

ZONING CHANGE REVIEW SHEET

CASE: C14-2018-0147 – Glenbrook Addition
Section 1

Z.A.P. DATE: February 19, 2019

ADDRESS: 3059 East State Highway 71 Service Road Westbound; 3000 Meldrum Road

DISTRICT AREA: 2

OWNER/APPLICANT: 3059 Highway 71
Investments, LLC (Saeed Minhas)

AGENT: Hector Avila

ZONING FROM: CS-CO

TO: CS-CO, to change a condition of zoning

AREA: 1.289 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay: 1) establishes a 15’ wide vegetative buffer along Meldrum Road; 2) prohibits access to Meldrum Road, and 3) prohibits the following uses: adult-oriented businesses, campground, commercial blood plasma center, custom manufacturing, 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:

February 19, 2019: *APPROVED CS-CO DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT*

[N. BARRERA-RAMIREZ; J. DUNCAN – 2ND] (8-0) D. BREITHAUPT, S. LAVANI – ABSENT; 1 VACANCY ON THE COMMISSION

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject rezoning area is undeveloped and located on the westbound lane of East SH 71 west between Cheviot Lane and extends to Meldrum Road. A driveway apron to East SH 71 has been constructed. The property has general commercial services – conditional overlay (CS-CO) combining district zoning by a 2001-2002 case, and the Conditional Overlay requires a 15-foot wide vegetative buffer along Meldrum Road, and prohibits a list of land uses. There are residential uses across Meldrum Road to the north (I-SF-2); residences along Meldrum Road (SF-2), and an auto repair and rental business and a vacant restaurant on SH

71 to the east (CS-CO; GR-CO; GR), and an undeveloped area and vacant buildings to the west (CS-CO). The property is also within Airport Overlay Zone 3 which does not allow for new residential uses to occur, and requires a hotel-motel use to achieve a minimum outdoor-to-indoor noise level reduction of 25 decibels for a structure. Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (2002 Rezoning Ordinance).

TXDOT has acquired area along the SH 71 frontage for highway improvements and the Applicant has requested a change to the Conditional Overlay to remove hotel-motel from the prohibited use list. The subject property is intended to be combined with the adjacent 0.517 acre tract to the east for development of a hotel with 99 keys. The adjacent property has CS-CO zoning by way of a 2017 rezoning case and the Conditional Overlay establishes a 15’ wide vegetative buffer along the north property line, prohibits vehicular access to Meldrum Road and prohibits certain land uses.

As this tract is intended to be developed in conjunction with the adjacent property, Staff recommends applying the same Conditional Overlay to this rezoning case. Staff recommends the CS-CO district 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 is also recommending that the tract not have access to Meldrum Road, a residential roadway because the traffic service requirements of the CS district are generally incompatible with residential environments. Finally, 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	LAND USES
<i>Site</i>	SF-2	Undeveloped
<i>North</i>	I-SF-2	Residential
<i>South</i>	East SH 71	Westbound frontage road and main lanes
<i>East</i>	GR-CO; GR	Auto repair; Auto rentals; Restaurant (limited) – vacant; Apartments; Single family residences
<i>West</i>	CS-CO	Vacant commercial buildings; Telecommunications tower; A few residences; Auto repair

AREA STUDY: Not Applicable

TIA: Is not required

WATERSHED: Colorado River – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: SH 71 – Yes

NEIGHBORHOOD ORGANIZATIONS:

- 1005 – Elroy Neighborhood Association
- 1195 – Imperial Valley Neighborhood Association
- 1228 – Sierra Club, Austin Regional Group
- 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 – 3059 E SH 71 WB	SF-2 to CS	To Grant CS-CO w/CO for 15’ vegetative buffer on Meldrum, prohibit access to Meldrum, and prohibit certain uses	Apvd as Commission recommended (11-9-2017).
C14-2015-0034 – Sonic Drive In #21 - Del Valle – 3115 E SH 71 WB	I-SF-2 to GR	To Grant	Apvd (6-11-2015).
C14-2008-0244 – Najib 0.7 – 3133 E SH 71 WB	I-SF-2 to CS	To Grant GR-CO w/CO prohibiting auto repair, auto washing and pawn shops	Apvd GR-CO as Commission recommended (2-12-2009).
C14-05-0017 – Highway 71 – 3103 E SH 71 WB	I-SF-2 to GR-CO	To Grant GR-CO	Apvd GR-CO w/CO for 2,000 trips (4-7-2005).
C14-01-0186 – State Highway 71 East 3039 – 3039- 3101 E SH 71 WB	I-SF-2; RR to LI	To Grant CS-CO w/ added conditions	Apvd CS-CO w/CO for 15’ vegetative buffer along Meldrum Rd., prohibit adult businesses, B & B residential (Groups 1&2); campground, cocktail lounge, commercial blood plasma center, custom mfg, funeral services, hotel-motel, indoor/outdoor

			entertainment, indoor / outdoor sports and recreation, marina, pawn shops, scrap & salvage, special use historic, stables, theater, vehicle storage (5-16-2002).
C14-01-0027 – High Performance Automotive – Highway 71 East at Cheviot Lane	I-SF-2 to GR	To Grant GR-CO	Approved GR-CO w/ CO for 2,000 trips (4-19-2001).

RELATED CASES:

The property was annexed into the Full-purpose City limits on September 6, 2001 (C7a-01-002).

The rezoning area is unplatted and there are no subdivisions or site plans in process.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
SH 71	350 feet	2 @ 36 feet	Freeway	Yes	Wide Shoulder	Yes, Route 271
Meldrum Road	50 feet	20 feet	Local	No	No	Yes

CITY COUNCIL DATE: March 7, 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: 1) establishes a 15’ wide vegetative buffer along Meldrum Road; 2) prohibits access to Meldrum Road and 3) prohibits the following uses: adult-oriented businesses, campground, commercial blood plasma center, custom manufacturing, 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. Zoning changes should be consistent with an adopted area study.

4. A change in conditions has occurred within the area indicating that there is a basis for changing the originally established zoning.

As this tract is intended to be developed in conjunction with the adjacent property, Staff recommends applying the same Conditional Overlay to this rezoning case. Staff recommends the CS-CO district 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 is also recommending that the tract not have access to Meldrum Road, a residential roadway because the traffic service requirements of the CS district are generally incompatible with residential environments. Finally, 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 north side of the SH 71/Bastrop Highway frontage road and to the south of Meldrum Road, on an undeveloped piece of property that is approximately 1.289 acres in size. The property is not located within the boundaries of an area with an adopted neighborhood plan. Surrounding land uses include single family housing to the north; to the south is SH 71, undeveloped land and the Travis County Correctional Complex and Transitional Center; to the east is collision auto repair shop, single family housing and a vacant fast food restaurant; and to the west vacant commercial businesses, and auto service uses. The request is to remove the Conditional Overlay which prohibits hotel-motel use and build a 99-room hotel.

