

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2017-0022 – Bluff Springs Commercial **Z.A.P. DATE:** September 5, 2017

October 17, 2017  
November 7, 2017  
December 5, 2017  
January 16, 2018  
January 30, 2018  
July 17, 2018  
August 21, 2018  
February 5, 2019

**ADDRESS:** 6901 and 7001 Bluff Springs Road

**DISTRICT AREA:** 2

**OWNER:** Hanaco Ventures, LLC  
(Salim Haddad)

**AGENT:** South Llano Strategies  
(Glen Coleman)

**ZONING FROM:** CS-CO

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

**AREA:** 4.04 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning to remove the 2,000 vehicle trips per day limitation and replace it with the conditions of a Traffic Impact Analysis. The list of prohibited uses that applies to the property remains unchanged.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated January 30, 2019, as provided in Attachment A.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

September 5, 2017: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO OCTOBER 17, 2017*

*[A. AGUIRRE; Y. FLORES – 2ND] (11-0)*

October 17, 2017: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO NOVEMBER 7, 2017*

*[D. KING; S; LAVANI – 2ND] (8-0) D. BREITHAUPT, Y. FLORES, S. TRINH – ABSENT*

November 7, 2017: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO DECEMBER 5, 2017*

*[B. GREENBERG; S. TRINH – 2<sup>ND</sup>] (7-0) A. AGUIRRE, A. DENKLER – ARRIVED LATE; J. KIOLBASSA, D. BREITHAUPT – ABSENT*

December 5, 2017: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO JANUARY 16, 2018*

*[B. EVANS; A. AGUIRRE – 2<sup>ND</sup>] (9-0) S. LAVANI – ABSENT, 1 VACANCY ON THE COMMISSION*

January 16, 2018: *MEETING CANCELLED DUE TO INCLEMENT WEATHER*

January 30, 2018: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY THE STAFF AND APPLICANT*

*[J. DUNCAN; B. EVANS – 2<sup>ND</sup>] (7-0) D. BREITHAUPT, S. LAVANI – ABSENT; A. DENKLER, Y. FLORES – OFF THE DAIS*

July 17, 2018: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO AUGUST 21, 2018*

*[D. KING; J. DUNCAN – 2<sup>ND</sup>] (9-0) D. BREITHAUPT, S. LAVANI – ABSENT*

August 21, 2018: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY THE STAFF*

*[J. DUNCAN; B. EVANS – 2<sup>ND</sup>] (9-0) A. DENKLER, S. LAVANI – ABSENT*

February 5, 2019: *APPROVED CS-CO DISTRICT ZONING WITH THE CONDITIONS OF THE TRAFFIC IMPACT ANALYSIS, AS STAFF RECOMMENDED, BY CONSENT*

*[D. KING; B. GREENBERG – 2<sup>ND</sup>] (7-0) A. AGUIRRE, N. BARRERA-RAMIREZ, D. BREITHAUPT, S. LAVANI – ABSENT*

### **ISSUES:**

None at this time.

### **DEPARTMENT COMMENTS:**

The subject undeveloped two lots are located at the northeast corner of Bluff Springs Road and Blue Meadow Drive and have had general commercial services – conditional overlay (CS-CO) district zoning since 1996 when the intended development was convenience storage. A rezoning case in 2000 modified the CO to remove automotive washing use from the prohibited use list. A third rezoning case approved by Council in 2012 removed several additional uses from the prohibited use list. To the north and northeast there is an undeveloped tract and manufactured homes in the South Creek subdivision (I-SF-3; MH), and to the south there is an undeveloped lot and single family residences in the Meadows at Bluff Springs subdivision (LR-CO; SF-4A-CO). Across Bluff Springs Road to the west, there is an electric substation, a campground, a warehouse, apartments and an AISD bus depot facility and administrative offices (SF-3; MF-1; I-RR; CS-MU-CO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to modify the Conditional Overlay to remove the 2,000 vehicle trips per day limitation and replace it with the conditions of a Traffic Impact Analysis. The proposed development for the overall site is a service station with 6 fueling positions and 17,655 square feet of office / warehousing use. Vehicular access (2 driveways) will be taken to Bluff Springs Road. The prohibited use list that applies to the property will remain intact.

