

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0139 (New Office/ Retail Space)

Z.A.P. DATE: January 19, 2016

ADDRESS: 11812 Millwright Parkway

DISTRICT AREA: 6

OWNER: NZ Lands, Inc. (Zulfiqar Ali Prasla and Nizar Ali Prasla)

ZONING FROM: I-SF-2

TO: LR

AREA: 0.96 acres (41,817.6 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant LO-MU, Limited Office-Mixed Use District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

1/19/16: Approved staff recommendation of LO-MU zoning (8-2, A. Denkler and J. Goodman-No); T. Webber-1st, J. Kiolbassa-2nd.

DEPARTMENT COMMENTS:

The property in question is currently developed with a vacant burned down structure that was previously a day care facility (ABC Child Development Center). There is a convenience store (Speedy Mart) and retail strip center located to the south. To the north, east and west are single-family residential homes. The applicants are requesting LR, Neighborhood Commercial District, zoning so that they can redevelop the site with office/retail uses.

The staff is recommending LO-MU zoning for this site because the property in question meets the intent of the Limited Office district as it will permit an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods with site development designed to ensure that the uses are compatible and complementary in scale and appearance with the residential environment. LO-MU zoning will allow for low intensity office uses to front onto Millwright Parkway, a residential collector street, while creating an appropriate transition from the retail strip center/convenience store use to the south to the single-family residential uses located to the north, east and west of the property.

The applicant does not agree with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-SF-2	Previous Day Care Facility (ABC Child Development Center)
<i>North</i>	I-SF-2	Single-Family Residences
<i>South</i>	LR-CO	Convenience Store (Speedy Mart), Restaurant, Vacant Space
<i>East</i>	I-SF-2	Single-Family Residences
<i>West</i>	I-SF-2	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:

Anderson Mill Neighborhood Association
Austin Heritage Tree Foundation
Bike Austin
Bull Creek Foundation
Friends of Austin Neighborhoods
Long Canyon Homeowners Association
Long Canyon Phase II & III Homeowner Association Inc.
Round Rock Independent School District
SELTEXAS
Sierra Club, Austin Regional Group
Spicewood Springs Road Tunnel Coalition

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0041 (New Tenant Project: 10300 Anderson Mill Road)	I-SF-2 to CS-1 LR	12/16/14: Approved the staff's recommendation of LR-CO zoning, with conditions, by consent (6-0, R. McDaniel-absent); P. Seeger-1 st , S. Compton-2 nd .	2/12/15 : Approved LR-CO zoning, with conditions, on consent 1 st reading only (11-0) 4/16/15: Approved LR-CO zoning on 2 nd /3 rd readings by consent (10-0); D. Zimmerman-1 st , S. Gallo-2 nd .
C14-2007-0240 (10401 Anderson Mill Road)	RR, GR to GR	2/19/08: To grant GR-CO zoning (6-0, T. Rabago, J. Martinez-absent), with the following conditions: 1) Prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Funeral Services, Hotel-Motel, Indoor Entertainment, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services, Theater, and Hospital Services (General); 2) Allow the following as conditional uses: Community Recreation	3/20/08 : Approved GR-CO zoning by consent (7-0); all 3 readings

		(Private), Community Recreation (Public), Congregate Living, Group Home-Class II, Hospital Services (Limited), Residential Treatment; 3) Limit the property to 'LR' district site development regulations; 4) Limit development to less than 2,000 vehicle trips per day above what currently exists on the site; 5) The applicant shall dedicate approximately 11-feet of right-of-way from the existing centerline of Anderson Mill Road.	
C14-04-0112 (Williamson Square: 1070Anderson Mill Road)	I-RR to GR	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. (7-1, B. Baker-Nay); T. Rabago-1 st , M. Whaley-2 nd	10/21/04: Approved GR-CO zoning (7-0); all 3 readings
C14-02-0180 (Hope Presbyterian Church: 11512 Olson Drive)	RR to GR	1/07/03: 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); B. Baker-1 st , K. Jackson-2 nd	2/06/03: Granted GO-CO on all 3 readings (7-0)

C14-00-2255 (Spicewood Tract: 10601 Block of Anderson Mill Road)	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 st reading 4/19/01: Approved SF-6-CO w/ conditions; 2 nd /3 rd readings
C14-00-2071 (Sprint PCS Wormwood: 10401 Anderson Mill Road)	RR to GR	6/06/00: Approved staff rec. of GR by consent (9-0)	8/03/00: Approved GR zoning (7-0); all 3 readings

