

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0009 (11711 North Lamar Re-Zoning) **Z.A.P. DATE:** February 21, 2012

ADDRESS: 11711 North Lamar Boulevard

OWNER/APPLICANT: Griffin Engineering Group, Inc. (Gregory Griffin)

ZONING FROM: LO

TO: LO-MU*

AREA: 0.895 acres

*On January 30, 2012, the applicant confirmed via e-mail that they would like to provide a conditional overlay that would limit the MU Combining District to single-family residential uses only on this site.

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant LO-MU-CO, Limited Office-Mixed Use-Conditional Overlay Combining District, zoning. The conditional overlay will limit the MU Combining District to single-family residential uses.

ZONING & PLATTING COMMISSION RECOMMENDATION:

2/21/12: Approved staff recommendation for LO-MU-CO zoning on consent (6-0, G. Bourgeios-absent); S. Baldrige-1st, G. Rojas-2nd.

DEPARTMENT COMMENTS:

The property in question currently contains an office and a single-family residential use (Please see Site Plan Model – Attachment A). This tract of land was annexed by the City in November of 1984 and designated with the LO, Limited Office District, zoning category in August of 1985. The applicant has submitted a letter, dated June 5, 1992, from the City that states that the single-family structure is considered a legal, nonconforming use as it was constructed on the site prior to annexation (Please see Letter from the City of Austin - Attachment B). The applicant has applied for LO-MU district zoning to bring the existing residential use into conformance with City of Austin Land Development Code use regulations. The applicant proposes to limit the MU Combining District to single-family residential uses on this site.

The staff recommends the applicant's request for LO-MU-CO zoning because the property meets the intent of the LO-MU combining district. The site under consideration was zoned LO through the North Lamar Area Study in zoning case C14-85-149. The staff recommends adding an MU to the existing office zoning because the proposed Mixed Use Combining District will bring the single-family residential use on the site into conformance with land use regulations in the City of Austin Land Development Code. The proposed LO-MU-CO district zoning is compatible with the zoning and land uses in this area as the site is surrounded by LO district zoning to the north, south, east and west. In addition, the properties to the east contain single family residential uses.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO	Office, Single-Family Residence
<i>North</i>	LO	Vacant Structure
<i>South</i>	LO	Automotive Repair (Guicho's Body Shop), Construction Sales and Services (Coburn & Company Commercial Paint and Wall Finishes)
<i>East</i>	LO, SF-1	Single-Family Residential
<i>West</i>	GR-CO, LO-CO	Restaurant (Me & U Bistro), Personal Services (Foot Heaven), Restaurant (Mani's Mexican Food), Retail Sales (Not Just Flowers), Personal Services (Family Hair Styling Barber Shop) Office (Travis County Emergency Service District #4, All Save Auto Insurance), Restaurant (Zaytouna Lounge), Restaurant (Ross')

