

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2021-0143 (13497 Research Rezoning) DISTRICT: 10

ADDRESS: 13497 Research Boulevard

ZONING FROM: GR-CO

TO: CS-1

SITE AREA: 1.71 acres (1,243 sq. ft.)

PROPERTY OWNER: Austin Horizon LLC & Horizon Ventures LLC (James L. Lloyd)

AGENT: Thrower Design LLC (A. Ron Thrower)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov))

### STAFF RECOMMENDATION:

**Staff recommends CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining District, zoning. The conditional overlay (CO) would prohibit the following uses on the property: Drop-Off Recycling Collection Facility, Agricultural Sales and Services, Art and Craft Studio (General), Building Maintenance Services, Campground, Cocktail Lounge, Commercial Blood Plasma Center, Construction Sales and Services, Convenience Storage, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Plant Nursery, Vehicle Storage, Veterinary Services, Custom Manufacturing, Limited Warehousing and Distribution, Maintenance and Service Facilities, Transitional Housing, and Transportation Terminal.**

### ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**October 19, 2021: Approved staff's recommendation of CS-1-CO zoning by consent (10-0); H. Smith-1st, C. Acosta-2nd.**

### CITY COUNCIL ACTION:

**November 18, 2021**

### ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is developed with commercial retail center and a banking facility/financial services use. There is a suite within the retail center that is currently being utilized for liquor sales (Twin Liquors). The applicant is requesting CS-1 zoning for an additional suite within the retail center so that they may expand the existing liquor store on the property.

The staff's recommendation is to grant a building footprint of CS-1-CO zoning, because the proposed zoning is consistent with the purpose statement for the Commercial-Liquor Sales zoning district. The site is surrounded by existing commercial uses and by commercial and industrial zoning district designations to the north, south, east, and west. The property is easily accessible because it is located at the intersection of two major arterial roadways and has frontage on U.S. Highway 183 North. The staff's recommendation will maintain the current list of prohibited uses that were approved in the previous zoning cases for this property, C14-2014-0059 and C14-03-0180.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

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

The CS-1 zoning district is intended for the development of a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The CS-1-CO zoning district designation would be appropriate for this site because the property in question will take access to two major arterial roadways. The site is developed with an existing retail shopping center, which fronts onto U.S. Highway 183 North.

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

The proposed zoning is consistent with land use patterns in this area as the site under consideration is located adjacent to an existing CS-1-CO zoned footprint to the west. The retail center this suite is located in is zoned GR-CO and surrounded by commercial and industrial zoning to the north (CS-CO), south (GR, GR-CO), east W/LO-CO and LI-CO) and west (GR, CS-1).

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

The CS-1-CO zoning footprint is appropriate for this location because of the frontage of this property on two arterial roadways, Anderson Mill Road and North U.S. Highway

183. The proposed zoning will permit the applicant to expand the existing liquor sales use (Twin Liquors) within the existing retail center (Horizon Center).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO, CS-1-CO	Retail Center (Horizon Center: BBVA Compass Bank, Fast Signs, Twin Liquors, Best Dressed Dog Groomers, Davod's Mediterranean Market and Grill, Central Metro Realty Apartment Locating, H & R Block)
<i>North</i>	CS-CO	Retail Sales (Harley's Firewood Sales)
<i>South</i>	GR-CO	Retail Sales-Convenience (Walgreen's)
<i>East</i>	LI-CO	Office/Retail (Odd Ball Collectiblez, Seven Depot etc., Mr. Business Insurance, Loma Verde Landscaping, Gas Station Goods)
<i>West</i>	GR	Retail Center, Parking Lot

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Not Required

WATERSHED: Lake Creek

NEIGHBORHOOD ORGANIZATIONS:

Friends of Austin Neighborhoods  
 Homeless Neighborhood Association  
 Long Canyon Homeowners Association  
 Mountain Neighborhood Association (MNA)  
 Neighborhood Association of SW Williamson County  
 Neighborhood Empowerment Foundation  
 SELTEXAS  
 Sierra Club, Austin Regional Group  
 2222 Coalition of Neighborhood Association Inc.

