

ZONING CHANGE REVIEW SHEET**CASE:** C14-2018-0022 (Austin Suites)**P.C. DATE:** June 12, 2018**ADDRESS:** 8300 North Interstate Highway-35 Southbound Service Road**DISTRICT AREA:** 4**OWNER/APPLICANT:** Collin Brothers, Artesia Real Estate**AGENT:** Stantec Consulting Services (Stephen Rye)**ZONING FROM:** CS-CO-NP**TO:** CS-MU-CO-NP**AREA:** 3.00 acres**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant general commercial services-mixed use-conditional overlay-neighborhood plan combining district zoning. The proposed conditional overlay will maintain the condition from Ordinance No. 20100624-112 that a Hotel-Motel use is a conditional use on this property (Tract 125B).

PLANNING COMMISSION RECOMMENDATION:**DEPARTMENT COMMENTS:**

The property in question is currently developed with a hotel/motel use that fronts onto the Interstate Highway-35 Southbound access road. This three acre lot located within the North Lamar Combined Neighborhood Planning area. The property is surrounded by multifamily uses to the north and west. There is a hotel/motel and office use to the south, along Powell Lane. The applicant is requesting to add an MU, Mixed Use Combining District, because they would like to redevelop the property with multifamily uses.

The site under consideration is specifically located in the Georgian Acres Neighborhood Planning Area, within the overall North Lamar Combined Planning Area. The Future Land Use Map calls for Commercial land use for this tract of land. The applicant is requesting a change to Mixed Use land use through accompanying neighborhood plan amendment case, NPA-2018-0026.01.

The staff recommends the request to add an MU, Mixed Use, Combining District to the land use designation for this property as the site meets the intent of the CS-MU zoning district because it is surrounded by multifamily and commercial uses/zoning to the north, south, east, and west. The property fronts onto and takes access to a high capacity transit roadway, the southbound service road for Interstate Highway-35. This tract is located near a public amenity as there is "P", Public District, zoning to the west that was zoned recently through case C14-2017-0089 for the Georgian Acres Neighborhood Park on Powell Lane. CS-MU-CO-NP zoning will permit the applicant to redevelop this site with commercial, mixed use or residential uses. At this time, the applicant proposes to utilize the property to create 216 multifamily residential units. This will provide for additional housing opportunities in this area of the city.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO-NP	Hotel
<i>North</i>	MF-3-CO-NP	Multifamily (Woodland Heights Apartments)
<i>South</i>	CS-CO-NP	Hotel (Red Roof Inn)
<i>East</i>	GO-NP, GR-CO-NP	Interstate Highway-35 Southbound,
<i>West</i>	MF-3-CO-NP	Multifamily (Woodland Heights Apartments)

AREA STUDY: North Lamar Combined Neighborhood Plan **TIA:** Waived

WATERSHED: Little Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Intercity Alliance
 Austin Neighborhoods Council
 Bike Austin
 Claim Your Destiny Foundation
 Friends of Austin Neighborhoods
 Georgian Acres Neighborhood Association
 Heritage Hills/Windsor Hills Neighborhood Plan Contact Team
 Homeless Neighborhood Association
 North Growth Corridor Alliance
 North Lamar Combined Neighborhood Plan Contact Team
 SELTEXAS
 Sierra Club, Austin Regional Group

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2017-0089 (Georgian Acres Neighborhood Park)	CS-CO-NP to P-NP	9/12/17: Approved the staff's recommendation of P-NP zoning by consent (13-0); P. Seeger-1 st , J. Shieh-2 nd .	10/19/17: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20171019-045 for public-neighborhood plan (P-NP) combining district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
C14-2010-0049 (Georgian Acres Neighborhood Planning Area Rezoning)	To create a Neighborhood Plan Combining District (NPCD)	5/11/10: Approved the proposed re-zonings for the Georgian Acres NPCD as recommended by the staff, except for following tracts: 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 115, 118, 119,	6/24/10: Approved the North Lamar Combined Neighborhood Plan, except for tract 32 (postponed to July 29, 2010), and tracts 134 and 135B, on Council Member Spelman's motion,

