

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0011A & C14-2014-0011B
– Garza Ranch

P.C. DATE: June 24, 2014
August 12, 2014
September 9, 2014
October 14, 2014
October 28, 2014
November 12, 2014

ADDRESS: 3800 Ben Garza Lane; 3510 – 4003 Ben Garza Lane

OWNER: Rancho Garza, Ltd.
(Ron White)

AGENT: Cunningham-Allen Inc.
(Jana Rice)

ZONING FROM & TO: GR-MU-CO-NP, to change a condition of zoning

AREA: 22.779 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – mixed use – conditional overlay – neighborhood plan (GR-MU-CO-NP) combining district zoning. The Conditional Overlay prohibits the following uses: automotive rentals; automotive repair services; automotive sales; automotive washing (of any type); exterminating services; funeral services; pawn shop services and service station.

If the Applicant's request for GR-MU-CO-NP district zoning is granted, then it is recommended that a Restrictive Covenant which includes all recommendations listed in the Traffic Impact Analysis memorandum, dated November 6, 2014, as provided in Attachment A, accompany the zoning change.

PLANNING COMMISSION RECOMMENDATION:

June 24, 2014: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO AUGUST 12, 2014*

[R. HATFIELD; B. ROARK – 2ND] (5-0) J. NORTEY, S. OLIVER; J. STEVENS – ABSENT; 1 VACANCY ON THE COMMISSION

August 12, 2014: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO SEPTEMBER 9, 2014 (8-0)*

[S. OLIVER; N. ZARAGOSA – 2ND] B. ROARK – ABSENT

September 9, 2014: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO OCTOBER 28, 2014*

[S. OLIVER; J. STEVENS – 2ND] (6-0) A. HERNANDEZ, J. NORTEY, L. VARGHESE – ABSENT

NOTE: THIS CASE WAS DIVIDED INTO C14-2014-0011A AND C14-2014-0011B AND RE-NOTIFIED FOR OCTOBER 14, 2014

October 14, 2014: *PULLED – NO ACTION TAKEN; TO BE RE-NOTICED FOR OCTOBER 28, 2014*

October 28, 2014: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO NOVEMBER 12, 2014*

[J. STEVENS; A. HERNANDEZ – 2ND] (8-0) B. ROARK – ABSENT

November 12, 2014:

ISSUES:

The original rezoning case, C14-2014-0011 has been divided into two cases, in order to account for the unvacated Ben Garza Lane right-of-way.

DEPARTMENT COMMENTS:

The subject rezoning area consists of undeveloped land adjacent to un-built right-of-way for Ben Garza Lane and is zoned community commercial – mixed use – conditional overlay – neighborhood plan (GR-MU-CO-NP) combining district zoning. The area under consideration previously consisted of three rezoning cases approved by Council in May 2007. For each of the three cases, the CO consists of a list of prohibited uses and limits the number of daily vehicle trips to 2,000. The rezoning area is surrounded to the north and east by a small apartment building, undeveloped land (MF-2-CO-NP; DR-NP), to the south by financial services, restaurant uses and food sales uses (GR-CO-NP; GR-NP). Access to the property is taken from the northbound frontage road of MoPac Expressway. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant has proposed to change the CO in order to remove the 2,000 daily vehicle trip limit that was approved in 2007. The proposed uses include 566,450 square feet of general office; 87,450 square feet of shopping center; 27,725 square feet of high turnover (sit down) restaurant); and 208 apartment units. Access to the property is proposed via Ben Garza Lane, an unpaved road extending east / west in close proximity to the north side of the property and connects with a paved section of Ben Garza Lane that intersects with Brodie Lane, and also via a driveway near the south property line. An internal driveway will also connect the subject property to the financial services use to the south. Staff supports the removal of the 2,000 daily vehicle trip limit as the traffic impacts from the development described above has been addressed, and will be referenced in a public Restrictive Covenant that covers the conditions of a Traffic Impact Analysis. The list of prohibited uses of the property would remain unchanged.

Staff recommends the Applicant's request for GR-MU-CO-NP district zoning based upon the following: 1) the property's frontage on MoPac Expressway and proximity to its intersection with West William Cannon Drive, as well as existing commercial zoning and uses to the

south and east; 2) the conditional overlay will continue to prohibit more intensive GR uses, consistent with that applied to other commercial zoned properties in the general vicinity, 3) a limitation on the number of multi family residential units across the three properties provides an incentive for a non-residential component to occur, and 4) the traffic impacts from the development described above has been addressed, and will be referenced in a public Restrictive Covenant that covers the conditions of a Traffic Impact Analysis.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-MU-CO-NP	Undeveloped
<i>North</i>	MF-2-CO-NP; RR-NP; DR-NP	Undeveloped; Four single family residences
<i>South</i>	GR-CO-NP; GR-NP	Financial services; Restaurants (general and limited); Food sales
<i>East</i>	CS-CO-NP	Apartments; Construction sales and services
<i>West</i>	N/A	MoPac Expressway

NEIGHBORHOOD PLANNING AREA: Oak Hill NPA **TIA:** Is required – Please refer to Attachment A
(East Oak Hill)

WATERSHED: Williamson Creek – **DESIRED DEVELOPMENT ZONE:** No
Barton Springs Zone – Recharge Zone

CAPITOL VIEW CORRIDOR: No **SCENIC ROADWAY:** Yes, MoPac Expy

NEIGHBORHOOD ORGANIZATIONS:

298 – Oak Hill Association of Neighborhoods 384 – Save Barton Spring Association
627 – Onion Creek Homeowners Association 742 – Austin Independent School District
779 – Oak Hill Neighborhood Plan COA Liaison 943 – Save Our Springs Alliance
1037 – Homeless Neighborhood Association 1075 – Bike Austin
1166 – Oak Hill Neighborhood Planning Contact Team 1224 – Austin Monorail Project
1228 – Sierra Club, Austin Regional Group
1230 – Western Oaks Property Owners Association
1340 – Austin Heritage Tree Foundation 1343 – Oak Hill Trails Association
1363 – SEL Texas 1424 – Preservation Austin

SCHOOLS:

An Educational Impact Statement is required. Please refer to Attachment B.
Sunset Valley Elementary School Patton Elementary School
Covington Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0137 – CVS William Cannon – 4001 W William Cannon Dr	LO-CO to LR	To Grant LR-CO with CO for 2,000 trips and 50' undisturbed vegetative buffer along the east property line	Approved LR-CO as Commission recommended (9-28- 06).
C14-05-0196 A & B – Lowe's on Brodie – Brodie Ln at Ben Garza Ln	I-RR to CS-CO	To Grant CS-CO with CO for list of prohibited and conditional uses	Approved CS-CO as Commission recommended (12-15- 05).
C14-96-0139 – M- Tract – HEB Grocery – 1500' from Brodie at William Cannon, N Side	LI-PDA to GR	To Grant GR with conditions in a Restrictive Covenant	Approved GR (4-24- 97).
C14-93-0042 – Garza Ranch Block E – S MoPac Expy NB	LR to MF-2	To Grant MF-2-CO	Withdrawn by the Applicant
C14-88-0068 – Garza Place – Intersection of MoPac Expy and William Cannon Dr	DR; SF-2 to GR; MF-2; P (for r-o- w)	To Grant with conditions	Approved RR; MF-2- CO; LO-CO; GR-CO. Conditional Overlays pertain to permitted uses, fence, buffer, access, F.A.R. and number of dwelling units. Restrictive Covenant for hours of operation, and conditions for gas station storage sites (3- 9-89).

RELATED CASES:

The southwest corner of the property is platted as Tract A of Garza Place Section 1, a subdivision that was recorded in September 1968 (C8-64-065). The west portion of the property is platted as Lot 1, Block E Garza Ranch, a subdivision recorded in September 1991 (C8-91-0019.0A).

The area covered by the subject two rezoning cases was previously zoned GR-MU-CO-NP by three rezoning cases approved by Council on May 3, 2007 (C14-06-0181 – McComis Estate; C14-06-0197 – McComis Estate / Garza Estate; and C14-06-0199 – Garza Estate).

On each case, the CO prohibits automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), exterminating services, funeral services, pawn shop services and service station, and also limits the number of vehicle trips to 2,000 per day. A Restrictive Covenant across all three cases limits the number of units in stand-alone multi-family structures to 450. The rezoning area was included within the East Oak Hill Neighborhood Plan Area rezoning case. The base district of the subject property did not change, and the NP combining district was added (C14-2009-0128).

An ordinance to the Garza Ranch was also approved by Council (Ordinance No. 20130926-051).

A request to vacate the Ben Garza Lane right-of-way which separates the two rezoning cases is also in process (Case No. 9357-1404).

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
South MoPac Expressway	400'	Varies	Arterial	No	No **	No
Ben Garza Lane	70'	Not Constructed*	Collector	No	No **	No

*Currently Ben Garza is constructed from Brodie Lane west 1,200'. Ben Garza is not constructed where it abuts this property.

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

CITY COUNCIL DATE: August 28, 2014

ACTION: Approved a Postponement request by Staff to September 25, 2014 (7-0).

September 25, 2014

Approved a Postponement request by Staff to October 23, 2014 (7-0).

October 23, 2014

Not on the agenda due to a delay in mail-out notification; Case re-noticed for November 6, 2014.

November 6, 2014

November 20, 2014

ORDINANCE READINGS: 1st

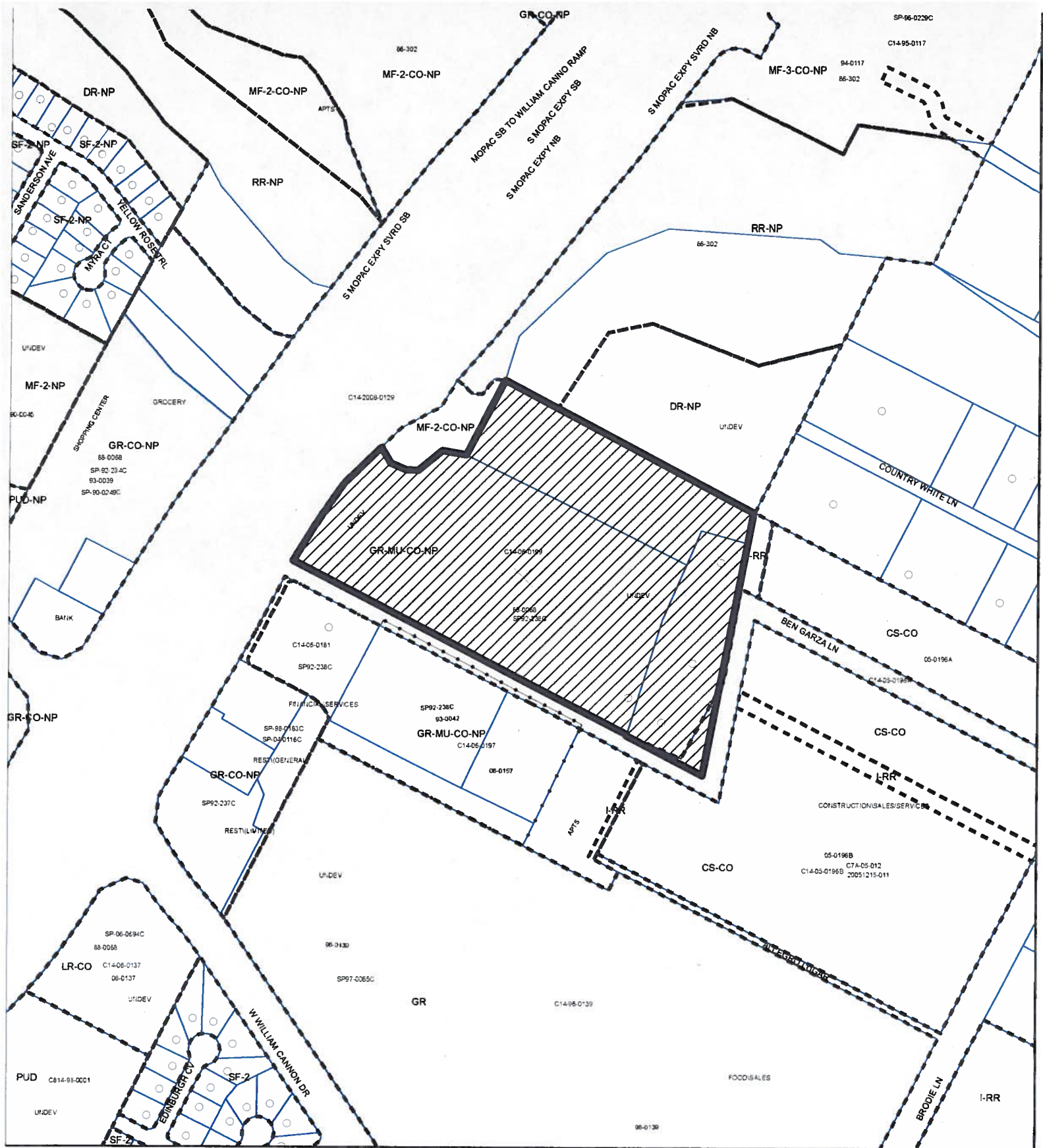
2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 512-974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
ZONING CASE#: C14-2014-0011A

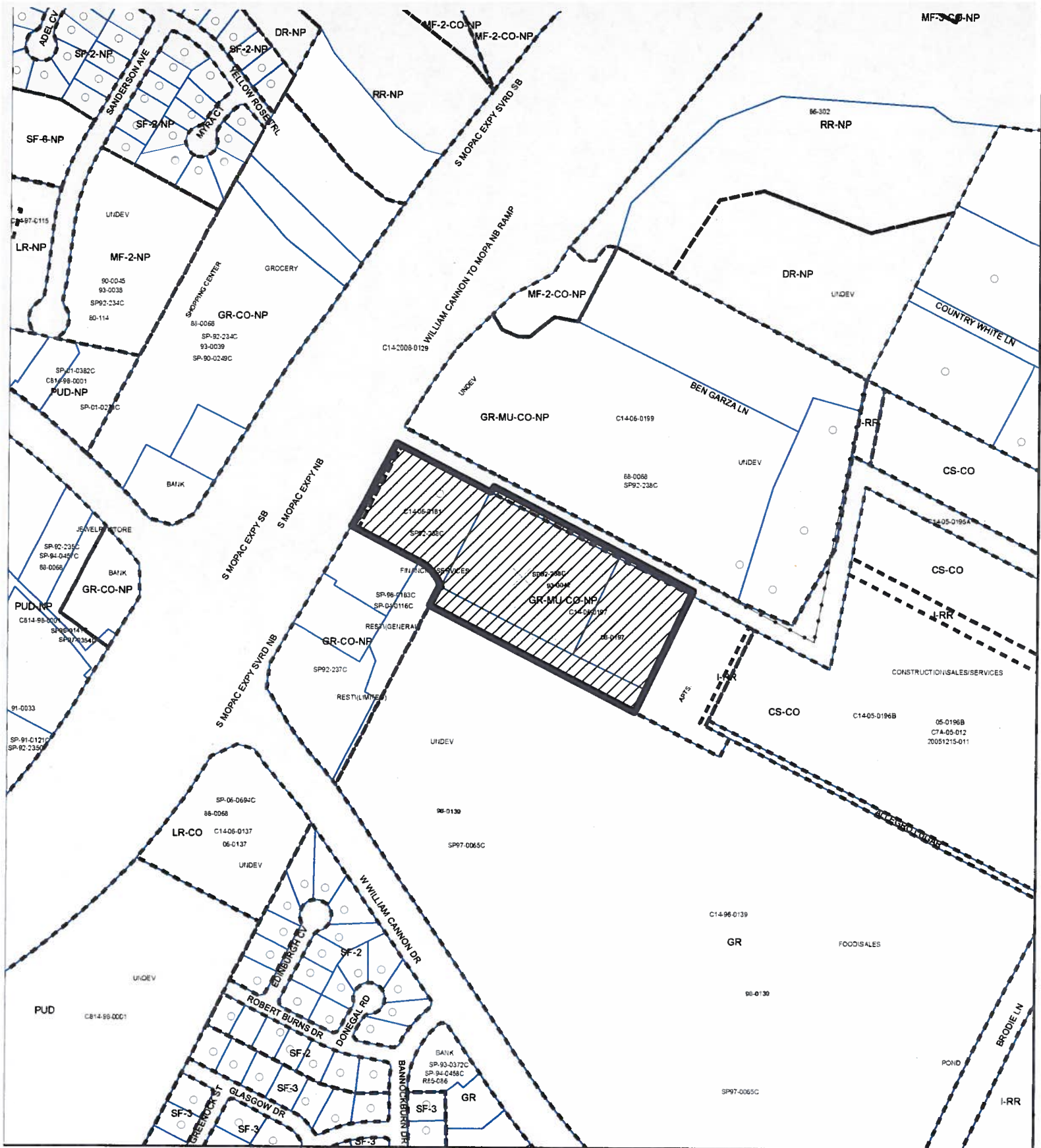
Exhibit A

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.





1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2014-0011B

Exhibit B

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.

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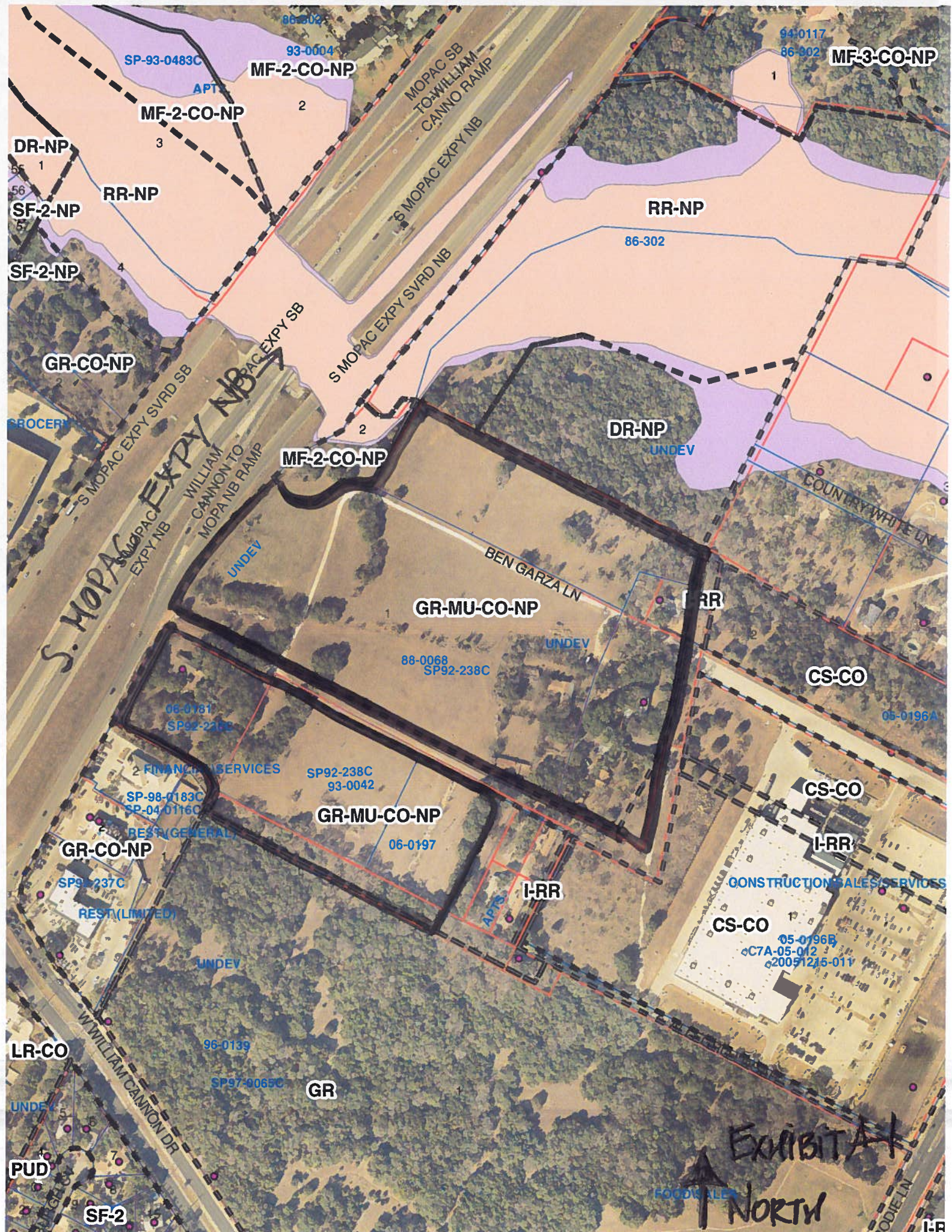


EXHIBIT A
NORTH



Date: November 6, 2014
To: Wendy Rhoades, Case Manager
CC: Kathy Smith, P.E., HDR Engineering, Inc.
Reference: Garza Ranch TIA (Zoning Case: C14-2014-0011)

The Transportation Review Section has reviewed the Traffic Impact Analysis (TIA) for the Garza Ranch (Zoning Case C14-2014-0011), dated October 14, 2014, prepared by HDR Engineering, Inc., and offers the following comments:

TRIP GENERATION

The Garza Ranch development is a 34.62-acre site located in southwest Austin on the east side of the Mopac Expressway NB Frontage Road just north of William Cannon Drive.

The property currently consists of single-family, detached houses and is zoned GR-MU-CO-NP. The proposed development is to consist of 566,450 SF of general office building, 27,725 SF of high turnover (sit-down) restaurant, 87,450 SF of shopping center, and 208 apartment dwelling units. The estimated completion of the project is expected in the year 2017.

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE, Trip Generation, 9th Edition), the development will generate approximately 16,204 unadjusted average daily trips (ADT). The table below shows the unadjusted trip generation by land use for the proposed development:

Table 1. Trip Generation						
			AM Peak		PM Peak	
LAND USE	Size	ADT	Enter	Exit	Enter	Exit
General Office Building (ITE Code 710)	566,450 SF	5,071	661	90	121	592
High Turnover (Sit-down) Restaurant (ITE Code 932)	27,725 SF	3,525	166	153	182	127
Shopping Center (ITE Code 820)	87,450 SF	6,224	87	55	285	297
Multi-family Apartments (ITE Code 220)	208 Units	1,384	21	85	86	46
Total		16,204	935	383	674	1,062

ASSUMPTIONS

1. Background traffic volumes for 2017 included estimated traffic volumes for the following projects:

Zion Rest Missionary Baptist Church (SP-2011-0306C)
Lot 1, Pointe at Gaines Ranch (SP-2011-0201CS)
Shop at Arbors Walk (SP-2009-0106C)
Waterloo Car Wash (SP-2009-0198C)
3515 Day Care (SP-2009-0309A)
Western Oaks Retail Center (SP-2007-0439C[XT2])

ATTACHMENT A

2. Pass-by reductions of 43% and 34%, respectively, were assumed for the high turnover (sit-down) restaurant, and the shopping center during the PM peak period based on data provided in ITE Trip Generation, 9th Edition. No pass-by reductions were assumed during the AM peak period and no pass-by reductions were assumed for the other land uses.
3. A 10% reduction was taken for internal capture for the high turnover (sit-down) restaurant and the shopping center during the PM peak periods based on data provided in ITE Trip Generation, 9th Edition. A 10% reduction was taken for internal capture for the high turnover (sit-down) restaurant during the AM peak period. No internal capture reductions were assumed for the other land uses.
4. No reductions were taken for transit use during any period of the analysis as there is limited Capital Metro service in the vicinity of the Garza Ranch.
5. Based on the TIA's scope of work, traffic counts were taken at various key locations to establish the circulation characteristics of the roadways in the study area. The traffic counts taken in conjunction with data from the City of Austin and TxDOT formed the basis for the future traffic assumptions in the study area. A 1.0% annual growth rate was assumed for this project.

EXISTING AND PLANNED ROADWAYS

Mopac Expressway (Loop 1) – This roadway forms the western boundary of the site. The Austin Metropolitan Area Transportation Plan (AMATP) and the CAMPO 2035 Mobility Plan classify Mopac Expressway as a six-lane major divided arterial from William Cannon to US 290. The CAMPO Transportation Plan recommends the construction of one managed lane in each direction on Mopac Expressway by 2017. According to TxDOT traffic counts, the traffic volume in 2010 on Mopac Expressway was 82,000 vehicles per day (vtd) between William Cannon and US 290 (W).

W. William Cannon Drive – This roadway is classified as a six-lane major divided arterial by the Austin Metropolitan Area Transportation Plan (AMATP) and the CAMPO Mobility Plan from US 290 (W) to Brodie Lane. According to CAMPO data, the 2010 traffic counts for W. William Cannon Drive was 40,150 vpd between Mopac Expressway and Brodie Lane. The AMATP recommends to upgrade William Cannon Drive to a six-lane major divided arterial from Brodie Lane to Manchaca Road by 2025. The City of Austin 2009 Bicycle Plan recommends upgrading the facilities on Bike Route 80 with dedicated bike lanes along the entire corridor.

Brodie Lane – The Austin Metropolitan Area Transportation Plan (AMATP) and the CAMPO 2035 Mobility Plan classify Brodie Lane as a four-lane major divided arterial, from US 290 (W) to Slaughter Lane. According to CAMPO data, the 2010 traffic volume for Brodie Lane was 31,330 vpd just north of William Cannon Drive. The City of Austin 2009 Bicycle Plan recommends upgrading the facilities for Bike Route 17 on Brodie Lane with dedicated bike lanes along the entire corridor.

Ben Garza Lane/Oakdale Drive – Ben Garza Lane is currently a two-lane divided collector west of Brodie Lane that mainly serves the Lowe's development and ends at approximately ¼-mile west of Brodie Lane. Based on traffic counts collected by HDR, approximately 1,100 vpd are estimated on Ben Garza Lane west of Brodie Lane. As part of the Garza Ranch development, Ben Garza Lane is proposed to be extended to the west, through the development, and terminate at a T-intersection with Mopac Expressway (Loop 1) NB Frontage Road.

INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 5 intersections, 3 of which are currently signalized.

Existing and projected levels of service are as follows, assuming that all improvements recommended in the TIA are built:

Table 2. Level of Service						
Intersection	2014 Existing		2017 Site + Forecasted (with Improv.)		2017 Site + Forecasted (w/o Improv.)	
	AM	PM	AM	PM	AM	PM
Mopac Expressway and William Cannon Drive*	F	F	F	F	F	F
Brodie Lane and William Cannon Drive*	E	E	D	E	E	F
Brodie Lane and Ben Garza Lane/Oakdale Dr.*	A	B	B	D	B	E
Mopac Expressway East Frontage Road and proposed Ben Garza Lane			A	A	A	A
Mopac Expressway East Frontage Road and Driveway A			A	A	A	A

* = SIGNALIZED

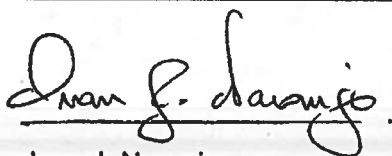
RECOMMENDATIONS

- 1) Please see Table 3 for a summary of the traffic improvements recommended with the TIA:

Table 3. Summary of Traffic Improvements	
Intersection	Recommended improvement
Brodie Lane and William Cannon Drive	Optimize signal timing
Brodie Lane and Ben Garza Lane/Oakdale Dr.	Optimize signal timing
Mopac Expressway Frontage Roads and William Cannon Drive	1) Optimize signal timing 2) Construct NB right-turn lane 3) Construct SB right-turn lane 4) Construct EB channelized right-turn lane

- 2) The right-of-way for Ben Garza Lane/Oakdale Drive, a proposed collector roadway within the development, will be determined and dedicated during the subdivision stage.
- 3) All driveways should be constructed as recommended in the approved TIA and in accordance with the Transportation Criteria Manual.
- 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) Prior to 3rd Reading of the zoning case, fiscal is required to be posted based on a pro-rata share of the listed improvements in the TIA.

If you should have any questions or require additional information, please contact me at 974-7649.



Ivan J. Naranjo
 Sr. Planner ~ Transportation Review Staff
 City of Austin – Planning and Development Review Department

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District



PROJECT NAME: Garza Ranch

ADDRESS/LOCATION: 3800 Ben Garza Lane

CASE #: C14-2014-0011

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

SF UNITS: _____

STUDENTS PER UNIT ASSUMPTION: _____

MF UNITS: 208 (1-3 bedrooms)

STUDENTS PER UNIT ASSUMPTION: 0.23

IMPACT ON SCHOOLS

At a rate of 0.23 (district average) students per multi-family unit, the proposed development is projected to add approximately 48 AISD students over all grade levels to the projected student population. The proposed development is located within two elementary school attendance zones, Patton and Sunset Valley. The layout and number of units per attendance zone is unknown at this time; this EIS assumes 2/3 of the students will be assigned to Patton and 1/3 will be assigned to Sunset Valley.

It is estimated that of the projected 48 students, 16 will be assigned to Patton Elementary School, 8 to Sunset Valley Elementary School, 10 to Covington Middle School and 14 to Crockett High School. Although the additional students would increase the population at all of the schools, the 5-year student population is projected to decrease in these areas off-setting the projected increase of the proposed development. The resulting projected percent of permanent capacity will be 98% at Patton, 91% at Sunset Valley, 57% at Covington, and 78% at Crockett. The existing permanent capacity at all four schools will be able to accommodate the additional student population.

TRANSPORTATION IMPACT

All students from the proposed development will qualify for transportation. Although Covington Middle School and Sunset Valley Elementary School are within the 2-mile walk zone, due to the lack of sidewalks in the area for walking to school, students would qualify for transportation. If new sidewalks were constructed in the area of the proposed development, it may be possible for students to walk to Sunset Valley ES and Covington MS.

The existing number of buses and routes will be able to accommodate the projected students at each school.

SAFETY IMPACT

There is a lack of sidewalks in the area from the proposed development to Sunset Valley Elementary School and Covington Middle School.

Date Prepared: June 3, 2014

Director's Signature: Paul Turner

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District



DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Patton

RATING: Met Standard

ADDRESS: 6001 Westcreek Drive

PERMANENT CAPACITY: 920

% QUALIFIED FOR FREE/REDUCED LUNCH: 27%

MOBILITY RATE: 1.9%

ELEMENTARY SCHOOL STUDENTS	Current Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	946	886	902
% of Permanent Capacity	103%	96%	98%

ELEMENTARY SCHOOL: Sunset Valley

RATING: Met Standard

ADDRESS: 3000 Jones Road

PERMANENT CAPACITY: 561

% QUALIFIED FOR FREE/REDUCED LUNCH: 69%

MOBILITY RATE: -0.2%

ELEMENTARY SCHOOL STUDENTS	Current Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	519	502	510
% of Permanent Capacity	93%	89%	91%

MIDDLE SCHOOL: Covington

RATING: Met Standard

ADDRESS: 3700 Convict Hill Road

PERMANENT CAPACITY: 1,260

% QUALIFIED FOR FREE/REDUCED LUNCH: 68%

MOBILITY RATE: -20.1%

MIDDLE SCHOOL STUDENTS	Current Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	842	713	723
% of Permanent Capacity	67%	57%	57%

EDUCATIONAL IMPACT STATEMENT

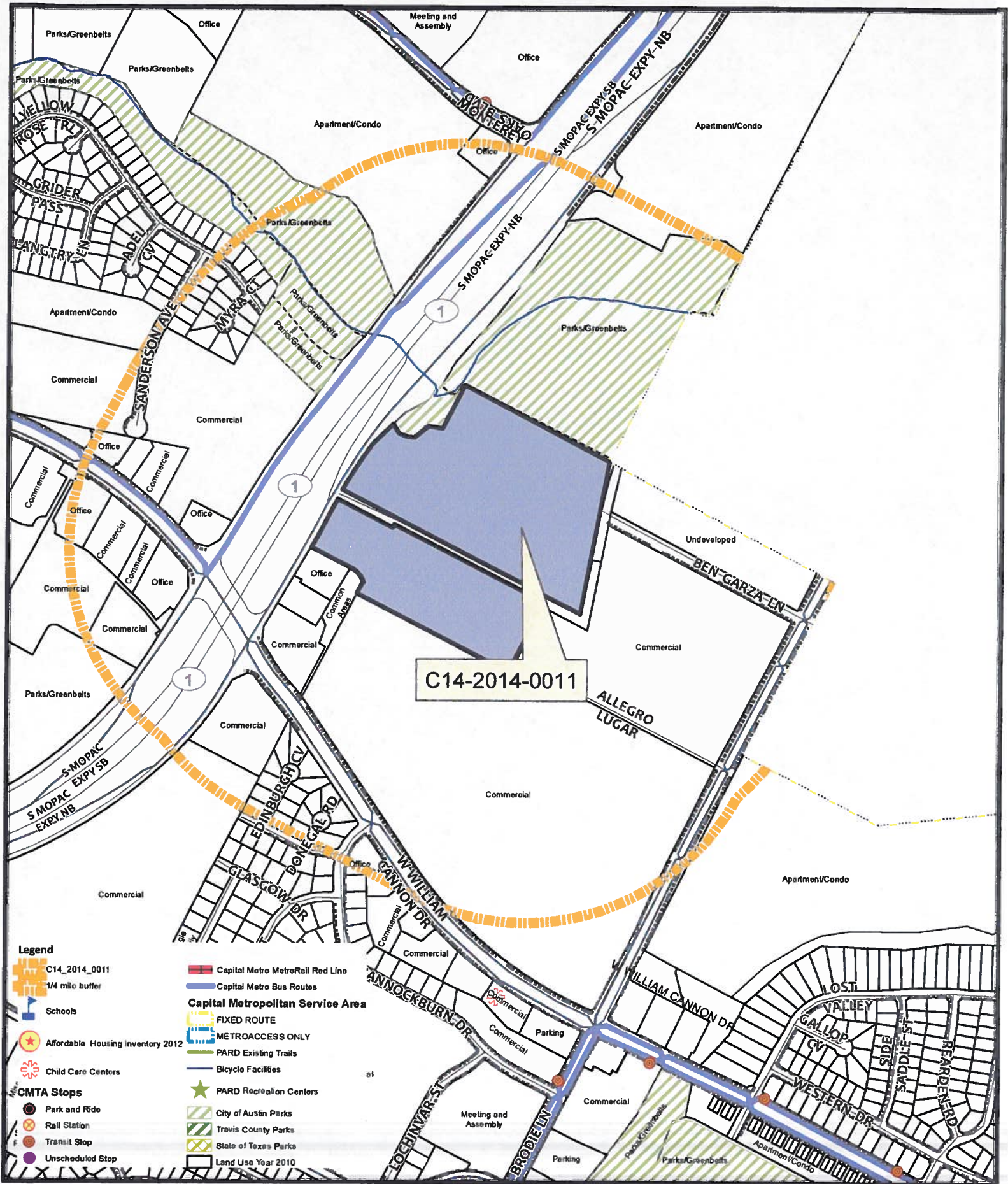
Prepared for the City of Austin

Austin Independent
School District



HIGH SCHOOL: Crockett	RATING: Met Standard
ADDRESS: 5601 Manchaca Road	PERMANENT CAPACITY: 2,142
% QUALIFIED FOR FREE/REDUCED LUNCH: 74%	MOBILITY RATE: -10.4%

HIGH SCHOOL STUDENTS	Current Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,758	1,650	1,664
% of Permanent Capacity	82%	77%	78%



Zoning Case
 Case#: C14-2014-0011
 Address: 3800 Ben Garza
 Case Name: Garza Ranch
 34.62 Acres

Neighborhood Planning Area: Yes
 School District: Austin ISD
 Manager: Wendy Rhoades

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SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – mixed use – conditional overlay – neighborhood plan (GR-MU-CO-NP) combining district zoning. The Conditional Overlay prohibits the following uses: automotive rentals; automotive repair services; automotive sales; automotive washing (of any type); exterminating services; funeral services; pawn shop services and service station.

If the Applicant's request for GR-MU-CO-NP district zoning is granted, then it is recommended that a Restrictive Covenant which includes all recommendations listed in the Traffic Impact Analysis memorandum, dated October 30, 2014, as provided in Attachment A, accompany the zoning change.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The GR, Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The mixed use (MU) combining district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The CO, Conditional Overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties. The NP, neighborhood plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

The property will have access to MoPac Expressway.

- 2. 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.*
- 3. Public facilities and services should be adequate to serve the set of uses allowed by a rezoning.*

Staff recommends the Applicant's request for GR-MU-CO-NP district zoning based upon the following: 1) the property's frontage on MoPac Expressway and proximity to its intersection with West William Cannon Drive, as well as existing commercial zoning and uses to the south and east; 2) the conditional overlay will continue to prohibit more intensive GR uses, consistent with that applied to other commercial zoned properties in the general vicinity, 3) a limitation on the number of multi family residential units across the three properties provides an incentive for a non-residential component to occur, and 4) the traffic impacts from the development described above has been addressed, and will be referenced in a public Restrictive Covenant that covers the conditions of a Traffic Impact Analysis.

EXISTING CONDITIONS

Site Characteristics

The rezoning area is undeveloped.

Comprehensive Planning

This rezoning case is located at the terminus of Ben Garza Lane on a 34.6 acre parcel. The property is also located within the boundaries of the Oak Hill Combined Neighborhood Plan and is partially located over the Williamson Creek West Greenbelt, an open space area, which also extends to the north. Surrounding land uses include the Williamson Creek West Greenbelt to the north, a small shopping center with a fast food restaurant and vacant land to the south, the Mopac frontage road to the west, and single family houses to the east, along Garza Lane. The proposal is to amend the existing conditional overlay to allow more trips per day but not to amend the uses of the conditional overlay, which still does not permit automobile uses (rentals, repair, sales, washing, service stations), exterminating services, funeral services, and pawn shops, keeping the neighborhood commercial uses intact. There is also a restrictive covenant on the property that limits the number of multi-family residences to 450 units for the entire project area. The proposed use is a neighborhood mixed use center.



Oak Hill Combined Neighborhood Plan (OCNP)

The OCNP Future Land Use Map designates this section of Garza Road as both as Neighborhood Mixed Use (the north side of Garza Road) and Commercial (on the south side of Garza Road). Neighborhood Mixed Use is appropriate for a mix of neighborhood commercial (small-scale retail or offices, professional services, convenience retail, and shopfront retail that serve a market at a neighborhood scale) and small to medium density

residential uses. A Commercial designation is intended to include retail sales, services, hotels/motels, and recreationally services that are predominantly privately owned and operated for profit. Focus of the highest intensity commercial uses should be along freeways and major highways, and with good transportation access such as frontage roads and arterial roadways.

The goals, objectives and text below are taken from the OCNP and seem supportive attracting high quality commercial development, while at the same time protecting the environment:

Goal 4.A: Preserve and enhance environmental resources including watersheds, air quality, and wildlife corridors. (p 36)

Objective: 4.A.1 Preserve the water quality of area aquifers, streams, rivers, and springs and protect endangered species dependent on the quality of those water resources.

Goal 4.B. Provide opportunities for high-quality new development and redevelopment. (p 37)

Objective 4.B.1: Minimize the ecological footprint of development in the Oak Hill planning area to help achieve environmental goals, particularly the preservation of water quality.

- Excerpt from pg 50, taken from Chapter 4: Some property owners are concerned about land use or zoning changes that would restrict the use of their property; they are concerned that their investments in land and existing businesses would be unnecessarily harmed. These stakeholders oppose any zoning overlays that would prohibit land uses on their property. However, other stakeholders and City staff support conditional overlays intended to restrict land uses that pose risks to water quality. (p 50)

Goal 6.A. Provide opportunities for high-quality new development and redevelopment.

Objective 6A.1: Ensure quality of new construction and renovations. (p 66)

Goal 6.B. Balance development and environmental protection by maintaining a vibrant residential and commercial community that demonstrates caring stewardship of the environment. (p 66)

Objective 6.B.1: Encourage zoning to be compatible with existing and neighboring land uses and seek optimal and most appropriate use of land activity areas) at strategic locations. (p 66)

Goal 6.C: Create a mix of uses in existing corridors of commercial development that will provide a diversity of local services convenient to neighborhoods and establish commercial “nodes” (concentrated) (p 67)

Goal 6.E: Encourage locally-owned businesses to locate in the Oak Hill area and find ways for local businesses and employers to prosper. (p 67)

Objective 6.E.1: Oak Hill stakeholders desire more small-scale businesses with less strip commercial establishments

Conclusion:

The Oak Hill Combined Neighborhood Plan Future Land Use Map designates this portion of Garza Drive as both Neighborhood Mixed Use and Commercial, and the many of the goals and objectives above seem to support providing more local businesses and retail. However,

the property is located over environmentally sensitive land and any new commercial or residential development would have to ensure all environmental ordinances are enforced.

Imagine Austin

The Imagine Austin Growth Concept Map identifies this property as being partially within one of the five '**Activity Centers for Redevelopment (located) in an Environmentally Sensitive Area**' as identified on the Imagine Austin Growth Concept Map, found in the Image Austin Comprehensive Plan. This property is also situated within the boundaries of the **Barton Springs (Aquifer) Contributing Zone**, which 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. This property is also located within the **Edwards Aquifer Recharge Zone**. Page 106 of the Imagine Austin Comprehensive Plan states, *"Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context. One of the Land Use and Transportation policies, LUT P21 (p. 102), clarifies the intent, "Ensure that redevelopment in the Edwards Aquifer's recharge and contributing zones maintains the quantity and quality of recharge of the aquifer."*

The Imagine Austin Comprehensive Plan supports redevelopment over the contributing zones of the Edwards and Barton Springs Aquifer but also requires that 'state-of-the-art development practices' be utilized, which respects the context of these environmentally sensitive lands. Based upon Imagine Austin policies referenced above, staff believes that the existing medical office is supported by the Imagine Austin Comprehensive Plan.

The following IACP policies are applicable to this case:

- **LUT P3** Promote development in compact centers, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- **LUT P21.** Ensure that redevelopment in the Edwards Aquifer's recharge and contributing zones maintains the quantity and quality of recharge of the aquifer.
- **LUT P22** Protect Austin's natural resources and environmental systems by limiting land use and transportation development in sensitive environmental areas and preserving areas of open space.
- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

Based on this property being: (1) located along a major highway (Mopac), and adjacent to two major arterial corridors (Brodie Lane and William Cannon Blvd.); (2) located adjacent to

an existing shopping center along the Mopac frontage road; (3) the Oak Hill Combined Neighborhood Plan, which seems to support Neighborhood Mixed Use and Commercial uses as long as environmental considerations are enforced; and (4) the Imagine Austin policies referenced above, which encourages complete communities and infill development, staff believes that the proposed neighborhood mixed use center is supported by the Imagine Austin Comprehensive Plan as long as environmental ordinances are carefully considered and enforced over this environmentally sensitive area.

Environmental

This site is located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Water Quality Transition Zone / Critical Water Quality Zone exist within 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. Runoff from the site is required to comply with pollutant load restrictions as specified in Land Development Code.

Transportation

A traffic impact analysis is required and has been received. 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 are provided in 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 and suitability for operation and maintenance. 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.

Site Plan

Development on this site will be subject to *Subchapter E: Design Standards and Mixed Use*. Additional comments will be provided upon submittal of a site plan.