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ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0074 (Ozone Technology Inc.)

Z.A.P. DATE: August 6, 2013

ADDRESS: 2610 ½ South Lakeline Boulevard

OWNER/APPLICANT: Thomas J. Wolf, Jr.

AGENT: Pohl Partners (Jennie Braasch)

ZONING FROM: SF-6

TO: GR

AREA: 3.2507 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant LR, Neighborhood Commercial District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The property in question is undeveloped and moderately vegetated. There is floodplain along the eastern portion of the tract. The site is located to the northwest of Lakeline Mall on South Lakeline Boulevard. The front portion of this property is within the City of Austin and takes access to S. Lakeline Boulevard. The rear portion of this tract of land is within the City of Cedar Park's jurisdiction and has access of off West Rivera Circle, a residential collector street. There is undeveloped land and a single-family residential neighborhood to the north. To the east of this site, along Lakeline Boulevard, there is a floodplain area and a developing multifamily/apartment complex. To the west there is an undeveloped lot within the City of Cedar Park. The parcel to the south, across S. Lakeline Boulevard is undeveloped. The applicant is requesting commercial zoning for both pieces of this tract of land so that they may develop retail and restaurant uses on the property.

The staff recommends LR, Neighborhood Commercial District, zoning. The property meets the purpose statement of the LR district as it is located near residential areas/developments to the north and west. The proposed zoning will permit the applicant to develop low intensity commercial uses on the site to provide services to the multifamily development to the east and the single-family residential neighborhoods to the north and the southwest.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-6	Undeveloped
<i>North</i>	County	Undeveloped Tract, Single-Family Residential Neighborhood
<i>South</i>	P	Undeveloped
<i>East</i>	SF-6, MF-3	Multifamily (Developing Apartment Complex)
<i>West</i>	County	Office, Single-Family Residential

AREA STUDY: N/A

TIA: Waived

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WATERSHED: Buttercup Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Monorail Project
Bike Austin
City of Cedar Park Riviera Springs Community Development Association
Homeless Neighborhood Association
Leander ISD Population and Survey Analysts
SELTEXAS
Sierra Club, Austin Regional Group

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0201 (OTI: South Lakeline near Ridgeline Blvd.)	SF-6 to GR	N/A 9/15/09: Case expired	N/A
C14-06-0134 (Lakeline Commons: North FM 620 at Ridgeline Boulevard)	CH, CS, GR-CO, LO-CO to GR-MU	9/05/06: Approved GR-MU-CO zoning for Tract 1 and LO-CO zoning for Tract 2 with conditions of: For Tracts 1 & 2 (the following conditions were adopted from the existing ordinance for this tract of land (Ordinance No. 970710-A): 1) Outdoor Sports and Recreation and Outdoor Entertainment uses are prohibited on the Property; 2) The following uses are prohibited on the Property within an area 300-feet from the easternmost property line of the Shenendoah Section 5 Subdivision: Automotive Repair Services, Automotive Washing (of any type), Restaurant (General), Restaurant (Limited), Theater, Indoor Entertainment, Club or Lodge; 3) No building of any kind shall be constructed within an area 100-feet from the easternmost property line of the Shenendoah Section 5 Subdivision; 4) No structure of any kind shall be built to a height greater than 30-feet above	10/19/06: Approved ZAP Commission recommendation of GR-MU-CO zoning for Tract 1 and LO-CO zoning for Tract 2 with an exception to allow a 45 foot building height with a 200 foot setback (6-0, Council Member Martinez- off the dais); L. Leffingwell-1 st , S. Cole-2 nd . Staff was directed to bring back in the ordinance or in the form of a restrictive covenant those items requested by the neighborhood and agreed to by the applicant. 11/30/06: Approved GR-MU-CO zoning for Tract 1 and LO-CO zoning for Tract 2(6-0); 2 nd /3 rd readings

