

ZONING CHANGE REVIEW SHEET

CASE: C14-2018-0116 (13609 IH 35)

Z.A.P. DATE: December 4, 2018
January 15, 2019

ADDRESS: 13609 North Interstate Highway-35

DISTRICT AREA: 7

OWNER/APPLICANT: CSW 13609 I35, LLC

AGENT: The Drenner Group, PC (Amanda Swor)

ZONING FROM: CS-CO

TO: CS-CO*

AREA: 7.91 acres

*The applicant is requesting to allow Convenience Storage as a permitted use on the property. The applicant is asking to maintain the other conditions placed on the property through the previous zoning case, C14-00-2099, to 1) comply with Traffic Impact Analysis (TIA) for this property prepared by WHM Transportation Engineering Consultants, dated April 2000 and 2) Prohibit the following uses on the Property: Adult Oriented Businesses, Agricultural Sales and Services, Art and Craft Studio (General), Building Maintenance Services, Campground, Commercial Blood Plasma Center, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Monument Retail Sales, Vehicle Storage, Veterinary Services, Limited Warehousing and Distribution, Maintenance and Service Facilities, Transitional Housing and Custom Manufacturing (Please see Applicant's Request Letter – Attachment A).

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant the applicant's request for CS-CO, General Commercial Services-Conditional Overlay Combining District, zoning. The conditional overlay would maintain the other conditions from the previous ordinance for this property (Ordinance No. 001214-91): 1) comply with Traffic Impact Analysis (TIA) for this property prepared by WHM Transportation Engineering Consultants, dated April 2000 and 2) Prohibit the following uses on the Property: Adult Oriented Businesses, Agricultural Sales and Services, Art and Craft Studio (General), Building Maintenance Services, Campground, Commercial Blood Plasma Center, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Monument Retail Sales, Vehicle Storage, Veterinary Services, Limited Warehousing and Distribution Maintenance and Service Facilities, Transitional Housing and Custom Manufacturing.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

12/04/18: Postponed to January 15, 2019 at the applicant's request (9-0, N. Barrera-Ramirez and Jim Duncan-absent); D. King-1st, B. Evans-2nd.

1/15/19: Approved the staff's recommendation of CS-CO zoning by consent (10-0, N. Barrera-Ramirez-absent); S. Lavani-1st, J. Duncan-2nd.

DEPARTMENT COMMENTS:

The property in question is located within an existing retail shopping center located at the southeast corner of North Interstate Highway-35 and West Howard Lane. This lot is zoned CS-CO and is surrounded by CS zoning to the north, south and east. There is CS-CO zoning to the west on the other

side of North Interstate Highway-35. The applicant is requesting to rezone the property from the CS-CO district to CS-CO district to change a condition of the zoning. The applicant is asking to add Convenience Storage use back as a permitted use on the site to redevelop this suite (currently occupied by Kohl's) with a mini storage facility (Please see Applicant's Request Letter – Attachment A).

The staff recommends the applicant's request for CS-CO zoning because the property in question is part of a larger commercial tract that takes access from two arterial roadways, West Howard Lane and Interstate Highway-35 North. The proposed CS-CO zoning will be surrounded by commercial uses in an approved retail shopping center.

The applicant agrees with the staff recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO	Commercial Retail Shopping Center (Kohl's, parking area)
<i>North</i>	CS	General Retail Sales (Home Depot)
<i>South</i>	CS	Indoor Entertainment (MT Playmore)
<i>East</i>	CS	Detention Pond
<i>West</i>	CS-CO	IH-35, Automotive Sales (Carmax)

AREA STUDY: N/A

TIA: Yes

WATERSHED: Walnut Creek

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Bike Austin
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 North Growth Corridor Alliance
 Pflugerville Independent School District
 SELTEXAS
 Sierra Club, Austin Regional Group
 Yager Planning Area

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0073 (1200 West Howard Lane)	CS-CO to CS-1	7/20/04: Approved staff's recommendation of CS-1 zoning by consent (8-0, J. Pinnelli-absent); J. Martinez-1 st , J. Gohil-2 nd .	8/24/04: Ordinance No. 040826-Z-8 for CS-1 district zoning was approved on all 3 readings.
C14-02-0111	Tract 1: GR-CO to GR Tract 2: CS-CO to	10/15/02: Approved staff's recommendation of GR-CO; CS-CO zoning with added	12/5/02: Granted GR-CO for Tract 1 and CS-CO for Tract 2 on all 3 readings (7-0)