RELATED CASES: C7L-98-006 (Annexation – December 21, 1998)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Anderson Mill Road	90'	50'	Major Arterial	No	Yes	Yes
Millwright Parkway	60'	46'	Local	Yes	Yes	Yes

CITY COUNCIL DATE: February 11, 2016

ACTION:

ORDINANCE READINGS: 1st

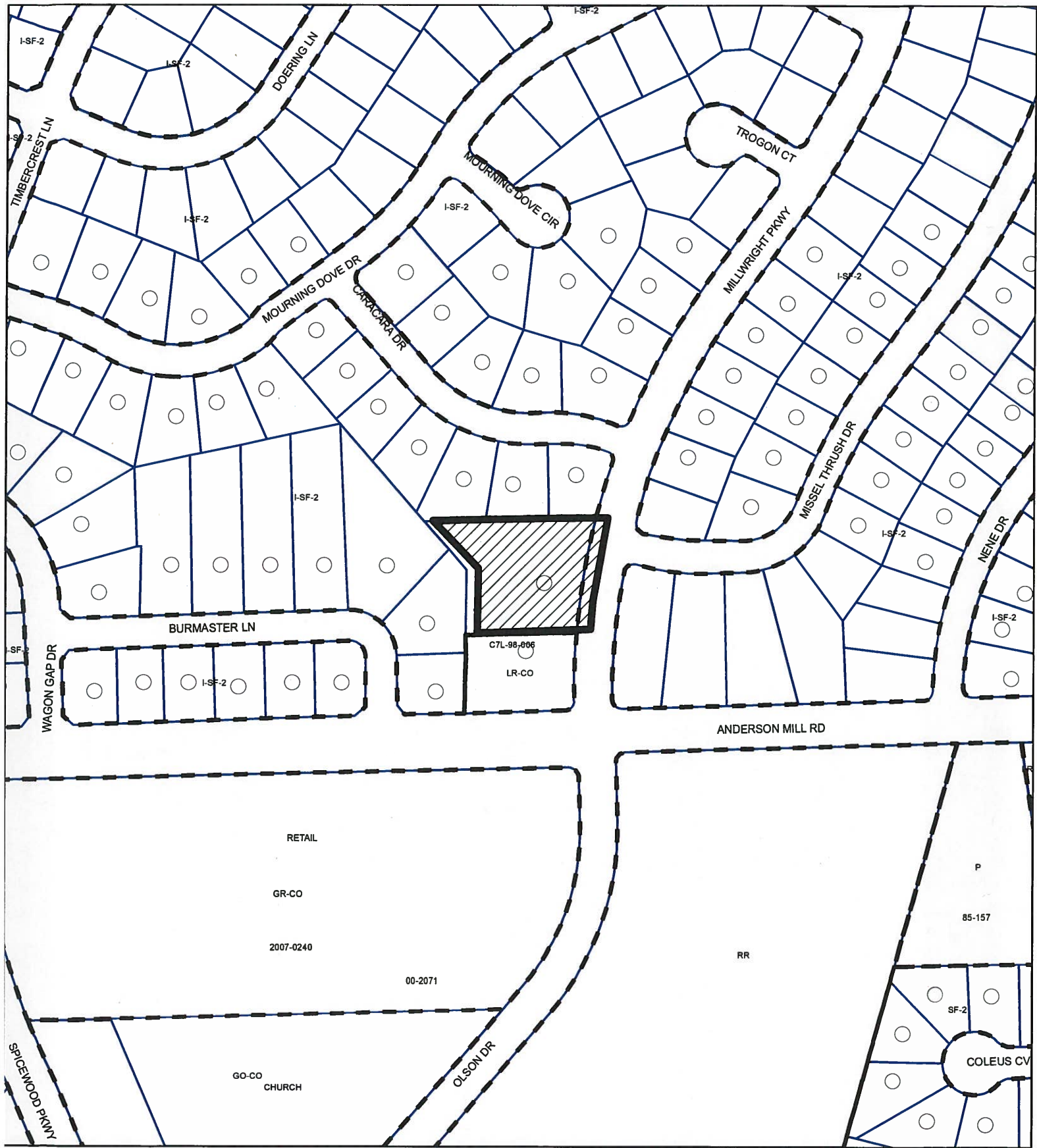
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057,
sherri.sirwaitis@austintexas.gov



