ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0154 – LMLM Investments **P.C. DATE:** February 9, 2016

ADDRESS: 7050 Elroy Road

DISTRICT AREA: 2

OWNER/APPLICANT: LMLM Investments, LLC (Tomas Gunz) **AGENT:** Bury, Inc. (Derek Villamez)

ZONING FROM: LR **TO:** GR **AREA:** 3.956 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay prohibits alternative financial services, automotive sales, automotive rentals, exterminating services, funeral services, hotel-motel, indoor entertainment, outdoor entertainment, pawn shop services, and theater.

PLANNING COMMISSION RECOMMENDATION:

February 9, 2016:

ISSUES:

The Applicant has discussed this case with the Far Southeast Improvement Association.

DEPARTMENT COMMENTS:

The subject undeveloped tract is located at the southwest corner of Ross Road and Elroy Road, with additional frontage on Apperson Street and has neighborhood commercial (LR) district zoning. The tract is surrounded by undeveloped property to the north (MF-2; GR-CO), undeveloped land to the east (GR-CO), single family residences to the south (SF-4A) and Popham Elementary School to the west (GR; I-RR).

This tract is within the Moore's Crossing Municipal Utility District (MUD) created in 1986 and was identified as GR within the Conceptual Land Plan (also known as Stoney Ridge) approved by Council in February 1986 and revised in June 1998. The primary purpose of the Land Plan is to identify the collector street network and public facilities, the latter including sites for City-financed housing, parks, school sites, library and a Fire/EMS station. Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and Exhibit B (Conceptual Land Plan for Moore's Crossing).

The Applicant proposes to rezone the property to the community commercial (GR) district for the construction of commercial development serving the Moore's Crossing MUD. As

information, duplexes or apartments are planned to the north and west (MF-2), there are existing single family residences further north (SF-4A), and planned and existing single family residences to the south and southeast (SF-4A). There is GR zoning on the east side of Ross Road. Vehicular access is proposed to be taken from all three street frontages.

Staff recommends GR-CO zoning as it has frontage on an arterial and a collector roadway, and is consistent with similarly situated tracts to the north and east. Additionally, the Moore's Crossing MUD provides for a variety of housing types and residential zoning districts, commercially zoned land, and civic and park facilities. The Conditional Overlay prohibits several intensive GR uses which is consistent with the GR-CO property to the north and northwest.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LR	Undeveloped
North	MF-2; SF-2; GR; GR-CO	Undeveloped
South	SF-2	Single family residences within the Stoney Ridge Phase A-2 Section VI Amended subdivision
East	GR; SF-4A	Undeveloped
West	GR; I-RR	Track and field; Popham Elementary School

MUNICIPAL UTILITY DISTRICT: Moore's Crossing (also known as Stoney Ridge) **TIA:** Is not required

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
1005 – Elroy Preservation Association
1138 – Far Southeast Improvement Association 1228 – Sierra Club, Austin Regional Group
1258 – Del Valle Community Coalition 1340 – Austin Heritage Tree Foundation
1530 – Friends of Austin Neighborhoods

SCHOOLS:

The subject property is within the Del Valle Independent School District boundaries. Popham Elementary School is located to the southwest, on Elroy Road. Del Valle Middle School and Del Valle High School are located to the north, on Ross Road in proximity to State Highway 71 East.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0181 – Moore's Crossing 3.8 Acre Rezone – N side of Elroy Rd between Ross Rd and Heine Farm Rd	MF-2 to GR	To Grant GR-CO w/CO for 2,00 trips/day and list of prohibited uses	Apvd GR-CO as Commission recommended (5-14-2015).
C14-2014-0182 – Moore's Crossing 7.9 Acre Rezone – 7400 McAngus Rd	GR to SF-4A	To Grant SF-4A	Apvd SF-4A as Commission recommended (03-26-2015).
C14-2014-0187 – Moore's Crossing 1.5 Acre Rezone – 7012 Elroy Rd	SF-2; GR to MF-2	To Grant MF-2	Apvd MF-2 as Commission recommended (03-26-2015).

RELATED CASES:

The property was originally annexed into the City limits on July 17, 1986 and was released to the City's Limited Purpose Jurisdiction on January 1, 1996 (C7A-86-002; C7A-95-013). There are no subdivision or site plan cases on the subject property.

Approximately 73 acres of the Moore's Crossing area located at the southwest corner of Elroy Road and McAngus Road / Heine Farm Road were rezoned on January 7, 1999. The LR portion was designated as a portion of Tract 4 by a 1998 case that zoned approximately 73 acres (C14-98-0054 – Moore's Crossing (South)).

