ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0057 One Way Out DISTRICT: 1

ZONING FROM: GR-CO

TO: LR-MU

ADDRESS: 5601 Nixon Lane

SITE AREA: 4.679 Acres

PROPERTY OWNER/APPLICANT: Gyro Plus LLC (Mohammad Arami)

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

STAFF RECOMMENDATION:
Staff supports the Applicant's request to rezone the property to LR-MU. *For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

ZONING AND PLATTING COMMISSION ACTION/ RECOMMENDATION:
July 7, 2020: To grant LR-MU-CO with the condition that service station is a prohibited use. Approved 6-4. Duncan, Bray, Smith and Evans voted nay. One vacancy on the dais.

CITY COUNCIL ACTION:
To be determined.

ORDINANCE NUMBER:

ISSUES:
No issues at this time.

CASE MANAGER COMMENTS:
The proposed rezoning is for 4.679 acre property located at the southwest corner of FM 969 and Nixon Lane. The property is currently zoned GR-CO and is developed with a single family dwelling facing Nixon Lane; the rest of the property is undeveloped. The existing conditional overlay limits the property to 2,000 vehicular trips per day (v.p.d.). Across FM 969 to the north is a mix of local commercial and residential land uses. A convenience store zoned LR and a large undeveloped parcel zoned LR-MU are directly across from the property. Land zoned SF-2 is also located north of the rezoning tract that contains a single family land use along FM 969, as well as the Agave single family residential neighborhood. Across Nixon Lane to the east is a gas station zoned LR and a liquor store zoned CS-1. Also across Nixon Lane are single family residential uses zoned SF-2. Immediately south of the property is land zoned SF-2 and CS that include a single family residence and a dog kennel. West of the property is land zoned SF-2 and P that contain an overhead electric utility as well as a railroad right-of-way (ROW). The majority of the subject property is within the 100 year floodplain; the property also contains a significant amount of creek buffers. As a result, development of the property is greatly impeded by these features. ***Please see Exhibits A and B—Zoning Map and Aerial Exhibit.***

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

Staff supports the proposed LR-MU zoning district. This zoning will allow the possibility of commercial, residential, or mixed use development. This is consistent with the mix of residential and local commercial services that surround the property. Additionally, this section of FM 969 is designated as an Activity Corridor which is appropriate for mixed use zoning.

BASIS OF RECOMMENDATION:
1. Zoning changes should promote an orderly relationship among land uses.

Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

LR-MU provides a transition between the commercial zoning along FM 969 and the less intense zoning along Nixon Lane. LR-MU allows mixed use and is less intense that the current GR-CO zoning on the property.

2. The proposed zoning should be consistent with the goals and objectives of the City Council.

The property is located along an ‘Activity Corridor’ (MLK/FM 969), which is characterized by a variety of activities and buildings located along the roadway, that are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The proposed rezoning would provide improved access to retail, employment, community services for the area, as well as add variety to available housing stock.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LR-CO	Single Family Residential/Undeveloped
North	LR, SF-2, LR-MU	Convenience Store/Single Family Residential/Undeveloped
South	CS, SF-2	Kennel/Single Family Residential
East	LR, CS-1, SF-2	Convenience Store/Liquor Store/Single Family Residential
West	SF-2, P	Electric utility easement, Railroad ROW

STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
E. MLK (FM 969)	~103' (TxDOT ROW)	154'	68'	4	No	Yes	No
Nixon Lane	~65	Existing	26'	1	No	No	No

TIA: N/A

WATERSHED: Walnut Creek

NEIGHBORHOOD ORGANIZATIONS:

Homeless Neighborhood Association
Neighborhood Empowerment Foundation
Del Valle Community Coalition
Agave Neighborhood Association
Friends of Austin Neighborhoods
Austin Neighborhoods Council
Friends of Northeast Austin
SELTexas
Sierra Club
Neighbors United for Progress
Claim Your Destiny Foundation

OTHER STAFF COMMENTS:

COMPREHENSIVE PLANNING

Connectivity- There are no public sidewalks or transit stops located within a half of a mile from the project area. Bike lanes are located along both sides of FM 969. The mobility options in the area are below average while the connectivity options are fair.

Imagine Austin- The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan identifies FM 969 Road as an Activity Corridor. Activity corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

The following Imagine Austin policies are applicable to this case:

 LUT P3 Promote development in compact centers, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
 HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.
While the site is located along an Activity Corridor, which supports mixed use, based on the lack of mobility options in the area, this request appears to partially support the policies of the Imagine Austin Comprehensive Plan.

ENVIRONMENTAL
1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut 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.
2. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

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

3. According to floodplain maps there is a floodplain within the entire project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. 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
SP 1. Site plans will be required for any new development other than single-family or duplex residential.
SP 2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
SP 4. FYI: Additional design regulations will be enforced at the time a site plan is submitted.
COMPATIBILITY STANDARDS
SP 5. The entire site is subject to compatibility standards due to proximity to property zoned SF-2
. The following standards apply:

· For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
· For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
SP 7. The site is subject to 25-2 Subchapter F. Residential Design and Compatibility Standards.