	covering the entire 669.83 acre plan area. Under the proposed Georgian Acres NPCD, the following design tools will be applied area-wide: "Parking Placement and Impervious Cover Restrictions," "Garage Placement" and "Front Porch Setback"	134, 136, and 137 (8-0, J. Reddy-absent); D. Chimenti-1st, M. Dealey-2nd. Approved the staff's recommendation to rezone to Vertical Mixed-Use "V" and to remove the dimensional standards identified in Article 4.3.3 E.3 (Dimensional and Parking Requirements – reduction in parking requirements) and the Future Land Use designation of Mixed Use for the following tracts: 101, 102, 103, 104, 107, 108, 109, 110, 111, 112, 115, 118, and 119; Vote: (8-0, J. Reddy-absent); D. Chimenti-1st, M. Dealey-2nd. Approved the staff's recommendation to rezone to Vertical Mixed-Use "V" and to remove the dimensional standards identified in Article 4.3.3 E.3 (Dimensional and Parking Requirements – reduction in parking requirements) and the Future Land Use designation of Neighborhood Mixed Use for the following tracts: 106, 136 and 137; Vote: (8-0, J. Reddy-absent); D. Chimenti-1st, M. Dealey-2nd. Approved the staff's recommendation for the Impervious Cover & Parking Placement Restrictions, Front Porch Setback and Garage Placement design tools for the Georgian Acres Planning Area; Vote: (8-0, J. Reddy-absent); D. Anderson-1st, K. Tovo-2nd. Approved the staff's recommendation of SF-3-NP zoning for Tract 134 (602, 604, and 606 Middle Lane); Vote: (8-0, J. Reddy-absent); S. Kirk-1st, D. Chimenti-2nd.	Council Member Cole's second on a 7-0 vote. Approved the Georgian Acres Neighborhood Plan Combining District (NP), except for tracts 134 and 135B (as shown below), and including the following motions was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote. The motion to amend the ordinance per staff's recommendation to change the future land use for Tract 134 to office and include limited office-conditional overlay-neighborhood plan (LO-CO-NP) zoning with the following conditions and conditional uses was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote. The conditions were to restrict building height to 18 feet. The conditional uses are: medical offices less than 5,000 square feet and medical offices greater than 5,000 square feet. The motion to amend the ordinance to change the land use designation for Tract 135B on the future land use map (FLUM) to commercial and include general community commercial-conditional overlay-neighborhood plan (GR-CO-NP) zoning with hotel/motel as a conditional use was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.
C14-2009-0140 (Najib's 214 E.	GR to CS-1	1/12/10: Approved staff's recommendation of CS-1-CO, with	2/11/10: Approved CS-1-CO zoning on consent on Council on all

Anderson Lane)		a CO for a 2000 vtpd limit, on consent (7-0, D. Anderson, J. Reddy- absent); C. Small-1 st , M. Dealey-2 nd .	3 readings (6-0, Cole-off dais); Spelman-1 st , Morrison-2 nd
C14-02-0162	SF-3 to CS-CO	12/03/02: Approved CS-CO by consent, with conditions for a 2,000 vtpd limit and to prohibit Personal Improvement Services and Vehicle Storage (5-0, M. Whaley-off dais, J. Martinez-absent)	1/09/03: Approved CS-CO zoning, with following conditions: 1) limit site to 2,000 vtpd, 2) prohibit Pawn Shop Services, Personal Improvement Services, Convenience Storage, Vehicle Storage, Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing, 3) prohibit vehicle access from the property to Delafield Lane, except for emergency vehicles (5-0, J. Goodman, D. Thomas-off dais); 1 st reading 2/13/03: Approved 2 nd /3 rd readings (7-0)
C14-00-2100	SF-3 to LO	11/14/00: Applicant withdrew case	N/A
C14-98-0019	W/LO, GR & CS-CO to CS-CO	5/12/98: Approved GR-MU-CO, with conditions to limit the site to 44 units and prohibit following uses: Art & Craft Studio, Automotive Rentals Automotive Repair Services, Automotive Sales, Automotive Washing, Business or Trade School, Business Support Services, Commercial Off-Street Parking, Communication Services, Consumer Convenience Services, Drop-Off Recycling Collection Facility, Exterminating Services, Financial Services, Food Sales, Funeral Services, General Retail Sales-Convenience, General Retail Sales-General, Indoor Entertainment, Indoor Sports and Recreation, Off-Site Accessory Parking, Outdoor Entertainment, Outdoor Sports & Recreation, Pawn Shop, Personal Improvement Services, Personal Services, Pet Services, Research Services, Restaurant-Drive-In, Fast Food, Restaurant-Limited, Restaurant-General, Services Station, Plant	7/16/98: Approved PC rec. of GR-MU-CO (7-0); all 3 readings

		Nursery, Theater, Club or Lodge, Cultural Services, Guidance Services, Hospital Services- Limited, Hospital Services- General (Vote:6-1-2)	
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RELATED CASES: NPA-2018-0026.01(Proposed NPA Case)

C14-2010-0049: Tract 125B (Georgian Acres Neighborhood Plan Rezoning)

