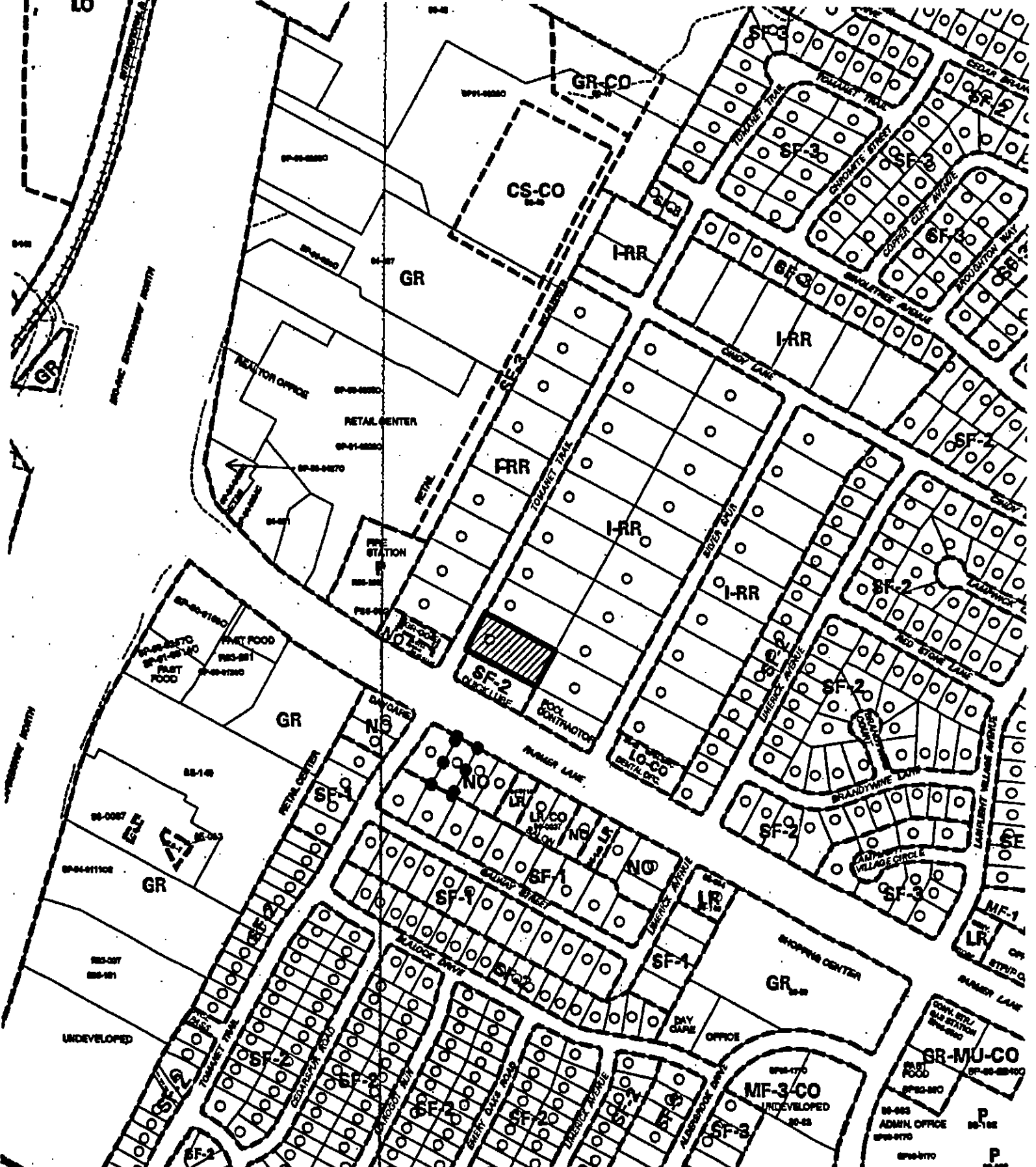
CITY COUNCIL DATE: April 7, 2005

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Sirwaitis

PHONE: 974-3057

sherri.sirwaitis@ci.austin.tx.us



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT A		CITY GRID REFERENCE NUMBER L35
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-04-0201	DATE: 04-12	
	CASE MGR: S. GAGER	ADDRESS: 12503 TOMANET TRL	INTLS: SM	
	SUBJECT AREA (acres): 0.808			

ORDINANCE NO. _____

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE
2 PROPERTY LOCATED AT 12503 TOMANET TRAIL AND CHANGING THE
3 ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO
4 SINGLE FAMILY RESIDENCE LARGE LOT (SF-1) DISTRICT.

5
6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

7
8 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from interim rural residence (I-RR) district to single family
10 residence large lot (SF-1) district on the property described in Zoning Case No. C14-04-
11 0201, on file at the Neighborhood Planning and Zoning Department, as follows:

12
13 Lot 19, Block B, Tomanet Estates Section 1 Subdivision, a subdivision in the City
14 of Austin, Travis County, Texas, according to the map or plat of record in Plat
15 Book 16, Page 4, of the Plat Records of Travis County, Texas,

16
17 locally known as 12503 Tomanet Trail, in the City of Austin, Travis County, Texas, and
18 generally identified in the map attached as Exhibit "A".

19
20 PART 2. This ordinance takes effect on _____, 2005.

21
22
23 PASSED AND APPROVED

24 §
25 §
26 §
27 §

28 2005

29 Will Wynn
30 Mayor

31
32 APPROVED: _____

33 ATTEST: _____

34 David Allan Smith
City Attorney

Shirley A. Brown
City Clerk

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0201

Z.A.P. DATE: February 1, 2005

ADDRESS: 12503 Tomanet Trail

OWNER/APPLICANT: Thinh Giang

ZONING FROM: I-RR

TO: LR

AREA: 0.808 acres (35,196.48 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff's alternate recommendation is to grant SF-1, Single-Family Residence-Large Lot District, zoning.

If more intensive/commercial zoning is granted for the site, then 30 feet of right-of-way should be dedicated from the centerline of Tomanet Trail in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12. In addition, development should be limited through a conditional overlay to less than 300 vehicle trips per day. [LDC, 25-6-117]

ZONING AND PLATTING COMMISSION RECOMMENDATION:

2/01/05: Approved staff's recommendation for SF-1 zoning (9-0); J. Martinez-1st, B. Baker-2nd.

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-1st, K. Jackson-2nd.

DEPARTMENT COMMENTS:

The property in question is developed with a single-family house. The applicant is requesting LR, Neighborhood Commercial District, zoning to create a barbershop or hair salon on the site. The staff does not recommend the applicant's request for LR zoning on this property because the lot is located interior to a residential neighborhood and fronts and will take access onto a local collector street, Tomanet Trail. The site under consideration is located within the North Lamar Area Study. The study recommends single-family land use for this area located to the north of Parmer Lane (North Lamar Area Study-Map 4, page 16).

The staff presents an alternate recommendation of SF-1, Single-Family Residence-Large Lot District, zoning for this site because this proposed zoning category is consistent with the current residential use on and surrounding the property to the north, east and west. The size of the lot under consideration meets the minimum SF-1 district requirements. The North Lamar Area Study proposed SF-1 District zoning for this location on Map 3, Scenario 2: Recommended Zoning, page 15.

The applicant does not agree with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Single-Family Residence
<i>North</i>	I-RR	Single-Family Residence
<i>South</i>	SF-2	Automotive Service Facility
<i>East</i>	I-RR	Single-Family Residence
<i>West</i>	I-RR	Vacant Lot

AREA STUDY: North Lamar Area Study**TIA:** Waived**WATERSHED:** Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

- 37 - Lamplight Village Area Neighborhood Association
- 64 - River Oaks Lakes Estates Neighborhood
- 114 - North Growth Corridor Alliance
- 511 - Austin Neighborhoods Council

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0119	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	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	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 (6-0, K. Jackson-absent; N. Spelman, D. Castaneda-left early)	4/4/02: Approved GR-CO with conditions on all 3 readings (6-0, Goodman out of room)
C14-00-2045	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

C14-98-0082	NO to GR	8/4/98: Approved GR-CO w/ conditions (9-0)	9/10/98: Approved PC rec. of GR-CO w/ conditions (6-0); 1 st reading Administrative-EXPIRED 9/7/99, no 3 rd reading
C14-96-0037	NO to LR	5/7/96: Approved LR-CO subject to conditions (8-0)	5/23/96: Approved LR-CO subject to conditions (6-0); 1 st reading 8/8/96: Approved LR-CO subject to conditions (7-0); 2 nd /3 rd readings
C14-94-0042	NO to LO	4/26/94: Approved LO-CO (6-0); subject to ROW; medical offices as only permitted 'LO' use, permit 'NO' uses; 0.15 FAR; 'NO' development regulations	6/9/94: Approved LO-CO (5-0); 1 st reading 11/17/94: Approved LO-CO (7-0); 2 nd /3 rd readings

