ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0109 (12530 Research Blvd Future Project) DISTRICT: 10

ADDRESS: 12530 Research Boulevard

ZONING FROM: GR, LO TO: GR-MU

SITE AREA: 1.41 acres (61,419.6 sq. ft.)

PROPERTY OWNER: Gyro Plus LLC (Mohammed Arami)

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

STAFF RECOMMEDATION:
Staff recommends GR-MU, Community Commercial-Mixed Use Combining District, zoning for Tract 1 and LO-MU, Limited Office- Mixed Use Combining District, zoning for Tract 2.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:
September 7, 2021: Motion to approve staff's recommendation of GR-MU zoning for Tract 1 and LO-MU zoning for Tract 2 (10-0, B. Greenberg-off the dais); C. Thompson-1st, J. Kiolbassa-2nd.

CITY COUNCIL ACTION:
October 14, 2021: The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only to GR-MU combining district zoning was approved on Council Member Renteria's motion, Council Member Ellis' second on an 11-0 vote.

October 13, 2022:

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 1.41 acre site that contains a vacant retail building and a small warehouse (formerly Buck's Bikes Super Store) which fronts U.S. Highway 183 North. To the east, there is a retail center (Oak Knoll Village). The tract of land to the west contains an automotive repair use (Oak Knoll Automotive). The lots to the south, across Jollyville Road, are developed with duplex residences. The applicant is requesting GR-MU zoning to redevelop the site with retail mixed use.

The staff is recommending GR-MU zoning for Tract 1 and LO-MU zoning for Tract 2. GR-MU zoning on Tract 1 will permit the applicant to redevelop the site with retail and residential uses fronting Research Boulevard/U.S. Highway 183 North. The staff is recommending adding an 'MU' combining district to the entire property (both Tract 1 and Tract 2) to permit the addition of residential uses. The proposed zoning will promote consistency with the permitted uses developed adjacent to this tract in the existing Community Commercial zoning located to the east and west. Commercial-mixed use and office-mixed use zoning will permit the applicant to utilize vacant structures to allow for mixed use development on the site. More intensive zoning is appropriate for a retail development fronting a major highway within an area of concentrated commercial and retail development.

In addition, the staff is recommending a 120-foot buffer of LO-MU zoning along Jollyville Road which is defined as Tract 2 in accordance with the intent of the U.S. 183/Jollyville Road Area Study. The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date to maintain a setback from the commercial uses fronting U.S. Highway 183 to the residential and office uses to the west across Jollyville Road.

BASIS OF RECOMMENDATION:

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

   General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

   Limited office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

   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.

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

The proposed GR-MU zoning for Tract 1 will allow the applicant to redevelop the site with retail and residential uses. This tract of land fronts onto a major arterial roadway, Research Boulevard (U.S. Highway 183). The proposed rezoning will be compatible with surrounding land uses as there are retail and commercial uses to the east and west of the site along Research Boulevard.

The staff is recommending a 120-foot buffer of LO-MU zoning along Jollyville Road for Tract 2 in accordance with the intent of the U.S. 183/Jollyville Road Area Study, which was adopted by the City Council in 1984. The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date to maintain a setback from the residential and office uses to the west across Jollyville Road.

The proposed LO-MU zoning on Tract 2 will provide a transition from the more intensive commercial uses fronting Research Boulevard/U.S. Highway 183 north to the residential uses on the western side of Jollyville Road.

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

The addition of the MU, Mixed Use Combining District, to Tracts 1 and 2 on this property will allow for new residential development on this site which will provide for additional housing opportunities in this area. The site under consideration is located along the Jollyville Road Activity Corridor and is located approximately a quarter of a mile from the 183 & McNeil Neighborhood Center.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	GR, LO	Vacant Retail Sales (former Buck's Bikes Super Store), Warehouse, Undeveloped Area
North	Highway, LI	Office/Warehouse (Research Park Place)
East	GR, CS-1, LO	Retail Center (Oak Knoll Village: Apartment Locators, Armstrong McCall Beauty Supply, AMZ Salon, Subway Sandwiches, Queen's Liquor, Caspian Grill, Kelly Personal Training, Q Nails, Yumin Tacos and More, The Convenient Store/ Shell Station)
South	SF-3	Duplex Residences
West	GR, LO	Automotive Repair (Sun Shades Window Tint, Oak Knoll Automotive)