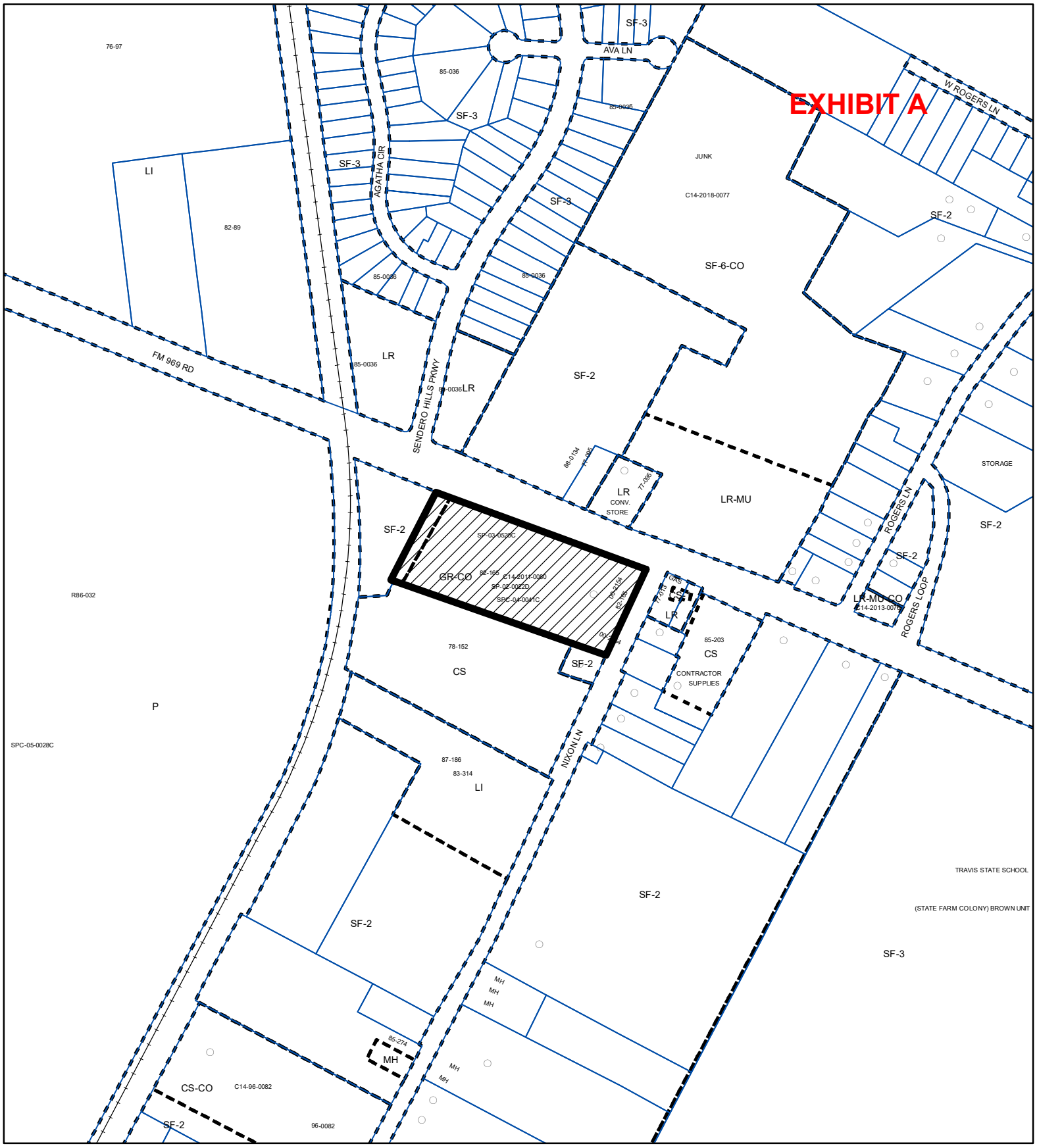
TRANSPORTATION
The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, calls for 154 feet of right-of-way for E. MLK (FM 969). It is recommended that 77 feet of right-of-way from the existing centerline should be dedicated for E. MLK at the time of subdivision or site plan. A traffic impact analysis should be deferred to the site plan application when land uses and intensities will be finalized.

