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**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2013-0142 (Sam Builders)

**Z.A.P. DATE:** December 3, 2013

**ADDRESS:** 2207 West Parmer Lane

**OWNER:** SAM Builders, L.L.C. (Saeed A. Minhas)

**APPLICANT/AGENT:** Bennett Consulting (Rodney Bennett)

**ZONING FROM:** LR           **TO:** LR-MU           **AREA:** 0.30 acres

**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant LR-MU-CO, Neighborhood Commercial-Mixed Use-Conditional Overlay Combining District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**DEPARTMENT COMMENTS:**

The property in question is currently developed with a vacant office structure. The applicant is requesting to add an MU, Mixed Use Combining District, to redevelop the site. The staff recommends LR-MU-CO zoning because it will allow for a reasonable use of this property as the addition of the 'MU' will permit the applicant to utilize the existing structure for a variety of office/commercial/mixed use options that will provide services to the surrounding single family residential neighborhoods to the north and south of West Parmer Lane. The proposed zoning is consistent with surrounding land use as the site under consideration is located adjacent to LR-MU-CO zoning to the east and LR-CO zoning to the west.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LR	Office Uses (vacant office structure)
<i>North</i>	LO-CO	Medical Office (Austin Dental)
<i>South</i>	SF-1	Single-Family Residences
<i>East</i>	LR-MU-CO	Office (David Tucker, CPA-Tax/Payroll)
<i>West</i>	LR-CO	Personal Services (Light Touch Aesthetics)

**AREA STUDY:** North Lamar Area Study (This property is located within the North Lamar Area Study, which was adopted by the City Council on October 3, 1985. The study recommends single-family land use for this area located to the south of Parmer Lane: North Lamar Area Study-Map 4, page 16).

**TIA:** Waived

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

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CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
 Austin Independent School District  
 Austin Monorail Project  
 Austin Neighborhoods Council  
 Austin Northwest Association  
 Bike Austin  
 Homeless Neighborhood Association  
 Lamplight Village Area Neighborhood Association  
 North Growth Corridor Alliance  
 Pflugerville Independent School District  
 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
C14-2013-0064 (Limerick Center: 12412 Limerick Avenue)	NO to GO	9/17/13: Approved staff's recommendation of LO-MU-CO zoning (6-0, J. Meeker-absent); G. Rojas-1 <sup>st</sup> , R. McDaniel-2 <sup>nd</sup> .	10/24/13: Approved GO-MU-CO zoning, with Personal Services as only 'GO' district permitted use and all other 'NO' district uses and site development standards, on 1 <sup>st</sup> reading (6-1, K. Tovo-No); M. Martinez-1 <sup>st</sup> , L. Leffingwell-2 <sup>nd</sup> .  11/21/13: Approved GO-MU-CO zoning on consent on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0); B. Spelman-1 <sup>st</sup> , L. Leffingwell-2 <sup>nd</sup> .
C14-2009-0078 (Limerick: 12412 Limerick Avenue)	LR GO* * The applicant sent an e-mail to the staff on 4/29/10, amending his re-zoning request to the GO district zoning	4/20/10: Recommended denial of the applicant's re-zoning request (7-0); D. Tiemann-1 <sup>st</sup> , P. Seeger-2 <sup>nd</sup> .	9/23/10: Motion to deny was approved (6-0, Cole-off dais); Morrison-1 <sup>st</sup> , Martinez-2 <sup>nd</sup> .
C14-2009-0005 (Tomanet: 12408 Tomanet Trail)	SF-1 to NO	2/17/09: Approved staff's recommendation to deny 'NO' district zoning (6-0, R. Evans-absent); C. Hammond-1 <sup>st</sup> , B. Baker-2 <sup>nd</sup> .	3/26/09: Denied the request for 'NO' zoning (6-0, B. McCracken-off the dais); J. Morrison-1 <sup>st</sup> , R. Shade-2 <sup>nd</sup>

