

C13  
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**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2014-0045 – El Chilito Restaurant      **P.C. DATE:** June 24, 2014

**ADDRESS:** 4501 and 4503 Manchaca Road

**OWNER:** Swenson Family Trust      **APPLICANT:** El Chile Restaurant Group  
(Deborah S. Hamilton; Thomas E. Swenson)      (Carlos Rivero)

**AGENT:** Alice Glasco Consulting (Alice Glasco)

**ZONING FROM:** LO-V      **TO:** LR-V      **TOTAL AREA:** 0.44 acres  
(19,166 square feet)

**SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant neighborhood commercial – vertical mixed use building – conditional overlay (LR-V-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

If the requested zoning is recommended for this site, then Staff recommends a Restrictive Covenant to include all recommendations listed in the Neighborhood Traffic Analysis memorandum, dated May 20, 2014, as provided in Attachment A.

**PLANNING COMMISSION RECOMMENDATION:**

June 24, 2014:

**ISSUES:**

None at this time.

**DEPARTMENT COMMENTS:**

The subject portions of two platted lots contain a vacant child care facility and are zoned limited office – vertical mixed use building (LO-V) combining district. Access is taken to both Manchaca Road and Redd Street, a signalized intersection. There is a service station with food sales use across Redd Street to the north (LR-V), single family residences to the east that front on Merle Drive (SF-3) and a religious assembly use and offices to the south (LO). The west side of Manchaca Road includes two churches and an AISD elementary school (LO; SF-3; LO-MU-CO). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).

The Applicant proposes to rezone the property to the neighborhood commercial – vertical mixed use building (LR-V) combining district zoning as the first step in converting the

property to a restaurant use. Driveway access is proposed to be taken from both Manchaca Road and Redd Street.

Restaurant (general) and (limited) uses are first allowed in the neighborhood commercial (LR) zoning district. The restaurant (general) use is limited to 4,000 square feet of gross floor area, and has limited hours of operation and outdoor seating area, prohibits outdoor entertainment as an accessory use, as well as outdoor amplified sound and drive-through facilities [LDC Section 25-2-587(D)]. The restaurant (limited use) excludes the sale of alcoholic beverages for on-premises consumption.

Staff recommends the Applicant’s request based on the following consideration of the property: location at a signalized arterial and a collector street intersection, and a restaurant use would be available to serve residents of the adjacent subdivisions, as well as capture “pass by” traffic from the nearby residential developments. In addition, the property is identified as a “Neighborhood Node” on the Draft Character Districts map for the South Austin Combined Neighborhood Plan Area. A Neighborhood Node is envisioned for neighborhood-serving businesses and places to gather such as restaurants, shops, offices and multi-family housing. The Conditional Overlay calls for a maximum number of daily vehicle trips that will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	LO-V	Vacant child care facility
<i>North</i>	LR-V	Service station with food sales; Medical office
<i>South</i>	LO	Church; Offices
<i>East</i>	SF-3	Single family residences
<i>West</i>	SF-3; LO-MU-CO; LO	AISD Elementary School; Churches

**NEIGHBORHOOD PLANNING AREA:** South Austin Combined (South Manchaca)

**NTA:** Is required – Please refer to Attachment A

**WATERSHED:** Williamson Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**SCENIC/HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

- 26 – Far South Austin Community Association
- 627 – Onion Creek Homeowners Association
- 943 – Save Our Springs Alliance
- 1037 – Homeless Neighborhood Association
- 1108 – Perry Grid 644
- 1200 – Super Duper Neighborhood Objectors and Appealers Organization
- 511 – Austin Neighborhoods Council
- 742 – Austin Independent School District
- 950 – Southwood Neighborhood Association
- 1075 – Bike Austin

1224 – Austin Monorail Project  
 1236 – The Real Estate Council of Austin, Inc.  
 1292 – Western Trails Neighborhood Association  
 1340 – Austin Heritage Tree Foundation  
 1424 – Preservation Austin  
 1447 – Friends of the Emma Barrientos MACC

1228 – Sierra Club, Austin Regional Group  
 1363 – SEL Texas  
 1429 – Go!Austin/Vamos!Austin (GAVA)-78745

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2010-0077 – Woodlawn 4 – 4600 Manchaca Road	SF-3 to LO-MU- CO	To Grant LO-MU-CO w/CO limiting development to religious assembly and SF-2 uses, and 2,000 daily trips; RC for the Neighborhood Traffic Analysis	Apvd LO-MU-CO with Restrictive Covenant as Commission rec., (08-26-2010).
C14-05-0087 – 4611 Manchaca Road	SF-3 to LO	To Grant LO-CO with the CO for 35% building coverage; 60% impervious cover; 35' and 2 story height limit; FAR of 0.11 to 1; 300 trips per day; and prohibit college and university facilities, convalescent services, cultural services, hospital services (ltd), communication services, and medical offices greater than 5,000 square feet	Apvd LO-CO as Commission rec., (8-4- 2005).
C14-04-0152 – 4607 Manchaca Road	SF-3 to LO	Granted as requested	Apvd LO-CO with the CO limiting the F.A.R. to the existing building square footage; medical offices as the only LO use and all NO, Neighborhood Office uses; all NO development standards and 300 vehicle trips (1-13-2005).

