

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0105 / 3920 S. IH 35 **P.C. DATE:** January 24, 2017

ADDRESS: 3920 S. IH 35 SB **AREA:** 1.13 acres

OWNER: 3920 IH 35 Holdings, LTD. (Jimmy Nassour)

APPLICANT: Alice Glasco Consulting (Alice Glasco)

NEIGHBORHOOD PLAN AREA: Greater South River City Combined Neighborhood Plan

ZONING FROM: General Office - Neighborhood Plan (GO-NP).

ZONING REQUEST TO: General commercial services – Vertical mixed use – Conditional overlay – Neighborhood plan (CS-MU-V-CO-NP).

STAFF RECOMMENDATION:

Staff recommends General commercial services- Conditional overlay – Neighborhood plan (CS-CO-NP).

Conditional Overlay will restrict the site to 2000 vehicle trips and prohibit the following uses:

Adult-Oriented Business

Alternative Financial Services

Bail Bonds

Pawn Shop Services

DEPARTMENT COMMENTS:

This property is located just to the north of E. Ben White Blvd/Hwy 71 E on the southbound access road of Interstate 35. It is undeveloped with office buildings to the north and south, a cemetery to the west and office to the east across Interstate 35. The site is flat with light vegetation. It is not impacted or adjacent to a flood plain or creek buffer nor is it subject to compatibility standards. The applicant is proposing to build a mixed use development and requests the vertical (V) designation in order to use the density bonus provision and provide affordable housing units.

While researching the zoning history of the property there were some discrepancies found. The ordinance for the adoption of the Greater South River City Neighborhood Plan lists the previous zoning as SF-3. However, in 1993, zoning case C14-93-0156 changed the zoning from SF-3 to GR. At that time, the I-35/E. Ben White Blvd/Hwy 71 interchange had not been constructed. There was a large CS tract at the intersection. That property was used for the subsequent highway interchange expansion and access road.

Because of the proximity to a major highway interchange staff supports the change to general commercial services (CS). However, we do not recommend a residential use adjacent to a highway for health reasons (air and noise). Additionally, the access road is not a designated core-transit corridor where vertical mixed use is intended.

ISSUES:

The applicant does not agree with the staff recommendation to prohibit a residential use. The adjacent property owner to the south has concerns regard off-site parking if a multifamily

development occurs and requests a fence and vegetative buffer along the southern boundary of 3920 S. IH-35 whether mixed use is granted or not.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|------------------------|
| <i>Site</i> | GO-NP | Undeveloped; |
| <i>West</i> | P-NP | Cemetery |
| <i>North</i> | GO-NP | Office |
| <i>East</i> | GR-NP | I-35 ROW, Office (IRS) |
| <i>South</i> | GR-NP | Office |

TIA: Not required. The applicant has agreed to limit the site to 2000 trips/day.

WATERSHED: Blunn Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Southeast Austin Neighborhood Alliance
 Crossing Gardenhome Owners Assn. (The)
 Austin Neighborhoods Council
 East Riverside / Oltorf Neighborhood Plan Contact
 Homeless Neighborhood Assn.
 Bike Austin
 Austin Parks Foundation
 Sierra Club, Austin Regional Group
 Catholic Cemetery Association
 Del Valle Community Coalition
 Friends of Austin Neighborhoods
 Austin Heritage Tree Foundation
 SEL Texas
 GO Austin/Vamos Austin (GAVA)-Dove Springs
 Greater SRCC Neighborhood Planning Team
 Preservation Austin
 South Austin Commercial Alliance
 South Central Coalition
 South River City Citizens Association
 Zoning Committee of South River City Citizens

SCHOOLS:

Galindo Elementary School Fulmore Middle School Travis High School

ABUTTING STREETS, SERVICES, & FACILITIES:

| Name | ROW | Pave- ment | Classifi- cation | Side- walks | Bus Service | Bicycle Plan |
|-------------|------------|-----------------------|-----------------------------|------------------------|--------------------|---------------------|
|-------------|------------|-----------------------|-----------------------------|------------------------|--------------------|---------------------|

| | | | | | | |
|----------------------|-------------|--------|---------------------|-----------------------------|---|-----|
| South IH-35 SB | 585 feet | Varies | Freeway- 6 lanes | Yes - on service road | Yes 300 on E. Ben White Access Road. | Yes |
|----------------------|-------------|--------|---------------------|-----------------------------|---|-----|

ZONING CASE HISTORIES:

| NUMBER | REQUEST | LAND USE COMMISSION | CITY COUNCIL |
|--|-------------------|---|------------------------------|
| SITE | | | |
| 3920 S IH-35 C14-05-0138 SRCC Neighborhood Plan | SF-3 to GO- NP | Recommended GO- NP | Approved GO-NP; 9/29/2005 |
| C14-93-0156 3920-3926 S. IH-35 SB Service Road | SF-3 to GR | Recommended GR- CO (2000 trip limitation) | Approved GR-CO 7/28/1994 |

| NUMBER | REQUEST | LAND USE COMMISSION | CITY COUNCIL |
|---|-----------------------|--------------------------|--|
| WEST | | | |
| Assumption Cemetery C14-05-0138 SRCC Neighborhood Plan | P to P-NP | Recommended P-NP | Approved P-NP; 9/29/2005 |
| Assumption Cemetery 3650 S. IH-35 Service | SF-3 to P | Recommended P | Approved P; 12/1/1994 |
| NORTH & EAST | | | |
| 3910 S. IH-35 C14-05-0138 SRCC Neighborhood Plan | LR to GO-NP | Recommended GO- NP | Approved GO-NP; 9/29/2005 |
| 3910 S IH-35 C14R-84-058 | A to LR | Recommended LR | Approved; LR (Included site plan); 06/7/1984 |
| IRS 3651 S. IH 35 NB Service Rd | GR to GR-NP | Recommended GR- NP | Approved GR-NP; 11/16/2006 |
| SOUTH | | | |
| 4020 S. IH-35 C14-05-0138 SRCC Neighborhood Plan | GR to GR-NP | Recommended GR- NP | Approved GR-NP; 9/29/2005 |
| 4000 S. IH-35 C14-05-0138 SRCC Neighborhood Plan | GO-CO to GO- CO-NP | Recommended GO- CO-NP | Approved GO-CO-NP 9/29/2005 |

CITY COUNCIL DATE:

Scheduled for consideration February 16, 2017

ORDINANCE READINGS:1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Andrew Moore**PHONE:** 512-974-7604

e-mail address: andrew.moore@austintexas.gov

DSD Transportation Review - Leo Xu - (512) 974-2881

- TR1. FYI, additional right-of-way maybe required at the time of subdivision and/or site plan.
- TR2. A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113. LDC, Sec. 25-6-113.
- TR3. FYI, 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.
- TR4. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a wide curb bike facility is recommended for S. IH 35 Frontage Road.
- TR5. Existing Street Characteristics:

| Name | ROW | Pavement | Classification | Sidewalks | Bike Route | Capital Metro (within ¼ mile) |
|------------------------|------|----------|-----------------|-----------|------------|----------------------------------|
| S. IH 35 Frontage Road | 585' | Varies | Freeway 6 Lanes | Yes | Yes | Yes |

NPZ Environmental Review - Mike McDougal 512-974-6380

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Blunn 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.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

