

ZONING CHANGE REVIEW SHEET

CL

CASE: C14-2014-0197 – Callahan’s General Store **Z.A.P. DATE:** January 20, 2015
of Austin, Inc.

ADDRESS: 3329 East State Highway 71 Westbound

DISTRICT AREA: 2

OWNER: Callahans General Store of Austin, Inc. **AGENT:** Metcalfe Stuart Wolff &
(Verlin Callahan) Williams, LLP (Michele R. Lynch)

ZONING FROM: I-SF-2 **TO:** LR **AREA:** 0.162 acres (7,033 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial (LR) district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

January 20, 2015:

DEPARTMENT COMMENTS:

The subject property is undeveloped and is situated at the west corner of East State Highway 71 and Fallwell Lane, a signalized intersection, and also has access to Bessie Street, a local street. There are single family residences and manufactured homes to the north and west (I-SF-2) and undeveloped property across Fallwell Lane to the east within a planned development area known as Austin Interport (LI-PDA). The south side of East SH 71 in proximity to its intersection with FM 973 is developed with commercial uses. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to zone the property to the neighborhood commercial (LR) district as the first step in developing the property with a retail sales (convenience) use. Driveway access is proposed to be taken from East State Highway 71.

Staff recommends the Applicant’s request for LR zoning based its location at a signalized arterial and a collector street intersection, and a retail sales use or other neighborhood serving commercial uses would be available to serve residents of the adjacent subdivisions, as well as capture “pass by” traffic on SH 71.

6/2

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-SF-2	Undeveloped; Utility box
<i>North</i>	I-SF-2	Single family residence; Manufactured homes
<i>South</i>	GR-CO; I-RR; SF-2; DR (across SH 71)	Service station/food sales; Church; Undeveloped
<i>East</i>	LI-PDA	Undeveloped
<i>West</i>	I-SF-2	Single family residences; Manufactured homes; Undeveloped lots

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Colorado River

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes, SH 71

SCHOOLS:

Located within the Del Valle Independent School District

Hornsby-Dunlap Elementary School

Dailey Middle School

Del Valle High School

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

774 – Del Valle Independent School District

1005 – Elroy Neighborhood Association

1075 – Bike Austin

1138 – Far Southeast Improvement Association

1195 – Imperial Valley Neighborhood Association

1228 – Sierra Club, Austin Regional Group

1236 – The Real Estate Council of Austin, Inc. 1258 – Del Valle Community Coalition

1340 – Austin Heritage Tree Foundation

1363 – SEL Texas

1447 – Friends of the Emma Barrientos MACC

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-01-0075 – Shave Ice Stand – 3201 E SH 71 WB at FM 973	I-RR to GR- CO	To Grant GR-CO w/CO for 2,000 trips/day	Approved GR-CO as ZAP rec (07-19-2001).
C14-99-2052 and C14-99-2053 – Austin Interport (East and West) – Fallwell Ln. at SH 71 East	DR, I-SF-2, I- RR to LI-PDA	To Grant GR for Blk A & 1-2 of Blk H w/conds; GR for Blk C & 3-8 of Blk I w/conds; MF-3 for Blk B, 1 of Blk F, & 5 of Blk G w/conds; & numerous other apvls &	Approved LI-PDA with attached site development standards, RCs for 175' reservation of r-o-w on SH 71 (9-28-2000).

		conds too	
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RELATED CASES:

The property is a portion of Lot 1, Block 7 of the Davidson City Addition subdivision, recorded in 1942 (C8-1942-1677). Right-of-way was acquired along the SH 71 frontage in March 2014. There are no site plan applications approved or in process on the subject property. Please refer to Exhibit B (Recorded Plat).