**RELATED CASES:**

The subject property is within the boundaries of the South Manchaca Neighborhood Planning Area Rezoning (C14-2014-0018). No base district zoning changes are proposed, and the scope of this zoning change is proposed to add a-NP combining district, as well as design tools & special use infill options, restricted parking and restricted mobile food vending.

The -V, vertical mixed use building combining district was appended to the rezoning area (Tract 7) on December 13, 2007 (C14-2007-0216 – South Manchaca Vertical Mixed Use (VMU) Zoning). Development which complies with the -V district is eligible to receive the following bonuses: dimensional standards, parking reductions and additional uses in office districts. Ten percent of residential units available for rental shall be reserved for households earning no more than 60 percent of the Annual Median Family Income.

The property was rezoned to the “O, Office, First Height and Area district (converted to LO zoning in 1984) in May 1973 (C14-72-283 – Fred J. Quist, et al). The rezoning consists of portions of Lots 5 and 6 of the Ford Place, Number One plat recorded in June 1949 (C8-1946-1766 – Ford Place No. 1). Please refer to Exhibit B.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Manchaca Road	53 feet	55 feet	Major Arterial	Yes	Yes	Yes
Redd Street	50 feet	40 feet	City Collector	Yes	No	No

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows: Manchaca Rd.

**CITY COUNCIL DATE:** August 7, 2014**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup>                      2<sup>nd</sup>                      3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@austintexas.gov**PHONE:** 512-974-7719

**STAFF RECOMMENDATION**

The Staff's recommendation is to grant neighborhood commercial – vertical mixed use building – conditional overlay (LR-V-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

If the requested zoning is recommended for this site, then Staff recommends a Restrictive Covenant to include all recommendations listed in the Neighborhood Traffic Analysis memorandum, dated May 20, 2014, as provided in Attachment A.

