ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0097 – 1507 & 1511 Bastrop Hwy Svrd Rezone DISTRICT: 2

ZONING FROM: I-SF-2 TO: CS

ADDRESS: 1507 and 1511 Bastrop Highway Service Road SITE AREA: 0.8957 acres (39,017 square feet)

APPLICANT: Sanjiv Kumar AGENT: Keepers Land Planning (Ricca Keepers)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services (CS) district zoning.
For a summary of the basis of Staff's recommendation, please see page 2.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:
October 4, 2022: ***APPROVED CS DISTRICT ZONING, AS STAFF RECOMMENDED, BY CONSENT***
[R. WOODY; C. ACOSTA – 2ND] (7-0) A. DENKLER, B. GREENBERG, H. SMITH, L. STERN – ABSENT

September 20, 2022**:** *APPROVED A POSTPONEMENT RQUEST BY STAFF TO OCTOBER 4, 2022, BY CONSENT*
[H. SMITH; L. STERN – 2ND] (9-0) C. ACOSTA – OFF THE DAIS; N. BARRERA-RAMIREZ – ABSENT

CITY COUNCIL ACTION:
October 27, 2022:

ORDINANCE NUMBER:

ISSUES:

A representative of the Richland Estates Neighborhood has submitted correspondence and photos with a request to prohibit several permitted uses in CS zoning district. Please refer to correspondence at the back of this report.

CASE MANAGER COMMENTS:

The subject zoning area is unplatted and contains one vacant single family residence and is zoned interim – single family residence-standard lot (I-SF-2) district at the time of annexation into the City limits in September 1998. The property has access to the Bastrop

Highway service road which branches off from westbound service road of East State Highway 71, intersects with Dalton Lane approximately 460 feet to the northwest, and provides access to commercial properties and a limited amount of residential lots further northwest. There is an undeveloped tract, a restaurant (limited) and a general retail sales (convenience) to the east (CS; GR), similarly sized undeveloped tracts to the west (I-SF-2), and a 12.58 acre undeveloped tract the north (CS). ***Please refer to Exhibits A – Zoning Map and A-1 – Aerial View.***

This property is within the AO-3 subdistrict of the Airport Overlay Zone, also known as the ½ mile buffer zone and approved by Council in September 2001. The AO-3 zone does not permit new residential development outside of recorded plats, municipal utility districts (MUDs), and neighborhood plans adopted prior to the 2001 Airport Overlay Zone ordinance. The AO-3 buffer zone was established to encourage compatible land uses near the Austin-Bergstrom International Airport.

The Applicant proposes general commercial services (CS) district zoning in order to occupy the existing residential structure with an office use. ***Please refer to Applicant's correspondence.***

BASIS FOR 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 site is located on highway frontage and therefore will have minimal interference with existing residential development in the area.

2. *Zoning should be consistent with an adopted area study or neighborhood plan.*

CS zoning is consistent with the existing Airport Overlay Ordinance that favors commercial zoning in this area.

3. *A change of conditions has occurred within the area indicating that there is a basis for changing the originally established zoning.*

The area was annexed in the late 1990s with an interim assignment of SF-2 zoning. Given development patterns in the area, including a major aviation facility and supporting commercial, retail and hotel / motel uses, Staff believes the CS zoning is appropriate.

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

The proposed zoning is compatible with the commercial (CS) zoning directly east and north, and with the restaurant and retail uses to the east, at the SH 71 / Brandt Drive intersection.

