

ZONING CHANGE REVIEW SHEET**CASE:** C14-2018-0146 – SAJA Commercial**P.C. DATE:** May 14, 2019**ADDRESS:** 7201 Elroy Road**DISTRICT AREA:** 2**OWNER/APPLICANT:** Formula Market, Inc.
(Akber Ali)**AGENT:** Cuatro Consultants, Ltd.
(Hugo Elizondo, Jr.)**ZONING FROM:** GR-CO**TO:** GR-CO, to change a condition of zoning**AREA:** 2.46 acres**SUMMARY STAFF RECOMMENDATION:**

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

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated April 18, 2019, as provided in Attachment A.

PLANNING COMMISSION RECOMMENDATION:

May 14, 2019:

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject undeveloped tract is located at the northeast corner of the Elroy Road and Ross Road intersection and contains 2.46 acres of the original 3.956 acres rezoned in 2015 which extended east to Heine Farm Road. The tract is zoned community commercial – conditional overlay (GR-CO) district and the Conditional Overlay prohibits a list of uses and limits development to 2,000 trips per day. The tract is surrounded by a single family attached subdivision under construction to the north (MF-2), undeveloped property to the east (GR-CO), a service station with small commercial center that includes food sales, alternative financial services and general retail sales (convenience) to the south (GR), and undeveloped land across Ross Road to the west (GR-CO). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View), and C (2015 Rezoning Ordinance).

The Applicant proposes to modify the Conditional Overlay to remove the 2,000 vehicle trips per day limitation and replace it with the conditions of a Traffic Impact Analysis. The proposed site plan in review is for a 8,179 square foot general retail sales (convenience) use, a service station with eight fueling positions and a 14,573 square foot food sales use. Please refer to Exhibit D. The proposed development necessitates removal of the 2,000 daily vehicle trip limitation and replacement with a Traffic Impact Analysis. The prohibited use list that applies to the property will remain intact.

Staff recommends the Applicant’s request, based on the following considerations of the property: 1) location at the intersection on a major arterial and a collector street; and 2) the recommended transportation improvements identified in the Traffic Impact Analysis serve to mitigate the calculated impact to traffic resulting from the proposed development.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO	Undeveloped
<i>North</i>	MF-2	Under construction for 94 single family attached residential lots, plus green belt, private park, and HOA amenity lots
<i>South</i>	GR; SF-4A	Service station; Food sales, Alternative financial services, general retail sales (convenience); Undeveloped
<i>East</i>	GR-CO; County	Undeveloped; A couple of single family residences and outbuildings
<i>West</i>	GR-CO; GR; I-RR	Undeveloped; Popham Elementary School

MUNICIPAL UTILITY DISTRICT: Moore’s Crossing **TIA:** Is required – Please refer (also known as Stoney Ridge) to Attachment A

WATERSHED: Dry Creek East – Suburban

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
- 1350 – Friends of Austin Neighborhoods
- 1528 – Bike Austin

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
C14-2019-0056 – Moore’s Crossing Mixed Use – 7012 Elroy Rd	SF-2; SF-4A; MF-2; GR-CO to MF-4 for Tracts 1, 3 and 4; GR for Tract 3	Scheduled for 5-14-2019	Scheduled for 6-6-2019
C14-2015-0154 - LMLM Investments – 7050 Elroy Rd	LR to GR	To Grant GR-CO w/CO for list of prohibited uses	Apvd GR-CO as Commission recommended w/add’l prohibited uses, minimum 5K food sales use (4-14-2016).
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.

This tract is within the Moore’s Crossing Municipal Utility District (MUD) created in 1986 and was originally identified as MF-2 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 Exhibit B (Conceptual Land Plan for Moore’s Crossing).

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

MF-2 portion was designated as a portion of Tract 6 by a 1998 case that zoned approximately 73 acres (C14-98-0054 – Moore’s Crossing (South)).

