



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 02/03/2005
PAGE: 1 of 1

SUBJECT: C14-04-0204 - Northeast corner of IH-35 South, northbound service road and Brandt Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9701-9817 IH-35 South, northbound service road (Onion Creek Watershed) from interim-community commercial (I-GR) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning for Tract 1 and general office-conditional overlay (GO-CO) combining district zoning for Tract 2. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0204

Z.P.C. DATE: January 18, 2005

ADDRESS: 9701 – 9817 IH-35 South Service Road Northbound

APPLICANT: City of Austin

AGENT: Neighborhood Planning and
Zoning Department (Wendy Walsh)

ZONING FROM: I-GR

TO: GR

AREA: 32.951 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant community commercial (GR-CO) combining district zoning for Tract 1 and general office – conditional overlay (GO-CO) combining district zoning for Tract 2, as further illustrated in Exhibit C. The Conditional Overlay restricts the number of driveways on Brandt Road to two.

ZONING & PLATTING COMMISSION RECOMMENDATION:

January 18, 2005: *APPROVED GR-CO DISTRICT ZONING FOR TRACT 1 AS ILLUSTRATED IN EXHIBIT B AND GO-CO DISTRICT ZONING FOR TRACT 2, BEING THE REMAINDER OF THE PROPERTY. THE CONDITIONAL OVERLAY FOLLOWS THAT OF C14-04-0104 WITH THE EXCEPTION THAT ALL AUTO-RELATED USES ARE PERMITTED; AND ONLY ONE DRIVEWAY TO BRANDT ROAD IS PERMITTED.*

[K.J., 1ST; J.P. 2ND] (7-0) M.W.H., J.M. – ABSENT

ISSUES:

The rezoning area coincides with an annexation case known as "Brandt Road Area" that was approved for interim – community commercial (I-GR) district zoning on Second Reading on December 16, 2004. Third Reading of the Annexation Ordinance is scheduled for City Council meeting of February 3, 2004, concurrent with this zoning case.

Representatives of the potential automobile user and the adjacent neighborhoods have met to discuss site development issues, although no agreements have been reached as of January 26, 2005.

DEPARTMENT COMMENTS:

The subject rezoning area consists of one single family residence and otherwise undeveloped property on approximately 33 acres situated at the northeast corner of the IH-35 frontage road and Brandt Road. The property is presently owned by the State of Texas. The east side of the IH-35 frontage road south of Slaughter Lane to National Park Boulevard consists of undeveloped land and two adult-oriented uses (SF-2), an equipment repair and sales business (County) and undeveloped land (zoned GR-CO). There are single family residential neighborhoods under construction to the east (Crossing at Onion Creek) and south (Parkside at Slaughter Creek), and both carry SF-4A base district zoning. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

In December 2004, the City Council directed staff to initiate community commercial (GR) district zoning on the property. At this time, there are two potential end-users: an automobile dealership

located on approximately 6 ½ acres at the southeast corner of the property (to a depth of approximately 722 feet on Brandt Road) and Texas Department of Transportation district offices located on the remaining 26.5 acres. Please refer to Exhibit B (field note sketch for automobile dealership).

In consideration of the property's location on the IH-35 frontage road and Brandt Road which connects to East Slaughter Lane, adjacent and intensive commercial uses to the north, and GR base district zoning across Brandt Road to the south, the staff supports GR zoning for a depth of 350 feet from the frontage road (Tract 1). As shown in Exhibit C, the depth matches that of the GR-CO zoned property across Brandt Road to the south. Staff supports general office (GO) district zoning for the remaining + 26.5 acres (Tract 2) as it will provide a transition from IH-35, the staff-proposed GR tract and is more compatible with the single family residential neighborhoods to the east and south. Given that Brandt Road is a local street with only 24 feet of pavement, Transportation review staff recommends limiting the number of driveways to a total of two.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	Unzoned	One single family residence, otherwise undeveloped
<i>North</i>	Unzoned (County); LI-CO	Equipment repair; Equipment sales; Adult book store; Adult video
<i>South</i>	GR-CO; I-SF-4A	Undeveloped; Single family residences within the Parkside at Slaughter Creek subdivision
<i>East</i>	Unzoned (County); SF-4A	Undeveloped; Single family residences within the Crossing at Onion Creek subdivision
<i>West</i>	N/A; GR-CO; I-RR; CS-CO	Frontage road and main lanes of IH-35; Retail sales anchored by a discount superstore (under construction); Undeveloped; Automotive sales

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Onion Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association 300 – Terrell Lane Interceptor Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 627 – Onion Creek Homeowners Association 948 – South by Southeast Neighborhood Org.
 954 – East Slaughter Lane Neighborhood Association

