



**Zoning**  
**CITY OF AUSTIN**  
**RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: Z-18**  
**AGENDA DATE: Thu 10/21/2004**  
**PAGE: 1 of 1**

**SUBJECT:** C14-04-0112 - Williamson Square - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 10700 Anderson Mill Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Williamson Center I, Ltd. (Paul Hudson). Agent: Hudson Properties, Inc. (Joan Trayhan). City Staff: Sherri Gager, 974-3057.

**REQUESTING**  
**DEPARTMENT:**

Neighborhood Planning  
and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Alice Glasco

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-04-0112

**Z.A.P. DATE:** August 17, 2004  
September 7, 2004

**ADDRESS:** 10700 Anderson Mill Road

**OWNER/APPLICANT:** Williamson Center I, Ltd. (Paul Hudson)

**AGENT:** Hudson Properties, Inc. (Joan Trayhan)

**ZONING FROM:** I-RR

**TO:** GR

**AREA:** 4.22 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's alternate recommendation is to grant GR-CO (Community Commercial-Conditional Overlay) zoning. The proposed conditional overlay would:

- 1) Permit Business or Trade School (with a 3,000 sq. ft. limit because of parking availability), Communication Services, Food Preparation (Conditional Use up to 5,000 sq. ft.), General Retail Sales (General), Personal Improvement Services, Restaurant (General), as the only 'GR' district uses;
- 2) Permit all 'LR' district uses;
- 3) Limit the property to 'LR' district development regulations;
- 4) Limit development to less than 2,000 vehicle trips per day above what currently exists on site.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

8/17/04: Postponed to 9/7/04 by Applicant (8-0, C. Hammond-absent); J. Martinez-1<sup>st</sup>, J. Gohil-2<sup>nd</sup>.

9/7/04: Approved GR-CO zoning, with following conditions:

- 1) Prohibit all 'GR' district uses except:
  - Business or Trade School (with a 3,000 sq. ft. size limit),
  - Business Support Services,
  - Communications Services,
  - Food Preparation (as a conditional use up to 5,000 sq. ft.),
  - General Retail Sales (General),
  - Indoor Sports and Recreation,
  - Personal Improvement Services,
  - Restaurant (General);
- 2) Permit all 'LR' district uses and conditional uses;
- 3) Limit the property to 'LR' district development regulations;
- 4) Limit development to less than 2,000 vehicle trips per day above what currently exists on the site.

Vote: 7-1, B. Baker-Nay; T. Rabago-1<sup>st</sup>, M. Whaley-2<sup>nd</sup>.

**ISSUES:**

After reviewing the staff's report for this case, the applicant requested that the staff reconsider our recommendation to allow additional 'GR' district uses for the property in question. The applicant's request includes justifications for the need for these uses on the site (Attachment A). The staff agreed to include Business or Trade School (with a 3,000 sq. ft. limitation), Communication Services, and Food Preparation (as a Conditional Use) to the staff's recommendation because these uses would not result in additional noise production or a high increase in traffic that would adversely affect the surrounding residential areas.

The staff has received one reply from a property owner to the north of this tract in opposition to the proposed zoning (Attachment B).

**DEPARTMENT COMMENTS:**

The property in question was annexed by the City of Austin on December 31, 1998 (Case C7L98-007). The site is currently developed with a commercial center that contains a fitness club, a dry cleaning facility, a church, an animal clinic, a pizza delivery, a beauty salon, an electronic repair shop, an office, a restaurant, and a free standing service station/convenience store use. The applicant is requesting commercial zoning for this site to bring the current uses on the property into conformance with the City of Austin Land Development Code.

The staff is recommending GR-CO, Community Commercial-Conditional Overlay District, zoning for this property because this tract of land provides services to the surrounding residential neighborhoods to the north, south, east, and west. Community Commercial zoning is appropriate along Anderson Mill Road, an arterial roadway. The proposed zoning will allow the existing development on this property to be recognized as permitted uses under City of Austin regulations.

