

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2023-0076 (3 Men Movers)

DISTRICT: 1

ADDRESS: 9989 East US Highway 290 Service Road East Bound

ZONING FROM: I-RR

TO: LI

SITE AREA: 5.41 acres

PROPERTY OWNER: Austin 130, LLC (Jackie Fischer)

AGENT: HD Brown Consulting, LLC (Amanda C. Brown)

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

STAFF RECOMMENDATION:

**Staff recommends CS, General Commercial Services District, zoning.**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**September 5, 2023: Approved the staff's recommendation of CS zoning by consent (8-0, A. Flores, H. Smith, R. Johnson-absent); L. Stern-1st, D. Fouts-2nd.**

CITY COUNCIL ACTION:

**October 5, 2023**

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 5+ acre tract of land located along the west side of the SH-130 and US 290 East intersection. The site is designated as I-RR and is undeveloped. The tracts of land to the north, south and west are zoned PUD and CS-CO and are undeveloped. To the east, across N State Highway 130 Southbound, there is CH-CO zoning that is developed with an industrial warehouse use (Capital Reyes Distributing). The PUD zoned properties to the south, east and west of the proposed rezoning are all part of the Wildhorse Planned Unit Development. The applicant is requesting LI, Limited Industrial District, zoning to allow for a 72,277 sq ft Limited Warehouse use building for a moving company.

The staff recommends General Commercial Services District, zoning because the property meets the intent of the CS base district. The site under consideration is located at the southwest intersection of two highways, State Highway 130 and US Highway 290 East. The CS zoning district is consistent with the surrounding commercial zoning patterns. The General Commercial Services District will allow for more in terms of uses and site development standards (i.e.- impervious cover, building coverage and FAR) at this regional arterial confluence. CS zoning is appropriate on this site that is within the 290 & 130 / Wildhorse PUD Town Center, as designated by the Imagine Austin Comprehensive Plan.

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.*

General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.

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

The property is currently designated as Interim-Rural Residence (I-RR) which allows very limited density single family residential. The staff's recommendation of CS zoning will allow a variety of land uses at a density appropriate for the location.

*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 site under consideration is located at the southwest intersection of two highways, State Highway 130 and US Highway 290 East. The property is within the 290 & 130 / Wildhorse PUD Town Center, as designated by the Imagine Austin Comprehensive Plan.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	ROW, PUD	East US Highway 290, Undeveloped
<i>South</i>	CH	Undeveloped
<i>East</i>	PUD, CH	Undeveloped, Industrial Warehouse
<i>West</i>	CH-CO	Undeveloped, Ranchette

NEIGHBORHOOD PLANNING AREA: N/AWATERSHED: Gilleland CreekSCHOOLS: Manor I.S.D.NEIGHBORHOOD ORGANIZATIONS:

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

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2020-0055 (Cooper Tract Commercial)	I-RR to CH	6/16/2020: To grant CH zoning on Tract 1 and CS-MU on Tract 2 and Public RC as recommended by Staff, on consent (9-0)	10/01/2020: To grant CH zoning on Tract 1 and CS-MU zoning on Tract 2, with conditions, as recommended by Staff, on consent. (11-0) [Renteria- 1st, Harper-Madison- 2nd]
C14-2013-0112	DR to CH	11/5/13: To grant CH-CO as recommended by Staff, on consent	12/12/13: Approved CH-CO on consent.
C14-2013-0054	DR to CH	6/18/13: To grant CH-CO as recommended by Staff, on consent	8/8/13: Approved CH-CO on consent.

C14-2007-0143 (130/290 Retail)	UNZ to CH-CO	11/6/07: Approved CH-CO, with a 2,000 vtpd limit (7-0)	11/29/07: Approved CH-CO (6-0); 1 <sup>st</sup> reading  2/14/08: Ordinance No. 20080214-077 for commercial highway-conditional overlay (CH-CO) combining district zoning was approved on 2 <sup>nd</sup> /3 <sup>rd</sup> readings.
C814-00-2063	Unzoned to PUD	11/27/01: To grant PUD with conditions	12/6/01: Approved 1 <sup>st</sup> Reading; 2/7/02: Approved 2 <sup>nd</sup> reading with conditions; 2/14/02: Approve PUD per Staff rec.

