

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0091

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

ADDRESS: 14000 Block of U.S. Highway 183 North

OWNER/APPLICANT: 2W Homestead, L.P., Hesten Family Partnership (Thomas J. Wolf, Jr.)

AGENT: Thrower Design (A. Ron Thrower)

ZONING FROM: GR-CO, CS

TO: CH

AREA: 7.23 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-1st, T. Rabago-2nd.

DEPARTMENT COMMENTS:

The property in question is an undeveloped tract of land located between Lake Line Boulevard and Lakeline Mall Drive, with frontage on U.S. Highway 183 North. The applicants are requesting 'CH' zoning at this site because they believe that the Commercial Highway zoning district is the appropriate designation for a property located at the intersection of several arterial roadways within an area of intense commercial and retail development (Lakeline Mall).

The staff is recommending the applicant's request for 'CH' zoning because the property meets the intent of the Commercial Highway District as it has frontage along a state maintained highway, U.S. Highway 183 North. The proposed 'CH' zoning district would be compatible and consistent with the surrounding uses because there is existing 'CH' zoning located to the southeast, across U. S. Highway 183, and to the northwest, along Pecan Park Boulevard. There is also 'GR-CO' zoning to the north and 'CS' zoning to the south of the property at the intersection of Lakeline Mall Drive and U.S. Highway 183 North. The proposed zoning is consistent and compatible with the commercial character of this area of the city.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Undeveloped
<i>North</i>	County, GR	Apartments, Service Station (Mobile), Undeveloped Tract
<i>South</i>	CS	Retail Shopping Center (Lakeline Mall) Restaurant (Texas Land & Cattle Company)
<i>East</i>	GR, CS	Financial Services (Wells Fargo Bank), Restaurant, Retail Shopping Center (Bed Bath & Beyond, Sports Authority), Construction Sales and Services use (Home Depot)
<i>West</i>	GR	Undeveloped Tract, Retail Shopping Center (Lakeline Mall)

AREA STUDY: N/A

TIA: Waived

WATERSHED: Buttercup 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:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
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 st , J. Shieh-2 nd .	6/26/08: Approved GR-CO by consent on all 3 readings (6-0); J. Kim-1 st , B. Dunkerely-2 nd .
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 st reading (6-0, Goodman-absent) 8/31/00: Approved 2 nd /3 rd 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 st reading 5/24/01: Approved GR (6-0); 2 nd /3 rd 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 st reading

			6/3/99: Approved GR (7-0); and 3 rd 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 st reading 12/7/95: Approved CS (7-0); 2 nd / 3 rd reading

RELATED CASES: There are no pending related cases.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Capital Metro	Bicycle Plan	Sidewalks
US Highway 183	Varies	Varies	Arterial	Yes	No	No
Pecan Park Blvd	90'	70'	Collector	Yes	No	No

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: 1st

2nd

3rd

ORDINANCE NUMBER:




CASE MANAGER: Sherri Sirwaitis

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



ZONING



-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

ZONING CASE#: C14-2008-0091
ADDRESS: 14000 BLK US HWY 183 N
SUBJECT AREA: 7.23 ACRES
GRID: F40
MANAGER: S. SIRWAITIS

OPERATOR: S. MEEKS



1" = 400'

This map has been produced by G.I.S. Services 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 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 'CH' zoning district would be consistent with the surrounding uses because there is existing 'CH' zoning located to the southeast, across U. S. Highway 183, and to the northwest, along Pecan Park Boulevard. There is also 'GR-CO' zoning to the north and 'CS' zoning to the south of the property at the intersection of Lakeline Mall Drive and U.S. Highway 183 North.

'CH' zoning is appropriate for this location because of the commercial character of the area and the frontage of the property along a state maintained highway.

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 two arterial roadways, U.S. Highway 183 and Lakeline Mall Drive.

EXISTING CONDITIONS

Site Characteristics

The site is an undeveloped tract of land located between the southwestern intersection of Lake Line Boulevard and U.S. Highway 183 North and the northwest intersection of Lakeline Mall Drive and U.S. Highway 183 North. The property to north and west is currently undeveloped. To the east, across U.S. Highway 183, there is a shopping center with various retail sales uses. The property to the south is developed with a restaurant and a concentration of retail sales uses (Lakeline Mall).

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 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.

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%
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In the Water Quality Transition Zones, impervious cover is limited to 30%.

Note: The most restrictive impervious cover limit applies.

