

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2015-0120 (13401 Corner)

**Z.A.P. DATE:** October 6, 2015

**ADDRESS:** 13401 Pond Springs Road

**DISTRICT AREA:** 6

**OWNER/APPLICANT:** Pond Springs School, LTD.

**AGENT:** Shaw Hamilton

**ZONING FROM:** I-RR

**TO:** GR

**AREA:** 2.92 acres (127,195.2 sq. ft.)

### **SUMMARY STAFF RECOMMENDATION:**

Staff's recommendation is to grant Community Commercial-Conditional Overlay District, zoning. The conditional overlay will prohibit automotive related uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing.

In addition, if the requested zoning is granted, then 57 feet of right-of-way should be dedicated and from the existing centerline of Anderson Mill through a street deed prior to third reading of the case at City Council in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

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

### **DEPARTMENT COMMENTS:**

The property in question is currently developed with a vacant elementary school structure that is now being used for retail and personal improvement services uses (High Tech Gadgets, Brazilian Top Team, Boxing and Yoga). The property to the north of this site consists of an undeveloped lot. To the west, across Anderson Mill Road, there is a religious assembly use (Northwest Fellowship) and commercial/personal improvement services/retail sales uses (Family Dollar Store, KAOS Children's Hair Salon, Honey Bee Quilt Store, Yancey's Antiques, Country Keepers Furniture Sales, and Austin Karate Academy), and warehouse/construction sales and services uses (Baseball Solutions, Thigpen & Associates Glass, L.L.C., Trinity Stairs, Inc., and Window Gang Window Washing). To the south, across Pond Springs Road, there is a SBC/ATT&T call center. The land to the east is developed with and office park (Pond Springs Road Office Park).

Staff is recommending GR-CO zoning because the site is located near developed commercial uses to the south, east and west. This tract of land meets the intent of the Community Commercial district as it has access to two arterial roadways, Pond Springs Road and Anderson Mill Road, and will provide services to the surrounding residential areas to the north and south. The staff proposes GR-CO zoning for the property to allow the applicant to redevelop the site with commercial/retail uses.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Elementary School (currently vacant)
<i>North</i>	I-RR	Undeveloped Lot, Multifamily (Anderson Oaks Apartments)
<i>South</i>	GR-CO	ATT&T Call Center
<i>East</i>	I-RR	Office (Pond Springs Road Office Park)
<i>West</i>	GR-CO, CS-CO	Warehouse Structure (Northwest Fellowship), Commercial Center containing Personal Improvement Services, Personal Services and Retail Sales uses (Family Dollar Store, KAOS Children's Hair Salon, Honey Bee Quilt Store, Yancey's Antiques, Country Keepers Furniture Sales, and Austin Karate Academy), and another warehouse structure containing Construction Sales and Services uses (Baseball Solutions, Thigpen & Associates Glass, L.L.C., Trinity Stairs, Inc., and Window Gang Window Washing)

**AREA STUDY:** N/A**TIA:** Deferred**WATERSHED:** Lake Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
 Austin Northwest Association  
 Bike Austin  
 Friends of Austin Neighborhoods  
 Neighborhood Association of SW Williamson County  
 SELTEX  
 Sierra Club, Austin Regional Group

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2012-0095 (Anderson Mill @ Pond Springs Road: 13427 Pond Springs Road)	GR-CO to CS	9/18/12: Approved staff's recommendation of CS-CO zoning by consent (4-0, G. Rojas, P. Seeger-absent). The CO would prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Agricultural Sales and Services, Campground, Drop-off Recycling Collection Facility, Kennels, Laundry Services, Monument Retail Sales, Plant Nursery, Vehicle Storage, and Commercial Blood Plasma Center uses and	9/27/12: Approved CS-CO zoning on consent on 1 <sup>st</sup> reading (7-0); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .  10/18/12: Approved CS-CO zoning on consent on second/third readings (6-0, S. Cole-off dais); B. Spelman-1 <sup>st</sup> , C. Riley-2 <sup>nd</sup> .

