## ZONING CHANGE REVIEW SHEET

CASE: C14-2018-0119-3005 E State Hwy 71 Z.A.P.DATE: December 18, 2018
ADDRESS: 3005 East State Highway 71 Westbound

## DISTRICT AREA: 2

OWNER/APPLICANT: Dimension Properties, Inc. AGENT: Lenworth Consulting, LLC (Michael J. Kuhn; Mark J. Salmanson) (Nash Gonzales)

## ZONING FROM: I-SF-2 TO: CS-CO AREA: 0.8402 acres $(36,599.11$ square feet)

## SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services - conditional overlay (CSCO ) combining district zoning. The Conditional Overlay prohibits the following uses: adultoriented businesses, campground, commercial blood plasma center, funeral services, indoor entertainment, indoor sports and recreation, outdoor entertainment, outdoor sports and recreation, pawn shop services, theater, and vehicle storage.

## ZONING AND PLATTING COMMISSION RECOMMENDATION:

December 18, 2018:

## ISSUES:

None at this time.

## DEPARTMENT COMMENTS:

The subject corner lot contains a non-conforming automotive repair business located at the east corner of East SH 71 and Terry Lane. Driveway access is taken to East SH 71 and Terry Lane. The property has interim - single family residence-standard lot (SF-2) district zoning assigned upon annexation into the City limits in 2001. There are residential uses on Terry Lane and Meldrum Road to the north (I-SF-2); undeveloped land and commercial buildings on SH 71 to the east (I-SF-2; CS-CO), and undeveloped land and apartments to the west (CSCO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

TXDOT has acquired area along the SH 71 frontage and has recently made highway improvements, and the Applicant requests general commercial services - conditional overlay (CS-CO) district zoning on the property in order to reconstruct the auto repair use. The Applicant's proposed Conditional Overlay is for a set of prohibited uses that are consistent with those of several properties on this block of East SH 71 that were approved for CS-CO zoning by in 2002 .

This lot is similarly situated and therefore, Staff recommends CS-CO zoning based on its location on SH 71, an arterial roadway which lends itself to more intense zoning. However, due to the adjacent residential area to the north and east, Staff also recommends applying a similar set of prohibited uses, as requested by the Applicant. There are commercial uses and zonings along the SH 71 frontage to the east and west, and the existing residential zoning assigned at the time of annexation in 2001 is no longer desirable due to highway noise and flight path activities.

## EXISTING ZONING AND LAND USES:

|  | ZONING |  |
| :--- | :--- | :--- |
| Site | I-SF-2 | Auto repair business |
| North | I-SF-2 | Residential |
| South | East SH 71 | Westbound frontage road and main lanes |
| East | CS-CO; I-SF-2 | Undeveloped; Telecommunications tower; Commercial |
| West | CS-CO; I-SF-2 | Undeveloped; Apartments; A few residences |

AREA STUDY: Not Applicable
WATERSHED: Colorado River - Suburban

## CAPITOL VIEW CORRIDOR: No

TIA: Is not required

## SCENIC ROADWAY: Yes

## NEIGHBORHOOD ORGANIZATIONS:

511 - Austin Neighborhoods Council 627 - Onion Creek Homeowners Association
774 - Del Valle Independent School District 1005 - Elroy Neighborhood Association
1195 - Imperial Valley Neighborhood Association
1228 - Sierra Club, Austin Regional Group 1258 - Del Valle Community Coalition
1363 - SEL Texas 1528 - Bike Austin
1530 - Friends of Austin Neighborhoods 1550 - Homeless Neighborhood Association 1616 - Neighborhood Empowerment Foundation

## SCHOOLS:

Hillcrest Elementary School Dailey Middle School Del Valle High School

## CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
| :--- | :--- | :--- | :--- |
| C14-2017-0111- | SF-2 to CS | To Grant CS-CO w/CO | Apvd CS-CO as |
| 3059 Hwy 71 East |  | for a 15' vegetative | Commission |
|  |  | buffer along Meldrum | recommended (11-9- |
|  |  | Rd; 2) prohibits access <br> to Meldrum Rd and 3) <br> prohibits the following |  |


|  |  | uses: adult-oriented <br> businesses, <br> campground, <br> commercial blood <br> plasma center, custom <br> manufacturing, funeral <br> services, indoor <br> entertainment, indoor <br> sports and recreation, <br> outdoor entertainment, <br> outdoor sports and <br> recreation, pawn shop <br> services, theater, and <br> vehicle storage. |  |
| :--- | :--- | :--- | :--- |
| C14-05-0017- <br> Highway 71-3103 <br> E SH 71 WB | I-SF-2 to GR- <br> CO | To Grant GR-CO <br> C14-01-0186- <br> State Highway 71 <br> East 3039-3039- <br> 3101 E SH 71 WB | I-SF-2; RR to LI |

## RELATED CASES:

The property was annexed into the Full-purpose City limits on September 6, 2001 (C7a-01002).

The rezoning area is platted as Lot 24-A of the Resubdivision of Lots 24 \& 25 Glenbrook Addition Section One recorded in March 1983 (C8s-83-012). There are no site plans in process.

## EXISTING STREET CHARACTERISTICS:

| Name | ROW | Pavement | Classification | Sidewalks <br> (along <br> property <br> frontage) | Bicycle <br> Route | Capital <br> Metro <br> (within 1/4 <br> mile) |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| SH 71 | 275 feet | 130 feet | Highway | Yes | Yes, <br> wide <br> shoulder | Yes |
| Terry <br> Lane | 50 feet | 22 feet | Local | No | No | Yes |

CITY COUNCIL DATE: January 31, 2019
ORDINANCE READINGS: $1^{\text {st }}$

## ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

## ACTION:

 $3^{\text {rd }}$PHONE: 512-974-7719



3005 E. STATE HIGHWAY 71 SXISIT $A-1$
ZONING CASE\#:C14-2018-0119

SUBJECT TRACT

$\square$PENDING CASE
$\overline{\mathbf{L}} \mathbf{- 1}$ I ZONING BOUNDARY

LOCATION: 3005 E. STATE HIGHWAY 71 SERVICE ROAD WB SUBJECT AREA: 8402 ACRES

GRID:P17
MANAGER:WENDY RHOADES
KLSUBUIVISINN OF LUIS 24 \& 2 FEEMPROOADDBON SECTION ONE


IEGŻND.

- IP FOUND
- 18 SET

18. SET In CONC.

COUTTY STATEHEIT OF STREETS MiD ROADS:
In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets, roads and other public thoroughfares delineated and shown on this plat, and all bridges or other public thoroughforis, or in connection therewith, shall be the respans ibilíty of the owner andiof the developer of ce tract of land conveyed by the plat in accordance of Travis County, ifitations prescribed by the Corsanissioners court of rads or other Texas, assumes no obligation to bur plat, or of constructing any bridges public thoroughfares shin therewith, and be resolved by the commissioners or culverts on connects, Texas, that the acceptance for maintaining by rt of Travis county. Texas, of the roads or streets in heel Estate Subdivisions does not obligate the county to install street marking signs, as this is considered to be a part of the Developers construction; but that erecting signs for traffic control, such as for speed limits and
of the county.
FILED FOR RECORD on the day of $\qquad$ A.D. 19 _ at__o'clocl:_H Doris Shropshire, county clerk, Travis County, Texas
By $\qquad$ Deputy
henbit department hestrictiohis:
tho structure in this subdivision shall be occupied until connected to a publ ic sewer system or to an individual sewage disposal syst been approved by the iustin-Travis County Health department. Ho structure in this subdivision sha public water supply. potable water supply from-an approved public water supply. These restrictions are enforecabie developers.
Department and/or the lot owner or developers. by the Austin-Travis County Health Department.

$$
\text { Date } 3-14-83
$$



MOTES
( for public utilities.

