

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0061

DISTRICT: 1

ADDRESS: 4806 Commercial Park Drive

ZONING FROM: I-RR

TO: LI

SITE AREA: 3.93 acres

PROPERTY OWNER: MG2 Ventures, LLC. (Amy Castellanos)

AGENT: Kimley-Horn and Associates, Inc. (Jonathan Sosebee)

CASE MANAGER: Dana Moses (512-974-8008, dana.moses@austintexas.gov)

STAFF RECOMMENDATION:

The staff recommendation is to grant Limited-Industrial Services (LI) zoning district.

For a summary of the basis of staff's recommendation, see case manager comments on page 2.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

September 5, 2023: Motion to approve staff's recommendation to grant limited industrial services (LI) district zoning.

[L. STERN, D. FOUTS – 2ND] (8-0) A. FLORES, H. SMITH, R. JOHNSON - absent).

October 19, 2023:

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: There are not any issues at this time.

CASE MANAGER COMMENTS:

The property in question is developed with a commercial building of 3.93 acres on one tract of land and is zoned I-RR. The existing commercial building is 52,500 square feet. This property fronts on Commercial Park Drive, a Level 2 residential collector street. To the north there are commercial businesses that are zoned I-RR and LI-CO. To the east, there are commercial businesses zoned I-SF-2. To the west, there is an exterminating services use - pest control business, an automotive repair use - car dent repair, and an office use - home health care insurance business that are zoned LI. To the south, there are several commercial businesses zoned LI-CO and I-SF-2 respectively.

The applicant is requesting Limited Industrial Service (LI) district zoning for the proposed zoning to align with the current use on the property, which is a warehouse. The existing building footprint will remain the same.

BASIS OF RECOMMENDATION:

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

Limited Industrial Service (LI) district zoning is intended for a commercial service use or limited manufacturing use generally located on a moderately-sized site. The current site is consistent to the standards of the LI district to provide manufacturing services to the community.

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

Limited Industrial Services is consistent with the surrounding land uses. To the north, south, east, and west the properties consist of commercial manufacturing businesses zoned LI-CO. LI zoning will establish a proper zoning district designation for this property. The zoning will encourage high-quality business uses and adequate employment opportunities. The proposed zoning will encourage diverse manufacturing businesses and will preserve or enhance industrial land area of the city within 0.08 miles from the Springfield Road Activity Corridor, as designated by the Imagine Austin Comprehensive Plan.

- 3. Zoning changes should promote a balance of intensities and densities.*

Zoning the property to Limited Industrial Service will enhance the density within the surrounding neighborhood. Limited Industrial Service has a maximum building coverage requirement of 75%. The design of commercial service uses and limited manufacturing are placed on moderately sized lots. The current warehouse was built on the property in 1988 and has remained the same footprint since 1997. The existing improvements to the current warehouse are under the impervious cover and building coverage maximum requirements of the code of ordinance.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Sites</i>	IRR	Commercial Building
<i>North</i>	LI-CO; IRR	Plumbing Service; Commercial Businesses
<i>South</i>	LI-CO; I-SF-2	Auto Repair; Telecommunication Services; Welding Supply Business;
<i>East</i>	I-SF-2; LI-CO	Commercial Buildings
<i>West</i>	LI	Residential Health Care Insurance; Manufacturing Supplies Business

NEIGHBORHOOD PLANNING AREA: NoWATERSHED: Walnut Creek – SuburbanCAPITOL VIEW CORRIDOR: NoSCENIC ROADWAY: NoSCHOOLS: Austin ISD

Jordan Elementary School Garcia YMLA Middle School LBJ Early College High School

COMMUNITY REGISTRY LIST:

Colony Park/Lakeside Community Development Corp
 Neighborhood Empowerment Foundation
 Homeless Neighborhood Association
 Austin Independent School District
 Del Valle Community Coalition
 Neighbors United for Progress
 Austin Neighborhoods Council

SEL Texas
 Austin Regional Group, Sierra Club
 LBJ Neighborhood Association Friends of
 Northeast Austin Friends of Austin
 Neighborhoods Austin Lost and Found
 Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0076	Zoning change of 1.94 acres from I-RR to LI.	To Grant LI zoning per staff recommendation on consent (8-0).	Apvd (August 8 th , 2019) Ordinance No. 20190808-136 for the permanent zoning of 8107 Springdale Road from I-RR to LI zoning district.
C14-2011-0143	Zoning change of 6.609 acres from I-RR to LI.	To Grant LI-CO zoning per staff recommendation on consent (7-0).	Apvd (January 12 th , 2012) Ordinance No. 20120112-094 for the permanent zoning of 8115 Altoga Drive from I-RR to LI-CO zoning district.
C14-2013-0149	Zoning change of 3.95 acres from I-RR to LI for an existing Batch Plant.	To Grant LI-CO zoning per staff recommendation on consent (5-0).	Apvd (February 27 th , 2014) Ordinance No. 20140227-064 For the permanent zoning of 7900 Old Manor Road from I-RR to LI-CO.

RELATED CASES:

There are not any related cases currently.

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Commercial Park Drive	Level 2 – Collector	84 feet	63 feet	42 feet	No	Wide Curb Lane (on-street)	No
Altoga Drive	Level 2 – Collector	58 feet	63 feet	42 feet	No	No	No

OTHER STAFF COMMENTS:Comprehensive Planning

Project Name and Proposed Use: 4806 Commercial Park Drive. C14-2023-0061. 3.93 acres from I-RR to LI. 52,500 sq. ft. Warehouse. Rezone existing light industrial 52,500 sq. ft. warehouse to light industrial zoning district to make existing use conforming.

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: 0.08 miles from the Springfield Road Activity Corridor
	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.
	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 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.
Y	Industrial Land: Preserves or enhances industrial land.
4	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 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. 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%

According to floodplain maps there is a floodplain adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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.

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.

Any new development is subject to Subchapter E. Design Standards and Mixed-Use. Additional comments will be made when the site plan is submitted.

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 which is triggered by the I-RR and I- SF-2 zoned properties within 540 feet of the site. The following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- 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.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

Additional design regulations will be enforced at the time a site plan is submitted.

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. 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 Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for COMMERCIAL PARK DR. It is recommended that 42 feet of right-of-way from the existing centerline should be dedicated for COMMERCIAL PARK DR according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for ALTOGA DR. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for ALTOGA DR according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

TIA: It is not required.

Austin Water Utility

No comments on zoning change.

