

SECOND AND THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2017-0109 – J. D. Warehouse

DISTRICT: 1

REQUEST: Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 6506 Decker Lane (Elm Creek Watershed). To rezone from community commercial (GR) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning.

DEPARTMENT COMMENTS: The following modifications were made at first reading: agricultural sales and services, food preparation, plant nursery, and indoor crop production shall remain permitted land uses.

OWNER: Gold A&A Inc. (Adam Ahmad)

AGENT: Moncada Enterprises (Phil Moncada)

DATE OF FIRST READING: First reading approved on December 14, 2017. Vote: 8-0-3 [*L. Pool – 1st; O. Houston – 2nd; A. Alter, D. Garza, E. Troxclair – Off dais*]

CITY COUNCIL HEARING DATE: February 1, 2018

CITY COUNCIL ACTION: 1st reading- 12/14/2017

ORDINANCE NUMBER:

ASSIGNED STAFF: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0109
J.D. Warehouse

Z.A.P. DATE: December 5, 2017;
November 7, 2017

ADDRESS: 6506 Decker Lane

AREA: 2.512 acres

DISTRICT AREA: 1

OWNER/APPLICANT: Gold A&A Inc. (Adam Ahmad)

AGENT: Moncada Enterprises (Phil Moncada)

DESIRED DEVELOPMENT ZONE: Yes

WATERSHED: Elm Creek
(Suburban)

ZONING FROM: GR

TO: LI

SUMMARY STAFF RECOMMENDATION:

Staff does not support the request to rezone the subject property to Limited industrial (LI) district zoning. Staff recommends rezoning the subject property to General commercial services (CS) district zoning. The Applicant supports the Staff recommendation of CS district zoning.

ZONING & PLATTING COMMISSION RECOMMENDATION:

December 5, 2017: *TO GRANT CS-CO, WITH THE FOLLOWING CONDITIONS: ADULT-ORIENTED BUSINESSES, AGRICULTURAL SALES AND SERVICES, ALTERNATIVE FINANCIAL SERVICES, BAIL BOND SERVICES, BUILDING MAINTENANCE SERVICES, CAMPGROUND, CONSTRUCTION SALES AND SERVICES, DROP-OFF RECYCLING COLLECTION FACILITY, ELECTRONIC PROTOTYPE ASSEMBLY, ELECTRONIC TESTING, EQUIPMENT REPAIR SERVICES, EQUIPMENT SALES, FOOD PREPARATION, MAINTENANCE AND SERVICE FACILITIES, TRANSITIONAL HOUSING, TRANSPORTATION TERMINAL, KENNELS, LAUNDRY SERVICES, MONUMENT RETAIL SALES, PAWN SHOP SERVICES, PLANT NURSERY, VEHICLE STORAGE, VETERINARY SERVICES, CUSTOM MANUFACTURING, AND INDOOR CROP PRODUCTION SHALL BE PROHIBITED LAND USES. (9-0-1-1) [B. Greenberg – 1st; J. Duncan – 2nd; S.Lavani- Absent; and 1 vacant position]*

November 7, 2017: *TO BE POSTPONED TO DECEMBER 5, 2017, AS REQUESTED BY ZONING AND PLATTING COMMISSION, ON CONSENT. (7-0-4) [B. Greenberg – 1st; S. Trinh – 2nd; J. Kiobassa, A. Aguirre, D. Breithaupt, A. Denkler- Absent]*

ISSUES:

Austin Fire Department (AFD) has reviewed the proposed rezoning and land use of Limited warehousing and distribution, to determine if any hazardous materials are planned on the property. The Applicant has stated that the warehouse is intended for grocery-related storage, and no hazardous materials are planned. AFD has signed off on the proposed rezoning; AFD will continue to be involved in the process through the site plan and building permit process. The proximity of residential zoned property and land uses triggered the detailed review by AFD. *(Please see Exhibit A- Fire Review Correspondence).*

DEPARTMENT COMMENTS:

The subject property is located slightly southwest of the intersection of Decker Lane and Loyola Lane. The property is proposed to be incorporated as part of the development that is immediately southwest of the intersection of Decker Lane and Loyola Lane. The property at the corner of Decker

and Loyola is currently developed with a convenience store and grocery, and are zoned GR. The proposed warehouse on the rezoning tract would serve these uses, and would take access to Decker Lane through the grocery store site.

