

ZONING CHANGE REVIEW SHEET

C13
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CASE: C14-2013-0112 **Z.A.P. DATE:** October 15, 2013
Parmer US 290 Retail November 5, 2013

OWNER: Spirit of Texas Retail Partners, Ltd. (Andy Pastor)

AGENT: Endeavor Real Estate Group (Dan Frey)

ZONING FROM: DR **TO:** CH-CO **AREA:** 0.4437 Acres

SUMMARY STAFF RECOMMENDATION:

Staff supports the Applicant's request of commercial highway-conditional overlay (CH-CO) combining district zoning. The recommended conditional overlay would prohibit the following land uses: Adult oriented businesses, Campground, Commercial blood plasma center, Drop-off recycling collection facility, Pawn shop services, Vehicle storage, Guidance services, Residential treatment, and Transitional housing. Building height would be limited to 90 feet. The subject property will also limit vehicular traffic to fewer than 2,000 trips per day.

ZONING & PLATTING COMMISSION RECOMMENDATION:

October 15, 2013: *GRANTED POSTPONEMENT TO NOVEMBER 5, 2013, AS REQUESTED BY STAFF, ON CONSENT, (7-0) [G. ROJAS- 1ST, P. SEEGER- 2ND]*

November 5, 2013:

DEPARTMENT COMMENTS:

The subject property is located on the north side of US 290, east of SH 130 and west of Parmer Lane. The 0.4437 acre property is zoned DR, and is undeveloped. The property immediately to the west of the subject property was zoned CH-CO in August, 2013, and the next property to the west was zoned CH-CO in 2006. These two CH-CO properties have the same conditional overlay and restrictive covenant/TIA limitations. If the proposed rezoning is approved, the 0.4437 acre property will have the same list of proposed land uses. Because of the size of the property, it was determined to be more efficient to limit vehicular traffic on the 0.4437 parcel than to incorporate the rezoning tract into the existing TIA. It is anticipated that the subject property will be developed in conjunction with the CH-CO parcels to the west. Please see attached zoning map and aerial map (Exhibits A and B).

Undeveloped property to the northwest is part of the Harris Branch PUD. The base zoning category for the 33.32 acre PUD tract immediately adjacent to the subject tract is CH (Exhibit E). To the south, across US 290, is more undeveloped property, including unzoned land that is in the ETJ. The property within the City limits is part of the Wildhorse PUD. The 102.8 acre portion of the PUD closest to the subject property is designated "Commercial High Rise Industrial Park," which is not a City of Austin zoning classification. The development standards of the PUD resemble a hybrid of CH and IP zoning.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|-------|-------------|-------------|
| Site | DR | Undeveloped |
| North | PUD | Undeveloped |
| South | PUD, County | Undeveloped |
| East | CH-CO | Undeveloped |
| West | CH-CO | Undeveloped |

AREA STUDY: N / A

TIA: N/A

WATERSHED: Gilleland

DESIRED DEVELOPMENT ZONE: Yes

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SCHOOLS: Manor ISD

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|--------------------------------------|-------------------|--|---|
| C14-2013-0054 | DR to CH | 6/18/13: Recommended to Approve Ch-Co as recommended by Staff, on consent (7-0-1; P. Seeger- 1 st , R. Mcdaniel- 2 nd ; C. Banks-Absent). | 8/8/13: Approved CH-CO on consent (7-0) Ord. No. 20130808-104 |
| C14-05-0120 | DR to CH-CO | 1/17/06: ZAP approved on consent staff rec. of CH w/ conditions: 90' max height, prohibit Adult Oriented Businesses, Campground, Commercial Blood Plasma Center, Drop-off Recycling Collection Facility, Pawn Shop Services, Vehicle Storage, Guidance Services, Residential Treatment, and Transitional Housing uses. (9-0) | 2/16/06: Approved all 3 readings as recommended |
| Wildhorse PUD C814-00-2063 ETJ | Unzoned to PUD | 11/27/01: ZAP approved staff rec. of PUD w/ conditions. (8-0) | 12/6/01: APVD PUD (6-1, WYNN-NO); 2/7/02: APVD PUD (6-1, WW-NO) DELETING ECON. INCENTIVES & WATER EXTENSION FROM ORD.; 2/14/02: APVD PUD (5-1, WW-NO) PER STAFF REC |
| Harris Branch PUD C814-90-0003 | 7/8/91: DR to PUD | 7/29/91: Administrative approval; 12/11/90: PC approved PUD w/ conditions (6-0-1, WB abstain) | 12/13/90: Approved all 3 readings (5-0) |

ABUTTING STREETS:

| Name | ROW | Pavement | Class | Sidewalk? | Bus Route? | Bike Route? |
|--------|------|----------|-------|-----------|------------|-------------|
| US 290 | 500+ | FWY 6 | FWY | No | No | Yes |

CITY COUNCIL DATE: December 12, 2013:

ACTION:

ORDINANCE READINGS:

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

PHONE: 974-2122

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Staff supports the Applicant’s request of commercial highway-conditional overlay (CH-CO) combining district zoning. The recommended conditional overlay would prohibit the following land uses: Adult oriented businesses, Campground, Commercial blood plasma center, Drop-off recycling collection facility, Pawn shop services, Vehicle storage, Guidance services, Residential treatment, and Transitional housing. The subject property will also limit vehicular traffic to fewer than 2,000 trips per day.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The Applicant proposes CH-CO zoning to allow redevelopment with uses that are suitable for highway corridors like US 290—fast food restaurant, drive through bank, hotel, service station and convenience store.

