ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0090 (Johnny Morris Road Rezoning) DISTRICT: 1

ZONING FROM: SF-2 TO: GR-MU*

*Please see applicant's request to amend the rezoning application to GR-MU-CO in the ***Issues*** *section below* and in Exhibit C.

ADDRESS: 7008 Johnny Morris Road

SITE AREA: 4.059 acres

PROPERTY OWNER: Arabon Real Estate, LLC

AGENT: Thrower Design LLC (A. Ron Thrower)

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

STAFF RECOMMENDATION:
Staff recommends LO-MU, Limited Office-Mixed Use Combining District, zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:
November 17, 2020

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES:

On November 11, 2020, the applicant sent an e-mail to the staff stating that they wanted to amend their rezoning request to GR-MU-CO (see Exhibit C). The applicant is proposing a conditional overlay to prohibit the following uses:

- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Exterminating Services
- Pawn Shop Services
- Drive-thru fast-food

CASE MANAGER COMMENTS:

The property in question is 4+ acre tract of land that is currently zoned SF-2 and developed with a single family residence fronting onto Johnny Morris Road. To the north, there is the Walnut Creek Greenbelt that is zoned P and lots that are developed with single-family residences zoned SF-4A. The lots to the east, across Johnny Morris Road, are also developed with single-family residential uses zoned SF-2. To the south, there is a developing multifamily use with amenities that was recently zoned GR-MU-CO through case C14-2018-0117 – *please see Area Case Histories below* (Loyola Loft Apartments). The tract of land to the west contains a single-family home and undeveloped area. The applicant stated in their rezoning application that they are requesting GR-MU zoning to develop an office use at this location.

The staff recommends LO-MU zoning for the site under consideration. The property meets the intent of the purpose statement for the Limited Office-Mixed Use Combining District as the LO district is intended for office and civic uses that serve neighborhood or community needs. The proposed MU combining district will permit any combination of office, retail, commercial, and residential uses within a single development.

The proposed Limited Office-Mixed Use zoning will provide for a transition in the intensity of permitted uses/site development standards along Johnny Morris Road from the GR-MU-CO zoning at the arterial intersection of Loyola Lane and Johnny Morris Road to the SF-2 and SF-4A zoning/residential uses to the north. In addition, there is a significant amount of commercial zoning to the south of this tract at the major intersection of Johnny Morris Road and Loyola Lane (LR, GR-MU-CO zoning). The proposed LO-MU zoning will allow for the development of both residential, office and civic uses that are appropriate adjacent to the residential neighborhoods to the north and east and the nearby elementary school (Jordan Elementary) to the southeast.

The applicant does not agree with the staff's recommendation.

BASIS OF RECOMMENDATION:

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

Limited Office district is intended for offices predominately serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods.

Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

LO-MU zoning will allow for a mix of residential and/or office uses, as proposed on the site.

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

The recommended LO-MU zoning will provide a transition in the intensity of permitted uses/site development standards along Johnny Morris Road from the GR-MU-CO zoning at the arterial intersection of Loyola Lane and Johnny Morris Road to the SF-2 and SF-4A zoning/residential uses to the north.

3. Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.

The property is in question is surrounded by single family zoning/uses to the north, east and west and is not located at a major intersection. There is substantial commercial zoning (LR, GR-MU-CO) to the south of this tract at the arterial intersection of Johnny Morris Road and Loyola Lane.

4. Zoning should allow for reasonable use of the property.

In the rezoning request, the applicant states that they are proposing an office use at this location. The proposed LO-MU zoning will allow for the development of both residential, office and civic uses that are appropriate adjacent to residential neighborhoods and the nearby elementary school.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-2	Single Family Residence, Detention Pond
North	SF-2, P, SF-4A	Open Space (Walnut Creek Greenbelt), Single-Family Residential Neighborhood
East	SF-2	Single-Family Residential Neighborhood
South	GR-MU-CO	Developing Multifamily Use
West	SF-2	Single Family Residence, Undeveloped

NEIGHBORHOOD PLANNING AREA:

TIA: Deferred to the time of Site Plan

WATERSHED: Walnut Creek

SCHOOLS: Austin I.S.D.

