

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0002 / Indian Hills

DISTRICT: 1

ADDRESS: 6201 Quinn Luke Trail

ZONING FROM: LI-CO

TO: LI -CO (modify a condition of zoning to allow for automotive sales and repair as a permitted use)

SITE AREA: 4.79 acres

PROPERTY OWNER: IH CLEAN ENERGY CENTER TX LP

AGENT: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch)

CASE MANAGER: Jonathan Tomko (512)-974-1057, jonathan.tomko@austintexas.gov

STAFF RECOMMENDATION:

Staff recommends (LI-CO) limited industrial services, conditional overlay. With modifications to the conditonal overlay to allow for automotive sales and repair as permitted uses.

Please see the basis of recommendation section below.

PLANNING COMMISSION or ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

May 2, 2023: Approved by ZAP on consent

CITY COUNCIL ACTION:

To be reviewed by City Council on June 8, 2023

ORDINANCE NUMBER: N/A

ISSUES: N/A

CASE MANAGER COMMENTS:

SH 130 and other proximate land uses were not present when this property was last rezoned in 2009. The presence of the new freeway and new land uses, especially in the adjacent Austin extraterritorial jurisdiction, such as the Tesla Gigafactory should be taken in consideration when assessing whether the conditional overalys make sense, or are needed at this time. While a review of the TIA would need to be considered at site plan the applicant has already received a TIA Compliance Memo from ATD, *see exhibit C*.

BASIS OF RECOMMENDATION:

- 1. Change in conditions has occurred within the area indicating that there is a basis for changing the originally established zoning and/or development restrictions for the property**

As mentioned earlier the development of SH 130 and other proximate land uses were not present when this property was last rezoned in 2009 and the conditional overlays applied.

- 2. Zoning should allow for reasonable use of the property.**

It is reasonable to have auto sales and repair adjacent to a major highway. The precedent has been well established for this use along major thoroughfares where there is high visibility and transportation infrastructure.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LI-CO	An approximately 52,430 sqft building built in 2020 with an approximately 133,568 sqft paved area
<i>North</i>	MF-3	Undeveloped
<i>South</i>	LI-CO (Austin LTD)	Undeveloped
<i>East</i>	SH 130 and Austin ETJ (no zoning)	Undeveloped
<i>West</i>	LI-CO (Austin LTD)	Undeveloped

NEIGHBORHOOD PLANNING AREA: Not in a neighborhood planning area

TIA: Please see *exhibit C*

WATERSHED: Decker Creek

SCHOOLS: Del Valle I.S.D.
Gilbert Elementary School
Dailey Middle School
Del Valle High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Lost and Found Pets,
City of Manor,
Colony Park/Lakeside Community Development Corp,
Del Valle Community Coalition,
Del Valle Independent School District,
Friends of Austin Neighborhoods,
Friends of Northeast Austin,
Homeless Neighborhood Association,
Imperial Neighborhood Association,
Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0089	The applicant requested rezoning the property from P & DR to MF-3, CS, and LI.	May 18, 2010 (ZAP): The motion to approve staff's recommendation for MF-3 and LI zoning; was approved by Commissioner Gregory Bourgeois' motion, Commissioner Sandra Baldrige second the motion on a vote of 6-0; Commissioner Cynthia Banks was absent.	June 10, 2010: public hearing was closed and the first reading of the ordinance for multifamily residence medium density (MF-3) district zoning and limited industrial services-conditional overlay (LI-CO) combining district zoning was approved on Mayor Pro Tem Martinez' motion, Council Member Morrison's second on a 7-0 vote.

RELATED CASES:

No related cases

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
DECKER LAKE RD	Corridor Mobility - Level 3	116 feet	113 feet	79 feet	Existing 4 feet sidewalks	Bike Lane (on-street)	No
QUINN LUKE TRL	N/A (not on ASMP)	N/A (not on ASMP)	72 feet	46 feet	Existing 5 feet sidewalks	Shared lane (on-street)	No
N SH 130 SVRD SB	Regional Mobility - Level 4	Coordination with TxDOT is required.	1000 ft	N/A	No	On-Street Shoulder	No

OTHER STAFF COMMENTS:

ATD 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. Site must demonstrate compliance with the TIA approved with C14-2009-0089 at the time of the site plan submittal. TIA may require update upon further review. [LDC 25-6-113]

The Austin Strategic Mobility Plan (ASMP) calls for 116 feet of right-of-way for DECKER LAKE RD. It is recommended that 58 feet of right-of-way from the existing centerline should be dedicated for DECKER LAKE RD according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

Site Plan Review

Site plans will be required for any new development other than single-family or duplex residential.