Connectivity

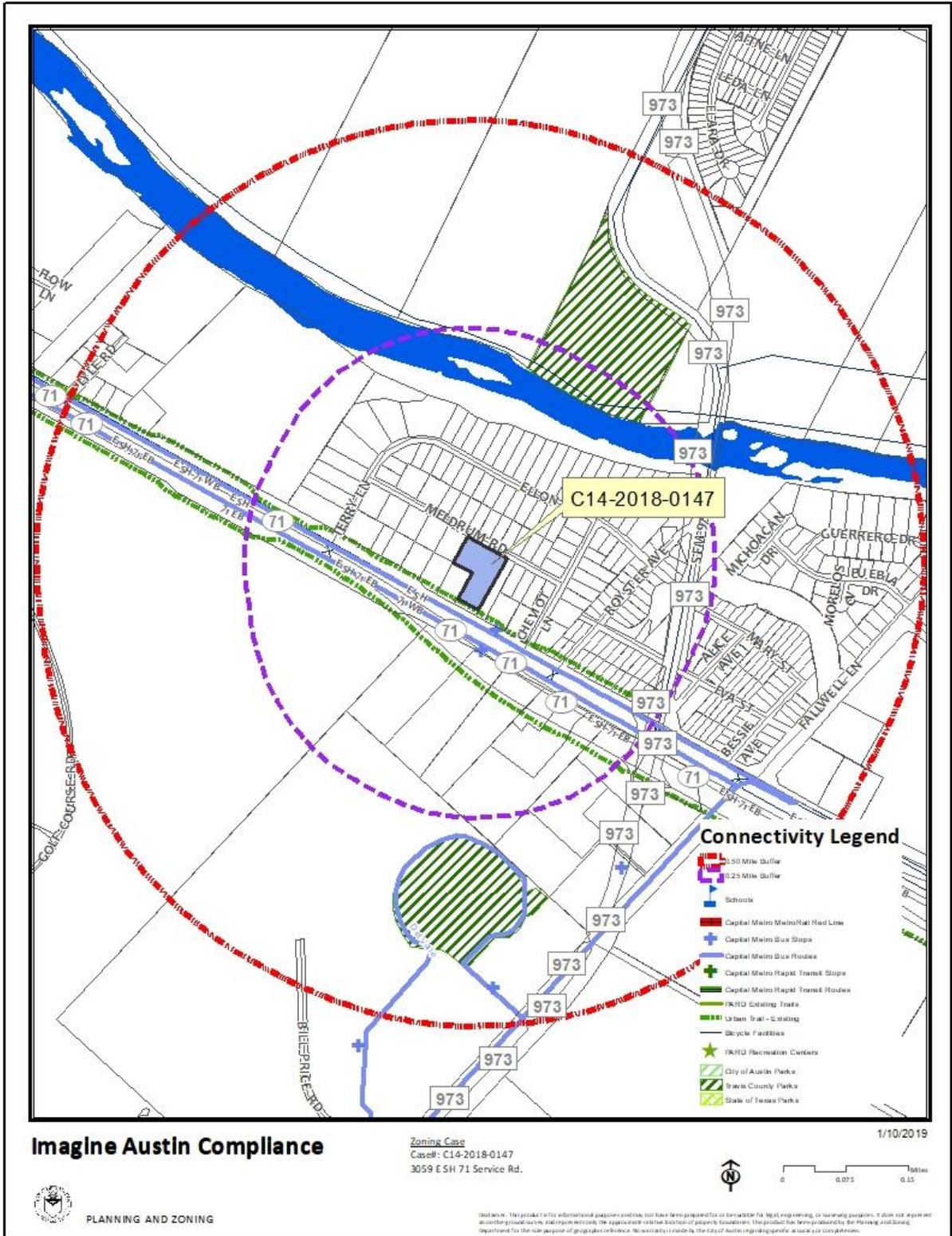
The Walkscore for this site is **21/100, Car Dependent**, meaning almost all errands require a car. A new public sidewalk/urban trail has been installed along this portion of the IH-71 frontage road and a CapMetro Transit stop is located 150 ft. to the east. The mobility options have greatly improved in the last year in this area, which offers options besides driving in the area.

Imagine Austin

The property is not located along a designated Activity Center or Corridor, but the following Imagine Austin policies are applicable to this case:

- **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 P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

Based on the variety of existing commercial uses located along this major highway (auto repair, tire sales, truck rental, airport parking facility, restaurants), this proposed commercial project appears to support the policies of the Imagine Austin Comprehensive Plan. Staff also recommends that access to this site be limited to SH-71 and not have access onto the Meldrum Road, which is a narrow and unimproved residential street.



