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**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2010-0130

**Z.A.P. DATE:** September 7, 2010

**ADDRESS:** 15527 N. Interstate-35 Service Road North Bound

**OWNER/APPLICANT:** Guy G. Mathews

**AGENT:** Graves, Dougherty, Hearon & Moody, P.C. (Peter J. Cesaro)

**ZONING FROM:** SF-2

**TO:** CS

**AREA:** 1.1037 acres

**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant CS-CO (General Commercial Services-Conditional Overlay) zoning district. The conditional overlay would limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**DEPARTMENT COMMENTS:**

The property in question currently developed with a construction sales and services business (Pflugerville Propane Rentals). The applicant is requesting a rezoning of the site to bring the existing development on the property into conformance with the Land Development Code regulations. The staff recommends CS-CO, General Commercial Services-Conditional Overlay District, zoning for the property because it is located on a major arterial roadway and meets the purpose statement for the CS district. The site is surrounded by existing commercial and industrial uses to the north, south, east and west. There is CS-CO zoning to the north and LI-CO zoning to the northeast of the property.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-2	Construction Sales and Services (Pflugerville Propane Rentals)
<i>North</i>	CS-CO	Automotive Repair (G&G Auto Body & Paint, Austin Car Protection and Window Tint)
<i>South</i>	County	Construction Sales and Services (Western Roofing and Construction), Office (Texas Car Title and Payday Loan), General Retail Sales (Legend Lighting)
<i>East</i>	SF-2, LI-CO	Construction Sales and Services (Sheet Metal Sales, Southern Shingles), Warehouse and Distribution (Snappy Snacks Mobile Catering)
<i>West</i>	County	General Retail Sales (Purcell Tire Company, Rainbow Playscapes)

**AREA STUDY:** N/A

**TIA:** Waived

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**WATERSHED:** Gilleland Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Monorail Project  
 Austin Parks Foundation  
 Home Builders Association of Greater Austin  
 Homeless Neighborhood Association  
 League of Bicycling Voters  
 Pflugerville Independent School District  
 Sierra Club, Austin Regional Group  
 The Real Estate Council of Austin, Inc.

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-05-0008 (15601 N. Interstate-35 Service Road North Bound)	SF-2 to CS-CO	2/15/05: Approved staff's rec. of CS-CO, with conditions to 1) limit the site to less than 2,000 vehicle trips per day; 2) prohibit Adult Oriented uses and Pawn Shop Services; and 3) reserve 200-feet of right-of-way from the existing centerline of IH 35 (8-0, K. Jackson-absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	3/10/05: Approved CS-CO on all 3 readings
C14-03-0159	SF-2 to LI	11/18/03: Approved the staff's alternate rec. of LI-CO, with an additional condition prohibiting Adult Oriented Businesses (9-0)	1/8/04: Granted LI-CO (7-0); all 3 readings
C14-03-0101	I-RR to CS	8/12/03: Approved staff's alternate recommendation of CS-CO zoning, w/ condition of no Adult Oriented Businesses (8-0, J. Cortez-left early)	10/23/03: Approved CS-CO (6-0); all 3 readings
C14-03-0083	I-RR to CS	6/24/03: Approved staff's rec. of CS-CO zoning; by consent (7-0, J. Cortez-Not yet arrived, J. Donisi-absent)	7/31/03: Approved CS-CO (7-0); all 3 readings
C14-01-0132	I-RR to GR	11/13/01: To approve staff's recommendation of GR-CO zoning, with a condition to limit development to no more than 2 story buildings for a depth of 100' from Pecan	12/13/01: Approved GR-CO on consent (7-0).  1/17/02: Approved (7-0); 2 <sup>nd</sup> /3rd readings