The applicant agrees with the Zoning & Platting Commission's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Retail Shopping Center, Service Station/Convenience Store
<i>North</i>	County	Apartments, Single-Family Residences
<i>South</i>	SF-1, SF-6	Single-Family Residences, Undeveloped
<i>East</i>	County	Single-Family Residences
<i>West</i>	County	Single-Family Residences

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Lake Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

115 – Balcones Village-Spicewood Home Owners Association  
281 – Anderson Mill Neighborhood Association  
282 – Anderson Mill Estates Homeowners Association

426 – River Place Residential Community Association, Inc.  
 444 – Spicewood on Bull Creek Homeowners Association  
 448 – Canyon Creek Homeowners Association  
 475 – Bull Creek Foundation

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-02-0180	RR to GR	1/7/03: Approved staff's recommendation of GO-CO zoning with conditions to limit development intensity to 2,000 vehicle trips per day; allow Religious Assembly as the only permitted GO use; and allow all other LO uses (9-0)	2/6/03: Granted GO-CO on all 3 readings (7-0)
C14-00-2255	RR to SF-6	1/23/01: Approved staff alternated rec. of SF-6-CO by consent (8-0)	3/1/01: Approved SF-6-CO w/ other conditions (7-0); 1 <sup>st</sup> reading  4/19/01: Approved SF-6-CO w/ conditions; 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-99-0122		8/24/99: Approved SF-2 (TR1), SF-6 (TR2), limited to 2,000 vehicle trips per day, prohibit access to Tahoe Trail, dedication of 50' of ROW from centerline of Anderson Mill Rd., applicant will attempt to provide pedestrian access to park and to provide affordable housing (5-2, RC/JM-Nay)	9/3/99: Approved SF-2-CO w/conditions (TR1), SF-6-CO w/conditions (TR2); (7-0); all 3 readings
C14-98-0051	I-RR to SF-6	8/4/98: Approved staff rec. of SF-6 w/ conditions (9-0)	9/3/98: Approved PC rec. of SF-6-CO w/ conditions (7-0); 1 <sup>st</sup> reading  10/1/98: Approved SF-6-CO, w/ conditions (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-93-0026	LR, LO to SF-2	3/16/93: Approved SF-2	4/1/93: Approved SF-2 (6-0); all 3 readings

**RELATED CASES:** C7L-98-007 (Annexation – December 21, 1998)

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Anderson Mill Road	Varies	25'	Arterial	-
Pecan Park Boulevard	70'	40'	Collector	-

