

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2014-0107 (Fredrickson 1.5)

**ZAP DATE:** August 5, 2014

**ADDRESS:** 8410 Anderson Mill Road

**OWNER/APPLICANT:** Realty Restoration, LLC (David Davidson)

**AGENT:** Bennett Consulting (Jim Bennett)

**ZONING FROM:** I-RR

**TO:** W/LO

**AREA:** 1.56 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant W/LO-CO, Warehouse Limited Office-Conditional Overlay District, zoning. The proposed conditional will maintain a 25-foot vegetative buffer along the north property line.

If the requested zoning is granted, then 57 feet of right-of-way should be dedicated from the existing centerline of Anderson Mill Road in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

8/05/14: Approved staff recommendation of W/LO-CO zoning with ROW condition by consent (5-0, C. Banks and R. McDaniel-absent); P. Seeger-1<sup>st</sup>, S. Compton-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is currently contains a vacant single-family house. The tract of land to the south, across Anderson Mill Road, is developed with a parkland area (Robinson Park). To the east, there are duplex residences. The lot the west contains a telecommunication tower with support structure and an office/warehouse use (Austin Auction). The lots to the north are part of a single-family residential neighborhood. In this request, the applicant is asking to permanently zone the property to W/LO to develop a convenience storage use on the site.

The staff is recommending W/LO-CO, Warehouse Limited Office-Conditional Overlay District, zoning for this site. The proposed W/LO-CO zoning will allow for limited office and warehouse uses on a lot that fronts onto an arterial roadway, Anderson Mill Road. The proposed conditional overlay will provide a 25-foot vegetative buffer along the northern property line. The 25-foot buffer/building setback will create a physical separation from the office/warehouse uses on this site and the single family residential uses to the north.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Vacant Single Family Residence
<i>North</i>	I-SF-2	Single Family Residences
<i>South</i>	County	Automotive Repair (Ellis & Salazar), Robinson Park
<i>East</i>	I-SF-2	Duplex Residences
<i>West</i>	I-RR	Undeveloped Area, Telecommunications Tower, Office/Warehouse use (Austin Auction)

**AREA STUDY:** N/A**TIA:** Not Required**WATERSHED:** Lake 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  
 Neighborhood Association of Southwest Williamson County  
 SELTEXAS  
 Sierra Club, Austin Regional Group  
 Super Duper Neighborhood Objectors and Appeals Organization  
 The Real Estate Council of Austin, Inc.

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2011-0073 (Villages at Turtle Rock: 12800 Turtle Rock Road)	I-RR to MF-3	8/16/11: Approved staff's recommendation of MF-3-CO zoning, with CO to limit development on the site to less than 2,000 vehicle trips per day, by consent (6-0, G. Rojas-absent); D. Tiemann-1 <sup>st</sup> , G. Bourgeios-2 <sup>nd</sup> .	9/22/11: Approved MF-3-CO zoning on consent on all 3 readings (7-0); B. Spelman-1 <sup>st</sup> , L. Morrison-2 <sup>nd</sup> .
C14-2011-0072 (8915 Anderson Mill Road)	I-RR to GR-MU	8/16/11: Approved staff's recommendation of LR-MU-CO zoning, with CO to limit development on the site to less than 2,000 vehicle trips per day, by consent (6-0, G. Rojas-absent); D. Tiemann-1 <sup>st</sup> , G. Bourgeios-2 <sup>nd</sup> .	9/22/11 : Approved LR-MU-CO zoning on consent on all 3 readings (7-0); B. Spelman-1 <sup>st</sup> , L. Morrison-2 <sup>nd</sup> .

