

ZONING CHANGE REVIEW SHEET

CASE: C814-95-0002.09

Z.A.P. DATE: August 3, 2010
August 17, 2010

ADDRESS: 7301 North FM 620 Road (Suite 105)

OWNER/APPLICANT: US Retail Income Fund VIII C/O BVT Management Services, Inc.
(Scott I. Farber)

AGENT: Thrower Design (A. Ron Thrower)

ZONING FROM: PUD

TO: PUD

AREA: 0.147 acres (6,419 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant the amendment of the Four Points Centre P.U.D., thereby permitting Liquor Sales uses within a 6,419 sq. ft. area on Lot 1 of Block B within the PUD.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

8/03/10: Postponed to August 17, 2010 at the staff's request (6-0, T. Rabago-absent);
D. Tiemann-1st, C. Banks-2nd.

8/17/10: Approved staff's recommendation to grant the PUD amendment on consent (6-0, P. Seeger-absent); D. Tiemann-1st, G. Bourgeois-2nd.

DEPARTMENT COMMENTS:

The applicant is requesting an amendment to the Four Points Centre Planned Unit Development (PUD) to change the permitted uses on a footprint area within Lock 1, Block B of the PUD to allow for Liquor Sales (See redlined Land Use Plan for Four Points Centre PUD-Attachment A).

The staff recommends the proposed PUD amendment because the site is currently developed with an existing commercial retail center. The applicant is asking to add a liquor store in a vacant suite within a shopping center that contains and HEB grocery store. The proposed amendment will allow a small area for a liquor sales use that will provide additional retail services to the surrounding areas.

The applicant agrees with the staff recommendation.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|--------|-----------------------------------|
| <i>Site</i> | PUD | Vacant Suite |
| <i>North</i> | PUD | Retail Center, Water Quality Pond |
| <i>South</i> | PUD | Parking Area for Retail Center |
| <i>East</i> | PUD | Retail Sales (HEB Grocery Store) |
| <i>West</i> | PUD | Retail Center |

AREA STUDY: N/A

TIA: Waived

WATERSHED: Bull Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**HILL COUNTRY ROADWAY:** Yes**NEIGHBORHOOD ORGANIZATIONS:**

Austin Monorail Project
 Austin Parks Foundation
 Bull Creek Foundation
 Home Builders Association of Greater Austin
 Homeless Neighborhood Association
 League of Bicycling Voters
 Leander ISD Population and Survey Analysts
 Long Canyon Homeowners Association
 Long Canyon Phase II & LLL Homeowners Association Inc.
 Sierra Club, Austin Regional Group
 Super Duper Neighborhood Objectors and Appealers Organization
 The Parke HOA
 The Real Estate Council of Austin, Inc.
 2222 Coalition of Neighborhood Associations
 Volente Neighborhood Association

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|---|-------------------------------|---|---|
| C14-04-0206 (7400 R.M. 620 North and 11620 Bullick Hollow Road) | I-RR to CS-MU | 11/15/05: Approved staff's recommendation of GR-CO zoning, with a CO to prohibit the Service Station use and a public RC to encompass the TIA recommendations, by consent (7-0, J. Martinez, J. Gohil-absent); K. Jackson-1 st , M. Hawthorne-2 nd . | 12/15/05: Approved ZAP rec. of GR-CO zoning by consent (7-0); 1 st reading 1/26/06: Approved GR-CO (6-0); 2 nd /3 rd readings |
| C14-03-0177 (Four Points Centre-Jack Brown Site - 11500 R.R. 2222 | SF-2 to CS* *Amended to GR | 1/6/04: Approved GR-CO zoning, with conditions: 1) A maximum of 2,000 vehicle trips per day; 2) Prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing, Pawn Shops; Vote: (9-0); J. Martinez-1 st , J. Donisi-2 nd | 2/05/04: Granted GR-CO (7-0); all 3 readings |

