ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0093 – HoltCAT Site Improvements DISTRICT: 5

ZONING FROM: I-RR; I-SF-2; LI-CO

ZONING TO: CS-CO

ADDRESS: 9601 South IH 35 Service Road Northbound SITE AREA: 16.63 acres

PROPERTY OWNER: Holt Machinery Company (A.J. Shedrock, Jr.)

AGENT: Kimley-Horn and Associates, Inc. (Luke Caraway)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay prohibits the following uses: automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), campground, commercial off-street parking, drop-off recycling collection facility, monument retail sales, pawn shop services, and vehicle storage. For a summary of the basis of Staff's recommendation, see Page 2.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION: August 17, 2021: APPROVED CS-CO DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT [E. RAY; A. DENKLER – 2ND] (10-0) R. WOODY – ABSENT

CITY COUNCIL ACTION: September 30, 2021:

ORDINANCE NUMBER:

ISSUES:

None at this time.

CASE MANAGER COMMENTS:

The zoning and rezoning area consists of more recently annexed lots that have direct access to the northbound IH 35 service road and contains an equipment sales and services use that predates annexation into the City limits. Eastern portions of the property are located within the City's assumed 100-year floodplain of Onion Creek. Most of the Property is zoned interim – rural residence (I-RR) and interim – single family residence-standard lot (I-SF-2) districts through annexation into the City limits in November 2017. The northwest corner of the Property is zoned limited industrial services – conditional overlay (LI-CO) by way of a

1995-96 rezoning case. To the north there is undeveloped land with an approved site plan for approximately 80,000 sf of general retail use (GR-CO); to the east is the single family residential subdivision (SF-4A); and to the south is a TXDOT office / warehouse facility (GO-CO). *Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View)*.

The Applicant requests general commercial services – conditional overlay (CS-CO) district zoning consistent with the existing equipment sales and services use. There is also a site plan in process that proposes the addition of a gravel parking area and water quality / detention ponds to treat the existing and proposed impervious cover, and results in the need to change the zoning. *Please refer to Exhibit B (Site Plan in Process)*. The Applicant's proposed Conditional Overlay is for the same list of prohibited uses as that approved for the adjacent GR-CO zoned tract to the north which takes access to the IH 35 service road and includes automotive rentals, repair, sales and washing, commercial off-street parking, drop-off recycling, and pawn shop services (C14-2018-0106).

BASIS OF RECOMMENDATION:

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

The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The Conditional Overlay (CO) 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 changes should promote compatibility with adjacent and nearby uses.

Staff recommends CS-CO zoning for the property based on the following considerations: 1) access is taken to a major arterial roadway; 2) the Conditional Overlay is consistent with that applied to similarly situated commercial properties to the north and prohibits intense CS uses due to its border with Onion Creek, including campground, monument retail sales, and vehicle storage (the Applicant does not object to the additional prohibited uses), and 3) the tributary and floodplain along the east side of the zoning area provides a natural buffer from the residential neighborhood to the east.

	ZONING	LAND USES
Site	I-RR; I-SF-2; LI-CO	Equipment sales and services
North	CS-CO; GR-CO	Undeveloped (approved site plan for approximately
		80,000 sf of general retail use)
South	GO-CO; GR-CO	TXDoT office / warehouse facility; Church (accesses
		Brandt Rd)
East	SF-4A	Single family residences in the Crossing at Onion Creek

EXISTING ZONING AND LAND USES:

	subdivision	subdivision			
West N/A	IH-35 North	IH-35 Northbound service road and main lanes			
<u>AREA STUDY:</u> Not Applicable <u>TIA:</u> Is not required					
WATERSHED: Onion Creek – Suburban					
CAPITOL VIEW CO	CAPITOL VIEW CORRIDOR: No SCENIC ROADWAY: No				
SCHOOLS:Blazier Elementary SchoolBedichek Middle SchoolCrockett High School					
COMMUNITY REGISTRY LIST:					
627 – Onion Creek Homeowners Association742 – Austin Independent School District1228 – Sierra Club, Austin Regional Group1258 – Del Valle Community Coalition1363 – SEL Texas1408 – Go Austin Vamos Austin 787441441 – Dove Springs Proud1530 – Friends of Austin Neighborhoods1531 – South Austin Neighborhood Alliance (SANA)1774 – Austin Lost and Found Pets					

