

C6/1

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2010-0030 – 12500 Limerick Ave.

**Z.A.P. DATE:** April 20, 2010  
May 4, 2010

**ADDRESS:** 12500 Limerick Avenue

**APPLICANT:** J. B. Phillips

**AGENT:** J. B. Phillips

**ZONING FROM:** NO-MU

**TO:** GO

**AREA:** 0.243 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to deny GO, General Office District, zoning.

However, if the zoning is recommended by the Zoning and Platting Commission and granted by the City Council, development should be limited through a conditional overlay to less than 300 vehicle trips per day [LDC, Sec. 25-6-114].

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

4/20/10: Postponed to May 4, 2010 at the applicant's request (7-0); S. Baldrige-1<sup>st</sup>, D. Tiemann-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is currently developed with an office for a roofing contractor (Construction Sales and Services use). The subject tract is a corner lot that is located at the intersection of a residential collector street, Limerick Avenue, and an arterial roadway, West Parmer Lane. The applicant is requesting General Office zoning so that he can locate more intensive office uses at this site.

The staff recommends denial of the applicant's request for GO, General Office District, zoning because this property fronts onto a residential street that is the main entrance to the Lamplight Village residential neighborhood. The staff believes that the existing NO-MU zoning is appropriate for this site because the property meets the intent of the Neighborhood Office district. There is 'NO' zoning across Parmer Lane at the southwestern corner of Limerick Avenue and West Parmer Lane and 'LO-CO' zoning to the west of the subject tract at the southeastern intersection of Silver Spur and West Parmer Lane. The proposed NO-MU zoning is compatible with the single family neighborhood located to the north and east. Neighborhood Office zoning allows for low intensity office uses that will serve the surrounding residential areas.

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

### **EXISTING ZONING AND LAND USES:**

|       | ZONING | LAND USES                |
|-------|--------|--------------------------|
| Site  | SF-2   | Office                   |
| North | SF-2   | Duplex                   |
| South | NO     | Office                   |
| East  | SF-2   | Single-Family Residences |
| West  | LO-CO  | Medical Office (Dentist) |



**AREA STUDY:** North Lamar Area Study

**TIA:** Not Required

CS/2

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
Austin Monorail Project  
Austin Neighborhoods Council  
Austin Parks Foundation  
Home Builders Association of Greater Austin  
Homeless Neighborhood Association  
Lamplight Village Area Neighborhood Association  
League of Bicycling Voters  
North Growth Corridor Alliance  
Northwood Homeowners Association  
Pflugerville Independent School District  
River Oaks Lakes Estates Neighborhood  
Sierra Club, Austin Regional Group  
Super Duper Neighborhood Objectors and Appealers Organization  
The Real Estate Council of Austin, Inc.

**CASE HISTORIES:**

| NUMBER      | REQUEST  | COMMISSION   | CITY COUNCIL   |
|-------------|--|--|--|
| 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 | I-RR<br>to: <del>GR</del> CS*<br>* 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 Construction Sales and Services use that currently | 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 <sup>st</sup> , B.Baker-2 <sup>nd</sup> . | 8/31/06: Approved LR-CO zoning on 1 <sup>st</sup> reading (7-0); J. Kim-1 <sup>st</sup> , L. Leffingwell-2 <sup>nd</sup> .<br><br>9/28/06: Approved LR-CO zoning with conditions by consent (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings |



C6/3

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|             | exists on the site. |  |  |
| C14-05-0054 | 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 dias); all 3 readings   |
| C14-05-0053 | 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 dias); all 3 readings   |
| C14-05-0052 | 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 dias); all 3 readings   |
| C14-05-0051 | 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 dias); all 3 readings   |
| C14-04-0201 | I-RR to LR          | 2/01/05: Approved staff's recommendation for SF-1 zoning (9-0); J. Martinez-1 <sup>st</sup> , B. Baker-2 <sup>nd</sup> . 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 <sup>st</sup> , K. Jackson-2 <sup>nd</sup> .  | 3/03/05: Approved SF-1 on 1 <sup>st</sup> reading (7-0)<br><br>4/07/05: Approved SF-1 (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings |
| 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)<br>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 | NO to GR            | 5/9/00: Approved GR-CO (6-2, JR/JM-Nay); for building footprint only for dry cleaning  | 6/8/00: Approved PC rec. of GR-CO w/ conditions on 1 <sup>st</sup> reading (7-0)   |