The property was rezoned to GR-CO on May 14, 2015 (C14-2014-0181 – Moore’s Crossing 3.8 Acre Rezone). The Conditional Overlay prohibits a list of uses and limits development to 2,000 trips per day.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Elroy Road	110 feet	70 feet	Arterial	Yes	Yes, shared lane	No
Ross Road	70 feet	46 feet	Collector	Yes	No	No

CITY COUNCIL DATE: June 6, 2019

ACTION:

ORDINANCE READINGS: 1st

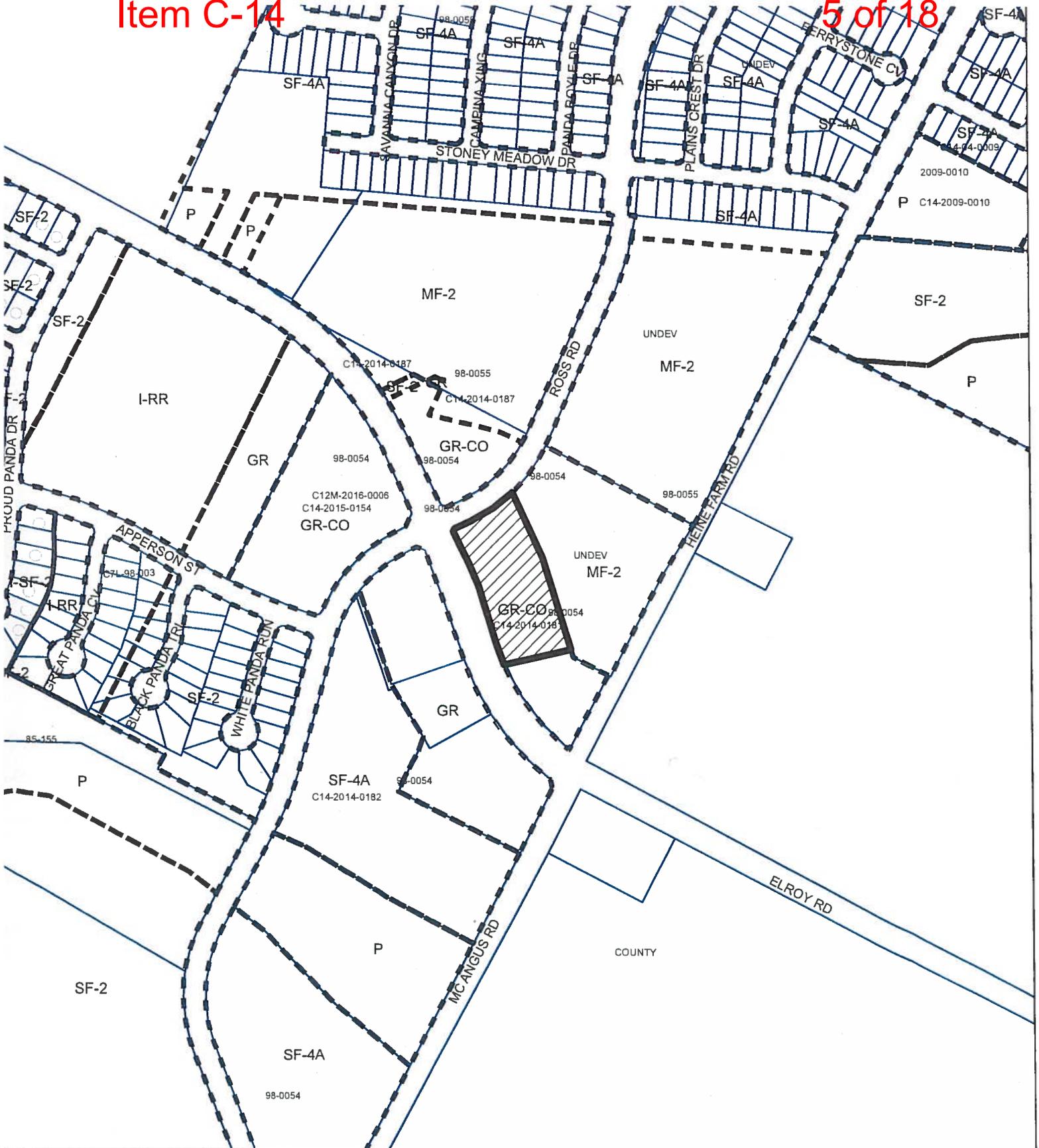
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
 ZONING CASE#: C14-2018-0146

EXHIBIT A



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.