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
E. MLK (FM 969)	~103' (TxDOT ROW)	154'	68'	4	No	Yes	No
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WATER UTILITY
1. 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. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map
B. Aerial Exhibit
C. Correspondence



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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2020-0057

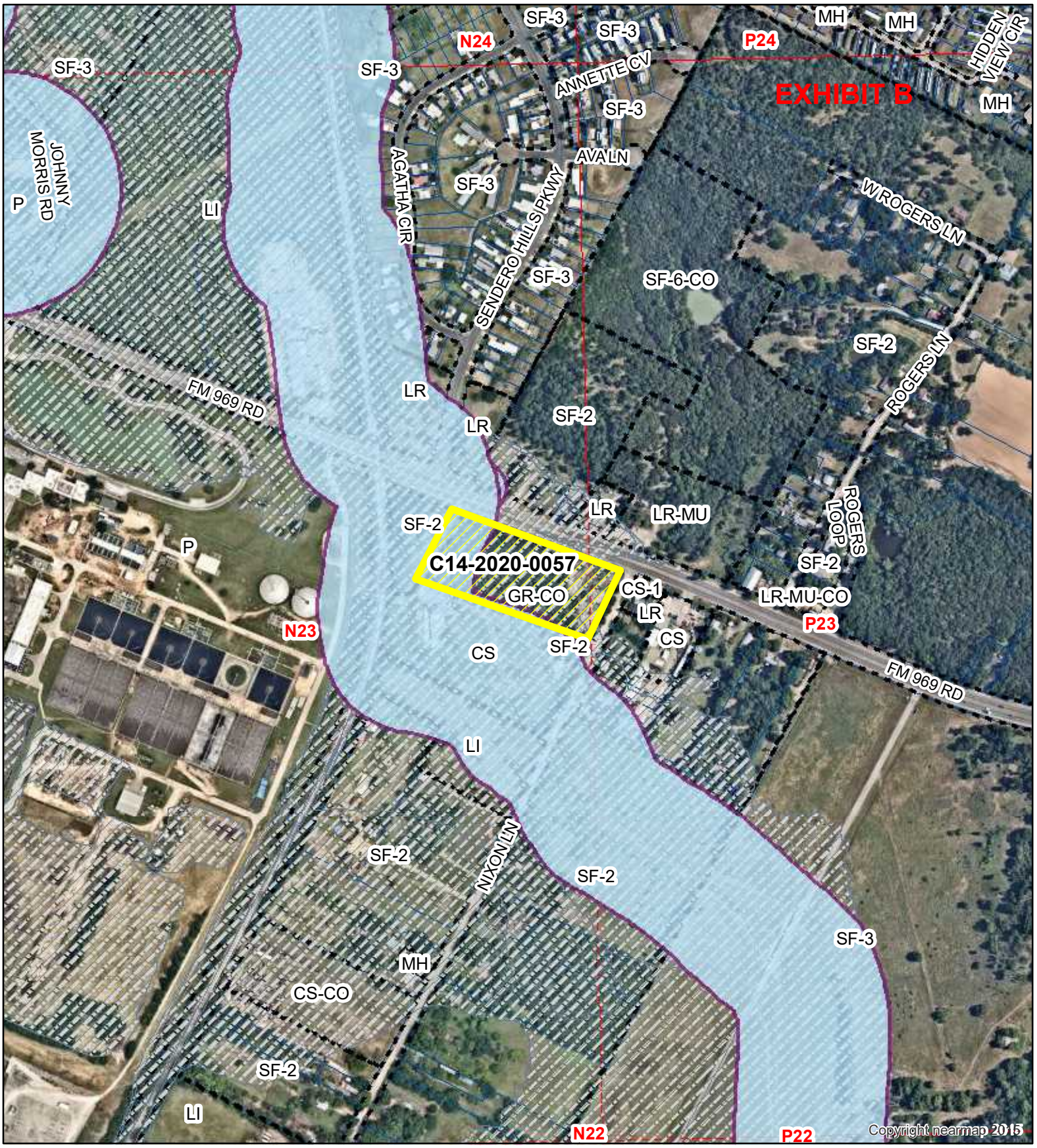
1 " = 400 '

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CITY OF AUSTIN FOUNDED 1839

Created: 6/3/2020



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C14-2020-0057

Creek Buffers

ZONING BOUNDARY

FULLY DEVELOPED FLOODPLAIN

ONE-WAY-OUT

ZONING CASE#:	C14-2020-0057
LOCATION:	5106 NIXON LANE
SUBJECT AREA:	4.679 Acres
GRID:	N23
MANAGER:	Heather Chaffin

1" = 500'

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.

EXHIBIT C

From: Agave Neighborhood
Sent: Sunday, June 28, 2020 12:31 PM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Cc: Agave Neighborhood
Subject: Case Number C14-2020-0057 - COA Zoning and Platting Commission - Public Hearing 07/07/2020

*** External Email - Exercise Caution ***

Ms. Chaffin,
The Agave Neighborhood Association is IN FAVOR OF the proposed zoning change for 5106 Nixon Ln, applicant Gyro Plus LLC, Mohammad Arami, Case Number C14-2020-0057.
Best regards,
Candace Million, Treasurer
Agave Neighborhood Association
6006 Seville Dr, Austin, TX 78724

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