

**ZONING CHANGE REVIEW SHEET****CASE:** C14-2016-0119 (3119 E Howard Lane)**Z.A.P. DATE:** December 20, 2016**ADDRESS:** 3119 East Howard Lane**DISTRICT AREA:** 1**OWNER/APPLICANT:** Peter Pham Phuong**AGENT:** Jeffrey Ashorn**ZONING FROM:** I-RR**TO:** LI**AREA:** 10 acres**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant W/LO, Warehouse Limited Office, zoning.

The staff's recommendation includes a condition that if the requested zoning is granted, then 57 feet of right-of-way should be dedicated existing centerline of E. Howard Lane through a street deed to the City of Austin prior to third reading of this zoning case at City Council in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

**ZONING AND PLATTING COMMISSION RECOMMENDATION:****DEPARTMENT COMMENTS:**

The property in question is currently undeveloped. The applicant is requesting permanent zoning for this site. This property was annexed by the City of Austin on December 31, 2007 (Case C7a-07-024). Upon annexation the property received an interim rural residence district designation. The applicant is seeking LI, Limited Industrial District, zoning to develop a Light Manufacturing/Warehouse use on the property.

The staff is recommending W/LO, Warehouse Limited Office, zoning for this site. The proposed W/LO-CO zoning will allow for low intensity office and warehouse uses on a tract of land that fronts onto an arterial roadway, East Howard Lane. The zoning will provide a transition across Howard Lane, to the planned residential uses to the north in the platted Cantarra Residential Neighborhood and to the east to the Mixed Residential Area in the Pioneer Crossing PUD.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-SF-4A	Undeveloped
<i>North</i>	I-SF-4A, SF-4A	Undeveloped: Platted Single Family Residential Lots (Cantarra Residential Subdivision)
<i>South</i>	County	Undeveloped
<i>East</i>	PUD (Pioneer Crossing PUD: Mixed Density Residential Designation)	Single Family Residence, Undeveloped
<i>West</i>	County	Single-Family Residence

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

Austin Heritage Tree Foundation  
 Bike Austin  
 Cantarra Homeowners Association, Inc.  
 Friends of Austin Neighborhoods  
 Harris Branch Residential Property Owners Association  
 Homeless Neighborhood Association  
 North Gate Neighborhood Association  
 North Growth Corridor Alliance  
 Pflugerville Independent School District  
 SELTEXAS  
 Sierra Club, Austin Regional Group

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0167 (Cantarra Mixed Use: 13007 Cantarra Drive)	I-RR to LR-MU	3/03/15: Approved staff's recommendation of LR-MU-CO zoning with conditions, adding a new condition to prohibit Off-Site Accessory Parking on the property (6-0, G. Rojas-absent); P. Seeger-1 <sup>st</sup> , R. McDaniel-2 <sup>nd</sup> .	4/16/15: Approved LR-MU-CO zoning, include the conditions of the Planning Commission recommendation, with the exception/removing the fencing prohibition, on first reading (11-0); G. Casar-1 <sup>st</sup> , O. Houston-2 <sup>nd</sup> .  6/11/15: Approved LR-MU-CO zoning on consent on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (11-0); A. Kitchen-1 <sup>st</sup> , P. Renteria-2 <sup>nd</sup> .
C14-2008-0127 (Cantarra Commercial Zoning: 3112 ½ Gregg Lane)	I-SF-4A to GR* *On January 7, 2009, the staff received an e-mail from the applicant stating that they would like to amend their zoning request to the 'LR' district (Attachment A). Neighborhood Commercial zoning will permit the uses	1/20/09: Approved staff recommendation of LR zoning with conditions by consent (4-0, K. Jackson, T. Rabago, R. Evans-absent)	2/26/09: The public hearing was closed neighborhood commercial (LR) district zoning with TIA conditions was approved on consent on Council Member Morrison's motion, Council Member Cole's second on a 6-0 vote. Mayor Wynn was off the dais.  2/25/10: Case expired per LDC Section 25-2- 246(B). The applicant did not submit Corporate Authorization information as to who could sign the public restrictive

