Zoning CITY OF AUSTIN RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-1 AGENDA DATE: Thu 11/18/2004

PAGE: 1 of 1

SUBJECT: C14-04-0127 - Wright Subdivision - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1624 East Howard Lane (Harris Branch Creek Watershed) from community commercial-conditional overlay (GR-CO) combining 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: Mitch Wright. City Staff: Sherri Gager, 974-3057.

REQUESTING

Neighborhood Planning

DIRECTOR'S

DEPARTMENT:

and Zoning

AUTHORIZATION: Greg Guernsey

RCA Serial#: 7159 Date: 11/18/04 Original: Yes

Disposition:

Published:

Adjusted version published:

ZONING CHANGE REVIEW SHEET

<u>CASE</u>: C14-04-0127 <u>Z.A.P. DATE</u>: October 19, 2004

ADDRESS: 1624 East Howard Lane

OWNER/APPLICANT: Mitch Wright

ZONING FROM: GR-CO **TO:** GR **AREA:** 1.645 acres

SUMMARY STAFF RECOMMENDATION:

The staff's alternate recommendation is for GR-CO, Community Commercial-Conditional Overlay District, zoning. The proposed conditional overlay would prohibit Adult Oriented Business uses. The staff's recommendation also includes a public restrictive covenant, which will encompass the Transportation Impact Analysis (TIA) recommendations provided by the Transportation Review staff (Attachment A – TIA Memo).

ZONING AND PLATTING COMMISSION:

10/19/04: Approved staff's recommendation of GR-CO zoning by consent (9-0), J. Martinez-1st, J. Gohil-2nd.

DEPARTMENT COMMENTS:

The property in question is an undeveloped wooded area located at the corner of Dessau Road and East Howard Lane. The applicant proposes to develop the site with a convenience store and/or a fast food restaurant. The property owner is requesting a rezoning of this property because the proposed uses for the site exceed the 1,663 vehicle trip limit adopted for this tract of land (Tract 2) in zoning case C14-00-2101. The current zoning ordinance, Ordinance 000928-91, for this property is included as Attachment B to this report. The proposed development for the site will generate approximately 2,868 unadjusted average daily vehicle trips per day.

The staff recommends GR-CO, Community Commercial-Conditional Overlay District, zoning for the site under consideration because the proposed zoning is compatible with surrounding uses and will provide services provide commercial services to the surrounding residential areas to the southwest and northeast. The property is located at the intersection of two major arterial roadways and will take access to East Howard Lane and Dessau Road. The proposed conditional overlay to prohibit Adult Oriented Businesses on this property is consistent with the Planning Commission's recommendation for this site on August 1, 2000.

The applicant agrees with staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING LAND USES	
Site	GR-CO	Undeveloped
North	I-RR	Single-Family Residence, Ranch, Undeveloped Land
South	DR, MF-2-CO	Detention Area, Undeveloped

East	County	Restaurant/Cocktail Lounge
West	DR, GR-CO	Water Plant, Undeveloped

AREA STUDY: N/A

TIA: Yes

WATERSHED: Harris Branch

<u>DESIRED DEVELOPMENT ZONE</u>: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

64 - River Oaks Lakes Estates Neighborhood

114 - North Growth Corridor Alliance

643 - North East Action Group

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0056	I-RR to SF-2, SF-6, MF-3, CS	10/19/04: Pending	-
C14-03-0001	DR to LO	1/28/03: Approved staff's recommendation of LO-CO zoning, w/2,000 vtpd limit (8-0, J. Donisiabsent)	2/27/03: Granted LO-CO on all 3 (6-0, Goodman-out of room)
C14-00-2101	DR to CS	8/1/00: Approved staff rec. w/ condition of no Adult Oriented Businesses (8-0)	9/28/00: Approved GR-CO w/ conditions on TR 1 & 2 (7-0); all 3 readings
C14H-00-0005	DR to DR-H	9/12/00: Approved staff rec. by consent (6-0)	10/5/00: approved DR-H (5-0); all 3 readings
C14-98-0258	DR to MF-2	10/26/99: Approved staff rec. of MF-2-CO, w/ 400 unit limit, by consent (8-0, BH-off dias)	12/2/99: Approved PC rec. of MF-2-CO w/ conditions (6-0, WL-absent); 1 st reading 1/27/00: Approved 2 nd /3 rd readings by consent (6-0)
C14-98-0257	DR to GR	10/26/99: Approved staff rec. of LO-CO (TR 1, 2, 3) & GR (TR 4 & 5) by consent (8-0, BH-off dias)	12/2/99: Approved PC rec. of LO (TR1), LO-CO (TR 2 & 3) w/ conditions, and GR (TR 4 & 5) (6-0, WL-absent); 1 st reading 1/27/00: Approved 2 nd /3 rd readings by consent (6-0)
C14-98-0126	DR to GR	9/29/98: Approved LR-CO w/ conditions that uses limited to 'NO' uses (9-0)	11/5/98: Approved PC rec. of LR- CO (TRA) & LO-CO (TRB) w/ conditions (6-0); all 3 readings
C14-97-0126	DR to GR	12/9/97: Approved GR-CO w/ conditions (5-3)	2/5/98: Approved PC rec. of GR-CO w/ new conditions (5-0); 1 st reading