AREA STUDY: North Lamar Area Study**TIA:** Not Required**WATERSHED:** Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation
 Austin Independent School District
 Austin Neighborhoods Council
 Austin Northwest Association
 Austin Monorail Project
 Gracywoods Neighborhood Association
 Homebuilders Association of Greater Austin
 Homeless Neighborhood Association
 League of Bicycling Voters
 North Growth Corridor Alliance
 Pflugerville Independent School District
 River Oaks Lakes Estates Neighborhood
 SELTEXAS
 Sierra Club, Austin Regional Group
 Super Duper Neighborhood Objectors and Appeals Organization
 The Real Estate Council of Austin, Inc.
 Walnut Creek Neighborhood Association, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0111 (Naser Rezoning)	LR-CO to LR-CO: Request to remove the requirement for a 2,000 vehicle trip limit per day and replace it with TIA conditions.	11/15/11: Approved staff's recommendation of LR-CO zoning on consent (6-0, G. Bourgeios-absent); P. Seeger-1 st , C. Banks-2 nd .	12/08/11: Approved LR-CO district zoning, to change a condition of zoning, on consent on 1 st reading (6-0, S. Cole-off dais); B. Spelman-1 st L. Morrison-2 nd .
C14-2010-0154 (La Palma Plaza Rezoning: 12030 North Lamar Blvd.)	LR-CO to GR	4/05/11: Approved staff's recommendation for denial (5-0, S. Baldrige-absent); P. Seeger-1 st , B. Baker-2 nd .	5/12/11: Denied the rezoning request(7-0); S. Cole-1 st , M. Martinez-2 nd
C14-2010-0021 (12104 N. Lamar Blvd.)	NO to LR	4/06/10: Approved the staff's recommendation of LR-CO zoning, with additional conditions to prohibit Consumer Convenience Services, Off-Site Accessory Parking, Guidance Services, and 24-hour uses (6-0, S. Baldrige-No); D. Tiemann-1 st , T. Rabago-2 nd .	5/13/10: Approved ZAP rec. of LR-CO zoning on consent on all 3 readings (7-0); Morrison-1 st , Spellman-2 nd .
C14-2010-0020 (12108 N Lamar Blvd)	NO to LR	4/06/10: Approved the staff's recommendation of LR-CO zoning, with additional conditions to prohibit Consumer Convenience Services, Off-Site Accessory Parking, Guidance Services, and 24-hour uses (6-0, S. Baldrige-No); D. Tiemann-1 st , T. Rabago-2 nd . 5/04/10: The case was re-heard by the Commission due to a notification error. The Commission re-approved their previous motion of LR-CO zoning, with additional conditions to prohibit Consumer Convenience Services, Off-Site Accessory Parking, Guidance Services and 24-hour uses, on consent (7-0); P. Seeger-1 st , D. Tiemann-2 nd .	5/13/10: Approved ZAP rec. of LR-CO zoning on consent on all 3 readings (7-0); Morrison-1 st , Spellman-2 nd .

C14-2008-0191	NO to GR	8/21/08: Approved LR-CO on consent, with CO for 2,000 vtpd limit and added the following conditions: Prohibit Consumer Convenience Services, Offsite Parking, Guidance Services, and Service Station uses (4-0, B. Baker, J. Gohil, and K. Jackson-absent)	11/21/08: Approved LR-CO by consent on all 3 readings (6-0, B. McCracken-absent); L. Morrison-1 st , L. Leffingwell-2 nd .
C14-06-0217	NO to GO	12/19/06: Approved staff rec. of GO by consent (9-0)	1/25/07: Approved GO zoning (6-0); all 3 readings
C14-05-0104	NO to GO	8/16/05: Approved staff's recommendation for GO-CO zoning with the following additional conditions: 1) The property shall have a 10-foot vegetative buffer along North Lamar Boulevard; 2) Detention for the site should be addressed at the time of site plan review; 3) Create a restrictive covenant (public or private as determined by the Law department) to prohibit Modeling Services in a Personal Services use. The restrictive covenant shall be filed prior to 3 rd reading of the case at City Council. Vote: 8-0, K. Jackson-absent; C. Hammond-1 st , J. Martinez-2 nd .	9/29/05: Approved GO-CO zoning by consent (7-0); all 3 readings
C14-05-0066	LO to GR	7/05/05: Approved GR-CO zoning for Tract 1. The conditional overlay for Tract 1 will prohibit the uses set out by staff, except to allow Food Sales as a permitted use. Approved LO-CO zoning for Tract 2. The conditional overlay will limit Tract 2 to NO (Neighborhood Office) development regulations, prohibit Medical uses, prohibit parking for uses developed on Tract 1, and require a minimum 100-foot development setback from the centerline of Walnut Creek (7-1, C. Hammond-Nay; M. Hawthorne-Absent)	8/04/05: Approved ZAP recommendation for GR-CO zoning (7-0); 1 st reading only 9/01/05: Approved GR-CO zoning on consent (7-0-); 2 nd /3 rd readings

