ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0148– Mesa Plaza Rezoning DISTRICT: 10

ZONING FROM: LR, GR, GR-CO TO: GR-CO

ADDRESS: 8012, 8014, 8016, 8018, 8020, 8022, 8024, 8028 and 8038 Mesa Drive

SITE AREA: 2.788 acres (121,446 sq. ft.)

PROPERTY OWNER:
Mesa Plaza Ltd. (Rip Miller)

AGENT:
Masterplan (Karen Wunsch)

CASE MANAGER: Wendy Rhoades (512-974-7729, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – conditional overlay (GR-CO) combining district zoning. The Conditional Overlay prohibits the following uses: alternative financial services, automotive rentals, automotive repair services, automotive sales, automotive Washing (of any type), bail bond services, commercial off-street parking, drop-off recycling collection facility, exterminating services, funeral services, hotel-motel, outdoor sports and recreation, pawn shop services, and research services. *For a summary of the basis of Staff's recommendation, see pages 2 - 3.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

November 2, 2021:

CITY COUNCIL ACTION:

December 2, 2021:

ORDINANCE NUMBER:

ISSUES:

On Tuesday, October 26, 2021, the Applicant met with the Northwest Austin Civic Association's (NWACA) Zoning and Transportation Committee. Based on that discussion, the Applicant is amenable to establishing LR development standards for building mass (0.5:1), height (40 feet) and impervious cover (80%) as a Conditional Overlay. Staff does not object to adding these development standards to the Conditional Overlay. Please refer to attached correspondence.

CASE MANAGER COMMENTS:

The Mesa Plaza shopping center, built in 1973, has an area of about 30,759 square feet on 2.876 acres (125,278 sq. ft.). Mesa Plaza is adjacent to a Grocery store that anchors the shopping area at the major intersection of Mesa Drive and Spicewood Springs Road. Mesa Plaza has tenants that include retail stores and personal services (hair salon) as well as personal improvement services (dance studio, language immersion school) and a restaurant (general).

When built, the shopping center had neighborhood commercial (LR) district zoning. Subsequent rezoning created and expanded the footprint of commercial - liquor sales (CS-1) zone district. Yet another rezoning established the community commercial-conditional overlay (GR-CO) combining district overlay as a footprint zoning on the south end of the building. The parking and loading areas, middle of the building, and "L" shaped part of the building at the north end remain zoned neighborhood commercial (LR) district. ***Please refer to Exhibit A (Zoning Map) and Exhibit A -1 (Aerial).***

Applicant requests zoning that would permit personal instruction area to exceed 5,000 square feet, and an amendment to the conditional overlay (CO), currently applicable to only part of the shopping center. The existing LR zone restricts restaurant (general) to a maximum 4,000 sq. ft., medical office to a maximum 5,000 sq. ft and personal improvement services to a maximum 5,000 sq. ft. *(*LDC, 25-2-587 – *Requirements for Certain Uses in a Neighborhood Commercial (LR) District).* This request is to rezone the entire Mesa Plaza to GR-CO district zoning, save and except the existing commercial – liquor sales (CS-1) district footprint zoning for the existing liquor store. The conditional uses that would be prohibited include auto related uses and others that are considered incompatible with the mix of uses at this location. (*see attached list of prohibited uses*).

Streets

GR district zoning requires access to major traffic ways. Spicewood Springs is a street level 2 with four travel lanes, raised median, center and right turn lanes into Mesa Drive from both directions. Eastbound, a little more than a mile, Spicewood Springs connects to MoPac Expressway and transitions into Anderson Lane. Westbound, just over a mile, Spicewood Springs links to Capital of Texas Highway. Mesa Drive, a street level 2, has two travel lanes and bike lanes. Mesa Drive connects south (0.75 mi.) to Far West Blvd. and north (0.22 mi.) to Steck Avenue and (1.12 mi.) to Jollyville Road. Spicewood Springs is a major through road while Mesa Drive functions as a neighborhood collector road.

BASIS OF RECOMMENDATION:

Staff recommends community commercial-conditional overlay (GR-CO) combining district zoning based on the following:

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

Community commercial **(GR)** 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. 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 should allow for reasonable use of the property.*

The shopping center has a variety of existing uses including retail stores, personal care, restaurant, language instruction, dance instruction, clothing cleaners & alterations. The requested zoning would permit a new tenant to occupy up to 9,000 square feet for Personal Improvement Services, specifically swimming instruction. The existing LR zoning limits the use to a maximum of 5,000 square feet.