	CS	condition to prohibit Automotive Sales; by consent (7-0, D. Castaneda-absent)	
C14-00-2099	SF-2, GR to CS	Approved staff rec. of CS-CO; with no adult-oriented businesses (8-0) on 10/17/00	Approved CS-CO w/additional prohibited uses (7-0); all 3 readings on 12/14/00
C14-98-0212	I-RR to CS	Approved GR-CO w/conditions for front to match existing GR and CS-CO for remainder of property, prohibit auto repair and auto washing except for on-site tenants (5-2, GW/DS-Nay) on 12/15/98	Approved PC rec. of GR-CO w/ conditions 97-0); 1 st reading on 1/14/99 Approved CS-CO w/ conditions (7-0); 2 nd /3 rd readings on 4/15/99
C14-96-0131	SF-2 to GR	Approved staff rec. of GR (9-0) on 12/10/96	Approved GR-CO w/ conditions (7-0); 1 st reading on 1/9/97 Approved GR-CO w/ conditions (7-0); 2 nd /3 rd readings on 3/20/97
C14-93-0047	SF-2 to CS	Approved GR-CO (6-0) on 4/27/93	Approved GR-CO and CS-CO w/conditions (6-0); 1 st reading on 5/6/93 Approved GR-CO and CS-CO (7-0); 2 nd /3 rd readings on 6/17/93

RELATED CASES:

C14-00-2099 (Previous Zoning Case)
C8-01-0182.0A (Subdivision Case)
SP-00-2477C (Site Plan Case)

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Howard Lane	130'	Varies	Major Arterial	N/A
IH-35	300'	Varies	Major Arterial	N/A

CITY COUNCIL DATE: December 13, 2018

ACTION: Postponed to January 31, 2019 at the staff's request.

January 31, 2019

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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

STAFF RECOMMENDATION

The staff's recommendation is to grant the applicant's request for CS-CO, General Commercial Services-Conditional Overlay Combining District, zoning. The conditional overlay would maintain the other conditions from the previous ordinance for this property (Ordinance No. 001214-91): 1) comply with Traffic Impact Analysis (TIA) for this property prepared by WHM Transportation Engineering Consultants, dated April 2000 and 2) Prohibit the following uses on the Property: Adult Oriented Businesses, Agricultural Sales and Services, Art and Craft Studio (General), Building Maintenance Services, Campground, Commercial Blood Plasma Center, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Monument Retail Sales, Veterinary Services, Limited Warehousing and Distribution, Vehicle Storage, Maintenance and Service Facilities, Transitional Housing and Custom Manufacturing.

BASIS FOR RECOMMENDATION

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

General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The purpose of a conditional overlay (CO) combining district is to modify use and site development regulations to address the specific circumstances presented by a site.

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

The CS-CO zoning district would be compatible and consistent with the surrounding uses because there is CS and CS-CO zoning and commercial uses surrounding this lot to the north, south, east and west.

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

The CS-CO zoning district would allow for a fair and reasonable use of the site. CS-CO zoning is appropriate for this location because this property is within the boundaries the Tech Ridge Neighborhood Center and by the W Howard Lane Activity Corridor.

4. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The property is located at the southeast intersection of Interstate Highway-35 and West Howard Lane, a major arterial roadway.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is a suite and parking area located within an existing commercial retail center. The property to the north is developed with a General Retail Sales use (Home Depot). To the south, there is an Indoor Entertainment Use (MT Playmore). The property to the east contains a detention pond. Interstate Highway-35 Northbound is located to the west of this site.

Comprehensive Planning

Wednesday October 17, 2018

CS-CO TO CS-CO, AMEND CONDITIONAL OVERLAY

This zoning case is located on east side of the IH-35 Service Road and concerns a piece of property that is approximately 7.9 acres in size, which is located within a shopping center that includes a variety of retail uses such as a free-standing department and big box home improvement stores, banks, and fast food restaurants. The subject property not located within the boundaries of a neighborhood planning area. Surrounding land uses includes a variety of retail/commercial uses, an apartment complex, and a cemetery to the north; retail/commercial uses and a Cap Metro Park and Ride to the south; retail/commercial uses and vacant land to the east; and a used car lot, vacant land, and a football stadium and a baseball fields to the east. The proposed use is convenience storage and modify the conditional overlay to remove 'convenience storage' as a prohibited use. The proposal is to convert the existing 95,398 sq. ft. commercial building to a storage facility.

Connectivity

Public sidewalks are available along this portion of the IH 35 Service Road. A Cap Metro Transit stop is located approximately 1,000 ft. away on W. Howard Lane. The Walk Score for the adjoining big box home improvement store is **47/100, Car Dependent**, meaning most errands require a car. Looking at the mobility options in this area (public sidewalk and transit stop), they are above average for a shopping center located along a major freeway.

