

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0188 – 10817 Old San Antonio Road

DISTRICT: 5

ZONING FROM: SF-2

ZONING TO: CS

ADDRESS: 10817 Old San Antonio Road

SITE AREA: 0.808 acres (35,196 square feet)

PROPERTY OWNER: Caroline Riley

AGENT: Keepers Land Planning
(Ricca Keepers)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial – conditional overlay (LR-CO) combining district zoning. The Conditional Overlay prohibits service station.

If the rezoning request is granted, it is recommended that 3 feet of right-of-way from the existing centerline should be dedicated for Old San Antonio Road and up to 9 feet of right-of-way from the existing centerline should be dedicated for Brezza Lane according to the Transportation Plan prior to Third Reading of the ordinance at City Council [LDC 25-6-51 and 25-6-55]. *For a summary of the basis of Staff's recommendation, see pages 2-3.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

February 15, 2022:

CITY COUNCIL ACTION:

March 24, 2022:

ORDINANCE NUMBER:

ISSUES:

The Applicant is in agreement with the Staff recommendation.

There are approved striping plans for the improvement of Old San Antonio Road and construction of Brezza Lane located near the southeast corner of Akins High School (SP-2019-0161D – Brezza Lane Extension). The project was approved by the City on August 31, 2020 and included:

- Southbound Left turn lane from Old San Antonio Road to its intersection with FM 1626

- 6' sidewalks and a 7' shoulder on both sides of Old San Antonio Road from FM 1626 to approximately where Old San Antonio Road splits from Brezza Lane
- Northbound Left turn lane from Brezza Lane onto Old San Antonio Road. ***Please refer to approved plan sheets at the back of this report.***

CASE MANAGER COMMENTS:

The subject platted lot is located on Old San Antonio Road, a two-lane roadway just west of IH-35, approximately one mile south of Slaughter Lane. The property is located north of FM 1626, contains a single family residence and has had single family residence – standard lot (SF-2) zoning since its annexation into the City limits in 1997. ***Please refer to Exhibits A and A-1 – Zoning Map and Aerial Exhibit.***

The property is surrounded by an upholstery shop, private primary educational facility, and Akins High School football fields to the north (I-RR; LO-MU-CO); the extension of Brezza Lane (under construction) and undeveloped property to the east and south (GR-CO; CS-MU-CO); and Akins High School and outdoor athletic facilities, apartments and a City fire station and EMS facility to the west (I-RR; MF-3-CO; P). Old San Antonio Road is planned to connect with Brezza Lane approximately 270 feet to the south.

The Applicant proposes to rezone the property to the general commercial services (CS) district so that it may be developed with a plant nursery and a restaurant. Access is proposed to be taken to both roadways and ATD staff does not have any access restrictions at this time.

BASIS OF RECOMMENDATION:

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

Staff Recommendation: The neighborhood commercial (LR) district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: “The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.” The Conditional Overlay (CO) combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*
3. *Zoning should be consistent with approved and existing densities.*

The character of Old San Antonio Road has changed from primarily low density single family to one that allows for residential, commercial and civic uses and development. The property abuts a low intensity commercial use to the north and with right-of-way dedication

will have access to Brezza Lane, a new collector street that is being constructed as part of the Double Creek development. Brezza Lane is designed to carry multifamily and commercial traffic and is a half loop road extending between IH 35 and FM 1626.

A plant nursery is a conditional use in the LR zoning district and as such will require approval by the Zoning and Platting Commission of a conditional use permit prior to establishing the use. Both restaurant (limited) and restaurant (general) uses are allowed in the LR district, although the latter is limited to 4,000 square feet of gross floor area, and has limited hours of operation and outdoor seating area, prohibits outdoor entertainment as an accessory use, as well as outdoor amplified sound and drive-through facilities [(LDC Section 25-2-587(D))].