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		Street (F.M. 1825). (8-0, J. Martinez- absent)	
C14-00-2226	SF-2 to LI	12/19/00: Approved staff alternate rec. of LI-CO by consent (6-0)- Prohibiting Adult Oriented Businesses, 2,000 vehicle trips per day limit	1/8/01: Approved LI-CO w/conditions (6-0); 1 <sup>st</sup> reading  7/19/01: Approved LI-CO with conditions (6-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings
C14-00-2185	SF-2 to LI	10/24/00: Approved staff alternate rec. of LI-CO (9-0) w/ conditions- Prohibiting Pawn Shop Services/ Adult Oriented Businesses	11/30/00: Approved LI-CO (7-0); 1 <sup>st</sup> reading  5/24/01: Approved LI-CO (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-99-0084	SF-2 to CS-CO	6/22/99: Approved staff alternate rec. of LI-CO (6-0)- 2,000 vehicle trips per day limit	7/22/99: Approved PC rec. of LI-CO w/ conditions (7-0); 1 <sup>st</sup> reading  4/20/00: Approved LI-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-99-0054	LI to CS-CO	5/25/99: Denied CS-CO (6-0-1, RR-abstain)	7/29/99: Approved staff recommendation of CS-CO w/ conditions (7-0); 1 <sup>st</sup> reading  11/18/99: Denied CS-CO (5-2, BG/WL-Nay); valid petition filed, lack of super majority
C14-99-0031	SF-2 to LI	3/23/99: Approved staff alternate rec. of LI-CO (9-0)	5/6/99: Approved P/C recommendation of LI-CO (9-0); all 3 readings
C14-94-0063	SF-2 to CS	6/28/94: Approved LI (7-0)	7/28/94: Approved LI, as amended (7-0); all 3 readings

**RELATED CASES:** C7A-83-011 (Annexation September 13, 1984)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
IH 35	300'	Varies	Freeway	No	No	No

**CITY COUNCIL DATE:**

**ACTION:**

**ORDINANCE READINGS:** 1st

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

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





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**ZONING**

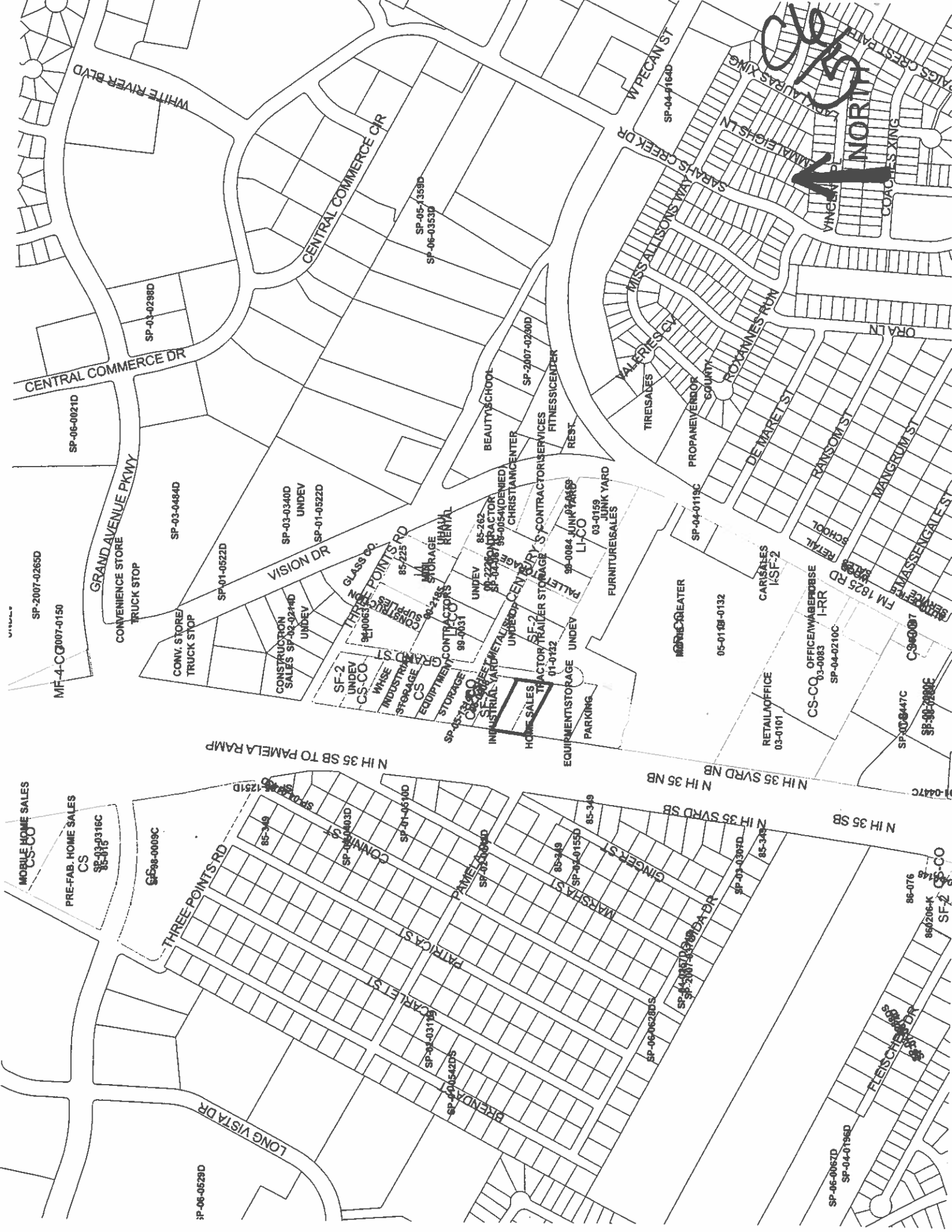
ZONING CASE#: C14-2010-0130  
 LOCATION: 15527 N IH 35 SVRD NB  
 SUBJECT AREA: 1.1037 ACRES  
 GRID: N38  
 MANAGER: SHERRI SIRWAITIS



