ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0003 (Sun Auto) DISTRICT: 6

ZONING FROM: LR TO: GR-MU-CO*

ADDRESS: 2610 ½ South Lakeline Boulevard

SITE AREA: 3.2437 acres

PROPERTY OWNER: Ozone Technology Inc. (Thomas J. Wolf, Jr.)

AGENT: Pohl Partners (Jennie Braasch)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMENDATION:
The staff recommends GR, Community Commercial District, zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:
May 4, 2021: Approved staff's request for a postponement to May 18, 2021, by consent (8-0, C. Acosta and E. Ray-absent); H. Smith-1st, D. King-2nd.

May 18, 2021: Approved applicant's request for a postponement to June 15, 2021, by consent (9-0, A. Denkler-off the dais); H. Smith-1st, D. King-2nd.

June 15, 2021: Motion to reopen the public hearing and postpone to August 3, 2021 by the Commission (9-0, C. Thompson-No); H. Smith-1st, J. Kiolbassa-2nd.

August 3, 2021: Approved applicant's request for a postponment to September 21, 2021 by consent (9-0, A. Denkler-off the dais); H. Smith-1st, C. Thompson-2nd.

September 21, 2021: Approved the staff's request for a postponent to October 19, 2021 by consent (11-0); H. Smith-1st, C. Thompson-2nd.

October 19, 2021

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is undeveloped and moderately vegetated. There is floodplain along the eastern portion of the tract (*please see Aerial Map – Exhibit B*). The site is located to the northwest of Lakeline Mall on South Lakeline Boulevard. The front portion of this property is within the City of Austin and takes access to S. Lakeline Boulevard. The rear portion of this tract of land is within the City of Cedar Park's jurisdiction and has access of off West Rivera Circle, a residential collector street. There is undeveloped land and a single-family residential neighborhood to the north. To the east of this site, along Lakeline Boulevard, there is a floodplain area and a multifamily use/apartment complex (The Park at Lakeline). To the west there is an undeveloped lot within the City of Cedar Park. The parcel to the south, across S. Lakeline Boulevard, zoned P and is parkland (Lakeline Neighborhood Park). The applicant is requesting Community Commercial zoning for this tract of land so that they may develop automotive uses on the property.

The staff recommends GR, Community Commercial District, zoning. The property meets the purpose statement of the Community Commercial district as it is located on an arterial roadway and will provide services to the surrounding community. The site under consideration has constraints as only a corner (western portion) of this property is developable because of floodplain. The applicant is proposing PD zoning with an office concept plan for the portion of this tract of land to adjacent the residential neighbors in Cedar Park (currently zone SU- Urban Residential), which would provide for a transition for the proposed commercial uses along S. Lakeline Boulevard to the office uses and the single family residences to the north (*please see Correspondence Received - Exhibit C*).

GR zoning will permit the applicant to develop office, civic or commercial uses on the site to provide services to the multifamily development to the east and the single-family residential neighborhoods to the north and the southwest. GR zoning is appropriate fronting an arterial roadway, Lakeline Boulevard, across from a public park and the Lakeline Mall development to the south. The property is located 0.75 miles from the 'Lakeline Station Regional Center', as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

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

   Community Commercial 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 traffic ways.

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

The proposed zoning would allow for a fair and reasonable use of the property because it will provide the opportunity for the applicant to develop a mixture of office and commercial development on this site adjacent to existing residential uses to the north, east and southwest. The property is located near a Regional Center a designated by the Imagine Austin Comprehensive Plan.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LR	Undeveloped
North	City of Cedar Park	Undeveloped Tract, Single-Family Residential Neighborhood
South	P	Undeveloped
East	SF-6, MF-3	Multifamily (The Park at Lakeline)
West	City of Cedar Park	Office, Single-Family Residential

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Not Required

WATERSHED: Buttercup Creek

SCHOOLS: Round Rock I.S.D.

