

C2
1

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0152

Z.A.P. DATE: October 5, 2010

ADDRESS: 10601 North FM 620 Road

APPLICANT: Mao Chhay

AGENT: Alice Glasco Consulting (Alice Glasco)

ZONING FROM: LR-CO

TO: CS-1

AREA: 0.10 acres (4,358 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant CS-1-CO, Commercial-Liquor Sales-Conditional Overlay District, zoning for Tract 1, Tract 2, and Tract 3 on this site. The conditional overlay would permit the Liquor Sales as the only 'CS-1' district use and limit the site to all other 'LR' district permitted uses.

Tracts 1, 2, and 3 in this request are already limited to 2,000 trips per Ordinance No. 010125-14 from zoning case C14-00-2122.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The property in question is developed with a vacant commercial strip center. The applicant is requesting additional CS-1 zoning so that they can develop a liquor store on the site.

The staff recommends CS-1-CO, Commercial-Liquor Sales-Conditional Overlay District, zoning for Tract 1, Tract 2, and Tract 3 because the applicant is simply adding more CS-1 area to an existing footprint of CS-1-CO zoning within a commercial structure on the property. This site is developed with a vacant retail center that takes access to a North FM 620 Road, a major arterial roadway. The proposed rezoning will be compatible with surrounding land uses because there are commercial, restaurant, and office uses to the south of the site. The rezoning of this property will permit additional commercial uses on the site to serve the public along a major arterial roadway within the city.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LR-CO	Vacant Commercial Center
<i>North</i>	County	Vacant Office Structure
<i>South</i>	LR-CO, NO-CO	Service Station (Chevron), Convenience Store (Food Mart), Restaurant (Country Kitchen), Office (The Texas Methodist Foundation)
<i>East</i>	County	Single-Family Residential
<i>West</i>	SF-2	Undeveloped

C2/2

AREA STUDY: N/A

TIA: Waived

WATERSHED: Lake Travis

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

- Austin Monorail Project
- Austin Parks Foundation
- Bull Creek Foundation
- Canyon Creek Homeowners Association
- 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
- Spicewood Springs Road Tunnel Coalition
- Super Duper Neighborhood Objectors and Appealers 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
C14-04-0207	I-RR to Tract 1: P and Tract 2: GO	2/01/05: Approved staff's recommendation on consent for P-CO for Tract 1, GO-CO for Tract 2, with additional conditions to: 1) Prohibit access to Savannah Ridge Drive (other than for emergency vehicles), 2) Create a Tract 3 designated as RR-CO district zoning for a distance of 300-feet from the eastern most property line that is adjacent to SF-2 zoning, Vote: (9-0); J. Martinez-1 st , J. Gohil-2 nd .	3/03/05: Approved P-CO for Tract 1, GO-CO for Tract 2, and RR-CO for Tract 3(7-0); all 3 readings
C14-04-0197	DR to CS* * Amended request to SF-3 on 1/03/05	3/29/05: Approved SF-2 zoning (9-0)	5/12/05: Approved SF-3 zoning (7-0); 1 st reading 6/23/05: Approved SF-3 zoning; 2 nd /3 rd readings
C14-04-0183	I-RR to MF-3	12/21/04: Approved MF-2-CO, with staff condition to limit development to less than 2,000 vehicle trips per day beyond the	1/27/05: Approved MF-2-CO (6-0, Dunkerley-absent); 1 st reading 3/03/05: Approved MF-2-CO on

