

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2014-0096  
Wildhorse Commercial Tract 1- (125.570 Acres)

**Z.A.P. DATE:** March 17, 2015; February 17, 2015; January 20, 2015; December 16, 2014; December 2, 2014; November 18, 2014

**ADDRESS:** 9701 E. Parmer Lane

**DISTRICT:** 1

**OWNER:** Butler Family Partnership (Edward Butler)

**AGENT:** Drenner Group (Amanda Swor)

	<u>Tract 1</u>	<u>Tract 2</u>	<u>Tract 3</u>
<b>ZONING FROM:</b>	I-RR	PUD	I-RR
<b>TO:</b>	CH	PUD (no changes)	CH
<b>AREA:</b>	15.529 Acres	98.41 Acres	11.631 Acres

(Total Area 125.570 Acres)

### SUMMARY STAFF RECOMMENDATION:

For Tracts 1 and 3 only, Staff recommends commercial highway-conditional overlay (CH-CO) combining district zoning. The recommended conditional overlay would prohibit the following land uses: Campground, Commercial blood plasma center, Drop-off recycling collection facility, Pawn shop services, Vehicle storage, Guidance services, Residential treatment, and Transitional housing. The conditional overlay would also limit vehicular traffic to fewer than 2,000 trips per day on Tract 1, and fewer than 2,000 trips per day on Tract 3. Tract 2 PUD zoning will remain unchanged by this rezoning application.

The Applicant supports the Staff recommendation.

### ZONING & PLATTING COMMISSION RECOMMENDATION:

March 17, 2015: *TO GRANT CH-CO ZONING AS RECOMMENDED BY STAFF, (5-0) [P. SSEGAR - 1<sup>ST</sup>, C. BANKS- 2<sup>ND</sup>; G. ROJAS- ABSENT, J. GOODMAN- OFF THE DAIS.]*

February 17, 2015: *APPROVE MOTION TO POSTPONE TO FEBRUARY 17, 2015 BY REQUEST OF STAFF, (6-0) [G. ROJAS- 1<sup>ST</sup>, S.COMPTON- 2<sup>ND</sup>; J. GOODMAN- OFF THE DAIS.]*

January 20, 2015: *APPROVE MOTION TO POSTPONE TO FEBRUARY 17, 2015 BY REQUEST OF STAFF, (5-0) [R. MCDANIEL- 1<sup>ST</sup>, C. BANKS- 2<sup>ND</sup>; B. BAKER, S. COMPTON- ABSENT]*

December 16, 2014: *APPROVE MOTION TO POSTPONE TO JANUARY 20, 2015 BY REQUEST OF STAFF, (6-0) [G. ROJAS- 1<sup>ST</sup>, S. COMPTON- 2<sup>ND</sup>; R. MCDANIEL- ABSENT]*

December 2, 2014: *APPROVE MOTION TO POSTPONE TO DECEMBER 16, 2014 BY REQUEST OF STAFF, (6-0) [R. MCDANIEL- 1<sup>ST</sup>, C. BANKS- 2<sup>ND</sup>; G. ROJAS- ABSENT]*

November 18, 2014: *APPROVE MOTION TO POSTPONE TO DECEMBER 2, 2014 BY REQUEST OF STAFF, (5-0) [G. ROJAS- 1<sup>ST</sup>, C. BANKS- 2<sup>ND</sup>; S. COMPTON AND R. MCDANIEL- ABSENT].*

### ISSUES:

As stated in the Summary Staff Recommendation, no changes are proposed to the PUD-zoned portion of the subject tract. When the rezoning request was originally filed, the Applicant filed a Traffic Impact Analysis (TIA) that covered the entire 125.570 acres. However, there are also other applications under review in the vicinity, as well as the original TIA for the Wildhorse PUD, which was approved in 2002. The Wildhorse PUD TIA included

cost participation for improvements, trip distribution among PUD tracts, and is currently being updated and amended. Consequently, Staff determined that the best solution was to require the 98.41 acre portion of the property to be subject to compliance with the conditions identified in the approved Traffic Impact Analysis (TIA) for the Wildhorse PUD (Case No. C814-00-2063, and as amended). This will ensure that the PUD portion of the subject tract is still evaluated with the overall, original PUD transportation scenario.

#### **DEPARTMENT COMMENTS:**

The subject property is located at the south side of US 290, east of SH 130 and west of Parmer Lane, and has frontage on all three of these roadways. The property is undeveloped, and comprised of three tracts. Tract 1 is zoned I-RR (15.529 acres), Tract 2 is zoned PUD as part of the Wildhorse PUD (98.41 acres), and Tract 3 is zoned I-RR (11.631 acres). Across US 290 to the north are two properties that were zoned CH-CO in 2013, and another property that was zoned CH-CO in 2006. If the proposed rezoning is approved, Tracts 1 and 3 will have the same list of prohibited land uses. A portion of Harris Branch PUD is also located in this area, and this area of Harris Branch PUD is designated as a CH zoning district.

Tract 2, the PUD portion of the rezoning request, is also undeveloped. The 98.41 acre portion is designated "Commercial High Rise Industrial Park," which is not a traditional City of Austin zoning classification. The development standards of the PUD resemble a hybrid of CH and IP zoning. The Applicant is currently working on an administrative PUD amendment to change the hybrid CH/IP zoning to traditional CH zoning.

Undeveloped property to the south, across the Austin and Southwestern railroad right-of-way is part of the Wildhorse PUD, and is designated "Employment Center / Industrial Park," which is not a traditional City of Austin zoning classification. This zoning is comparable to City of Austin IP zoning, with additional land uses of Limited Retail and Mixed Density Residential. Across SH 130 to the west is Wildhorse PUD property designated "Commercial High Rise Industrial Park;" across Parmer Lane to the east is Wildhorse PUD property designated for a "Transit Plaza," as well as undeveloped land in the ETJ.

Please see attached zoning map and aerial map (Exhibits A and B) for zoning information and identification of the tracts that comprise the rezoning request. Please see the attached PUD location map (Exhibit C) showing the location of the rezoning request in relationship to the Wildhorse PUD.

#### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR, PUD	Undeveloped
<i>North</i>	PUD, CH-CO	Undeveloped
<i>South</i>	PUD	Undeveloped
<i>East</i>	PUD, ETJ	Undeveloped
<i>West</i>	PUD	Undeveloped

**AREA STUDY:** N / A

**TIA:** See Issues section

**WATERSHED:** Gilleland

**DESIRED DEVELOPMENT ZONE:** Yes

**SCHOOLS:** Manor ISD

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0112	DR to CH	11/05/13: Recommended to Approve CH-CO as recommended by Staff, on consent (7-0; P. Seeger- 1 <sup>st</sup> , G. Rojas- 2 <sup>nd</sup> ).	12/12/13: Approved CH-CO on consent (7-0) Ord. No. 20131212-112
C14-2013-0054	DR to CH	6/18/13: Recommended to Approve Ch-Co as recommended by Staff, on consent (7-0-1; P. Seeger- 1 <sup>st</sup> , R. Mcdaniel- 2 <sup>nd</sup> ; C. Banks- Absent).	8/8/13: Approved CH-CO on consent (7-0) Ord. No. 20130808-104
C14-05-0120	DR to CH-CO	1/17/06: ZAP approved on consent staff rec. of CH w/ conditions: 90' max height, prohibit Adult Oriented Businesses, Campground, Commercial Blood Plasma Center, Drop-off Recycling Collection Facility, Pawn Shop Services, Vehicle Storage, Guidance Services, Residential Treatment, and Transitional Housing uses. (9-0)	2/16/06: Approved all 3 readings as recommended
Wildhorse PUD C814-00-2063 ETJ	Unzoned to PUD	11/27/01: ZAP approved staff rec. of PUD w/ conditions. (8-0)	12/6/01: APVD PUD (6-1, WYNN-NO); 2/7/02: APVD PUD (6-1, WW-NO) DELETING ECON. INCENTIVES & WATER EXTENSION FROM ORD.; 2/14/02: APVD PUD (5-1, WW-NO) PER STAFF REC
Harris Branch PUD C814-90-0003	7/8/91: DR to PUD	7/29/91: Administrative approval; 12/11/90: PC approved PUD w/ conditions (6-0-1, WB abstain)	12/13/90: Approved all 3 readings (5-0)

**CITY COUNCIL DATE/ACTION:**

April 16, 2015:

March 12, 2015: *This item was postponed to April 16, 2015 at 10:00 a.m. at the staff's request on Council Member Houston's motion, Council Member Zimmerman's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Gallo was absent.*

February 12, 2015: *This item was postponed to March 12, 2015 at the staff's request on Council Member Kitchen's motion, Council Member Gallo's second on an 11-0 vote.*

December 11, 2014: *This item was postponed on consent to February 12, 2015 at the staff's request on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.*

**ORDINANCE READINGS:****ORDINANCE NUMBER:**

**CASE MANAGER:** Heather Chaffin  
e-mail: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

**PHONE:** 512-974-2122

**SUMMARY STAFF RECOMMENDATION:**

For Tracts 1 and 3 only, Staff recommends commercial highway-conditional overlay (CH-CO) combining district zoning. The recommended conditional overlay would prohibit the following land uses: Campground, Commercial blood plasma center, Drop-off recycling collection facility, Pawn shop services, Vehicle storage, Guidance services, Residential treatment, and Transitional housing. The conditional overlay would also limit vehicular traffic to fewer than 2,000 trips per day on Tract 1, and fewer than 2,000 trips per day on Tract 3. Tract 2 PUD zoning will remain unchanged by this rezoning application. Trip generation for Tract 2 will be subject to compliance with the approved Traffic Impact Analysis (TIA) for the Wildhorse PUD (Case No. C814-00-2063, and as amended).

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

The Applicant proposes CH zoning to allow redevelopment with uses that are suitable for highway corridors like US 290 and SH 130.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

The proposed CH-CO will match the adjacent CH-CO properties to the north, and will match the intended development for this area of Wildhorse PUD. The surrounding Wildhorse PUD zoning on the 98.41 acre tract is a hybrid of CH and IP, as are the PUD tracts to the west and south.

**Site Plan**

1. Site plans will be required for any new development other than single-family or duplex residential.
2. 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.

**Transportation**

TR1. 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.

TR2. Tract 2: Please demonstrate how the previous traffic phasing agreements associated with the PUD ordinance are affected with the proposed rezoning. Has all pro rata share for this site been posted and recommendations from the phasing agreements been addressed? These will be addressed by compliance with the Wildhorse PUD TIA.

TR3. Tracts 1 and 3 are limited to 2,000 vehicular trips per day, each.

**Environmental**

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

4. Under the proposed rezoning request, development 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%
<b>Commercial</b>	<b>80%</b>	<b>90%</b>



5. Based information provided by COA GIS, there is a Critical Water Quality Zone within the project location.

6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

7. 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.

8. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

### **Comprehensive Planning**

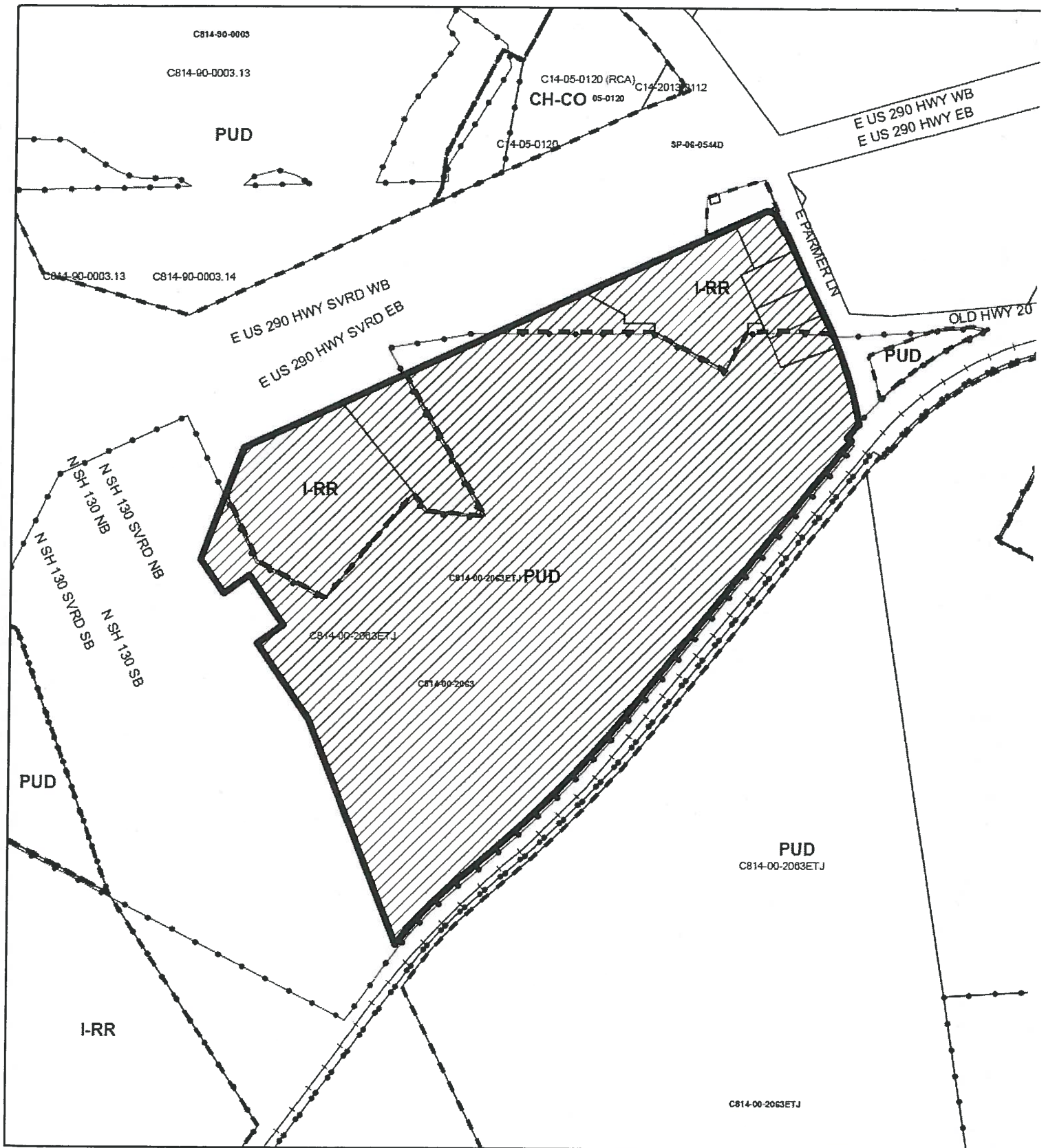
**Imagine Austin-** The Imagine Austin Growth Concept Map identifies part of this project as being within a **Town Center**. Town Centers are defined as mid-sized activity centers that are less urban than a regional center, but more dense than a neighborhood center. These centers are intended to support a variety of housing types and a range of employers with regional customer and employee bases. Employers within Town Centers **have regional customer and employee bases**, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system. Town centers will range in size between approximately 10,000-30,000 people and 5,000-20,000. The following Imagine Austin policies are applicable 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 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.

Based upon: (1) the property being located partially within the boundaries of a Town Center, which allows commercial uses including limited warehouse and retail; (2) being situated along the heavily travelled US 290, between US 130 and E. Parmer Lane, which is an ideal location for commercial and limited warehouse uses; and (3) and the Imagine Austin policies referenced above that supports commercial uses, including limited warehouse, staff believes that this project is supported by Imagine Austin.




### **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, water or wastewater easements, 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.



**ZONING**  
CASE#: C14-2014-0096

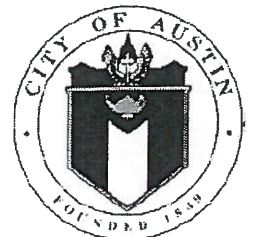


-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

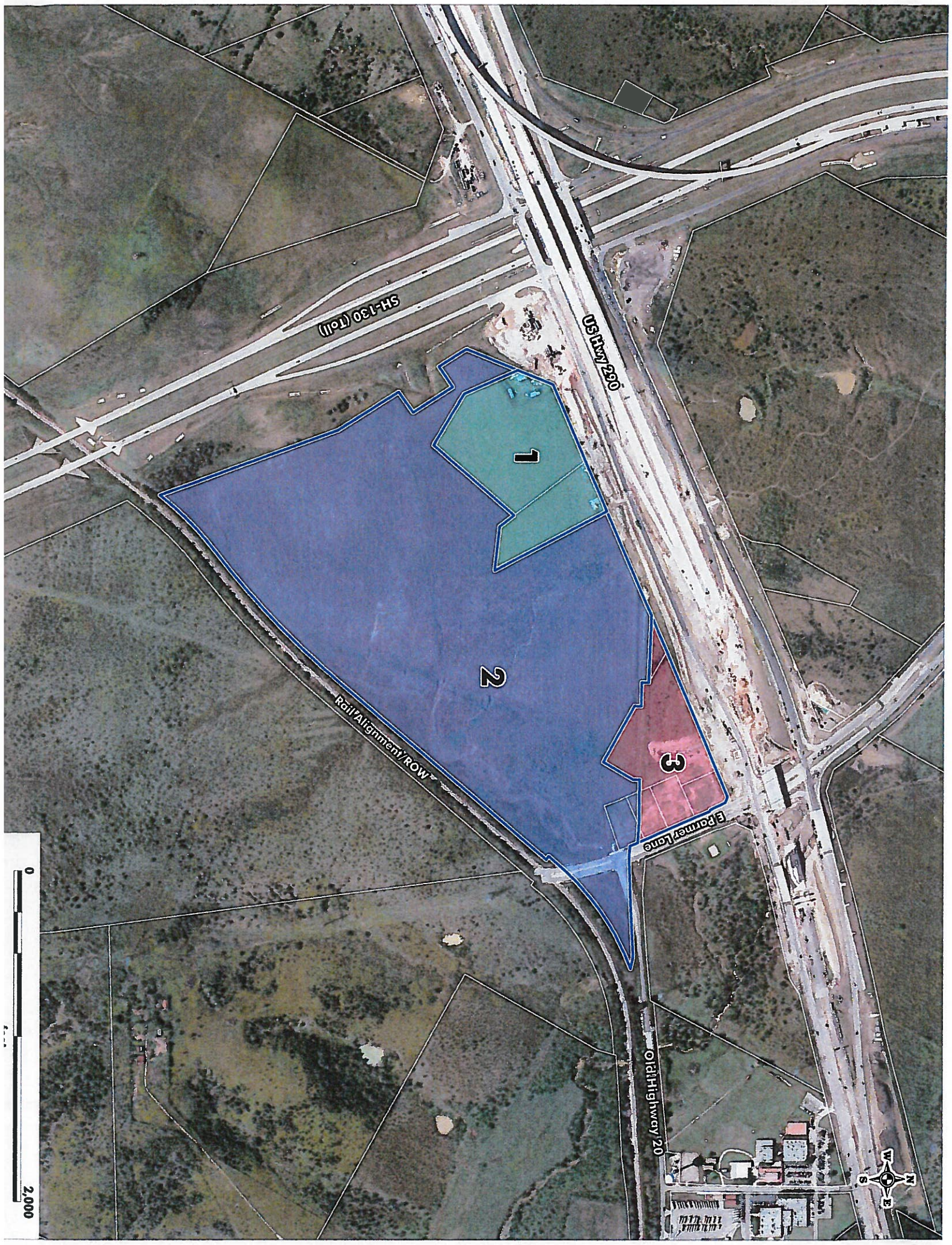
1" = 600'

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.







SH-130 (Toll)

US HWY 260

1

2

3

Rail Alignment/ROW

E Palmer Lane

Old Highway 20

0 2,000





 Site

 Wildhorse PUD