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0059 (Horizon Rezoning: 13497 U.S. Highway 183 North)	GR-CO to CS-1-CO	6/03/14: Approved staff's recommendation of CS-1-CO zoning, w/ CO to prohibit the following uses: Drop-Off Recycling Collection Facility, Residential Treatment, Agricultural Sales and Services,	6/26/14: Approved CS-1-CO zoning on consent on all 3 readings (6-0, M. Martinez-off the dais); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .

		Art and Craft Studio (General), Building Maintenance Services, Campground, Cocktail Lounge, Commercial Blood Plasma Center, Construction Sales and Services, Convenience Storage, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Plant Nursery, Vehicle Storage, Veterinary Services, Custom Manufacturing, Limited Warehousing and Distribution, Maintenance and Service Facilities, Transitional Housing, and Transportation Terminal by consent (7-0); P. Seeger-1 <sup>st</sup> , C. Banks-2 <sup>nd</sup> .	
C14-05-0192 (The Mill: 9514 Anderson Mill Road)	I-RR to GR	12/06/05: Approved staff recommendation of GR-CO zoning, with a CO for 2,000 vtpd limit, by consent (7-0, K. Jackson, J. Pinnelli-absent); M. Hawthorn-1 <sup>st</sup> , J. Donisi-2 <sup>nd</sup> .	1/12/06: Approved GR-CO zoning by consent (6-0, D. Thomas-absent); R. Alvarez-1 <sup>st</sup> , L. Leffingwell-2nd; all 3 readings
C14-03-0180 (Horizon Center: 13497 U.S. Highway 183 North)	I-SF-2 to Tract 1: GR-CO and Tract 2: CS-1-CO	1/20/04: Approved staff's recommendation of GR-CO zoning for Tract 1 and CS-1-CO zoning for Tract 2, with the following conditions: For Tract 1 - prohibit Drop-Off Recycling Collection and Residential Treatment and for Tract 2 - prohibit Drop-Off Recycling Collection Facility, Residential Treatment, Residential Treatment, Agricultural Sales and Services, Art and Craft Studio (General), Building Maintenance Services, Campground, Cocktail Lounge, Commercial Blood Plasma Center, Construction Sales and Services, Convenience Storage, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Plant Nursery, Vehicle Storage, Veterinary Services, Custom Manufacturing, Limited Warehousing and Distribution, Maintenance and Service	2/26/04: Approved GR-CO for Tract 1, CS-1-CO for Tract 2 by consent (7-0, Thomas-off dais); all 3 readings

