SECOND/THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2014-0101 – 13010 Harris Branch Parkway

REQUEST:

Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13010 Harris Branch Parkway (Gilleland Creek Watershed) from development reserve (DR) district zoning to general commercial services-conditional overlay (CS-CO) district zoning. City Staff: Heather Chaffin, 512-974-2122.

DEPARTMENT COMMENTS:

No conditions were added by Council.

OWNER / APPLICANT: Bobby Wayne Richie and Vickie Lee

AGENT: Jackson Walker, LLP (Jim Nias)

DATE OF FIRST READING: First reading approved on September 25, 2014, on consent. Vote: 7-0.

CITY COUNCIL HEARING DATE: November 20, 2014

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0101
13010 Harris Branch Parkway

Z.A.P. DATE: September 2, 2014

OWNERS: Bobby Wayne Richie & Vickie Lee

ADDRESS: 13010 Harris Branch Parkway

AGENT: Jackson Walker, LLP (James Nias)

ZONING FROM: DR **TO:** CS **AREA:** 4.584 Acres

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general commercial services-conditional overlay (CS-CO) combining district zoning.

The recommended conditional overlay would prohibit the following land uses: Alternative financial services, Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type), Bail bond services, Drop-off recycling collection facility, Exterminating services, Funeral services, Kennel services, Laundry services, Monument retail sales, Pawn shop services, Service station, and Vehicle storage. The conditional overlay would also require that vehicular trips be limited less than 2,000 per day.

A public Restrictive Covenant would also be required for dedication of the property's share of a required right-of-way (ROW) dedication along Gregg Lane.

The Applicant supports the Staff recommendation.

ZONING & PLATTING COMMISSION RECOMMENDATION:

September 2, 2014: *TO GRANT CS-CO AS RECOMMENDED BY STAFF, WITH THE ADDITIONAL PROHIBITION OF ADULT ORIENTED LAND USES, ON CONSENT. (6-0-1) [P. Seeger- 1st, J. Goodman- 2nd; S. Compton- Absent]*

DEPARTMENT COMMENTS:

The subject property is located at the southwest corner of Gregg Lane and Harris Branch Parkway where Harris Branch Parkway transitions to Cameron Road. The property is undeveloped and zoned DR. Immediately west of the subject property is several similarly configured lots, which are located in the City of Austin ETJ. These properties appear to be developed with various light industrial uses, including construction sales and services, and limited warehousing. Across Gregg Lane, to the north, is undeveloped land in the City of Austin ETJ. Across Harris Branch Parkway, to the east, is undeveloped property that is part of the Harris Branch Planned Unit Development (PUD). The portion of the PUD located across from the subject tract is permitted for parkland land uses and contains a pond. Other undeveloped PUD tracts in the vicinity are designated for industrial park, limited industrial, and high-density residential land uses. South of the subject property is another undeveloped parcel; the portion immediately adjacent to the rezoning tract is zoned DR, while the remainder is unzoned (in the City ETJ). Please refer to Exhibits A and B (Zoning Map and Aerial Exhibit).

The adjacent section of Harris Branch Parkway is scheduled to be upgraded to a four-lane divided roadway, and the subject property has previously dedicated ROW for the upgrade. Plans for Gregg Lane are not scheduled, but the Transportation Plan proposes 50 to 60' of ROW at different sections of Gregg Lane. This triggers the need for ROW dedication adjacent to the tract, which may vary from 5'-10' for this tract. The amount of ROW dedication must be surveyed and dedicated by Restrictive Covenant prior to approval of any rezoning.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	DR	Undeveloped
North	Unzoned / ETJ	Undeveloped
South	DR	Undeveloped
East	Harris Branch PUD	Parkland
West	Unzoned / ETJ	Construction sales & services, Limited warehousing & distribution

AREA STUDY: N/A

TIA: N/A

WATERSHED: Gilleland Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Harris Branch Master Association, Inc.
Harris Branch Residential Property Owners Association
North Growth Corridor Alliance

SCHOOLS: Manor ISD

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-89-0004 (Harris Branch PUD	SF-2, SF-4, & SF-6 to PUD	6/27/89: Granted with conditions.	7/27/89: Approved PUD w/conditions (6-0); 1st reading 11/16/89: Approved PUD w/conditions (5-0); 2nd/3rd readings

There have been no other rezonings in the vicinity of the subject tract in recent years. The Harris Branch PUD has been amended several times (rearranging land uses) since its creation in 1989; however, none of these changes are near the subject tract.