The closest single family residences to the east and north are located approximately 500 – 650 feet away, respectively and adjoin an undeveloped (12.5 acres) CS zoned tract.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	I-SF-2	Vacant single family residence
North	CS; RR	Undeveloped
South	Not Applicable	Bastrop Highway Service Road and E SH 71 WB Service Road
East	CS; GR	Undeveloped; Restaurant (limited); Retail sales (convenience)
West	I-SF-2	Undeveloped

AREA STUDY: Not Applicable TIA: Is not required

WATERSHED: Carson Creek – Suburban

CAPITOL VIEW CORRIDOR: No SCENIC ROADWAY: No

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

COMMUNITY REGISTRY LIST:

511 – Austin Neighborhoods Council
627 – Onion Creek Homeowners Association
742 – Austin Independent School District
774 – Del Valle Independent School District
1005 – Elroy Neighborhood Association
1195 – Imperial Neighborhood Association
1228 – Sierra Club, Austin Regional Group
1258 – Del Valle Community Coalition
1363 – SEL Texas
1444 – East Austin Conservancy
1530 – Friends of Austin Neighborhoods
1550 – Homeless Neighborhood Association
1616 – Neighborhood Empowerment Foundation
1774 – Austin Lost and Found Pets
1815 – Dog's Head Neighborhood Association
1819 – Richland Estates Neighborhood Organization

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2021-0170 – 1301 Dalton Ln	RR; CS to LI-CO	Case Expired; Not Applicable	Case Expired; Not Applicable
C14-2019-0081 – Dalton Lane – 1201 Dalton Ln	I-SF-2 to CS-CO, as amended	To Grant CS-CO w/CO for list of prohibited residential, commercial and civic uses	Apvd CS-CO as Commission recommended, with the removal of medical offices (8-22-2019).
C14-2019-0022 –	MF-2-CO to	Case Withdrawn due to	Case Withdrawn due

Tejas Mobile Plaza – 1709 E SH 71 Westbound	MF-3-CO	location within the AO-3 Zone and was not reviewed by Commission	to location within the AO-3 Zone and was not reviewed by Council
C14-05-0135 – Highway 183 / Highway 71 / Ben White – 1200-1324 Dalton Ln; 1301-1421 Bastrop Highway Service Rd	I-RR; CS to CH-CO	To Grant CH-CO w/CO prohibiting bed and breakfast (groups 1 and 2); condominium residential; group residential; multifamily residential, and townhouse residential, and limiting height to 90', and the conditions of the Traffic Impact Analysis	Apvd CH-CO with a Restrictive Covenant for the Traffic Impact Analysis, as Commission recommended (12-15-2005).
C14-02-0090 – Hwy 71 Commercial Tract – 1527 E SH 71	I-SF-2 to CS	To Grant	Apvd as Commission recommended (8-1-2002).
C14-99-2116 – Dalton Lane - City-initiated – 1215 Dalton Ln; Bastrop Highway	I-RR to RR	To Grant	Apvd (9-7-2000).
C14-84-466 – Max Walden – 1300 Blk of Dalton Ln	I-RR to CS on 12.568 acres	To Grant CS subject to conditions that allow development in accordance with provisions of 1981 Code and prohibit adult-oriented uses and liquor store, and require Amory Ln to be extended into Property (4-2-1985).	Apvd CS w/two separate Restrictive Covenants that prohibit adult-oriented businesses and liquor store, and require Amory Ln to be extended into the Property (1-9-1986).

RELATED CASES:

The property was annexed into the Full Purpose City limits on December 31, 2001 and assigned I-SF-2 zoning (C7A-01-002). The property was previously annexed into the Limited Purpose City limits on September 7, 1998 (C7L-98-001).

EXISTING STREET CHARACTERISTICS:

Name	ASMP R-O-W / Existing R-O-W	Existing Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Bastrop Highway Service Road	Not Applicable / 357 feet	30 feet	Level 4 (Arterial)	Yes	Wide Shoulder	Yes

ADDITIONAL STAFF COMMENTS:

Inclusive Planning

Project Name and Proposed Use: 0.8957 acres from I-SF-2 to CS. Single Family to Office

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. **Name(s) of Activity Center/Activity Corridor/Job Center:**
	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
Y	**Mobility and Bike/Ped Access:** Adjoins a public sidewalk, shared path, and/or bike lane.
Y	**Connectivity, Good and Services, Employment**: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education: Located within 0.50 miles from a public school or university.
	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a

	cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
2	**Total Number of "Yes's"**

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

Impervious Cover

Within the Carson Creek watershed, the maximum impervious cover allowed by the *CS zoning district is 80% (90% with transfers)*, which is 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 an anticipated office use, there would not be parkland dedication requirements or parkland impacts at the time of site plan or subdivision. However, City Council is currently proposing the creation of parkland dedication requirements for commercial uses at the time of site plan and subdivision, which may become applicable to this project in the future.

Site Plan

Site plans will be required for any new development other than single-family, two-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. The site is subject to compatibility standards due to the adjacent RR district to the north.

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 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.

Airport Overlay
Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Section 25-13-23, are prohibited. Noise level reduction measures may be required for certain new structures.

No use will be allowed that can 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. Additional comments may be generated during the site plan review process.

Austin Transportation Department – Engineering Review

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.

Water / Wastewater

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.

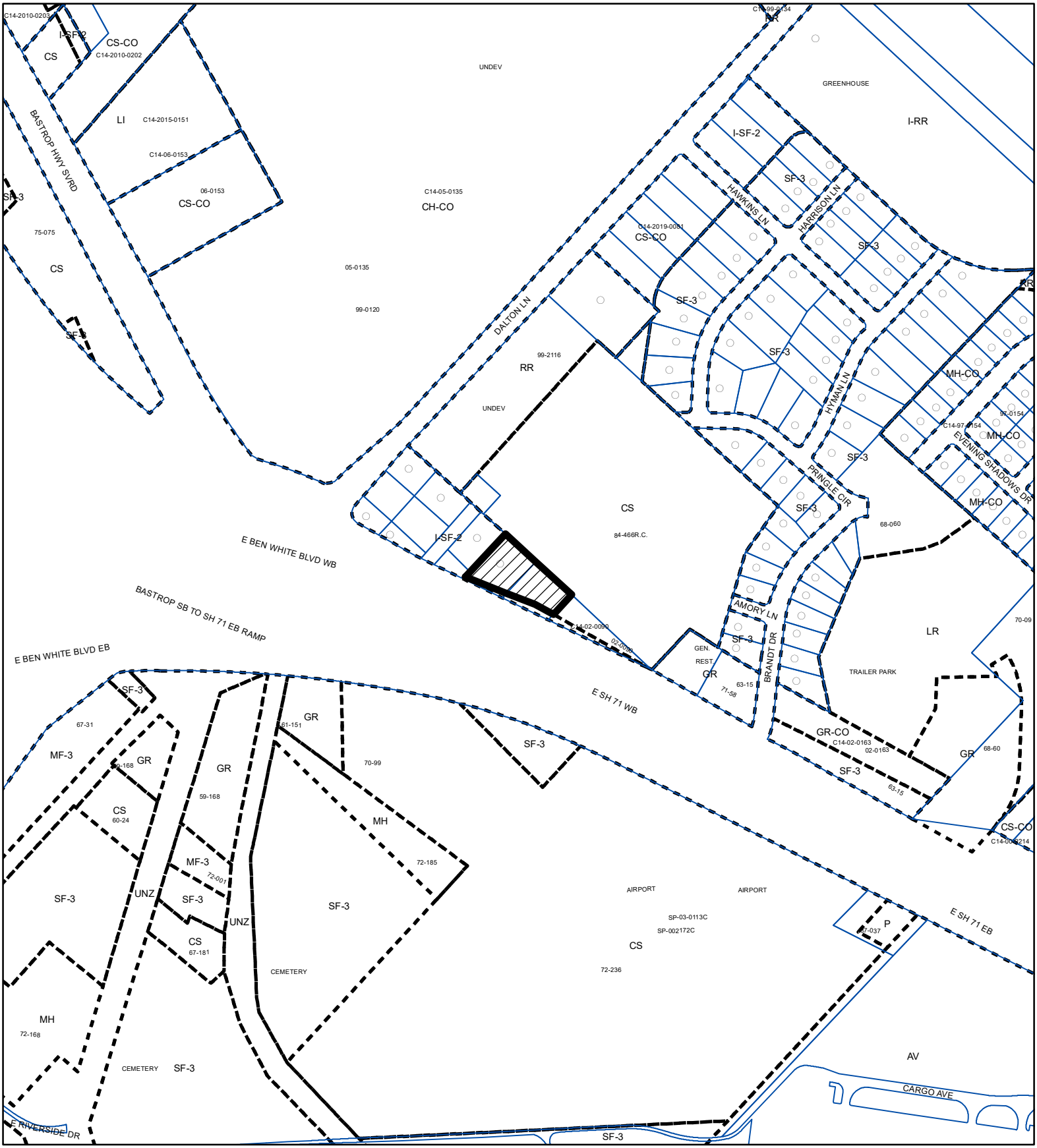
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

