

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2016-0046 – 7720 & 7800 South 1<sup>st</sup> Street    **Z.A.P. DATE:** June 7, 2016

**ADDRESS:** 7720 and 7800 South 1<sup>st</sup> Street

**DISTRICT AREA:** 2

**OWNER & APPLICANT:** Adam Diaz

**ZONING FROM & TO:** CS-CO (Tract 1);                      **AREA:** 1.619 acres  
GR-MU-CO (Tract 2), to change a condition of zoning

**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant:

On Tract 1: general commercial services – conditional overlay (CS-CO) combining district zoning and remove the following uses from the prohibited use list: food sales, general retail sales (convenience & general), hotel-motel, indoor entertainment, off-site accessory parking, personal improvement services, personal services, and restaurant (general & limited); and

On Tract 2: community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning and remove the following uses from the prohibited use list: food preparation, general retail sales (general), hotel-motel, indoor entertainment, indoor sports and recreation, personal improvement services, and theater.

For Tracts 1 and 2, an additional CO is to limit the number of driveways to South 1<sup>st</sup> Street to one.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

June 7, 2016:

**ISSUES:**

The Applicant would like to discuss the Staff recommendation as it pertains to removing outdoor entertainment and outdoor sports and recreation on Tracts 1 and 2 from the prohibited use list. The outdoor entertainment use is a conditional use in the CS and GR districts, and the Applicant is seeking to establish outdoor sports and recreation as a conditional use. A conditional use permit site plan is reviewed and must be approved by the Commission.

**DEPARTMENT COMMENTS:**

The subject two lots contain a community garden, are otherwise undeveloped and take access to South 1<sup>st</sup> Street. Tract 1, the northern lot, is zoned general commercial services – conditional overlay (CS-CO) combining district and Tract 2, the southern lot, is zoned community commercial – mixed use – conditional overlay (GR-MU-CO) combining district, by way of zoning cases in 2005. On both lots, the Conditional Overlay prohibits a number of land uses. There is a child care facility to the south (LO) and a vacant food sales use at the corner of Dittmar and South First Street (LR); attached condominiums under construction to the west at the corner of Dittmar and Cooper (MF-1-CO); and a pipeline easement, commercial use and undeveloped property to the north (SF-2; DR). Across South 1<sup>st</sup> Street to the west, there is a service station with food sales and other commercial uses, and undeveloped commercial land (LR). The nearest single family residences back up to South 1<sup>st</sup> Street and take primary access to Elderberry Drive. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to modify the Conditional Overlay on both lots to remove certain prohibited uses in order to develop the site with several greenhouses, a community garden and a parking area on Tract 1, and a theater, restaurant, six residential units and a parking area on Tract 2. Please refer to Exhibits C (2005 Zoning Ordinances) and D (Conceptual Site Plan). On Tract 1 (CS-CO), the Applicant proposes to remove the following uses from the prohibited use list:

|                               |  |                                |
|-------------------------------|--|--------------------------------|
| food sales                    | general retail sales (convenience & general) | hotel-motel                    |
| indoor entertainment          | off-site accessory parking                   |                                |
| outdoor sports and recreation | outdoor entertainment                        |                                |
| personal improvement services | personal services                            | restaurant (general & limited) |

On Tract 2 (GR-MU-CO), the Applicant proposes to remove the following uses from the prohibited use list:

|                               |                                |             |
|-------------------------------|--------------------------------|-------------|
| food preparation              | general retail sales (general) | hotel-motel |
| indoor entertainment          | indoor sports and recreation   |             |
| outdoor sports and recreation | outdoor entertainment          |             |
| personal improvement services | theater                        |             |

Recent condominium developments to the west have changed the vicinity's character to some degree since the CS-CO and GR-MU-CO zonings were approved in 2005. Many of the above-listed uses would capture pass-by traffic, serve the surrounding neighborhoods and are also typically located a major arterial roadway. In addition, the site is also located adjacent to non-residential zoning and the 50-foot wide pipeline easement to the north. Staff has concerns, however, that the outdoor entertainment and outdoor sports and recreation uses on Tracts 1 and 2 have the potential to create conflicts with the condominium project that is in the initial phases of construction to the west. Due to the property's frontage on South 1<sup>st</sup> Street, Staff is also recommending a CO to limit the number of driveways on the site to one.

**EXISTING ZONING AND LAND USES:**

|              | <b>ZONING</b> | <b>LAND USES</b>  |
|--------------|---------------|---|
| <i>Site</i>  | CS-CO; GR-CO  | Undeveloped; Community garden   |
| <i>North</i> | SF-2; DR      | Pipeline easement; Warehouses; Undeveloped  |
| <i>South</i> | LO; LR        | Child care facility; Food sales (vacant)  |
| <i>East</i>  | LR; SF-3      | Service station with food sales, personal services, retail sales and restaurant; Single family residences |
| <i>West</i>  | MF-1-CO       | Condominiums (under construction)   |

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHED:** South Boggy Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**SCHOOLS:**

Williams Elementary School

Bedichek Middle School

Crockett High School

**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association

39 – Matthews Lane Neighborhood Association

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

742 – Austin Independent School District

1228 – Sierra Club, Austin Regional Group

1340 – Austin Heritage Tree Foundation

1363 – SEL Texas

1372 – Peaceful Hill Preservation League

1374 – Friends of Williams Elementary

1424 – Preservation Austin

1429 – Go!Austin / Vamos!Austin (GAVA) – 78745

1440 – South Boggy Creek Environmental Association

1494 – South Boggy Creek Neighborhood Association

1528 – Bike Austin

1530 – Friends of Austin Neighborhoods

1550 – Homeless Neighborhood Association

**CASE HISTORIES:**

| <b>NUMBER</b>   | <b>REQUEST</b>       | <b>COMMISSION</b>  | <b>CITY COUNCIL</b>  |
|---|----------------------|--|--|
| C14-2015-0061 –<br>Townbridge Homes<br>Rezoning – 7513<br>and 7603 Cooper<br>Ln | DR; SF-2 to SF-<br>6 | To Grant SF-6-CO<br>w/CO for 30 stand-<br>alone units, 10'<br>vegetative buffer along<br>the southernmost<br>property line<br>w/replacement<br>provisions, pedestrian<br>and bike access along | Apvd SF-6-CO with a<br>Restrictive Covenant<br>to prohibit the use of<br>gated access on the<br>property (12-10-2015). |

|  |                                 |   |  |
|--|---------------------------------|---|--|
|  |                                 | the north, east and south property lines  |  |
| C14-2014-0052 – Cooper Lane Rezoning – 7405, 7409 and 7415 Cooper Ln | DR; SF-2 to SF-6-CO, as amended | To Grant SF-6-CO w/CO for a max of 65 units, 25' vegetative buffer along the north property line, restrict uses to sf, townhouse/condo, and the conds. of the Neighborhood Traffic Analysis, and add'l conds. for full access to Sir Gawain, sidewalks to Sir Gawain and Cooper Ln, stub-out to property to south between Lots 43 and 54 (refer to Concept Plan), traffic calming device on private street close to Sir Gawain, and secondary entrance/exit to Cooper Ln. | Apvd SF-6-CO with a Restrictive Covenant as Commission recommended (8-28-2014). <u>Note:</u> Site plan apvd for 65 two-story condo units w/drives, sidewalks, utilities, drainage and other associated improvements on 9.86 acres. |
| C14-2014-0049 – Cooper Villas – 7805 Cooper Ln                       | CS-CO to MF-1                   | To Grant MF-1-CO w/CO prohibiting residential uses  | Apvd MF-1-CO as ZAP recommended (6-26-2014). <u>Note:</u> Site plan apvd for 41 one-story condo units w/parking, detention pond, rain gardens, amenity center and pool on 3.82 acres.  |

**RELATED CASES:**

Tract 1 was approved for CS-CO zoning in December 2005 (C14-05-0161 – Prunty Tracts). Tract 2 was approved for GR-MU-CO zoning also in December 2005 (C14-05-0162 – Prunty Tracts).

The zoning area is platted as Lots 2 and 3 of the Dittmar at Cooper Subdivision, recorded on March 31, 2008 (C8-2007-0174.0A). Please refer to Exhibit B. There are no pending or approved site plans on the property.

The property was annexed into the City's Full Purpose Jurisdiction on November 1984 (C7a-83-017 A).

**EXISTING STREET CHARACTERISTICS:**

| Name                         | ROW     | Pavement | Classification | Sidewalks | Bike Route | Capital Metro (within ¼ mile) |
|------------------------------|---------|----------|----------------|-----------|------------|-------------------------------|
| South 1 <sup>st</sup> Street | 72 feet | 45 feet  | Minor Arterial | Yes       | Yes        | Yes                           |

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for South 1<sup>st</sup> Street.

**CITY COUNCIL DATE:** August 11, 2016

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

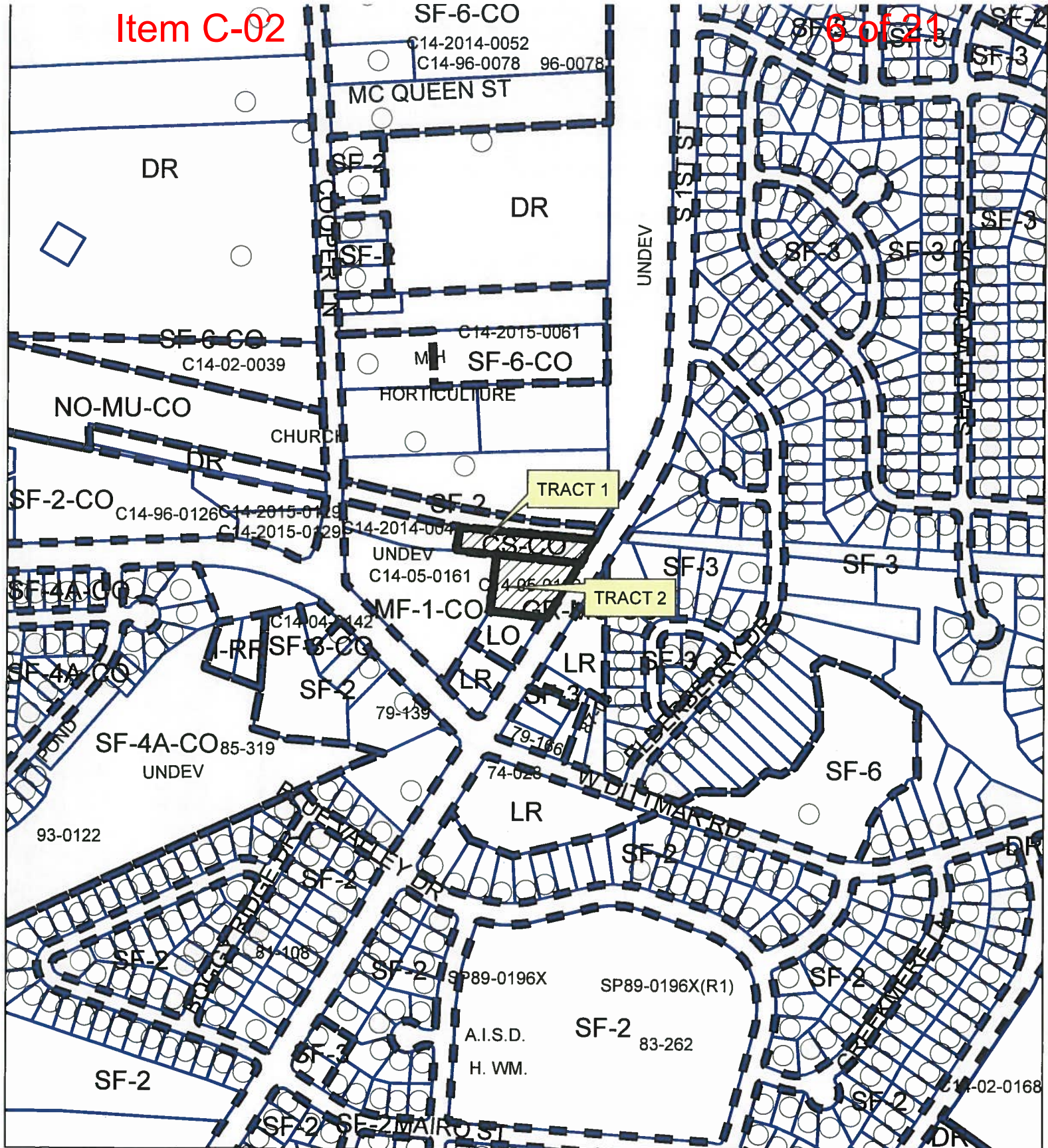
3<sup>rd</sup>




**ORDINANCE NUMBER:**

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

**PHONE:** 512-974-7719




$$1'' = 400'$$

 SUBJECT TRACT  
 PENDING CASE  
 ZONING BOUNDARY

## ZONING

**Zoning Case: C14-2016-0046**

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.



DR

Item C-02

7 of 21



N



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

**ZONING & VICINITY**

ZONING CASE#: C14-2016-0046

LOCATION: 7720 &amp; 7800 SOUTH 1ST STREET

SUBJECT AREA: 1.619 ACRES

MANAGER: WENDY RHOADES

EXHIBIT A-1

1' = 400'

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.



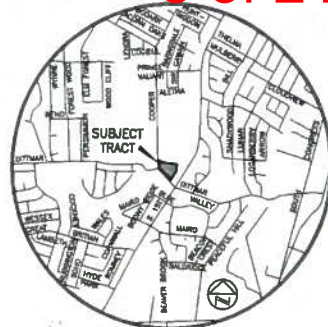


Item C-02

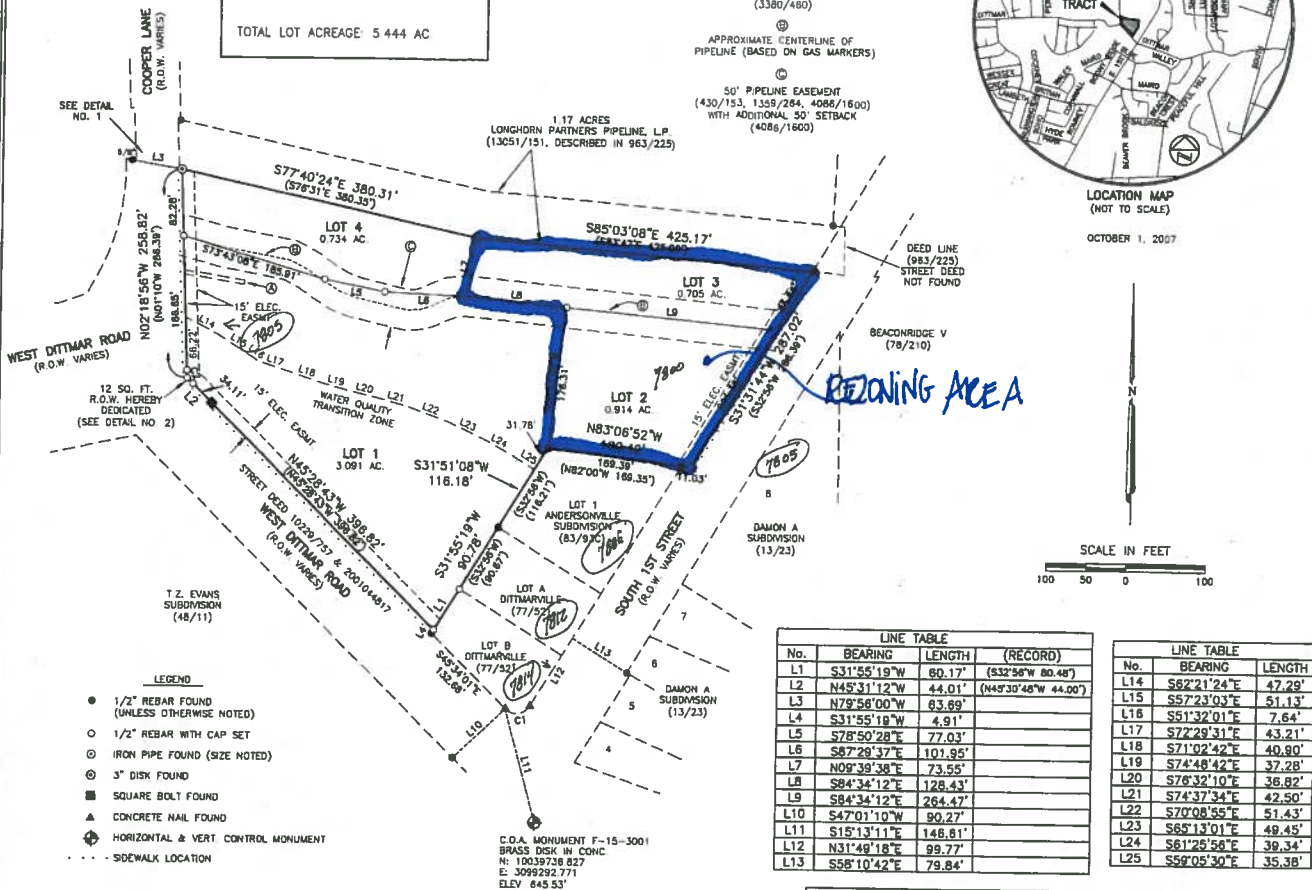
2008 000 84  
8 of 21DITTMAR AT COOPER  
SUBDIVISION

