

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0062 – U.S. 183 and
McCall Lane Rezoning

P.C. DATE: December 8, 2015
January 26, 2016
March 22, 2016
April 12, 2016

ADDRESS: 2900, 3000 and 3024 U.S. Highway 183 South, and 3120 McCall Lane

OWNER: Met Center NYCTEX, Phase II, Ltd.
(Howard Yancy)

AGENT: Thrower Design
(Ron Thrower)

ZONING FROM: LI-NP; LI-CO-NP **TO:** LI-PDA-NP **AREA:** 25.65 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) combining district zoning. The Planned Development Area allows for all permitted and conditional uses in the LI district, allows for additional uses, prohibits certain uses, and exempts all uses except general retail sales and restaurants from the application of Commercial Design Standards, as further detailed on pages 2 and 3 of this report.

PLANNING COMMISSION RECOMMENDATION:

December 8, 2015: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JANUARY 26, 2016*

[J. VELA; F. KAZI – 2nd] (11-0) J. SHIEH – NOT YET ARRIVED; J. THOMPSON – ABSENT

January 26, 2016: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO MARCH 22, 2016*

[J. VELA; F. KAZI – 2nd] (10-0) P. SEEGER; J. STEVENS; T. WHITE – ABSENT

March 22, 2016: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO APRIL 12, 2016*

[J. VELA; T. WHITE – 2nd] (12-0) 1 VACANCY ON THE COMMISSION

April 12, 2016:

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject rezoning area consists of undeveloped property located at the northwest corner of U.S. Highway 183 South and McCall Lane. The majority of the property has frontage on the highway, is platted and zoned limited industrial services – conditional overlay – neighborhood plan (LI-CO-NP) combining district by a 2001 case. The remainder of the property which is unplatted and has frontage on McCall Lane, was rezoned from development reserve (DR) to the LI-NP district at the time the Southeast Combined NP Rezoning was approved in October 2002. There is a detention/water quality pond serving the Met Center II area to the north (LI-PDA-NP); a restaurant, a single family residence, manufactured homes and a storage area across McCall Lane to the south (SF-2-NP; CS-NP); and undeveloped land and an electric substation to the west (LI-PDA-NP). Please refer to Exhibits A (Vicinity Map), A-1 (Zoning Map) and A-2 (Aerial View).

The Applicant proposes to add the subject property to the planned development area (PDA) that was first created in March 2004 for the Colorado Crossing development. The eastern portion of Colorado Crossing is known as Met Center II and consists of a 304 acre adjacent area to the north and west. The Applicant has requested the limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) zoning district in order to develop the property with 350,000 square feet of industrial/warehouse uses and a 300 room hotel. While a large part of the Colorado Crossing PDA ordinance establishes site development standards for residential uses, the subject property is entirely within the Airport Overlay Zone (AO-3) also known as the ½ mile buffer zone that permits commercial and industrial uses, but does not allow for new residential development to occur outside of recorded final plats, municipal utility district boundaries or neighborhood plan combining district boundaries. A hotel is permitted in the AO-3 area, but the use and related structures are required to incorporate measures to achieve a minimum outdoor-to-indoor noise level reduction of 25 decibels.

As set forth in Land Development Code Section 25-2-441, the regulations of a planned development area (PDA) may modify: 1) permitted or conditional uses authorized by the base district, 2) site development regulations except for compatibility standards, and 3) off-street parking or loading regulations, sign regulations or screening regulations applicable in the base district.

