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ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0108 – Ross Road Center

Z.A.P. DATE: October 16, 2012

ADDRESS: 5501 ½ Ross Road

OWNER: Equinox Power Systems, Inc.
(Daniel Wang; Farid Agahi)

AGENT: Land Answers, Inc.
(Jim Wittliff)

ZONING FROM: I-SF-2

TO: GR-MU-CO for Tract 1 (5.738 acres)
LR-MU-CO for Tract 2 (11.023 acres)

TOTAL AREA: 16.761 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial – mixed use – conditional overlay (LR-MU-CO) combining district zoning. The Conditional Overlay limits development to 2,000 vehicle trips per day and prohibits residential treatment.

If the requested zoning is granted for this site, then 57 feet of right-of-way from the existing centerline should be dedicated for Ross Road according to the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].

ZONING & PLATTING COMMISSION RECOMMENDATION:

October 16, 2012:

ISSUES:

The Applicant would like to discuss the Staff recommendation and pursue GR-MU-CO zoning for Tract 1.

DEPARTMENT COMMENTS:

The subject tract is undeveloped and zoned interim – single family residence (I-SF-2) district. The tract is situated just north of the intersection of Pearce Lane and Ross Road, both of which are classified as minor arterial roadways. The property is surrounded by a vacant manufactured home park and Del Valle schools to the west (MH-CO; I-RR), single family residences within the Berdoll Farms subdivisions to the north and east (I-SF-2; I-SF-4A), and a food sales and service station to the south (LR-CO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to create two zoning tracts: community commercial – mixed use (GR-MU) district zoning for the southern 5.7 acres and neighborhood commercial – mixed use (LR-MU) for the remaining 11 acres. Both tracts are envisioned for commercial uses,

including retail, restaurant and bank, and the MU component would also allow for the full range of residential uses to occur.

In recognition of the precedent set by the LR-CO zoning established for the adjacent four acre lot at the intersection of Pearce Lane and Ross Road, the Staff recommends LR-MU-CO for Tracts 1 and 2, subject to the recommendations of Transportation staff for right-of-way dedication on Ross Road and vehicle trip limitation. The Staff recommendation recognizes that the property is situated in close proximity to the intersection of two minor arterial roadways, and the absence of commercial businesses to serve the surrounding and nearby residential subdivisions. The nearest commercial businesses are located along State Highway 71, approximately 1¼ miles to the north.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-SF-2	Undeveloped
<i>North</i>	I-SF-2; I-SF-4A; I-RR	Single family residences within Berdoll Farms subdivision; Amenity center; Pond
<i>South</i>	LR-CO	Service station; Food sales
<i>East</i>	I-SF-2	Single family residences within the Meadows at Berdoll subdivision
<i>West</i>	MH-CO; I-RR	Vacant manufactured home park; Del Valle ISD Middle and Elementary Schools

AREA STUDY: N / A

TIA: Waived—please refer to Transportation comments

WATERSHED: Dry Creek East

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

627 – Onion Creek Homeowners Association 774 – Del Valle Independent School District
 786 – Home Builders Association of Greater Austin
 1005 – Elroy Neighborhood Association 1037 – Homeless Neighborhood Association
 1075 – League of Bicycling Voters 1083 – Berdoll Farms/Meadows
 1101 – Los Cielos Homeowners Association 1138 – Far Southeast Improvement Association
 1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group
 1252 – Lexington Parke Neighborhood Association
 1258 – Del Valle Community Coalition 1340 – Austin Heritage Tree Foundation
 1363 – SEL Texas

SCHOOLS:

Del Valle ISD – Elementary School; Middle School; and High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0271 – Deerwood Manufactured Home Park – 12400 Pearce Lane	I-RR to MH	To Grant MH-CO with conditions of r-o-w dedication on Pearce Ln. and Ross Rd.	Approved MH-CO with RC for r-o-w dedication as ZAP recommended (4-24-2008).
C14-05-0141 – The Park at Del Valle – NE Corner of Ross Rd. at Pearce Ln.	I-SF-2 to GR	To Grant LR-CO with CO limiting trips to 3,200 vpd, prohibit residential treatment, with conditions of add'l r-o-w on Ross Rd. and Pearce Ln.	Approved LR-CO with RC for r-o-w on Ross Rd and Pearce Ln., as ZAP recommended (12-1-2005).
C14-03-0135.SH (Lexington Parke – SMART Housing) – North of Pearce Ln. and west of Ross Rd.	DR; I-SF-4A to SF-4A	To Grant SF-4A with conditions of the Traffic Impact Analysis.	Approved SF-4A with a Restrictive Covenant for the TIA as recommended by ZAP (12-11-2003).

RELATED CASES:

The property was annexed into the City limits on December 31, 2003 (C7a-03-022). The zoning area as well as the adjacent four acres of commercial zoned property to the south was proposed for GR and SF-4A district zoning in February 2005 (C14-05-0028.SH). The prospective buyer and agent withdrew his participation from the case due to significant transportation and drainage issues on the site, and the case expired in November 2005.

There are no related subdivision or site plan cases on the subject property.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Ross Road	100 feet	Varies	Minor Arterial, 2 lanes (4,413 vpd)	Yes	Not available within ¼ mile	Not classified in the Bicycle Plan

CITY COUNCIL DATE: November 8, 2012

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

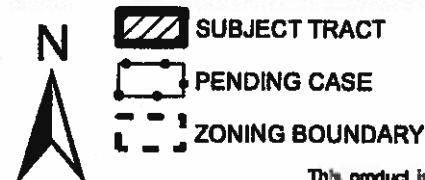
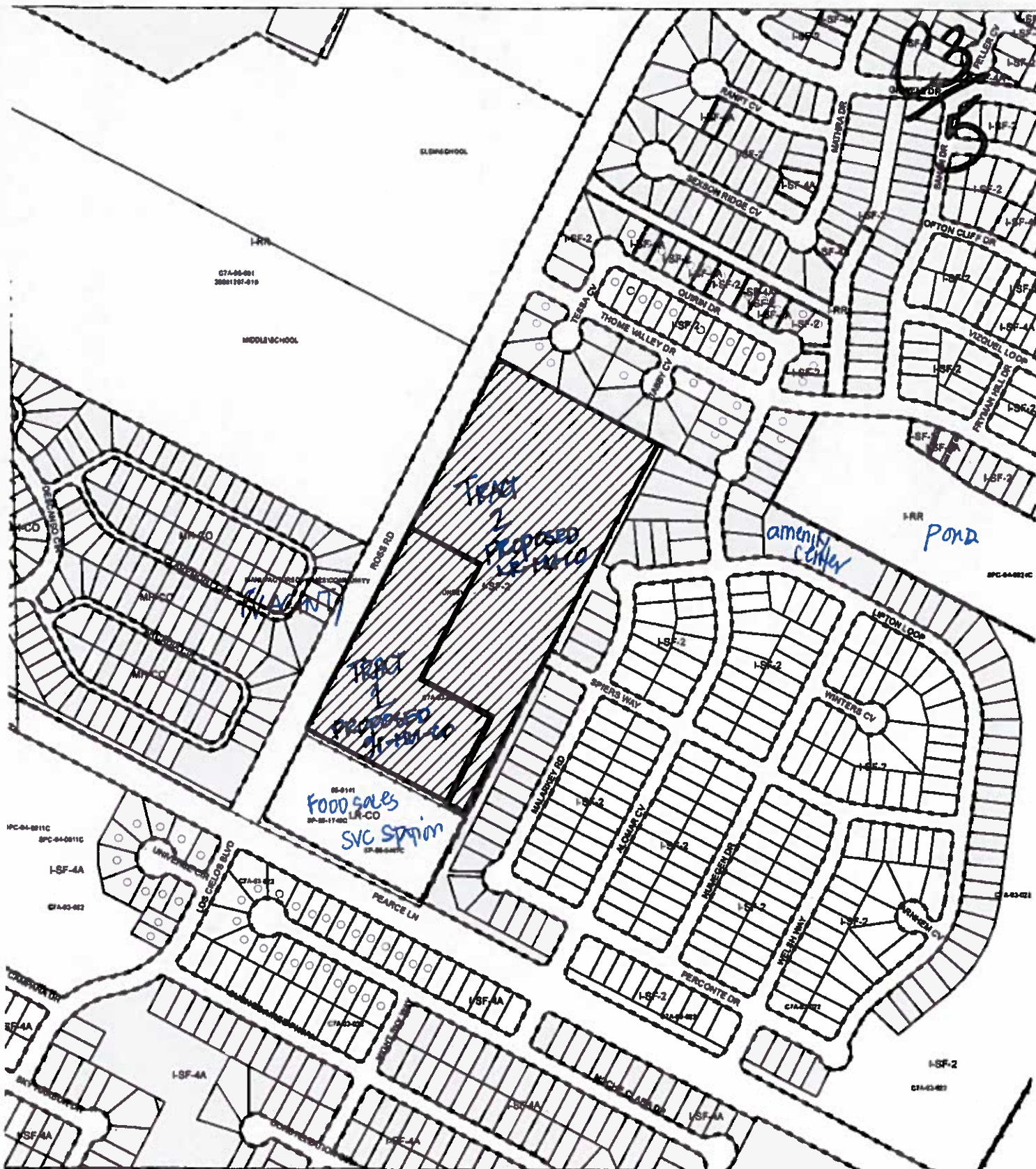
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CASE MANAGER: Wendy Rhoades
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PHONE: 974-7719