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|             |          |  |   |
|-------------|----------|--|---|
|             |          | 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. | 10/12/00: Approved GR-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> 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 <sup>st</sup> reading Administrative-EXPIRED 9/7/99, no 3 <sup>rd</sup> reading                                     |
| C14-96-0037 | NO to LR | 5/7/96: Approved LR-CO subject to conditions of no more than 12 parking spaces on the site and a 300 vehicle trip per day limit (8-0)  | 5/23/96: Approved LR-CO subject to conditions (6-0); 1 <sup>st</sup> reading<br>8/8/96: Approved LR-CO subject to conditions (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> 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 <sup>st</sup> reading<br><br>11/17/94: Approved LO-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings  |

**RELATED CASES:** C14-07-0027 (Previous zoning case)

**ABUTTING STREETS:**

| Name            | ROW  | Pavement | Classification | Sidewalks | Bus Route | Bike Route |
|-----------------|------|----------|----------------|-----------|-----------|------------|
| Parmer Lane     | 150' | Varies   | Arterial       | Yes       | No        | Priority 1 |
| Limerick Avenue | 64'  | 40'      | Collector      | Yes       | No        | No         |

**CITY COUNCIL DATE:**

**ACTION:**

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

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis





**PHONE:** 974-3057

[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)





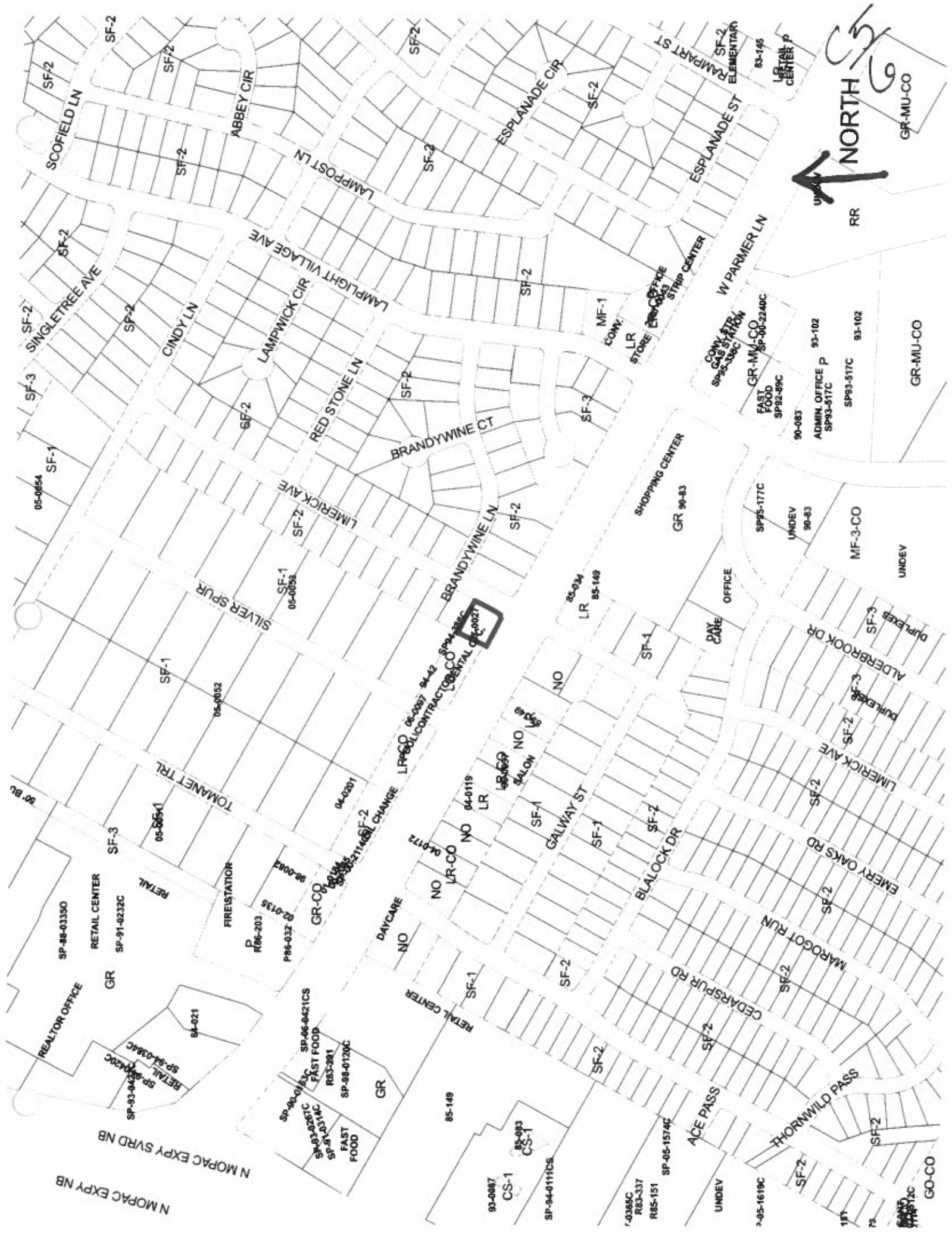



  
 **SUBJECT TRACT**
  
 **ZONING BOUNDARY**
  
 **PENDING CASE**
  
**OPERATOR: S. MEEKS**

**ZONING**
  
**ZONING CASE#: C14-2010-0030**
  
**ADDRESS: 12500 LIMERICK AVE**
  
**SUBJECT AREA: 0.243 ACRES**
  
**GRID: L35**
  
**MANAGER: S. SIRWAITIS**

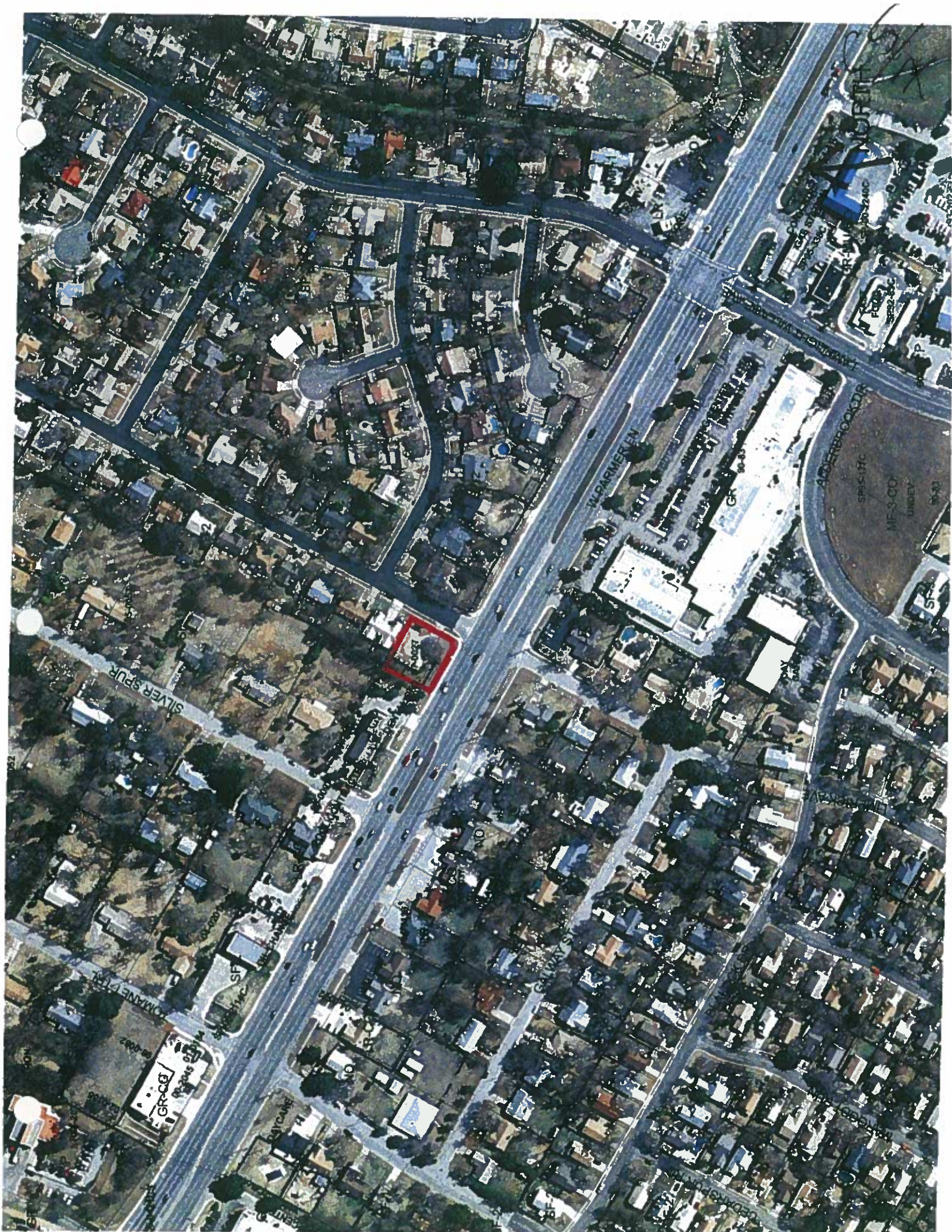
















## STAFF RECOMMENDATION

The staff's recommendation is to deny GO, General Office District, zoning.

However, if the zoning is recommended by the Zoning and Platting Commission and granted by the City Council, development should be limited through a conditional overlay to less than 300 vehicle trips per day [LDC, Sec. 25-6-114].

## BASIS FOR RECOMMENDATION

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