## LOT SUMMARY

TOTAL NO. OF LOTS: 4  
 NO. OF MF RESIDENTIAL LOTS: 1  
 NO. OF COMMERCIAL LOTS: 3  
 TOTAL LOT ACREAGE: 5.444 AC

LOCATION MAP  
(NOT TO SCALE)

OCTOBER 1, 2007



| LINE TABLE |             |         |                      |
|------------|-------------|---------|----------------------|
| No.        | BEARING     | LENGTH  | (RECORD)             |
| L1         | S31°55'19"W | 80.17'  | (S32°56'W 80.48')    |
| L2         | N45°31'12"W | 44.01'  | (N45°30'48"W 44.00') |
| L3         | N79°56'00"W | 63.69'  |                      |
| L4         | S31°55'19"W | 4.91'   |                      |
| L5         | S78°50'28"E | 77.03'  |                      |
| L6         | S87°28'37"E | 101.95' |                      |
| L7         | N09°39'38"E | 73.55'  |                      |
| L8         | S84°34'12"E | 128.43' |                      |
| L9         | S84°34'12"E | 264.47' |                      |
| L10        | S47°01'10"W | 90.27'  |                      |
| L11        | S15°13'11"E | 146.81' |                      |
| L12        | N31°48'18"E | 99.77'  |                      |
| L13        | S58°10'42"E | 79.84'  |                      |

| LINE TABLE |             |        |
|------------|-------------|--------|
| No.        | BEARING     | LENGTH |
| L14        | S82°21'24"E | 47.29' |
| L15        | S57°23'03"E | 51.13' |
| L16        | S51°32'01"E | 7.64'  |
| L17        | S72°29'31"E | 43.21' |
| L18        | S71°02'42"E | 40.80' |
| L19        | S74°48'42"E | 37.28' |
| L20        | S76°32'10"E | 36.82' |
| L21        | S74°37'34"E | 42.50' |
| L22        | S70°08'55"E | 51.43' |
| L23        | S65°13'01"E | 49.45' |
| L24        | S61°25'56"E | 39.34' |
| L25        | S59°05'30"E | 35.38' |

| CURVE TABLE |            |        |        |        |        |
|-------------|------------|--------|--------|--------|--------|
| NO.         | DELTA      | RADIUS | TAN    | ARC    | CHORD  |
| C1          | 102°48'01" | 20.00' | 25.05' | 35.88' | 31.26' |
| C2          | 43°12'16"  | 25.00' | 9.90'  | 18.85' | 18.41' |

## SURVEYOR'S CERTIFICATION

I, ROBERT C. WATTS JR., AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE SURVEYING RELATED PORTIONS OF CHAPTER 25 OF THE AUSTIN CITY CODE OF 1988 AS AMENDED, IS TRUE AND CORRECT, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR MADE UNDER MY SUPERVISION, MADE ON THE GROUND 5/31/2007.

*Robert C. Watts Jr.*  
 ROBERT C. WATTS JR., R.P.L.S. 4993

SURVEYING BY:  
 CHAPARRAL PROFESSIONAL LAND SURVEYING, INC.  
 2807 MANCHACA ROAD  
 BUILDING ONE  
 AUSTIN, TEXAS 78704  
 (512) 443-1724



1-29-08

## ENGINEER'S CERTIFICATION:

I, STEVEN KING, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT AND COMPLIES WITH THE ENGINEERING RELATED PORTIONS OF TITLE 25 OF THE AUSTIN CITY CODE OF 1999, AS AMENDED, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

NO PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100 YEAR FLOOD OF A WATERWAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL 48453C0215, DATED JANUARY 19, 2000, FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS.

