

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2019-0094 – Rosales Residence

DISTRICT: 2

ZONING FROM: I-SF-2

ZONING TO: GR

ADDRESS: 3012 and 3014 Meldrum Road

SITE AREA: 0.71 acres  
(30,927 square feet)

PROPERTY OWNERS: Fernando Rosales Ruiz

AGENT: Villalva Consultants (George Villalva)

CASE MANAGER: Wendy Rhoades (512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov))

STAFF RECOMMENDATION:

**The Staff recommendation is to grant limited office – mixed use (LO-MU) combining district zoning. The basis of Staff's recommendation is provided on page 2.**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**October 1, 2019: APPROVED LO-MU DISTRICT ZONING AS STAFF  
RECOMMENDED, BY CONSENT**

***[H. SMITH; N. BARRERA-RAMIREZ – 2<sup>ND</sup>] (10-0) 1 VACANCY ON THE  
COMMISSION***

CITY COUNCIL ACTION:

**October 17, 2019:**

ORDINANCE NUMBER:

ISSUES:

The Applicant does not object to the Staff and ZAP recommendation of LO-MU zoning.

CASE MANAGER COMMENTS:

The subject two platted lots located at the southwest corner of Meldrum Road and Cheviot Lane and contain one single family residence each. The lots have interim – single family residence – standard lot (I-SF-2) district zoning that was assigned upon annexation in 2001 and matches that of the several types of residential uses (single family, duplex, two family, triplex) across Meldrum Road to the north and east. There is a vacant restaurant and auto repair and rental business with SH 71 frontage to the south (GR; GR-CO), and two single family residences and undeveloped land planned for a hotel to the west (I-SF-2; CS-CO). The property is located just outside of the Airport Overlay Zone 3 which prohibits new

residential uses. ***Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).***

The Applicant has requested community commercial (GR) district zoning in order to allow for additional land uses on the property. Although the rezoning request has not been formally amended, Staff has discussed with the Applicant an alternate proposal for limited office – mixed use (LO-MU) zoning. This would not permit conversion of the property to commercial use as listed in the zoning application, but would allow for office uses and also retain the residential component on the property.

#### **BASIS OF RECOMMENDATION:**

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

LO zoning is intended for office use predominantly serving the neighborhood or community needs, such as professional, semi-professional and medical offices, which may be located within or adjacent to residential neighborhoods. The proposal meets the purpose statement set forth in the Land Development Code. The subject lot is adjacent to a neighborhood that is largely single family. The proposed office use would potentially serve the surrounding neighborhoods and the mixed use component would allow for residential uses on the property, which should be encouraged in the City's Desired Development Zone. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

*2. Zoning changes should promote an orderly and compatible relationship among land uses.*  
*3. A change in conditions has occurred within the area indicating that there is a basis for changing the originally established zoning.*

Commercial zoning and development is oriented towards SH 71 and the Conditional Overlay applied to the CS-CO zoned properties to the west that have frontage on Meldrum Road prohibits vehicular access to this street and requires a landscape buffer. Those properties are also located within the Airport Overlay Zone which restricts new residential development. Therefore, Staff recommends the LO-MU district as a means of creating a transition between the residential uses on Meldrum and Cheviot, yet also recognizing the adjacent commercial zoning and uses on properties with SH 71 frontage.

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

|              | ZONING           | LAND USES   |
|--------------|------------------|---|
| <i>Site</i>  | I-SF-2           | Two single family residences  |
| <i>North</i> | I-SF-2           | Triplex; Single family residences; Two-family residences                              |
| <i>South</i> | GR; GR-CO; CS-CO | Restaurant – limited (vacant); Auto sales; Auto repair; Commercial buildings – vacant |
| <i>East</i>  | GR-CO; I-SF-2    | Undeveloped; Triplex; Single family residences; Duplex                                |
| <i>West</i>  | I-SF-2; CS-CO    | Two single family residences; Undeveloped; Vacant                                     |

|  |                      |
|--|----------------------|
|  | commercial buildings |
|--|----------------------|

AREA STUDY: Not Applicable

TIA: Is not required

WATERSHED: Colorado River – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Partially within  
the SH 71 Sign District

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council      627 – Onion Creek Homeowners Association  
 774 – Del Valle Independent School District      1005 – Elroy Neighborhood Association  
 1195 – Imperial Valley Neighborhood Association  
 1228 – Sierra Club, Austin Regional Group      1258 – Del Valle Community Coalition  
 1363 – SEL Texas      1528 – Bike Austin  
 1530 – Friends of Austin Neighborhoods      1550 – Homeless Neighborhood Association  
 1616 – Neighborhood Empowerment Foundation

