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ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0044 (Roxie Business Park)

ZAP DATE: June 7, 2011

ADDRESS: 12307 Roxie Drive

OWNER/APPLICANT: Rogers & Reichle, Inc. (Kevin Reichle)

ZONING FROM: I-RR

TO: LI

AREA: 1.41 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant LI-CO (Limited Industrial-Conditional Overlay District) zoning. The conditional overlay would limit the site to uses that generate no more than 2,000 vehicle trips per day and prohibit the Basic Industry, Recycling Center, and Resource Extraction uses.

ZONING & PLATTING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The property in question is currently developed with industrial, office and warehouse uses (Roxie Drive Business Park- All Star Heating & Air, Bartz Paint & Drywall, King of the Dent, Hammerhead Bikes, Capital Screen, Centex Electric, Inc., Triumph Graphic Supply, Flynn Company, Maluski Woodworking, Texas Solar Source). The applicant is requesting permanent zoning to bring the existing uses into conformance with the City of Austin Land Development Code use regulations.

The staff is recommending LI-CO zoning for this property because the site is located within an industrial park surrounded by office, commercial, warehouse distribution, light manufacturing and construction sales and services uses. The site meets the intent of the LI district as it allows for a commercial service use or limited manufacturing use generally located on a moderately-sized site. The property takes access to a collector roadway that is located off of two major arterials, Pond Springs Road and U.S. Highway 183 North.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Office/Industrial/Warehouse uses(Roxie Drive Business Park- All Star Heating & Air, Bartz Paint & Drywall, King of the Dent, Hammerhead Bikes, Capital Screen, Centex Electric, Inc., Triumph Graphic Supply, Flynn Company)
<i>North</i>	I-RR	Pet Services (Cat Hospital of Austin)
<i>South</i>	CS-CO	Custom Manufacturing use (Becks Signs & Designs), Office/Warehouse/Distribution use
<i>East</i>	I-RR, CS-CO	Administrative Business Office (CPA Services), Monument Sales (Southwest Marble and Granite Works)
<i>West</i>	LI-CO	Office/Warehouse (Morrison Supply Co.- Plumbing and Air Conditioning Supply)

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AREA STUDY: N/A

TIA: Waived

WATERSHED: Lake Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS: N/A

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0136 (13216 Pond Springs Road)	I-RR to CS-CO	12/01/09: Approved CS-CO zoning, with Limited Warehousing and Distribution as the only permitted 'CS' district use, all other permitted 'GR' district uses, and limit the development intensity on the site to less than 2,000 vehicle trips per day (7-0); P. Seager-1 st , T. Rabago-2 nd .	12/17/09: Approved CS-CO zoning on consent on all 3 readings (7-0); Spelman-1 st , Cole-2 nd .
C14-06-0236 (13201 Pond Springs Road)	I-RR to CS-1	5/15/07: Approved staff rec. of GR-CO and CS-1-CO (7-0)	6/08/07: Approved for GR-CO for Tract 1 and CS-1 for Tract 2 (7-0); all 3 readings
C4-06-0167 (13205 U.S. Highway 183 North)	GR-CO to CS-1	9/05/06: Approved staff's recommendation of CS-1-CO zoning on consent (8-0, J. Shieh-absent); J. Martinez-1 st , T. Rabago-2 nd .	10/05/06: Approved CS-1-CO zoning by consent (5-0, M. Martinez, B. McCracken-off dias); all 3 readings
C14-06-0157 (Pond Springs Plaza – 13233 Pond Springs Road)	I-SF-2 to Tract 1: CS Tract 2: CS-1	9/05/06: 1 st Motion: Approved staff's recommendation of GR-CO for Tract 1 and CS-1-CO for Tract 2, with additional condition to prohibit Pawn Shop Services, by consent (8-0, J. Shieh-absent); J. Martinez-1 st , S. Hale-2 nd . 2 nd Motion: To rescind and reconsider 1 st motion (6-0, J. Shieh-absent; T. Rabago, J. Martinez-off dias); J. Gohil-1 st , K. Jackson-2 nd . 3 rd Motion: To postpone	12/07/06: Approved the ZAP recommendation, striking the requirement for double door access from the bar (Tract 2) to the deck (Tract 3) and adding a the bar (Tract 2) to the deck (Tract 3) and adding a condition for speakers be removed from the deck area (7-0). 4/12/06: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2, and GR-CO zoning for Tract 3 (6-0);