Sommer Elementary School
Elsa England Elementary School
Pearson Ranch Middle School
McNeil High School

NEIGHBORHOOD ORGANIZATIONS:

Bike Austin
City of Cedar Park Riviera Springs Community Development Association
Friends of Austin Neighborhoods
Leander ISD Population and Survey Analysts
Neighborhood Empowerment Foundation
SELTEXAS
Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0074 (Ozone Technology Inc.: 2610 ½ South Lakeline Boulevard)	SF-6 to GR	8/06/13: Approved staff's recommendation of LR zoning by consent (5-0, B. Baker & C. Banks-absent); R. McDaniel-1st, S. Compton-2nd.	8/29/13: Approved LR zoning on all 3 readings (7-0); L. Morrison-1st, S. Cole-2nd.
C14-2008-0201 (OTI: South Lakeline near Ridgeline Blvd.)	SF-6 to GR	N/A 9/15/09: Case expired	N/A
C14-06-0134 (Lakeline Commons: North FM 620 at Ridgeline Boulevard)	CH, CS, GR-CO, LO-CO to GR-MU	9/05/06: Approved GR-MU-CO zoning for Tract 1 and LO-CO zoning for Tract 2 with conditions of: For Tracts 1 & 2 (the following conditions were adopted from the existing ordinance for this tract of land (Ordinance No. 970710-A): 1) Outdoor Sports and Recreation and Outdoor Entertainment uses are prohibited on the Property; 2) The following uses are prohibited on the Property within an area 300-feet from the easternmost property line of the Shenendoah Section 5 Subdivision: Automotive Repair Services, Automotive Washing (of any type), Restaurant (General), Restaurant (Limited),-Theater, Indoor Entertainment, Club or Lodge; 3) No building of any kind shall be constructed within an area 100-feet from the easternmost property line of the Shenendoah Section 5 Subdivision; 4) No structure of any kind shall be built to a height greater than 30-feet above ground level within the area beginning 100-feet from the easternmost property line of the Shenendoah Section 5 Subdivision to a depth of 200-feet westerly from the 100-foot point. 6) Beyond the above 200-foot depth, no structure of any kind shall be	10/19/06: Approved ZAP Commission recommendation of GR-MU-CO zoning for Tract 1 and LO-CO zoning for Tract 2 with an exception to allow a 45 foot building height with a 200 foot setback (6-0, Council Member Martinez- off the dais); L. Leffingwell-1st, S. Cole-2nd. Staff was directed to bring back in the ordinance or in the form of a restrictive covenant those items requested by the neighborhood and agreed to by the applicant. 11/30/06: Approved GR-MU-CO zoning for Tract 1 and LO-CO zoning for Tract 2(6-0); 2nd/3rd readings

		built to a height greater than 35-feet above ground level. 7)Added new conditions of: No development within the LO-CO tract (Tract 2); The applicant shall vegetate/re-vegetate the LO-CO area (Tract 2); The applicant will provide an 8-foot stone or masonry fence along the western property line adjacent to the Shenedoah Section 5 Subdivision. Vote: (7-1, K. Jackson-Nay, J. Shieh-absent); J. Pinnelli-1st, T. Rabago-2nd.	
C14-00-2058 (Pecan Park: Pecan Park Boulevard)	GR to GR-MU	5/23/00: Approved staff rec. of GR-MU by consent (8-0)	6/22/00: Approved GR-MU on all 3 readings (7-0)
C14-95-0149 (Lakeline- Tract 26: Ridgeline Boulevard)	MF-3 to GR	4/23/96: Approved GR for Tract 1 and LO for Tract 2 (9-0), with the following conditions: prohibit Outdoor Sports and Recreation and Outdoor Entertainment uses; prohibit Automotive Repair Services, Automotive Washing, Restaurant (Limited, General), Theater, Indoor Entertainment, and Club or Lodge uses within an area 300 feet from the western property line; no building shall be constructed within and area 100 feet from the easternmost property line of the Shenendoah Section 5 Subdivision; limit building height to 30 feet within an area 100 feet from the easternmost property line of the Shenendoah Section 5 Subdivision to a depth of 200 feet; beyond the 200 foot depth limit building height to no greater than 35 feet; and on Tract 2 a privacy fence shall be constructed on the westernmost property line adjacent to the Shenendoah Section 5 Subdivision	7/11/96: Approved GR-CO (Tract 1) and LO-CO (Tract 2) with conditions (6-1, JD-No); 1st reading 7/10/97: Approved 2nd/3rd readings (7-0)