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C14-07-0027 (Zone AA Residential to Neighborhood Office: 12500 Limerick Avenue)	SF-2 to NO	4/03/07: Approved the staff's recommendation of NO-MU zoning on consent (6-0, J. Gohil-abstained; K. Jackson and S. Hale-absent)	5/03/07: Approved NO-MU zoning by consent (7-0); all 3 readings
C14-06-0097 (Cody Pools: 2300 West Parmer Lane)	I-RR to CS	8/01/06: Approved LR-CO zoning with the following conditions: 700 vehicle trip limit per day and 100-feet of right-of-way reservation from the centerline of Parmer Lane (9-0); K. Jackson-1 <sup>st</sup> , B.Baker-2 <sup>nd</sup> .	8/31/06: Approved LR-CO zoning on 1 <sup>st</sup> reading (7-0); J. Kim-1 <sup>st</sup> , L. Leffingwell-2 <sup>nd</sup> .  9/28/06: Approved LR-CO zoning with conditions by consent (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-05-0054 (Tomanet Estates Zoning #4-City Initiated: 2206-2310 Cindy Lane)	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dais); all 3 readings
C14-05-0053 (Tomanet Estates Zoning #3-City Initiated: 12503-12609 Silver Spur)	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dais); all 3 readings
C14-05-0052 (Tomanet Estates Zoning #2-City Initiated: 12505-12605 Tomanet Trail, 12502-12610 Silver Spur)	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dais); all 3 readings
C14-05-0051 (Tomanet Estates Zoning #1-City Initiated: 12502-12604 Tomanet Trail)	I-RR to SF-1	5/03/05: Approved staff's recommendation of SF-1 zoning by consent (8-0, J. Martinez-absent)	6/09/05: Approved SF-1 (6-0, McCracken-off dais); all 3 readings
C14-04-0201 (12503 Tomanet Trail)	I-RR to LR	2/01/05: Approved staff's recommendation for SF-1 zoning (9-0); J. Martinez-1 <sup>st</sup> , B.Baker-2 <sup>nd</sup> . Motion made for staff to initiate a zoning case for all properties that are zoned I-RR on Cindy Lane, Tomanet Trail and Silver Spur Streets, to SF-1 zoning (9-0); B. Baker-1 <sup>st</sup> , K. Jackson-2 <sup>nd</sup> .	3/03/05: Approved SF-1 on 1 <sup>st</sup> reading (7-0)  4/07/05: Approved SF-1 (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-04-0172 (Filipino Video and Oriental Store: 2309 W. Parmer Lane)	NO to LR	11/16/04: Approved staff rec. of LR-CO (9-0), with the following condition: Drive-in service is prohibited as an accessory use to a commercial use.	1/13/05: Approved LR-CO (7-0); all 3 readings

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C14-04-0119 (Ivarra Zoning Change from NO to LR: 2303 W. Parmer Lane)	NO to LR	9/21/04: Approved staff's rec. of LR (7-0)	10/21/04: Approved LR (7-0); all 3 readings
C14-02-0135 (Perfect Shirt: 12500 Tomanet Trail)	NO to GR	9/17/02: Approved staff's rec. of GR-CO zoning by consent (7-0)	10/24/02: Granted GR-CO on all 3 readings (6-0, Dunkerley-absent)
C14-01-0184 (Perfect Shirt: 12500 Tomanet Trail)	NO to GR	1/29/02: Postponed to 2/26/02 by applicant (8-0, A. Adams-absent) 2/26/02: Approved staff's recommendation of GR-CO zoning (6-0, K. Jackson-absent; N. Spelman, D. Castaneda-left early)	4/4/02: Approved GR-CO with conditions on all 3 readings (6-0, Goodman out of room)
C14-00-2045 (Perfect Shirt: 12500 Tomanet Trail)	NO to GR	5/9/00: Approved GR-CO (6-2, JR/JM-Nay); for building footprint only for dry cleaning use; permitted 'NO' uses; no access to Tomanet Trail; 2,000 vehicle trip limit per day; limit landscape buffer between sidewalk and street; sidewalks on Tomanet Trail; building square feet not to exceed 2,000 sq. ft.	6/8/00: Approved PC rec. of GR-CO w/ conditions on 1 <sup>st</sup> reading (7-0)  10/12/00: Approved GR-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