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

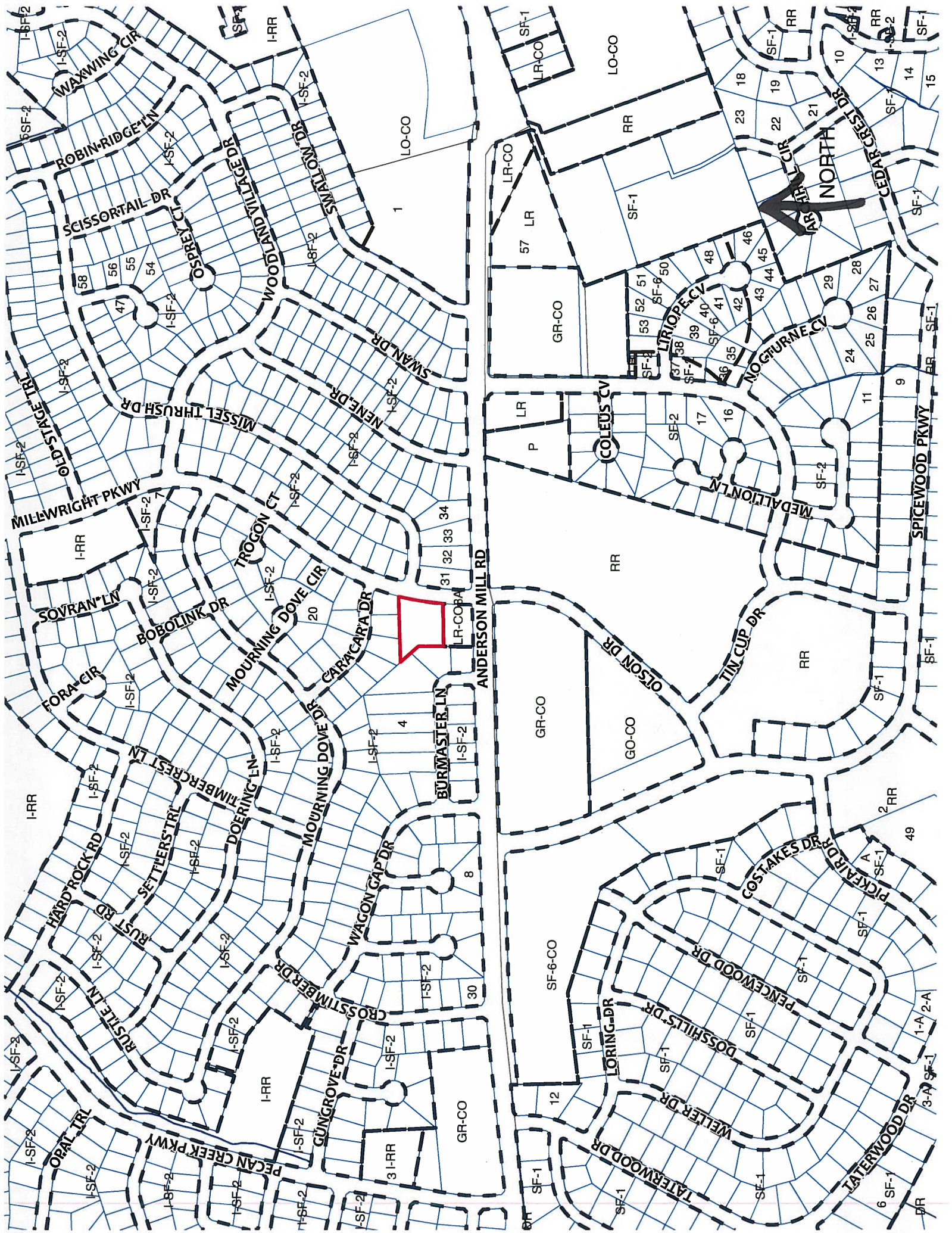
ZONING CASE#: C14-2015-0139

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



1" = 200'





STAFF RECOMMENDATION

The staff's recommendation is to grant LO-MU, Limited Office-Mixed Use District, zoning.