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		<p>ground level within the area beginning 100-feet from the easternmost property line of the Shenendoah Section 5 Subdivision to a depth of 200-feet westerly from the 100-foot point. 6) Beyond the above 200-foot depth, no structure of any kind shall be built to a height greater than 35-feet above ground level. 7) <u>Added new conditions of:</u> No development within the LO-CO tract (Tract 2); The applicant shall vegetate/re-vegetate the LO-CO area (Tract 2); The applicant will provide an 8-foot stone or masonry fence along the western property line adjacent to the Shenendoah Section 5 Subdivision.</p> <p>Vote: (7-1, K. Jackson-Nay, J. Shieh-absent); J. Pinnelli-1st, T. Rabago-2nd.</p>	
C14-00-2058 (Pecan Park: Pecan Park Boulevard)	GR to GR-MU	5/23/00: Approved staff rec. of GR-MU by consent (8-0)	6/22/00: Approved GR-MU on all 3 readings (7-0)
C14-95-0149 (Lakeline- Tract 26: Ridgeline Boulevard)	MF-3 to GR	<p>4/23/96: Approved GR for Tract 1 and LO for Tract 2 (9-0), with the following conditions: prohibit Outdoor Sports and Recreation and Outdoor Entertainment uses; prohibit Automotive Repair Services, Automotive Washing, Restaurant (Limited, General), Theater, Indoor Entertainment, and Club or Lodge uses within an area 300 feet from the western property line; no building shall be constructed within an area 100 feet from the easternmost property line of the Shenendoah Section 5 Subdivision; limit building height to 30 feet within an area 100 feet from the easternmost property line of the Shenendoah Section 5 Subdivision to a depth</p>	<p>7/11/96: Approved GR-CO (Tract 1) and LO-CO (Tract 2) with conditions (6-1, JD-No); 1st reading</p> <p>7/10/97: Approved 2nd/3rd readings (7-0)</p>

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		of 200 feet; beyond the 200 foot depth limit building height to no greater than 35 feet; and on Tract 2 a privacy fence shall be constructed on the westernmost property line adjacent to the Shenendoah Section 5 Subdivision	
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RELATED CASES: C14-2008-0201 (Previous Zoning Case)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic
S Lakeline Blvd	Varies, 80-96'	2 @ 26'	Major Arterial Divided 4-lanes (MAD 4)	NA

CITY COUNCIL DATE: August 29, 2013

ACTION:

ORDINANCE READINGS: 1st

2nd

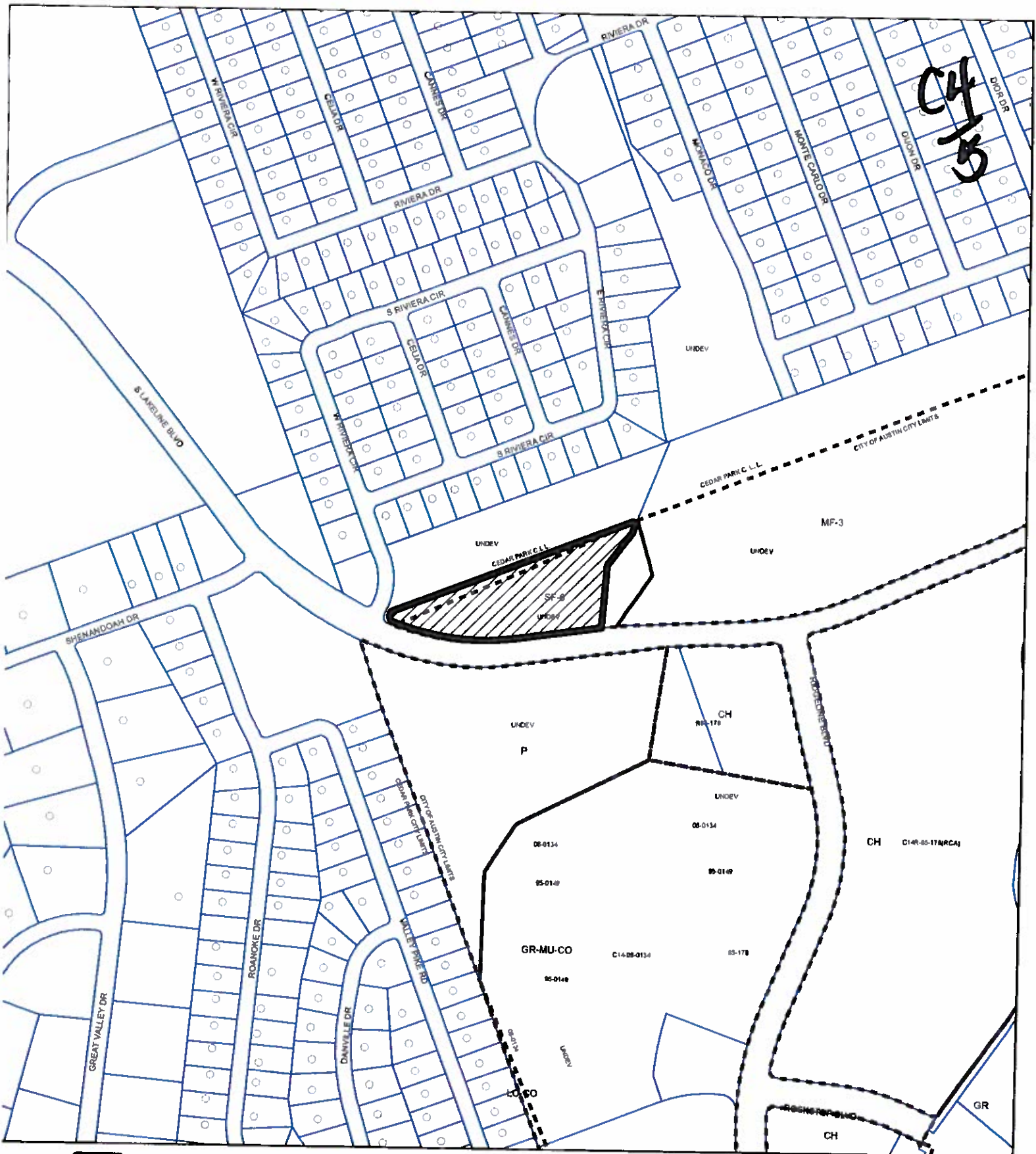
3rd





ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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

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-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