Site Plan Comments

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

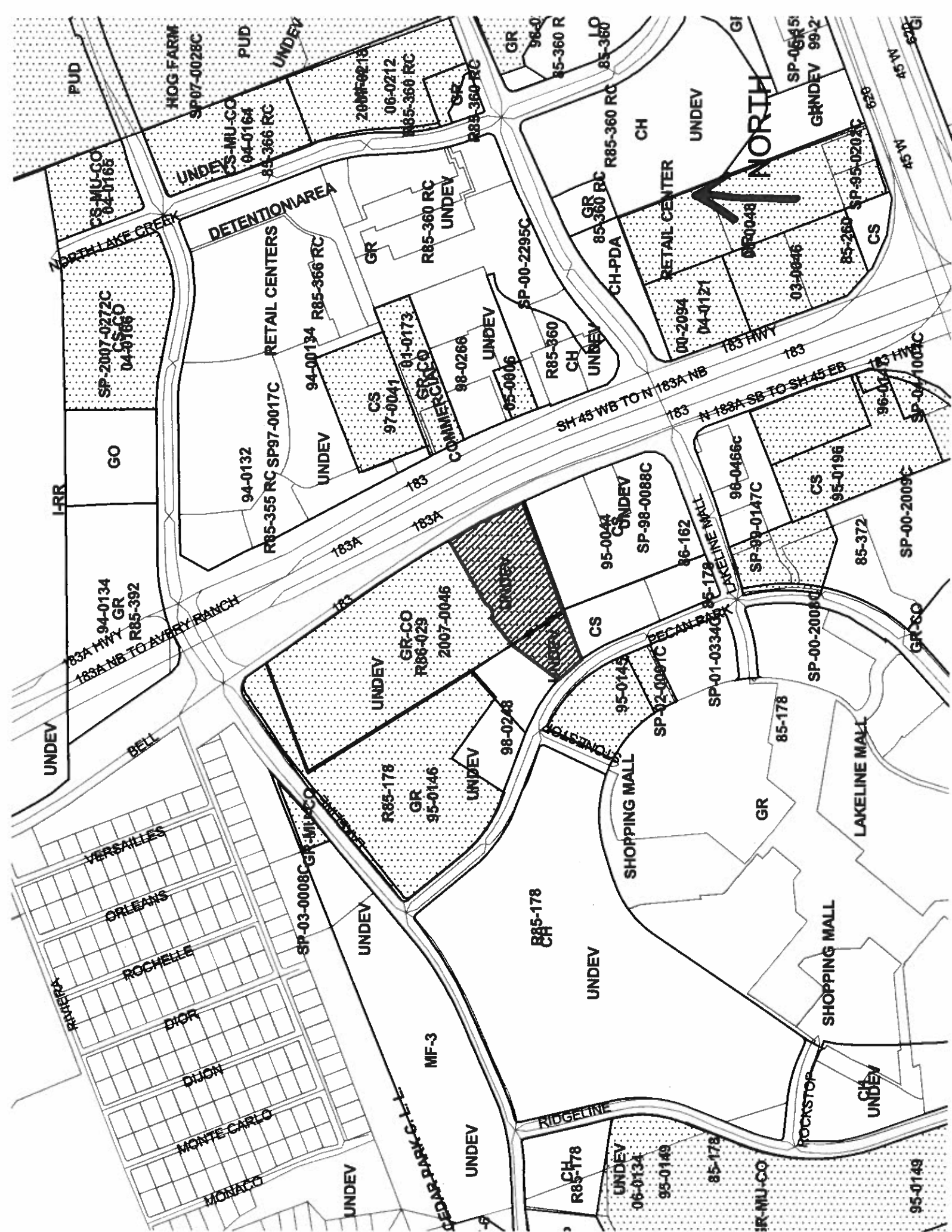
This site is within the area covered by State legislation (S.B. 1396), which went into effect September 1, 1995. Under this legislation, the City may not "deny, limit, delay, or condition the use of development of land...because of traffic or traffic operations that would result from the proposed use 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.

