

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0091 - ASC/Bearcreek Properties

P.C. DATE: October 13, 2016
October 25, 2016

ADDRESS: 4001 S. Lamar Boulevard

DISTRICT AREA: 5

OWNER/APPLICANT: ASC/Bearcreek Properties, Ltd./Manny Farahani

AGENT: Thrower Designs, Ron Thrower

ZONING REQUEST FROM: CS-V

TO: CS-1-V

AREA: .337 acres (14,664 sq ft)

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of CS-1-V-CO. The conditional overlay would prohibit the following uses:

Adult oriented business	Equipment repair services
Automotive repair services	Exterminating Services
Automotive sales	Funeral Services
Automotive washing	Kennels
<i>Bail Bonds</i>	<i>Pawn Shop</i>
Building maintenance services	Recreational equipment maintenance and storage
Bulk Laundry services	Recreational equipment sales
Commercial off street parking	Research services
Cocktail Lounge	Vehicle storage
Equipment sales	

PLANNING COMMISSION RECOMMENDATION:

OCTOBER 11, 2016 – POSTPONED BY STAFF ON CONSENT TO OCTOBER 25, 2016, VOTE 12-0 [P. SEEGER, J. VELA 2ND, J. SCHISSLER OFF THE DAIS].

OCTOBER 25, 2016 – APPROVED STAFF RECOMMENDATION OF CS-1-V-CO WITH ADDITIONAL CONDITIONS, VOTE 12-0 [J. SCHISSLER, P. SEEGER 2ND, J. SHIEH ABSENT]. Planning Commission added Bail Bonds and Pawn Shop as prohibited uses.

DEPARTMENT COMMENTS:

This site is located within a large commercial area at a major arterial intersection (S. Lamar/Ben White Blvd). The request is consistent with the proposed zoning and use. The applicant is proposing to relocate an existing store in the area to a larger location to provide for a wider variety of products catering to the area community. The proposed location will occupy the former Hancock Fabrics Store which has since closed and is currently used for seasonal retail (Halloween Costume store). The proposed tenant space is located within a large strip mall with Wheatsville Co-op (Food Sales with wine and beer). Other tenants on the site are Harbor freight Tools (General Retail Sales - Convenience), L.A.

Fitness (Personal Improvement Services), Wells Fargo Bank (Financial Services), and an emergency medical office.

Across South Lamar to the north and west is the Brodie Oaks Shopping center and multifamily apartments. To the east is additional retail, automotive services and the Ann Richards School for Young Women Leaders. To the south is CS and GR zoned multifamily and retail (Target). There are other CS-1 footprints in the area that are smaller in scale. One in the adjacent strip mall is used as a restaurant (Deckhand) and a children's clothing store (Pumpkin Patch) and also by Twin Liquors.

The zoning request is limited to the building square footage that will be occupied by the proposed use. The footprint of the zoning request is outside 300 feet from the Ann Richards School for Young Women Leaders. (349 feet)

Zoning staff is recommending the prohibited uses because the property is in the Barton Creek Watershed.

ISSUES: There are no known issues at this time.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-V	Retail Shopping Center
<i>North</i>	GR & MF-4	Retail Shopping Center and Multifamily
<i>South</i>	CS & CS-V	Multifamily & Retail Shopping Center
<i>East</i>	CS-V, GR & SF-3	Retail Shopping Center, Multifamily & School
<i>West</i>	CS-V	Retail Shopping Center

NEIGHBORHOOD PLANNING AREA: S. Lamar Neighborhood Planning Area (Suspended).

TIA or NTA: None is required.

WATERSHED: Urban, Barton Creek and Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Friends of Austin Neighborhoods
Bike Austin
Austin Heritage Tree Foundation
Austin Neighborhoods Council

Homeless Neighborhood Association
Save Our Springs Alliance
Sierra Club
South Central Coalition
Preservation Austin

SCHOOLS: Crockett HS, Covington MS, Joslin Elementary

RELATED CASES FOR THIS PROPERTY:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2008-0019 VMU Adoption	CS to CS-V	CS-V	CS-V Approved June 18, 2008.
C14-70-088 4001 S. Lamar	A to C	C	C Approved June 11, 1970.

SURROUNDING PROPERTIES CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-91-005 4211 S. Lamar Blvd	CS to CS-1	CS-1	CS-1 Approved March 7, 1991.
C14-74-143 4025-4027 S. Lamar Blvd.	C to C-2	C-2	C-2 Approved Nov. 21, 1974
C14-75-029 2142-2105 W. Ben White, 2201-2327 Prather Lane, 4000-4312 Victory Drive	A to GR & C	GR & C	GR & C Approved Oct. 27, 1977.
C14-72-182 W. Ben White at S. Lamar	A to C	C	C Approved Sept. 14, 1972.

CASE MANAGER: Andrew Moore
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PHONE: 512-974-7604

STAFF RECOMMENDATION

Staff recommends approval of commercial liquor sales – vertical mixed use - conditional overlay (CS-1-V-CO) combining district with prohibited uses.

BASIS FOR RECOMMENDATION

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

“Commercial-liquor sales (CS-1) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments. Liquor sales is one of the permitted uses in a CS-1 district.”

The proposed zoning change is suitable for this large commercial location at a major arterial intersection.

ADDITIONAL STAFF COMMENTS

Comprehensive Planning Review – Kathleen Fox – 512-974-7877

CS-V to CS-1-V

This zoning case is located on the northeast corner of S. Lamar Blvd., on a .34 acre parcel, which is part of larger 9.3 acre lot that contains a shopping center. The property is located within the boundaries of the South Lamar Neighborhood Planning Area, which does not have an adopted neighborhood plan. Surrounding land uses includes commercial uses to the north, south, and west, and an apartment complex to the east. The proposed use is liquor sales.

Connectivity

The site has an existing public sidewalk along S. Lamar Blvd., which is problematic to walk along due to the large multilane entrance into this shopping area, and the width of the sidewalk that is adjacent to 5 lanes of traffic. The Walkscore for this site is 68/100, meaning some errands may be accomplished on foot. A CapMetro transit stop is located in front of the property.

Imagine Austin

While this property is situated along an Activity Corridor as identified on the Imagine Austin Growth Concept Map, the comparative scale of the site relative to commercial uses in this area falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

Environmental – Mike McDougal 512-974-6380

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in both the Barton Creek Watershed and the Williamson Creek Watershed, which are classified as Barton Springs Zone and Suburban Watersheds, respectively. A portion of the site is located in the Drinking Water Protection Zone and a portion of the site is located in the Desired Development Zone.

2. The Barton Springs Zone portion of the property is located over the Edwards Aquifer Contributing Zone. Impervious cover is limited to 20% in this portion of the property. In the Suburban Watershed portion of the property, development or redevelopment 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%

3. According to floodplain maps there is no floodplain within or adjacent to the project location.

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

5. No trees are located on this property. 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.

6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site. Runoff from the site is required to comply with pollutant load restrictions as specified in Land Development Code.

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

Transportation – Katie Wettick – 512-974-3529

TR1. 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]

TR2. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
S. Lamar Blvd	165	125	MAD 4	Yes	Yes	Yes Brodie Oaks Station, Rte 338, 3, 803 Victory Prather, Rte 484 and 331

Water and Wastewater

AWU-Utility Development Service Review – Neil Kepple – 512-972-0077

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, water or wastewater easements, 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.

Storm Water Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

Site Plan Review – Katie Wettick – 512-974-3529

SP1) Site plans will be required for any new development other than single-family or duplex residential.

SP2) Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

SP3) The site is subject to compatibility standards. Along the ***east*** property line, the following standards apply:

- 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.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height is restricted to 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, height is restricted to 60 feet plus one foot for each 10 feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

SP4) Any new development is subject to Subchapter E. Design Standards and Mixed Use.
Additional comments will be made when the site plan is submitted.

