

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0009 – 11444 Manchaca Road **Z.A.P. DATE:** April 4, 2017
April 18, 2017
May 2, 2017

ADDRESS: 11444 Manchaca Road

DISTRICT: 5

OWNER/APPLICANT: 720 Lamar Place, L. C. **AGENT:** Husch Blackwell LLP
(Guy Oliver) (Nikelle S. Meade)

ZONING FROM: I-SF-2 **TO:** GR **AREA:** 0.8980 acres
(39,116 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial (GR-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

April 4, 2017: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO APRIL 18, 2017 [B. GREENBERG; A. AGUIRRE – 2ND] (10-0) 1 VACANCY ON THE COMMISSION*

April 18, 2017: APPROVED A POSTPONEMENT REQUEST TO MAY 2, 2017
[A. DENKLER; A. AGUIRRE – 2ND] (9-0) D. BREITHAUP – ABSENT;
1 VACANCY ON THE COMMISSION

May 2, 2017:

ISSUES:

Correspondence from an adjacent resident is attached at the back of the Staff report.

DEPARTMENT COMMENTS:

The subject lot contains a modular office and mobile food vending, zoned interim – single family residence (I-SF-2) and is situated along Manchaca Road south of Marcus Abrams Boulevard. The lot was previously used for automotive sales and was annexed into the City limits in December 2016. There is a commercial center containing a service station, food sales, alternative financial services and three vacant lease spaces (the latter approved for liquor sales use) to the north (GR-CO; CS-1-CO); a restaurant and roller rink to the south (I-RR), and the Olympic Heights single family residential subdivision and a stormwater pond is

adjacent to the west (I-SF-4A). Commercial and retail uses front Manchaca Road (I-RR). To the east, there are two townhome developments at the Manchaca Road / Melibee Trail intersection (SF-6-CO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes community commercial (GR) district zoning in order to provide permanent zoning for the existing automotive sales use.

Staff believes the rezoning request is appropriate in terms of its location on an arterial roadway and the presence of other commercial uses on this stretch of Manchaca Road. Commercial uses would serve the residences in proximity to this property and there is adequate separation from residential development.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-SF-2	Modular office; Mobile food vending
<i>North</i>	GR-CO; CS-1-CO; I-SF-4A	Service station; Food sales; Alternative financial services; Vacant lease spaces; 20-foot wide landscaped area on both sides of Marcus Abrams Boulevard
<i>South</i>	I-RR	Vacant auto repair; Roller skating rink; Religious assembly
<i>East</i>	SF-6-CO; I-SF-2	Two townhome developments; Single family residences in the Canterbury Trails subdivision
<i>West</i>	I-RR; I-SF-4A	Water quality/detention pond; Single family residences within the Olympic Heights subdivision

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek – Suburban

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

SCHOOLS:

Baranoff Elementary School

Bailey Middle School

Akins High School

NEIGHBORHOOD ORGANIZATIONS:

217 – Tanglewood Forest Neighborhood Association

627 – Onion Creek Homeowners Assoc.