Jordan Elementary School
Sadler Means Young Women's Leadership Academy
Garcia Young Men's Leadership Academy
LBJ High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Lost and Found Pets
Austin Neighborhoods Council
Bike Austin
Colony Park/Lakeside Community Development Corp.
Colony Park Neighborhood Association
Del Valle Community Coalition
Friends of Austin Neighborhoods
Homeless Neighborhood Association
L.B.J. Neighborhood Association
Neighborhood Empowerment Foundation
Neighbors United for Progress
SELTEXAS
Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2018-0117 (Loyola Lofts: 6400 Loyola Lane)	LR, SF-3 to CS-MU* *Applicant amended to GR-MU-CO	12/18/18: To grant staff's rec. of GR-MU-CO on consent, with a CO to prohibit Alternative financial services, Automotive rentals, Automotive repair services, Automotive washing (of any type), Bail bond services, Drop-off recycling collection facility, Exterminating	1/31/18: Approved ZAP Commission rec. of GR-MU-CO zoning by consent on all 3 readings.

		services, Funeral services, Pawn shop services, Pedicab storage and dispatch, Service station, and Custom Manufacturing and limiting the site to 2,000 vehicle trips per day (6-0-1) [B. King- 1st, A. Aguirre- 2nd; Y. Flores- Abstain; B. Greenberg, S. Lavani, and D. Breithaupt-Absent]	
C14-2011-0107 (Southern Walnut Creek Hike and Bike Trail: 7112 ½ Zachary Drive)	SF-4A to P	10/18/11: Approved staff rec. of P (9-0); S. Baldridge-1st, G. Rojas-2nd.	11/03/11: Approved P zoning on all 3 readings (7-0); Spellman-1st, L. Morrison-2nd.
C14-06-0156.SH (6200 Loyola Lane)	MF-3-CO, GR-MU-CO to MF-3-CO	09/19/2006: MF-3-CO w/ max 2,000 v.p.d., max 254 d.u.	10/19/2006: Approved MF-3-CO as rec by ZAP, Ord # 20061019-062

RELATED CASES: N/A

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Existing Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Johnny Morris Road	~87’	120’	29’	Arterial	No	Yes	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

No comments received.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut 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:

Development Classification	*% of Gross Site Area*	*% of Gross Site Area with Transfers*
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. There is a Critical Water Quality Zone on the southeast corner.

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 ls that preempt current water quality or Code requirements.

Fire

No comment.

Parks

Parkland dedication will be required for any new residential units proposed by this development, GR-MU zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).
If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov.
At the applicant’s request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the east, west, and north property lines, the following standards apply:

a. No structure may be built within 25 feet of the property line.
b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
d. No parking or driveways are allowed within 25 feet of the property line.
e. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

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

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies 120’ of right-of-way needed for Johnny Morris Road. Right-of-way dedication should be deferred to the time of subdivision or site plan. The traffic impact analysis should also be deferred to the time of site plan application when land uses and intensities will be known.

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Existing Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Johnny Morris Road	~87’	120’	29’	3	No	Yes	Yes

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.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact

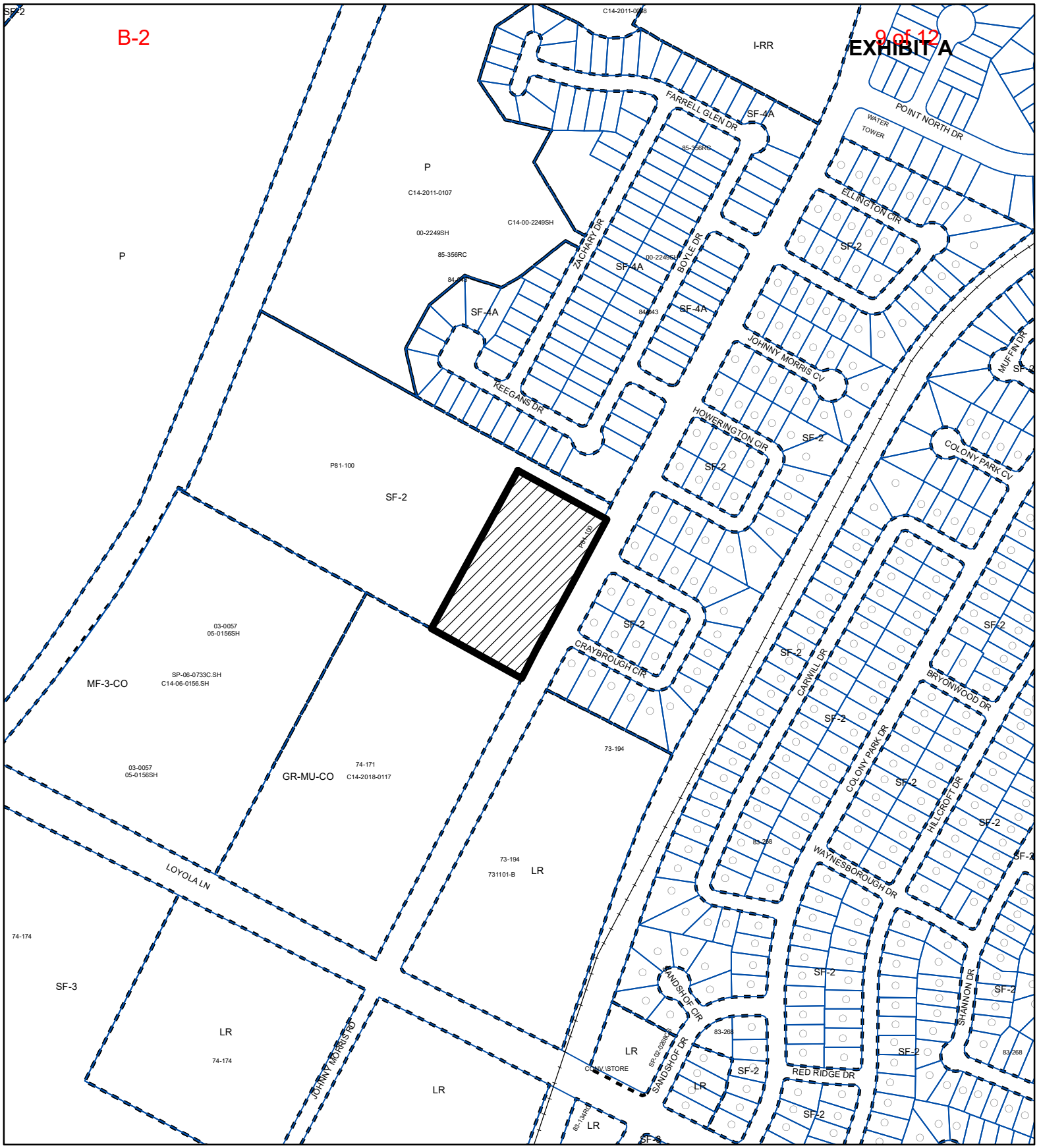
Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor. Ph: 512-972-0211.