SCHOOLS:

Graham Elementary School

Dobie Middle School

Reagan High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0002 (Quick Tract)	RR to CS	Pending completion of the Traffic Impact Analysis	Pending
C14-04-0203 (Twin Liquors at Slaughter)	GR-CO to CS-1	To Grant CS-1	Scheduled for CC 2-10-05
C14-04-0124 (Harrell Tract #1)	I-RR to GR-MU for Tract 1A; CS-CO for Tract 1B	To Grant GR-MU-CO for Tract 1A, CS-CO for Tract 1B with conditions of the TIA and establishing a minimum square footage for restaurant uses.	Approved GR-MU-CO for Tract 1A and CS-CO for Tract 1B, with CO for prohibited uses and with conditions, as ZAP recommended (12-2-04)
C14-04-0126 (Harrell Tract #4)	I-RR to CS-CO	To Grant CS-CO with conditions of the TIA and establishing a minimum square footage for restaurant uses.	Approved CS-CO with CO for prohibited uses and with conditions, as ZAP recommended (12-2-04)
C14-04-0104 (Parkside at Slaughter Creek, Section 1, Block A, Lot 19)	I-RR to GR	To Grant GR-CO	Approved GR-CO with prohibited uses: auto rentals; auto repair services; auto sales; auto washing; commercial off-street parking; drop-off recycling collection facility; exterminating services; hotel-motel; off-site accessory parking; outdoor entertainment; outdoor sports and recreation; pawn shop services; service station; congregate living; and residential treatment, as offered by the applicant. Restrictive Covenant for the TIA (11-4-04).
C14-04-0103 (Parkside at Slaughter Lot 127, Block C)	I-RR to GR	To Grant GR-CO	Approved GR-CO with CO for a list of prohibited uses and 2,000 trips (9-2-04).
C14-04-0094 (Janssen Tract)	CS-CO to CS	To Grant CS-CO with a Restrictive Covenant for the TIA.	Approved CS-CO with a Restrictive Covenant for the TIA, as recommended by ZAP (10-21-04).

C14-04-0075 (Southpark Meadows)	LO-CO; CS-1-CO to GR	To Grant GR-CO with a Restrictive Covenant for the TIA	Approved CS-CO with a Restrictive Covenant for the TIA, as recommended by ZAP (10-21-04).
C14-99-0129 (RCT) (Southpark Meadows)	Terminate the Restrictive Covenant pertaining to a rollback to LO zoning	To Grant the Restrictive Covenant Termination	Approved the Restrictive Covenant Termination (10-21-04).
C14-04-0059 (Harrell / Gatton)	I-RR to CS	To Grant an Indefinite Postponement; Pending submittal of the TIA	Pending
C14-03-0066 (Wal-mart: IH-35 and Slaughter Lane)	RR; SF-2; LI-CO; CS-CO and CS to GR	To Grant GR-CO with conditions of the TIA	Approved GR-CO with CO provide a 6' fence and landscaping along Cullen Lane; 2) direct all traffic south on Cullen Lane by way of limited function driveways onto Cullen Lane that allow right-in and left-out movements only; 3) the use of shielded / hooded lights throughout the site; and, 4) a list of prohibited uses and one accessory use. The Restrictive Covenant is for the TIA memorandum and an Integrated Pest Management (IPM) Plan and a landscape plan for the use of native and adapted plant materials (10-30-03).
C14-02-0120.SH	I-RR to SF-4A and GR	To Grant SF-4A for Tracts 1 and 3; GR for Tract 2, with conditions of the TIA	Approved SF-4A and GR with a Restrictive Covenant for the TIA (11-20-03).

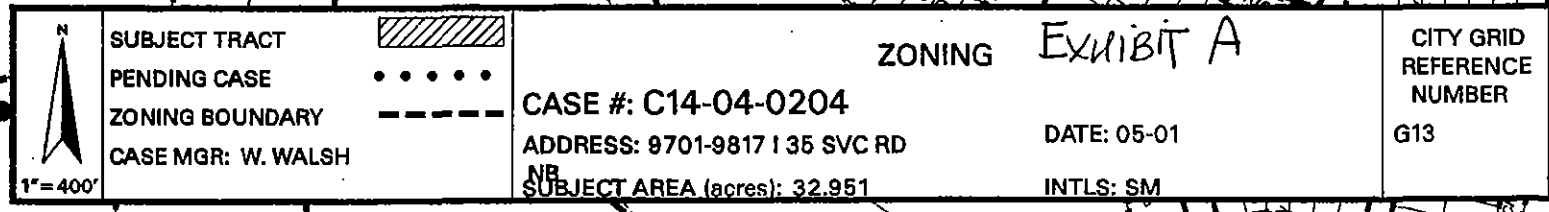
RELATED CASES:

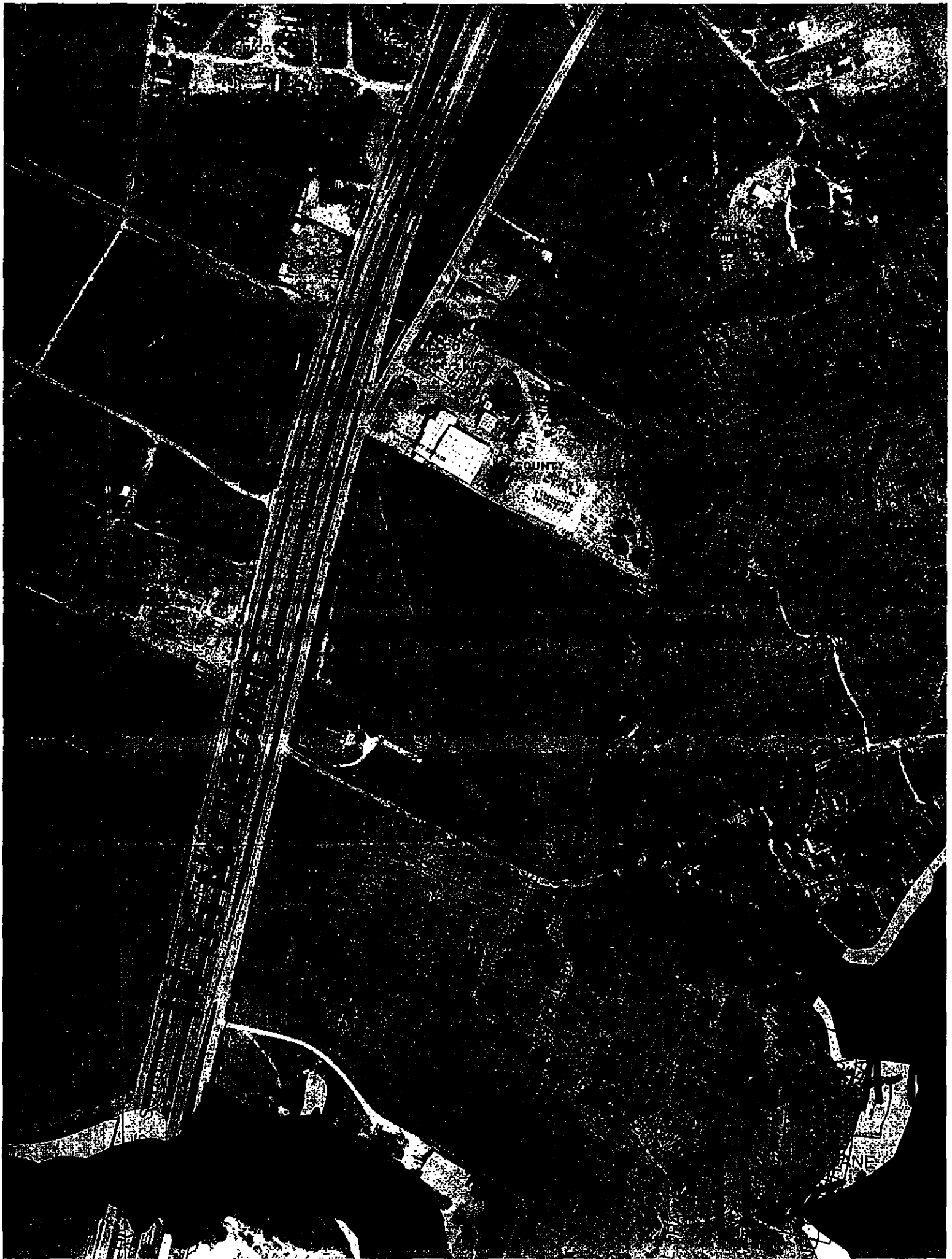
There are no subdivision cases on the subject property. A "D" Site Plan plan (one which does not include a land use element, in this case because at the time it was located in the Extra-Territorial Jurisdiction) for Slaughter Creek Multi-Family was submitted in August 2001, but expired prior to approval (SP-01-0345D).