Imagine Austin

The Imagine Austin Growth Concept Map **identifies this property as being by the boundaries the Tech Ridge Neighborhood Center and by the W Howard Lane Activity Corridor**. A Neighborhood Center is the smallest and least intense of the three types of activity centers identified on the Growth Concept Map. Neighborhood Centers are intended to have a local focus, including doctors and dentist offices, retail shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses to serve the center and surrounding neighborhoods. Activity Corridors are characterized by a variety of activities and buildings, which 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 relevant to this case: Based upon other large commercial, retail and industrial uses in the area, and the project being situated along an Activity Corridor and by a Neighborhood Center, which supports a variety of commercial uses, this project appears to support the Imagine Austin Comprehensive Plan.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 95%. 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 Net Site Area</i>	<i>% 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.

Environmental

Friday October 12, 2018

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

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 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 on site with increased capture volume and control of the 2-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals preempt current water quality or Code requirements.

Site Plan

Monday October 08, 2018

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.

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.

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

The site is subject to the approved TIA with zoning case # C14-00-2099. Provide a TIA Waiver letter from a Certified Engineer (Traffic Engineer) indicating how many trips have been used, how many trips are left, etc. Additionally, provide a copy of fiscal receipts to ensure the site complies with the required mitigations. If you have any questions please contact this reviewer or the DSD Transportation Engineer (Scott.James@austintexas.gov). FYI – the TIA may need to be revised upon further review.

The Austin Metropolitan Area Transportation Plan calls for 400 feet of right-of-way for IH 35. In accordance with the Austin Metropolitan Area Transportation Plan (AMATP), and subject to approval by the Texas Department of Transportation, the applicant shall dedicate up to 200 feet (as measured from the centerline) to provide 400 feet of right-of-way for IH 35 according to the Transportation Plan at the time of the subdivision or site plan application, whichever comes first. [LDC 25-6-51 and 25-6-55].

Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, an urban trail is recommended for IH 35. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the [Bicycle Master Plan](#) for more information.

FYI – the existing driveways and sidewalks along IH 35 may be required to be removed and/or reconstructed at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

FYI – The property is subject to the approved Unified Development Agreement doc. no. 2001036259 associated with site plan application SP-00-2477C. Joint use access and reciprocal parking may need to be established at the time of the site plan application. The UDA may need to be revised or new documents may need to be recorded at the time of the subdivision and/or site plan application.

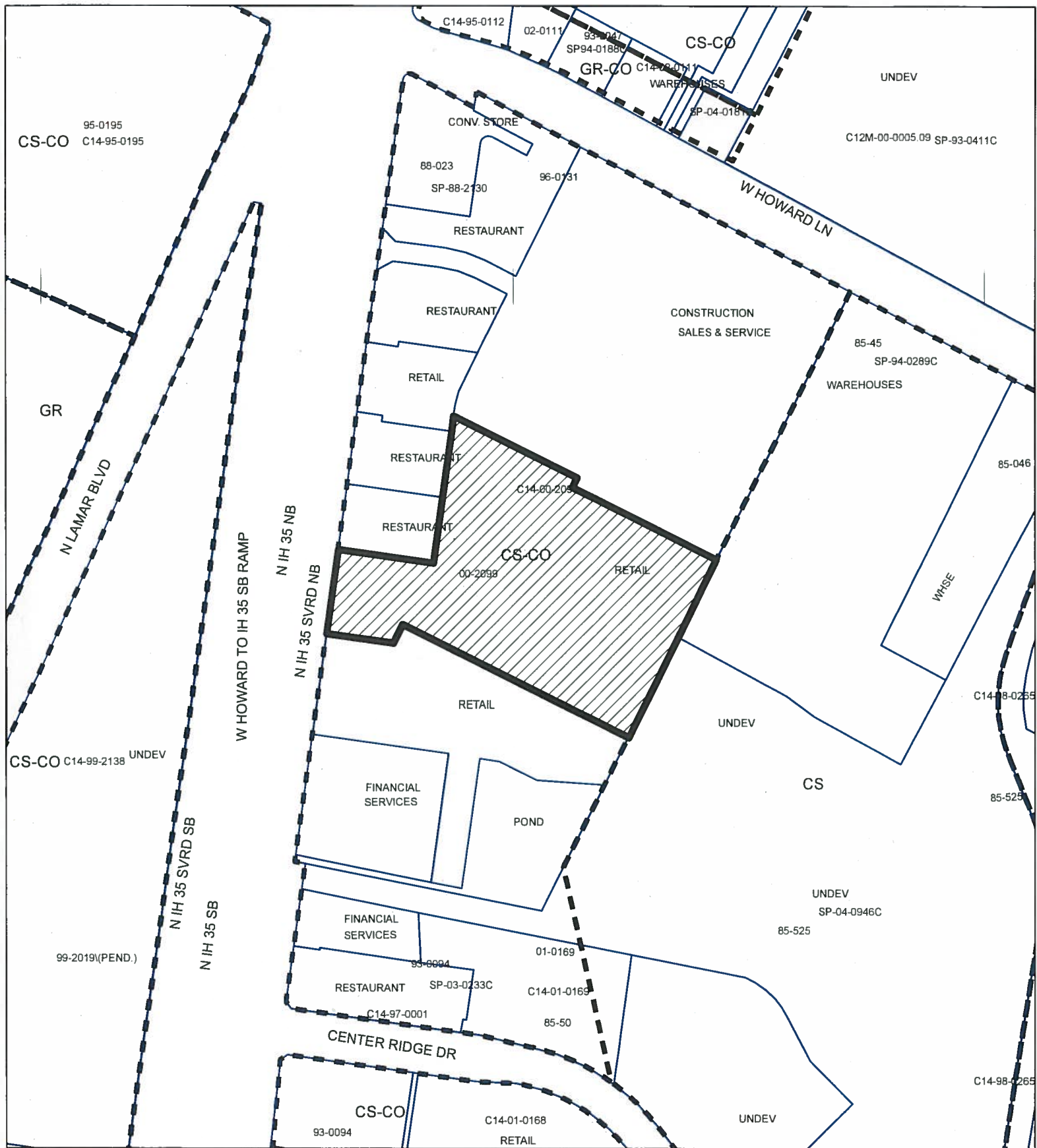
Existing Street Characteristics:




Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
IH-35	300 feet	270 feet (edge of frontage to edge of frontage)	Highway	Yes	Yes, shared lane	No

Water and Wastewater

Wednesday October 03, 2018

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 Austin Water 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.



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

Zoning Case

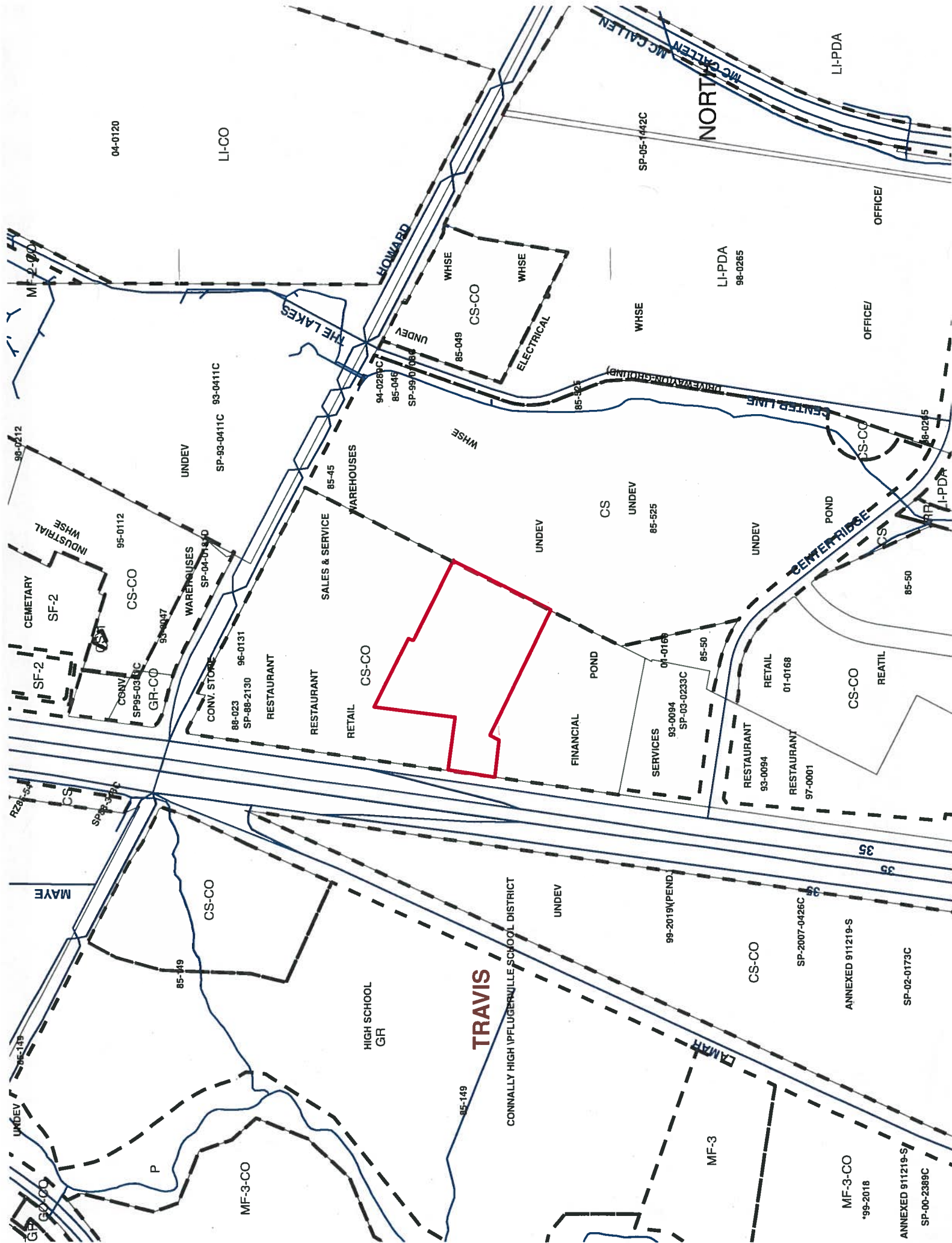
C14-2018-0116

1" = 300'

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.





STAFF RECOMMENDATION

The staff's recommendation is to grant the applicant's request for CS-CO, General Commercial Services-Conditional Overlay Combining District, zoning. The conditional overlay would maintain the other conditions from the previous ordinance for this property (Ordinance No. 001214-91): 1) comply with Traffic Impact Analysis (TIA) for this property prepared by WHM Transportation Engineering Consultants, dated April 2000 and 2) Prohibit the following uses on the Property: Adult Oriented Businesses, Agricultural Sales and Services, Art and Craft Studio (General), Building Maintenance Services, Campground, Commercial Blood Plasma Center, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Monument Retail Sales, Veterinary Services, Limited Warehousing and Distribution, Vehicle Storage, Maintenance and Service Facilities, Transitional Housing and Custom Manufacturing.

BASIS FOR RECOMMENDATION

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

General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The purpose of a conditional overlay (CO) combining district is to modify use and site development regulations to address the specific circumstances presented by a site.

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

The CS-CO zoning district would be compatible and consistent with the surrounding uses because there is CS and CS-CO zoning and commercial uses surrounding this lot to the north, south, east and west.

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

The CS-CO zoning district would allow for a fair and reasonable use of the site. CS-CO zoning is appropriate for this location because this property is within the boundaries the Tech Ridge Neighborhood Center and by the W Howard Lane Activity Corridor.

4. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The property is located at the southeast intersection of Interstate Highway-35 and West Howard Lane, a major arterial roadway.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is a suite and parking area located within an existing commercial retail center. The property to the north is developed with a General Retail Sales use (Home Depot). To the south, there is an Indoor Entertainment Use (MT Playmore). The property to the east contains a detention pond. Interstate Highway-35 Northbound is located to the west of this site.