		Facilities, Transitional Housing, Transportation Terminal and to limit the development intensity for the entire site to less than 2,000 vehicle trips per day, by consent (6-0, J. Cortez, J. Donisi, K. Jackson-absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	
C14-03-0104 (Maxwell Auto Group: 13573 H.S. Highway 183 North)	I-RR, SF-2, GR, CS to GR-CO	8/12/03: Approved staff's recommendation of GR-CO zoning, with CO to limit site to less than 2,000 vtpd), by consent (9-0)	9/25/03: Granted GR-CO (7-0); all 3 readings
C14-02-0059 (Pond Springs Road Rezoning: 13498 Pond Springs Road)	I-RR to GR	5/21/02: Approved staff's alternate rec. of GR-CO zoning, with CO for 2,000 vtpd limit and additional conditions to prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing, on consent (8-0, K. Jackson-absent)	7/11/02: Approved GR-CO (7-0); all 3 readings
C14-02-0020 (Jeffrey Hair Salon: 9414-9416 Anderson Mill Road)	I-RR to LR	4/9/02: Approved staff's alternate rec. of LR-CO zoning, with CO for 2,000 vtpd limit and ROW dedication conditions and added prohibit Service Station, Congregate Living, Family Homes, Group Homes, and Residential Treatment (9-0); K. Jackson-1 <sup>st</sup> , M. Casias-2 <sup>nd</sup> .	8/29/02: Approved LR-CO (7-0); 1 <sup>st</sup> reading  9/26/02: Approved LR-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-01-0165 (Chris D. Jones: Anderson Mill and US HWY 183 North)	CS-CO to CS-CO	12/11/01: Approved staff rec. of CS-CO zoning, with CO to limit site to Convenience Storage as only CS district use, permit all other LR district uses, prohibit Service Station use, limit height to 45 feet and 2,000 vtpd limit (7-0, A. Adams-absent); M. Casias-1 <sup>st</sup> , J. Martinez-2 <sup>nd</sup> .	1/17/02: Approved CS-CO (6-0, W. Wynn-out of room); all 3 readings
C14-01-0155 (13553 U.S. Highway 183 North)	I-RR to GR	11/21/01: Approved staff rec. of GR-CO zoning, with CO for 2,000 vtpd limit, by consent (8-0, D. Castaneda-absent); J. Martinez-1 <sup>st</sup> , N. Spelman-2 <sup>nd</sup> .	1/10/02: Approved GR-CO (6-0, Goodman out of room); all 3 readings
C14-00-2244	I-RR to LR	2/6/01: Approved GR-CO for personal improvement use only & all LR uses w/ conditions (9-0)	7/19/01: Withdrawn by applicant.
C14-00-2200	GR-CO to CS-1	11/14/00: Approved staff rec. of CS-1 by consent (8-0)	12/14/00: Approved CS-1-CO w/ conditions: Prohibit Pawn

			Shops and Adult Oriented Businesses (7-0); all 3 readings
C14-00-2054	I-RR to LI-CO	11/14/00: Postponed indefinitely by applicant (re-notification required)	5/14/01: Administrative-Expired (Indefinite PP only good for 6 months)
C14-99-2140	I-RR to CS	3/7/00: Approved CS-CO (5-0-1, RC-abstain); CO would limit to convenience storage as the only CS use and allow all LR uses w/ exception of service stations, limit max height to 40', allow max of 2,000 vehicle trips per day	4/6/00: Approved CS-CO w/ conditions as recommended by PC; all 3 readings (6-0, Lewis out of room)
C14-99-2139	I-RR to CS	3/7/00: Approved W/LO-CO (5-0-1, RC-abstain); CO would limit site to convenience storage as only W/LO use, limit site to 2,000 vehicle trips per day	4/6/00: Approved W/LO-CO w/ conditions as recommended by PC; on all 3 readings (6-0, Lewis out of room)
C14-99-0137	I-RR to LI	8/24/99: Approved LI-CO; agree to rollback zoning to GR if use ceases, limited to 2,000 vehicle trips per day, dedicate ROW at time of subdivision process (5-1, RC-Nay)	12/2/99: Approved LI-CO; limited to 2,000 vehicle trips per day; require RC for to "GR" if use ceases (7-0); 3 <sup>rd</sup> reading

#### RELATED CASES:

C14-2014-0059, C14-03-0180 Previous Zoning Cases

#### EXISTING STREET CHARACTERISTICS:

North US 183 Highway Service Road Northbound	Varies	42'	Level 4	No	Shared Lane	Yes
Anderson Mill Road	142' – 150'	72'	Level 3	Yes	Bike Lane - Buffered	Yes

## OTHER STAFF COMMENTS:

### Comprehensive Planning

The subject property is located on the northeast corner of Anderson Mill Road and North Research Boulevard/SH 183 and concerns a retail bay situated within an existing shopping center that has a variety of commercial and retail uses. The property is not located along an Activity Corridor or within an Activity Center but does front Anderson Mill Road and Research Boulevard, which are major arterial corridors, which contain a variety of commercial, light industrial and retail uses. Surrounding land uses include commercial/retail to the north, south and east, and SH 183 to the west.