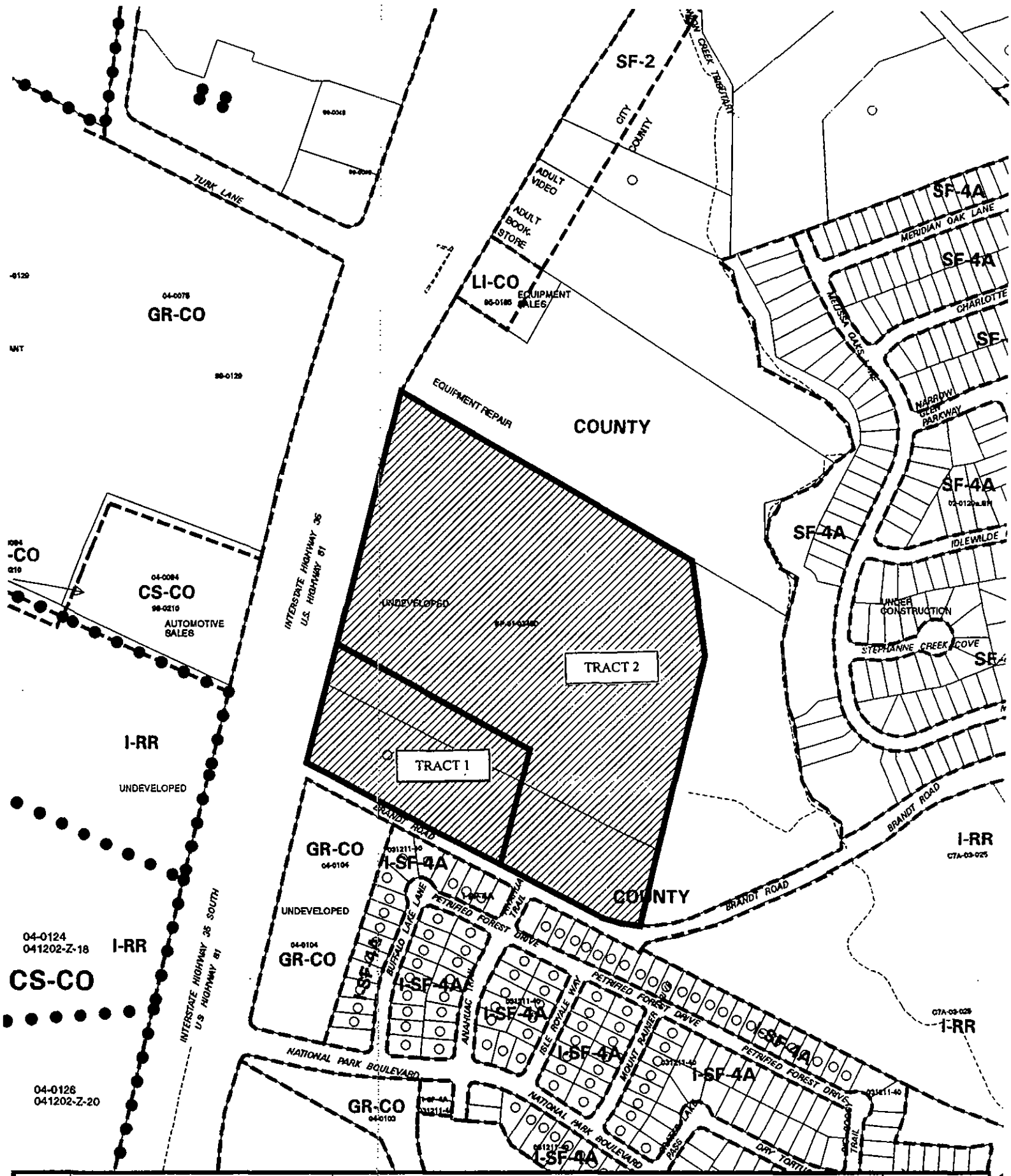
ABUTTING STREETS:





Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
IH-35	320 feet	Varies	Freeway	No	No	No
Brandt Road	50 feet	24 feet	Local	No	No	No

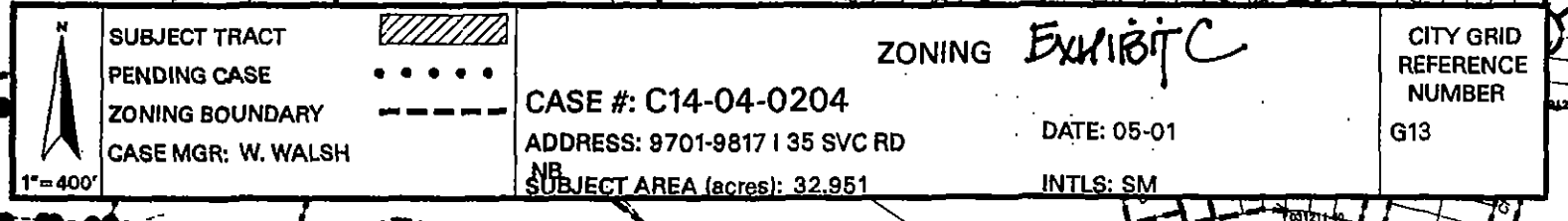
CITY COUNCIL DATE: February 3, 2005**ACTION:****ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Walsh
e-mail: wendy.walsh@ci.austin.tx.us**PHONE:** 974-7719