RELATED CASES:

Previous Zoning Cases: C14-2013-0074
C14-2008-0201

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Lakeline Blvd	85’	120'	50'	3	No	Yes	No

OTHER STAFF COMMENTS:

Site Characteristics

The subject tract is currently undeveloped and moderately vegetated. The property to the north is an undeveloped tract that is zoned Local Retail-Conditional Overlay District within the City of Cedar Park. This tract of land backs up to an established single-family residential neighborhood. To the east, there is floodplain and a multifamily complex. To the south, there is undeveloped land. The tract of land to the west, across S. Lakeline Boulevard, is developed with an office complex that backs up to a single-family residential neighborhood.

Comprehensive Planning

This zoning case is located on the north side of South Lakeline Boulevard, on an undeveloped property that is approximately 1.25 acres in size. The property is located 0.75 miles from the Lakeline Station Regional Center and is not located within the boundaries of a neighborhood planning area with an adopted plan. Surrounding land uses includes vacant land and single family houses the north; to the south is Lakeline Neighborhood Park; to the east is an apartment building; and to the west is a medical office and corporate office buildings. The proposed use is an automotive repair shop.

Connectivity
There are no public sidewalks located along this portion of South Lakeline Boulevard. One side of the road has an unprotected bike lane. There is no public transit stop is located within a half of a mile from the site. Mobility options are below average while connectivity options are fair but require the use of a car.

Imagine Austin and Conclusions
The property is located 0.75 miles from the ‘Lakeline Station Regional Center’, as identified on the Imagine Austin’s Growth Concept Map, found in the Image Austin Comprehensive Plan. A Regional Center is the most urban of the three activity centers outlined in the growth concept map. These centers are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Like many Imagine Austin Centers, this

center is represented by a circle or globular shape that reflects the general location where the center should be located in the future. The center's actual boundaries would need to be clarified through a small area planning process. Regional, town, and neighborhood centers are supposed to be walkable, bikeable, and supported by transit.
The following Imagine Austin policies are applicable to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.

- **LUT P3**. Promote development in compact centers, communities, or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.

- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

Analysis
Analyzing this specific site, there seems to be a lack of mobility options (protected bike lanes, public sidewalks and public transit) and nearby goods and services and public amenities only accessible by car. Based on this property being located by along a major arterial road and near an Regional Center, which supports commercial uses but the lack of mobility options the area (public sidewalks, bike lanes, and transit stops), this project appears to only partially support the Imagine Austin Comprehensive Plan.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Buttercup 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.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	*% of Gross Site Area*	*% of Gross Site Area with Transfers*
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%

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

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

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 ls that preempt current water quality or Code requirements.

Fire

No comments.

Parks and Recreation

There are currently no parkland requirements for uses other than residential and hotel. Given that the application is for GR, there would not be parkland dedication requirements or parkland impacts at the time of site plan or subdivision.

Site Plan

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.

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

DEMOLITION AND HISTORIC RESOURCES

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies a need for 120' of right- of-way for Lakeline Boulevard. Right-of-way should be dedicated for Lakeline Boulevard at the time of subdivision or site plan. Traffic impact analysis was waived, the TIA determination is deferred to site plan submittal, when land use and intensity will be finalized.

