

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2012-0129 (Public Storage)

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 13685 North U.S. Highway 183 from Community Commercial Services-Conditional Overlay Combining (GR-CO) district zoning to General Commercial Services-Conditional Overlay Combining (CS-CO) district zoning.

The ordinance reflects the conditions imposed by the City Council on 1st reading.

PROPERTY OWNER: Laurmic (Michael T. Pokorny)

AGENT: Jackson Walker, L.L.P. (Katherine P. Loayza)

DEPARTMENT COMMENTS:

The property in question is currently undeveloped. The applicant is requesting an up zoning to CS, General Commercial Services, zoning to develop the property with a convenience storage facility.

The staff is recommending CS-CO, Community Commercial-Conditional Overlay Combining District, zoning for the site under consideration. The CS-CO zoning district would be compatible and consistent with the surrounding uses because there are existing commercial uses to the north (hotels and retail), south (convenience storage), and west (hotel) of the proposed site. The property is located adjacent to CS-CO zoning to the south and GR-CO zoning to the north. CS-CO zoning will allow the applicant to expand the existing convenience storage use to the south (Public Storage) and would provide services to the multifamily residential uses to the east, across Pond Woods Road. The proposed CS-CO zoning is appropriate for this location because of the commercial character of the area and because of the site's frontage on U.S. Highway 183. The property is located near the intersection of two arterial roadways, U.S. Highway 183 North and Pond Springs Road.

The applicant agrees with the City Council's recommendation at 1st reading.

DATE OF FIRST READING/VOTE: January 17, 2013

ACTION:

CITY COUNCIL DATE: March 7, 2013

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Sirwaitis

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

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0129 (Public Storage)

Z.A.P. DATE: November 20, 2012
December 18, 2012

ADDRESS: 13685 North U.S. Highway 183

OWNER/APPLICANT: Laurmic (Michael T. Pokorny)

AGENT: Jackson Walker, L.L.P. (Katherine P. Loayza)

ZONING FROM: GR-CO

TO: CS

AREA: 1.619 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant CS-CO, General Commercial Services-Conditional Overlay district, zoning. The conditional overlay will limit the development intensity to less than 2,000 vehicle trips per day, will require a 20 foot wide vegetative buffer along the eastern most property line, and will prohibit the following uses: Custom Manufacturing, Limited Warehousing and Distribution, Agricultural Sales and Services, Art Workshop, Automotive Washing (of any type), Building Maintenance Services, Campground, Commercial Blood Plasma Center, Commercial Off-Street Parking, Construction Sales and Services, Drop-Off Recycling Collection Facility, Electronic Prototype Assembly, Exterminating Services, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Monument Retail Sales, Outdoor Entertainment, Outdoor Sports and Recreation, Vehicular Storage, Veterinary Services, Maintenance and Service Facilities, Transitional Housing, Transportation Terminal.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

11/20/12: Postponed to December 18, 2012 at the applicant's request (6-0, S. Compton-absent).

12/18/12: Approved the staff's recommendation of CS-CO zoning on consent (6-0, R. McDaniel-absent); P. Seeger-1st, G. Rojas-2nd.

DEPARTMENT COMMENTS:

The property in question is currently undeveloped. The applicant is requesting an up zoning to CS, General Commercial Services, zoning to develop the property with a convenience storage facility.

The staff is recommending CS-CO, Community Commercial-Conditional Overlay Combining District, zoning for the site under consideration. The CS-CO zoning district would be compatible and consistent with the surrounding uses because there are existing commercial uses to the north (hotels and retail), south (convenience storage), and west (hotel) of the proposed site. The property is located adjacent to CS-CO zoning to the south and GR-CO zoning to the north. CS-CO zoning will allow the applicant to expand the existing convenience storage use to the south (Public Storage) and would provide services to the multifamily residential uses to the east, across Pond Woods Road. The proposed CS-CO zoning is appropriate for this location because of the commercial character of the area and because of the site's frontage on U.S. Highway 183. The property is located near the intersection of two arterial roadways, U.S. Highway 183 North and Pond Springs Road.

