

## SECOND/THIRD READINGS SUMMARY SHEET

CASE: C14-2019-0001 – 9328 ½ Anderson Mill Road      DISTRICT: 6

ADDRESS: 9328 ½ Anderson Mill Road

PROPERTY OWNER: Margaret Joseph      AGENT: 2P Consultants, LLC (Don J. Pool)

REQUEST: **Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 9328 ½ Anderson Mill Road from interim-single-family residence-standard lot (I-SF-2) district to community commercial-mixed use combining (GR-MU) district zoning, with conditions.**

PREVIOUS CITY COUNCIL ACTION:

**May 23, 2019: Approved GR-MU zoning on 1<sup>st</sup> reading only on consent (11-0); J. Flannigan-1<sup>st</sup>, G. Casar-2<sup>nd</sup>.**

**August 22, 2019**

DEPARTMENT COMMENTS:

The property in question is a 0.5068 acre/22, 0076 sq. ft. undeveloped lot fronting onto Anderson Mill Road, between U.S. Highway 183 and Pond Springs Road. There are commercial uses surrounding the site to the north, south, east and west. To the north, there is a convenience storage use (Pond Springs Mini Storage) that is zoned W/LO-CO. The tract of land to the south is currently vacant (former SBC/ATT&T call center) and zoned GR-CO. To the east, there is a service station and convenience store (Citgo/Pond Springs Food Mart). There is an office/retail use to the west (B & C Trophies). The lots to the east and west have an interim designation, I-SF-2. The applicant is requesting CS zoning to develop an Automotive Sales use on the subject tract.

The staff recommends GR, Community Commercial District, zoning at this location because the site meets the purpose statement of the GR district. The Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways. GR zoning would be appropriate at this location because it is compatible and consistent with surrounding zoning patterns. There is W/LO-CO zoning to the north, GR-CO zoning to the south and LR-CO zoning to west of the site under consideration. The property is not located at a major intersection. However, it does front onto an arterial roadway, Anderson Mill Road. The Community Commercial zoning will permit the applicant's proposed Automotive Sales use at this location.

The applicant agrees with the City Council approval at 1<sup>st</sup> reading.

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2019-0001 – 9328 ½ Anderson Mill Road

DISTRICT: 6

ZONING FROM: I-SF-2

TO: CS

ADDRESS: 9328 ½ Anderson Mill Road

SITE AREA: 0.51 acres (22,215.6 sq. ft.)

PROPERTY OWNER: Margaret Joseph

AGENT: 2P Consultants, LLC (Don J. Pool)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov))

STAFF RECOMMENDATION:

**Staff recommends GR, Community Commercial District, zoning.**

**It is recommended that 57 feet of right-of-way from the existing centerline should be dedicated and/or reserved for Anderson Mill Road according to the Transportation Plan through a street deed /public restrictive covenant prior to 3rd reading of City Council.**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**April 2, 2019: Pulled because of notification error. No action required.**

**April 16, 2019: Pulled because of posting error. No action required.**

**May 7, 2019: Approved staff's recommendation of GR zoning, with conditions, by consent (9-0, N. Barrera-Ramirez-absent); D. King-1<sup>st</sup>, A. Tatkow-2<sup>nd</sup>.**

CITY COUNCIL ACTION:

**April 25, 2019: Postponed to May 23, 2019 at the staff's request (11-0); P. Renteria-1<sup>st</sup>, D. Garza-2<sup>nd</sup>.**

**May 23, 2019: Approved GR-MU zoning on 1<sup>st</sup> reading only on consent (11-0); J. Flannigan-1<sup>st</sup>, G. Casar-2<sup>nd</sup>.**

**August 22, 2019:**

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 0.5068 acre/22, 0076 sq. ft. undeveloped lot fronting onto Anderson Mill Road, between U.S. Highway 183 and Pond Springs Road. There are commercial uses surrounding the site to the north, south, east and west. To the north, there is a convenience storage use (Pond Springs Mini Storage) that is zoned W/LO-CO. The tract of land to the south is currently vacant (former SBC/ATT&T call center) and zoned GR-CO. To the east, there is a service station and convenience store (Citgo/Pond Springs Food Mart). There is an office/retail use to the west (B & C Trophies). The lots to the east and west have an interim designation, I-SF-2. The applicant is requesting CS zoning to develop an Automotive Sales use on the subject tract.

BASIS OF RECOMMENDATION:

The staff recommends GR, Community Commercial District, zoning at this location because the site meets the purpose statement of the GR district. The Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways. GR zoning would be appropriate at this location because it is compatible and consistent with surrounding zoning patterns. There is W/LO-CO zoning to the north, GR-CO zoning to the south and LR-CO zoning to west of the site under consideration. The property is not located at a major intersection. However, it does front onto an arterial roadway, Anderson Mill Road. The Community Commercial zoning will permit the applicant's proposed Automotive Sales use at this location.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	I-SF-2	Undeveloped
North	W/LO-CO	Convenience Storage (Pond Springs Mini Storage)
South	GR-CO	Vacant (Previously SBC/ATT&T Call Center)
East	I-SF-2	Service Station (Citgo), Food Sales (Pond Springs Food Mart), Billboard Sign
West	I-SF-2, LR-CO	Retail (B & C Trophies)

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Not Required

WATERSHED: Lake Creek

NEIGHBORHOOD ORGANIZATIONS:

Bike Austin  
 Friends of Austin Neighborhoods  
 Homeless Neighborhood Association  
 Neighborhood Association of SW Williamson County  
 Neighborhood Empowerment Foundation  
 Northwest Austin Coalition  
 SELTEXAS  
 Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2015-0120 (13401 Corner: 13401 Pond Springs Road)	I-RR to GR	10/06/15: Approved staff's recommendation of GR-CO zoning, with a CO to prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing and with ROW conditions, by consent (10-0); J. Goodman-1 <sup>st</sup> , A. Denkler-2 <sup>nd</sup> .	11/12/15: Approved community commercial-conditional overlay combining (GR-CO) district zoning on all 3 readings (11-0); D. Zimmerman-1 <sup>st</sup> , S. Gallo-2 <sup>nd</sup> .
C14-2012-0095 (Anderson Mill @ Pond Springs Road: 13427 Pond Springs Road)	GR-CO to CS	9/18/12: Approved staff's recommendation of CS-CO zoning by consent (4-0, G. Rojas, P. Seeger-absent). The CO would prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Agricultural Sales and Services, Campground, Drop-off Recycling Collection Facility, Kennels, Laundry Services, Monument Retail Sales, Plant Nursery, Vehicle Storage, and Commercial Blood Plasma Center uses and limit development to the already existing conditional	9/27/12: Approved CS-CO zoning on consent on 1 <sup>st</sup> reading (7-0); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .  10/18/12: Approved CS-CO zoning on consent on second/third readings (6-0, S. Cole-off dais); B. Spelman-1 <sup>st</sup> , C. Riley-2 <sup>nd</sup> .

		overlay approved with the original zoning case (C14-06-0066) which limits the number of trips generated by the subject tract as well as the original tract.	
C14-06-0066 (Furrows North: 13427 Pond Springs Road)	I-RR to CS-CO, GR-CO	9/19/06: Approved staff's recommendation for CS-CO zoning on Tract 1 and GR-CO zoning on Tract 2, with an added condition to prohibit Commercial Blood Plasma Center use on Tract 1. In addition, the Commission made a request that the applicant and neighborhood record a private restrictive covenant that is mutually agreeable to both parties prior to 3 <sup>rd</sup> reading of the case at City Council. Vote: (7-0, J. Martinez, J. Pinnelli-absent); K. Jackson-1 <sup>st</sup> , B. Baker-2 <sup>nd</sup> .	11/30/06: Approved CS-CO zoning for Tract 1 and GR-CO zoning for Tract 2 (7-0); all 3 readings
C14-05-0192 (The Mill: 9514 Anderson Mill Road)	I-RR to GR	12/06/05: Approved staff recommendation of GR-CO zoning, with a CO limiting development on the site to less than to less than 2,000 vehicle trips per day, by consent (7-0, K. Jackson, J. Pinnelli-absent); M. Hawthorn-1 <sup>st</sup> , J. Donisi-2 <sup>nd</sup> .	1/12/06: Approved GR-CO zoning by consent (6-0, D. Thomas-absent); R. Alvarez-1 <sup>st</sup> , L. Leffingwell-2 <sup>nd</sup> ; all 3 readings
C14-05-0143 (Quality Liquors: 13290-A Pond Springs Road)	Tract 1: I-RR to GR, Tract 2: I-RR to CS-1	9/20/05: Approved GR-CO for Tract 1 and CS-1-CO for Tract 2, prohibit on-site consumption, limit to 2,000 vehicle trips per day (9-0)	10/27/05: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2 by consent (6-0, Alvarez-off dais); all 3 readings
C14-03-0180 (Horizon Center: 13497 U.S. Highway 183 North)	I-SF-2 to Tract 1: GR-CO, Tract 2: CS-1-CO	1/20/04: Approved staff's recommendation of GR-CO (Tract 1), CS-1-CO (Tract 2) zoning by consent (6-0, J. Cortez, J. Donisi, K. Jackson-absent); the CO will prohibit the following uses: <u>Tract 1:</u> Drop-Off Recycling Collection Facility, Residential Treatment;	2/26/04: Approved GR-CO for Tract 1, CS-1-CO for Tract 2 by consent (7-0, Thomas-off dais); all 3 readings