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:

<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.

At this time, site specific information is unavailable regarding 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.

Fire Review

AFD performed a risk assessment and site visit to verify that the proposed hotel use is compatible with the adjacent properties.

Site Plan and Compatibility Standards

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.

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.

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

Airport Overlays

FYI – This site is located within the Austin-Bergstrom Airport AO-3 Overlay and the 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. At the site plan phase, an Airport Hazard Zoning Committee review may be required prior to the Zoning and Platting Commission.

A portion of this site is also located in the State Highway 71 Scenic Roadways Overlay. Additional comments may be generated during the site plan review process.

Transportation

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

A Neighborhood Traffic Analysis shall be required at the time of site plan if triggered per LDC 25-6-114.

Additional right-of-way may be required at the time of subdivision and/or site plan.

Water and Wastewater

FYI: 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, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. 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 fees once the landowner makes an application for Austin Water utility tap permits.



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

1" = 400'

GLENBROOK ADDITION SEC 1

EXHIBIT A 1

ZONING CASE#: C14-2018-0147
 LOCATION: 3059 E. SH 71 WESTBOUND, 3000 MELDRUM RD.
 SUBJECT AREA: 1.89 ACRES
 GRID: P17
 MANAGER: WENDY RHOADES



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.

ORDINANCE NO. 020516-20

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING, REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3039-3101 STATE HIGHWAY 71 EAST AND 2908-3004 MELDRUM ROAD FROM INTERIM SINGLE FAMILY RESIDENCE STANDARD LOT (I-SF-2) DISTRICT AND RURAL RESIDENCE (RR) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in **File C14-01-0186**, as follows:

Tract One: From interim single family residence standard lot (I-SF-2) district to general commercial services-conditional overlay (CS-CO) combining district.

Lots 26-29 and 34-37, Glenbrook Addition Section 1 Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 5, Page 30, of the Plat Records of Travis County, Texas, and

Tract Two: From rural residence (RR) district to general commercial services-conditional overlay (CS-CO) combining district.

A 1.43 acre tract of land, more or less, out of the Santiago del Valle Grant in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 3039-3101 State Highway 71 East and 2908-3004 Meldrum Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A 15-foot wide vegetative buffer shall be provided and maintained along and adjacent to Meldrum Road. Improvements permitted within the buffer zone are limited to

drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

2. The following uses of the Property are prohibited uses:

Adult oriented businesses

Vehicle storage

Stables

Theater

Custom manufacturing

Funeral services

Hotel-motel

Indoor entertainment

Indoor sports and recreation

Outdoor entertainment

Pawn shop services

Bed and breakfast (Groups 1&2)

Campground

Cocktail lounge

Commercial blood plasma center

Outdoor sports and recreation

Marina

Scrap and salvage

Special use historic

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

PART 3. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on May 27, 2002.