RELATED CASES:

SP-2023-0092C – Site Plan Case

C8I-2022-0342 – Subdivision Case

OTHER STAFF COMMENTS:Comprehensive Planning

**Project Name and Proposed Use:** 9989 E US 290 HWY SERVICE ROAD EB. C14-2023-0076. Project: 3 Men Movers. 5.408 acres from I-RR to LI. Undeveloped to Warehouse/Distribution Center that includes the construction of a 72,277 sq ft building. June 13, 2023

Yes	Imagine Austin Decision Guidelines
	<b>Complete Community Measures</b>
Y	<b>Imagine Austin Growth Concept Map:</b> 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. <b>Names of Activity Centers/Activity Corridors/Job Centers:</b> Within 290 & 130 / Wildhorse PUD Town Center
	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station.
Y	<b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane.
	<b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
	<b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
	<b>Connectivity and Education:</b> Located within 0.50 miles from a public school or university.
	<b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	<b>Connectivity and Health:</b> 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.)
	<b>Housing Choice:</b> 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.
	<b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	<b>Mixed use:</b> Provides a mix of residential and non-industrial uses.
	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	<b>Workforce Development, the Economy and Education:</b> 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.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
2	<b>Total Number of "Yes's"</b>

### Environmental

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

<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

Starting January 1, 2024, commercial land use site developments will no longer be subject to parkland dedication requirements per state law.

### Site Plan

Site plans will be required for any new development other than single-family, two-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. The traffic impact analysis for this site is not required, the traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code. [LDC 25-6-113].

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
E US 290 HWY SVRD EB (TxDOT)	Regional Mobility - Level 4	TxDOT	TxDOT	TxDOT	Existing 10 feet urban trail along the roadway	Paved Trail	No

### Water Utility

No comments on zoning change.

FYI: 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.

Service Extension Requests 5608 (W) and 5609 (WW) currently approved for this site will expire on 7/12/2023. Depending on the development plans submitted, revisions to water and or wastewater service extension requests may be required.

All new development within the proposed project will be subject to City Code Chapter 25-9 and any future amendments relating to reclaimed water connections, water benchmarking, and mandatory onsite water reuse.

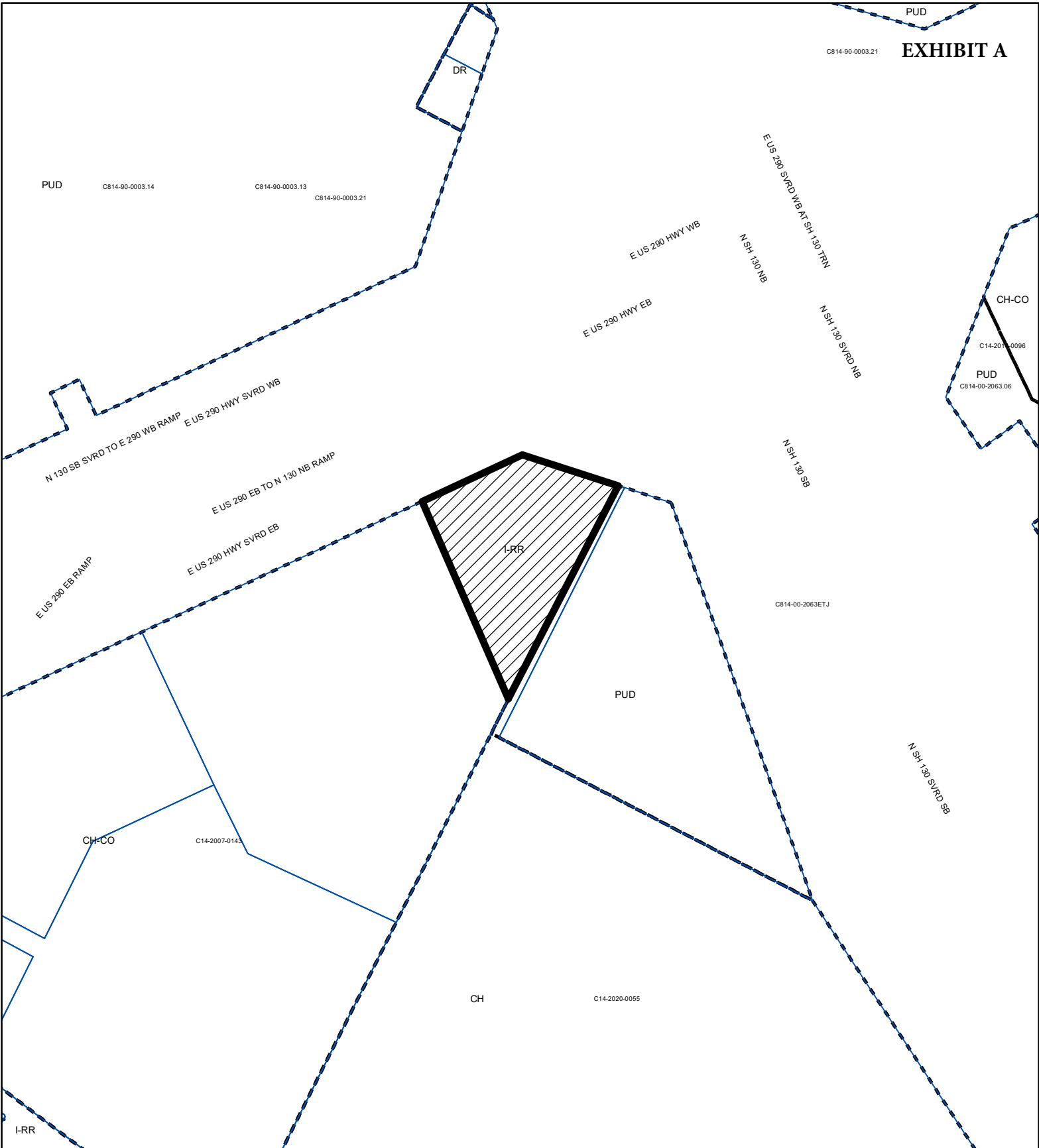
All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW




- A: Zoning Map
- B. Aerial Map
- C. Applicant's Request Letter



# EXHIBIT A



1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

### ZONING CASE#: C14-2023-0076

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: 6/12/2023



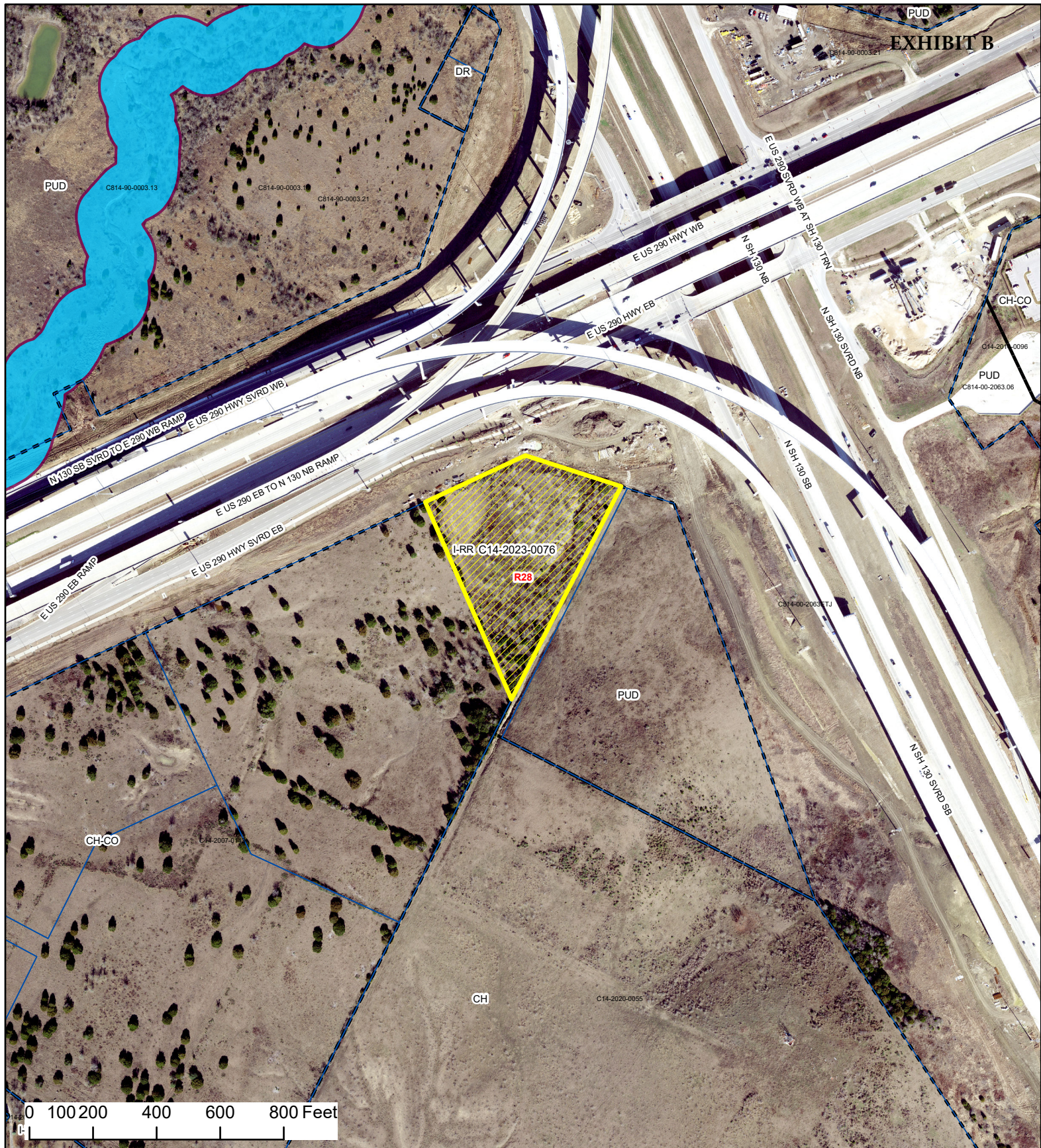






EXHIBIT B

### 3 Men Movers

ZONING CASE#: C14-2023-0076  
 LOCATION: 9989 E US 290 Hwy Svrd EB  
 SUBJECT AREA: 5.408 Acres  
 GRID: R28  
 MANAGER: Sherri Sirwaitis



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

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Created: 7/25/2023



## H D | B R O W N

Rosie Truelove  
City of Austin  
Planning and Housing Department  
1000 E 11th St.  
Austin, TX 78702

*Via Electronic Submittal*

Re: Rezoning request for 9989 E US 290 HWY SVRD EB; TCAD Parcel  
731376;(the "Property")

Dear Mrs. Truelove:

As representatives of the owner of the above stated Property, we respectfully submit an application for rezoning. The Property is located at 9989 E US SVRD EB and is currently undeveloped. We are requesting to rezone the Property from Interim Rural Residential (I-RR) to Light Industrial (LI). The purpose of the rezoning is to allow for a Limited Warehouse use.

The Property is not within a Neighborhood Plan and therefore a Future Land Use Map amendment is not proposed.

The surrounding zoning is PUD to the east and south, CH-CO to the west, and PUD to the north, across from US Highway 290. The surrounding properties are currently undeveloped.

If you have any questions regarding this request or need additional information, please do not hesitate to contact me at your convenience.

Very truly yours,



Amanda Couch Brown