*Steven King*  
 STEVEN KING, P.E.

ENGINEERING BY:  
 CONSORT, INC.  
 315 BOWIE STREET  
 AUSTIN, TEXAS 78703  
 (512) 469-0500



**Consort, Inc.**  
 315 Bowie / Austin, TX 78703 / (512) 469-0500

**Chaparral**  
 Professional Land Surveying, Inc.  
 Surveying and Mapping  
 2807 Manchaca Rd., Building 1  
 Austin, Texas 78704  
 512-443-1724

PROJECT NO.:  
 487-001  
 DRAWING NO.:  
 487-001-PL1  
 PLOT DATE:  
 01/29/08  
 PLOT SCALE:  
 1"=100'  
 DRAWN BY:  
 RCW  
 SHEET  
 1 OF 2

P.B. 2007-0174.0A

EXHIBIT B  
 RECORDED PLAT

13422



**ORDINANCE NO. 20051215-Z006**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7720 SOUTH FIRST STREET, 7801-7805 COOPER LANE, AND 630-640 DITTMAR ROAD FROM DEVELOPMENT RESERVE (DR) DISTRICT AND LIMITED OFFICE (LO) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT FOR TRACT ONE AND MULTIFAMILY RESIDENCE LIMITED DENSITY-CONDITIONAL OVERLAY (MF-1-CO) COMBINING DISTRICT FOR TRACT TWO.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in **Zoning Case No. C14-05-0161**, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From development reserve (DR) district to general commercial services-conditional overlay (CS-CO) combining district.

A 1.439 acre tract of land, more or less, out of the William Cannon Survey No. 19, Abstract No. 6, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From development reserve (DR) district and limited office (LO) district to multifamily residence limited density-conditional overlay (MF-1-CO) combining district.

A 3.092 acre tract of land, more or less, out of the William Cannon Survey No. 19, Abstract No. 6, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 7720 South First Street, 7801-7805 Cooper Lane, and 630-640 Dittmar Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
2. The following uses are prohibited uses of Tract One:

Agricultural sales and services  
 Automotive repair services  
 Automotive washing (of any type)  
 Campground  
 Commercial off-street parking  
 Consumer convenience services  
 Drop-off recycling collection facility  
 Food sales  
 General retail sales (convenience)  
 Group home, Class I (general)  
 Group home, Class II  
 Hospital services (general)  
 Hotel-motel  
 Indoor sports and recreation  
 Laundry services  
 Medical offices (exceeding 5000 sq. ft.  
     of gross floor area)  
 Monument retail sales  
 Outdoor entertainment  
 Pawn shop services  
 Personal services  
 Recreational equipment  
     maintenance and storage  
 Restaurant (general)  
 Service station  
 Theater  
 Transportation terminal  
 Veterinary services

Automotive rentals  
 Automotive sales  
 Bail bond services  
 Commercial blood plasma center  
 Congregate living  
 Consumer repair service  
 Financial services  
 Funeral services  
 General retail sales (general)  
 Group home, Class I (limited)  
 Guidance services  
 Hospital services (limited)  
 Indoor entertainment  
 Kennels  
 Maintenance and service facilities  
 Medical offices (not exceeding 5000  
     sq. ft. of gross floor area)  
 Off-site accessory parking  
 Outdoor sports and recreation  
 Personal improvement services  
 Printing and publishing  
 Research services  
 Residential treatment  
 Restaurant (limited)  
 Software development  
 Transitional housing  
 Vehicle storage



3. The following uses are conditional uses of Tract One:

Business or trade school  
Community recreation (private)  
Construction sales and services  
Exterminating services  
Public secondary education facilities

College and university facilities  
Community recreation (public)  
Equipment repair services  
Private secondary educational facilities


Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.


**PART 3.** This ordinance takes effect on December 26, 2005.

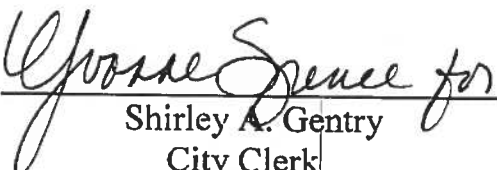
**PASSED AND APPROVED**

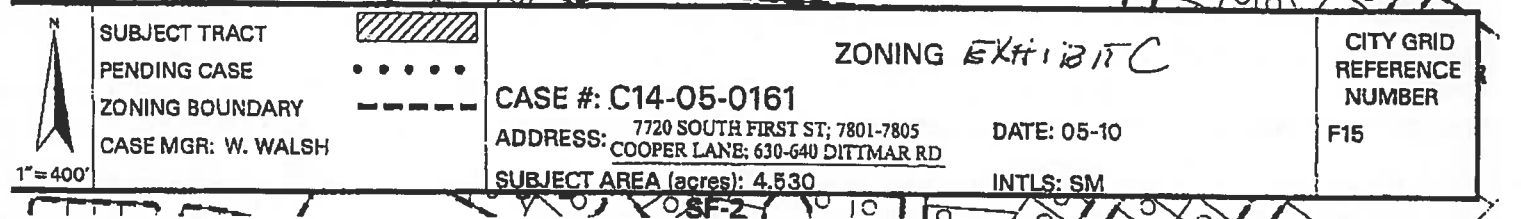
December 15, 2005

§  
§  
§

  
Will Wynn  
Mayor

APPROVED:   
David Allan Smith  
City Attorney

ATTEST:   
Shirley A. Gentry  
City Clerk





**ORDINANCE NO. 20051215-Z007**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7800-7804 SOUTH FIRST STREET FROM DEVELOPMENT RESERVE (DR) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from development reserve (DR) to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-05-0162, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.914 acre tract of land, more or less, out of the William Cannon Survey No. 19, Abstract No. 6, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 7800-7804 South First Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
2. The following uses are conditional uses of the Property:

Medical offices (exceeding 5000 sq. ft.  
of gross floor area)  
Community recreation (public)  
Hospital services (limited)

Congregate living  
Community recreation (private)  
Group home, Class II  
Residential treatment

3. The following uses are prohibited uses of the Property:

Automotive rentals

Automotive sales

Bail bond services

Business support services

Communications services

Exterminating services

Funeral services

Hospital services (general)

Indoor entertainment

Outdoor sports and recreation

Pawn shop services

Research services

Automotive repair services

Automotive washing (of any type)

Business or trade school

Commercial off-street parking

Drop-off recycling collection facility

Food preparation

General retail sales (general)

Hotel-motel

Indoor sports and recreation

Outdoor entertainment

Personal improvement services

Theater

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on December 26, 2005.

**PASSED AND APPROVED**

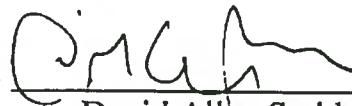
December 15, 2005

§  
§  
§



Will Wynn  
Mayor

**APPROVED:**



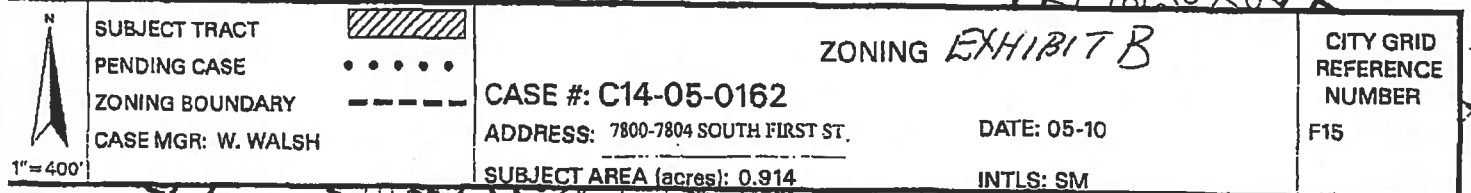
David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Gentry  
City Clerk





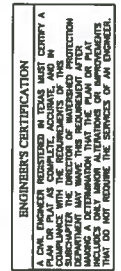


EXHIBIT D  
CONCEPTUAL SITE PLAN



**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant:

On Tract 1: general commercial services – conditional overlay (CS-CO) combining district zoning and remove the following uses from the prohibited use list: food sales, general retail sales (convenience & general), hotel-motel, indoor entertainment, off-site accessory parking, personal improvement services, personal services, and restaurant (general & limited); and

On Tract 2: community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning and remove the following uses from the prohibited use list: food preparation, general retail sales (general), hotel-motel, indoor entertainment, indoor sports and recreation, personal improvement services, and theater.