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		4/9/98: Approved GR-CO w/
		Provide dix-CO wi
		conditions (7-0); 2 nd / 3 rd readings
ļ		conditions (7-0); 2 / 5 readings

RELATED CASES: C14-00-2101

ABUTTING STREETS: See TIA Memo – Attachment A

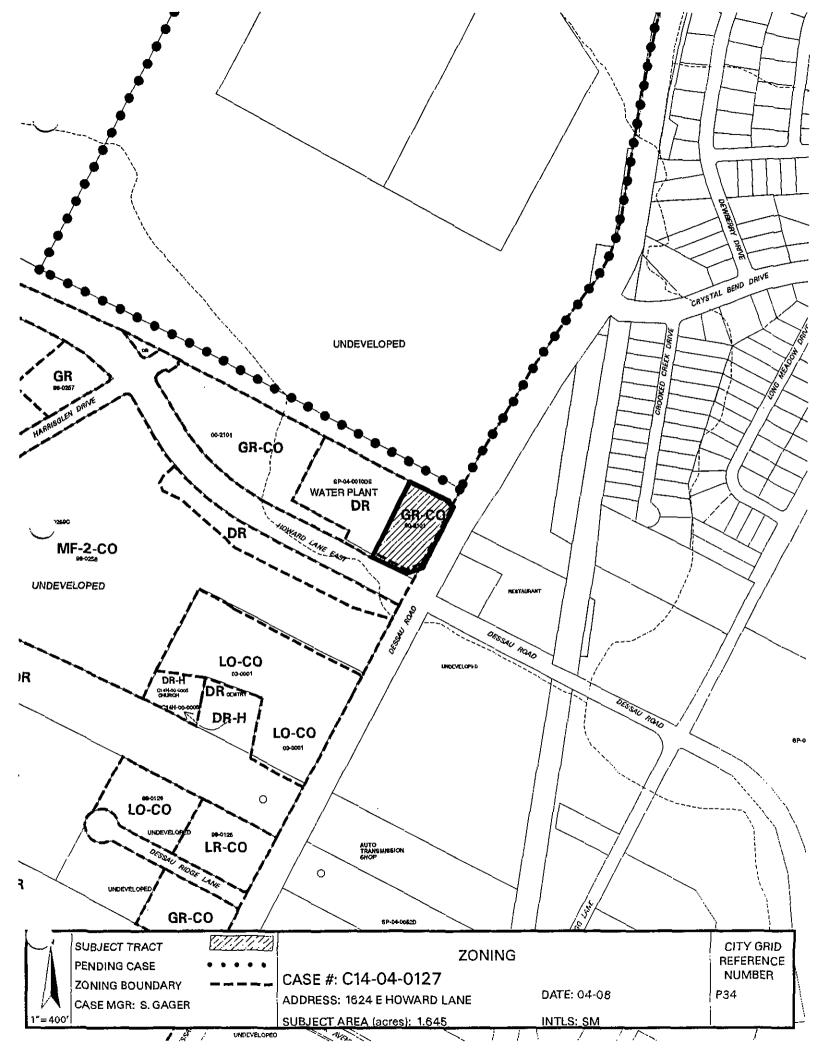
<u>CITY COUNCIL DATE</u>: November 18, 2004 <u>ACTION</u>:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Gager PHONE: 974-3057,

sherri.gager@ci.austin.tx.us



STAFF RECOMMENDATION

The staff's alternate recommendation is for GR-CO, Community Commercial-Conditional Overlay District, zoning. The proposed conditional overlay would prohibit Adult Oriented Business uses. The staff's recommendation also includes a public restrictive covenant, which will encompass the Transportation Impact Analysis (TIA) recommendations provided by the Transportation Review staff (Attachment A – TIA Memo).

BACKGROUND

The property in question is an undeveloped wooded area located at the corner of Dessau Road and East Howard Lane. The applicant proposes to develop the site with a convenience store and/or a fast food restaurant. The property owner is requesting a rezoning of this property because the proposed uses for the site exceed the 1,663 vehicle trip limit adopted for this tract of land (Tract 2) in zoning case C14-00-2101. The current zoning ordinance, Ordinance 000928-91, for this property is included as Attachment B to this report. The proposed development for the site will generate approximately 2,868 unadjusted average daily vehicle trips per day.

The staff recommends GR-CO, Community Commercial-Conditional Overlay District, zoning for the site under consideration because the proposed zoning is compatible with surrounding uses and will provide services provide commercial services to the surrounding residential areas to the southwest and northeast. The property is located at the intersection of two major arterial roadways and will take access to East Howard Lane and Dessau Road. The proposed conditional overlay to prohibit Adult Oriented Businesses on this property is consistent with the Planning Commission's recommendation for this site on August 1, 2000.

The applicant agrees with staff's recommendation.

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.

The property is located at the intersection of two arterial roadways. The site will take access to Dessau Road and East Howard Lane.

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

The proposed GR-CO zoning will be compatible and consistent with the surrounding uses because there is GR-CO zoning to the west on the other side of the water treatment plant and at the southwest corner of Harris Glen Drive and East Howard Lane.

3. Zoning should allow for reasonable use of the property.

The proposed zoning will allow the applicant to develop the property to provide commercial services to the surrounding residential areas to the southwest and northeast.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently undeveloped and heavily wooded. The site is situated at the corner of Dessau Road and East Howard Lane, a signalized intersection. The property is located adjacent to the east of a City of Austin Water Plant.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

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 zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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

Development Classification	% of Net Site Area	% with Transfers
Single-Family	50%	60%
(minimum lot size 5750 sq. ft.)		
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within, or adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

Note: The most restrictive impervious cover limit applies.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Harris Branch 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.

According to flood plain maps, there is a floodplain within, or adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

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 the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Transportation

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo.

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 City water system. The landowner will be responsible for providing all required water system improvements, system upgrades, and offsite main extension to serve the site and land use.

The landowner intends to serve the site with a connection to the Dessau Utility wastewater system. The landowner must provide written evidence that the Dessau Utility will provide wastewater utility service to the site with the land use. If wastewater utility improvements are required, the landowner must make arrangements with Dessau Utility and must provide written evidence that the utility improvements will be provided.

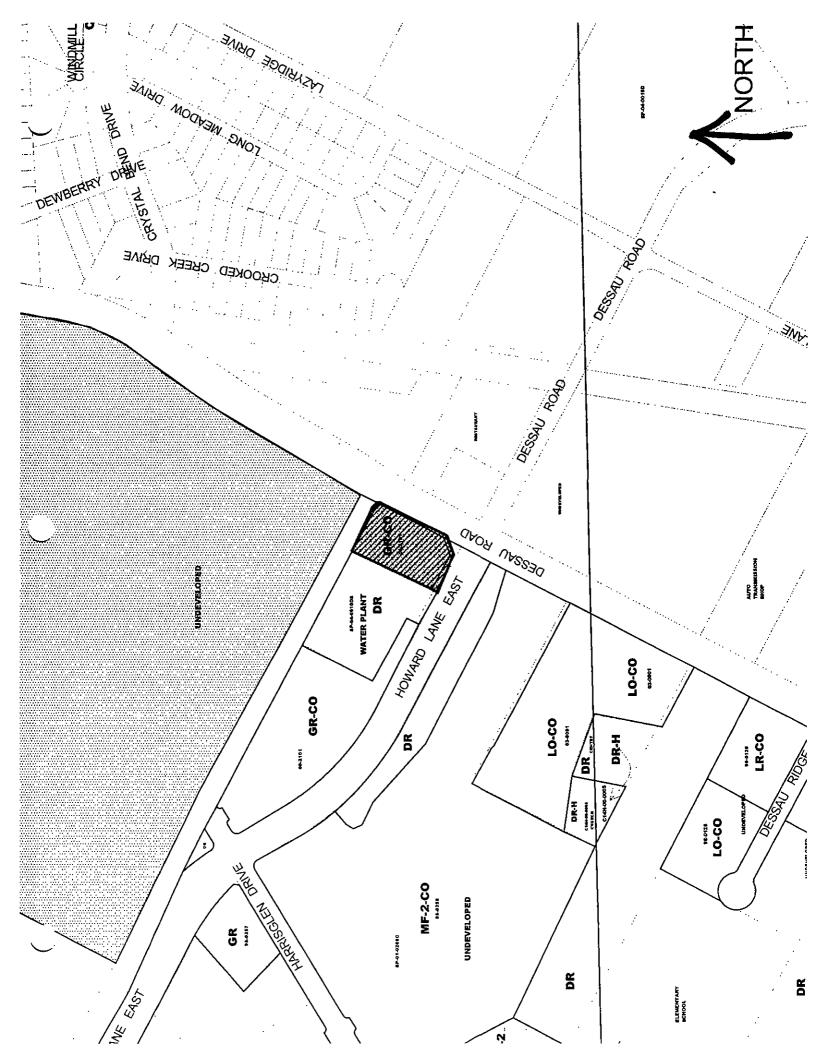
The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin design criteria and specifications. The water and wastewater utility system construction must be inspected by the city. The landowner must pay all associated City construction inspection fees.