Immediately south of the subject property is a property that is located in Travis County and developed with commercial use. A vacant residence is located approximately 320 feet southeast of the rezoning tract, and an occupied residence is located slightly further. The nearest residential neighborhood is approximately 650 feet to the north, across Decker Lane. Further south and southwest of the rezoning tract is Hidden Valley, a subdivision that is mostly located in Travis County. The portion of Hidden Valley closest to the rezoning tract are used for commercial and warehousing/distribution uses. Approximately 1000 feet southwest of the rezoning tract is Hidden Valley mobile home park, which is inside the City limits and zoned MH. West of the property is undeveloped land zoned GR. Further west, across a critical water quality zone (CWQZ), is undeveloped land zoned MF-2. The MF-2 property is 300-500 feet from the rezoning tract. North of the rezoning tract is undeveloped land zoned GR. The proximity of residential zoned property and land uses triggered the detailed review by AFD. AFD has signed off on the proposed rezoning; AFD will continue to be involved in the process through the site plan and building permit process. *(Please see Exhibits B and C- Zoning Map and Aerial Exhibit)*. Also attached is an exhibit showing limited warehousing and distribution land uses in the greater vicinity. *(Please see Exhibit D- Land Use Exhibit)*.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits, which supersede zoning impervious cover limits:

| Development Classification | % of Gross Site Area | % of Gross Site Area with Transfers |
|--|----------------------|-------------------------------------|
| Single-Family (minimum lot size 5750 sq. ft.) | 50% | 60% |
| Other Single-Family or Duplex | 55% | 60% |
| Multifamily | 60% | 70% |
| Commercial | 80% | 90% |

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|-------|---------------|--|
| Site | GR | Undeveloped |
| North | GR | Undeveloped |
| South | Travis County | Vacant residential, Commercial, Industrial |
| East | GR | Convenience store, Grocery |
| West | GR | Undeveloped |

RELATED CASES:

| NUMBER | REQUEST | STAFF RECOMMENDATION | COMMISSION | CITY COUNCIL |
|---|---------------------------------------|---|---|--|
| C14-2016-0016 Loma Vista | LI-CO to MH | MH-CO (CO included sidewalks, connectivity) | 6/7 2016: Forwarded without a recommendation (due to lack of an affirmative vote). A motion to grant Staff rec. of MH-CO w/conditions failed on a vote of 5-3. [S. Harris- 1st, B. Evans- 2nd; A. Aguirre, A. Denkler, and B. Greenberg- nay; D. Breithaupt, J. Kiolbassa, and S. Lavani- absent] | 6/16/2016: 1 st reading approved as recommended, on consent (10-0). 8/11/2016: Ord. No. 20160811-038 approved on consent (11-0) |
| C814-2014-0110.SH Colony Park PUD | From: SF-2, SF-3, and MF-2 To: PUD | PUD | ZAP 09/16/2014: To grant PUD zoning as recommended by Staff. (5-0-1-1) | 09/25/2014: 1 st reading approved (7-0); 12/11/2014: Ord. No. 20141211-150, as rec. by ZAP. |

EXISTING STREET CHARACTERISTICS:

| Name | ROW | Pavement | Classification | Sidewalks | Bike Route | Capital Metro (within ¼ mile) |
|-------------|---------|------------|-----------------------------|-----------|------------|----------------------------------|
| Decker Lane | 120 ft. | 50 ft. | Major Arterial Undivided | Existing | Existing | Yes |
| Loyola Lane | 140 ft. | 2 @ 30 ft. | Major Arterial Divided | No | No | Yes |

NEIGHBORHOOD ORGANIZATIONS:

Del Valle Community Coalition
 Black Improvement Association
 Friends of Austin Neighborhoods
 Claim Your Destiny Foundation
 Austin Neighborhoods Council
 Neighbors United for Progress
 Friends of Northeast Austin
 Colony Park Neighborhood Association
 SEL Texas

CITY COUNCIL DATE:

February 1, 2018:

December 14, 2017: TO GRANT CS-CO ZONING ON FIRST READING ONLY AS RECOMMENDED BY ZONING AND PLATTING COMMISSION, WITH THE FOLLOWING MODIFICATIONS: AGRICULTURAL SALES AND SERVICES, FOOD PREPARATION, PLANT NURSERY, AND INDOOR CROP PRODUCTION WILL REMAIN PERMITTED LAND USES. (8-0-3) [L. Pool – 1st; O. Houston – 2nd; A. Alter, D. Garza, E. Troxclair – Off dais]

December 7, 2017: TO BE POSTPONED TO DECEMBER 14, 2017, AS REQUESTED BY STAFF. (10-1) [O. Houston – 1st, L. Pool – 2nd; J. Flannigan- Opposed]

ORDINANCE READINGS: 1st 12/14/2017 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
 e-mail: heather.chaffin@austintexas.gov

PHONE: 512-974-2122

SUMMARY STAFF RECOMMENDATION:

Staff does not support the request to rezone the subject property to Limited industrial (LI) district zoning. Staff recommends rezoning the subject property to General commercial services (CS) district zoning. The use planned by the Applicant does not need LI zoning, and can be achieved in the more restrictive CS zoning district. The Applicant supports the Staff recommendation of CS district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed rezoning and use meet the purpose statement of the CS zoning district. General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

2. *Zoning should allow for reasonable use of the property.*

The rezoning tract is currently undeveloped and located between a CWQZ and the grocery store/convenience store at the intersection of Decker Lane and Loyola Lane. Development of the tract with the undeveloped land west of the CWQZ (zoned MF-2) is unlikely, as is development with the developed commercial site to the south. It is owned by the same party as the grocery store/convenience store and must take access through this development. The most reasonable use of the property is to incorporate it into the grocery store/convenience store site, and provide a service that utilizes the landlocked parcel.

ADDITIONAL STAFF COMMENTS**Fire Review**

Please see Exhibit A- Fire Review Correspondence.

Comprehensive Planning

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan identifies Loyola Lane as an Activity Corridor. The following Imagine Austin policies are taken from Chapter 4 of the IACP, which specifically discusses promoting a variety of land uses, including retail and related warehousing, and growing a compact and connected city:

- LUT P4. Protect neighborhood character by directing growth to areas of change that includes 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 P6. Ensure that neighborhoods of modest means have a mix of local-serving retail, employment opportunities, and residential uses.
- LUT P20. Locate industry, warehousing, logistics, manufacturing, and other freight-intensive uses in proximity to adequate transportation and utility infrastructure.
- HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and parks and recreation options.

Based upon (1) the existing retail use; (2) the variety of uses that surround the subject property; (3) the property being near a corridor that is designated as an 'Activity Corridor' by the Imagine Austin Growth Concept Map; and (4) the Imagine Austin Comprehensive Plan policies referenced above that supports a variety of land use, including retail to promote complete communities, staff believes that a use that serves the existing retail use at this location is in compliance to the Imagine Austin Comprehensive Plan.

Site Plan

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

SP 2. 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.

SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Transportation

TR1. No additional right-of-way is required.

TR2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

TR3. Existing Street Characteristics:

| Name | ROW | Pavement | Classification | Sidewalks | Bike Route | Capital Metro (within ¼ mile) |
|-------------|---------|------------|--------------------------|-----------|------------|-------------------------------|
| Decker Lane | 120 ft. | 50 ft. | Major Arterial Undivided | Existing | Existing | Yes |
| Loyola Lane | 140 ft. | 2 @ 30 ft. | Major Arterial Divided | No | No | Yes |

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Elm 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:

| Development Classification | % of Gross Site Area | % of Gross Site Area with Transfers |
|---|----------------------|-------------------------------------|
| Single-Family (minimum lot size 5750 sq. ft.) | 50% | 60% |
| Other Single-Family or Duplex | 55% | 60% |
| Multifamily | 60% | 70% |
| Commercial | 80% | 90% |

3. According to GIS, a Critical Water Quality Zone exists near the project location.

Development within the Critical Water Quality Zone is limited per LDC 25-8-261 and 262.

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. No trees are located on this property. 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. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

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.

Water and Wastewater

WW1. 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 Austin Water 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.

EXHIBIT A

Chaffin, Heather

Subject: FW: J.D. Warehouse 6506 Decker Lane rezoning AFD questions

From: Urgena, Cora
Sent: Wednesday, October 11, 2017 6:57 AM
To: Mauricio Quintero; 'Moncada Consulting'; Chaffin, Heather
Subject: RE: J.D. Warehouse 6506 Decker Lane rezoning AFD questions

Thank you Mauricio!

AFD concerns have been addressed.

Cora Urgena, P.E.
Engineering Services Section
Austin Fire Department/Emergency Prevention Division
505 Barton Springs RD, Suite 200
Austin, Texas 78704
Telephone (512) 974-0184
Facsimile (512) 974-0162
cora.urgena@austintexas.gov

From: Mauricio Quintero
Sent: Tuesday, October 10, 2017 3:50 PM
To: Urgena, Cora <Cora.Urgena@austintexas.gov>; 'Moncada Consulting' Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Subject: RE: J.D. Warehouse 6506 Decker Lane rezoning AFD questions

Cora,

Ammonia refrigeration system will not be used. A straight refrigeration system using 407A refrigerant will be used. Aboveground propane tank is not proposed.