This site has an existing site plan (2017-0229C).

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.

A portion the property is located in the Scenic Roadways Overlay

Located in the Wildland Urban Interface

Comprehensive Planning

Project Name and Proposed Use: 6201 Quinn Luke Trail. C14-2023-0002. 4.97 acres from LI-CO to LI-CO. Existing large office building. To permit automotive sales on property

Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
Y	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: Adjacent to Decker Lake Road Activity Corridor; 0.40 miles north of 969 and 130 Neighborhood 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.
Y	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.
4	Total Number of "Yes's"

Environmental

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

2. 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%

3. According to floodplain maps there is no floodplain within or adjacent to the project location.

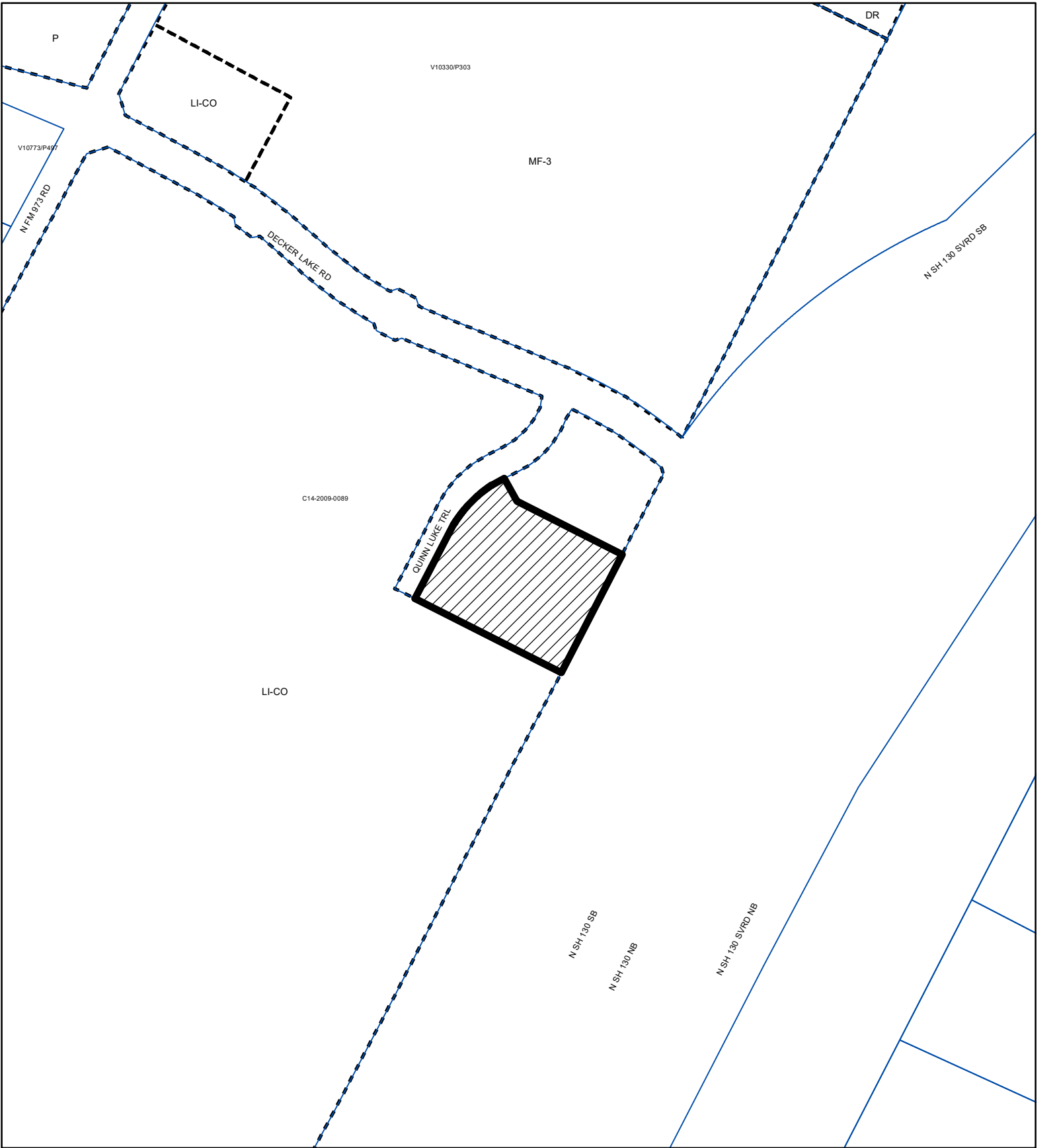
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.
7. 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.