AREA STUDY: U.S. 183/Jollyville Road Area Study

(This Area Study designates the property in question for commercial/GR district uses. The U.S. 183 Study was approved by the City Council in November of 1978. The Area Study recommended that a 120-foot deep strip of land along Jollyville Road be zoned "O" Office zoning (which was converted to LO, Limited Office, in 1985) and that a 200 foot strip of land along the west side of Jollyville Road be zoned "A" Residence (which was converted to SF-3, Family Residence, in 1985). The policy of a 120-foot strip buffer of LO zoning along the east side of Jollyville Road has been consistently applied to date. The policy of SF-3 on the west side of Jollyville Road was never approved or implemented, and today the west side of Jollyville Road is primarily zoned office and multi-family, with the majority of office zoning being LO zoning. The recommendation for a 120-foot strip of LO zoning along the eastern portion of Jollyville Road was incorporated into the Jollyville Road Study, which was adopted in 1984).

TIA: Deferred to the time of Site Plan

WATERSHED: Walnut Creek

SCHOOLS: Pflugerville I.S.D.

NEIGHBORHOOD ORGANIZATIONS:

Austin Lost and Found Pets
Bull Creek Foundation
Friends of Austin Neighborhoods
Homeless Neighborhood Association
Laurel Oaks Neighborhood Association
Long Canyon Homeowners Association
Mountain Neighborhood Association
Neighborhood Empowerment Foundation
North Oaks Neighborhood Association
SELTEXAS
Sierra Club, Austin Regional Group
TNR BCP- Travis County Natural Resources

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0097 (Abhyas Kendra 1 Inc. - Part 2: 12636 Research Boulevard South Bound, Building C, Suite C-108)	LR to GR	9/03/19: Approved staff's recommendation of GR zoning by consent (9-0); A. Denkler-1st, E. Goff-2nd.	10/03/19: The public hearing was conducted and a motion to close the public hearing nd approve Ordinance No. 20191003-088 for GR district zoning was approved on Council Member Alter's motion, Council Member

			Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.
C14-2016-0036 (Abhyas Kendra 1 Inc.: Best Brains Franchise – Tutoring Center, 12636 Research Boulevard South Bound, Building C, Suite C-108)	LO to LR	6/21/16: Approved staff's recommendation for LR zoning by consent (11-0); A. Denkler-1st, G. Rojas-2nd.	8/11/16: The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20160811-054 for neighborhood commercial (LR) district zoning was approved on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.
C14-2010-0176 (12636 Research Suite 109)	GR-CO to CS-1	12/07/10: Approved staff's rec. of CS-1 zoning on consent (5-0, Seeger, Tiemann-absent); Baldridge-1st, Bourgeios-2nd.	1/13/11: Approved CS-1 zoning on consent on all 3 readings (7-0); Spelman-1st, Morrison-2nd.
C14-05-0060	GR-CO to CS-1-CO	6/21/05: Postponed indefinitely at the applicant's request (8-0, K. Jackson-absent); J. Martinez-1st, J. Gohil-2nd. 12/21/05: Case expired.	N/A
C14-99-0099	SF-3 to LI	6/29/99: Approved staff's alternate rec. of LI-CO, w/ 2,000 vtpd limit, by consent (8-0)	7/29/99: Approved PC rec. of LI-CO (6-0); all 3 readings
C14-98-0143	GR to CS-1	11/17/98: Approved LO (TR1) and CS-1-CO (TR2), prohibit Adult Oriented uses and limit development to 2,000 vtpd, by consent (9-0)	1/7/99: Approved PC rec. of LO (TR1) and CS-1-CO (TR2) w/conditions (7-0); 1st reading 4/8/99: Approved retaining LO (TR1) and CS-CO on (TR2); (6-0); 2nd/3rd readings
C14-96-0144	I-SF-2 to CS	1/28/97: Approved staff alternate rec. of GR-CO, w/ 2,000 vtpd limit (7-0)	2/27/97: Approved PC rec. of GR-CO (7-0); 1st reading 4/10/97: Approved GR-CO (7-0); 2nd/3rd readings
C14-94-0045	LO to CS-CO	6/7/94: CS not recommended (5-0)	7/14/94: Postponed for 6 months to January 1995 by applicant (7-0) 3/31/05: Case expired
C14-93-0053	SF-2 to GR	5/18/93: Approved GR (7-0)	5/20/93: Approved GR (7-0); all 3 readings
C14-92-0105	LO to LR	11/10/92: Approved LR-CO; prohibiting Consumer Repair	12/3/93: Approved LR-CO on all 3 readings