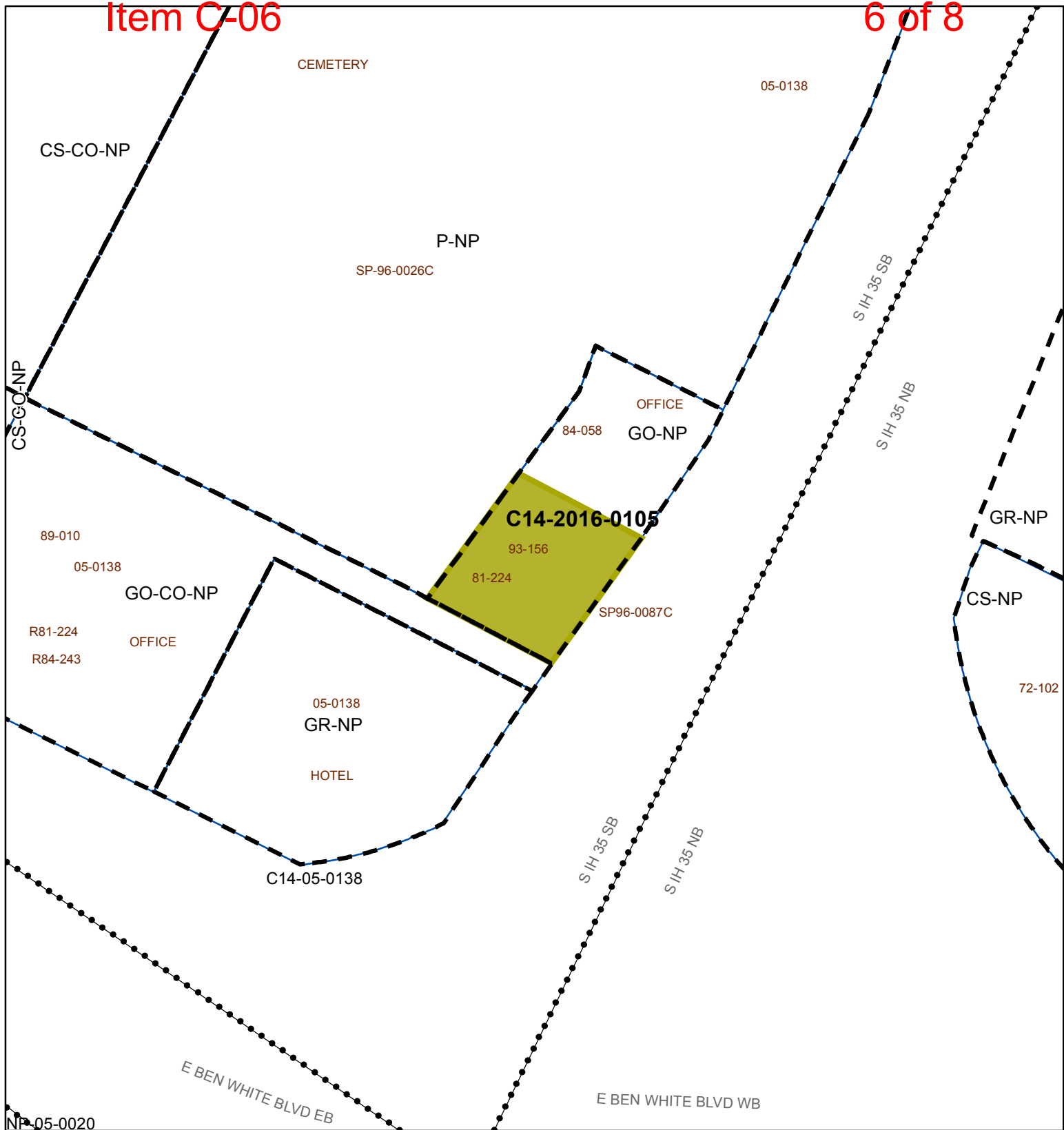
5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please 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.
6. 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 sq.ft. cumulative is exceeded, and on site control for the two-year storm.
7. 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.

NPZ Site Plan Review - Michael Simmons-Smith 512-974-1225

- SP 1. No Site Plan Review comments are offered at this time. Comments will be provided upon submittal and review of engineered plans accompanying the Site Development Permit application(s).

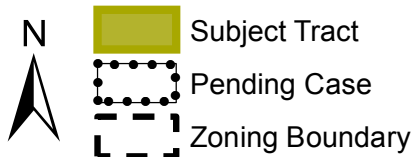
NPZ Austin Water Utility Review - Neil Kepple 512-972-0077

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. A water Service Extension Request will be required and possibly a wastewater service extension request depending on the development plans submitted. 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#: C14-2016-0105