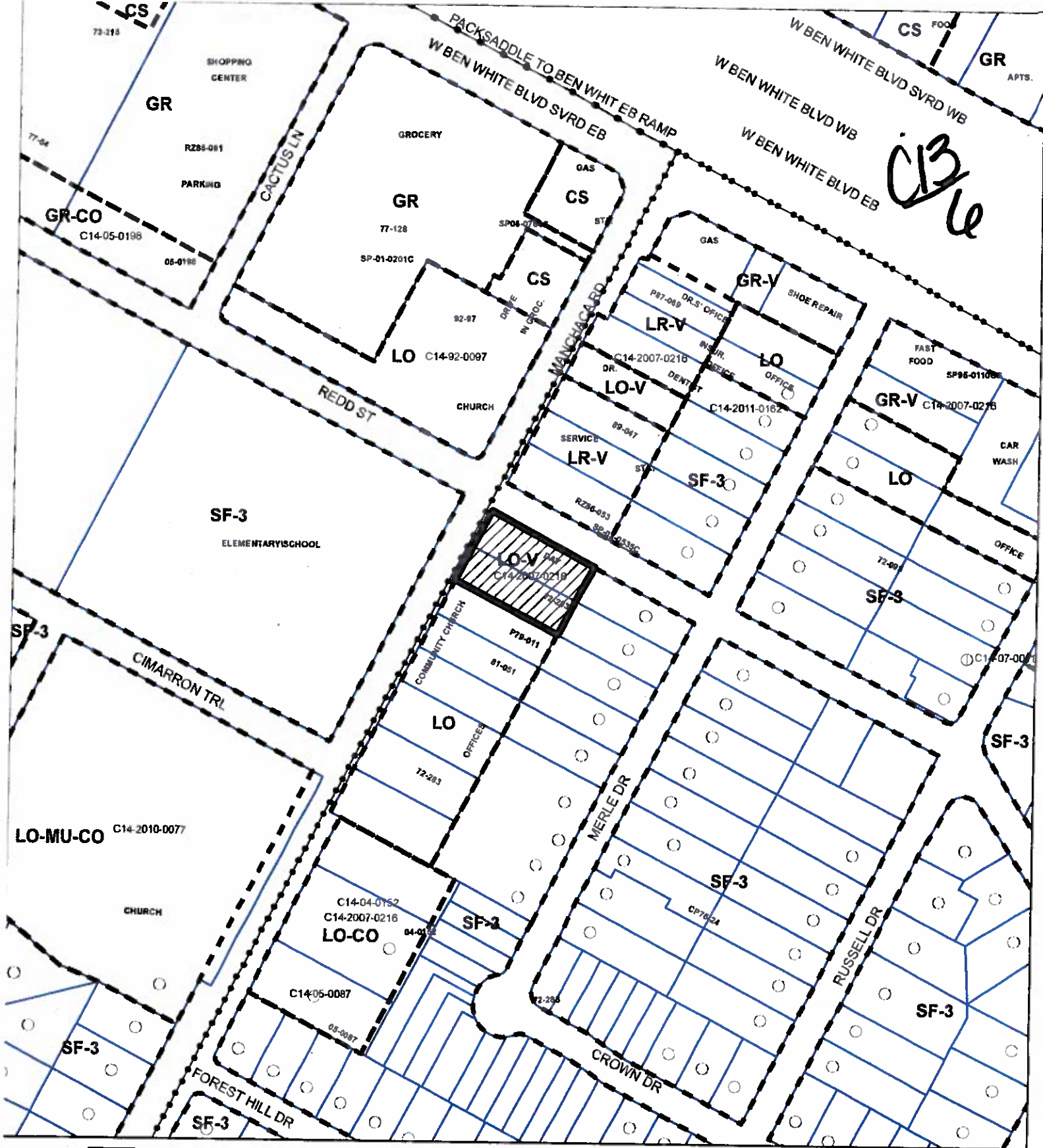
**BASIS FOR RECOMMENDATION**

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




The neighborhood commercial (LR) district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: "The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment." The vertical mixed use building (V) determination will encourage mixed uses on the site by implementing VMU standards and encouraging a diversification of land uses.

2. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

Staff recommends the Applicant's request based on the following consideration of the property: location at a signalized arterial and a collector street intersection, and a restaurant use would be available to serve residents of the adjacent subdivisions, as well as capture "pass by" traffic from the nearby residential developments. In addition, the property is identified as a "Neighborhood Node" on the Draft Character Districts map for the South Austin Combined Neighborhood Plan Area. A Neighborhood Node is envisioned for neighborhood-serving businesses and places to gather such as restaurants, shops, offices and multi-family housing. The Conditional Overlay calls for a maximum number of daily vehicle trips that will limit development to maintain acceptable traffic conditions on adjacent roadways and intersections.



C136

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING**  
**CASE#: C14-2014-0045**

*EXHIBIT A*

1" = 200'

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



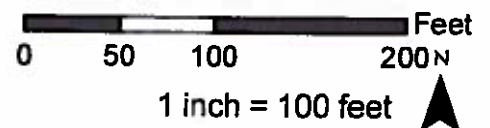
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**SUBJECT TRACT**  
(approx. 0.445 acres)

Aerial: 2012-01

**Exhibit A - 1**  
**Aerial & Zoning**



FORT VIEW ROAD



THE STATE OF TEXAS  
 COUNTY OF TRAVIS  
 KNOW ALL MEN BY THESE PRESENTS  
 THAT WE, J.B. FORD AND WIFE, HATTIE FORD, OWNERS OF THE TRACT OF LAND DESCRIBED IN PLAT NUMBER ONE, VOLUME FOUR, OF THE PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY, A TRUE AND CORRECT COPY OF THE SAID PLAT, AS THE SAME IS SHOWN TO THE PUBLIC IN PLAT NUMBER ONE, AND WE HAVE DESIGNATED THE SAME TO BE THE PUBLIC ALL STREETS SHOWN HEREON AS FAR AS OUR INTERESTS MAY EXTEND.

WITNESSED OUR HANDS THIS 11th DAY OF FEBRUARY 1904

*J.B. Ford*  
*Hattie Ford*

THE STATE OF TEXAS  
 COUNTY OF TRAVIS  
 I, BRYAN MICHELLE, CLERK OF SAID COUNTY, TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING PLAT, SHOWING THE LOTS AND STRAITS THEREON, WAS FILED FOR RECORD IN MY OFFICE ON THE 11th DAY OF FEBRUARY 1904, AND THAT SAID PLAT IS CORRECT AND TRUE TO THE ORIGINAL INSTRUMENTS THEREON, AND THAT THE SAID INSTRUMENTS WERE FILED FOR RECORD IN MY OFFICE ON THE 11th DAY OF FEBRUARY 1904.

