

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2018-0106 – JBR Zoning

**Z.A.P. DATE:** December 4, 2018  
January 15, 2019

**ADDRESS:** 9301 South IH-35 Service Road Northbound

**DISTRICT AREA:** 5

**OWNER:** Holt Cat (Corinna Richter)

**AGENT:** Kimley-Horn & Associates  
(Luke Caraway)

**ZONING FROM:** I-RR

**TO:** GR-CO, as amended

**AREA:** 10.83 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay: 1) prohibits the following uses: automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), commercial off-street parking, drop-off recycling collection facility, pawn shop services and residential treatment.

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

December 4, 2018: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JANUARY 15, 2019*

*[B. EVANS; D. BREITHAUPT – 2ND] (9-0) N. BARRERA-RAMIREZ, J. DUNCAN – ABSENT*

January 15, 2019: *APPROVED GR-CO, DISTRICT ZONING AS STAFF RECOMMENDED, ON CONSENT*

*[S. LAVANI, J. DUNCAN – 2ND] (10-0) N. BARRERA-RAMIREZ - ABSENT*

### **ISSUES:**

On December 10, 2018, the Applicant amended the rezoning request from CS-CO to GR-CO.

The case was re-notified for the Zoning and Platting Commission meeting of January 15, 2019 in response to adjacent residents in the Crossing at Onion Creek subdivision who expressed concerns that they had not received timely notification of the case for December 4, 2018.

### **DEPARTMENT COMMENTS:**

The zoning area consists of a recently annexed portion of a platted lot that is under common ownership with a 200-foot wide adjacent portion that has direct access to the northbound IH 35 service road and is zoned CS-CO. The north and eastern portions of the zoning area are heavily vegetated, contain a tributary to Onion Creek and the limits of the 100-year fully

developed floodplain. The area was zoned interim-rural residence (I-RR) district upon its annexation into the City limits in November 2017 and is used for the storage of construction equipment. To the north there are apartments (MF-4-CO), as well as convenience storage and equipment rental uses (CS-CO; I-RR); to the east is the single family residence-small lot subdivision; and to the south is an equipment repair and sales business also owned by the Applicant (LI-CO, I-RR; I-SF-2) and a TXDOT office/warehouse facility (GO-CO). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View), B (2014 Rezoning Ordinance) and C (Recorded Plat).

The Applicant requests community commercial – conditional overlay (GR-CO) district zoning, with the –CO for the same list of prohibited uses as that approved for the adjacent zoning tract to the west which has direct frontage on the IH 35 service road: automotive rentals, repair, sales and washing, commercial off-street parking, drop-off recycling, pawn shops and residential treatment (C14-2014-0121). The intent is to develop the combined area with commercial uses, including restaurant and retail uses.

Staff recommends GR-CO zoning for the property based on the following considerations: 1) access is taken to a major arterial roadway; 2) compatibility with the zoning pattern and general land use character established along this segment of the IH-35 service road in proximity of East Slaughter Lane; 3) the Conditional Overlay is compatible with that applied to similarly situated properties to the north that are developed with a convenience storage and truck rental business and to the west that contains construction equipment, and 4) the tributary and floodplain along the north and west sides of the zoning area provides a natural buffer from the residential neighborhood to the east.

#### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Storage of construction equipment
<i>North</i>	MF-4-CO; CS-CO; County	Apartments; Convenience storage; Truck rental; Auto repair; Construction sales and services
<i>South</i>	LI-CO; I-RR; I-SF-2; GO-CO	Equipment sales and rental; TXDoT office/warehouse facility
<i>East</i>	SF-4A-CO	Small-lot single family residences in The Crossing at Onion Creek subdivision
<i>West</i>	CS-CO	Storage of construction equipment; IH-35 Northbound service road and main lanes

**AREA STUDY:** Not Applicable

**TIA:** Is not required

**WATERSHED:** Onion Creek – Suburban

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

627 – Onion Creek Homeowners Association 742 – Austin Independent School District  
 1228 – Sierra Group, Austin Regional Group 1258 – Del Valle Community Coalition  
 1363 – SEL Texas 1438 – Dove Springs Neighborhood Association  
 1441 – Dove Springs Proud 1528 – Bike Austin  
 1530 – Friends of Austin Neighborhoods 1531 – South Austin Neighborhood Alliance  
 1616 – Neighborhood Empowerment Foundation