Austin Water Utility

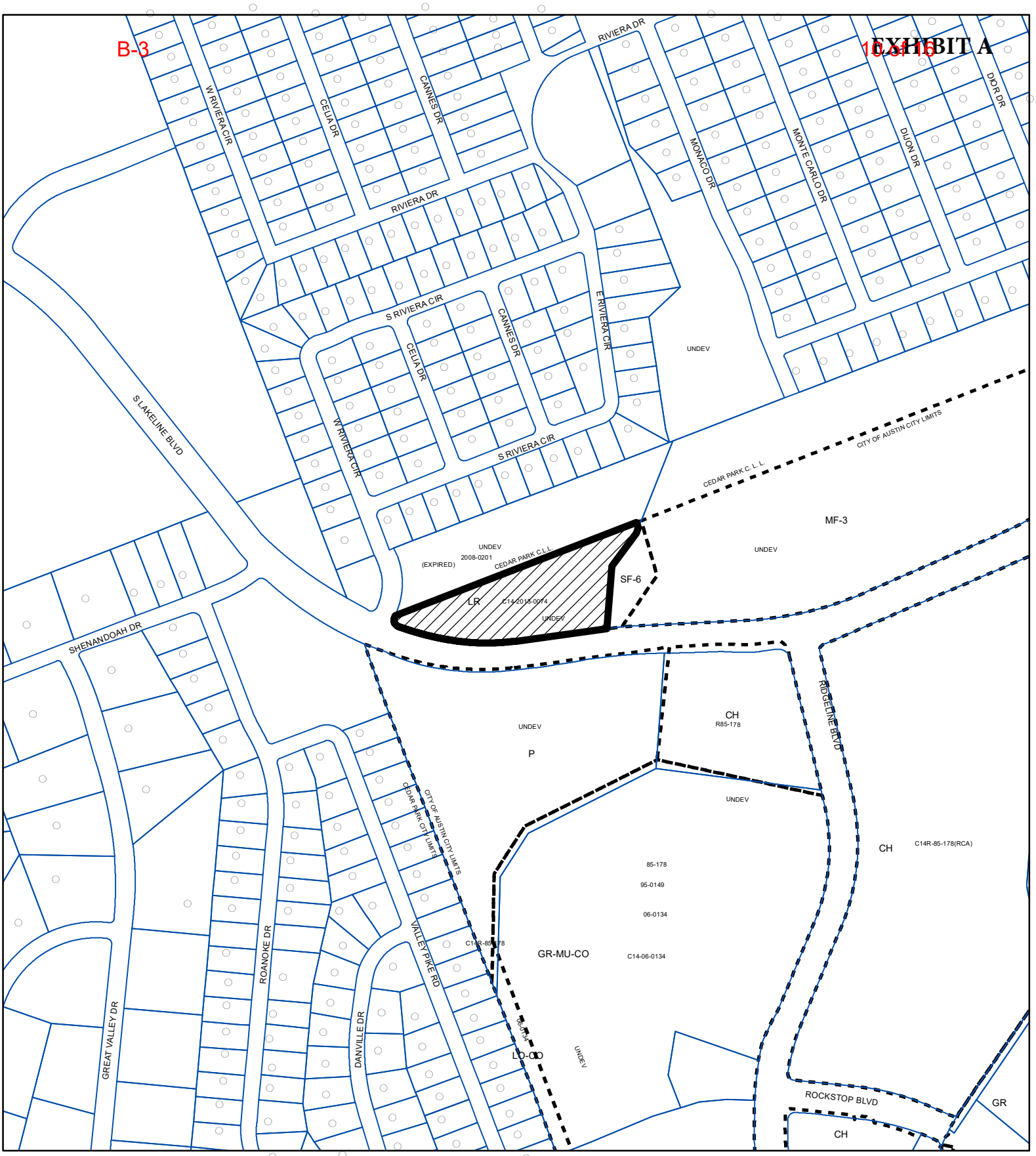
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water 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 Map
C. Correspondence from Interested Parties

EXHIBIT A



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1 " = 400 '

