

**ZONING CHANGE REVIEW SHEET****CASE:** C14-2017-0050 – Airport Commerce II Rezoning**P.C. DATE:** June 13, 2017  
July 11, 2017  
August 8, 2017  
August 22, 2017  
September 12, 2017  
September 26, 2017  
October 24, 2017  
November 28, 2017  
January 9, 2017**ADDRESS:** 1501 Airport Commerce Drive**DISTRICT AREA:** 3**OWNER/APPLICANT:** W2Hill ACP II LP**AGENT:** Thrower Designs/Ron Thrower**ZONING FROM:** CS-CO-NP**TO:** CS-CO-NP, to change a condition of zoning**AREA:** 13.42 acres**SUMMARY STAFF RECOMMENDATION:**

Recommend CS-CO-NP with a removal of the Floor to Area restriction.

**PLANNING COMMISSION RECOMMENDATION:*****JULY 11, 2017 – APPROVED POSTPONEMENT REQUEST BY STAFF TO AUGUST 8, 2017.******VOTE 13-0 [J. SCHISSLER 1<sup>ST</sup>, P. SEEGER 2<sup>ND</sup>].******AUGUST 8, 2017- APPROVED POSTPONEMENT REQUEST BY STAFF TO AUGUST 22, 2017.******VOTE 10-0 [N. ZARAGOZA 1<sup>ST</sup>, P. SEEGER 2<sup>ND</sup>, ABSENT – K. MCGRAW, T. WHITE, J. VELA].******AUGUST 22, 2017- APPROVED POSTPONEMENT REQUEST BY STAFF TO SEPTEMBER 12,******2017. VOTE 11-0 [J. SCHISSLER 1<sup>ST</sup>, K. MCGRAW 2<sup>ND</sup>, ABSENT – T. NUCKOLS, P. SEEGER].******SEPTEMBER 12, 2017 - APPROVED POSTPONEMENT REQUEST BY STAFF TO SEPTEMBER******26, 2017 ON CONSENT, VOTE 13-0 [P. SEEGER 1<sup>ST</sup>, J. SHIEH 2<sup>ND</sup>].******SEPTEMBER 26, 2017 - APPROVED POSTPONEMENT REQUEST BY THE APPLICANT TO******OCTOBER 24, 2017 ON CONSENT, VOTE 10-0 [J. SCHISSLER 1<sup>ST</sup>, J. SHIEH 2<sup>ND</sup> ABSENT F.******KAZI, K. MCGRAW, T. WHITE].******OCTOBER 24, 2017- APPROVED POSTPONEMENT REQUEST BY THE APPLICANT TO******NOVEMBER 28, 2017 ON CONSENT, VOTE 12-0 [N. ZARAGOZA 1<sup>ST</sup>, P. SEEGER 2<sup>ND</sup>, ABSENT – G. ANDERSON].******NOVEMBER 28, 2017 – APPROVED POSTPONEMENT REQUEST BY THE APPLICANT TO******JANUARY 9, 2017 ON CONSENT, VOTE 11-0 [P. SEEGER 1<sup>ST</sup>, N. ZARAGOZA 2<sup>ND</sup>, ABSENT – K. MCGRAW, J. VELA].*****DEPARTMENT COMMENTS:** The property is located on the Ben White Boulevard access road just west of the intersection of Bastrop Highway/US Highway 183 South and US HWY 71 East within the Montopolis Neighborhood Planning Area. The request is to remove a conditional overlay provision which restricts the site to a floor-to-area ratio (FAR) of .3 to 1. Staff supports removing the

restriction. The unrestricted FAR for commercial services is 2 to 1. This property is part of a platted lot which was originally zoned commercial services-conditional overlay (CS-CO) in 1992. The property can take access to Airport Commerce Drive in addition to E. Ben White Boulevard. It is also located within Airport Overlay Zone 3 which permits commercial and industrial uses and prohibits new residential development to occur.