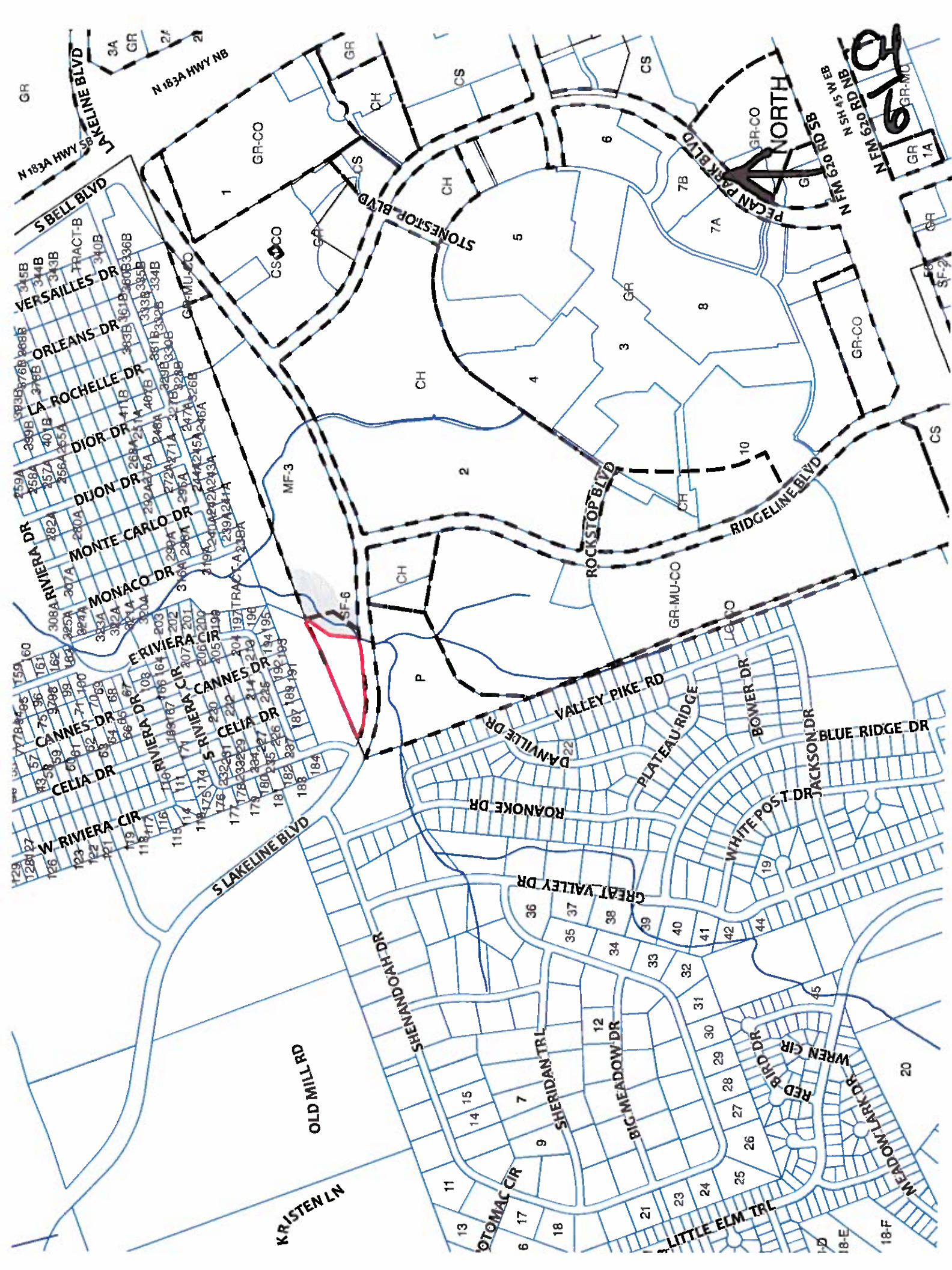
ZONING
ZONING CASE#: C14-2013-0074

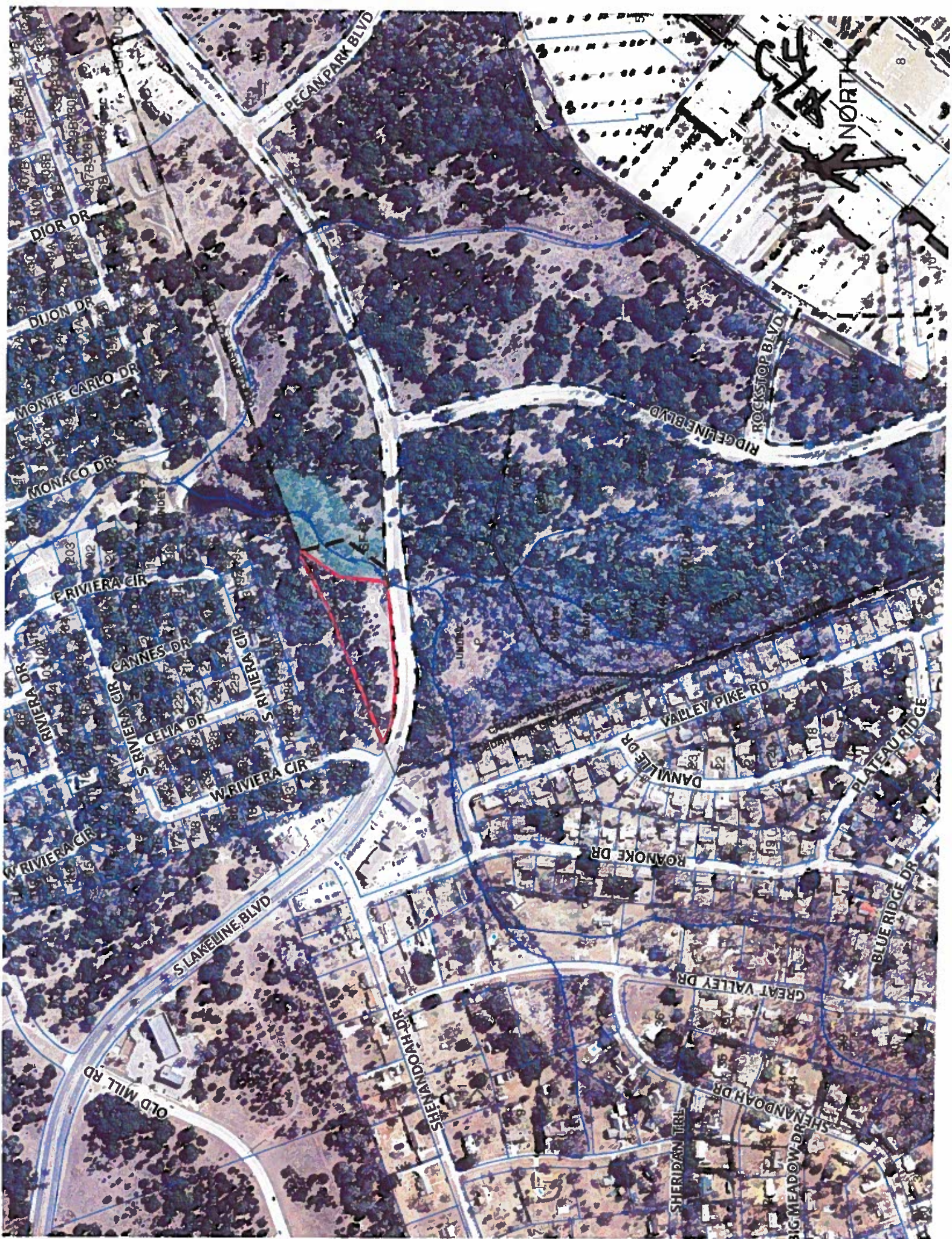
1" = 400'

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STAFF RECOMMENDATION

The staff's recommendation is to grant LR, Neighborhood Commercial District, zoning.