		Services, Consumer Convenience Services, Food Sales, General Retail Sales (Convenience), Off-site accessory parking, Personal Services, Pet Services, Restaurant (Limited), Service Station, College and University Facilities, and Guidance Services	
C14-92-0045	SF-2 to GR-MU	7/7/92: Approved GR-MU	7/9/92: Approved GR-MU on all 3 readings
C14-90-0076	LO, GR, GR-CO	12/18/90: Approved GR-CO, permit all LR uses and Medical Offices, Restaurant (General), General Retail Sales (General), Communication Services, Personal Improvement Services, Business Support Services, and Business or Trade School, by consent (5-0)	1/10/91: Approved GR-CO (7-0); all 3 readings

RELATED CASES:

C14-77-101 - Previous Rezoning Case
C8S-73-076 - Subdivision Case

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Research Boulevard SVRD	75’	Defer to TxDOT	50’	4	Yes	Yes	Yes
Jollyville Road	130’	104’	60’	3	No	Yes	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning cases is located on the south side of Research Boulevard, with street frontage along both Research Boulevard and Jollyville Road. The property contains a commercial building on a 1.41 acre lot and is not located within a small planning area. The parcel is situated along the **Jollyville Road Activity Corridor** and is located approximately a quarter of a mile from the **183 & McNeil Neighborhood Center**. Surrounding land uses include SH 183 to the north; to the south is vacant land and a residential subdivision; to the east is a small shopping center with several retail uses; and to the west is an oil change shop and another auto service use. The proposed use is mixed retail and residential project.

Connectivity
This portion of Research Boulevard has a public sidewalk located along one side of the road and a public transit stop directly in front of the property. This portion of Jollyville Road has no public sidewalks or transit stops but does have what appears to be unprotected bike lanes. Mobility and connectivity options are fair due to a lack of public sidewalks, curb and gutters, public transit stops and civic uses along Jollyville Road.

Imagine Austin
The property is located along an **Activity Corridor** and near an **Neighborhood Center**, both which support a variety of commercial and residential uses. Activity Corridors are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile.
The following Imagine Austin policy is applicable to this case:
 LUT P3 Promote development in compact centers, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, 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.
 HN P10. Create complete neighborhoods across Austin that have a **mix of housing types and land uses**, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based on the adjoining commercial and residential uses but only fair mobility and connectivity options in the area, especially along Jollyville Road, this proposal partially supports the policies of the Imagine Austin Comprehensive Plan.

Environmental

The site is 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.

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.

Fire

No comments.

Parks and Recreation

Parkland dedication will be required for the new residential units proposed by this development, mixed-use with 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 southwest property line, 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, calls for 104 feet of right-of-way for Jollyville Road and right-of-way for Research Boulevard SVRD is deferred to TxDOT.

