

ZONING CHANGE REVIEW SHEET

CASES: C14-2018-0108 – Airport Gateway,
Lots 1, 5, and 6

P.C. DATE: March 12, 2019

C14-2018-0109 – Airport Gateway, Lot 9

ADDRESS: 3112 Caseybridge Court (-0108); 3111 Caseybridge Court (-0109)

DISTRICT AREA: 2

OWNER: Airport Gateway LP (Kenneth Satterlee)

AGENT: Land Strategies
(Erin Welch)

ZONING FROM & TO: CS-MU-CO-NP; LI-CO-NP, to change a condition of zoning
(-0108);

ZONING FROM & TO: CS-MU-CO-NP (-0109)

AREA (-0108): 3.069 acres; **AREA (-0109):** 0.94 acres **TOTAL AREA:** 4.009 acres

SUMMARY STAFF RECOMMENDATION:

For C14-2018-0108: The Staff recommendation is to grant general commercial services – mixed use – conditional overlay (CS-MU-CO-NP) combining district zoning and limited industrial services – conditional overlay – neighborhood plan (LI-CO-NP) 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 apply to the property remains unchanged.

For C14-2018-0109: The Staff recommendation is to grant general commercial services – mixed use – conditional overlay (CS-MU-CO-NP) 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 apply to the property remains unchanged.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated March 7, 2019, as provided in Attachment A.

PLANNING COMMISSION RECOMMENDATION:

March 12, 2019:

For C14-2018-0108: APPROVED CS-MU-CO-NP DISTRICT ZONING AND LI-CO-NP DISTRICT ZONING, TO CHANGE A CONDITION OF ZONING, WITH CONDITIONS OF THE TRAFFIC IMPACT ANALYSIS, AS STAFF RECOMMENDED, BY CONSENT [P. SEEGER; K. MCGRAW – 2ND] (12-0) A. DE HOYOS HART – ABSENT

For C14-2018-0109: APPROVED CS-MU-CO-NP DISTRICT ZONING, TO CHANGE A CONDITION OF ZONING, WITH CONDITIONS OF THE TRAFFIC IMPACT ANALYSIS, AS STAFF RECOMMENDED, BY CONSENT

[P. SEEGER; K. MCGRAW – 2ND] (12-0) A. DE HOYOS HART – ABSENT

ISSUES:

The Applicant met with the Southeast Combined Neighborhood Plan Contact Team on Monday, April 8th at the Southeast Community Branch Library. The Contact Team has provided a letter of support for the proposed rezonings. Please refer to the attached correspondence.

DEPARTMENT COMMENTS:

The subject four undeveloped lots are located at the corner of East Ben White Boulevard and Caseybridge Court and have had general commercial services – mixed use – conditional overlay – neighborhood plan (CS-MU-CO-NP) district zoning and limited industrial services – conditional overlay – neighborhood plan (LI-CO-NP) district zoning since Council approved the Southeast Combined Neighborhood Plan Rezonings in October 2002 (C14-02-0128.03 – Tracts 59 and 60). The Conditional Overlay limits the number of vehicle trips per day to 2,000 per day, and prohibits adult oriented businesses, convenience storage and vehicle storage for each tract. There is a single family residence and undeveloped property to the east (LI-NP), a hotel and an undeveloped lot and Carson Creek to the south (CS-MU-CO-NP), and an undeveloped lot and manufactured home sales to the west (CS-MU-CO-NP; LI-CO-NP). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (2002 Rezoning Ordinance).

The Applicant proposes to modify the Conditional Overlay to remove the 2,000 vehicle trips per day limitation on each rezoning case and replace it with the conditions of a Traffic Impact Analysis. The proposed development for the two rezoning areas is a service station with 12 fueling positions on Lot 1, a 120 room hotel on Lot 5, a 7,000 square foot retail sales business on Lot 6 and a 3,000 square foot restaurant on Lot 9. Vehicular access will be taken from East Ben White Boulevard and Caseybridge Court. The prohibited uses that apply to each lot 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 commercial street; 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:

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO-NP; LI-CO-NP	4 undeveloped lots
<i>North</i>	Not Applicable	East Ben White Boulevard Service Road and main lanes
<i>South</i>	CS-MU-CO-NP	Hotel-motel; Undeveloped

<i>East</i>	LI-NP	Single family residence; Undeveloped
<i>West</i>	LI-CO-NP	Sale of manufactured homes; Undeveloped

NEIGHBORHOOD PLANNING AREA: Southeast Austin Combined (Southeast)