The Applicant's proposed PDA would:

- 1) allow for all existing permitted and conditional uses in the LI district
- 2) establish the following additional permitted uses:

administrative services	consumer repair services
convalescent services	pet services
postal facilities	recreation equipment maintenance and storage
recreation equipment sales	research assembly services
research testing services	research warehousing services

3) prohibit the following uses:

basic industry

monument retail sales

recycling center

resource extraction

scrap and salvage

4) exempt all uses except general retail sales (convenience and general) and restaurant (general and limited) uses from the application of the Subchapter E of the Commercial Design Standards

Given the presence of similar zoning and warehouse/industrial businesses adjacent to the north and west, and the site's primary frontage on a highway, Staff recommends LI-PDA-NP, as the Applicant requested. The first three components of the PDA are consistent with those originally created for Colorado Crossing. The fourth item is consistent with a 2009 PDA amendment for the Met Center II area and is in response to specific building configuration and high level security requirements of potential end users which require that buildings are set back further from the street. (As information, Commercial Design Standards do not apply to industrial uses, however they do apply to industrial uses with more than 25% office space, and this latter type of development is contemplated for the subject property.) The proposed PDA is adjacent to and consistent with the development standards applicable to Met Center II.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LI-NP; LI-CO-NP	Undeveloped
<i>North</i>	LI-PDA-NP	Undeveloped; Detention pond
<i>South</i>	SF-2-NP	Single family residences; Manufactured homes; Vehicle storage
<i>East</i>	Across US 183: AV	Austin-Bergstrom International Airport
<i>West</i>	LI-PDA-NP	Undeveloped; Hospital (general)

NEIGHBORHOOD PLANNING AREA: Southeast Austin Combined (Southeast)

TIA: Deferred to site plan

WATERSHEDS: Carson Creek;
Onion Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No **SCENIC ROADWAY:** Yes – U.S. Highway 183

NEIGHBORHOOD ORGANIZATIONS:

96 – Southeast Corner Alliance of Neighborhoods (SCAN)

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

634 – Montopolis Area Neighborhood Alliance

774 – Del Valle Independent School District 1005 – Elroy Neighborhood Association

1195 – Imperial Valley Neighborhood Association
 1228 – Sierra Club, Austin Regional Group
 1236 - The Real Estate Council of Austin, Inc. 1258 – Del Valle Community Coalition
 1316 – Southeast Combined Neighborhood Contact Team
 1340 – Austin Heritage Tree Foundation 1363 – SEL Texas
 1408 – Go! Austin/Vamos! Austin – Dove Springs
 1438 – Dove Springs Neighborhood Association 1441 – Dove Springs Proud
 1447 – Friends of the Emma Barrientos MACC 1528 – Bike Austin

SCHOOLS:

The subject rezoning area is within the Del Valle Independent School District.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0116.03 – 3101 Metlink Dr	LI-PDA-NP to LI-PDA-NP, to exempt all uses except general retail sales (convenience & general), and restaurant (general & limited) from Commercial Design Standards.	Scheduled for April 12, 2016.	Scheduled for May 12, 2016.
C14-03-0116.02 – Met Center II - PDA Amendment #2 – 6800 Burleson Rd	LI-PDA-NP to LI-PDA-NP, to add hospital services as a permitted use	To Grant	Apvd LI-PDA-NP as requested (11-05- 2009).
C14-03-0116.01 - Met Center II PDA Amendment – 6800 Burleson Rd	LI-PDA-NP to LI-PDA-NP, to exempt all uses except for residential, retail and restaurants from Subchapter E requirements (Commercial Design Stds)	To Grant	Apvd LI-PDA-NP as requested (02-12- 2009).
C14-03-0116 – Colorado Crossing	RR-CO-NP; LI- CO-NP to LI-	To Grant LI-PDA-NP to add permitted uses	Apvd LI-PDA-NP (3- 11-2004).

– 6800 Burleson Rd	PDA-NP	including residential (up to 5,500/15,500 for mf), prohibit certain uses, establish buffers between residential and certain commercial, industrial and civic uses, establish optional site dev't regulations, establish buffers to creeks, separate residential and industrial traffic, max. 65% i.c. for residential uses, establish Green Building for residential development; RC for a 200' setback between residences and a Group H-occupancy	
C14-03-0004 – U.S. Highway 183 South Rezonings to Commercial-Amin Investments--City Initiated – 3210 U.S. Hwy 183 S	SF-2-NP to CS-NP, as amended	To Grant	Apvd CS-NP as Commission recommended (4-24-2003).