Staff recommends LR-CO zoning for the subject property due to its location adjacent to commercial use and zoning to the north and east, proximity to a secondary educational facility, and access to two collector streets. The Conditional Overlay prohibits service station use, an intensive commercial use in the LR district.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	One single family residence
<i>North</i>	I-RR; LO-MU-CO	Upholstery shop; Private primary educational facility; AISD high school athletic fields
<i>South</i>	GR-CO; CS-MU-CO	Undeveloped
<i>East</i>	GR-CO; CS-MU-CO	Undeveloped; Apartments (under construction)
<i>West</i>	I-RR; MF-3-CO; P	AISD high school and athletic facilities; Apartments; COA fire station

NEIGHBORHOOD PLANNING AREA: Not Applicable

TIA: Is not required at the time of zoning

WATERSHED: Onion Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Menchaca Elementary School Paredes Middle School Akins High School

COMMUNITY REGISTRY LIST:

- 627 – Onion Creek Homeowners Association
- 742 – Austin Independent School District 1228 – Sierra Club, Austin Regional Group
- 1363 – SEL Texas 1530 – Friends of Austin Neighborhoods
- 1531 – South Austin Neighborhood Alliance
- 1616 – Neighborhood Empowerment Foundation 1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2020-0116 – 10304 Old San Antonio Rd	I-RR to MF-3	To Grant MF-2	Apvd MF-2 (3-25-2021). <u>Note:</u> Two motion sheets read into record regarding sidewalk and other pedestrian improvements, and transportation improvements for FM 1626.
C14-2019-0143 – Matthew Brown Homestead – 10140 Old San Antonio Rd	GR-MU-H-CO; GR-CO to P-H; P	To Grant	Apvd (1-23-2020).
C14-2016-0021 & C14-03-0053(RCA) – Double Creek Residences – 420 East FM 1626 Rd	CS-CO; CS-MU-CO; GR-CO to CS-MU-CO, and to amend the Restrictive Covenant	To Grant CS-MU-CO w/CO for list of prohibited uses, and a new RC and an amdt to the existing RC to update the conds of the TIA	Apvd as Commission recommended (6-14-2018).
C14-2015-0064 – Martin T. Moser Subdivision Rezoning – 10307 Old San Antonio Rd	SF-2 to MF-2	To Grant	Apvd (8-13-2015).
C14-2014-0077 – Whole Life Learning Center – 10801 Old San Antonio Rd	I-RR to LR-MU	To Grant LO-MU-CO w/CO for 2,000 trips/day	Apvd LO-MU-CO as Commission recommended (11-6-2014).
C14-2013-0123 – Onion Creek Fire Station – 11112 Old San Antonio Rd	GR-MU-CO to P	To Grant	Apvd (11-21-2013).
C14-2010-0111 – 10301 Old San Antonio Road Rezone	MF-2-CO to MF-2-CO, to remove the -CO that prohibits access to Old San Antonio Rd	To Grant MF-2-CO w/CO limiting the number of driveways to Old San Antonio Rd to one; public RC to require the Owner to	Apvd MF-2-CO w/RC for access issues, as Commission recommended (8-18-2011).

		build access through the loop road that adjoins the property along the SE property line to the IH 35 Service Rd prior to issuance of a Certificate of Occupancy and to restrict construction traffic to the loop road.	
C14-2010-0027 – Colonial Grand at Cityway – 11001 South 1 st St	GR-MU-CO to MF-3	To Grant MF-3-CO w/CO for limited access to Old San Antonio Rd., max. units of 430 and max. 5,753 trips day, and conds of updated TIA	Apvd MF-3-CO w/conds as recommended by ZAP (5-27-2010).
C14-2008-0220 – Double Creek Village – 10200 – 10614 S IH 35 Service Rd SB	I-RR; CS to CS-MU	To Grant CS-MU-CO w/the CO for list of prohibited uses, Restrictive Covenant for conds of the TIA, and Street Deed for r-o-w for the new loop road between FM 1826 and IH 35 is part of TIA approval and required to be dedicated at the time of zoning.	Apvd CS-MU-CO with RC for conds of the TIA and Street Deed for r-o-w for new loop road as ZAP recommended (11-18-2010).
C14-04-0160 – Harrell Tract #5 – 10184-10224 S IH-35 Service Rd SB; 10101-10139 Old San Antonio Rd	I-RR to CS-MU-CO	To Grant CS-MU-CO w/CO prohibiting certain uses and limiting development to 2,000 daily trips	Apvd CS-MU-CO as Commission recommended (12-2-2004).
C14-02-0052 – Wedding Facility, Catering and Restaurant – 10300 Old San Antonio Rd	I-RR to GR-MU-CO	To Grant GR-MU-CO w/CO limiting development of the property to bed and breakfast residential, indoor and outdoor entertainment and restaurants, 200 trips per day, height of 35	Apvd GR-MU-CO w/RC as Commission recommended (8-22-2002).

		feet and 50% building coverage. RC specifying types of events and reservation of r-o-w on Old San Antonio Rd	
C14-00-2031 – Stablewood Apartments – Old San Antonio Rd	I-RR to MF-2	To Grant MF-2-CO w/CO prohibiting access to Old San Antonio Rd, 15' wide vegetative buffer adjoining SF-2 property, and 2,000 trips per day	Apvd MF-2-CO as PC recommended (8-17-2000).