		<p><u>Tract 2: Drop-Off Recycling Collection Facility, Residential Treatment, Building Maintenance Services, Campground, Cocktail Lounge, Commercial Blood Plasma Center, Construction Sales and Services, Convenience Storage, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Plant Nursery, Vehicle Storage, Veterinary Services, Custom Manufacturing, Limited Warehousing and Distribution, Maintenance and Service, Transitional Housing, Transportation Terminal; and limit the development intensity for the entire site to less than 2,000 vehicle trips per day.</u></p>	
<p>C14-02-0059 (Pond Springs Road Rezoning: 13498 Pond Springs Road)</p>	I-RR to GR	<p>6/04/02: Approved staff's recommendation of GR-CO zoning on consent, with 2,000 vtpd limit and added condition prohibiting the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (8-0, K. Jackson-absent)</p>	<p>7/11/02: Approved ZAP recommendation of GR-CO with conditions (7-0)</p>
<p>C14-02-0020 (Jeffrey Hair Salon: 9414-9416 Anderson Mill Road)</p>	I-RR to LR	<p>4/9/02: Approved staff's rec. of LR-CO zoning; limit the vehicle trips to 2,000 vehicle trips per day; prohibit Service Stations, Congregate Living, Family Homes, Group Homes, Residential Treatment; require dedication of the appropriate right-of way (9-0)</p>	<p>8/29/02: Approved ZAP rec. of LR-CO, deleting Right-Of-Way dedication and added Restaurant (Drive-in, Fast Food) use to the list of prohibited uses (7-0); 1<sup>st</sup> reading</p> <p>9/26/02: Approved LR-CO (7-0); 2<sup>nd</sup>/3<sup>rd</sup> readings</p>
<p>C14-02-0002 Southwestern Bell Pond Springs Site:</p>	I-RR to GR	<p>6/30/02: To approve GR-CO zoning on consent with the following conditions: Limit the development intensity on the</p>	<p>8/08/02: Approved GR-CO on 1<sup>st</sup> reading (6-0, Wynn out of room)</p>

<p>9319 Anderson Mill Road)</p>		<p>site to less than 2,000 vehicle trips per day; allow only LR district uses and prohibit the following uses: Restaurants (Drive-In, Fast Food), Station, Congregate Living, Guidance Services, Residential Treatment; Require that 57 feet of right-of-way from the existing centerline should be dedicated for Anderson Mill Road, according to the Roadway Plan, prior to third reading at City Council. (5-0, D. Castaneda-off dais, V. Aldridge-absent)</p>	<p>8/29/02: Approved GR-CO (7-0); 2<sup>nd</sup>/3<sup>rd</sup> readings</p>
<p>C14-01-0165 (Chris D. Jones: Approximately 400 feet northeast of the intersection of Anderson Mill Road and U.S. Hwy 183 North)</p>	<p>CS-CO to CS-CO</p>	<p>12/11/01: Approved staff rec. of CS-CO (7-0); the CO will limit the site to Convenience Storage as the only CS use, allow all LR uses with the exception of a Service Station, limit the site to a maximum building height of 45 feet, and limit the development intensity to less than 2,000 vehicle trips per day.</p>	<p>1/17/02: Approved ZAP rec. of CS-CO (6-0); all 3 readings</p>
<p>C14-01-0155 (13553 U.S. HWY 183 North)</p>	<p>I-RR to GR</p>	<p>11/21/01: Approved staff rec. of GR-CO by consent (8-0); the CO will limit the development intensity to less than 2,000 vehicle trips per day</p>	<p>1/10/02: Approved GR-CO (6-0, Goodman out of room); all 3 readings</p>

RELATED CASES:

Subdivision: Lot 3A, Block 1 of the Snyders Subdivision through case C8-89-0025.0A.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Anderson Mill Road	100'	70'	Major Arterial	Yes	Shared Lane	383

**OTHER STAFF COMMENTS:****Comprehensive Planning**

Thursday January 17, 2019

I-SF-2 to CS-CO

This zoning case is located on the north side of Anderson Mill Road, approximately 250 ft west of Pond Springs Road, on a vacant piece of property that is approximately 0.51 acres in size. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses to the north includes a convenience storage facility, a church, an office complex, commercial and light industrial uses and single-family housing; to the south are office/warehouses, light industrial uses, and several apartment complexes; to the east is a party center, a daycare center, and various retail and commercial uses; and to west are various retail and commercial uses. The proposed use is auto sales with a conditional overlay of 2,000 trips per day.

**Connectivity**

Public sidewalks and bike lanes are located on both side of this portion of Anderson Mills Road. The property is located 250 ft. away from a Cap Metro transit stop. No urban trails are located within a quarter mile of this site. The Walkscore for this area is 65/100, Somewhat Walkable, meaning some errands can be accomplished on foot. The mobility options in this area are above average, while land use options offer above average connectivity.

**Imagine Austin**

Although this project is not located along an Activity Corridor or within an Activity Center, which the Imagine Austin Growth Concept Map targets for growth, Anderson Mill road and the adjoining Pond Spring Road are heavily traveled arterial roads, which contains myriad of land uses, including civic, commercial, light industrial and multi-family apartment complexes and acts as a regional commercial node. When looking at basic planning principles and Imagine Austin, the proposed commercial use is helps to further the consistency among the various commercial land uses along the block and appears to support the policies of the Imagine Austin Comprehensive Plan.

**Environmental**

Tuesday January 22, 2019

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It 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 Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

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.

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.

#### Site Plan

Thursday January 10, 2019

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.

#### Transportation

The Austin Metropolitan Area Transportation Plan calls for 114 feet of right-of-way for Anderson Mill Road. It is recommended that 57 feet of right-of-way from the existing centerline should be dedicated and/or reserved for Anderson Mill Road according to the Transportation Plan prior to 3rd reading of City Council. [LDC 25-6-51 and 25-6-55].

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a bike lane is required for Anderson Mill Road. Staff is in communication with the Bicycle Program to determine if right-of-way dedication and/or bicycle facility construction is required in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information. Staff will provide comments to the applicant separately.

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.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC 25-6-113]

