

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2019-0115 – 9701 Dessau Rd.

Z.A.P. DATE: November 5, 2019

ADDRESS: 9701 Dessau Road

AREA: 4.90 acres

DISTRICT AREA: 1

OWNER: IND AUSTX EBC LLC

APPLICANT: HPI Real Estate (Christopher E. Balish)

AGENT: Lenworth Consulting LLC (Nash Hernandez)

ZONING FROM: I-RR

TO: LI-CO

SUMMARY STAFF RECOMMENDATION:

**Staff supports the Applicant's request for zoning from I-RR to LI-CO.** *For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

ZONING & PLATTING COMMISSION RECOMMENDATION:

November 5, 2019:

CITY COUNCIL ACTION:

December 5, 2019:

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin  
e-mail: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

PHONE: 512-974-2122

ISSUES:

The subject property includes an existing warehousing/distribution land use that was developed in the 1990s. The area was later annexed into the City and assigned I-RR zoning. The site is an existing nonconforming land use, but cannot change the tenant mix without a zoning to LI. The Applicant is proposing a conditional overlay with a limit of 2,000 vehicle trips per day (vpd).

CASE MANAGER COMMENTS:

The subject property is located on east side of Dessau Road approximately 1/3-mile north of Rundberg Lane. The subject property is developed with Cameron Business Park, an industrial park occupied by a variety of commercial and limited industrial land uses. Tenants include medical equipment sales, custom manufacturing, and other uses. Half of the property is zoned I-RR and half is zoned LI because they were annexed into the City at different times. The Applicant is proposing a rezoning of the I-RR portion only. Immediately south of Cameron Business Park is property zoned LI-CO that is developed with a similar industrial park, as well as a property zoned GO-CO that is developed with religious assembly land use. Further south are properties zoned LR-CO, SF-3, LO and LI. Land uses on these properties include undeveloped, single family residential, religious assembly and commercial services. Immediately to the east is property outside Austin city limits that developed with a mix of limited industrial uses along Brown Lane, an area of mixed commercial and industrial land uses. Immediately to the north of the rezoning tract is I-RR land that is partially undeveloped and partially occupied by religious assembly land use. Further north is property that was rezoned from LI to MF-4 in 2018; the property has not yet been developed with multifamily land use. Across Dessau Road to the west is the Windsor Hills residential neighborhood which is zoned SF-3-NP. ***(Please see Exhibits A and B- Zoning Map and Aerial Exhibit).***

Staff supports the zoning request. LI-CO zoning would allow the existing nonconforming land use to continue and lease space to a mix of limited industrial uses. The property is in an area with numerous limited industrial uses and is compatible with those neighboring properties.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.* Limited industrial service (LI) district is the designation for a commercial service use or limited manufacturing use generally located on a moderately-sized site.
2. *Granting of the request should result in an equal treatment of similarly situated properties.* The limited industrial properties along Dessau have been rezoned since annexation to LI-CO and LI.
3. *Zoning should allow for reasonable use of the property.* Zoning the property would allow the existing development to make site and land use changes. It also allows the whole property to develop and change as a cohesive industrial park.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Industrial park- mixed commercial and industrial uses
<i>North</i>	I-RR, MF-4	Undeveloped, Religious assembly, Multifamily (under development)
<i>South</i>	LI, GR, LI-CO, GO-CO, SF-3, LO	Industrial park- mixed commercial and industrial uses, Religious assembly, single family residential
<i>East</i>	Unzoned- Travis County	Mixed commercial and industrial uses
<i>West</i>	SF-3-NP	Single family residential

RELATED CASES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2018-0126 Pioneer Hill Apartments	LI-CO to MF-4	4/2/2018: to grant MF-4-CO, with max 600 d.u.	5/9/2018: To grant MF-4

WATERSHED: Little Walnut CreekTIA: N/ANEIGHBORHOOD ORGANIZATIONS:

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

North Growth Corridor Alliance

Windsor Hills Neighborhood Association

Bike Austin

SELTexas

Heritage Hills/ Windsor Hills Neighborhood Plan Contact Team

Austin Neighborhoods Council

Friends of Austin Neighborhoods

Harris Branch Master Association, Inc.

AISD

Sierra Club

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Dessau Road	125'	77'	ASMP Level 4	Yes	No	No

OTHER STAFF COMMENTSComprehensive Planning

Connectivity - The Walkscore is 35/100, Car Dependent, meaning most errands require a car. There are public sidewalks located along both sides of Dessau Road. There are no public transit or bike lanes within 1/4 from the site. The mobility and connectivity options in the area are below average.

Imagine Austin - The Imagine Austin Growth Concept Map identifies this project as being located along an Activity Corridor (Dessau Road). Activity Corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

The following Imagine Austin policy is applicable to this case:

- ☐ LUT P4. Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

Based on this property: (1) being situated along an Activity Corridor, which supports commercial uses, including office/warehouse uses; (2) having a large number of other light industrial and office/warehouses located within a quarter of a mile radius of this site; and (3) supporting the Imagine Austin policy referenced above that supports context sensitive infill while respecting the predominate character of the area, the proposed rezoning appears to support the Imagine Austin Comprehensive Plan.

Site Plan

SP1. Site plans will be required for any new development.

SP2. 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.

SP3. Any new development is subject to Subchapter E. Design Standards and Mixed Use.

Additional comments will be made when the site plan is submitted.

SP4. FYI: Additional design regulations will be enforced at the time a site plan is submitted.

SP5. The site is subject to compatibility standards due to proximity of SF-3-NP to west across Dessau Rd. and to SF-3 to the southeast. The following standards apply:

☐ No structure in excess of two stories or 30 feet in height may be constructed within 50 feet from the property zoned SF-5 or more restrictive.

☐ No structure in excess of three stories or 40 feet in height may be constructed within 100 feet from the property zoned SF-5 or more restrictive.

☐ 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 zoned SF-5 or more restrictive.

☐ For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

☐ An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

#### Transportation

TR1. The traffic impact analysis for this site was waived because the TIA determination has been deferred until the Site plan application.

TR2. A neighborhood traffic analysis was not required for this case because the site is accessing a Level 4 street per the ASMP.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Dessau Road	125'	77'	ASMP Level 4	Yes	No	No

#### Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.

2. Zoning district impervious cover limits apply in the Urban Watershed classification.

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

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

5. 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.

6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

## Water and Wastewater

WW1. 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.

## INDEX OF EXHIBITS TO FOLLOW:

- A. Zoning Map
- B. Aerial Exhibit


$$1'' = 400'$$


**Created: 8/28/2019**