### **SCHOOLS:**

Blazier Elementary School

Bedichek Middle School

Crockett High School

### **CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2014-0121 – Holt Cat South Austin – 9200-9500 S IH 35 Service Rd NB	SF-2 to CS-CO	To Grant CS-CO w/CO for list of prohibited uses, 15' vegetative buffer along the west property line and 2,000 trip limit	Apvd CS-CO as ZAP recommended (10-16-2014).
C14-2014-0118 – NL Land Holdings, Ltd – 9101-9201 S IH 35 Service Rd NB	I-RR; CS-CO to MF-4, as amended	To Grant MF-4-CO w/CO prohibiting access to Oak Hill Ln until improved to City standards, require a 15' vegetative buffer along the west property line and 2,000 trips per day	Apvd MF-4-CO as Commission recommended (10-16-2014).
C14-99-0132(RCT) – Prosperity Business Park – 9101-9201 S IH 35 Service Rd NB	To terminate the Restrictive Covenant	To Grant the Restrictive Covenant Termination	Apvd as Commission recommended (08-08-2013).
C14-2013-0009 – Prosperity Business Park – 9101-9201 S IH 35 Service Rd NB	CS-CO to CS-CO, to change a condition of zoning	To Grant CS-CO and remove provisions which limit signage and prohibit vehicular access from the property to Oak Hill Lane until this street is improved to City standards	Apvd as Commission recommended (08-08-2013).
C14-97-0081 – IH 35 South at Slaughter Lane – 9000-9100 Block of	SF-2 to CS	To Grant CS-CO	Apvd CS-CO w/CO for 2,000 trips, list of prohibited uses, no vehicular access to

S IH 35 Service Rd NB			Oak Hill Ln. until improved to City standards, 45' height limit for structures, 40' wide setback for structures from IH 35 r-o-w (10-16-1997).
C14-95-0185 – Holt Company of Texas – 9601 S IH 35 Service Road NB	SF-2 to LI	To Grant LI-CO with conditions	Apvd LI-CO w/CO for 2,000 trips per day (02-01-1996).

**RELATED CASES:**

The zoning area was annexed into the full-purpose City limits on November 20, 2017 (C7a-2017-0002 – Ordinance No. 20171109-025).

The portion of the lot with the IH-35 frontage (to a depth of 200 feet) was rezoned to CS-CO in April 2014 (C14-2014-0121 – Holt Cat South Austin).

The zoning area is a portion of Holt Cat Subdivision recorded on February 26, 2016 (C8J-2015-0141.0A).

There are no site plan applications approved or in process on the subject property.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks (along frontage)	Bike Route	Capital Metro (within ¼ mile)
IH-35 Service Road NB	430-679 feet	220 feet	Highway/Service Road	No	Yes, shred lane, Route 421	Yes

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows: Shared Lane IH-35 Service Road Northbound.

**CITY COUNCIL DATE:** January 31, 2019

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)

**PHONE:** 512-974-7719

**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay: 1) prohibits the following uses: automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), commercial off-street parking, drop-off recycling collection facility, pawn shop services and residential treatment.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The CO, Conditional Overlay 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 should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways.*

Staff recommends GR-CO zoning for the property based on the following considerations: 1) access is taken to a major arterial roadway; 2) compatibility with the zoning pattern and general land use character established along this segment of the IH-35 service road in proximity of East Slaughter Lane; 3) the Conditional Overlay is compatible with that applied to similarly situated properties to the north that are developed with a convenience storage and truck rental business and to the west that contains construction equipment, and 4) the tributary and floodplain along the north and west sides of the zoning area provides a natural buffer from the residential neighborhood to the east.

**EXISTING CONDITIONS****Site Characteristics**

The zoning area is used for the storage of construction equipment, heavily vegetated along its northern and eastern sides and slopes to the east, towards Onion Creek. The recorded plat identifies the 100-year floodplain and the critical water quality zone.

**Impervious Cover**

The maximum impervious cover allowed by the GR-CO zoning district is 80%, based on the more restrictive *watershed* regulations.