RELATED CASES:

The LI-CO-NP portion of the property is platted as Buratti-Pecora II, recorded in June, 2001 (C8-07-2031.0A). Please refer to Exhibit B.

The Buratti Pecora II subdivision was rezoned to the LI-CO district on July 19, 2001 (C14-01-0011 – Buratti-Pecora II). The Conditional Overlay limits vehicular access to McCall Lane to one driveway and requires a 25-foot wide vegetative buffer along U.S. Highway 183. Roadway dedication on McCall Lane also occurred.

The Southeast Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on October 10, 2002 (C14-02-0128.03, Ordinance 021010-12c). The – NP combining district was added to the property at that time.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	ADT
Metropolis Drive	90 feet	2 @ 24 feet	Collector	N/A
McCall Lane	Varies	24 feet	Collector	826
US-183	Varies	MAD-4	Freeway	25,000

According to the Austin 2014 Bicycle Plan approved by Austin City Council in 2014, a shared Use Path/Trail is recommended along US 183. However, no bicycle facilities have been recommended for Metropolis Drive and McCall Lane.

Capital Metro bus service (Route No. 228) is available along Metropolis Drive.

There are existing sidewalks along Metropolis Drive. There are no sidewalks along US 183 and McCall Lane.

CITY COUNCIL DATE: February 11, 2016

ACTION: Approved a Postponement request by Staff to April 14, 2016 (11-0).

April 14, 2016

ORDINANCE READINGS: 1st

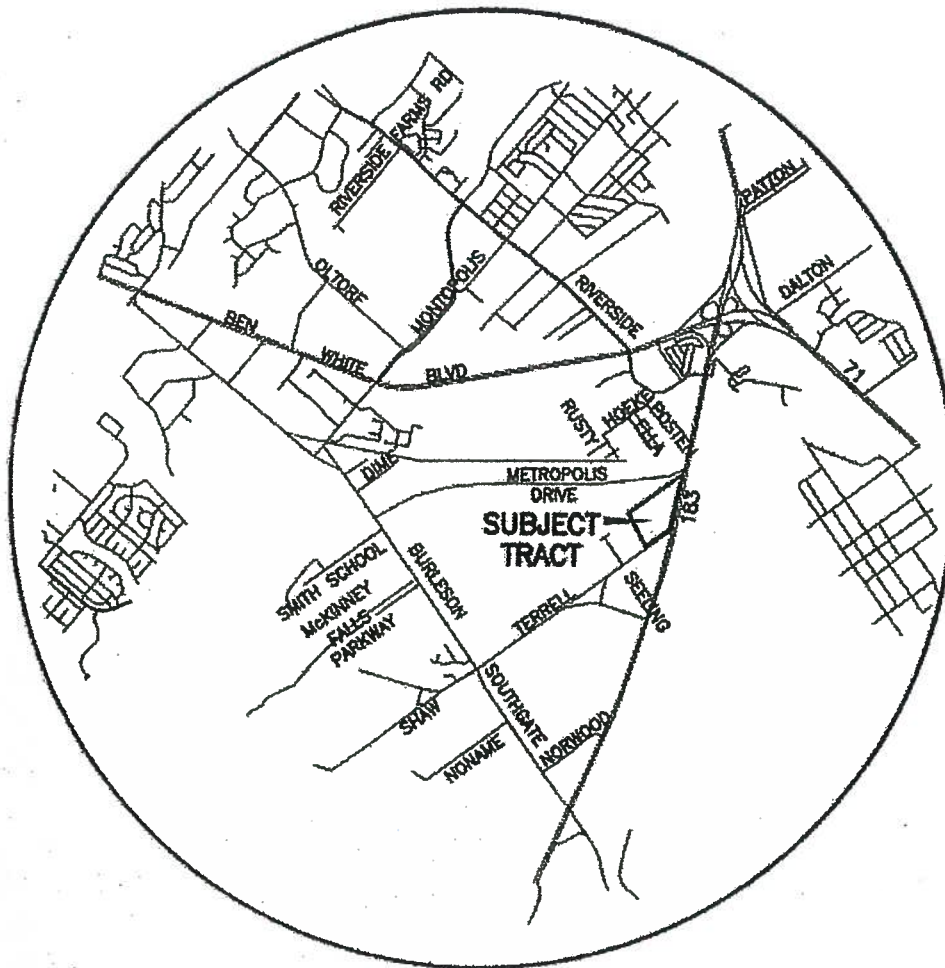
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3rd