A: Zoning Map
A-1: Aerial Map

Applicant’s correspondence

Correspondence from Richland Estates Neighborhood



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1 " = 400 '

ZONING

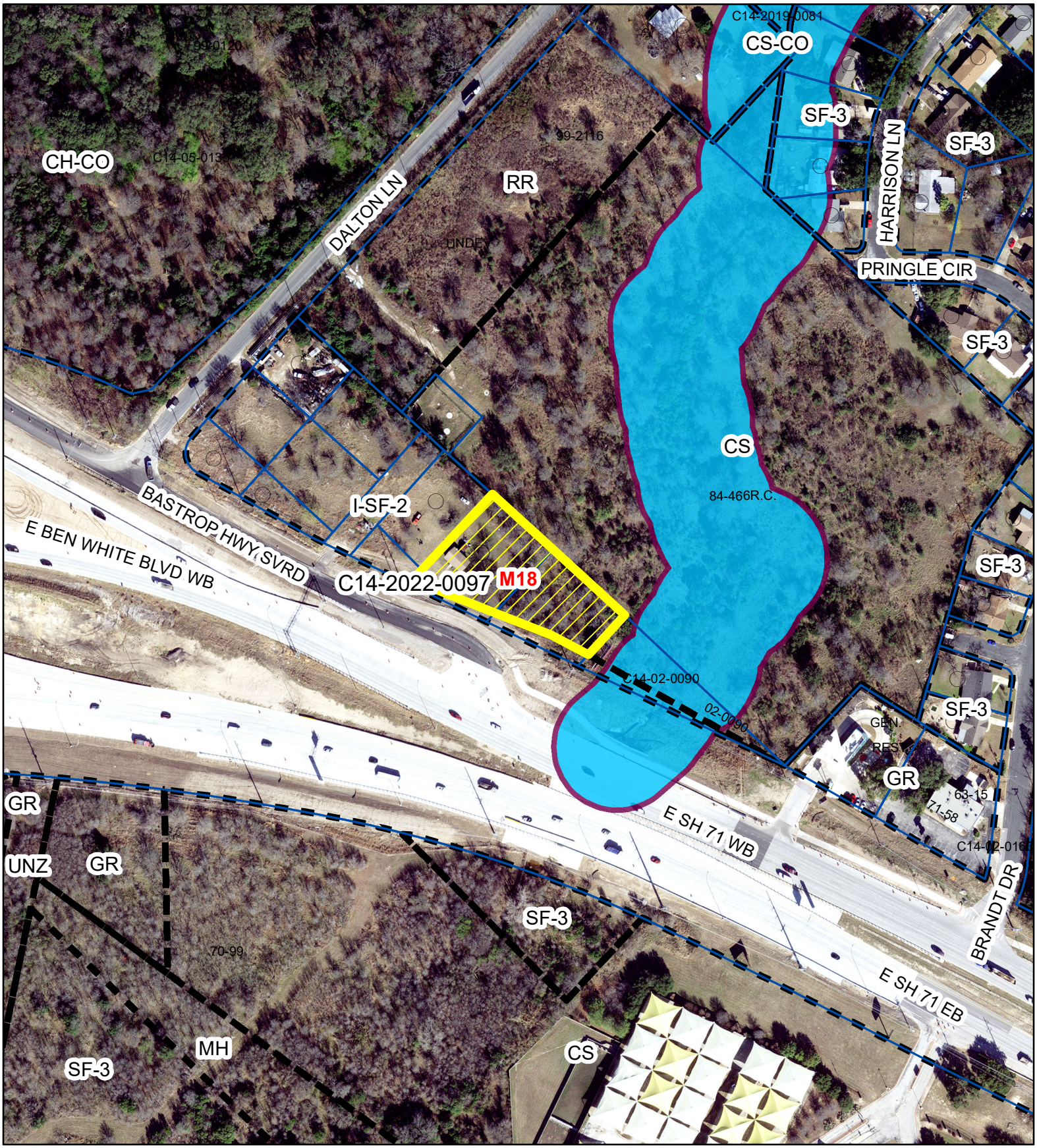
Exhibit A

ZONING CASE#: C14-2022-0097

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: 7/14/2022



1507 & 1511 Bastrop Hwy Svrd Rezone

Exhibit A - 1

N

SUBJECT TRACT
ZONING BOUNDARY
PENDING CASE
CREEK BUFFER

1 " = 200 '

ZONING CASE#: C14-2022-0097
LOCATION: 1507 and 1511 Bastrop Hwy Svrd
SUBJECT AREA: 0.8957 Acres
GRID: M18
MANAGER: Wendy Rhoades

Created: 7/25/2022
by: MeeksS

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 completeness.

June 14, 2022

Letter of Intent
Rezone

1507 & 1511 Bastrop Hwy Service Rd, Austin, TX 78742

Dear Land Management,

This letter is to provide you with the necessary information about this property for a rezone we are submitting for with the City of Austin.

We are requesting a rezone for the property with the above address. The owner is wanting to rezone from I-SF-2 to CS. The owner plans on renovating the small, unoccupied single-family home existing on the property for use as a professional office and has no other concrete plans for the land at this time.

Please, do not hesitate to reach out to us with any questions or concerns. Thank you in advance for your time.

Sincerely,

Ricca Keepers

Ricca Keepers, MUP

Ricca Keepers, MUP

Keepers Land Planning
Land Planner
512-550-6508

RICHLAND ESTATES NEIGHBORHOOD

78742

