

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0044 (Pond Springs Development) **Z.A.P. DATE:** June 7, 2016

ADDRESS: 13130 Pond Springs Road

DISTRICT AREA: 6

OWNER/APPLICANT: Wood Maderas, Ltd. (Mark Woods)

AGENT: Richmond Properties, L.P. (David M. Spatz)

ZONING FROM: GR-CO **TO:** GR-MU **AREA:** 2.8705 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant GR-MU, Community Commercial-Mixed Use Combining District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

June 7, 2016: Approved staff's recommendation for GR-MU zoning by consent (8-0, D. Breithaupt, J. Kiolbassa, S. Lavani-absent); G. Rojas-1st, B. Evans-2nd.

DEPARTMENT COMMENTS:

The property in question is currently undeveloped and relatively flat. There are numerous trees covering the site. To the north and west there is detention/a wet pond. The tract of land to the south is developed with a multifamily use (Elan Apartment Homes). To the east, across Pond Springs Road is a service station (Exxon) and food sales/convenience store use. The applicant is requesting to add a mixed use combining district (MU) to the existing GR-CO zoning to allow for a mixture of residential and commercial uses on the property.

The staff recommends GR-MU, Community Commercial-Mixed Use Combining District, zoning for this tract of land because the property meets the intent of base and combining districts. The site under consideration fronts onto and will take access from Pond Springs Road, an arterial roadway. The proposed zoning is compatible and consistent with the surrounding uses because there are multifamily uses located to the south of this tract of land and commercial services to the east, across Pond Springs Road. There is a precedent for GR, GR-CO and GR-MU zoning along Pond Springs Road in this area of the city.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO	Undeveloped
<i>North</i>	I-RR	Detention/Wet Pond
<i>South</i>	MF-4-CO	Multifamily (Elan Apartment Homes)
<i>East</i>	I-RR, I-SF-2	Service Station (Exxon), Food Sales
<i>West</i>	I-RR	Detention/Wet Pond

AREA STUDY: N/A

TIA: Deferred

WATERSHED: Lake Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Northwest Association
Bike Austin
Friends of Austin Neighborhoods
Homeless Neighborhood Association
Northwest Austin Coalition
SELTEXAS
Sierra Club, Austin Regional Group

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0196 (Polo Club: 8519 Cahill Drive)	I-RR to MF-3	1/20/15: Approved staff's recommendation of MF-3 zoning by consent (5-0, B. Baker and S. Compton-absent); R. McDaniel-1 st , C. Banks-2 nd .	2/26/15: Approved MF-3 zoning on consent on all 3 readings (11-0); L. Pool-1 st , O. Houston-2 nd .
C14-2013-0155 (Pond Springs Challenger School: 13015 Pond Springs Road)		2/04/14: Approved GR-CO zoning, with additional condition to prohibit Pawn Shop Services, on consent (6-0, R. McDaniel-absent); P. Seeger-1 st , C. Banks-2 nd .	2/27/14: Approved GR-CO zoning on consent on all 3 readings (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2012-0132 (Kenneth L. Bishop: 13039 Pond Springs Road)	I-RR to CS-MU	12/04/12: Approved the staff's recommendation of GR-MU zoning by consent (6-0, S. Compton-absent); C. Banks-1 st , G. Rojas-2 nd .	12/13/12: Approved GR-MU zoning on 1 st reading (7-0); L. Morrison-1 st , B. Spelman-2 nd . 4/11/13: Approved GR-MU zoning on consent on 2 nd /3 rd readings (6-0, K. Tovo- absent); B. Spelman-1 st , L. Morrison-2 nd .
C14-2012-0017 (San Felipe Boulevard Re-Zoning)	GR to GR-MU	3/20/12: Approved staff's recommendation of GR-MU-CO zoning, with the following conditions: add Restaurant (Limited) and Urban Farm back as permitted uses and prohibit Drive-in Services (7-0); P. Seeger-1 st , C. Banks-2 nd .	4/26/12: Approved GR-MU-CO zoning on consent, with conditional overlay to limit the development intensity on the site to less than 2,000 vehicle trips per, prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type), Pawn Shop Services, Personal Improvement Services,

			Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Adult Oriented Businesses, Drive-in Services, and require a 10-foot landscape buffer along the eastern property line, on all 3 readings (7-0); B. Spelman-1 st , C. Riley-2 nd .
C14-06-0236 (13201 Pond Springs Road)	I-SF-2 to Tract 1: GR, Tract 2: CS-1	4/17/07: Approved the staff's rec. of GR-CO zoning for Tract 1 and CS-1-CO for Tract 2, with a CO for the following: limit the development intensity on the site to less than 2,000 vehicle trips per, prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type); adding Pawn Shop Services as a prohibited use (7-0, Jackson and Hammond-absent)	5/17/07: Approved GR-CO zoning for Tract 1 and CS-1-CO for Tract 2, with a CO for the following: limit the development intensity on the site to less than 2,000 vehicle trips per, prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type), Pawn Shop Services (7-0); all 3 readings
C14-06-0157 (Pond Springs Plaza: 13233 Pond Springs Road)	I-SF-2 to Tract 1: CS, Tract 2: CS-1	11/07/06: Approved staff's recommendation of GR-CO zoning for Tract 1 (shopping center), CS-1-CO zoning for Tract 2 (bar area), and GR-CO zoning for newly created Tract 3 (deck area). The conditional overlay would limit the site to uses that generate no more than 2,000 vehicle trips per day and prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing-of any type, and Service Station uses on the property. The Commission added the following conditions to Tract 2: 1) Prohibit Adult Oriented Businesses; 2) To require double door access to the deck from the bar (if allowable by Code and Building Permit regulations); 3) To place permanent signage on the property at the driveway entries to restrict motorcycle parking in the rear/alleyway. 4) To place permanent signage along the fence/property line between the residential site to the west and the property in question designating the parking spaces in	12/07/06: Approved the ZAP recommendation, striking the requirement for double door access from the bar (Tract 2) to the deck (Tract 3) and adding a condition for speakers be removed from the deck area (7-0). 4/12/06: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2, and GR-CO zoning for Tract 3 (6-0); 2 nd /3 rd readings

		the rear/alleyway as, "Employee Parking Only". 5) To construct an 8-foot masonry/or sound retardant fence around the deck to mitigate sound emanating from the deck. The Commission also placed the following conditions on Tract 3 (the deck area): 1) Place an 85 decibel limit (in accordance with LDC Sec. 9-2-4) on the deck to reduce noise emanating from the deck. 2) Restrict amplified sound on the deck. 3) Place permanent signage on the deck for noise mitigation. 4) Remove the pool table off of the deck. Vote: (7-2, B. Baker, J. Martinez- No); J. Shieh-1 st , S. Hale-2 nd .	
C14-04-0157 (Nouri Project: 186 Pond Springs Road)	I-RR to CS	11/2/04: Approved staff's recommendation of CS-CO zoning, the CO would limit the site to uses that generate no more than 2,000 vehicle trips per day by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	12/02/04: Approved CS-CO (7-0); all 3 readings
C14-04-0070 (12952 Pond Springs Road)	I-RR to GR-CO	7/20/04: Approved staff's recommendation of GR-CO zoning, with CO to impose the following conditions: 1) The only permitted GR uses are Auto Sales and Auto Repair; 2) Permit LR Uses, with the exception of the following LR uses: Service Station; Restaurant (General); Restaurant (Limited); 3) Limit the development intensity to less than 2,000 vehicle trips per day; 4) Require a 25' vegetative buffer along the northern property line; by consent (8-0, J. Pinnelli-absent)	8/26/04: Granted GR-CO (7-0); all 3 readings
C14-03-0080 (Goodson 4.4 acres: San Felipe Blvd)	MF-3-CO to GR	6/10/03: Approved staff's alternate recommendation of GR-CO zoning with the following conditions: 1) Limit the site to 2,000 vehicle trips per day; 2) Prohibit the following uses: Automotive related uses [Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type)], Pawn Shop	7/17/03: Approved ZAP rec. of GR-CO (7-0); with the following additional permitted uses: Personal Improvement Services use and permit Drive-In Facilities, only as an accessory use to a Bank (Financial Services use). 8/14/03: Approved (7-0); 2 nd /3 rd readings.