Parks and Recreation

Parkland dedication fees may be required for any applicable commercial use should the site be redeveloped following this rezoning application. Requirements would be in effect at the time of subdivision or site plan.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Transportation Impact Compliance Memo



1" = 400'



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2023-0002

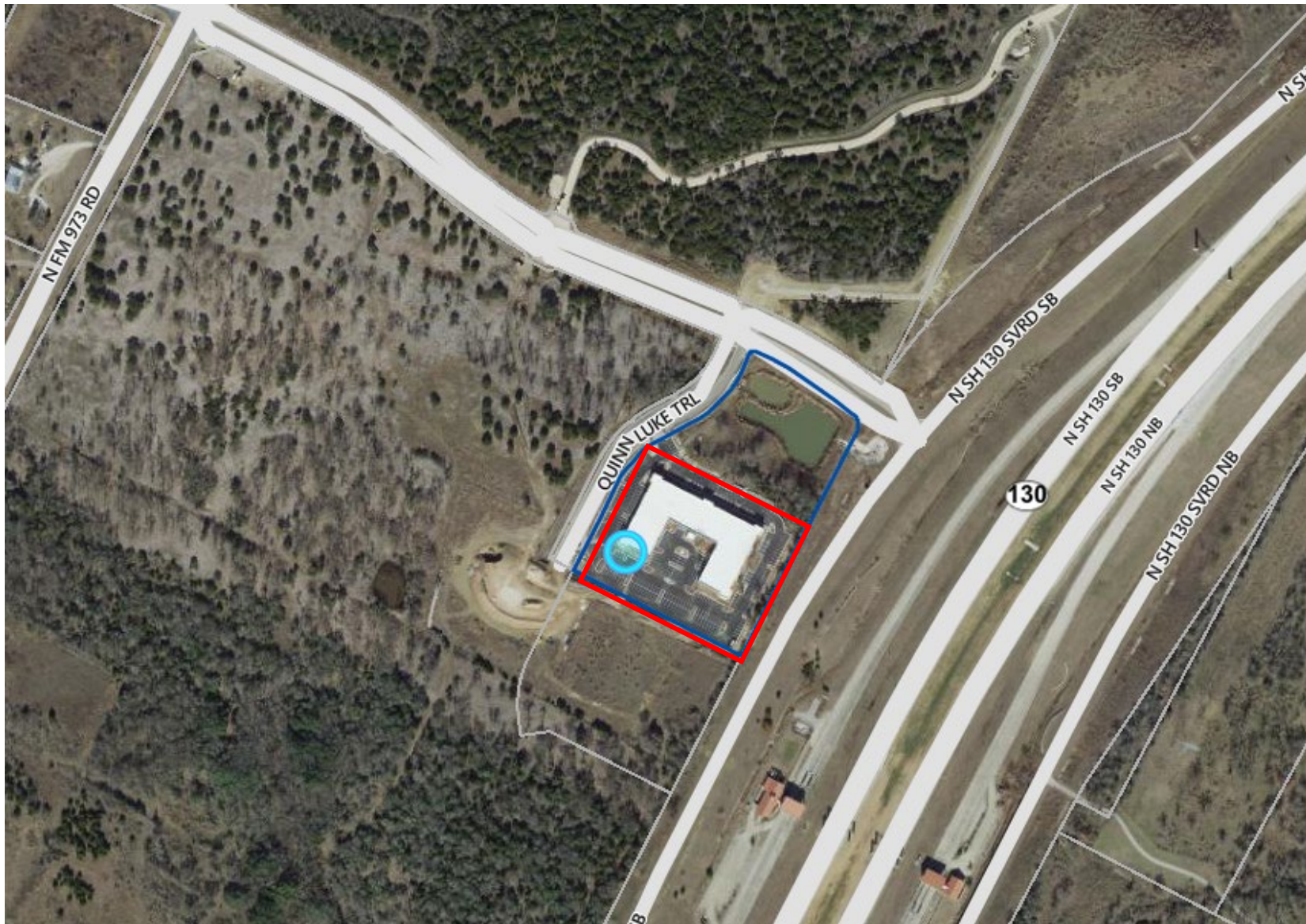
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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: 1/17/2023

ZONING EXHIBIT



04/14/2023

APPROVED



T E C H N I C A L M E M O R A N D U M

DATE: April 13, 2023

TO: Matiur Rahman, PhD, P. Eng
City of Austin Transportation Development Services Division
6310 Wilhelmina Delco Dr
Austin, Texas 78752

FROM: Kelly Rees, P.E.