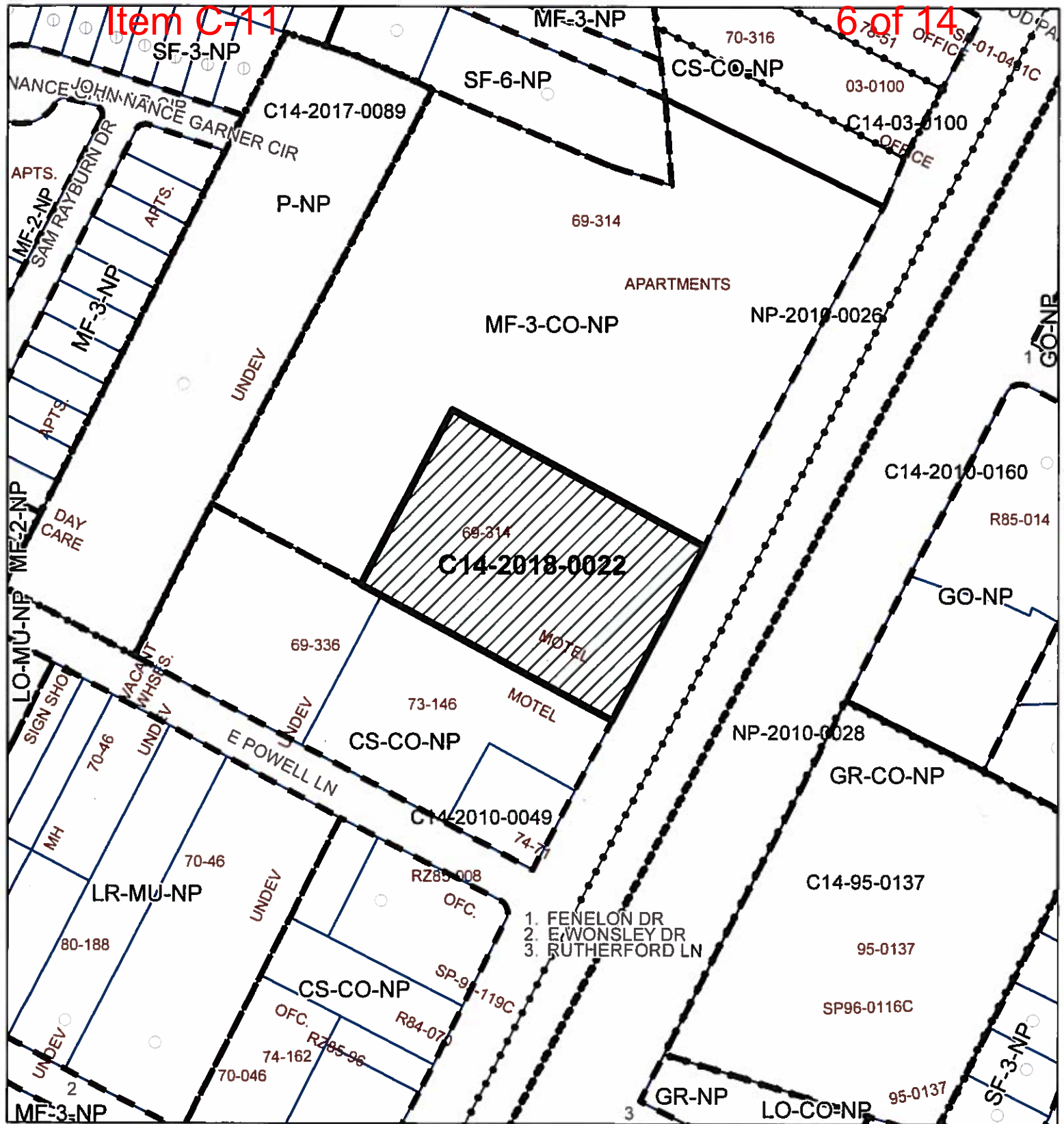
SP-2017-0139C (Site Plan Case)

C8S-79-038 (Subdivision)

ABUTTING STREETS:

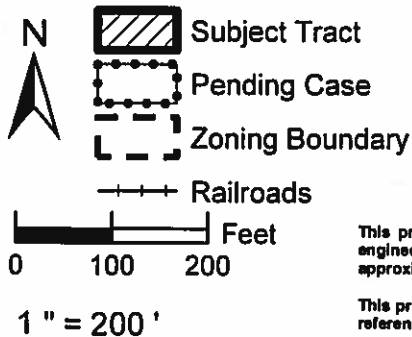
Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
IH 35	300'	238'	Freeway	Yes	Yes	No

