

ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0061 (This Old Wood Rezoning)

DISTRICT: 1

ZONING FROM: RR

TO: W/LO-CO*

*The applicant submitted a letter with their rezoning request asking to prohibit the following uses through a conditional overlay on the property:

Bed and Breakfast (Group 1)
Art Gallery
Business Maintenance Services
Business Support Services
Construction Sales and Services
Electronic Prototype Assembly
Equipment Repair Services
Food Preparation
Printing and Publishing
Community Garden
Club or Lodge
Communication Service Facilities
Community Recreation (Public)
Convalescent Services
Cultural Services
Day Care Services (General)
Local Utility Facilities
Private Secondary Educational Facilities
Public Secondary Educational Facilities

Bed and Breakfast (Group 2)
Art Workshop
Business or Trade School
Communication Services
Convenience Storage
Electronic Testing
Exterminating Services
Pedicab Storage and Dispatch
Custom Manufacturing
Urban Farm
College and University Facilities
Community Events
Community Recreation (Private)
Counseling Services
Day Care Services (Commercial)
Day Care Services (Limited)
Private Primary Educational Facilities
Public Primary Educational Facilities
Safety Services

ADDRESS: 13313 Old Gregg Lane

SITE AREA: 9.41 acres (409,899.6 sq. ft.)

PROPERTY OWNER: Jeffrey Spector

AGENT: Land Strategies, Inc. (Jim Wittliff)

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

STAFF RECOMMENDATION:

**Staff recommends W/LO-CO, Warehouse/Limited Office-Conditional Overlay
Combining District, zoning.**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:
**July 21, 2020: Approved staff's recommendation of W/LO-CO zoning
(10-0); B. Evans-1st, J. Duncan-2nd.**

CITY COUNCIL ACTION:
August 27, 2020

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 9+ acre undeveloped parcel that is located at the southeast corner of Old Gregg Lane and East Howard Lane. To the north, across E. Howard Lane, there is an undeveloped GR-MU tract of land and CS-CO zoned area that is developed with office/commercial uses. The parcels of land to the south and west are located in the county. They are developed with a religious assembly use and an office. To the east, there is LI and CS-CO zoned areas that contains a convenience storage use and an industrial/warehouse park. In this request, the applicant is asking to rezone this site with W/LO-CO zoning to construct a 7,000 square foot warehouse to store and sell reclaimed lumber/wood. The applicant is proposing a conditional overlay for the site to prohibit all W/LO uses, with the exception of the Administrative and Business Office and Limited Warehousing and Distribution uses.

The staff recommends W/LO-CO zoning for this property as it meets the intent of the Warehouse/Limited Office zoning district. This parcel of land is located at the intersection of two arterial roadways and is within the Dessau/Parmer Neighborhood Center and along the Howard Lane Activity Corridor as designated by 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.*

Warehouse/Limited Office district is intended predominantly for office and warehousing activities for building trades and similar businesses having operating characteristics that do not necessarily require highly visible locations or the type of access needed for retail and have low or moderate trip generating characteristics, do not involve substantial volumes of heavy truck traffic, but may require special measures to remain compatible with adjacent uses.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The W/LO zoning district is compatible and consistent with the surrounding uses because there is GR-MU and CS-CO zoned tracts of land to the north and LI and CS-CO zoned lots to the east, that contain a commercial center, a convenience storage use and an industrial/warehouse park.

This property is located within the boundaries of Dessau/Parmer Neighborhood Center and is along a designated Activity Corridor, as identified on the Imagine Austin Comprehensive Plan Growth Concept Map.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	RR	Undeveloped
<i>North</i>	GR-MU, CS-CO	Undeveloped Area, Single Family Residences, Commercial Center (Dessau Palms: Vortex Sports Academy, Strand Brothers Heating and Air, P3Pure, LLC, SIT Tech, Venus Medical Solutions, Austin Dental Cares, etc.)
<i>South</i>	County	Religious Assembly (Central Church of Christ), Office
<i>East</i>	CS-CO	Convenience Storage (Cube Smart Self Storage), Industrial Park (Office/Warehouse)
<i>West</i>	County	Undeveloped, Single Family Residence

NEIGHBORHOOD PLANNING AREA: N/ATIA: Deferred to the time of Site PlanWATERSHED: Harris BranchNEIGHBORHOOD ORGANIZATIONS:

Austin Lost and Found Pets
 Bike Austin
 Friends of Austin Neighborhoods
 Harris Branch Master Association, Inc.
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 North Gate Neighborhood Association
 North Growth Corridor Alliance
 Pflugerville Independent School District
 Sierra Club, Austin Regional Group
 Techridge Neighbors

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0099 (Dessau Business Park Zonings)	I-RR, I-SF-2 to MF-4, GR-MU, P, CS-CO, RR, LI	9/17/13: Approved staff's recommendation to postpone Tract 1 to October 1, 2013 and to approve GR-MU zoning for Tract 2, P zoning for Tract 3, CS-CO zoning for Tract 4, RR zoning for Tract 5, LI zoning for Tract 6 and CS-CO zoning for Tract 7 on consent (6-0. J. Meeker-absent); P. Seeger-1 st ,	10/17/13: Approved MF-4 zoning for Tract 1A, GR-MU zoning for Tract 1B, GR-MU zoning for Tract 2, P zoning for Tract 3, CS-CO zoning for Tracts 4 and 7, RR zoning for Tract 5, and LI zoning for Tract 6 on consent on all 3 readings (6-0, M. Martinez-off dais); B. Spelman-1 st , S. Cole-2 nd .

		G. Rojas-2 nd . 10/01/13: Approved staff's recommendation of MF-4 zoning for Tract 1A and GR-MU zoning for Tract 1B on consent (7-0); P. Seeger-1 st , S. Compton-2 nd .	
C14-2012-0157 (Dessau Partners: 13422 Dessau Road)	I-RR, I-SF-2 to CS-1	2/05/13: Approved staff's recommendation of CS-1-CO zoning for Tract 1 and GR-CO zoning for Tract 2, with additional condition to prohibit Adult Oriented Businesses (4-1, C. Banks-No, P. Seeger and S. Compton-absent); G. Rojas-1 st , R. McDaniel-2 nd .	2/28/13: Approved CS-1-CO zoning for Tract 1 and GR-CO zoning for Tract 2, with conditions on consent on all 3 readings (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2013-0043 (Fort Dessau- SF-6: 13826 Dessau Road)	LR to SF-6	5/21/13: Approved the staff's recommendation of SF-6 district zoning on consent (5-0, C. Banks and J. Meeker-absent); P. Seeger-1 st , S. Compton-2 nd .	6/06/13: Postponed to September 26, 2013 at the applicant's request (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2013-0042 (Fort Dessau-P: 13826 Dessau Road)	SF-2-CO to P	5/21/13: Approved the staff's recommendation of P district zoning on consent (5-0, C. Banks and J. Meeker-absent); P. Seeger-1 st , S. Compton-2 nd .	6/06/13: Postponed to September 26, 2013 at the applicant's request (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2013-0041 (Fort Dessau- GR: 1602 Fish Lane)	SF-2-CO to MF-3	6/18/13: Approved staff's recommendation of MF-3 zoning by consent (6-0, C. Banks-absent); P. Seeger-1 st , R. McDaniel-2 nd .	6/06/13: Postponed to September 26, 2013 at the applicant's request (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-06-0011 (T-Mobile Wireless Facility: 13208 Dessau Rd)	DR to SF-6-CO* * The applicant has proposed a conditional overlay to limit development on the site to SF-1, Single-Family Residence- Large Lot District, density regulations and to limit development on the site to less than 2,000	3/07/06: Approved staff's recommendation of SF-6-CO zoning by consent (9-0); J. Martinez-1 st , J. Pinnelli-2 nd .	4/06/06: Approved SF-6-CO district zoning by consent (7-0); all 3 readings

