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**PLANNING COMMISISON
SITE PLAN
CONDITIONAL USE PERMIT**

CASE NUMBER: SPC-2012-0329A **PLANNING COMMISSION**
HEARING DATE: November 12, 2013

PROJECT NAME: Convenience Retail and Transportation Terminal

ADDRESS: 907 E. St. John's Avenue

NEIGHBORHOOD PLAN: St. John's Neighborhood Plan

APPLICANT: Bright Truck Leasing Corp. c/o Penske Truck Leasing Co. LP
P.O. Box 563
Reading, PA 19603

AGENT: Cedillos & Wilson LLC, (Rey Cedillos P.E.)
1101 Capital of TX Hwy South
Bldg H, Suite 100
Austin, TX 78746

CASE MANAGER: Nikki Hoelter Phone: 974-2863
nikki.hoelter@austintexas.gov

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit to change the use on the site to a 300 square foot transportation terminal, 4,579 square foot food sales (convenient store) and a 2,976 square foot personal services use (laundromat). A 3,051 square foot automotive washing facility is on the site and will be used for car washing, not specific to the buses. The transportation terminal is a conditional use within the CS, commercial services zoning district, therefore requires approval by the Planning Commission. The other proposed uses are permitted uses and could be approved administratively.

The site is currently vacant and the new tenants will utilize the existing buildings. An interior remodel will likely occur after the conditional use permit is obtained. The site was formally used as a truck leasing facility.

The conditional use permit is only for a change of use, and no new construction will be occurring.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit for the transportation facility. The use will utilize only 300 square feet of the building for ticket sales, and the outdoor parking area will only be for loading and unloading passengers. Buses will not be parked or stored on site, nor will there be areas to facilitate the congregation of passengers for any length of time. A vegetative buffer will be provided along the eastern property line, as outlined in the zoning ordinance conditional overlay, which borders single family residences, This vegetative buffer will add

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additional screening to the single family residences to the east. A 6 foot privacy fence will also be erected for screening the business. The western property line abuts L1, limited industrial zoning with a truck freight use.

The site plan complies with all requirements of the Land Development Code including compatibility standards. Subchapter E requirements do not apply because there will not be any new construction.

PROJECT INFORMATION

SITE AREA	133,913sq. ft.	3.074 acres
EXISTING ZONING	CS-MU-CO-NP	
WATERSHED	Buttermilk Branch (Urban)	
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance (Urban)	
TRAFFIC IMPACT ANALYSIS	Not required	
CAPITOL VIEW CORRIDOR	None	
PROPOSED ACCESS	St. John's Avenue	
	Allowed/Required	Existing
FLOOR-AREA RATIO	2:1	.061:1
BUILDING COVERAGE	95%	8%
IMPERVIOUS COVERAGE	95%	77.44%
PARKING	33	40

SUMMARY COMMENTS ON SITE PLAN:

The proposed transportation terminal will be located on an existing property that was used for a truck leasing business. In addition to the bus terminal, a convenient store and laundromat are proposed. The entire site is developed, and no new construction will occur. All access will be taken onto St. John's Avenue.

Interior remodel will occur after the conditional use permit is approved. All parking and loading will be onsite. The existing building is a one story structure with a total gross floor area of 7,855 square feet.

A copy of the site plan is provided with this report, which shows the hatched areas as the bus terminal staging area. This area will only be used to pick up and drop off passengers. The hours of operation will be Monday through Sunday, from 6 am to 12 am.

This permit is only for a change of use.

COMPATIBILITY STANDARDS

The single family residences to the east of the subject property will be screened with a 6 foot privacy fence and a 25 foot vegetative buffer. The existing buildings are more than 25 feet from the property line. Driveways and parking will be a little more than 25 feet from the east property line. All compatibility setbacks and standards are met.

PLANNING COMMISSION ACTION: October 8 & 22, 2013 – Postponed by the neighborhood

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EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO-NP	Vacant truck leasing building
<i>North</i>	P-NP	School, vacant
<i>South</i>	CS-MU-NP, MF-3-NP	Hotel
<i>East</i>	SF-3-NP	Single family residence
<i>West</i>	LI-CO-NP	Freight company

ABUTTING STREETS

Street	Right-of-Way Width	Pavement Width	Classification
E. St. John's Avenue	Varies	44 ft	Arterial

NEIGHBORHOOD ORGNIZATIONS:

- 511—Austin Neighborhoods Council
- 742—Austin Independent School District
- 786—Home Builders Association of Greater Austin
- 1037—Homeless Neighborhood Assn.
- 1075—League of Bicycling Voters
- 1113—Austin Parks Foundation
- 1200—Super Duper Neighborhood Objectors and Appealers Organization
- 1224—Austin Monorail Project
- 1228—Sierra Club, Austin Regional Group
- 1236—The Real Estate Council of Austin, Inc

CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

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The following evaluation is included to provide staff's position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code (EVALUATION OF CONDITIONAL USE SITE PLAN) states:

A. The Land Use Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

B. A conditional use site plan must:

1. Comply with the requirements of this title;

Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.

2. Comply with the objectives and purposes of the zoning district;

Staff Response: The proposed transportation terminal is a conditional use in the CS, commercial services zoning district. The CS zoning district is intended for intense uses and is adjacent to another intense use, truck freight, which is zoned LI, limited industrial. The proposed use will utilize the existing building which was used as for a similar commercial use of truck leasing.

