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ZONING CHANGE REVIEW SHEET

CASE: C814-95-0002.09

Z.A.P. DATE: August 3, 2010
August 17, 2010

ADDRESS: 7301 North FM 620 Road (Suite 105)

OWNER/APPLICANT: US Retail Income Fund VIII C/O BVT Management Services, Inc.
(Scott I. Farber)

AGENT: Thrower Design (A. Ron Thrower)

ZONING FROM: PUD

TO: PUD

AREA: 0.147 acres (6,419 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant the amendment of the Four Points Centre P.U.D., thereby permitting Liquor Sales uses within a 6,419 sq. ft. area on Lot 1 of Block B within the PUD.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

8/03/10: Postponed to August 17, 2010 at the staff's request (6-0, T. Rabago-absent);
D. Tiemann-1st, C. Banks-2nd.

8/17/10: Pending

DEPARTMENT COMMENTS:

The applicant is requesting an amendment to the Four Points Centre Planned Unit Development (PUD) to change the permitted uses on a footprint area within Lock 1, Block B of the PUD to allow for Liquor Sales (See redlined Land Use Plan for Four Points Centre PUD-Attachment A).

The staff recommends the proposed PUD amendment because the site is currently developed with an existing commercial retail center. The applicant is asking to add a liquor store in a vacant suite within a shopping center that contains and HEB grocery store. The proposed amendment will allow a small area for a liquor sales use that will provide additional retail services to the surrounding areas.

The applicant agrees with the staff recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	PUD	Vacant Suite
<i>North</i>	PUD	Retail Center, Water Quality Pond
<i>South</i>	PUD	Parking Area for Retail Center
<i>East</i>	PUD	Retail Sales (HEB Grocery Store)
<i>West</i>	PUD	Retail Center

AREA STUDY: N/A

TIA: Waived

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WATERSHED: Bull Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**HILL COUNTRY ROADWAY:** Yes**NEIGHBORHOOD ORGANIZATIONS:**

Austin Monorail Project
 Austin Parks Foundation
 Bull Creek Foundation
 Home Builders Association of Greater Austin
 Homeless Neighborhood Association
 League of Bicycling Voters
 Leander ISD Population and Survey Analysts
 Long Canyon Homeowners Association
 Long Canyon Phase II & LLL Homeowners Association Inc.
 Sierra Club, Austin Regional Group
 Super Duper Neighborhood Objectors and Appeals Organization
 The Parke HOA
 The Real Estate Council of Austin, Inc.
 2222 Coalition of Neighborhood Associations
 Volente Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0206 (7400 R.M. 620 North and 11620 Bullick Hollow Road)	I-RR to CS-MU	11/15/05: Approved staff's recommendation of GR-CO zoning, with a CO to prohibit the Service Station use and a public RC to encompass the TIA recommendations, by consent (7-0, J. Martinez, J. Gohil-absent); K. Jackson-1 st , M. Hawthorne-2 nd .	12/15/05: Approved ZAP rec. of GR-CO zoning by consent (7-0); 1 st reading 1/26/06: Approved GR-CO (6-0); 2 nd /3 rd readings
C14-03-0177 (Four Points Centre-Jack Brown Site - 11500 R.R. 2222	SF-2 to CS* *Amended to GR	1/6/04: Approved GR-CO zoning, with conditions: 1) A maximum of 2,000 vehicle trips per day; 2) Prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing, Pawn Shops; Vote: (9-0); J. Martinez-1 st , J. Donisi-2 nd	2/05/04: Granted GR-CO (7-0); all 3 readings

C14-01-0058	SF-2 to GR	5/8/01: Approved GR-CO w/ trip limitation conditions maintained as per staff rec. & prohibit auto related uses (6-2, JM/RC-No)	7/19/01: Approved GR-MU-CO w/ conditions & RR (6-0) 7/19/02: Expired-No 3 rd reading (Administrative)
C14-01-0057	SF-2 to GR	5/8/01: Approved GR-CO w/ trip limitation conditions maintained as per staff rec. & prohibit auto related uses (6-2, JM/RC-No)	7/19/01: Approved GR-CO w/ conditions (6-0); all 3 readings
C14-01-0056	SF-2 to GR	5/8/01: Approved GR-CO w/ trip limitation conditions maintained as per staff rec. & prohibit auto related uses (6-2, JM/RC-No)	7/19/01: Approved GR-CO w/ conditions (6-0); all 3 readings
C14-99-2075	RR to GO	11/16/99: Approved GO, limited to 'LO' development regs. and 1,500 trips per day (8-0)	1/27/00: Approved PC rec. of GO-CO (5-0); 1 st reading 3/23/00: Approved GO-CO w/ restrictions: 1) Office size limited to 150,000, 2) Limited traffic to 1,850 TPD, 3) Limited any single tenant lease space to 75,000 sq ft (6-0, DS-out of room); 2 nd reading 6/1/00: Approved 3 rd reading (7-0)
C14-98-0236	I-RR to LI	4/6/99: Approved LI w/ conditions (8-0)	5/6/99: Approved PC rec. of LI-CO w/ conditions and provision to rollback to GR if current use ceases for more than 90 days (6-0); 1 st reading 7/1/99: Approved LI-CO w/ conditions: 1) Allow all restaurant uses, 2) Rollback to 'GR' if use ceases for more than 180 days (subj. to discussion taken at 3 rd reading) (6-0); 2 nd reading

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			7/15/99: Approved LI-CO w/ conditions (4-2, Griffith/ Slusher-Nay); 3 rd reading
C14-98-0225	I-RR to GR	2/2/99: Send case to CC without recommendation	3/4/99: Approved GR-MU-CO w/ conditions (6-1, DS-Nay) 7/1/99: Approved GR-MU-CO w/ conditions (5-1, DS-No); 2 nd reading 7/22/99: Approved GR-MU-Co w/ conditions (6-1, Slusher-No)
C14-98-0214	SF-2, DR to CS	3/2/99: Approved GR (comply with HCS), CS only for storage (6-2, BB/SA-Nay)	4/15/99: Approved GR-CO for entire site w/ LR uses and Automotive Sales and Automotive Repair as only GR uses & other conditions (6-0); 3 rd reading
C14-98-0027	I-SF-2 to GR	4/14/98: Approved GR-CO w/ conditions (6-2)	6/11/98: Approved PC rec. of GR-CO w/ conditions: deleted ROW dedication sue to waiver by TXDOT (6-0); 1 st reading 7/9/98: Approved GR-CO w/ conditions (7-0); 2 nd / 3 rd readings
C814-95-0002.04 (Four Points Centre PUD Amendment #4)	PUD to PUD: To amend the PUD to allow GR-MU (Community Commercial-Mixed Use Combining District) uses on Lots 2, 4, 5 and 6 of Block B within the PUD	2/4/03: Approved staff's recommendation of PUD zoning by consent (7-0, K. Jackson, J. Martinez-absent); J. Gohil-1 st , M. Whaley-2 nd .	3/06/03: Granted PUD zoning on 1 st reading (6-0, Dunkerley-absent) 4/24/03: Approved 2 nd /3 rd readings (6-0-1 Garcia-absent)
C814-95-0002 (Four Points Centre PUD Amendment #1)	PUD to PUD	12/12/95: Approved PUD revision w/ conditions (5-3)	12/14/95: Approved PUD subject to list of conditions (4-0); 1 st reading; (Public hearing closed but speakers will

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			be allowed to speak at 2 nd /3 rd readings)
			6/13/96: Approved PUD subject to conditions

RELATED CASES: C814-95-0002 (Four Points Centre PUD)

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
FM 620	160'	Mad 4	Arterial	No	No	Yes
Four Points Drive	85'	Mad 4	Arterial	No	No	Yes

CITY COUNCIL DATE: August 26, 2010

ACTION:

ORDINANCE READINGS: 1st

2nd

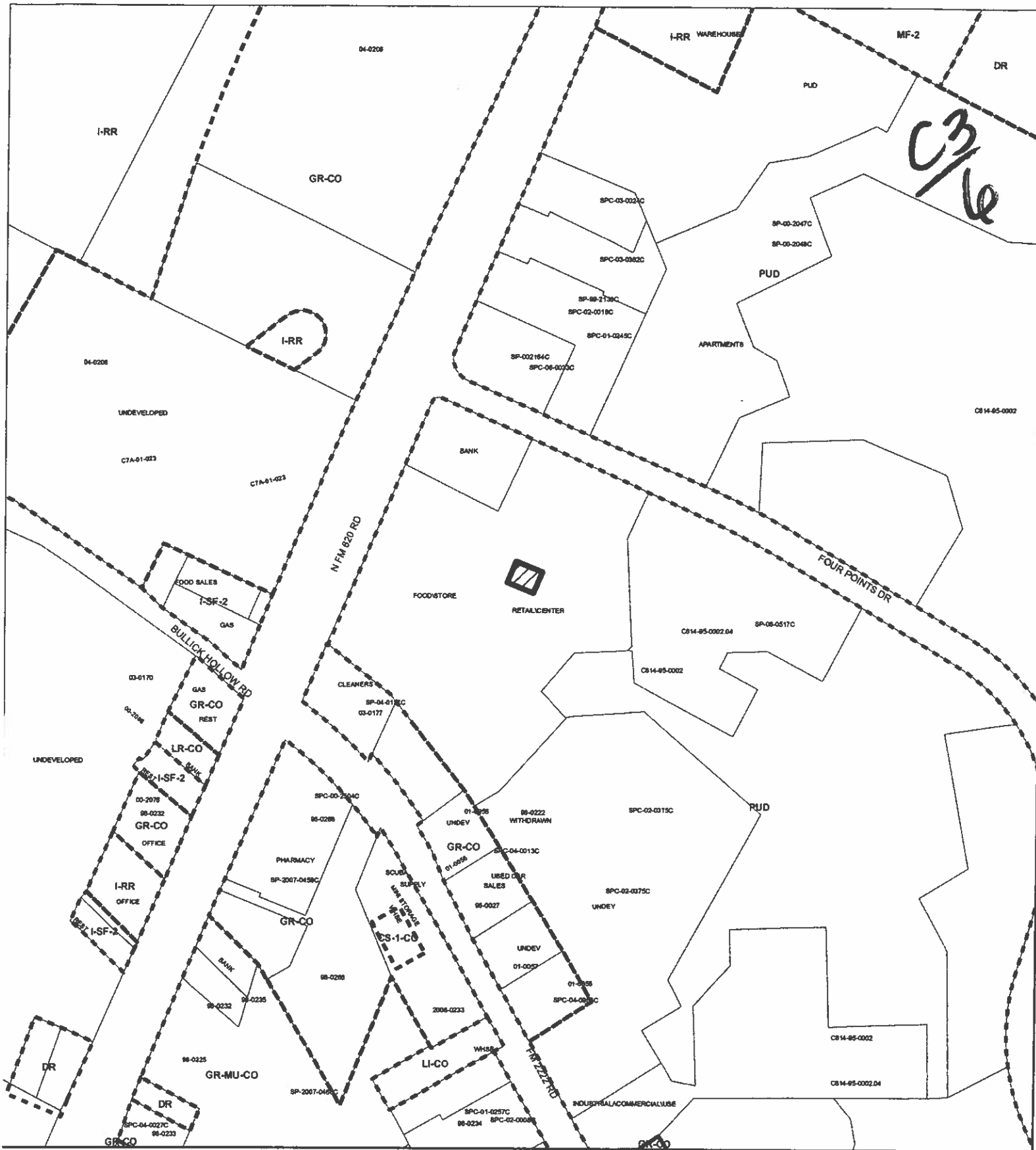
3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057

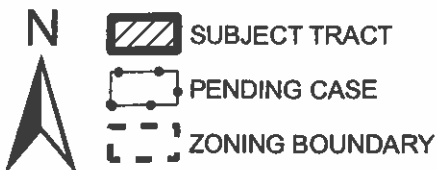
sherri.sirwaitis@ci.austin.tx.us



PLANNED UNIT DEVELOPMENT

ZONING CASE#: C814-95-0002.09
 LOCATION: 7301 N FM 620 RD STE 105
 SUBJECT AREA: 0.147 ACRES
 GRID: D34
 MANAGER: SHERRI SIRWAITIS

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





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STAFF RECOMMENDATION

The staff's recommendation is to grant the amendment of the Four Points Centre P.U.D., thereby permitting Liquor Sales uses within a 6,419 sq. ft. area on Lot 1, of Block B within the PUD.

