## ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0099 (7800 N Interstate 35 Rezoning) DISTRICT: 4
ADDRESS: 7800 North Interstate Highway-35
ZONING FROM: GR-NP, CS-NP TO: CS-NP
SITE AREA: 1.7468 acres
PROPERTY OWNER: Five Star Austin Group, LLC
AGENT: UTEX Storage Partners (Justin Barnes)
CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)
STAFF RECOMMEDATION:
Staff recommends CS-NP, General Commercial Services-Neighborhood Plan Combining District, zoning.

PLANNING COMMISSION ACTION / RECOMMENDATION:
October 24, 2023
CITY COUNCIL ACTION:

ORDINANCE NUMBER:

## ISSUES: N/A

## CASE MANAGER COMMENTS:

The property in question consists of two undeveloped lots making up 1.75 acres that are located at the northwest corner of N. Interstate Highway-35 and U.S. Highway 183. There is a multifamily use/MF-2-NP zoning (Towne Oaks I Apartments) to the north and west. The tracts of land to the east, across Interstate Highway-35, contain a vacant lot, vacant structure and a public office use (Travis Central Appraisal District) zoned CS-NP and SF-3-NP. To the south, across U.S. Highway 183, there is a funeral home (Austin Peel \& Son Funeral Services) zoned CS-NP. The applicant is requesting a rezoning to develop a Convenience Storage use at this location.

The site under consideration is specifically located in the Georgian Acres Neighborhood Planning Area, within the overall North Lamar Combined Planning Area. The Future Land Use Map designates this tract for Mixed Use land use (please see FLUM - Exhibit C).

The staff is recommending CS-NP zoning because the property meets the intent of the base district as it fronts and takes access to two highways, N. Interstate Highway-35 and U.S. Highway 183. General Commercial Services-Neighborhood Plan Combining District zoning is compatible with the commercial and high density residential development surrounding this site to the north, south, east and west. The proposed zoning will allow for uses to serve the public along major arterial roadway/highways within the city. The requested zoning is in accordance with the future land use map (FLUM) designation in the North Lamar Combined Neighborhood 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.

The general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities.

The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.
2. 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.

Staff recommends CS-NP zoning for the property based on the following considerations:

1) access is taken to a major arterial roadway/highway and 2) compatibility with the existing zoning pattern and general land use character established at the interchange of IH-35 and US Highway 183.
3. The proposed zoning should allow for a reasonable use of the property.

The proposed zoning district would allow for a fair and reasonable use of the site. CS-NP zoning is appropriate for this property because it is consistent with existing uses in this area and will allow for the development of additional commercial uses to serve the public that will accessible from primary roadways within the city.

## EXISTING ZONING AND LAND USES:

|  | ZONING | LAND USES |
| :--- | :--- | :--- |
| Site | GR-NP, CS-NP | Undeveloped |
| North | MF-2-NP | Multifamily (Towne Oaks I Apartments) |
| South | ROW, CS-MU-NP | East Anderson Lane, Funeral Home (Austin Peel \& Son <br> Funeral Services) |
| East | ROW, SF-3-NP | Interstate Highway-35, Vacant Structure, Vacant Lot, <br> Office (Travis Central Appraisal District) |
| West | MF-2-NP, GR-NP | Multifamily, Vacant Office Use |

NEIGHBORHOOD PLANNING AREA: North Lamar Combined NP (Georgian Acres)
WATERSHED: Buttermilk Creek
SCHOOLS: Austin I.S.D.

## NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Lost and Found Pets
Austin Mayan Collective
Austin Neighborhoods Council
Friends of Austin Neighborhoods
Georgian Acres Neigh. Assn.
Go Austin Vamos Austin - North
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
North Growth Corridor Alliance
North Lamar/Georgian Acres Neighborhood Team

## SELTexas

Sierra Club, Austin Regional Group

## AREA CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
| :---: | :---: | :---: | :---: |
| C14-2020-0072 (IH 35 <br> \& US 183 Retail <br> Center: 7821 North IH 35 Service Road Northbound) | $\begin{aligned} & \text { CH-CO-NP, CS-NP to } \\ & \text { CS-NP } \end{aligned}$ | 8/25/2020: Approved staff rec. of CS-NP district by consent (13-0); A. Azhar$1^{\text {st }}$, R. Schneider- $2^{\mathrm{ND}}$. | 9/17/2020: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No.20200917-076 for CSNP combining district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on a10-0 vote. Council Member Casar was off the dais. |
| $\begin{aligned} & \text { C14-2018-0100 } \\ & \text { (Norwood Park: } 916 \\ & \text { and 918 Norwood Park } \\ & \text { Blvd) } \end{aligned}$ | $\begin{aligned} & \text { GR-NP to } \\ & \text { GR-MU- NP } \end{aligned}$ | Approved GR-MU-CO-NP w/CO for Buildings containing residential dwelling units are not permitted within 175' of existing facilities with more than 660 gallons of outdoor, above- ground storage of Class I Flammable or Class II Combustible Liquid storage unless protective measures are approved by AFD | 6/06/2019: Approved GR-MU-CO-NP as Commission recommended |


| C14-2010-0049 <br> (Georgian Acres <br> Neighborhood <br> Planning Area <br> Rezonings) | To create a <br> Neighborhood <br> Plan Combining <br> District (NPCD) <br> covering the entire <br> 669.83 acre plan area. <br> Under the proposed <br> Georgian Acres NPCD, the following design tools will be applied area-wide: "Parking Placement and Impervious Cover Restrictions," "Garage Placement" and "Front Porch Setback" | 5/11/10: Approved the proposed re-zonings for the Georgian Acres NPCD as recommended by the staff, except for following tracts: 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 115, 118, 119, 134, 136, and 137 (8-0, J. Reddy-absent); D. Chimenti-1st, M. Dealey-2nd. <br> Approved the staff's recommendation to rezone to Vertical Mixed-Use "V" and to remove the dimensional standards identified in Article 4.3.3 <br> E. 3 (Dimensional and Parking Requirements reduction in parking requirements) and the Future Land Use designation of Mixed Use for the following tracts: 101, 102, 103, 104, 107, $108,109,110,111,112$, 115,118 , and 119; Vote: (8-0, J. Reddy-absent); D. Chimenti-1st, M. Dealey2nd. <br> Approved the staff's recommendation to rezone to Vertical Mixed-Use "V" and to remove the dimensional standards identified in Article 4.3.3 E. 3 (Dimensional and Parking Requirements reduction in parking requirements) and the Future Land Use designation of Neighborhood Mixed Use for the following tracts: 106, 136 and 137; Vote: (8-0, J. Reddy-absent); D. Chimenti-1st, M. Dealey$2^{n d}$. | 6/24/10: Approved the North Lamar Combined Neighborhood Plan, except for tract 32 (postponed to July 29, 2010), and tracts 134 and 135B, on Council Member Spelman's motion, Council Member ;Cole's second on a 7-0 vote. <br> Approved the Georgian Acres Neighborhood Plan Combining District (NP), ' except for tracts 134 and 135B (as shown below), and including the following motions was approved on Council Member Spelman's motion, Council Member Morrison's-2 ${ }^{\text {nd }}$ on a $7-0$ vote. <br> The motion to amend the ordinance per staff's recommendation to change the future land use for Tract 134 to office and include limited office conditional overlayneighborhood plan (LO-CO-NP) zoning with the following conditions and conditional uses was approved on Council Member Spelman's motion, Council Member Morrison's second on a $7-$ 0 vote. The conditions were to restrict building height to 18 feet. The conditional uses are: medical offices less than 5,000 square feet and medical offices greater than 5,000 square feet. |
| :---: | :---: | :---: | :---: |


|  |  | Approved the staff's recommendation for the Impervious Cover \& Parking Placement Restrictions, Front Porch Setback and Garage Placement design tools for the Georgian Acres Planning Area; Vote: (8-0, J. Reddy-absent); D. Anderson-1st, K. Tovo-2nd. Approved the staff's recommendation of SF-3NP zoning for Tract 134 (602, 604, and 606 Middle Lane); Vote: (8-0, J. Reddy-absent); S. Kirk-1st, D. Chimenti-2nd. | The motion to amend the ordinance to change the land use designation for Tract 135B on the future land use map (FLUM) to commercial and include general community commercial conditional overlayneighborhood plan (GR-CO-NP) zoning with hotel/motel as a conditional use was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote. |
| :---: | :---: | :---: | :---: |
| C14-01-0100 (Walmart at Norwood Park: 1030 Norwood Park) | GR to GR, to add land area to site | To grant GR-CO w/CO for the TIA, 10 ' vegetative buffer on northern property line between Brettonwoods Ln and Furness St | 1/10/2002: Approved GR-CO as Commission recommended. |

## RELATED CASES:

C14-2010-0049 - Georgian Acres Neighborhood Planning Area Rezonings
C8-2021-0133.0A - Five Star Anderson Subdivision

## OTHER STAFF COMMENTS:

## Comprehensive Planning

Project Name and Proposed Use: 7800 N IH 35 SERVICE RD SB. C14-2023-0099. 1.7468 acres from CS-NP and GR-NP to CS-NP. Vacant to $107,000 \mathrm{sq}$. ft. of Convenience Storage. FLUM: Mixed Use. Georgian Acres NP.

| Yes | Imagine Austin Decision Guidelines |
| :---: | :--- |
|  | Complete Community Measures |\(\left|\begin{array}{l}Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity <br>

Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth <br>

Concept Map. Names of Activity Centers/Activity Corridors/Job Centers:\end{array}\right|\)| Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail |
| :--- |
| station. |

## Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Buttermilk Branch Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.
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.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when $8,000 \mathrm{sq}$. ft . cumulative is exceeded, and on-site control for the two-year storm.

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

Beginning January 1, 2024, there will be no parkland dedication requirements for commercial uses defined under § 25-2-4 (except hotel-motel).

## 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.

Generally, any development which occurs in an SF-6 or less restrictive zoning district which is located 540 ft . or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations, per 25-2-1051. However, this site is along I-35, which is considered a "Larger Corridor" per Ordinance No. 20221201-056, and thus, is
subject to less restrictive compatibility standards for residential or mixed-use properties. See 25-2-769.01 for more information.

## Transportation

TX Dot may require additional right-of-way for IH 35. Please coordinate with TX Dot to determine right of way requirements.

The adjacent street characteristics table is provided below:

| Name | ASMP <br> Classification | ASMP <br> Required <br> ROW | Existing <br> ROW | Existing <br> Pavement | Sidewalks | Bicycle <br> Route | Capital <br> Metro <br> (within $1 / 4$ <br> mile) |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- |
| IH 35 | Level 5/ <br> Highway | NA TxDot | 378 | 366 | Yes | No | Yes |

## 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.

Depending on the development plans submitted, 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. Property Survey
D. North Lamar Combined Neighborhood Plan FLUM




ZONING CASE\# LOCATION: SUBJECT AREA GRID
MANAGER



# North Lamar Combined Neighborhood Planning Area Future Land Use Map 