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SAJA COMMERCIAL

EXHIBIT A-1

ZONING CASE#: C14-2018-0146
 LOCATION: 7201 ELROY RD.
 SUBJECT AREA: 2.46 ACRES
 GRID: P12
 MANAGER: WENDY RHOADES

-  N
 -  SUBJECT TRACT
 -  PENDING CASE
 -  ZONING BOUNDARY
 -  CREEK BUFFER
- 1" = 400'

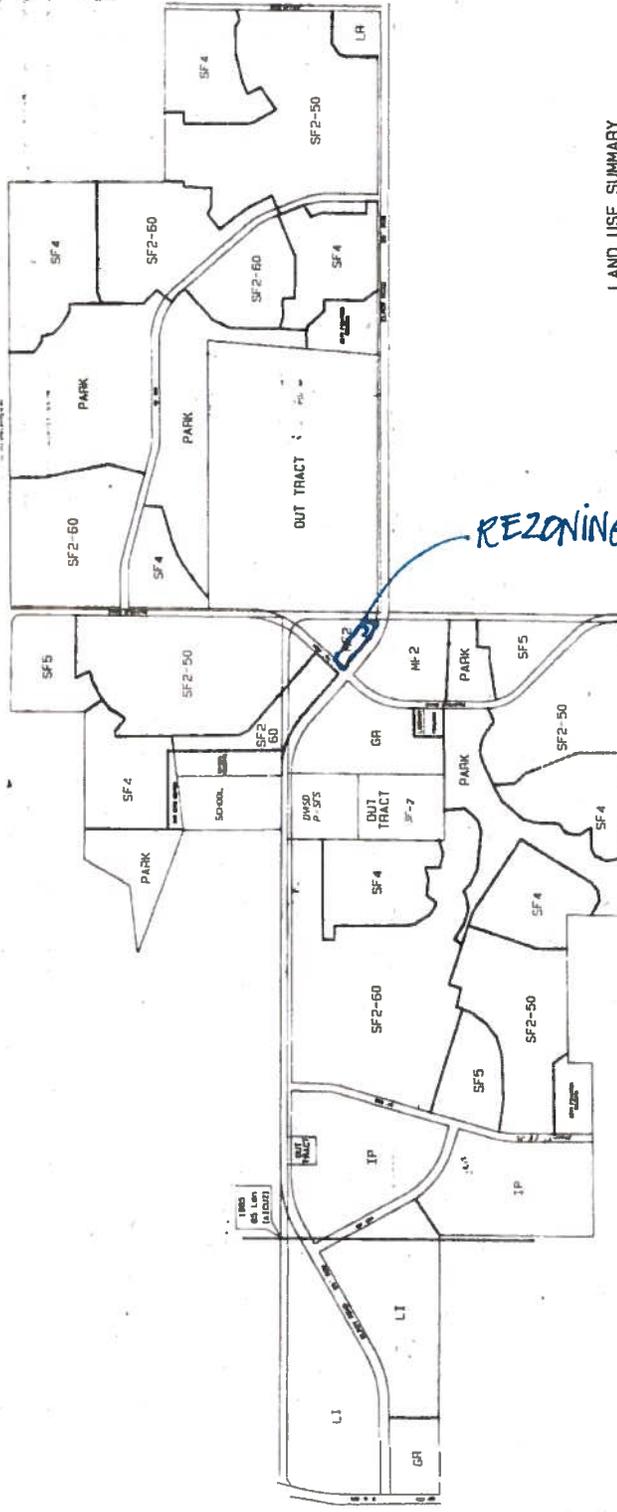
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MOORE'S CROSSING CONCEPTUAL LAND PLAN

DATE: JUNE 1998

SCALE: 1"=400'



LAND USE SUMMARY

USE	ACRES	UNITS	UNITS/AC	USE AC	USE UNITS
RESIDENTIAL SINGLE-FAMILY	10.2	102	10	10.2	102
RESIDENTIAL MEDIUM-DENSITY	1.5	15	10	1.5	15
RESIDENTIAL HIGH-DENSITY	0.5	5	10	0.5	5
COMMERCIAL	0.2	2	10	0.2	2
INDUSTRIAL	0.1	1	10	0.1	1
PARK	2.0	0	0	2.0	0
SCHOOL	0.1	0	0	0.1	0
GR	0.5	0	0	0.5	0
IP	0.5	0	0	0.5	0
LI	0.5	0	0	0.5	0
MF-2	0.1	0	0	0.1	0
LR	0.1	0	0	0.1	0
TOTAL	16.7	124	7.4	16.7	124

APPROVED BY CITY COUNCIL FEBRUARY 6, 1996
REVISED DATE:

EXHIBIT B
CONCEPTUAL LAND PLAN

ORDINANCE NO. 20150514-017

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT NORTH SIDE OF ELROY ROAD BETWEEN ROSS ROAD AND HEINE FARM ROAD FROM MULTIFAMILY RESIDENCE LOW DENSITY (MF-2) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT.