The applicant agrees with the staff recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO	Undeveloped
<i>North</i>	GR-CO	Hotel/Motel (Value Place Hotel)
<i>South</i>	CS-CO	Convenience Storage (Public Storage)
<i>East</i>	County	Tennis Courts, Detention Area, Multifamily (International Residence Apartments)
<i>West</i>	I-RR	Hotel/Motel (Comfort Suites)

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:**

Acres West Homeowners Association
 Anderson Mill Neighborhood Association
 Austin Heritage Tree Foundation
 Austin Monorail Project
 Austin Northwest Association
 Home Builders Association of Greater Austin
 Homeless Neighborhood Association
 League of Bicycling Voters
 Long Canyon Homeowners Association
 Neighborhood Association of SW Williamson County
 SELTEXAS
 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
C14-06-0006 (Training Room Sports, LLP: 13713 Research Boulevard or 12611 Hymeadow Drive)	GR, I-RR to GR	2/21/06: Approved staff's recommendation of GR-CO, w/ CO to limit site to 2,000 vtpd, by consent (8-0, T. Rabago-not yet arrived); J. Martinez-1 st , J. Pinnelli-2 nd .	3/23/06: Approved GR-CO zoning by consent (7-0); all 3 readings
C14-03-0145 (Heritage Center Northwest-Block 2, Lot A: 13695 Research Boulevard)	I-RR to GR	10/28/03: Approved staff's recommendation of GR-CO zoning, w/ CO to limit site to 2,000 vtpd, by consent (8-0, J. Martinez-absent	11/20/03: Granted GR-CO (6-0, Goodman- off the dais); all 3 readings
C14-03-0104 (Maxwell Auto Group: 13573 U.S. HWY 183 North)	I-RR, SF-2, GR, CS to GR-CO	8/12/03: Approved staff's recommendation of GR-CO zoning, w/ CO to limit site to	9/25/03: Granted GR-CO (7-0); all 3 readings

		2,000 vtpd, by consent (9-0)	
C14-02-0196 (Woodrow Lee Subdivision Rezoning: 10117 Lake Creek Parkway)	SF-2 to GR	1/28/03: Approved GR-CO zoning, prohibit all Automotive uses [Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type)] (6-0, K. Jackson, J. Martinez -off dias, J. Donisi-absent)	2/27/03: Granted GR-CO on all 3 readings (6-0, Goodman-out of room)
C14-01-0165 (Chris D. Jones: Approximately 400 feet northeast of the intersection of Anderson Mill Road and U.S. Hwy 183 North)	CS-CO to CS-CO	12/11/01: Approved staff's recommendation of CS-CO zoning (7-0, A. Adams-absent); the CO is for the following conditions: 1) Limit the site to Convenience Storage as the only CS use, 2) Allow all LR uses with the exception of a Service Station, 3) Limit the site to a maximum building height of 45 feet, and 4) Limit the development intensity to less than 2,000 vehicle trips per day.	1/17/02: Approved CS-CO on all 3 readings (6-0, Wynn out of room)
C14-01-0155 (13553 U.S. HWY 183 North)	I-RR to GR	11/27/01: Approved staff rec. of GR-CO zoning by consent (8-0, DC- absent); CO limits the development intensity to less than 2,000 vehicle trips per day.	1/10/02: Approved GR-CO on all 3 readings (6-0, Goodman out of room).
C14-00-2105	I-RR to GR	7/25/00: Approved staff rec. of GR-CO w/height limit of 35 ft. (7-1, BB-Nay)	8/24/00: Approved GR-CO (7-0), all 3 readings

RELATED CASES: C14-99-0020 (Previous Zoning Case)

ABUTTING STREETS:

Name	ROW	Pavement	Classification
US 183	400'	40' (Frontage Road)	Major Arterial
Hymeadow Drive	70'	46'	Collector

CITY COUNCIL DATE: December 13, 2012

ACTION: Postponed on consent to January 17, 2013 at the staff's request (7-0), L. Morrison-1st, B. Spelman-2nd.

