

ZONING CHANGE REVIEW SHEET

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CASE: C14-2010-0178 (ABBA Wig Salon)

P.C. DATE: December 14, 2010

ADDRESS: 1105 Kramer Lane

OWNER/APPLICANT: Araceli & Mario Franco

ZONING FROM: NO-NP **TO:** GO-MU-NP **AREA:** 0.4316 acres

SUMMARY STAFF RECOMMENDATION:

The staff recommends GO-MU-CO-NP, General Office-Mixed Use-Conditional Overlay-Neighborhood Plan District, zoning. The conditional overlay would limit the development intensity for the site to less than 2,000 vehicle trips per day, would permit Personal Services as the only 'GO' district use and permit all other 'NO' district uses, and would limit the property to 'NO' district site development standards.

PLANNING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The property in question is developed with an office use. The applicants are requesting GO-MU-NP zoning so that can redevelop the existing structure for a hair salon (Personal Services use) and residence.

The staff recommends GO-MU-CO-NP zoning at this location because the site under consideration meets the intent of the GO and MU zoning districts. The property fronts onto a collector street and is located adjacent to existing GO-MU-CO-NP zoning to the east and W/LO-CO zoning to the north. There is a hair salon to the east and office/warehouse uses to the north of this site, across Kramer Lane. The staff is recommending a conditional overlay for this site to reflect the same conditions that were placed on the adjacent lot to the east, 1101 Kramer Lane, in zoning case C14-06-0030. In addition, the neighborhood planning staff is recommending a proposed FLUM change from Office to Office/Mixed Use for this site in related case, NPA-2010-0007.01.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	NO-NP	Office
<i>North</i>	W/LO-CO, DR	Office/Warehouse (Alternative Business Services), Primary School (Mc Bee Elementary School)
<i>South</i>	SF-2-NP	Single-Family Residences
<i>East</i>	GO-MU-CO-NP	Personal Services (L.A. Salon)
<i>West</i>	SF-2-NP	Single-Family Residence

AREA STUDY: North Lamar Area Study **TIA:** Waived
North Austin Civic Association Neighborhood Plan

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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
- League of Bicycling Voters
- NACA Neighborhood Plan Contact Team
- North Austin Civic Association
- North Growth Corridor Alliance
- Pflugerville Independent School District
- Sierra Club, Austin Regional Group
- Super Duper Neighborhood Objectors and Appealers Organization
- The Real Estate Council of Austin, Inc.

SCHOOLS:

- Mc Bee Elementary School
- Burnet Middle School
- Lanier High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0113	NO to LR	7/18/06: Approved staff's rec. for LR zoning by consent (6-0, Baker, Martinez, and Gohil-absent)	8/24/06: Approved LR zoning on all 3 readings
C14-06-0030	NO-NP to GO-MU-NP	4/25/06: Approved GO-MU-CO-NP zoning with conditions: 1) 200 vehicle trip limit, 2) 'NO' district site development standards, 3) Personal Services as the only permitted 'GO' district use, allowing all other 'NO' district permitted uses (8-0); J. Reddy-1 st , C. Galindo-2 nd .	8/24/06: Approved LR on all 3 readings (7-0)
C14-05-0097	GR-CO to GR-CO	8/16/05: Approved staff rec. of GR-CO, with condition that TIA to be met before 3 reading, by consent (8-0, K. Jackson-absent)	9/29/05: Approved GR-CO, with TIA conditions in a public RC (7-0); all 3 readings
C14-03-0182	GO to CS	2/03/04: Approved staff alternate rec. of GR-CO, with conditions:	3/04/04: Approved GR-CO (6-0); 1 st reading only

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		1) a 2,000 vehicle trip limit, 2) prohibit Drive-in Service, 3) prohibit Automotive Washing (of any type), Commercial Off-Street Parking, Drop-off Recycling Collection Facility, Exterminating Services, Service Station, Congregate Living, and Residential Treatment; by consent (9-0)	3/25/04: Approved GR-CO (7-0), 2 nd /3 rd readings
C14-03-0009	NO to SF-3, LR, and GR	3/25/03: Approved LR (TR1), NO (TR 2&3); (8-0)	5/08/03: Approved LR (TR1) and NO (TR 2&3); (7-0); 1 st reading only 6/12/03: Approved LR-CO, with a 2,000 vehicle trip limit (7-0); 2 nd /3 rd readings
C14-95-0152	GO-CO to W/LO	12/12/95: Approved W/LO-CO with conditions: Prohibit Art and Craft Studio (Limited, General, and Industrial), Building Maintenance Services, Business or Trade School, Business Support Services, Communication Services, Cultural Services, and Equipment Repair Services (8-0)	1/11/96: Approved W/LO-CO, prohibiting certain uses (5-0); all 3 readings
C14-95-0108	DR to W/LO	11/28/95: Approved GO-CO & W/LO-CO, with a 2,000 vehicle trip limit (6-1)	1/04/96: Approved GO-CO for TR1 and W/LO-CO for TR2 (5-0); 1 st reading 3/28/96: Approved GO-CO (TR1) and W/LO (TR2), subject to conditions (5-0); 2 nd /3 rd readings