TIA: Is required – Please refer to Attachment A

WATERSHED: Carson Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

- 96 – Southeast Corner Alliance of Neighborhoods (SCAN)
- 299 – The Crossing Gardenhome Owners Association
- 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
- 774 – Del Valle Independent School District
- 1145 – Carson Ridge Neighborhood Association
- 1227 – Montopolis Neighborhood Plan Contact Team (MNPCT)
- 1228 – Sierra Club, Austin Regional Group 1255 – Pleasant Valley
- 1258 – Del Valle Community Coalition
- 1316 – Southeast Combined Neighborhood Plan Contact Team
- 1321 – Montopolis Tributary Trail Association 1357 – Montopolis Community Alliance
- 1363 – SEL Texas
- 1408 – Go!Austin/Vamos!Austin (GAVA) – Dove Springs
- 1424 – Preservation Austin 1438 – Dove Springs Neighborhood Association
- 1441 – Dove Springs Proud 1474 – East Riverside Corridor Staff Liaison
- 1528 – Bike Austin 1530 – Friends of Austin Neighborhoods
- 1550 – Homeless Neighborhood Association 1578 – South Park Neighbors
- 1605 – Tejana Bilingual Community
- 1616 – Neighborhood Empowerment Foundation

SCHOOLS:

The subject rezoning area is within the Del Valle Independent School District.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0035 – Southeast Combined Creek Setback – South of E Ben White Blvd and East of Montopolis Dr 183	P-NP; CS-MU-NP and CS-MU-CO-NP, to establish a setback that prohibits development for 50’ in both directions from the centerline	To Grant as requested	Apvd (6-12-2003).

– City-Initiated	of an open waterway, with certain exceptions		
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RELATED CASES:

The lots were rezoned CS-MU-CO-NP and LI-CO-NP with the Southeast Neighborhood Plan rezonings approved by Council on October 10, 2002. Please refer to Exhibit B (2002 Rezoning Ordinance).

The rezoning area is platted as Lots 1, 5, 6 and 9 of the Amended Plat of Airport Gateway Subdivision, recorded on August 27, 2014 (C8-2014-0118.0A). Please refer to Exhibit C (Recorded Plat).

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

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
East Ben White Boulevard	350 feet	317 feet	MAD 6	Yes	Yes	No
Caseybridge Court	70 feet	45 feet	Local	Yes	No	No

FYI – The existing driveways and sidewalks along East Ben White Boulevard and Caseybridge Court may be required to be removed and/or reconstructed at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

CITY COUNCIL DATE: April 25, 2019

ACTION: Approved a Postponement request by the Applicant to May 9, 2019 (11-0).

May 9, 2019

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 512-974-7719

SUMMARY STAFF RECOMMENDATION:

For C14-2018-0108: The Staff recommendation is to grant general commercial services – mixed use – conditional overlay (CS-MU-CO-NP) combining district zoning and limited industrial services – conditional overlay – neighborhood plan (LI-CO-NP) 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 apply to the property remains unchanged.

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BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The LI district designation is for a commercial service use or limited manufacturing use generally located on a moderately sized site. 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 mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The Conditional Overlay (CO) combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties. The NP, neighborhood plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

The properties have frontage on East Ben White Boulevard.

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 commercial street; 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 southeast corner of Caseybridge Ct. and E. Ben White Blvd. on undeveloped lot acreage, which is made up of four lots. This project area is located within boundaries of the Southeast Combined Neighborhood Planning Area. Surrounding land uses to the north includes an apartment complex, a landscaping supply company, auto sales and single family housing; to the south is a hotel and undeveloped land; to the east is a large warehouse/office complex, a data center, and a hotel; and to the west is a manufactured home dealership, and another hotel. The request is to remove a Conditional Overlay on the three parcels, which currently limits the trips per day to 2,000, in order to build a 120 room hotel, 7,000 sq. ft. of retail, and a gas station on Lots 1, 5 and 6, and a fast food restaurant on Lot 9.

Per the applicant:

The goal of this rezoning application – consisting of 4.16 acres in total – is to remove the traffic limitation of 2,000 trips per day for each of Tract 59 and 60, for a total limitation of 4,000 trips per day. As you can see, only Lots 1, 5, 6, and 9 are included in the rezoning application. Existing and proposed development on the remainder of the overall property (Lots 3, 7, and 8, and the remainder of the property to the south of the creek) will remain compliant with the 2,000 trip per day limitation associated with Tract 59 of the 2002/2003 zoning ordinances, and therefore do not need to be included in the rezoning application. As you may recall, I previously spoke with you about this rezoning

Connectivity

There is a public sidewalk located along this portion of East Ben White Blvd. and Caseybridge Ct. Public transit stops, bike lanes, and urban trails are not available within a quarter of a mile of this site. The Walkscore for this property is 25/100, Car Dependent, meaning most errands require a car. **When analyzing this particular location, the existing mobility options in this area appear to be limited.** *Please note, Walk Score® is a private company that provides walkability services and apartment search tools through a website and mobile applications. Walk Score® has received some criticism in the media, particularly from urban planning professionals, for the limits of its accuracy and relevancy in methodology and results. Specifically, this tool does not calculate whether there are public sidewalks, how many lanes of traffic one must cross, how much crime occurs in the area. It also does not differentiate between types of amenities, for example a supermarket grocery store versus a small food mart selling mostly chips and liquor.*