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Harris Branch Pkwy./ Cameron Rd.	140'	Varies	Major Arterial	No	No	Route # 67
Gregg Lane	50'-60'	27'	Collector	No	No	Route # 116

CITY COUNCIL DATE / ACTION:

September 25, 2014: *Conduct public hearing and adopt the first reading for CS-CO zoning as recommended approved on consent (7-0) [B. Spelman- 1st, L. Morrison- 2nd]*

November 20, 2014:

ORDINANCE READINGS:

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

PHONE: 974-2122

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant general commercial services-conditional overlay (CS-CO) combining district zoning.

The recommended conditional overlay would prohibit the following land uses: Alternative financial services, Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type), Bail bond services, Drop-off recycling collection facility, Exterminating services, Funeral services, Kennel services, Laundry services, Monument retail sales, Pawn shop services, Service station, and Vehicle storage. The conditional overlay would also require that vehicular trips be limited less than 2,000 per day.

A public Restrictive Covenant would also be required for dedication of the property's share of a required right-of-way (ROW) dedication along Gregg Lane.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. Granting of the request should result in an equal treatment of similarly situated properties.
The Staff recommendation of CS-CO is consistent with the zoning and land uses in the area. Although the properties to the west are unzoned, they are developed with land uses that are permitted in CS zoning. The Harris Branch PUD, to the east, is predominately comprised of commercial/industrial tracts, with some residential tracts as well. There are several light industrial land uses in the wider vicinity.

2. The proposed zoning should be consistent with the purpose statement of the district sought.
The proposed rezoning will allow for commercial or industrial use that has operating characteristics or traffic service requirements that are incompatible with residential environments, as specified by CS zoning. The subject property is located at the intersection of a major arterial and a collector, and the immediate area is comprised of light industrial or undeveloped properties.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Gilleland 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.

2. For this property, watershed regulations supersede zoning regulation regarding impervious cover. 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%**

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

4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for al development and/or redevelopment.

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 512-974-1876. 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. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

7. 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.

Site Plan

SP1. Site plans will be required for any new development other than single-family or duplex residential.

SP2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Transportation

TR1: If the requested zoning is recommended for this site, 35 feet of right-of-way should be dedicated from the centerline of Gregg Lane in accordance with the Transportation Criteria Manual. LDC, 25-6-55; TCM, Tables 1-7, 1-12.

TR2. 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]

TR3. Cameron Road is classified in the Bicycle Plan as Bike Route No. 67. Gregg Lane is classified in the Bicycle Plan as Bike Route No. 116.

TR4. Capital Metro bus service is not available along Cameron Road and Gregg Lane.

TR5. There are no existing sidewalks along Cameron Road and Gregg Lane.

TR6. Eric Dusza with the Public Works Dept. may provide additional comments about mobility enhancement for pedestrian facilities.

Comprehensive Planning

Imagine Austin

The property is located within the boundaries of 'Neighborhood Center' and along an 'Activity Corridor', as identified on the Imagine Austin's Growth Concept Map. A Neighborhood Center is the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map, with a focus on creating local businesses and services—including doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses that generally serve the center and surrounding neighborhoods. Activity corridors are characterized by a variety of activities and types of buildings located along the roadway, and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following IACP policies are also relevant to this case:

- LUT P1. Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- 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 P10. Direct housing and employment growth to activity centers and corridors, and preserving and integrating existing affordable housing where possible.

Conclusion

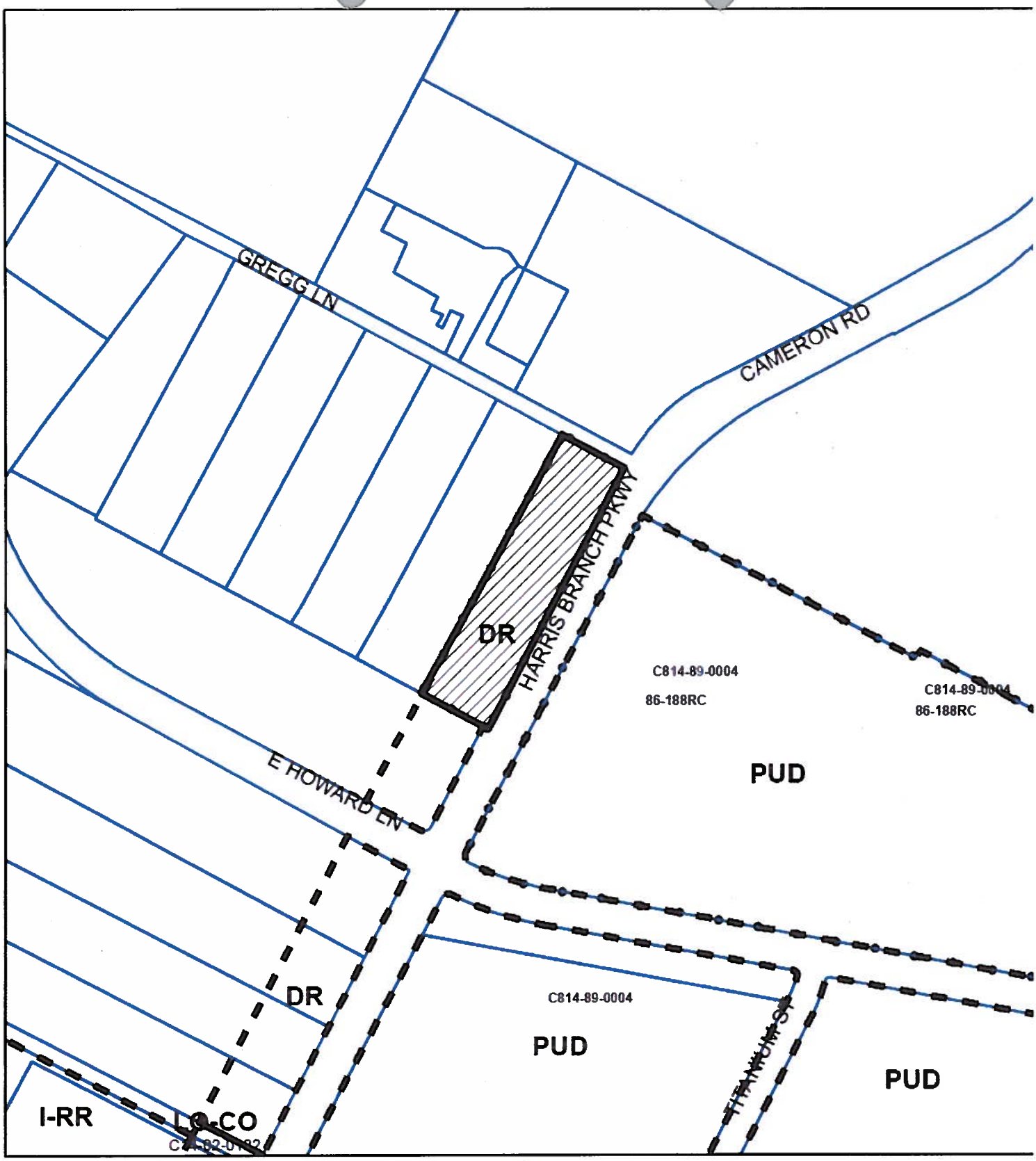
In conclusion, based on the property being located within the boundaries of a 'Neighborhood Center' and along an 'Activity Corridor', as identified on the Imagine Austin Growth Concept Map, and the policies above, which supports commercial uses, including an office/warehouse that will provide jobs in this area, staff believes that the proposed land use complies with the Imagine Austin Comprehensive Plan.

Water and Wastewater

WW1. The landowner intends to serve the site with City of Austin water utilities and an On-Site Sewage Facility approved by the City of Austin. 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 and suitability for operation and maintenance. 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. Wastewater service is currently not available to the property. If service is desired or required based on development plans, a Service Extension Request will be required. For more information pertaining to the Service Extension Request process and submittal requirements contact Phillip Jaeger with the Austin Water Utility, Utility Development Services at 625 E. 10th St., 7th floor. Ph: 512-972-0232. The Austin Water Utility reserves the right to make additional comments and to establish other requirements with the Service Extension Request review.