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2020-0070 -	From / To CS-	To Grant	Apvd CS-CO as
JBR Holdings –	CO, to remove		Commission
9315 S IH 35	the 2,000 daily		recommended
Service Rd NB	vehicle trip limit		(9-17-2020).
C14-2018-0106 -	I-RR to GR-CO,	To Grant GR-CO	Apvd GR-CO as
JBR Zoning – 9301	as amended	w/CO for list of	Commission
S IH-35 Service Rd		prohibited uses	recommended
NB (10. Acres)			(1-31-2019).
C14-2014-0121 -	SF-2 to CS-CO	To Grant CS-CO w/CO	Apvd CS-CO as ZAP
Holt Cat South		for list of prohibited	recommended
Austin – 9200-9500		uses, 15' vegetative	(10-16-2014).
S IH 35 Service Rd		buffer along the west	
NB		property line and 2,000	
		trip limit	
C14-2014-0118 -	I-RR; CS-CO to	To Grant MF-4-CO	Apvd MF-4-CO as
NL Land Holdings,	MF-4, as	w/CO prohibiting	Commission
Ltd – 9101-9201 S	amended	access to Oak Hill Ln	recommended
IH 35 Service Rd		until improved to City	(10-16-2014).
NB		standards, require a 15'	
		vegetative buffer along	
		the west property line	
		and 2,000 trips per day	

C14-99-0132(RCT)	To terminate the	To Grant the	Apvd as Commission
– Prosperity	Restrictive	Restrictive Covenant	recommended
Business Park –	Covenant	Termination	(8-08-2013).
9101-9201 S IH 35			
Service Rd NB			
C14-2013-0009 -	CS-CO to CS-	To Grant CS-CO and	Apvd CS-CO as
Prosperity Business	CO, to change a	remove provisions	Commission
Park – 9101-9201 S	condition of	which limit signage	recommended
IH 35 Service Rd	zoning	and prohibit vehicular	(8-08-2013).
NB		access to Oak Hill Ln	
		until this street is	
		improved to City	
		standards	

RELATED CASES:

The property is platted as Tracts A and B of the Bashara Subdivision, recorded in October 1963 (C8-1963-2718).

On February 1, 1996, Council approved LI-CO zoning for the northwest corner of the property (C14-95-0185 – Holt Company of Texas). The Conditional Overlay limits development to 2,000 daily vehicle trips.

The I-RR and I-SF-2 zoned portions of the Property were annexed into the Full Purpose City limits on November 20, 2017 (C7a-2017-002 – Ordinance No. 20171109-025). The LI-CO zoned portion was annexed into the City limits in 1980 (C7a-80-023).

There is a site plan in process to add gravel paving, a water detention pond, and water quality improvements (SP-2020-0348D – HoltCAT Site Improvements).

Name	Existing	ASMP	Pavement	ASMP	Sidewalks	Bicycle	Capital
	ROW	Required		Classification		Route	Metro
		ROW					(within
							1⁄4
							mile)
IH 35	170 feet	Defer to	33 feet	Level 4	No	On-	No
Service		TxDOT		(Freeway)		street	
Road							
Northbound							

EXISTING STREET CHARACTERISTICS:

OTHER STAFF COMMENTS:

Comprehensive Planning

The 16.63-acre subject tract is located on the southbound service road IH 35, south of the intersection of Slaughter Lane and the service road. Although it is not located within the boundaries of a City Council-adopted neighborhood plan, it is in the far eastern portion of the Southpark Meadows Town Center. To the north there is a large garden-style apartment complex. To the east is a single-family subdivision. To the south is a Texas Department of Transportation Area Engineer Office. The parcel has almost 900 feet of frontage along the service road. The current use is a HoltCAT, a heavy equipment sales and services company. The zoning change is being requested to expand the parking and stormwater facilities.

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 located on East Slaughter Lane adjacent to the Southpark 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 most of the nearby residential uses.

