

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0054 (Dagi Collision)

DISTRICT: 7

ADDRESS: 15101 FM 1825 Road

ZONING FROM: SF-2

TO: CS

SITE AREA: 0.89 acres (38,768 sq. ft.)

PROPERTY OWNER: 15101 FM 1825 LLC (Mohammad-Ali Tukdi)

AGENT: AES Engineering Consultant (Ahmed El Seweify)

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

STAFF RECOMMENDATION:

Staff recommends GR, Community Commercial District, zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

June 20, 2023: Approved GR-CO zoning, with a conditional overlay to prohibit the following uses on the property: Hospital Services - General, Alternative Financial Services, Automotive washing, Bail Bond Services, Drop-off Recycling, Extermination Services, Funeral Services, Hotel-motel, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services and Theater, by consent (Vote: 9-0, C. Acosta-arrived late and D. Fouts-absent); B. Greenberg-1st, A. Flores-2nd.

CITY COUNCIL ACTION:

July 20, 2023

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The site under consideration is currently developed with a restaurant/food truck use and former single family residence that front onto FM 1825 Road. There are single family residences to the north and east in the county. The property is adjacent to a commercial retail center (Countryside Place) to the south that contains an HEB Grocery Store, Pharmacy, Service Station and Car Wash.

The staff recommends GR, Community Commercial District, zoning for the site under consideration. The property meets the intent of the district as it is fronts onto a major arterial roadway, FM 1825 Road near the intersection of Wells Branch Parkway. GR zoning will permit uses that will provide services for the residential neighborhood and surrounding community needs. The proposed zoning is compatible with surrounding zoning as there is GR and GR-CO zoning to the south along Well Branch Parkway and to the west across FM 1825 Road. GR zoning will permit the existing restaurant and proposed automotive repair, rental and sales uses on the site.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

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

Community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

The property meets the intent of the GR district as it is fronts onto an arterial roadway, FM 1825 Road, and will provide services for the adjacent residential neighborhood.

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

The proposed zoning is compatible with surrounding zoning and uses as there is GR and GR-CO zoning to the south and CS zoning to the west.

The site under consideration is located 0.17 miles from the West Wells Branch Parkway Activity Corridor, as designated by the imagine Austin Comprehensive Plan.

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

The proposed GR zoning will allow the applicant to bring the existing commercial use on the site into conformance with City of Austin Land Development Code use regulations. It will permit the applicant to redevelop the site with office, civic and commercial uses along a Level 3/major arterial roadway.

There is a Capital Metro Bus Stop to the south at the intersection of FM 1825 Road and Wells Branch Parkway.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|-----------|--|
| <i>Site</i> | SF-2 | Restaurant/ Food Truck with Outdoor Seating (Machetes Casita Vizuet), Former Single-Family Residence |
| <i>North</i> | County | Single-Family Residences, Automotive Repair (Take 5 Oil Change) |
| <i>South</i> | GR, GR-CO | Commercial Retail Center (Countryside Place: HEB Grocery Store/Pharmacy, HEB Gas Pumps and Car Wash, Wing Stop, Dominos, Su's Beauty & Barber, Sally's Beauty Supply, Cost Cutters Hair Salon, H& R Block, boost mobile, Twin Liquors, Subway, Ace Cash Express, 10 Pretty Nails, Premier Martial Arts, Goodwill Central Texas-Wells Branch, Dentist, Burger King) |
| <i>East</i> | County | Single-Family Residences |
| <i>West</i> | CS | Financial Institution (A+ Federal Credit Union, UFCU), Restaurant (Los Magueyes Taqueria) |

NEIGHBORHOOD PLANNING AREA: N/ATIA: Deferred to the time of Site PlanWATERSHED: Harris BranchSCHOOLS: Pflugerville I.S.D.NEIGHBORHOOD ORGANIZATIONS:

Austin Lost and Found Pets
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Pflugerville Independent School District
 SELTexas
 Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|---|------------|--|---|
| C14-2012-0156 (Austin 7: 1434 West Wells Branch Parkway) | I-RR to GR | 1/15/13: Approved staff's recommendation of GR-CO zoning, with a 2,000 vtpd limit, by consent (6-0, P. Seeger-absent); G. Rojas-1 st , S. Compton-2 nd . | 2/14/13: Approved GR-CO zoning on all 3 readings (6-0; M. Martinez-off the dais); B. Spelman-1 st , C. Riley-2 nd . |

| | | | |
|---|---|--|---|
| C14-2011-0123 (Wells Branch Properties: 1215, 1301, and 1307 Wells Branch Parkway) | RR to LI* *On November 7, 2011, the agent for this case stated that the applicant agrees with the staff's rec. of CS district zoning for this site. Mr. Faust also said that his client would like to offer a conditional overlay for this case to prohibit Adult Oriented Business and Pawn Shop uses at this location. | 11/15/11: Approved CS-1-CO zoning on consent (6-0, G. Bourgeios-absent); P. Seeger-1 st , C. Banks-2 nd . | 12/08/11: Approved CS-CO zoning on consent (6-0; S. Cole-off dais); B. Spelman-1 st , L. Morrison-2 nd . |
| C14-05-0148 (North IH-35 and West Howard Lane) | I-RR to CS-MU | 10/18/05: Approved staff's recommendation for CS-MU-CO zoning, with 2,000 vehicle trip limit, by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd . | 11/17/05: Approved ZAP recommendation of CS-MU-CO zoning by consent (7-0) |
| C14-05-0007 (1517 Kramer Lane) | SF-6 to LO | 2/12/03: Approved LO-MU-CO-NP w/ conditions (7-0) | 3/20/03: Approved LO-MU-CO-NP zoning (7-0); 1 st reading 4/24/03: Approved LO-MU-CO-NP (6-0); 2 nd /3 rd readings |
| C14-03-0083 (Iron Mountain Office Warehouse: 15300 FM 1825 Road) | I-RR to CS | 6/24/03: Approved staff rec. of CS-CO by consent (7-0) | 7/31/03: Approved CS-CO zoning (7-0); all 3 readings |
| C14-00-2140 (Sarah's Creek South: Drusilla Drive) | I-RR to SF-4 | 8/15/00: Approved staff rec. of SF-4A by consent (9-0) | 9/28/00: Approved SF-4A for Tract 1 and RR for Tract 2 (7-0); 1 st reading 12/07/00: Approved SF-4A for Tract 1 and RR for Tract 2 (7-0); 2 nd /3 rd readings |
| C14-00-2137 (Sarah's Creek: Drusilla Drive) | I-RR to SF-4 | 8/15/00: Approved staff rec. of SF-4A by consent (9-0) | 9/28/00: Approved SF-4A (7-0); all 3 readings |
| C14-98-0076 | I-RR to LI | 7/14/98: Approved W/LO-CO w/conditions (7-1, SA-Nay) | 10/8/98: Approved CS-CO w/many conditions (6-0); 1 st reading |

| | | | |
|-------------|------------|---------------------------------------|--|
| | | | 4/1/99: Approved CS-CO w/ conditions (7-0); 2 nd /3 rd readings |
| C14-98-0069 | I-RR to CS | 7/14/98: Approved GR (8-1, RR-Nay) | 8/13/98: Approved CS-CO (6-0); 1 st reading 10/1/98: Approved CS-CO w/ conditions (7-0); 2 nd /3 rd readings |

RELATED CASES: N/A

EXISTING STREET CHARACTERISTICS:

The adjacent street characteristics table is provided below:

| Name | ASMP Classification | ASMP Required ROW | Existing ROW | Existing Pavement | Sidewalks | Bicycle Routes | Cap Metro (within ¼ mile) |
|-----------------|------------------------|-------------------------|-----------------|----------------------|-----------|--|---------------------------------|
| FM 1825 Road | Level 3 | 116 feet | ~125 feet | ~70 feet | None | Wide shoulder but identified bike lane | Yes |

OTHER STAFF COMMENTS:Comprehensive Planning

Project Name and Proposed Use: 15101 FM 1825 RD. C14-2023-0054. Project: Dagi Collision. 0.89 acres from SF-2 to CS. House to car rental.

| 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. Names of Activity Centers/Activity Corridors/Job Centers: 0.17 miles from West Wells Branch Parkway Activity Corridor |
| Y | Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station. |
| | 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. |
| Y | 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. |
| Y | 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 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. |
| | Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing. |
| | 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 a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training. |
| | Industrial Land: Preserves or enhances industrial land. |
| 5 | Total Number of "Yes's" |

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Harris Branch 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:

| <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 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 fees may apply to any future site or subdivision applications resulting from this rezoning. As of January 1, 2023, new commercial uses are subject to parkland dedication requirements at the time of site plan and subdivision.

Site Plan

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

Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 116 feet of right-of-way for FM 1825 Road. It is recommended that 58 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

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. Transportation assessment/traffic impact analysis and transportation demand management plan shall be required at the time of site plan **if triggered** per LDC 25-6 and TCM 10.2.1.

Water Utility

No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

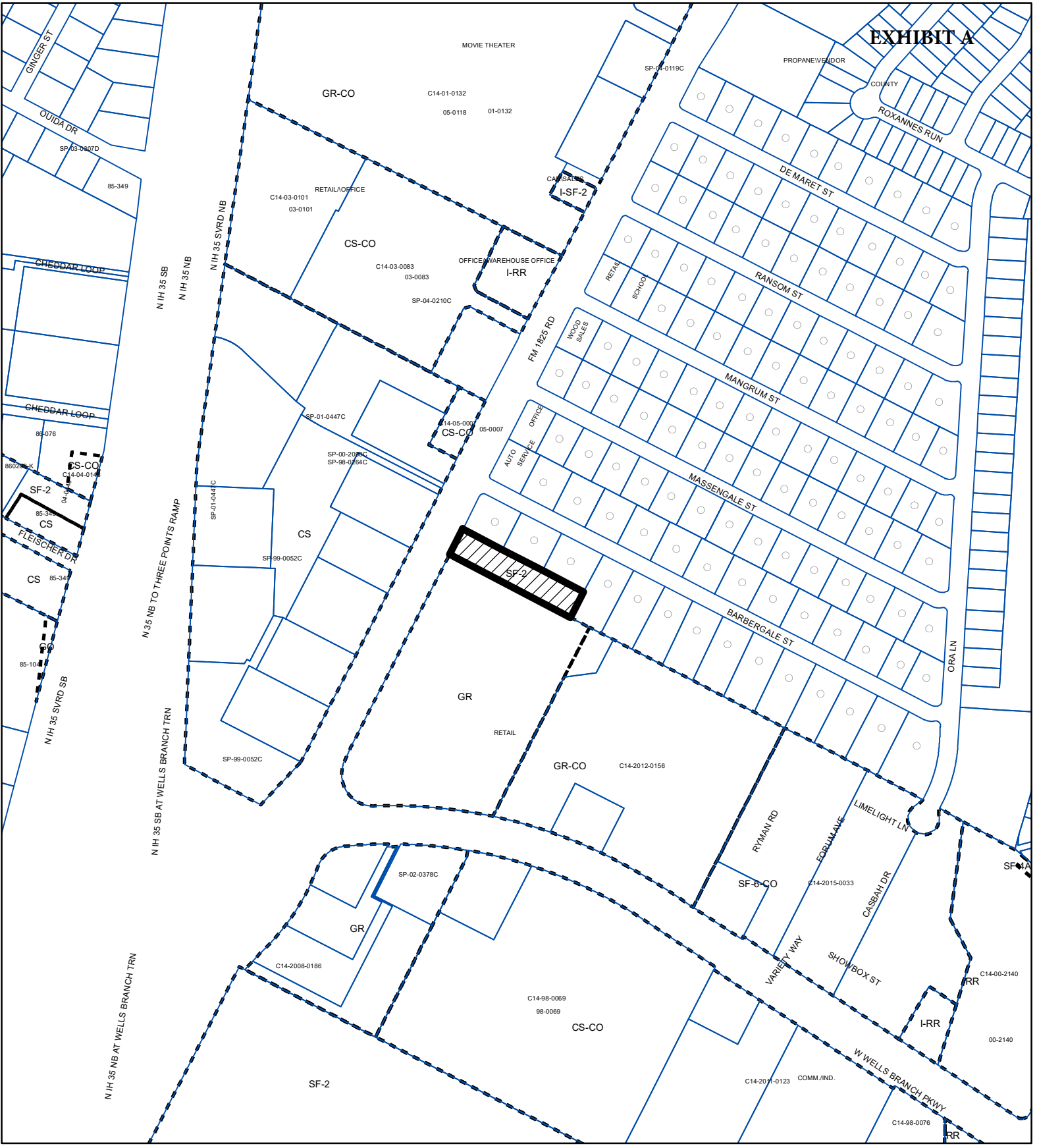
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.




City records indicate the site is served by an On-Site Sewage Facility (OSSF). With the change of use, the owner must connect the site to city wastewater service through the cutover process. For more information pertaining to the wastewater cutover process, contact the AW OSSF team at OSSF@austintexas.gov or call (512)-972-0050. The cutover process may also initiate a required review by the Industrial Waste Division depending on building usage.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Correspondence from Interested Parties

EXHIBIT A



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2023-0054

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: 4/25/2023



Dagi Collision LLC

ZONING CASE#: C14-2023-0054
 LOCATION: 15101 FM 1825 Rd
 SUBJECT AREA: 0.89 Acres
 GRID: N37
 MANAGER: Sherri Sirwaitis



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Created: 5/30/2023

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:
<https://bit.ly/ATXZoningComment>



During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

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 will be published online.

Case Number: C14-2023-0054

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 20, 2023, Zoning and Platting Commission

CHARLOTTE PRINE

Your Name (please print)

☐ I am in favor
☒ I object

1415 BARBERGALE STREET

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

Charlotte Prine

Signature

6/17/2023

Date

Daytime Telephone (Optional): 512 496 6451

Comments: My concern will be with what type of business is being built behind my house. What noise level are we expecting during business hours since I work from home 50% of the time. What clientele, what hours, will they build a new privacy fence between properties to replace the four foot high chain link, etc.
 Noise, privacy, and safety are my biggest concerns with this proposal.

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

City of Austin, Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

From: [Char P](#)
To: [Sirwaitis, Sherri](#)
Subject: Case Number C14-2023-0054
Date: Monday, June 19, 2023 8:31:32 AM

You don't often get email from charpfrog@yahoo.com. [Learn why this is important](#)

External Email - Exercise Caution

I wanted to provide additional information to my objection of the rezoning of this platt behind my residence. This weekend, while mowing, I found that the men that have been working on the land, have now started tossing empty beer bottles and cans over the four foot chain link fence seaparting the properties. The bottle and can were a good enough distance from the fence to conclude that they were thrown. I'm attaching photos.

I would like this attached to the form I filled out and mailed on Friday.

Thank you for your assistance.

Charlotte Prine
1415 Barbergale Street
Pflugerville, TX 78660
512-496-6451







[Sent from Yahoo Mail on Android](#)

CAUTION: This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook or forward to cybersecurity@austintexas.gov.

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Case Number: C14-2023-0054

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 20, 2023, Zoning and Platting Commission

Sonya Guarniero

Your Name (please print)

☐ I am in favor
☒ I object

1411 Massengale St. Pflugerville TX

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

Sonya Guarniero

Signature

6-12-23

Date

Daytime Telephone (Optional):

Comments: I am concerned about the
traffic congestion in this particular
area as well as the noise level
to the adjacent subdivision.

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

City of Austin, Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov