

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2013-0034 Ross-Conley Lot 1, LLP

**Z. P. C. DATE:** 05/21/13, 06/18/13

**ADDRESS:** 3447 Northland Drive

**AREA:** 0.32 acres

**APPLICANT:** David C. Conley, P.C.  
(David C. Conley)

**AGENT:** Thrower Design  
(Ron Thrower)

**NEIGHBORHOOD PLAN AREA:** N/A

**CAPITOL VIEW:** No

**T.I.A.:** Waived – See the Transportation  
Reviewer's comments.

**HILL COUNTRY ROADWAY:** Yes

**WATERSHED:** Shoal Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** LR, Neighborhood Commercial

**ZONING TO:** GR, Community Commercial

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends GR-CO, Community Commercial, Conditional Overlay. The Conditional Overlay will limit the height to twenty eight feet (28'), prohibit drive thru as an accessory use and prohibit the following uses: Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type), Bail bond services, Business or trade school, Business support services, Commercial off-street parking, Communications Services, Drop-off recycling collection facility, Exterminating services, Food Preparation, Funeral services, General retail sales (general), Hotel-motel, Indoor entertainment, Indoor sports and recreation, Outdoor entertainment, Outdoor sports and recreation, Pawn Shop Services, Research services, Theater, Hospital services (general).

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

### **DEPARTMENT COMMENTS:**

The zoning case is located on the southeast corner of Northland Drive and Parkcrest Drive and is not located within the boundaries of planning area with an approved neighborhood plan. Surrounding land uses include single family houses to the north and northeast, a dry cleaner to the south, and an office building to the west. The existing and proposed use is a convenience store/gas station. The property is located along a major arterial road and a collector, including Northland Drive, which is a four lane road. The purpose of the Community Commercial or "GR" zoning district designation is to reserve areas for offices, retail stores, and service establishments that provide a broad range of goods and services to residents of Austin and the surrounding areas and promote the grouping of office and commercial uses that are convenient for the public and that benefit the uses in a district and to encourage high standards of site planning, architecture, and landscape design for office and commercial development in the City. The Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways. This site is located on RM 2222 which is in a Low Intensity, Hill Country Roadway corridor. The site will have limited Floor-to-Area-Ratio (FAR) as well as limited height. Any proposed site plan will need approval from the Zoning and Platting Commission.

## **BASIS FOR RECOMMENDATION:**

*1. The proposed zoning should be consistent with the goals and objectives of the City Council.*

Granting the proposed zoning would be in keeping the Community Commercial zoning and with the Imagine Austin Comprehensive Plan.

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

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	LR	Convenience store
<b>NORTH</b>	SF-3	Single family residential
<b>SOUTH</b>	LR	Retail
<b>EAST</b>	CS	Cleaners
<b>WEST</b>	CS/GR	Office building

## **CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-91-0070	From LR to GR	Approved GR [Vote: 7-0]	Approved GR [Vote: 7-0]
C14-87-113	From GR to CS-1	Approved CS-1 [Vote: 7-0]	Approved CS-1 [Vote: 7-0]

## **NEIGHBORHOOD ORGANIZATION:**

- Austin Neighborhood Council
- Northwest Austin Civic Association

## **SCHOOLS:**

Highland Park Elementary School, Lamar Middle School, McCallum High School

## **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 front property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of three stories or 40 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.

This site is located in a Low Intensity Hill County Roadway Corridor. Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Planning Commission

## **ENVIRONMENTAL:**

1. The site is located very near to the Edwards Aquifer Recharge Zone; a geological analysis may be required to determine the exact location of the recharge zone boundary. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps there is no flood plain within the project area.
5. 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.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

## **COMPREHENSIVE PLAN**

The zoning case is located on the southeast corner of Northland Drive and Parkcrest Drive and is not located within the boundaries of planning area with an approved neighborhood plan. Surrounding land uses include single family houses to the north and northeast, a dry cleaner to the south, and an office building to the west. The existing and proposed use is a convenience store/gas station. The property is located along a major arterial road and a collector, including Northland Drive, which is a four lane road. The property is located within the boundaries of the Barton Creek Contributing Zone, as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan (IACP). An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and "contribute" water to the aquifer. However, the overall goal of the IACP is to achieve '*complete communities*' across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. Page 107 of the IACP states, "While most new development will be absorbed by centers and corridors, development will happen in other areas within the city limits to serve neighborhood needs and create complete communities. *Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas. New commercial, office, larger apartments, and institutional uses such as schools and churches, may also be located in areas outside of centers and corridors. The design of new development should be sensitive to and complement its context.* It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city. Not all land within the city limits will be developed. Some may remain or enter into

agricultural production; continue as single-family houses, duplexes, and apartments; or become part of the planned open space network. The Growth Concept Map not only guides where Austin may accommodate new residents and jobs but also reflects the community intent to direct growth away from environmentally sensitive areas including, but not limited to, the recharge and contributing zones of the Barton Springs segment of the Edwards Aquifer, and to protect the character of neighborhoods by directing growth to areas identified by small area plans.”

The following Imagine Austin policies are taken from Chapter 4 of the IACP, which specifically discusses infill development, including over environmentally sensitive land:

- **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.
- **LUT P5.** Create healthy and family-friendly communities through development that includes **a mix of land uses** and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **LUT P22** Protect Austin’s natural resources and environmental systems by limiting land use and transportation development in sensitive environmental areas and preserving areas of open space.
- **N P1.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based on this property being located along the intersection of a major arterial and a collector road, the existing convenience store, which at the north end of a strip of local serving retail uses located along Northland Road, and the Imagine Austin policies referenced above, which encourages complete communities and infill development, including retail uses, staff believes that the existing and proposed retail use is supported by the Imagine Austin Comprehensive Plan, as long as environmental ordinances are considered and enforced if the site is ever redeveloped.

## **TRANSPORTATION:**

**TR1.** No additional right-of-way is needed at this time.

**TR2.** A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

**TR3. Existing Street Characteristics:**

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Park Crest	70	37	Collector	Yes	No	Yes
Northland	90	MAU 4	Arterial	Yes	Yes	Yes

**CITY COUNCIL DATE:** June 20th, 2013

**ACTION:**

**ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Clark Patterson  
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