

ZONING CHANGE REVIEW SHEETCASE: C14-2023-0075DISTRICT: 2ZONING FROM: I-SF-2ZONING TO: CSADDRESS: 2475 E SH 71 Service Road West BoundSITE AREA: 0.68 acres
(29,621 sq. ft.)PROPERTY OWNER: Ford Smith Jr.AGENT: Morris & Associates (Michael Abele)CASE MANAGER: Cynthia Hadri 512-974-7620, Cynthia.hadri@austintexas.govSTAFF RECOMMENDATION:

The staff recommendation is to grant the general commercial services – conditional overlay (CS-CO) combined district zoning. The conditional overlay will prohibit adult oriented businesses.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:**November 14, 2023:**CITY COUNCIL ACTION:ORDINANCE NUMBER:ISSUES: N/ACASE MANAGER COMMENTS:

The property in question is approximately 0.68 acres that is developed with a gas station and is currently designated as interim-single family residence (standard lot) (I-SF-2). To the north there is undeveloped land, and a commercial use (I-SF-2 and CS-CO), to the south is the Austin-Bergstrom International Airport (AV), to the west there is commercial services, surface parking and a motel (CS-CO, I-SF-2, GR-CO), to the east there is commercial services (GR-CO). ***Please refer to Exhibits A (Zoning Map) and Exhibit B (Aerial Exhibit).***

The staff is recommending the general commercial services – conditional overlay (CS-CO) combined district zoning as it is consistent with the zonings to the west and east of the property. Staff has added the conditional overlay (CO) prohibiting adult oriented businesses to be consistent with the surrounding zonings to CS. The applicant is requesting permanent zoning to bring the existing use

into conformance with use regulations in the Land Development Code to continue operating the service station at this location.

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 predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The conditional overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

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

The proposed zoning would promote compatibility with adjacent and nearby uses as the surrounding properties are developed with general commercial services Staff recommends the applicant's request since the lot meets the intent of the general commercial services (CS) district as it currently has a commercial/service station in use. The addition of the conditional overlay prohibiting the adult oriented businesses would be consistent with that of the established parcels to the north and west of the property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-SF-2	Fuel Station
<i>North</i>	I-SF-2 CS-CO	Not Developed Commercial Use
<i>South</i>	AV	Airport
<i>East</i>	GR-CO	Commercial Service
<i>West</i>	CS-CO I-SF-2 GR-CO	Restaurant Surface Parking Motel

NEIGHBORHOOD PLANNING AREA: N/A

WATERSHED: Colorado River (Suburban)

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

SCHOOLS: Del Valle Independent School District

Hornsby-Dunlap Elementary School Dailey Middle School Del Valle High School

COMMUNITY REGISTRY LIST:

Austin Lost and Found Pets
Austin Neighborhoods Council

Del Valle Community Coalition
Del Valle Independent School District

Dog's Head Neighborhood Association
 Elroy Neighborhood Association
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Imperial Neighborhood Association

Neighborhood Empowerment Foundation
 Onion Creek HOA
 SELTexas
 Sierra Club
 Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2002-0072	I-SF-2 to CS-1,GR	To Grant CS-1-CO, GR-CO the CO to limit the daily trips to 2,000 a day. (07/02/2002)	Approved CS-1-CO, GR-CO as Zoning and Platting Commission Recommended (09/26/2002)
C14-2013-0114	I-SF-2 to CS	To Grant CS with a CO to prohibit adult oriented businesses. (11/05/2013)	Approved CS-CO as Zoning and Platting Commission Recommended (12/12/2013)
C14-2013-0145	I-SF-2 to CS	To Grant CS with a CO to prohibit adult oriented businesses. (01/07/2014)	Approved CS-CO as Zoning and Platting Commission Recommended (01/23/2014)

RELATED CASES: There are no related cases.

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning:

Project Name and Proposed Use: 2475 E SH 71 SERVICE ROAD WB. C14-2023-0075. Project: Circle K NTI. 0.681 acres from I-SF-2 to CS. Gas Station/Convenience Store to Gas Station/Convenience Store. June 8, 2023

Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
	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:
	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. (incomplete sidewalk system along SH71)
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.
	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.
	Industrial Land: Preserves or enhances industrial land.
2	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 Colorado River 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: There are no comments.

PARD – Planning & Design Review:

Starting January 1, 2024, commercial land use site developments will be exempt from parkland dedication requirements per state law.

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.

The site is located within Austin-Bergstrom Overlay {AO-3}. No use will be allowed that create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. For more information, contact Joe Medici, Airport Planner, 512-530-6563. Approval from ABIA is required prior to site plan approval.

This site is within the Scenic Roadway sign district. Signs must comply with Scenic Roadway sign district regulations.

Compatibility Standards

The site is subject to compatibility standards due to the I-SF-2 lots to the north and west.

Austin Transportation Department – Engineering Review:

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

The adjacent street characteristics table is provided below:

Existing Street Characteristics:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Cardinal Loop	Level 1	58'	44'	34'	No	No	Yes
E SH 71 SVRD WB	Level 4	Coordinate with TxDOT	242'	34'	Yes	Yes	Yes

TIA: It is not required.

Austin Water Utility:

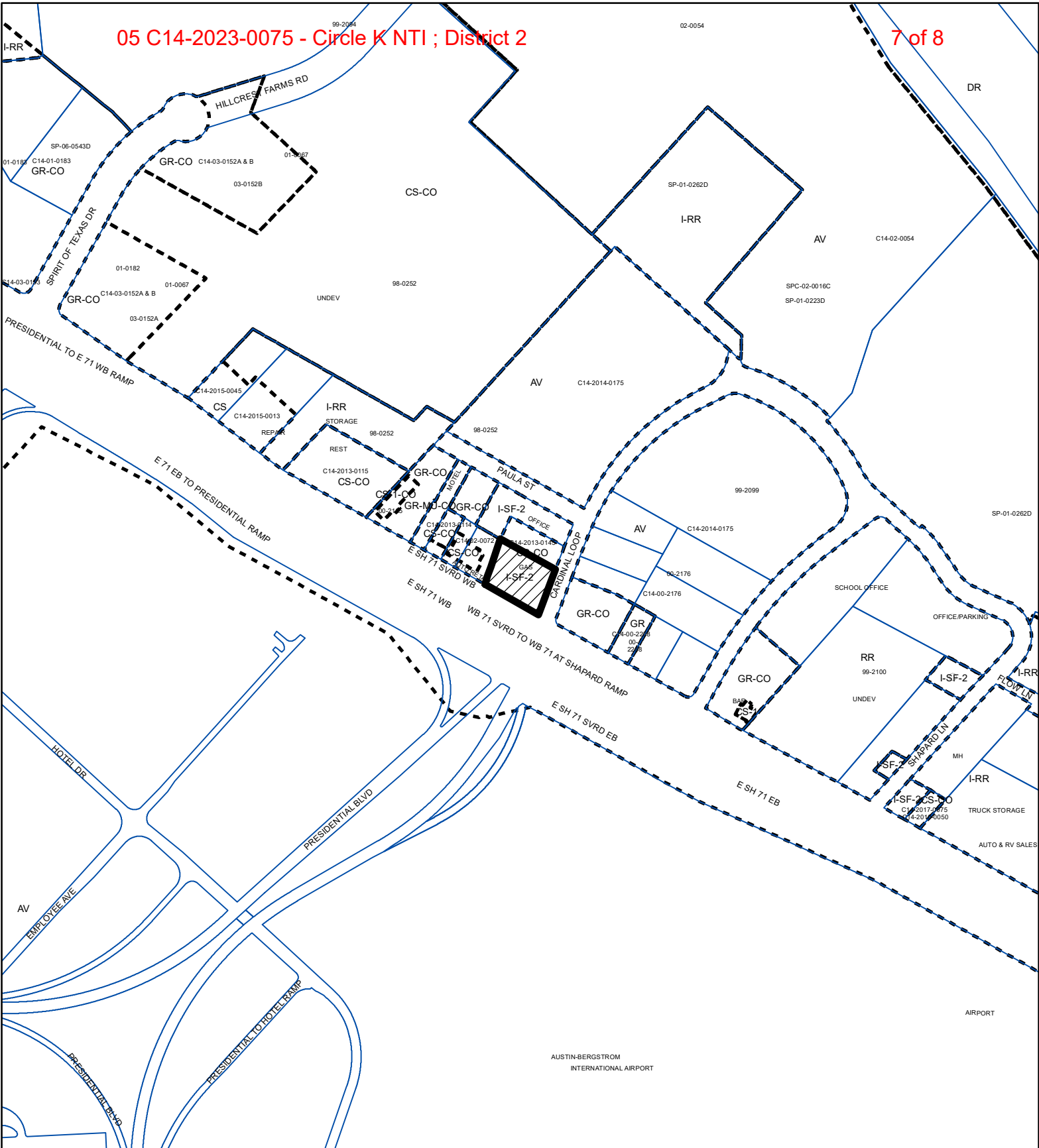
No comments on zoning change.

