

**ZONING CHANGE REVIEW SHEET****CASE:** C14-2016-0055 (Gateway to Tech Ridge)**Z.A.P. DATE:** July 19, 2016**ADDRESS:** 14125 ½ The Lakes Boulevard**DISTRICT AREA:** 7**OWNER/APPLICANT:** Lichter Equities, L.P. (Bob Lichter)**AGENT:** Land Strategies (Erin Welch)**ZONING FROM:** MF-2-CO**TO:** GR**AREA:** 1.09 acres**SUMMARY STAFF RECOMMENDATION:**

The staff recommends GR, Community Commercial District, zoning.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:****DEPARTMENT COMMENTS:**

The property in question is an undeveloped tract of land that fronts onto The Lakes Boulevard. The site is relatively flat and sparsely vegetated. There is undeveloped land to the north and west and a detention pond to the east and south. The applicant is requesting GR, Community Commercial District, zoning for the property in question because they would like to have the ability to develop the site with a restaurant and retail uses.

The staff is recommending GR zoning because the site under consideration meets the intent of the requested zoning district. The property is fronts onto a commercial collector roadway and will provide services to the multifamily and single family residential uses in the Northtown MUD to the east.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	MF-2-CO	Undeveloped
<i>North</i>	County	Undeveloped
<i>South</i>	MF-2-CO	Detention Pond
<i>East</i>	MF-2-CO, LO-CO	Detention Pond
<i>West</i>	MF-2-CO	Undeveloped

**AREA STUDY:** N/A**TIA:** Deferred**WATERSHED:** Harris Branch**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
 Bike Austin  
 Friends of Austin Neighborhoods  
 Homeless Neighborhood Association  
 Lakes at Northtown Austin Homeowners Association  
 North Growth Corridor Alliance  
 Pflugerville Independent School District  
 SELTEXAS  
 Sierra Club, Austin Regional Group

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0152 (The Oaks at Techridge, Lot 1B: 14401 The Lakes Boulevard)	CS-CO to CS- MU-CO	10/07/14: Approved staff's recommendation of CS-MU-CO zoning, with a CO to 1) prohibit Art Workshop, Building Maintenance Services, Campground, Commercial Blood Plasma Center, Drop-off Recycling Collection Facility, Equipment Repair Services, Equipment Sales, Kennels, Laundry Service, Pawn Shop Services, Vehicle Storage, Veterinary Services, Maintenance and Service Facilities and Adult Oriented Businesses, 2) make conditional uses: Automotive Repair Services, Convenience Storage, Limited Warehousing and Distribution and 3) For an Automotive Repair use, a 400-foot wide building setback shall be established along the north and south property lines. on consent (7-0); P. Seeger-1 <sup>st</sup> , G. Rojas-2 <sup>nd</sup> .	11/06/14: Approved CS-MU-CO zoning on consent on all 3 readings (6-0, B. Spelman-absent); L. Morrison-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup> .
C14-2013-0124 (Oaks at Techridge, Lot 4B: 14400 The Lakes Blvd.)	MF-3to CS-MU	11/05/13: Approved staff's recommendation of CS-MU zoning by consent (7-0); C. Banks-1 <sup>st</sup> , P. Seeger-2 <sup>nd</sup> .	12/12/13: Approved CS-MU zoning on consent on all 3 readings (7-0); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .
C14-2012-0119 (The Oaks Phase III: 14233 The Lakes Blvd.)	CS-MU-CO to MF-2	11/06/12: Approved MF-2 zoning on consent (6-0, G. Rojas-absent); P. Seeger-1 <sup>st</sup> , C. Banks-2 <sup>nd</sup> .	12/06/12: Approved MF-2 zoning on consent on all 3 readings (7-0); M. Martinez-1 <sup>st</sup> , B. Spelman-2 <sup>nd</sup> .