RELATED CASES: NPA-2010-0007.01 (Associated Neighborhood Plan Amendment)
C14-01-0037 (NCA Neighborhood Plan Rezonings)

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Kramer Lane	60'	40'	Collector	Yes	No	Yes

CITY COUNCIL DATE: January 13, 2011

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis





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

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Handwritten initials/signature

ZONING

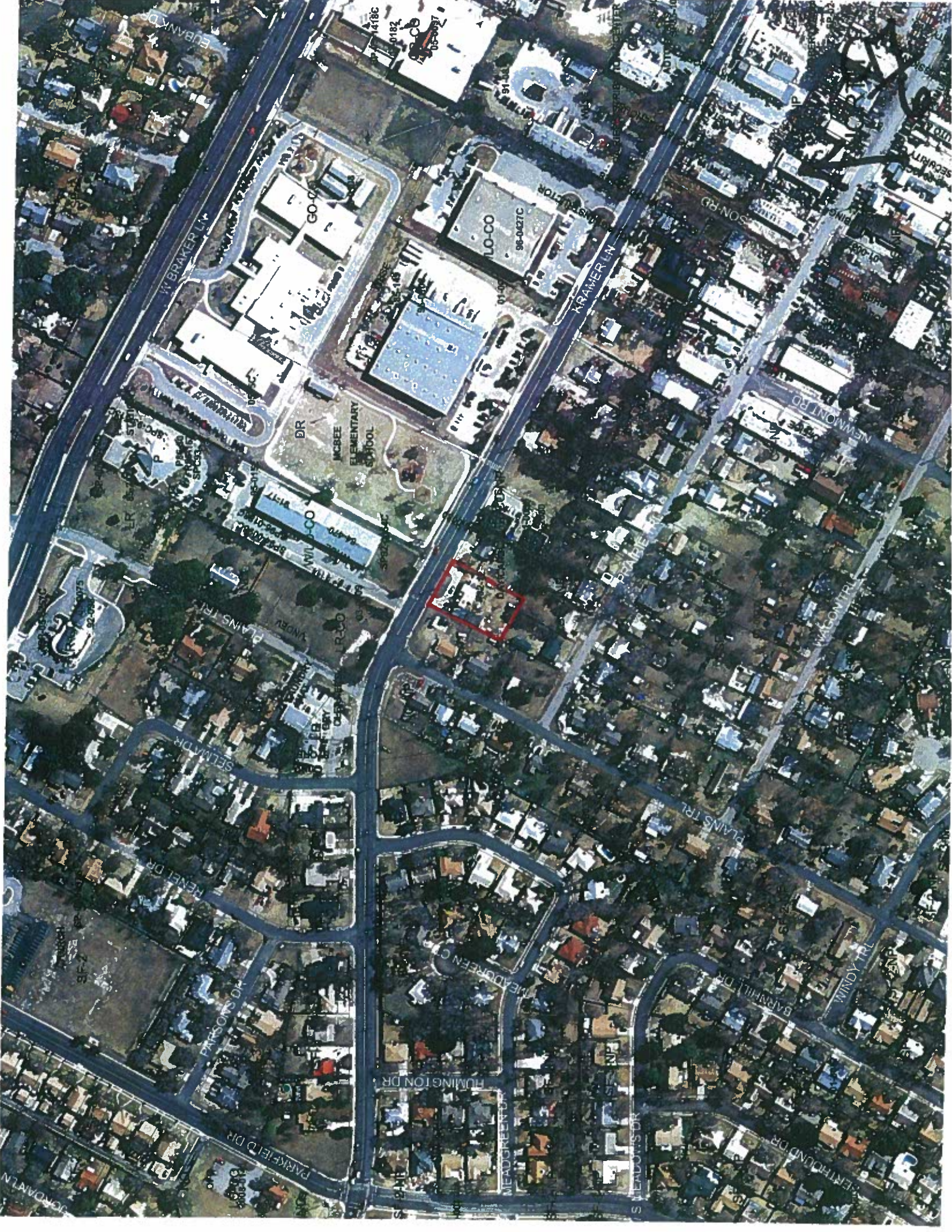
-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

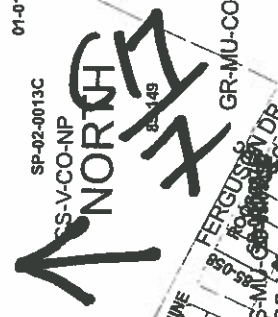
ZONING CASE#: C14-2010-0178
 LOCATION: 1105 KRAMER LN
 SUBJECT AREA: 0.4316 ACRES
 GRID: L32
 MANAGER: SHERRI SIRWAITIS



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.





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SP-02-0013C

SS-V-CO-NP

GR-MU-CO

01-01

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SS-V-CO-NP

GR-MU-CO

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STAFF RECOMMENDATION

The staff recommends GO-MU-CO-NP, General Office-Mixed Use-Conditional Overlay-Neighborhood Plan District, zoning. The conditional overlay would limit the development intensity for the site to less than 2,000 vehicle trips per day, would permit Personal Services as the only 'GR' district use and permit all other 'NO' district uses, and would limit the property to 'NO' district site development standards.

BASIS FOR RECOMMENDATION

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

General office (GO) district is the designation for an office or commercial use that serves community and city-wide needs. A building in a GO district may contain one or more different uses.

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 proposed zoning will promote consistency and orderly planning because the property in question is located adjacent to existing GO-MU-CO-NP zoning to the east and W/LO-CO zoning to the north. There is a hair salon to the east and office/warehouse uses to the north of this site, across Kramer Lane.

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

The proposed GO-MU-CO-NP district zoning would allow the applicant to redevelop the site to allow for a Personal Services use and a variety of office or civic uses, as well a residence. The property meets the minimum size requirements for the zoning district and fronts onto a collector street, Kramer Lane.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is developed with an office use. The properties to the north, across Kramer Lane are developed with an office/warehouse use (Alternative Business Solutions) and a primary elementary school (McBee Elementary). To the east of the site, there is a personal services use (L.A. Salon) and a small apartment complex. To the west, there is a single-family residence with a paved parking area and shed. The lots to the south are developed with single-family residences.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 sq. ft. cumulative is exceeded, and detention for the

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two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

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.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Impervious Cover

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

The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

Site Plan Comments/ Compatibility

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along all property lines adjacent to single family, either in use or per zoning, the following standards will apply with any future development:

- 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.
- A landscape area 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.
- 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

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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 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?
Kramer Lane	60'	40'	Collector	Yes	No	Yes

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. 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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Sirwaitis, Sherri

From: F Legg [REDACTED]
Sent: Wednesday, November 17, 2010 6:56 PM
To: [REDACTED]
Cc: Meredith, Maureen; Sirwaitis, Sherri; [REDACTED] David Orshalick;
[REDACTED]
Subject: 1105 Kramer Lane zoning change request

Re: Zoning Case #C14-2010-0178
Plan Amendment Case # NPA-2010-0007.01 - 1105 Kramer Lane

Dear Ms. Franco,

I appreciate having met with you, Ms. Meredith, and other neighbors last evening to discuss your zoning change request for 1105 Kramer Lane from NO-NP to GO-MU-NP.

Everyone present seemed to be in agreement to support a zoning change from NO-NP to GO-MU-NP with specific conditional overlays to restrict the property to basically "NO + Personal Services + one residential unit" so that you could live there and operate a wig salon.

Upon further reflection, I now oppose your request to amend the neighborhood plan and to change the zoning to mixed use for the following reasons:

You said you plan to personally move to 1105 Kramer Lane in about a year. However, I find it very difficult to believe you actually do intend to leave your home at 8212 Belclaire Lane (a 4-BR, 2-story, 2,364 sq. ft. home with a pool on a corner cul-de-sac) to move to 1105 Kramer Lane. I believe that, given residential occupancy permission, you are most likely to utilize 1105 Kramer Lane, not as an owner-occupied business, but as another residential rental income property (such as the following properties that you own and that list your primary residence of 8212 Belclaire Lane as their mailing address:

2528 Chaparral Trail, 5509 Wassail Street, 6115 Duchess Drive, and 5606 Purple Sage Drive, in addition to undeveloped properties at 7818 Dee Gabriel Collins Road, 22305 Elgin Drive, and other properties in your name along with various family members.

I do not believe that the requested change in zoning is in the public interest, nor is it of benefit to the neighborhood. A change in zoning to benefit you is not worth the risk of adding yet another rental property to our neighborhood or the possibility of a 60-ft. building with 80% impervious cover in the future.

Sincerely,
Fawn Legg

[REDACTED]