

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0049 (Palm Square)

PC DATE: July 24, 2007

ADDRESS: 6004 Webberville Road

OWNERS: New Century Properties (Jennifer Tran) **AGENT:** A.E.C., Inc. (Phil Moncada)

ZONING FROM: CS-CO-NP, Commercial Services -- Conditional Overlay -- Neighborhood Plan combining district

TO: CS-1-CO-NP, Commercial Services-Liquor Sales -- Conditional Overlay- -- Neighborhood Plan combining district

AREA: 0.57 acres

PLANNING COMMISSION RECOMMENDATION:

July 24, 2007: Approved staff recommendation of CS-CO-NP and CS-1-CO-NP, on constant.

STAFF RECOMMENDATION: CS-1-CO-NP, Commercial Services-Liquor Sales -- Conditional Overlay- -- Neighborhood Plan combining district for tract 2 (6000 square feet) and tract 3 (3000 square feet), with the remainder of the property CS-CO-NP

The Staff recommends retaining the conditional uses approved as part of the Neighborhood Plan (which are listed below).

DEPARTMENT COMMENTS:

The rezoning site is an existing, approximately 30,000 square-foot building located in an abandoned shopping center at the northeastern corner of the intersection of US Highway 183 (Ed Bluestein) and FM 969 (East MLK/Webberville). The shopping center is planned for redevelopment.

The applicant originally requested a rezoning to CS-1-CO-NP for the entirety of the existing building in order to operate a liquor store and a cocktail lounge. Staff and the applicant have agreed to rezoning two tracts within the larger property to CS-1 to allow for these uses, while retaining the overall CS-CO-NP zoning.

This site is within the East MLK Combined Planning Area, more specifically, the MLK-183 Neighborhood Planning Area. The Future Land Use Map (FLUM) calls for Mixed Use. The requested CS-1-CO-NP zoning conforms to the FLUM so a plan amendment is not necessary for this rezoning.

The existing conditional overlay approved with the Neighborhood Plan and which is proposed and recommended for retention, makes conditional the following uses:

- Adult oriented businesses
- Automotive sales
- Commercial blood plasma center
- Convenience storage
- Equipment sales
- Vehicle storage
- Agricultural sales and services
- Campground
- Construction sales and services
- Equipment repair services
- Kennels
- Limited warehousing and distribution.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO-NP	Vacant shopping center building
<i>North</i>	CS-CO-NP and SF-2-NP	CS-CO-NP: Undeveloped; SF-2-NP: Single-family residences
<i>South</i>	Across FM 969: CS-NP & CS-CO-NP	CS-NP: Undeveloped;
<i>East</i>	SF-2-NP	Single-family residences
<i>West</i>	Across 183: CS-CO-NP	Church (Distance from nearest property line to nearest property line is approximately 500 feet)

NEARBY CASE HISTORIES:

CASE	REQUEST	COMMISSION ACTION	COUNCIL ACTION
C14-2007-0058.SH	From LR-NP to LR-MU-NP (Staff recommends)	06/12/07: Approved Staff rec.	06/21/07: Approved Commission rec.
C14-06-0173	From GO-NP to GO-MU-NP (Staff recommends)	10/24/07: Approved Staff rec.	12/14/07: Approved Commission rec.
C14-03-0171	From LR-NP to LR-MU-NP (Staff recommends)	2004: Approved Staff rec.	05/04/04: Approved Commission rec.
C14-02-0142.002	MLK-183 Neighborhood Planning Area rezonings	11/09/02: Approved n'hood plan rezonings	11/07/02: Approved n'hood plan rezonings
C14-02-0004	From LO to W/LO (Staff alt rec. of W/LO-CO)	02/26/02 and 04/09/02: Approved Staff alt. rec.	04/25/02: Approved Commission rec.
C14-01-0042	From LO to GR (Staff alt. rec. of LR-CO)	05/01/01: Approved Staff alt. rec.	08/23/01: Approved Commission rec.

AREA STUDY: East MLK Combined Planning Area, more specifically, the MLK-183 Neighborhood Planning Area

TRAFFIC IMPACT ANALYSIS (TIA): Not Required

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

- East MLK Neighborhood Plan Contact Team
- Austin Neighborhoods Council
- Craigwood Association
- Cavalier Park Neighborhood Assn.
- Del Valle Neighborhood Assn
- Home Builders Association of Greater Austin

ABUTTING STREETS:

Name	ROW	Pavement	Classification
Ed Bluestein Blvd (US 183)	500'	410' (including frontage roads)	Arterial
MLK Blvd (FM 969)	120'	50'	Arterial

CITY COUNCIL DATE:

ACTION:

ORDINANCE READINGS: 1st

2nd

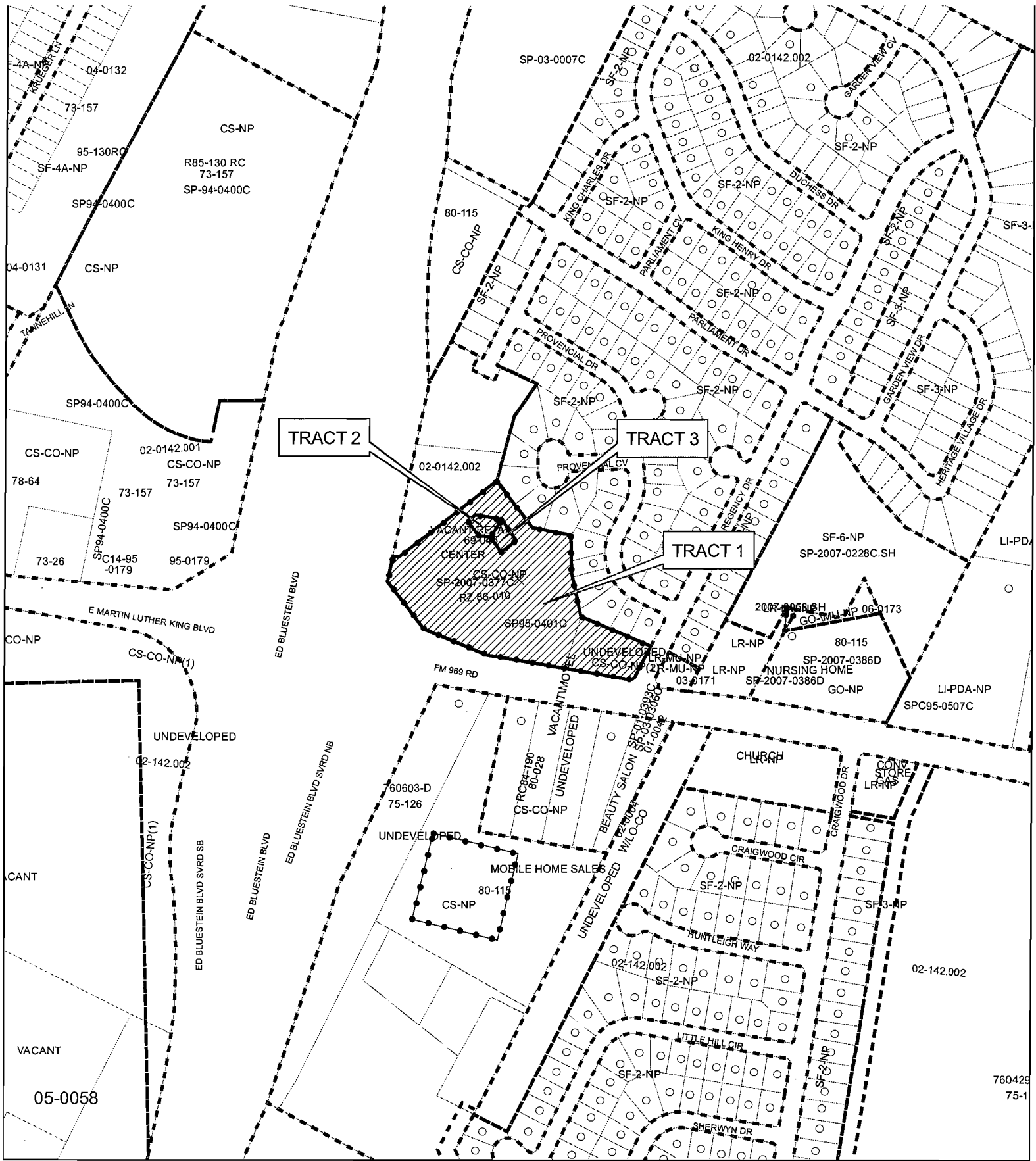
3rd

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil

PHONE: 974-2330

EMAIL: Robert.heil@ci.austin.tx.us



Subject Tract



Zoning Boundary



Pending Cases

ZONING

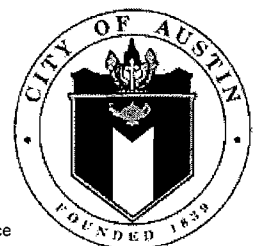
CASE#: C14-2007-0049

ADDRESS: 6004 WEBBERVILLE RD

SUBJECT AREA: 7.68 ACRES

GRID: N24

OPERATOR: R. HEIL



1" = 400'

OPERATOR: S. MEEKS

This map has been produced by G.I.S. Services for the sole purpose of geographic reference
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C14-2007-0049

Palm Springs Shopping Center
From CS-CO-NP to CS-1-CO-NP

100 0 100 200 Feet



STAFF RECOMMENDATION

CS-1-CO-NP, Commercial Services-Liquor Sales -- Conditional Overlay-- -- Neighborhood Plan combining district for tract 2 (6000 feet) and tract 3 (3000 square feet), with the remainder of the property CS-CO-NP

The Staff recommends retaining the conditional uses approved as part of the Neighborhood Plan (which are listed below).

BASIS FOR RECOMMENDATION

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

The 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.

Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.

This site is located at the intersection of two major arterials: FM 969/East MLK/Webberville Road and US Highway 183/Ed Bluestein Road.

Zoning changes should not result in detrimental impacts to the neighborhood character.

Permitting a limited amount of commercial-liquor sales within this shopping center should not be detrimental to the single-family neighborhood behind the site to the north and east..

EXISTING CONDITIONS

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut 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. 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 Net Site Area</i>	<i>% 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 flood plain maps, there is no floodplain within, or adjacent to the project boundary.

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 existing trees and 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 on this site will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

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

Transportation

No additional right-of-way is needed at this time.

A Neighborhood Traffic Analysis is not required per LDC, Sec. 25-6-114.

A traffic impact analysis was not required for this case because the base zoning is not being changed. However, at the time of site plan application a TIA may be required if the traffic generated by the proposed site exceeds the 2,000 vehicle trips per day.

Existing Street Characteristics:

Name	ROW	Pavement	Classification
Ed Bluestein Blvd (US 183)	500'	410' (including frontage roads)	Arterial
MLK Blvd (FM 969)	120'	50'	Arterial

There are no existing sidewalks along the property.

MLK Blvd is classified in the Bicycle Plan.

Capital Metro bus service is available along MLK Blvd. Route 23 (Johnny Morris Route) provides service from Springdale (at Manor Rd) shopping center to Techni Center (at US 183).

Site Plan

Compatibility standards will apply to any development on this site, and any cocktail lounge or late-hours use will require a conditional use permit approved by Planning Commission at the time of site plan approval.

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 the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, an abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. 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.