SCHOOLS: *This property is within the Del Valle Independent School District.*

Hillcrest Elementary School      Dailey Middle School      Del Valle High School

AREA CASE HISTORIES:

| NUMBER  | REQUEST             | COMMISSION  | CITY COUNCIL   |
|---|---------------------|---|--|
| C14-2017-0111 –<br>3059 Hwy 71 East                                       | SF-2 to CS          | To Grant CS-CO w/CO<br>for a 15' vegetative<br>buffer along Meldrum<br>Rd, prohibits access to<br>Meldrum Rd, and<br>prohibits a list of uses | Apvd as Commission<br>recommended<br>(11-9-2017).                                    |
| C14-2015-0034 –<br>Sonic Drive In #21<br>- Del Valle – 3115<br>E SH 71 WB | I-SF-2 to GR        | To Grant  | Apvd (6-11-2015).  |
| C14-2008-0244 –<br>Najib 0.7 – 3133 E<br>SH 71 WB                         | I-SF-2 to CS        | To Grant GR-CO<br>w/CO prohibiting auto<br>repair, auto washing<br>and pawn shops   | Apvd GR-CO as<br>Commission<br>recommended<br>(2-12-2009).                           |
| C14-05-0017 –<br>Highway 71 – 3103<br>E SH 71 WB                          | I-SF-2 to GR-<br>CO | To Grant GR-CO  | Apvd GR-CO w/CO<br>for 2,000 trips<br>(4-7-2005).                                    |
| C14-01-0186 –<br>State Highway 71<br>East 3039 – 3039-<br>3101 E SH 71 WB | I-SF-2; RR to LI    | To Grant CS-CO w/<br>added conditions   | Apvd CS-CO w/CO<br>for 15' vegetative<br>buffer along Meldrum<br>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 property is platted as Lots 32-A and 32-B of the Resubdivision of a Portion of Glenbrook Addition, Sections One and Two, recorded in March 1967 (C8S-67-001).

EXISTING STREET CHARACTERISTICS:

| Name         | ROW     | Pavement | Classification | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|--------------|---------|----------|----------------|-----------|---------------|-------------------------------|
| Meldrum Road | 50 feet | 20 feet  | Local          | No        | No            | Yes                           |
| Cheviot Lane | 50 feet | 20 feet  | Local          | No        | No            | Yes                           |

## OTHER STAFF COMMENTS:

### Comprehensive Planning

This zoning case is located on the southwest corner of Meldrum Road and Cheviot Lane, on a property that includes two lots, which combined total approximately 0.71 acres in size. Each lot contains a residential structure with multiple mailboxes in front of each structure, which faces a narrow rural road. The properties are not located within the boundaries of an area with an adopted neighborhood plan. Surrounding land uses includes residential to the north; to the south is a collision repair shop, a fast food restaurant, and Bastrop Highway/SH 71; to the east is single family housing; and to the west is residential, undeveloped land and two commercial properties. The proposal is to obtain LO-MU zoning to construct an office with a residential component.

