

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0054
830 Airport

DISTRICT: 3

ZONING FROM:
SF-3-NP and CS-CO-NP

ZONING TO:
CS-MU-V-CO-NP

ADDRESS: 830 and 838 Airport Boulevard, 917 and 923 Shady Lane

SITE AREA: 1.74 acres

PROPERTY OWNERS:
Sam's Radiator, Inc. and 838 Airport 2017 LP

AGENT:
Clinton Sayers

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)

STAFF RECOMMENDATION:

Staff supports the Applicant's request of CS-MU-V-CO-NP. The CO prohibits Vehicular storage and makes the following land uses conditional: Agricultural sales and services, Construction sales and services, Limited warehousing and distribution, Building maintenance services, Laundry services, Equipment sales, and Equipment repair services.

For a summary of the basis of staff's recommendation, see case manager comments on page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

July 26, 2022:

July 12, 2022: To grant postponement to July 26, 2022 as recommended by staff, on consent.

CITY COUNCIL ACTION:

July 28, 2022:

ORDINANCE NUMBER:

ISSUES:

No issues at this time.

CASE MANAGER COMMENTS:

The subject property is located south of the intersection of Shady Lane and Airport Boulevard with frontage on both streets. The property is comprised of SF-3-NP and CS-CO-NP lots that are developed with single family residences and automotive repair land uses. The conditional overlays (COs) limit some of commercial land uses permitted under CS zoning. The applicant has stated that two single family residences are proposed to be demolished if the site is rezoned and redeveloped. Immediately south are properties zoned SF-3-NP, CS-CO-NP and LO-MU-NP that are developed with a mix of land uses, including Single family residential, Equipment sales, Indoor entertainment and other uses. The property is bounded on the north by Boggy Creek and the site includes floodplain and water quality zones that will affect redevelopment. Across Boggy Creek to the north are properties zoned CS-CO-NP, GR-MU-NP and GR-NP that are developed with Restaurant-limited, Automotive repair services and Convenience storage land uses. Across Shady Lane to the west are properties zoned SF-3-NP, LR-MU-CO-NP and P-NP that include Single family residential land use, Undeveloped property, Plant nursery and the Anita Ferrales Coy Facility (formerly Allen Elementary) which is home to several public services. Across Airport Boulevard to the east are properties zoned MH-NP and P-NP that are developed with a mobile home community and a fire station. ***Please see Exhibits A and B- Zoning Map and Aerial Exhibit.***

The Applicant is requesting CS-MU-V-CO-NP zoning and has stated their intent to develop the property with a multifamily mixed use building; Staff supports the rezoning request. The proposed conditional overlay would carry forward conditions from the current CS-CO-NP zoning. The CO prohibits Vehicular storage and makes the following land uses conditional: Agricultural sales and services, Construction sales and services, Limited warehousing and distribution, Building maintenance services, Laundry services, Equipment sales, and Equipment repair services. The 1.74 acre site is constrained by floodplain, water quality zones and compatibility standards; the modified site development standards of VMU will allow the site to maximize the limited developable area. Adding multifamily land use at this location would increase the variety of housing options in this area and would be able to take advantage of the nearby public services, commercial uses and transit opportunities. Adding affordable multifamily units reflects the goals of the Strategic Housing Blueprint. The location on Airport Boulevard is appropriate for a CS-MU-V-CO-NP zoning property.

Staff has received correspondence in support of the rezoning request. ***Please see Exhibit C- Correspondence.***

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*
2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*
3. *Public facilities and services should be adequate to serve the set of uses allowed by a rezoning.*
4. *Intensive multi-family zoning should be located on major arterials and highways.*

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|-------|----------------------------|-------------------------------------------------------------------------------|
| Site | SF-3-NP, CS-CO-NP | Single family residential, Automotive repair, Retail-limited |
| North | CS-CO-NP, GR-MU-NP, GR-NP | Restaurant-limited, Automotive repair, Convenience storage |
| South | SF-3-NP, CS-CO-NP, LO-NP | Single family residential, Equipment sales, Indoor recreation |
| East | MH-NP, P-NP | Mobile home community, Fire station |
| West | SF-3-NP, LR-MU-CO-NP, P-NP | Single family residential, Undeveloped, Plant nursery, Mixed public land uses |

SCHOOLS:

Govalle Elementary School Martin Middle School Eastside Memorial at Johnston High School

TIA: Deferred to time of site plan, if triggered

WATERSHED: Boggy Creek

NEIGHBORHOOD ORGANIZATIONS:

| | |
|---------------------------------------------------------|---------------------------------------------|
| Homeless Neighborhood Association | AISSD |
| SELTexas Austin | Innecity Alliance |
| Preservation Austin | Neighbors United for Progress |
| Del Valle Community Coalition | Sierra Club |
| Claim Your Destiny Foundation | Bike Austin |
| Friends of Austin Neighborhoods | PODER |
| Neighborhood Empowerment Foundation | Friends of Northeast Austin |
| Black Improvement Association | Del Valle Community Coalition |
| East Austin Conservancy | El Concilio Mexican American Neighborhoods |
| United East Austin Coalition | African American Cultural Heritage District |
| Guadalupe Neighborhood Development Corporation | |
| Govalle/Johnston Terrace Neighborhood Plan Contact Team | |

AREA CASE HISTORIES:

| NUMBER | REQUEST | PLANNING COMMISSION | CITY COUNCIL |
|-------------------------------------------|-------------------------------------|------------------------------------------------|------------------------------------------------|
| C14-2020-0084 1101 and 1109 Shady Lane | CS-MU-CO-NP and GR-NP to CS-V-CO-NP | 10/27/2020: to grant CS-V-CO-NP as requested | 12/3/2020: to grant CS-V-CO-NP as requested |
| C14-2019-0098 914 Shady Lane | SF-3-NP to SF-6-NP and LR-MU-NP | 6/23/2020: to grant SF-6-CO-NP and LR-MU-CO-NP | 9/17/2020: to grant SF-6-CO-NP and LR-MU-CO-NP |

EXISTING STREET CHARACTERISTICS:

| Name | ASMP Classification | ASMP Required ROW | Existing ROW | Existing Pavement | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|--------------|---------------------|-------------------|--------------|-------------------|-----------|---------------|-------------------------------|
| Airport Blvd | Level 3 | 120' | 110 | 60' | No | Shared Lane | Yes |
| Shady Lane | Level 2 | 74' | 98' | 40' | Yes | Shared Lane | Yes |

ADDITIONAL STAFF COMMENTS:**Environmental**

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

Site Plan

- SP 1. Site plans will be required for any new development other than single-family, two-family or duplex residential.
- SP 2. 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. The site is subject to compatibility standards due to the adjacent SF-3-NP district to the south.
- SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP 4. This tract is already developed and the proposed zoning change is a footprint within the existing development. 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.
- SP 5. There is a site plan currently under review for this property (SP-2022-0193C) which provides for approximately 37,900 square feet of commercial use, along with associated parking and utilities.
- SP 6. The site is located within Austin-Bergstrom Overlay Controlled Compatible Land Use Area. No use will be allowed that 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.

Transportation

ATD 1. Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

ATD 2. The Austin Strategic Mobility Plan (ASMP) calls for 120 feet of right-of-way for Airport Blvd. It is recommended that 60 feet of right-of-way from the existing centerline should be dedicated for Airport Blvd according to the Transportation Plan with the first subdivision or site plan application.

ATD 3. The adjacent street characteristics table is provided below:

| Name | ASMP Classification | ASMP Required ROW | Existing ROW | Existing Pavement | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|--------------|---------------------|-------------------|--------------|-------------------|-----------|---------------|-------------------------------|
| Airport Blvd | Level 3 | 120' | 110 | 60' | No | Shared Lane | Yes |
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Parks & Recreation

PR1: Parkland dedication will be required at the time of subdivision or site plan application for new residential units, per City Code § 25-1-601, as amended. The proposed development meets the criteria for land dedication in City Code Title 25, Article 14. As such, a partial land dedication will be required, as well as any remaining fees in-lieu. The Parks and Recreation Department (PARD) would consider a connection along Boggy Creek toward satisfying the requirement at time of permitting (whether subdivision or site plan). Such a connection would improve neighborhood connectivity, and satisfy an acquisition need for Boggy Creek, a recommendation identified in the Parks and Recreation Department's Long Range Plan. Should there be any remaining fees in-lieu, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2). Should the applicant wish to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination letter of the requirements.

Water Utility

AW1. 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

C. Correspondence