

ZONING CHANGE REVIEW SHEET

CASE: C14-2018-0125 – 8534 South Congress Zoning **Z.A.P. DATE:** December 18, 2018

ADDRESS: 8534 South Congress Avenue

DISTRICT AREA: 2

OWNERS/APPLICANTS: James and Suzanne Bell;
Lilla Sullivan

AGENT: Throrer Design
(Ron Throrer)

ZONING FROM: DR

TO: CS

AREA: 2.80 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay is for a 2,000 vehicle trips per day limit.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

December 18, 2018: *APPROVED CS-CO DISTRICT ZONING, AS STAFF
RECOMMENDED, BY CONSENT*

*[D. KING; A. AGUIRRE – 2ND] (6-0) N. BARRERA-RAMIREZ – ABSTAIN, D.
BREITHAAPT, B. GREENBERG, S. LAVANI, A. TATKOW – ABSENT*

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject tract contains a vacant office / warehouse that is zoned development reserve (DR) district and has access to South Congress Avenue. There is an auto repair business and a cocktail lounge to the north (CS-CO; CS-1-CO), a shopping center anchored by a food sales use that is under construction across South Congress Avenue to the east (CS-CO), a retail buildings and an truck rental place to the south, and an auto auction business that fronts on Cullen Lane to the west (CS-CO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant requests general commercial services (CS) district zoning as the first step in developing the land with office / warehouse uses. Staff recommends CS-CO zoning for the property with the –CO for a 2,000 trip limit based on the following considerations: 1) access is taken to a major arterial roadway, and 2) consistency with the zoning pattern and general land use character established along this segment of South Congress Avenue.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Vacant office / warehouse
<i>North</i>	CS-CO; CS-1-CO	Auto repair; Cocktail lounge
<i>South</i>	CS-CO	Retail; Office / warehouse; Equipment (truck) rentals
<i>East</i>	CS-CO	Under construction for food sales and retail uses
<i>West</i>	CS-CO	Auto auction

AREA STUDY: Not Applicable

TIA: Is not required

WATERSHED: Onion Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

- 511 – Austin Neighborhoods Council
- 742 – Austin Independent School District
- 1306 – Parkridge Gardens HOA
- 1372 – Peaceful Hill Preservation League
- 1429 – Go!Austin/Vamos!Austin (GAVA)
- 1494 – South Boggy Creek Neighborhood Association
- 1531 – South Austin Neighborhood Alliance
- 1578 – South Park Neighbors
- 627 – Onion Creek Homeowners Association
- 1228 – Sierra Club, Austin Regional Group
- 1363 – SEL Texas
- 1424 – Preservation Austin
- 1528 – Bike Austin
- 1550 – Homeless Neighborhood Association
- 1616 – Neighborhood Empowerment Foundation

SCHOOLS:

- Williams Elementary School
- Bedichek Middle School
- Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0071 – Congress Avenue Commercial Tract – 8832-½ South IH-35 Service Rd	Unzoned; DR; SF-2 to CS	To Grant CS-CO w/CO prohibiting vehicle storage and commercial blood plasma center	Apvd CS-CO as Commission recommended (6-26-2014).
C14-2012-0092 – Slaughter Crossing – 8801-½ S Congress Ave	DR; SF-2; CS-CO to CS	To Grant CS-CO w/CO prohibiting vehicle storage, pawn shops and adult-oriented uses, and a Restrictive Covenant for the Traffic Impact Analysis	Apvd CS-CO with RC as Commission recommended (01-17-2013).
C14-06-0119 – Beverly’s – 8504 South Congress	DR to CS-1	To Grant CS-1-CO for Tract 1 and CS-CO for Tract 2, w/CO for	Apvd CS-1-CO and CS-CO as Commission recommended (09-28-

Ave		2,000 trips	2006).
C14-04-0105 – Pennington Ltd. Partnership – 8706 & 8708 S. Congress Avenue	DR to CS	To Grant CS-CO w/CO for 2,000 trips	Apvd CS-CO as Commission recommended (09-30-2004).
C14-99-2001 – 8603 Cullen Ave; 201 Ralph Ablanedo and 8503 South Congress Ave	CS-CO to CS-CO, to delete a Conditional Overlay	To Grant CS-CO	Apvd CS-CO, w/CO for 2,000 trips; prohibit pawn shops and adult-oriented uses; F.A.R. of 1:1 (12-9-1999).