- $59^{\circ} 13^{\circ} \mathrm{N} .200^{\circ} \times 2.0^{\circ}$ is a reserved strip for the purpose of water service assignment to lot 25 A .
Prior to construction on Lots 248 and 25A, drainage plans will be submitted for review, Rainfall runoff shall be held to the amount existing at undeveloped status by use of podding or other approved methods.
a. :Io part of this tract is within che boundaries of the 100 year flood


William H. Saith dr.. am authorized under the laws of the State or Texas to practice the profession of Surveying, and hereby certify that this plat complies with surveying related portions of Chapter iss of the dustin city code and correctly represents a survey made on the ground under ry suprevision January:. 19B3.

SHOA TO ALI MEH BY THESE PRESENTS: 1. John Lough tin, owner of the herein designated hats, being lots 4 ob 25 li. 189 nc. of to the plat of sale subdivision recorded in Volgore 5. Page 30 of the conveyed to ra by Deed recorded in Volume 5092 , Page 1094 of the Deed Records of Travis County, Texas, said Lois 24825 being permitted roo use for comrereial purposes by Deed recorded in Volume 1073, Page 211 of the Deed Records of Travis County, Texas, do hereby resubdivide said lots in accordance with the foregoing plat and do hereby adopts
 LOTS 24 \& 25 GLEMGRODK AODITIOA SECTION ONE, and do hereby dedicate
all streets and easements shown hereon as far as my interest may



STATE OF TEXAS county of thais





Beñore ne, the undersigned authority, on this day personally appeared John loughlin, kroon to ne to be the person whose name is subscribed to the forgoing insaner therein expressed and in the capacity therein stated.

HITHESS AY HAKD AID SEAL OF DFF! CE this
the 4 play of Moreen A.D., 1953.


NIACEH 22, 1983 Dote
Director of Planning

ACCEPTED AND AUTHDRIZED FOR RECORD by the Planning CORTision of the City of Austin. Texas, this the 2Z day of MaRCiA. i988.A.D.

commissioners court certificate
STATE OF TEXAS

1. Doris Shropshire, County Clerk of Travis County, Texas, do hereby certify that on the 23 today of MBREHA.0. 1533 , the Commissioners Court of Travis county Texas passed in order authorizing the filing for record of this plat and that said order has been duly entered in the minutes of the said court in look. 3 . Pagi444.
 or Matey A.D: 1983 , clerk County court, Travis county, Texas:
ar illangentericty-:
 Doris Shropshire, Clerk County Court. Travis County, Texas, By Alonon

Boric Shopplére 2. Jones

STATE OF TEXAS

## COUNTY OF TRAVIS

1, Bris Shropshire, Clerk of the County Court of Travis County Texas, within and for the county and 5 tate aforesaid do hereby certify that the forgoing inatruann. of writing with its certificate, of authentication was filed for record in my office on the di fy day of

 HITMESS HY HAND AHD SEAL of THE COUU: $T$ of suit County, the date last britten above.

Doris Shropshire, clerk County Court, Travis County, Texas



## SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services - conditional overlay (CSCO ) combining district zoning. The Conditional Overlay prohibits the following uses: adultoriented businesses, campground, commercial blood plasma center, funeral services, indoor entertainment, indoor sports and recreation, outdoor entertainment, outdoor sports and recreation, pawn shop services, theater, and vehicle storage.

## BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities.
The property has direct access to the westbound frontage road of East State Highway 71.
2. Granting the request should result in equal treatment of similarly situated property and result in compatible land uses.
3. A change in conditions has occurred within the area indicating that there is a basis for changing the originally established zoning.

This lot is similarly situated and therefore, Staff recommends CS-CO zoning based on its location on SH 71, an arterial roadway which lends itself to more intense zoning.
However, due to the adjacent residential area to the north and east, Staff also recommends applying a similar set of prohibited uses, as requested by the Applicant. There are commercial uses and zonings along the SH 71 frontage to the east and west, and the existing residential zoning assigned at the time of annexation in 2001 is no longer desirable due to highway noise and flight path activities.

## EXISTING CONDITIONS

## Site Characteristics

The site is flat and there appear to be no significant topographical constraints on the site.

## Impervious Cover

The maximum impervious cover allowed by the CS zoning district is $80 \%$, based on the more restrictive watershed regulations.