CITY COUNCIL DATE: August 9, 2018**ACTION:****ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Sherri Sirwaitis**PHONE:** 512-974-3057,
sherri.sirwaitis@ci.austin.tx.us



ZONING

Case#: C14-2018-0022

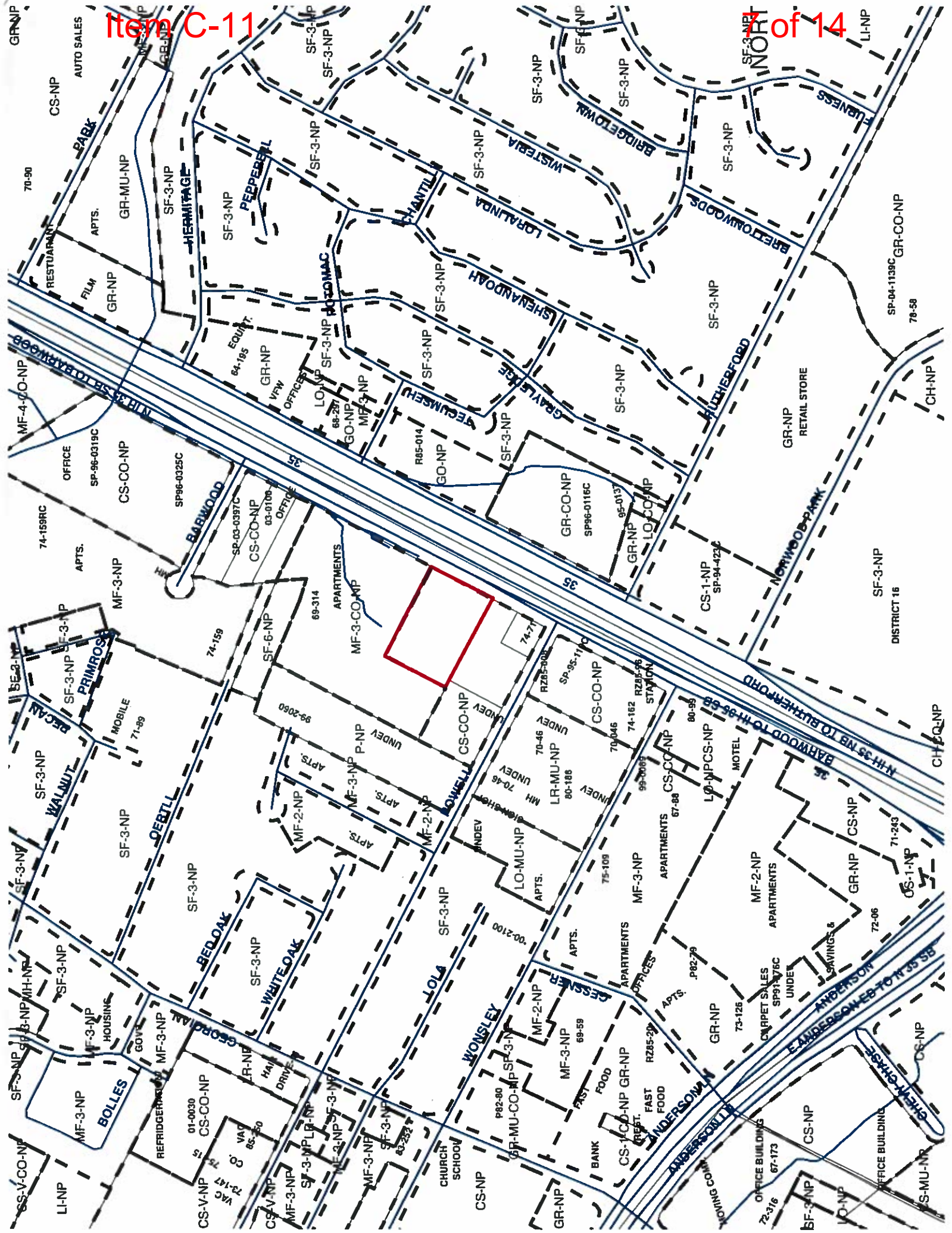


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Created: 3/7/2018





STAFF RECOMMENDATION

The staff's recommendation is to grant general commercial services-mixed use-conditional overlay-neighborhood plan combining district zoning. The proposed conditional overlay will maintain the condition from Ordinance No. 20100624-112 that a Hotel-Motel use is a conditional use on this property (Tract 125B).

BASIS FOR RECOMMENDATION

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

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.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

- 2. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*

The property in question is surrounded by multifamily and commercial uses/zoning to the north, south, east, and west. This lot is situated near a public amenity as it is located to the east of a property on Powell Lane that was recently zoned "Public" for the Georgian Acres Neighborhood Park.