2/3

		existing development and additional condition for a 568 unit limit for the site (9-0)	consent (7-0); 2 nd /3 rd readings
C14-04-0137	I-RR to MF-1	9/21/04: Approved staff's recommendation of MF-1-CO zoning by consent (7-0, K. Jackson-off dais, J. Gohil-absent)	10/21/04: Approved ZAP recommendation of MF-1-CO by consent (7-0); 1 st reading 11/4/04: Approved MF-1-CO (7-0); 2 nd /3 rd readings
C14-04-0035	I-RR to SF-6	5/18/04: Approved staff's rec. for SF-6-CO zoning, with the addition of the conditions listed in the Letter of Agreement between the applicant and the neighborhood, by consent (8-0)	8/12/04: Granted SF-6-CO on all 3 readings (5-1, B. McCracken – No, J. Goodman – off the dais)
C14-04-0003	I-RR, I-SF-2 to SF-2	2/3/04: Approved staff's recommendation of SF-2 zoning, by consent (9-0)	3/4/04: Granted SF-2 zoning (6-0, McCracken-absent); all 3 readings
C14-04-0002	I-SF-2, I-RR to SF-2	2/3/04: Approved staff's recommendation of SF-2 zoning, by consent (9-0)	3/4/04: Granted SF-2 zoning (6-0, McCracken-absent); all 3 readings
C14-02-0154	SF-2, DR to CS-CO	1/28/03: Approved W/LO-CO zoning with conditions of: <ul style="list-style-type: none"> • Limiting trips to 2,000 per day; • 50' vegetative buffer along the western property line; • 20' buffer along the southern property line; • Prohibit access on the western property line, with the exception of emergency access; • Only 2 access points on the southern property line; • Restrict semi-trucks, 3 axles or more to Windy Ridge entrance. Vote: (7-1, J.P.-Nay, J.D.-absent); K.J.-1st, M. W.-2nd. 	3/20/03: Approved staff recommendation of GR-CO for 1st 700 feet off 620 and RR for balance (7-0); 1 st reading only 3/25/03: Approved staff recommendation of GR-CO for 1st 700 feet off 620 and RR for balance (7-0); 2 nd reading 1/27/05: Approved staff recommendation of GR-CO for 1st 700 feet off 620 and RR for balance (7-0); 3 rd reading
C14-00-2122	RR to CS-1-CO for Tract 1 and LR-CO for Tracts 2 & 3	9/12/00: Approved LR-CO zoning for Tracts 1, 2, & 3 with following conditions: 1) Limit vehicle trips to 2,000 per day for Tracts 1&2; 2) Limit vehicle trips to 3,223 per day for Tract 3; 3) Property owner shall have a 10-foot setback with a vegetative buffer and hooded lights; 4) Garbage pickup shall be from 6-10 p.m.; 5) Construct an 8 foot fence (7-0, B.B. & S.A.-absent); S.L.-1 st , B.H.-2 nd .	10/12/00: Approved Planning Commission rec. of LR-CO, with conditions (7-0); 1 st reading 11/30/00: Approved LR-CO for Tracts 1&2, and CS-1-CO for Tract 3, prohibiting cocktail lounge use (7-0); 2 nd reading 1/25/01: Approved LR-CO for Tracts 1&2, and CS-1-CO for Tract 3, with the following conditions: 1) A 10-foot building setback along the east property

C2/4

			<p>line; 2) Limit vehicle trips to 2,000 per day for Tracts 1&2; 3) Limit vehicle trips to 3,223 per day for Tract 3; 4) Prohibit the following uses on Tract 1: Adult Businesses, Automotive Rental, Automotive Repair Services, Automotive Sales, Automotive Washing, Agricultural Sales and Services, Art and Craft Studio (General), Building Maintenance Services, Business or Trade School, Business Support Services, Campground, Cocktail Lounge, Commercial Blood Plasma Center, Commercial Off-Street Parking, Communication Services, Construction Sales and Services, Convenience Storage, Drop-Off Recycling Collection Facility, Electronic Prototype Assembly, Equipment Repair Services, Equipment Sales, Exterminating Services, Funeral Services, General Retail Sales, Hotel-Motel, Indoor Entertainment, Indoor Sports and Recreation, Kennels, Laundry Services, Monument Retail Sales, Outdoor Sports and Recreation, Pawn Shop Services, Personal Improvement Services, Research Services, Restaurant (General), Theater, Vehicle Storage, Veterinary Services, Custom Manufacturing, Limited Warehousing and Distribution, Maintenance and Service Facilities (7-0); 3rd reading</p>
C14-99-2083	GO to MF-1	11/16/99: Approved staff rec. of MF-1 by consent (7-0)	12/16/99: Approved PC rec. of MF-1-CO (7-0); all 3 readings
C14-99-0022	DR to SF-2	3/9/99: Approved staff rec. of SF-2 by consent (6-0)	4/8/99: Approved PC rec. of SF-2 (5-0); all 3 readings
C14-98-0050	LR, SF-6 to MF-2	5/26/98: Approved staff's alternate rec. of MF-2-CO (TR1), GO-CO (TR-2) by consent (8-0)	7/23/98: Approved MF-2 and GO (7-0); all 3 readings
C14-92-0058	SF-6 to NO, LR	9/1/92: Approved NO-CO	10/22/92: Approved NO-CO (6-0)

C2
1/5

RELATED CASES: C14-00-2122 (previous zoning case)
SP-01-0307C (site plan approved for the property)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
FM 620	150 ft.	2@27 ft.	Major Arterial	No	Yes	No

CITY COUNCIL DATE:

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us

02/6

SF-2

N FM 620 RD

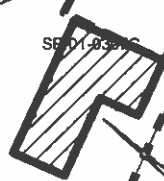
TRACT 2



CS-1-CO

TRACT 3

SF-01-0397C



LR-CO

00-2122

TRACT 1

SF-2

BOULDER LN

FOUNDATION RD

NO-CO




82-0058
SPC 03-03-04
SP95-0309A

SF-6

ZONING

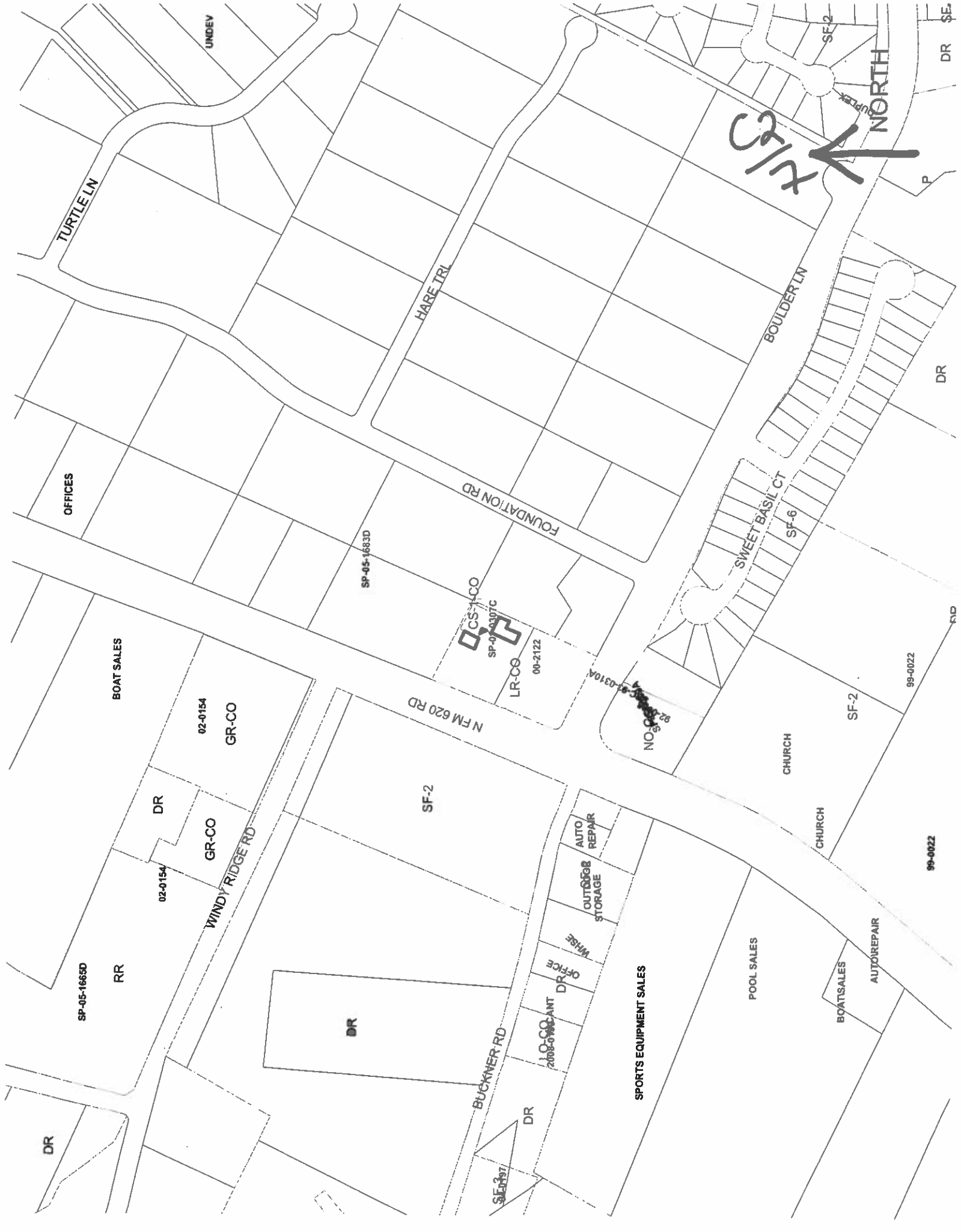
ZONING CASE#: C14-2010-0152
LOCATION: 10601 N FM 620 RD
SUBJECT AREA: 0.10 ACRES
GRID: E37
MANAGER: SHERRI SIRWAITIS



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 100'

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.