RELATED CASES:

The subject property was annexed into the City limits on December 31, 1997 (C7A-97-013).

The property is platted as the Herbert K. Rigsbee Tract, a subdivision platted in July 1958. There are no site plan applications on the property.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Old San Antonio Road	54 feet	23 feet	ASMP Level 2 (Collector)	No	Shared Lane	No
Brezza Lane	60 – 115 feet	40 feet	ASMP Level 2 (Collector)	Yes	None	No

Note: A new traffic signal at Old San Antonio Road at FM 1626 Road is now fully operational.

OTHER STAFF COMMENTS:

Comprehensive Planning

This rezoning case is located on a 0.808 acre parcel that contains a single family house, which is situated on the east side of Old San Antonio Road. The property is in an area without an adopted small area plan but is located approximately 0.70 miles south of **Southpark Meadows Town Center** and 0.22 miles east of the **South 1st Street Activity Corridor**. Surrounding land uses include a private school and the Akins High School outdoor track to the north; to the south is a house and a under construction multifamily apartment complex; to the east is undeveloped land, retail uses and an auto dealership; and to the west is Akins High School and associated sports fields and tennis courts.

The proposal per the agent: To rezone the property from SF-2 to CS and use the existing structure and property for a plant nursery and café that does not serve alcohol.

Connectivity

Old San Antonio Road is a narrow rural road with no nearby public transit stops or public sidewalks. The subject tract has no pedestrian and bicycle connectivity to Southpark Meadows Shopping Center. This property is not located near a public transit stop. Mobility options are poor while connectivity options are fair in the area, which necessitates a car to access them.

Imagine Austin

The property is located near an Activity Corridor and a Town Center. Imagine Austin Centers are 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, bikable, and supported by transit.

The following Imagine Austin policies are applicable to this project:

- **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.**
- **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.**

Conclusions:

In the last several years, Old San Antonio Road has seen several large residential projects go up, which have provided a variety of housing types including apartment complexes, senior living, and a single-family subdivision, but provides few mobility options, including public sidewalks, bike lanes, or public transit stops to access nearby goods and services located at Southpark Meadows. Based on the project being located near a Town Center and an Activity Corridor, nearby civic and commercial uses, but poor mobility options in the area, this project only partially supports the Imagine Austin Comprehensive Plan.

Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

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

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.

Impervious Cover

Within the Onion Creek watershed, the maximum impervious cover allowed by the LR zoning district would be 80%, which is a consistent figure between the zoning and watershed regulations.

PARD – Planning & Design Review

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

Site Plan and Compatibility Standards

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.

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

WILDLAND-URBAN INTERFACE

This site is within the Wildland/Urban Interface and will need additional related review. Please reference <https://www.austintexas.gov/department/wildland-urban-interface-code> for additional information. Or, work directly with the fire reviewers during the site plan process. The fire reviewers are Yvonne Espinoza (Yvonne.Espinoza@austintexas.gov), Anthony Delmonico (Anthony.Delmonico@austintexas.gov), and Elliott Bucknall (Elliott.Bucknall@austintexas.gov).

Austin Transportation Department

A Traffic Impact Analysis shall be required at the time of site plan if triggered, when land uses and intensities will be known per LDC 25-6-113.

The Austin Strategic Mobility Plan (ASMP) calls for 50 feet of right-of-way for Old San Antonio Rd. and 78 feet of right-of-way for Brezza Lane. It is recommended that 3 feet of right-of-way from the existing centerline should be dedicated for Old San Antonio Road and up to 9 feet of right-of-way from the existing centerline should be dedicated for Brezza Lane. according to the Transportation Plan prior to 3rd reading of the rezoning ordinance at City Council [LDC 25-6-51 and 25-6-55].

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.