3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;

Staff Response: The site plan will comply with all requirements of the Land Development Code. The site plan complies with setback, height, and compatibility requirements.

4. Provide adequate and convenient off-street parking and loading facilities; and

Staff Response: All parking and loading facilities will be on site.

5. Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.

Staff Response: The site plan will comply with all requirements of the Land Development Code including Compatibility Standards, and reasonably protects the health, safety, and welfare of persons and property.

C. In addition, a conditional use site plan may not:

6. More adversely affect an adjoining site than would a permitted use;

The transportation terminal is adjacent to a truck freight use, and hotel. All access will be taken onto St. John's Avenue which has direct access to I-35; therefore the buses will not have to travel towards the neighborhood.

7. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or

Staff Response: The site plan does not adversely affect the safety and convenience of vehicular and pedestrian circulation, since the parking is to serve the adjacent building.

8. Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign.

Staff Response: All signs and lighting will comply with the Land Development Code.

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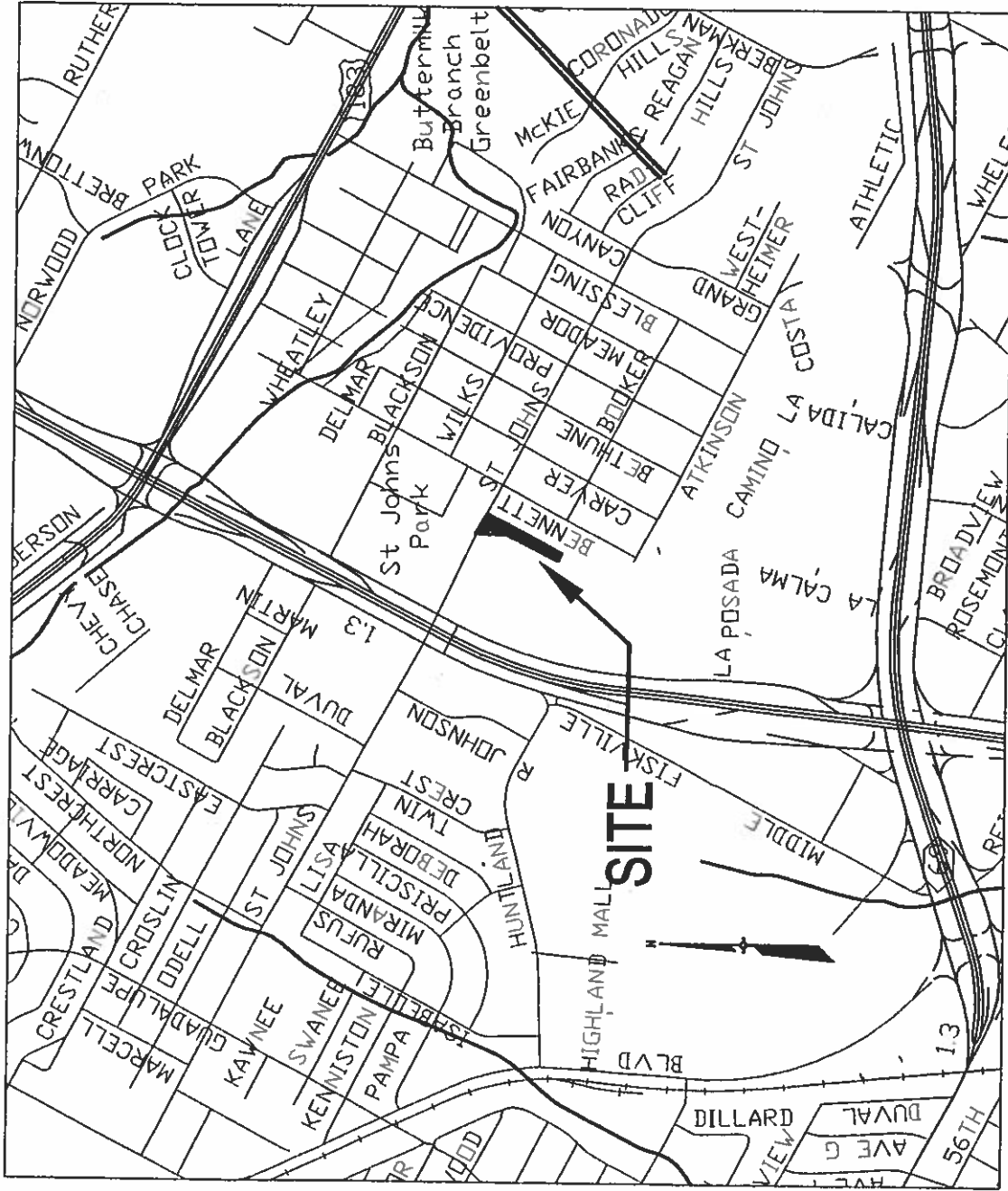
D. A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.

In addition, Sec. 25-5-146 (CONDITIONS OF APPROVAL) states:

(A) To make a determination required for approval under Section 25-5-145 (Evaluation of Conditional Use Site Plan), the Land Use Commission may require that a conditional use site plan comply with a condition of approval that includes a requirement for:

- (1) a special yard, open space, buffer, fence, wall, or screen;
- (2) landscaping or erosion;
- (3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;
- (4) signs;
- (5) characteristics of operation, including hours;
- (6) a development schedule; or
- (7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.

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LOCATION MAP

N.T.S.

GRID: L27

MAPSCO PAGE: 556

PLF 1040 2012/001 1 N 23094/20-01/PLF



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