

ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0134
(Dessau Road Commercial Center)

Z.A.P. DATE: April 15, 2014
May 20, 2014

ADDRESS: 12401 Dessau Road

OWNER/APPLICANT: Dessau 21, Ltd. (Paul Joseph)

AGENT: Urban Design Group (John Noell)

ZONING FROM: I-RR

TO: GR-MU*

AREA: 6.280 acres

*On April 24, 2014, the applicant amended their application to add the MU, Mixed Use Combining District to their zoning request.

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant GR-MU, Community Commercial-Mixed Use Combining District, zoning. This recommendation includes a public restrictive covenant to encompass the Transportation Impact Analysis (TIA) recommendations provided in Attachment A.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

4/15/14: Postponed by the staff to May 20, 2014 (5-0, B. Baker & R. McDaniel-absent); G. Rojas-1st, J. Meeker-2nd.

5/20/14: Approved staff's recommendation of GR-MU zoning, with conditions, on consent (6-0, R. McDaniel-absent); P. Seeger-1st, S. Compton-2nd.

DEPARTMENT COMMENTS:

The property in question is undeveloped and moderately vegetated. This tract of land was annexed by the City of Austin on June 23, 2005. The site is located to the north of the intersection of Parmer Lane and Dessau Road. The surrounding land uses include a manufactured housing development to the north, a veterinary clinic, fast food restaurant (Jack-in the-Box), and service station to the south, and undeveloped tracts of land to the east and west. The City Council approved MF-2-CO zoning (case C14-05-0065.SH) adjacent to this property to the east. The tract of land behind the proposed zoning area is developed with a 248-unit apartment complex.

The applicant would like to zone the property to GR, Community Commercial District, zoning to develop a 26,500 square foot mixed use commercial building on the site. The proposed commercial center would contain approximately 20,000 sq. ft. of retail uses, 3,000 sq. ft. of restaurant-drive thru use, and 3,500 sq. ft. of financial services/bank with drive-thru use.

The staff recommends the applicant's request for GR-MU zoning because the property meets the intent of the GR-MU district as it will serve neighborhood and community needs and that generally is accessible from major traffic ways. The proposed zoning is compatible with surrounding uses/zoning as there is GR and GR-CO zoning located at the northwest and southwest intersection of Dessau Road and Parmer Lane. In addition, there are existing commercial uses directly to the south of this property (a vet clinic, a fast food restaurant and a service station) at the northeastern intersection of Dessau

Road and Parmer Lane. The proposed zoning will provide services for the residential developments to the north and east.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	County	Manufactured Home Park
<i>South</i>	County	Vet Clinic, Restaurant (Jack in the Box), Service Station (Shell), Single-Family Residential Homes (four residences along Parmer Lane)
<i>East</i>	MF-2-CO	Apartment Complex
<i>West</i>	County, PUD (Pioneer Crossing PUD-CR uses)	Undeveloped

AREA STUDY: N/A

TIA: Required

WATERSHED: Harris Branch

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
 Harris Glen HOA
 Harris Ridge Phase IV
 Homeless Neighborhood Association
 North Growth Corridor Alliance
 Pflugerville Independent School District
 SELTEXAS
 Sierra Club, Austin Regional Group
 Tech-Ridge Association
 The Real Estate Council of Austin, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0124 (Dessau Market: 12317 Dessau Road)	I-RR to GR	1/09/07: Approved GR-CO zoning, with following conditions: 1) a 4,137 vehicle trip per day limit and 2) the developer will pay for limited purpose median openings which will be limited to south bound on Dessau Road (6-0, B. Baker, J. Martinez, S. Hale-absent); J.	4/05/07: A motion was made by Councilmember Betty Dunkerley to send the case to the Urban Transportation Commission for a recommendation then bring it back to City Council (7-0) 11/08/07: Approved GR-CO