## **Comprehensive Planning**

The subject tract for this rezoning case is located near the southeast corner of the intersection of the IH 35 service road and East Slaughter Lane. The subject tract is 10.83-acre triangular-shaped parcel. It is not located within the boundaries of a neighborhood planning area. To the east are a large apartment complex and a single-family subdivision. To the south is HOLT CAT Austin, a construction equipment supplier, and to the west is IH 35 and its service roads. The proposed use is an unspecified commercial use.

### **Connectivity**

There are no public sidewalks or bike lanes adjacent to the subject tract. All vehicular access to the site is via the one-way northbound IH 35 service road. The site is not served by transit. The nearest bus stop is approximately 0.50 miles away and is located on East Slaughter Lane adjacent to the South Park Meadows Shopping Center on the western side of IH 35. There are no sidewalks along the service road. The subject tract also has poor roadway, pedestrian, and bicycle connectivity to the majority of nearby residential uses.

### **Imagine Austin**

The subject tract falls at the far eastern portion of South Park Meadows Regional Center. Like many Imagine Austin Centers, this center is represented by a circle 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. Since the majority of the center is located west of IH 35, the subject tract has poor vehicular connections and scant bicycle or pedestrian connectivity to the majority of the center. Although the subject tract is located within the South Park Meadows Regional Center, due to the physical separation from the majority of the center, it is not a part of it. Furthermore, this assessment is bolstered by the traffic circulation patterns generated by the one-way service road and the poor connectivity to nearby residential uses.

The zoning change request from I-RR to GR-CO would make the prohibited uses consistent with the 4.84 acres fronting the service road (Ord. # 20141016-057). The CO for this portion of the site prohibits automobile-related uses, pawn shops, residential treatment, and recycling facilities. The allowed uses would be compatible to the construction equipment supplier to the south and are less intensive than the original request for CS zoning.

Imagine Austin does not provide clear policy guidance for zoning cases involving intense commercial zoning along freeway frontage roads beyond:

**LUT P20.** Locate industry, warehousing, logistics, manufacturing, and other freight-intensive uses in proximity to adequate transportation and utility infrastructure.

Based on the subject tract's location and mobility issues, and the limited policy guidance offered by the comprehensive plan, the proposed zoning change request is neutral in regards to Imagine Austin.

### **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.

Numerous 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 512-974-1876. 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.

### **Site Plan and Compatibility Standards**

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located <540 feet from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when a site plan is submitted.



The site is subject to residential compatibility standards along the northeastern property line:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the eastern property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

### **Transportation**

The traffic impact analysis has been waived for the zoning application. The TIA will be deferred to the site plan application when more details of the development are available [LDC 25-6-113].

The zoning tract does not front public right-of-way. If the zoning tract is included with the northern property at the time of the subdivision and site plan applications, the following comments are applicable:

During the subdivision and/or site plan application, Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056. The shared use path location and construction will be determined at the time of the site plan application.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, an urban trail is recommended for IH 35. The bicycle facilities will be reviewed during the subdivision and site plan applications. Right-of-way dedication and bicycle facility construction may be required after further review in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the [Bicycle Master Plan](#) for more information.

The Urban Trails Master Plan recommends a shared use path along IH 35. Please review the [Urban Trails Master Plan](#) for more information. The urban trail facilities will be reviewed during the subdivision and site plan applications. Right-of-way dedication and urban trail facility construction may be required after further review in accordance with LDC 25-6-55 and LDC 25-6-101.