TURTLE LN

UNDEV

HARE TRL

SF-2

NORTH

DR SE

OFFICES

FOUNDATION RD

SP-05-1683D

CS-1-CO
SP-05-1683D
LR-CO
00-2122

BOULDER LN

DR

SWEET BASIL CT

SF-6

BOAT SALES

02-0154

GR-CO

N FM 620 RD

NO. 0310A
92

DR

GR-CO

SF-2

CHURCH

99-0022

SP-05-16650

RR

02-0154

GR-CO

WINDY RIDGE RD

DR

DR

BUCKNER RD

DR

2008-01-01

OFFICE

WHSE

OUTDOOR STORAGE

AUTO REPAIR

SPORTS EQUIPMENT SALES

POOL SALES

BOATSALES

AUTOREPAIR

CHURCH

SF-2

99-0022



LAKE TRL

FOUNDATION DR

CS-150

S&S Electric

2122

2100

BOULDER LN

WINNY RIDGE RD

N FM 620 RD

BUCKNER RD

104000
STONE

C2
/9

STAFF RECOMMENDATION

The staff's recommendation is to grant CS-1-CO, Commercial-Liquor Sales-Conditional Overlay District, zoning for Tract 1, Tract 2, and Tract 3 on this site. The conditional overlay would permit the Liquor Sales as the only 'CS-1' district use and limit the site to all other 'LR' district permitted uses.

Tract 1, 2, and 3 in this request are already limited to 2,000 trips per Ordinance No. 010125-14 from zoning case C14-00-2122.

BASIS FOR RECOMMENDATION

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

The Commercial-Liquor Sales (CS-1) district is intended for the development of a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

This tract of land is located with a vacant retail center that takes access to a North FM 620 Road, a major arterial roadway.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed rezoning will be compatible with surrounding land uses because there are commercial, restaurant, and office uses to the south of the site.

3. *The proposed zoning should allow for a reasonable use of the property.*

The proposed CS-1-CO district zoning at this location will allow the applicant to develop a Liquor Sales use within a vacant retail structure and will allow for additional commercial uses on the site to serve the public along a major arterial roadway within the city, North FM 620 Road.

EXISTING CONDITIONS

Site Characteristics

The site is currently developed with a vacant commercial structure/strip center. There are service station, convenience store, and restaurant uses (Chevron/Food Mart/Canyon Kitchen) to the south adjacent to Boulder Lane. To the east of the property, there are single-family residences (Canyon Creek Residential Neighborhood). To the north, there is a vacant temporary office structure and a religious assembly use (Peace Lutheran Church). The tract of land to the west, across FM 620, is undeveloped.

Environmental

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Lake Travis Watershed of the Colorado River Basin, and is classified as a Water Supply Rural Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

C2/10

Single family or duplex development within a Water Quality Transition Zone may not exceed a density of one unit per three acres, exclusive of land within a 100-year floodplain, and must have a minimum lot size of 2 acres.

According to flood plain maps, there is no flood plain in or within close proximity of the project location.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

No trees are located within the proposed areas to be rezoned. At this time, site specific information is unavailable regarding other 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 on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

Impervious Cover

The maximum impervious cover allowed by the CS-1 zoning district would be 95%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>	<i>Allowable Density</i>
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

Note: The most restrictive impervious cover limit applies.

Site Plan/Compatibility Standards

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. Along the east property line, the following standards apply:

- No structure may be built within 25 feet of the property line.

C2
11

- 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.

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

- 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-2 property.
- No parking or driveways are allowed within 25 feet of the property line
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- 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-I, or CH.
- 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.

This site is in the Scenic Roadway Sign District. All signage must comply with Scenic Roadway sign district regulations.

Hill Country Roadway

The site is located within 1,000 feet RM 620 and within a Hill Country Roadway Corridor. The site is located within the moderate intensity zone of 620. The site may be developed with the following maximum floor-to-area ratio (FAR):

<u>Slope</u>	<u>Maximum FAR</u>
0-15%	.25
15-25%	.10
25-35%	.05

Except for clearing necessary to provide utilities or site access, a 100 foot vegetative buffer will be required along 620. At least 40% of the site (excluding dedicated right-of-way) must be left in a natural state. The allowable height is as follows: Within 200 feet of 620 the maximum height is 28 feet, and beyond 200 feet the maximum height is 40 feet.

Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Zoning and Platting Commission

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

C2
12

Transportation

The site is limited to 2,000 trips per Ordinance No. 010125-14 from zoning case C14-00-2122.

FYI: The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for FM 620. If the site is redeveloped, it is recommended that 125 feet of right-of-way from the existing centerline should be preserved for FM 620 according to the AMATP.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
FM 620	150 ft.	2@27 ft.	Major Arterial	No	Yes	No

Water and Wastewater

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 plan 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.