	vehicle trips per day.		
C14-04-0127 (Wright Subdivision Dessau Road Zoning Change: 1624 East Howard Lane)	GR-CO to GR	10/19/04: Approved staff's recommendation of GR-CO zoning by consent (9-0), with CO to prohibit Adult Oriented Business uses and a public restrictive covenant to encompass the TIA recommendations.	11/18/04: Granted GR-CO (7-0); all 3 readings
C14-04-0056 (Fish Tract: 13600-14224 Dessau Road)	I-RR to CS, MF-3, SF-6, SF-2	11/02/04: Approved staff's recommendation of SF-2-CO, SF-6, MF-3, LR, LR-MU, GR, GR-MU zoning by consent (9-0)	12/16/04: Granted SF-2-CO, SF-6, MF-3, LR-MU, GR and GR-MU on all 3 readings (7-0)
C14-03-0001 (Cornerstone Baptist Church: 13300 Dessau Rd)	DR to LO	1/28/03: Approved staff's recommendation of LO-CO zoning, w/2,000 trip limit (8-0, J. Donisi-absent)	2/27/03: Granted LO-CO on all 3 (6-0, Goodman-out of room)
C14-00-2101 (Harris Ridge Rezoning: Harris Ridge Drive at Howard Lane)	DR to CS	8/1/00: Approved staff rec. w/ condition of no Adult Oriented Businesses (8-0)	9/28/00: Approved GR-CO w/ conditions on TR 1 & 2 (7-0); all 3 readings
C14H-00-0005 (Evangelical Lutheran Church: 13300 Dessau Road)	DR to DR-H	9/12/00: Approved staff rec. by consent (6-0)	10/5/00: approved DR-H (5-0); all 3 readings

RELATED CASES:

C14-2013-0099 - Previous Zoning Case

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
E. Howard	~76'-133'	116'	69'	3	Yes	Yes	No
Old Gregg Lane	~57'	Existing	22'	1	No	No	No

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case is located on the southeast corner of Old Gregg Lane and East Howard Lane, on a vacant 9.41 acre parcel, which is located within the **Dessau/Parmer Neighborhood Center** and along the **Howard Lane Activity Corridor** but is not located within the boundaries of the neighborhood planning area. Surrounding land uses includes several office/warehouses to the north; to the south is a church, an office and an auto/truck storage facility; to the east is an office/warehouse business park and office uses; and to the west is another church. The proposed use calls for the construction of up a 7,000 square foot warehouse to store and sell reclaimed lumber/wood. The applicant is proposing to put a conditional overlay on the site to prohibit all W/LO uses, except for Office, Warehouse and General Retail Sales.

Connectivity

There are no transit stops within a mile of this site. However, both sides of this portion of East Howard Lane have public sidewalks and bike lanes. This area is dominated by office/warehouses and business parks and scattered residential subdivisions. There are retail uses going west on Howard Lane. The mobility options in the area average.

Imagine Austin

The property is located within the boundaries of ‘**Dessau/Parmer Neighborhood Center**’ and along an ‘**Activity Corridor**’, as identified on the Imagine Austin’s Growth Concept Map. Like many Imagine Austin Centers, they are 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. Regional, town, and neighborhood centers are supposed to be walkable, bikable, and supported by transit.

A Neighborhood Center is the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map, with a focus on **creating local businesses and services**. **Activity corridors** are characterized by a variety of activities and types of buildings located along the roadway, and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances.

The following IACP policies are also pertinent to this case:

- ☐ **CE P15.** Reduce the overall disposal of solid waste and increase reuse and recycling to conserve environmental resources.
- ☐ **CFS P18.** Divert bulk items, such as furniture and other household items, from landfills and consider ways to recycle or reuse these materials.
- ☐ **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.**

□ **LUT P20.** Locate industry, warehousing, logistics, manufacturing, and other freight-intensive uses in proximity to adequate transportation and utility infrastructure.

Based on the subject property:

- Being located near a large number of other light industrial and office/warehouses within a half of a mile radius from this site;
- Supporting the Imagine Austin policies above that recognize that different neighborhood have different characteristics and the need to reuse, recycle and divert solid waste materials;
- Being located within the boundaries of a ‘Neighborhood Center’ and along an ‘Activity Corridor’, which includes some mobility options in the area and supports commercial and light industrial uses, this proposal supports the Imagine Austin Comprehensive Plan.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Harris Branch 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 almost the entire site is within the floodplain. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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 Is that preempt current water quality or Code requirements.

Fire

No sites identified by PEAK within 1000 feet. Type B and C AFD HMP permits > 1000 feet from parcel. From: RR To: W/LO-CO zoning. Approximately 8,000 sq. ft. warehouse for architectural wood recycling.

Site Plan

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.

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.

FYI: The property immediately west, across Old Gregg Lane, is within an Austin ETJ Ag Development Agreement.