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 AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map



ZONING

ZONING CASE#: C14-2023-0075



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

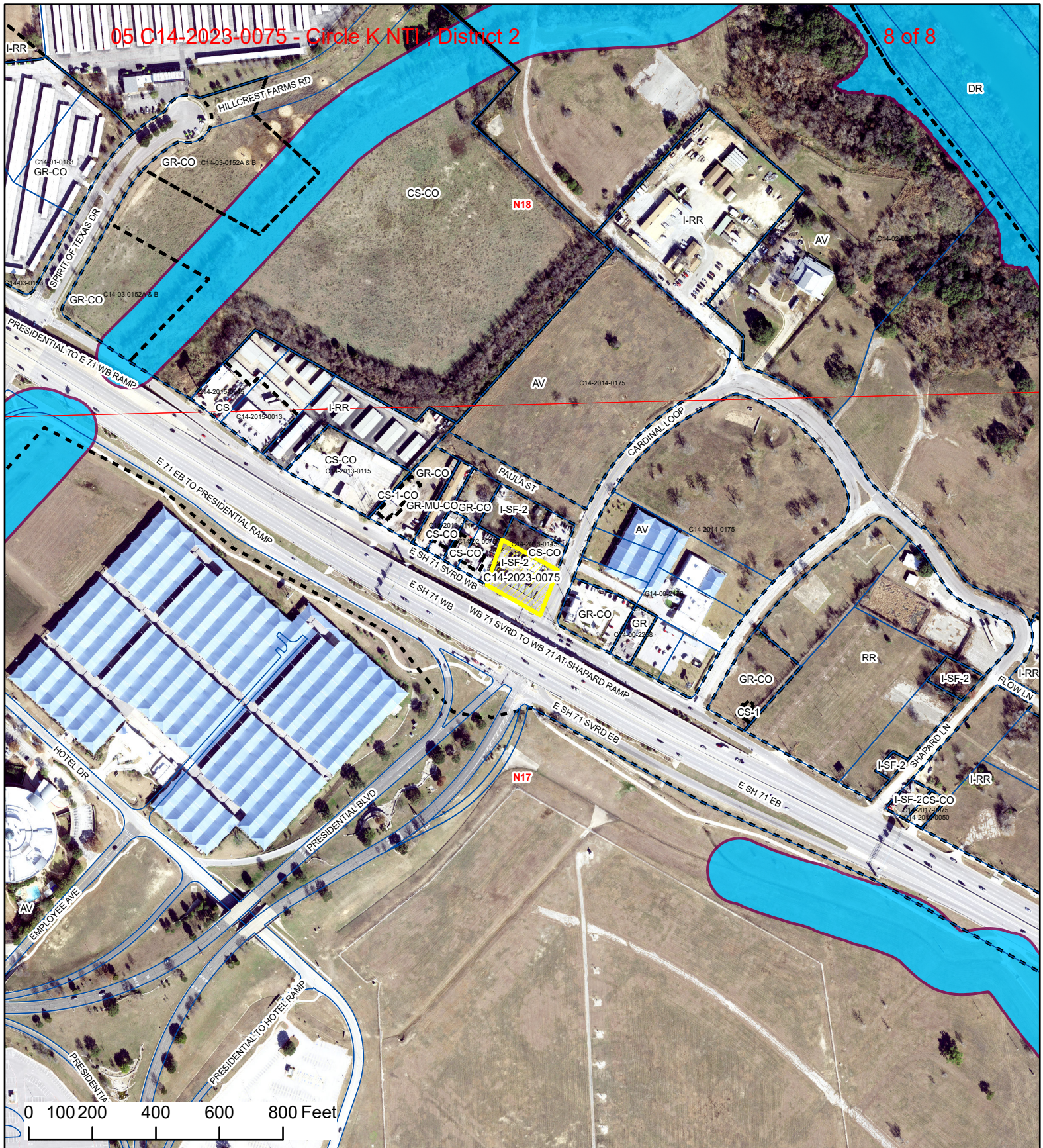
Exhibit A

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.





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Created: 6/12/2023



Circle K NTI

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

ZONING CASE#: C14-2023-0075
 LOCATION: 2475 E State Hwy 71 WB
 SUBJECT AREA: 0.681 Acres
 GRID: N17
 MANAGER: Nancy Estrada

