

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2019-0145 (HEB #17)

DISTRICT: 10

ADDRESS: 10710 Research Boulevard

ZONING FROM: ~~GR, GR-CO, LO-CO, LR-CO, CS and CS-1~~ LO-CO\* TO: GR

SITE AREA: ~~13.92 acres~~ 1.2297 acres\*

\*On January 13, 2020, the applicant submitted a letter amending their rezoning request to a specific 1.2297 acre area on the western side of the property along Jollyville Road (Please see Exhibit A).

PROPERTY OWNER/APPLICANT: Regency Centers, LP (Patrick Krejs)

AGENT: Big Red Dog (Kendall Hackney, EIT)

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

STAFF RECOMMENDATION:

**The staff's recommendation is to grant GR, Community Commercial District, zoning.**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:  
**February 4, 2020**

CITY COUNCIL ACTION:  
**March 12, 2020**

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 1.23 acre area of land fronting Jollyville Road. These parcels are part of a commercial shopping center located between U. S. Highway 183 (Research Boulevard) frontage road to the east and Jollyville Road to the west. The site is currently developed with a commercial shopping center that contains a grocery store (HEB). The applicant is requesting a rezoning of the property from LO-CO zoning to GR zoning to expand the existing retail center.

The staff recommends Community Commercial District zoning for these parcels because the property is surrounded by multifamily, office and commercial uses/zoning to the north, south, east, and west. The property fronts and takes access to two arterial roadways, Jollyville Road and the northbound service road for U.S. Highway 183 North. This tract is located within a Future Core Transit Corridor and is on an Activity Corridor as designated in the Imagine Austin Comprehensive Plan.

The applicant agrees with the staff’s recommendation.

BASIS OF RECOMMENDATION:

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

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.

- 2. *The proposed zoning should promote consistency and orderly planning.*

The proposed GR zoning would be compatible and consistent with the adjacent uses because this tract of land is surrounded by multifamily, office and commercial uses/zoning to the north, south, east, and west. The property in question is located within a Future Core Transit Corridor and on an Activity Corridor as a designated in the Imagine Austin Comprehensive Plan.

- 3. *The proposed zoning should allow for a reasonable use of the property.*

The Community Commercial district would allow for a fair and reasonable use of the site. GR zoning is appropriate for this location because of the commercial character of the area.

The proposed rezoning will allow the applicant to develop additional commercial services at this location with access to a freeway and two arterial roadways.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO-CO	Undeveloped Area, Parking
<i>North</i>	LO-CO, GR-CO	Restaurant (Fujiyama), Service Station (Valero)
<i>South</i>	LO-CO	Undeveloped Area, Parking
<i>East</i>	GR	Retail Center (Retail, Restaurants), Food Sales (HEB)
<i>West</i>	GO-CO, MF-2-CO, GO	Retirement Housing (Overture at Arboretum), Religious Assembly (Great Hills Baptist Church)

NEIGHBORHOOD PLANNING AREA/AREA STUDY: Jollyville Road Area Study

TIA: Not Required

WATERSHED: Walnut Creek

NEIGHBORHOOD ORGANIZATIONS:

- Austin Independent School District
- Bull Creek Foundation
- Bike Austin
- Friends of Austin Neighborhoods
- Great Hills VII HOA
- Homeless Neighborhood Association
- Long Canyon Homeowners Association
- Mountain Neighborhood Association (MNA)
- Neighborhood Empowerment Foundation
- North Oaks Neighborhood Association
- North Burnet/Gateway Neighborhood Plan Staff Liaison
- SELTEXAS
- Sierra Club, Austin Regional Group
- TNR BCP – Travis County Natural Resources

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2017-0028 (Great Hills Mixed Use: 9828 Great Hills Trail and 10224 Research Boulevard)	LO, GR to CS-MU-V	10/17/17: Approved the staff’s recommendation for CS-MU-V zoning, with conditions (8-0, D. Breithaupt, Y. Flores and S. Trinh-absent); S. Lavani-1 <sup>st</sup> , B. Evans-2 <sup>nd</sup> .	12/14/17: Approved CS-MU-V-CO zoning on 1 <sup>st</sup> reading, with a conditional overlay to prohibit the following uses: Adult-Oriented Business, Alternative Financial Services, Automotive Rentals, Automotive Repair Services, Automotive Sales Automotive Washing (of any type), Commercial Off-Street Parking, Exterminating Services, Funeral Services, Guidance

			<p>Services, Pawn Shop Services, Pedicab Storage and Dispatch, Residential Treatment, Service Station, Short-Term Rental, Urban Farm, Veterinary Services, Monument Retail Sales, Vehicle Storage, Kennels, Convenience Storage, Campground, Limited Warehousing and Distribution and Drive-in service as an accessory use to Restaurants (general) and Restaurants (limited) is prohibited within 200 feet of Jollyville Road and a public restrictive covenant for the TIA conditions/ recommendations. (9-1-1, J. Flannigan-No, E. Troxclair-off the dais); A. Alter-1<sup>st</sup>, L. Pool-2<sup>nd</sup>.</p> <p>2/01/18: Ordinance No. 20180201-083 for general commercial services-mixed use-vertical mixed use building (CS-MU-V-CO) combining district zoning, with conditions was approved on Council Member Alter’s motion, Council Member Pool’s second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Flannigan and Troxclair. Council Member Casar was off the dais.</p>
C14-05-0182 (Cox Office Supply: 10938 Research Boulevard)	SF-2 to CS	11/15/05: Approved staff’s recommendation for CS-CO zoning with additional conditions prohibiting Pawn Shop Services and Adult Oriented Businesses (7-0, J. Martinez, J. Gohil-absent); K. Jackson-1 <sup>st</sup> , M. Hawthorne-2 <sup>nd</sup> .	12/15/05: Approved CS-CO, with CO to limit the site to 2,000 vtpd and prohibiting Pawn Shop Services and Adult Oriented Businesses, zoning by consent (7-0); all 3 readings
C14-01-0127	LO-CO to GR	10/30/01: Approved LR-CO zoning with the condition of a 30-foot setback for structures from the property line along Jollyville Road (7-1, D. Castaneda-Nay, N. Spelman-Absent)	11/29/01: Approved LR-CO with conditions on 1 <sup>st</sup> reading (7-0)  11/29/02: Case Expired

C14-90-0038	GR to CO	8/07/90: Approved GR-CO (6-0-2, HG/ CV-abstain)	9/06/90: Approved GR-CO w/ conditions (6-0), all 3 readings
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RELATED CASES: There are no pending related cases.

OTHER STAFF COMMENTS:

Comprehensive Planning

The subject tract for this zoning case is located along two Imagine Austin **Activity Corridors**, West Braker Lane and Jollyville Road, and abuts the Imagine Austin North Burnet/Gateway Station **Town Center** to the east. The subject property is 0.92 acres in size, which is part of a larger 13.285 acre site that is located on the east side of Jollyville Road. The entire property consists of a large shopping center that abuts three major roads is located outside the boundaries of an adopted small area plan. Surrounding land uses includes commercial uses to the north and south; an apartment complex and church to the west; and commercial uses to the east. The proposal is to rezone a portion of the shopping center site that is zoned LO to reflect the majority of retail uses within the existing shopping center, which mostly consists of GR and CS zoning. The shopping center contains a large grocery store, several restaurants, a cocktail bar, a gas station/convenience store and several retail and medical office bays.

**Connectivity**

Public sidewalks and bike lanes are located along both sides of Jollyville Road and Braker Lane. A public transit stop abuts the subject property.

**Imagine Austin**

The subject tract falls just outside of the Imagine Austin designated North Burnet Gateway **Town Center**. Like many Imagine Austin Centers, this center is represented by a circle or globular shape that reflects the general location where the center should be located in the future. The center's actual boundaries would need to be clarified through a small area planning process. The project is located along the Braker Lane and Jollyville Road, which are Imagine Austin Activity Corridors. Activity Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

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 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.

**Conclusion**

Based on the subject tract’s location along two Activity Corridors, mobility and connectivity strengths and the policies above, the proposed zoning change request supports Imagine Austin.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Walnut 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 t current water quality or Code requirements.

Transportation

Additional right-of-way maybe required at the time of subdivision and/or site plan. At the time of submittal of any site plan on the Property, a traffic impact analysis (“TIA”) is required if the proposed development or uses on the Property, considered cumulatively with all existing or previously authorized development and uses, generates traffic that exceeds 2,000 trips per day. The adjacent street characteristics table is provided below:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route (Existing or Planned)	Capital Metro (within 1/4 mile)
Braker Lane	140'	78'	ASMP Level 3	Yes	Yes	Yes
Jollyville Rd	100'	70'	ASMP Level 3	Yes	Yes	Yes
Research Blvd	325'	Divided arterial	ASMP Level 5	No	Yes	Yes

Austin Water Utility

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: Applicant’s Amendment Request Letter
- B. Zoning Map
- C. Aerial Map





30194455.00

January 13, 2020

City of Austin  
Planning & Zoning Department  
505 Barton Springs Road  
Austin, Texas 78704

RE: Engineer's Summary Letter  
HEB Austin 17 Rezoning  
10710 Research Boulevard, Austin, Texas

To Whom It May Concern:

Please accept this Engineer's Summary Letter and report along with the accompanying zoning application submittal package for the proposed HEB Austin 17. The proposed project is located at 10710 Research Boulevard, located entirely within the Full Purpose limits of the City of Austin, in Travis County, Texas. The subject site is approximately ±13.285-acres and is currently developed with an existing retail building that includes HEB. The proposed project will consist of the design and construction of an expansion for the existing HEB building. The project includes necessary site improvements for access, utility services, grading and drainage improvements, and environmental protections.