Southeast Combined Neighborhood Plan (SCNP)

The SCNP Future Land Use Map (FLUM) classifies this portion of SH 71/E Ben White Blvd as ‘Major Planned Development’ ‘Mixed Use’ and ‘Industry’ categories, which allows

everything from single family housing to industrial parks. The zoning classification of CS-MU and LI-NP are permitted under these three FLUM categories. The following design guidelines, text and policies are taken from the SCNP and are applicable to this case:

SECNP Voluntary Design Guidelines for Industrial Districts (p 32)

OBJECTIVE 1: Minimize the visual impact of industrial properties from other districts and public spaces in the neighborhood planning area.

Guideline 1.1: Industrial properties are encouraged to setback from street frontages as much as possible. Berms and landscaped buffers should be used to screen unattractive activities from the street and adjacent non-industrial districts.

Guideline 1.2: Landscaped buffers along street frontages should include shaded sidewalks or trails.

Guideline 1.3: Where inhabited portions of buildings exist (such as office and lunch rooms) they are encouraged to face the street, and have windows and doors directly accessible to the street.

Guideline 1.4: Parking and shipping/receiving areas should be treated to the same standard as commercial districts.

SECNP Policies and Text:

The Southeast Planning Area is primarily industrial yet has pockets of residential areas throughout and some commercial nodes along the major corridors. A great majority of the land in this area is undeveloped, but currently zoned industrial. Due to the Airport Overlay Zone and the proximity of the entire area to the airport, the future land use scenario makes no accommodation for residential uses except for the addition of some commercial/mixed - use. A significant amount of future land uses are slated for industrial development with corresponding increases in the amount of land suited for commercial and warehouse/limited office type development. (p 46)

Industrial Zones (p. 55)

A distinctive element of the existing land use landscape within the Planning Areas is that there are defined districts with large amounts of existing industrial development, and numerous undeveloped proper ties with industrial zoning. The fact that this part of southeast Austin is surrounded by major Southeast Combined Neighborhood Plan transportation corridors, has a large amount of undeveloped land, and is in close proximity to the airport makes it a very attractive location for industrial development. The McKinney and Southeast NPAs host the majority of this type of construction, much of this in the form of large industrial office parks. Instead of rejecting industrial-type development around their homes, residents in the Franklin Park and McKinney NPAs have been successful at communicating and cooperating with nearby industrial property owners. Area residents have traditionally been amenable to those types of industrial uses that don't interfere with neighborhood activities or infringe upon their quality of life.

IH-35 and Ben White Corridors (p. 55)

Goal 3: Encourage employment centers, commercial activities, and other non-residential development to locate along major thoroughfares.

Objective 3.1: Maintain prevailing land use pattern of commercial, office and industrial development to ensure compatibility of existing and future land uses. (Implementer: NPZD)

Action Item 8: Upzone DR & SF-zoned property along IH-35 and Ben White Boulevard to a zoning category that would allow for commercial and industrial uses

Goal 4: Ensure that existing residential and industrial zoned properties co-exist in a compatible manner. (p. 56)

Objective 4.1: Provide appropriate buffer zones between residential and industrial zoned properties

Goal 5 - Create land use and zoning recommendations that reflect the existing industrial nature of parts of the planning area. (p 56)

The proposed light industrial/commercial project is located along a corridor that already contains a mix of industrial, and retail and commercial uses, including hotels. The goals, policies, actions and text in the SECNP appears to support industrial uses and compatible commercial uses along IH 35 and E. Ben White Blvd Corridors, while also acting as a source of jobs and industry in the planning area. The SECNP Voluntary Design Guidelines recommends that any development that is located within industrial and commercial areas provide appropriate landscaping, shaded sidewalk, and push the building back from the road and providing windows in the office areas.