C14-06-0236 (13201 Pond Springs Road)	I-RR to CS-1	5/15/07: Approved staff rec. of GR-CO and CS-1-CO (7-0)	6/08/07: Approved for GR-CO for Tract 1 and CS-1 for Tract 2 (7-0); all 3 readings
C14-06-0157 (Pond Springs Plaza – 13233 Pond Springs Road)	I-SF-2 to Tract 1: CS Tract 2: CS-1	<p>9/05/06: 1<sup>st</sup> Motion: Approved staff's recommendation of GR-CO for Tract 1 and CS-1-CO for Tract 2, with additional condition to prohibit Pawn Shop Services, by consent (8-0, J. Shieh-absent); J. Martinez-1<sup>st</sup>, S. Hale-2<sup>nd</sup>.</p> <p>2<sup>nd</sup> Motion: To rescind and reconsider 1<sup>st</sup> motion (6-0, J. Shieh-absent; T. Rabago, J. Martinez-off dias); J. Gohil-1<sup>st</sup>, K. Jackson-2<sup>nd</sup>.</p> <p>3<sup>rd</sup> Motion: To postpone and place on the September 19, 2006 ZAP Agenda (6-0, J. Shieh-absent; T. Rabago, J. Martinez-off dias); J. Gohil-1<sup>st</sup>, K. Jackson-2<sup>nd</sup>.</p> <p>9/19/06: Continued to October 3, 2006 by Zoning and Platting Commission (7-0, J. Martinez, J. Pinnelli-absent); S. Hale-1<sup>st</sup>, J. Shieh-2<sup>nd</sup>.</p> <p>10/03/06: Postponed to November 7, 2006 by the applicant (7-0, K. Jackson, J. Pinnelli-absent); J. Martinez-1<sup>st</sup>, S. Hale-2<sup>nd</sup>.</p> <p>11/07/06: Approved staff's recommendation of GR-CO zoning for Tract 1 (shopping center), CS-1-CO zoning for Tract 2 (bar area), and GR-CO zoning for newly created Tract 3 (deck area). The Commission added the following conditions to Tract 2: Prohibit Adult</p>	<p>12/07/06: Approved the ZAP recommendation, striking the requirement for double door access from the bar (Tract 2) to the deck (Tract 3) and adding a the bar (Tract 2) to the deck (Tract 3) and adding a condition for speakers be removed from the deck area (7-0).</p> <p>4/12/06: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2, and GR-CO zoning for Tract 3 (6-0); 2<sup>nd</sup>/3<sup>rd</sup> readings</p>

		<p>Oriented Businesses; To require double door access to the deck from the bar (if allowable by Code and Building Permit regulations); To place permanent signage on the property at the driveway entries to restrict motorcycle parking in the rear/alleyway. To place permanent signage along the fence/property line between the residential site to the west and the property in question designating the parking spaces in the rear/alleyway as, "Employee Parking Only". To construct an 8-foot masonry/or sound retardant fence around the deck to mitigate sound emanating from the deck. The Commission also placed the following conditions on Tract 3 (the deck area): Place an 85 decibel limit (in accordance with LDC Sec. 9-2-4) on the deck to reduce noise emanating from the deck. Restrict amplified sound on the deck. Place permanent signage on the deck for noise mitigation. Remove the pool table off of the deck. Vote: (7-2, B. Baker, J. Martinez- No); J. Shieh-1<sup>st</sup>, S. Hale-2<sup>nd</sup>.</p>	
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**RELATED CASES:** N/A

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Anderson Mill Road	95'	74'	Arterial	Yes	Yes	No

