

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C814-95-0002.09 (Four Points Centre PUD Amendment #9)

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 7301 North FM 620 Road (Suite 105) from PUD, Planned Unit Development District, zoning to PUD, Planned Unit Development District, zoning.

The ordinance reflects the conditions imposed by the City Council on 1st reading.

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

AGENT: Thrower Design (A. Ron Thrower)

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 an 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 City Council's recommendation at 1st reading.

DATE OF FIRST READING/VOTE: August 26, 2010

ACTION: Approved the first reading of PUD zoning on consent (7-0); Spelman-1st, Martinez-2nd.

CITY COUNCIL DATE: September 30, 2010

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Sirwaitis

PHONE: 974-3057

sherri.sirwaitis@ci.austin.tx.us

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: Approved the first reading of
PUD zoning on consent (7-0); Spelman-1st,
Martinez-2nd.

September 30, 2010

ACTION:

ORDINANCE READINGS: 1st 8/26/10

2nd

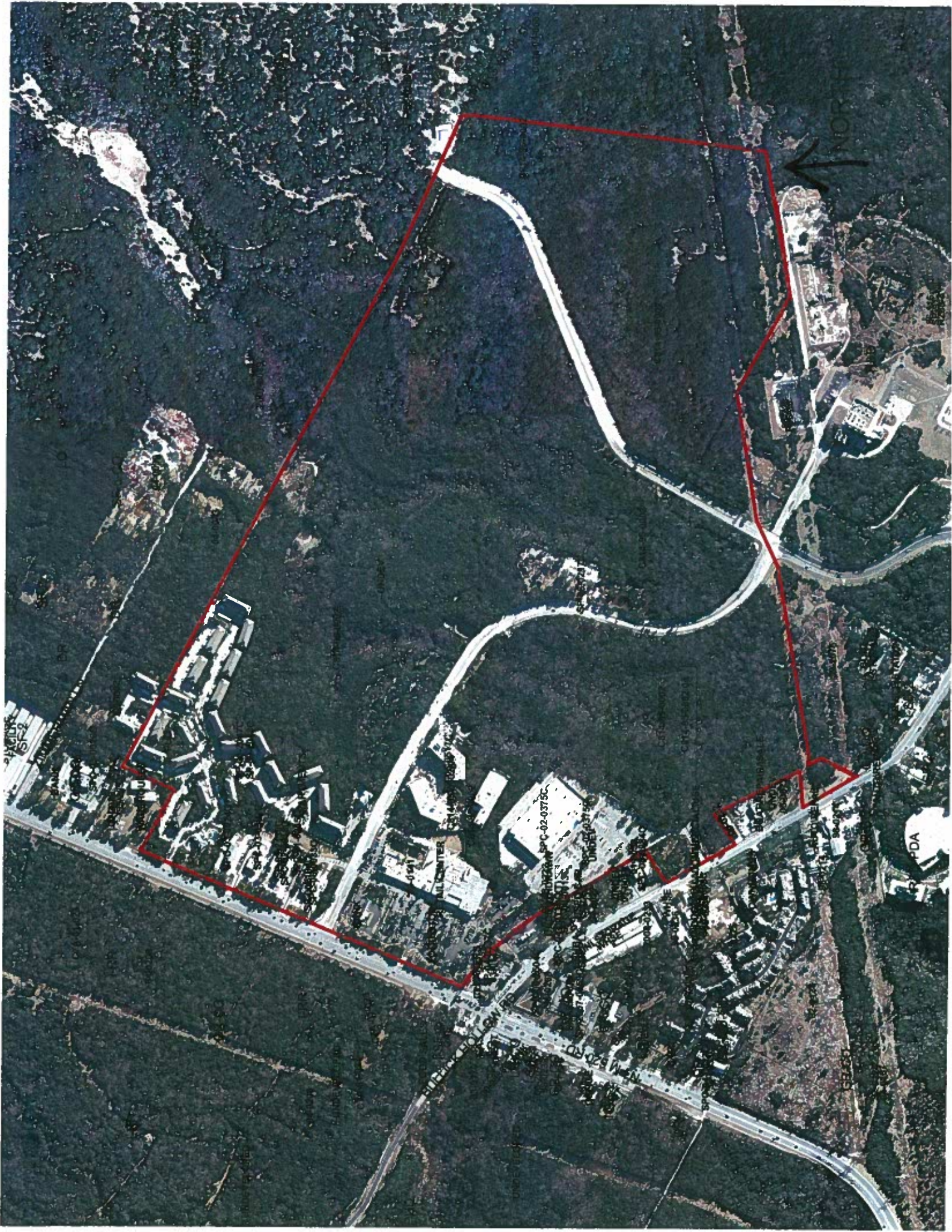
3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057
sherri.sirwaitis@ci.austin.tx.us





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.

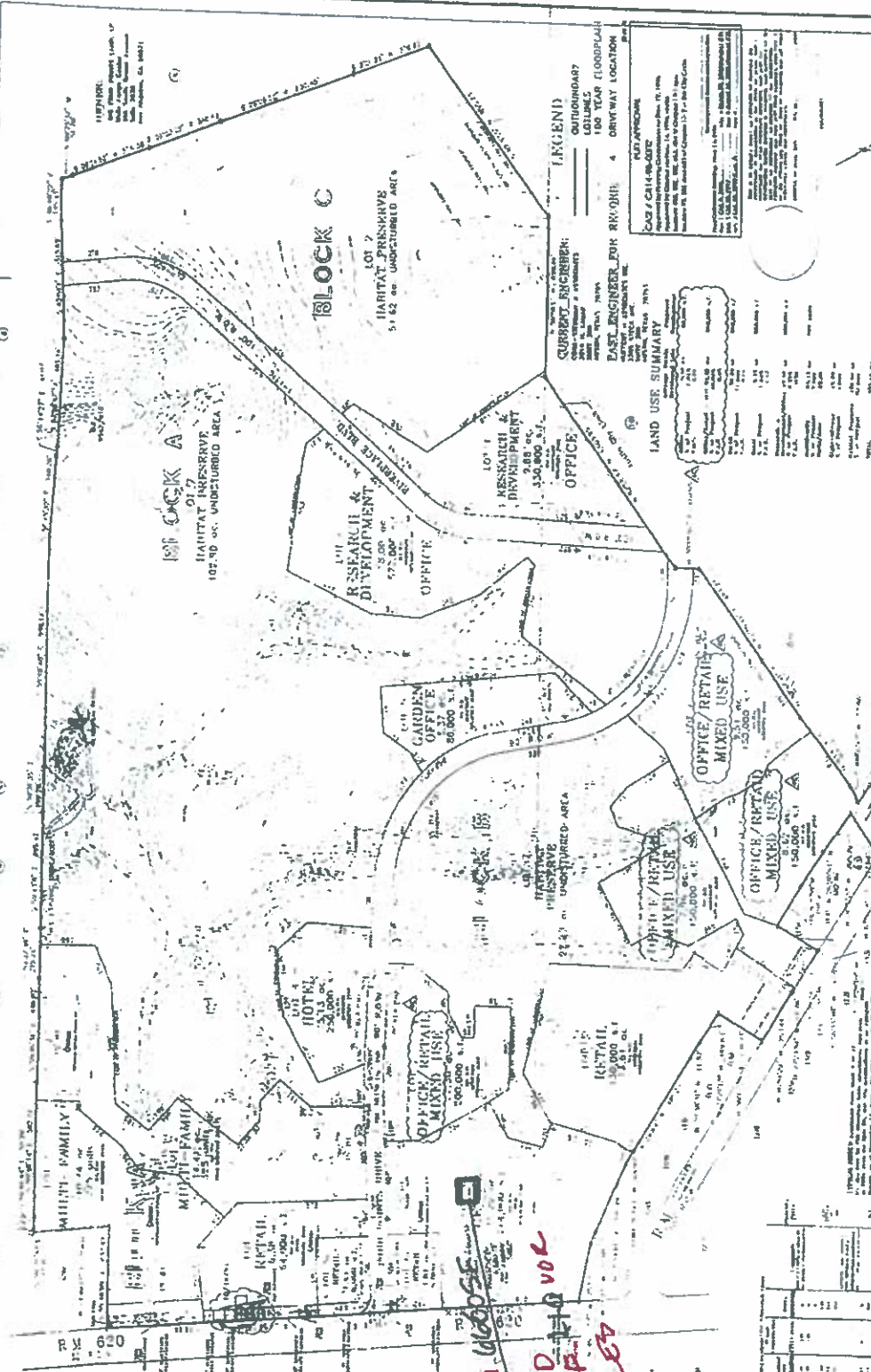
FOUR POINTS CENTRE
CONCEPTUAL LAND USE PLAN

LAND STRATEGIES INC.
PLANNED ENVIRONMENTS INC.

