

ZONING CHANGE REVIEW SHEETCASE: C14-2021-0040 – 1501 Crozier Lane ZoningDISTRICT: 2ZONING FROM: I-RRZONING TO: CS-COADDRESS: 1501 Crozier LaneSITE AREA: 32.93 acresPROPERTY OWNER: Old Man City, LLC
(Lauren Carson)AGENT: Kimley-Horn
(Amanda Brown)CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay: 1) prohibits the following uses: automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), bail bond services, building maintenance services, campground, commercial blood plasma center, construction sales and services, convenience storage, drop-off recycling collection facility, electronic prototype assembly, electronic testing, equipment repair services, equipment sales, exterminating services, indoor crop production, kennels, laundry services, maintenance and service facilities, monument retail sales, service station, transportation terminal, and veterinary services; 2) establishes custom manufacturing and plant nursery as conditional uses, and 3) establishes that Chapter 25-2, Article 10 (*Compatibility Standards*) applies along the south property line adjacent to a mobile home residence. For a summary of the basis of Staff's recommendation, see case manager comments.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:**August 17, 2021:**CITY COUNCIL ACTION:**September 30, 2021:**ORDINANCE NUMBER:ISSUES:

In late-March 2021, the Applicant met to discuss the zoning case with residents of the Capitol Manor Mobile Home Park.

CASE MANAGER COMMENTS:

The subject irregular-shaped, undeveloped tract was annexed into the Full-Purpose City limits in September 2001 and zoned interim – rural residence (I-RR) district. Carson Creek

flows through the westernmost portion of the property towards the Colorado River which forms the northeast property line. A driveway extends from the intersection of Crozier Lane and Thornberry Road. There is undeveloped property and a brewery on Crozier Lane to the east (I-RR; LI-CO), a commercial-off street parking facility serving ABIA patrons to the southeast that takes access to East State Highway 71 (CS-CO), the Capitol Manor Mobile Home Park and the Carson Creek Addition single family and duplex subdivision to the south (I-RR; SF-3), and low density residential uses across Carson Creek to the west (County). The property is located in the Airport Overlay Zone 3 which does not allow for new residential use to occur. ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).***

The Applicant proposes to zone the property to the general commercial services – conditional overlay (CS-CO) district so that it may be developed with a limited warehousing and distribution use, and is intended for the storage of wine collections. The Applicant's Conditional Overlay would limit land uses to limited warehousing and distribution (first allowed in the CS zoning district) and permitted uses in the community commercial (GR) district, prohibit certain uses including auto-related uses, bail bond services, drop-off recycling collection facility and exterminating services, and require the application of the City's compatibility standards adjacent to the manufactured home park.

BASIS OF RECOMMENDATION:

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

The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The Conditional Overlay (CO) combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

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

Staff recommends CS-CO zoning as requested based on the following conditions of the Property: 1) limited warehousing and distribution is a low intensive, low traffic generating land use; 2) the Conditional Overlay prohibits the more intensive land uses in the CS and GR zoning districts due to the site's limited access on Crozier Lane, and applies compatibility standards to the existing mobile home park to the south; and 3) its unique location that includes a segment of Carson Creek and frontage on the Colorado River.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	County	Undeveloped
<i>South</i>	I-RR	Manufactured home park; Commercial off-street parking facility
<i>East</i>	Not Applicable; I-RR; LI-CO	Colorado River; Undeveloped; Brewery
<i>West</i>	County	Carson Creek; Low density residential

NEIGHBORHOOD PLANNING AREA: Not Applicable

TIA: Deferred to the site plan application when land uses and intensities will be finalized

WATERSHEDS: Carson Creek; Colorado River – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

The subject property is within the Del Valle Independent School District.

COMMUNITY REGISTRY LIST:

511 – Austin Neighborhoods Council 774 – Del Valle Independent School District
 1195 – Imperial Neighborhood Association 1228 – Sierra Club, Austin Regional Group
 1258 – Del Valle Community Coalition 1363 – SEL Texas
 1530 – Friends of Austin Neighborhoods 1550 – Homeless Neighborhood Association
 1616 – Neighborhood Empowerment Foundation 1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0019 – Capitol Manor Mobile Home Park (City-Initiated) – 1308 Thornberry Rd	I-RR to MH	Withdrawn due to Property's location within Airport Overlay Zone – 3	Not applicable
C14-2008-0227 – Live Oak Brewing Co. – 1615 Crozier Ln	I-RR to LI	To Grant LI-CO w/CO for 2,000 vehicle trips / day, w/conditions of r-o-w dedication on Crozier Ln	Apvd LI-CO w/a Street Deed for r-o-w dedication as ZAP recommended (2-12-2009).
C14-02-0054 – Rezone Former Del Valle School	UNZ to AV	To Grant	Apvd (8-1-2002).