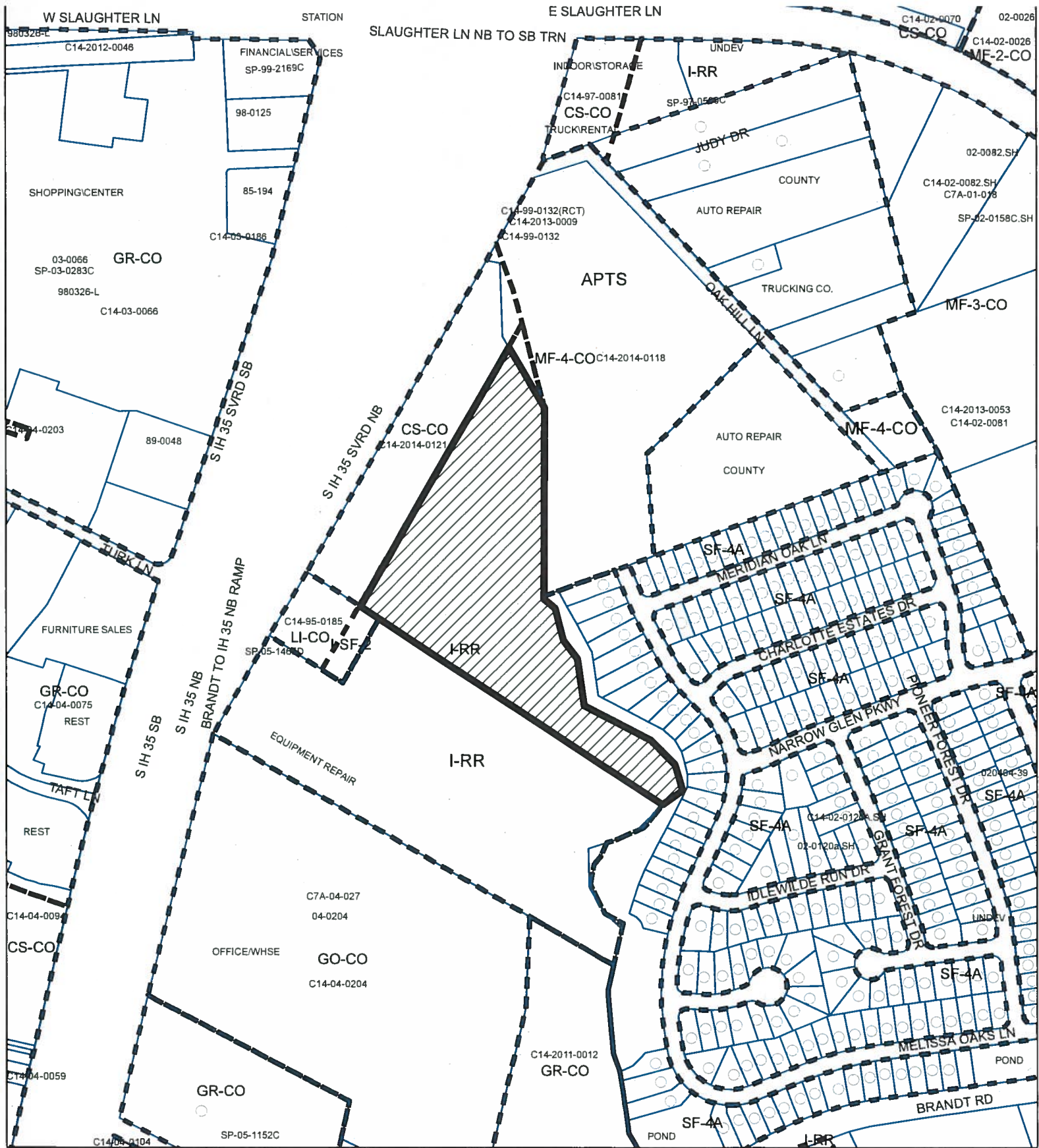
FYI – The existing driveways along IH 35 will be required to be removed and reconstructed at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

FYI – Sidewalks shall be constructed along IH 35 at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

**Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. Service Extension Request #4312 has been submitted for wastewater service, and must be approved prior to approval of any plat(s) or construction plan(s).

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. 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.



# ZONING

ZONING CASE#: C14-2018-0106

EXHIBIT A



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







Created: 12/4/2018





## JBR ZONING

*Exhibit A-1*

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

ZONING CASE#: C14-2018-0106  
 LOCATION: 9301 S. IH 35 SERVICE RD. NB  
 SUBJECT AREA: 10.83 ACRES  
 GRID: G13  
 MANAGER: WENDY RHOADES

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.



N  
  
 1" = 400'



**ORDINANCE NO. 20141016-057**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 9200-9500 SOUTH INTERSTATE HIGHWAY 35 SERVICE ROAD NORTHBOUND FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT.**

**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 single family residence standard lot (SF-2) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in **Zoning Case No. C14-2014-0121**, on file at the Planning and Development Review Department, as follows:

Tract 1: 1.40 acre tract of land, more or less, out of the Santiago del Valle Grant the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

Tract 2: 3.44 acre tract of land, more or less, out of the Santiago del Valle Grant the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (both tracts cumulatively referred to as the "Property"),

locally known as 9200-9500 South Interstate Highway 35 Service Road Northbound in the City of Austin, Travis County, Texas, and generally 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:

- A. 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 2,000 trips per day.
- B. A 15-foot wide vegetative buffer shall be provided and maintained along and adjacent to the west property line. Improvements permitted within the buffer

zone are limited to drainage, underground utility improvements, driveway or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

C. The following uses are prohibited uses of the Property:

Adult oriented business  
Automotive sales  
Automotive repair services  
Pawn shop services  
Residential treatment

Automotive rentals  
Automotive washing (of any type)  
Commercial off-street parking  
Drop-off recycling collection facility


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

PART 3. This ordinance takes effect on October 27, 2014.

