

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2008-0080

**Z.A.P. DATE:** May 20, 2008

**ADDRESS:** 11225 Pecan Park Boulevard

**OWNER/APPLICANT:** M & I Industries (Terry Stevens)

**AGENT:** Alice Glasco Consulting (Alice Glasco)

**ZONING FROM:** GR

**TO:** CH

**AREA:** 3.935 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant CH, Commercial Highway District, zoning.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

5/20/08: Approved staff's recommendation for CH district zoning by consent (7-0, J. Martinez-absent); K. Jackson-1<sup>st</sup>, T. Rabago-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is an undeveloped tract of land located near the northwestern intersection of Lakeline Mall Drive and U.S. Highway 183 North. The applicant is requesting 'CH' zoning at this site because they believe that the Community Commercial zoning district is the appropriate designation for a property located at the intersection of two arterial roadways within an area of intense commercial and retail development (Lakeline Mall). The applicant plans to build a hotel at this site (see Development Rendering – Attachment A).

The staff is recommending the applicant's request for 'CH' zoning because of the commercial character of the area and the location of the property near a major arterial roadway, U.S. Highway 183 North. The 'CH' zoning district would be compatible and consistent with the surrounding uses because there is 'CH' zoning to the northwest of the site and 'CS' zoning to the east of the property at the intersection of Lakeline Mall Drive and U.S. Highway 183 North.

The applicant agrees with the staff recommendation.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GR	Undeveloped
<i>North</i>	CH, GR	Undeveloped
<i>South</i>	GR	Automotive Washing (Valet Car Wash), Retail Sales/Rental (Con's)
<i>East</i>	CS	Undeveloped Tract, (Retail Sales: Petco, Barnes and Noble Booksellers, Pier 1 Imports, etc.)
<i>West</i>	GR	Retail Shopping Center (Lakeline Mall)

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Buttercup Creek, Lake Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

227 – Shenandoah Neighborhood Association  
485 – Riviera Springs Community Development Association  
604 – Davis Spring HOA  
701 – Avery Ranch Neighborhood Association  
786 – Home Builders Association of Greater Austin  
985 – Davis Springs HOA

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2007-0046	DR to GR	6/05/07: Approved GR-CO with condition to prohibit Pawn Shops by consent (7-0, S. Hale, J. Martinez-absent); J. Pinnelli-1 <sup>st</sup> , J. Shieh-2 <sup>nd</sup> .	6/26/08: Approved GR-CO by consent on all 3 readings (6-0); J. Kim-1 <sup>st</sup> , B. Dunkerely-2 <sup>nd</sup> .
C14-03-0046	DR to GR	3/25/03: Approved staff's recommendation of GR zoning by consent (7-0, K. Jackson-not yet arrived, J. Martinez-absent)	4/24/03: Granted GR on all 3 readings (6-0-1, Garcia-absent)
C14-01-0173	DR to GR	1/15/02: Approved GR-CO, w/ condition prohibiting Pawn Shops (8-0)	2/14/02: Approved GR-CO (7-0); all 3 readings
C14-00-2094	DR to GR	7/11/00: Approved staff rec. of GR-CO by consent (7-0)	8/17/00: Approved GR w/ conditions on 1 <sup>st</sup> reading (6-0, Goodman-absent)  8/31/00: Approved 2 <sup>nd</sup> /3 <sup>rd</sup> readings (6-0, KW-absent)
C14-00-2148	GO to GR	8/15/00: Approved staff rec. of GR by consent (7-2, RC/JM-Nay)	9/28/00: Approved GR (7-0); all 3 readings
C14-99-2110	DR, SF-2 to CS	3/28/00: Approved staff rec. of GR by consent (5-0)	5/18/00: Approved PC rec. of GR (6-0); all 3 readings
C14-98-0266	DR to GR	3/2/99: Approved GR by consent (8-0)	12/2/99: Approved PC rec. of GR w/ conditions (6-0, WL-absent); 1 <sup>st</sup> reading  5/24/01: Approved GR (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-98-0253	MF-3 to GR	4/13/99: Approved staff rec. of GR (7-0). Also approved MGA for 10 years.	5/13/99: Approved PC rec. of GR (7-0); 1 <sup>st</sup> reading  6/3/99: Approved GR (7-0); and 3 <sup>rd</sup> readings

