

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0017 (San Felipe Boulevard Re-Zoning)

Z.A.P. DATE: March 20, 2012

ADDRESS: 8007 San Felipe Boulevard

OWNER/APPLICANT: SDI 2012 Urban, Ltd. (Randy Ziehe)

AGENT: Thrower Design (A. Ron Thrower)

ZONING FROM: GR

TO: GR-MU

AREA: 4.429 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant GR-MU-CO (Community Commercial-Mixed Use-Conditional Overlay Combining District) zoning. The conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per, prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type), Pawn Shop Services, Restaurant (Limited), Personal Improvement Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Adult Oriented Businesses, Urban Farm, and require a 10-foot landscape buffer along the eastern property line.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

3/20/12: Approved staff's recommendation of GR-MU-CO zoning, with the following conditions: add Restaurant (Limited) and Urban Farm back as permitted uses and prohibit Drive-in Services (7-0); P. Seeger-1st, C. Banks-2nd.

DEPARTMENT COMMENTS:

The property in question is currently undeveloped. The applicant is requesting GR-MU, Community Commercial-Mixed Use Combining District, zoning for this site so that he may develop the property with a mixture of uses.

The staff is recommending GR-MU-CO zoning for this tract of land because the proposed zoning would be compatible and consistent with the multifamily residential and commercial uses surrounding the site. There is currently GR-CO district zoning to the north, south and west of the site. The property in question is located at the intersection of an arterial roadway (Pond Springs Road) and a collector street (San Felipe Boulevard) and is near a major intersection of two arterial roadways (Pond Springs Road and McNeil Drive) and a U.S. Highway (North U.S. Highway 183).

The staff is proposing a conditional overlay for this site to prohibit Automotive related uses, Pawn Shop Services, Restaurant (Limited), Personal Improvement Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Adult Oriented Businesses, Urban Farm, to limit the development intensity on the site to less than 2,000 vehicle trips per day and to require a 10-foot landscape buffer along the eastern property line. This conditional overlay carries over the conditions from the current GR-CO ordinance for this site (Ordinance No. 030814-37) and is consistent with conditions placed on other zoning cases along this portion of Pond Springs Road.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO	Undeveloped
<i>North</i>	GR-CO, RR	Automotive Sales (Roger Beasley Saab), Apartments (Martha's Vineyard Apartments)
<i>South</i>	GR-CO	Plant Nursery (Red Barn Garden Center), Convenience Storage (Store-A-Way Self Storage)
<i>East</i>	RR	Multi-family (Summer Grove Apartments)
<i>West</i>	I-RR, GR-CO	Equipment Storage (Heff Equipment Rental), Undeveloped Tract (back of Leif Johnson Superstore Automotive Sales), Convenience Storage (Public Storage), Office/Warehouse (Arbor Square Center)

AREA STUDY: N/A**TIA:** Waived**WATERSHED:** Rattan Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation
 Home Builders Association of Greater Austin
 Homeless Neighborhood Association
 League of Bicycling Voters
 Pond Springs Neighborhood Association
 SELTEX
 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
C14-04-0162 (Arbor Square: 12885 Research Boulevard)	I-RR to GR	11/2/04: Approved staff's recommendation of GR-CO zoning, with CO to limit the development intensity to less than 2,000 vehicle trips per day, by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	12/02/04: Approved GR-CO (7-0); all 3 readings
C14-04-0155 (San Felipe Market:	GR-CO to GR-CO	11/2/04: Approved staff's recommendation of GR-CO zoning, with CO to limit the development intensity to less than 2,000 vehicle trips per day, by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	12/02/04: Approved GR-CO (7-0); all 3 readings