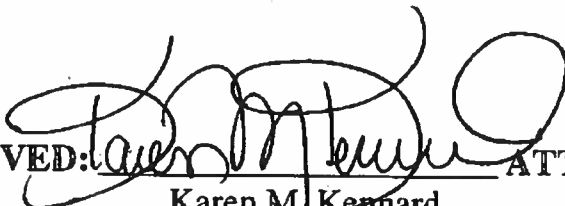
PASSED AND APPROVED

October 16, 2014


§  
§  
§

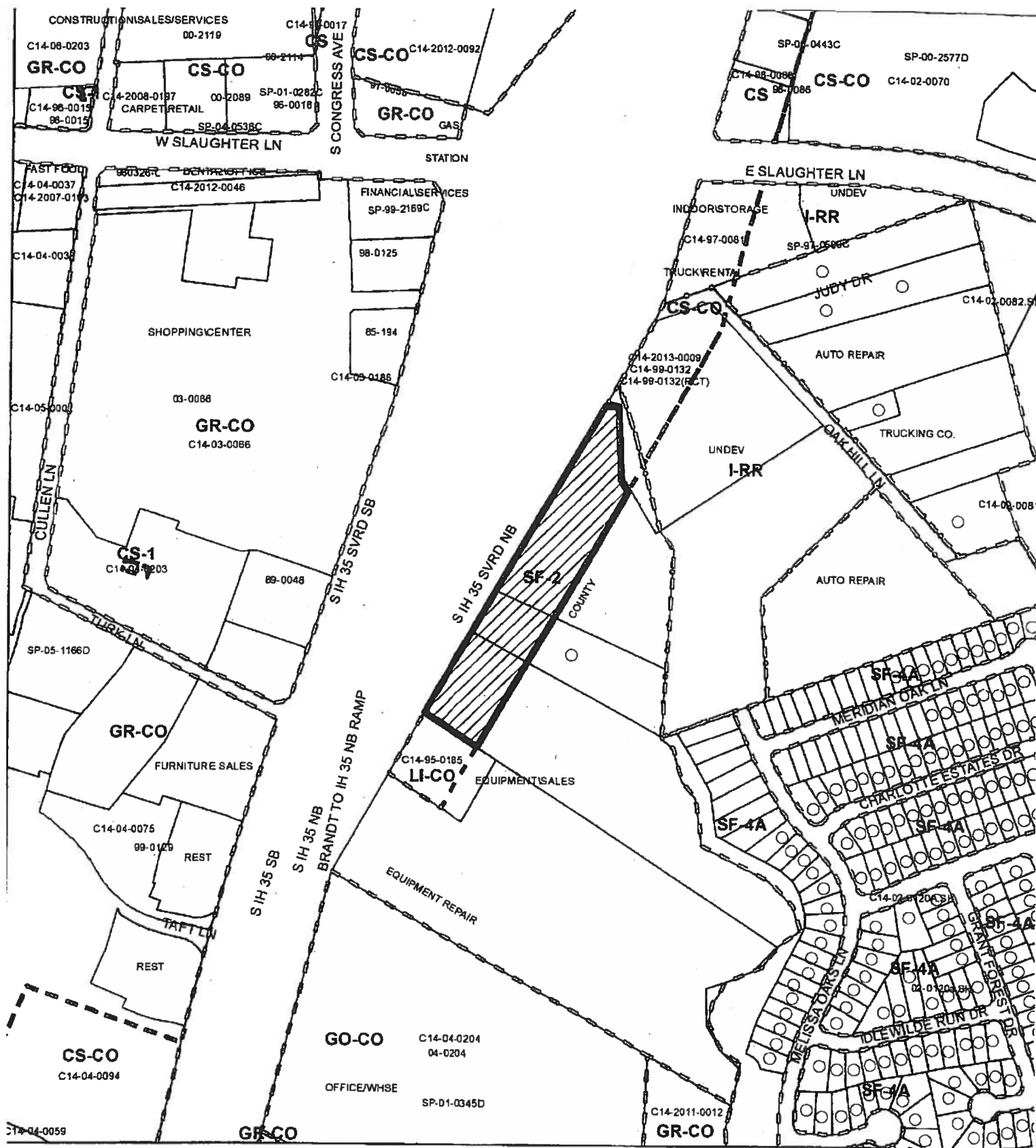
  
Lee Leffingwell  
Mayor

APPROVED:

  
Karen M. Kennard  
City Attorney

ATTEST:

  
Jannette S. Goodall  
City Clerk



- N**
- SUBJECT TRACT
  - PENDING CASE
  - ZONING BOUNDARY

## ZONING

CASE#: C14-2014-0121

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 geograph by the City of Austin regarding specific accuracy or completeness.

Exhibit C



1" = 400'







**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay: 1) prohibits the following uses: automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), commercial off-street parking, drop-off recycling collection facility, pawn shop services and residential treatment.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The CO, Conditional Overlay 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 should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways.*

Staff recommends GR-CO zoning for the property based on the following considerations: 1) access is taken to a major arterial roadway; 2) compatibility with the zoning pattern and general land use character established along this segment of the IH-35 service road in proximity of East Slaughter Lane; 3) the Conditional Overlay is compatible with that applied to similarly situated properties to the north that are developed with a convenience storage and truck rental business and to the west that contains construction equipment, and 4) the tributary and floodplain along the north and west sides of the zoning area provides a natural buffer from the residential neighborhood to the east.

**EXISTING CONDITIONS****Site Characteristics**

The zoning area is used for the storage of construction equipment, heavily vegetated along its northern and eastern sides and slopes to the east, towards Onion Creek. The recorded plat identifies the 100-year floodplain and the critical water quality zone.

**Impervious Cover**

The maximum impervious cover allowed by the GR-CO zoning district is 80%, based on the more restrictive *watershed* regulations.

### **Comprehensive Planning**

The subject tract for this rezoning case is located near the southeast corner of the intersection of the IH 35 service road and East Slaughter Lane. The subject tract is 10.83-acre triangular-shaped parcel. It is not located with the boundaries of a neighborhood planning area. To the east are a large apartment complex and a single-family subdivision. To the south is HOLT CAT Austin, a construction equipment supplier, and to the west is IH 35 and its service roads. The proposed use is an unspecified commercial use.

### **Connectivity**

There are no public sidewalks or bike lanes adjacent to the subject tract. All vehicular access to the site is via the one-way northbound IH 35 service road. The site is not served by transit. The nearest bus stop is approximately 0.50 miles away and is located on East Slaughter Lane adjacent to the South Park Meadows Shopping Center on the western side of IH 35. There are no sidewalks along the service road. The subject tract also has poor roadway, pedestrian, and bicycle connectivity to the majority of nearby residential uses.

### **Imagine Austin**

The subject tract falls at the far eastern portion of South Park Meadows Regional Center. Like many Imagine Austin Centers, this center is represented by a circle 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. Since the majority of the center is located west of IH 35, the subject tract has poor vehicular connections and scant bicycle or pedestrian connectivity to the majority of the center. Although the subject tract is located within the South Park Meadows Regional Center, due to the physical separation from the majority of the center, it is not a part of it. Furthermore, this assessment is bolstered by the traffic circulation patterns generated by the one-way service road and the poor connectivity to nearby residential uses.

The zoning change request from I-RR to GR-CO would make the prohibited uses consistent with the 4.84 acres fronting the service road (Ord. # 20141016-057). The CO for this portion of the site prohibits automobile-related uses, pawn shops, residential treatment, and recycling facilities. The allowed uses would be compatible to the construction equipment supplier to the south and are less intensive than the original request for CS zoning.