0 200 Feet

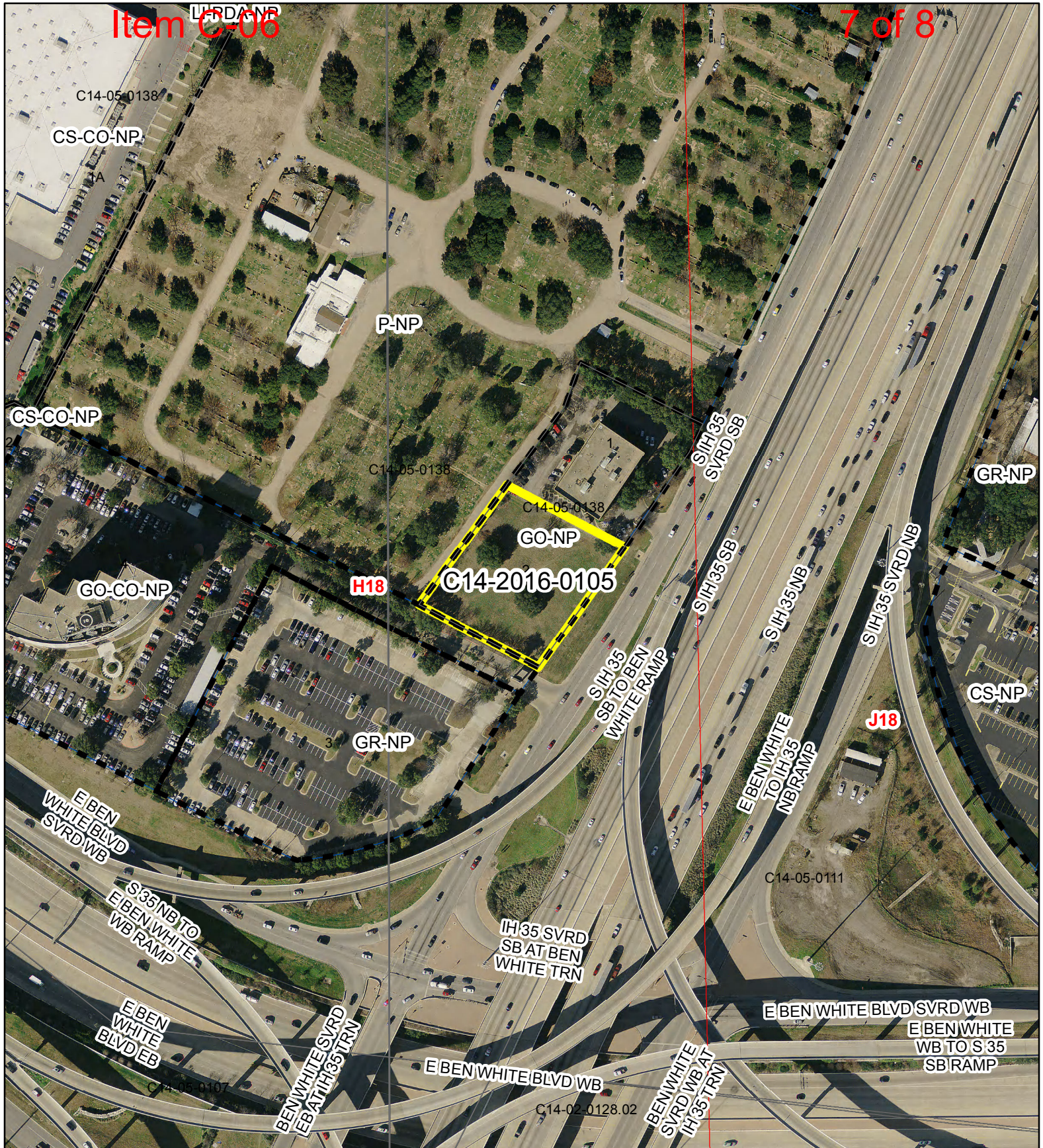
1" = 200'

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 the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 9/22/2016



ZONING

ZONING CASE#: C14-2016-0105
 LOCATION: 3920 SOUTH IH 35
 SUBJECT AREA: 1.13 ACRES
 GRID: H18
 MANAGER: ANDREW MOORE



N



1' = 200'

- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY
- CREEK BUFFER

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

January 17, 2017

City of Austin
Watershed Protection and Planning Department
Attn: Planning and Zoning Commissioners
505 Barton Springs Road
Austin, Texas 78701

RE: Zoning Case C14-2016-0105

Dear Planning Commissioners:

We represent the property owners for the tract located to the south of the proposed zoning case, 3910 South IH35, at the corner of IH35 and Ben White Blvd. Our site has surface parking, which could be used by unauthorized vehicles as overflow parking from a surrounding development and/or commuters into Austin using carpool or bus transportation into the downtown area. We currently have security to help minimize this problem.

We have reviewed the request to change from GO-NP to CS-MU-V-NP and discussed the proposed zoning case with the applicant's agent and with the neighborhood representatives. We would prefer commercial use for the following reasons.

A proposed use or conceptual site plan has not been presented, so we have taken into consideration the possible use which would cause us concern with the MU-V portion of the change. We do not have a problem with the change to CS-NP. Our concerns for the MU-V portion would include the possibility of developing multi-family residential on this site.

Traffic and parking: Our concern is the possible increase of overflow parking issues arising from multifamily development tenants, especially given that the developer may have the opportunity of a decrease in parking requirements. Pedestrian traffic through our property, especially residential, would also be a concern.

We ask that regardless of which zoning the Planning Commission recommends, that a condition be included to require a structural barrier/fencing and vegetation along the southern portion of the abutting property line.

We appreciate your time and consideration of our concerns.

Sincerely,



Annette Grimm
4737 West Emerson St.
Seattle, WA 98199
206-947-0398

Representative for the Southfield Building Property Owners