Neighborhood office (NO) district is the designation for a small office use that serves neighborhood or community needs, is located in or adjacent to a residential neighborhood and on a collector street that has a width of 40 feet or more, and does not unreasonably affect traffic. An office in an NO district may contain not more than one use. Site development regulations applicable to an NO district use are designed to preserve compatibility with existing neighborhoods through renovation and modernization of existing structures.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

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

The existing NO-MU zoning promotes consistency and orderly planning because the site is located adjacent to NO/LO-CO zoning and office uses to the south and west.

The site currently takes access to a residential collector, Limerick Avenue. The staff recommends maintaining the existing NO zoning for this property because this zoning district allows for low intensity office uses that will serve the surrounding residential areas.

## EXISTING CONDITIONS

### Site Characteristics

The site under consideration is currently developed with an office that is being used by a roofing company (Construction Sales and Services use).

### Environmental

The site is not located over the Edwards 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.

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.

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.

C5/9

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.

### **Impervious Cover**

The maximum impervious cover allowed by the GO 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<br>(minimum lot size 5750 sq. ft.) | 50%                       | 60%                     |
| Other Single-Family or Duplex                    | 55%                       | 60%                     |
| Multifamily                                      | 60%                       | 70%                     |
| Commercial                                       | 80%                       | 90%                     |

### **Site Plan / Compatibility Standards**

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.

#### **Compatibility Standards**

- a. The site is subject to compatibility standards. Because the site is adjacent to the SF-2 lot on the North, the front of the property (the East elevation along Limerick) is also subject to Compatibility. Along the North and East property lines, the following standards apply:
- b. No structure may be built within 25 feet of the property line.
- c. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- d. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- e. No parking or driveways are allowed within 25 feet of the property line.
- f. 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.



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10

- g. for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- h. 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.
- i. Additional design regulations will be enforced at the time a site plan is submitted.

### **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**

No additional right-of-way is needed at this time.

A Neighborhood Traffic Analysis will be required for this project by if the proposed traffic exceeds 300 vehicles per day and access remains on Limerick Avenue. LDC, Sec. 25-6-114.

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]

| Name         | ROW  | Pavement | Road Class. | Sidewalks | Daily Traffic | Bike Plan                        | Bus Routes             |
|--------------|------|----------|-------------|-----------|---------------|----------------------------------|------------------------|
| Parmer Lane  | 150' | 90'      | Arterial    | Yes       | 53,050 vpd    | Wide Curbs Exist/<br>Recommended | 142<br>Metric<br>Flyer |
| Limerick Ave | 63'  | 37'      | Local       | No        | Unknown       | None Exist/<br>Recommended       |                        |

### **Water and Wastewater**

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, utility relocations and or abandonments required by the proposed land use. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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 fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



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11

Resa M. Watson  
1 Leaffield Lane  
Bella Vista AR 72714

479-268-4001 (h)  
479-899-1084 (c)

resawatson@cox.net

March 21, 2010

J. B Phillips  
5204 Pony Chase  
Austin, TX 78727

RE: 12500 Limerick Avenue; Austin, TX 78758

To Whom It May Concern:

I support Mr. Phillips move to change zoning at 12500 Limerick Avenue from NO/MU to GO. I am the owner of 2127 Parmer Lane aka 12413 Limerick Avenue, Austin, TX 78758.