The development on Airport Commerce Drive consists of hotels and a business park. The two properties adjacent to the west have also had the FAR restriction removed within the past 3 years. The East Riverside Corridor area stops at John Glenn Way. Across Highway 71 to the south are hotels, restaurants, a service station and a mobile home park (LI-NP, CS-NP), hotels are to the west (CS-CO-NP & ERC) and to the north, across Airport Commerce (business park/warehouse) are CS-CO-NP. ERC-corridor mixed use has a 2 to 1 FAR without density bonuses so the requested change would be consistent with the adjacent properties which previously had the same FAR restrictions from the 1992 zoning case.

**ISSUES:**

None at this time.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS-CO-NP	Undeveloped
<i>North</i>	CS-CO-NP	Business park/warehouse
<i>East</i>	ROW	US 71 & US 183
<i>South</i>	CS-NP, LI-NP	Restaurants, Service Station, Mobile Home Park
<i>West</i>	CS-CO-NP	Hotel and undeveloped

**NEIGHBORHOOD PLANNING AREA:** Montopolis

**TIA or NTA:**

**WATERSHED:** Carson Creek Watershed (Suburban).

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

Airport Commerce Park Owners Association/Chandler Association  
 Austin Heritage Tree Foundation  
 Austin Independent School District  
 Austin Neighborhood Council  
 Carson Ridge Neighborhood Association  
 Del Valle Community Coalition  
 Del Valle Independent School District  
 Dove Springs Neighborhood Association  
 Dove Springs Proud  
 East Austin Conservancy  
 El Concilio Mexican-American Neighborhoods  
 Friends of Austin Neighborhoods  
 GO! AUSTIN/VAMOS! AUSTIN – Dove Springs  
 Homeless Neighborhood Association  
 Montopolis Area Neighborhood Alliance

Montopolis Community Alliance  
 Montopolis Neighborhood Association  
 Montopolis Neighborhood Plan Contact Team  
 Montopolis Tributary Trail Association  
 Onion Creek Homeowners Association  
 Pleasant Valley  
 Preservation Austin  
 Sierra Club Austin Regional Group  
 Southeast Austin Neighborhood Alliance  
 Southeast Combined Neighborhood Plan Contact Team  
 Southeast Corner Alliance of Neighbors  
 Southpark Neighbors

**SCHOOLS:** Del Valle HS, Ojeda MS, Smith Elementary.

**CASE HISTORIES FOR THIS PROPERTY**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-01-0060 1501 Airport Commerce Dr.	Montopolis Neighborhood Plan CS-CO to CS-CO-NP	To Grant CS-CO-NP	Approved (9-27-01)
C14-86-316 1501 Airport Commerce Dr.	SF-2 to CS-CO	To Grant CS-CO	Approved (2-13-1992)

**CASE HISTORIES FOR SURROUNDING PROPERTIES**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2015-0162	CS-CO-NP to CS-CO-NP to remove the FAR restriction.	Recommended CS-CO-NP	Approved CS-CO-NP (5-12-2016)
C14-2014-0093, 1507 Airport Commerce	CS-CO-NP to CS-CO-NP change a condition	To Grant – CS-CO-NP	Approved (8-28-2014)
C14-2012-0112, 1611 Airport Commerce	CS-CO-NP to ERC	To Grant – ERC	Approved (5-9-2013)
C14-2007-0126 1611 Airport Commerce	CS-CO-NP to CS-CO-NP, to remove the FAR limit within the conditional overlay	To Grant	Approved (10-11-2007)
C14-2007-0122 Airport Commerce 13 – 7600-7812 E. Ben White; 1707,	CS-CO-NP to CS-CO-NP, to remove the FAR limit	To Grant	Approved (10-11-2007)

**ABUTTING STREETS:**

**CITY COUNCIL DATE:** February 15, 2018      **ACTION:**

**ORDINANCE NUMBER:**

### **DEVELOPMENT STAFF REVIEW COMMENTS**

CS-CO-NP to CS-CO-NP

**Connectivity:** Public sidewalks are located intermittently along Airport Commerce Drive. There is a CapMetro transit stop located on E. Riverside Road but the transit stop is inaccessible from the subject property due to no public sidewalks being located along Airport Commerce Drive. The Walkscore for this property 12/100, meaning almost all errands require a car.