## Comprehensive Planning

This rezoning case is located on the northeast corner of Bastrop Highway/SH 71 frontage road and Terry Lane, on property that contains an existing auto repair shop. The property is approximately 0.82 acres in size, and is not located within the boundaries of an area with an adopted neighborhood plan. Surrounding land uses include single family housing and undeveloped land to the north; the Austin-Bergstrom International Airport, a softball field and the Travis County Jail to the south; to the east is a tire shop, a trunk rental business and commercial / light industrial businesses; and to the west is undeveloped land, a small apartment building, a couple of single family residences and commercial airport parking facility. The proposal is to acknowledge the existing use on the site, which is auto repair shop by obtaining commercial zoning for the property.

## Connectivity

The Walkscore for this site is 14/100, Car Dependent, meaning almost all errand require a car. A new public sidewalk/urban trails is currently being installed along this portion of the highway. There are no transit stops in this area. The mobility options have improved with the installation of the urban trail, which offers another option besides driving in the area.

## Imagine Austin

Based on the existing and comparably sized auto-centric uses in the area (auto repair, tire sales, truck rental, airport parking facility) and light industrial uses located along this portion of Hwy 71, as well as the site not being located along an Activity Corridor or within an Activity Center, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.


## Drainage

The developer is required to submit a pre and post development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

## Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Colorado River 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.

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 <br> with Transfers |
| :--- | :--- | :--- |
| Single-Family <br> (minimum lot size 5750 sq. ft.) | $50 \%$ | $60 \%$ |
| Other Single-Family or Duplex | $55 \%$ | $60 \%$ |
| Multifamily | $60 \%$ | $70 \%$ |
| Commercial | $80 \%$ | $90 \%$ |

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.

Several 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.

## Site Plan

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

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

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.

## Compatibility Standards

The site is subject to compatibility standards. Along the north and east property lines, 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.


## Airport Overlay

This site is located within the Austin-Bergstrom Airport Controlled Compatible Land Use Area Overlay. No use will be allowed that can create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Additional comments may be generated during the site plan review process.

## Scenic Roadways

This site is within the Scenic Roadway Sign District. All signs must comply with Scenic Roadway Sign District regulations. Contact Viktor Auzenne at 512-974-2941 for more information.

## Transportation

TxDOT has already reviewed and approved this site for access, and it is assumed no proposed change in the current driveway locations will result based on this rezoning.

A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

The Austin Metropolitan Area Transportation Plan calls for 400 feet of right-of-way for SH 71. With the approval of the Texas Department of Transportation, 200 feet of right-of-way should be dedicated and/or reserved from the existing centerline at the time of the subdivision and/or site plan application, whichever comes first [LDC 25-6-51 and 25-6-55].

Additional right-of-way may be required at the time of subdivision and/or site plan.
Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

The Urban Trails Master Plan recommends a tier II urban trail along SH 71. Please review the Urban Trails Master Plan for more information. Janae Spence, Urban Trails, Public Works Department may provide additional comments and requirements for right-of-way dedication and trail construction in accordance with LDC 25-6-55 and LDC 25-6-101.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, an urban trail is recommended for SH 71. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-ofway dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

FYI - It is recommended that the applicant provide joint access to the eastern lot to Terry Lane to reduce the number of driveways to SH 71. Access to SH 71 shall be reviewed and approved by the Texas Department of Transportation. The existing driveway may be required to be removed and/or reconstructed at the time of the site plan application.

FYI - The existing driveways and sidewalks along SH 71 and Terry Lane may be required to be removed and/or reconstructed at the time of the site plan application in accordance with the Land Development Code, Transportation Criteria Manual, and Texas Department of Transportation requirements.

## 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 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.

There are no records to indicate that the site is currently served by City of Austin wastewater, and per the AW TAPS office, the site is not billed for wastewater service. The owner must connect the site to city wastewater service through the cutover process. For more information pertaining to the wastewater cutover process, contact Reyna Holmes at 512-9720202. The cutover process may also initiate a required review by the Industrial Waste Division and/or the Cross Connection Division depending on building usage.

FYI - The change of use will require the City wastewater connection.