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 multifamily residence low density (MF-2) district to community commercial-conditional overlay (GR-CO) combining district on the property described in **Zoning Case No. C14-2014-0181**, on file at the Planning and Zoning Department, as follows:

3.956 acre tract of land, more or less, out of the Noel M. Bain Survey No. 1, Abstract No. 61 the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as North side of Elroy Road between Ross Road and Heine Farm Road 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:

A. 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 2,000 trips per day.

B. The following uses are prohibited uses of the Property:

- | | |
|--------------------------------|--|
| Alternative financial services | Automotive rentals |
| Automotive sales | Drop-off recycling collection facility |
| Exterminating services | Funeral services |
| Hotel-motel | Indoor entertainment |
| Outdoor entertainment | Pawn shop services |

**EXHIBIT C
2015 REZONING ORDINANCE**

Theater

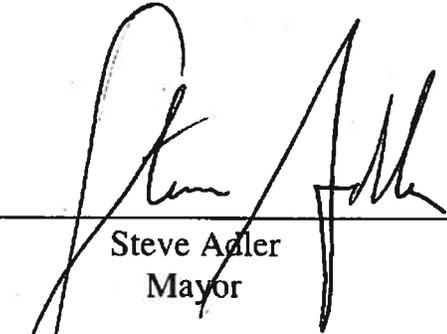
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on May 25, 2015.

