

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0073 (Public Storage)

Z.A.P. DATE: June 3, 2014

ADDRESS: 14000 Owen Tech Boulevard

OWNER/APPLICANT: Owen Tech, LLC (Behzad Bahramni)

AGENT: Jackson Walker, L.L.P. (Katherine Loayza)

ZONING FROM: GR

TO: CS

AREA: 1.155 acres

SUMMARY STAFF RECOMMENDATION:

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

ZONING AND PLATTING COMMISSION RECOMMENDATION:

6/03/14: Approved staff's recommendation of CS-CO zoning on consent (7-0); P. Seeger-1st, C. Banks-2nd.

DEPARTMENT COMMENTS:

The property in question is part of an undeveloped tract of land that is located at the southwest intersection of Owen Tech Boulevard and the Interstate Highway-35 Southbound frontage road. The applicant is requesting CS, General Commercial Services District, zoning for the site because he would like to develop a convenience storage use at this location. The staff is recommending CS-CO zoning because the site under consideration meets the intent of the General Commercial Services District as it fronts onto an interstate highway. The proposed zoning is compatible with the surrounding commercial and industrial uses to the north (RBFCU Bank), to the south (Capital Industrial Park), to the east (across IH-35 – Star Furniture), and to the west (Sleep Inn and Suites).

The applicant agrees with the staff recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR	Undeveloped
<i>North</i>	GR	Financial Services (Randolph Brooks Federal Credit Union)
<i>South</i>	LI	Capital Industrial Park
<i>East</i>	CS-CO	General Retail Sales-General (Star Furniture)
<i>West</i>	County	Undeveloped Tract, Hotel-Motel (Sleep Inn and Suites)

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 Northwest Association
 Bike Austin
 Homeless Neighborhood Association
 North Growth Corridor Alliance
 Pflugerville Independent School District
 SELTEXAS
 Sierra Club, Austin Regional Group
 The Real Estate Council of Austin, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0125 (Wagner Tract: 13801-14409 North IH-35 Service Road North Bound)	SF-2 to CS	6/1/04: Approved GR-CO zoning with the following prohibited uses: Automotive Repair Services; Drop-Off Recycling Collection Facility; Pawn Shop Services and public RC for the TIA recommendations (8-0, J. Pinnelli-absent); M. Whaley-1 st , K. Jackson-2 nd .	6/17/04 : Granted CS-CO as recommended by staff, with additional conditions agreed to between the applicant and the neighborhood association(7-0); 1 st reading 3/24/05: Approved CS-CO with conditions(public restrictive covenant) on 2 nd /3 rd readings (7-0)
C14-02-0111	TR1: GR-CO to GR TR2: CS-CO to CS	10/15/02: Approved staff's rec. of GR-CO; CS-CO zoning with added condition to prohibit Automotive Sales; by consent (7-0, D. Castaneda-absent)	12/5/02: Granted GR-CO for Tract 1 and CS-CO for Tract 2 on all 3 readings (7-0)
C14-98-0212	I-RR to CS	12/15/98: Approved GR-CO w/conditions for front to match existing GR and CS-CO for remainder of property, prohibit auto repair and auto washing except for on-site tenants (5-2, GW/DS-Nay)	1/14/99: Approved PC rec. of GR-CO w/ conditions 97-0); 1 st reading 4/15/99: Approved CS-CO w/ conditions (7-0); 2 nd /3 rd readings
C14-98-0076	I-RR to LI	7/14/98: Approved W/LO-CO w/conditions (7-1, SA-Nay)	10/8/98: Approved CS-CO w/many conditions (6-0); 1 st reading 4/1/99: Approved CS-CO w/ conditions (7-0); 2 nd /3 rd readings
C14-98-0069	I-RR to CS	7/14/98: Approved GR (8-1, RR-Nay)	8/13/98: Approved CS-CO (6-0); 1 st reading 10/1/98: Approved CS-CO w/ conditions (7-0); 2 nd /3 rd readings