-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1' = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



SP-2007-0265D

MF-4-C-0007-0150

SP-06-0021D

SP-03-0484D

CONVENIENCE STORE TRUCK STOP

SP-01-0522D

CONV. STORE/ TRUCK STOP

SP-03-0340D UNDEV

SP-01-0522D

CONSTRUCTION SALES SP-02-0244D UNDEV

VISION DR

SP-06-0021D

CONSTRUCTION SALES SP-02-0244D UNDEV

THREE POINTS RD

UNDEV CS-CO

INDUSTRIAL YARD

STORAGE

EQUIPMENT CONTRACTORS

CONTRACTORS

RENTAL

UNDEV 85-262

CONTRACTOR

UNDEV 99-0054 DENIED

CHRISTIAN CENTER

CONTRACTOR SERVICES

FITNESS CENTER

REST.

BEAUTY SCHOOL

SP-2007-0260D

INDUSTRIAL YARD METAL

UNDEV 99-0031

INDUSTRIAL YARD

TRAILER STORAGE

UNDEV 01-0122

HOME SALES

EQUIPMENT STORAGE

UNDEV

PARKING

LI-CO

JUNK YARD

03-0159

FURNITURE SALES

SP-04-0119C

PROPA NEVENDOR

DE MARET ST

MOBILE CREATOR

05-0118-0132

CARISALES

MOBILE HOME SALES

PRE-FAB HOME SALES CS

SP-03-0316C

SP-03-0316C

SP-03-0316C

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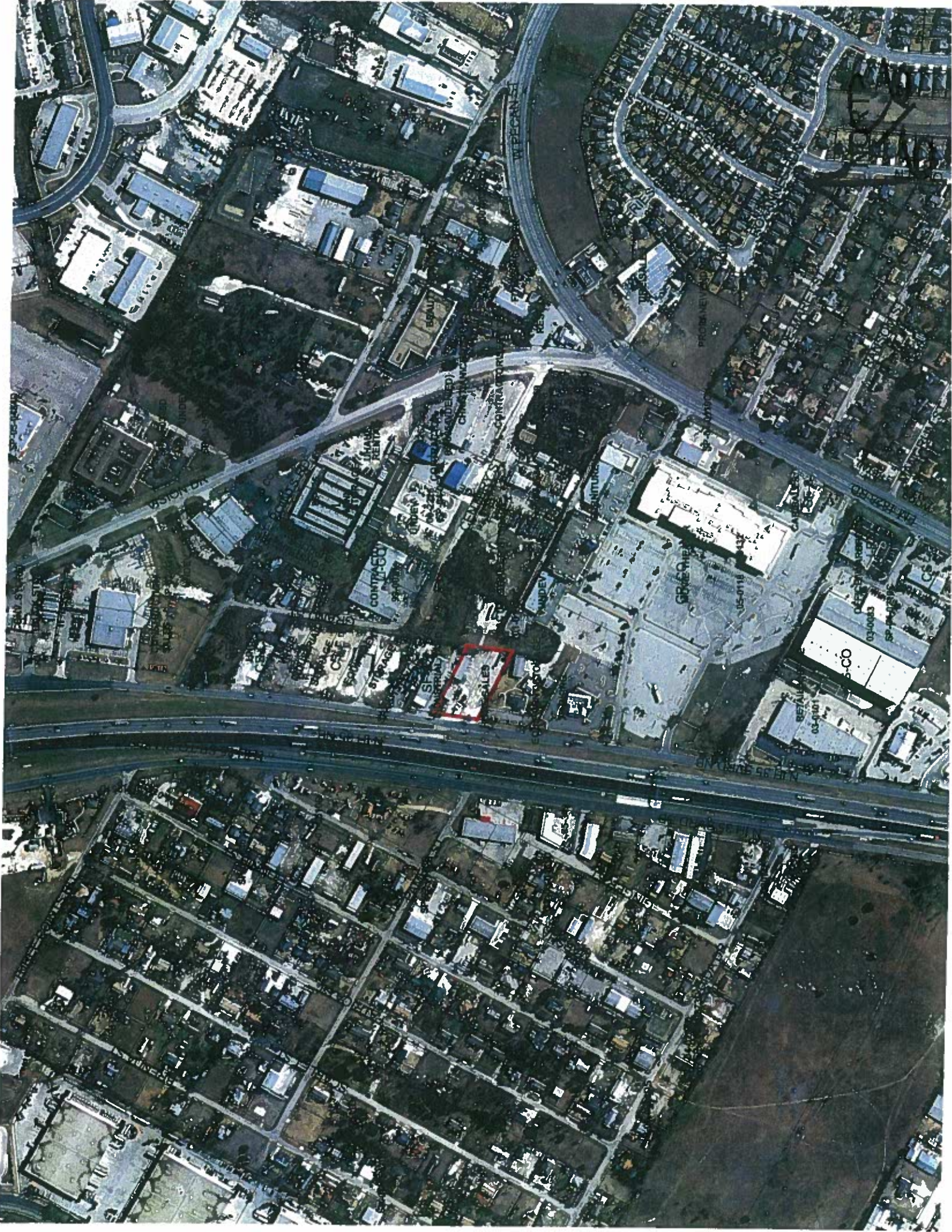
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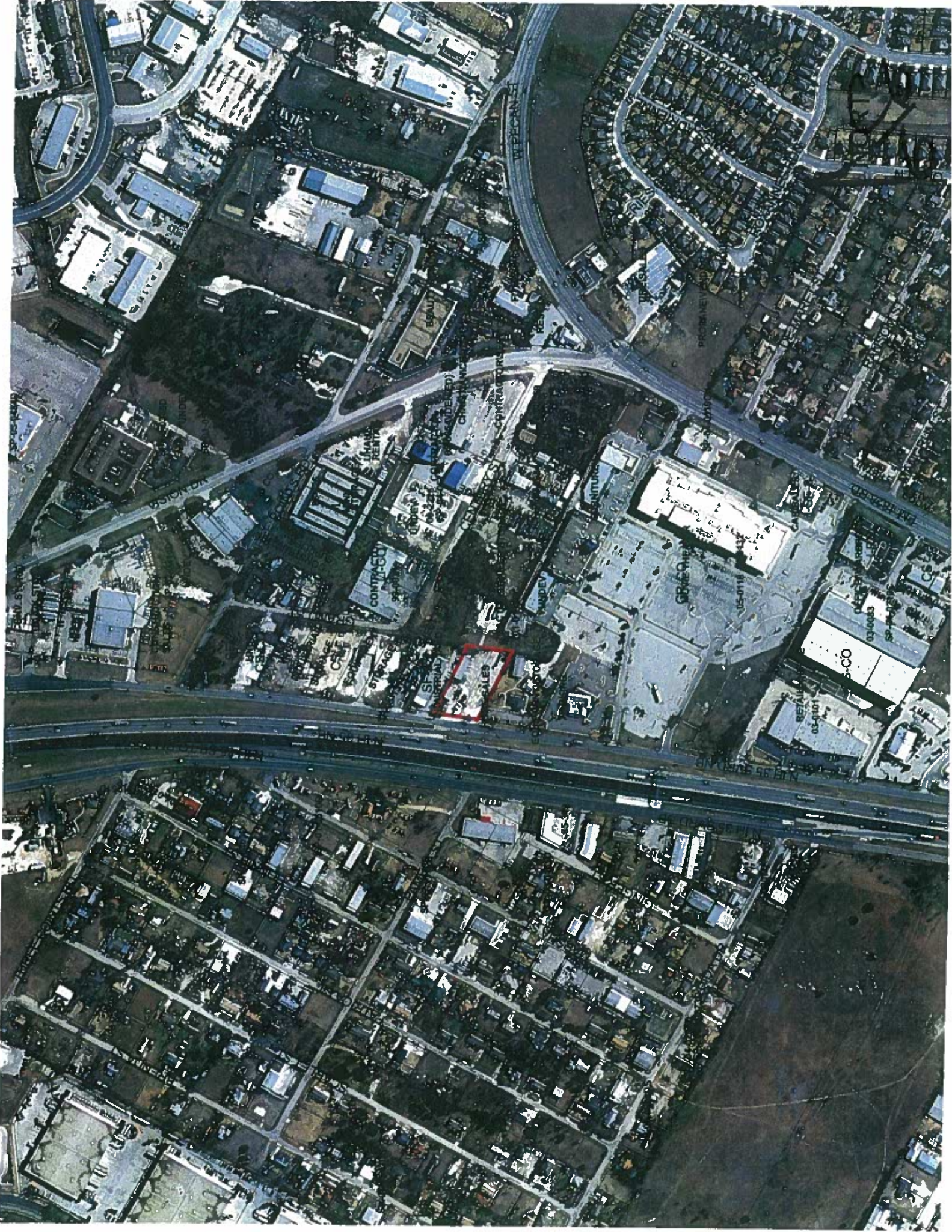