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

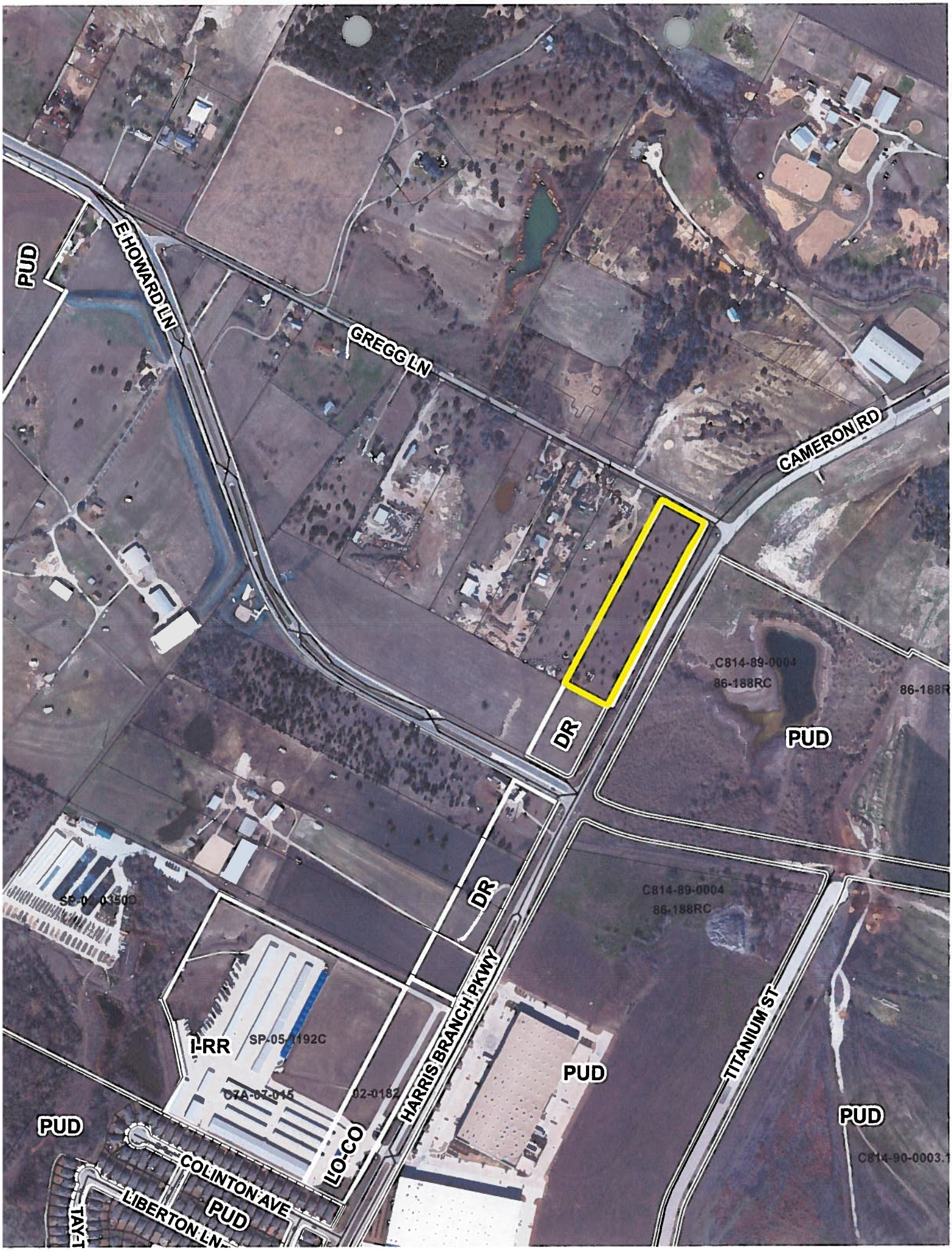
ZONING

CASE#: C14-2014-0101

1 " = 400 '

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.


PUD
E HOWARD LN
GREGG LN
CAMERON RD
C814-89-0004
86-188RC
86-188R
PUD
DR
DR
C814-89-0004
86-188RC
SP-0 -0350D
I-RR
SP-05-1192C
C7A-07-015
02-0182
HARRIS BRANCH PKWY
PUD
TITANIUM ST
PUD
PUD
LO-CO
COLINTON AVE
LIBERTON LN
PUD
C814-90-0003.1