		Pinnelli-1 st , C. Hammond-2 nd .	zoning on 1 st reading by consent, with direction to review TIA as it is submitted now with the median break suggestion that Public Works has reviewed (7-0); B. Dunkerley-1 st , S. Cole-2 nd . 11/08/08: The case expired for lack of CC action on 2 nd /3 rd readings.
C14-05-0065.SH	I-RR to MF-2	7/05/05: Approved staff's recommendation for MF-2-CO district zoning with the conditional overlay limiting the site to 2,000 vehicle trips per day, requiring the dedication of 70 feet of right-of-way from the existing/future centerline of Dessau Road in accordance with the Transportation Plan, and limiting development on the site to a maximum of 248 residential units (7-1, B. Baker-Nay, M. Whaley-Absent)	8/18/05: Approved ZAP recommendation of MF-2-CO (7-0); 1 st reading 8/25/05: Approved MF-2-CO with conditions by consent (7-0); 2 nd /3 rd readings
C14-04-0056	I-RR to SF-2, SF-6, MF-3, CS	11/02/04: Approved staff's recommendation of SF-2-CO, SF-6, MF-3, LR, LR-MU, GR, GR-MU zoning by consent (9-0)	12/16/04: Granted SF-2-CO, SF-6, MF-3, LR-MU, GR and GR-MU (7-0); all 3 readings
C14-04-0127	GR-CO to GR	10/19/04: Pending	-
C14-03-0001	DR to LO	1/28/03: Approved staff's recommendation of LO-CO zoning, w/2,000 trip limit (8-0, J. Donisi-absent)	2/27/03: Granted LO-CO on all 3 (6-0, Goodman-out of room)
C14-00-2101	DR to CS	8/1/00: Approved staff rec. w/ condition of no Adult Oriented Businesses (8-0)	9/28/00: Approved GR-CO w/ conditions on TR 1 & 2 (7-0); all 3 readings
C14H-00-0005	DR to DR-H	9/12/00: Approved staff rec. by consent (6-0)	10/5/00: approved DR-H (5-0); all 3 readings
C14-98-0258	DR to MF-2	10/26/99: Approved staff rec. of MF-2-CO, w/ 400 unit limit, by consent (8-0, BH-off dias)	12/2/99: Approved PC rec. of MF-2-CO w/ conditions (6-0, WL-absent); 1 st reading 1/27/00: Approved 2 nd /3 rd readings by consent (6-0)
C14-98-0257	DR to GR	10/26/99: Approved staff rec. of LO-CO (TR 1, 2, 3) & GR (TR 4 & 5) by consent (8-0, BH-off dias)	12/2/99: Approved PC rec. of LO (TR1), LO-CO (TR 2 & 3) w/ conditions, and GR (TR 4 & 5) (6-0, WL-absent); 1 st reading

			1/27/00: Approved 2 nd /3 rd readings by consent (6-0)
C14-98-0126	DR to GR	9/29/98: Approved LR-CO w/ conditions that uses limited to 'NO' uses (9-0)	11/5/98: Approved PC rec. of LR-CO (TRA) & LO-CO (TRB) w/ conditions (6-0); all 3 readings
C14-97-0126	DR to GR	12/9/97: Approved GR-CO w/ conditions (5-3)	2/5/98: Approved PC rec. of GR-CO w/ new conditions (5-0); 1 st reading 4/9/98: Approved GR-CO w/ conditions (7-0); 2 nd / 3 rd readings

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic	Bus Route	Bike Route
Dessau Road	Varies	2 @ 24 ft	MAD 4	1,473 (6/21/04)	Not available within 1/4 mile	Priority 1, Route 228

CITY COUNCIL DATE: May 15, 2014

ACTION: Postponed on consent to June 12, 2014 at the staff's request (7-0);
B. Spelman-1st, M. Martinez-2nd.

June 12, 2014

ACTION:

ORDINANCE READINGS: 1st

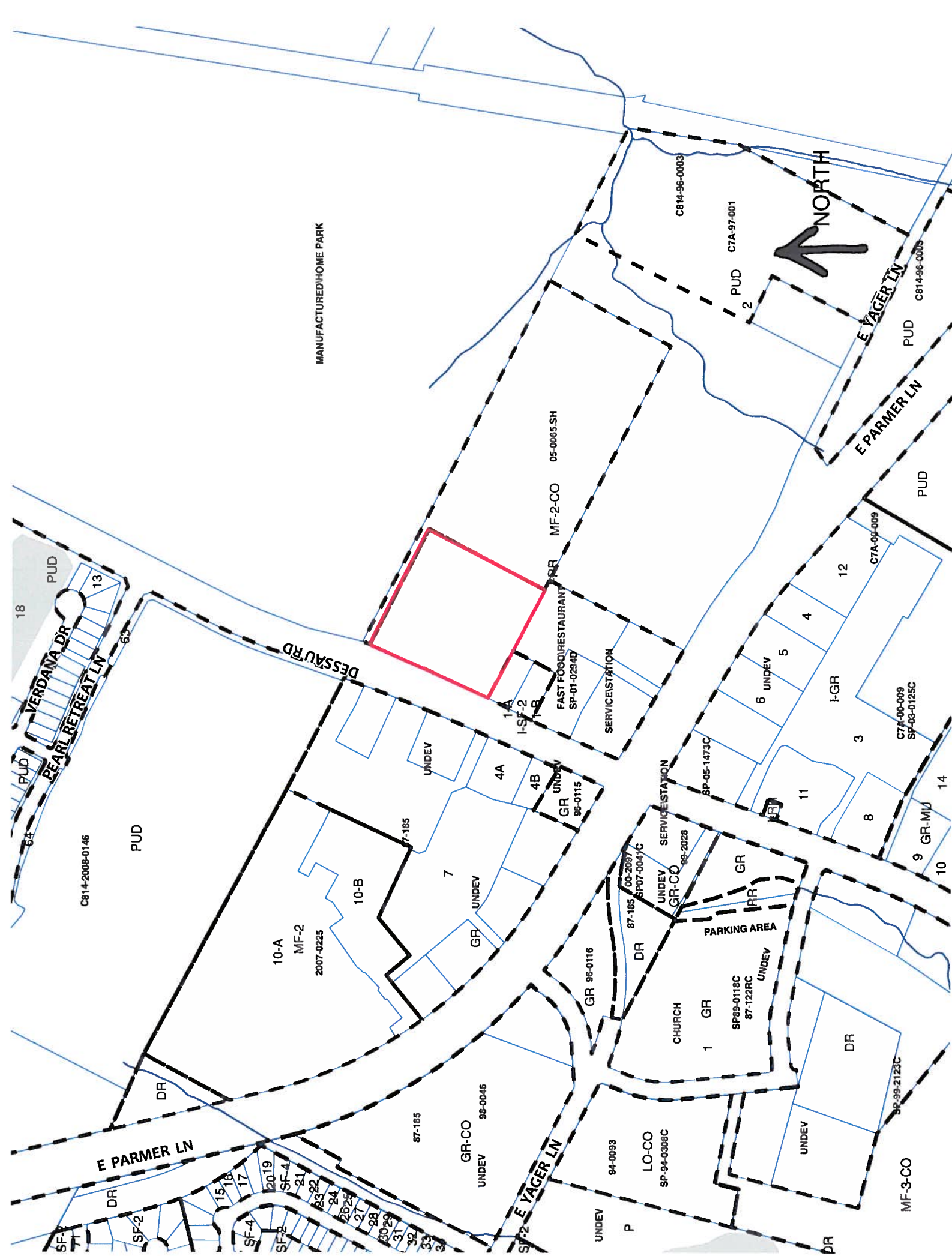
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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





STAFF RECOMMENDATION

The staff's recommendation is to grant GR-MU, Community Commercial-Mixed Use Combining District, zoning. This recommendation includes a public restrictive covenant to encompass the Transportation Impact Analysis (TIA) recommendations provided in Attachment A.

BASIS FOR RECOMMENDATION

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

The Community Commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

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

The proposed zoning is compatible with surrounding uses/zoning as there is GR and GR-CO zoning located at the northwest and southwest intersection of Dessau Road and Parmer Lane. In addition, there are existing commercial uses directly to the south of this property (a vet clinic, a fast food restaurant and a service station) at the northeastern intersection of Dessau Road and Parmer Lane. The proposed zoning will provide services for the residential developments to the north and east.

3. *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.*

The site under consideration is located at the intersection of two four land-divided arterial roadways, Parmer Lane and Dessau Road.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is undeveloped. The property is relatively flat and sparsely vegetated.

Comprehensive Planning

I-RR to GR

This zoning case is located on a 6.28 acre vacant tract of land located on the east side of Dessau Road, which is a heavily travelled arterial thoroughfare. The proposed use is mixed use (retail, bank and fast food restaurant with a drive-thrus). This property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes a large mobile home park to the north (in the county), a vet clinic to the south, an apartment complex to the east, and a Dollar General Store and vacant land to the west.

Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located along an **Activity Corridor** (Dessau Road). **Activity Corridors** are designated for additional people and jobs above what currently exists on the ground. Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. They 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.

The following Imagine Austin policies are 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.
- **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.

Based upon this property being: (1) situated along an **Activity Corridor** as designated on the Imagine Austin Growth Concept Map; (2) located along the heavily travelled Dessau Road, which contains a variety of commercial, office and residential uses that is creating a ‘complete community’ in this area of the city; and (3) the Imagine Austin policies referenced above that supports a variety of land uses including commercial in this area of the city, staff believes that this project is supported by Imagine Austin.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90%. 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.

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 and the Harris Branch Creek Watersheds of the Colorado River Basin, and 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.

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.

Site Plan

Development on this site will be subject to *Subchapter E: Design Standards and Mixed Use*.

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

A traffic impact analysis is required and has been received. Five copies are required and only one has been submitted. Please provide four additional copies of the TIA to the transportation reviewer. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo (Attachment A).

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.



Date: April 23, 2014

To: Sherri Sirwaitis, Case Manager

CC: Joan G. Hudson, P.E. Joan G. Hudson Consulting, Inc.

Reference: TIA Final Memo Dessau Road Commercial Center, C14-2013-0134

The Dessau Road Commercial Center is a proposed zoning change for 6.28 acres along Dessau Road that will eventually consist of 26,500 square feet of retail, fast food, and bank facilities. The site is east of Dessau Road approximately 640 feet north of Parmer Lane (FM 734). The applicant is proposing to rezone the undeveloped tract from I-RR to GR. The proposed development is anticipated to be completed by 2015.

The Planning and Development Review Department and Austin Transportation Department have reviewed the Traffic Impact Analysis for the Dessau Road Commercial Center case dated September 2013 and revised in February 2014 and offer following comments:

TRIP GENERATION

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 4,393 unadjusted average daily trips (ADT) upon site build out. The table below shows the unadjusted trip generation by land uses for the proposed development.

SUMMARY OF UNADJUSTED DAILY AND PEAK HOUR TRIPS							
Proposed Land Use	Size (SF/DU)	ITE Code	24-Hour Volume	AM Peak Hour		PM Peak Hour	
				Enter	Exit	Enter	Exit
Retail	20,000	820	2,386	36	22	98	106
Fast-Food w/ Drive-Thru	3,000	934	1,488	69	67	51	47
Bank w/ Drive-Thru	3,500	912	519	24	18	43	42
Project Total	26,500		4,393	129	107	192	195

The table below shows the adjusted trip generation by land uses for the proposed development.

SUMMARY OF ADJUSTED DAILY AND PEAK HOUR TRIPS						
Proposed Land Use	Size (SF/DU)	ITE Code	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Retail	20,000	820	36	22	61	66
Fast-Food w/ Drive-Thru	3,000	934	33	32	24	22
Bank w/ Drive-Thru	3,500	912	24	18	16	15
Project Total	26,500		93	72	101	103

ASSUMPTIONS

1. The traffic growth rate for the area was determined by using historical average daily traffic (ADT) counts obtained from the City of Austin and TxDOT. Based on the available information, a 2 percent annual growth rate was applied to the study area roadways.
2. Trip distribution and assignment patterns were assumed for the proposed development using the existing traffic distribution pattern.
3. The Shopping Center Retail and Bank with Drive-Through both used an internal capture rate of 5 percent for the PM peak-hour condition. The Fast Food with Drive-Through assumed a 5 percent internal capture rate for both the AM and PM peak-hour conditions.
4. The pass-by trip reductions were applied after the internally captured trips were reduced from the total trips. Shopping Center Retail assumed a 34 percent reduction in the PM peak-hour condition. The Fast Food with Drive-Through used a 49 percent reduction in the AM peak-hour and 50 percent reduction in the PM peak-hour condition. The Bank with Drive-Through assumed a 62 percent reduction in PM peak-hour.
5. The TIA assumed proposed TxDOT improvements for Parmer Lane/Dessau Road intersection with traditional dual left-turn lanes completed.