C14-97-0041	GR to CS	6/3/97: Approved CS (5-0-1)	6/26/97: Approved CS (7-0); all 3 readings
C14-96-0162	I-RR to GR	2/18/97: Approved staff rec. of GR (9-0)	3/6/97: Approved PC rec. of GR (7-0); all 3 readings
C14-96-0147	SF-2, DR to CS	1/21/97: Approved CS (9-0)	2/6/97: Approved CS (6-0); all 3 readings
C14-95-0196	DR to CS	1/23/96: Approved CS (5-0)	2/29/96: Approved CS (7-0); all 3 readings
C14-95-0044	DR to GR	10/17/95: Approved CS as amended w/ ROW (5-0)	11/30/95: Approved CS as amended subject to ROW (6-0); 1 <sup>st</sup> reading 12/7/95: Approved CS (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> reading

**RELATED CASES:** There are no pending related cases.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
Pecan Park Blvd	90'	72'	Collector	No	No	Yes (Route #214 Lago Vista)
Stonestop Blvd	90'	56'	Collector	No	No	Within ¼ mile

**CITY COUNCIL DATE:** June 18, 2008

**ACTION:** Re-noticed for the July 24, 2008 City Council meeting to comply with Ordinance No. 20080515-033.

July 24, 2008

**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)



## **STAFF RECOMMENDATION**

The staff's recommendation is to grant CH, Commercial Highway District, zoning.

## **BASIS FOR RECOMMENDATION**

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

Commercial highway services (CH) district is the designation for a use that has operating and traffic generation characteristics that require that the use be located at the intersection of state maintained highways other than scenic arterial roadways. A CH district designation may be applied to a single major mixed use development of a service nature that includes any combination of office, retail, commercial, and residential uses. A CH district may include a high density residential use. Site development regulations and performance standards applicable to a CH district are designed to ensure adequate access to and from all uses.

(B) A CH district may be located along the following highway corridors:

- (1) IH-35;
- (2) US-183;
- (3) US-290 (including Ben White Boulevard);
- (4) SH-71;
- (5) FM-1325 north of US-183; and
- (6) Loop 1, at least 400 feet north of the northernmost right-of-way line of US 183.

2. *The proposed zoning should promote consistency and orderly planning.*

The Commercial Highway zoning district would be compatible and consistent with the surrounding uses because there are existing commercial uses to the south, east and west of the site. There is 'CH' zoning to the northwest of the site and 'CS' zoning to the east of the property at the intersection of Lakeline Mall Drive, U.S. Highway 183 North and the RM 620 overpass.

3. *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 near the intersection of and three arterial roadways, Lakeline Boulevard, U.S. Highway 183, and Lakeline Mall Drive.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is an undeveloped tract of land located near the northwestern intersection of Lakeline Mall Boulevard and U.S. Highway 183 North. The property to north is undeveloped. To the east, across Pecan Park Boulevard, there are retail sales uses (Petco, Barnes and Noble, Pier 1 Imports, etc.). The

property to the west is developed with a concentration of retail sales uses (Lakeline Mall). To the south, there is a car wash (Valet Car Wash) and a retail/rental business (Con's).

### **Environmental**

The site is located over the Edwards Aquifer Recharge Zone. According to current maps, a majority of the site is located in the Lake Creek Watershed. However, the northwestern edge of this site is in the Buttercup Creek Watershed. A geological and / or topographical analysis of the site may be needed to determine the exact boundary of the aforementioned watersheds. Both the Buttercup Creek Watershed and the Lake Creek Watershed are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. The entire site is located in the Desired Development Zone.

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.

At this time, site specific information is unavailable regarding existing trees and 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.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8: Endangered Species in conjunction with subdivision and/or site plan process.

### **Impervious Cover**

The maximum impervious cover allowed by the CH zoning district would be 85%. 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.

Following are individual watershed comments:

#### **Buttercup Creek Watershed**

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%
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### Lake Creek Watershed

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	% NSA with Transfers
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%

Note: The most restrictive impervious cover limit applies.

### Site Plan Comments

Please clarify if a portion of this zoning case includes Block 1, Lot 1 of Tim's Auto Wash Subdivision. If so, there is a previously approved site plan under SP-02-0091C (and completed).

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

Additional right-of-way may be required at the time of site plan or subdivision application.

