

ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0051
(Tech Ridge Rezoning)

Z.A.P. DATE: June 4, 2013

ADDRESS: 12501 ½ Interstate Highway-35 Service Road Northbound

OWNER/APPLICANT: Parmer Tech Ridge, LLC (Erik Tompkins)

AGENT: Thrower Design (A. Ron Thrower)

ZONING FROM: GR

TO: CS-1

AREA: 0.034 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining District, zoning. The conditional overlay will limit the development intensity for the site to less than 2,000 vehicle trips per day.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

6/04/13: Approved staff's recommendation of CS-1-CO zoning on consent (6-0, G. Rojas-absent);
P. Seeger-1st, G. Rojas-2nd.

DEPARTMENT COMMENTS:

The property in question is currently a vacant suite within the Tech Ridge Shopping Center located at the southeastern intersection of Interstate Highway-35 Northbound and Parmer Lane. The applicant is requesting to rezone the property to CS-1 to expand an existing liquor store (Twin Liquors) in a developed retail shopping center.

The staff supports this request because the site will be surrounded by commercial uses and will be consistent with the current development in the area. The property in question will be located in 1,497 sq. ft. lease space in an existing retail shopping center at the intersection of two major arterial roadways/highways.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|--|
| <i>Site</i> | GR | Personal Services (Tech Ridge Shopping Center: Nail Salon) |
| <i>North</i> | GR | Retail Sales (Tech Ridge Shopping Center: HEB, Petsmart, Office Depot, Panda Express, H&R Block, New Attitude Salon & Spa, Golden Wok, Marble Slab, Texenza Coffee, Massage Envy, Care Mark, etc.) |
| <i>South</i> | | Retail Sales (Tech Ridge Shopping Center: My Fit Foods, etc.) |
| <i>East</i> | | Restaurant (Tech Ridge Shopping Center: Subway) |
| <i>West</i> | | Liquor Sales (Tech Ridge Shopping Center: Twin Liquors) |

AREA STUDY: N/A

TIA: Waived

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Monorail Project
Austin Neighborhoods Council
Austin Northwest Association
Bike Austin
Homeless Neighborhood Association
North Growth Corridor Alliance
Pflugerville Independent School District
SELTEXAS
Sierra Club, Austin Regional Group
Super Duper Neighborhood Objectors and Appealers Organization
Techridge Neighbors
The Real Estate Council of Austin, Inc.

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|--|--|--|---|
| C14-2012-0121 (Tech Ridge Center Phase III Apartments: 12504-12620 McCallen Pass) | LI, GR, and RR to MF-4 | 11/20/12: Approved MF-4 zoning on consent (7-0); P. Seeger-1 st , C. Banks-2 nd . | 12/06/12: Approved MF-4 zoning on consent on all 3 readings (7-0); M. Martinez-1 st , B. Spelman-2 nd . |
| C14-2008-0076 (The Ridge: East Parmer Lane) | SF-2 to LI-PDA* *With this LI- PDA request, the applicant is asking for a variance to Section 25-8-341 and 25-8-342 to allow for cut and fill of up to twelve (12) feet on this site. | 9/02/08: Approved the staff's recommendation for LI-PDA zoning (5-0, T. Rabago, R. Evans-absent); K. Jackson- 1 st , C. Hammond-2 nd . | 9/25/08: Approved LI-PDA district zoning as Zoning and Platting Commission recommended, (7-0), 1 st reading 10/16/12: Approved LI-PDA zoning on 2 nd /3 rd readings (7-0) |
| C14-03-0050 (Parmer Lane and IH-35: 500 West Parmer Lane) | CS to CH | 5/13/03: Approved staff's recommendation of CH-CO zoning, with height limit of 120- feet, by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd . | 6/12/03: Approved CH-CO zoning (5-1, Garcia-off dias, Goodman- Nay); all 3 readings |
| C14-01-0169 (Parmer Center- | IP to CS | 2/5/02: Approved staff's alternate rec. of CS-CO on | 3/21/02: Approved CS-CO w/ other conditions (7-0); 1 st reading |

| | | | |
|--|---------------------|--|--|
| 1.334 acres: 900-1004 Center Ridge Drive) | | consent w/ following conditions: 1) Limit site to TIA conditions and post fiscal for roadway improvements prior to third reading of the case at City Council; 2) Prohibit the following uses: Agricultural Sales and Services, Campgrounds, Commercial Blood Plasma Center, Construction Sales and Services, Drop-Off Recycling Collection Facility, Equipment Repair Services, Equipment Sales, Monument Retail Sales, Vehicle Storage, Veterinary Services, Maintenance and Service Facilities, Art and Craft Studio (General), Art and Craft Studio (Limited), Building Maintenance Services, Convenience Storage, Kennels, Laundry Services, Pawnshops, Adult Oriented Businesses; 3) Make the following uses conditional: Custom Manufacturing, Limited Warehousing and Distribution (8-0) | 4/11/02: Approved CS-CO (6-0); 2 nd /3 rd readings |
| C14-01-0168 (Parmer Center: 13001-13299 North Interstate Highway-35 Service Road Northbound) | IP & CS-CO to CS | 2/5/02: Approved staff's alternate rec. of CS-CO on consent w/ following conditions: 1) Limit site to TIA conditions and post fiscal for roadway improvements prior to third reading of the case at City Council; 2) Prohibit the following uses: Agricultural Sales and Services, Campgrounds, Commercial Blood Plasma Center, Construction Sales and Services, Drop-Off Recycling Collection Facility, Equipment Repair Services, Equipment Sales, Monument Retail Sales, Vehicle Storage, Veterinary Services, Maintenance and Service Facilities, Art and Craft Studio (General), Art and Craft Studio (Limited), Building Maintenance Services, Convenience Storage, | 3/21/02: Approved CS-CO w/ other conditions (7-0); 1 st reading 4/11/02: Approved CS-CO (6-0); 2 nd /3 rd readings |