**CITY COUNCIL DATE:** October 21, 2004

**ACTION:**

**ORDINANCE READINGS:** 1st

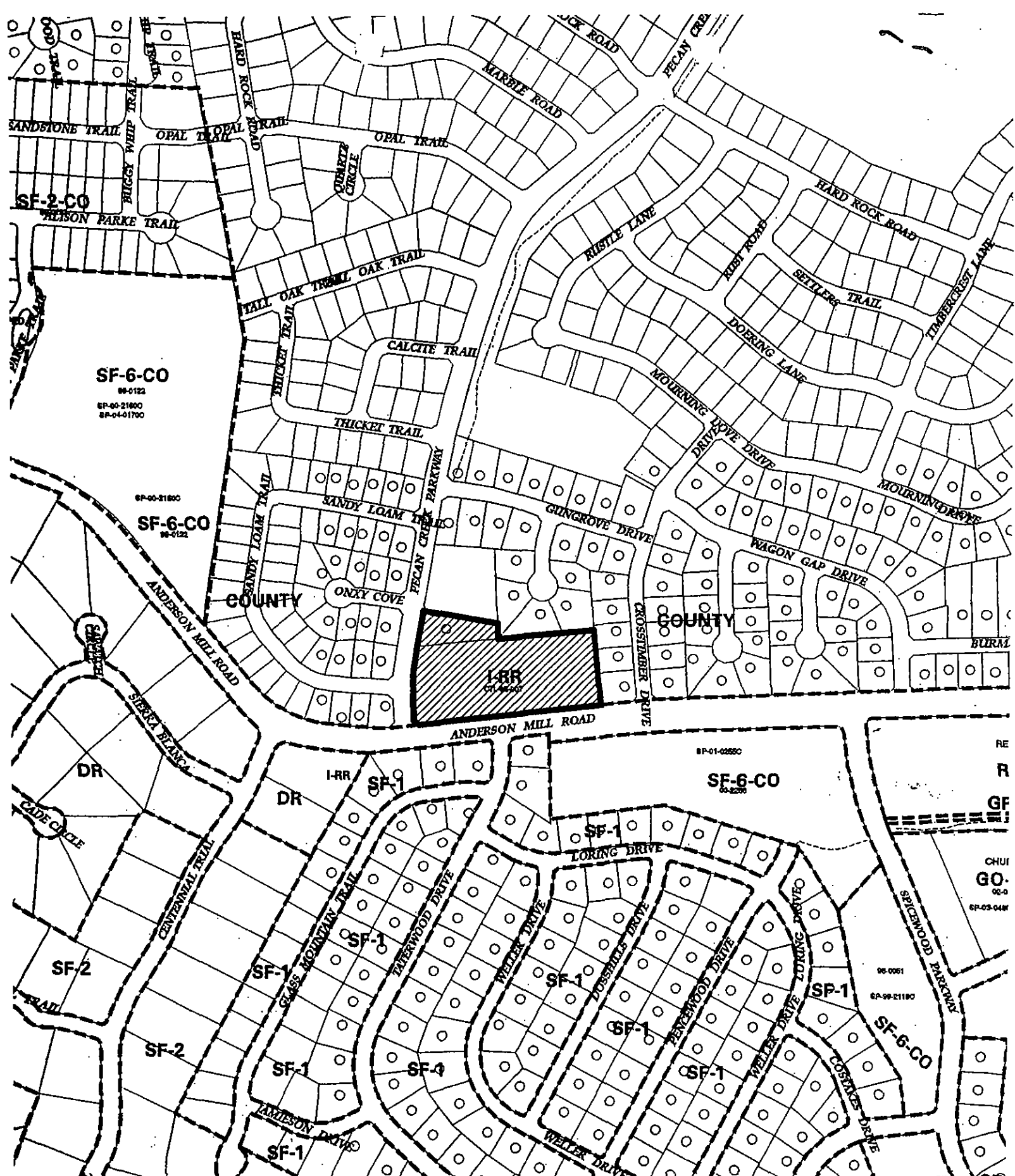
2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Gager

**PHONE:** 974-3057,  
[sherri.gager@ci.austin.tx.us](mailto:sherri.gager@ci.austin.tx.us)



 1" = 400'	<b>SUBJECT TRACT</b> PENDING CASE ZONING BOUNDARY CASE MGR: S.GAGER	  	<b>ZONING</b>  <b>CASE #:</b> C14-04-0112 <b>ADDRESS:</b> 10700 ANDERSON MILL RD. <b>SUBJECT AREA (acres):</b> 4.220	<b>DATE:</b> 04-08 <b>INTLS:</b> TRC	<b>CITY GRID REFERENCE NUMBER</b>  F37
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## **STAFF RECOMMENDATION**

The staff's alternate recommendation is to grant GR-CO (Community Commercial-Conditional Overlay) zoning. The proposed conditional overlay would:

- 1) Permit Business or Trade School (with a 3,000 sq. ft. limit because of parking availability), Communication Services, Food Preparation (Conditional Use up to 5,000 sq. ft.), General Retail Sales (General), Personal Improvement Services, Restaurant (General), as the only 'GR' district uses;
- 2) Permit all 'LR' district uses;
- 3) Limit the property to 'LR' district development regulations;
- 4) Limit development to less than 2,000 vehicle trips per day above what currently exists on site.