RELATED CASES:

The property was annexed into the Full Purpose jurisdiction on November 15, 1984 (C7A-83-017 A).

The property is unplatted and there are no site plan application in process at this time.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
South Congress Avenue	140 feet	70 feet	Arterial	No	Yes, wide shoulder, Route 47	Yes

CITY COUNCIL DATE: January 31, 2019

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 512-974-7719

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay is for a 2,000 vehicle trips per day limit.

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.

2. Zoning should promote compatibility with adjacent and nearby land uses.

Staff recommends CS-CO zoning for the property with the –CO for a 2,000 trip limit based on the following considerations: 1) access is taken to a major arterial roadway, and 2) consistency with the zoning pattern and general land use character established along this segment of South Congress Avenue.

EXISTING CONDITIONS**Site Characteristics**

The site contains a vacant office / warehouse building and the remainder is undeveloped. There is an established line of trees along the south property line.

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 west side of South Congress Avenue, on a narrow 2.8 acre parcel, which contains an auto body shop. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes a tow truck service and auto storage lot, single family houses, a convenience store, a metal recycler, a worship center, and an exercise retailer to the north; to the south are several light industrial business, several small private gyms, a doggy daycare, a truck rental depot, and a sign shop; to the west is an auto auction house, single family housing, and an auto sales lot; and to the east is undeveloped property which is currently being developed. The proposed use is an office/warehouse.

Connectivity

The Walkscore for this site is **29/100, Car Dependent**, meaning almost all errands require a car. Public sidewalks are located intermittently along this section of South Congress Avenue, while a CapMetro transit stop is located nearly a half a mile away on Slaughter Lane. Bike lanes are located on both sides of South Congress Avenue. There is no existing urban trail located within a quarter of a mile of this property. The mobility options in the area are average for a suburban area.

Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located along an **Activity Corridor**, which are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following Imagine Austin policies are applicable to this project:

- **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 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.

Based on this property: (1) being situated along an **Activity Corridor**, which supports commercial uses, including an office/warehouse; (2) other light industrial and office/warehouses, which are located within a half a mile radius of this site; (3) existing connectivity and mobility options available in the area (public sidewalks, bike lanes, and a transit stop; and (4) the Imagine Austin policies referenced above that supports a variety of development, including office/warehouses, this project appears to support the Imagine Austin Comprehensive Plan.

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 Onion 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.

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%

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.

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.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

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.

Fire Review

The quantities of hazardous materials shall be less than the maximum allowable quantities (MAQs) established in the 2015 International Fire Code. In addition, the installation of exterior bulk hazardous materials at this site may be limited.

Site Plan

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 the westerly property line, the following standards apply:

- 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.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, height limitation is 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

Transportation

A traffic impact analysis was waived for this case because the applicant and staff have agreed to limit the intensity and uses for this development. It is recommended that the development should be limited through a conditional overlay to less than 2,000 vehicle trips per day [LDC 25-6-117]. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations will be required at the time of site plan application. At the time of the site plan application, please contact Scott James (Scott.James@austintexas.gov) to discuss the required mitigation for this site.

The Austin Metropolitan Area Transportation Plan calls for 114 feet of right-of-way for South Congress Avenue. 57 feet of right-of-way from the existing centerline should be dedicated for South Congress Avenue 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.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for South Congress Avenue. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction for the site plan application in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the [Bicycle Master Plan](#) for more information. FYI – South Congress Avenue curb and gutter has been relocated to accommodate the future bicycle facility improvements. However, any proposed curb relocations on South Congress requires coordination with the Corridor Planning Office and Bicycle Program.

This project is adjacent to a street that has been identified in Austin's Corridor Mobility Program (South Congress Avenue). The sidewalk and bicycle facilities shall comply with the required cross-section for South Congress Avenue at the time of the site plan application. Per the CPO, South Congress Avenue does not yet have a finalized cross-section and so any ROW requirements defer to the AMATP and Austin Transportation Department. Find

additional information about the Corridor Mobility Program here:

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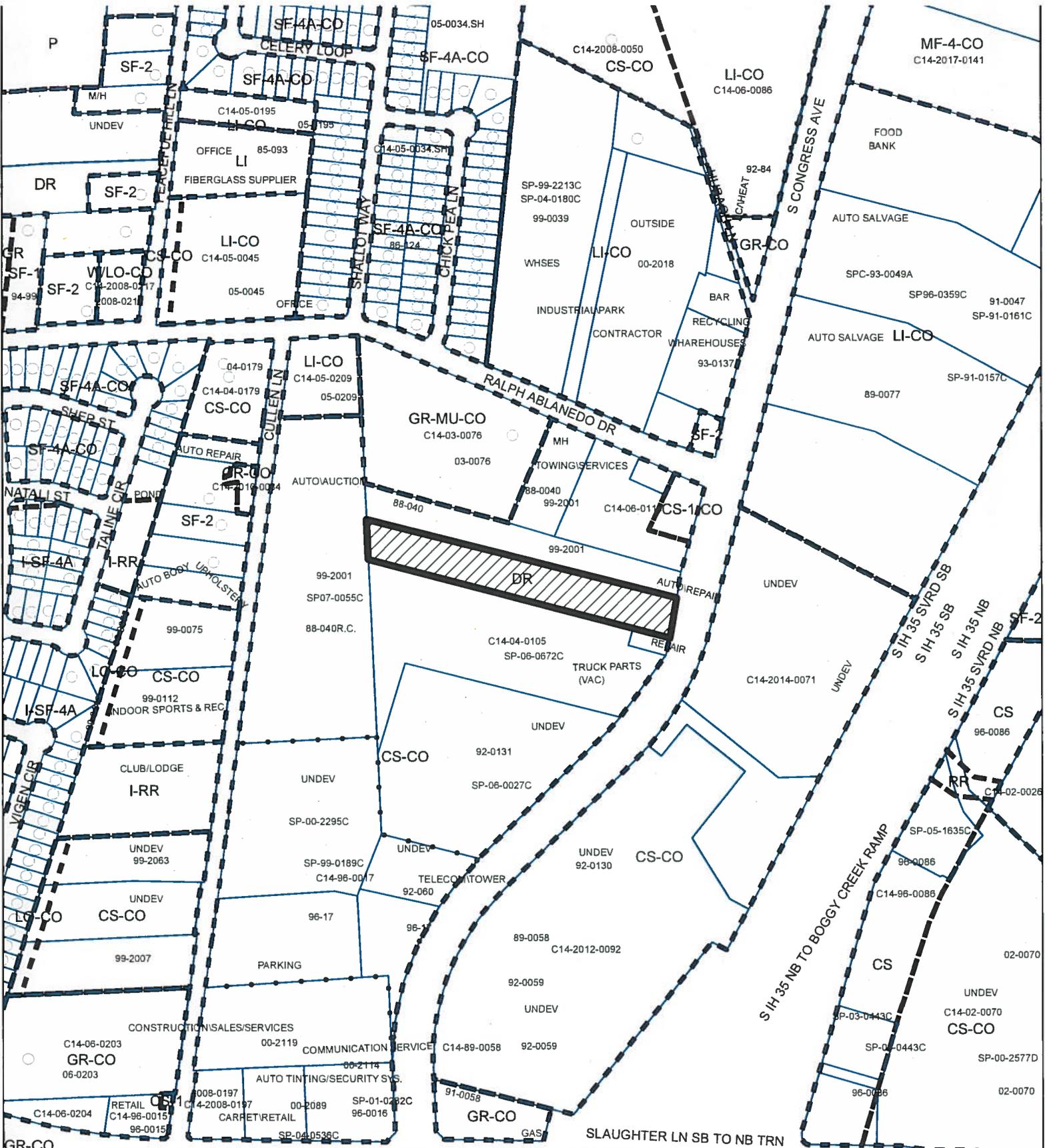
FYI – Vehicular access to South Congress Avenue shall be reviewed and approved by the Texas Department of Transportation and Development Services Department. TxDOT expressed concerns about meeting the driveway spacing requirements along S. Congress, and therefore, Staff recommends obtaining joint use access with the lot to the south to have access to South Congress to reduce the number of curb cuts on the major arterial (South Congress Avenue) in accordance with the Transportation Criteria Manual.

FYI – Sidewalks shall be constructed in accordance with the City of Austin standards along South Congress Avenue right-of-way at the time of the site plan application.

Water / 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.

FYI. The site is currently served by an On-Site Sewage Facility. Any change of use will require the owner to connect the site to city wastewater service through the cutover process. For more information pertaining to the wastewater cutover process, contact Paul Kaiser at 512-972-0186. The cutover process may also initiate a required review by the Industrial Waste Division and/or the Cross Connection Division depending on building usage.