ORDINANCE NUMBER:

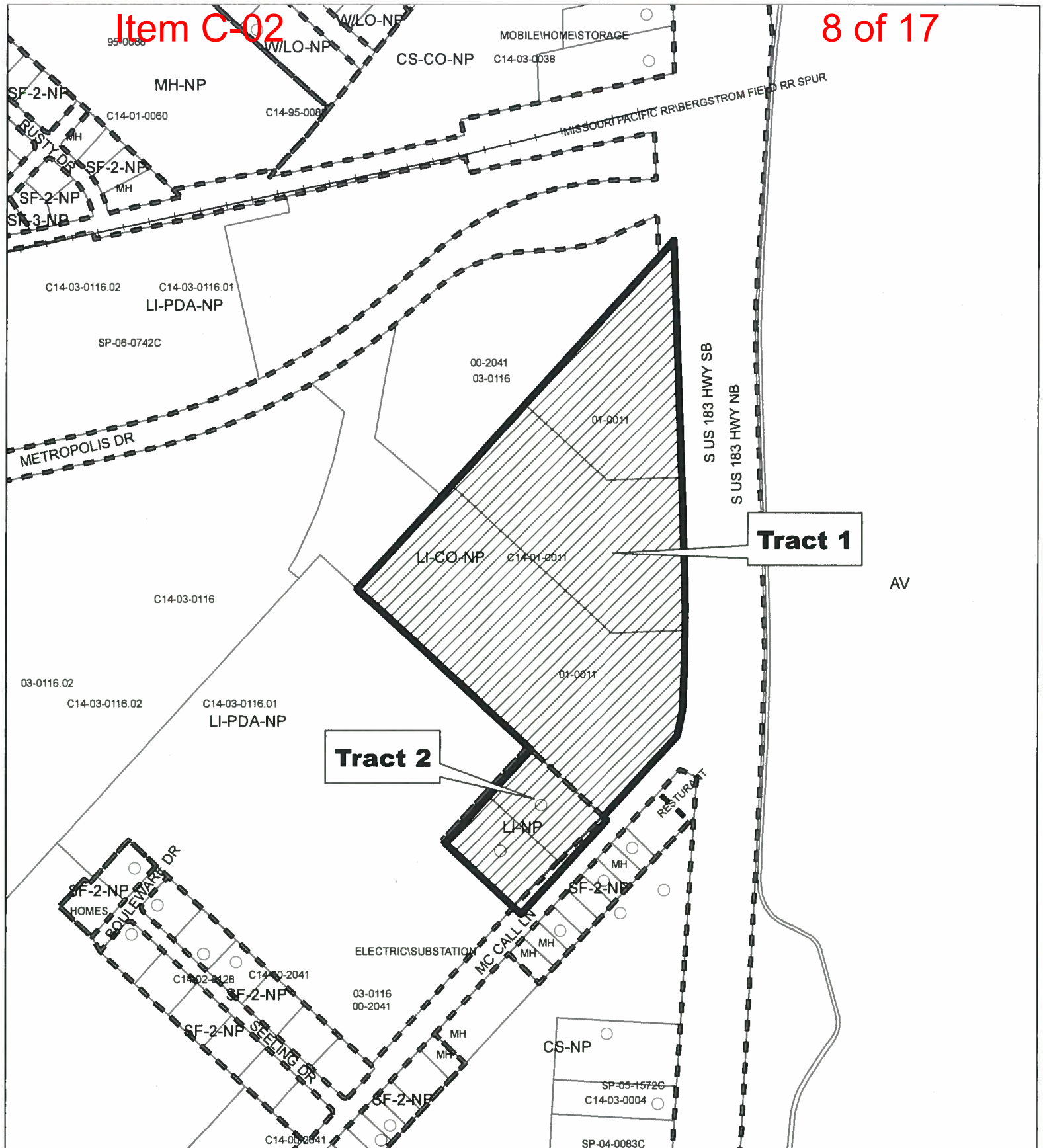
CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov




PHONE: 512-974-7719



LOCATION MAP
NOT TO SCALE

EXHIBIT A



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
ZONING CASE#: C14-2015-0062

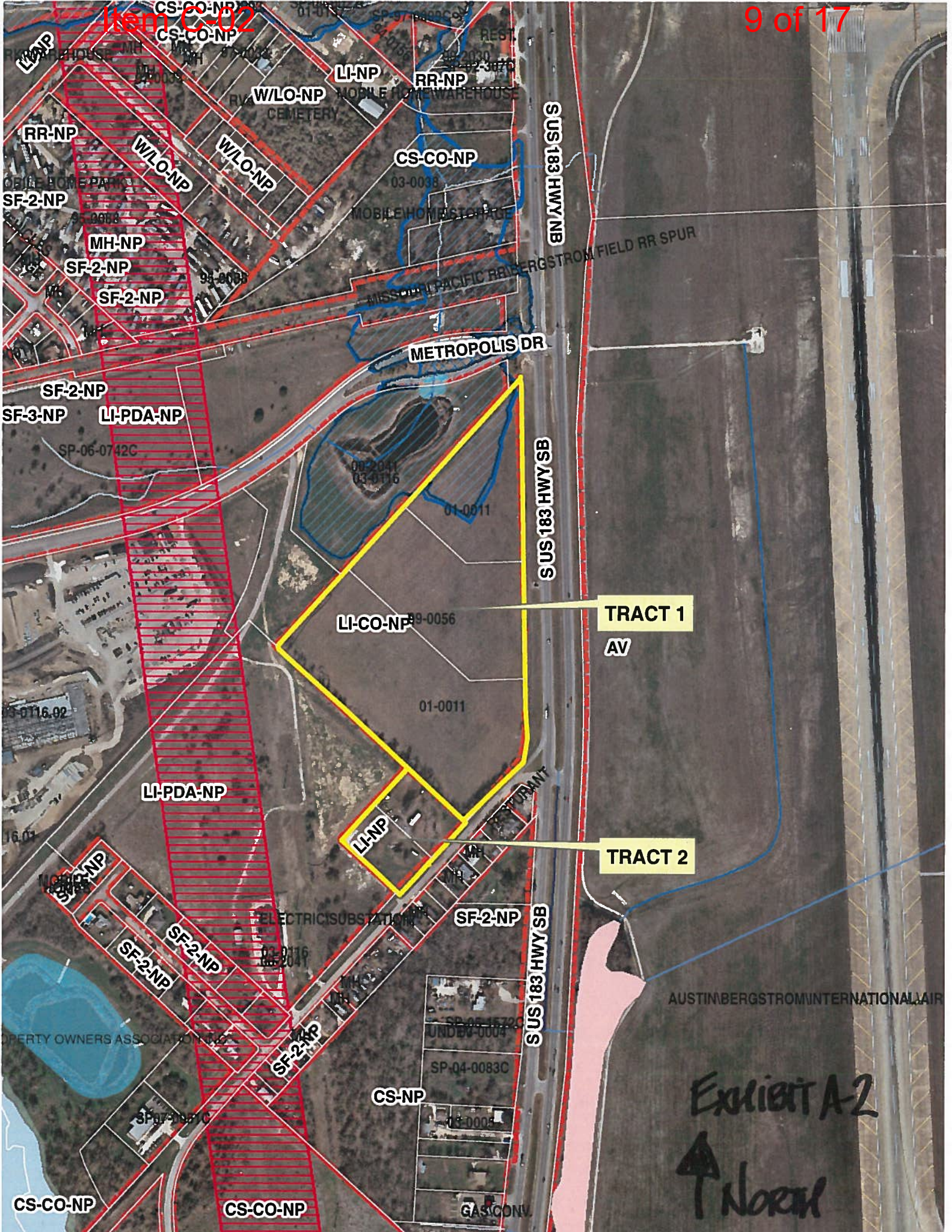
EXHIBIT A-1

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.