BASIS FOR RECOMMENDATION

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

Limited office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

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

LO-MU zoning will allow for low intensity office that will front onto Millwright Parkway, a local collector street and the entrance to a single-family residential neighborhood. Limited Office zoning will create an appropriate transition to the retail center/convenience store use to the south to the single-family residential uses located to the north, east and west of the property.

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

The LO-MU zoning district would allow for a fair and reasonable use of the site because it will allow for the applicant to redevelop the site with office uses that are compatible with and may provide services to the surrounding residential neighborhood.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is developed with a vacant structure that was previously a day care facility (ABC Child Development Center). The property to the north, east and west is developed with single-family residences. The tract of land to the south contains a convenience store and a vacant restaurant use that fronts onto Anderson Mill Road.

Comprehensive Planning

I-SF-2 to LR-CO

This zoning case is located on the west side of Millwright Parkway, on a parcel that is approximately .96 acres in size and formerly contained a daycare/playground center, which burned down. The property is not located with the boundaries of an existing neighborhood planning area. The property is surrounded by a single family housing to the north, east and west, and a convenience store to the south, located on Anderson Mills Road. The proposal is build a mixed use office/retail building.

Imagine Austin

The site is located over the Edwards Aquifer Recharge Zone. An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and “contribute” water to the aquifer. Due to the site’s location in an environmentally sensitive area, if applicable, during the site planning stage, an environmental review will be required to determine if any critical environmental features are located on the site. If any are located, mitigation and setbacks necessitated by the land development code will be required.

The following are policies taken from Chapter 4 of the Imagine Austin Comprehensive Plan, which specifically discuss the preservation of neighborhood character:

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

A high intensity mixed use project with a retail component that is located within the interior of an existing residential neighborhood does not appear to be context sensitive to the surrounding residential uses. Based on the property being located within the interior of a residential street, and Imagine Austin policies referenced above, staff believes that office (rather than mixed use/retail) is consistent with the Imagine Austin Comprehensive Plan.

Environmental

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

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.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development’s requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding 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 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 preexisting approvals that preempt current water quality or Code requirements.

Impervious Cover

The maximum impervious cover allowed by the LR zoning district would be 80%. However, because the Watershed impervious cover is more restrictive than the LR zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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 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%

Note: The most restrictive impervious cover limit applies.

Site Plan

Development on the subject property will be subject to *Subchapter E: Design Standards and Mixed Use*. Millwright Parkway, classified as a Suburban Roadway, will be considered the Principal Street. Additional Site Plan Review comments will be provided upon submittal of a site plan upon application for site development permit.

Please note that the adjacent properties zoned I-SF-2 will not trigger compatibility standards on the subject property. However, an adjacent single-family use will trigger compatibility standards on the subject tract. Therefore, any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property with a single family use or in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

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.

Transportation

Additional right-of-way maybe required at the time of subdivision and/or site plan.

A TIA may be required at the time of site plan if proposed development exceeds 2,000 vehicle trips per day.

A Neighborhood Traffic Analysis is required for Millwright Parkway and will be performed for this project by the Transportation Review staff. Results will be provided in a separate memo. LDC, Sec. 25-6-114. Provide 24 hour trip counts for Millwright Parkway to this reviewer.

Provide a TIA determination worksheet. This was not found in the application packet.

What is the proposed Conditional Overlay?

Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Millwright Parkway	61'	40'	Collector	Yes	Yes; bike lane (northbound only); route #23	Yes

Water and Wastewater

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 the Austin Water Utility 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.



MEMORANDUM

DATE: December 4, 2015
TO: Sherri Sirwaitis, Case Manager
CC: Saffan Prasla
SUBJECT: Neighborhood Traffic Analysis for New Office/ Retail Space (C14-2015-0139)

The transportation review staff has prepared Neighborhood Traffic Analysis (NTA) for the above referenced case. The site is located at the northeast corner of Anderson Mill Road and Millwright Parkway. The site is bordered by single family zoning immediately north and west, Millwright Pkwy to the east, and commercial retail to the south. This .49 acre tract is currently zoned I-SF-2. The site is proposed for LR-CO.

ROADWAYS

Millwright Parkway is residential collector with 60 feet of right-of-way and 42 feet of pavement. Under Section 25-6-114 of the Land Development Code, Millwright Parkway is classified as a residential collector street because at least 50 percent of its frontage is zoned for SF-5 or more restrictive uses. The average daily traffic (ADT) on Millwright is estimated at 3,179 vehicles at the intersection with Anderson Mill Road (based on traffic counts provided by the applicant).