C14-96-0131	SF-2 to GR	12/10/96: Approved staff rec. of GR (9-0)	1/9/97: Approved GR-CO w/ conditions (7-0); 1 st reading 3/20/97: Approved GR-CO w/ conditions (7-0); 2 nd /3 rd readings
C14-95-0195	GR to CS	1/23/96: Approved CS-CO (7-0)	7/18/96: Approved CS-CO subject to conditions (6-0); all 3 readings
C14-93-0055	SF-2 to GR	5/18/93: Approved GR by consent (9-0)	6/3/93: Approved GR (5-0-1); all 3 readings
C14-93-0047	SF-2 to CS	4/27/93: Approved GR-CO (6-0)	5/6/93: Approved GR-CO and CS-CO w/conditions (6-0); 1 st reading 6/17/93: Approved GR-CO and CS-CO (7-0); 2 nd /3 rd readings
C14-93-0005	SF-2 to LO	2/16/93: Approved LO (6-0)	3/4/93: Approved LO (6-0); 1 st reading 5/27/93: Approved LO; 2 nd /3 rd readings

RELATED CASES: C14-86-194 (Previous Zoning Case)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Owen Tech Blvd	80'	60'	Collector	No	No	No

CITY COUNCIL DATE: June 26, 2014

ACTION:

ORDINANCE READINGS: 1st

2nd

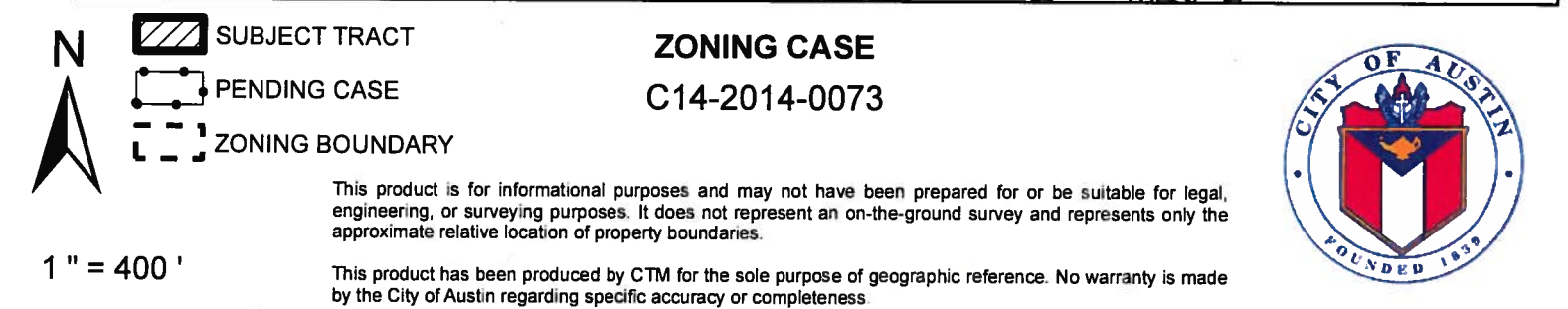
3rd

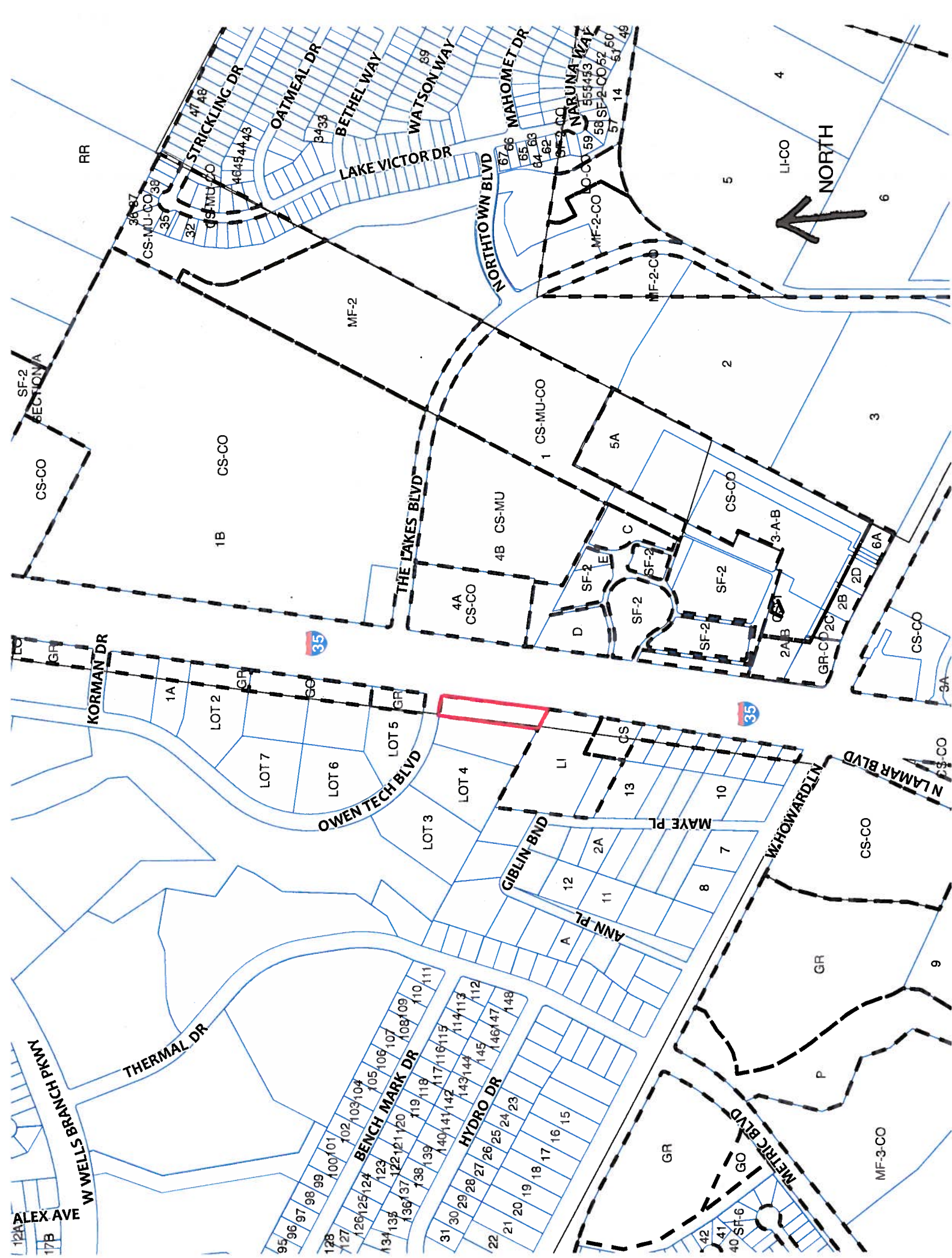
ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,

sherri.sirwaitis@austintexas.gov







STAFF RECOMMENDATION

The staff's recommendation is to grant CS-CO, General Commercial Services-Conditional Overlay Combining District, zoning. The conditional overlay will limit the development intensity on 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.*

The General Commercial Services (CS) zoning district is intended for commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

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

The proposed zoning is compatible with the surrounding commercial and industrial uses to the north (RBFCU Bank), to the south (Capital Industrial Park), to the east (across IH-35 – Star Furniture), and to the west (Sleep Inn and Suites). There is GR commercial zoning to the north and south and CS-CO zoning to the east, across IH-35.

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 property fronts onto the south bound service road of Interstate Highway-35. It is located at the southwest intersection of IH-35 and Owen Tech Boulevard, a collector roadway.