## Montopolis Neighborhood Planning (MNA)

The MNP Future Land Use Map (FLUM) classifies this property as ‘*Commercial*’ which is intended for retail sales, services, motels/hotels, and all recreational services that are predominately privately owned and operated for profit. This FLUM category is intended to encourage employment centers, commercial activities, and other non-residential development. The following text, and policies taken from the MNP are applicable to this case:

**Goal 1: Improve the Quality of Life in Montopolis through Land Use and Zoning Decisions (p 13)**

**Objective 3:** Focus the highest intense commercial and industrial activities along Ben White Drive and U.S. Hwy 183. Airport-related businesses and services should be located at Austin-Bergstrom International Airport or along Ben White or U.S. 183. (p 14)

**Action 11:** Zone the properties along 183 and Ben White to allow commercial or limited industrial uses along these major corridors.

The MNP FLUM and policies above appear to support commercial businesses in this portion of the planning area.

### **Imagine Austin**

The Imagine Austin Growth Concept Map identifies this project as being by the boundaries of a Town Center. Town Centers are less urban than a regional center, but more dense than a neighborhood center and are intended to have a variety of housing types; a range of employers with regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas.

The following Imagine Austin policies are relevant 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 P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

Based upon: (1) the property being located by a Town Center as identified on the Growth Concept Map, which supports commercial and office land uses; (2) existing commercial and light industrial land uses that abut the subject property; and (3) the Imagine Austin policies referenced above that supports a mix of land uses, including commercial, this proposed project appears to be supported by the Imagine Austin Comprehensive Plan.

### ***NPZ Environmental Review – Atha Phillips 512-974-6380***

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Carson Creek 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.
2. 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%

1. According to floodplain maps there is no floodplain within or adjacent to the project location.

2. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
3. Numerous 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.
4. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.
5. 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.

**DSD Transportation Review - Natalia Rodriguez - 512-974-3099**

- TR1. Per the Austin Transportation Department and Texas Department of Transportation, the traffic impact analysis completed with zoning case C14R-86-316 shall be revised with this proposed zoning application. Please contact Scott James (Scott.James@austintexas.gov) to discuss the TIA scope of study and submittal requirements. The zoning application is not complete until the revised TIA has been received. This delay in the submittal of the TIA may result in a delay in the scheduling of this zoning change request on a Land Use Commission agenda. [LDC, 25-6-113]
- TR2. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.
- TR3. Additional right-of-way maybe required at the time of subdivision and/or site plan.
- TR4. Janae Ryan, 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.
- TR5. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, an urban trail is recommended for SH 71 and US 290.
- TR6. FYI – The existing sidewalks along US 290/SH 71 shall be reconstructed to City of Austin standards unless approved by the Texas Department of Transportation.
- TR7. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Airport Commerce	90 ft.	24 ft. divided	Collector	Yes, one side	No	No

Drive						
US 290/SH 71	450 ft.	20 ft. (frontage road)	Arterial	Yes	Yes, wide shoulder	No

### **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.

### **Storm Water 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 Storm water Management Program if available.

### **NPZ Site Plan Review – Lynda Courtney 512-974-2810**

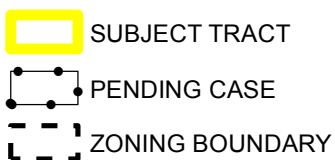
#### **SITE PLAN REVIEW OF ZONING CASES**

- SP 1 Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. Airport Commerce Drive is an Urban Roadway.
- SP 2 This property is within the Airport Overlay Zone AO-3. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Section 25-13-23, are prohibited. Noise level reduction measures may be required for certain new structures. For more information, contact Kane Carpenter, Noise Abatement Officer at (512) 530-6621.



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$$1'' = 375'$$



This map has been produced by the Planning and Zoning Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:  
[www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2017-0050

Contact: Andrew Moore, 512-974-7604

Public Hearing: June 13, 2017, Planning Commission  
August 3, 2017, City Council

Michael W Burns

Your Name (please print)

31 Oltos Dr Austin, TX 78744

☐ I am in favor  
☒ I object

Your address(es) affected by this application

Michael W. Burns

Signature

6-6-17

Date

Daytime Telephone: 512-385-5256

Comments:

2m 66 years old, handicapped, lives SSDI  
don't have the money

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Andrew Moore

P. O. Box 1088

Austin, TX 78767-8810