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Elroy Road	86 feet	66 feet	Arterial	Yes	Yes, a Protected Bike Lane is recommended	No
Ross Road	70 feet	45 feet	Collector	Yes	No	No
Apperson Street	64 feet	42 feet	Local	Yes	No	No

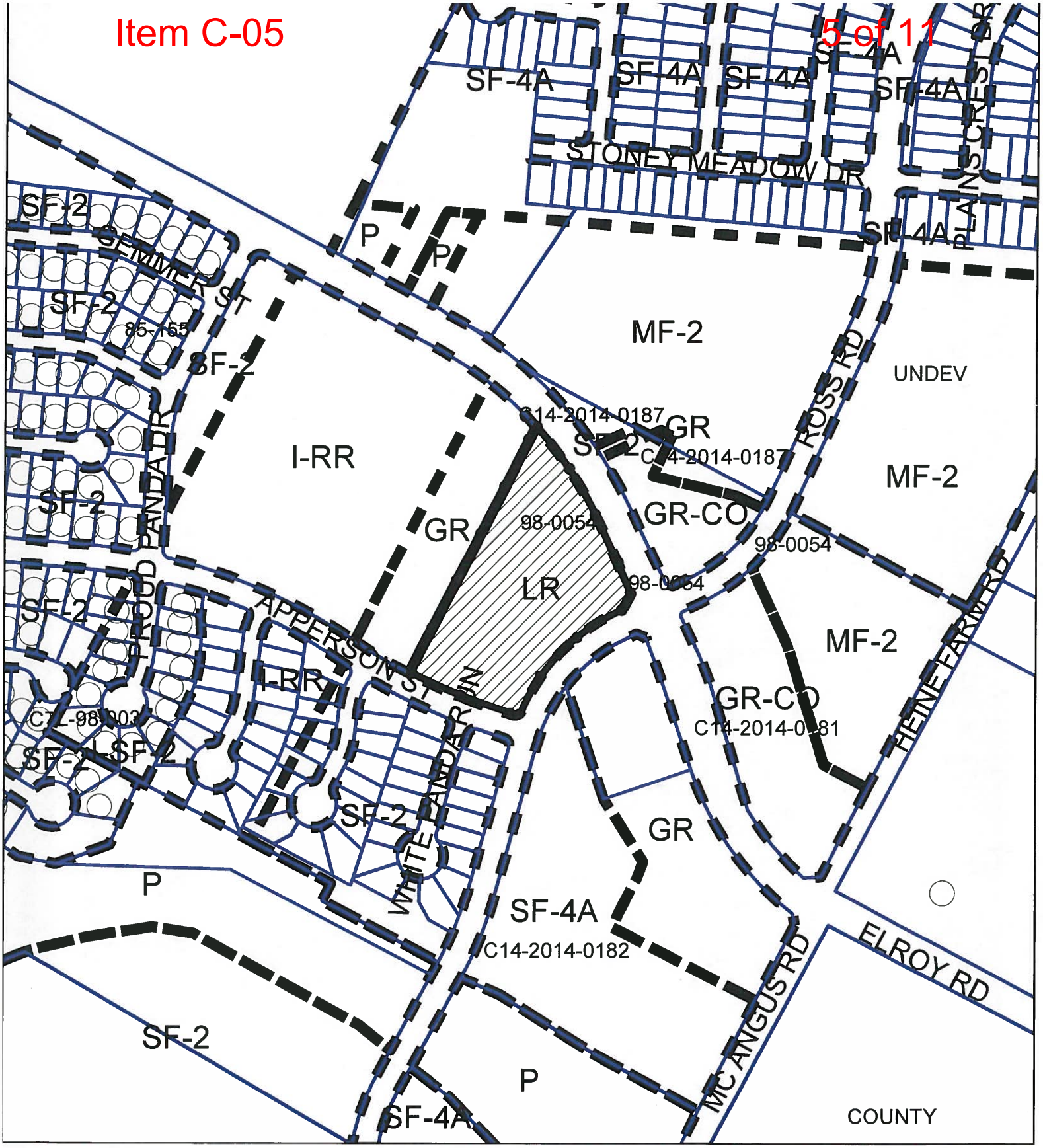
According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for Elroy Road.