### **Connectivity**

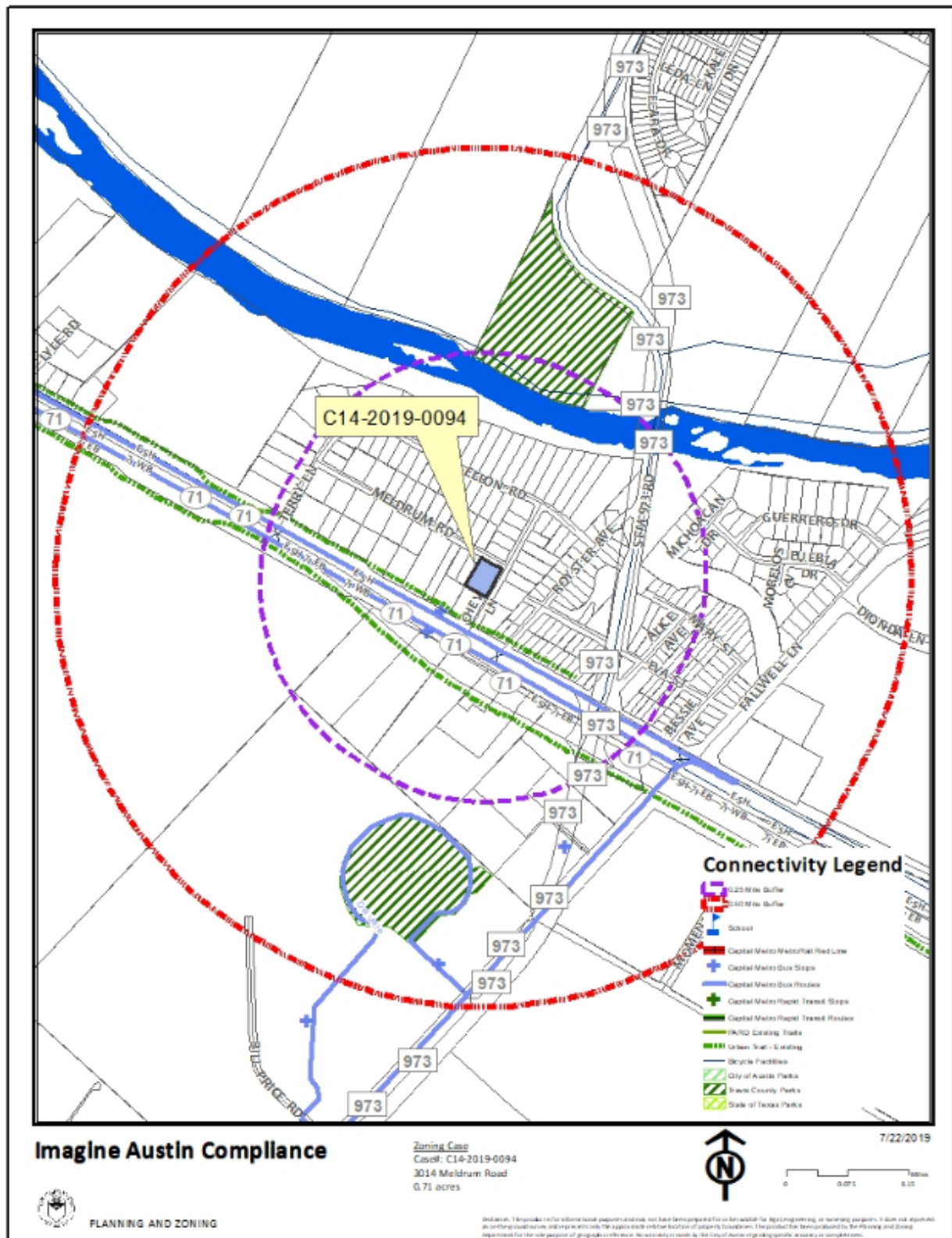
There are no public sidewalks or bike lanes located along Meldrum Road or Cheviot Lane. A public sidewalk is located partially located along SH 71. The mobility and connectivity options in this area are below average.

### **Imagine Austin**

The properties are not located by an Activity Center or along an Activity Corridor. The following policies taken from Chapter 4 of the Imagine Austin Comprehensive Plan, which discusses the preservation of neighborhood character:

- **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 P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.
- **HN P15.** Protect neighborhood character by providing opportunities for existing residents who are struggling with rising housing costs to continue living in their existing neighborhoods.

Locating an office/mixed use project could potentially jeopardize the continued viability of the existing residential neighborhood to the north and east, which is a source of affordable housing in Austin. However, the subject property does abut commercial uses to the south and is near SH 71, which has a variety of commercial and office/warehouse uses. Based upon abutting commercial uses to the south and the transitional nature of this property, which is located between residential and commercial uses, the project appears to partially 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.

### 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<br>(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.

### Impervious Cover

The maximum impervious cover allowed by LO-MU zoning district is 70%, which is based on the more restrictive *zoning* regulations.

### 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.

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

The site is subject to compatibility standards due to adjacency of I-SF-2 to the west and proximity to I-SF-2 to the north and east. The following standards apply:

- No structure may be built within 25 feet of the property line to the west.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line to the west, north, and east.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line to the west, north, and east.
- No parking or driveways are allowed within 25 feet of the property line to the west.
- Landscaping or screening is required along the west property line in accordance with the screening requirements (Section 25-2-1006 and ECM 2.9.1.), Parking Design Standards (Section 25-6-563) and/or Screening Standards (Section 25.2.1066) 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 zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.
- A landscape area at least 25 feet in width would be required along the property line to the west since the tract is proposed to be zoned LR, GO, GR, L, CS, CS-1, or CH.

### **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 falls partially within the Scenic Roadway Sign District. All signs must comply with Scenic Roadway Sign District regulations. Contact Cierra Flores at (512) 974-2612 for more information.