C14-04-0133	DR, LO to GR	10/5/04: Approved staff's recommendation of GR-CO district zoning for Tract 1 and LO-CO district zoning for Tract 2. Additional condition for Tract 1 is LR development standards. The following uses are removed from the prohibited use list: Business or Trade School; General Retail Sales (General); Business Support Services; Consumer Repair Services; Financial Services, and Pet Services (9-0); K. Jackson-1 st , J. Martinez-2 nd .	10/21/04: Approved staff's recommendation of GR-CO zoning for Tract 1 and LO-CO zoning for Tract 2, with additional condition of 'LR' district development standards for Tract 1 (7-0); 1 st reading 11/4/04: Approved GR-CO zoning for Tract 1 and LO-CO for Tract 2 (7-0); 2 nd /3 rd readings
C14-03-0162	LO to GR-CO	12/2/03 – Postponed at the request of staff, due to a notice error (9-0) 12/16/03 – Approved GR-CO, with added condition (8-0)	1/29/04: Approved GR-CO (5-0); all 3 readings
C14-00-2020	RR to GO-CO	4/18/00: Denied (6-0)	8/30/00: Withdrawn
C14-00-2152	DR to LO-CO	8/22/00: Approved LO-CO. The CO prohibits access to North Bend Dr. and limits trips to 2,000 per day (8-0)	10/5/00: Approved LO-CO (5-0); all 3 readings
C14-99-2055	RR to NO	11/16/99: Approved staff rec. of RR by consent (6-0-1, B. Baker-abstain)	9/21/00: Withdrawn-There was a mapping error, the property was already zoned NO.
C14-90-0002	NO to W/LO	4/10/90: Approved W/LO (5-0-3)	5/10/90: Approved W/LO (6-0); 1 st reading 8/2/90: Approved W/LO (6-0); 2 nd /3 rd readings

RELATED CASES:

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
N Lamar Blvd	100'	70'	Arterial	No	No	Yes

CITY COUNCIL DATE: March 22, 2012

ACTION:

ORDINANCE READINGS: 1st

2nd

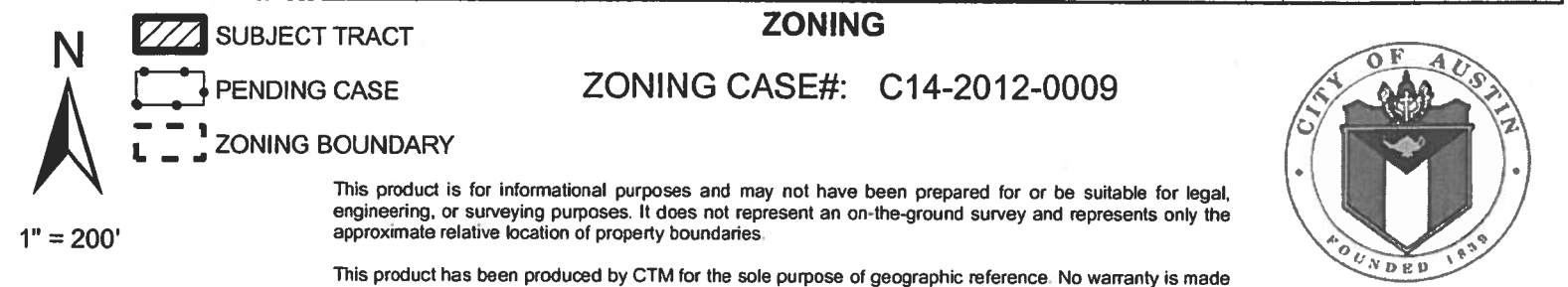
3rd

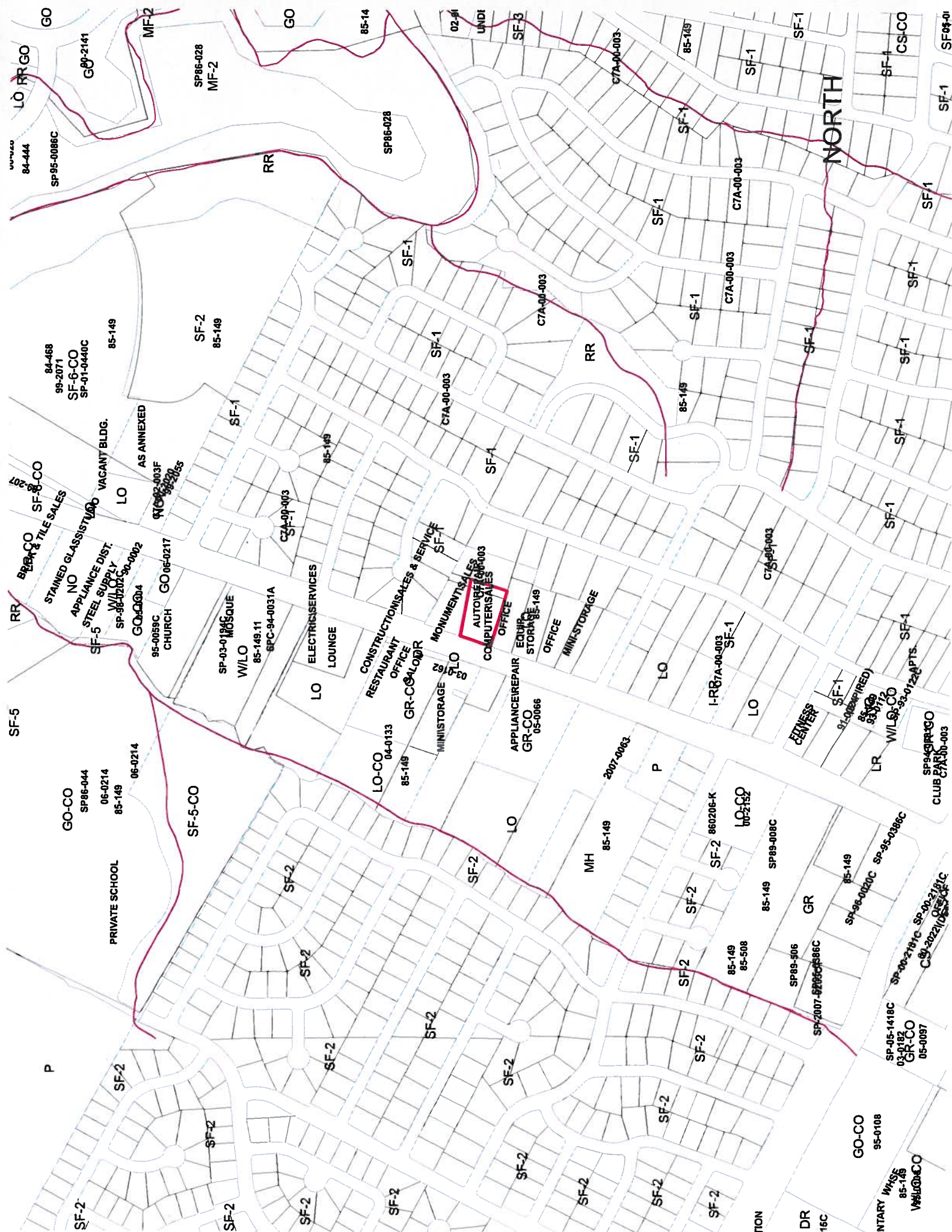
ORDINANCE NUMBER:

ZONING CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057

E-mail: sherri.sirwaitis@ci.austin.tx.us







STAFF RECOMMENDATION

The staff's recommendation is to grant LO-MU-CO, Limited Office-Mixed Use-Conditional Overlay Combining District, zoning. The conditional overlay will limit the MU Combining District to single-family residential uses.

BASIS FOR RECOMMENDATION (ZONING PRINCIPLES):

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

Limited office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

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 LO-MU-CO district zoning is compatible with the zoning and land uses in this area as the site is surrounded by LO district zoning to the north, south, east and west. In addition, the properties to the east contain single family residential uses.

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

LO-MU-CO combining district zoning will allow the applicant to bring the existing single-family residential use on the site into conformance with land use regulations in the City of Austin Land Development Code.

EXISTING CONDITIONS

Site Characteristics

The site under consideration contains an office structure and a single-family residential 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.

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.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the LO zoning district would be 70%. 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:

Development Classification	% of Net Site Area	% with Transfers
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

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

The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for N. Lamar Blvd. The dedication of additional right-of-way for N. Lamar Boulevard may be deferred to the site plan stage in accordance with the Transportation Plan. LDC, 25-6-55.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

North Lamar Blvd is classified in the Bicycle Plan as Bike Route No. 43.

Capital Metro bus service (Routes No. 1L and 101) are available along N. Lamar Boulevard.

There are existing sidewalks along both sides of N. Lamar Boulevard.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
N. Lamar Blvd.	Varies	2 @ 24'	Major Arterial (MAD4)	24,000

Water and Wastewater

FYI: The site is currently served 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 utility 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.

Griffin Engineering Group, Inc.