Thanks

Mauricio Quintero-Rangel, P.E., Principal
Servant Engineering & Consulting, PLLC
12000 Manchaca Rd. Suite C
Austin Texas 78748
512-368-5251

From: Urgena, Cora [<mailto:Cora.Urgena@austintexas.gov>]
Sent: Tuesday, October 10, 2017 1:26 PM
To: Moncada Consulting; Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Cc: Mauricio Quintero
Subject: RE: J.D. Warehouse 6506 Decker Lane rezoning AFD questions

Phil,

Please confirm that an ammonia refrigeration system will not be used and also verify that an aboveground propane tank is not proposed for this site.

Cora Urgena, P.E.
Engineering Services Section
Austin Fire Department/Emergency Prevention Division
505 Barton Springs RD, Suite 200
Austin, Texas 78704
Telephone (512) 974-0184
Facsimile (512) 974-0162
cora.urgena@austintexas.gov

From: Moncada Consulting
Sent: Monday, October 9, 2017 8:15 AM
To: Urgena, Cora <Cora.Urgena@austintexas.gov>; Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Cc: Moncada Consulting; Mauricio Quintero
Subject: Fw: J.D. Warehouse 6506 Decker Lane rezoning AFD questions

Good Morning Cora,
Please see response from Engineer of record for this project. Please let us know if you require any additional information to move this project forward and schedule the Public Hearing. Thank you in advance.
Phil

Moncada Enterprises LLC
1301 S. I-H 35 Suite # 204
Austin, Texas 78741
Phil's cell: 512-627-8815
Office: 512-474-7377

----- Forwarded Message -----

From: Mauricio Quintero
To: 'Moncada Consulting'
Cc: 'Karla Rodriguez'
Sent: Friday, October 6, 2017 5:46 PM
Subject: RE: J.D. Warehouse

Phil,

FR1- Remaining site will remain with its current zoning (GR & MF-2). There is a floodplain/drainage easement creek boundary between this zoning and the remaining buildable site, there is at least 300 feet buffer to remaining portion of this site to the north and west. The site to the south is outside the city limits, and it is already developed. see attached sheet 5 for proposed zoning boundary and adjacent land.

FR2. Yes, only 2.512 acres are proposed for LI zoning and per field notes, see attached field notes and sketch.

FR3. See proposed site plan, with building height. Warehouse is for meats, poultry, dry goods, produce, etc.

Please let me know if this will clear the questions or if they need additional information.

Thank you.

Mauricio Quintero-Rangel, P.E., Principal
Servant Engineering & Consulting, PLLC
12000 Manchaca Rd. Suite C
Austin Texas 78748
512-368-5251

From: Moncada Consulting
Sent: Friday, October 6, 2017 1:12 PM
To: Mauricio Quintero
Cc: Karla Rodriguez; Moncada Consulting
Subject: Fw: J.D. Warehouse

Mauricio,
Please review attached comments from AFD in order to gain approvals and shedule the proposed zoning change with the City of Austin.

Thank you,
Phil

Moncada Enterprises LLC
1301 S. I-H 35 Suite # 204
Austin, Texas 78741
Phil's cell: 512-627-8815
Office: 512-474-7377

----- Forwarded Message -----

From: "Chaffin, Heather" <Heather.Chaffin@austintexas.gov>
To: "Moncada Consulting (
Sent: Friday, October 6, 2017 10:21 AM
Subject: J.D. Warehouse

Please address the comments below from Fire Department. Staff cannot make a recommendation for this case until this is resolved.

Thanks,
Heather

Project Name: J.D. Warehouse
Address: 6506 DECKER LN
File Number: C14-2017-0109
NPZ Fire Review - Cora Urgena 512-974-0184

FR 1 AFD is concerned that the proposed zoning change from GR to LI will not provide an adequate safety buffer between uses that would be allowed in LI zoning and the adjacent Multi-family sites.

FR 2 Verify that only the 2.52 acre portion of the lot is proposed for LI and that the remaining portions remain GR.

FR 3 Provide information on the proposed warehouse if available so that AFD can assess the risk to the adjacent residential areas. Information such as the storage commodity types, heights and types and quantities of hazardous materials would be helpful.



J.D. WAREHOUSE

ZONING CASE#: C14-2017-0109

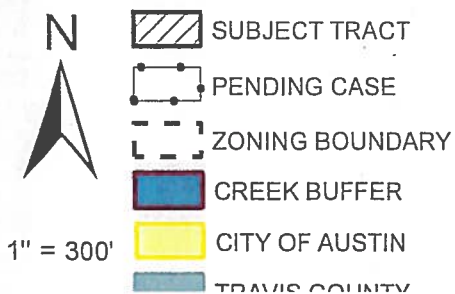
LOCATION: 6506 DECKER LANE.

