

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0158 – Alonti Catering

DISTRICT: 5

ZONING FROM: GR

TO: CS-CO

ADDRESS: 3421 West William Cannon Drive, Suite 115

SITE AREA: 0.0417 acres (1,815 square feet)

PROPERTY OWNER: Cannon Oaks, LLC
(Timothy Timmerman)

AGENT: Lenworth Consulting, LLC
(Nash Gonzales)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district zoning. The Conditional Overlay prohibits the following uses: adult-oriented businesses, bail bond services, commercial blood plasma center, drop-off recycling collection facility, exterminating services, and pawn shop services. For a summary of the basis of Staff's recommendation, see page 2.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**January 7, 2020: APPROVED CS-CO DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT
[H. SMITH; B. EVANS – 2ND] (11-0)**

CITY COUNCIL ACTION:

January 23, 2020:

ORDINANCE NUMBER:

ISSUES:

None at this time.

CASE MANAGER COMMENTS:

The subject rezoning area is a 1,815 square foot vacant lease space in a larger commercial center containing a service station, food sales, medical offices, retail and restaurant uses, personal services and pet services, and zoned community commercial (GR). The shopping center is situated at the southeast corner of West William Cannon Drive and Brodie Lane and has driveways to both streets. A drainage easement and tributary of Williamson Creek is to the east (SF-2; PUD). *Please refer to Exhibits A and A-1 – Zoning Map and Aerial Exhibit.*

The Applicant proposes general commercial services – conditional overlay (CS-CO) district zoning in order to occupy the lease space with a food preparation use (specifically a commercial kitchen), which is first permitted by right in this district. The Applicant’s Conditional Overlay is to prohibit more intensive CS uses for the lease space.

BASIS FOR RECOMMENDATION

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

The general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities. *The property has access to William Cannon Drive and Brodie Lane, both classified as major arterial roadways.*

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

Staff recommends CS-CO zoning in accordance with the Applicant’s request based on the property’s access to two arterial roadways which contain a mix of commercial uses and corresponding zoning, and the limited area of the rezoning request.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR	Lease space (vacant)
<i>North</i>	GR	Service station; Food sales; Restaurant (limited)
<i>South</i>	GR; SF-2	Undeveloped (drainage easement and tributary of Williamson Creek)
<i>East</i>	GR; SF-2; SF-3	Lease spaces for retail and restaurant uses; Undeveloped (drainage easement and tributary of Williamson Creek)
<i>West</i>	GR	Lease spaces for retail and restaurant uses; Pet services; Medical offices

AREA STUDY: Not Applicable

TIA: Is not required

WATERSHED: Williamson Creek – Barton Springs Zone (Recharge Zone)

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

SCHOOLS:

Sunset Valley Elementary School Covington Middle School Crockett High School

NEIGHBORHOOD ORGANIZATIONS:

- 12 – Brodie Lane Homeowners Association
- 298 – Oak Hill Association of Neighborhoods (OHAN)
- 384 – Save Barton Creek Association 511 – Austin Neighborhoods Council
- 627 – Onion Creek Homeowners Association
- 742 – Austin Independent School District 943 – Save Our Springs Alliance
- 967 – Circle C Neighborhood Association 1228 – Sierra Club, Austin Regional Group
- 1343 – Oak Hill Trails Association 1363 – SEL Texas
- 1424 – Preservation Austin 1429 – Go!Austin/Vamos!Austin (GAVA)-78745
- 1528 – Bike Austin 1530 – Friends of Austin Neighborhoods
- 1531 – South Austin Neighborhood Alliance (SANA)
- 1550 – Homeless Neighborhood Association 1559 – Palomino Park HOA
- 1596 – TNR BCP – Travis County Natural Resources
- 1616 – Neighborhood Empowerment Foundation
- 1714 – East Oak Hill Neighborhood Association

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0106 – Lundelius- McDaniel Water Quality Retrofit Project – 3401 Paisano Trl	SF-2 to P	To Grant	Apvd (7-24-2008).
C14-84-045 – Storm Properties – 3412-3432 Blk of William Cannon Dr at Brodie Ln	I-AA; AA to GR, 1 st Height & Area (converted to GR)	To Grant GR, 1 st Height & Area, w/r-o- w dedication on Brodie Ln	Apvd GR, 1 st Height & Area, w/r-o-w dedication, as Commission recommended (10-04-1984).
C14-83-098 – South Cross Plaza – 3501-3608 Blk of William Cannon Dr at Brodie Ln	I-AA to GR for 3.0 acres at William Cannon Dr, Brodie Ln and Bannockburn Dr	To Grant GR, 1st Height & Area, w/RC and r-o-w dedication on Brodie Ln	Apvd 1st Height & Area, w/RC for no curb cuts to Bannockburn, prohibit restaurants and video arcades, and limit pole sign locations, and r-o- w dedication on Brodie Ln (7-26- 1984).

RELATED CASES:

The proposed rezoning area was covered by a zoning case that was approved for GR zoning in November 1985 (C14-84-286 – Nash Phillips/Copus).

The rezoning area is a portion of Lot 2, Cannon Oaks subdivision, recorded in November 1986 (C8s-86-099). *Please refer to Exhibit B.*

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Brodie Lane	97 feet	72 feet	Level 3 (Minor Arterial)	Yes	Bike Lane	Yes
West William Cannon Drive	118 feet	97 feet	Level 4 (Major Arterial)	Yes	Shared Lane	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

The subject tract for this zoning case abuts an **Activity Corridor**. This rezoning case is located on the southeast corner of West William Cannon Drive and Brodie Lane, and concerns one of the retail bays (1,815 square feet in size) located on a large 4 acre lot, which contains the Cannon Oaks Shopping Center. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes the existing retail shopping center, two gas stations, a restaurant, and a car wash to the north; to the south is the existing shopping center and the Stephenson Nature Preserve and Outdoor Education Center and a pet care business; to the east is the Stephenson Nature Preserve and Outdoor Education Center; and to west is a large church complex that includes a private school and a drugstore. The proposal is to convert an existing retail bay to a food preparation location for a catering business, which is not permitted in Zone GR.

Connectivity

There are public sidewalks and Cap Metro transit stops located along W. William Cannon Drive and Brodie Lane. Bike lanes are located on both sides of Brodie Lane. The mobility and connectivity options in the area are average.

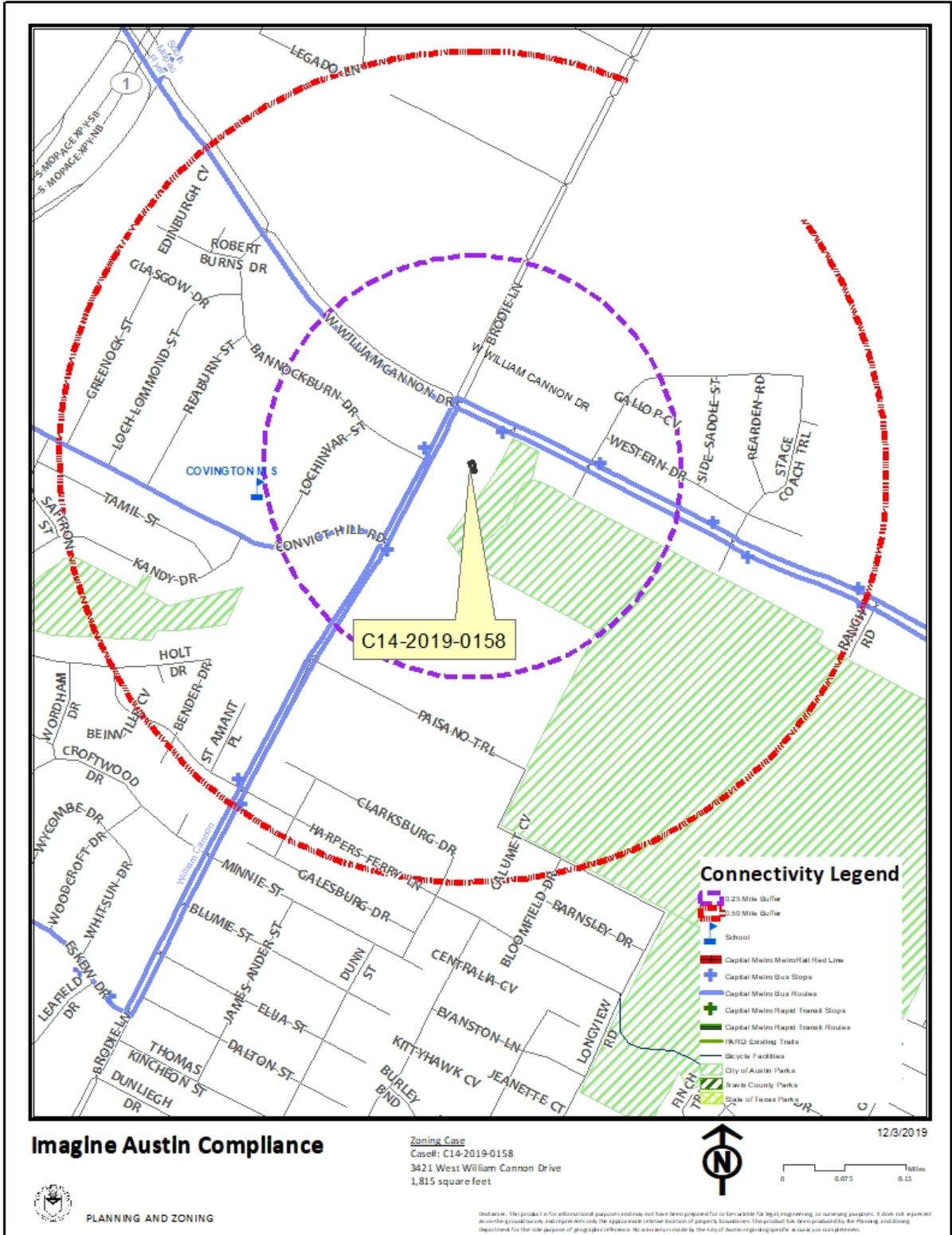
Imagine Austin

The property is located along an ‘**Activity Corridor**’, which is characterized by a variety of activities and types of buildings that are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following IACP policies are also relevant to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a **compact and connected city** in line with the growth concept map.

- **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 P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

Based on the comparative scale of the site relative to a variety of existing commercial land uses in the area, as well as the site being located along an Activity Corridor, which encourages neighborhood service commercial uses to make more vibrant corridors, the proposed project support the policies of the Imagine Austin Comprehensive Plan.



Environmental

This site is located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Water Quality Transition Zone / Critical Water Quality Zone exist 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.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Site Plan

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

The overall shopping center site is subject to residential compatibility standards along the eastern property line:

- 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 eastern 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.

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

Additional comments will be made when a site plan is submitted.

Transportation

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].

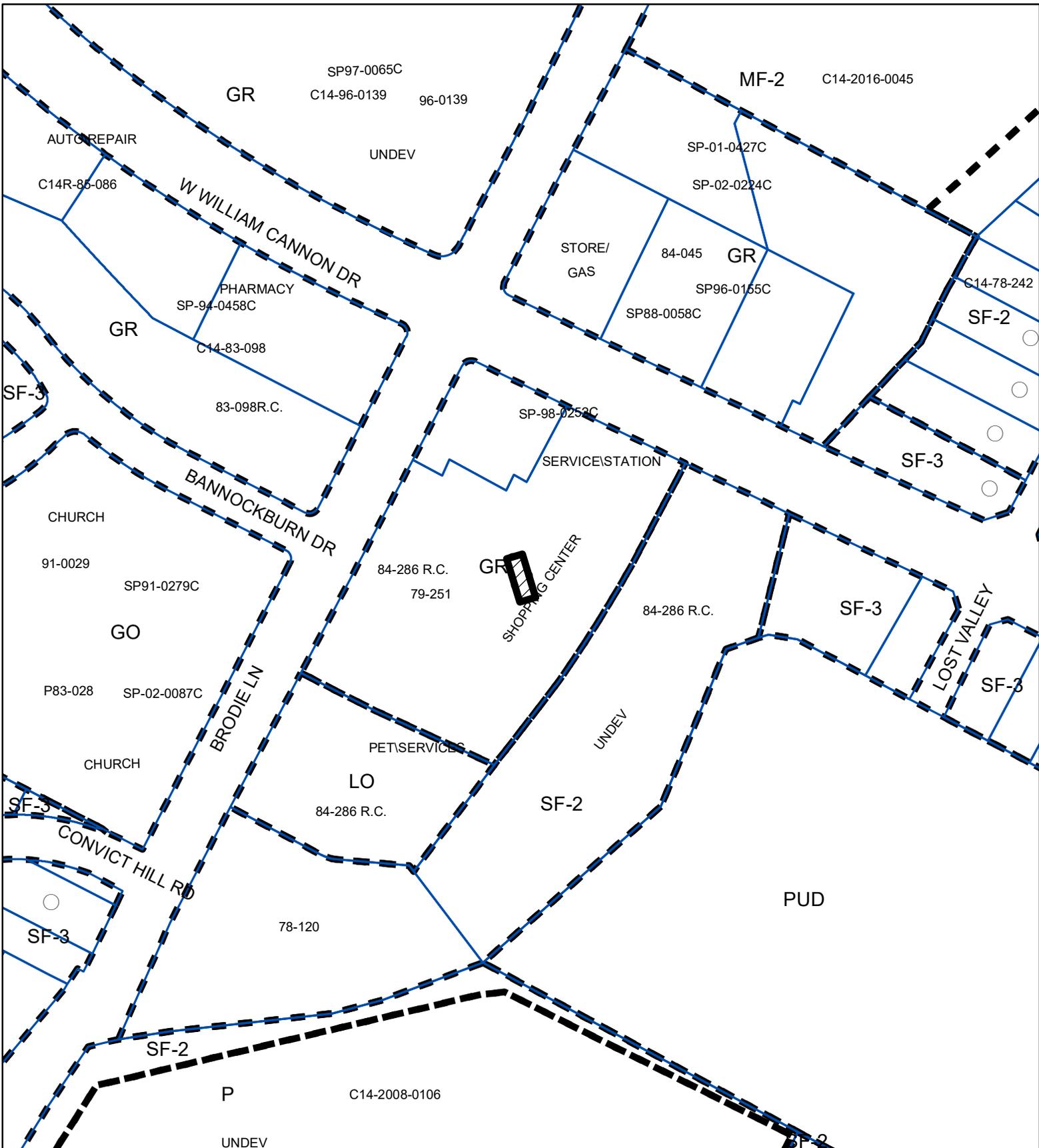
Water / Wastewater

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 Austin Water 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 fees once the landowner makes an application for Austin Water utility tap permits.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- A-1: Aerial Map

- B: Recorded Plat



ZONING

Exhibit A

ZONING CASE#: C14-2019-0158



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

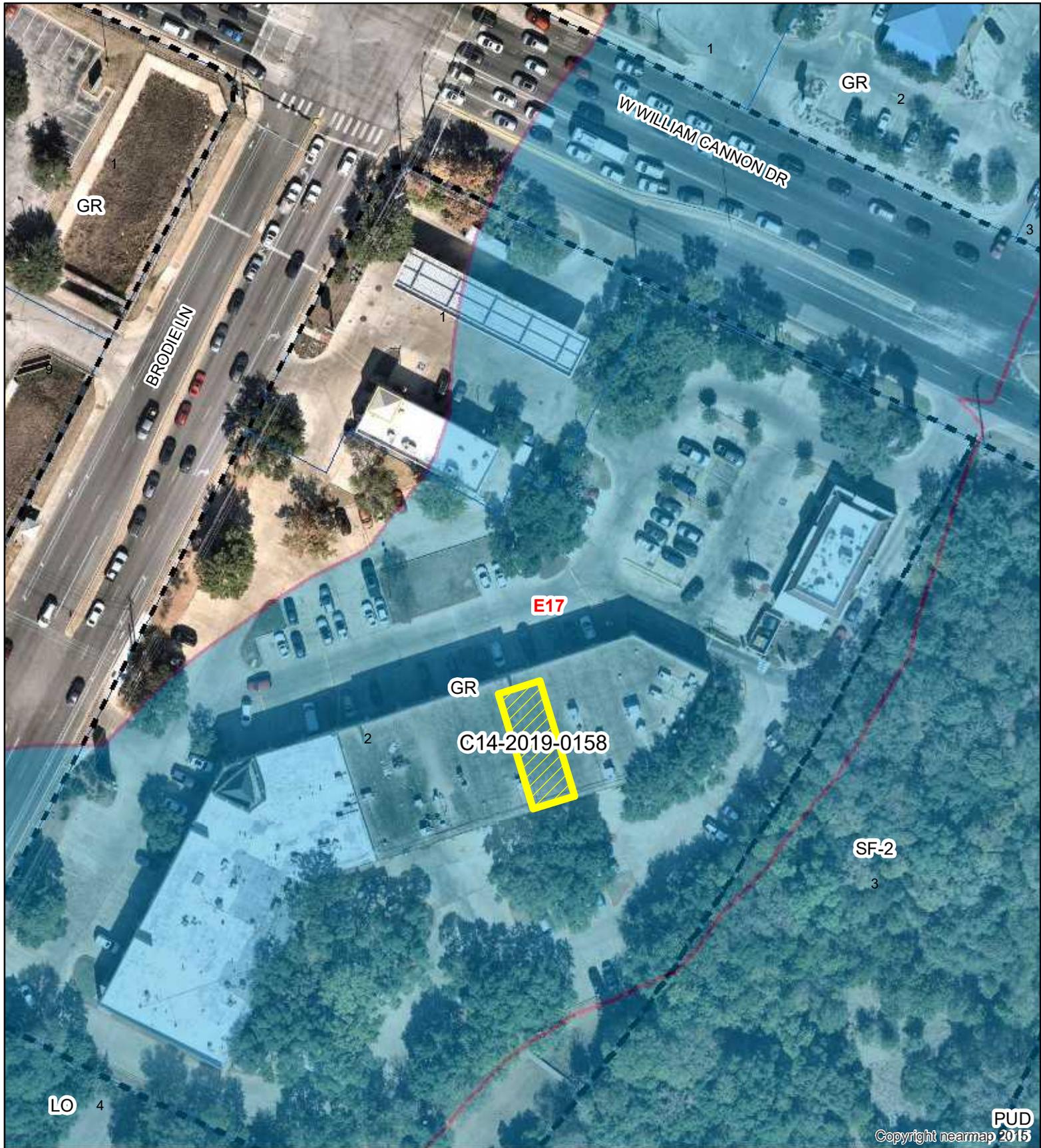
1" = 200'

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.



Created: 11/25/2019



1" = 75'

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ALONTI CATERING

Exhibit A - 1

ZONING CASE#: C14-2019-0158
 LOCATION: 3421 W. WILLIAM CANNON DR.
 SUBJECT AREA: 0.0417 Acres
 GRID: E17
 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.

CANNON OAKS



VICINITY MAP
R. T. S.

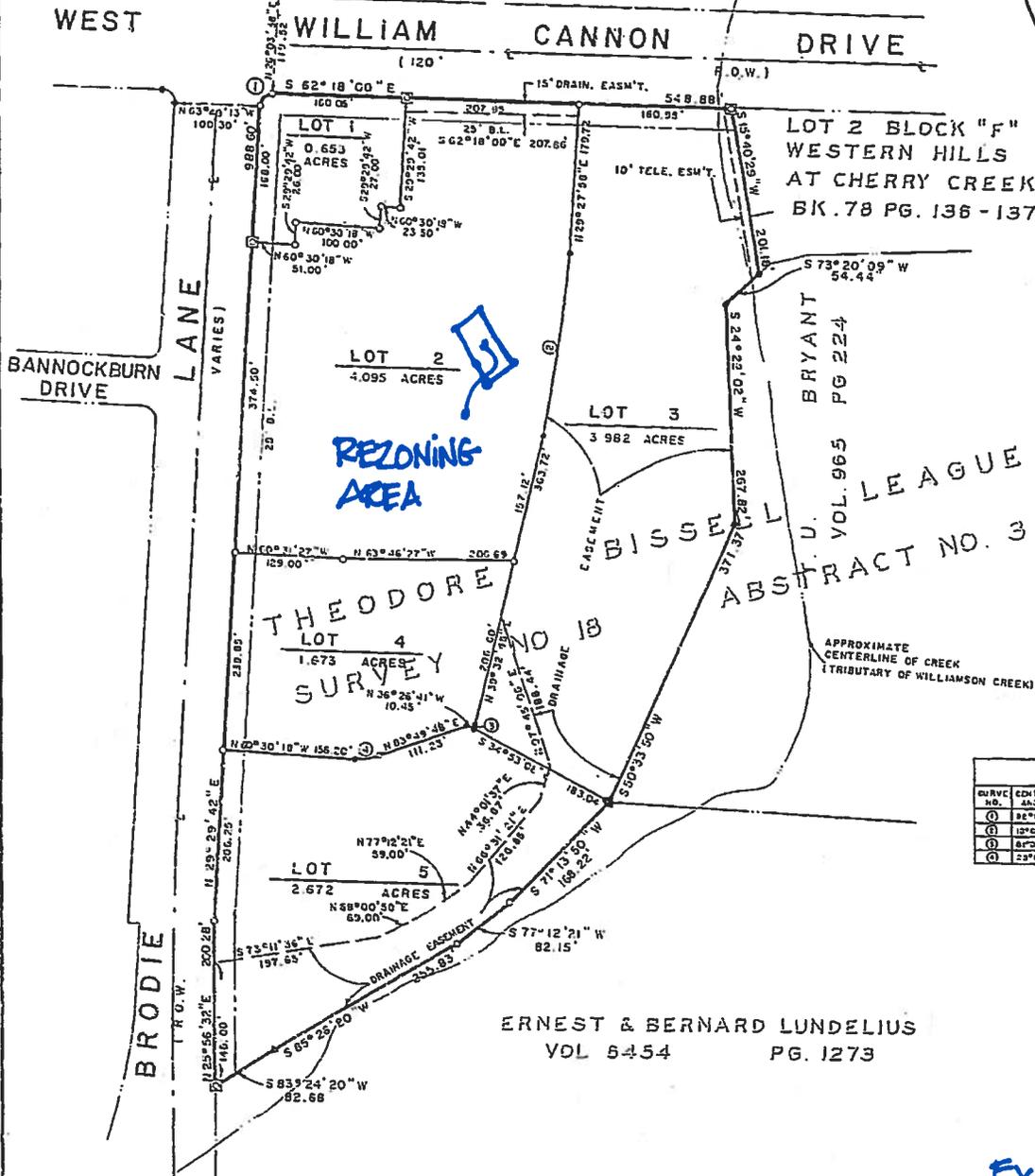


0' 50' 100' 200'
SCALE: 1" = 100'

LEGEND

- IRON ROD FOUND
- CONCRETE MONUMENT FOUND
- ▲ NAIL FOUND
- ⊙ CONC. MONUMENT SET
- ⊙ BOLT FOUND
- ⊙ IRON ROD SET
- B. L. BUILDING LINE

CURVE NO.	CENTRAL ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
(1)	22°13'23"	15.00'	29.10'	14.54'	20.88'	75°15'57"
(2)	12°45'29"	1270.63'	223.91'	112.24'	223.82'	134°30'34"
(3)	8°20'15"	143.32'	2.91'	1.26'	2.91'	83°00'47"
(4)	28°0'14"	73.32'	29.82'	15.15'	29.82'	112°0'40"



ERNEST & BERNARD LUNDELIUS
VOL 5454 PG. 1273

WATER & WASTEWATER NOTE: WATER & WASTEWATER SYSTEMS SERVING THIS SUBDIVISION SHALL BE DESIGNED & INSTALLED IN ACCORDANCE WITH THE CITY OF AUSTIN AND STATE HEALTH DEPARTMENT PLANS AND SPECIFICATIONS. PLANS AND SPECIFICATIONS SHALL BE SUBMITTED TO THE CITY OF AUSTIN WATER & WASTEWATER AND FIRE DEPARTMENTS FOR REVIEW.

- GENERAL NOTES:**
- ALL LOTS IN THIS SUBDIVISION SHALL BE EXEMPT FROM THE FOLLOWING WATERED ORDINANCES:
 - COMPREHENSIVE WATERED ORDINANCE (NO. 860308-V) PER 12-13-207(b).
 - ACQUIRED-REVOKED WILLIAMSON CREEK WATERED ORDINANCE (NO. 81031-A, PART 1)
 - ACQUIRED-REVOKED WATERED ORDINANCE OF WILLIAMSON CREEK ORDINANCE (NO. 801118-W, PART 1)
 - ALL OF LOT 3 IS A PORTION OF THE DRAINAGE EASEMENT EXCEPT FOR THE MOST SOUTHWESTER CORNER AS SHOWN HEREON.
 - BEFORE CONSTRUCTION ON ANY LOT IN THIS SUBDIVISION, DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF AUSTIN, OFFICE OF LAND DEVELOPMENT SERVICES FOR REVIEW. RAINFALL RUNOFF WILL BE HELD TO THE AMOUNT ESTABLISHED BY THE REGIONAL DETENTION PLANS APPROVED BY THE CITY OF AUSTIN, EXCEPT THAT RUNOFF IN EXCESS OF THE AMOUNT ESTABLISHED FOR THE REGIONAL DETENTION SYSTEM SHALL BE DETAILED BY THE USE OF ON-SITE PONDING OR OTHER APPROVED METHODS.
 - PROPERTY OWNERS SHALL NOT PLACE OR CAUSE TO BE PLACED IN ANY DRAINAGE EASEMENT, ANY FENCES OR OTHER OBSTRUCTIONS WHICH MAY INTERFERE WITH THE FLOW OF WATER.
 - ALL DRAINAGE STATEMENTS OF PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OF HIS ACRES.
 - PROPERTY OWNER SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PREVENT ACCESS BY GOVERNMENTAL AUTHORITIES.
 - FINISHED FLOOR SLAB ELEVATIONS SHALL BE A MINIMUM OF 1.0 FOOT ABOVE THE 100 YEAR FLOOD PLAIN FOR ALL LOTS ENCHANGING OR ADJUTING THE 100 YEAR FLOOD PLAIN.
 - ACCESS TO WILLIAM CANNON AND BRODIE LANE IS RESTRICTED TO PRA SITE PLAN APPROVAL.
 - ACCESS TO WILLIAM CANNON FROM LOTS 1 AND 2 AND TO BRODIE LANE FROM LOTS 1 AND 2 IS RESTRICTED TO THE ADJUT ACCESS AGREEMENT AS RECORDED IN VOL. 5278 PAGE 1012.
 - DIRECT ACCESS TO WILLIAM CANNON FROM LOT 3 IS PROHIBITED.
 - SIDEWALKS ARE REQUIRED ALONG THE SUBDIVISION SIDE OF WEST WILLIAM CANNON DRIVE AND BRODIE LANE.
 - SUCH SIDEWALKS SHALL BE COMPLETED PRIOR TO THE ACCEPTANCE AND ISSUANCE OF ANY TYPE I OR II DRIVEWAY APPROACH AND/OR CERTIFICATE OF OCCUPANCY.
 - SIDEWALKS WHICH HAVE NOT BEEN INSTALLED WITHIN TWO YEARS FROM THE DATE OF ACCEPTANCE FOR MAINTENANCE OF THE STREETS MAY, UPON APPROVAL OF THE CITY COUNCIL, BE CONSTRUCTED BY THE CITY OF AUSTIN AND ACCEPTANCE THEREOF SHALL BE MADE AGAINST THE AFFECTED PROPERTIES FOR ALL ENGINEERING, ADMINISTRATION, AND CONSTRUCTION COSTS.
 - OFF-STREET LOADING AND UNLOADING WILL BE PROVIDED FOR ALL TRACTS.
 - RESTRICTIVE COVENANT FILED VOL. 9978 PG. 449 TRAVIS COUNTY REAL PROPERTY RECORDS.

EXHIBIT B
RECORDED PLAT

Vol. 87 Page 32A
PLAT RECORDS, TRAVIS COUNTY, TEXAS
86 29315

DATE: AUGUST, 1986
PREPARED BY:

Pury & Littman, inc.
Consulting Engineers - Surveyors

CBS-86-099

SHEET
1
OF 2