RE: Indian Hills Clean Energy Development
TIA Compliance Memo (C14-2023-0002)

Documenting Compliance with Indian Hills (C14-2009-0089)

CONTACT: Michele Rogerson Lynch – Review Fee Invoice
Director of Land Use & Entitlements
MetcalfE Wolff Stuart & Williams, LLP
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4.13.2023

A traffic impact analysis (TIA) was performed by Bury & Partners, Inc. for the Indian Hills development and approved with the July 2009 submittal for zoning application C14-2009-0089. Once the TIA was approved, the City of Austin developed a TIA memorandum which detailed the required improvements and fiscal contribution. This document can be found in **Appendix A.1**. The Indian Hills site location can be found in **Appendix C** with boundaries for each portion of the development labeled and overlayed. The development has since been given zoning case number C14-2023-0002. Indian Hills Clean Energy is replacing the site formerly approved as SP-2017-0229C. The TIA determination worksheet from C14-2023-0002, shown in **Appendix A.2**, references the need for a compliance memo with C14-2009-0089.

This memorandum documents the proposed improvements to satisfy required mitigations for the approved Indian Hills Clean Energy development in Austin, Texas. This document also provides a comparison of approved trips and trips generated by Indian Hills Clean Energy. From this comparison, the number of trips associated with the proposed site is still below the approved number of trips.

Per the “Recommendations” section of the original TIA memorandum, the following improvements were agreed upon:

1. As part of the development agreement between the City and the developer, the developer should provide a pro-rata share of the improvements listed in the attached Table 5 at the time each phase of the development is initiated. An engineer's estimate of the cost associated with each improvement must be provided prior to the beginning of each phase. This agreement should be recorded in a traffic phasing agreement prior to 3rd reading by Council.
2. At the time of subdivision right-of-way shall be dedicated so that there is a total of 57 feet of right-of-way from the centerline of FM 973 in accordance with the adopted 2025 AMATP.
3. Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.
4. Prior to third reading of the zoning, a final version of the TIA incorporating all revisions and responses to staff comments must be provided. Development should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA.

For the proposed new development, site trip projections were calculated using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition. The number of approved trips from the original TIA memorandum are shown in **Table 1**.

Table 1 – Adjusted Approved Number of Trips from TIA

Land Use Description	Size	Daily Trips	Vehicle Trips	
			AM Peak	PM Peak
Multi-Family	1,524 DU	8,368	688	1,253
General Office	1,585,000 Sq Ft	10,083	1,540	1,163
Shopping Center	60,000 Sq Ft	3,561	103	258
Research & Development	472,650 Sq Ft	3,244	495	338
Industrial	274,650 Sq Ft	1,755	208	203
Total		27,010	3,034	3,215

*All numbers were copied directly from approved TIA Memorandum

The Indian Hills C14-2009-0089 development is partially complete. A list of planned developments within the original Indian Hills site are listed in **Table 1**. The approved site plan for this development is shown in **Appendix F**.

Table 1 – Planned Developments within Indian Hills (C14-2009-0089) Site

Development Name	Land Use Description	Size
Indian Hills (SP-2021-0395C)	Multi-Family	370 dwelling units

Indian Hills Clean Energy is the second development proposed for the original Indian Hills site. Indian Hills Clean Energy is proposed to include a new automobile sales facility with no service garage (LUC 840). The development will use the existing Clean Energy Tech Center building located at 6201 Quinn Luke Trail, shown in an aerial in **Appendix E**. The numbers of trips associated with the proposed development are shown in **Table 2**. A detailed trip generation worksheet can be found in **Appendix D**.

Table 2 – Trip Generation for Proposed Land Use

Land Use Description	ITE Code	Size	Daily Trips	Vehicle Trips	
				AM Peak	PM Peak
Automobile Sales (New)	840	50,000 SF	1,392	93	121
Total			1,392	93	121

*Pass-by trip reduction was not used for the driveway analysis.