Imagine Austin does not provide clear policy guidance for zoning cases involving intense commercial zoning along freeway frontage roads beyond:

**LUT P20.** Locate industry, warehousing, logistics, manufacturing, and other freight-intensive uses in proximity to adequate transportation and utility infrastructure.

Based on the subject tract's location and mobility issues, and the limited policy guidance offered by the comprehensive plan, the proposed zoning change request is neutral in regards to Imagine Austin.



### **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.

Numerous 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 512-974-1876. 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.

### **Site Plan and Compatibility Standards**

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located <540 feet from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when a site plan is submitted.

The site is subject to residential compatibility standards along the northeastern property line:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the eastern property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

### **Transportation**

The traffic impact analysis has been waived for the zoning application. The TIA will be deferred to the site plan application when more details of the development are available [LDC 25-6-113].

The zoning tract does not front public right-of-way. If the zoning tract is included with the northern property at the time of the subdivision and site plan applications, the following comments are applicable:

During the subdivision and/or site plan application, Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056. The shared use path location and construction will be determined at the time of the site plan application.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, an urban trail is recommended for IH 35. The bicycle facilities will be reviewed during the subdivision and site plan applications. Right-of-way dedication and bicycle facility construction may be required after further review in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the [Bicycle Master Plan](#) for more information.

The Urban Trails Master Plan recommends a shared use path along IH 35. Please review the [Urban Trails Master Plan](#) for more information. The urban trail facilities will be reviewed during the subdivision and site plan applications. Right-of-way dedication and urban trail facility construction may be required after further review in accordance with LDC 25-6-55 and LDC 25-6-101.

FYI – The existing driveways along IH 35 will be required to be removed and reconstructed at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

FYI – Sidewalks shall be constructed along IH 35 at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

**Water and Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. Service Extension Request #4312 has been submitted for wastewater service, and must be approved prior to approval of any plat(s) or construction plan(s).

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. 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.



## 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.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

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](http://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: C14-2018-0106**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearings: December 4, 2018, Zoning and Platting Commission  
January 31, 2019, City Council**

Celina Monteregro  
*Your Name (please print)*

1503 Melissa Oaks Ln  
*Your address(es) affected by this application*

  
*Signature*

(512) 743-3917  
*Daytime Telephone:*

12-12-18  
*Date*

☐ I am in favor  
☒ I object

Comments: \_\_\_\_\_

If you use this form to comment, it may be returned to:

City of Austin  
Planning & Zoning Department  
**Wendy Rhoades**  
P. O. Box 1088  
Austin, TX 78767-8810

## 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.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

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](http://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: C14-2018-0106**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearings: December 4, 2018, Zoning and Platting Commission  
January 31, 2019, City Council**

Baltazar Estrada Sr

*Your Name (please print)*

1503 Melissa Oak Ln Austin TX 78744

*Your address(es) affected by this application*

[Signature]

*Signature*

Daytime Telephone: 512-743-1320

*Comments:*

<input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> I object
--

12/12/2018

*Date*

If you use this form to comment, it may be returned to:

City of Austin  
Planning & Zoning Department  
**Wendy Rhoades**  
P. O. Box 1088  
Austin, TX 78767-8810



## 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.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning. !!

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](http://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: C14-2018-0106

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: January 15, 2019, Zoning and Platting Commission  
January 31, 2019, City Council

Jean M. Mitromaras

Your Name (please print)

1901 Idlewild Dr.

Your address(es) affected by this application

Jean Mitromaras

Signature

Date

Daytime Telephone: 512-292-8161

Comments:

To the best of my understanding, I believe this change would be non-detrimental to the neighborhood, assuming the zoning stays within the restrictions as stated in the following descriptions (as limited though they may be).

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

## 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.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

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](http://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:** C14-2018-0106

**Contact:** Wendy Rhoades, 512-974-7719

**Public Hearings:** January 15, 2019, Zoning and Platting Commission  
January 31, 2019, City Council

Branko Martinez

Your Name (please print)

2000 Narrows Glen Parkway, Austin, TX 78744

Your address(es) affected by this application

[Signature]

Signature

1/11/2014

Date

Daytime Telephone: 281-785-0064

Comments: Our area cannot handle additional retail space. There is too much traffic already flowing through that more retail will only further increase the log jam. Next issue will be the noise. It doesn't matter if there is a little bit of woods left after construction, the noise from cars and businesses so close would be very intrusive.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810