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		<p>and place on the September 19, 2006 ZAP Agenda (6-0, J. Shieh-absent; T. Rabago, J. Martinez-off dias); J. Gohil-1st, K. Jackson-2nd.</p> <p>9/19/06: Continued to October 3, 2006 by Zoning and Platting Commission (7-0, J. Martinez, J. Pinnelli-absent); S. Hale-1st, J. Shieh-2nd.</p> <p>10/03/06: Postponed to November 7, 2006 by the applicant (7-0, K. Jackson, J. Pinnelli-absent); J. Martinez-1st, S. Hale-2nd.</p> <p>11/07/06: Approved staff's recommendation of GR-CO zoning for Tract 1 (shopping center), CS-1-CO zoning for Tract 2 (bar area), and GR-CO zoning for newly created Tract 3 (deck area). The Commission added the following conditions to Tract 2: Prohibit Adult Oriented Businesses; To require double door access to the deck from the bar (if allowable by Code and Building Permit regulations); To place permanent signage on the property at the driveway entries to restrict motorcycle parking in the rear/alleyway. To place permanent signage along the fence/property line between the residential site to the west and the property in question designating the parking spaces in the rear/alleyway as, "Employee Parking Only". To construct an 8-foot masonry/or sound retardant</p>	2 nd /3 rd readings
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		fence around the deck to mitigate sound emanating from the deck. The Commission also placed the following conditions on Tract 3 (the deck area): Place an 85 decibel limit (in accordance with LDC Sec. 9-2-4) on the deck to reduce noise emanating from the deck. Restrict amplified sound on the deck. Place permanent signage on the deck for noise mitigation. Remove the pool table off of the deck. Vote: (7-2, B. Baker, J. Martinez- No); J. Shieh-1 st , S. Hale-2 nd .	
C14-06-0107 (Milstead Warehouse – 12301 Roxie Drive)	I-SF-2 to LI	6/20/06: Approved staff's recommendation for LI-CO zoning, with CO to limit the site to uses that generate no more than 2,000 vehicle trips per day and prohibit the Basic Industry, Recycling Center, and Resource Extraction uses, by consent (7-0, J. Gohil, S. Hale – absent)	7/27/06: Approved LI-CO district zoning (7-0); all 3 readings
C14-05-0143 (Quality Liquors – 13290-A Pond Springs Road)	I-RR to Tract 1: GR, Tract 2: CS-1	9/20/05: Approved GR-CO for Tract 1 and CS-1-CO for Tract 2, prohibit on-site consumption, limit to 2,000 vehicle trips per day (9-0)	10/27/05: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2 by consent (6-0, Alvarez-off dias); all 3 readings
C14-04-0157 (Nouri Project – 186 Pond Springs Road)	I-RR to CS	11/2/04: Approved staff's recommendation of CS-CO zoning by consent (9-0)	12/02/04: Approved CS-CO (7-0); all 3 readings
C14-03-0169 (Maverick Drilling Company – 12228 Roxie Drive)	I-SF-2 to CS-CO	12/16/03: Approved staff's recommendation for CS-CO by consent (8-0, C. Hammond-absent)	1/15/04: Approved PC rec. of CS-CO by consent (6-0, McCracken-off dias); all 3 readings
C14-02-0159 (13284 Pond Springs Road)	I-RR to GR-CO	10/29/02: Approved staff's recommendation of GR-CO zoning with the deletion of Congregate Living as a prohibited use, by consent (7-0, A. Adams-absent)	12/05/02: Granted GR-CO on all 3 readings (7-0), the CO limits site to less than 2,000 vehicle trips per day and prohibits the following

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			uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services, Service Station, Theater, Guidance Services, Residential Treatment
C14-02-0158 (13292 Pond Springs Road)	I-RR to GR-CO	10/29/02: Approved staff's recommendation of GR-CO zoning with the deletion of Congregate Living as a prohibited use, by consent (7-0, A. Adams-absent)	12/05/02: Granted GR-CO on all 3 readings (7-0), the CO limits site to less than 2,000 vehicle trips per day and prohibits the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services, Service Station, Theater, Guidance Services, Residential Treatment

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C14-01-0163 (12224 Roxie Drive)	I-RR to CS-CO	12/11/01: Approved staff's recommendation of CS-CO zoning, adding a condition prohibiting vehicle storage (6-0, A. Adams, V. Aldridge-Left Early)	1/17/02: Approved CS-CO on 3 readings (6-0, Wynn out of room)
C14-01-0111 (Anderson Arbor Phase III – 13301-13321, 13343, 13347, 13353, and 13401 U. S. Highway 183 North)	I-RR, SF-2 to GR	11/27/01: Approved staff rec. of GR by consent (8-0)	1/10/02: Postponed to 1/31/02 at the request of the applicant (7-0) 1/31/02: Approved GR on all 3 readings (6-0, Goodman-off dias)
C14-01-0074 (13218 Pond Springs Road)	I-RR to LI	6/19/01: Approved staff's alternate recommendation of CS-CO district zoning, with CO limiting the site to 2,000 vtpd, by consent (7-1, Cravey-Nay, Garza-Absent)	7/19/01: Approved CS-CO, all 3 readings
C14-00-2037 (Don Ray George Zoning – N. U.S. HWY 183)	SF-2 to CS	4/04/00: Approved GR-CO zoning, prohibit Automotive Repair, Automotive Sales, and Automotive Rentals, and limit site to 2,000 vtpd (5-1, RC-Nay)	5/11/00: Approved PC rec. of GR-CO on 1 st reading only (7-0) 8/03/00: Approved GR-CO zoning on 2 nd /3 rd readings (7-0)
C14-99-2036 (Precision Auto Care - 13160 Pond Springs Road)	I-RR to GR	10/5/99: Approved GR-CO (7-1, RC-Nay) w/ only permitted GR use being a car wash and prohibiting the following uses: Automotive Rental, Automotive Repair Services, Automotive Sales, Business Trade School, Business Support Services, Commercial Off-Street Parking, Communication Services, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Medical Offices, Outdoor Entertainment, Outdoor Sports and Recreation,	11/4/99: Approved GR-CO (6-0); all 3 readings

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		Pawn Shop Services, Research Services, Restaurant (General), Theater, Hospital Services (General), Off-Site Accessory Parking	
C14-98-0238 (Gerritt Hills Tract – 13200 Pond Springs Road)	I-RR to CS	2/2/99: Approved staff alternate rec. of CS-CO, limiting the site to 2,000 vtpd (8-0)	3/4/99: Approved CS- CO (7-0); all 3 readings
C14-98-0229 (Balcones European Motors – 12131 Roxie Drive)	I-SF-2 to GR	1/19/99: Approved staff rec. of GR-CO, limiting the site to 2,000 vtpd	2/25/99: Approved PC rec. of GR-CO (7-0); all 3 readings
C14-98-0201 (Buell Zoning – 12112 Boardwalk Drive)	I-SF-2 to LI	12/8/98: Approved LI by consent (8-0)	1/7/99: Approved LI-CO w/ condition of 2,000 vehicle trips per day limit (7-0); all 3 readings
C14-98-0199 (Woods Honda - 13175 Research Boulevard)	I-RR to GR	1/12/99: Approved GR-CO zoning, limiting the site to 2,000 vtpd	2/11/99: Approved PC rec. of GR-CO (5-0); all 3 readings
C14-98-0198 (Woods Honda – 13175 Research Boulevard)	I-RR to GR	1/19/99: Approved staff rec. of GR-CO zoning, limiting the site to 2,000 vtpd (9-0)	2/25/99: Approved PC rec. of GR-CO (7-0), all 3 readings
C14-98-0167 (12215- 12219 Roxie Drive)	I-SF-2 to CS	11/17/98: Approved staff alternate rec. of CS-CO, w/ 2,000 vehicle trips per day limit, by consent (9-0)	1/21/99: Approved CS- CO w/ conditions (7-0); all 3 readings
C14-98-0152 (R-K Subdivision – 13200 Pond Springs Road)	I-RR to CS	11/10/98: Approved staff alternate rec. of CS-CO, prohibiting adult oriented businesses, by consent (8-0)	12/10/98: Approved CS- CO, with CO limiting the site to 2,000 vtpd (7-0, 1 st) 2/25/99: Approved CS- CO (7-0, 2 nd / 3 rd)
C14-98-0099 (Rundell Zoning No. 4 – (Roxie at Boardwalk)	I-RR to CS	8/18/98: Approved CS-CO, w/ 2,000 vehicle trips per day limit, by consent (7-0)	10/8/98: Approved PC rec. of CS-CO w/ conditions (6-0); 1 st reading 12/10/98: Approved CS- CO w/ conditions (7-0); 2 nd / 3 rd readings
C14-98-0098 (Rundell Zoning No. 3 – Roxie at Boarwalk)	I-RR to CS	8/18/98: Approved CS-CO by consent (7-0)	10/8/98: Approved PC rec. of CS-CO w/ 35 feet of deferred ROW dedication and 2,000