C14-2012-0061 (The Oaks at Techridge Phase 2b: 14400 The Lakes Boulevard)	CS-CO to MF-3	8/07/12: Approved MF-3 zoning on consent (5-0, S. Baldrige and J. Meeker-absent); P. Seeger-1 <sup>st</sup> , G. Rojas-2 <sup>nd</sup> .	9/27/12: Approved MF-3 zoning on consent on all 3 readings (7-0); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .
C14-05-0148 (SCI Tract: North IH-35 and West Howard Ln.)	I-RR to CS-MU	10/18/05: Approved staff's recommendation for CS-MU-CO zoning, with 2,000 vehicle trip limit, by consent (9-0); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	11/17/05: Approved ZAP Recommendation of CS-MU-CO zoning by consent (7-0); all 3 readings
C14-04-0212 (Dessau Park: 1000 West Howard Lane)	I-RR to MF-2, LI	3/29/05: Approved staff's recommendation for MF-2-CO zoning for Tract 1 and LI-CO zoning for Tract 2, w/ 2,000 vtpd limit, by consent (9-0)	4/28/05: Granted MF-2-CO for Tract 1 and LI-CO for Tract 2 (5-0-McCracken/Wynn-off the dais); all 3 readings
C14-03-0125 (Wagner Tract: 13801-14409 North IH-35 Service Road North Bound)	SF-2 to CS	6/1/04: Approved GR-CO zoning with the following prohibited uses: Automotive Repair Services; Drop-Off Recycling Collection Facility; Pawn Shop Services (8-0, Pinnelli-absent	6/17/04: Granted CS-CO as recommended by staff, with additional conditions agreed to between the applicant and the neighborhood association (7-0); 1 <sup>st</sup> reading  3/24/05: Approved CS-CO zoning, with a conditional overlay to 1) prohibit Art Workshop, Building Maintenance Services, Campground, Commercial Blood Plasma Center, Drop-off Recycling Collection Facility, Equipment Repair Services, Equipment Sales, Kennels, Laundry Service, Pawn Shop Services, Vehicle Storage, Veterinary Services, Maintenance and Service Facilities and Adult Oriented Businesses, 2) make conditional uses: Automotive Repair Services, Convenience Storage, Limited Warehousing and Distribution and 3) Require a 400-foot wide building setback shall be established along the north and south property lines for an Automotive Repair use, with TIA conditions in a public restrictive covenant; on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0)
C14-02-0111 (The Shops on Howard Lane:	TR1: GR-CO to GR	10/15/02: Approved staff's rec. of GR-CO; CS-CO zoning with added condition to	12/5/02: Granted GR-CO for Tract 1 and CS-CO for Tract 2 on all 3 readings (7-0)

1200 Block of West Howard Lane)	TR2: CS-CO to CS	prohibit Automotive Sales; by consent (7-0, D. Castaneda-absent	
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**RELATED CASES:** C14-04-0212 (Previous Zoning Case)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Daily Traffic City of Austin traffic counts:
The Lakes Boulevard	70'	48'	Commercial Collector	Not Available

**CITY COUNCIL DATE:** August 11, 2016

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

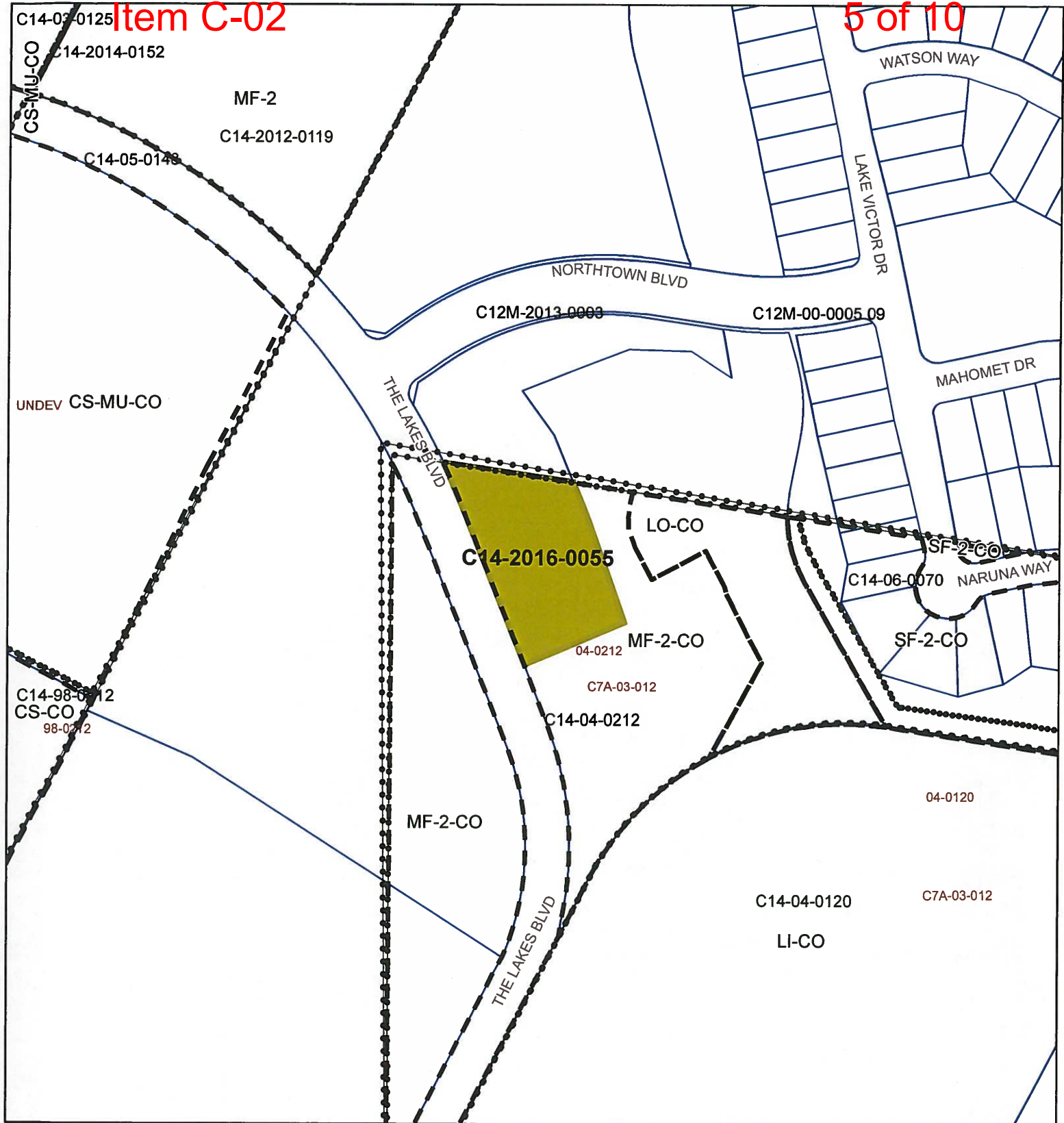
3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