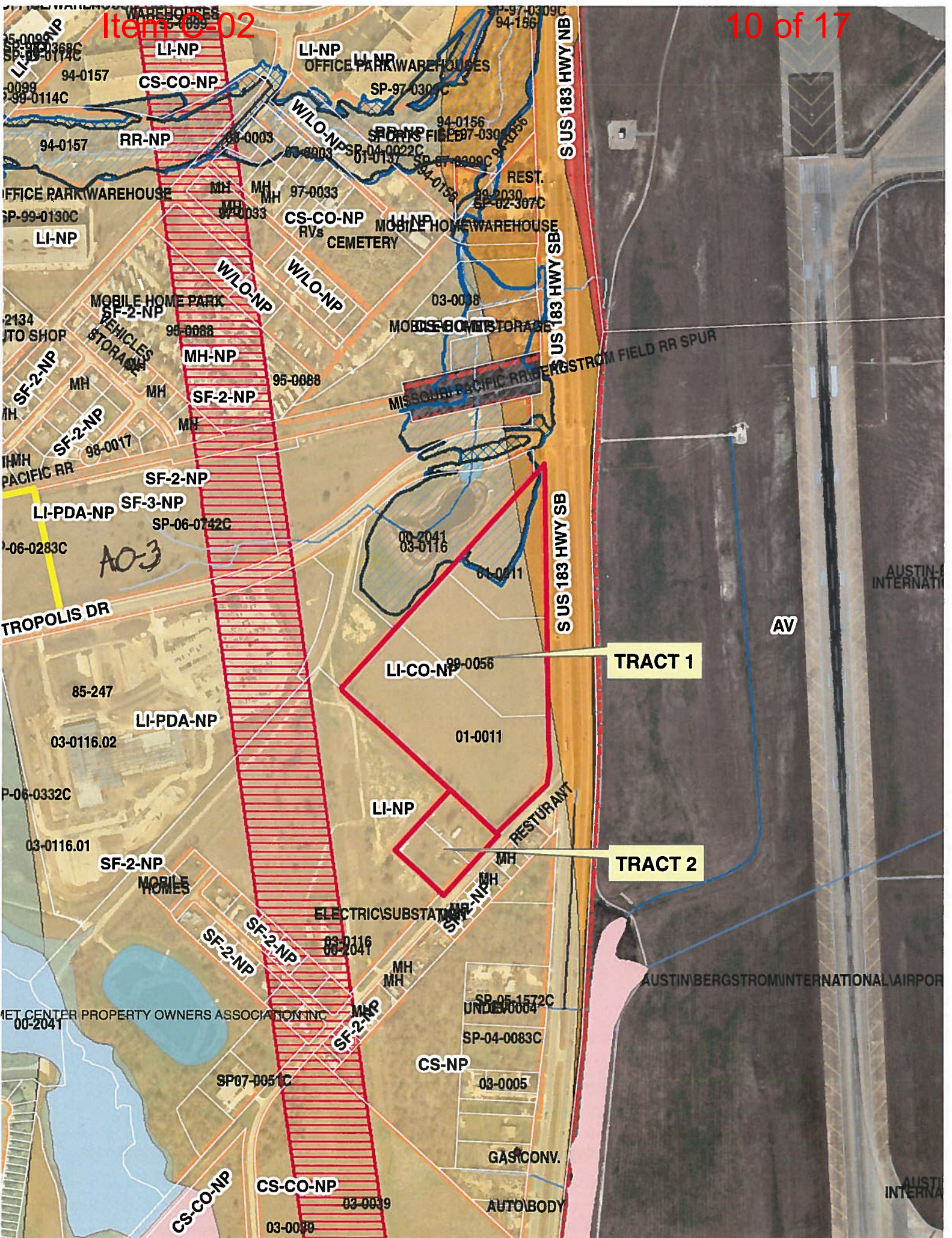
TRACT 1
AV

TRACT 2

AUSTIN BERGSTROM INTERNATIONAL AIR

Exhibit A2

North



SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) combining district zoning. The Planned Development Area allows for all permitted and conditional uses in the LI district, allows for additional uses, prohibits certain uses, allows for LI development standards, and exempts all uses except general retail sales and restaurants from the application of Commercial Design Standards, as further detailed on pages 2 and 3 of this report.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The LI, limited industrial services district designation is for a commercial service use or limited manufacturing use generally located on a medium or large sized site. The PDA, planned development area combining district designation provides for industrial and commercial uses in certain commercial and industrial base districts. The NP, neighborhood plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. Zoning changes should promote compatibility with adjacent and nearby land uses.

3. Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.

Given the presence of similar zoning and warehouse/industrial businesses adjacent to the north and west, and the site's primary frontage on a highway, Staff recommends LI-PDA-NP, as the Applicant requested. The first three components of the PDA are consistent with those originally created for Colorado Crossing. The fourth item is consistent with a 2009 PDA amendment for the Met Center II area and is in response to specific building configuration and high level security requirements of potential end users which require that buildings are set back further from the street. (As information, Commercial Design Standards do not apply to industrial uses, however they do apply to industrial uses with more than 25% office space, and this latter type of development is contemplated for the subject property.) The proposed PDA is adjacent to and consistent with the development standards applicable to Met Center II.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and relatively flat. There are tree lines along the southwest and southeast property lines. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the LI base zoning district would be 80% which is based on the more restrictive zoning regulations.

Comprehensive Planning