October 11, 2022

Re: Zoning Case Number C14-2022-0097

Mayor Adler and members of the Austin City Council,

The residents of Richland Estates, which was established in 1963, are very concerned about future development in the vicinity that could diminish the quality of life of and environmental protections in and around our neighborhood. The requested change of zoning for 1507 and 1511 Old Bastrop Hwy Svrd are of particular concern as there is a City mapped creek buffer adjacent to the parcels and the area is plagued by very frequent vehicle accidents on both Hwy 71 and Old Bastrop Hwy/Dalton Lane. Attached are photos of illegal dumping (Service Request # 22-0036020520) that the owners have allowed for the past several months. This causes a real concern for their interests of the wellbeing of the area.

The residents of Richland Estates ask the City Council to prohibit commercial use in the following categories:

Automotive Repair Services
Automotive Sales
Automotive Washing (of any type)
Building Maintenance Services
Campground
Construction Sales and Services
Convenience Storage
Drop-off Recycling Collection
Facility Exterminating Services
Scrap and Salvage
Service Station
Vehicle Storage

We appreciate your time to hear our concerns and invite you to consider attending our next neighborhood meeting.

Sincerely,

Residents of Richland Estates
Amanda Blackwelder
Richland Estates Neighborhood contact
RichlandEstatescontact@gmail.com

1507 / 1511 Bastrop Hwy NB

ILLEGAL DUMPING ALONG CREEK BUFFER