BASIS FOR RECOMMENDATION

1. *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 Four Points Centre PUD is located near the intersection of two arterial roadways, RM 620 and RM 2222. The property is easily accessible from the surrounding areas. The proposed amendment will allow for the Liquor Sales use to be permitted on a small footprint area within the existing commercial retail center.

3. *Zoning should allow for reasonable use of the property.*

The proposed amendment to the PUD will allow for reasonable use of the property as it will allow for an additional commercial use that will provide new services to the surrounding areas.

EXISTING CONDITIONS**Site Characteristics**

The site under consideration is a vacant suite within an existing retail shopping center located at the northeastern corner of FM 2222 and North FM 620 Road.

Environmental

No comments on the proposed zoning change.

The site is located over the Edward's Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

Impervious Cover

Environmental issues at the site, including but not limited to Impervious Cover, are controlled by the Lake Austin Watershed Ordinance (Ordinance No. 840301-F), as amended by the Four Points Centre PUD Ordinance.

Site Plan/Compatibility Standards

No comments.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site

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stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]. **ADDITIONAL NOTE: Please demonstrate that the site complies with the trip limitation established in the restrictive covenant that went into effect with zoning case # C14-98-0268.**

Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
FM 620	160'	Mad 4	Arterial	No	No	Yes
Four Points Drive	85'	Mad 4	Arterial	No	No	Yes

No additional right-of-way is needed at this time for Four Points Drive.

Additional right-of-way for RM 2222 may be acquired during the platting or site planning of the subject property in accordance with the Austin Metropolitan Area Transportation Plan.

There are no existing sidewalks along RM 2222 or Four Points Drive.

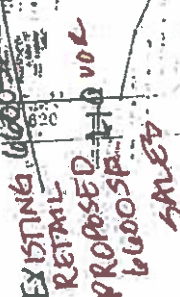
RM 2222 is classified in the Bicycle Plan as a Priority One bike route (Route 419.01).

Four Points Drive is not classified in the Bicycle Plan.

Capital Metro bus service is available along RM 2222 (Routes 401 and 402).

Water Quality

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. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.



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25. The following are the names of the persons who have been identified as having been in contact with the subject of this investigation:

Year	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
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ADJACENT PROPERTY OWNERS
 111 W. 11th St., Suite 100
 New York, NY 10036
 Tel: 212-333-1111
 Fax: 212-333-1112

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Group 1	Group 2	Group 3	Group 4	Group 5	Group 6	Group 7	Group 8	Group 9	Group 10	Group 11	Group 12	Group 13	Group 14	Group 15	Group 16	Group 17	Group 18	Group 19	Group 20	Group 21	Group 22	Group 23	Group 24	Group 25	Group 26	Group 27	Group 28	Group 29	Group 30	Group 31	Group 32	Group 33	Group 34	Group 35	Group 36	Group 37	Group 38	Group 39	Group 40	Group 41	Group 42	Group 43	Group 44	Group 45	Group 46	Group 47	Group 48	Group 49	Group 50	Group 51	Group 52	Group 53	Group 54	Group 55	Group 56	Group 57	Group 58	Group 59	Group 60	Group 61	Group 62	Group 63	Group 64	Group 65	Group 66	Group 67	Group 68	Group 69	Group 70	Group 71	Group 72	Group 73	Group 74	Group 75	Group 76	Group 77	Group 78	Group 79	Group 80	Group 81	Group 82	Group 83	Group 84	Group 85	Group 86	Group 87	Group 88	Group 89	Group 90	Group 91	Group 92	Group 93	Group 94	Group 95	Group 96	Group 97	Group 98	Group 99	Group 100
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Category	Sub-category	Value	Unit
Total

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All Country Readers
Journalist's Aid, Chicago

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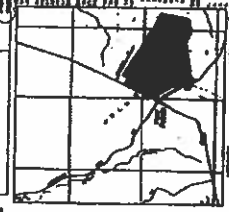
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199 Country Readiness Estimates: Coldestream									
Project 2.5.5, Coldestream									
Block	Unit	Unit	Unit	Unit	Unit	Unit	Unit	Unit	Unit
Block 1	Unit 1	Unit 2	Unit 3	Unit 4	Unit 5	Unit 6	Unit 7	Unit 8	Unit 9
Unit 1	Unit 2	Unit 3	Unit 4	Unit 5	Unit 6	Unit 7	Unit 8	Unit 9	Unit 10
Unit 11	Unit 12	Unit 13	Unit 14	Unit 15	Unit 16	Unit 17	Unit 18	Unit 19	Unit 20
Unit 21	Unit 22	Unit 23	Unit 24	Unit 25	Unit 26	Unit 27	Unit 28	Unit 29	Unit 30
Unit 31	Unit 32	Unit 33	Unit 34	Unit 35	Unit 36	Unit 37	Unit 38	Unit 39	Unit 40
Unit 41	Unit 42	Unit 43	Unit 44	Unit 45	Unit 46	Unit 47	Unit 48	Unit 49	Unit 50
Unit 51	Unit 52	Unit 53	Unit 54	Unit 55	Unit 56	Unit 57	Unit 58	Unit 59	Unit 60
Unit 61	Unit 62	Unit 63	Unit 64	Unit 65	Unit 66	Unit 67	Unit 68	Unit 69	Unit 70
Unit 71	Unit 72	Unit 73	Unit 74	Unit 75	Unit 76	Unit 77	Unit 78	Unit 79	Unit 80
Unit 81	Unit 82	Unit 83	Unit 84	Unit 85	Unit 86	Unit 87	Unit 88	Unit 89	Unit 90
Unit 91	Unit 92	Unit 93	Unit 94	Unit 95	Unit 96	Unit 97	Unit 98	Unit 99	Unit 100
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Unit 111	Unit 112	Unit 113	Unit 114	Unit 115	Unit 116	Unit 117	Unit 118	Unit 119	Unit 120
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Unit 161	Unit 162	Unit 163	Unit 164	Unit 165	Unit 166	Unit 167	Unit 168	Unit 169	Unit 170
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Unit 181	Unit 182	Unit 183	Unit 184	Unit 185	Unit 186	Unit 187	Unit 188	Unit 189	Unit 190
Unit 191	Unit 192	Unit 193	Unit 194	Unit 195	Unit 196	Unit 197	Unit 198	Unit 199	Unit 200
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Unit 241	Unit 242	Unit 243	Unit 244	Unit 245	Unit 246	Unit 247	Unit 248	Unit 249	Unit 250
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Unit 261	Unit 262	Unit 263	Unit 264	Unit 265	Unit 266	Unit 267	Unit 268	Unit 269	Unit 270
Unit 271	Unit 272	Unit 273	Unit 274	Unit 275	Unit 276	Unit 277	Unit 278	Unit 279	Unit 280
Unit 281	Unit 282	Unit 283	Unit 284	Unit 285	Unit 286	Unit 287	Unit 288	Unit 289	Unit 290
Unit 291	Unit 292	Unit 293	Unit 294	Unit 295	Unit 296	Unit 297	Unit 298	Unit 299	Unit 300
Unit 301	Unit 302	Unit 303	Unit 304	Unit 305	Unit 306	Unit 307	Unit 308	Unit 309	Unit 310
Unit 311	Unit 312	Unit 313	Unit 314	Unit 315	Unit 316	Unit 317	Unit 318	Unit 319	Unit 320
Unit 321	Unit 322	Unit 323	Unit 324	Unit 325	Unit 326	Unit 327	Unit 328	Unit 329	Unit 330
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ZMLNKA INBO SML
FWO JOINT VENTURE

VACANT
FMS JOINT VENTURE
REMAINDER OF 302.561 A.

WADSWORTH
LOT 3-A
BLOCK A
SECTOR 818