CITY COUNCIL DATE: March 24, 2016 **ACTION:**

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades **PHONE:** 512-974-7719
e-mail: wendy.rhoades@austintexas.gov



N

SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY

1 " = 333 '

ZONING

Zoning Case: C14-2015-0154

Exhibit A

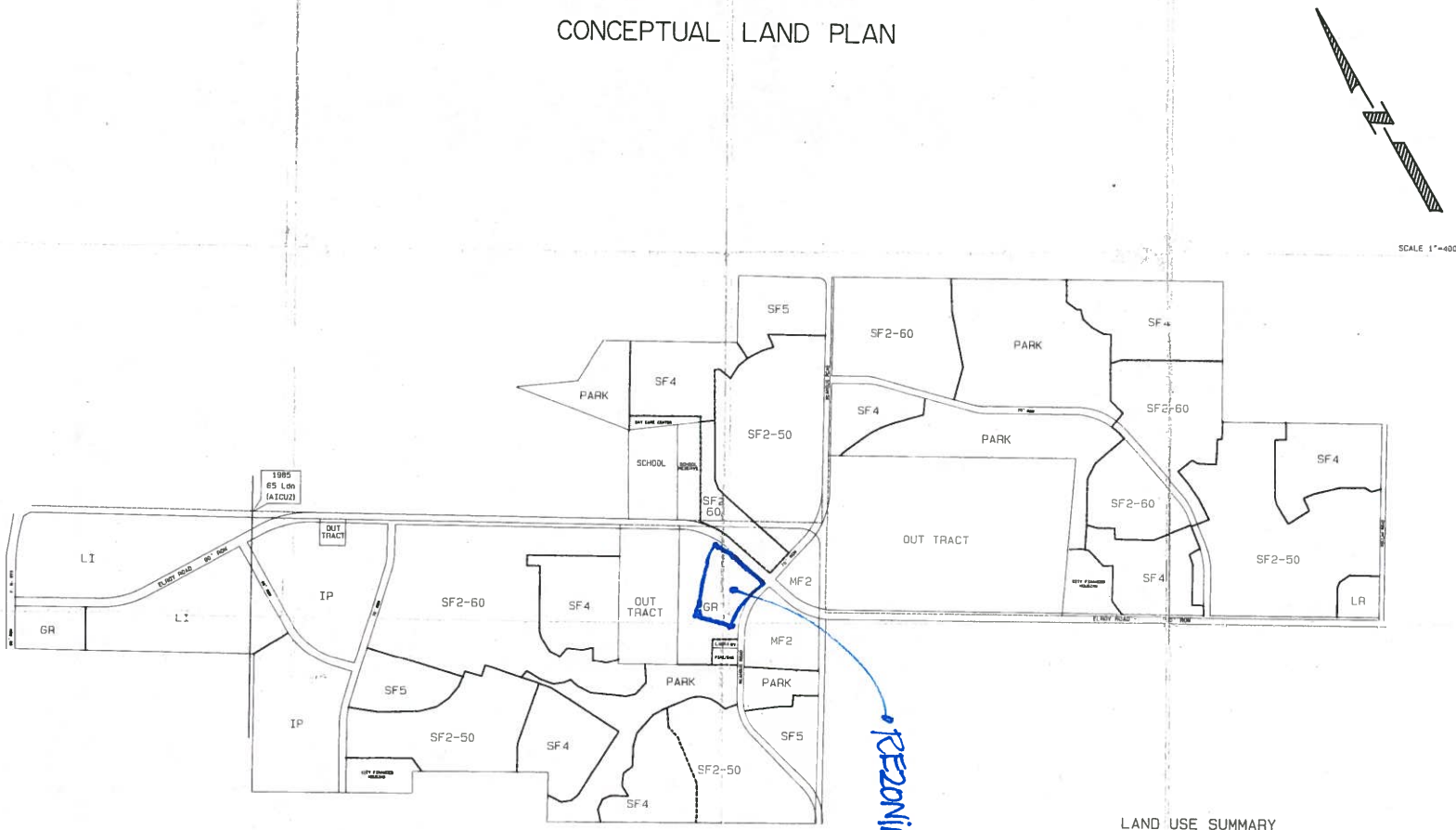
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.