Imagine Austin Comprehensive Plan

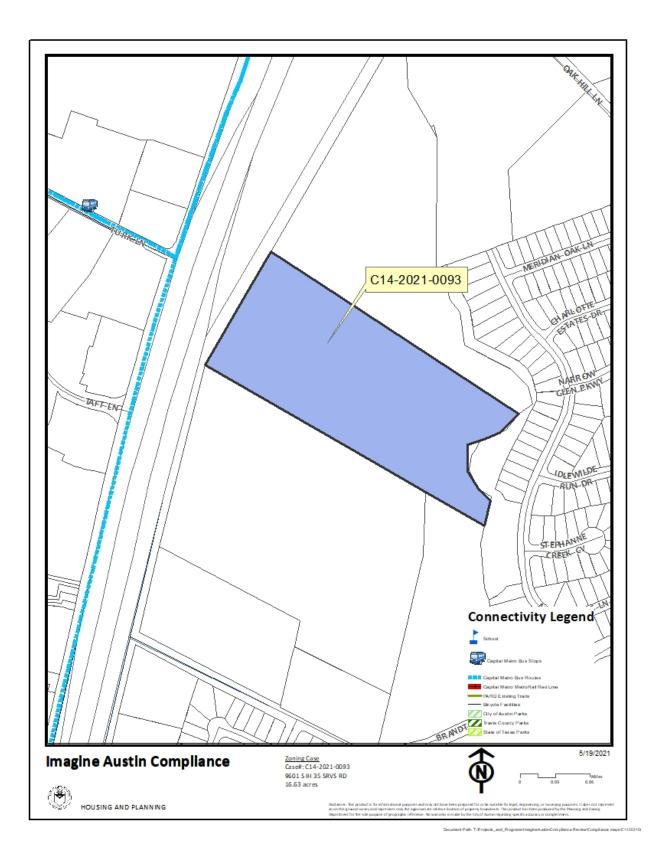
The subject tract falls at the far eastern portion of **Southpark Meadows Town Center**. Like many *Imagine Austin* Centers, this center is represented by a circle that reflects the general location where the center should be in the future. The center's actual boundaries would need to be clarified through a small area planning process. Since much of the center is located west of IH 35, the subject tract has poor vehicular connections and scant bicycle or pedestrian connectivity to the center. Although the subject tract is located within the Southpark Meadows Town Center, due to the physical separation from most of the town center, it is not a part of it. Furthermore, this assessment is bolstered by the traffic circulation patters generated by the one-way service road and the poor connectivity to nearby residential uses.

The zoning request would change the zoning from I-RR, LI-CO & I-SF-2 to CS-CO. This zoning change would consolidate the zoning under a single district, CS, and dispose of the current interim zoning.

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

LUT P20. Locate industry, warehousing, logistics, manufacturing, and other freightintensive 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 supports *Imagine Austin*.



The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

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:

Development Classification	% of Gross Site Area	% of Gross 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 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.

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.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

Impervious Cover

Within the Onion Creek watershed, the maximum impervious cover allowed by the CS-CO zoning district is 80%, based on the more restrictive *watershed* regulations. The proposed amount of impervious cover proposed by the site plan in process is 75%.

There are currently no parkland requirements for uses other than residential and hotel. Given that the application is for commercial uses, with proposed CS-CO zoning, there would not be parkland dedication requirements or parkland impacts at the time of site plan or subdivision.

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 or less 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 the site plan is submitted.

The site is subject to compatibility standards. Along the east property line, the following standards apply:

- 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 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.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 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.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- A landscape area at least 25 feet in with is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.
- Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

The Austin Strategic Mobility Plan (ASMP) adopted April 11, 2019, identifies sufficient right-of-way for IH 35 Service Road Northbound and is deferred to TxDOT.

Assessment of required transportation mitigation, including the potential dedication of rightof-way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if trigger per LDC 25-6-113.

Austin Water Utility

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 Austin Water 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.