This rezoning case is located on the northwest side of McCall Lane and the US Hwy 183 frontage road and concerns an undeveloped parcel that is approximately 25.6 acres in size. This project is also located within the boundaries of the Southeast Combined Neighborhood Planning Area. Surrounding land uses includes undeveloped land to the north; undeveloped land and single family housing to the south; single family housing, a restaurant and undeveloped land to the east; and an office/research facility the west. The proposed use for this property is 350,000 sq. ft. of warehouse/office use, and a 300 room hotel.

Southeast Combined Neighborhood Plan (SECNP)

The SECNP Future Land Use Map (FLUM) classifies this portion of US Hwy 183 as '**Industrial**' which is reserved for manufacturing and related uses that provide employment to the area but is generally not compatible with other areas with a lower intensity use. Industry includes general warehousing, manufacturing, research and development, and storage of hazardous materials. Zone LI is permitted under the Industrial FLUM category. The following design guidelines, text and policies are taken from the SECNP and are applicable to this case:

SECNP Voluntary Design Guidelines for Industrial Districts (p 32)

OBJECTIVE 1: Improve pedestrian access to and through commercial districts.

Guideline 1.1: Industrial properties are encouraged to setback from street frontages as much as possible. Berms and landscaped buffers should be used to screen unattractive activities from the street and adjacent non-industrial districts.

Guideline 1.2: Landscaped buffers along street frontages should include shaded sidewalks or trails.

Guideline 1.3: Where inhabited portions of buildings exist (such as office and lunch rooms) they are encouraged to face the street, and have windows and doors directly accessible to the street.

Guideline 1.4: Parking and shipping/receiving areas should be treated to the same standard as commercial districts

SECNP Policies and Text:

The Southeast Planning Area is primarily industrial yet has pockets of residential areas throughout and some commercial nodes along the major corridors. A great majority of the land in this area is undeveloped, but currently zoned industrial. Due to the airport overlay zone and the proximity of the entire area to the airport, the future land use scenario makes no accommodation for residential uses except for the addition of some commercial/mixed - use. A significant amount of future land uses

are slated for industrial development with corresponding increases in the amount of land suited for commercial and warehouse/limited office type development. (p 46)

Goal 5 - Create land use and zoning recommendations that reflect the existing industrial nature of parts of the planning area. (p 56)