The property was annexed into the Full-purpose City limits on August 30, 2001 (C7a-01-002).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within 1/4 mile)
State Highway 71	190 – 300 feet	90 feet	Freeway	Yes	Yes	Yes
Bessie Avenue	50 feet	20 feet	Local	No	No	Yes
Fallwell Lane	130 feet	30 feet	Collector	No	No	Yes

CITY COUNCIL DATE: February 26, 2015

ACTION:

ORDINANCE READINGS: 1st

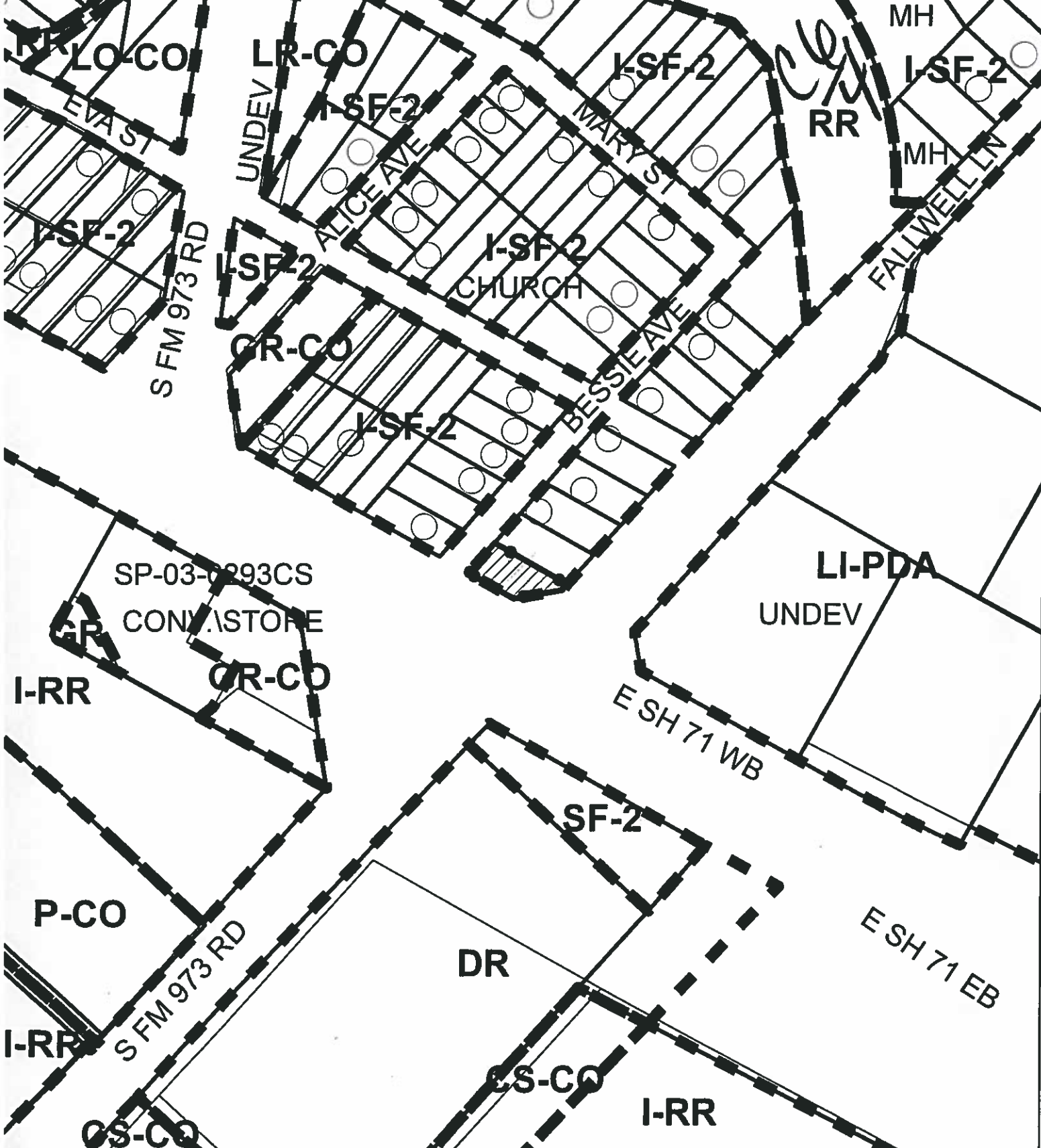
2nd




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
C14-2014-0197

Exhibit A



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.

