

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 for the Neighborhood Traffic Analysis memorandum, dated May 20, 2014, as provided in Attachment A.

PLANNING COMMISSION RECOMMENDATION:

June 24, 2014: *APPROVED LR-V-CO DISTRICT ZONING, WITH A RESTRICTIVE COVENANT FOR THE NEIGHBORHOOD TRAFFIC ANALYSIS, AS STAFF RECOMMENDED, BY CONSENT*

[R. HATFIELD; B. ROARK – 2ND] (5-0) J. NORTEY, S. OLIVER, J. STEVENS – ABSENT; 1 VACANCY ON THE COMMISSION

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject portions of two platted lots contain a 1,440 square foot vacant child care facility and surrounding parking area (23 spaces) that has limited office – vertical mixed use building (LO-V) zoning. 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 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association 742 – Austin Independent School District
 943 – Save Our Springs Alliance 950 – Southwood Neighborhood Association

1037 – Homeless Neighborhood Association 1075 – Bike Austin
 1108 – Perry Grid 644
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group
 1236 – The Real Estate Council of Austin, Inc.
 1292 – Western Trails Neighborhood Association
 1340 – Austin Heritage Tree Foundation 1363 – SEL Texas
 1424 – Preservation Austin 1429 – Go!Austin/Vamos!Austin (GAVA)-78745
 1447 – Friends of the Emma Barrientos MACC

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
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).
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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: 1st