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 commercial zoning in this neighborhood is focused on the intersection of Mesa Drive and Spicewood Springs. Mesa Plaza Shopping Center fronts on Mesa Drive and functions as an extension of the Grocery Store anchored shopping center next door which is situated at the southwest corner of the intersection of two major roads. The parking and drive aisles connect the two. Existing commercial is primarily a mix of LR and GR commercial zones flanked by GO & LO office zones and PUD residential zoning. There is existing CS-1 “footprint” zoning in the Mesa Plaza Shopping Center for the existing liquor sales use which is not part of the rezoning request.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	LR, GR-CO, GR; (CS-1, not part of this request)	Personal services, Personal improvement services, Restaurant (general), Retail sales (convenience); Liquor sales
North	LR	General retail sales (general)
South	PUD	Townhouse residential

	Zoning	Land Uses
East	SF-3, LR	(across Mesa Dr) Religious assembly, Day care, Professional office, Personal services
West	LR-MU, GO-CO	Multifamily residential, Congregate Living, convalescent services, (Senior independent and assisted living)

NEIGHBORHOOD PLANNING AREA: Not Applicable

TIA: The determination is deferred to site plan application when land use and intensity will be finalized.

WATERSHED: Shoal Creek – Urban

SCHOOLS:

Doss Elementary School Murchison Middle School Anderson High School

COMMUNITY REGISTRY LIST:

22 – Northwest Austin Civic Association

422 – Long Canyon Phase II & III Homeowners Association, Inc.

425 – 2222 Coalition of Neighborhood Associations, Inc.

475 – Bull Creek Foundation

511 – Austin Neighborhoods Council

742 – Austin Independent School District

1228 – Sierra Club, Austin Regional Group

1363 – SEL Texas

1507 – NW Austin Neighbors

1530 – Friends of Austin Neighborhoods

1596 – TNR BCP Travis County Natural Resources

1616 – Neighborhood Empowerment Foundation

1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2014-0161 – Brighton Gardens – 4323 Spicewood Springs Rd	LR to LR-MU	To Grant	Apvd (12-14-2014).
C814-90-0001 – Caprock Planned Unit Development – 4411 Spicewood Springs Rd	To establish PUD zoning	Apvd PUD, with conditions	Apvd PUD, 19.83 acres of dedicated parkland, 31.84 acres of MF-1 uses, 1.94 acres of LO uses (2-14-1991).
C14-90-0024 – Brighton Gardens Subdivision – 4401 Spicewood Springs Rd	LR to GO-CO	To Grant GO-CO, with conditions	Apvd (7-12-1990).
C814-72-014 and C814-74-011 – Northwest PUD – Intersection of Mesa Dr and Myrick Dr	LR and I-SF-2 to PUD		Apvd PUD for a variety of residential uses – single family and condominiums (4-16-1981).

RELATED CASES (Zoning and Subdivision cases on the property):

Number	Request	Commission	City Council
C14-2015-0004 – Mesa Plaza Ltd – 8030 Mesa Dr	GR to CS-1	To Grant	Apvd (2-26-2015).

Number	Request	Commission	City Council
C14-95-0062 – Mesa Plaza – 8000-8030 Mesa Dr	LR to GR-CO for 10,900 sf area on the south side of the building	To Grant GR-CO, w/CO establishing restaurant (drive-in, fast food) and hospital (limited) as conditional uses, and list of prohibited uses, w/conds	Apvd GR-CO w/Restrictive Covenant for discontinuance provisions for medical and restaurant (general) uses (6-29-1995).
C14-89-0061 – Mesa Plaza – 8028 Mesa Dr	LR to GR		Apvd (12-7-1989).
C14-73-207 – C.B. Carpenter & Norman Luterman – 8030 Mesa Dr	LR to CS-1		Apvd (11-15-1973).
C8S-73-130 – Mesa Plaza Addition – Mesa Dr south of Spicewood Springs Rd	To create 1 lot	Approved; recorded on 6-25-1973	Not applicable

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Mesa Drive	82 feet	42 feet	Level 2	Yes	Bike Lane	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

This rezoning case is located on the west side of Mesa Drive on 2.876 acre property situated within an existing shopping center that has a number of other commercial uses. The property is

not located along an Activity Corridor or near an Activity Center, nor is it located within the boundaries of a neighborhood planning area. Surrounding land uses includes other retail uses including a grocery store to the north; to the south is an apartment complex; to the east are retail uses; and to the west is an assisted living facility.