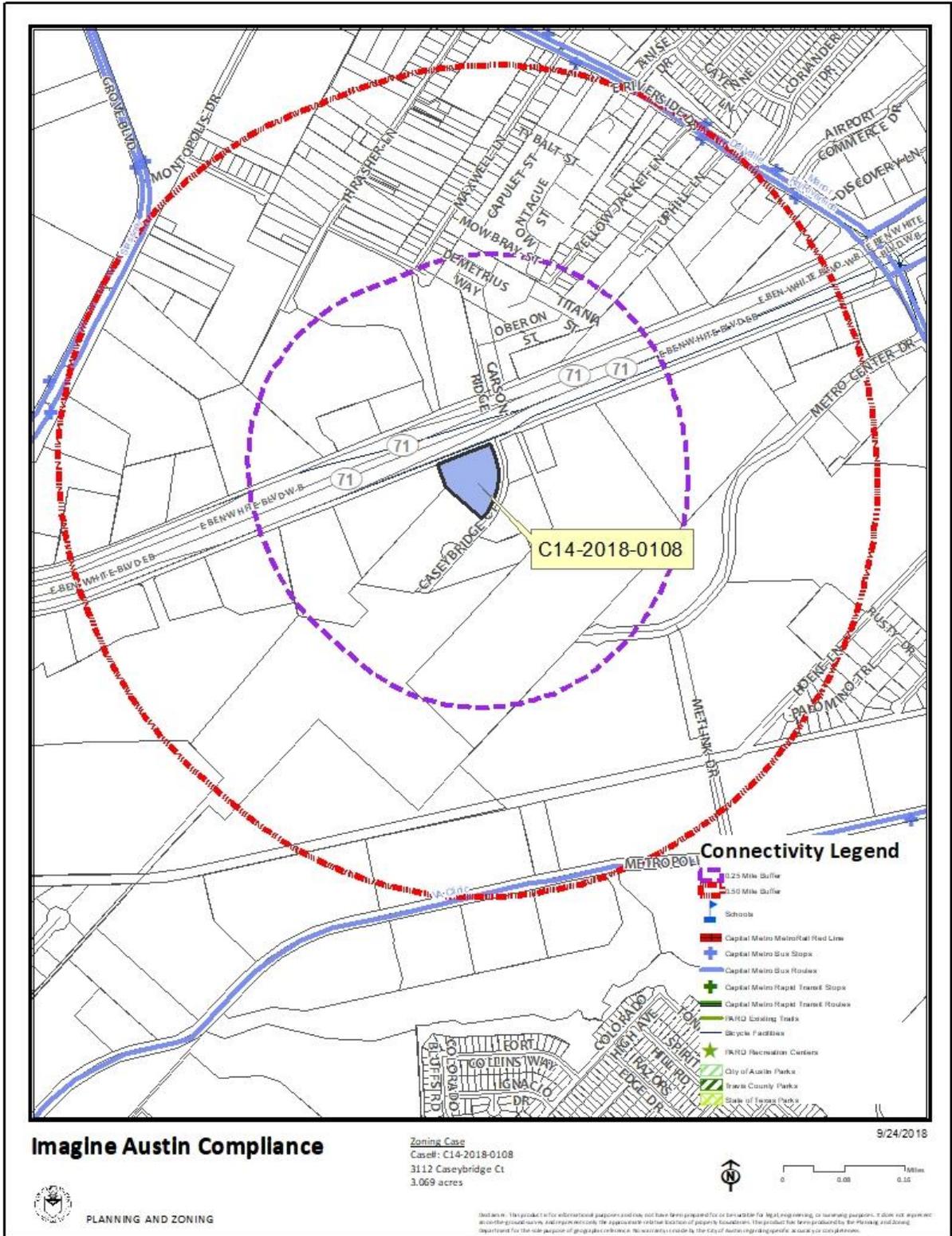
Imagine Austin

The Imagine Austin Growth Concept Map identifies this property as being located within a “**Job Center**.” Page 107 of the IACP states, “*Job centers accommodate those businesses not well-suited for residential or environmentally sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International Airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the Growth Concept Map offers transportation choices such as light rail and bus rapid transit to increase commuter options.*” The following IACP policy also supports business parks: **LUT P20.** Locate industry, warehousing, logistics, manufacturing, and other freight-intensive uses in proximity to adequate transportation and utility infrastructure.

The following IACP policies are also 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 P4.** Protect neighborhood character by directing growth to areas of change that include 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 the property: (1) being located within a designated Major Planned Development/Industrial/Mixed Use area on the SECNP FLUM, where a variety of commercial, industrial and mixed use project are supported; (2) being located by an IACP 'Job Center', where industrial and appropriate commercial uses (including hotels) are supported; and (3) the Imagine Austin Plan policies referenced above, which supports locating light industrial and some commercial uses within Job Centers, this industrial/mixed use project appears to support the policies of 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 and LI base zoning districts 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 Carson 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.

Few 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 and Compatibility Standards

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.

Airport Overlay

FYI – 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. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing. 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 Bryan Walker at 512-974-2686 for more information.

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

Transportation

Per LDC 25-6-101 (Ordinance No. 20170302-077), this site is required to provide mitigation for traffic impact with the rezoning application.

The Austin Metropolitan Area Transportation Plan calls for 400 feet of right-of-way for E Ben White Blvd. At the site plan phase, up to 200 feet of right-of-way from the existing centerline may be required to be dedicated for E Ben White Blvd. according to the Transportation Plan [LDC 25-6-51 and 25-6-55].

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, an urban trail is recommended for E Ben white. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the [Bicycle Master Plan](#) for more information.

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.