METRO A ASSOCIATES, INC.

SCALE: 1" = 200'
DATE: 10/1/90
BY: [Signature]

CONCEPTUAL
LAND USE PLAN



EXISTING WOODS
RETAIL
PROPOSED
WOODS
SALES

PREPARED BY: [Signature]
DATE: 10/1/90
BY: [Signature]

Area	Area (Acres)	Use
Block A	107.40	Habitat Preserve
Block C	51.62	Habitat Preserve
Office	107.40	Office
Retail	107.40	Retail
Mixed Use	107.40	Mixed Use

LAND STRATEGIES INC.
1010 LINDSEY BLVD. SUITE 200
HOUSTON, TX 77060
TEL: (713) 555-8000
FAX: (713) 555-8001
WWW.LANDSTRATEGIES.COM

FOUR POINTS CENTRE
CONCEPTUAL LAND USE PLAN
LAND USE PLAN NOTES AND TABULATIONS

OWNER: THE FOUR POINTS CENTRE
10000 Katy Freeway, Suite 200
Houston, Texas 77055
ARCHITECT: C. J. RICHARDS & ASSOCIATES
10000 Katy Freeway, Suite 200
Houston, Texas 77055
DATE: 10/10/2007

REVISIONS:
1. 10/10/2007: Initial Issue
2. 10/10/2007: Revised
3. 10/10/2007: Revised
4. 10/10/2007: Revised
5. 10/10/2007: Revised
6. 10/10/2007: Revised
7. 10/10/2007: Revised
8. 10/10/2007: Revised
9. 10/10/2007: Revised
10. 10/10/2007: Revised

TYPICAL NOTES

1. The site is located within the City of Houston, Harris County, Texas. The site is bounded by the following streets: [Street Name], [Street Name], [Street Name], and [Street Name]. The site is zoned [Zoning Code] and is subject to the following regulations: [Regulations].

2. The site is currently vacant and is to be developed for [Use]. The development is to be in accordance with the City of Houston Comprehensive Zoning Ordinance and the City of Houston Comprehensive Development Code.

3. The site is to be developed in accordance with the following standards: [Standards].

4. The site is to be developed in accordance with the following standards: [Standards].

5. The site is to be developed in accordance with the following standards: [Standards].

6. The site is to be developed in accordance with the following standards: [Standards].

7. The site is to be developed in accordance with the following standards: [Standards].

8. The site is to be developed in accordance with the following standards: [Standards].

9. The site is to be developed in accordance with the following standards: [Standards].

10. The site is to be developed in accordance with the following standards: [Standards].

APPROVAL FOR
CASE # 0314-00002
APPROVED BY: [Signature]
DATE: 10/10/2007

ADJACENT PROPERTY OWNERS
[List of Adjacent Property Owners]

Table with 10 columns: Parcel ID, Area (Acres), Zoning, Use, etc.



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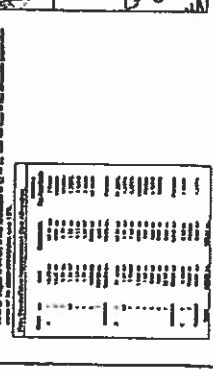