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

Warehouse/Limited Office (W/Lo) District Regulations [§ 25-2-584]

The building must include an office use. The minimum floor area for the office use is the lesser of:

1. 20 percent; or
2. 1,000 square feet.

A truck loading dock may not be located on the same building face as an office entrance.

An office use must face the street that provides primary access.

A construction sales and service use may not exceed 10,000 square feet of gross floor area.

The Land Use Commission may approve, in accordance with the applicable provisions of [Chapter 25-5](#), Article 3 (*Land Use Commission Approved Site Plans*), the following modifications to the site development regulations:

- 1) a lot that contains at least 21,780 square feet, but less than 43,560 square feet;
- 2) a structure with a height greater than 25 feet, but not more than 35 feet; or
- 3) a structure with a floor area ratio of more than 0.25, but not more than 0.50.

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

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, calls for 116 feet of right-of-way for E. Howard Lane. It is recommended that 58 feet of right-of-way from the existing centerline should be dedicated for E. Howard at the time of subdivision or site plan. A traffic impact analysis should be deferred to the site plan application when land uses and intensities will be finalized.

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.

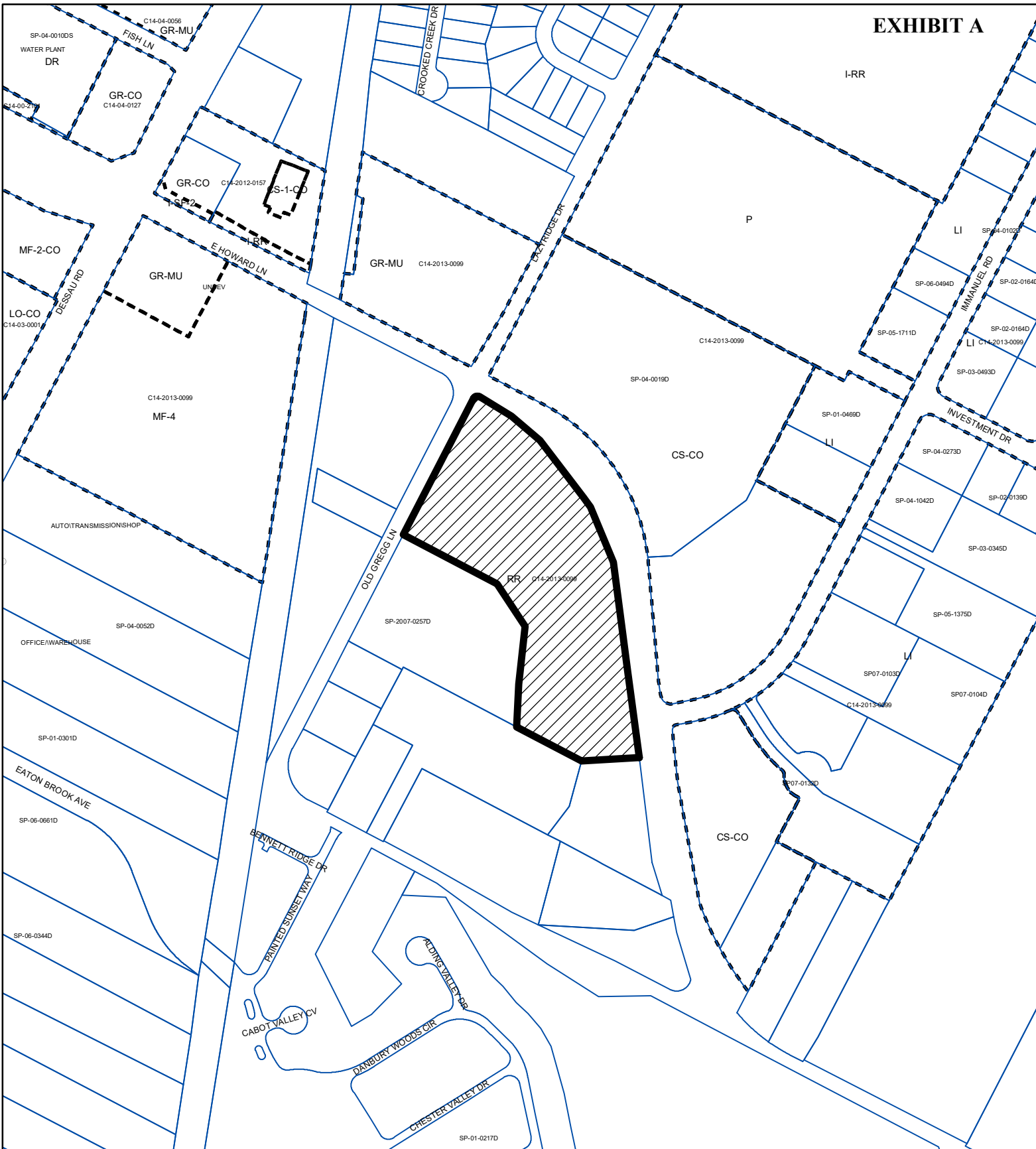
Based on current public infrastructure configurations, it appears that a service extension request (SER) will be required to provide wastewater service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor. Ph: 512-972-0211.