742 – Austin Independent School District

943 – Save Our Springs Alliance

1214 – Bauerle Ranch Homeowner's Association

1228 – Sierra Club, Austin Regional Group

1340 – Austin Heritage Tree Foundation

1363 – SEL Texas

1398 – Commander, Watch

1528 – Bike Austin

1530 – Friends of Austin Neighborhoods

1559 – Palomino Park HOA

1596 – TNR BCP – Travis County Natural Resources

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2016-0130 – 11410 Manchaca Rd	GR-CO to CS-1	To Grant CS-1-CO w/CO maintaining the provisions for restaurant (general) use, and the list of prohibited and conditional uses from the 2010 zoning ordinance	Apvd CS-1-CO as ZAP rec (5-4-2017).
C14-2010-0038 – Rezoning 1.56 acres at 11410 Manchaca Rd	I-RR to GR-CO, as amended	To Grant GR-CO w/CO allowing for all LR uses and indoor entertainment, requires a service station to be located at least 50' from the west property line, establishes that a drive-in services use requires a CUP site plan, and limits trips to 2,000/day.	Apvd GR-CO as ZAP rec (11-4-2010).
C14-06-0101 – Ravenscroft – 11401-11499 Blk Manchaca Rd	I-RR to SF-6	To Grant SF-6-CO w/CO limited to 26 units and 300 trips per day, with a RC for the Neighborhood Traffic Analysis	Apvd SF-6-CO with CO limited to 18 units, 5.388 u.p.a. and 300 trips per day, with a RC for the Neighborhood Traffic Analysis (9-28-2006).
C14-06-0102 – Ravenscroft – 11301-11351 Blk Manchaca Rd	I-RR to SF-6	To Grant SF-6-CO w/CO limited to 70 units and 698 trips per day, with a RC for the Neighborhood Traffic Analysis	Apvd SF-6-CO with CO limited to 78 units, 9.72 u.p.a. and 698 trips per day, with a RC for the Neighborhood Traffic Analysis (9-28-2006).
C14-05-0009 – Brazos Zoning – 11410 Manchaca Rd	I-RR to GR	To Grant GR-CO w/CO allowing business support services, general retail sales (general), personal improvement services and restaurant (general) and all LR	Apvd GR-CO with the CO for: 1) limits the development to the following GR uses: restaurant (general); business support services; retail sales (general); and personal

		uses, prohibit drive-in services as an accessory use to a commercial use, and 2,000 trips per day.	improvement services, and all LR uses; 2) prohibits drive-in service as an accessory use to a commercial use; 3) 2,000 trips per day; 4) requires the application of compatibility standards. The Restrictive Covenant limits the personal improvement services use to health and fitness clubs (7-28-2005).
C14-02-0065 – 14.44 Joint Venture – Manchaca Rd at Ravenscroft Dr	RR to GR	To Grant GR-CO with conditions and restricted to LR development regulations	Apvd LR-CO for Tract 1; LO-CO for Tract 2. CO is for the conditions of the TIA and prohibits drive-in services as accessory to commercial on Tract 1 (4-10-2003).

RELATED CASES:

The property was annexed into the City limits on December 15, 2016 and assigned I-SF-2 district zoning. The rezoning area is platted as Olympic Heights Outlot #2, recorded in August 2007 (C8J-06-0230.0A). Ten feet of right-of-way along Manchaca was dedicated with the plat. An administrative site plan was approved for the construction of additional concrete paving and the installation of a small modular office in May 2014 (SP-2013-0248D). Please refer to Exhibits B and B-1.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Manchaca Road (FM 2304, TxDOT maintained)	128 feet	50 feet	Major Arterial	No	Yes	No

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a Wide Shoulder is recommended for Manchaca Road.

There is a project to reconstruct Manchaca Road to a "5 lane urban roadway" from Ravenscroft Drive to FM 1626 (1.142 miles). The project is anticipated to be ready to let in the Summer-Fall 2018 timeframe (Project No. 2689-01-023).

CITY COUNCIL DATE: May 4, 2017

ACTION:

ORDINANCE READINGS: 1st

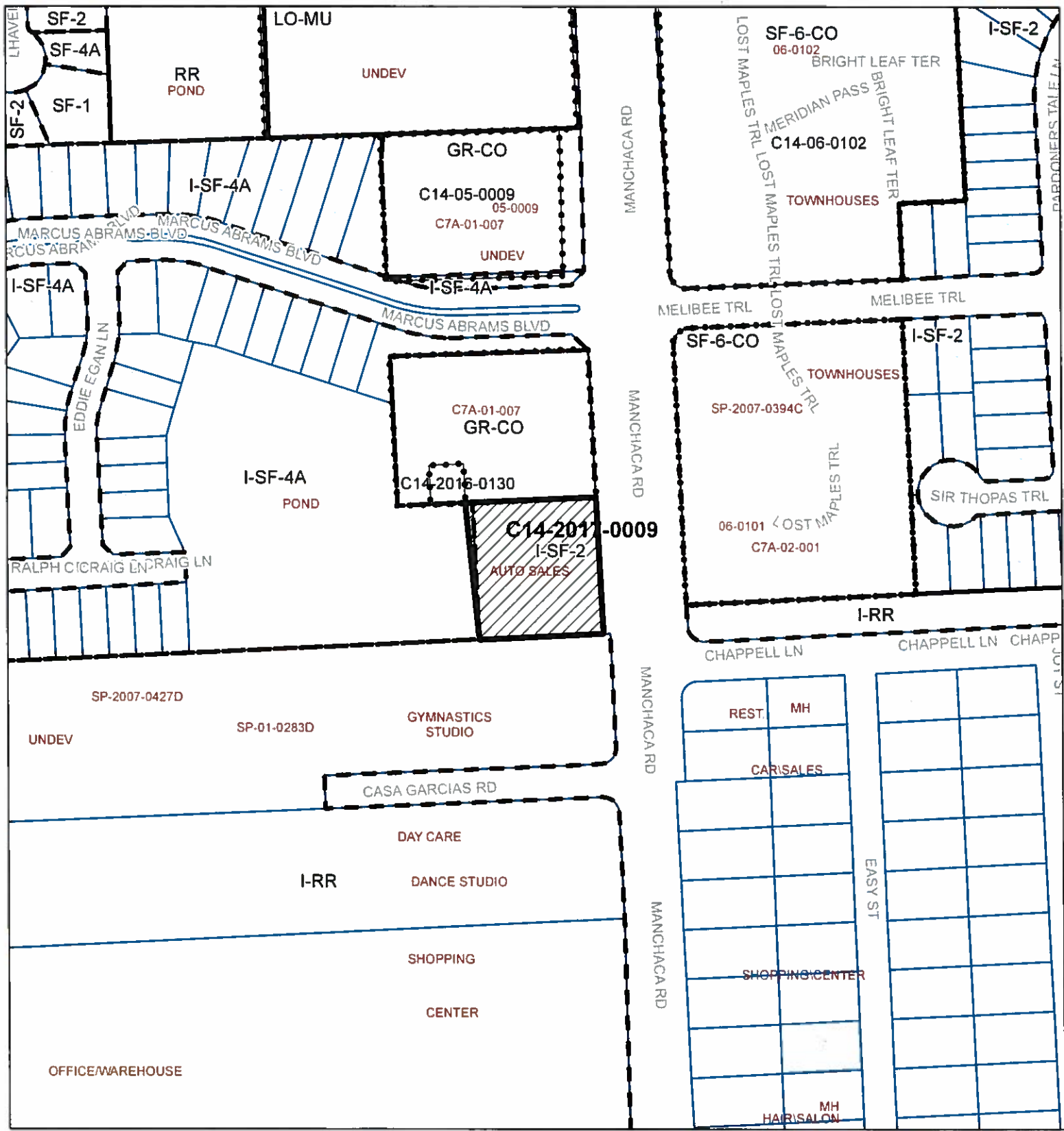
2nd

3rd

ORDINANCE NUMBER:

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

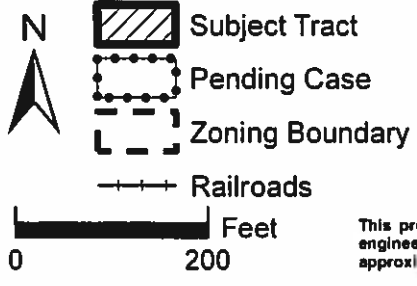
PHONE: 512-974-7719



ZONING

Case#: C14-2017-0009

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



Created: 3/22/2017



 N
 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CREEK BUFFER
 1" = 100'

ZONING
 ZONING CASE#: C14-2017-0009
 LOCATION: 11444 MANCHACA RD
 SUBJECT AREA: .898 ACRES
 GRID: D12, E12
 MANAGER: WENDY RHOADES

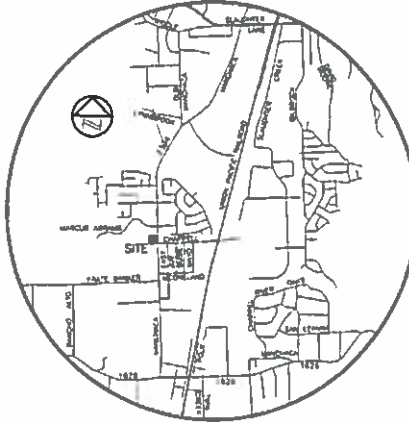
EXHIBIT A-1



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.