**CITY COUNCIL DATE:** August 28, 2014

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

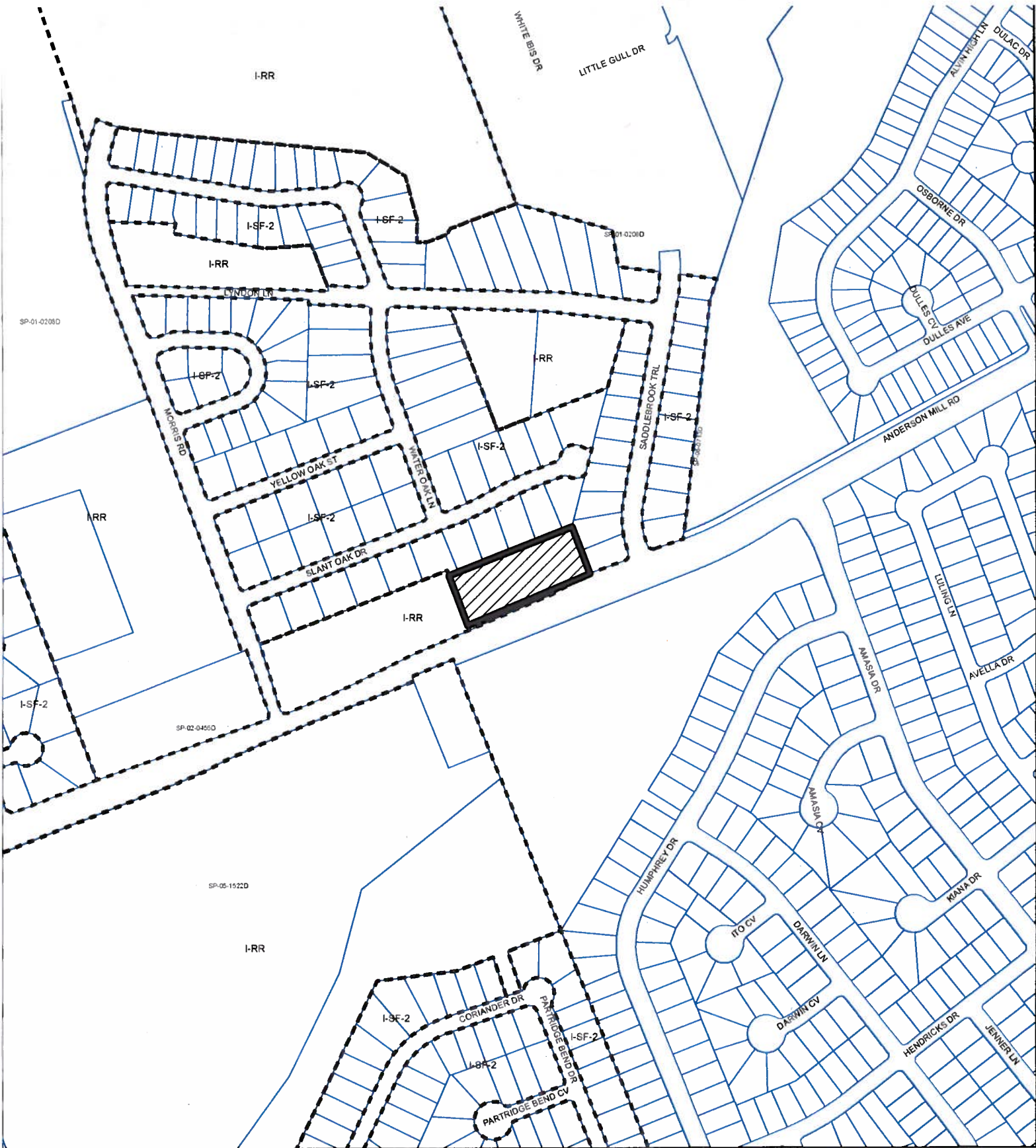
3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057




[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)



## ZONING

ZONING CASE#: C14-2014-0107



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

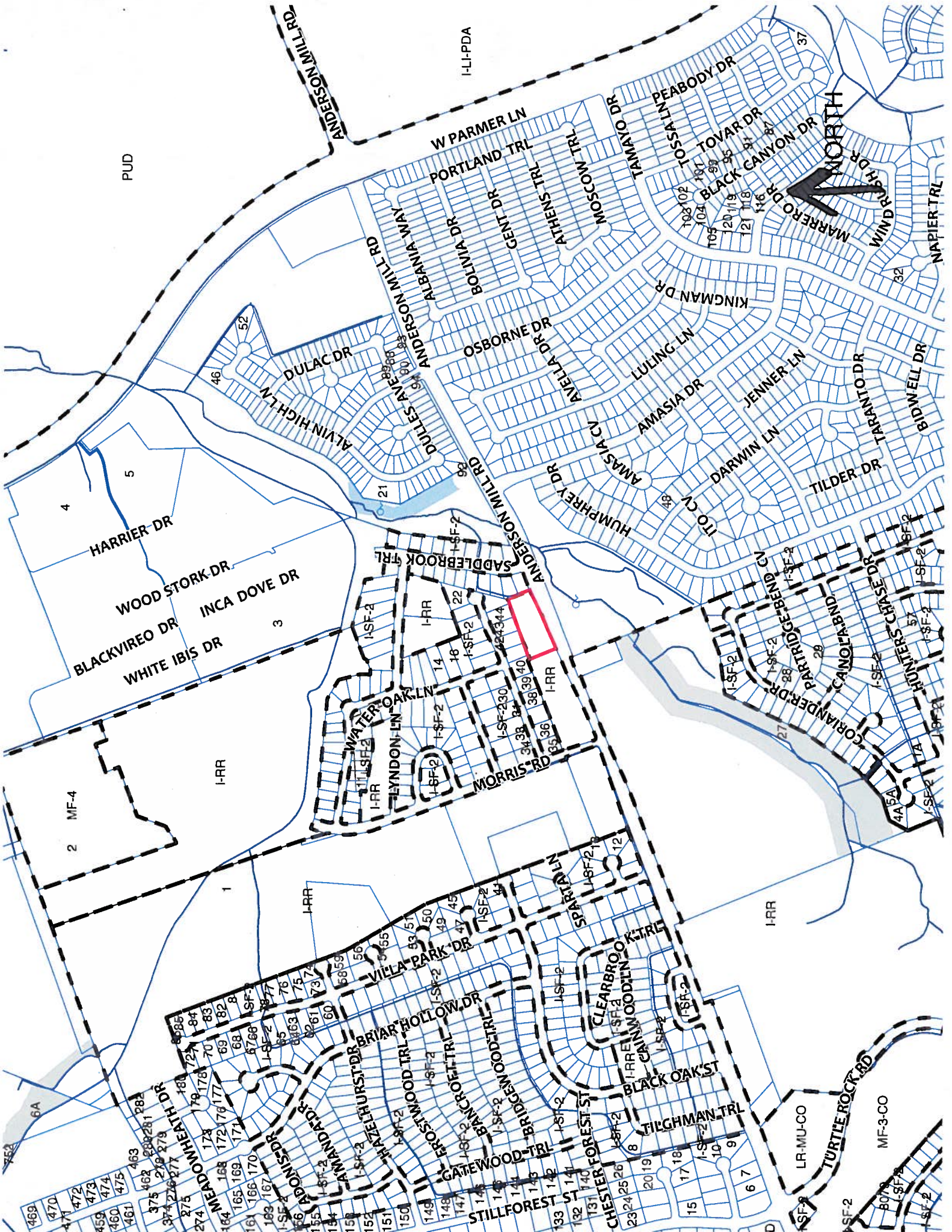
1" = 400'