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
- C. Applicant's Request Letter
- D. Correspondence from Interested Parties




EXHIBIT A



ZONING

ZONING CASE#: C14-2020-0061



 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: 6/1/2020

Land ANSWERS, Inc.

Development Planning Consultants

3606 Winfield Cove
Austin, Texas 78704
(512) 416-6611

landanswers@sbcglobal.net

MEMORANDUM

Re: Rezoning Request
13313 Old Gregg Lane

Dear City Zoning Review Staff,

This application is to rezone a 9.41-acre platted lot from RR to W/LO-CO. Although the vast majority of this property is in the 100-year floodplain of Harris Branch Creek, there are small areas outside the floodplain along Howard Lane. The property owner would like to construct a small 6,000-8,000 square foot warehouse for his wood recycling business, which reclaims lumber from demolished structures. He also wants to build one residence on the property as an Accessory Use, as is allows in the Code. He has spoken with his neighbors and currently has several letters of support for this rezoning. Via a Conditional Overly, we are willing to prohibit all W/LO uses, except for Office, Warehouse and General Retail Sales. Please call me if you have any questions regarding our rezoning request.

Thank you,

Jim Wittliff

Letter of Support

Rezoning Request for 13313 Old Gregg Lane

To Whom it May Concern at the City of Austin:

I am writing to express my support for a rezoning application that was recently filed with the City of Austin for the property at 13313 Old Gregg Lane. This 10-acre property is currently zoned RR- Rural Residential. The new owner of the property owns a business that recycles wood building materials, and he wants to construct a small 6,000-8,000 square foot warehouse along Howard Lane, along with one residence. I support this rezoning to W/LO-CO-MU, Office Warehouse-Conditional Overlay-Mixed Use, because I believe this is a minimal, environmentally sensitive use of this property, and it will be compatible with existing surrounding uses.

Signed

Printed Name:

Ally Santana
Ally Santana

Address:

2221 E. Howard Ln.

Date:

5/26/2020

Letter of Support

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Signed Gene E. Pierce (building superintendent, Central Church of Christ)
Printed Name: Gene E. Pierce

Address: Central Church of Christ 13213 Old Gregg Ln.

Date: 5-29-2020

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Signed

A. Joy

Printed Name:

Andy Joy

Address:

1900 E - Howard

Date:

6/3/2020

Letter of Support

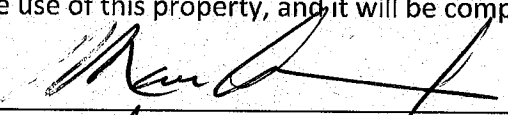
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Signed

Printed Name:


MARK AFLATON

Address:

1900 E Howard Ln BLDG D (TENANT)

Date:

5/26/2020

Letter of Support

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Signed Darrell Schiff
Printed Name: Darrell Schiff

Address: 13326 Immanuel Road

Date: Pflugerville, Tx 78661

6/3/2020

Letter of Support

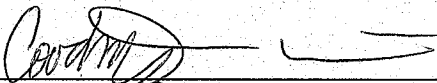
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Signed

Printed Name:


Courtney Wilson

Address:

2220 E. Howard Ln, Pflugerville TX 78660

Date:

6/3/2020

Letter of Support

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Signed Todd Wilkins
Printed Name: Todd Wilkins

Address: 13135 Old Gregg Ln
Date: 6/3/20