1" = 200'



I-SF-2

I-SF-2

MARY ST

MH
I-SF-2
ALICE AVE

CHURCH

EVA ST

GR-CO

01-0075

I-SF-2

I-SF-2

BESSIE AVE

FALLWELL LN

SP 08-0293CS

CONV STORE

LHPDA UNDEV

GR-CO

08-0047B

E SH 71
EB TO
FALLWELL

E SH 71
WB TO S
FM 973

E SH 71 WB

I-RR

S FM 973 RD

E SH 71 EB

RESIDENTIAL
TREATMENT/TRANSITIONAL
HOUSING

DR

CHURCH

SF-2

Exhibit A
North

CO

DAVIDSON CITY ADDITION

196
197

THE STATE OF TEXAS) KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS)

That I, E.L. Roberts, owner of the herein subdivided tract of land, and being the South portion of a 432.9 ac tract of land, as conveyed to me by H.L. Royster in Vol. 582, page 610 of Travis County Deed Records, and said 432.9 ac tract of land being a part of a 642.4 ac tract as conveyed by C.A. Elbaum to A.L. Royster, as recorded in Vol. 660 Page 448 of Travis County Deed Records, and said subdivision being out of the Santiago Col Valle Grant League in Travis County, Texas I do hereby adopt this plat or map as my subdivision, to be known as Davidson City Addition, and I do hereby dedicate and set apart for public use as Streets, the streets shown hereon, so far as my interest may appear.

THE STATE OF TEXAS)
COUNTY OF TRAVIS)

Before Me, the undersigned, a Notary Public in and for said County and State, on this 13th day personally appeared E.L. Roberts, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

David E. Gracy
Notary Public in and for Travis County, Texas

Seal

E.L. Roberts
E.L. Roberts (owner)

See last Book 4
page 196 for
com. court approval's.

FILED FOR RECORD
This 13th day of July AD 1942
at 10 o'clock P.M.
MISS EMILIE LINBERG
County Clerk

Seal

BY J. Quirens
Deputy

Seal

RECORDED
On the 13th day of July AD 1942
at 10 o'clock P.M., in Book 4
Page 196 of Travis County Deed Records
MISS EMILIE LINBERG
County Clerk

BY J. Quirens
Deputy

SKETCHED IN 1941
BY G. Leonard
Leonard Civil Engineer

SCALE 1 inch = 100 FT
0-17 corners set
D. Cane R.W.M. Mgr
Plotted by C.P. Soback Jr.

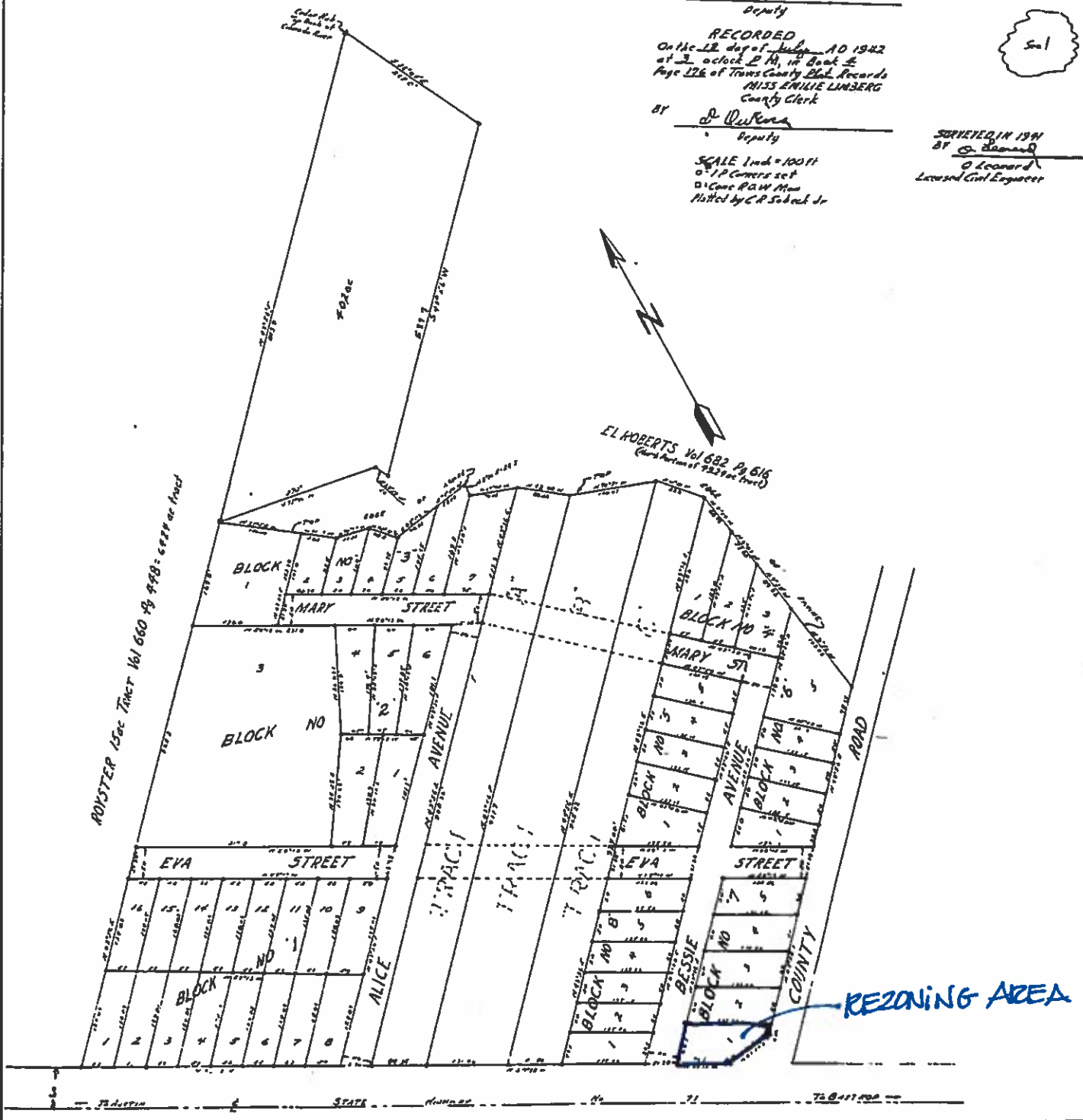


EXHIBIT B
RECORDED PLAT

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial (LR) district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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 property has frontage on Fallwell Lane.

2. 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 collectors.

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

Staff recommends the Applicant's request for LR zoning based its location at a signalized arterial and a collector street intersection, and a retail sales use or other neighborhood serving commercial uses would be available to serve residents of the adjacent subdivisions, as well as capture "pass by" traffic on SH 71.

EXISTING CONDITIONS**Site Characteristics**

The subject lot is undeveloped and is fairly flat. There appear to be no significant topographical constraints on the site.

Impervious Cover

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

Comprehensive Planning

This zoning case is located on the north side of Bastrop Highway/SH 71, between Bessie Avenue and Falwell Lane. The property is approximately 0.162 acres in size, is undeveloped,

and is not located within the boundaries of an area with an adopted neighborhood plan. Surrounding land uses include single family housing to the north and west, vacant land to the east, and a convenience store/gas station to the south (which is across SH 71). The proposed use is general/convenience store.

Imagine Austin

As this case is small in scope, it is not at a level of review that can be considered by Imagine Austin which is broad in scope. Thus, when looking through the lens of Imagine Austin, this case is neutral.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Colorado River Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<u>Development Classification</u>	<u>% of Net Site Area</u>	<u>% with Transfers</u>
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 boundary.

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

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 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 on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Site Plan

C6/a

The site is subject to compatibility standards along all shared property lines, as this tract is surrounded by I-SF-2 zoned lots. Along all property lines adjacent to single family, the following standards will apply with any future development:

- 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 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.

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

This site is in the Scenic Roadway Sign District. All signs must comply with Scenic Roadway sign district regulations, 25-10-124 of the Land Development Code.

This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.

Transportation

Additional right-of-way may be required at the time of subdivision and/or site plan.

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for SH 71. TxDOT may request the reservation of additional right-of-way in accordance with the Transportation Plan when the site is redeveloped [LDC, Sec. 25-6-51 and 25-6-55].

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].

Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

Water / 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. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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. 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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