		<p>Services, Restaurant (Drive-In, Fast Food), Personal Improvement Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Adult Oriented Businesses, Urban Farm, and 3)</p> <p>Require a 10-foot landscape buffer along the Eastern property line.</p> <p>Vote: (8-0, J. Martinez-absent); M. Whaley-1st, K. Jackson-2nd.</p>	
<p>C14-02-0132 (Goodson 8 Acres: Pond Springs Road at San Felipe Boulevard)</p>	<p>MF-3-CO to GR</p>	<p>10/22/02: Approved GR-CO zoning with the following conditions:</p> <ol style="list-style-type: none"> 1) The only permitted GR uses are Automotive Sales and Automotive Repair Services; 2) Permit LR uses, with the exception of the following uses: <ol style="list-style-type: none"> a) Service Station b) Food Sales c) Accessory Off-Site Parking d) Restaurant (Drive-In, Fast Food) e) Restaurant (Limited); 3) 2,000 vehicle trip per day limit; 4) Require that protected trees shall remain undisturbed; 5) Require that Compatibility Standards be applied along the eastern property line; 6) Require a 25' vegetative buffer along the eastern property line; 7) Limit structures to 40' in height, with an increase in height according to Compatibility Standards; 8) Require that all Automotive Maintenance and Repair be contained within a structure; 9) Restrict access to San Felipe Boulevard to emergency access only; 10) Allow no inoperable vehicle storage on the site; 11) Parking lot not allowed adjacent to the proposed vegetative buffer along the eastern property line. 	<p>11/21/02: Granted ZAP rec. of GR-CO zoning w/ conditions and a public restrictive covenant (6-0, Goodman-absent); 1st reading</p> <p>12/5/02: Granted GR-CO zoning (7-0); 2nd reading, with the following conditions:</p> <ol style="list-style-type: none"> 1) No structural detention or water quality facility shall be allowed within the proposed 25' vegetative buffer; 2) Grow green standards shall be utilized; 3) Structural parking shall be prohibited <p>12/12/02: Granted GR-CO zoning (7-0); 3rd reading [valid petition withdrawn]</p>

C14-98-0198 (Woods Honda: 13175 Research Blvd.)	I-RR to GR	1/19/99: Approved staff rec. of GR-CO, with a conditional overlay to limit development on the property to 2,000 vtpd (9-0)	2/25/99: Approved PC rec. of GR- CO zoning (7-0); all 3 readings

RELATED CASES: C14-98-0198 (Previous Zoning Case)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Pond Springs Road	100'	MAD-4	Arterial	No	Bike Lane	Yes

CITY COUNCIL DATE: August 11, 2016

ACTION:

ORDINANCE READINGS: 1st

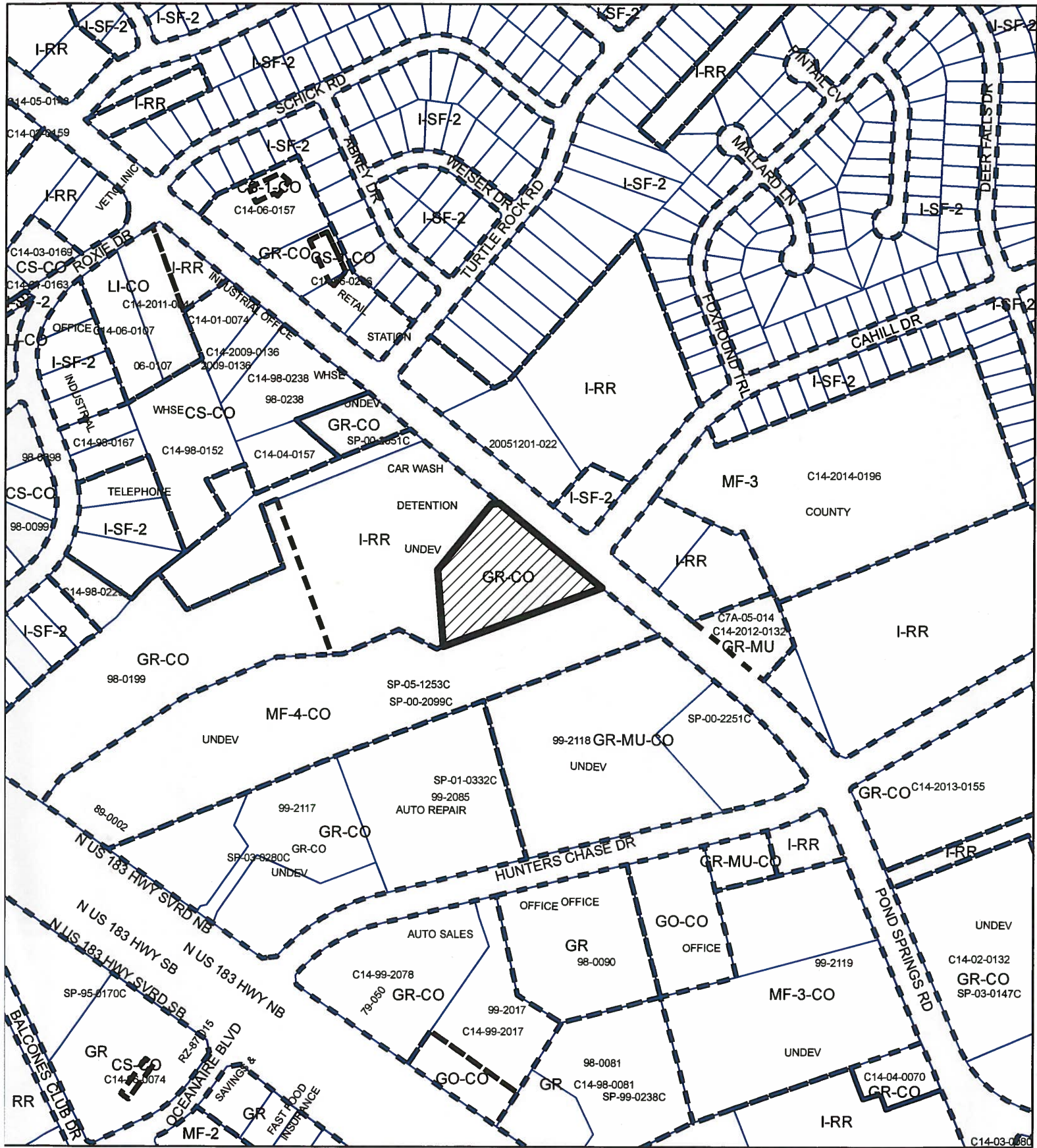
2nd




3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057,
sherri.sirwaitis@austintexas.gov