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

ZONING

EXHIBIT A

ZONING CASE#: C14-2018-0125

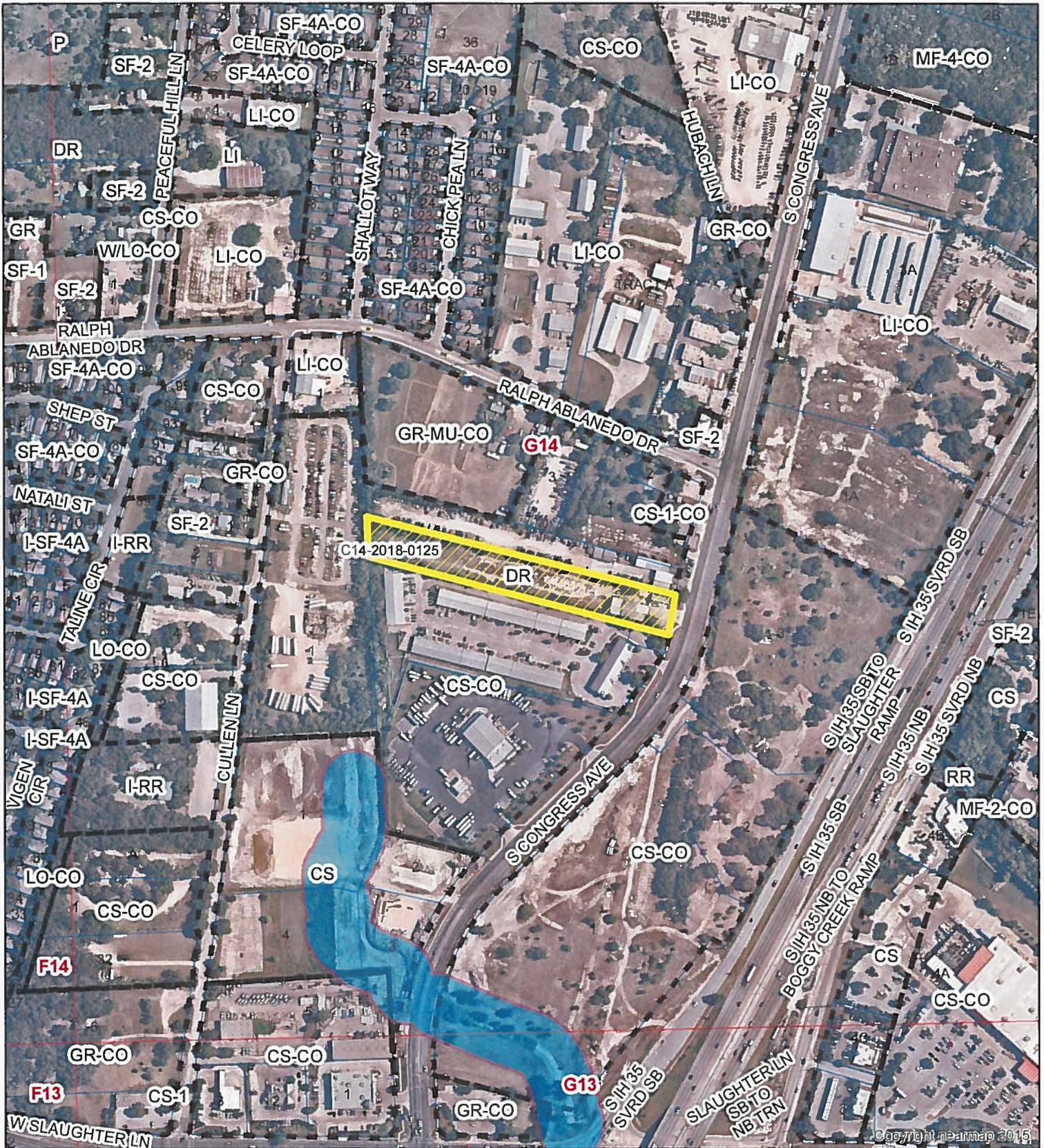
1" = 400'

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



Created: 12/13/2018



1" = 400'

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

8534 SOUTH CONGRESS ZONING

EXHIBIT A1

ZONING CASE#: C14-2018-0125
 LOCATION: 8534 SOUTH CONGRESS AVE.
 SUBJECT AREA: 2.80 ACRES
 GRID: G14
 MANAGER: WENDY RHOADES



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