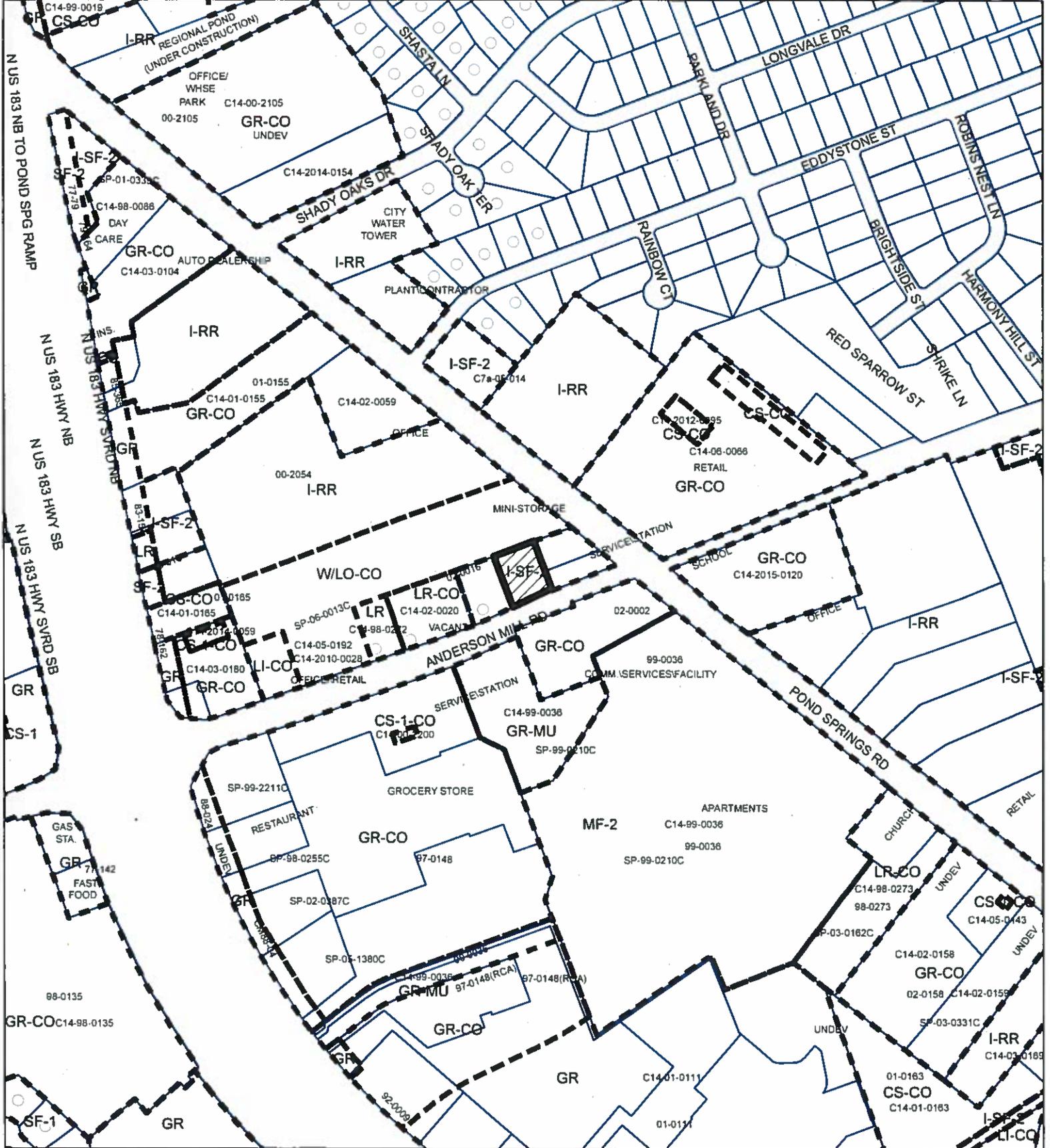
#### Austin Water Utility

Tuesday January 08, 2019

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.

#### INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map



**ZONING**

ZONING CASE#: C14-2019-0001

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

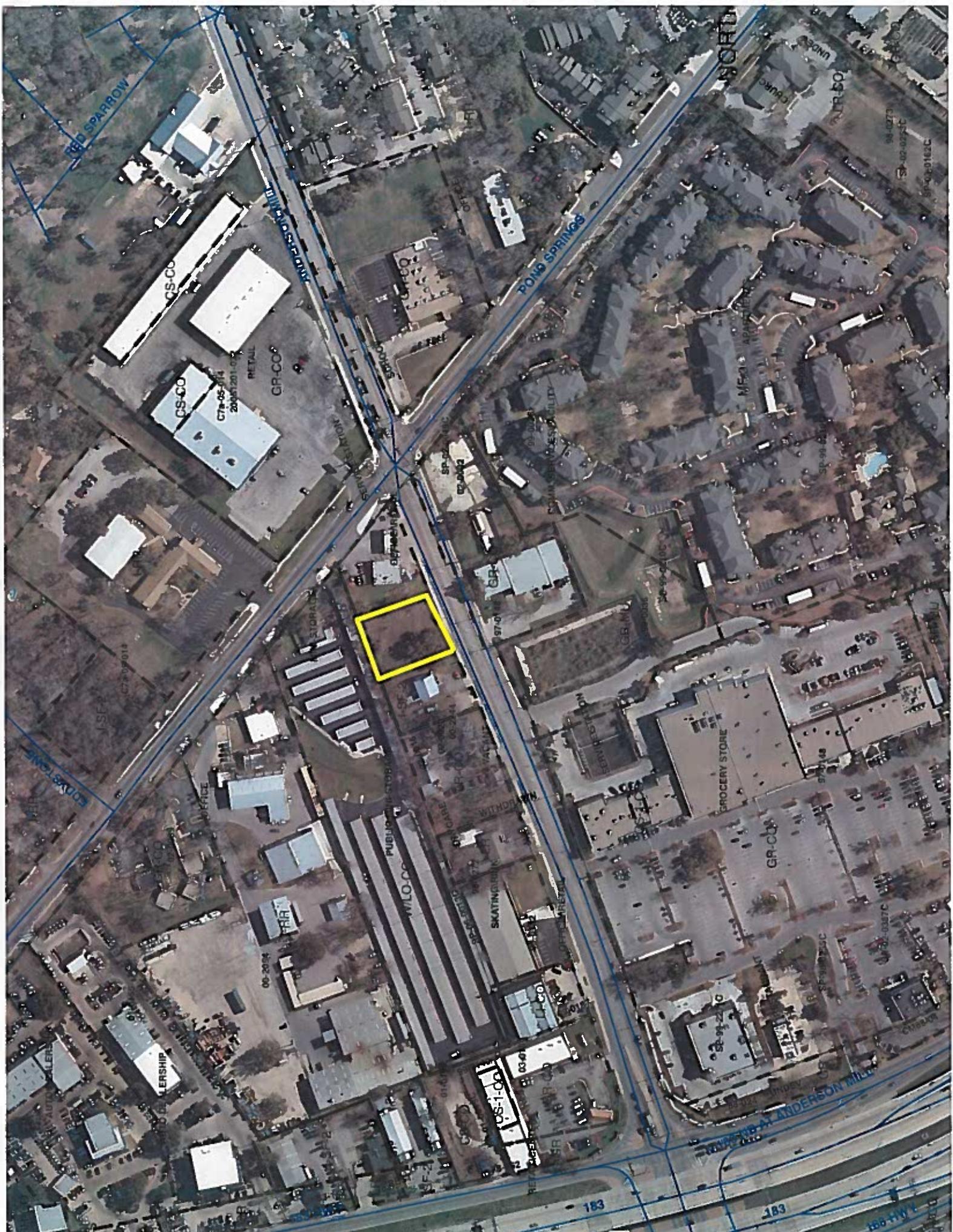
1" = 400'

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: 1/8/2019



RD SPARROW

DUNE COUNTRY

POND SPRINGS

NORTH

EDWARDS

ANDERSON MILLS

CS-CO

CS-CO

RETAIL

GR-CO

STORAGE



WLO-CO

US-1-CO

GROCERY STORE

GR-CO

183

183

183 HWY

## INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / rezonificación será repasada y acción será tomada de acuerdo a dos audiencias públicas: ante la Comisión de Usos Urbanos y el cabildo municipal. Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al proposito desarrollo urbano o cambio de zonificación. Usted también puede contactar a una organización de protección al medio ambiente u organización de vecinos que haya expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rézonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la *Internet*: [www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Numero de caso: C14-2019-0001

Persona designada: Sherri Sirwaltis, 512-974-3057

Audiencia Publica: April 02, 2019, Zoning and Platting Commission  
April 25, 2019, City Council

Rena Theresa Gi.

Su nombre (en letra de molde)

901 Herndon Lane, 78704

Su domicilio(s) afectado(s) por esta solicitud

Austin, Tx. Zedene 4/21/2019

Firma

Fecha

Daytime Telephone: 5124445699

Comments: I oppose further

commercial development because

it destroys the identity of

existing neighborhood and brings

increased crime and transient

traffic that does not value

safe and prospering

neighborhood for future family

friendly living.

Si usted usa esta forma para proveer comentarios, puede retornarlos :

City of Austin

Planning & Zoning Department

Sherri Sirwaltis

P. O. Box 1088

Austin, TX 78767-8810