		limit development to the already existing conditional overlay approved with the original zoning case (C14-06-0066) which limits the number of trips generated by the subject tract as well as the original tract.	
C14-06-0066 (Furrows North: 13427 Pond Springs Road)	I-RR to CS-CO, GR-CO	9/19/06: Approved staff's recommendation for CS-CO zoning on Tract 1 and GR-CO zoning on Tract 2, with an added condition to prohibit Commercial Blood Plasma Center use on Tract 1. In addition, the Commission made a request that the applicant and neighborhood record a private restrictive covenant that is mutually agreeable to both parties prior to 3 <sup>rd</sup> reading of the case at City Council. Vote: (7-0, J. Martinez, J. Pinnelli-absent); K. Jackson-1 <sup>st</sup> , B. Baker-2 <sup>nd</sup> .	11/30/06: Approved CS-CO zoning for Tract 1 and GR-CO zoning for Tract 2 (7-0); all 3 readings
C14-05-0192 (The Mill: 9514 Anderson Mill Road)	I-RR to GR	12/06/05: Approved staff recommendation of GR-CO zoning, with a CO limiting development on the site to less than to less than 2,000 vehicle trips per day, by consent (7-0, K. Jackson, J. Pinnelli-absent); M. Hawthorn-1 <sup>st</sup> , J. Donisi-2 <sup>nd</sup> .	1/12/06: Approved GR-CO zoning by consent (6-0, D. Thomas-absent); R. Alvarez-1 <sup>st</sup> , L. Leffingwell-2 <sup>nd</sup> ; all 3 readings
C14-05-0143 (Quality Liquors: 13290-A Pond Springs Road)	Tract 1: I-RR to GR, Tract 2: I-RR to CS-1	9/20/05: Approved GR-CO for Tract 1 and CS-1-CO for Tract 2, prohibit on-site consumption, limit to 2,000 vehicle trips per day (9-0)	10/27/05: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2 by consent (6-0, Alvarez-off dais); all 3 readings
C14-03-0180 (Horizon Center: 13497 U.S. Highway 183 North)	I-SF-2 to Tract 1: GR-CO, Tract 2: CS-1-CO	1/20/04: Approved staff's recommendation of GR-CO (Tract 1), CS-1-CO (Tract 2) zoning by consent (6-0, J. Cortez, J. Donisi, K. Jackson-absent); the CO will prohibit the following uses: <u>Tract 1</u> : Drop-Off Recycling Collection Facility, Residential Treatment; <u>Tract 2</u> : Drop-Off Recycling Collection Facility, Residential Treatment, Building Maintenance Services, Campground, Cocktail Lounge, Commercial Blood Plasma Center, Construction Sales and Services,	2/26/04: Approved GR-CO for Tract 1, CS-1-CO for Tract 2 by consent (7-0, Thomas-off dais); all 3 readings

		Convenience Storage, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Plant Nursery, Vehicle Storage, Veterinary Services, Custom Manufacturing, Limited Warehousing and Distribution, Maintenance and Service, Transitional Housing, Transportation Terminal; and limit the development intensity for the entire site to less than 2,000 vehicle trips per day.	
C14-02-0059 (Pond Springs Road Rezoning: 13498 Pond Springs Road)	I-RR to GR	6/04/02: Approved staff's recommendation of GR-CO zoning on consent, with 2,000 vtpd limit and added condition prohibiting the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (8-0, K. Jackson-absent)	7/11/02: Approved ZAP recommendation of GR-CO with conditions (7-0)
C14-02-0020 (Jeffrey Hair Salon: 9414-9416 Anderson Mill Road)	I-RR to LR	4/9/02: Approved staff's rec. of LR-CO zoning; limit the vehicle trips to 2,000 vehicle trips per day; prohibit Service Stations, Congregate Living, Family Homes, Group Homes, Residential Treatment; require dedication of the appropriate right-of way (9-0)	8/29/02: Approved ZAP rec. of LR-CO, deleting Right-Of-Way dedication and added Restaurant (Drive-in, Fast Food) use to the list of prohibited uses (7-0); 1 <sup>st</sup> reading  9/26/02: Approved LR-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-02-0002 Southwestern Bell Pond Springs Site: 9319 Anderson Mill Road)	I-RR to GR	6/30/02: To approve GR-CO zoning on consent with the following conditions: Limit the development intensity on the site to less than 2,000 vehicle trips per day; allow only LR district uses and prohibit the following uses: Restaurants (Drive-In, Fast Food), Station, Congregate Living, Guidance Services, Residential Treatment; Require that 57 feet of right-of-way from the existing centerline should be dedicated for Anderson Mill Road, according to the Roadway Plan, prior to third reading at City Council. (5-0, D. Castaneda-off dais, V. Aldridge-absent)	8/08/02: Approved GR-CO on 1 <sup>st</sup> reading (6-0, Wynn out of room)  8/29/02: Approved GR-CO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