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 Rezoning Amendment Request
D. Correspondence from Interested Parties

EXHIBIT A



ZONING

ZONING CASE#: C14-2020-0090

N

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.

CITY OF AUSTIN FOUNDED 1839

Created: 8/11/2020

EXHIBIT B



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

1" = 300'

Johnny Morris Road Rezoning

ZONING CASE#: C14-2020-0090
LOCATION: 7008 Johnny Morris Rd.
SUBJECT AREA: 4.06 ACRES
GRID: N25
MANAGER: Sherri Sirwaitis

CITY OF AUSTIN FOUNDED 1839

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

From: Victoria
To: Sirwaitis, Sherri
Cc: barbara_scott; Mitzi Wright; Ron Thrower; Hartnett, Lauren; Rivera, Andrew
Subject: 7008 Johnny Morris Road Rezoning - C14-2020-0090
Date: Wednesday, November 11, 2020 3:21:11 PM

*** External Email - Exercise Caution ***

Sherri –

We would like to amend our rezoning request to add a conditional overlay to prohibit the following uses:

- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Exterminating Services
- Pawn Shop Services
- Drive-thru fast-food

The conditional overlay is an agreement with the Colony Park Neighborhood Association Corporation. I have cc'd representatives of the Colony Park NA in this email.

Please consider this an official request for an amendment to our application from GR-MU to GR-MU-CO.

Thank you,

Victoria Haase

Thrower Design

www.throwerdesign.com
510 South Congress Avenue, Suite 207
Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office



Colony Park
Neighborhood Association

COLONY PARK
A Community of Endless Possibilities

P.O. Box 12891 Austin, Texas 78711-2891 USA

November 11, 2020

Sherri Sirwaitis
Senior Planner
One Texas Center
505 Barton Springs Rd.
Austin, Texas 78704

Dear Ms Sirwaitis

I am contacting you on behalf of the Colony Park/Lakeside Neighborhood Association concerning the re-zoning of 7008 Johnny Morris Rd. The Colony Park Neighborhood/Lakeside Neighborhood Association is the recognized representative of the Colony Park, and Lakeside communities.

We have been in contact with Victoria Hasse with Thrower Design, as well as Chris Coggin the owner of the property located at 7008 Johnny Morris Rd. The community has been working with the owner and the design team to owner re-zone the property so it can bring a business that will be of benefit to the community.

It is our understanding that City of Austin Staff have suggested this property be re-zoned LO which will allow businesses that may not be compatible with the community's vision.

The designer is asking for the property to be re-zoned GR which can be supported by the community. We have worked with the designer to add a conditional overlay to prohibit the following uses.

- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Exterminating Services
- Pawn Shop Services
- Drive-thru fast-food

We are also referring this re-zoning case to Council Member Harper-Madison' office to express the community's support for a re-zoning of GR for this property.

If you require additional information you may contact me by email at barbara_scott@sbcglobal.net or by Phone at 512 922-1202.

Sincerely,

Barbara D. Scott

Barbara D. Scott, President – Colony Park Neighborhood Association Inc.