Request: Amend the zoning district for a single retail bay from GR-CO to CS-1, for liquor sales.

### **Connectivity:**

Public sidewalks and unprotected bike lanes are located along this portion of Anderson Mill Road but are non-existent along this portion of Research Boulevard. A public transit stop is located within 350 linear feet from the subject property. Connectivity options are good while mobility options are fair due to the unprotected bike lanes and an incomplete public sidewalk system in the area.

### **Imagine Austin.**

The property is not located near an **Activity Corridor or Activity Center**. The Lakeline Center Regional Center is located approximately 0.81 miles north of this property. However, Research Boulevard and Anderson Mill Road are major arterial corridors, which are intended to allow people to access goods and services in this area of Austin.

The following Imagine Austin policies are also applicable to this case:

- ☐ **LUT P3.** Promote development in compact centers, communities, or **along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- ☐ **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.

Based upon Research Boulevard and Anderson Mill Lane being major arterial corridors, which provide the area with a variety of goods and services; and the presence of public sidewalks, a public transit stop, and unprotected bike lanes that provide mobility beyond a car, this proposal appears to support the policies of 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.

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%

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.

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.

### Fire

No comments.

### Parks and Recreation

There are currently no parkland requirements for uses other than residential and hotel. Given that the application is for CS-1, liquor sales, there would not be parkland dedication requirements or parkland impacts at the time of site plan or subdivision.

### Site Plan

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

Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Planning Commission if the proposed use is conditional.



### Transportation

A traffic impact analysis is not required for this site.

### Water Utility

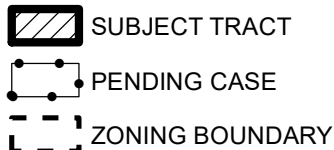
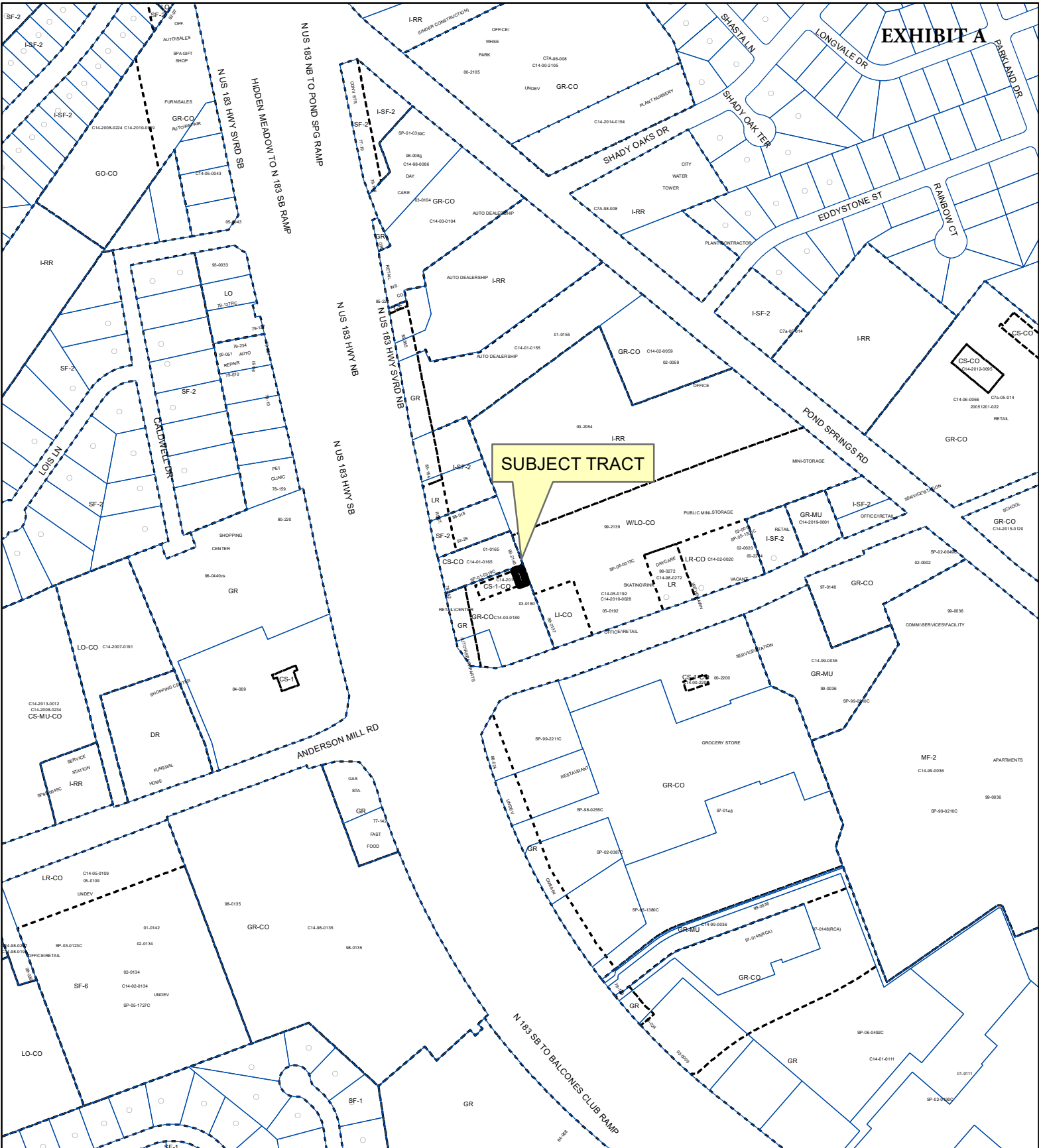
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at [ser@austintexas.gov](mailto:ser@austintexas.gov).