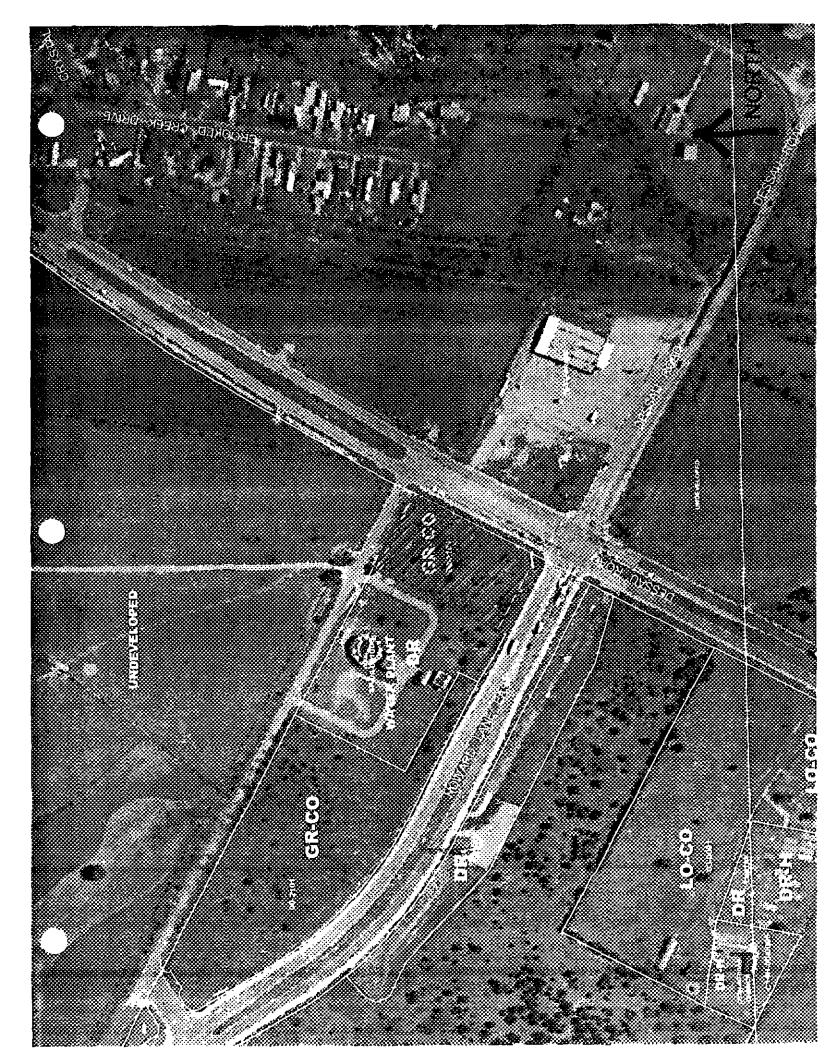
Stormwater Detention

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 stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Compatibility Standards

This site is not subject to compatibility development regulations.