## **BACKGROUND**

The property in question was annexed by the City of Austin on December 31, 1998 (Case C7L98-007). The site is currently developed with a commercial retail center that contains a fitness club, a dry cleaning facility, a church, an animal clinic, a pizza delivery, a beauty salon, an electronic repair shop, an office, a restaurant, and a free standing service station/convenience store use. The applicant is requesting commercial zoning for this site to bring the current uses on the property into conformance with the City of Austin Land Development Code.

The staff is recommending GR-CO, Community Commercial-Conditional Overlay District, zoning for this property because this tract of land provides services to the surrounding residential neighborhoods to the north, south, east, and west. Community Commercial zoning is appropriate along Anderson Mill Road, an arterial roadway. The proposed zoning will allow the existing development on this property to be recognized as permitted uses under City of Austin regulations.

## **BASIS FOR RECOMMENDATION**

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

The Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

2. *The proposed zoning should promote consistency, and orderly planning.*

GR-CO zoning will provide services to the surrounding residential neighborhoods to the north, south, east, and west. The proposed zoning will create a transition in uses from the existing commercial uses on the site to the office uses and residential uses to the north.

The property in question is located at the intersection of an arterial roadway, Anderson Mill Road, and a collector street, Pecan Creek Parkway.

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

The proposed zoning will bring the current uses on the property into conformance with the City of Austin Land Development Code. The existing commercial retail center was developed on this site before the property was annexed by the city in 1998.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is relatively flat and developed out with a commercial retail center, service station/convenience store, and parking area. There is a fitness club, a small dry cleaning facility (1,750 sq. ft.), a church, an animal clinic, a pizza delivery, a beauty salon, an electronic repair shop, an office, and a restaurant located within the exiting retail center on the property.

### **Impervious Cover**

The maximum impervious cover allowed by the GR zoning district would be 90 %. However, because the Watershed impervious cover is more restrictive than the GR zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance. Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Note: The most restrictive impervious cover limit applies.

### **Environmental**

The site is located over the Edward's Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no flood plain in, or within close proximity of, 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 existing trees and other 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 on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

### **Transportation**

The Austin Metropolitan Area Transportation Plan calls for a total of 114 feet of right-of-way for Anderson Mill Road. If the requested zoning is granted, then 57 feet of right-of-way should be dedicated from the future centerline of Anderson Mill Road in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55)



The trip generation under the requested zoning is estimated to be 10,088 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day above what currently exists on site. [LDC, 25-6-117]

Capital Metro bus service is not available within 1/4 mile of this property.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Anderson Mill Road	Varies	25'	Arterial
Pecan Park Boulevard	70'	40'	Collector

### **Right of Way**

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

### **Water and Wastewater**

The landowner intends to serve the site with a connection to the Anderson Mill MUD water and wastewater utility system. The landowner must provide written evidence that the Anderson Mill MUD will provide water and wastewater utility service to the site and for the land use.