Staff recommends the Applicant's request, based on the following considerations of the property: 1) location at the intersection of a major arterial and a collector roadway; and 2) the recommended transportation improvements identified in the Traffic Impact Analysis serve to mitigate the calculated impact to traffic resulting from the proposed development.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS-CO	Undeveloped
<i>North</i>	I-SF-3; MH	Shed; Manufactured homes in the South Creek subdivision
<i>South</i>	LR-CO; MH; SF-4A-CO	Undeveloped; Manufactured homes in the South Creek subdivision; Single family residences in the Meadows at Bluff Springs subdivision
<i>East</i>	MH	Manufactured homes in the South Creek subdivision
<i>West</i>	I-RR; SF-3; MF-1	Warehouse (vacant); Apartments; Campground; Telecommunication tower; Electric substation

**AREA STUDY:** Not Applicable

**TIA:** Is required – Please refer to Attachment A

**WATERSHEDS:** Onion Creek / Williamson Creek – Suburban

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

### **NEIGHBORHOOD ORGANIZATIONS:**

96 – Southeast Corner Alliance of Neighborhoods (SCAN)

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association 742 – Austin Independent School District

1228 – Sierra Club, Austin Regional Group

1249 – Los Jardines Homeowners Association 1258 – Del Valle Community Coalition

1363 – SEL Texas

1408 – Go!Austin/Vamos!Austin (GAVA) – Dove Springs

1431 – Indian Hills Neighborhood Watch 1438 – Dove Springs Neighborhood Association

1441 – Dove Springs Proud

1528 – Bike Austin

1530 – Friends of Austin Neighborhoods 1550 – Homeless Neighborhood Association

1578 – South Park Neighbors

1616 – Neighborhood Empowerment Foundation

**SCHOOLS:**

Perez Elementary School

Paredes Middle School

Akins High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2008-0123 – Bennett Tract – 7309 ½ South IH 35 Service Road Northbound	I-RR; GR to MF-3; CS	To Grant CS-MU-CO with the CO prohibiting a list of uses and limiting residential density to 36 u.p.a. RC for the conditions of the TIA and prohibiting commercial businesses within 200' of Bluff Springs. Street deed for 13' additional r-o-w on Bluff Springs.	Approved CS-MU-CO with Restrictive Covenant and Street Deed as recommended by Commission (3-11-10).
C14-84-457 (RCA) – Chrysler Auto Dealership – 6905 South IH 35 Service Road Northbound	To delete the covenant as it applies to Lot 2, thereby enabling the property to have all of the conditional and permitted uses of GR zoning	To terminate the RC as it applies to this particular property and retain a restriction that prohibits pawn shop services and residential treatment	Approved an amendment to the RC, as recommended by the Commission (4-30-09).
C14-98-0224 – The 33 at Bluff Springs – 7101 Block of Bluff Springs Road at Blue Meadow Drive	I-RR to GR & MH	To Grant SF-4A for Tract 1 and LR for Tract 2	Approved SF-4A-CO for Tract 1 and LR-CO for Tract 2. CO is for 2,000 trips and prohibiting food sales and restaurant (fast food). Street Deed for additional r-o-w on Bluff Springs (5-6-99).

**RELATED CASES:**

The property is platted as Lots 1 and 2 of Bluff Springs Commercial, a subdivision recorded on March 18, 1997 (C8-96-0264.0A – Bluff Springs Commercial). A plat note prohibits access to Blue Meadow Drive. Please refer to Exhibit B (Recorded Plat).

The property was zoned CS-CO on March 7, 1996 and the conditional overlay prohibited all uses except for convenience storage, limited development to 2,000 trips and established compatibility

standards with the adjacent manufactured homes to the east (C14-95-0181 – Bluff Springs Storage Co.). On May 18, 2000, Council approved modification of the Conditional Overlay to: 1) remove automotive washing from the prohibited use list and 2) limit trips to 2,000 (C14-99-2089 – Bluff Springs Commercial). On February 2, 2012, Council approved a change to the Conditional Overlay to remove the following uses from the list of prohibited uses: art and craft studio (general), business support services, laundry services, medical offices, personal improvement services and restaurant (general). All other portions of the Conditional Overlay that apply to the property remained unchanged (C14-2011-0127 – Bluff Springs Commercial). Please refer to Exhibit C (2012 Rezoning Ordinance).

There are no related site plan applications on the subject property.