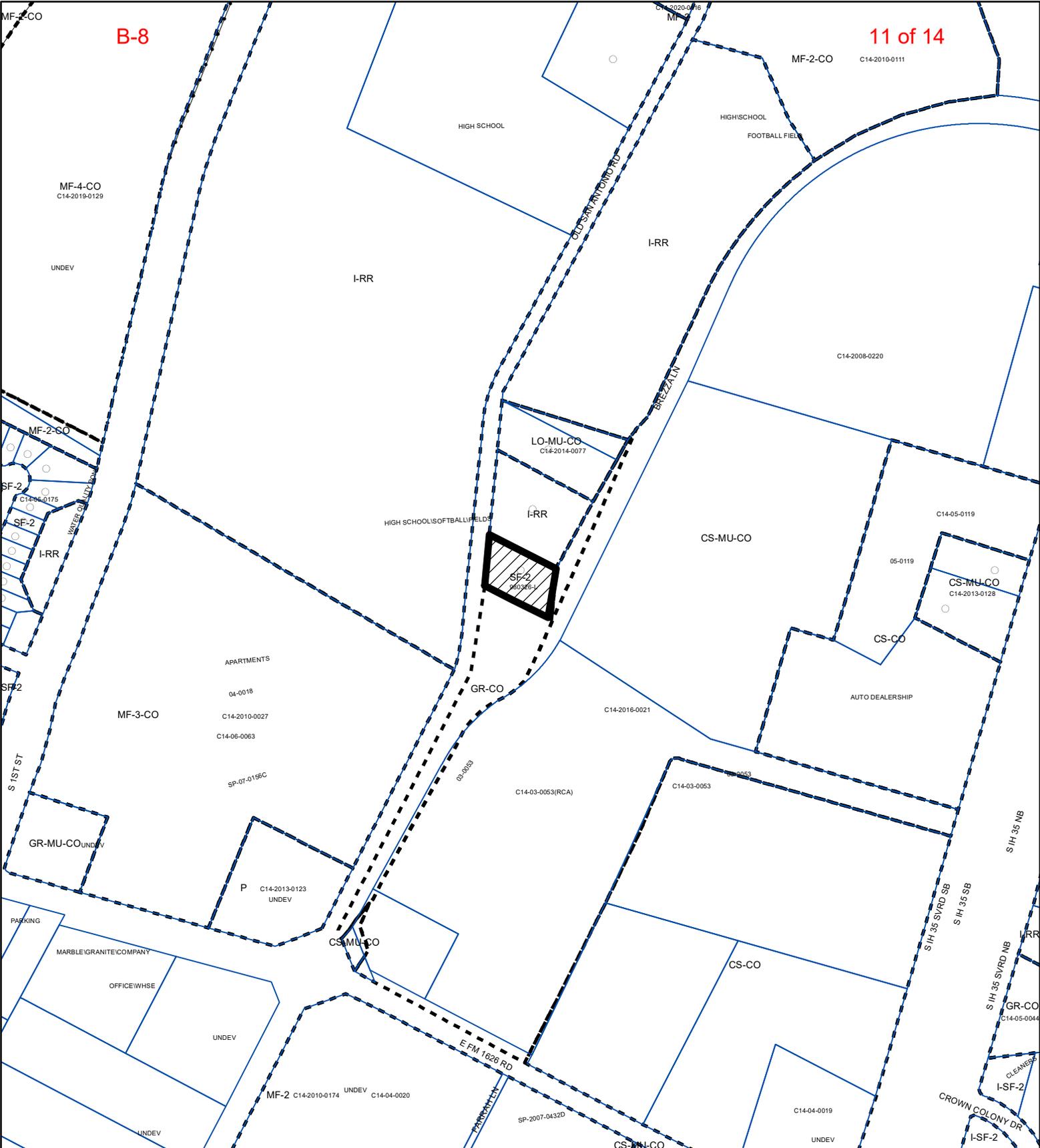
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

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 AND ATTACHMENTS TO FOLLOW:

- A: Zoning Map
- A-1: Aerial Map

Approved Signing and Pavement Marking Plan –
Old San Antonio Road / FM 1626 and Brezza Lane / Old San Antonio Road



B-8

11 of 14

ZONING

Exhibit A

ZONING CASE#: C14-2021-0188



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

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

This product has been produced by 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: 12/14/2021