January 17, 2013

ACTION: Approved CS-CO zoning by consent on 1st reading (6-0, L. Leffingwell-absent); B. Spelman-1st, L. Morrison-2nd.

March 7, 2013

ACTION:

ORDINANCE READINGS: 1st 1/17/13

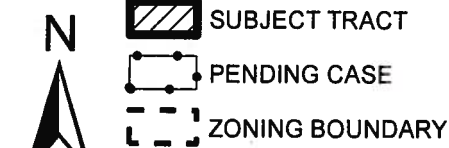
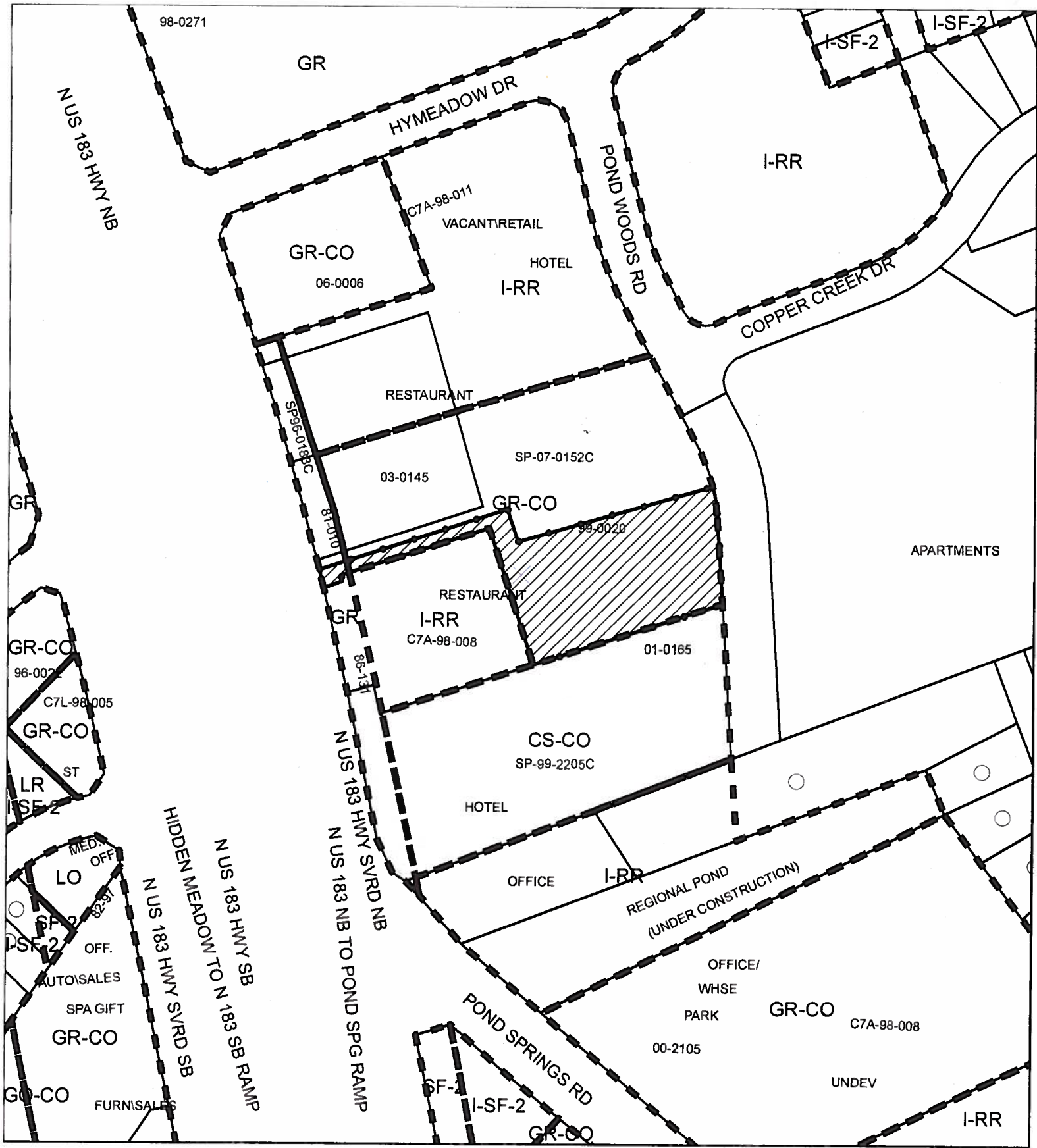
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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