Property – North of Crozier Ln, Cardinal Lp and Shapard Ln			
C14-99-2094 – Airport Fast Park – 2031 E SH 71	I-RR to CS-CO	To Grant CS-CO w/CO prohibiting adult-oriented businesses, pawn shops, vehicle storage, limits vehicle trips to 2,000 per day, prohibits access to Thornberry Rd and Crozier Ln	Apvd CS-CO as ZAP recommended (5-11-2000).

RELATED CASES:

The subject property was annexed into the Full Purpose City limits on September 6, 2001 (C7A-01-002).

The property is unplatted and there are no site plan applications on the property.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Crozier Lane	41 feet	25 – 30 feet	Level 1 (Local)	No	None	No

OTHER STAFF COMMENTS:Comprehensive Planning

The subject property is a flag lot and accessible at 'L' the intersection of Thornberry Road and Crozier Lane, on a parcel that is approximately 32.93 acres in size and undeveloped. The property is located within the boundaries of the Airport Overlay, which prohibits residential uses. The site is not located within the boundaries of a neighborhood planning area or along an Activity Center or Corridor. Surrounding land uses include undeveloped land to the north; to the south is a manufactured home park and a single-family subdivision; to the east is undeveloped land and the Colorado River; and to the west is undeveloped land and a party/event center. The request is for commercial zoning for non-specified uses.

Connectivity

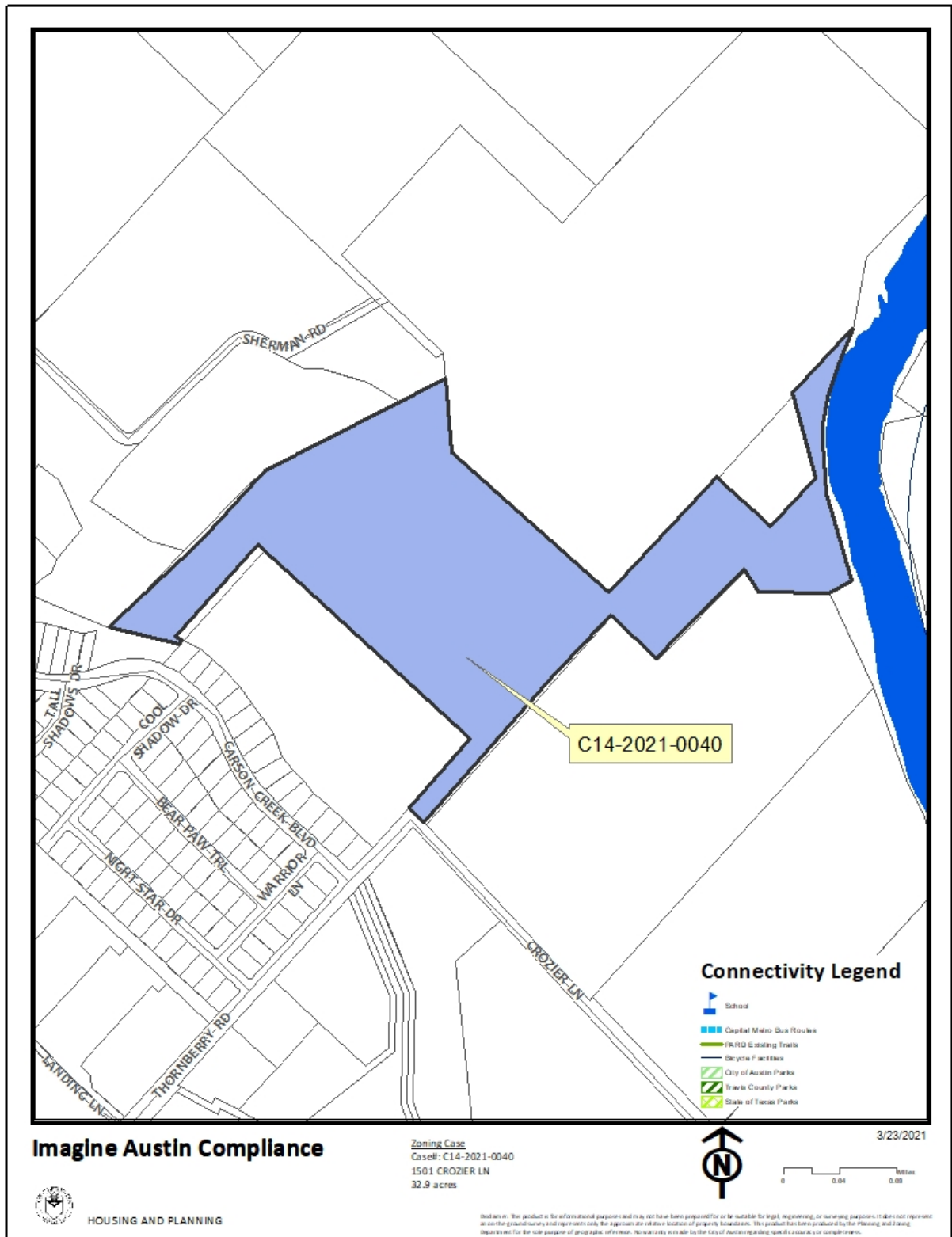
There is a public sidewalk located partially along Thornberry Road but not along Crozier Lane. There are no Cap Metro transit stops located within a half a mile of this property. There is a lack of goods and services (drug store, retail shops, restaurants, grocery stores, civic uses) located within a quarter of a mile of this property. The connectivity and mobility options in this area are below average.

Imagine Austin

The project is not located by an Activity Center or along an Activity Corridor. The following IACP policies are applicable to this project:

- **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 P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

Based upon the property being located within the Airport Overlay Zone, which encourages commercial but prohibits residential uses; the property not being along an Activity Center or Corridor; but the lack of mobility and connectivity strengths in the area as specified in the policies above, this proposal only partially supports the Imagine Austin Comprehensive Plan.



Drainage

Western portions of the property are located within the City's the fully developed 25-year floodplain and the fully developed 100-year floodplain of Slaughter Creek.

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 Carson Creek Watershed & the Colorado River Watershed of the Colorado River Basin, which are classified as Suburban Watersheds 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 there is a floodplain within or adjacent to the project location. 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 preexisting approvals that preempt current water quality or Code requirements.

Impervious Cover

Within the Colorado River and Carson Creek watersheds, the maximum impervious cover allowed by the CS-CO zoning district is 80%, based on the more restrictive *watershed* regulations.

PARD – Planning & Design Review

There are currently no parkland requirements for uses other than residential and hotel. Given that the application is for commercial uses, with the proposed CS-CO zoning, there would not be parkland dedication requirements or parkland impacts at the time of site plan or subdivision.

The Parks and Recreation Department is actively seeking connections and access to the Colorado River, a major parkland priority for the City and the County. PARD would appreciate the chance to discuss such an opportunity to provide recreation to the community. These options may be discussed with PARD at any point in the development process. Reviewer contact: thomas.rowlinson@austintexas.gov

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.

The site is located within Austin-Bergstrom Overlay – Zone 3 (AO-3), also referred to as the Buffer Zone and does not allow for new residential uses to occur. No use will be allowed that 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. *For the site plan*, Airport Hazard Zoning Committee review may be required prior to the Zoning and Platting Commission hearing.

Transportation

ASMP Assessment

The Austin Strategic Mobility Plan (ASMP) adopted April 11, 2019, calls for a minimum of 50 feet of right-of-way for Crozier Lane. It is recommended that 25 feet of right-of-way from the existing centerline should be dedicated for Crozier Ln according to the Transportation with the first subdivision or site plan application [LDC 25-6-51 and 25-6-55].

Transportation Assessment

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

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.

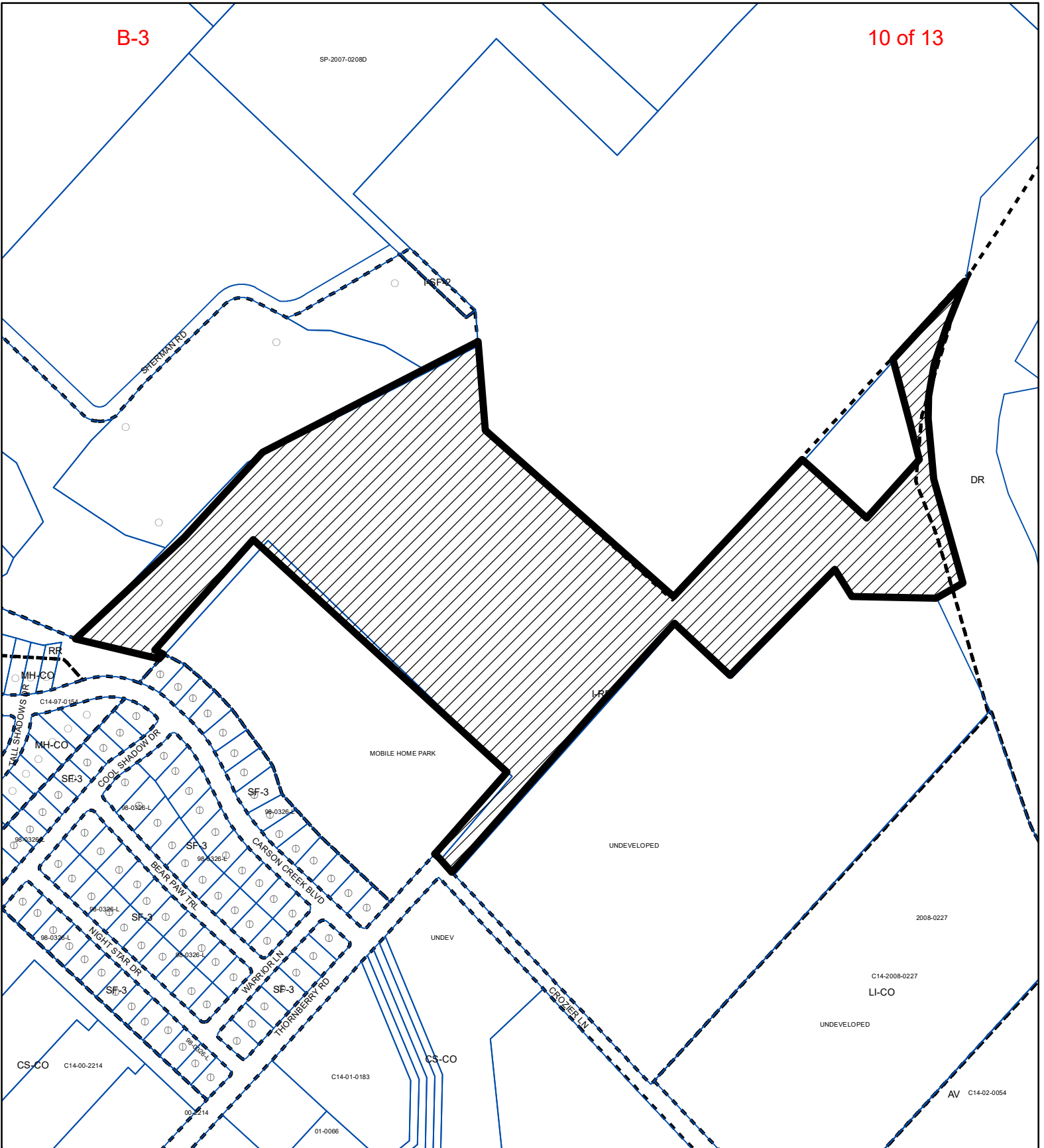
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

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 AND ATTACHMENT TO FOLLOW:

Exhibit A: Zoning Map
Exhibit A-1: Aerial Map




SP-2007-0208D



ZONING

Exhibit A

ZONING CASE#: C14-2021-0040

-  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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



Created: 3/23/2021

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

Case Number: C14-2021-0040

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: August 17, 2021, Zoning and Platting Commission

JOHN CORB

Your Name (please print)

☐ I am in favor
☒ I object

Your address(es) affected by this application (OPTIONAL)

J. CORB

Signature

AUG 6 '21

Date

Daytime Telephone: 512 385 1569

Comments: SEE NOTE

If you use this form to comment, it may be returned to:

City of Austin, Housing and Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov

City of Austin

AUG 10 2021

NHCD / AHFC

If there were a place, and it seems fewer and fewer these days, that no one really takes much interest in, how would it be described and what would it become if entirely left alone. It seems there is always some interjecting determination, a commercial instinct, an iconic scene, a practical use of some sort, that disables its' innocence. Does a thing always have to conform to what it will do for me, always some movement towards propagation or greater effulgence, never really satisfactory, in and of itself?

This particular bend in Carson Creek isn't really unusual in any way but it's situation kind of makes it an out-of-the-way spot. Butted up against the lower end of my property and cut off by the creek itself, but it is useful only for the birds and crawdads, the coons, and an occasional deer and fawn. And there is really no reason to suppose that it is exceptional. But, boy, how it changes, left like it is, and being able to observe it over a long period of time (since 1978) the vitality of its rearrangement makes for a genuine interest.

Does nature abhor a vacuum, or does mankind's divination over its real-estate value short circuit the natural and its ways and means? So....all this to say that now they want to buy it up. The developer says, "let me buy your land, I will build you a brand new house, at a great price, just give me access to cross the creek and join my new golf course to the "Hope" project. I will place a bridge across here." Mans invasive policy knows no end and natures inspiration only a bridge to his own desires.

We may tell him, simply, "No".



City of Austin
AUG 10 2021
NHCD / AHFC

Note: Should additional backup be submitted after the online publishing of this staff report, it may be found at the following link:

https://www.austintexas.gov/cityclerk/boards_commissions/meetings/54_1.htm