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			<p>vehicle trips per day limit by consent (6-0); 1st reading</p> <p>12/10/98: Approved CS-CO w/ conditions (7-0); 2nd/ 3rd readings</p>
C14-98-0097 (Rundell Zoning No. 2 – 573' from Boardwalk at U.S. 183 E Side)	I-RR to CS	8/18/98: Approved CS-CO, w/ conditions (7-0)	<p>10/8/98: Approved PC rec. of CS-CO w/ 35 feet of deferred ROW dedication and 2,000 vehicle trips per day limit by consent (6-0); 1st reading</p> <p>12/10/98: Approved CS-CO with conditions (7-0); 2nd/ 3rd readings</p>
C14-98-0096 (Rundell Zoning No.1 – 184' from Boardwalk at U.S. 183 E. Side)	I-SF-2 to LI-CO	8/18/98: Approved CS-CO w/ conditions (7-0)	<p>10/8/98: Approved PC rec. of CS-CO w/ 35 feet of deferred ROW dedication and 2,000 vehicle trips per day limit by consent (6-0); 1st reading</p> <p>12/10/98: Approved CS-CO w/ conditions (7-0); 2nd/ 3rd readings</p>
C14-98-0036 (Roxie Drive Warehouse – 12108-12112 Roxie Drive)	I-SF-2 to LI-CO	4/14/98: Approved LI-CO w/ conditions of 2,000 vehicle trips per day limit, prohibiting Agricultural Sales and Service, Automotive Repair Services, Construction Sales and Services, Equipment Sales, Equipment Repair Services, Scrap and Salvage, Vehicle Storage, Basic Industry, Recycling Center, Resource Extraction, and Railroad Facilities (8-0)	<p>5/14/98: Approved PC rec. of LI-CO w/ conditions (5-0); 1st reading</p> <p>1/21/99: Approved LI-CO w/ conditions (7-0); 2nd/ 3rd readings</p>

RELATED CASES: N/A

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ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Roxie Drive	72'	30'	Collector	No	No	No

CITY COUNCIL DATE: June 23, 2011

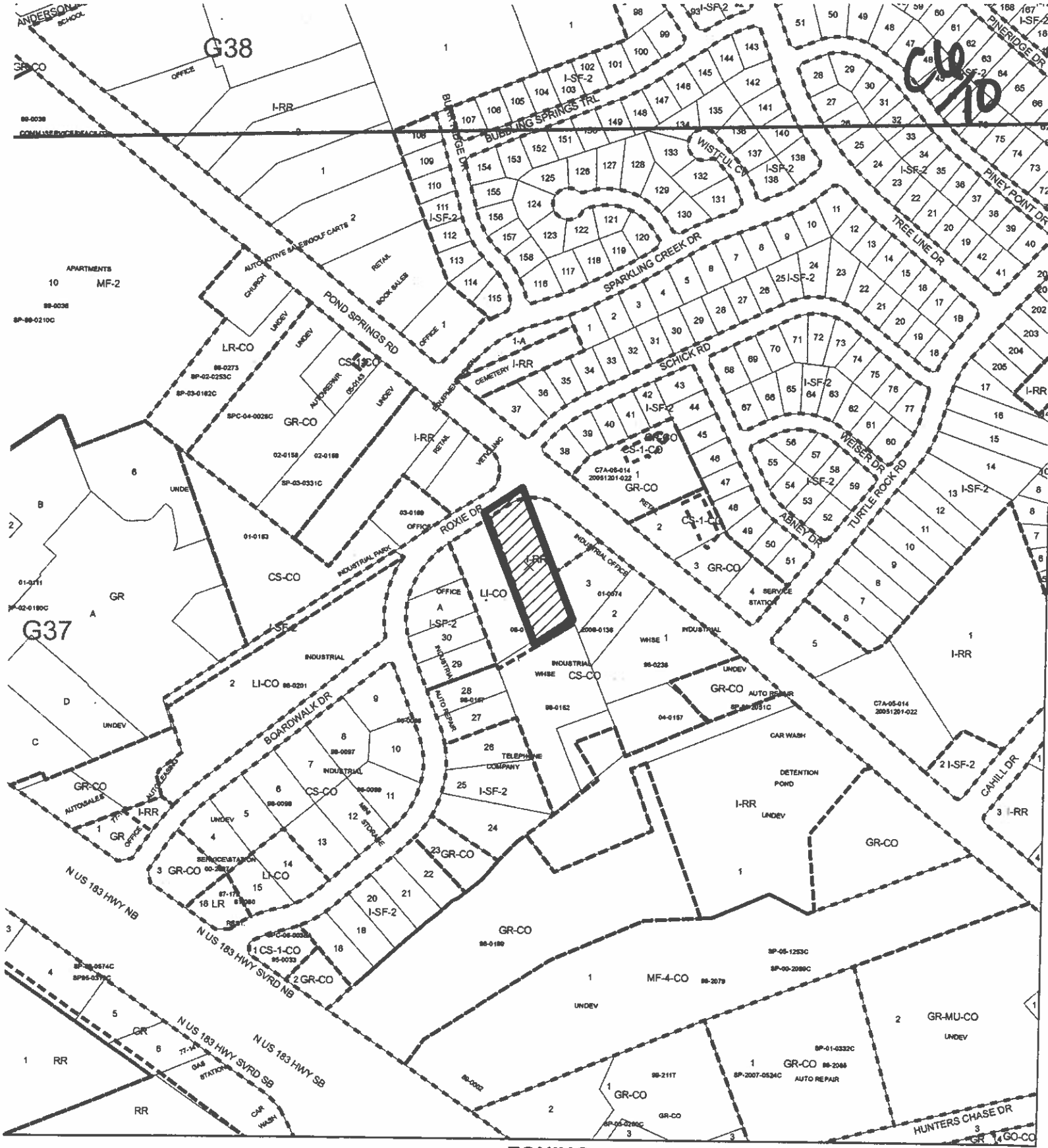
ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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