**RELATED CASES:** C14-85-149 (North Lamar Area Study Rezoning)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Daily Traffic
West Parmer Lane (FM 734)	160'	2@41'	Arterial (MAD6)	50,000 (TXDOT, 2007)

**CITY COUNCIL DATE:** January 23, 2014

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

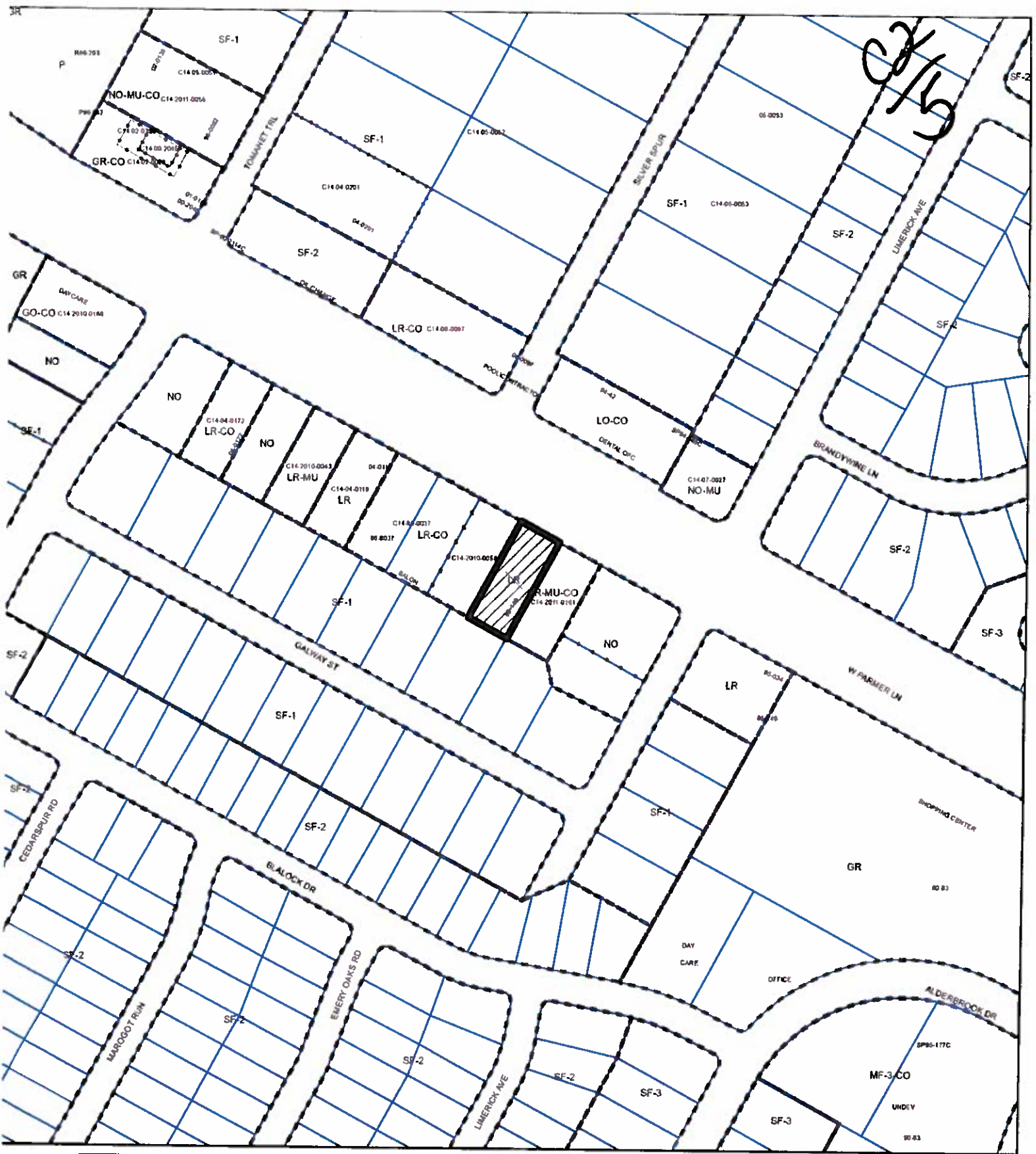
2<sup>nd</sup>

3<sup>rd</sup>




**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057,  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)



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-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING**