Item C-05
6 of 11
SF-4A
SF-4A
STONEY MEADOW DR
P
P
PROUD PANDA DR
SF-2
85-155
SF-2
SF-2
ELROY RD
98-0055
MF-2
98-0055
SF-2
GR
ROSS RD
C7L-98-003
I-RR
MF-2
GR-CO
98-0054
98-0054
GR
98-0054
LR
98-0054
98-0054
MF-2
I-RR
APPERSON ST
UNDEV
C7L-98-003
98-0054
GR-CO
WHITE PANDA RUN
98-0054
GR
SF-2
85-155
HEINE FARM RD
P
98-0054
ELROY RD
SF-4A
SF-2
P
NORTH EXHIBIT A1

MOORE'S CROSSING

CONCEPTUAL LAND PLAN



LAND USE SUMMARY

USE	ACRES	UNITS	UNITS/AC.	USE AC. TOTAL AC. (%)	USE UNITS TOTAL UNITS (%)
SF2-50	143.81	630	4.38	18.3	21.8
SF2-60	151.41	729	4.82	19.3	25.2
SF4	34.9	829	23.75	4.4	28.7
SF5	32.5	218	6.70	4.1	7.5
MF2	17.29	352	20.36	2.2	12.2
COMMERCIAL/RETAIL	25.41			3.2	
LIGHT INDUSTRIAL	25.41			3.2	
INDUSTRIAL PARK	58.95			7.5	
CITY FINANCED HOUSING	18.00			2.3	
SCHOOL	18.00			2.3	
SCHOOL RESERVE	1.00			0.1	
THEATRE	1.00			0.1	
LIBRARY	0.50			0.1	
PARK/GREENBELT	SEE P1			13.4	
ROADWAY ROW	31.59			3.9	
DAY CARE CENTER	1.5			0.2	
TOTAL	786.00	2946		100.0	100.0

EXHIBIT D

APPROVED BY THE CITY COUNCIL OF AUSTIN, TX. ON THE 6th OF FEBRUARY, 1986.

HKG Howell Kaplan & Gray, Inc. Consulting Engineers Austin, Texas

EXHIBIT B

CONCEPTUAL LAND USE PLAN

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay prohibits alternative financial services, automotive sales, automotive rentals, exterminating services, funeral services, hotel-motel, indoor entertainment, outdoor entertainment, pawn shop services, and theater.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

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.

2. Zoning changes should promote compatibility with adjacent and nearby land uses.

Staff recommends GR-CO zoning as it has frontage on an arterial and a collector roadway, and is consistent with similarly situated tracts to the north and east. Additionally, the Moore's Crossing MUD provides for a variety of housing types and residential zoning districts, commercially zoned land, and civic and park facilities. The Conditional Overlay prohibits several intensive GR uses which is consistent with the GR-CO property to the north and northwest.

EXISTING CONDITIONS

Site Characteristics

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

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 80%, which is based on the more restrictive zoning regulations described below.

Comprehensive Planning

This rezoning case is located on an undeveloped 4 acre parcel, situated on the west side of Ross Road, and bracketed by Elroy Road to the north, and Apperson Street to the south. The property is also located outside the boundaries of a community with an adopted neighborhood plan. Surrounding land uses includes undeveloped land to the north, a single family subdivision to the south, a public elementary school to the west, and a service station to the east. The proposed use is unspecified commercial uses.

Imagine Austin
The following Imagine Austin policies are applicable to this case:

- **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 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.

- **HN P10**. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and parks and recreation options.

Analysis and Conclusion:
Analyzing the land uses located within a mile of radius of this subject property, there appears to be a lack of local goods and services, including a grocery store, retail, a park or recreational area, and health services for nearby residents. Public transit is limited within several miles of this site. The only civic amenity in this area is the adjacent elementary school. If this commercial property is thoughtfully developed, it has the potential to provide much needed local goods and services to nearby residential uses and based on the Imagine Austin text and polices above, appears to be partially supported by Imagine Austin.

Environmental

The site is not located over the Edwards Aquifer Recharge 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. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	*% of Gross Site Area*	*% of Gross 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%

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

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

No trees are located on this property. 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 requires water quality control with increased capture volume and control of the 2 year storm on site.

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.

Transportation

At this time a traffic impact analysis is not required. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

If the requested zoning is granted, it is recommended, as a condition of zoning, that all internal roadways, private driveways or streets to have sidewalks that connect to the public right-of-way. The sidewalk requirements shall be determined by the Transportation Criteria Manual.

Additional right-of-way maybe required at the time of subdivision and/or site plan.

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 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.

Site Plan and Compatibility Standards

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

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

This site will be subject to the Article 10 Compatibility Standards of the City of Austin Land Development Code as triggered by the SF-2-zoned properties to the south.

This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited, such as the construction of structures that obstruct the airspace in and around the airport or interfere with visual, radar, radio or other systems controlling aircraft. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.