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

The proposed CH-CO will match the adjacent CH-CO properties to the west, allowing the two properties to be developed as a cohesive development. The rezoning will also match the base zoning category used for the adjacent Harris Branch PUD and the nearby Wildhorse PUD.

EXISTING CONDITIONS

Site Characteristics

The subject property is currently undeveloped, and generally flat and featureless.

Impervious Cover

For this property, watershed regulations supersede zoning regulation regarding impervious cover. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

| <u>Development Classification</u> | <u>% of Net Site Area</u> | <u>% with Transfers</u> |
|--|---------------------------|-------------------------|
| Single-Family (minimum lot size 5750 sq. ft.) | 50% | 60% |
| Other Single-Family or Duplex | 55% | 60% |
| Multifamily | 60% | 70% |
| Commercial | 80% | 90% |

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Gilleland 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.
2. According to flood plain maps there is no flood plain within or adjacent to the project boundary.
3. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
4. 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.

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5. 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.
6. 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.

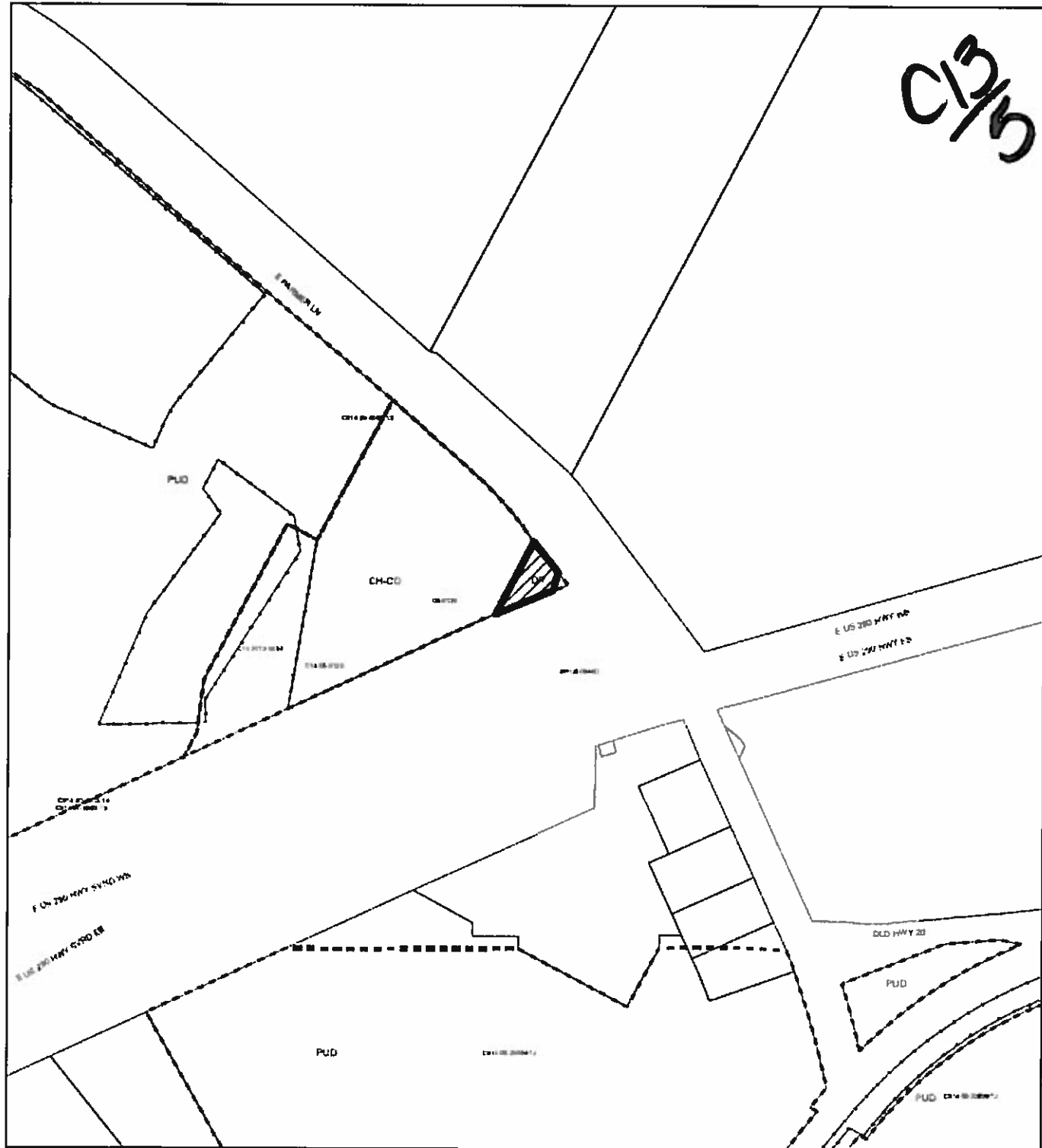
Site Plan





1. Site plans will be required for any new development other than single-family or duplex residential.
2. 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. This site does not currently appear to be triggering compatibility requirements.

