

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2014-0121 – Holt Cat South Austin    **Z.A.P. DATE:** September 16, 2014

**ADDRESS:** 9200-9500 South IH-35 Service Road Northbound

**OWNER:** Holt Texas Ltd. (Anthony Shedrock)    **AGENT:** BEFCO Engineering, Inc.  
(Joseph Willrich, P.E.)

**ZONING FROM:** SF-2                      **TO:** CS-CO, as amended    **AREA:** 4.85 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay: 1) prohibits the following uses: adult-oriented businesses, automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), commercial off-street parking, drop-off recycling collection facility, pawn shop services and residential treatment, 2) requires a 15-foot wide vegetative buffer along the western property line, and 3) limits trips to 2,000 per day.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

September 16, 2014: *APPROVED CS-CO DISTRICT ZONING, AS STAFF  
RECOMMENDED, BY CONSENT*  
*[R. MCDANIEL; B. BAKER – 2<sup>ND</sup>] (6-0) P. SEEGER – ABSENT*

### **ISSUES:**

None at this time.

### **DEPARTMENT COMMENTS:**

The rezoning area consists of two 200-foot wide tracts located on the northbound IH 35 service road south of Slaughter Lane, and has had single family residence – standard lot (SF-2) district zoning since its annexation into the City limits in 1982. The southern tract previously contained two adult-oriented businesses which have been removed from the property, and the site is now entirely undeveloped. To the north there is a drainage easement owned by TXDOT (SF-2), undeveloped land proposed for MF-4 zoning, as well as convenience storage and equipment rental uses (CS-CO; I-RR); to the east there is one single family residence on property owned by the Applicant (County); and to the south is an equipment repair and sales business also owned by the Applicant (LI-CO, County) and a TXDOT office/warehouse facility (GO-CO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant requests general commercial services (CS) district zoning as the first step in expanding the equipment repair and sales business to the south. Staff recommends CS-CO

zoning for the property based on the following considerations: 1) access is taken to a major arterial roadway; 2) compatibility with the zoning pattern and general land use character established along this segment of the IH-35 service road in proximity of East Slaughter Lane; and 3) the Conditional Overlay for the list of prohibited uses, vegetative buffer along the IH 35 frontage road and the 2,000 vehicle trip limit is consistent with that applied to similarly situated properties to the north that are developed with a convenience storage and truck rental business.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-2	Undeveloped
<i>North</i>	SF-2; CS-CO; I-RR (proposed for MF-4)	TXDoT drainage easement; Undeveloped (proposed for apartments); Convenience storage; Truck rental
<i>South</i>	LI-CO; County; GO-CO	Equipment sales and rental; TXDoT office/warehouse facility
<i>East</i>	County	One single family residence
<i>West</i>	N/A	IH-35 Northbound service road and main lanes

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHED:** Onion Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association  
 242 – Slaughter Lane Neighborhood Association  
 627 – Onion Creek Homeowners Association 742 – Austin Independent School District  
 1037 – Homeless Neighborhood Association 1075 – Bike Austin  
 1200 – Super Duper Neighborhood Objectors and Appealers Organization  
 1228 – Sierra Group, Austin Regional Group 1236 – The Real Estate Council of Austin, Inc.  
 1258 – Del Valle Community Coalition 1340 – Austin Heritage Tree Foundation  
 1363 – SEL Texas  
 1374 – Friends of Williams Elementary 1424 – Preservation Austin  
 1438 – Dove Springs Neighborhood Association 1441 – Dove Springs Proud

**SCHOOLS:**

Blazier Elementary School

Bedichek Middle School

Crockett High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2014-0118 –	I-RR; CS-CO to	To Grant MF-4-CO	Scheduled for 10-16-

NL Land Holdings, Ltd – 9101-9201 S IH 35 Service Rd NB	MF-4, as amended	w/CO prohibiting access to Oak Hill Ln until improved to City standards, require a 15' vegetative buffer along the west property line and 2,000 trips per day	2014
C14-99-0132(RCT) – Prosperity Business Park – 9101-9201 S IH 35 Service Rd NB	To terminate the Restrictive Covenant	To Grant the Restrictive Covenant Termination	Apvd as Commission recommended (08-08-2013).
C14-2013-0009 – Prosperity Business Park – 9101-9201 S IH 35 Service Rd NB	CS-CO to CS-CO, to change a condition of zoning	To Grant CS-CO and remove provisions which limit signage and prohibit vehicular access from the property to Oak Hill Lane until this street is improved to City standards	Apvd as Commission recommended (08-08-2013).
C14-97-0081 – IH 35 South at Slaughter Lane – 9000-9100 Block of S IH 35 Service Rd NB	SF-2 to CS	To Grant CS-CO	Apvd CS-CO w/CO for 2,000 trips, list of prohibited uses, no vehicular access to Oak Hill Ln. until improved to City standards, 45' height limit for structures, 40' wide setback for structures from IH 35 r-o-w (10-16-1997).
C14-95-0185 – Holt Company of Texas – 9601 S IH 35 Service Road NB	SF-2 to LI	To Grant LI-CO with conditions	Apvd LI-CO w/CO for 2,000 trips per day (02-01-1996).

**RELATED CASES:**

The rezoning area was annexed into the full-purpose City limits on June 3, 1982 (C7a-80-023 – Ordinance No. 820603-P).

There are no subdivision or site plan applications approved or in process on the subject property.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
IH-35 Service Road NB	423 feet	220 feet	Freeway/Service Road	No	Yes	No

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows: Shared Lane IH-35 Service Road Northbound.

**CITY COUNCIL DATE:** October 16, 2014

**ACTION:**

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

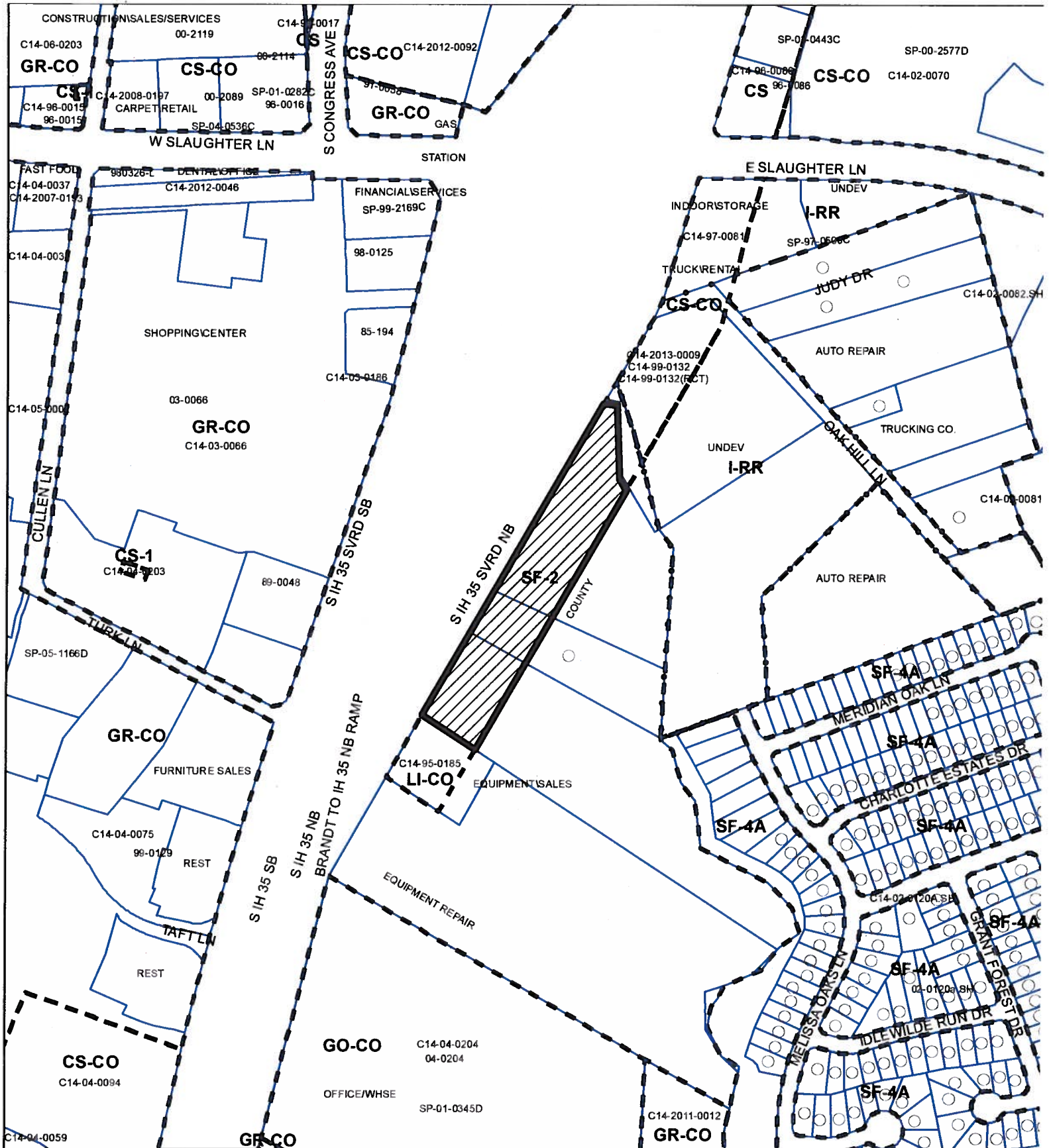
2<sup>nd</sup>




3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@austintexas.gov

**PHONE:** 512-974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING**  
**CASE#: C14-2014-0121**

*EXHIBIT A*

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.









**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay: 1) prohibits the following uses: adult-oriented businesses, automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), commercial off-street parking, drop-off recycling collection facility, pawn shop services and residential treatment, 2) requires a 15-foot wide vegetative buffer along the western property line, and 3) limits trips to 2,000 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 general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities.

*2. Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways.*

Staff recommends CS-CO zoning for the property based on the following considerations: 1) access is taken to a major arterial roadway; 2) compatibility with the zoning pattern and general land use character established along this segment of the IH-35 service road in proximity of East Slaughter Lane; and 3) the Conditional Overlay for the list of prohibited uses, vegetative buffer along the IH 35 frontage road and the 2,000 vehicle trip limit is consistent with that applied to similarly situated properties to the north that are developed with a convenience storage and truck rental business.

**EXISTING CONDITIONS****Site Characteristics**

The rezoning area is undeveloped, sparsely vegetated and relatively flat. The property slopes to the east, towards Onion Creek.

**Impervious Cover**

The maximum impervious cover allowed by the CS-CO zoning district is 80%, based on the more restrictive *watershed* regulations.

### **Comprehensive Planning**

This zoning case is located on a 4.85 acre site located on the east side of IH-35, south of Slaughter Lane, and west of the Crossing at Onion Creek neighborhood. The property is not located within the boundaries of a neighborhood planning area. The site is currently vacant and the proposed use is equipment sales.

### **Imagine Austin**

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being within a **Regional Center**. **Regional Centers** are intended to allow people to reside, work, shop, access services, people watch, recreate, and are characterized by a variety of activities and types of buildings located along the roadway. However, based on the comparative scale of this site, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Onion 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.

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%

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 along the northern boundary of the site. Development within the critical water quality zone is limited per LDC 25-8.

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.

### **Transportation**

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

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].

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water utilities and an On-Site Sewage Facility approved by the City of Austin. 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 utility tap permit.

### **Site Plan and Compatibility Standards**

Development on this site will be subject to *Subchapter E: Design Standards and Mixed Use*. Additional Subchapter E requirements will be provided upon submittal of the site plans.

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.

Additional design regulations will be enforced at the time a site plan is submitted.