ZONING

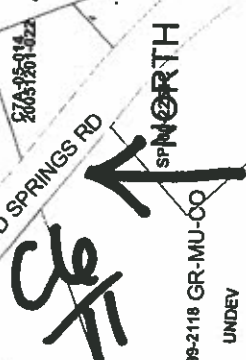
ZONING CASE#: C14-2011-0044
 LOCATION: 12307 ROXIE DR
 SUBJECT AREA: 1.41 ACRES
 GRID: G37
 MANAGER: SHERRI SIRWAITIS



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- 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.



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STAFF RECOMMENDATION

The staff's recommendation is to grant LI-CO (Limited Industrial-Conditional Overlay District) zoning. The conditional overlay would limit the site to uses that generate no more than 2,000 vehicle trips per day and prohibit the Basic Industry, Recycling Center, and Resource Extraction uses.

BASIS FOR RECOMMENDATION

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

Limited industrial service (LI) district is the designation for a commercial service use or limited manufacturing use generally located on a moderately-sized site.

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

LI-CO zoning would be consistent with the surrounding commercial and industrial uses located to the north, south, east, and west of the site. The property in question is located within an industrial park adjacent to CS-CO and LI-CO district zoning and takes access to a collector roadway that is located off of two major arterials, Pond Springs Road and U.S. Highway 183 North.

3. *Zoning should allow for reasonable use of the property.*

LI-CO zoning will allow the applicant to bring the existing warehouse/distribution use on the property into conformance with the City of Austin Land Development Code. The proposed zoning is consistent with existing development in this area of the city.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is developed with office/industrial/warehouse uses (Roxie Drive Business Park- All Star Heating & Air, Bartz Paint & Drywall, Legacy Custom Decks, Hammerhead Bikes, Capital Screen, Centex Electric, Inc., Triumph Graphic Supply, Flynn Company, Maluski Woodworking, Texas Solar Source). The lots to the east are developed with an administrative business office use (CPA Services) and a monument sales use (Southwest Marble and Granite Works). To the west, there is a restaurant supply company (Milstead Warehouse). The property to the north, across Roxie Drive, is developed with a veterinary clinic that fronts onto Pond Springs Road. The tracts of land to the south contain a custom manufacturing use (Becks Signs & Designs) and an office/warehouse/distribution use.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. It is in the Desired Development Zone. The site is in the Lake Creek Watershed, 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.

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Some 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 LI zoning district would be 80%. 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.

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>% NSA with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

Site Plan

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

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
Roxie Drive	70'	30'	Collector	Not Available

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].

There are no existing sidewalks along Roxie Drive.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Roxie Drive.

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

Water and Wastewater

FYI: 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. All 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.