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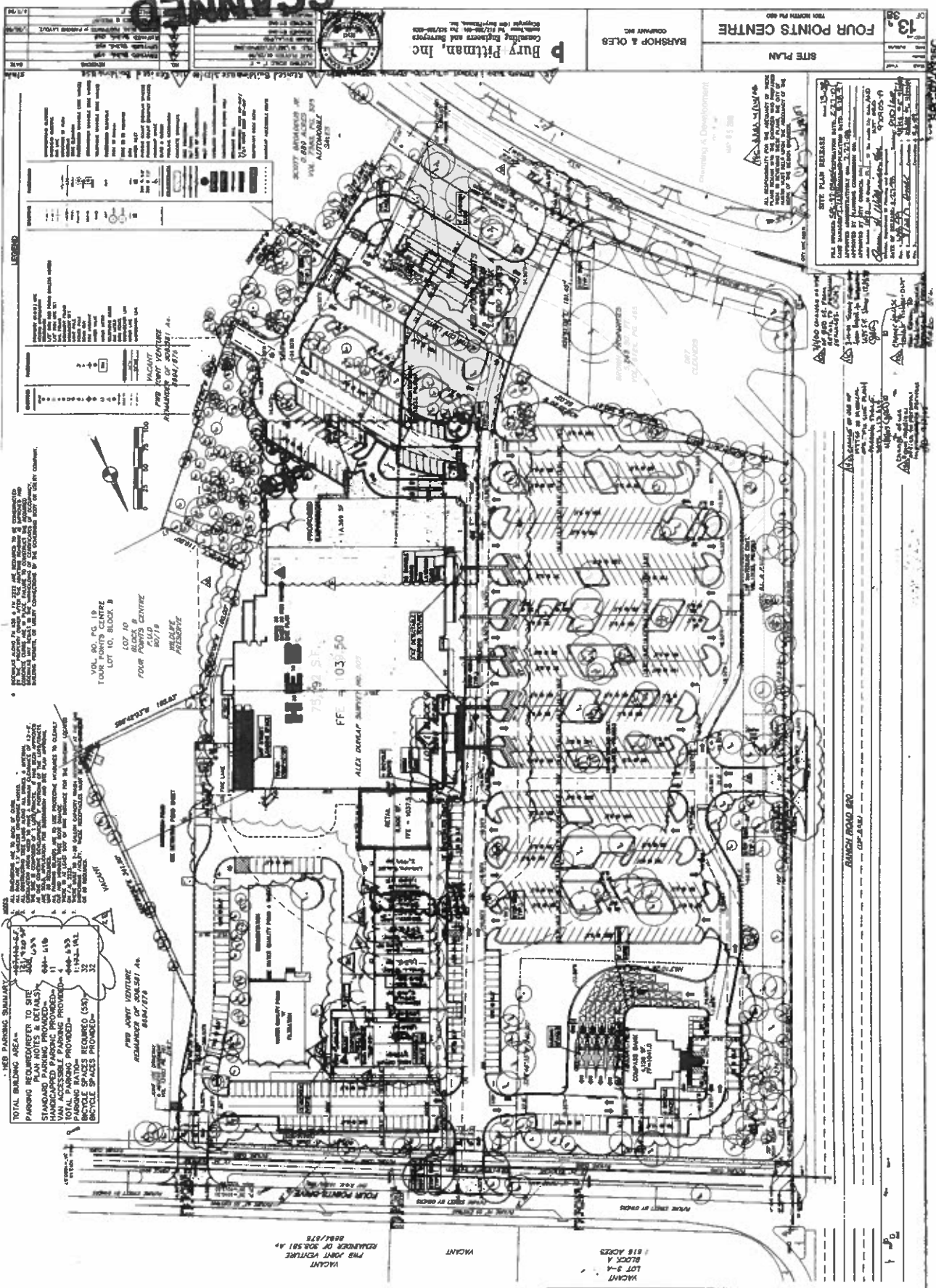
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SCANNED



NOTES:
1. ALL DIMENSIONS ARE TO CENTER OF CURVE.
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NEW PARKING SUMMARY:
TOTAL PARKING AREA= 1,120,000 SQ. FT.
PARKING REQUIREMENTS TO SITE:
STANDARD PARKING PROVIDED= 1,120,000 SQ. FT.
VAN ACCESSIBLE PARKING PROVIDED= 1,120,000 SQ. FT.
TOTAL PARKING PROVIDED= 1,120,000 SQ. FT.
BICYCLE SPACES REQUIRED= 1,120,000 SQ. FT.
BICYCLE SPACES PROVIDED= 1,120,000 SQ. FT.

FOUR POINTS CENTRE
LOT 10, BLOCK 8
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LEGEND
VACANT
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