Sincerely,

  
Resa M. Watson



**From:** Cindy Lindsay (treetopprop@prodigy.net)  
**To:** lnphillips@pontasia.com;  
**Date:** Sun, March 14, 2010 1:28:59 PM  
**Cc:**  
**Subject:** Note re: rezoning

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12

To whom it may concern:

My name is Cynthia Lindsay, and I own the property at 2205 Parmer Lane, just south of the property at 12500 Limerick Ave, owned by Mr Phillips. This property is currently under consideration for rezoning , from NO/MU to GO. From all aspects, this petition should be granted.

First of all, it would increase the value of the land, resulting in more tax money coming into Travis county. Secondly, if property owners are prospering, then Travis County prospers.

Thanking you in advance for your consideration, I remain

Yours truly,

Cynthia Lindsay





C14-2010-0030

#5

I Felipe Reyes own 2112 Brandt wine ln and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Signed 

4-23-2010

1 Paul R. NEJOH own 12503 Brandywine <sup>Court</sup> and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Paul R. NEJOH 4/23/10  
Signed

I Laura Badensz own 12506 Limerick Ave. and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Laura Badensz 4/22/10  
Signed

I Frank Noller own 2100 Brandywine and support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Frank Noller 4/22/010  
Signed

I, DIANNE MARROTT own 12514 LIMERICK AVE and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Dianne Marrott 4/22/10  
Signed

I David J. Wren own 12518 Limerick Ave and Austin  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

David J. Wren  
Signed

I WILMOT BRIDGES own 12600 LIMERICK and I  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Wilmot Bridges 4-12-10  
Signed

I, Cheryl Cerda own 12606 Limerick and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Cheryl Cerda 11/22/10  
Signed



I Sergio Ariza own 12604 Limerick and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

 4/20/2010  
Signed

I, PAUL METZGER own 1260 LIMERICK and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Paul Metzger 4/22/10  
Signed

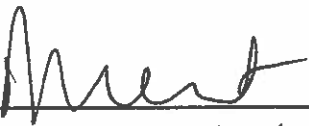
I Rosario Gonzalez own 12613 Limerick and 9-22-10  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

  
\_\_\_\_\_  
Signed

I Raymond C. WHITE own 12605 LIMERICK AVE and 4/23/2010  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Raymond C. White  
Signed

I Robert Leemont own 12603 Limerick and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

  
Signed 4/21/10

I, Kent Claypool own 12602 Limerick and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Kent Claypool 4-21-10  
Signed

I Kathy Wilson own 12513 Limerick Ave and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Kathy Wilson 4-21-10  
Signed

I, Maria Felita Aguirre own 12511 Limerick and Ave  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Maria Felita Aguirre 4-21-10  
Signed



I BRUCE S. COHAM own 12509 LIMERICK and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Bruce S. Coham 4/21/10  
Signed

I Rick Colaluso own 2105 Brandywine Ln and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

D. White 4/20/10  
Signed

I JOHNELL KUNTISCHIK own 2115 SPENDYVINE LN and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Johnell Kuntischik  
Signed 4-20-10

I Mark Seeman own 2119 Brandywine Lane and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Mark Seeman 4/20/10  
Signed

4/20/10

I, Larry Kitten own 2103 Brandysine Ln and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Larry Kitten  
Signed

4-20-10

I Margaret Rhoads own 2107 Blandwood Ln and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Margaret Rhoads  
Signed

4-20-10  
2106 Brandywine Ln.  
I Justin Tapp own \_\_\_\_\_ and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Signed Justin Tapp

RICHARD F. COOKE own 12505 LIMERICK AVE and 78-727  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Richard F. Cooke  
Signed



I, Johar Buch own 12516 Limerick Ave and  
support J.B. Phillips effort to rezone the property at 12500 Limerick Ave. to General Office.

Johar Buch 4-20-2010  
Signed