DATE FEB 11 1904

BRYAN MICHELLE  
 CLERK OF TRAVIS COUNTY, TEXAS

THE STATE OF TEXAS  
 COUNTY OF TRAVIS  
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DATE FEB 11 1904

J.B. FORD  
 CLERK OF TRAVIS COUNTY, TEXAS

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 8/13

EXHIBIT B  
 RECORDED  
 PLAT

REZONING  
 AREA







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**MEMORANDUM**

**TO:** Wendy Rhoades, Case Manager  
**CC:** Alice Glasco (Applicant)  
**DATE:** May 20, 2014  
**SUBJECT:** Neighborhood Traffic Analysis for Zoning Case # C14-2014-0045

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The Transportation Review has performed a neighborhood traffic impact analysis for the above referenced case and offers the comments below. 4501 Manchaca is located in south Austin just south of Hwy 71 and about .5 mile southeast of S. Lamar. The .45 acre tract which is currently zoned Limited Office is requesting a zoning change to Limited Restaurant (LR-V). The tract will have vehicular access from two existing streets – Manchaca Rd (major arterial on the west) and Redd Street (on the north). Surrounding the tract to the west and east is SF-3 zoning and to the north and south is LR and LO zoning, respectively.

**ROADWAYS**

The table below provides the street characteristics for the roadways that the proposed project will be accessing.

Name	ROW	Pavement	Classification
Redd Street	50'	40'	City Collector

**Trip Generation and Traffic Analysis**

Based on the ITE's publication Trip Generation, the proposed development at the time of site plan may generate a maximum up to 2,338 vehicles per day (vpd). This trip generation is based on the assumption that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics). The applicant, however, is agreeing to a conditional overlay (CO) of 2,000 vehicle trip and the following traffic estimations are based upon this CO.

ATTACHMENT A

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Land Use	Acres	Trips Per Day
LR-V	.445	2,000 (per CO)

**Trip Distribution and Assignment**

Distribution of trips was estimated as follows:

Street	Site Traffic
Manchaca Rd.	75%
Redd St.	25%

Below is a table containing the estimated number of trips that will affect each street:

Street	Existing Traffic	Site Traffic (vpd)	Total Traffic after Project
Redd St.	3,226	500	3,726

**Desirable Operating Level**

The Land Development Code specifies desirable operating levels for certain streets in section 25-6-116. These levels are as follows:

Street	Site Traffic
Less than 30 feet	1,200
30 feet to 40 feet	1,800
40 feet or wider	4,000

**CONCLUSIONS**

- 1) The neighborhood traffic analysis was triggered because the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 trips per day, and the project has access to a local or residential collector street where at least 50 percent of the site frontage has an SF-5 or more restrictive zoning designation.
- 2) In order to minimize traffic on surrounding streets, the intensity and uses for this rezoning should be limited to less than 2,000 unadjusted vehicle trips per day.

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Bryan Golden

Planner, Transportation Review, PDRD

## EXISTING CONDITIONS

### Site Characteristics

The site consists of a vacant child care facility, and there appear to be no significant topographical constraints on the site.

### Impervious Cover

The maximum impervious cover allowed by the LR-CO zoning district would be 80%, which is a consistent figure between the zoning and watershed regulations.

### Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson 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.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. 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 requires water quality control with increased capture volume and control of the 2 year storm on site.

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**Transportation**

The Austin Metropolitan Area Transportation Plan calls for a total of 86 feet of right-of-way for Manchaca Road. If the requested zoning is granted, then 43 feet of right-of-way should be dedicated and 43 feet of right-of-way reserved from the existing centerline of Manchaca Rd. in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

*FYI: Additional right-of-way will be required at the time of subdivision and/or site plan.*

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]

A Neighborhood Traffic Analysis is required and will be performed for this project by the Transportation Review staff. [LDC, Sec. 25-6-114]. Results are provided in Attachment A.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

**Water and Wastewater**

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 proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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.

**Compatibility Standards**

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 subject to compatibility standards. Along the east and west property lines, the following standards apply:

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.

- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. 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.

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

This site is within the South Manchaca Neighborhood Plan, which is within the South Austin Combined Neighborhood Planning Area. This plan is currently under review.

### PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.austintexas.gov](http://www.austintexas.gov)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2014-0045  
Contact: Wendy Rhoades, 512-974-7719  
Public Hearing: June 24, 2014, Planning Commission  
August 7, 2014, City Council

ROBERT D. HOPE  
Your Name (please print)  
4700-FRONTIER  
4404-MERIE DR

I am in favor  
 I object

Your address(es) affected by this application

Robert D. Hope  
Signature  
6/17/14  
Date

Daytime Telephone: 512-762-4485

Comments:

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If you use this form to comment, it may be returned to:  
City of Austin  
Planning & Development Review Department  
Wendy Rhoades  
P. O. Box 1088  
Austin, TX 78767-8810

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