 1" = 400'	SUBJECT TRACT 	ZONING Exhibit B		CITY GRID REFERENCE NUMBER G13
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-04-0204 ADDRESS: 9701-9817 I 35 SVC RD NB	DATE: 05-01 INTLS: SM	
	CASE MGR: W. WALSH SUBJECT AREA (acres): 32.951			



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BACKGROUND

The subject rezoning area consists of one single family residence and otherwise undeveloped property on approximately 33 acres situated at the northeast corner of the IH-35 frontage road and Brandt Road. The property is presently owned by the State of Texas. The east side of the IH-35 frontage road south of Slaughter Lane to National Park Boulevard consists of undeveloped land and two adult-oriented uses (SF-2), an equipment repair and sales business (County) and undeveloped land (zoned GR-CO). There are single family residential neighborhoods under construction to the east (Crossing at Onion Creek) and south (Parkside at Slaughter Creek), and both carry SF-4A base district zoning.

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In consideration of the property's location on the IH-35 frontage road and Brandt Road which connects to East Slaughter Lane, adjacent and intensive commercial uses to the north, and GR base district zoning across Brandt Road to the south, the staff supports GR zoning for a depth of 350 feet from the frontage road (Tract 1). As shown in Exhibit C, the depth matches that of the GR-CO zoned property across Brandt Road to the south. Staff supports general office (GO) district zoning for the remaining +_26.5 acres (Tract 2) as it will provide a transition from IH-35, the staff-proposed GR tract and is more compatible with the single family residential neighborhoods to the east and south. Given that Brandt Road is a local street with only 24 feet of pavement, Transportation review staff recommends limiting the number of driveways to a total of two.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed GR, Community Commercial 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 GO, General Office, district is intended for offices and selected commercial uses predominantly serving community or City-wide needs.

The property has access to the IH-35 frontage road, a freeway and Brandt Road, a collector street.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

In consideration of the property's location on the IH-35 frontage road and Brandt Road which connects to East Slaughter Lane, adjacent and intensive commercial uses to the north, and GR

base district zoning across Brandt Road to the south, the staff supports GR zoning for a depth of 350 feet from the frontage road (Tract 1), which matches that of the GR-CO zoned property across Brandt Road to the south. Staff supports general office (GO) district zoning for the remaining +_26.5 acres (Tract 2) as it will provide a transition from IH-35, the staff-proposed GR tract and is more compatible with the single family residential neighborhoods to the east and south. Given that Brandt Road is a local street with only 24 feet of pavement, Transportation review staff recommends limiting the number of driveways to a total of two.

EXISTING CONDITIONS

Site Characteristics

The rezoning area is developed with two lease spaces within a retail shopping center. The site is relatively flat and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 80%, which is based on the more restrictive watershed regulations. The maximum impervious cover allowed by the GO zoning district would be 80%, which is a consistent figure between the watershed and zoning regulations.

Environmental

The site is not located over the Edward's 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. 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 Net Site Area</i>	<i>% 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%

In the Water Quality Transition Zones, impervious cover is limited to 30%.

According to flood plain maps, there is no flood plain in, or within close proximity of, 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 existing trees and 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 on this site will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

TPSD Right-of-Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for IH 35. Reservation of additional right-of-way may be required during the subdivision or site plan stage. [LDC, Sec. 25-6-51 and 25-6-55)

Additional right-of-way along Brandt Road may be required during the subdivision or site plan stage of development.

The trip generation under the requested zoning is estimated to be 38,367 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

The traffic impact analysis for this site was waived because this zoning case is City-initiated. A traffic impact analysis may be required during the subdivision or site plan stage, and trip limitations established.

Water and Wastewater

The landowner, at own expense, will be responsible for providing the necessary water and wastewater utility improvements, offsite main extension, system upgrades and utility relocation to serve the site and land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria.

Compatibility Standards

The site will be subject to compatibility standards upon annexation. Along the south property line across from single family use, the following standards apply:

- 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.
- 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.

Additional design regulations will be enforced at the time a site plan is submitted.