BASIS FOR RECOMMENDATION

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

Neighborhood commercial (LR) district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

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

The proposed zoning would allow for a fair and reasonable use of the property because it will provide the opportunity for the applicant to develop a mixture of residential, office, and commercial development on this site adjacent to existing residential uses to the north, east and southwest.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently undeveloped and moderately vegetated. The property to the north is an undeveloped tract that is currently undergoing the rezoning process to the Local Retail-Conditional Overlay District within the City of Cedar Park. This tract of land backs up to an established single-family residential neighborhood. To the east, there is floodplain and a developing multifamily/apartment complex. To the south, there is undeveloped land. The tract of land to the west, across S. Lakeline Boulevard, is developed with an office complex that backs up to a single-family residential neighborhood.

Comprehensive Planning

This zoning case is located on the north side of S. Lakeline Boulevard, which is a major arterial road in this area. The 3.2 acre subject property is vacant and heavily wooded. The proposed use for this property is a shopping center with retail uses and a restaurant. This property is not located within the boundaries of a neighborhood planning area, and is located at the very edge Austin's city limits and is adjacent to the City of Cedar Park. Surrounding land uses includes vacant land and a single family subdivision to the north, Lakeline Neighborhood Park to the south, vacant land and an office complex to the west, and vacant land to the east. This property is also located approximately 1,500 ft. (northwest) from Lakeline Mall, which can be accessed from S. Lakeline Blvd.

The overall goal of the Imagine Austin Comprehensive Plan (IACP) is to achieve 'complete communities' across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. The Imagine Austin Growth Concept Map, which is found in the Imagine Austin Comprehensive Plan (IACP) identifies this property as being adjacent to the boundaries of a 'Regional Center'. A Regional Center is the most urban of the three activity centers as outlined in the IACP Growth Concept Map. These centers are and will be the retail, cultural, recreational, and entertainment destinations for

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Central Texas. These are also the places where the greatest density of people and jobs and the tallest buildings in the region will be located. The densities, buildings heights, and overall character of a center will vary depending on location. Regional centers will range in size between approximately 25,000-45,000 people and 5,000- 25,000 jobs.

Imagine Austin is supportive of developing a variety of land uses to promote ‘*complete communities*’, including a variety of neighborhood serving commercial uses, which is demonstrated in the following IACP policies:

- **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.
- **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 proposed commercial development: (1) being located along a busy arterial road that serves as a regional collector; (2) providing a variety neighborhood serving commercial land uses within walking distance to nearby residential subdivisions thus contributing towards making this area a ‘complete community’; (3) being adjacent to a Regional Center, which is intended to provide a regional destination for retail, cultural and jobs; and (4) the IACP policies referenced above, which supports a mix of local-serving retail and neighborhood services to nearby residents along corridors, staff believes that this proposed commercial project is supported by the Imagine Austin Comprehensive Plan.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Buttercup 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%

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According to floodplain maps there is no floodplain within the project boundary. However, GIS maps indicate that there is floodplain located directly east of the site.

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

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. 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 GR zoning district would be 90%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Note: The most restrictive impervious cover limit applies.

Site Plan Comments

The property will be subject to *Subchapter E: Design Standards and Mixed Use*, and additional comments will be provided upon submittal of the site plan for this project.

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

The traffic impact analysis for this site was waived because it is located in an area governed by SB 1396, which does not require TIAs.

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Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
S Lakeline Blvd	Varies, 80-96'	2 @ 26'	Major Arterial Divided 4-lanes (MAD 4)	NA

There are not existing sidewalks along South Lakeline Boulevard.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on S. Lakeline Boulevard.

Capital Metro bus service (route no.214) is available along S. Lakeline Boulevard.

Water and Wastewater

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 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.

FYI: A Service Extension Request for wastewater service will be required as Service is not currently to the subject tract.