### **Stormwater Detention**

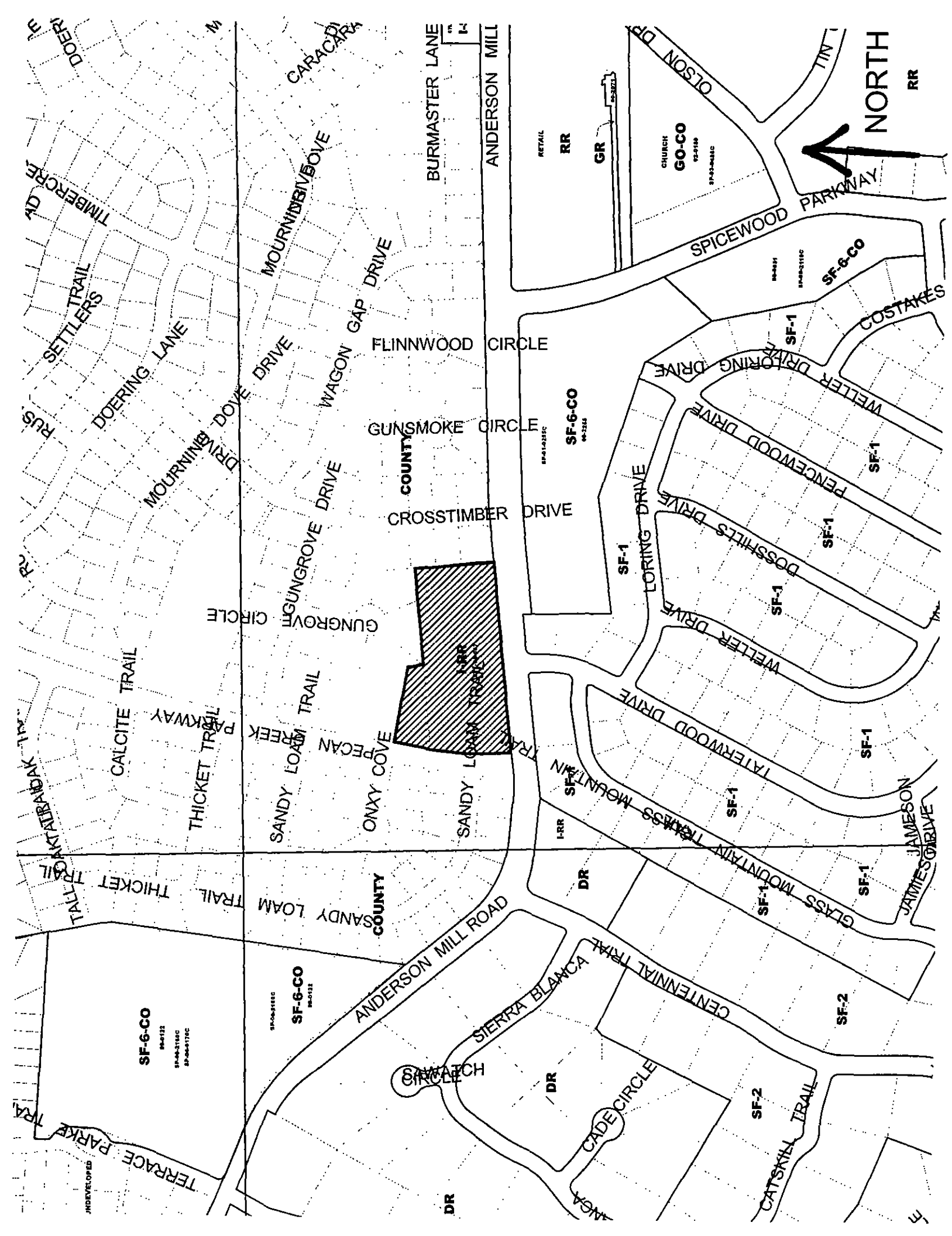
At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