PASSED AND APPROVED

_____, 2002

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§
§

Gustavo L. Garcia

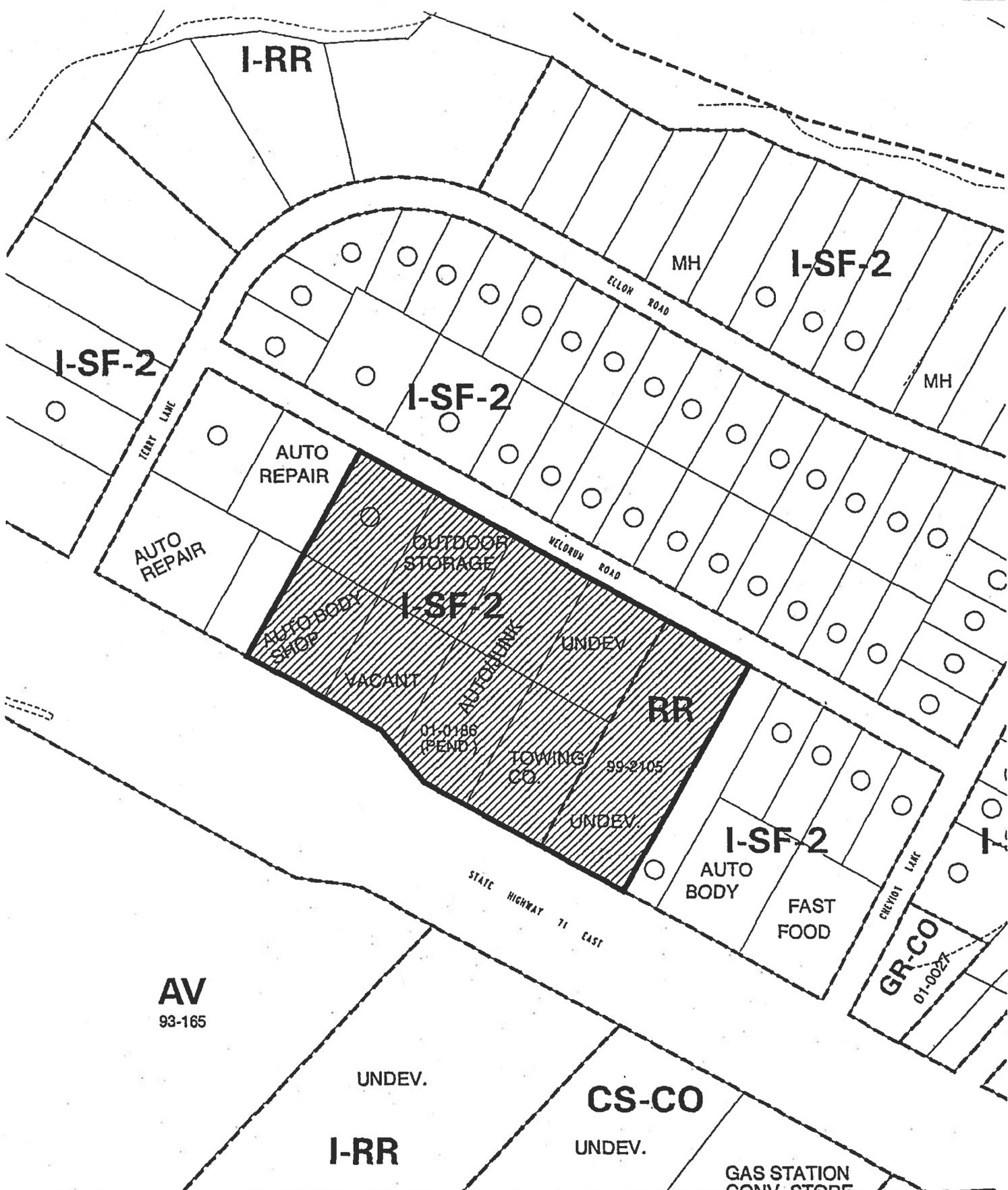
Gustavo L. Garcia
Mayor

APPROVED:

Sedora Jefferson
Sedora Jefferson
City Attorney

ATTEST:

Shirley A. Brown
Shirley A. Brown
City Clerk



	SUBJECT TRACT		ZONING EXHIBIT B CASE #: C14-01-0186 ADDRESS: 3039-3101 ST. HWY 71 & 2908-3004 MELDRUM RD. SUBJECT AREA (acres): 6.480	CITY GRID REFERENCE NUMBER P17	
	PENDING CASE				DATE: 02-03
	ZONING BOUNDARY				INTLS: SM
	CASE MGR: A. BEAUDET				