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 Map



ZONING CASE#: C14-2021-0143

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**Created: 9/10/2021**

$$1'' = 400'$$

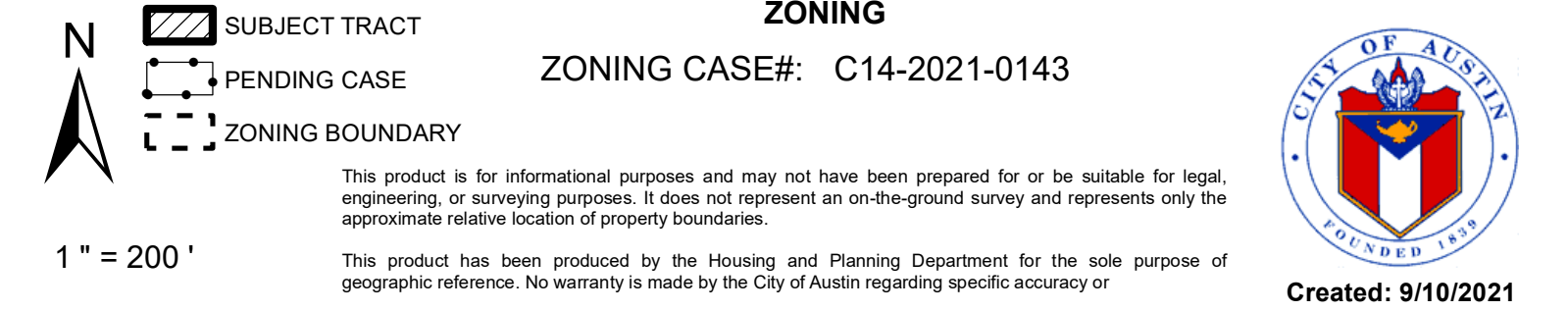










EXHIBIT B

### 13497 Research Rezoning

ZONING CASE#: C14-2021-0143  
 LOCATION: 13497 North US 183 Highway SR NB  
 SUBJECT AREA: 0.029 Acres  
 GRID: G38  
 MANAGER: Sherri Sirwaitis



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

1" = 75'



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