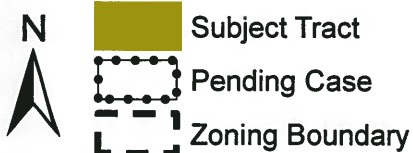
**PHONE:** 512-974-3057

[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)



## ZONING

Case#: C14-2016-0055



A horizontal scale bar with a thick black line. At the left end, there is a vertical tick mark labeled '0'. At the right end, there is a vertical tick mark labeled '200'. To the right of the '200' label, the word 'Feet' is written.

**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.**

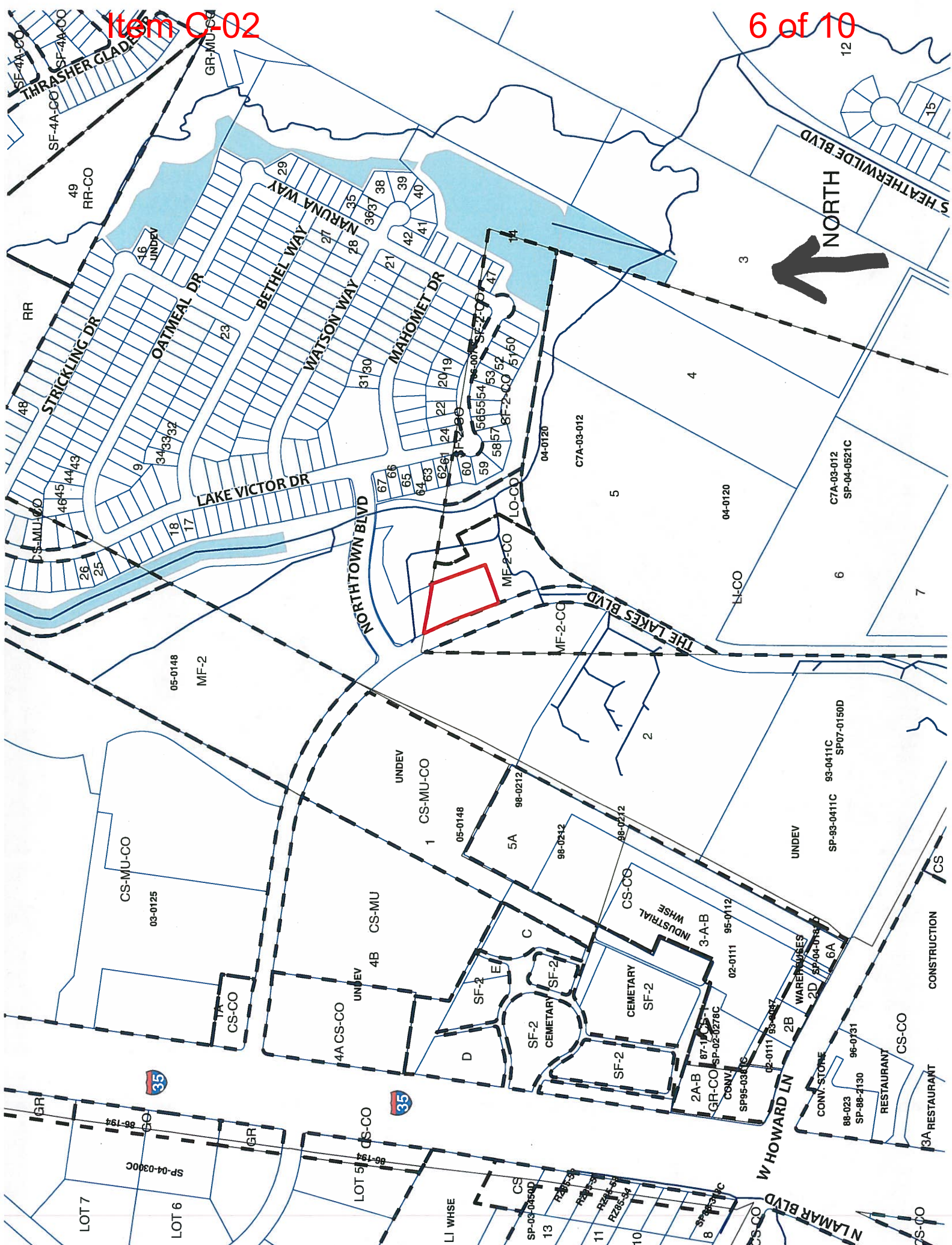
**This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.**