Transportation

- TR1. No additional right-of-way is needed at this time.
- TR2. TXDOT approval of driveway access points will required at time of site development.

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-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

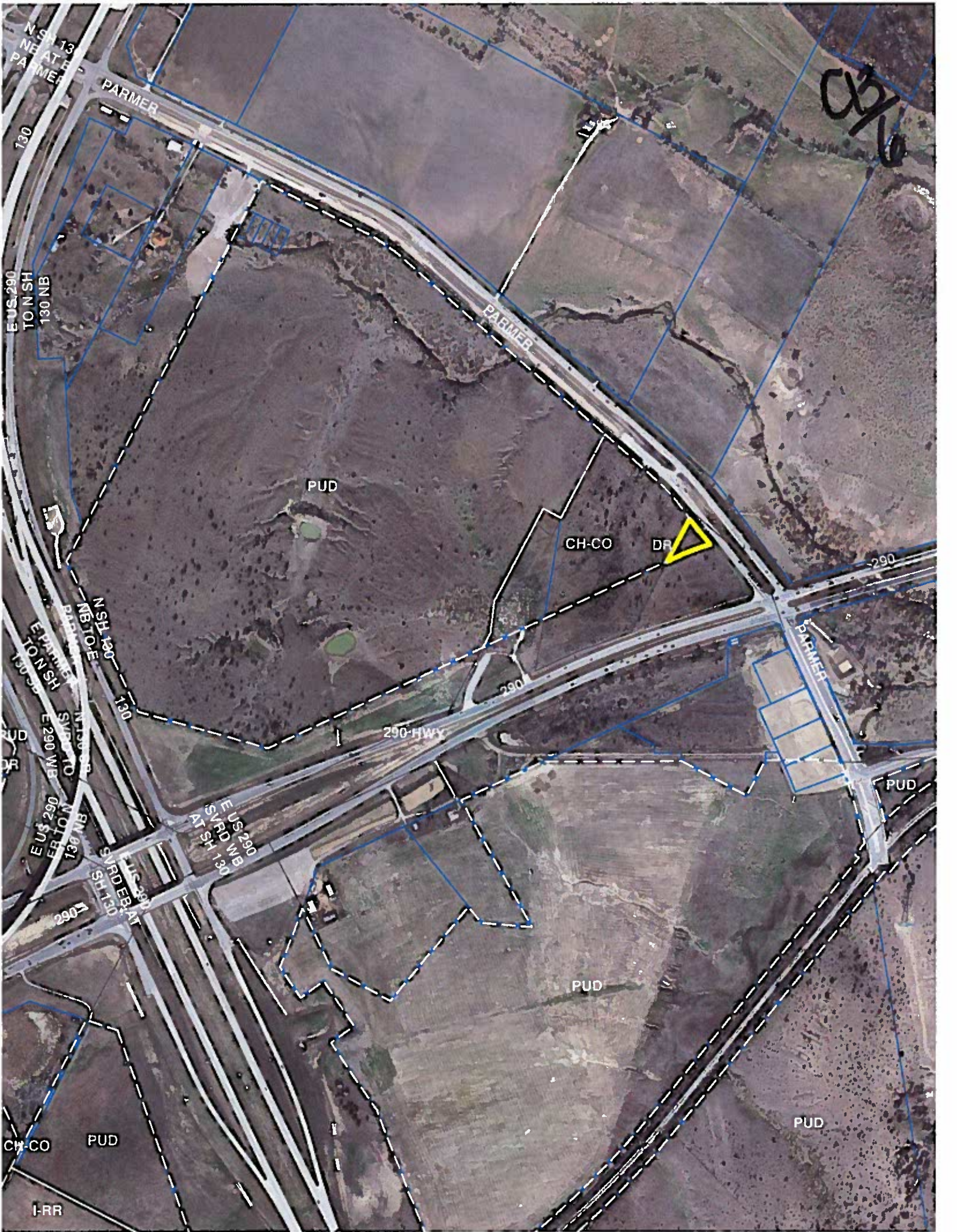
ZONING
ZONING CASE#: C14-2013-0112

1" = 400'

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.

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





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N SH 130
NE AT F
PARMER
130
E US 290
TON SH
130 NB
E PINE
TON SH
130 NB
N SH 130
S W RD
E US 290
WB
130 NB
I-RR

PARMER

PUD

CH-CO

DR

290-HWY

PARMER

PUD

PUD

PUD

CH-CO PUD

I-RR