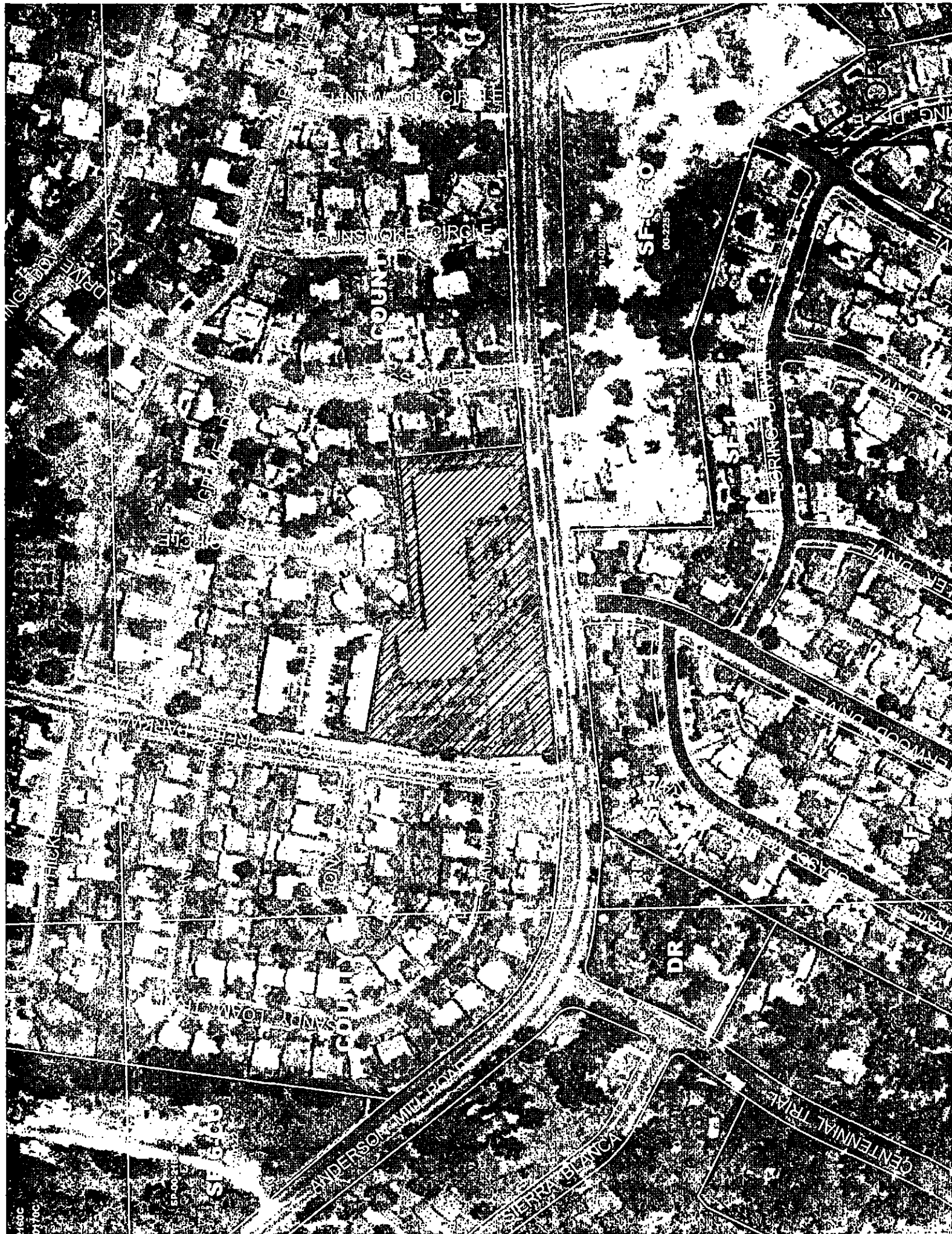
### **Compatibility Standards**

The site is subject to compatibility standards due to the existing SF-1 zoned property across Anderson Mill Road. Any new development on this tract will be subject to the following regulations:

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the SF-1 zoned property.
- For a structure more than 100 feet but not more than 300 feet from the SF-1 property, a structure may attain a height of 40 feet plus one foot for each 10 feet if 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 the property line, a structure may attain a height of 60 feet plus one foot for each four feet if distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

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





**DISCUSSION AND ACTION ON ZONING CASES****CONTINUED CASES**

6. C14-04-0086 – POHL, BROWN & ASSOCIATES, INC. (William B. Pohl), By: Pohl, Brown & Associates, Inc. (William B. Pohl), Research Blvd. and Caldwell Drive. (Rattan Creek). **FROM LO TO GR. ALTERNATE RECOMMENDATION: GR-CO. City Staff: Sherri Gager, 974-3057. POSTPONED FROM 7-20 (APPLICANT & STAFF).**

***CONTINUED TO 9/21/04 (ZAP)***

***\*PUBLIC HEARING REMAINED OPEN.***

***[J.G; M.W 2<sup>ND</sup>] (8-0) J.M – ABSENT***

7. C14-04-0112 – WILLIAMSON CENTER I, LTD. (Paul Hudson), By: Hudson Properties, Inc. (Joan Trayhan), 10700 Anderson Mill Road. (Bull Creek). **FROM I-RR TO GR. ALTERNATE RECOMMENDATION: GR-CO. City Staff: Sherri Gager, 974-3057. POSTPONED FROM 8-17 (APPLICANT).**

***APPROVED GR-CO ZONING; PROHIBIT CERTAIN GR USES; ALLOW LR USES; LR SITE REGULATIONS; 2000 VEHICLE TRIPS.***

***[T.R; M.W 2<sup>ND</sup>] (7-1) B.B – NAY; J.M – ABSENT***

Attachment A

**Gager, Sherri**

**From:** Paul Hudson [phudson@hudson-properties.com]  
**Sent:** Thursday, September 02, 2004 3:09 PM  
**To:** Gager, Sherri; Guernsey, Greg  
**Subject:** Williamson Square

Sherri and Greg,

Thank you both for your returned phone calls and patience as we have tried to understand this process. I have combed through the City's website and become familiar with the zoning uses table. Below is a list of the areas that I see where LR and GR differ. I have highlighted in bold with a single asterisk the GR uses that we are requesting be allowed on the site. All of the requested additional uses meet two important criteria as follows:

- 1) These uses do not pose any undue burden on the neighborhood and would not be offensive to the neighbors because of noise, smell, visual appearances, hours of operation, or any other reason.
- 2) These uses either are needed to accommodate our current tenants or there is a reasonable probability that these uses may be needed at some point in the future to accommodate a tenant.

The complete list of uses where GR and LR differ follows (the requested uses on this site are bold and asterisked):

COMMERCIAL USES
-----------------

Automotive Rentals  
 Automotive Repair Service  
 Automotive Sales  
 Automotive Washing  
**Business or Trade School \***  
**Business Support Services \***  
 Commercial Off-Street Parking  
**Communications Services \***  
 Drop-Off Recycling Collection Facility  
**Exterminating Services \***  
**Food Preparation \***  
 Funeral Services  
**General Retail Sales (General) \***  
 Hotel-Motel  
**Indoor Entertainment \***  
**Indoor Sports and Recreation \***  
**Medical Offices (over 5000sf) \***  
 Outdoor Entertainment  
 Outdoor Sports and Recreation  
 Pawn Shop Services  
**Personal Improvement Services \***  
 Research Services  
**Restaurant (General) \***  
**Theater \***

CIVIC USES
------------

**Community Recreation (Private) \***  
**Community Recreation (Public) \***

Group Home, Class II  
Hospital Services (General)  
Residential Treatment

One important fact to remember in considering this zoning case is that this property has been in operation for almost 20 years (most of that with no zoning at all) and has not caused any problems for the neighborhood. We have been good stewards of the property and plan to continue as such for many years to come.

Another important fact is that Anderson Mill Road is about to be widened dramatically and generally improved into a major arterial roadway, making GR uses even more suited to this site. The traffic volume along Anderson Mill has probably doubled over the past 10 years.

As you know, the primary owner of this property feels very strongly that any zoning whatsoever degrades the value of the property from its pre-annexation value. He still prefers a straight CS zoning, or at least GR as we applied for, but I believe the addition of these uses to a conditional overlay would be a reasonable compromise for this property. I sincerely hope that you and Greg and the rest of the staff, as well as the Z & P Commissioners and the City Council members agree with this assessment. This case has been dragging out for almost a year, and has cost us over \$20,000 to-date in lost rent. On a personal and professional level, I'm ready to get this case behind us! Thanks so much for your help through this process. I look forward to working with you through its conclusion.