ZONING
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Exhibit A

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



1" = 400'



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The Staff recommendation is to grant neighborhood commercial – mixed use – conditional overlay (LR-MU-CO) combining district zoning. The Conditional Overlay limits development to 2,000 vehicle trips per day and prohibits residential treatment.

If the requested zoning is granted for this site, then 57 feet of right-of-way from the existing centerline should be dedicated for Ross Road according to the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

Applicant's Request (Tract 1 – GR-MU-CO and Tract 2 – LR-MU-CO): The purpose statement per the City of Austin Land Development Code states: "The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways." The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. For Tract 2: The neighborhood commercial (LR) district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: "The Neighborhood Commercial 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 Staff recommendation for both Tracts 1 and 2 is LR-MU-CO.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

In recognition of the precedent set by the LR-CO zoning established for the adjacent four acre lot at the intersection of Pearce Lane and Ross Road, the Staff recommends LR-MU-CO for Tracts 1 and 2, subject to the recommendations of Transportation staff for right-of-way dedication on Ross Road and vehicle trip limitation. The Staff recommendation recognizes that the property is situated in close proximity to the intersection of two minor arterial roadways, and the absence of commercial businesses to serve the surrounding and nearby residential subdivisions. The nearest commercial businesses are located along State Highway 71, approximately 1¼ miles to the north.

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/8**EXISTING CONDITIONS****Site Characteristics**

The property is undeveloped and relatively flat. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GR-MU and the LR-MU zoning districts would be 80%, which is a consistent figure between the zoning and watershed regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Dry Creek East Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. 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>% 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%

According to flood plain maps there is no flood plain 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.

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.

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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.

Transportation

The Austin Metropolitan Area Transportation Plan calls for 114 feet of right-of-way for Ross Road. If the requested zoning is granted for this site, then 57 feet of right-of-way from the existing centerline should be dedicated for Ross Road according to the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].

A Traffic Impact Analysis (TIA) was not required for this case because the applicant agreed to limit the intensity and uses for this development to generate less than 2000 trips per day. In order to exceed this limit in the future, the applicant will be required to file a new zoning case and submit a TIA. Because of the size of this tract, it is likely that any significant commercial development on the site will generate more than 2000 trips. It is strongly recommended that the applicant submit a TIA before proceeding with this zoning case so that the traffic impacts can be fully assessed in advance. However, 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].

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 proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans 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.

Site Plan and Compatibility Standards

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

The site is subject to compatibility standards. Along the north, east & west property lines, the following standards apply:

- No structure may be built within 25 feet 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.

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- 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.

Site plan review and approval cannot be finalized until the lot(s) is/are legal by recorded plat or grandfathered by Land Status Determination (Section 25-1-61).