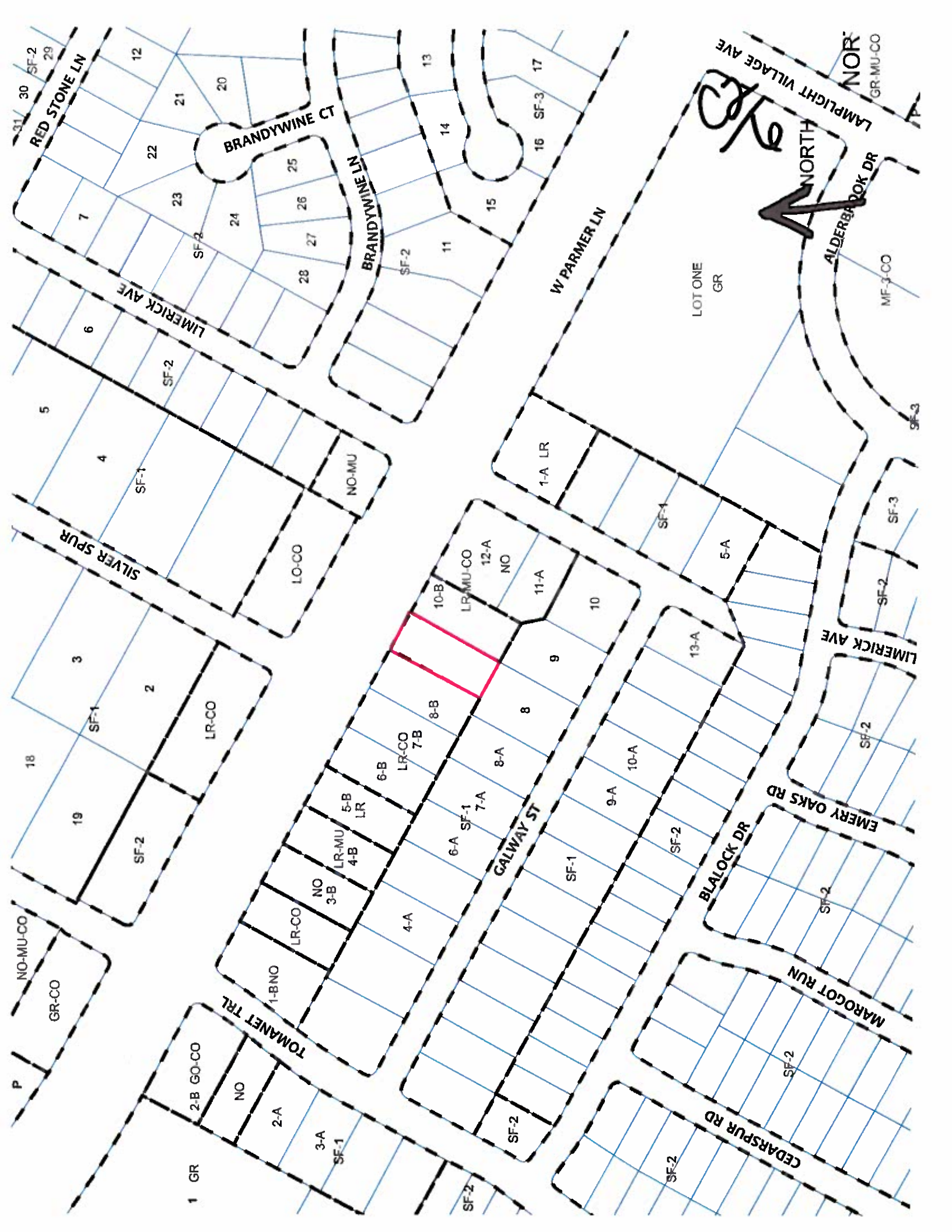
ZONING CASE#: C14-2013-0142

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.