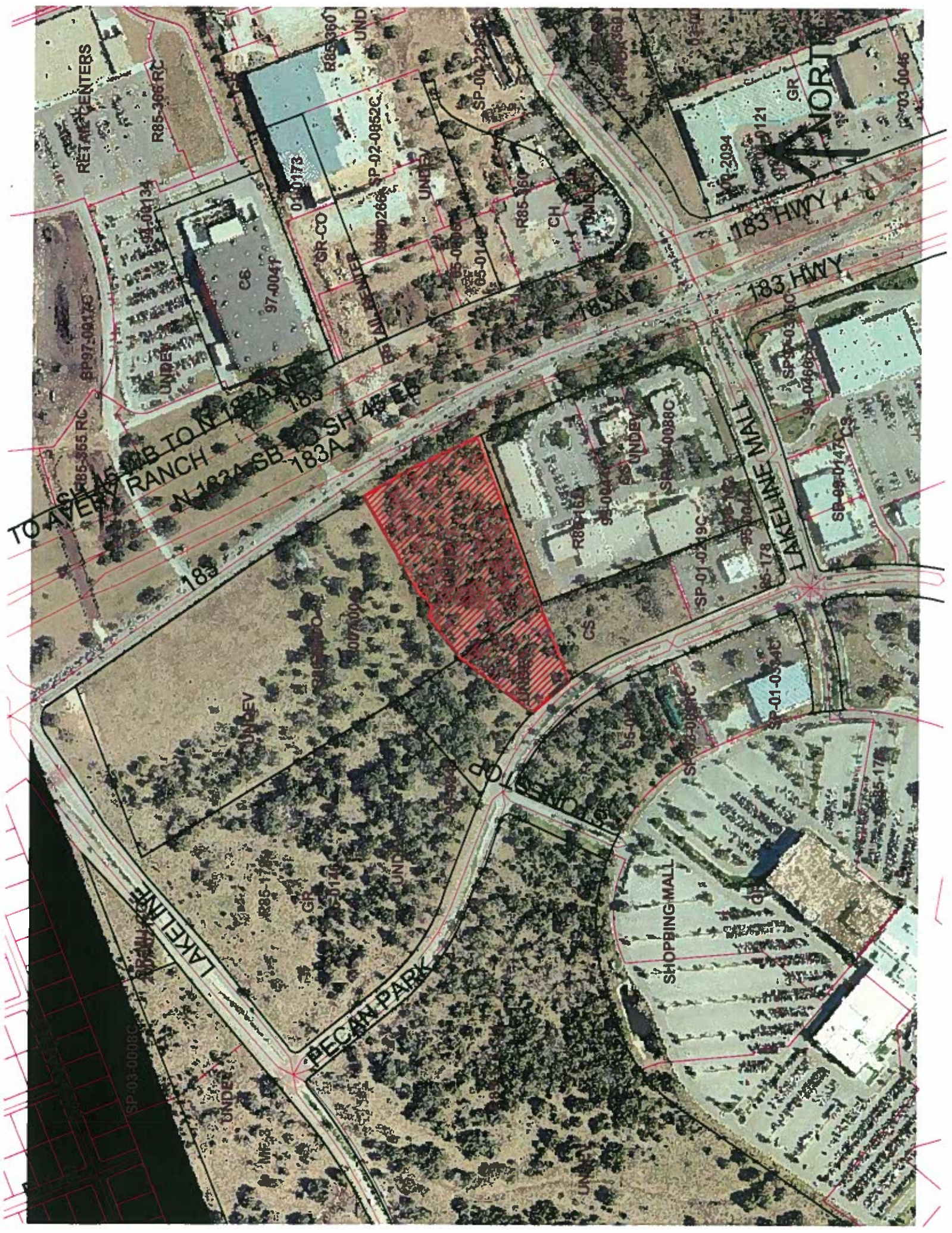
Existing Street Characteristics:

Name	ROW	Pavement	Classification	Capital Metro	Bicycle Plan	Sidewalks
US Highway 183	Varies	Varies	Arterial	Yes	No	No
Pecan Park Blvd	90'	70'	Collector	Yes	No	No

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.





NORTH

RETAIL CENTERS

R85-366 RC

R85-360

SP-02-0852C

SP-00-2285D

R85-360

CH

SP-01-2094

183 HWY

183 HWY

SP-03-0046

SP-07-0017C

UNDEV

97-004F

01-0173

GR-CO

RETAIL CENTER

UNDEV

95-0006A

95-0148

SP-05-355 RC

TO AVE 15
RANCH

N 183A SB
183A

SH 45 EB

183

007-000

GR-CO

UNDEV

SP-01-0008C

GR

SP-01-0008C

UNDEV

SP-01-0008C

UNDEV

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SP-01-0008C

UNDEV

SP-01-0008C

LAKELINE

PECAN PARK

SHOPPING MALL

SP-01-0354C

UNDEV

SP-01-0354C

UNDEV

SP-01-0354C

UNDEV

SP-01-0354C

UNDEV

SP-01-0354C