The intent is to amend City of Austin rezoning request under case C14-2019-0145 to rezone the western side of the property, a total area of 1.2297 acres as prescribed in the attached metes and bounds, from its current zoning of LO-CO to the proposed zoning of GR in order to be consistent with the sties primary zoning and existing use.

To our knowledge, the enclosed application materials are complete, correct, and in full compliance with the Land Development Code and Technical Criteria Manuals of the City of Austin. Should you have any questions regarding this project or application, please do not hesitate to contact our office.

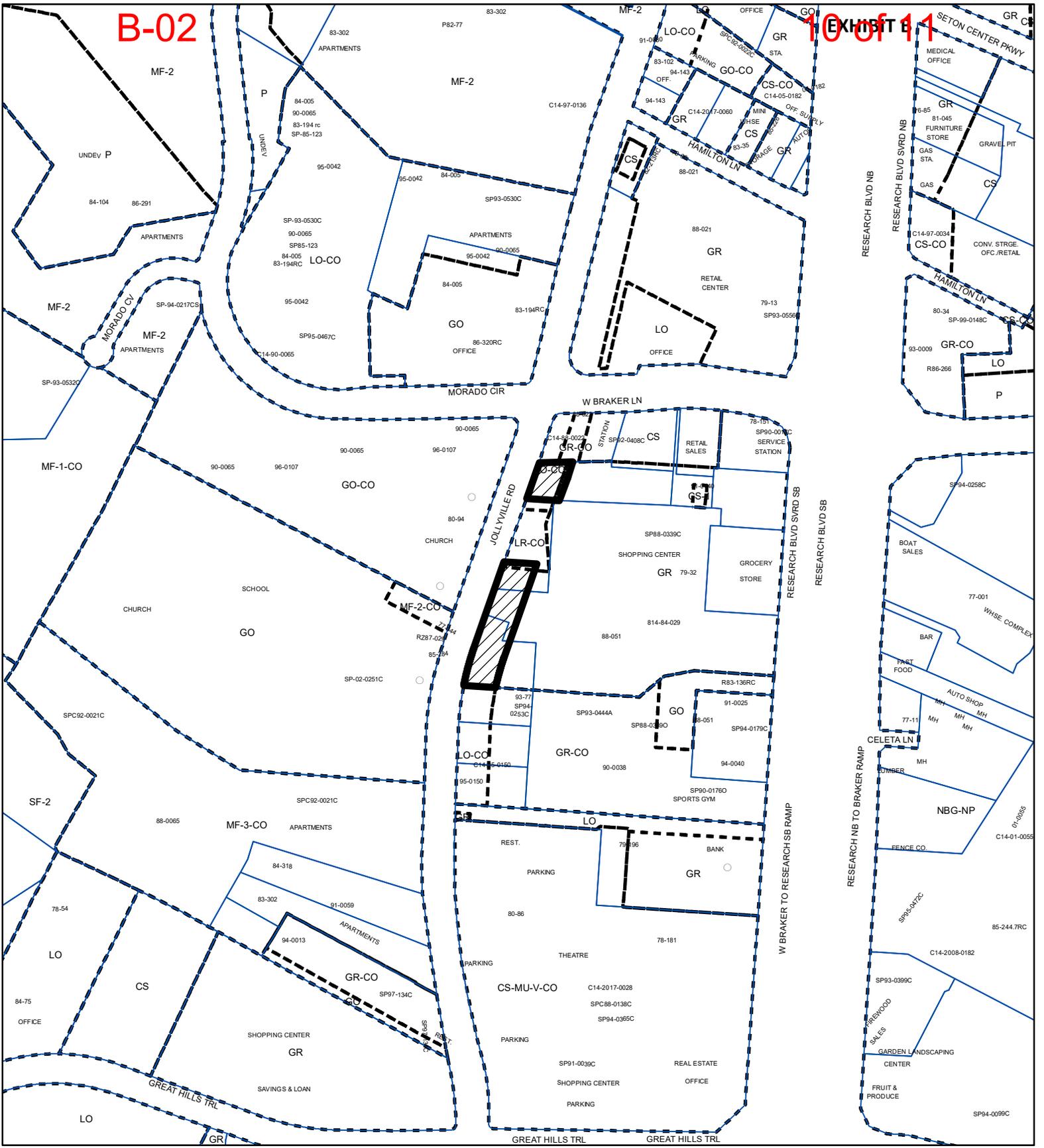
Sincerely,

**WGI**

Texas Engineering Firm No. F-15085

A handwritten signature in black ink, appearing to read 'Kendall Hackney', written over a white background.

Kendall Hackney, E.I.T  
Graduate Engineer



ZONING

ZONING CASE#: C14-2019-0145



-  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.

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1" = 300'

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

**HEB #17**

ZONING CASE#: C14-2019-0145  
 LOCATION: 10710 RESEARCH BLVD. SR SB  
 SUBJECT AREA: .92 ACRES  
 GRID: K35  
 MANAGER: Sherri Sirwaitis



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