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 purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







PUD

I-L-PDA



NORTH

HARRIER DR

WOOD STORK DR

BLACKVIREO DR

INCA DOVE DR

WHITE IBIS DR

2 MF-4

I-RR

SADDLEBROOK TRL

WATER OAK LN

LYNDON LN

MORRIS RD

WATER OAK LN

LYNDON LN

MORRIS RD

WATER OAK LN

LYNDON LN

MORRIS RD

WATER OAK LN

LYNDON LN

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LYNDON LN

MORRIS RD

W PARMER LN

PORTLAND TRL

BOLIVIA DR

GENT DR

ATHENS TRL

MOSCOW TRL

TAMAYO DR

PEABODY DR

TOVAR DR

BLACK CANYON DR

MARRERO DR

RICH DR

NAPIER TRL

BIDWELL DR

TARRANT DR

TILDER DR

DARWIN LN

JENNER LN

AMASIA DR

LULING LN

AMASIA CV

HUMPHREY DR

TO CV

AMASIA DR

JENNER LN

DARWIN LN

AMASIA CV

HUMPHREY DR

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AMASIA DR

W PARMER LN

PORTLAND TRL

BOLIVIA DR

GENT DR

ATHENS TRL

MOSCOW TRL

TAMAYO DR

PEABODY DR

TOVAR DR

BLACK CANYON DR

MARRERO DR

RICH DR

NAPIER TRL

BIDWELL DR

TARRANT DR

TILDER DR

DARWIN LN

JENNER LN

AMASIA DR

LULING LN

AMASIA CV

HUMPHREY DR

TO CV

AMASIA DR

JENNER LN

DARWIN LN

AMASIA CV

HUMPHREY DR

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AMASIA DR

W PARMER LN

PORTLAND TRL

BOLIVIA DR

GENT DR

ATHENS TRL

MOSCOW TRL

TAMAYO DR

PEABODY DR

TOVAR DR

BLACK CANYON DR

MARRERO DR

RICH DR

NAPIER TRL

BIDWELL DR

TARRANT DR

TILDER DR

DARWIN LN

JENNER LN

AMASIA DR

LULING LN

AMASIA CV

HUMPHREY DR

TO CV

AMASIA DR

JENNER LN

DARWIN LN

AMASIA CV

HUMPHREY DR

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AMASIA DR

W PARMER LN

PORTLAND TRL

BOLIVIA DR

GENT DR

ATHENS TRL

MOSCOW TRL

TAMAYO DR

PEABODY DR

TOVAR DR

BLACK CANYON DR

MARRERO DR

RICH DR

NAPIER TRL

BIDWELL DR

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DARWIN LN

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TAMAYO DR

PEABODY DR

TOVAR DR

BLACK CANYON DR

MARRERO DR

RICH DR

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HUMPHREY DR

TO CV

AMASIA DR

W PARMER LN

PORTLAND TRL

BOLIVIA DR

GENT DR







## **STAFF RECOMMENDATION**

The staff's recommendation is to grant W/LO-CO, Warehouse Limited Office-Conditional Overlay District, zoning. The proposed conditional will maintain a 25-foot vegetative buffer along the north property line.

If the requested zoning is granted, then 57 feet of right-of-way should be dedicated from the existing centerline of Anderson Mill Road in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

## **BASIS FOR RECOMMENDATION**

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

Warehouse/limited office (W/LO) district is the designation for an office or warehouse use for a building trade or other business that does not require a highly visible location or generate substantial volumes of heavy truck traffic, that generates low or moderate vehicular trips, and that requires less access than a retail use. A W/LO district use may require special measures to be compatible with adjacent uses. A W/LO district use may be located on a site that is adjacent to or near an arterial or major nonresidential collector street, adjacent to a rail line, or near existing or proposed employment uses. A W/LO district use may also be located on a site that functions as a transition between commercial and industrial uses. A W/LO district use may be located adjacent to a residential use only if the density of the residential development is higher than a typical single-family density or if the physical conditions of the site allow for buffering and project design to mitigate potential adverse effects.

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

The proposed W/LO-CO zoning will promote consistency and orderly planning as it will allow for limited office and warehouse uses on a site that fronts onto an arterial roadway, Anderson Mill Road.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is contains a vacant single-family residence fronting Anderson Mill Road. The tract of land to the south is part of a parkland area (Robinson Park). To the east, there are duplex residences. The lot the west contains a telecommunication tower with support structure and an office/warehouse use (Austin Auction). The lots to the north are part of a single-family residential neighborhood.

### **Comprehensive Planning**

#### **IRR to W/LO**

This zoning case is located on the north side of Anderson Mill Road. The subject property contains a house situated on a 1.5 acre parcel, which is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes a single family housing to the north and east, Robinson Park to the south, and an auction house to the west. The proposed use is warehouse/office.

### **Imagine Austin**

The site is located over the Edwards Aquifer Recharge Zone. An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and “contribute” water to the aquifer.

The comparative scale of the site relative to other commercial uses located along this portion of Anderson Mill Road falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning. However, due to the site’s location in an environmentally sensitive area, there will be at the site planning stage an environmental review to determine if any critical environmental features are located on the site. If any are located, mitigation and setbacks necessitated by the land development code will be required.

### **Environmental**

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

According to floodplain maps there is no floodplain within or adjacent to the project location. However, COA GIS shows a Critical Water Quality Zone located on the site. Development within the Critical Water Quality Zone is limited.

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 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.

### **Impervious Cover**

The maximum impervious cover allowed by the W/LO zoning district would be 70%. 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 Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%



One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

### **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.

The site is subject to compatibility standards. Along the **North** property line, the following standards apply:

- No structure may be built within **25 feet** of the property line.
  - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
  - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
  - No parking or driveways are allowed within **25 feet** of the property line.
  - A landscape area at least **25 feet** wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- Additional design regulations will be enforced at the time a 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**

The Austin Metropolitan Area Transportation Plan calls for a total of 114 feet of right-of-way for Anderson Mill Road. If the requested zoning is granted, then 57 feet of right-of-way should be dedicated from the existing centerline of Anderson Mill Road in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

Additional right-of-way maybe required at the time of subdivision and/or site plan.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities exist and/or recommended along the adjoining streets as follows: Anderson Mill Road.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Anderson Mill Road	95'	74'	Arterial	Yes	Yes	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 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 and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.



## 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:  
**<http://www.austintexas.gov/development>**.

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: C14-2014-0107

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Aug 5, 2014, Zoning and Platting Commission

Aug 28, 2014, City Council

JACK NASH  
Your Name (please print)

8425 ANDERSON MILE  
Your address(es) affected by this application

Jack Nash  
Signature

7/28/14  
Date

Daytime Telephone: 512-444-5555

Comments: I HAVE KNOWN DAVID DAVIDSON  
FOR 20 YEARS. HE RUNS A QUALITY  
BUSINESS. I WILL BE VERY PLEASED  
TO HAVE HIS BUSINESS AS A NEIGHBOR  
OF MY BUSINESS.

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