	that they have listed on their TIA submittal for this case.		covenant document for the TIA for this case. Therefore, this zoning case was not scheduled for 2 <sup>nd</sup> /3 <sup>rd</sup> readings to approve an ordinance and public restrictive covenant at City Council.
C14-2008-0013 (Cantarra Zoning: Gregg Lane)	I-SF-4A to Tract 1: SF-4A and Tract 2: GR	5/20/08: Approved staff's recommendation for SF-4A zoning by consent (7-0, J. Martinez-absent); K. Jackson-1 <sup>st</sup> , T. Rabago-2 <sup>nd</sup> .	7/24/08 : Approved SF-4A zoning by consent (5-0, Cole and Shade-off the dais)

**RELATED CASES:** C7a-07-024 (Annexation Case)

**ABUTTING STREETS:**

Cantarra Drive	64'	40'	Collector	No	No	No
E. Howard Lane	108'	70'	Arterial	Yes	Yes; dedicated bike lane	No

**CITY COUNCIL DATE:** January 26, 2017

**ACTION:**

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

2<sup>nd</sup>

3<sup>rd</sup>

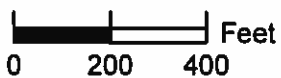
**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

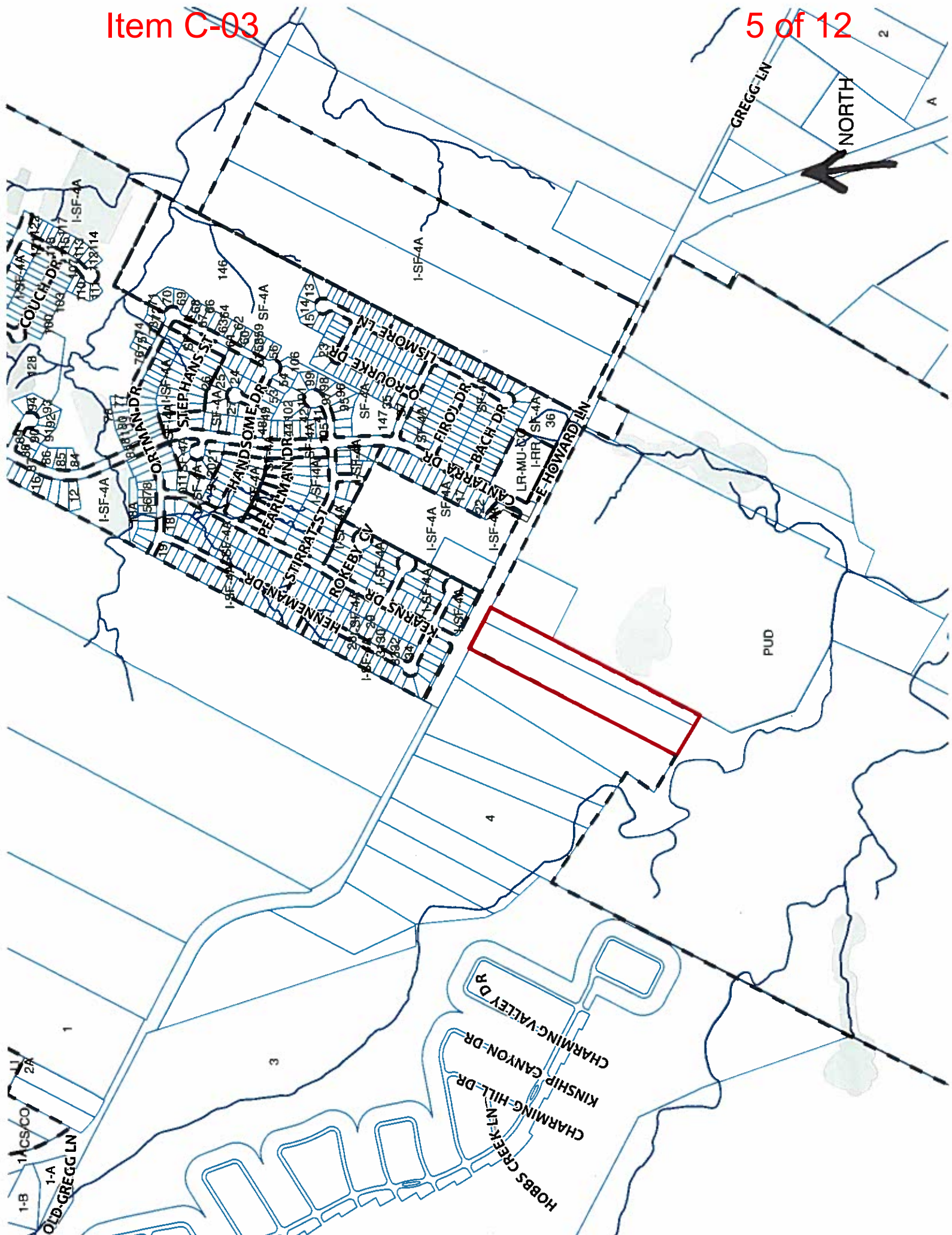
**PHONE:** 512-974-3057,  
[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)