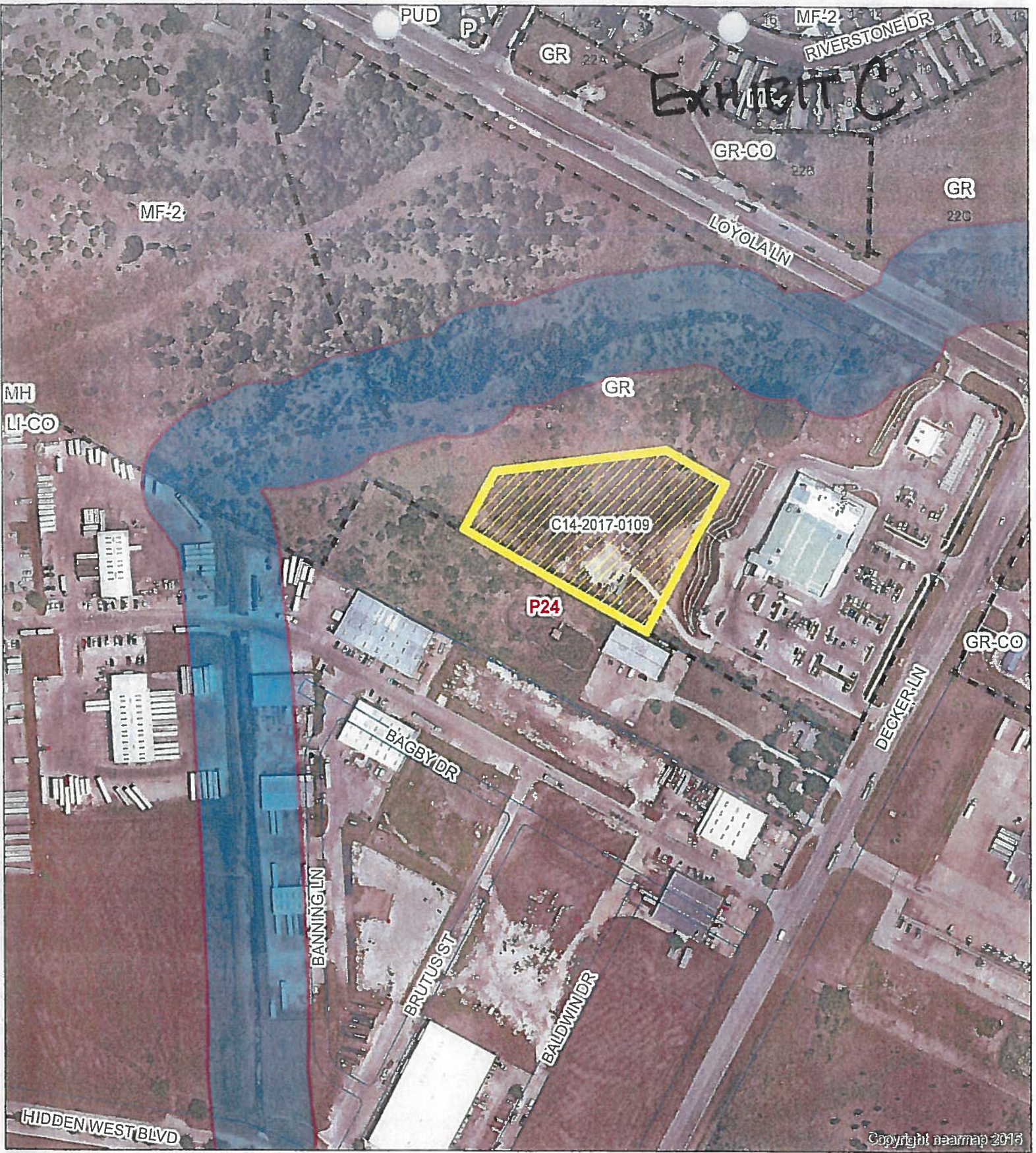
SUBJECT AREA: 2.512ACRES

GRID: P24

MANAGER: HEATHER CHAFFIN

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.





J.D. WAREHOUSE

ZONING CASE#: C14-2017-0109
 LOCATION: 6506 DECKER LANE.
 SUBJECT AREA: 2.512ACRES
 GRID: P24
 MANAGER: HEATHER CHAFFIN



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