11711 NORTH LAMAR BOULEVARD
AUSTIN, TEXAS 78753
(512) 836-3113
(512) 836-3103 FAX
GENGINEERING@AUSTIN.RR.COM
Firm Registration F-634

Civil Engineering
Site Analysis
Planning

December 29, 2011

Mr. Greg Guernsey, Director
Planning and Development Review
City of Austin
P.O. Box 1088
Austin, Texas 78767

**RE: 11711 NORTH LAMAR
AUSTIN, TEXAS 78753
ZONING APPLICATION**

Dear Mr. Guernsey,

Please find enclosed zoning application for the above property. The site currently is zoned Limited Office "LO" and this request is for Limited Office-Mixed Use "LO-MU". The site currently contains the office of Griffin Engineering Group, Inc. As well as the personal residence for my wife and I. The residence was constructed in 1943 and the site was annexed in 1984, thus the residential use in LO zoning is a legal non-conforming use (See attached June 5, 1992 correspondence from Tracy H. Watson). The purpose of this zoning request is to allow residential use in Limited Office Zoning.

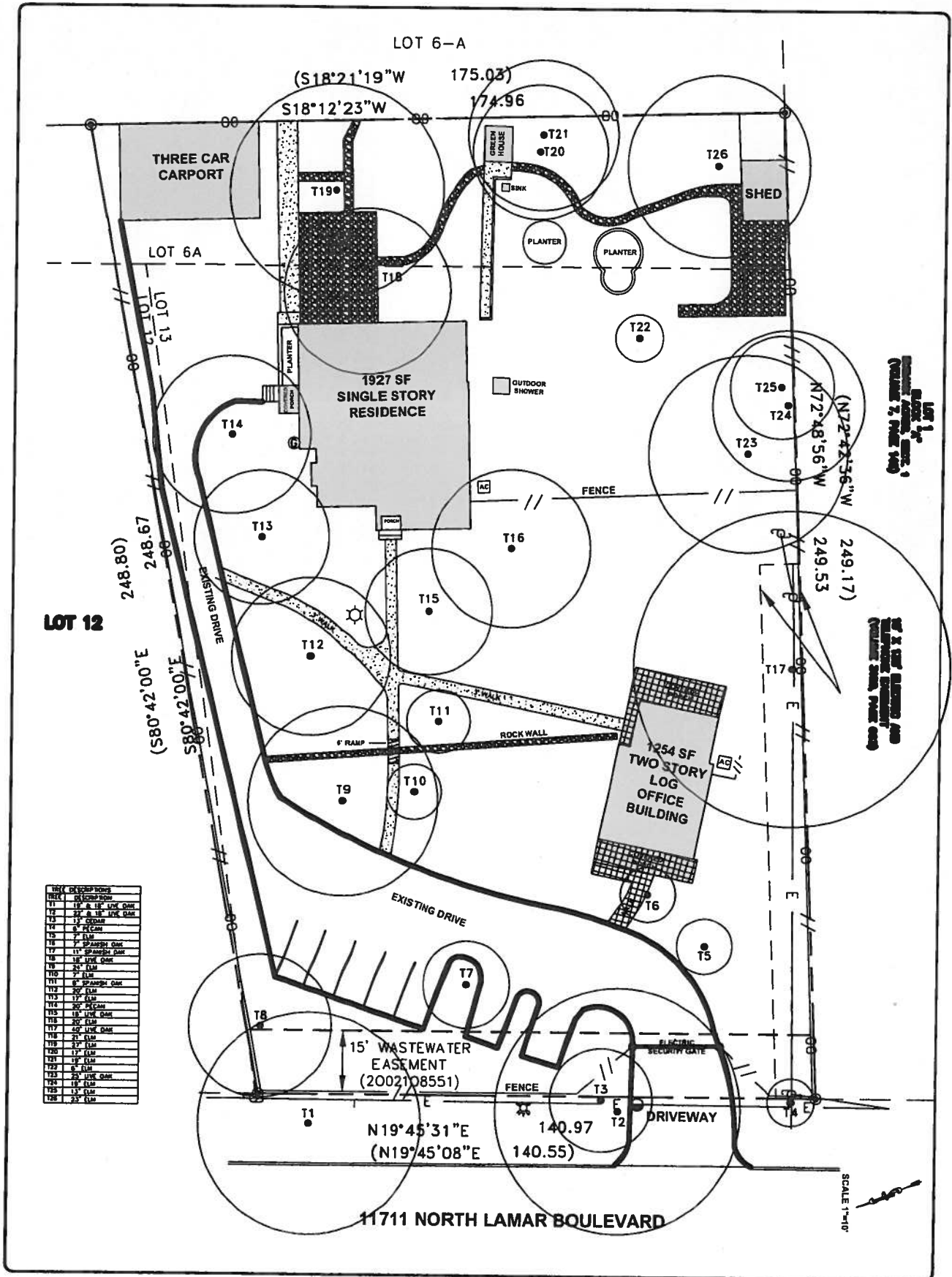
We appreciate your consideration of this request.