C14-04-0070 (12952 Pond Springs Road)	I-RR to GR-CO	7/20/04: Approved staff's recommendation of GR-CO zoning, with CO to impose the following conditions: 1) The only permitted GR uses are Auto Sales and Auto Repair; 2) Permit LR Uses, with the exception of the following LR uses: Service Station; Restaurant (General); Restaurant (Limited); 3) Limit the development intensity to less than 2,000 vehicle trips per day; 4) Require a 25' vegetative buffer along the northern property line; by consent (8-0, J. Pinnelli-absent)	8/26/04: Granted GR-CO (7-0); all 3 readings
C14-03-0080 (Goodson 4.4 acres: San Felipe Blvd)	MF-3-CO to GR	6/10/03: Approved staff's alternate recommendation of GR-CO zoning with the following conditions: 1) Limit the site to 2,000 vehicle trips per day; 2) Prohibit the following uses: Automotive related uses [Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type)], Pawn Shop Services, Restaurant (Drive-In, Fast Food), Personal Improvement Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Adult Oriented Businesses, Urban Farm, and 3) Require a 10-foot landscape buffer along the Eastern property line. Vote: (8-0, J. Martinez-absent); M. Whaley-1 st , K. Jackson-2 nd .	7/17/03: Approved ZAP rec. of GR-CO (7-0); with the following additional permitted uses: Personal Improvement Services use and permit Drive-In Facilities, only as an accessory use to a Bank (Financial Services use). 8/14/03: Approved (7-0); 2 nd /3 rd readings.
C14-02-0138 (Pivot Storage: 12835 Pond Springs Road)	I-RR to CS	9/17/02: Approve staff's rec. of CS-CO zoning with the following conditions: add Equipment Sales and Automotive Rentals as allowed/permitted uses (7-0)	10/24/02: Granted ZAP rec. of CS-CO on all 3 readings (6-0, Dunkerley-absent), including the following conditions: 1) 2,000 vehicle trips per day limit; 2) Allow Convenience Storage and Equipment Sales as the only "CS" uses; 3) Limit the property to "GR" uses; 4) Prohibit the following additional uses: a) Automotive Repair Services

			<ul style="list-style-type: none"> b) Automotive Sales c) Automotive Washing d) Drive-Through Facilities e) Drop-Off Recycling f) Pawn Shop Services
C14-02-0132 (Goodson 8 Acres: Pond Springs Road at San Felipe Boulevard)	MF-3-CO to GR	<p>10/22/02: Approved GR-CO zoning with the following conditions:</p> <ul style="list-style-type: none"> 1) The only permitted GR uses are Automotive Sales and Automotive Repair Services; 2) Permit LR uses, with the exception of the following uses: <ul style="list-style-type: none"> a) Service Station b) Food Sales c) Accessory Off-Site Parking d) Restaurant (Drive-In. Fast Food) e) Restaurant (Limited); 3) 2,000 vehicle trip per day limit; 4) Require that protected trees shall remain undisturbed; 5) Require that Compatibility Standards be applied along the eastern property line; 6) Require a 25' vegetative buffer along the eastern property line; 7) Limit structures to 40' in height, with an increase in height according to Compatibility Standards; 8) Require that all Automotive Maintenance and Repair be contained within a structure; 9) Restrict access to San Felipe Boulevard to emergency access only; 10) Allow no inoperable vehicle storage on the site; 11) Parking lot not allowed adjacent to the proposed vegetative buffer along the eastern property line. 	<p>11/21/02: Granted ZAP rec. of GR-CO zoning w/ conditions and a public restrictive covenant (6-0, Goodman-absent); 1st reading</p> <p>12/5/02: Granted GR-CO zoning (7-0); 2nd reading, with the following conditions:</p> <ul style="list-style-type: none"> 1) No structural detention or water quality facility shall be allowed within the proposed 25' vegetative buffer; 2) Grow green standards shall be utilized; 3) Structural parking shall be prohibited <p>12/12/02: Granted GR-CO zoning (7-0); 3rd reading [valid petition withdrawn]</p>
C14-02-0017 (Red Barn Garden Center:	I-RR to GR	2/26/02: Approved staff's rec. of GR-CO zoning by consent (7-0, K. Jackson-absent, A. Adams-off dias)	4/4/02: Approved ZAP rec. of GR-CO (6-0, Goodman out of room); all 3 readings, with the following conditions:

12881 Pond Springs Road)			1) 2,000 vehicle trip per day limit; 2) Prohibit the following uses: a) Automotive Rentals b) Automotive Repair Services c) Automotive Sales d) Automotive Washing; e) Drive-Through Facilities
C14-01-0080 (San Felipe Green: 7800 Block of San Felipe Boulevard)	CS-CO to MF-2	6/26/01: Approved staff rec. of MF-2 by consent (8-0)	12/6/01: Approved MF-2 (7-0); all 3 readings
C14-00-2113	I-RR to GR	7/25/00: Approved staff rec. of GR-CO by consent (7-1, RC-Nay)	8/24/00: Approved GR-CO w/ conditions on all 3 readings (7-0)
C14-99-0016	I-RR to MF-3	2/23/99: Approved staff alternate rec. of MF-3-CO by consent (6-0)	5/20/99: Approved PC rec. of MF-3-CO w/ conditions (7-0); all 3 readings
C14-99-0005	I-RR to MF-3	2/23/99: Approved staff alternate rec. of MF-3-CO by consent (6-0)	5/20/99: Approved PC rec. of MF-#-CO w/ conditions (7-0); all 3 readings
C14-98-0200	I-RR to GR	12/8/98: Approved GR-CO by consent (8-0)	1/7/99: Approved PC rec. of GR-CO w/ conditions (7-0); all 3 readings
C14-98-0127	I-RR to GR	10/13/98: Approved GR-CO (9-0)	11/19/98: Approved PC rec. of GR-CO; all 3 readings
C14-98-0093	I-RR to LI	8/18/98: Approved LI-CO by consent (7-0)	10/8/98: Approved PC rec. of LI-CO w/ conditions (6-0); all 3 readings
C14-98-0003	I-RR to LI	2/17/98: Approved W/LO w/conditions (7-0)	3/26/98: Approved PC rec. of W/LO w/ conditions (6-0); 1 st reading 4/30/98: Approved CS-CO w/ conditions (7-0); 2 nd reading 6/11/98: Approved CS-CO w/ conditions (7-0); 3 rd reading
C14-95-0131	SF-2 to GO	11/7/95: Approved GO by consent (8-0)	12/7/95: Approved GO (6-0); 1 st reading 2/29/96: Approved GO (7-0); 2 nd /3 rd readings

RELATED CASES: C14-03-0080 (Previous Zoning Case)

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Pond Springs	100'	20'	Arterial	N/A
San Felipe Boulevard	80'	40'	Collector	4,626 ('98)

CITY COUNCIL DATE: April 26, 2012

ORDINANCE READINGS: 1st

ORDINANCE NUMBER:

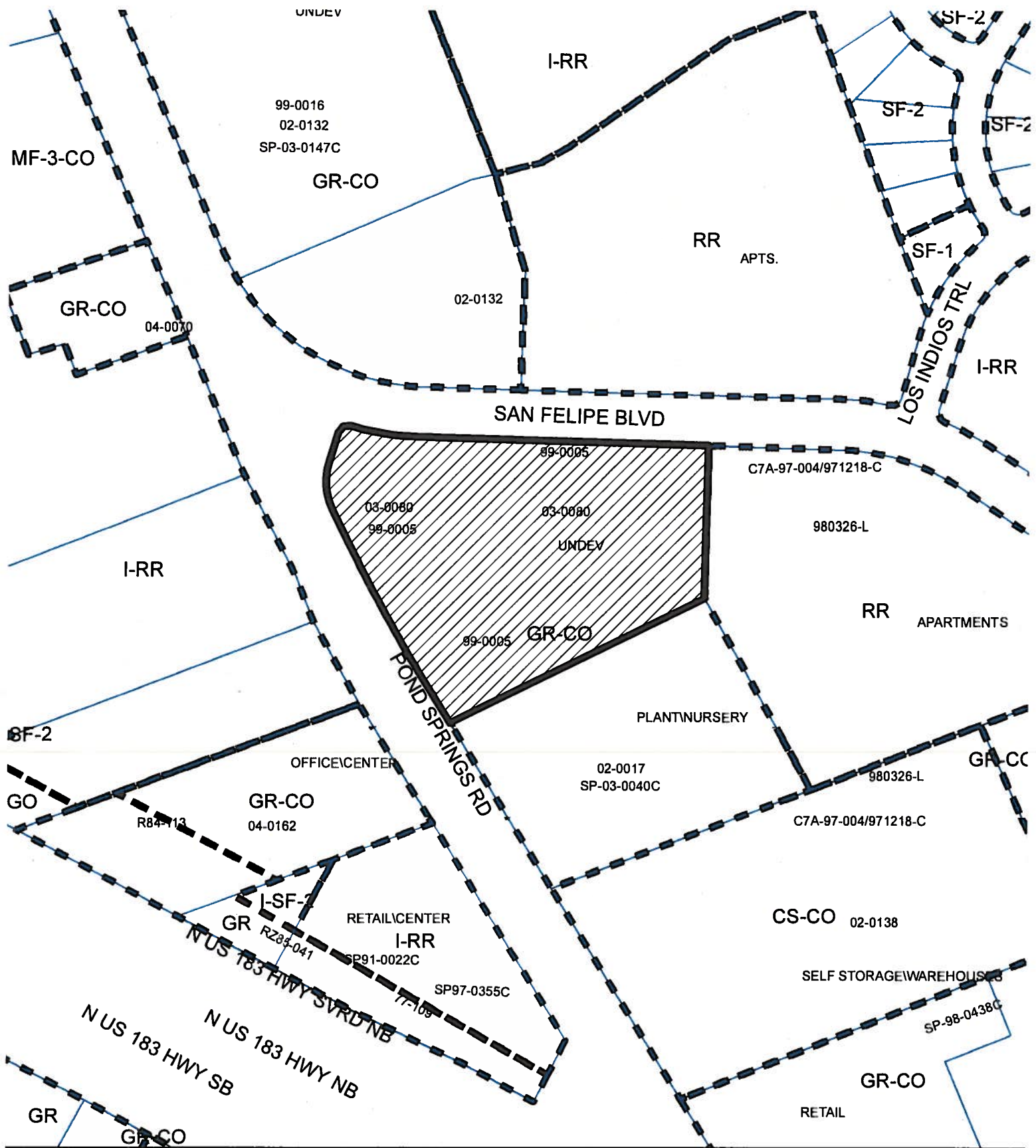
CASE MANAGER: Sherri Sirwaitis

ACTION:

2nd

3rd

PHONE: 974-3057,
sherri.sirwaitis@austintexas.gov



ZONING

ZONING CASE#: C14-2012-0017

- N
- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







STAFF RECOMMENDATION

The staff's recommendation is to grant GR-MU-CO (Community Commercial-Mixed Use-Conditional Overlay Combining District) zoning. The conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per, prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type), Pawn Shop Services, Restaurant (Limited), Personal Improvement Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Adult Oriented Businesses, Urban Farm, and require a 10-foot landscape buffer along the eastern property line.

BASIS FOR RECOMMENDATION

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

The Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

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 GR-MU-CO zoning district would be compatible and consistent with the surrounding uses because there are multifamily residential uses located to the north and east and commercial/retail uses located to the north, south and west of the site. In addition, there is GR-CO zoning to the north, south, and west of this tract, along Pond Springs Road.

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

The GR-MU-CO zoning district would allow for a fair and reasonable use of the site as this zoning would permit the applicant to develop this tract of land with a mixture of commercial and residential uses. GR-MU-CO zoning is appropriate for this location because of the commercial and high density residential character of the area.

4. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The property in question is located at the intersection of an arterial roadway, Pond Springs Road, and a collector street, San Felipe Boulevard.

EXISTING CONDITIONS

Site Characteristics

The site in question is currently undeveloped and relatively flat. There is a large grouping of trees along the southern boundary of the property.

Environmental

The site is located over the Edwards Aquifer Recharge Zone. It is in the Desired Development Zone. The site is in the Rattan Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to floodplain 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.

Numerous 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 GR zoning district would be 90%. However, because the Watershed impervious cover is more restrictive than the GR zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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%.

Note: The most restrictive impervious cover limit applies.

Site Plan

The northeast corner of this tract will be subject to compatibility development regulations due to the existing single-family development less than 540-feet from the tract. In that portion of the tract that is less than 540-feet from SF development, the following regulations will apply:

- For a structure more than 300 feet but not more than 540 feet from the property line, a structure may attain a height of 60 feet plus one foot for each four feet if distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- 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 storm water runoff will be mitigated through on-site storm water 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].

San Felipe Blvd. and Pond Springs Road are classified in the Bicycle Plan as Bike Route No. 21.

There is no Capital Metro bus service available along San Felipe Blvd. or Pond Springs Road.

There are existing sidewalks along San Felipe Blvd. and Pond Springs Road.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
San Felipe Blvd.	80'	42'	Collector	4,626
Pond Springs Rd.	Varies	48'	Collector	11,634

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. 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.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2012-0017

Contact: Sherri Sirwaitis, (512) 974-3057

Public Hearing: March 20, 2012, Zoning and Platting Commission

April 26, 2012, City Council

Jody Bronstad

Your Name (please print)

7920 San Felipe Blvd Austin, TX

Your address(es) affected by this application

[Signature]

Signature

3.16.12

Date

Daytime Telephone: 210 602-9055

Comments: Concerned about traffic impact

Has a traffic study been completed?

Concerned on zoning and what the

developer will build w/ community/

Commercial mixed use.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810