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

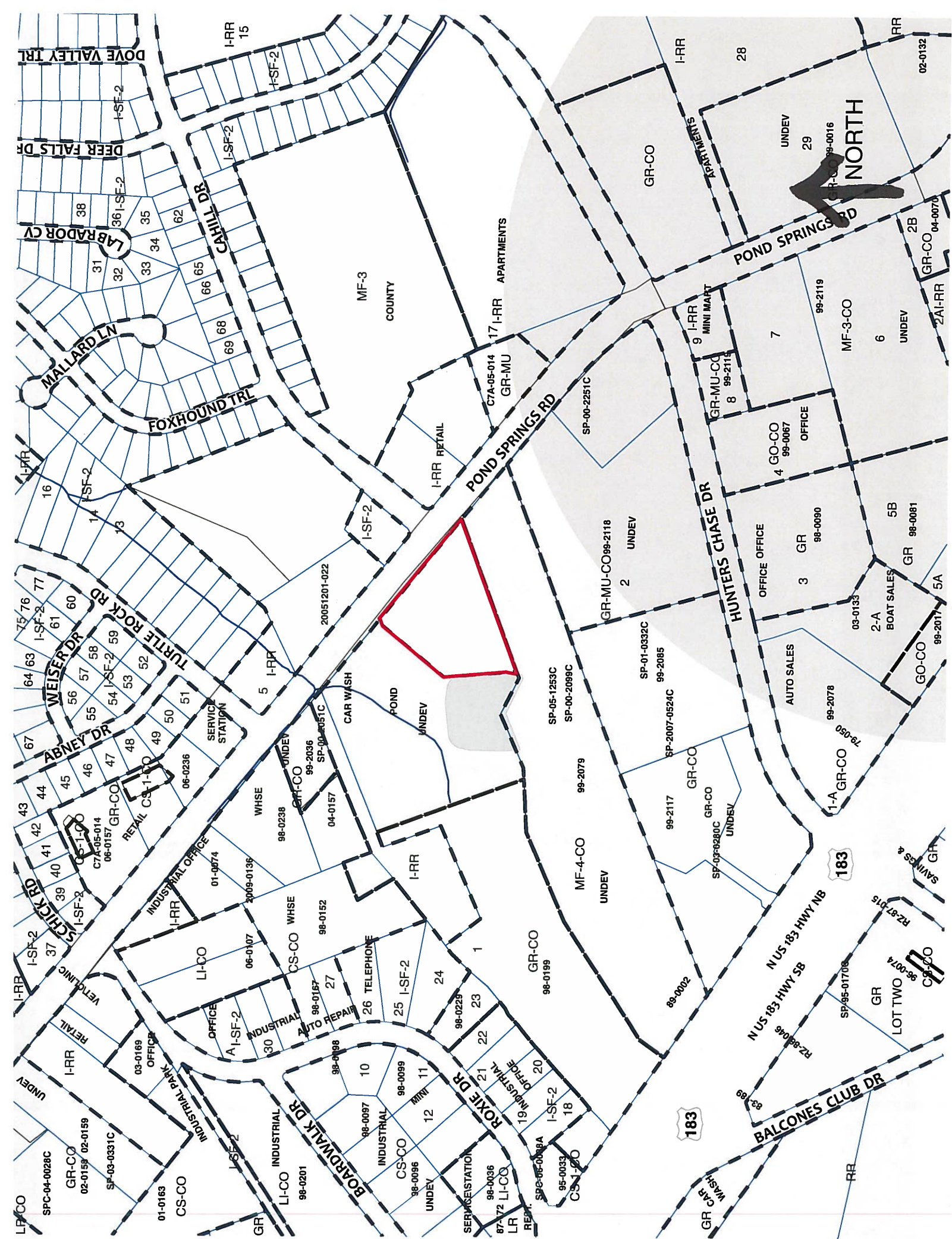
ZONING CASE#: C14-2016-0044

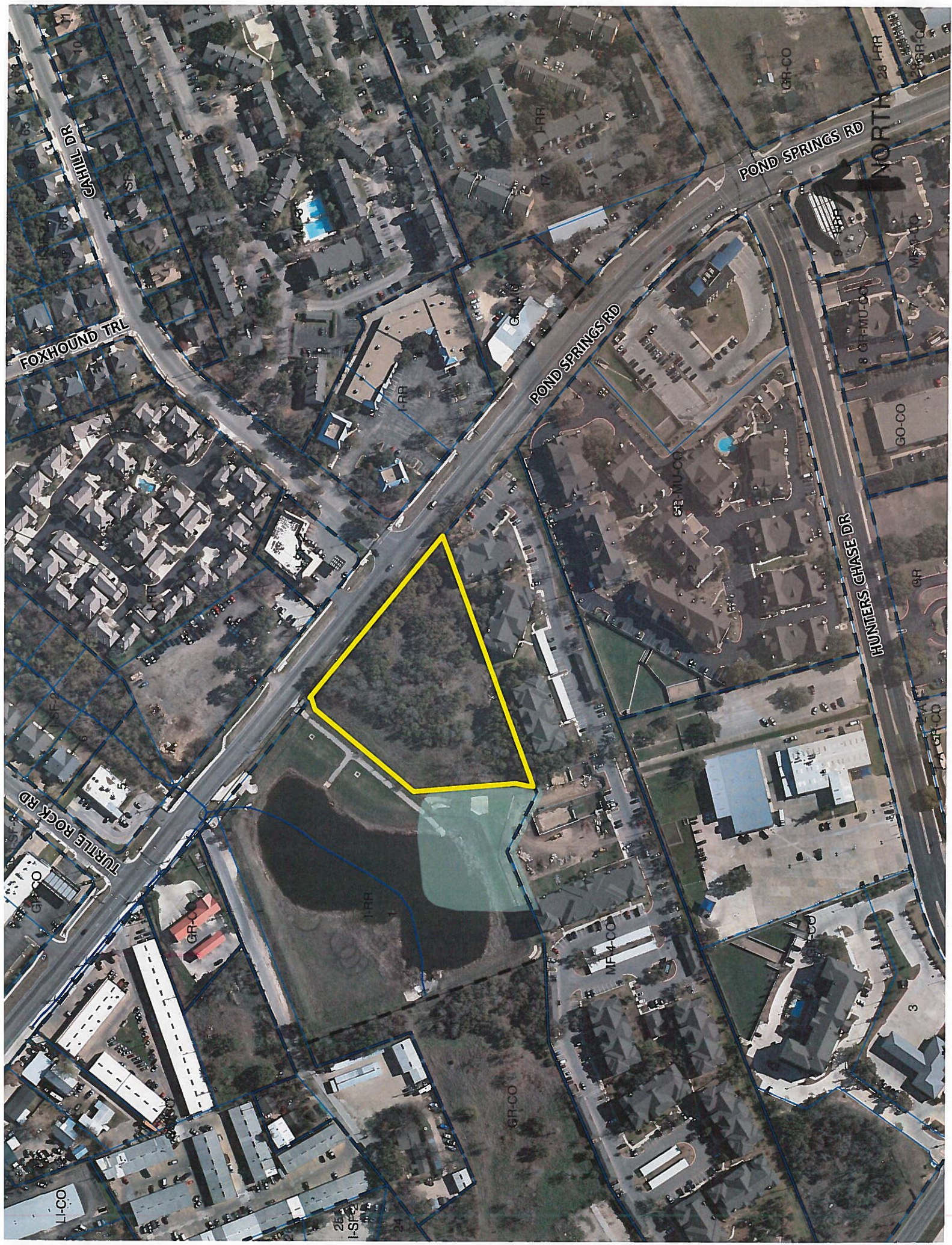
1" = 400'