| | | | |
|--|------------|--|---|
| | | Kennels, Laundry Services, Pawnshops, Adult Oriented Businesses; 3) Make the following uses conditional: Custom Manufacturing, Limited Warehousing and Distribution (8-0) | |
| C14-01-0118 (Capital Vineyards- Center Park @ Tech Ridge: 401 East Parmer Lane) | GR to CS-1 | 9/18/01: Approved staff's rec. of CS-1 by consent (9-0) | 10/25/01: Approved CS-1 (7-0); all 3 readings |
| C14-01-0085 (Parmer Meadows Subdivision: North Lamar Blvd. At Parmer Lane) | GO to GR | 6/26/01: Approved staff rec. of GR-CO, w/ CO to limit the development intensity to less than 2,000 vehicle trips per day, by consent (7-0, Garza-recused himself, Cravey-absent) Vrudhula-1 st , Mather-2 nd | 8/2/01: Approved PC rec. of GR-CO readings (6-0, Thomas-absent); all 3 readings |
| C14-01-0077 (Revocable Living Trust – Walmart Parmer: 12700-12800 Block of IH 35 Service Road Southbound) | DR to CS | 2/26/02: Approved GR-CO, w/ CO to limit the site to conditions of the TIA, by consent (7-0, K. Jackson-absent, Adams-off dais); J. Martinez-1 st , J. Mather-2 nd . | 4/18/02: Approved GR-CO on 3 readings (5-0, Slusher/ Thomas-absent) |

RELATED CASES: C8-03-0021.0A (Subdivision Case)
SP-00-288C(XCT) (Site Plan Case)

ABUTTING STREETS:

| Name | ROW | Pavement | Classification | Daily Traffic TXDOT traffic counts: |
|-----------------------|--------|----------|----------------|--|
| W. Parmer Lane | 200' | 124' | Major Arterial | 34,000 |
| Interstate Highway-35 | Varies | FWY-6 | Freeway | 152,000 |

CITY COUNCIL DATE: June 27, 2013

ACTION:

ORDINANCE READINGS: 1st

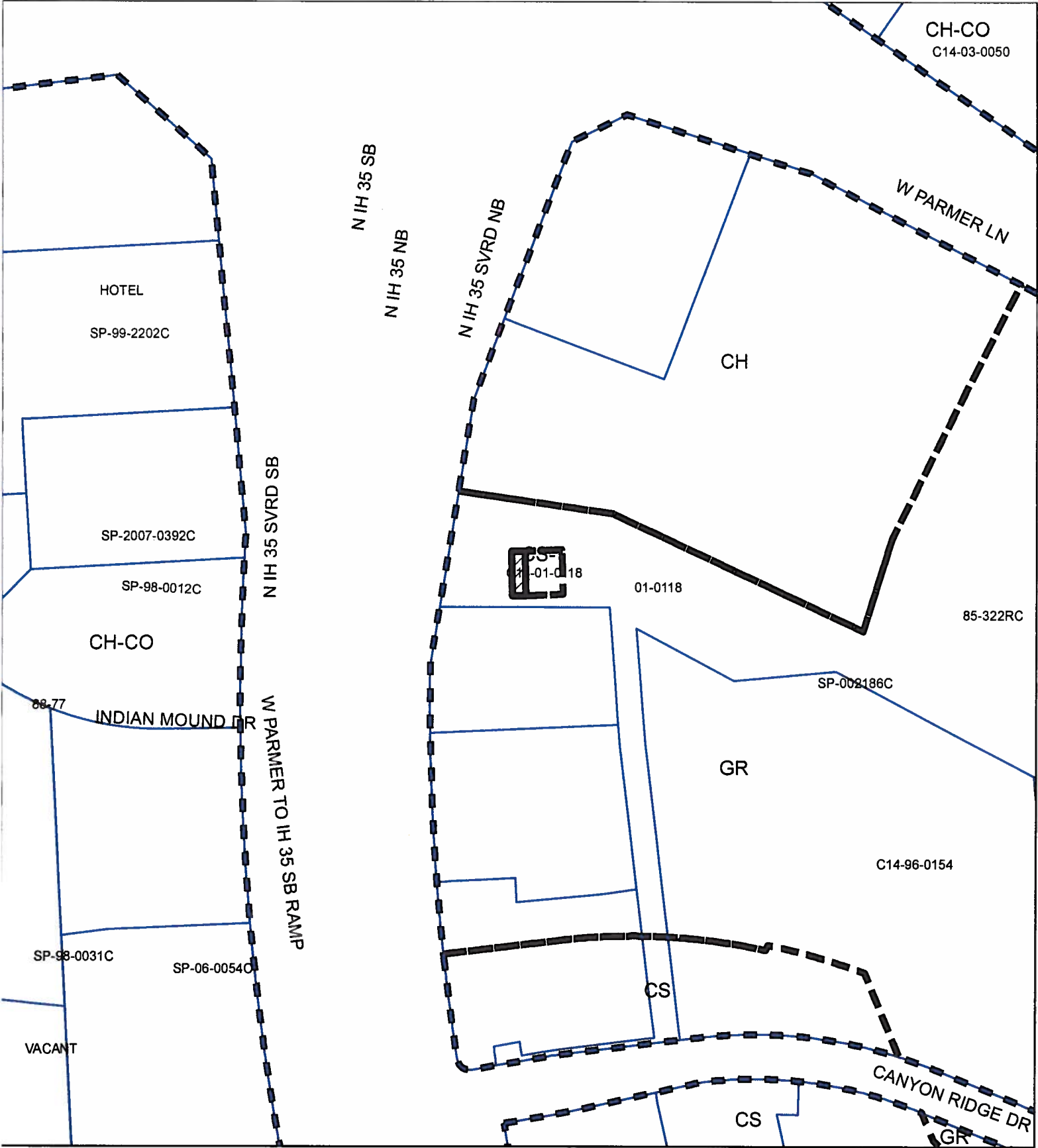
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
3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
ZONING CASE#: C14-2013-0051