ZONING

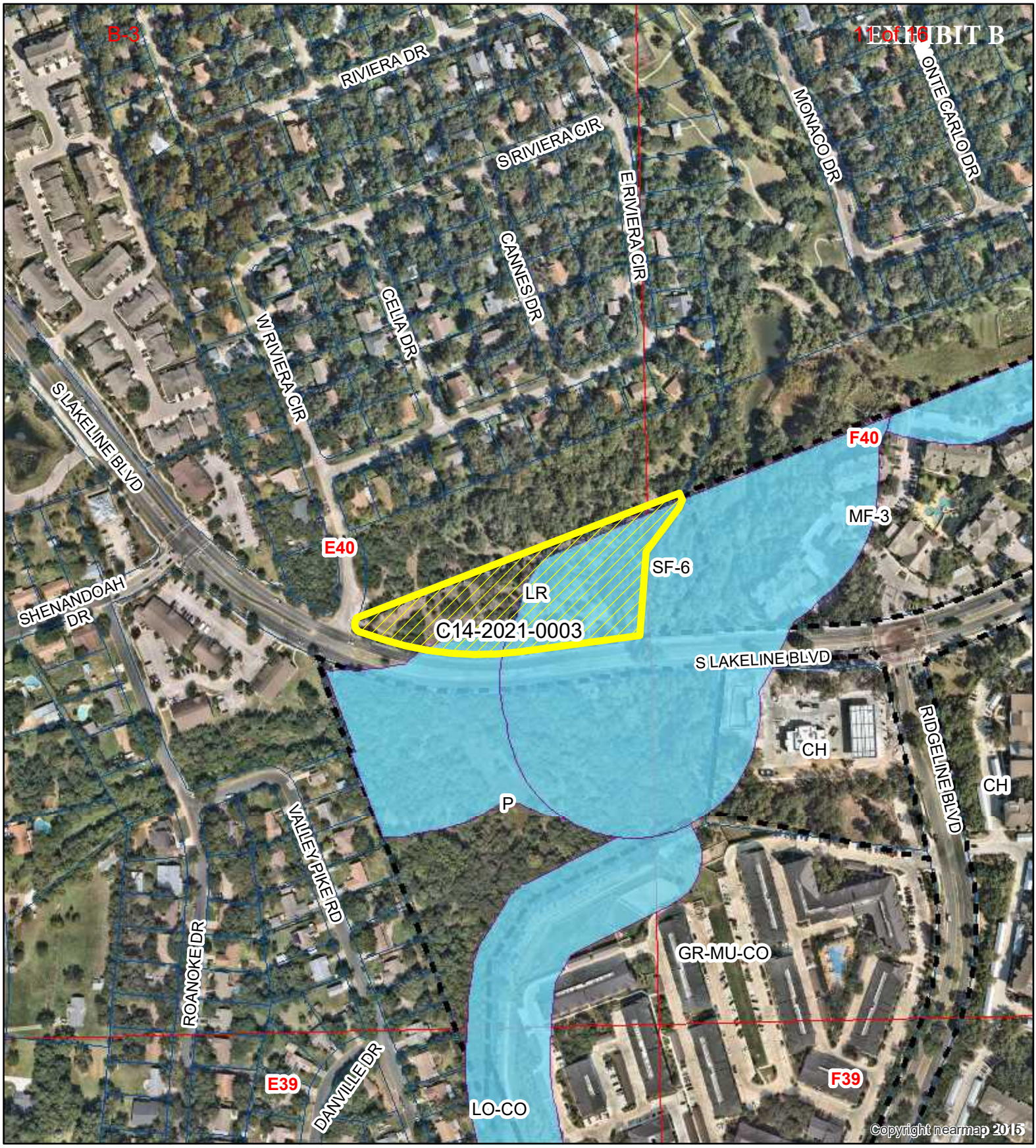
ZONING CASE#: C14-2021-0003

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

Created: 1/12/2021

EXHIBIT B



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SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

1" = 300'

Sun Auto

ZONING CASE#: C14-2021-0003
LOCATION: 600 - 2700 S Lakeline Blvd (NE at W Riviera Dr)
SUBJECT AREA: 3.2437 Acres
GRID: E40
MANAGER: Sherri Sirwaitis

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

EXHIBIT C

LAND USE SUMMARY

PARCEL	USE	AC.	BLDG. S.F.	PARKING PROVIDED*
1	1 STORY OFFICE	1.7 AC.	16,400	55 SPACES
2	1 STORY OFFICE	1.7 AC.	15,400	51 SPACES
	TOTAL	3.4 AC.	31,800	106 SPACES