US 183/Austin Bergstrom Int'l Airport Corridor -- With the coming of the airport and a vast amount of growth and development to the south, Hwy 183 will continue to receive more and more traffic volume. The portion of this highway that lies within the Southeast NPA is largely undeveloped and promises to experience significant growth and changes in land use in the coming years. The existence of airport overlay zones prescribes that future residential development in the Southeast area will be minimal. The AO-3 zone restricts new residential development unless it occurs on a residentially - zoned lot that was already platted prior to the enactment of the Zoning Overlay Ordinance. This zone covers an expanse of territory approximately one - half mile from the airport boundary. The Controlled Compatible Land Use Area imposes restrictions on certain types of activities that could interfere with aviation activities (refer to the City of Austin Code Chapter 25-13). The Plan acknowledges the various needs in and around this area, including those of the airport. The land use and zoning recommendations reflect the need to accommodate uses that will facilitate and complement airport activities and provide services to those that use the airport. (pgs 56-57)

Goal 6 - Accommodate a range of land uses that will support the needs of the airport, commuters along US Highway 183, nearby residents, and businesses in the Southeast area, while updating land uses to be compatible with the airport overlay zone (AO-3) ordinance. (p 57)

Objective 6.1 - Provide opportunities for the development of a wider range of land uses via rezonings and/or change of land use designation.

Action Item 11 - Upzone DR-zoned properties in the Southeast Area to allow for a mixture of retail, office and limited industrial-type uses.

Action Item 12 - On the future land use map show residentially-zoned property within the AO-3 airport zone as having a use (commercial, warehouse, office, limited industrial) compatible with the ordinance's land use restrictions for the area.

The goals, policies, actions and text in the SECNP appears to support industrial uses and compatible commercial uses near US 183 and the airport, while also acting as a source of jobs and industry in the planning area. The SECNP Voluntary Design Guidelines also recommends that any industrial development that is located in industrial areas provide appropriate landscaping, shaded sidewalks, push the building back from the road and provide windows in the office areas. Providing landscaping, buffering, and sidewalks is especially needed in this area since there are many homes to the east and south of this project area, which directly abuts this property.

Imagine Austin

The Imagine Austin Growth Concept Map identifies this property as being located within a “**Job Center**.” Page 107 of the IACP states, “**Job centers accommodate those businesses not well-suited for residential or environmentally sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International Airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the Growth Concept Map offers transportation choices such as light rail and bus rapid transit to increase commuter options.**” The following IACP policy also supports business parks: **LUT P20.** Locate industry, warehousing, logistics, manufacturing, and other freight-intensive uses in proximity to adequate transportation and utility infrastructure. The following IACP policies are also applicable to this case:

- **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 include 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 on the property: (1) being located in a designated industrial area on the SECNP FLUM and being within a ‘Job Center’ as specified on the Imagine Austin Growth Concept Map, where industrial and appropriate commercial uses (including hotels) are encouraged; and (2) the Imagine Austin Plan policies referenced above, which supports locating office/warehouses in Job Centers and along highways, staff believes that the proposed warehouse/office and hotel project promotes the Imagine Austin Comprehensive Plan.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Carson Creek and Onion Creek Watersheds of the Colorado River Basin, which are classified as Suburban Watersheds 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 a floodplain adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists 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.

Site Plan and Compatibility Standards

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.

OVERLAYS

This site is within the Scenic Roadway Sign District. All signs must comply with Scenic Roadway Sign District regulations. Contact Viktor Auzenne at 512-974-2941 for more information.

COMPATIBILITY STANDARDS

The site is subject to compatibility standards. Along the southeast property line (and southern portions within 540 feet of Single Family uses) the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.

- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet of height are allowed plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

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

Transportation

No additional right-of-way is needed at this time for McCall Lane.

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for US-183. 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 (TIA) was waived for this case because the proposed PDA zoning will not exceed the trip generation that is allowed under the current zoning. However, a TIA will be required for this development at the time of site plan.

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.