C14-01-0165 (Chris D. Jones: Approximately 400 feet northeast of the intersection of Anderson Mill Road and U.S. Hwy 183 North)	CS-CO to CS-CO	12/11/01: Approved staff rec. of CS-CO (7-0); the CO will limit the site to Convenience Storage as the only CS use, allow all LR uses with the exception of a Service Station, limit the site to a maximum building height of 45 feet, and limit the development intensity to less than 2,000 vehicle trips per day.	1/17/02: Approved ZAP rec. of CS-CO (6-0); all 3 readings
C14-01- 0155(13553 U.S. HWY 183 North)	I-RR to GR	11/21/01: Approved staff rec. of GR-CO by consent (8-0); the CO will limit the development intensity to less than 2,000 vehicle trips per day	1/10/02: Approved GR-CO (6-0, Goodman out of room); all 3 readings

**RELATED CASES:** N/A

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
Pond Springs	100'	Varies	Arterial	No	No	No
Anderson Mill Road	Varies	Varies	Arterial	No	No	Yes

**CITY COUNCIL DATE:** November 12, 2015

**ACTION:**

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

2<sup>nd</sup>

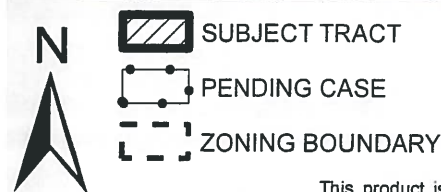
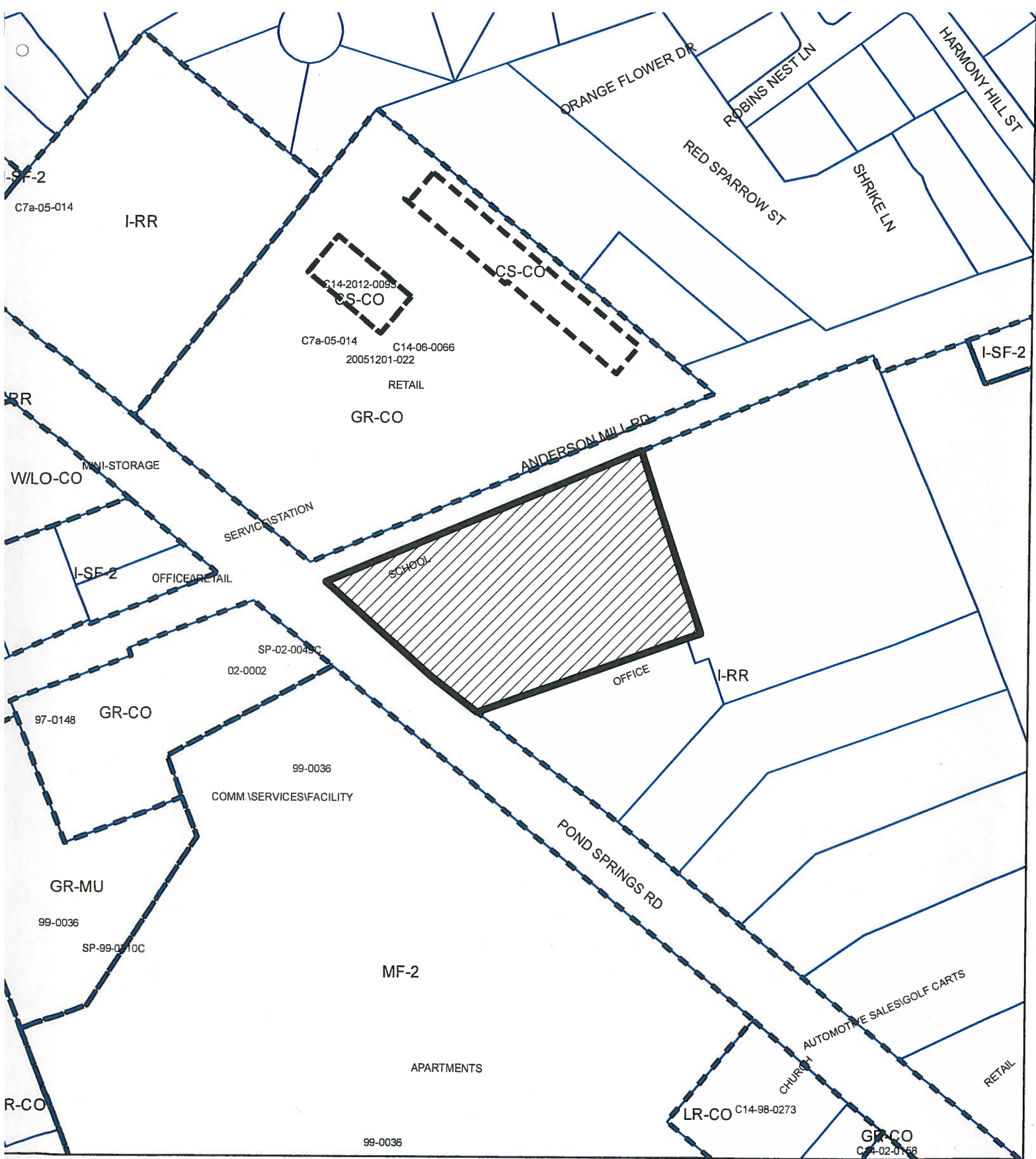
3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057,  
[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)