Case#: C14-2016-0119













## STAFF RECOMMENDATION

The staff's recommendation is to grant W/LO, Warehouse Limited Office, zoning.

The staff's recommendation includes a condition that if the requested zoning is granted, then 57 feet of right-of-way should be dedicated existing centerline of E. Howard Lane through a street deed to the City of Austin prior to third reading of this zoning 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 is consistent with the purpose statement of the district sought.*

Warehouse/limited office (W/LO) district is the designation for an office or warehouse use for a building trade or other business that does not require a highly visible location or generate substantial volumes of heavy truck traffic, that generates low or moderate vehicular trips, and that requires less access than a retail use. A W/LO district use may require special measures to be compatible with adjacent uses. A W/LO district use may be located on a site that is adjacent to or near an arterial or major nonresidential collector street, adjacent to a rail line, or near existing or proposed employment uses. A W/LO district use may also be located on a site that functions as a transition between commercial and industrial uses. A W/LO district use may be located adjacent to a residential use only if the density of the residential development is higher than a typical single-family density or if the physical conditions of the site allow for buffering and project design to mitigate potential adverse effects.

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

The W/LO zoning district would allow for a fair and reasonable use of the site because it will permit the applicant to develop a mixture of low intensity office and warehouse uses on a site that fronts onto an arterial roadway, East Howard Lane, adjacent to proposed residential uses to the north and east.

## EXISTING CONDITIONS

### Site Characteristics

The site a under consideration is a sparsely vegetated, undeveloped tract of land.

### Comprehensive Planning

I-RR to LI

October 27, 2016

This zoning case is located on the south side of E. Howard Lane on a vacant parcel that is approximately **10 acres in size**. This property is not located within the boundaries of a Neighborhood Plan Area. Surrounding land uses vacant land and a single family house to the north, vacant land to the south and east, and a single family house to the west. The proposed use is a light manufacturing/warehouse use.

**Connectivity:** Public sidewalks are located along both sides of Howard Lane, which quickly filling up with large single family subdivision. There are no CapMetro transit stops, parks, or retail shopping areas located within walking distance to this site. The Walkscore for this property 3/100, meaning almost all errands are dependent on a car.

### Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located along an **Activity Corridor** (E. Howard Lane). Page 106 of Imagine Austin states: “**Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.**” P. 106

However, the proposed use along this Activity Corridor is light manufacturing/warehouse, which Imagine Austin identifies as ideally being located within **Job Centers**. 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 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 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.
- **LUT P20.** Locate industry, warehousing, logistics, manufacturing, and other freight-intensive uses in proximity to adequate transportation and utility infrastructure.