COUNTY

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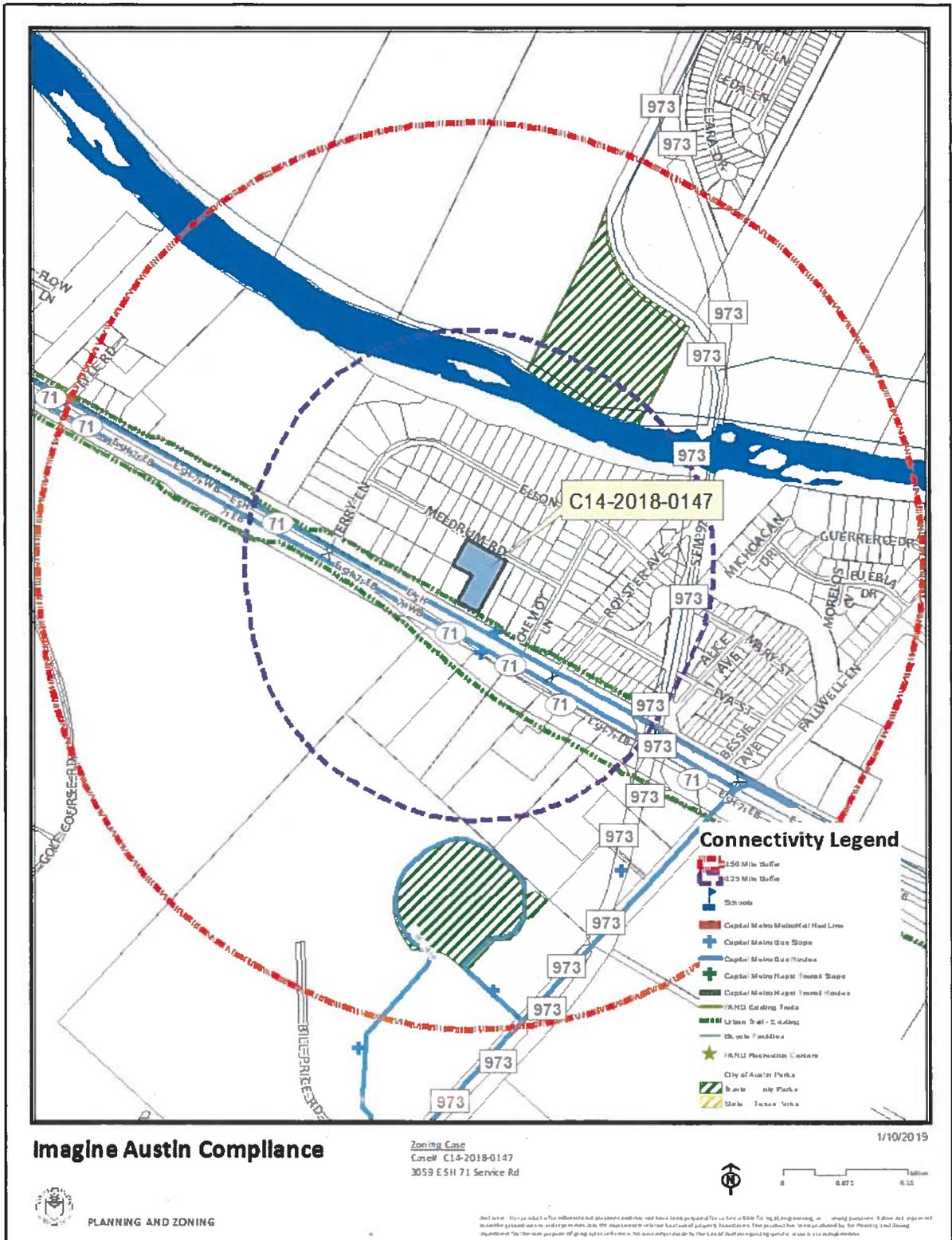
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Environmental

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A portion of this site is also located in the State Highway 71 Scenic Roadways Overlay. Additional comments may be generated during the site plan review process.

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Additional right-of-way may be required at the time of subdivision and/or site plan.

Water and Wastewater

FYI: 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, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. 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 fees once the landowner makes an application for Austin Water utility tap permits.