The traffic impact analysis for this site was waived because the property is located in Senate Bill 1396 area. State legislation (S.B. 1396), which went into effect September 1, 1995, states that the City may not "deny, limit, delay, or condition the use of development of land...because of traffic or traffic operations that would result from the proposed use or development of the land." A traffic impact analysis is not required for any development within this area, and traffic issues may not be considered in the approval of the application. Right-of-way dedication, however, may still be required.

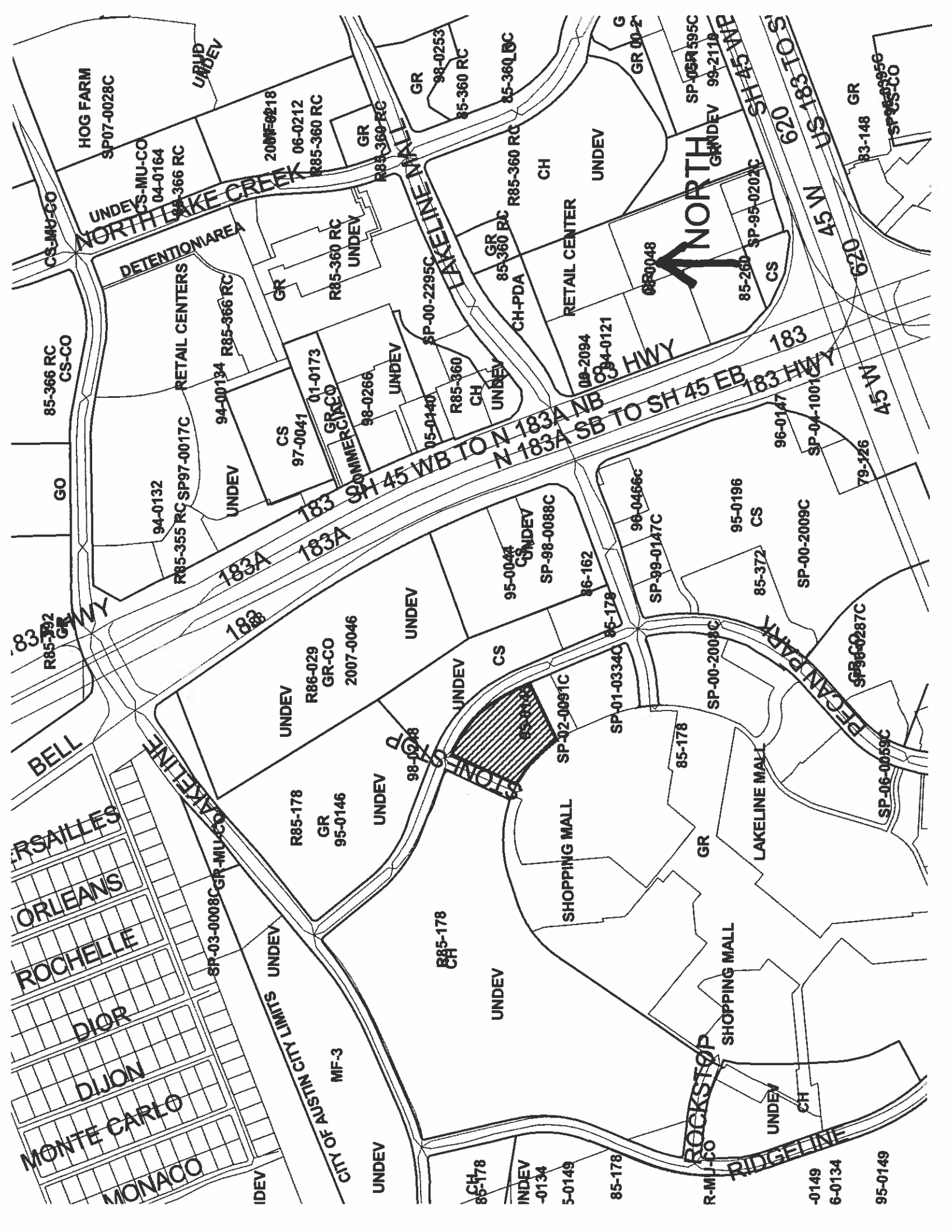
Existing Street Characteristics:

Name	ROW	Pavement	Classification	Bicycle Plan	Sidewalks	Capital Metro
Pecan Park Blvd	90'	72'	Collector	No	No	Yes (Route #214 Lago Vista)
Stonestop Blvd	90'	56'	Collector	No	No	Within ¼ mile

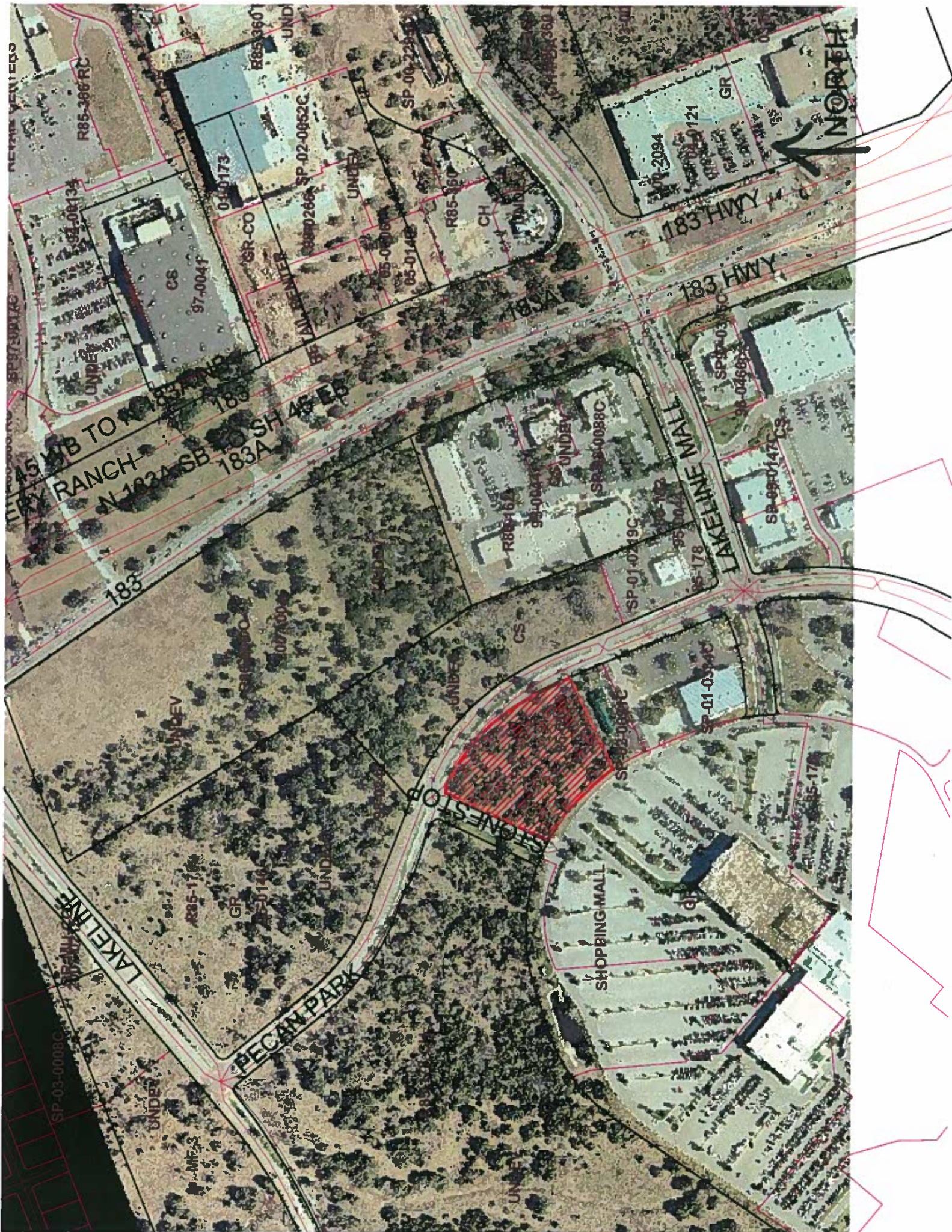
**Water and Wastewater**

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 the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. 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.















## CONCEPT RENDERING

**EMBASSY SUITES by Hilton, Austin, Texas**

Milton Hotels Corporation, Beverly Hills, CA

[illegible]

433 BISHOP STREET, N.W., ATLANTA, GEORGIA 30318

**RICHARD RAUH & ASSOCIATES / Architecture**