1" = 150'

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE
- CREEK BUFFER

10817 Old San Antonio Road

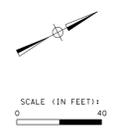
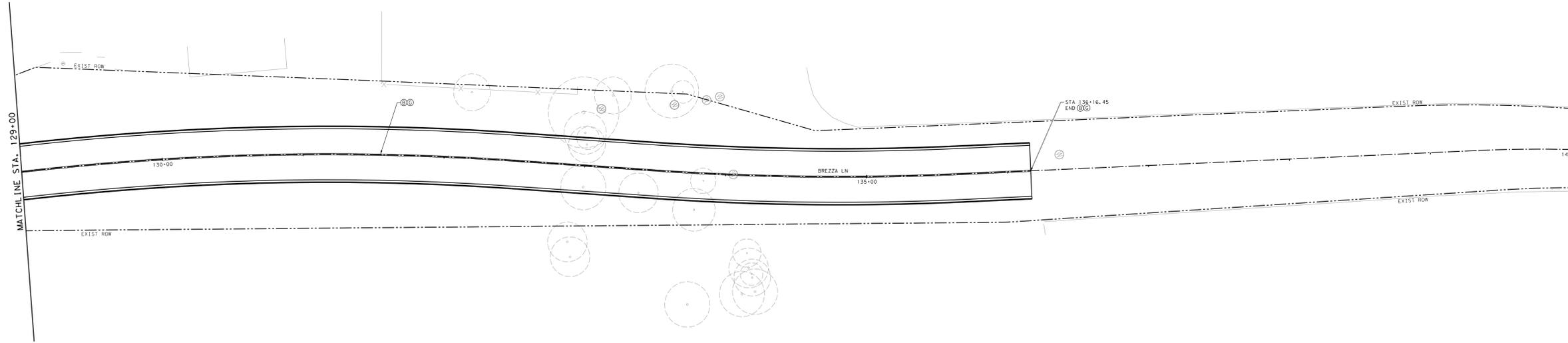
ZONING CASE#: C14-2021-0188
 LOCATION: 10817 Old San Antonio Road
 SUBJECT AREA: 0.808ACRES
 GRID: F12
 MANAGER: WENDY RHOADES

Exhibit A - 1



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.

DATE: 6/11/2020 9:08:55 AM
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- LEGEND:**
- EXIST TRAFFIC FLOW
 - PROP TRAFFIC FLOW
 - SIGN
 - Ⓐ REFL PAV MRK TY 1 (W) (4") (SLD)
 - Ⓑ REFL PAV MRK TY 1 (Y) (4") (SLD) (OBL)
 - Ⓒ REFL PAV MRK TY 1 (W) (8") (SLD)
 - Ⓓ REFL PAV MRK TY 1 (W) (12") (SLD)
 - Ⓔ REFL PAV MRK TY 1 (W) (24") (SLD)
 - Ⓕ REFL PAV MRK TY 1 (Y) (24") (SLD)
 - Ⓖ REFL PAV MRKR TY 11 A-A
 - Ⓗ REFL PAV MRKR TY 11-C-R
 - Ⓘ REFL PAV MRK TY 1 (WORD)
 - Ⓚ REFL PAV MRK TY 1 (ARROW)

NOTES:

1. ALL PAVEMENT MARKINGS SHALL BE THERMOPLASTICS.
2. PAVEMENT MARKINGS ON ALL 4 APPROACHES AT THE INTERSECTION OF FM 1626 AND OLD SAN ANTONIO ROAD WILL BE REFRESHED.
3. CONTRACTOR TO NOTIFY LESLIE ALFAMBRANO AT (512) 914-7990 ONCE STRIPING HAS BEEN COMPLETED.

NO.	DATE	REVISIONS

JONES CARTER
Texas Board of Professional Engineers Registration No. F-439
1701 Directors Boulevard, Suite 400 • Austin, Texas 78744 • 512.441.8493

SCALE: 1" = 40' DESIGNED BY: BTG
DATE: 6/11/2020 CHECKED BY: BTG
JOB NO.: 15346-0014-00 DRAWN BY: BTG



BREZZA LANE
10928 1/2 OLD SAN ANTONIO ROAD

**SIGNING AND
PAVEMENT MARKING**



SHEET NO. 30
OF 50
CASE NO. SP-2019-0161D