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31 30 SF-2  
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RED STONE LN

12

21

20

BRANDYWINE CT

BRANDYWINE LN

13

14

16

SF-3

W PARMER LN

LOT ONE  
GR

NORTH

ALDERBROOK DR

NOR  
GR-MU-CO

MF-3-CO

SF-3

7

23

24

25

26

27

28

11

15

5

6

SF-2

SF-1

NO-MU

LO-CO

1-A LR

SF-1

5-A

SF-3

SILVER SPUR

18

3

SF-1

2

LR-CO

NO

3-B

LR-MU

4-B

LR

NO

3-B

LR-CO

1-BNO

4-A

6-B

LR-CO

7-B

8-B

10-B

LR-MU-CO

12-A

NO

11-A

10

9

8

8-A

8-B

6-A

SF-1

7-A

9-A

10-A

13-A

GALWAY ST

SF-1

SF-2

SF-2

SF-2

BLALOCK DR

SF-2

EMERGY OAKS RD

SF-2

SF-2

SF-3

LIMERICK AVE

NO-MU-CO

GR-CO

P

1 GR

2-B GO-CO

NO

2-A

3-A

SF-1

TOMANET TRL

SF-2

SF-2

SF-2

CEDARSPUR RD

SF-2

MAROGOT RUN

SF-2



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## STAFF RECOMMENDATION

The staff's recommendation is to grant LR-MU-CO, Neighborhood Commercial-Mixed Use-Conditional Overlay Combining District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day.

## BASIS FOR RECOMMENDATION

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

Neighborhood commercial (LR) district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR 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 will allow for a reasonable use of the property.*

The proposed LR-MU-CO zoning will allow for a reasonable use of this property because it will permit the applicant to utilize the existing structures on the site for a variety of office/commercial/mixed use options that will provide services to the surrounding single family residential neighborhoods to the north and south of West Parmer Lane.

## EXISTING CONDITIONS

### Site Characteristics

The site is developed a vacant office structure. There is a medical office use to the north, across Parmer Lane (Austin Dental). To the east there is a professional office use (David Tucker, CPA) and to the west there is a personal services use (Light Touch Aesthetics). The properties to the south of this site are developed with single-family residences.

### Comprehensive Plan

LR (Neighborhood Commercial) to LR-MU (Neighborhood Mixed Use)

This zoning case is located on the south side of W. Parmer Lane, between Silver Spur and Limerick Roads to the north. The subject property is .30 acres in size, and contains a small house that was converted into an office/commercial use, along with many other houses located along this portion of W. Parmer Lane. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes a dental office to the north, single family housing to the south, a hair salon to the east, and a cosmetic clinic to the west. The proposed use is neighborhood mixed use.

### Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located along an **Activity Corridor** (W. Parmer Lane). **Activity Corridors** are designated for additional people and jobs above what currently exists on the ground. Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate,



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and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — **shopping**, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, **mixed-use buildings**, and offices.

The following Imagine Austin policies are applicable to this case:

- **LUT P3.** Promote development in compact centers, communities, or **along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, 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 upon this property being: (1) situated along an **Activity Corridor** as identified on the Imagine Austin Growth Concept Map; and (2) Imagine Austin policies referenced above that supports commercial and mixed use development in this area of the city, staff believes that a neighborhood mixed use project supports Imagine Austin.

### Environmental

The site is not located over the Edwards Aquifer Recharge 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. The site is in the Desired Development Zone.

According to floodplain maps there is no floodplain within or adjacent to the project location.

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 requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

### Impervious Cover

The maximum impervious cover allowed by the LR zoning district would be 80%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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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 Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

**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.

The site is subject to compatibility standards. Along the south property line, the following standards apply:

- No structure may be built within 25feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, 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 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 a total of 200 feet of right-of-way for West Parmer Lane (FM 734). Reservation of 100 feet of right-of-way measured from the existing centerline of West Parmer Lane (FM 734) in accordance with the Transportation Plan may be required at the time of site plan or subdivision [LDC, Sec. 25-6-51 and 25-6-55].

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows: Parmer Lane serves route number 2 with a wide curb.

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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].

Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Parmer Lane	160'	MAD 6	Arterial	Yes	No	Yes

**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. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.

FYI. The site is currently served with an On-Site Sewage Facility. With any change of use, the structure will have to be cutover to City wastewater service through the cutover process. For more information pertaining to this process, please contact Richard Price at 512-972-0210.