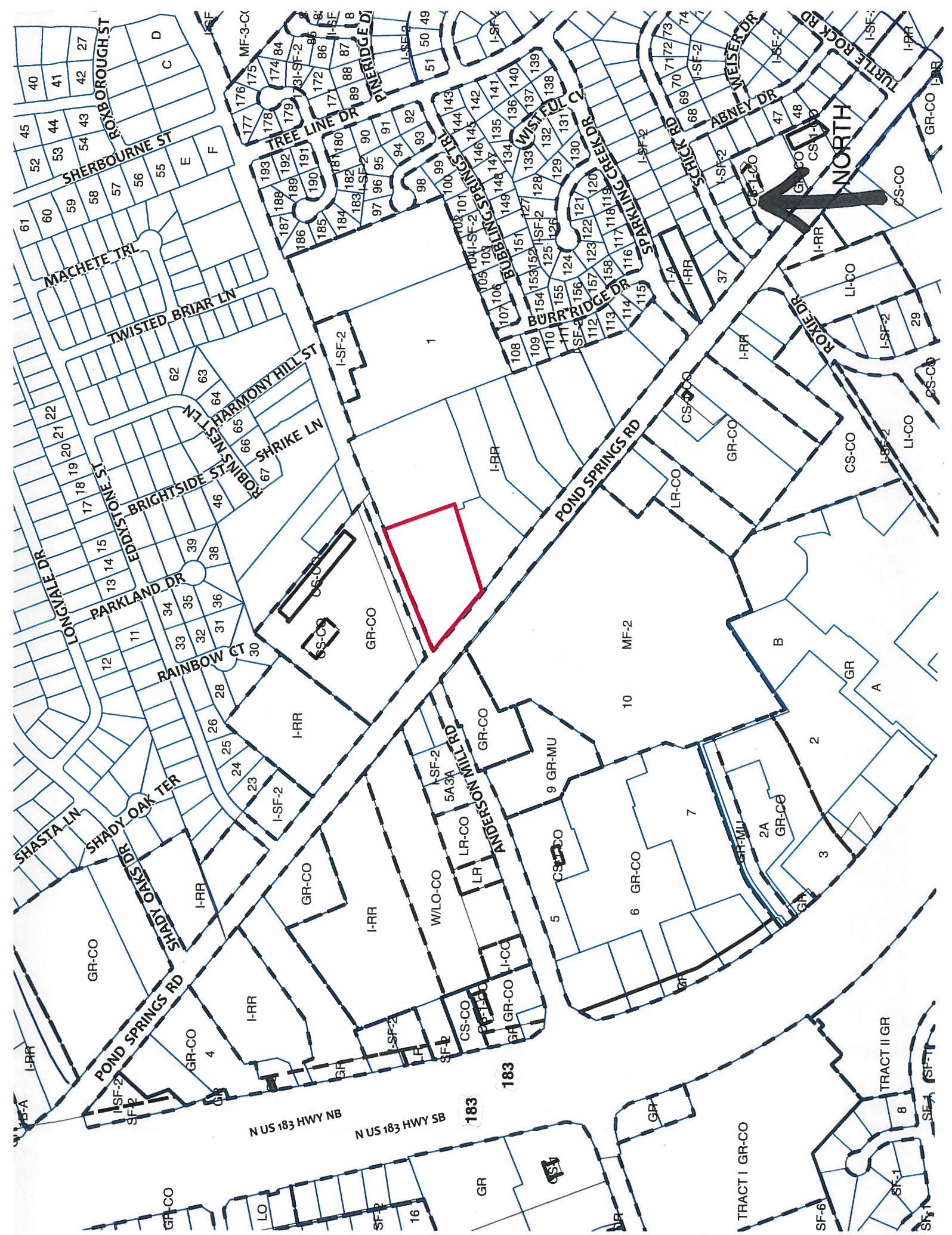
# **ZONING** **ZONING CASE#: C14-2015-0120**