| | | | |
|-------------|------------|--|--|
| C14-01-0058 | SF-2 to GR | 5/8/01: Approved GR-CO w/ trip limitation conditions maintained as per staff rec. & prohibit auto related uses (6-2, JM/RC-No) | 7/19/01: Approved GR-MU-CO w/ conditions & RR (6-0) 7/19/02: Expired-No 3 rd reading (Administrative) |
| C14-01-0057 | SF-2 to GR | 5/8/01: Approved GR-CO w/ trip limitation conditions maintained as per staff rec. & prohibit auto related uses (6-2, JM/RC-No) | 7/19/01: Approved GR-CO w/ conditions (6-0); all 3 readings |
| C14-01-0056 | SF-2 to GR | 5/8/01: Approved GR-CO w/ trip limitation conditions maintained as per staff rec. & prohibit auto related uses (6-2, JM/RC-No) | 7/19/01: Approved GR-CO w/ conditions (6-0); all 3 readings |
| C14-99-2075 | RR to GO | 11/16/99: Approved GO, limited to 'LO' development regs. and 1,500 trips per day (8-0) | 1/27/00: Approved PC rec. of GO-CO (5-0); 1 st reading 3/23/00: Approved GO-CO w/ restrictions: 1) Office size limited to 150,000, 2) Limited traffic to 1,850 TPD, 3) Limited any single tenant lease space to 75,000 sq ft (6-0, DS-out of room); 2 nd reading 6/1/00: Approved 3 rd reading (7-0) |
| C14-98-0236 | I-RR to LI | 4/6/99: Approved LI w/ conditions (8-0) | 5/6/99: Approved PC rec. of LI-CO w/ conditions and provision to rollback to GR if current use ceases for more than 90 days (6-0); 1 st reading 7/1/99: Approved LI-CO w/ conditions: 1) Allow all restaurant uses, 2) Rollback to 'GR' if use ceases for more than 180 days (subj. to discussion taken at 3 rd reading) (6-0); 2 nd reading |

| | | | |
|--|--|--|--|
| | | | 7/15/99: Approved LI-CO w/ conditions (4-2, Griffith/ Slusher-Nay); 3 rd reading |
| C14-98-0225 | I-RR to GR | 2/2/99: Send case to CC without recommendation | 3/4/99: Approved GR-MU-CO w/ conditions (6-1, DS-Nay) 7/1/99: Approved GR-MU-CO w/ conditions (5-1, DS-No); 2 nd reading 7/22/99: Approved GR-MU-Co w/ conditions (6-1, Slusher-No) |
| C14-98-0214 | SF-2, DR to CS | 3/2/99: Approved GR (comply with HCS), CS only for storage (6-2, BB/SA-Nay) | 4/15/99: Approved GR-CO for entire site w/ LR uses and Automotive Sales and Automotive Repair as only GR uses & other conditions (6-0); 3 rd reading |
| C14-98-0027 | I-SF-2 to GR | 4/14/98: Approved GR-CO w/ conditions (6-2) | 6/11/98: Approved PC rec. of GR-CO w/ conditions: deleted ROW dedication sue to waiver by TXDOT (6-0); 1 st reading 7/9/98: Approved GR-CO w/ conditions (7-0); 2 nd / 3 rd readings |
| C814-95-0002.04 (Four Points Centre PUD Amendment #4) | PUD to PUD: To amend the PUD to allow GR-MU (Community Commercial-Mixed Use Combining District) uses on Lots 2, 4, 5 and 6 of Block B within the PUD | 2/4/03: Approved staff's recommendation of PUD zoning by consent (7-0, K. Jackson, J. Martinez-absent); J. Gohil-1 st , M. Whaley-2 nd . | 3/06/03: Granted PUD zoning on 1 st reading (6-0, Dunkerley-absent) 4/24/03: Approved 2 nd /3 rd readings (6-0-1 Garcia-absent) |
| C814-95-0002 (Four Points Centre PUD Amendment #1) | PUD to PUD | 12/12/95: Approved PUD revision w/ conditions (5-3) | 12/14/95: Approved PUD subject to list of conditions (4-0); 1 st reading; (Public hearing closed but speakers will |

| | | | |
|--|--|--|--|
| | | | be allowed to speak at 2 nd /3 rd readings) |
| | | | 6/13/96: Approved PUD subject to conditions |

RELATED CASES: C814-95-0002 (Four Points Centre PUD)

ABUTTING STREETS:

| Name | ROW | Pavement | Class | Sidewalk? | Bus Route? | Bike Route? |
|-------------------|------|----------|----------|-----------|------------|-------------|
| FM 620 | 160' | Mad 4 | Arterial | No | No | Yes |
| Four Points Drive | 85' | Mad 4 | Arterial | No | No | Yes |

CITY COUNCIL DATE: August 26, 2010

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

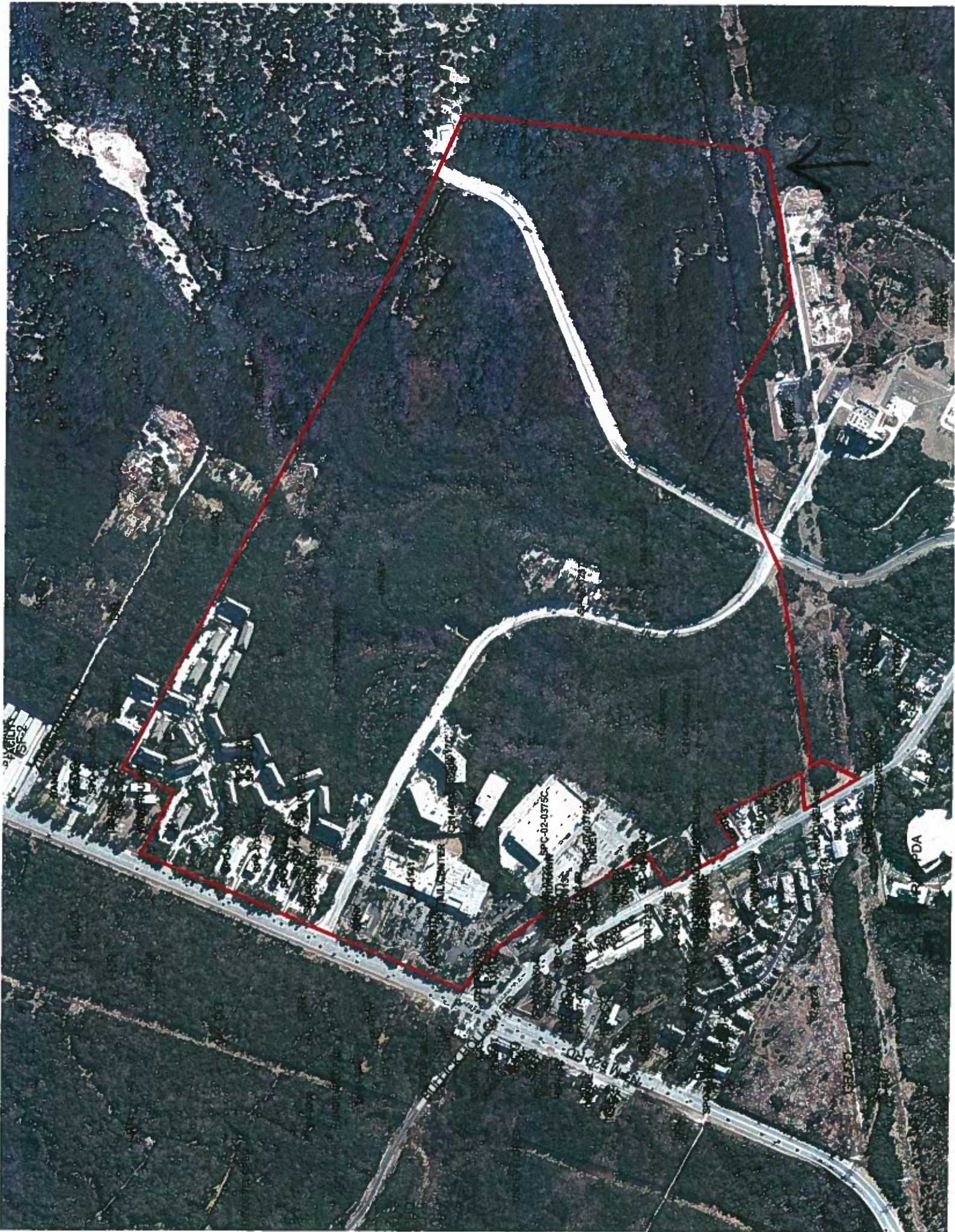
CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057

sherri.sirwaitis@ci.austin.tx.us

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.





STAFF RECOMMENDATION

The staff's recommendation is to grant the amendment of the Four Points Centre P.U.D., thereby permitting Liquor Sales uses within a 6,419 sq. ft. area on Lot 1, of Block B within the PUD.

BASIS FOR RECOMMENDATION

1. *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.*

The Four Points Centre PUD is located near the intersection of two arterial roadways, RM 620 and RM 2222. The property is easily accessible from the surrounding areas. The proposed amendment will allow for the Liquor Sales use to be permitted on a small footprint area within the existing commercial retail center.

3. *Zoning should allow for reasonable use of the property.*

The proposed amendment to the PUD will allow for reasonable use of the property as it will allow for an additional commercial use that will provide new services to the surrounding areas.

EXISTING CONDITIONS**Site Characteristics**

The site under consideration is a vacant suite within an existing retail shopping center located at the northeastern corner of FM 2222 and North FM 620 Road.

Environmental

No comments on the proposed zoning change.

The site is located over the Edward's Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

Impervious Cover

Environmental issues at the site, including but not limited to Impervious Cover, are controlled by the Lake Austin Watershed Ordinance (Ordinance No. 840301-F), as amended by the Four Points Centre PUD Ordinance.

Site Plan/Compatibility Standards

No comments.

Stormwater 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 stormwater runoff will be mitigated through on-site

stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Transportation

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

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]. **ADDITIONAL NOTE: Please demonstrate that the site complies with the trip limitation established in the restrictive covenant that went into effect with zoning case # C14-98-0268.**

Existing Street Characteristics:

| Name | ROW | Pavement | Class | Sidewalk? | Bus Route? | Bike Route? |
|-------------------|------|----------|----------|-----------|------------|-------------|
| FM 620 | 160' | Mad 4 | Arterial | No | No | Yes |
| Four Points Drive | 85' | Mad 4 | Arterial | No | No | Yes |

No additional right-of-way is needed at this time for Four Points Drive.

Additional right-of-way for RM 2222 may be acquired during the platting or site planning of the subject property in accordance with the Austin Metropolitan Area Transportation Plan.

There are no existing sidewalks along RM 2222 or Four Points Drive.

RM 2222 is classified in the Bicycle Plan as a Priority One bike route (Route 419.01).

Four Points Drive is not classified in the Bicycle Plan.

Capital Metro bus service is available along RM 2222 (Routes 401 and 402).

Water Quality

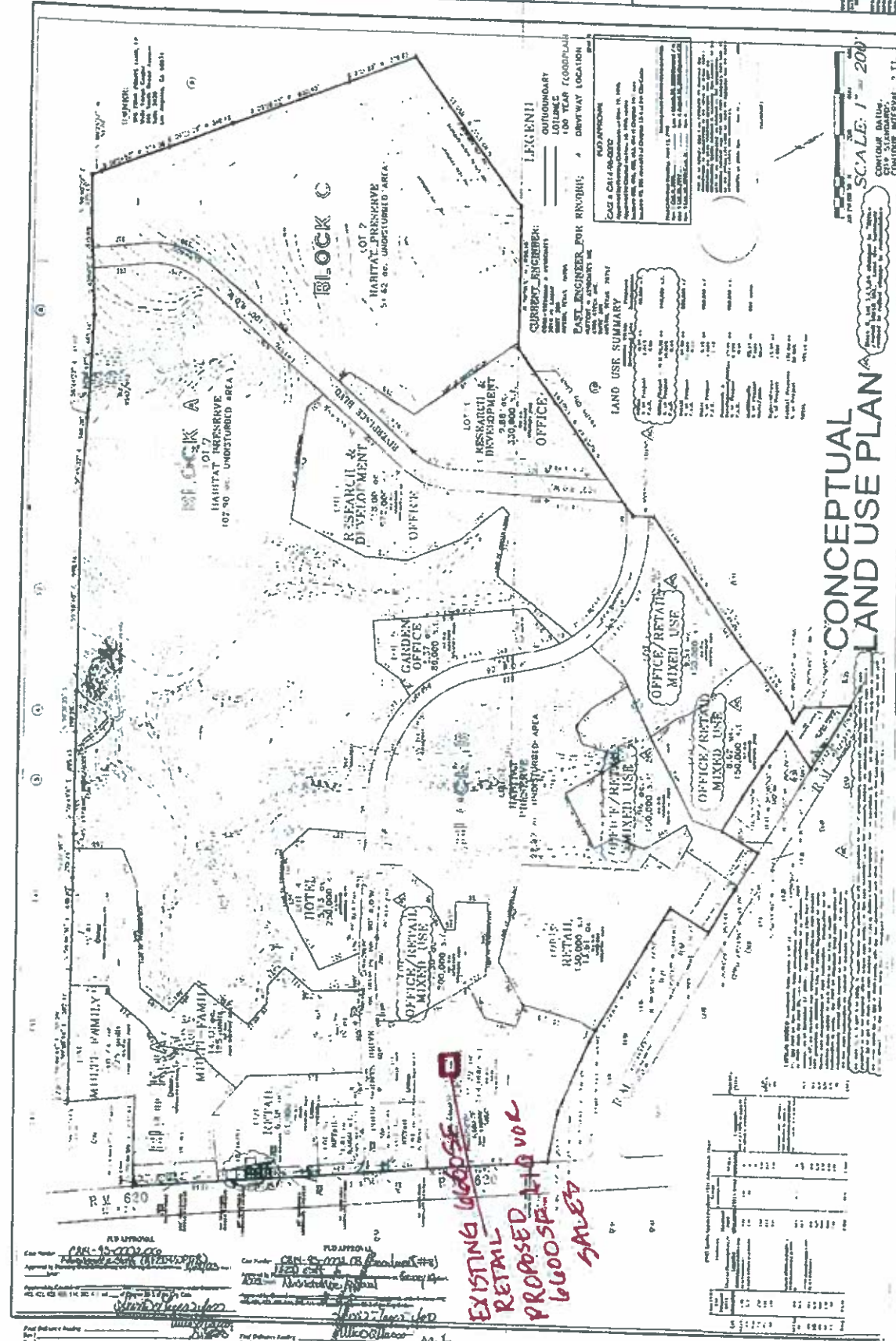
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.

FOUR POINTS CENTRE
GOVERNMENT LAND USE PLAN

WATKINS & ASSOCIATES, INC.

LAND STRATEGIES INC.

PLANNED ENVIRONMENTS INC.



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

LAND USE SUMMARY

| LAND USE | AREA (AC) | PERCENTAGE |
|---------------|-------------------|---------------|
| Office | 1,200,000 | 10.0% |
| Office/Retail | 1,200,000 | 10.0% |
| Retail | 1,200,000 | 10.0% |
| Mixed Use | 1,200,000 | 10.0% |
| Hotel | 1,200,000 | 10.0% |
| Residential | 1,200,000 | 10.0% |
| Industrial | 1,200,000 | 10.0% |
| Public | 1,200,000 | 10.0% |
| Open Space | 1,200,000 | 10.0% |
| Water | 1,200,000 | 10.0% |
| Other | 1,200,000 | 10.0% |
| Total | 12,000,000 | 100.0% |

LEGEND

OUTBOUNDARY
100 YEAR COORPLAN
DRAINAGE
DRAINAGE

CURRENT ENGINEER:
WATKINS & ASSOCIATES, INC.

OFFICE:
WATKINS & ASSOCIATES, INC.

RESEARCH & DEVELOPMENT:
WATKINS & ASSOCIATES, INC.

HABITAT PRESERVE:
WATKINS & ASSOCIATES, INC.

LOT 1:
WATKINS & ASSOCIATES, INC.

LOT 2:
WATKINS & ASSOCIATES, INC.

LOT 3:
WATKINS & ASSOCIATES, INC.

LOT 4:
WATKINS & ASSOCIATES, INC.

LOT 5:
WATKINS & ASSOCIATES, INC.

LOT 6:
WATKINS & ASSOCIATES, INC.

LOT 7:
WATKINS & ASSOCIATES, INC.

LOT 8:
WATKINS & ASSOCIATES, INC.

EXISTING WOODS
PROPOSED WOODS
SAVES

Case Number: 2008-10-0002-00
Approved by: [Signature]
Date: [Date]

Case Number: 2008-10-0002-00
Approved by: [Signature]
Date: [Date]

Case Number: 2008-10-0002-00
Approved by: [Signature]
Date: [Date]

Case Number: 2008-10-0002-00
Approved by: [Signature]
Date: [Date]

Final Review: [Signature]
Date: [Date]

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