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/subdivision application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Water Utility

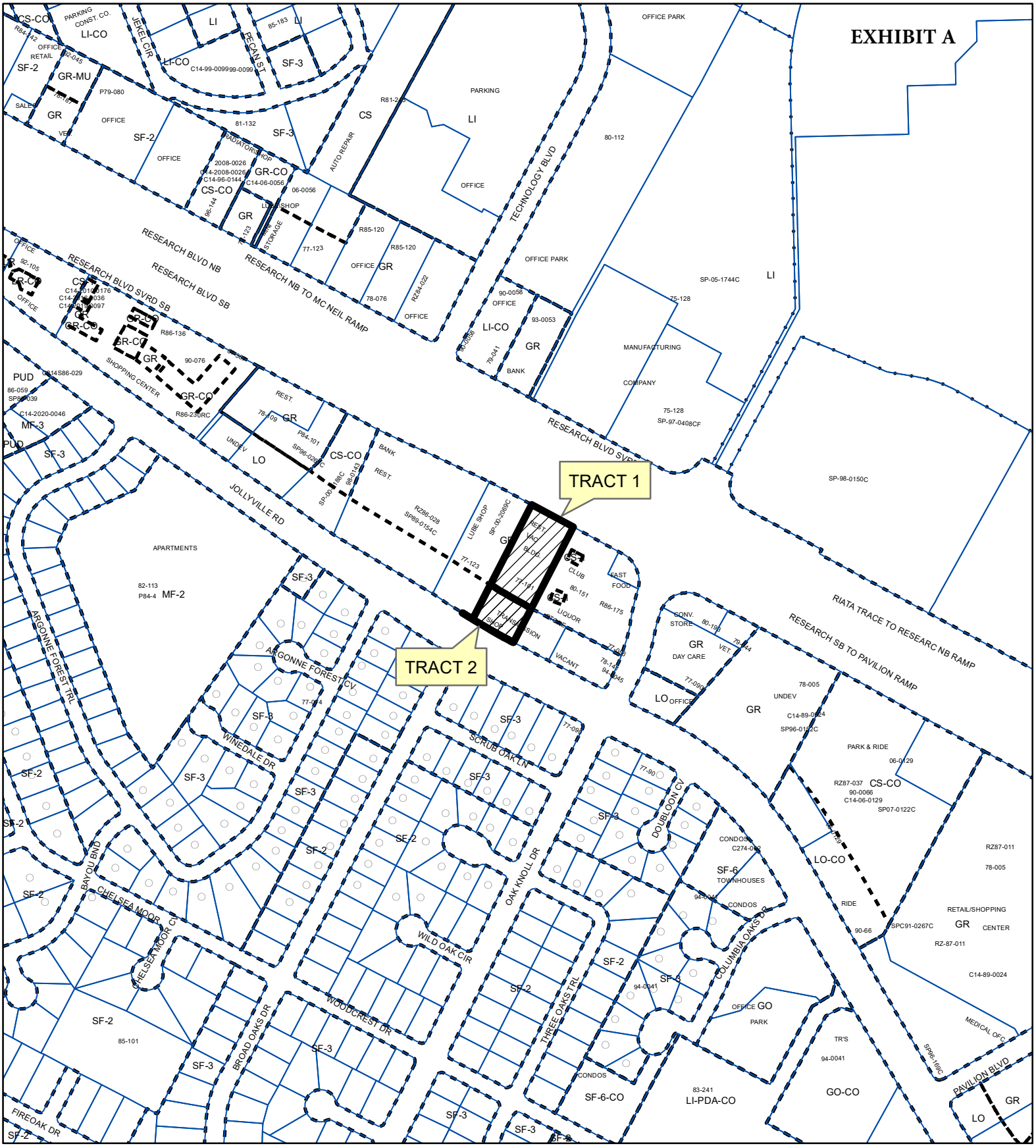
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water 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: Zoning Map
B. Aerial Map
C. Correspondence from Interested Parties



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1 " = 400 '