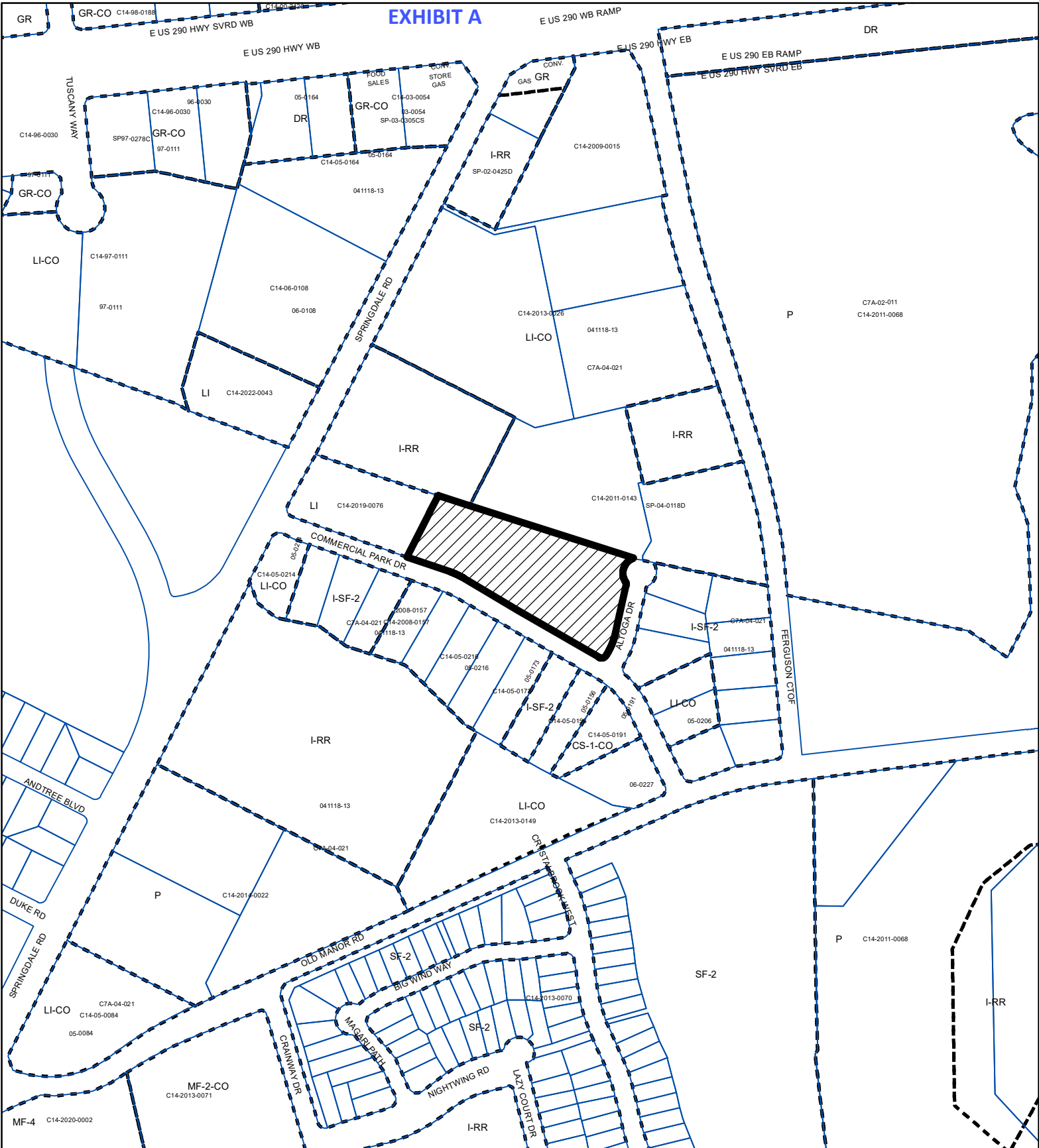
The landowner intends to serve the site with existing City of Austin water utilities.

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.

INDEX OF EXHIBITS TO FOLLOW

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

EXHIBIT A



ZONING

ZONING CASE#: C14-2023-0061



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

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



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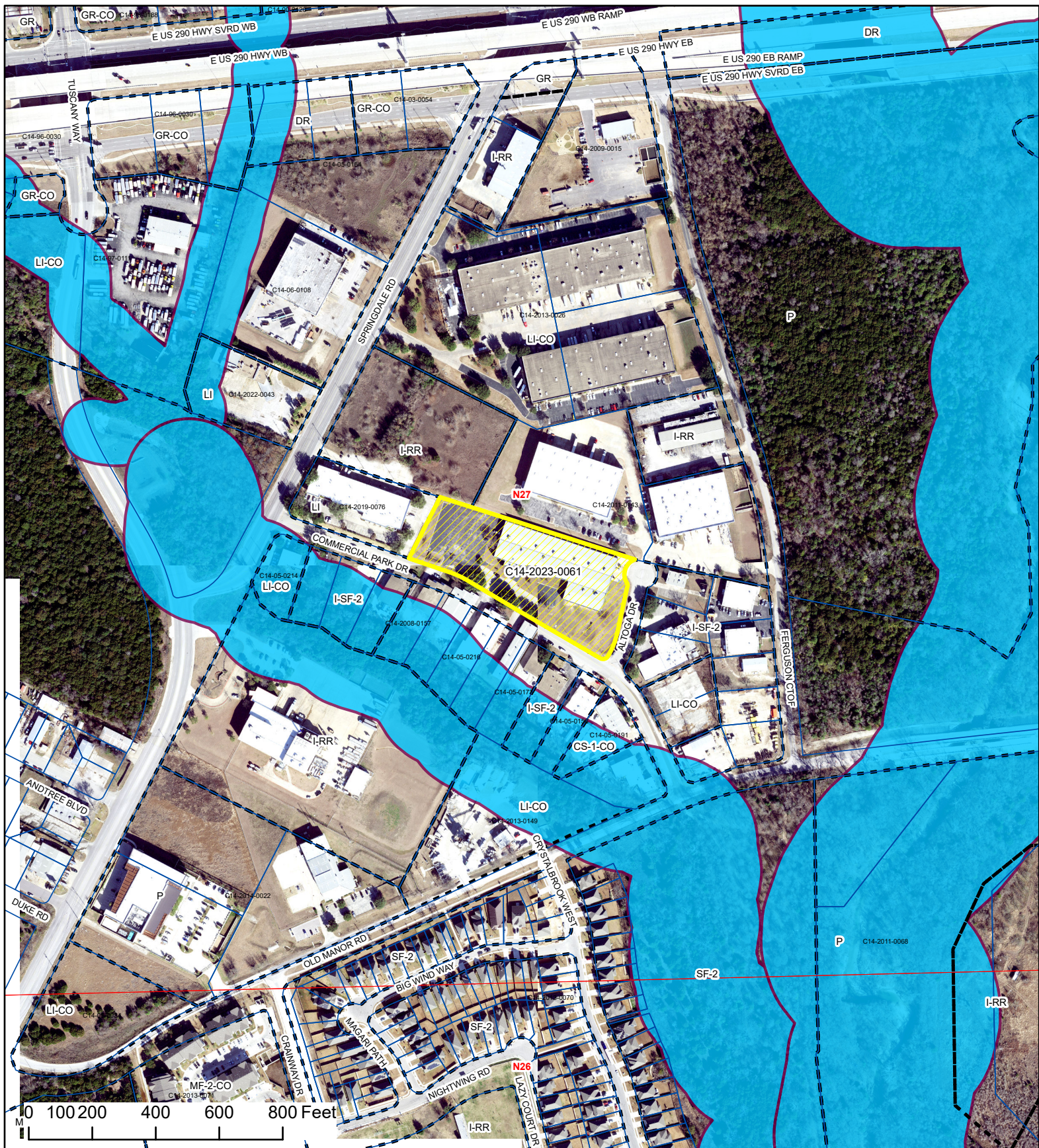






EXHIBIT B

4806 Commercial Park Rezoning



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

ZONING CASE#: C14-2023-0061
 LOCATION: 4806, 4806 1/2, 4908 1/2
 Commercial Park Dr
 SUBJECT AREA: 3.93 Acres
 GRID: N27
 MANAGER: Jonathan Tomko



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Created: 7/11/2023

EXHIBIT C

April 25, 2023

Rosie Truelove
City of Austin Housing and Planning Department
1000 E. 11th St., Suite 200
Austin, TX 78702

Re: Application for Rezoning; approximately 3.93 acres located at 4806 Commercial Park Drive, Austin, Texas, 78724, TCAD 426024 (the "Property")

Dear Ms. Truelove,

On behalf of the Property owner, we respectfully ask to be considered for this Application for Rezoning. The purpose of the application is to rezone the Property from Interim Rural Residence, I-RR, to Limited Industrial Service, LI. The reason for the request is to rezone the Property to align to its current use.

The I-RR zoning was given to the Property as its initial zoning in the annexation process. Before annexation, the Property's use was warehousing, which has remained unchanged. Additionally, the site plan (SP-88-0046D) was approved for this site in 1988. An aerial map from 1997 has been attached to this letter showing the building on the Property being within the same footprint that exists today.

The Property complies with all City codes, including the site development standards of LI zoning, with existing improvements being significantly under the impervious cover and building coverage maximums. Surrounding zoning districts include LI-CO to the north and south, LI to the west, and I-SF-2 to the west. The I-SF-2 property has a use of light manufacturing/warehousing.

Furthermore, the rezoning of the property is supported by the Imagine Austin Comprehensive Plan's employment goals. Specifically, the Plan aims to retain businesses that create well-paying job opportunities for blue-collar jobs that provide a path upwards from entry-level jobs (Imagine Austin Comprehensive Plan. Chapter 5: Implementation and Measuring Success, page 193).

If you have any questions about this Application for Rezoning, please do not hesitate to contact me at your convenience.

Sincerely,



Jonathan Sosebee
512-418-1771
Jonathan.Sosebee@Kimley-Horn.com

Location Map



1997 Aerial Map