EXISTING CONDITIONS

Site Characteristics

The property in question is the front portion of a large undeveloped tract of land that front onto the IH-35 South Bound Service Road. The site is relatively flat and sparsely vegetated.

Comprehensive Planning

GR to CS

This zoning case is located on the southeast corner of Owen Tech Boulevard and the IH-35 frontage road in north Austin. This undeveloped property is approximately 1.1 acres in size and is not located within the boundaries of an area with an adopted neighborhood plan. Surrounding land uses include a credit union to the north, a dog kennel to the south, a motel to the west, and IH-35 to the east. The proposed use is a convenience storage facility.

Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP), identifies this property as being within the boundaries of a **Neighborhood Center**. Neighborhood Centers have a more local focus, and doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses generally serve the center and surrounding neighborhoods. The following IACP policies are relevant to this case:

- **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 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.

Based on the property being: (1) located within a Neighborhood Center as identified by the Imagine Austin Growth Concept Map, which supports commercial uses – including storage centers; and (2) the Imagine Austin policies referenced above, staff believes that this proposed use is supported by the Imagine Austin Comprehensive Plan.

Impervious Cover

The maximum impervious cover allowed by the CS 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 on this site would be limited by the watershed ordinance.

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 Gross Site Area</i>	<i>% of Gross Site Area 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 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. The site is in the Desired Development Zone.

According to floodplain maps there is no floodplain within or adjacent to 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.

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 512-974-1876. 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 requires water quality control with increased capture volume and control of the 2 year storm on site.

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

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

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.

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 storm water runoff will be mitigated through on-site storm water 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.

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for IH 35. TxDOT may request the reservation of additional right-of-way in accordance with the Transportation Plan when the site is redeveloped [LDC, Sec. 25-6-51 and 25-6-55].

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]

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Owen Tech Blvd.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Owen Tech Blvd	80'	60'	Collector	No	No	No

Capital Metro bus service is not available within 1/4 mile of this property.

Water and Wastewater

The landowner intends to serve the site with a connection to Wells Branch Municipal Utility District 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. 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 plan must be approved by Travis County for fire protection. Wells Branch MUD must approve the utility plan for water and wastewater service.



Katherine P. Loayza
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kloayza@jw.com

April 29, 2014

Via Hand Delivery

Mr. Greg Guernsey, Director
Planning and Development Review Department (PDR)
505 Barton Springs Road
Austin, Texas 78704

Re: Rezoning property located at 14000 Owen-Tech Blvd.

Dear Greg:


On behalf of Public Storage and Owen Tech LLC, the current owner of the property, I am submitting an application for rezoning approximately 1.16 acres out of Lot 5, Block A, Wells Branch Phase U located at 14000 Owen-Tech Blvd. The remainder of the property is outside the City limits. The lot is located within the Wells Branch M.U.D. which does not have a land plan according to Virginia Collier, PDR. I have also confirmed this with John Bertram, Armbrust & Brown, attorney for the M.U.D.

The property is currently zoned "GR" Community Commercial and is referenced in the zoning ordinance No. 861113-C as Tract 1. The request to rezone the property to "CS" Commercial Services is in order that Public Storage can construct a new facility at this location. Convenience storage use is not allowed in the "GR" zoning district.

I believe that the request for "CS" zoning is appropriate for this site which is located along the southbound frontage road of IH-35 and the proposed use will be compatible with the existing land uses. The existing uses surrounding the site are Randolph Brooks Federal Credit Union to the north, zoned "GR"; Sleep Inn & Suites to the west, outside of the City limits; warehouse uses to the south, zoned "LI" as well as other commercial uses zoned "CS" further south of the site. The requested rezoning will be subject to the condition that the vehicle trips per day not exceed 2,000 according to the TIA waiver.

Please feel free to contact me at 512-236-2259 or email me at kloayza@JW.com should you have any questions regarding this application.

Sincerely,


Katherine Loayza