Attachment A



Date:

October 13, 2004

To:

Sherri Gager, Case Manager

CC:

Robert J. Halls, Robert Halls and Associates

Reference:

Harris Ridge Retail Center TIA, C14-04-0127

The Transportation Review Section has reviewed the Traffic Impact Analysis for the Harris Ridge Retail Center, dated September 2004, prepared by Robert Halls, Robert J. Halls and Associates, and offers the following comments:

TRIP GENERATION

Harris Ridge Retail Center is a 1.645-acre development located in northeast Austin at the northwest corner of Dessau Road and Howard Lane.

The property is currently zoned Community Commercial with Conditional Overlay (GR-CO) and is currently undeveloped. The applicant has requested a zoning change to Community Commercial (GR). Completion of the project will be done in 1 phase and is expected in the year 2005.

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 2,868 unadjusted average daily trips (ADT).

The table below shows the adjusted trip generation by land use for the proposed development

Table 1. Trip Generation						
			AM Peak		PM Peak	
LAND USE	Size	ADT	Enter	Exit	Enter	Exit
Convenience Store/Gas Station	10 fueling positions	917	27	26	33	33
Fast Food w/ Drive Thru	2,700sf	938	44	42	29	27
TOTAL		1,855	71	68	62	60

ASSUMPTIONS

1. Traffic growth rates provided by the City of Austin were as follows:

Table 2. Growth Rates per Year			
Roadway Segment	%		
All Roads	3.7%		

2. In addition to these growth rates, background traffic volumes for 2004 included estimated traffic volumes for the following projects:

 Springs at Harris Ridge
 SP-01-0269C

 Brookfield Amenity Center
 SP-02-0306D

 Howard Industrial Park
 SP-03-0385D

 Sandvik Equipment Company
 SP-04-0052D

 Dessau Business Park
 C8-98-0076 (SP-01-0075D, SP-04-0019D, SP-01-0469D, SP-03-0493D, SP-02-0164D, SP-03-0344D, SP-03-0105D, SP-02-0355D, SP-01-0411D, SP-03-0492D, SP-02-0139D, SP-03-0345D)

Gaston Sheldon C8-00-0075 & C8J-00-2083
Parkway Subdivision C8-02-0035.1A & .2A
Village at Northtown C8J-03-0159 & C8J-03-0160

Fish Tract

- 3. A 50% and 40% pass by reduction was taken for Convenience Store/Gas Station and the Fast Food with drive through, respectively.
- 4. No reductions were taken for transit use or internal capture.

EXISTING AND PLANNED ROADWAYS

Howard Lane – In the vicinity of the project this roadway is currently a four lane divided major arterial. The AMATP calls for this road to be upgraded to a six lane divided major arterial by the year 2025. Howard Lane is in the Bicycle Plan as a Priority One route.

Dessau Road – In the vicinity of the project this roadway is currently a four lane divided major arterial. Dessau Road is in the Bicycle Plan as a Priority One route.

Harrisglenn Boulevard – This roadway will be extended into the subject property to intersect with the intersection of Dessau Road and Crystal Bend Drive.

Harris Ridge - In the vicinity of the project this roadway is a four lane undivided major arterial.

Harrisglenn Boulevard - In the vicinity of the project this roadway is a collector.

TRAFFIC ANALYSIS

The impact of site development traffic on the existing area roadways was analyzed. Two time periods and travel conditions were evaluated:

- 2004 Existing Conditions
- 2005 Build-Out Conditions

INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 4 intersections, 2 of which are or would be signalized.

Table 4. Level of Service					
Intersection	2004		2005		
mersection	AM	PM	AM	PM	

Harrisglenn / Howard Lane *	В	В	В	A
Howard Lane / Dessau *	E	E	D	Ē
Driveway 1 / Howard Lane			В	В
Driveway 2 / Fish Lane			Α	Α

^{* =} SIGNALIZED

RECOMMENDATIONS

1) Prior to 3rd reading at City Council, fiscal is required to be posted for the following improvements:

Intersection	Improvements	Total Cost	Pro Rata Share %	Pro Rata Share \$
Harrisglenn Dr. / Howard Lane	Traffic Signal*	\$110,000	2.0%	\$2,200
December 1 Howard Land	NB - Add second left turn lane	\$30,000	7.6%	\$2,280
Dessau Rd. / Howard Lane	SB – Add right turn lane	\$25,000	3.0%	\$750
Total		\$165,000		\$5,230

^{*}A traffic signal will be installed at the time the warrants are met and approved by the COA DPWT Department

- 2) Travis County has approved this TIA.
- 3) Development of this property should be limited to uses and intensities assumed in the TIA. The use and intensities will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2788.