Comprehensive Planning

Wednesday October 17, 2018

CS-CO TO CS-CO, AMEND CONDITIONAL OVERLAY

This zoning case is located on east side of the IH-35 Service Road and concerns a piece of property that is approximately 7.9 acres in size, which is located within a shopping center that includes a variety of retail uses such as a free-standing department and big box home improvement stores, banks, and fast food restaurants. The subject property not located within the boundaries of a neighborhood planning area. Surrounding land uses includes a variety of retail/commercial uses, an apartment complex, and a cemetery to the north; retail/commercial uses and a Cap Metro Park and Ride to the south; retail/commercial uses and vacant land to the east; and a used car lot, vacant land, and a football stadium and a baseball fields to the east. The proposed use is convenience storage and modify the conditional overlay to remove 'convenience storage' as a prohibited use. The proposal is to convert the existing 95,398 sq. ft. commercial building to a storage facility.

Connectivity

Public sidewalks are available along this portion of the IH 35 Service Road. A Cap Metro Transit stop is located approximately 1,000 ft. away on W. Howard Lane. The Walk Score for the adjoining big box home improvement store is **47/100, Car Dependent**, meaning most errands require a car. Looking at the mobility options in this area (public sidewalk and transit stop), they are above average for a shopping center located along a major freeway.

Imagine Austin

The Imagine Austin Growth Concept Map **identifies this property as being by the boundaries the Tech Ridge Neighborhood Center and by the W Howard Lane Activity Corridor**. A Neighborhood Center is the smallest and least intense of the three types of activity centers identified on the Growth Concept Map. Neighborhood Centers are intended to have a local focus, including doctors and dentist offices, retail shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses to serve the center and surrounding neighborhoods. Activity Corridors are characterized by a variety of activities and buildings, which 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 relevant to this case: Based upon other large commercial, retail and industrial uses in the area, and the project being situated along an Activity Corridor and by a Neighborhood Center, which supports a variety of commercial uses, this project appears to support the Imagine Austin Comprehensive Plan.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 95%. 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 Net Site Area</i>	<i>% 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.