ZONING

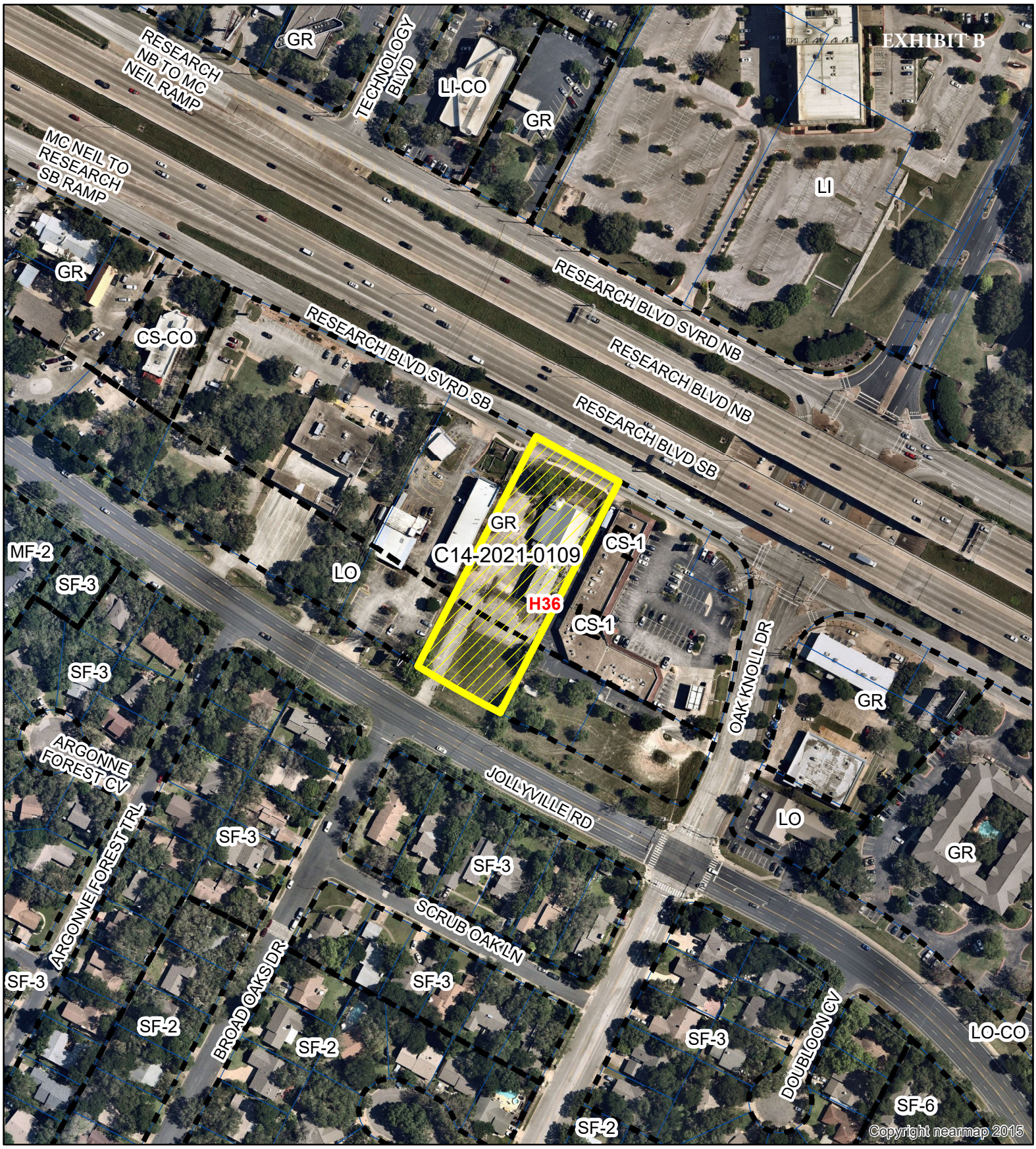
ZONING CASE#: C14-2021-0109

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Created: 8/26/2021



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SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

1" = 200'

12530 Research

ZONING CASE#:	C14-2021-0109
LOCATION:	12530 Research Boulevard SR SB
SUBJECT AREA:	1.41 Acres
GRID:	H36
MANAGER:	Sherri Sirwaitis

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.