Emily M. Barron

Transportation-Review Staff

Watershed Protection and Development Review

Attachment B

ORDINANCE NO. 000928-91

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE AS FOLLOWS:

TWO TRACTS OF LAND OUT OF THE MEMUCAN HUNT SURVEY NO. 88, CONSISTING OF 5.012 ACRES OF LAND FOR TRACT ONE AND 1.644 ACRES OF LAND FOR TRACT TWO, FROM DEVELOPMENT RESERVE (DR) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT, LOCALLY KNOWN AS THE PROPERTY LOCATED OF THE NORTHEAST CORNER OF HARRISGLENN DRIVE AND HOWARD LANE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from development reserve (DR) district to community commercial-conditional overlay (GR-CO) combining district on the property described in File C14-00-2101, as follows:

Tract One: A 5.012 acre tract of land out of the Memucan Hunt Survey No. 88, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and

Tract Two: A 1.644 acre tract of land out of the Memucan Hunt Survey No. 88, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance, (the "Property")

locally known as the property located at the northeast corner of Harrisglenn Drive and Howard Lane, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "C".

- PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:
- 1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 3,471 trips per day for Tract One and 1,663 trips per day for Tract Two.

2. The following is prohibited as a use of the Property:

Adult oriented businesses (of any type)

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

PART 3. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on October 9, 2000.

\mathbf{p}_{A}	SSED	AND	APPR	OVED
			/ N. I. I. N	

September 28

2000

Kirk Watson Mayor

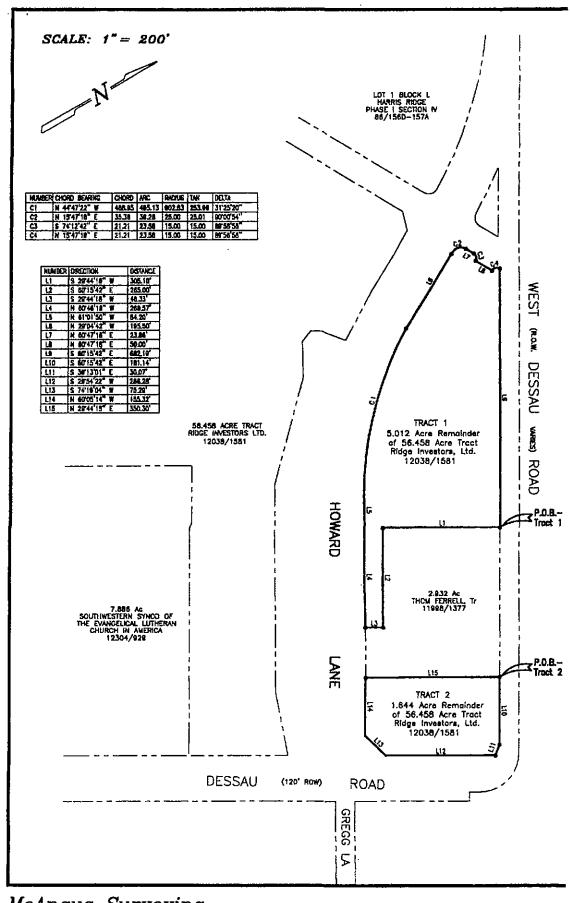
APPROVED: (MM)

Andrew Martin City Attorney

Marlin ATTEST: Z

Shirley A. Brown

City Clerk



McAngus Surveying Company, Inc.

1101 HWY. 360, SOUTH, E-230 AUSTIN, TEXAS 78746 (512) 328-9302 SKETCH TO ACCOMPANY FIELD NOTES
FOR 5.012 ACRE (TRACT I) AND 1.644 ACRE
(TRACT II) PORTIONS OF ORIGINAL 56.458 ACF
TRACT RECORDED IN VOL. 12038, PG. 1581
TRAVIS COUNTY REAL PROPERTY RECORDS.
JOB NO. 92-218Z

ANT PROPERTY