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.







FOXHOUND TRL

POND SPRINGS RD

POND SPRINGS RD

NORTH

HUNTERS CHASE DR

TURTLE ROCK RD

3

STAFF RECOMMENDATION

The staff's recommendation is to grant GR-MU, Community Commercial-Mixed Use Combining 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.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed GR-MU zoning will be compatible and consistent with the surrounding uses because there are multifamily uses located south of this tract of land. In addition, there are commercial services to the east, across Pond Springs Road. There is a precedent for GR, GR-CO and GR-MU zoning along Pond Springs Road in this area of the city.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is undeveloped. The property is relatively flat and has moderate tree coverage.

Comprehensive Planning

13124/13130 Pond Springs Rd
Project: Pond Springs Development
C14-2016-0044
GR-CO to GR-MU
April 14, 2016

This zoning case is located on the west side of Pond Springs Road on an undeveloped 2.9 acre lot. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes commercial uses to the north, an apartment complex to the south, a large detention pond to the west, and commercial uses to the east. The proposed use is an unspecified multifamily/commercial project.

Connectivity: No sidewalks are located along this portion of Pond Springs Road. A transit stop is located less than 100 ft. walking distance from this project area. The Walkscore for this is 53/100, meaning some errands may be accomplished on foot.

Imagine Austin

Based on comparative scale of the site relative to other commercial and multi-family uses in this area, and the property not being located within the boundaries of a Center or Activity Corridor as identified by the Imagine Austin Growth Concept Map, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

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.

Numerous 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 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 Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

Note: The most restrictive impervious cover limit applies.

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.

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

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.

A Traffic Impact Analysis (TIA) is deferred to the time of site plan.

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

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Facility	Capital Metro (within ¼ mile)
Pond Springs	100'	47'	Arterial	No	Bike lane	Yes

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.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2016-0044

Contact: Sherri Sirwaitis, 512-974-3057

**Public Hearing: June 7, 2016, Zoning and Platting Commission
 August 11, 2016, City Council**

Karen Randle

Your Name (please print)

1220 Hunters Chase Dr, #7101

Your address(es) affected by this application

Karen Randle

Signature

5-31-16

Date

Daytime Telephone: *512-573-0701*

Comments:

I've lived in this neighborhood for 8 years. Land Springs Rd is a mishmash of old & junky businesses. A higher use of a vacant land isn't going to do anything to improve what is already here. I'm not opposed to new zoning.

If you use this form to comment, it may be returned to:

City of Austin
 Planning & Zoning Department
 Sherri Sirwaitis
 P. O. Box 1088
 Austin, TX 78767-8810

Item # C-4