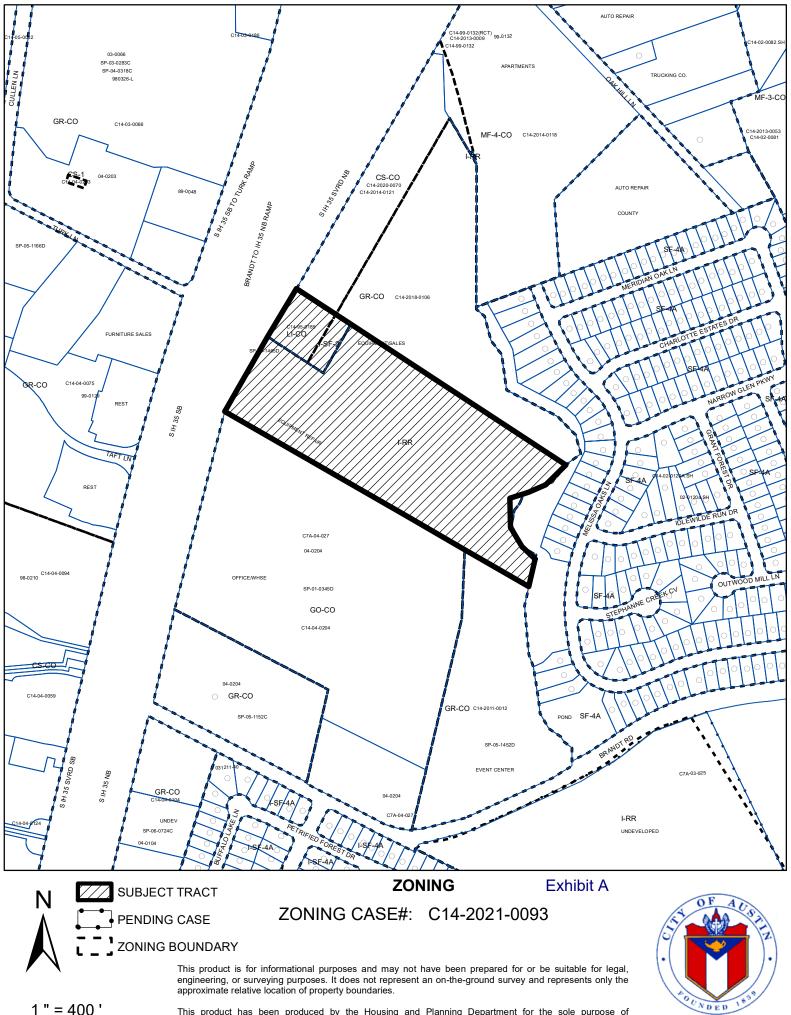
INDEX OF EXHIBITS TO FOLLOW:

Exhibit A: Zoning Map Exhibit A-1: Aerial Map

Exhibit B: Site Plan in Process

Applicant's Summary Letter

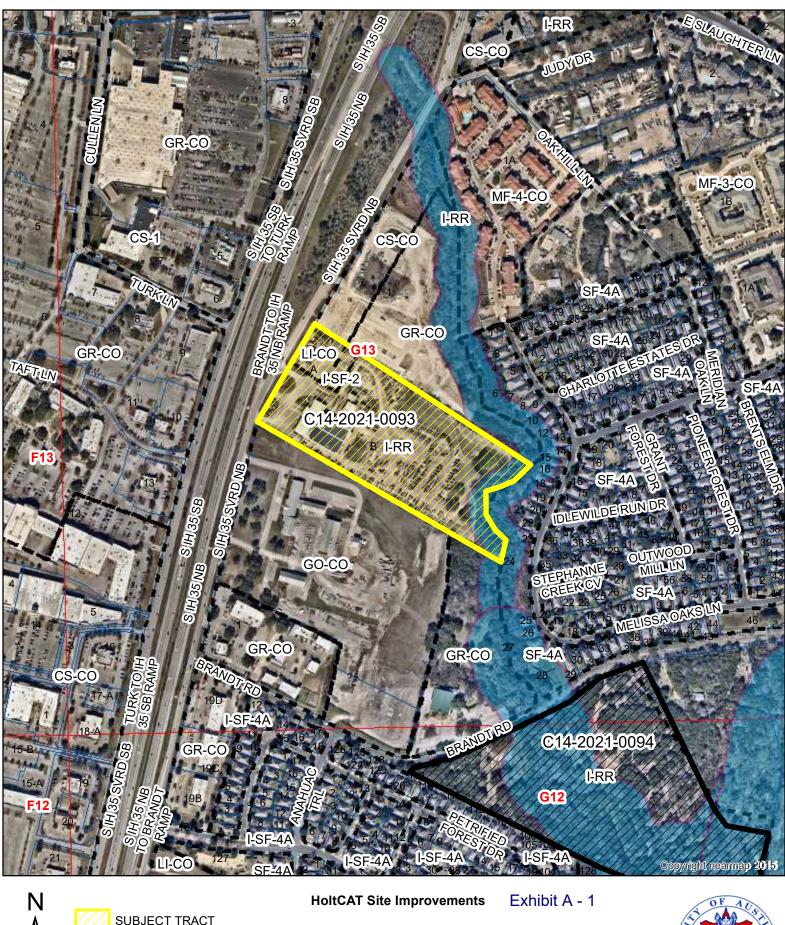
Correspondence Received



1 " = 400 '

This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or

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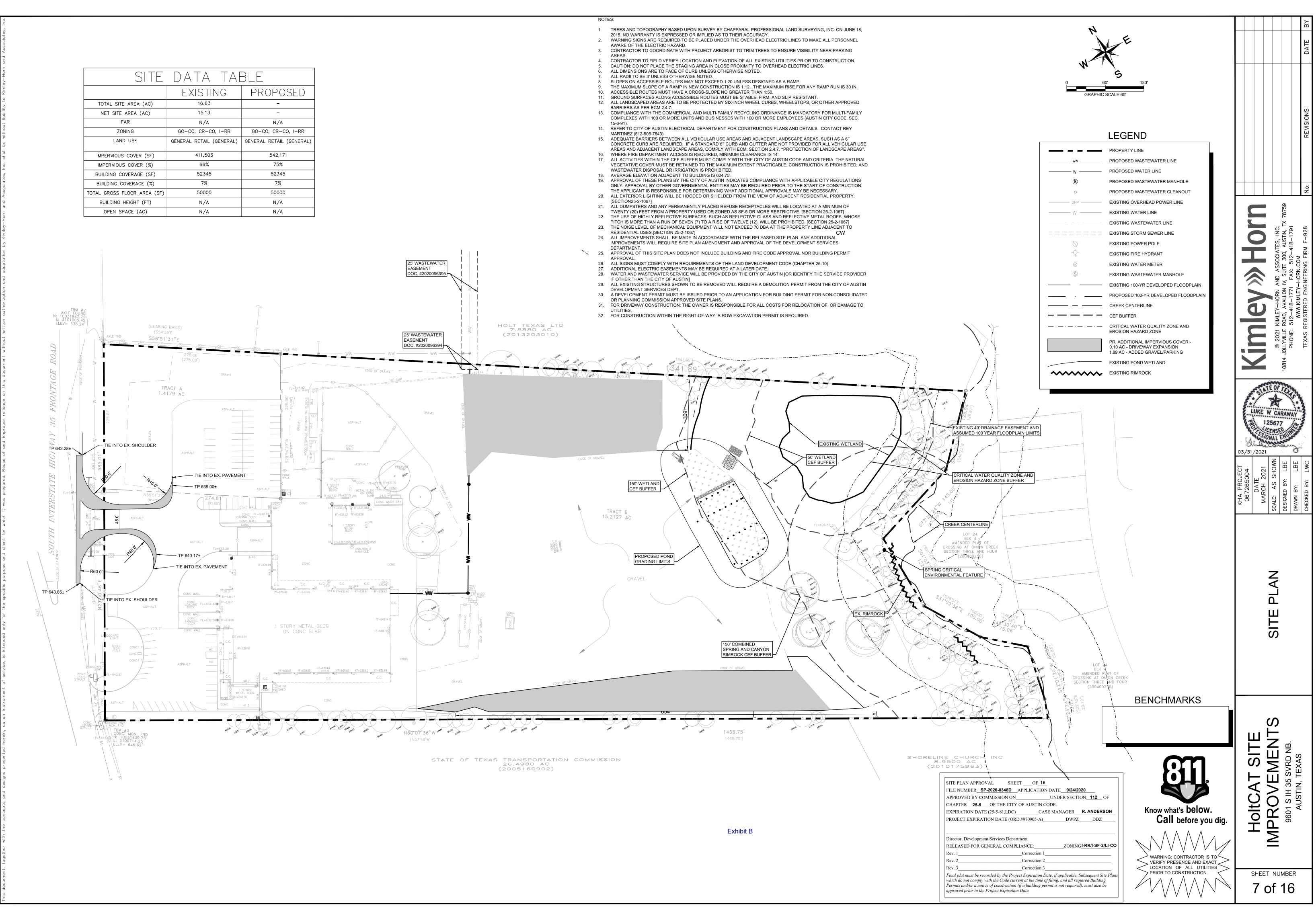