TRIP GENERATION AND TRAFFIC ANALYSIS

Based on the Institute of Transportation Engineer's (ITE) publication Trip Generation, the proposed development may generate up to 1,830 vehicle trips per day.

Trip Generation (unadjusted)		
Land Use	Size/Units	ADT
LR (ITE 820)	1 acre	1860

The trip distribution on the adjacent roadways is shown in the table below:

Traffic Distribution	
Street	Site Traffic
Millwright Parkway (Residential Collector)	100%

Below is a table containing the estimated number of trips that will affect each street.

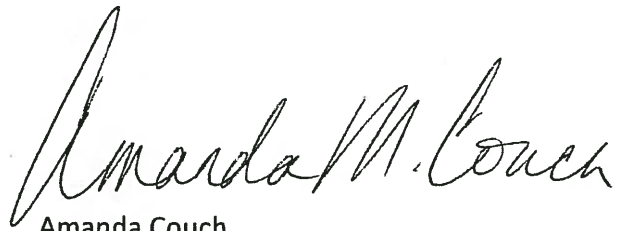
Trip Assignment			
Street	Existing Traffic	Site Traffic	Total Traffic after Project
Millwright Parkway	3,179	1,860	5,039

The Land Development Code specifies desirable operating levels for certain streets in section 25-6-116. These levels are as follows: A residential local or collector street with a pavement width of more than 40' may carry 4,000 vehicle trips per day or more.

CONCLUSIONS/RECOMMENDATIONS

1. The neighborhood traffic analysis was triggered because the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 trips per day, and the project has access to a local or residential collector street where at least 50 percent of the site frontage has an SF-5 or more restrictive zoning designation.
2. The traffic along Millwright Parkway does not exceed the requirements established in Section 25-6-116 (referenced above).
3. Development of this property should be limited to uses and intensities, which will not exceed or vary from the projected traffic conditions assumed in this neighborhood traffic analysis including traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me 974-2881.

A handwritten signature in black ink that reads "Amanda M. Couch". The signature is fluid and cursive, with the first name "Amanda" being larger and more prominent than the last name "Couch".

Amanda Couch

Senior Planner

Transportation Review Team, Land Use Review

Development Services Department

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.

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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 or at a 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: C14-2015-0139

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Jan. 19, 2016, Zoning and Platting Commission

Feb. 11, 2016, City Council

Your Name (please print)

Loyac Cook

☐ I am in favor
☒ I object

Your address(es) affected by this application

10411 MOUNTAIN VIEW DRIVE

Signature

Loyac Cook

Date

Daytime Telephone:

512-258-6751

Comments:

TRAFFIC IS ALREADY TOO BUSY

WITH A NUMBER OF SCHOOLS.

WE DO NOT NEED MORE COMMERCIAL.

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

Item # C-6

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Case Number: C14-2015-0139

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Jan. 19, 2016, Zoning and Platting Commission

Feb. 11, 2016, City Council

JANEY COOK
Your Name (please print)

10417 MAURINE DOVE DR

Your address(es) affected by this application

Janey Cook

Signature

Jan 11, 2016

Date

Daytime Telephone: 512-258-6251

Comments: Too close to busy intersection Pool
Parkway. This is a "Neighborhood" area
with traffic flow to many homes in Anderson
Mill. There is a small strip mall facing
Anderson Mill Rd on both sides of Anderson Mill
Rd. There is a home on corner adjacent
to proposed commercial tract. That home will
be devalued and have noise.
THE TACO EXPRESS IS AN EYESORE!! WE

Want to keep our Neighborhood quiet
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

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Case Number: C14-2015-0139

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Jan. 19, 2016, Zoning and Platting Commission

Feb. 11, 2016, City Council

Mrs. Norman V. Blackmon

Your Name (please print)

1901 Millwright Pkwy
Austin, TX 78750

Your address(es) affected by this application

Mrs. Norman V. Blackmon Jan 16, 2016

Signature

Date

Daytime Telephone: 512-250-0354

Comments: The traffic on Millwright Parkway is already heavy. The corner convenience store and other businesses have lots of auto & foot traffic that have difficulty getting into & out of that location. Much of the traffic from purchases ends up tossed along Millwright Pkwy. This is a residential neighborhood. We do not need any more commercial development at this intersection.

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