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## STAFF RECOMMENDATION

The staff's recommendation is to grant CS-CO (General Commercial Services-Conditional Overlay) zoning district. The conditional overlay would limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

## BASIS FOR RECOMMENDATION

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

The CS zoning district is intended for commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

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

The property is located adjacent to existing commercial and industrial uses to the north, south, and east. There is CS-CO zoning to the north of the site and LI-CO zoning to the northeast of the 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 proposed zoning would bring the current use into compliance with the City of Austin Land Development Code zoning use regulations.

CS zoning is appropriate for this location because of the commercial and industrial character of the area. The property in question fronts onto a major arterial roadway, Interstate Highway-35 North.

## EXISTING CONDITIONS

### Site Characteristics

The site is developed with construction sales and services use (Pflugerville Propane Rentals). There are commercial uses to the south (Western Roofing and Construction, Texas Car Title and Payday Loan, Legend Lighting) and automotive repair uses (G&G Auto Body, Austin Car Protection and Window Tint) to the north of the property in question. The property has frontage on the Northbound Service Road for Interstate Highway-35.

### Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

### 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 Gilleland 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.

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 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. The site is in the Gilleland 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%

Note: The most restrictive impervious cover limit applies.

**Site Plan/Compatibility Standards**

**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.



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**Transportation**

Additional right-of-way may be required at the time of subdivision or site plan application.

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 2,000 vehicle trips per day. [LDC, 25-6-117]

Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
IH 35 NB SVRD	Varies	FWY	Arterial	No	No	No
Grand Street	50'	27'	Local	No	No	No

**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 land use. The water and wastewater utility plan 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.