ZONING
ZONING CASE#: C14-2012-0129

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 CS-CO, General Commercial Services-Conditional Overlay district, zoning. The conditional overlay will limit the development intensity to less than 2,000 vehicle trips per day, will require a 20 foot wide vegetative buffer along the eastern most property line, and will prohibit the following uses: Custom Manufacturing, Limited Warehousing and Distribution, Agricultural Sales and Services, Art Workshop, Automotive Washing (of any type), Building Maintenance Services, Campground, Commercial Blood Plasma Center, Commercial Off-Street Parking, Construction Sales and Services, Drop-Off Recycling Collection Facility, Electronic Prototype Assembly, Exterminating Services, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Monument Retail Sales, Outdoor Entertainment, Outdoor Sports and Recreation, Vehicular Storage, Veterinary Services, Maintenance and Service Facilities, Transitional Housing, Transportation Terminal.

BASIS FOR RECOMMENDATION

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

General commercial services (CS) district is the designation for a 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 CS-CO zoning district would be compatible and consistent with the surrounding uses because there are existing commercial uses to the north (hotels and retail), south (convenience storage), and west (hotel) of the proposed site. The property is located adjacent to CS-CO zoning to the south and GR-CO zoning to the north.

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

The CS-CO zoning district would allow for a fair and reasonable use of the site. CS-CO zoning will allow the applicant to expand the existing convenience storage use to the south (Public Storage) and would provide services to the multifamily residential uses to the east, across Pond Woods Road.

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 proposed CS-CO zoning is appropriate for this location because of the commercial character of the area and because of the site's frontage on U.S. Highway 183. The property is located near the intersection of two arterial roadways, U.S. Highway 183 North and Pond Springs Road.

5. *The proposed zoning is consistent with policies which have recently been adopted in the Imagine Austin Comprehensive Plan.*

LUT P3 Promote development in compact centers, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is currently undeveloped.

Comprehensive Planning

The subject property is located on the east side of US 183, along the frontage road. The developer wants to build a storage facility at this location. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses include two hotels, another mini storage facility, and a tennis court. The subject property is located close to a Regional Center and along a High Capacity Transit Corridor, as identified on the Imagine Austin Growth Concept Map. The Imagine Austin Comprehensive Plan defines a Regional Center as the most urban of the three activity centers, which are or will be centers for retail, cultural, recreational, and entertainment destinations in Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. The densities, buildings heights, and overall character of a center will vary depending on location.

The following policies taken from Chapter 4 of the Imagine Austin Comprehensive Plan are applicable to this request:

LUT P3 Promote development in compact centers, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.

LUT P4. Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

Based on the mix of land uses located along this busy transportation corridor, adjoining commercial land uses, and policies taken from Imagine Austin that support a mix of retail and other neighborhood serving uses in Imagine Austin, staff believes the proposed land use, a storage facility, is consistent with the Imagine Austin Comprehensive Plan.

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 a flood plain adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

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.

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

Any new development 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

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]

U.S. 183 and Pond Woods Rd. are not classified in the Bicycle Plan.

Capital Metro bus service (Routes No. 983, 984, and 987) is available along US 183. Capital Metro bus service is not available along Pond Woods Rd.

There are no existing sidewalks along US 183. There are existing sidewalks along Pond Woods Rd.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
US 183	Varies	MAD-6	Freeway	128,000
Pond Woods Road	80'	44'	Collector	N/A

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.