PASSED AND APPROVED

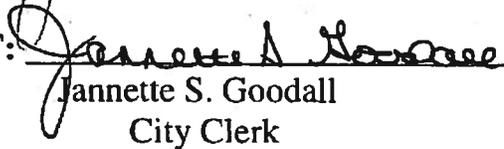
May 14, 2015

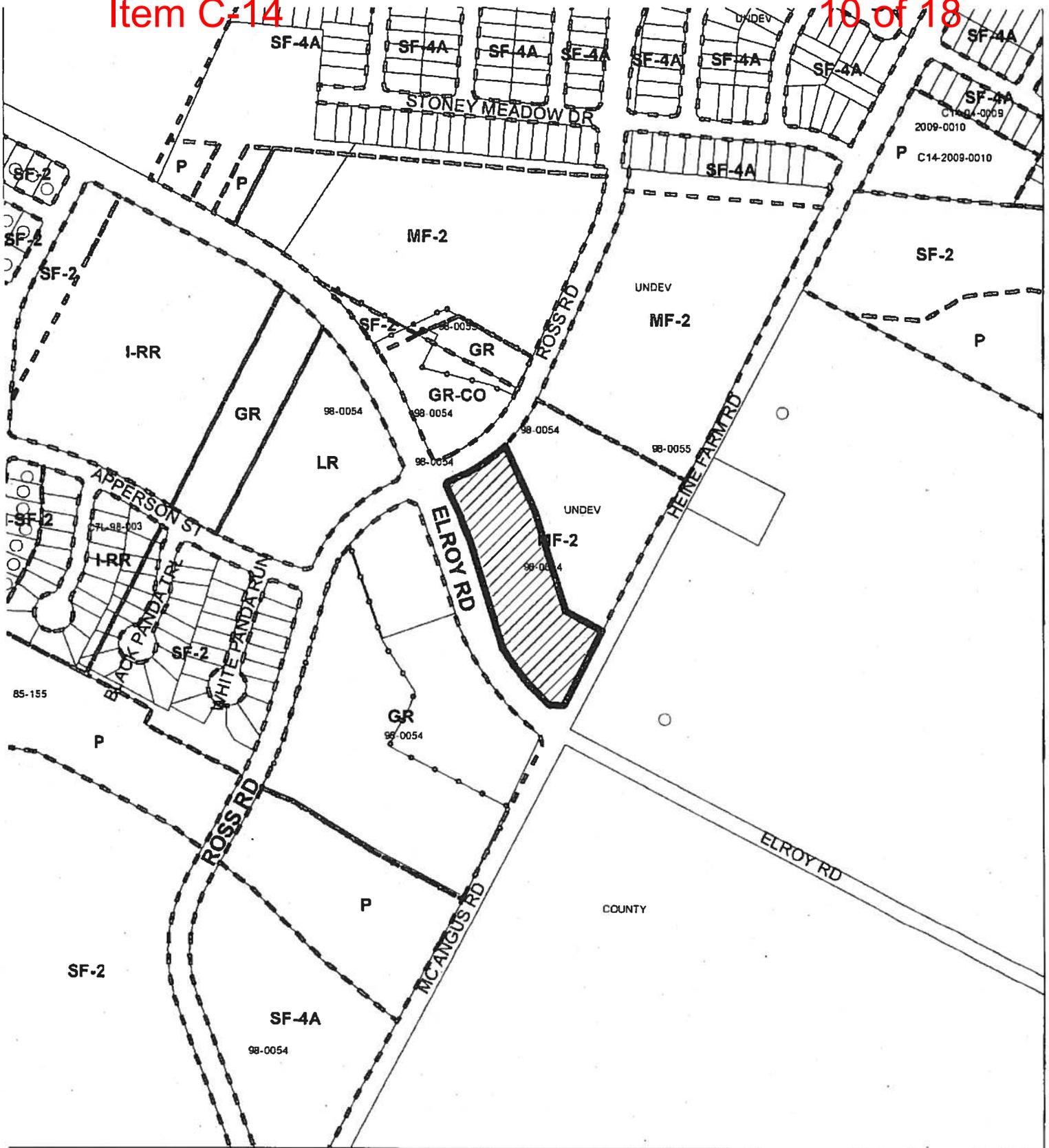
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§
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Steve Adler
Mayor

APPROVED: _____

Anne L. Morgan
Interim City Attorney

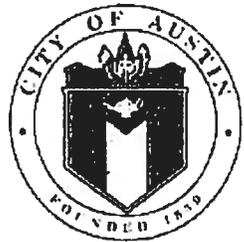
ATTEST: _____

Jannette S. Goodall
City Clerk



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

CASE#: C14-2014-0181



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1" = 400'

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Exhibit B



MEMORANDUM

Date: April 18, 2019
To: Rosemary Avila, Site Plan Case Manager
 Wendy Rhoades, Zoning Case Manager
CC: Amer Gilani, P.E., Carlson, Brigance & Doering, Inc
 Eric Bollich, P.E., PTOE, Development Services Department
 Upal Barua, P.E., P. Eng., PTOE, Austin Transportation Department
Reference: SAJA Comercial Center – TIA Final Memo
 SP-2017-0442C and C14-2018-0146

The Austin Transportation Department has reviewed the February 12, 2019 (received February 14, 2019) "SAJA Commercial Center Traffic Study", prepared by CBD Engineering, Inc. The proposal is for 9,431 SF of variety store, and eight gas fueling positions with a convenience store (15,622 SF). It will be located on the north side of Elroy Road between Ross Road and Heine Road/McAngus Road, with two access points, on Elroy Road and on Ross Road. The development is anticipated to be constructed in 2020.

The following is a summary of review findings and recommendations:

Trip Generation:

Based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition), the development will generate approximately 3,179 average daily vehicles trips (ADT) upon build out. The table below shows the trip generation by land uses for the proposed development.

Table 1: Adjusted Trip Generation						
Proposed Land Use	Size	24-Hour Two Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Variety Store (814)	9,431 SF	599	21	21	23	21
Convenience Market with Gasoline Pumps	8 Fueling Stations	2,580	30	30	39	39
Total		3,179	51	51	62	60

Assumptions:

1. Based on TxDOT AADT volume data, a 5.61% annual growth rate was assumed to account for the increase in background traffic.

Staff Recommendations:

1. Transportation mitigations are not recommended based on the results and analysis in the TIA.
2. Two copies of the final TIA are required to be provided prior to issuance of any site development permit.
3. Development of this property should not vary from the approved uses or deviate from the approved intensities and estimated traffic generation assumptions within the finalized TIA document, including land uses, trip generation, trip distribution, traffic controls, driveway locations, and other identified conditions. Any change in the assumptions made to the TIA document shall be reviewed by ATD and may require a new or updated TIA/addendum.
4. The findings and recommendations of this TIA memorandum remain valid until five (5) years from the date of this memo, after which a revised TIA or addendum may be required.

If you have any questions or require additional information, please contact me at 512-974-1449.



Austin Jones, P.E.
Austin Transportation Department

SUMMARY STAFF RECOMMENDATION:

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

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated April 18, 2019, as provided in Attachment A.

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. *Public facilities and services should be adequate to serve the set of uses allowed by a rezoning.*

Staff recommends the Applicant's request, based on the following considerations of the property: 1) location at the intersection on a major arterial and a collector street; and 2) the recommended transportation improvements identified in the Traffic Impact Analysis serve to mitigate the calculated impact to traffic resulting from the proposed development.

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 2.46 acre parcel, situated on the east side of the X-shaped intersection of Ross Road and Elroy Road. The property is located outside the

boundaries of a community with an adopted neighborhood plan. Surrounding land uses includes undeveloped land and a single family subdivision to the north; to the south is undeveloped land, to the east is undeveloped land and a ranch house; and to the west is gas station/convenience store with retail bays, a single family subdivision, Old Moore's Crossing Park (which is the location of part of a historic bridge taken from the S. Congress Avenue), and Popham Elementary School. The proposed use is 25,053 sf of commercial/retail uses and removal of the -CO limiting the property to 2,000 trips per day.

Connectivity

Public sidewalks are located along this portion of Elroy Road and Ross Road. There are no public transit stops, bike lanes or urban trails located within a mile of this site. The Walkscore for this site is 12/100, Car Dependent, meaning almost all errands require a car. The mobility and connectivity options in this area are below average.

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 mobility options (no public transit or bike lanes), and a lack of local goods and services, recreational areas, health services or major employers. However, there are several single family subdivisions within a half-mile radius of this location. The civic amenities include the elementary school and a park with a historic bridge. If this property is thoughtfully developed, it has the potential to provide much needed local goods and services to nearby residential uses. Based on the Imagine Austin text and polices above, but a lack of mobility and connectivity in this area, this project appears to only partially support the Imagine Austin Comprehensive Plan.

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:

<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%

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.

At this time, site specific information is unavailable regarding 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.

Site Plan and Compatibility Standards

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

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.

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

Compatibility Standards

The site is subject to compatibility standards. Along the South West property line, the following standards apply:

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.

Airport Overlay

FYI – This site is located within the Austin-Bergstrom Airport Controlled Compatible Land Use Area Overlay. No use will be allowed that can create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing. Additional comments may be generated during the site plan review process.

Transportation

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. Comments are provided in Attachment A.

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

The previous zoning application (C14-2014-0181) has a CO of 2,000 trips. After staff discussion, the adjacent site that was included within the previously approved rezoning application will not need to be included within the submitted TIA. Therefore, the 2,000 trips CO will only be for the adjacent site.

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, a protected bike lane is recommended for Elroy Rd. On the Ross Road frontage, the Applicant will be required to build the sidewalk as a 10' wide shared use path with 5' minimum setback from the roadway. There is a Travis County project moving forward to install bike lanes on Ross Road to the north of this site, but this portion of Ross Road will remain as a gap in the absence of these segments being developed [LDC 25-6-55 and LDC 25-6-101]. Please review the Bicycle Master Plan for more information.

FYI – This property is within the Moore's Crossing MUD. Additional comments may be generated at the time of the subdivision and/or site plan application.

FYI – The existing driveways and sidewalks along Ross Road and Elroy Road 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 – Joint use access is recommended with the adjacent site at the time of the subdivision and site plan application. Additional access to Elroy Road (arterial) may require approval from the Austin Transportation Department at the time of the site plan application.

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 site shall have separate wastewater taps, separate water meters, and their respective private water and wastewater service lines shall be positioned or located in a manner that will not cross lot lines.

Based on current public infrastructure configurations, it appears that service extension requests will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor. Ph: 512-972-0211.

The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria. 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.