**DEMOLITION AND HISTORIC RESOURCES**

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Transportation

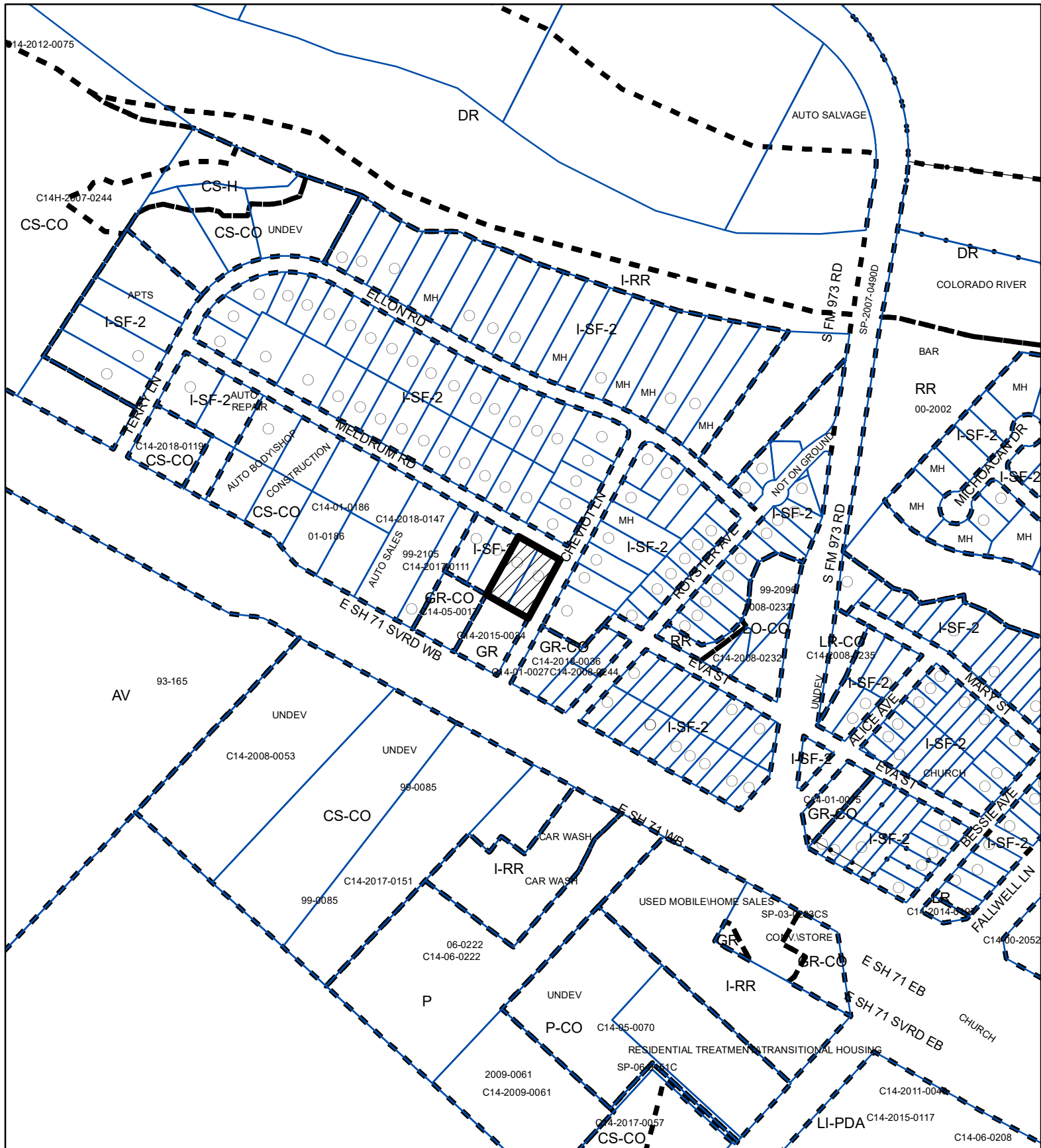
Additional right-of-way maybe required at the time of subdivision and/or site plan. Staff does not support a Conditional Overlay of 2,000 trips as requested by the applicant. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC 25-6-113]. A Neighborhood Traffic Analysis shall be required at the time of site plan if triggered per LDC 25-6-114.

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.

**INDEX OF EXHIBITS TO FOLLOW**

- A: Zoning Map
- A-1: Aerial Map
- B: Recorded Plat






## ZONING

Exhibit A

ZONING CASE#: C14-2019-0094



-  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.



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C8s-67-1