### Analysis and Conclusion

This section of Howard Lane is quickly transitioning away from a rural road to one that is quickly filling up with large single family subdivisions but contains little in the way of goods and services to



serve people living next to this major corridor. The proposed light industrial/warehouse use along Howard Lane would be located next to an existing single family house and across the street from a platted single family subdivision. According to Imagine Austin, light industrial businesses are “not well-suited for residential or environmentally sensitive areas.” Although this Activity Corridor has large parcels of vacant land, and a few light industrial uses going west on Howard Lane, the Plan clear states that “**shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices**” are appropriate uses, but not light industrial/warehouse/freight intensive uses (which are more suited to be located within industrial parks or in Job Centers.) Based upon the proposed light manufacturing/warehouses use, this project appears to be only partially supported by Imagine Austin because of the existing light industrial uses already situated along Howard Lane (but not near this location), although a light industrial/warehouse uses is not characteristic of an Activity Corridor.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Harris Branch 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.

According to floodplain maps, there is a floodplain adjacent to the project location and a Critical Water Quality Zone partially 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.

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

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%

Note: The most restrictive impervious cover limit applies.

### **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 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 E. Howard Lane. If the requested zoning is granted, then 57 feet of right-of-way should be dedicated existing centerline of E. Howard Lane in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

A traffic impact analysis (TIA) has been deferred to the site plan stage when more details of land use(s) and land use intensities are available. A TIA will be required at the time of site plan if the development exceeds 2000 trips per day as a single project or cumulatively if built as two projects or more.

Chad Crager, 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.

## Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
E. Howard Ln.	108'	70'	Arterial	Yes	Yes; dedicated bike lane	No

**Water and Wastewater**

FYI: The landowner intends to serve the site with City of Austin water and an onsite sewage facility. 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 and or onsite sewage facility 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, impact and OSSF fees once the landowner makes an application for a City of Austin water and utility tap or OSSF permit.





REPLACEMENT  
SHEET  
REVISION 5  
DATE: 04/19/07  
SHEET 6 OF 6

Comparison Analysis

Item	Proposed	Existing	Notes
1. Land Area	100.00	100.00	
2. Impervious Area	10.00	10.00	
3. Pervious Area	90.00	90.00	
4. Total Area	100.00	100.00	
5. Impervious Ratio	10.00%	10.00%	
6. Pervious Ratio	90.00%	90.00%	
7. Total Area	100.00	100.00	
8. Impervious Area	10.00	10.00	
9. Pervious Area	90.00	90.00	
10. Total Area	100.00	100.00	

Property  
in question

LEGEND  
IMPERVIOUS  
PERVIOUS  
NODES  
CONSERVATION  
EASEMENT  
100 YR FLOOD  
WATER QUALITY  
TRANSITION ZONE

PIONEER CROSSING  
ADMINISTRATIVE P.U.D. REVISION  
HIKE AND BIKE NETWORK PLAN  
EXHIBIT F (REVISED 11-09-06) a-9-07

LAND USE SUMMARY

Land Use	Area (Ac.)
COMMERCIAL/RETAIL	10.56
PUBLIC PARK	0.30
MIXED DENSITY RESIDENTIAL	109.95
OPEN SPACE/COMM. REC.	13.2
<b>TOTAL</b>	<b>34.06</b>



SECTION: HIKE AND BIKE LANE  
DATE: 11/09/06  
DRAWN BY: J. L. JERRY  
CHECKED BY: J. L. JERRY

PRIME INCOME  
AMERICAN REALTY  
TELEST. INC. & ASSOCIATES, INC.  
1001 S. VALLEY VIEW LN.  
SUITE 100  
DALLAS, TX 75241