Request: Rezone property from LR, GR, GR-CO and CS-1 to GR-CO and CS-1 and add a swim center school.

Connectivity

There is a public transit stop located directly in front of this property. Unprotected bike lanes and public sidewalks are located along both sides of Mesa Drive. Mobility and connectivity options in the area are good.

Imagine Austin

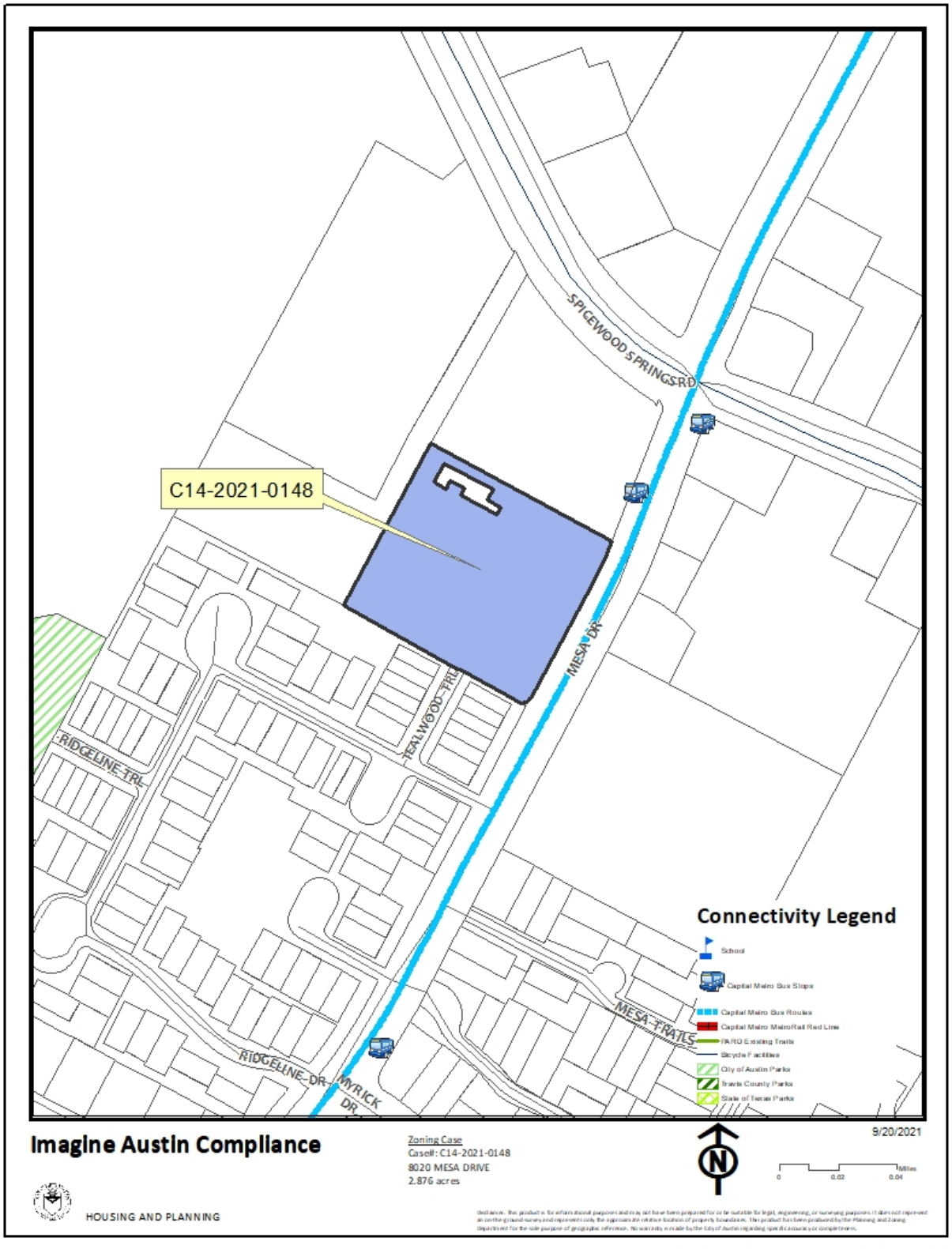
The property is not located along an Activity Center or within an Activity Corridor.