**EXISTING STREET CHARACTERISTICS:**

Name	ROW	Pavement	Classification	Sidewalks
Bluff Springs Road	87 feet	47 feet	Arterial	Yes
Blue Meadow Drive	60 feet	41 feet	Collector	Yes

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
Bluff Springs Road	Shared Lane	Bike Lane
Blue Meadow Drive	Wide Curb	Bike Lane

Capital Metro bus service (route no(s). [127](#), [333](#), and [486](#)) is available along [Bluff Springs Road and Blue Meadow Drive](#).

**CITY COUNCIL DATE:** October 19, 2017

**ACTION:** Approved a Postponement request by Staff to December 7, 2017 (Vote: 11-0).

December 7, 2017

Approved a Postponement request by Staff to February 1, 2018 (Vote: 9-0, Council Members Garza and Troxclair were absent).

February 1, 2018

Approved an Indefinite Postponement request by Staff (Vote: 11-0).

August 30, 2018

Approved an Indefinite Postponement request by Staff (Vote: 11-0).

March 28, 2019

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: [wendy.rhoades@austintexas.gov](mailto: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 to remove the 2,000 vehicle trips per day limitation and replace it with the conditions of a Traffic Impact Analysis. The list of prohibited uses that applies to the property remains unchanged.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated January 30, 2019, as provided in Attachment A.

**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. Public facilities and services should be adequate to serve the set of uses allowed by a rezoning.*

Staff recommends the Applicant's request, based on the following considerations of the property: 1) location at the intersection of a major arterial and a collector roadway; and 2) the recommended transportation improvements identified in the Traffic Impact Analysis serve to mitigate the calculated impact to traffic resulting from the proposed development.

**EXISTING CONDITIONS****Site Characteristics**

The rezoning area is undeveloped, sparsely vegetated and relatively flat. There appear to be no significant topographical constraints on the site.

**Comprehensive Planning**

This rezoning case is located on the northeast corner of Bluff Springs Road and Blue Meadow Drive on a commercially zoned property, which is approximately 4.04 acre in size, and undeveloped. The property is not located within the boundaries of an area with an adopted neighborhood plan. Surrounding land uses includes a utility easement to the north; undeveloped land to the south; and a manufactured home park and a utility substation to the east; and an RV park to the west. The request is to remove the 2,000 vehicle trips per day limitation and replace it with the conditions of a Traffic Impact Analysis to develop the site

as commercial, and build a development with two general retail bays and a convenience store.

### **Connectivity**

The frontage along Bluff Springs Rd. includes a public sidewalk and a CapMetro stop 50 ft. away on Blue Meadow Drive. The Walkscore for this site is 55/100, which means this area is somewhat walkable and some errands may be accomplished on foot.

### **Imagine Austin**

The Imagine Austin Growth Concept Map does not place this area within an Activity Center or along an Activity Corridor. The following Imagine Austin policies are applicable to this project:

- **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.
- **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 schools, retail, employment, community services, and parks and recreation options.

While this project is not located within or along an Activity Center or Corridor, it does provide much needed retail in the area, and therefore this project appears to be supported by 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.

### **Impervious Cover**

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

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Onion Creek Watershed and the Williamson Creek Watershed of the Colorado River Basin, which are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. 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 Net Site Area</i>	<i>% 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 boundary.

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.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

### **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 northern and eastern 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. 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

### **Transportation**

Transportation staff has reviewed the survey showing the ROW information for Bluff Springs Road and it appears that there is sufficient ROW already available to comply with the ROW requirements for Bluff Springs Road in accordance with the Austin Metropolitan Area Transportation Plan (AMATP).

As a boundary street, up to 50% of the total width necessary for ROW is required to be dedicated as a condition of approval for an application that is filed for zoning or rezoning, subdivision, or site plan approval, measured from the existing centerline of the ROW.

In accordance with the AMATP, up to 57 feet of ROW from the existing centerline along Bluff Springs Rd. is required. The AMATP shows a total width of 114 feet ROW for a future four-lane, divided arterial roadway (MAD4).

However, based on the signed and sealed survey, it shows that the ROW from the existing centerline varies between 58.8 feet and 59.0 feet. Therefore, no additional ROW is necessary at this time.

A traffic impact analysis (TIA) is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA [LDC, Sec. 25-6-142]. TIA review comments will be provided in a separate memo directly to the traffic consultant.

FYI – Access to Blue Meadow Drive is prohibited per the subdivision plat.

### **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. Water and wastewater utility plans must be reviewed and approved

by the Austin Water Utility for compliance with City criteria. 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.