RELATED CASES: N/A

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Tomanet Trail	60'	30'	Local	N/A

CITY COUNCIL DATE: March 3, 2005

ACTION: Approved SF-1 on 1st reading (7-0)

April 7, 2005

ACTION:

ORDINANCE READINGS: 1st 3/03/05

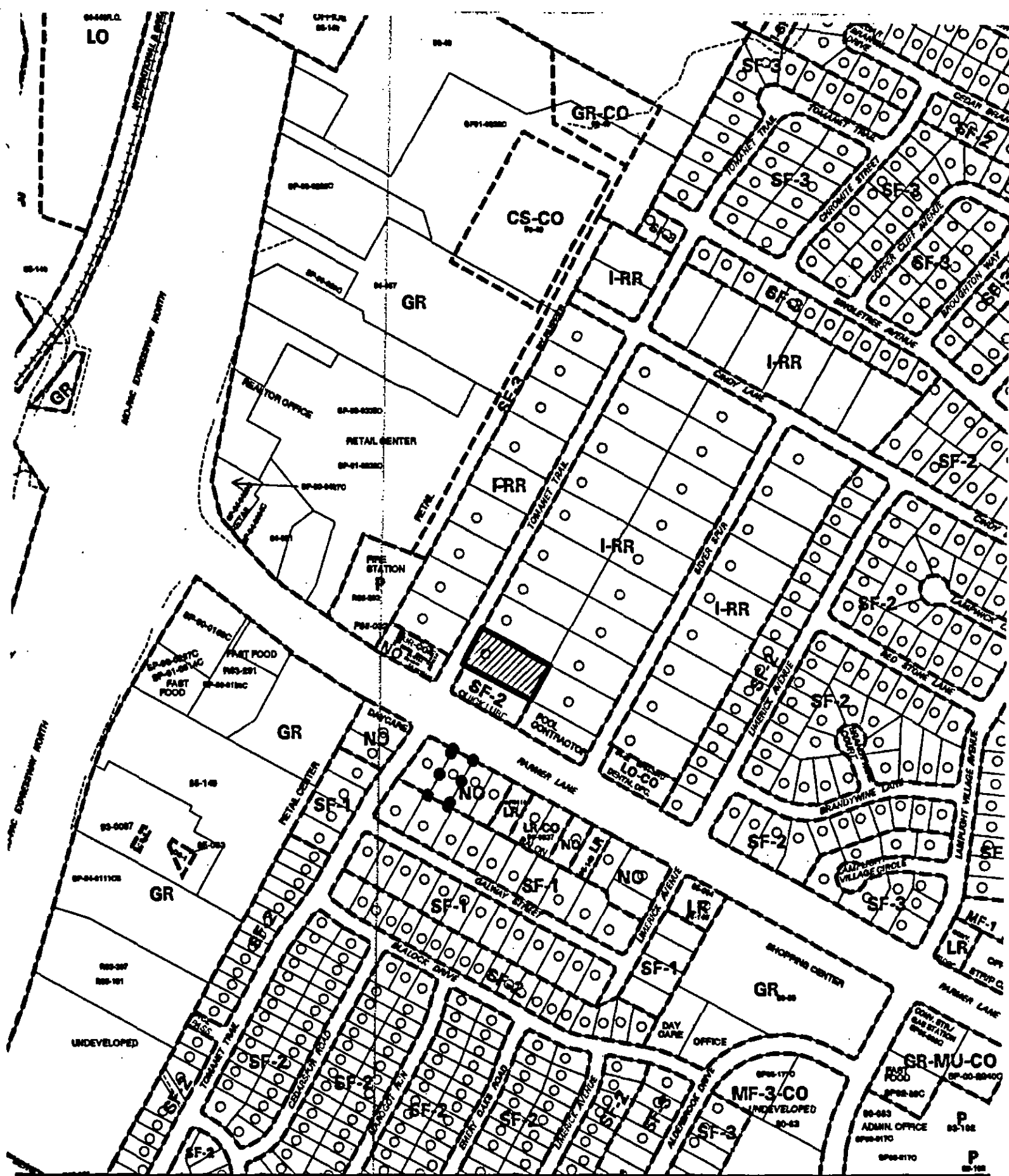
2nd





3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: S. GAGER	  	ZONING CASE #: C14-04-0201 ADDRESS: 12503 TOMANET TRL SUBJECT AREA (acres): 0.808	DATE: 04-12 INTLS: SM	CITY GRID REFERENCE NUMBER L35
---	---	---	---	--------------------------	--

STAFF RECOMMENDATION

The staff's alternate recommendation is to grant SF-1, Single-Family Residence-Large Lot District, zoning.