EXISTING AND PLANNED ROADWAYS

Parmer Lane (FM 734) Parmer Lane is an existing four-lane divided arterial roadway (MAD-4) maintained by TxDOT that provides east/westbound movements south of the site. The 2025 Austin Metropolitan Area Transportation Plan (AMATP) identifies the roadway as eventually expanding to a 6-lane Expressway (EXP-6), but no additional through-lanes are currently planned. The roadway serves route no. 2 of the 2009 Bicycle Plan Update with an existing Shared Lane and recommended Wide Curb.

Dessau Road: Dessau Road is an existing four-lane divided arterial roadway (MAD-4) that provides north/southbound movements adjacent to the site. The 2025 Austin Metropolitan Area Transportation Plan (AMATP) identifies the roadway as eventually expanding to a 6-lane Expressway (EXP-6), but no additional through-lanes are currently planned. The roadway serves no. 59 of the 2009 Bicycle Plan Update with an existing Shared Lane and recommended Bike Lane.

Howard Lane: Dessau Road is an existing four-lane divided arterial roadway (MAD-4) that provides east/westbound movements north of the site. The 2025 Austin Metropolitan Area Transportation Plan (AMATP) does not identify any further improvements. The roadway serves route no. 116 of the 2009 Bicycle Plan Update with an existing Wide Curb west of Dessau Road and Bike Lanes east of Dessau Road.

Bradbury Lane: Bradbury Lane is an existing collector that provides east/westbound movements north of the site. West of Dessau Road, Bradbury Lane is a two-lane undivided collector. East of Dessau Road, Bradbury Lane (also referred to as F Lane) is a two-lane divided collector. No improvements are currently planned for the roadway.

INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed the three (3) existing roadway intersections, two (2) existing driveways along Dessau Road, and two (2) proposed driveways along Dessau Road. The results are summarized in the table below:

INTERSECTION LEVEL OF SERVICE						
Intersection	2013 Existing		2015 Forecasted (no build)		2015 Site+ Forecasted	
	AM	PM	AM	PM	AM	PM
Parmer Ln./ Dessau Rd.	F	F	E	D	E	E
Bradbury Ln./Dessau Rd.	F	A	C	B	C	B
Howard Ln./Dessau Rd.	F	E	F	E	F	E
Multi-Family Driveway/Dessau Rd.	A	A	D	C	D	D
Vet Clinic Driveway/Dessau Rd./Parmer Center.	A	A	A	A	A	A
South Site Driveway/Dessau Rd.					A	A
North Site Driveway/Dessau Rd.					A	A

RECOMMENDATIONS

1. Prior to final reading of zoning, the following pro rata share should be posted:

- Site share on installing signal traffic signal at the Multi-Family Driveway/Dessau Rd intersection = \$11,220 (6.8%)

- Site share on installing signal traffic signal at the Bradbury Ln/Dessau Rd intersection = \$5,610 (3.4%)
- Site share on constructing a right turn lane in the eastbound approach at the Howard Ln/Dessau Rd intersection = \$1,020 (1.7%)
- Site share on constructing a right turn lane in the southbound approach at the Howard Ln/Dessau Rd intersection = \$1,020 (1.7%)

Total Pro Rata Share Contribution = \$18,850

2. Prior to approval and release of any site plans, the applicant will coordinate with the Austin Transportation Department to determine if additional right-of-way along Dessau Road is needed per the 2025 AMATP.
3. All driveways shall comply with current City of Austin Type II Commercial Driveway standards and shall meet minimum and maximum requirements for driveway width, throat length, driveway spacing, offset, and curb return radii.
4. Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.
5. At least three (3) copies of the final TIA incorporating all corrections and revisions must be submitted prior to 3rd reading of the zoning at City Council.

If you have any questions or require additional information, please contact me at 974-6420.



Caleb Gutshall
Senior Planner

Transportation Review Section/Land Use Review Division
Planning and Development Review Department

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2013-0134

Contact: Sherri Sirwaitis, 512-974-3057

**Public Hearing: May 20, 2014, Zoning and Platting Commission
June 12, 2014, City Council**

Jennifer Lytle
Your Name (please print)

☐ I am in favor
☒ I am in object

12435 Dessau Road

Your address(es) affected by this application

Jlytle

Signature

5-20-14

Date

Daytime Telephone: 512-552-3341

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810