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" = 200'







HARMONY HILL ST

SHRIKE LN

RED SPARROW ST

ANDERSON MILL RD

BURRIDGE DR

POND SPRINGS RD

SPARKING CREEK RD

EDYSTONE ST

ANDERSON MILL RD

CS-CO

CS-CO

GR-CO6

GR-CO

GR-CO

LP-CO

GR-CO

MF-2



## **STAFF RECOMMENDATION**

Staff's recommendation is to grant Community Commercial-Conditional Overlay District, zoning. The conditional overlay will prohibit automotive related uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing.

In addition, if the requested zoning is granted, then 57 feet of right-of-way should be dedicated and from the existing centerline of Anderson Mill through a street deed prior to third reading of the case at City Council 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.*

Community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

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

The proposed zoning is consistent with the GR-CO zoned property to the south and west. The property in question is located adjacent to existing commercial uses south, east and west. GR-CO zoning will allow the applicant to redevelop this site with additional commercial/retail uses.

3. *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.*

The site under consideration is located at the northeastern intersection of two arterial roadways, Pond Springs Road and Anderson Mill Road.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The subject tract is currently developed with a vacant elementary school structure that is now being used for retail and personal improvement services uses (High Tech Gadgets, Brazilian Top Team, Boxing and Yoga).

### **Hill Country Roadway**

The site is not within a Hill Country Roadway Corridor.

### **Comprehensive Planning**

I-RR to GR

This zoning case is located on the southeast corner of Pond Springs Road and Anderson Mill Road, and contains a one story office building situated on a 2.92 acre lot. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes a church and shopping center to the north, a small office building to the south, an apartment complex to the east,

and an ATT truck depot and an apartment complex to the west. The proposal is to obtain commercial zoning.

### **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 and additional environmental ordinances pertain to the development.

Based on comparative scale of the site relative to other commercial and office uses in this area, and the property not being located within the boundaries of a Center or Activity Corridor as identified by the Imagine Austin Growth Concept Map, 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 location in an environmentally sensitive area, if this parcel is redeveloped 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**

Friday, September 4, 2015

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.

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 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**

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**

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 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. If the requested zoning is granted, then 57 feet of right-of-way should be dedicated and from the existing centerline of Anderson Mill 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.

A Traffic Impact Analysis will be required at the time of site plan if triggered per LDC 25-6-113. LDC, Sec. 25-6-113.

Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a Protected Bike Lane is recommended for Anderson Mill and Pond Springs Road.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Anderson Mill	38 ft.	68 ft.	Arterial	Yes	Yes, Bike Lane	Yes
Pond Springs Road	90 ft.	50 ft.	Arterial	Yes	Yes, Bike Lane	Yes

**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.