The following Imagine Austin policies are applicable to this case:

- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

- **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 on the comparative scale of the site relative to other commercial uses located along this major arterial corridor and within this existing shopping center, and mobility and connectivity strengths in this area, this project supports the policies of the Imagine Austin Comprehensive Plan.


C14-2021-0148
SPICEWOOD SPRINGS RD
MESA DR
TEALWOOD TRL
RIDGELINE TRL
RIDGELINE DR
MYRICK DR
MESA TRAILS
Connectivity Legend
School
Capital Metro Bus Stops
Capital Metro Bus Routes
Capital Metro MetroRail Red Line
PARD Existing Trails
Bicycle Facilities
City of Austin Parks
Travis County Parks
State of Texas Parks
Imagine Austin Compliance
Zoning Case
Case#: C14-2021-0148
8020 MESA DRIVE
2.876 acres
9/20/2021
N
Miles
0
0.02
0.04
HOUSING AND PLANNING

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 located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

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.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and onsite control for the two-year storm.

PARD – Planning & Design Review

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

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.

Transportation

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.

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 the Austin Water SER team at ser@austintexas.gov.

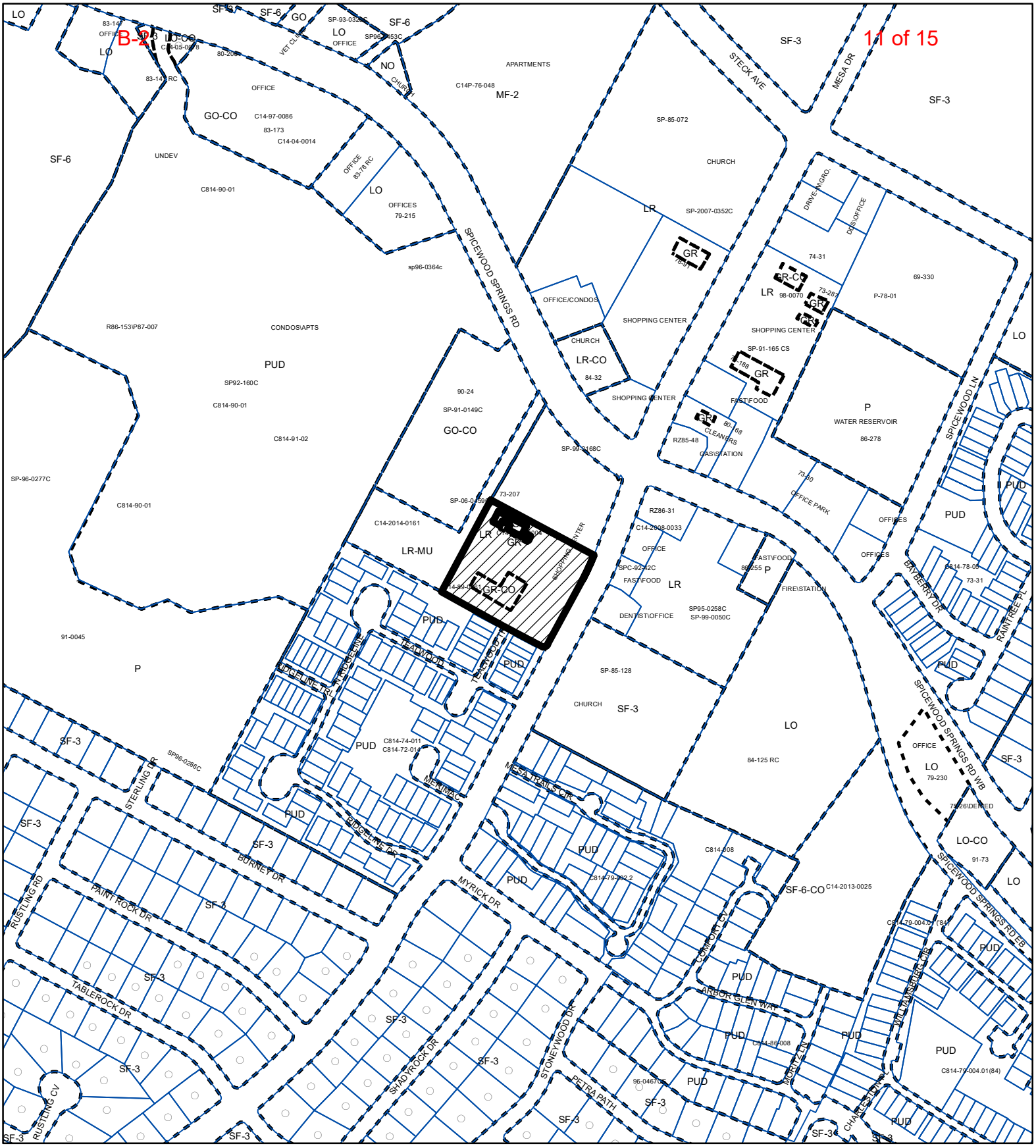
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS AND CORRESPONDENCE TO FOLLOW:

Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Applicant's Correspondence, including Proposed List of Prohibited Uses



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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1 " = 400 '

ZONING

Exhibit A

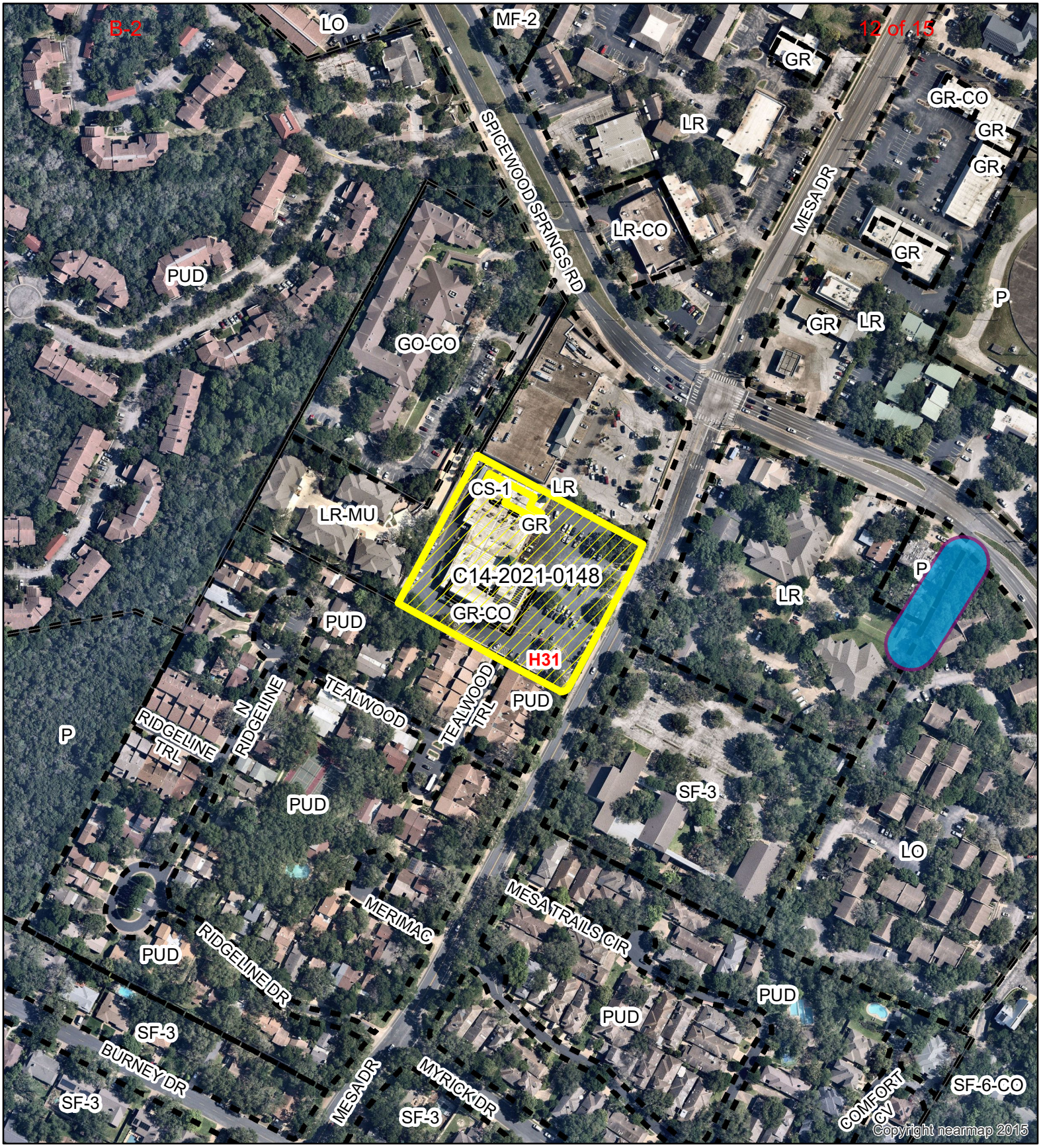
ZONING CASE#: C14-2021-0148

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

CITY OF AUSTIN FOUNDED 1839

Created: 9/16/2021



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SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

1" = 250'

Mesa Plaza Rezone

Exhibit A - 1

ZONING CASE#: C14-2021-048
LOCATION: 8012-8038 Mesa Drive (excluding 8030)
SUBJECT AREA: 2.876 Acres
GRID: H31
MANAGER: MARK GRAHAM

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.

Masterplan

August 25, 2021

Mark Graham, Senior Planner, AICP
Street-Jones Building, 1000 E. 11th Street
Austin Housing and Planning Department
Austin, TX 78702

Subject: Letter of Intent for Mesa Plaza Rezone

Dear Mark:

This letter is intended to support the application for zoning submitted for the Mesa Plaza Rezone project. The subject property is a portion of an existing shopping center that was developed in 1973. The center is generally located at the southwest corner of Mesa Drive and Spicewood Springs, and it is occupied with a variety of longstanding retail and civic use establishments including a dance studio, language immersion school, general restaurant, and hair salon.

As previously discussed, the zoning change request is intended to:

1. Allow for a new tenant to occupy 7,000 – 9,000 square feet as an indoor swim studio, which is classified as Personal Improvement Services. Under the current LR (Neighborhood Commercial) zoning classification, Personal Improvement Services is limited to a maximum area of only 5,000 square feet.
2. Revisit the list of allowed uses and use this opportunity to improve the zoning classification of the shopping center rather than continue to propagate the piecemeal rezoning approach by tenant lease space that has occurred over the past several decades. Please note that the portion of the center currently occupied by Twin Liquors and zoned CS-1 (Commercial-Liquor Sales) is **not** part of this rezone request.
3. Modernize the Conditional Overlay (CO) conditions applicable to a portion of the center that restricts restaurant and medical office uses among other uses and adopt a new CO and GR (Community Commercial) zoning designation for the subject property, save and except the area currently zoned CS-1. Auto-related uses and other higher intensity land uses deemed inappropriate at this location will continue to be prohibited through the use of a CO. The following uses are proposed to be prohibited:

a. Automotive Rentals
b. Automotive Repair Services
c. Automotive Sales
d. Automotive Washing
e. Commercial Off-street Parking
f. Drop-off Recycling Collection Facility
g. Exterminating
h. Funeral Services
i. Hotel-Motel
j. Outdoor Sports and Recreation
k. Pawn Shop Services
l. Research Services
m. Residential Treatment

Thank you for your consideration and assistance with this rezoning request. I look forward to working with you and members of the community to amend the zoning in a manner that allows for new businesses to occupy and existing business to expand within the center, while protecting the character and satisfying the needs of the existing neighborhood.

If you have questions, require additional information, or want to discuss this request in more detail, please contact me at 512-202-5542.

Sincerely,

Karen Wunsch

Karen Wunsch, AICP

Masterplan

October 28, 2021

Wendy Rhoades
Street-Jones Building, 1000 E. 11th Street
Austin Housing and Planning Department
Austin, TX 78702

Subject: Mesa Plaza Rezone – Conditional Overlay Addendum

Dear Wendy:

This letter is intended to support the application for zoning submitted for the Mesa Plaza Rezone project (2021-139766 ZC). After meeting with the NWACA (Northwest Austin Civic Association) Zoning and Transportation Committee on Tuesday, October 26, 2021, an addendum to the proposed Conditional Overlay is requested.

After listening to concerns about the increased FAR (floor area ratio), building height, and impervious cover that would be allowed with the proposed GR (Community Commercial) District, the owner is amenable to the suggestion offered by the NWACA Committee to add the LR (Neighborhood Commercial) standards to the Conditional Overlay.

Thank you for your assistance with this rezoning request. If you have questions or require additional information, please contact me at 512-202-5542.

Sincerely,

Karen Wunsch

Karen Wunsch, AICP