* PARKING RATIOS- OFFICE 1:300

North

0 40' 80' 160'

Scale: 1" = 80'

Date: March 08, 2021

SEC Planning, LLC

Land Planning + Landscape Architecture + Community Branding

AUSTIN, TEXAS

CONCEPT A

WOLF PROPERTY

CEDAR PARK, TEXAS

SHEET FILE: Y:\200086-OTIO\Cadfiles\PLANNING\Site Planning\Concept D.dwg

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

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 participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. 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 the 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: C14-2021-0003
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: May 4, 2021, Zoning and Platting Commission

Danny R. Rice
Your Name (please print)

☐ I am in favor
☑ I object

904 S. Riviera Circle
Cedar Park, TX 78613
Your address(es) affected by this application

Danny R. Rice — 04-26-21
Signature — *Date*

Daytime Telephone: 512-630-8785

Comments: I do not support the developers plan for the office land, fence and reallocation of 30 foot easement to the owners in Riviera Springs. I do not want this easement to be deeded to me.

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

Or email to:
sherri.sirwaitis@austintexas.gov

Riviera Springs neighbors,

This Thursday during citizens comments, we are asking council for help to guide us on how get the approval to build the wall 30 feet into the proposed office land leaving the 30 feet in your backyard on your side of the wall as an easement to you for your use. We have tried to discuss this separately with council members and think maybe asking for their help on this during the meeting might help get it done. We will not go for the final vote on zoning until we have this worked out with the neighbors that back up to the proposed office land.

Please consider speaking during citizens comments about this concept that you support that the developer will be allowed move to wall location 30 feet away from your property line giving you the easement to use the land and for this compromise you are giving your support in the zoning. The no public access to W Rivera Dr and the building height restriction are still being included. In addition, the proposed office landowner will continue paying the taxes on the 30 feet. No

I do not want this land owner ship.

The below information is how to get on to sign up and speak on Thursday (this was copied from city website).

If would like to speak during the meeting:

- If you choose to speak, you must first fill out a Comment Card **using a web-based device such as a computer, iPad, tablet or smartphone** at this link: https://speakerregistration.cedarparktexas.gov/.
- Public comments can be made during Public Communications.
- Per the Council Rules of Procedure, any person seeking to address the Council must complete a Speaker Registration Card, including the Agenda Item letter/number on which you would like to comment, with your full name and residential address.
- Then, you may join the meeting using this link: https://councilmtg.cedarparktexas.gov/.
- Event Password is **CedarPark2021**.

Please call me if you have any questions!

With regards,

Jennie Braasch
Pohl Partners
10800 Pecan Park #125
Austin, Texas 78750
Cell 512-694-9400
Office 512-335-5577

10-15-21

B-3

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.

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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 the 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. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

Case Number: C14-2021-0003
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: September 21, 2021, Zoning and Platting Commission

Danny Rice
Your Name (please print)

☐ I am in favor
☑ I object

904 S. Riviera Circle
Cedar Park, TX 78613
Your address(es) affected by this application (optional)

Danny Rice — 09-15-21
Signature — *Date*

Daytime Telephone (Optional): 512-258-3810

Comments:

City of Austin
SEP 20 2021
NHCD / AHFC

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Sherri Sirwaitis
P. O. Box 1088, Austin, TX 78767
Or email to:
sherri.sirwaitis@austintexas.gov

October 14, 2021

RE: Rezoning Case C14-2021-0003 (Sun Auto)

Dear Sherri,

Please postpone Rezoning Case C14-2021-0003 (Sun Auto) until November 16, 2021. The reason for the postponement is to amend the GR request to GR MU CO, the city to renotify the neighbors and to meet with the residential neighbors to discuss the development. A land planning company is preparing a site plan for the meeting with the neighbors. This meeting needs to occur prior to the ZAP presentation.

With Kindest Regards,

Jennie Braasch, Applicant
Pohl Partners Real Estate
10800 Pecan Park #125
Austin, TX 78750
512-694-9400