**Created: 5/17/2016**

$$1'' = 200'$$











**STAFF RECOMMENDATION**

The staff recommends GR, Community Commercial District, zoning.

**BASIS FOR RECOMMENDATION**

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

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.

2. *The proposed zoning should allow for a reasonable use of the property.*

The GR zoning district would allow for a fair and reasonable use of the property under consideration. The site exceeds the minimum size requirements for development in the Community Commercial district and it will take access to a commercial collector roadway, The Lakes Boulevard.

The proposed GR zoning will permit the applicant to develop this tract of land with commercial uses that will provide services to the multifamily and single family residential uses in the Northtown MUD to the east and to the multifamily complex currently under development along The Lakes Boulevard to the southwest.

**EXISTING CONDITIONS****Site Characteristics**

The property in question is an undeveloped tract of land that fronts onto The Lakes Boulevard. The site is relatively flat and sparsely vegetated. There is undeveloped land to the north and west and a detention pond to the east and south.

**Comprehensive Planning**

MF-2-CO to GR

This zoning case is located on the southeast corner of The Lakes Boulevard and Northtown Blvd., a vacant undeveloped property that is 1.09 acres in size, which is not located within the boundaries of an area with an adopted neighborhood plan. Surrounding land uses includes multifamily housing to the north, an office/warehouse complex to the south, vacant land and a detention pond to the east, and a large multifamily apartment complex to the west. The proposed use is commercial retail (2,000 sq. ft. fast food restaurant and 12,000 sq. ft. specialty retail).

**Connectivity:** There is a public sidewalk located along both streets and a CapMetro transit stop located a half a mile away on W. Howard Street. The Walkscore for this is 22/100, meaning most errands require a car.

**Imagine Austin**

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan, identifies this property as just outside the boundaries of a Neighborhood Center, which is located to the south. A Neighborhood Center is the smallest and least intense of the three types of activity



centers outlined in the Growth Concept Map. These centers are intended to have a more local focus, and “may be focused on a dense mixed-use core surrounded by a mix of housing.” (p. 105). The following IACP policies are also relevant to this case:

Based on the comparative scale of this site relative to other larger commercial and multi-family uses nearby, as well as the site not being located along an Activity Corridor or within an Activity Center, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on this proposed rezoning.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Harris Branch 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.

According to floodplain maps there is a floodplain adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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.

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.

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.

### **Impervious Cover**

The maximum impervious cover allowed by the GR zoning district would be 90%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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 Gross Site Area</i>	<i>% of Gross Site Area 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%

Note: The most restrictive impervious cover limit applies.

### **Site Plan**

No comments received.

### **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 storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

### **Transportation**

A Traffic Impact Analysis will be required at the time of site plan if triggered per LDC 25-6-113. LDC, Sec. 25-6-113.

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

Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

Existing Street Characteristics:

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Capital Metro (within ¼ mile)</b>
The Lakes Blvd.	70 ft.	49 ft.	Collector	Yes	No	No

### **Water and Wastewater**

FYI: 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, water or wastewater easements, 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 and suitability for operation and maintenance. 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.