



# City of Austin

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## Planning Department

6310 Wilhelmina Delco Drive, Austin, TX 78752

P.O. Box 1088, Austin, TX 78767 -1088

(512) 974-2000 ♦ <https://www.austintexas.gov/department/planning-department>

### MEMORANDUM

**TO:** Hank Smith, Chair &  
Zoning and Platting Commission Members

**FROM:** Beverly Villela, Senior Planner, Current Planning Division  
Planning Department

**DATE:** August 16, 2024

**RE:** C14-2024-0082\_9010 Wall Street

Staff is revising the recommendation to only include item # 1, prohibitive uses, in the Conditional Overlay. Items #2 through #5 are not included in staff's recommendation.

Attachment: Staff Report

## ZONING CHANGE REVIEW SHEET TEST

CASE: C14-2024-0082

DISTRICT: 1

ADDRESS: 9010 Wall St.

ZONING FROM: RR

TO: LI

SITE AREA: 8.73 acres (380,278.8 sq. ft.)

PROPERTY OWNER: Sonic Land Holdings LLC (Cory Roberts, MD., MBA)

AGENT: Land Answers (Tamara Mitchell)

CASE MANAGER: Beverly Villela (512-978-0740, [beverly.villela@austintexas.gov](mailto:beverly.villela@austintexas.gov))

### STAFF RECOMMEDATION:

**Staff recommendation is to grant Limited Industrial Service – Conditional Overlay (LI-CO) combining district zoning. See the *Basis of Recommendation* section below. The Conditional Overlay will:**

- 1. Prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Equipment Repair Services, Equipment Sales, Kennels, Basic Industry, Scrap and Salvage Services, Vehicle Storage, Veterinary Services, Monument Retail Sales, Service Station, and, Resource Extraction.**

### ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**August 20<sup>th</sup>, 2024:**

### CITY COUNCIL ACTION:

TBD

### ORDINANCE NUMBER:

ISSUES: N/A

### CASE MANAGER COMMENTS:

The property in question spans approximately 8.73 acres and is currently developed with a beverage warehouse and distribution facility. It is situated between Wall Street (a Level 3 street) and Ferguson Lane (a Level 2 street) and is currently zoned as Rural Residence (RR) district. The surrounding area includes Limited Industrial Service-Conditional Overlay Combining district (LI-CO) zoned lots to the north, south, and east, and single-family residences (SF-3) to the west. *Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View) for more details.*

The applicant is requesting a zoning change to LI (Limited Industrial Service) to accommodate a medical research laboratory use.

Staff recommends LI-CO, Limited Industrial Service-Conditional Overlay Combining district zoning. This proposed zoning is compatible with and consistent with the surrounding land uses and zoning patterns, given the presence of LI and LI-CO zoning to the north, south, and east.

The applicant is in agreement with the staff’s recommendation.

**BASIS OF RECOMMENDATION:**

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

The Limited Industrial Service district is intended as an area primarily for commercial services and limited manufacturing uses, generally on moderately sized sites.

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 rezoning would promote compatibility with adjacent and nearby uses by aligning with the established zoning and land use patterns in the area. The surrounding properties to the north, south, and east are already zoned Limited Industrial Service-Conditional Overlay Combining (LI-CO) district, which supports similar industrial activities. By rezoning this property to LI-CO, the proposed use as a medical research laboratory would be consistent with the existing industrial character of these neighboring parcels. This consistency helps to maintain a cohesive development pattern, minimizing potential conflicts between different land uses and ensuring that the area remains functionally and aesthetically compatible with its surroundings.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	RR	Beverage Warehouse and Distribution
<i>North</i>	LI-CO	Laboratory Warehouse
<i>South</i>	LI-CO	Business Warehouse
<i>East</i>	LI, LI-CO	Warehouse and Distribution
<i>West</i>	SF-3	Single Family Residential

**NEIGHBORHOOD PLANNING AREA:** N/A

**WATERSHED:** Walnut Creek (Suburban)

SCHOOLS: Manor I.S.D.

Pioneer Crossing Elementary School      Decker Middle School      Manor High School

COMMUNITY REGISTRY LIST:

Austin Independent School District Austin Lost and Found Pets, Austin Neighborhoods Council, Friends of Austin Neighborhoods, Harris Branch Master Association, Inc., Homeless Neighborhood Association,	Neighborhood Empowerment Foundation, North Growth Corridor Alliance, SELTexas, Sierra Club, Austin Regional Group
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AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2010-0002	I-RR to LI and CS-MU	To Grant Staff’s Recommendation of LI-CO (04/06/2010)	Approved LI-Co as Planning Commission Recommended (04/22/2010)
C14-02010-0068 – 7800 Johnny Morris Rd. – Tennis Center	I-RR to LI	To Grant LI-CO (11/15/05)	Approved LI-CO as Planning Commission Recommended (06/24/2010)

RELATED CASES:

The subject property including 488 acres is within the Walnut Creek Business Park areas and was annexed into the city limits on December 19, 1991 (C7a-91-002) under Ordinance No. 911219-A.

Ordinance No. 000817-81 established initial permanent zoning from Interim Rural Residence (I-RR) district to Rural Residence (RR) district on the property described in File C14-00-2109.

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

**Project Name and Proposed Use:** 9010 WALL STREET. C14-2024-0082. Project: Wall Street - CPL Rezone. 8.73 acres from RR to LI. Existing: Pepsi distribution center (38400 sf). Proposed: Laboratory (38400 sf). No demolition is proposed. Note that for the measure of “Connectivity, Goods and Services, Employment” measure that this site’s placement within the US 290 East Industrial Zoning Cluster and proximity to the Cameron & 183 Job Center fulfills the guidelines for proximity to an employment center, with a variety of

industrial businesses (employers) being located near-by. Also note that this site’s status as a Limited Industrial Services zoned laboratory fulfills the “Industrial Land” measure and the “Workforce Development, the Economy and Education” measures.

Yes	<b>Imagine Austin Decision Guidelines</b>
<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> <ul style="list-style-type: none"> <li>• <b>Adjacent to Rundberg Lane/Ferguson Activity Center; 0.19 miles from Cameron &amp; 183 Job Center</b></li> </ul>
	<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. <ul style="list-style-type: none"> <li>• <b>Sidewalk present along Wall St</b></li> </ul>
Y	<b>Connectivity, Goods 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.)
Y	<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.
Y	<b>Industrial Land:</b> Preserves or enhances industrial land.
	<b>Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone</b>
5	<b>Number of “Yes’s”</b>

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.

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 on zoning change.

PARD – Planning & Design Review

Parkland dedication fees may apply to any future site or subdivision applications resulting from this rezoning. As of January 1, 2024, new commercial non-residential uses, such as a laboratory, are not subject to parkland dedication requirements at the time of site plan and subdivision.

Site Plan

***Zoning Cases***

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

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.

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

***Compatibility Standards***

The site is subject to compatibility standards. Along the west property line, 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.

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 116 feet of right-of-way for WALL ST. It is recommended that 58 feet of right-of-way from the existing centerline should be dedicated for WALL ST according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

FERGUSON LN has sufficient right of way to comply with the Austin Strategic Mobility Plan (ASMP). [LDC 25-6-51 and 25-6-55].

**EXISTING STREET CHARACTERISTICS:**

<b>Name</b>	<b>ASMP Classification</b>	<b>ASMP Required ROW</b>	<b>Existing ROW</b>	<b>Existing Pavement</b>	<b>Sidewalks</b>	<b>Bicycle Route</b>	<b>Capital Metro (within ¼ mile)</b>
WALL ST	Corridor Mobility - Level 3	116 feet	76 feet	64 feet	Existing 4 feet sidewalks	On-street	No
FERGUSON LN	Corridor Mobility - Level 4	72 feet	77 feet	26 feet	No	On-street	No

TIA:

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].

Austin 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](mailto:ser@austintexas.gov).






**INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:**

- A. Zoning Map
- A-1. Aerial Map
- B. Applicant’s Summary Letter



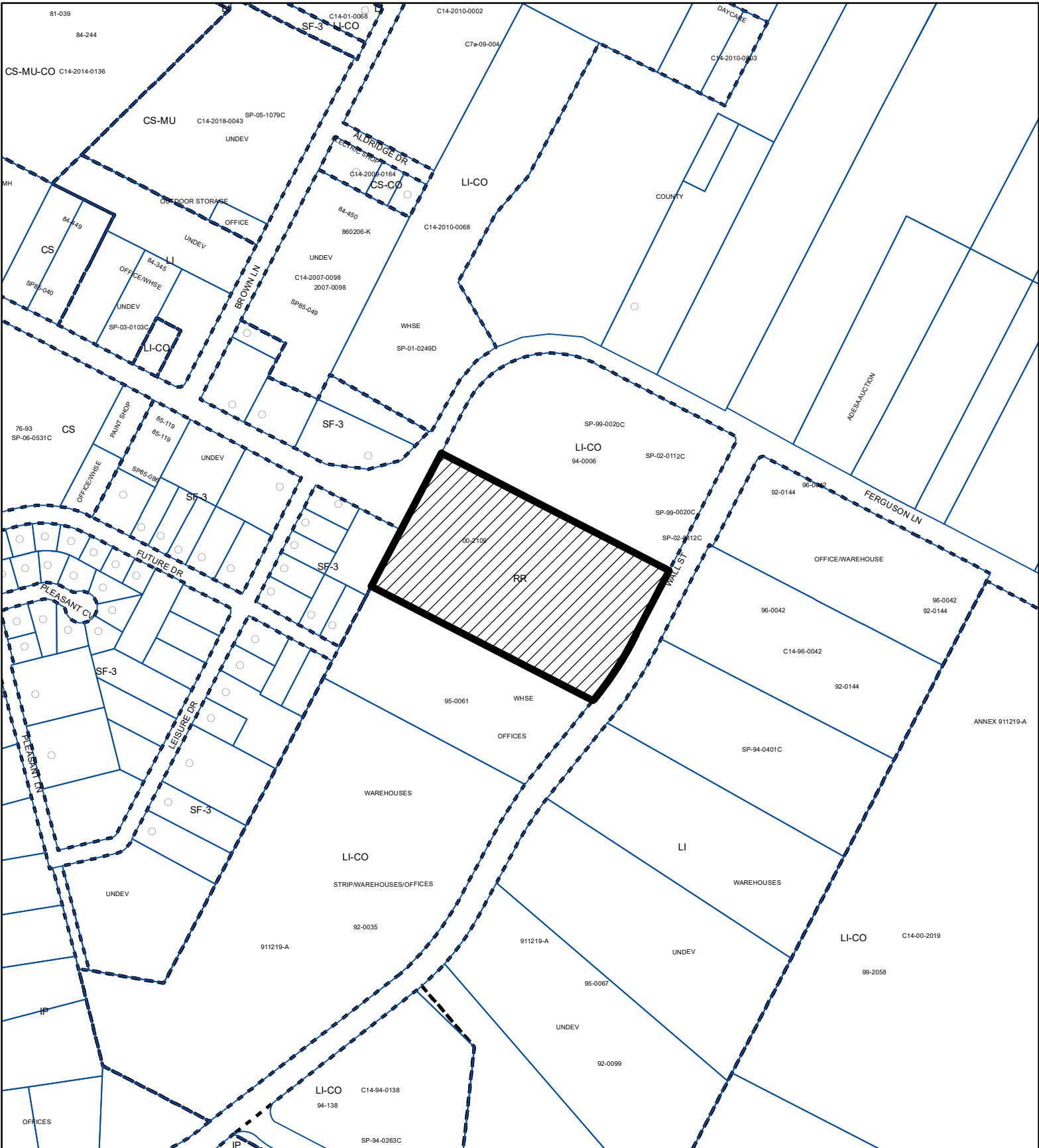


### Wall Street - CPL Rezone

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

ZONING CASE#: C14-2024-0082  
 LOCATION: 9010 Wall St.  
 SUBJECT AREA: 8.73 Acres  
 MANAGER: Beverly Villela








**ZONING**

ZONING CASE#: C14-2024-0082



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**Exhibit A-1**

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 Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**Created: 5/10/2024**

**Beverly Villela**  
**City of Austin Permitting and Development Center**  
**6310 Wilhelmina Delco Dr.**  
**Austin, TX 78752**

**June 10, 2024**

**Re: C14-2024-0082, 9010 Wall Street Rezoning Case**

Dear Ms. Villela,

We are writing to you today on behalf of the property owner of 9010 Wall Street, to respectfully request a zoning change on the property from the current RR zoning (Rural Residence) to LI zoning (Limited Industrial Uses). We are requesting this rezoning to accommodate a medical research laboratory use, to replace the current bottling distribution center use.

The zoning surrounding this property is as follows: LI zoning to the east, the properties to the north and south are zoned LI-CO, and one residence to the west is zoned SF-3.

Please do not hesitate to reach out if you or your staff have any questions or need additional information concerning this application.

Thank you,



Tamara Mitchell  
Project Manager  
**Land Answers, Inc.**  
5311 Bull Run  
Austin, TX 78727  
(512) 920-7791