- 3. Zoning should allow for reasonable use of the property.*

CS-MU-CO-NP zoning will permit the applicant to redevelop this site with commercial, mixed use or residential uses. At this time, the applicant proposes to utilize the property to create 216 multifamily residential units. This will provide for additional housing opportunities in this area of the city.

EXISTING CONDITIONS**Site Characteristics**

The site under consideration is a three acre lot that is developed with a hotel/motel use (Austin Suites) that fronts and takes access to the IH-35 Southbound Service Road. The property is surrounded by multifamily uses (MF-3-CO-NP) zoning to the north and west. There is a hotel/motel use (CS-CO-NP) zoning to the south. Interstate Highway-35 is located to the east.

Environmental

Tuesday March 13, 2018

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut 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.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to 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 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.

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.

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.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 95%. Zoning district impervious cover limits apply in the Urban Watershed classification.

Site Plan

Tuesday March 13, 2018

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.

Compatibility Standards

The site is subject to compatibility standards. Along east property line, 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 landscape area at least 25 feet wide is required along the property line. In addition, 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, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- ☐ 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.
- ☐ A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

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

FYI – This site is located within the Georgian Acres Neighborhood Plan and the North Lamar Combined Neighborhood Plan Area. Additional comments may be generated during the site plan review process.

FYI – There is a site plan application currently awaiting update for this property (SP-2017-0139C) which provides for 51,908 square feet of hotel use, along with associated parking and utility improvements. The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

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 400 feet of right-of-way for IH 35. If the requested zoning is granted for this site, then 200 feet of right-of-way from the existing centerline should be dedicated and/or reserved for IH 35 according to the Transportation Plan. [LDC 25-6-51 and 25-6-55].*

*On June 6, 2018 the staff received an e-mail Texas Department of Transportation Engineer, Susana Ceballos, stating, “At this time we do not have any proposed ROW in this location, thus dedicated and/or reserved for IH 35 is not requested at this time. Any right of way in this area should have been acquired with the current US 183 DCs project (under construction now).” DSD Transportation Reviewer, Jaron Hogenson, has revised his comments to state that no ROW will be required with this rezoning case.

A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day, unless a Traffic Impact Analysis (TIA) is reviewed and approved by the Director of the Development Services Department prior to site plan approval.

FYI. It is recommended, to stub out internal drives to the north and south for future connectivity.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
IH 35	300'	238'	Freeway	Yes	Yes	No

Water and Wastewater

Wednesday February 28, 2018

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.

Sirwaitis, Sherri

Subject: FW: Voting results by NLGACT regarding zoning change for Austin Suites Hotel
Importance: High

From: Meredith, Maureen
Sent: Tuesday, June 05, 2018 6:29 PM
To: Sirwaitis, Sherri
Subject: FW: Voting results by NLGACT regarding zoning change for Austin Suites Hotel

Sherri,
FYI.
Muareen

From: Colin MacDougal, Realtor (512) 554-6151]
Sent: Tuesday, June 05, 2018 6:22 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Rye, Stephen <>; Past Chair <>;
Subject: Voting results by NLGACT regarding zoning change for Austin Suites Hotel

Hi Maureen,

The community of North Lamar / Georgian Acres supports Artesia's request for a change of zoning for their Austin Suites Hotel property on the I-35 service road. We would like to make it clear that we DO NOT support additional housing on the I-35 because it is better for commercial use than residential.

Since Austin Suites is an EXISTING facility and because the owner has agreed to assist the current residents (see below) and make a monetary contribution to traffic safety (to be held by Austin Parks Foundation), we as a community support the changes they have proposed.

At this time we would like to point the dire need for better access to bus service and a safe path to the Georgian Acres park for existing residential housing on the I-35 service road.

Colin MacDougal
vice chair, NLGACT Contact Team

The wording of our vote is below:

1. tenant relocation package to be negotiated individually or collectively by tenants, no less than the initial offer from Artesia which includes (but is not limited to):

For all tenants:

- 90-day official notice to vacate
- Provide tenant information packet to all residents including 90-day notification and access to relocation services and information.

- \$500 payment for moving and relocation expenses per unit

For subsidized tenants:

- Moving expenses
- Temporary housing during remodel
- Right of first refusal to return to a remodeled unit if they meet program screening criteria

2. memo of understanding between Artesia and ECHO or comparable agency to provide case management for 20 units to be held affordable at 60% MFI (about \$40,000 annually for a family of two);

3. contribution to transportation safety improvements of \$50,000 from Artesia;

Additionally, the neighborhood team will use this opportunity to press for better mass transit access on the I-35 service road.