1" = 200'

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.

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STAFF RECOMMENDATION

The staff's recommendation is to grant CS-1-CO, Commercial-Liquor Sales-Conditional Overlay Combining District, zoning. The conditional overlay will limit the development intensity for the site to less than 2,000 vehicle trips per day.

BASIS FOR RECOMMENDATION

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

Commercial-liquor sales (CS-1) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments. Liquor sales is one of the permitted uses in a CS-1 district.

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

The CS-1 zoning district would be compatible and consistent with the surrounding uses because there is an existing pad site of CS-1 zoning to the west and GR (Community Commercial) zoning to the north, south, east, and west encircling this site. The property in question is located within a developed retail shopping center.

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

The CS-1 zoning district would allow for a fair and reasonable use of the site. CS-1 zoning is appropriate for this location because of the commercial character of the area and the frontage of the retail development along a major arterial street.

4. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

This property in question is located within a proposed retail shopping center at the intersection of and two major arterial roadways, Interstate Highway-35 Northbound and West Parmer Lane.

EXISTING CONDITIONS

Site Characteristics

The site in question is a suite within a developed shopping center located at the southeastern intersection of two arterial roadways, Interstate Highway-35 Northbound and Parmer Lane.

Comprehensive Planning

This zoning case is located on the east side of frontage road of IH-35 (north), just south of E. Parmer Lane. The property contains a large shopping center that includes an HEB grocery store, various retail shops and personal services, restaurants, a liquor store, and doctor and dental offices. The proposed use is liquor sales. The property is not located within the boundaries of a neighborhood planning area.

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan identifies this section of E. Parmer Lane as an **Activity Corridor**. Activity corridors are the connections that link activity centers and other key destinations to one another and allow people to

travel throughout the city and region by bicycle, transit, or automobile. **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.** Along many corridors, there will be both large and small redevelopment sites.

The following Imagine Austin policies are taken from Chapter 4 of the IACP, which specifically discusses commercial development and creating complete communities:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **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 P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

Based on the property: (1) being located along an Activity Corridor as identified in the Imagine Austin Comprehensive Plan that encourages a variety of neighborhood serving land uses; (2) adjacent to the heavily travelled IH-35; (3) within a large shopping complex with a variety of retail services; and (4) the Imagine Austin policies referenced above, staff believes that the proposed commercial use is supported by the Imagine Austin Comprehensive Plan.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development 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.

According to floodplain maps there is no floodplain within or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

No trees are located within the footprint of the proposed rezoning area. 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 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.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Impervious Cover

The maximum impervious cover allowed by the CS-1 zoning district would be 95%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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% |

Note: The most restrictive impervious cover limit applies.

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.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

IH-35 is classified in the Bicycle Plan as Bike Route No. 421.

Capital Metro bus service (Routes No. 135 and 935) are available along IH-35.

There are no existing sidewalks along IH-35.

Existing Street Characteristics:

| Name | ROW | Pavement | Classification | ADT |
|-------------|------------|-----------------|-----------------------|------------|
| IH-35 | Varies | FWY-6 | Freeway | 152,000 |

Water and Wastewater

FYI: 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 proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.