SECOND AND THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2017-0009 – 11444 Manchaca Road

REQUEST:

Approve second and third readings of an ordinance amending City Code Title 25-2 by rezoning property locally known as 11444 Manchaca Road (Slaughter Creek Watershed) from interim—single family residence-standard lot (I-SF-2) district zoning to community commercial—conditional overlay (GR-CO) combining district zoning. The Conditional Overlay limits the number of daily vehicle trips to 2,000 and prohibits alternative financial services, bail bond services, custom manufacturing, drop-off recycling collection facility, and exterminating services. The Restrictive Covenant prohibits the use of outdoor sound amplification equipment.

DISTRICT AREA: 5

DEPARTMENT COMMENTS:

The ordinance and Restrictive Covenant reflects Council action taken on First Reading.

OWNER: 720 Lamar Place, L. C. (Guy Oliver)

AGENT: Husch Blackwell LLP (Nikelle S. Meade)

<u>DATE OF FIRST READING</u>: May 4, 2017, Approved GR-CO district zoning, on First Reading (10-0, Council Member Garza was off the dais).

CITY COUNCIL HEARING DATE: June 8, 2017

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades e-mail: wendy.rhoades@austintexas.gov

ZONING CHANGE REVIEW SHEET

<u>CASE:</u> C14-2017-0009 – 11444 Manchaca Road <u>Z.A.P. DATE:</u> 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

<u>AREA:</u> 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. BREITHAUPT – ABSENT;
1 VACANCY ON THE COMMISSION

May 2, 2017: APPROVED GR-CO DISTRICT ZONING AS STAFF RECOMMENDED, WITH THE FOLLOWING PROHIBITED USES: ALTERNATIVE FINANCIAL SERVICES, BAIL BOND SERVICES, CUSTOM MANUFACTURING, DROP-OFF RECYCLING COLLECTION FACILITY, EXTERMINATING SERVICES, AND A RESTRICTIVE COVENANT TO PROHIBIT THE USE OF OUTDOOR SOUND AMPLIFICATION EQUIPMENT ON THE PROPERTY, BY CONSENT

[S. LAVANI; B. EVANS – 2ND] (9-0) A. AGUIRRE, D. BREITHAUPT – ABSENT

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

DESIRED DEVELOPMENT ZONE: Yes

Suburban

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).
I-RR to GR	To Grant GR-CO	Apvd GR-CO with the
114110 211		CO for: 1) limits the
		development to the
		following GR uses:
1)		restaurant (general);
15		business support
	1 -	services; retail sales
		(general); and personal
	,	improvement services,
	l	and all LR uses; 2)
		prohibits drive-in
		service as an accessory
	· · · · · · · · · · · · · · · · · · ·	use to a commercial
	2,000 trips per day.	use; 3) 2,000 trips per
		day; 4) requires the
		application of
	=	compatibility
		standards. The
1		Restrictive Covenant
		limits the personal
		improvement services
		use to health and
E		fitness clubs (7-28-
₽		2005).
RR to GR	To Grant GR-CO with	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
	.0	to commercial on
		Tract 1 (4-10-2003).
	I-RR to GR	w/CO allowing business support services, general retail sales (general), personal improvement services and restaurant (general) and all LR uses, prohibit drive-in services as an accessory use to a commercial use, and 2,000 trips per day.

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 Lot 1, Block A, 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 ¹ / ₄ 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: Approved GR-CO district zoning as the Zoning and Platting Commission recommended, on First Reading (10-0, Council Member Garza was off the dais).

June 8, 2017

ORDINANCE READINGS: 1st May 4, 2017

2nd

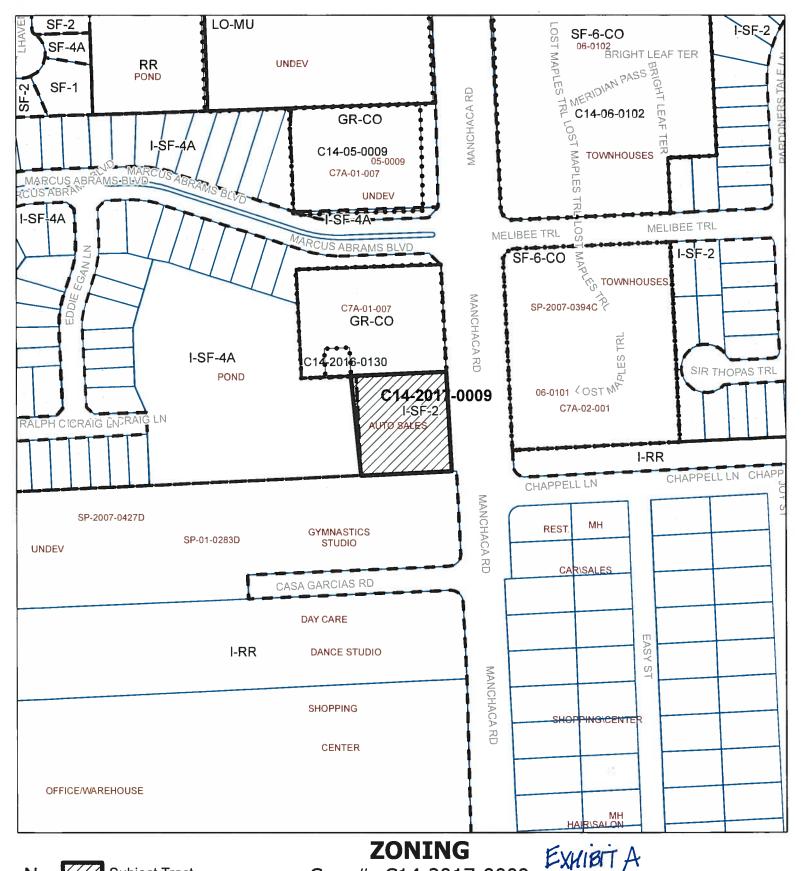
3rd

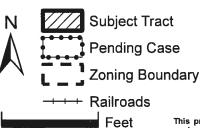
ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades

e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719





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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.

Case#: C14-2017-0009



Created: 3/22/2017

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.





1" = 100'



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY CREEK BUFFER

ZONING

ZONING CASE#: C14-2017-0009

LOCATION: 11444 MANCHACA RD

SUBJECT AREA: 1898 ACRES

GRID: D12, E12 MANAGER: WENDY RHOADES



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.

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 CRANTED AND NOT RELEASED.

WITNESS MY HAND THE 23 DAY OF THE 20 CM AD

E ME, THE UNDERSIGNED AUTHORRY, ON THIS DAY PERSONALLY APPEARED GUY OLVER. I TO ME TO BE THE PERSON WHOSE NAME IS AUBICIARDED TO THE PORTGOAM MENT AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES ONSIGERATIONS THEREM EXPRESSED AND IN THE CAPACITY THEREM STORT

WITNESS MY HAND AND SEALED IN MY OFFICE, THIS THEOUS DAY OF July 2007

NOTARY PUBLIC, STATE OF TEXAS

PRINTED NAME / SORAL CE, 2005

ENGINEER'S CERTIFICATION

E. PARKAN, AM AUTHORIZED UNDER THE LAWS OF THE STATE DI DICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY IN FEASBLE FROM AN ENGINEERING STAMPONT AND COMPUTES WIT RING RELATED PORTIONS OF TITLE 25 OF THE AUSTIN CITY CODE (AMENDER, AME) IS TRUE AND CORRECT TO THE EEST OF MY



*

KEITH E. PARKAN

88601

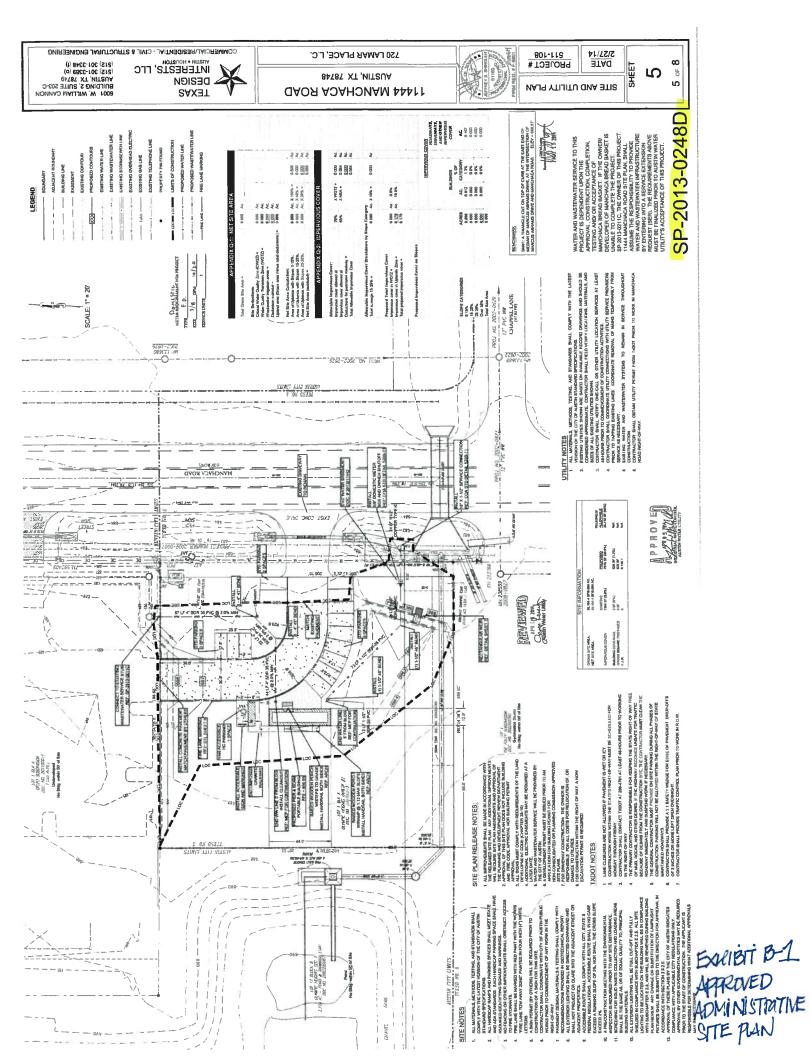
Professional Land Surveying, Inc.

Surveying and Mapping

2807 Manchaco Rd., Building Austin, Texas 78704 512-443-1724

PROJECT ND DRAWING NO. 425-005-P2 PLOT SCALE

EXCIBITE RECORDED PLAT



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:

Development Classification	% of Gross Site Area	% of Gross Site Area
	1	with Transfers
Single-Family	50%	60%
(minimum lot size 5750 sq. ft.)	ii .	
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.

comments should include the board or commission's name, the scheduled I am in favor Written comments must be submitted to the board or commission (or the date of the public hearing, and the Case Number and the contact person contact person listed on the notice) before or at a public hearing. Your I object 3-27-1 Public Hearings: April 4, 2017, Zoning and Platting Commission If you use this form to comment, it may be returned to: May 4, 2017, City Council Contact: Wendy Rhoades, 512-974-7719 which Daytime Telephone: 5(2-789-) Your address(es) affected by this application March F いて、くるトアング (Case Number: C14-2017-0009 ignature Planning & Zoning Department 3h/24 1008 Your Name (please print) Austin, TX 78767-8810 listed on the notice. Wendy Rhoades City of Austin P. O. Box 1088 Comments: