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ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0056 (8240 N. Mopac Rezoning) **Z.A.P. DATE:** June 16, 2015

ADDRESS: 8240 North Mopac Expressway

DISTRICT AREA: 10

OWNER/APPLICANT: Lapeer Properties, Inc. (Luke Wood)

AGENT: Thrower Design (A. Ron Thrower)

ZONING FROM: LO **TO:** LR **AREA:** 0.10 acres (4,345 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff recommendation is to recommend LR, Community Commercial District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The property in question is developed with an office building. There are office structures to the north and east, across North Mopac Expressway. To the south, on the other side of Steck Avenue, is a restaurant use (Luby's Cafeteria). The tract of land to the west is developed with a multifamily residential use (The Arbors). The applicant is requesting a footprint of LR, Neighborhood Commercial, at this location to develop a Personal Services use with a suite in the existing office building.

The staff recommends LR zoning for this property because it meets the intent of the Neighborhood Commercial district as it fronts onto a major arterial roadway, North Mopac Expressway/Loop 1. The proposed zoning would be consistent with existing zoning patterns in this area because there is LR zoning to the south of this site, across Steck Avenue. The proposed footprint of LR zoning will permit the applicant to develop a low intensity commercial use that will provide services to the residential developments to the west.

The applicant agrees with the staff recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO	Office Buildings (Park North Office Park)
<i>North</i>	LO	Office (Sharmark West)
<i>South</i>	MF-2, LO	Multifamily (Le Montreaux Concierge Apartment Homes), Restaurant (Luby's Cafeteria)
<i>East</i>	MoPac Expressway, LI	Office Complex (8303 Mopac: United Lending, Adwords & PPC Management & SEO, Metlife Financial, Dahill Industries)
<i>West</i>	LO	Condominiums (The Arbors)

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AREA STUDY: N/A

TIA: Not Required

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

- Austin Heritage Tree Foundation
- Austin Independent School District
- Austin Neighborhoods Council
- Balcones Civic Association
- Balcones West Neighborhood Association
- Friends of the Emma Barrientos MACC
- North Austin Neighborhood Alliance
- North Shoal Creek Neighborhood Association
- NW Austin Neighbors
- SELTEXAS
- Shoal Creek Conservancy
- Sierra Club, Austin Regional Group
- Summerwood II HOA of Austin, Inc.
- The Real Estate Council of Austin, Inc.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2012-0149 (8200 North MoPac Rezoning: 8200 North Mopac Expressway South Bound	LO to LR	1/15/13: Approved the staff's recommendation of LR zoning by consent (6-0, P. Seeger-absent); G. Rojas-1 st , S. Compton-2 nd .	2/14/13: Approved LR zoning on consent on all 3 readings (7-0); S. Cole-1 st , B. Spelman-2 nd .
C14-2010-0164 (8610 North Mopac Expressway South Bound)	LR-CO to GR	11/16/10: Approved GR-CO zoning on consent, with the following additional conditions offered by the applicant: No Pawn Shop Services use and a public restrictive covenant to state that business will be closed during the hours of 10:00 p.m. to 6:00 a.m. (6-0, Banks-absent); P. Seeger-1 st , D. Tiemann-2 nd .	12/09/10: Approved GR-CO zoning on consent on all 3 readings (7-0); Spelman-1 st , Martinez-2 nd .

RELATED CASES: N/A

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ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Steck Avenue	80'	50'	Arterial	No	No	Yes
MoPac SB	@390'	Varies	Freeway	Yes	No	No

CITY COUNCIL DATE: August 13, 2015

ACTION:

ORDINANCE READINGS: 1st

2nd

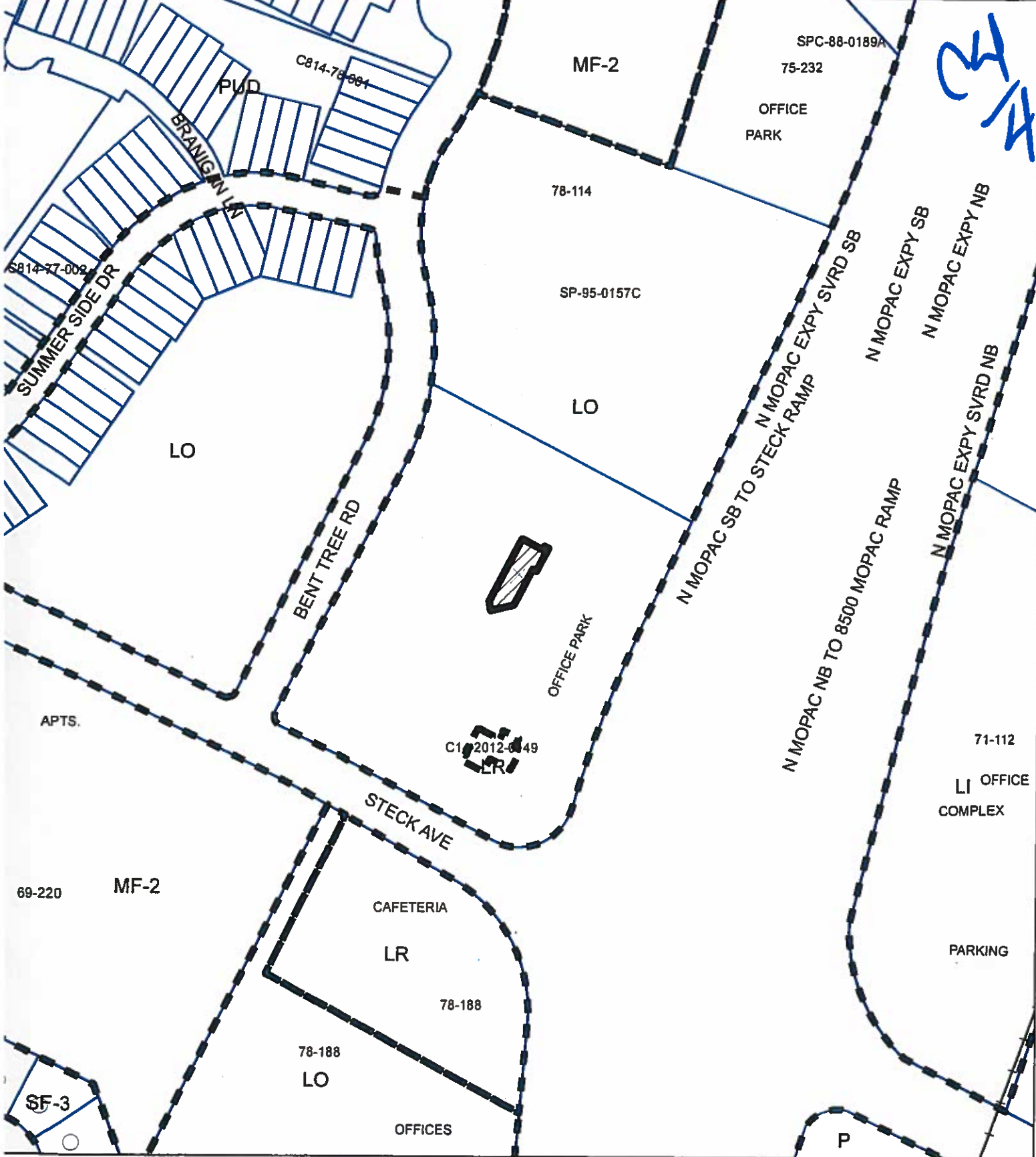
3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057,
sherri.sirwaitis@austintexas.gov

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ZONING

Zoning Case: C14-2015-0056

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

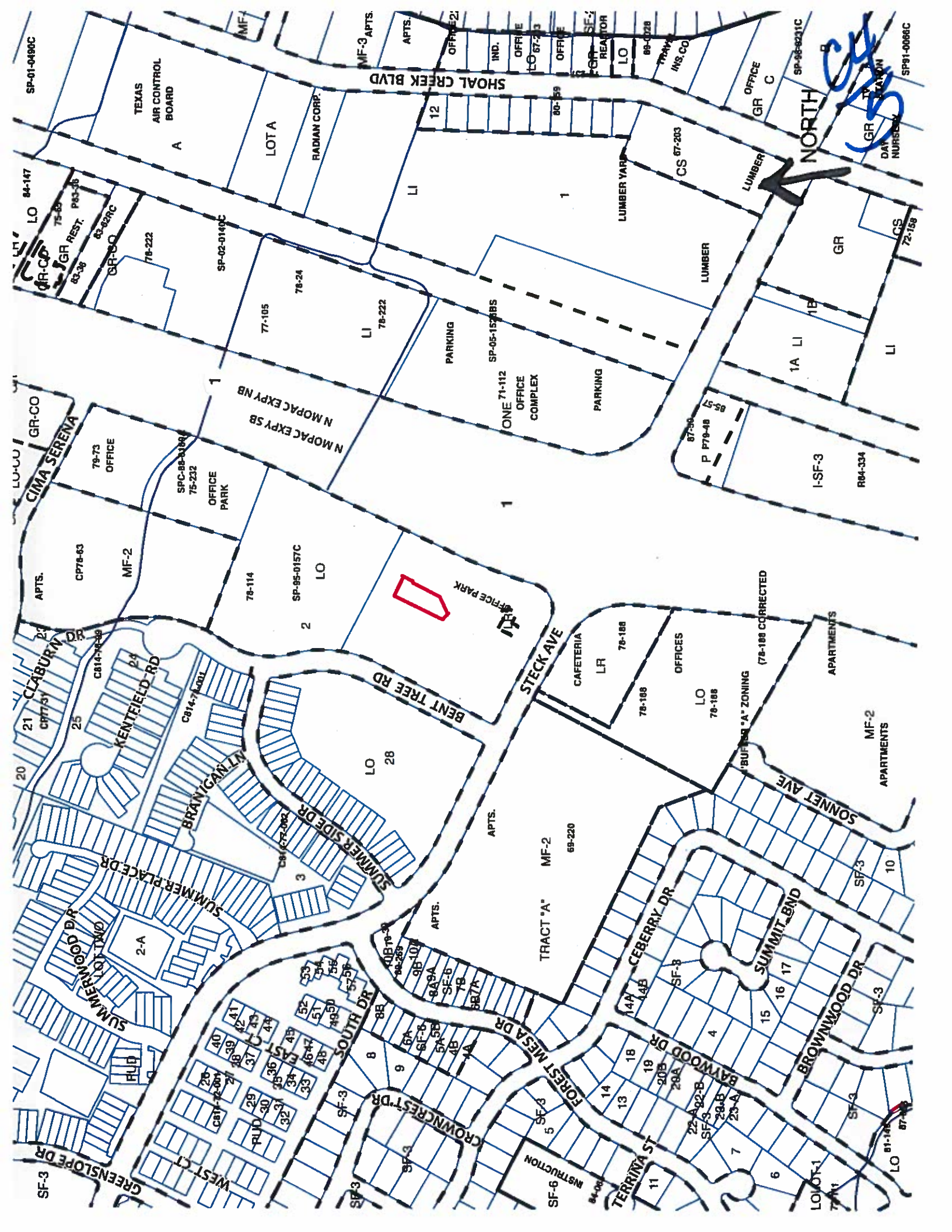


1" = 200'

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.





SP-01-0490C

LO 84-147

GR-CO

GR-CO

APTS.

21

20

2-A

SF-3

TEXAS AIR CONTROL BOARD

LOT A

SP-02-0140C

77-105

78-24

SPC-88-3386

OFFICE PARK

78-114

SP-85-0157C

2

LO

OFFICE PARK

LO 28

78-188

78-188

LO 78-188

APARTMENTS

MF-2

APARTMENTS

SHOAL CREEK BLVD

NORTH

GR STATION
DAN NURSEY
SP91-0086C

LO 84-147

GR-CO

GR-CO

APTS.

21

20

2-A

SF-3

TEXAS AIR CONTROL BOARD

LOT A

SP-02-0140C

77-105

78-24

SPC-88-3386

OFFICE PARK

78-114

SP-85-0157C

2

LO

OFFICE PARK

LO 28

78-188

78-188

LO 78-188

APARTMENTS

MF-2

APARTMENTS

SHOAL CREEK BLVD

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GR STATION
DAN NURSEY
SP91-0086C

LO 84-147

GR-CO

GR-CO

APTS.

21

20

2-A

SF-3

TEXAS AIR CONTROL BOARD

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OFFICE PARK

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LO

OFFICE PARK

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78-188

78-188

LO 78-188

APARTMENTS

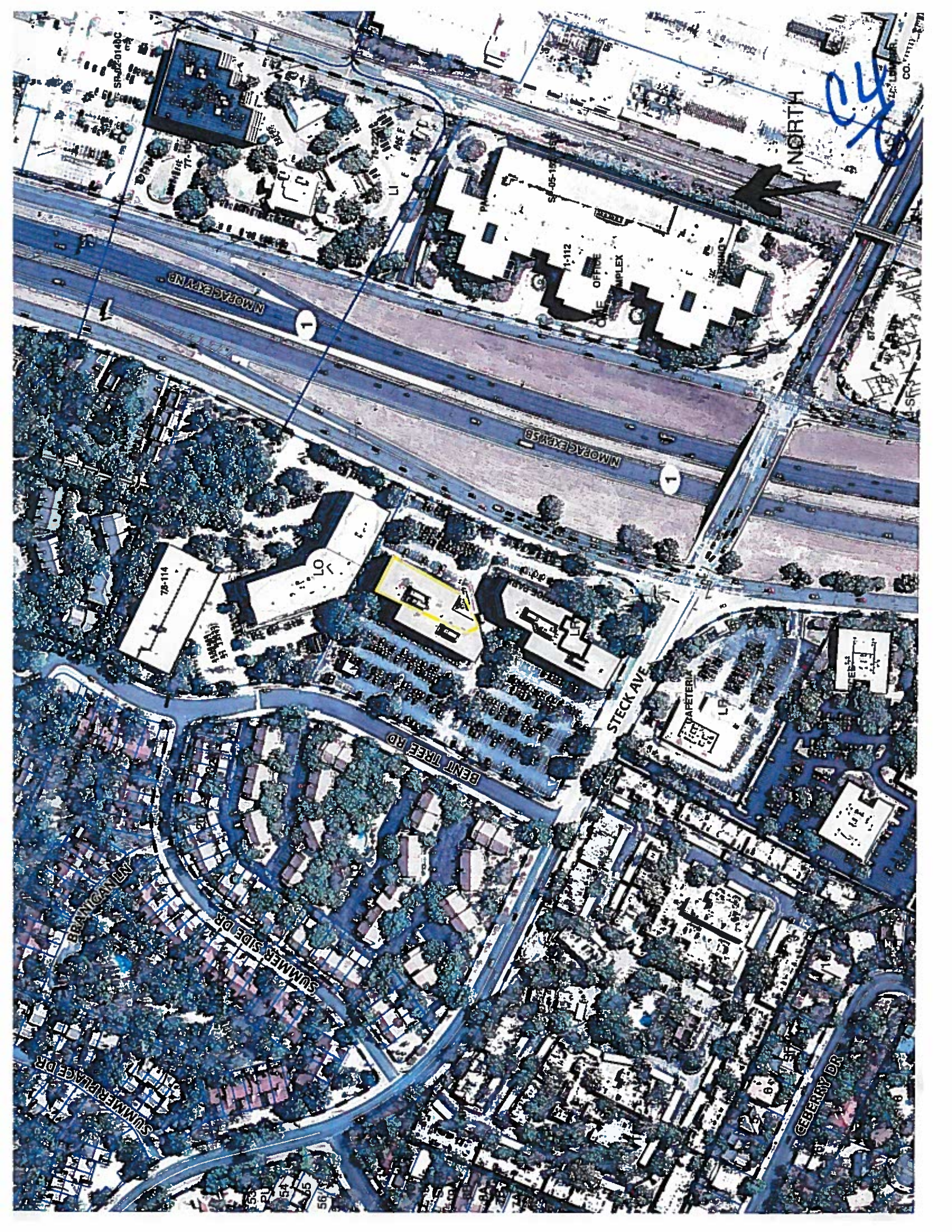
MF-2

APARTMENTS

SHOAL CREEK BLVD

NORTH

GR STATION
DAN NURSEY
SP91-0086C



NORTH

Handwritten blue scribble

NMOPAC EXRN B

NMOPAC EXRN B

STECK AVE

BENT TREE RD

BRANNICAN CV

SUMMER SIDE DR

SUMMER PLAGE DR

CEBERRY DR

OFFICE COMPLEX

78-114

1-112

1

1

LO

56 54 52 50

60 62 64 66

CO. 1773

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STAFF RECOMMENDATION

The staff recommendation is to recommend LR, Community Commercial District, zoning.

BASIS FOR RECOMMENDATION

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

Neighborhood commercial (LR) district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

The property under consideration is located to the east of multifamily residential developments and is accessible from major traffic ways. The site fronts onto/takes access from the feeder road of Mopac Expressway South Bound.

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

The proposed zoning will promote consistency and orderly planning because there is existing LR zoning to south of the property, across Steck Avenue. There are low intensity office and commercial uses developed to the north, south and west of the site. The proposed LR zoning footprint is within an existing building located at the northwest intersection of a freeway and an arterial roadway.

3. *The proposed zoning should allow for a reasonable use of the property.*

The LR zoning district would allow for a fair and reasonable use of the site because it would give the applicant additional permitted uses that would provide for low intensity commercial services to the surrounding multifamily residential developments (The Arbors, Le Montreaux Concierge Apartment Homes, Summerwood, etc.)

EXISTING CONDITIONS

Site Characteristics

The site consists of vacant suite within an existing office building (Park North Office Park) located at the northwest intersection of Steck Avenue and Mopac Expressway.

Comprehensive Planning

LO (Limited Office) to LR (Neighborhood Commercial)

This zoning case is located on the northwest corner of Steck Avenue and the Mopac Expressway frontage road, and contains a large three story brick office building called 'Park North' situated on a 6 acre parcel. This rezoning is not located within the boundaries of a neighborhood planning area but is located just west of the boundaries of the North Shoal Creek Neighborhood Planning Area. Surrounding land uses includes an office building to the north; a restaurant and apartment complex to the south; an apartment complex to the west; and Mopac Expressway to the east. This case only

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concerns .10 acre of this property and the proposed personal service use, which requires a zoning change.

Imagine Austin

The property is located to the north of a 'Neighborhood Center', as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan. A Neighborhood Center is the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map and provides retail and personal services to the surrounding neighborhood.

Based on the comparatively small scale of this retail use as compared to nearby commercial uses in the area, and the property not being located along an Activity Corridor or within an Activity Center, this case 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 over an environmentally sensitive area (the Edwards Aquifer), there will be at the site planning stage (if any) an environmental review to determine if any critical environmental features are located on the site. If any are located on the site, mitigation and setbacks necessitated by the land development code will be required.

Environmental

The site is located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

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.

No trees are located on this property. 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.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

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 LR zoning district would be 80%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

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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.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the 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 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.

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]

Mopac (Loop 1) is classified in the Bicycle Plan as Bike Route No. 434.

Capital Metro bus service (Route No.983) is available along Mopac (Loop 1) SB Frontage Road.

There are existing sidewalks along Mopac (Loop 1).

Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
Mopac (Loop 1)	400'	2 @ 36'	Expressway	144,000

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.

Sirwaitis, Sherri

From: Jay Sands [REDACTED]
Sent: Thursday, June 04, 2015 6:51 PM
To: Sirwaitis, Sherri
Cc: D Bailey
Subject: Re: 8240 N. Mopac

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Sherri,

The Balcones Civic Association is supportive of the request to rezone Suite 340 at 8240 North Mopac from LO to LR. Our support is based on the change being applicable to this suite only and not the larger property.

Thanks for your assistance.

Jay Sands
Balcones Civic Association

Sent from my iPad

> On Jun 1, 2015, at 1:25 PM, "Sirwaitis, Sherri" <Sherri.Sirwaitis@austintexas.gov> wrote:

>

> Hi Mr. Sands,

>

> In case C14-2015-0056, the applicant is requesting a change from LO to LR for Suite 340 (4,345 sq. ft. space) to have a Personal Services use.

>

> Thanks,

>

> Sherri Sirwaitis

> City of Austin

> Planning & Zoning Department

> sherri.sirwaitis@austintexas.gov

> 512-974-3057(office)

>

> -----Original Message-----

> From: Jay Sands [REDACTED]

> Sent: Monday, June 01, 2015 1:18 PM

> To: Sirwaitis, Sherri

> Subject: 8240 N. Mopac

>

> Sherri,

>

> Can you confirm that the zoning request for this property is only to change zoning from LO to LR for one individual office?

>

> Thanks,

>

> Regards,

>

> Jay Sands