If more intensive/commercial zoning is granted for the site, then 30 feet of right-of-way should be dedicated from the centerline of Tomanet Trail in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12. In addition, development should be limited through a conditional overlay to less than 300 vehicle trips per day. [LDC, 25-6-117]

BASIS FOR RECOMMENDATION

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

Single-family Residence large lot (SF-1) district is the designation for a low density single-family residential use on a lot that is a minimum of 10,000 square feet. An SF-1 district designation may be applied to a use on land with sloping terrain or environmental limitations that preclude standard lot size or to a use in an existing residential development on a lot that is 10,000 square feet or more.

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

The SF-1 zoning district would be compatible and consistent with the surrounding uses because there are single-family houses developed to the north, east, and west of this site. There is SF-2 zoning to the south of this property fronting Parmer Lane.

The size of the lot under consideration meets the minimum SF-1 district lot requirements. The approved North Lamar Area Study proposed SF-1 District zoning for this location.

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

The proposed zoning will allow for a reasonable use of the property as it will bring the existing residential use on the property into conformance with the City of Austin Land Development Code requirements.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently developed with a single-family residence.

Impervious Cover

The maximum impervious cover allowed by the LR zoning district would be 80 %. 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 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.

Environmental

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 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%

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.

Transportation

The trip generation under the requested zoning is estimated to be 2,195 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). The proposed hair salon use will generate approximately 124 trips per day.

If the requested zoning is recommended for this site, 30 feet of right-of-way should be dedicated from the centerline of Tomanet Trail in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.

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 300 vehicle trips per day. [LDC, 25-6-117]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Tomanet Trail	50'	30'	Local	No	No	No

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 adjustment, or utility relocation 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 landowner must pay the associated City fee.

The landowner must pay the tap and impact fee once the landowner makes an application for a City water and wastewater utility tap permit.

Stormwater Detention

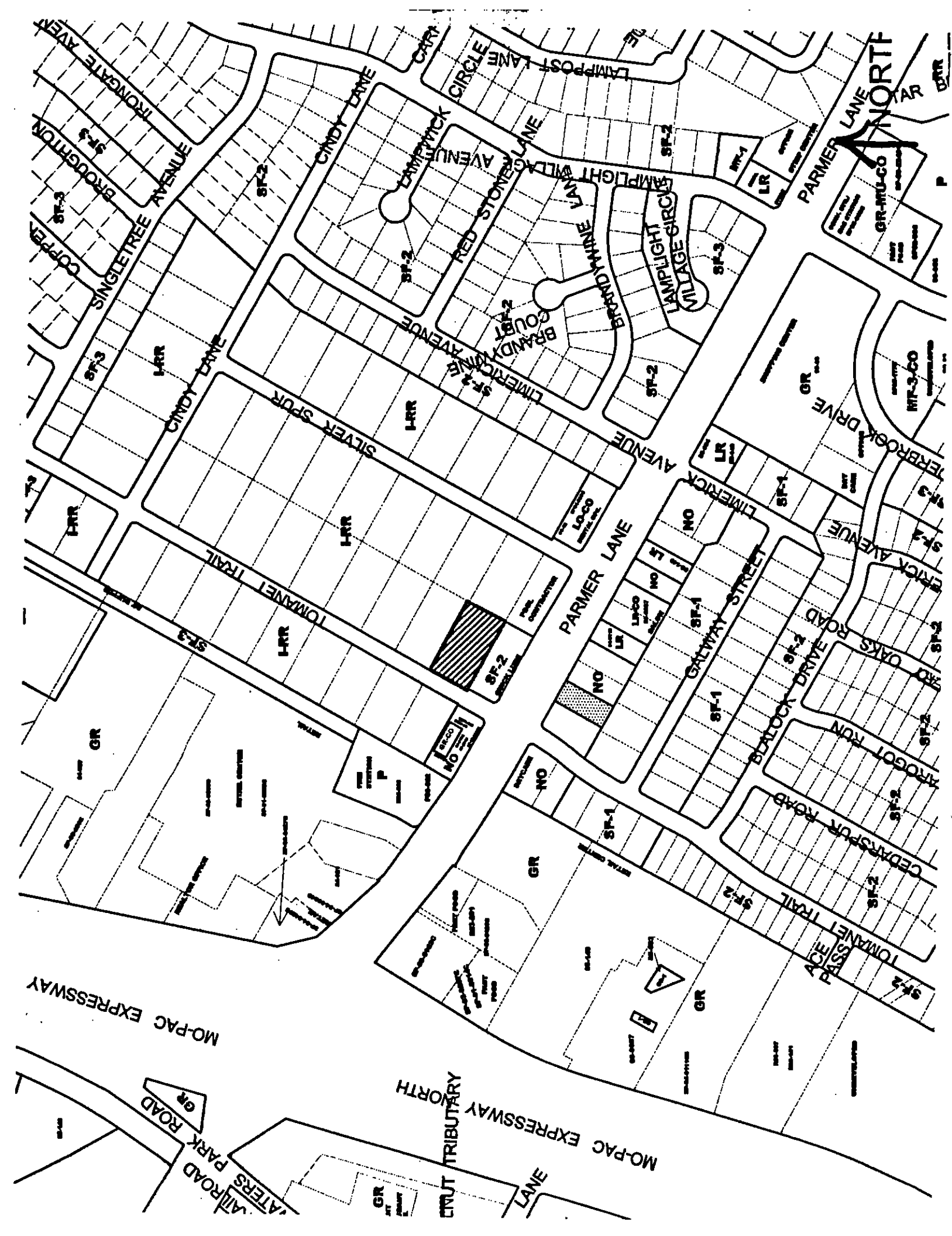
At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater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

Compatibility Standards

The site is subject to compatibility standards. Along the north and east property line, the following standards will apply to any new development on this tract:

- 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.
- 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.

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





6. **Rezoning:** C814-01-0038.02 - Parmer/Walnut Creek PUD Amendment #2
Location: 1200-1210 West Parmer Lane, Walnut Creek Watershed
Owner/Applicant: Edgar and Linda Perry, Exxon Corporation (Sandra L. Heysinger)
Agent: McLean & Howard, L.L.P. (William P. McLean)
Request: GR, PUD to PUD
Staff Rec.: RECOMMENED WITH CONDITIONS
Staff: Sherri Sirwaitis, 974-3057, sherri.gager@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

POSTPONED TO 02/15/05 (APPLICANT & STAFF)
[J.M; J.G 2ND] (9-0)

7. **Zoning:** C14-04-0201 - 12503 Tomanet Trail
Location: 12503 Tomanet Trail, Walnut Creek Watershed
Owner/Applicant: Thinh Giang
Request: I-RR to LR
Staff Rec.: ALTERNATE RECOMMENDATION: SF-1
Staff: Sherri Sirwaitis, 974-3057, sherri.gager@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

APPROVED STAFF'S RECOMMENDATION FOR SF-1 ZONING.
[J.M; B.B 2ND] (9-0)