I would appreciate it if you would kindly provide this email to the commissioners, along with your recommendation worksheets. I will be at the meeting on September 7 to answer any questions anyone may have. Thanks again.

-Paul

*Paul C. Hudson  
Hudson Properties, Inc.  
512-328-8744, ext. 10  
phudson@hudson-properties.com*

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, PO Box 1088, Austin, TX 78767-8835.

File # C14-04-0112 SG

Zoning & Platting Commission Hearing Date: August 17, 2004

Name (please print) Armand + Karen Gonsoulin

☐ I am in favor  
(Estoy de acuerdo)

Address 10700 Gunsgrove  
Austin, TX 78750

☒ I object  
(No estoy de acuerdo)

We are completely against changing the zoning  
+ adding more traffic in our neighborhood.



You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, PO Box 1088, Austin, TX 78767-8835.

File # C14-04-0112 SG

Zoning & Platting Commission Hearing Date: August 17, 2004

Name (please print) CLIFFORD & PATSY FLETCHER

☒ I am in favor  
(Estoy de acuerdo)

Address 11503 Sandy Loam Trail - Austin Tx 78750

☐ I object  
(No estoy de acuerdo)

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE  
2 PROPERTY LOCATED AT 10700 ANDERSON MILL ROAD AND CHANGING  
3 THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT  
4 TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO)  
5 COMBINING DISTRICT.  
6

7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:  
8

9 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
10 change the base district from interim rural residence (I-RR) district to community  
11 commercial-conditional overlay (GR-CO) combining district on the property described in  
12 Zoning Case No.C14-04-0112, on file at the Neighborhood Planning and Zoning  
13 Department, as follows:  
14

15 Lots 1 and 2, Block A, Anderson Mill Center Phase 3 Subdivision, a subdivision in  
16 the City of Austin, Williamson County, Texas, according to the map or plat of  
17 record in Cabinet D, Slide 198, of the Official Public Records of Williamson  
18 County, Texas, (the "Property")  
19

20 locally known as 10700 Anderson Mill Road, in the City of Austin, Williamson County,  
21 Texas, and generally identified in the map attached as Exhibit "A".  
22

23 **PART 2.** The Property within the boundaries of the conditional overlay combining district  
24 established by this ordinance is subject to the following conditions:  
25

26 1. A site plan or building permit for the Property may not be approved, released, or  
27 issued, if the completed development or uses of the Property, considered cumulatively  
28 with all existing or previously authorized development and uses, generate traffic that  
29 exceeds 2,000 trips per day.  
30

31 2. The following uses are prohibited uses of the Property:  
32

33 Automotive rentals	Automotive repair services
34 Automotive sales	Automotive washing (of any type)
35 Bail bond services	Commercial off-street parking
36 Drop-off recycling collection facility	Exterminating services
37 Funeral services	Hotel-motel

Outdoor entertainment  
Pawn shop services  
Theater

Community recreation (private)  
Congregate living  
Hospital services (limited)  
Medical offices (exceeding 5,000  
sq. ft. gross floor area)

Community recreation (public)  
Group home, Class II  
Residential treatment

**PART 4.** This ordinance takes effect on \_\_\_\_\_, 2004.

\_\_\_\_\_, 2004

§  
§  
§

\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
David Allan Smith Shirley A. Brown  
City Attorney City Clerk



 1" = 400'	<b>SUBJECT TRACT</b> 	<b>ZONING</b> Exhibit A	<b>CITY GRID REFERENCE NUMBER</b> F37
	<b>PENDING CASE</b> 		
	<b>ZONING BOUNDARY</b> 		
	<b>CASE MGR: S.GAGER</b>		
<b>CASE #:</b> C14-04-0112		<b>DATE:</b> 04-08	
<b>ADDRESS:</b> 10700 ANDERSON MILL RD.		<b>INTLS:</b> TRC	
<b>SUBJECT AREA (acres):</b> 4.220			