For Tracts 1 and 2, an additional CO is to limit the number of driveways to South 1<sup>st</sup> Street to one.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

Tract 1: The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments.

Tract 2: The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

*2. Zoning changes should promote compatibility with adjacent and nearby uses.*

Recent condominium development to the west has changed the vicinity's character to some degree since the CS-CO and GR-MU-CO zonings were approved in 2005. Many of the above-listed uses would capture pass-by traffic, serve the surrounding neighborhoods and are also typically located a major arterial roadway. In addition, the site is also located adjacent to non-residential zoning and the 50-foot wide pipeline easement to the north. Staff has concerns, however, that the outdoor entertainment and outdoor sports and recreation uses on Tracts 1 and 2 have the potential to create conflicts with the condominium project that is under construction to the west. Due to the property's frontage on South 1<sup>st</sup> Street, Staff is also recommending a CO to limit the number of driveways on the site to one.

## EXISTING CONDITIONS

### Site Characteristics

The rezoning area contains a community garden and is otherwise undeveloped. Portions of each lot have dense vegetative cover.

### Impervious Cover

The maximum impervious cover allowed by the *CS and GR zoning districts* is 80%, which is based on the more restrictive *watershed* regulations.

### Comprehensive Planning

This rezoning case is located on west side of South 1<sup>st</sup> Street on two parcels that when combined total 1.69 acres in size. The property is mostly undeveloped but does have a community garden on it. The property is not located in the boundaries of a neighborhood planning area. Surrounding land uses includes undeveloped land to the north, a learning center to the south, and undeveloped land to the east and west. The proposed use is a variety of commercial uses, including food sales, general retail, hotel/motel, and an indoor/outdoor entertainment area.

**Connectivity:** There is a public sidewalk located along this portion of S. 1<sup>st</sup> Street, and a public transit stop is located less than a quarter of mile away. The Walkscore for this site is 33/100, meaning most errands require a car.

### **Imagine Austin**

The subject property is located along an **Activity Corridor** as identified on the Imagine Austin Growth Concept Map. Activity corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. The following Imagine Austin policies are applicable to this case:

- **LUT P3.** Promote development in compact centers, communities, or **along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, **corridors** and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **LUT P5.** Create healthy and family-friendly communities through development that includes a **mix of land uses and housing types** and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

Based upon this property being situated along an **Activity Corridor** as designated on the Growth Concept Map and the Imagine Austin policies above, both which support commercial uses, this project appears to be supported by Imagine Austin.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the South Boggy 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<br>(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.

### **Site Plan**

GIS shows this site to be entirely within three Hazardous Pipeline easements: Equilon, SouthTex, and Williams. Development in a restricted pipeline area is regulated by Sec. 25-2-516. Review by the Fire Department is required [LDC, 25-2-516]. Any site plan submitted will need to show the outlines of all pipeline easements, and distances from structures to the easement boundary and pipes.



Before a person may place a road, surface parking lot, or utility line in a restricted pipeline area, the person must deliver to the Director a certification by a registered engineer stating that the proposed construction activity and structure are designed to prevent disturbing the pipeline or impeding its operation [LDC, 25-2-516(D)(2)].

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. As information, South 1<sup>st</sup> Street is a Suburban Roadway.

The site is subject to compatibility standards. Along the north and east property lines, the following standards apply:

- 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 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.

### **Transportation**

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

If the requested zoning is granted, it is recommended that joint access be provided between both lots along South 1<sup>st</sup> Street due to insufficient frontage for a driveway (northern lot). As information, spacing between driveways is 200 feet on major arterial roadways such as South 1<sup>st</sup> Street. The zoning area has a total of 286 linear feet along South 1<sup>st</sup> Street.

A traffic impact analysis may be required at the time of site plan.

A conditional overlay of 2,000 trips is *not* recommended at this time.

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 / 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.