Environmental

Friday October 12, 2018

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

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 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 on site with increased capture volume and control of the 2-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals preempt current water quality or Code requirements.

Site Plan

Monday October 08, 2018

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.

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.

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

The site is subject to the approved TIA with zoning case # C14-00-2099. Provide a TIA Waiver letter from a Certified Engineer (Traffic Engineer) indicating how many trips have been used, how many trips are left, etc. Additionally, provide a copy of fiscal receipts to ensure the site complies with the required mitigations. If you have any questions please contact this reviewer or the DSD Transportation Engineer (Scott.James@austintexas.gov). FYI – the TIA may need to be revised upon further review.

The Austin Metropolitan Area Transportation Plan calls for 400 feet of right-of-way for IH 35. In accordance with the Austin Metropolitan Area Transportation Plan (AMATP), and subject to approval by the Texas Department of Transportation, the applicant shall dedicate up to 200 feet (as measured from the centerline) to provide 400 feet of right-of-way for IH 35 according to the Transportation Plan at the time of the subdivision or site plan application, whichever comes first. [LDC 25-6-51 and 25-6-55].

Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, an urban trail is recommended for IH 35. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

FYI – the existing driveways and sidewalks along IH 35 may be required to be removed and/or reconstructed at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

FYI – The property is subject to the approved Unified Development Agreement doc. no. 2001036259 associated with site plan application SP-00-2477C. Joint use access and reciprocal parking may need to be established at the time of the site plan application. The UDA may need to be revised or new documents may need to be recorded at the time of the subdivision and/or site plan application.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
IH-35	300 feet	270 feet (edge of frontage to edge of frontage)	Highway	Yes	Yes, shared lane	No

Water and Wastewater

Wednesday October 03, 2018

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 Austin Water 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.

DRENNER GROUP

September 28, 2018

Mr. Greg Guernsey
Planning and Zoning Department
City of Austin
505 Barton Springs Road
Austin, TX 78704

Via Hand Delivery

Re: 13609 IH-35 – Rezoning application for the 7.908 acre piece of property located at 13609 N Interstate Hwy 35 in Austin, Travis County, Texas (the “Property”)

Dear Mr. Guernsey:

As representatives of the owner of the Property, we respectfully submit the enclosed rezoning application package. The project is titled 13609 IH-35, consists of 7.908 acres, and is located on the east side of Interstate 35 between W Howard Lane and Center Ridge Drive, located in the full purpose jurisdiction of the City of Austin. The Property is currently developed with a big box retail structure.

Currently, the Property is zoned CS-CO, General Commercial Services – Conditional Overlay. The requested rezoning is from CS-CO to CS-CO, General Commercial Services – Conditional Overlay, to modify the conditional overlay. The purpose of this rezoning is to modify the prohibited uses within the conditional overlay to remove convenience storage. The property owner intends to convert the existing structure into a convenient storage use. This request is consistent with the land uses surrounding the Property, which include retail and general commercial uses. In conjunction with the rezoning request the Traffic Impact Analysis (“TIA”) has been waived as the rezoning request will not result in an increase in vehicle trips per day. See attached TIA waiver executed by Amber Mitchell dated September 27, 2018.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,



Amanda Swor

cc: Joi Harden, Planning and Zoning Review Department (*via electronic delivery*)
Sherri Sirwaitis, Planning and Zoning Review Department (*via electronic delivery*)

ORDINANCE NO. 001214-91

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE AS FOLLOWS:

35.490 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE T.C. COLLINS SURVEY NO. 61, FROM COMMUNITY COMMERCIAL (GR) DISTRICT, COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT, AND SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT, LOCALLY KNOWN AS THE PROPERTY LOCATED SOUTHEAST OF THE INTERSECTION OF HOWARD LANE AND IH-35 NORTH, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from community commercial (GR) district, community commercial-conditional overlay (GR-CO) combining district, and single family residence standard lot (SF-2) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in File C14-00-2099, as follows:

35.490 acre tract of land, more or less, out of the T.C. Collins Survey No. 61, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as the property located southeast of the intersection of Howard Lane and IH-35, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds the total traffic generation for the Property as specified in that certain Traffic Impact Analysis ("TIA") prepared by WHM Transportation Engineering Consultants,

Inc., dated April 2000, or as amended and approved by the Director of the Development Review and Inspection Department. All development on the Property is subject to the recommendations contained in the memorandum from the Transportation Review Section of the Development Review and Inspection Department, dated October 10, 2000. The TIA shall be kept on file at the Development Review and Inspection Department.

2. The following uses of the Property are prohibited:

Adult oriented businesses
Art and craft studio (general)
Campground
Convenience storage
Equipment repair services
Kennels
Monument retail sales
Veterinary services
Maintenance and service facilities
Custom manufacturing

Agricultural sales and services
Building maintenance services
Commercial blood plasma center
Electronic prototype assembly
Equipment sales
Laundry services
Vehicle storage
Limited warehousing and distribution
Transitional housing

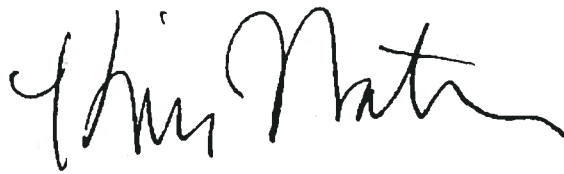
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

PART 3. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on December 25, 2000.

PASSED AND APPROVED

December 14, 2000

§
§
§
§


Kirk Watson
Mayor

APPROVED:



Andrew Martin
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

35.490 ACRES
T.C. COLLINS SURVEY NO. 51
SCOFIELD RANCH RETAIL

FN. NO. 99-338(MJJ)
NOVEMBER 17, 1999
BPI JOB NO. 1037-01.21

DESCRIPTION

OF 35.490 ACRES OF LAND OUT OF THE T.C. COLLINS SURVEY NO. 61, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THOSE CERTAIN TRACTS OF LAND CONVEYED TO FSKMS RANCH, LTD. BY DEED OF RECORD IN VOLUME 13348, PAGE 59 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 35.490 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found in the easterly line of Interstate Highway 35 (300' R.O.W.), being the westernmost northwesterly corner of that certain tract of land conveyed to Austex Enterprises No. 1, L.P. by deed of record in Volume 13258, Page 1057 of said Real Property Records, for the southwesterly corner hereof, from which a concrete highway monument found (Highway Station 269+00, 150' Left) being an angle point in the easterly line of Interstate Highway 35 bears S10°27'43"W, a distance of 1773.28 feet;

THENCE, N10°29'00"E, along the easterly line of Interstate Highway 35, being the westerly line hereof, a distance of 1869.87 feet to a 1/2 inch iron rod with cap set for the point of curvature of a curve to the right in the southerly line of that certain tract of land conveyed to the City of Austin by deed of record in Volume 10826, Page 1508 of said Real Property Records, same being the southerly line of West Howard Lane and the northwesterly corner hereof;

THENCE, leaving the easterly line of Interstate Highway 35, along the southerly line of West Howard Lane, being the northerly line hereof, the following four (4) courses and distances:

- 1) Along a curve to the right having a radius of 15.00 feet, a central angle of 110°00'44", an arc length of 28.80 feet and a chord which bears N65°28'34"E, a distance of 24.58 feet to a 1/2 inch iron rod with cap set for the end of said curve;
- 2) S59°31'52"E, a distance of 165.17 feet to a 1/2 inch iron rod found for an angle point;
- 3) N10°12'57"E, a distance of 36.83 feet to a 1/2 inch iron rod with cap set for an angle point;
- 4) S59°31'52"E, a distance of 1005.32 feet to a 1/2 inch iron rod found being the northwesterly corner of Lot 1 Reed Central Austin, a subdivision of record in Volume 94, Page 133 of the Plat Records of Travis County, Texas for the northeasterly corner hereof;

EXHIBIT A

0114 91


FN. NO. 99-338 (MJJ)
NOVEMBER 17, 1999
PAGE 2 of 2

THENCE, leaving the southerly line of West Howard Lane, along the westerly line of said Lot 1 and along a portion of the irregular northerly line of said Austex Enterprises tract, being the easterly and southerly lines hereof, the following three (3) courses and distances:

- 1) S29°05'13"W, a distance of 914.20 feet to a 1/2 inch iron rod found for an angle point hereof, being the southwesterly corner of said Lot 1;
- 2) S29°00'36"W, a distance of 725.12 feet to a nail found in a fence post for an angle point;
- 3) N76°20'06"W, a distance of 598.83 feet to the **POINT OF BEGINNING**, containing an area of 35.490 acres (1,545,926 sq. ft.) of land, more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PITTMAN, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD, SUITE 200
AUSTIN, TEXAS 78746



JOHN T. BILNOSKI
R.P.L.S. NO. 4998
STATE OF TEXAS

11/17/99

DATE



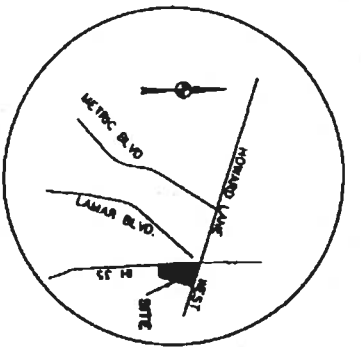
SCOFIELD RANCH RETAIL SUBDIVISION

SCOFIELD FARMS PHASE 4 SECTION 14
VOL. 93, PG. 305

FSKUMS RANCH, LTD.
VOL. 13348, PG. 59

NORTH LAMAR BLVD. (120' R.O.W.)