Respectfully Submitted,



Gregory Griffin, P.E.
President
Responsible Engineer #64151
Firm Registration F-634





TRK	DECKED HOLES
71	18" & 18" LIVE OAK
72	24" & 18" LIVE OAK
73	15" CEDAR
74	6" P. CAN
75	7" ELM
76	7" SPANISH OAK
77	11" SPANISH OAK
78	18" LIVE OAK
79	24" ELM
710	7" ELM
711	6" SPANISH OAK
712	20" ELM
713	17" ELM
714	20" P. CAN
715	18" LIVE OAK
716	20" ELM
717	40" LIVE OAK
718	27" ELM
719	27" ELM
720	17" ELM
721	18" ELM
722	6" ELM
723	25" LIVE OAK
724	18" ELM
725	13" ELM
726	23" ELM

LEGAL DESCRIPTION: APPROXIMATELY 0.0907 ACRES OF LAND MORE OR LESS BEING ALL OF LOT 13 AND PARTS OF LOT 12 AND 6-A OF A RESUBDIVISION OF LOT 6, BLOCK "A" AND 1.97 ACRE TRACT, EUBANK ACRES SECTION ONE A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 16, PAGE 100, PLAT RECORDS, TRAVIS COUNTY.

ZONING: LIMITED OFFICE "LO"

**11711 NORTH LAMAR
AUSTIN, TX 78753**

DATE: APR 2011
DESIGNED: _____
DRAWN: _____
CHECKED: _____
JOB NO. _____



City of Austin

Founded by Congress, Republic of Texas, 1839
Department of Planning and Development
Municipal Annex, 301 W. 2nd Street, P.O. Box 1088, Austin, TX 78767-8810
Telephone: 512/499-2855

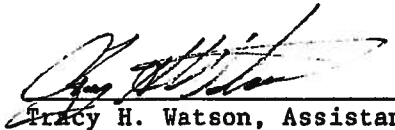
June 5, 1992

Re: 11711 North Lamar Boulevard
0.895 acres of land, being all of Lot
13 and parts of Lot 12 and 6-A of the
Resubdivision of Lot 6, Block A,
Eubank Acres, Section One

TO WHOM IT MAY CONCERN:

The property at the referenced location was annexed in November 1984 and zoned LO, Limited Office, in August 1985. Its current residential use is legal, nonconforming.

Section 13-2-341 of the Land Development Code reads as follow: "If a structure accommodating or serving a nonconforming use is damaged or destroyed to the extent that the cost of reconstruction or restoration will not exceed 90% of the value of the structure immediately prior to the damage, the structure may be rebuilt, and the nonconforming use may be resumed, ...".



Tracy H. Watson, Assistant Director
Department of Planning and Development

Sirwaitis, Sherri

From: Ross Rathgeber [ross@southwestconstructors.com]
Sent: Monday, January 30, 2012 11:25 AM
To: Sirwaitis, Sherri
Subject: Case Number C14-2012-0009

Ms. Sirwaitis

I am a shareholder in Ellis & Rathgeber, LLC, the entity which owns our office/warehouse at 11804 North Lamar Blvd. We support the zoning change for Griffin Engineering Group.

Ross M. Rathgeber
Vice-President
Southwest Destructors - A Division of Southwest Constructors, Inc.
Mailing Address: P.O. Box 50469 Austin, Texas 78763
Physical Address: 11804 North Lamar Boulevard Austin, Texas 78753
Office: (512) 836-0667
Fax: (512) 835-9865
Mobile: (512) 917-9511
Email: rmr@southwestconstructors.com
Website: www.southwestdestructors.com

1/31/2012