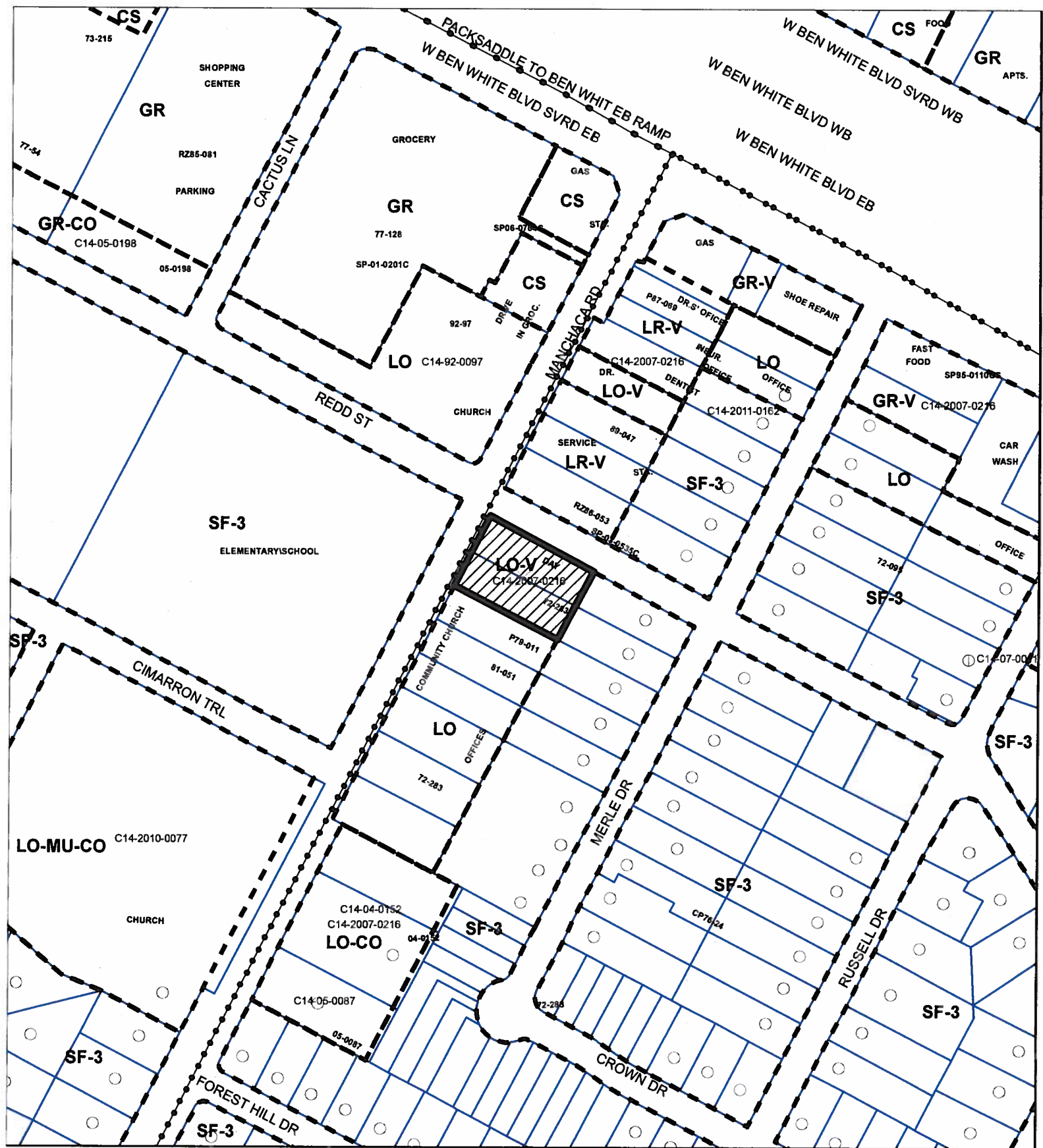
2nd




3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719



-  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.



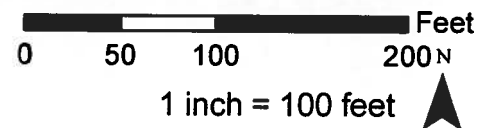
C14-2014-0045 / El Chilito Restaurant



SUBJECT TRACT
(approx. 0.445 acres)

Aerial: 2012-01

Exhibit A - 1
Aerial & Zoning





MEMORANDUM

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

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

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.


Bryan Golden

Planner, Transportation Review, PDRD

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 for 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.

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.

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

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

Your Name (please print)

Wendy Rhoades
4700-FRONTIER TR
4404-MERIE DR

☒ I am in favor
☐ I object

Your address(es) affected by this application

4700-FRONTIER TR
4404-MERIE DR

Signature

Date

Daytime Telephone: 512-762-4483

Comments:

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

INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / re zonificación será repasada y acción será tomada de acuerdo a dos audiencias públicas: ante la Comisión de Usos Urbanos y el cabildo municipal. Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al proposito desarrollo urbano o cambio de zonificación. Usted también puede contactar a una organización de protección al medio ambiente u organización de vecinos que haya expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rézonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la *Internet*:

www.austintexas.gov

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Numero de caso: C14-2014-0045

Persona designada: Wendy Rhoades, 512-974-7719

Audiencia Publica: Jun 24, 2014, Planning Commission
Aug 7, 2014, City Council

Phyllis Joan Owens

Su nombre (en letra de molde)

President of Southwood NA

Su domicilio(s) afectado(s) por esta solicitud

Phyllis Joan Owens

Firma

6/15/2014

Fecha

Daytime Telephone: 512 447-3115

Comments: Based on positive discussion at Southwood Neighborhood general meeting and responses posted on Southwood Neighbor listserve, it appears that Southwood NA is in favor of EL Chilites plans to locate within the neighborhood.

Si usted usa esta forma para proveer comentarios, puede retornarlos :
City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2014-0045

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: June 24, 2014, Planning Commission

August 7, 2014, City Council

Wendy Rhoades
Your Name (please print)

1808 Redd St 78745
Your address(es) affected by this application

Wendy Rhoades
Signature

6/18/14
Date

Daytime Telephone: *512-789-1965*

Comments:

I am in favor of the rezoning.

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

Rhoades, Wendy

From: Chris Ewen <[REDACTED]>
Sent: Wednesday, July 02, 2014 7:19 PM
To: Rhoades, Wendy
Subject: C14-2014-0045 comments / El Chile

Wendy,
I hope you're well; please find my enclosed support for El Chile.
Thanks,
C

--
Chris Ewen
(512)633-5635