FSKUMS RANCH, LTD.
VOL. 13348, PG. 59

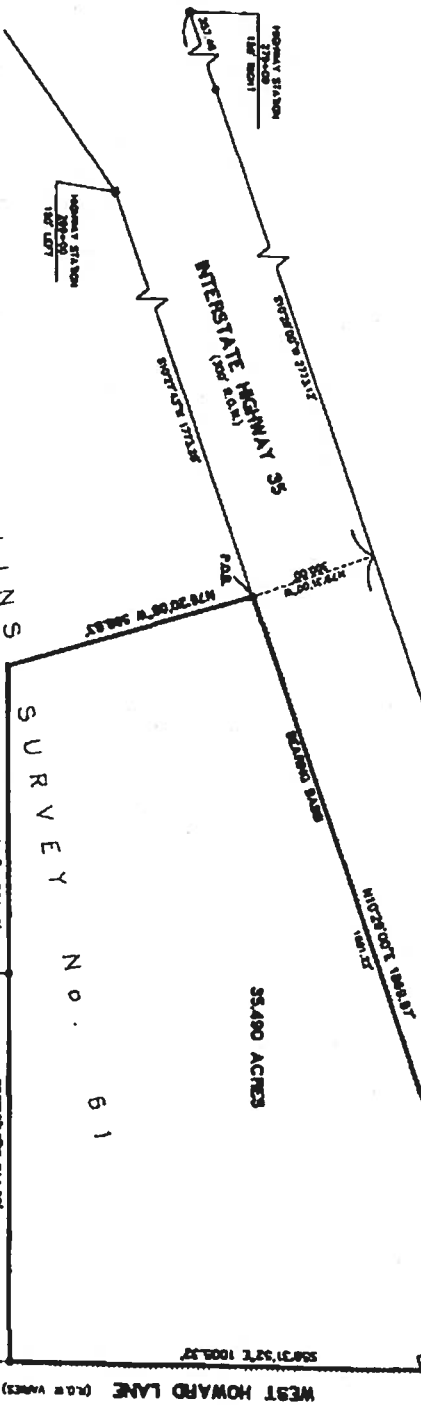


VICINITY MAP
N.T.S.



LEGEND

- 1/2" solid line ROAD
- 1/2" solid line with cap END
- DASHED LINE ADJACENT ROAD
- P.E. LINE, FOUND
- PROPOSED BOUNDARY
- BOUNDARY IN SCALE
- P.O.B. POINT OF BEGINNING



ROUTE SUBDIVISION
LOT 2 VOL. 92, PG. 41

DESSAU PARTNERSHIP LTD.
VOL. 12095, PG. 142

BEARING BASE.

THE BASES OF BEARINGS OF THE SURVEY SHOWN HEREON IS THE
NORTH-OF-WEY LINE OF INTERSTATE HIGHWAY 35 THE
NORTH-OF-WEY LINE OF ADJACENT HIGHWAY 35 THE
LINE OF THE ROAD.

A TWO LOT SUBDIVISION CONSISTING
OF 35,490 ACRES

SCOFIELD RANCH
RETAIL SUBDIVISION

DATE: NOVEMBER 1999
PREPARED BY:

Bury+Pittman, Inc.
Consulting Engineers and Surveyors
Austin, Texas Tel 512/258-4611 Fax 512/258-4655
© Copyright 1999, Bury+Pittman, Inc.





LINE	TABLE
1	SECTION 14
2	SECTION 14
3	SECTION 14
4	SECTION 14
5	SECTION 14

CURVE TABLE

LINE	TABLE
1	SECTION 14
2	SECTION 14
3	SECTION 14
4	SECTION 14
5	SECTION 14

SHEET
1
OF 1



 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER M35
	PENDING CASE				
	ZONING BOUNDARY		CASE #: C14-00-2099 ADDRESS: N1-35. SUBJECT AREA (acres): 35.490	DATE: 00-05 INTLS: DH	
	CASE MGR: D.WAHLGREN				