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ZONING CASE#: C14-2021-0093 LOCATION: 9601 S. IH 35 Service Road Northbound SUBJECT AREA: 16.63 Acres GRID: G13 MANAGER: Wendy Rhoades



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Kimley *Whorn*

July 27, 2021

Ms. Wendy Rhoades, Planner Principal City of Austin Planning and Zoning Department 505 Barton Springs Road Austin, TX 78704

RE: Zoning Application Summary Letter Holt CAT Improvements 9601 S IH 35 Frontage Rd Austin, Texas 78744

Ms. Rhoades,

On behalf of our client, Kimley-Horn has prepared the Zoning Application package for the Holt CAT Improvements project. The 16.63 acre site is located at 9601 S IH 35 Frontage Road, within the City of Austin full purpose jurisdiction and Desired Development Zone. The site contains a one story building and parking for heavy construction equipment.

The project site contains two tracts, legally described as TRT B *(15.21AC) BASHARA SUBD and TRT A *(1.42AC) BASHARA SUBD, according to the Plat. The project site is currently zoned GO-CO, CR-CO, and I-RR per City of Austin. The zoning application is needed to change the zoning to CS-CO, which will match current use and allow for impervious cover in existing and proposed site conditions. Proposed site improvements (SP-2020-0348D) include additional gravel parking and a water quality and detention pond to treat proposed and previously unmitigated impervious surfaces. The site is in the Onion Creek (suburban) watershed, and proposed impervious cover is 67.3% of net site area.

If there is additional information that you require, please contact me at (512) 900-4069.

Sincerely, Kimley-Horn and Associates, Inc.

le Carang

Luke Caraway, P.E.

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 participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. 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. Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the 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. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

Case Number: C14-2021-0093 Contact: Wendy Rhoades, 512-974-7719 Public Hearing: August 17, 2021, Zoning and Platting Commission KAGA □ I am in favor Your Name (please print) I object 2007 Stephane (rock Cv. Austin. TX Your address(es) affected by this application (OPTIONAL) 7.6-61 Date Signature 512-59 Daytime Telephone: Fezon S. Brand Comments: We strongly & (DAO in reased trat ow incom Non would hal NGSON 005 RV9 GAN) Vali a. prest harm Privisonmen a 50.50,000 10 re aste

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

City of Austin, Housing and Planning Department Wendy Rhoades P. O. Box 1088, Austin, TX 78767

Or email to: wendy.rhoades@austintexas.gov

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Case Number: C14-2021-0093 Contact: Wendy Rhoades, 512-974-7719 Public Hearing: September 30, 2021, City Council SCOTTE. HINES □ I am in favor Your Name (please print) SI object 1595 Anterissa Opris Your address(es) affected by this application (optional) Signature Date Davtime Telephone (Optional):_ Comments: 1 OPRIGGT TO THIS. AFTEL 15 YEARS AT THIS ADDRESS UVING WITH THE INCREASING NOISE FROM THIS PROPERTY MUST OPRIECT TO ANY REZONING WHICH WOUDBEGENERAUCY ENVIRONMENTS "NON CAN I UNDERSTAND WHY THE CITY WOULD CONSIDER IT! If you use this form to comment, it may be returned to: City of Austin, Housing & Planning Department Wendy Rhoades P. O. Box 1088, Austin, TX 78767 Or email to: wendy.rhoades@austintexas.gov