LOCATION MAP

NOT TO SCALE



SCALE: 1"=50'

SCALE IN FEET

LEGEND

- 1/2" REBAR FOLIO
- 1/2" REBAR WITH CAP SET
- * CALCULATED POINT
- CONC. HIGHWAY MON FOLIO
- ⊕ BENCHMARK LOCATION
- ... PROPOSED SIDEWALK

LINE TABLE		
No.	BEARING	LENGTH
L1	N01°20'57"W	0.93'
L2	N87°25'40"E	10.43'
L3	S02°34'20"E	16.17'
L4	N07°38'03"W	7.31'

BENCHMARK LIST

BM #1. A TRIANGLE CLT ON TOP OF CURB AT THE EAST
END OF MEDIAN OF MARCUS ABRAMS DRIVE. AT THE
INTERSECTION OF MARCUS ABRAMS DRIVE AND MANHATTAN
ROAD
ELEV = 888.97'

VERTICAL DATUM IS NAD 83/CEOID '88 FROM THE
TRANS COUNTY/L.C.R.A. COOPERATIVE MAP NETWORK

STATE OF TEXAS
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS,

THAT 723 LAMAR PLACE, L.C. BEING OWNER OF 0.248 ACRES IN THE WALKER WILSON LEAGUE IN TRAVIS COUNTY, TEXAS, CONVEYED BY GENERAL WARRANTY DEED OF RECORD IN DOCUMENT NO 2009175933 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY TEXAS.

DO HEREBY SUBDIVIDE 0.848 ACRES PURSUANT TO CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE, SECTION 232, IN ACCORDANCE WITH THE MAP OR PLAN ATTACHED HERETO TO BE KNOWN AS

TO BE KNOWN AS

OLYMPIC HEIGHTS OUTLOOK 12

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS SHOWN
HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND
NOT RELEASED.

WITNESS MY HAND AND SEAL THE 23 DAY OF July 2014

BY _____
GENERAL MANAGER

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GUY OLIVER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED

WITNESS MY HAND AND SEALED IN MY OFFICE, THIS 23rd DAY OF July, 2007
AD.

My commission expires
NOTARY PUBLIC, STATE OF TEXAS

Myrtle Murray
PRINTED NAME

Sept-02, 2007

SURVEYOR'S CERTIFICATION

L. CLARK D. DANIEL JR., AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAN COMPLES 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 OCTOBER 10, 2005.

Date: 12.1.2018

CLARK D. DANIEL JR RPLS 3881
SURVEYING BY
CHAPARRAL PROFESSIONAL LAND SURVEYING, INC
2807 MANHACCA ROAD
BUILDING ONE
AUSTIN, TEXAS 78704
(512) 443-1724

ENGINEER'S CERTIFICATION

I, KEITH E. PARKMAN, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAN IS FEASIBLE FROM AN ENGINEERING STANDPOINT AND COMPLIES WITH THE ENGINEERING RELATED PORTIONS OF TITLE 25 OF THE AUSTIN CITY CODE OF 1989, 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 48453C0 260 F DATED JANUARY 12, 2000, FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS.

KEITH E. PARKER, P.E. 00601

ENGINEERING BY:
KLOTZ ASSOCIATES, INC.
901 S. WOPAC, BLOC. V. SUITE 220
AUSTIN, TEXAS 78748
(512) 328-5771

Chaparral
Professional Land Surveying, Inc.
Surveying and Mapping

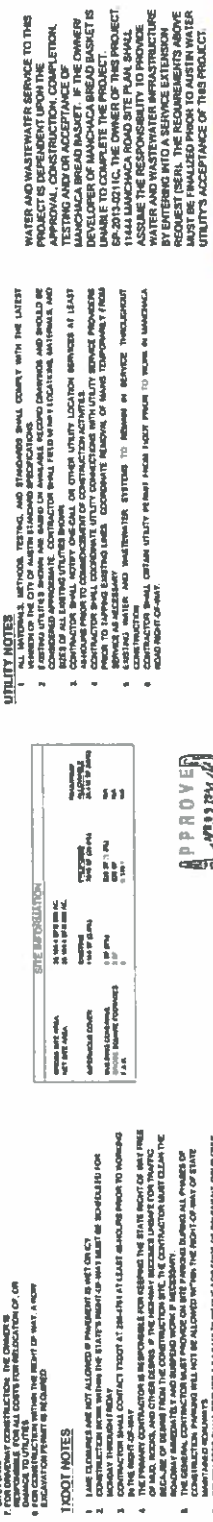
2807 Manchaca Rd. Building 1
Austin, Texas 78704
512-443-1124

PROJECT NO:
425-DC5
DRAWING NO:
425-005-P2
PLOT DATE:
07/03/07
PLOT SCALE:
1"=50'
DRAWN BY:
COP

SHEET
01 OF 02

CGJ-06-0230 DA

EXHIBIT B
RECORDED PLAT



SP-2013-0248D

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial (GR-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

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.

2. *The proposed zoning should promote compatibility with adjacent and nearby uses.*

Staff believes the rezoning request is appropriate in terms of its location on an arterial roadway and the presence of other commercial uses on this stretch of Manchaca Road. Commercial uses would serve the residences in proximity to this property and there is adequate separation from residential development.

EXISTING CONDITIONS**Site Characteristics**

The subject lot is developed with an automotive sales use and there are no significant topographical constraints on the site. There is a grassy drainage swale within the Manchaca Road right-of-way.

Impervious Cover

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

Comprehensive Planning

This zoning case is located on the west side of Manchaca Rd. on a 0.90 acre parcel, which is an auto sales business. The property is not located in a neighborhood planning area. Surrounding land uses includes a gas station and convenience store to the north, a restaurant to the south, a detention pond to the west, and a condominium community to the east. The proposal is to obtain commercial zoning for the existing use, which is auto sales.

Connectivity

The Walkscore is 44/100, meaning some errands may be accomplished on foot. Public sidewalks are not contiguous and are sparsely available along this section of Manchaca Rd. A CapMetro transit stop is not available within walking distance of this property.

Imagine Austin

Based on comparative scale of the site relative to other commercial uses located along this portion of Manchaca Road, and the property not being located within the boundaries of an Imagine Austin Growth Center or along an Activity Corridor, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed zoning.

Drainage

The developer is required to submit a pre and post development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter 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 City of Austin GIS, a Critical Water Quality Zone exists within 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.

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.

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

FYI: Existing development on this property may not comply with the proposed zoning setbacks and height limitations but may be considered "pre-existing legally non-compliant" [LDC 25-2-961] since the property was legally developed before annexation. Any later changes development may maintain any noncompliant setbacks or heights but may not increase any level of noncompliance.

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

Transportation

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].

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 Austin Water 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.

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/planning.

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: C14-2017-0009

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: April 4, 2017, Zoning and Platting Commission
May 4, 2017, City Council

Ashley Vadbinder
Your Name (please print)

1808 Marcus Abrams

Your address(es) affected by this application

Ashley Vadbinder 3-27-17
Signature Date

Daytime Telephone: 512-789-1403

Comments: DO WE HAVE TO DEVELOP
EVERY SINGLE SQ. INCH
OF ALL LAND?? WE DONT
NEED MORE PEOPLE LIVING
OFF MANCHACA.

Zoning & Platting Commission
April 4, 2017 + MAY 4, 2017
C14-2017-0009 - WENDY RHOADES

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810