

#122

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0094 / 921 Reinli Rezone

P.C. DATE: August 24, 2010

Late Backup

ADDRESS: 921 Reinli Street

OWNER: Goldstar Investment, LTD. C/O Hill Partners Mgmt. Co., (John Simmons)

AGENT: Thrower Design, (Ron Thrower) 512-476-4456

ZONING FROM: CS-CO-NP

TO: CS-1-NP

SITE AREA: 1.52 acres

SUMMARY STAFF RECOMMENDATION: The staff recommendation is to grant the change from CS-CO-NP (General Commercial Services – Conditional Overlay – Neighborhood Plan) district zoning to CS-1-CO-NP (Commercial Liquor Sales – Conditional Overlay – Neighborhood Plan) district zoning. The Conditional Overlay will limit vehicle trips to less than 2,000 per day, prohibit all CS-1 uses with Liquor Sales as the only permitted use, and permit all CS uses, except for the following: Residential Treatment, Pawn Shop Services, Transitional Housing which are prohibited and Agricultural Sales & Services, Campground, Commercial Blood Plasma Center, Construction Sales & Services, Convenience Storage, Equipment Repair Services, Equipment Sales, Kennels and Vehicle Storage which are conditional uses.

SUMMARY PLANNING COMMISSION RECOMMENDATION: August 24, 2010: Planning Commission voted to *APPROVE* staff's recommendation of CS-1-CO-NP, was approved by Commissioner Jay Reddy's motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

DEPARTMENT COMMENTS: The 1.52-acre site is currently zoned CS-CO-NP (General Commercial Services – Conditional Overlay – Neighborhood Plan) district zoning and has access from Reinli Street and Airport Boulevard. The property lies within the North Loop Neighborhood Plan area and is surrounded by a hotel to the north, apartments and single family residences to the south, a vacant furniture show room building and apartments to the west, and public storage to the east.

The subject property is currently developed with an approximately 30,000 square foot unoccupied building. The intent of rezoning is so that the property can be used for the warehousing of liquor, wine and spirits products. While this is a warehouse use which is a use allowed under the current zoning of CS, the property must obtain the CS-1 zoning to obtain all required permits. Texas Alcohol Beverage Commission (TABC) rules require that a liquor warehouse use have CS-1 zoning. In order to distribute liquor to clubs, bars, restaurants etc., a Local Distributors Permit is required. This is a subsidiary permit to a Package Store Permit and it requires the CS-1 zoning.

The proposed retail operation for Twin Liquors will be located at 5639 Airport Boulevard and was filed under zoning case number C14-2009-0165 and approved by Council on March 11, 2010 under Ordinance 20100311-058. This application is proposed for a corporate campus for the entire Twin Liquors operation for office/warehousing purposes, but again is required to obtain CS-1 zoning to meet the eligibility requirement of a Package Store Permit.

The staff recommendation is to approve the requested zoning change. There are surrounding office/warehousing uses in the area. Additionally, the applicant will maintain all the prohibited uses that were placed in the Conditional Overlay that accompanied the Neighborhood Plan, and will prohibit all CS-1 uses except Liquor Sales.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO-NP	Unoccupied warehouse building
<i>North</i>	CS-CO-NP	Motel (Best Value Inn)
<i>South</i>	CS-MU-CO-NP/ SF-3-NP	Apartments/ Single-family Residences
<i>East</i>	CS-CO-NP	Convenience Storage (Public Storage)
<i>West</i>	CS-V-CO-NP/ CS-1-V-CO-NP	Unoccupied warehouse building (Furniture Showroom) / Apartments (Highland Cove Apartments)

NEIGHBORHOOD PLAN AREA: North Loop Neighborhood Plan

TIA: 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]

WATERSHED: Tannehill Branch

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

North Austin Neighborhood Alliance
 Austin Neighborhoods Council
 North Loop Neighborhood Plan – COA Liaison
 Home Builders Association of Greater Austin
 League of Bicycling Voters
 Austin Parks Foundation
 Ridgetop Neighborhood Association
 Homeless Neighborhood Association
 Austin Monorail Project
 Super Duper Neighborhood Objectors and Appealers Organization
 The Real Estate Council of Austin, Inc.
 Sierra Club, Austin Regional Group

SCHOOLS

- Ridgetop Elementary School

- Lamar Middle School

- McCallum High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0165 – 5639 Airport Blvd. (5639 Airport Boulevard Rezone)	From CS-V-CO-NP to CS-1-V-NP	2/9/2010 - Apvd staff rec of CS-1-V-CO-NP by consent (8-0)	3/11/2010 - Apvd Ord. 20100311-058 for CS- 1-V-CO-NP by consent (7-0); all 3 rdgs

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Reinli St	70'	40'	Collector	No	No	No

CITY COUNCIL DATE:

September 23, 2010

ACTION: N/A

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Joi Harden

PHONE: 974-2212

E-MAIL: joi.harden@ci.austin.tx.us

SUMMARY STAFF RECOMMENDATION

The staff recommendation is to grant the change from CS-CO-NP (General Commercial Services – Conditional Overlay – Neighborhood Plan) district zoning to CS-1-CO-NP (Commercial Liquor Sales – Conditional Overlay – Neighborhood Plan) district zoning. The Conditional Overlay will limit vehicle trips to less than 2,000 per day, prohibit all CS-1 uses with Liquor Sales as the only permitted use, and all CS uses, except for the following: Residential Treatment, Pawn Shop Services, Transitional Housing which are prohibited and Agricultural Sales & Services, Campground, Commercial Blood Plasma Center, Construction Sales & Services, Convenience Storage, Equipment Repair Services, Equipment Sales, Kennels and Vehicle Storage which are conditional uses.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. Zoning changes should promote compatibility with adjacent and nearby uses.

Granting CS-1 zoning for the subject tract will be compatible with adjacent uses and adjacent zoning on the tracts to the east and west.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

The proposed rezoning will allow for reasonable use of the existing building while maintaining the character of the surrounding area.

EXISTING CONDITIONS

Site Characteristics

The subject property is currently developed with an approximately 30,000 square foot unoccupied building. The tract is flat with very little vegetation.

Impervious Cover

The maximum impervious cover allowed by the CS-1 zoning district is 95%.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill Branch Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

According to flood plain maps, there is a flood plain within the project area.

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.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Transportation

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

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 and 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 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.

Site Plan Review

This site is existing with an office/warehouse with associated parking/detention pond approved under SP-01-0545C. This tract received a waiver under 25-2-1067(G): to construct parking area or driveway less than 25' from SF-5 or more restrictive; and 25-2-1063(B): to construct a structure 25' or less from SF-5 or more restrictive (for detention pond).

A change of use within the existing structure would not trigger compatibility development regulations. However, any new construction on this site would be subject to compatibility development regulations due to the existing SF-3 zoned property to the south, and would be subject to the following requirements:

- 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.
 - 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.
- Additional design regulations will be enforced at the time a site plan is submitted.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.