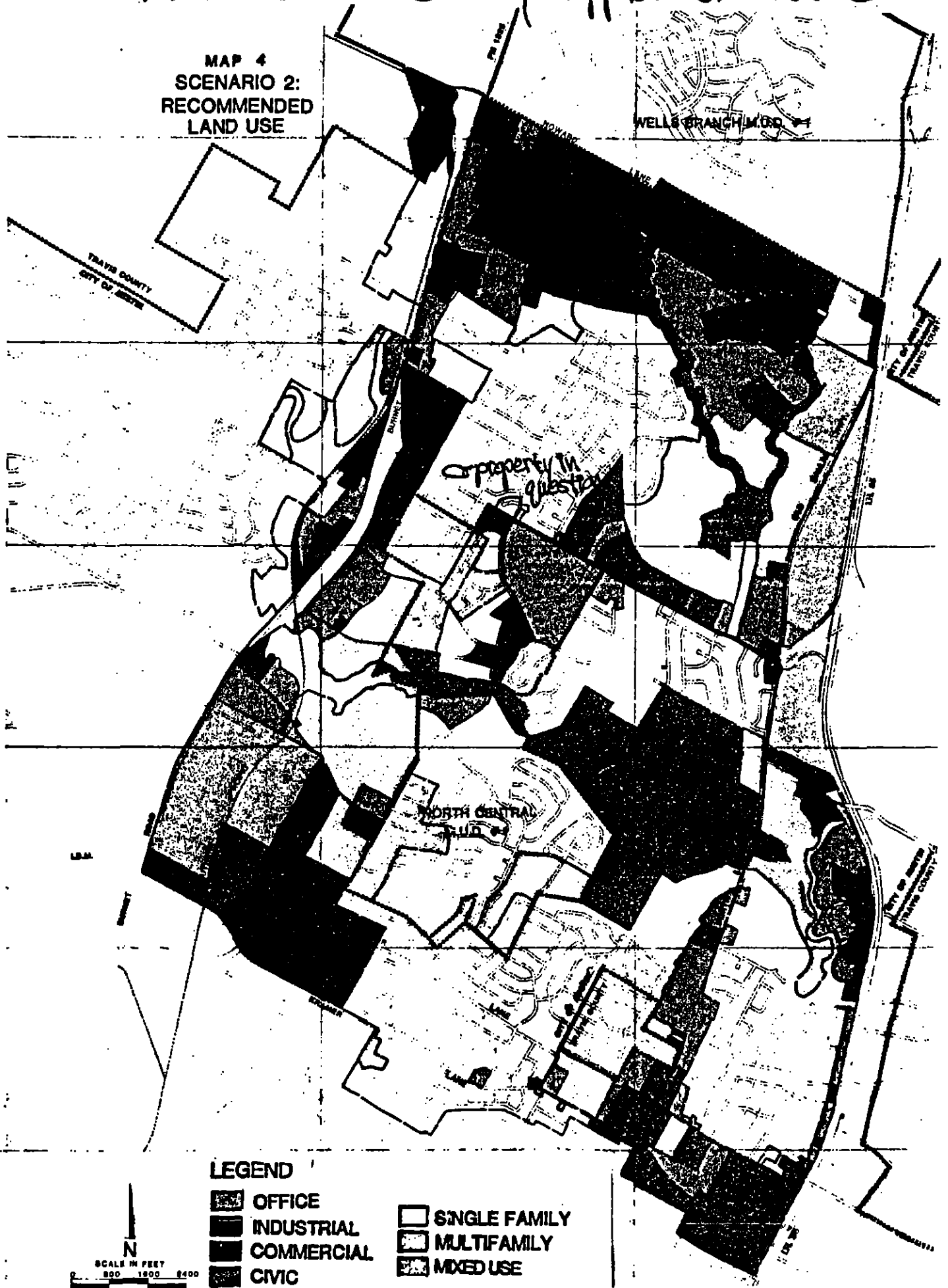
MOTION MADE FOR ALL PROPERTIES THAT ARE ZONED I-RR, THAT STAFF INITIATE A CASE FOR SF-1 ZONING; INCLUDE CINDY LANE, TOMANET TRAIL AND SILVER SPUR STREETS. [K.J; B.B 2ND] (9-0)

8. **Zoning:** C14-04-0207 - ECO Resources-620
Location: 9511 N. R.M. 620 Road, Bull Creek Watershed
Owner/Applicant: ECO Resources (Pat Reilly)
Agent: Drenner Stuart Wolfe Metcalfe Von Kreisler (Michele Rogerson Allen)
Request: I-RR to P, GO
Staff Rec.: ALTERNATE RECOMMENDATION: P-CO, GO-CO
Staff: Sherri Sirwaitis, 974-3057, sherri.gager@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

APPROVED STAFF'S RECOMMENDATION 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) AND TO 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.
[J.M; J.G 2ND] (9-0)

North Hamar Area Study - Approved Land Use

MAP 4
SCENARIO 2:
RECOMMENDED
LAND USE



MAP 8
SCENARIO 2:
RECOMMENDED ZONING



Facsimile transmittal

To: Sherri Gager

Fax: 512-974-6054

From: Fred Eaman

Date: 2/1/2005

Re: Rezoning Case C14-04-0201

Pages: 2 w/cover

CC:

☐ Urgent

☐ For Review

☐ Please Comment

☐ Please Reply

☐ Please Recycle

Notes:

Fred Eaman

Here is my vote on this case. As discussed I will drop the original in the mail to you asap.

Thanks,

Fred Eaman

12512 Silver Spur

Austin, TX 78727

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: C14-04-0201

Contact: Sherri Gager, (512) 974-3057

Public Hearing:

February 1, 2005 Zoning and Platting Commission

Fred Egan

Your Name (please print)

1572 Silver Spur, Austin, TX 78737

Your address(es) affected by this application

Signature: [Signature] Date: 2/1/05

Comments:

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

City of Austin
Neighborhood Planning and Zoning Department
Sherri Gager
P. O. Box 1088
Austin, TX 78767-8810

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