Notes:

1. Automobile Sales (New): Trip Rates where T = Trips and X = Number of 1,000 Sq Ft
 - Daily: $T = 27.84*(X)$
 - AM: $T = 1.86*(X)$
 - PM: $T = 2.42*(X)$

Indian Hills Clean Energy generates 1,392 daily trips. **Table 3** shows that there are enough trips remaining in the original TIA memorandum to accommodate the proposed development.

It is anticipated that out of the developments included under the original C14-2009-0089 TIA, Indian Hills Clean Energy will be the second to be developed. Therefore, Indian Hills Clean Energy is the second development to count trips against the original TIA. Indian Hills (SP-2021-0395C) preceded this development, and Austin Hills (SP-2022-0136C) will be developed after this development. Indian Hills Clean Energy is replacing the site formerly approved as SP-2017-0229C; therefore, site trips generated for that development are not included in this analysis.

Table 3 – Remaining Trips Available

Remaining Trips Available	Vehicle Trips		
	Daily	AM Peak	PM Peak
Adjusted Trips Approved in TIA (C14-2009-0089)	27,010	3,034	3,215
Indian Hills Trips (SP-2021-0395C)	2,448	138	180
Indian Hills Clean Energy Trips (C14-2023-0002)	1,392	93	121
Austin Hills Trips (SP-2022-0136C)	TBD	TBD	TBD
Remaining Trips Allowed after all developments	23,170	2,803	2,914

Conclusion

The above analysis shows that the proposed Indian Hills Clean Energy Development will not exceed the allotted trips in the TIA.

All access to this site is existing with the current Clean Energy Tech Center building. The development is coordinating with TxDOT and Travis County for any driveway improvements that are required. **Appendix C** shows the existing site building and location.

Per the "Recommendations" section of the original TIA memorandum, the following recommendations were agreed upon. The way each recommendation has been addressed is shown below in ***bold italics***.

1. As part of the development agreement between the City and the developer, the developer should provide a pro-rata share of the improvements listed in the attached Table 5 at the time each phase of the development is initiated. An engineer's estimate of the cost associated with each improvement must be provided prior to the beginning of each phase. This agreement should be recorded in a traffic phasing agreement prior to 3rd reading by Council.

Based on the Traffic Phasing Agreement and Restrictive Covenant for Indian Hills attached in **Appendix B**, Phase 1 of development accommodates 706 peak hour trips (PHTs). The proposed development generates 121 PHTs, which added to the peak hour trips for Indian Hills is a total of 301 PHTs. Therefore, Indian Hills Clean Energy is responsible for Phase I improvements within the Phasing Agreement. Phase I includes fiscal for the following improvements as part of its compliance with the original TIA. However, all Phase I fiscal requirements have been posted by Indian Hills Corporate Park (SP-2017-0229C), as shown in **Appendix G**.

- Phase I (2014):
 - Construct dedicated northbound and eastbound right turn lanes for FM 973 and FM 969. ***Improvement has been funded at \$1,183.45 by SP-2017-0229C, as shown in Appendix G.***
 - Signal optimization for FM 973 and FM 969 intersection signal. ***Improvement has been funded at \$2,000 by SP-2017-0229C, as shown in Appendix G.***
 - Construct westbound right turn lane connecting Decker Lane and FM 969. ***Improvement has been funded at \$554.55 by SP-2017-0229C, as shown in Appendix G.***
 - Construct dedicated northbound, southbound, and eastbound left turn lanes and westbound right turn lanes at FM 973 and Decker Lake Rd. ***Improvement has been funded at \$8,049.73 by SP-2017-0229C, as shown in Appendix G.***
 - Install signal at the intersection of FM 973 and Decker Lake Rd. ***Improvement has been implemented.***
 - Optimize signals at the intersection of FM 973 and Decker Lake Rd. ***Improvement has been funded at \$2,000 by SP-2017-0229C, as shown in Appendix G.***
- 2. At the time of subdivision right-of-way shall be dedicated so that there is a total of 57 feet of right-of-way from the centerline of FM 973 in accordance with the adopted 2025 AMATP. ***Right of way has been dedicated in coordination with TxDOT.***
- 3. Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics. ***Development use does not exceed the original TIA conditions, as shown in Table 3.***

4. Prior to third reading of the zoning, a final version of the TIA incorporating all revisions and responses to staff comments must be provided. Development should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA.
The automobile sales land use was not a part of the original zoning case, but despite this change, development use does not exceed the original TIA conditions, as shown in Table 3.

Based on the completed recommendations above, we recommend that this TIA Compliance Memorandum be accepted for the Indian Hills Clean Energy Development.