

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0155 – 5775 Airport Boulevard **P.C. DATE:** October 26, 2010

ADDRESS: 5775 Airport Boulevard, Suite 200

OWNER: TPRF II/Highland Commons, LP
(Joseph Chu)

AGENT: Thrower Design
(Ron Thrower)

ZONING FROM: CS-MU-V-NP **TO:** CS-1-MU-V-NP

AREA: 0.048 acres
(2,096 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant commercial liquor sales – mixed use – vertical mixed use building – neighborhood plan (CS-1-MU-V-NP) combining district zoning.

PLANNING COMMISSION RECOMMENDATION:

October 26, 2010: *TO GRANT CS-1-MU-V-NP AS STAFF RECOMMENDED, BY
CONSENT*

[M. DEALEY; D. CHIMENTI – 2ND] (7-0) D. ANDERSON; R. HATFIELD - ABSENT

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject rezoning area is a 2,096 square foot lease space within an existing retail center which accesses Airport Boulevard. The retail center is zoned general commercial services – mixed use – vertical mixed use building – neighborhood plan (CS-MU-V-NP) combining district. The surrounding area along Airport Boulevard consists of office, retail and restaurant uses. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the lease space to the commercial – liquor sales – mixed use – vertical mixed use building – neighborhood plan (CS-1-MU-V-NP) district in order to accommodate an expansion of the existing liquor store that abuts the property to the east. Staff recommends the Applicant's request based on the following considerations: 1) the proposed use is compatible with the surrounding uses within the retail center and its corresponding CS-MU-NP zoning; 2) it is located at a distance from the nearest residential neighborhoods; and, 3) access will be taken to an arterial roadway.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-V-NP	Lease space within an existing retail center
<i>North</i>	CS-MU-V-NP	Retail; Paint supply company; Parking lot for Highland Mall
<i>South</i>	N/A	TXDOT right-of-way
<i>East</i>	CS-1-MU-V-CO-NP; CS-MU-V-NP	Liquor store; Parking area; Austin Community College campus
<i>West</i>	CS-NP	Parking area; Across Airport Boulevard: Fast food restaurants; Sales & marketing company

NEIGHBORHOOD PLAN AREA: Highland **TIA:** Is not required

WATERSHED: Tannehill Branch Creek **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **SCENIC ROADWAY:** No

NEIGHBORHOOD ORGANIZATIONS:

223 – Highland Neighborhood Association 283 – North Austin Neighborhood Alliance
 511 – Austin Neighborhoods Council 601 – Skyview Neighborhood Association
 740 – Brentwood/Highland Combined Neighborhood – COA Liaison
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 938 – St. Johns Advisory Board 1037 – Homeless Neighborhood Association
 1075 – League of Bicycling Voters 1113 – Austin Parks Foundation
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group
 1236 – The Real Estate Council of Austin, Inc.

SCHOOLS:

Reilly Elementary School Webb Middle School McCallum High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0012 – Highland NPA VMU Rezoning – Bounded by Twin Crest and Middle Fiskville Road to the east, Koenig Lane to the south,	To add V, Vertical Mixed Use Building to select tracts in the Highland NPA	To amend the Vertical Mixed Use overlay district to exclude Tract 4; To apply V zoning with dimensional standards, parking reduction and additional uses in	Approved as Commission recommended (6-11-09).

Lamar Boulevard to the west, and U.S. Highway 183 to the north		office districts to Tracts 1-3, 5-8, 100-121; To apply an affordability level of 80% of the median family income for 10% rental units in a vertical mixed use building	
C14-06-0110 – Highland Commons – 5775 Airport Boulevard	CS-MU-NP to CS-1-NP	To grant CS-1-MU-CO-NP with the CO for 2,000 trips per day	Approved CS-1-MU-CO-NP as Commission recommended (7-27-06).

RELATED CASES:

The rezonings associated with the Highland Neighborhood Plan Area were approved by Council on May 13, 2004 (C14-04-0012.002). The base district of the subject property did not change, and the NP combining district was added. The property as well as Highland Mall is allowed to develop as a neighborhood urban center special use, as outlined in Section 25-2-1521 through Section 25-2-1524 of the Code. The property is designated as Mixed Use on the Future Land Use Map.

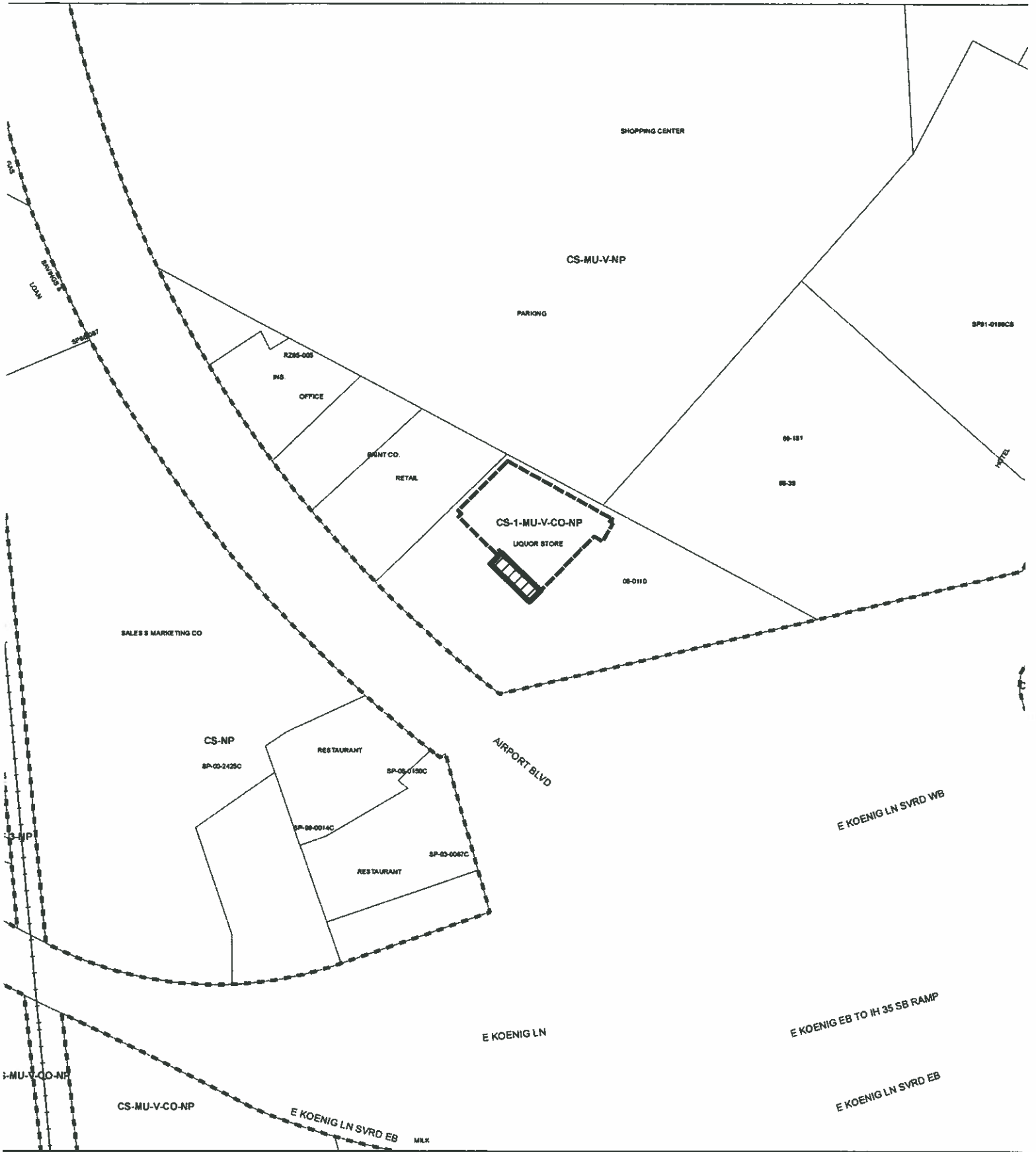
ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Plan	Capital Metro
Airport Boulevard	Varies	Varies	Arterial	Yes	No	Yes

CITY COUNCIL DATE: November 18, 2010**ACTION:****ORDINANCE READINGS:** 1st 2nd 3rd**ORDINANCE NUMBER:**

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719



ZONING

Exhibit A

ZONING CASE#: C14-2010-0155
 LOCATION: 5775 AIRPORT BLVD
 SUBJECT AREA: 0.048 ACRES
 GRID: K27
 MANAGER: CLARK PATTERSON



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.

N



SUBJECT TRACT

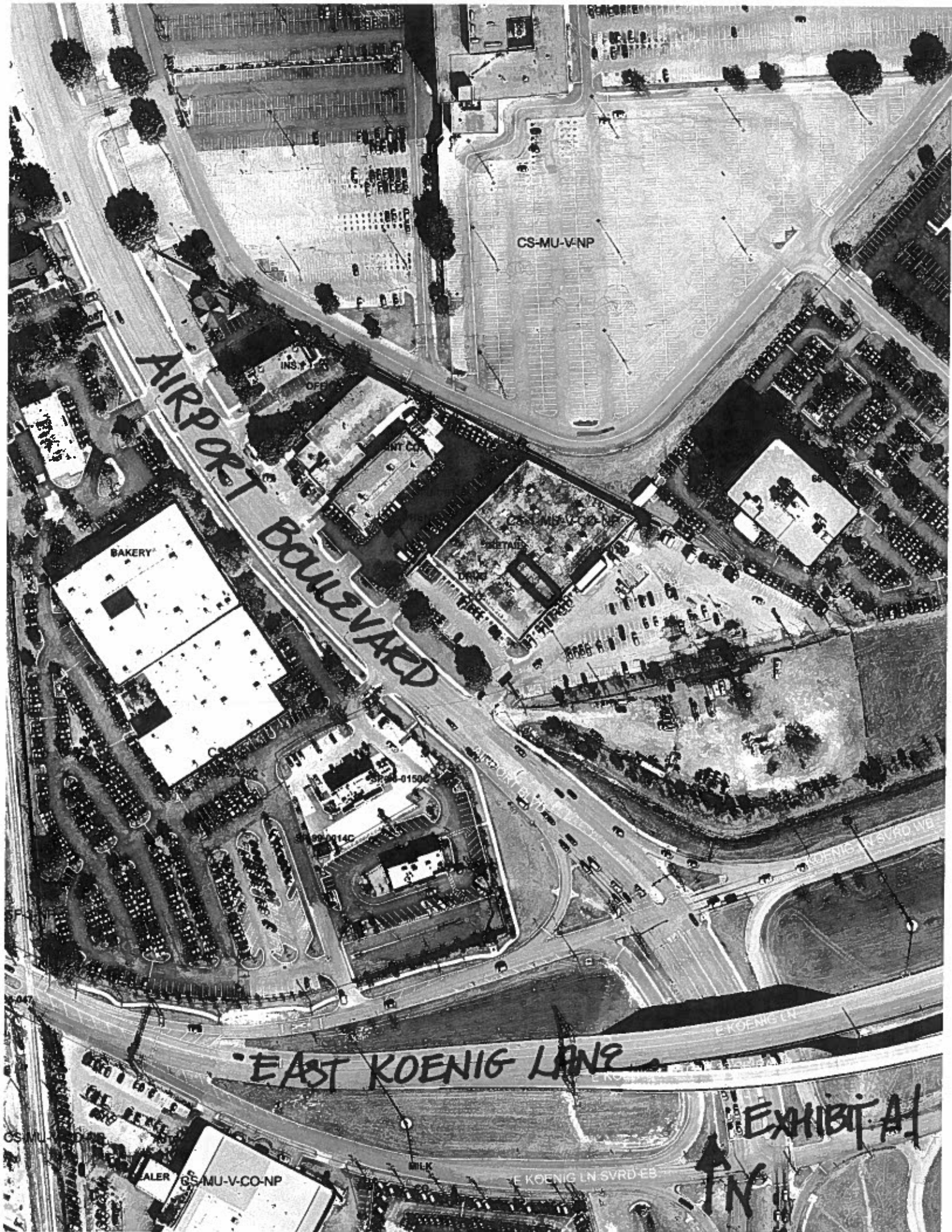


PENDING CASE



ZONING BOUNDARY

1" = 400'



SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant commercial liquor sales – mixed use – vertical mixed use building – neighborhood plan (CS-1-MU-V-NP) combining district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The commercial – liquor sales (CS-1) zoning district is intended for commercial and industrial activities of a service nature which typically have operating characteristics or traffic service requirements generally incompatible with residential environments, and specifically includes liquor sales as a permitted use.

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

Staff recommends the Applicant's request based on the following considerations: 1) the proposed use is compatible with the surrounding uses within the retail center and its corresponding CS-MU-NP zoning; 2) it is located at a distance from the nearest residential neighborhoods; and, 3) access will be taken to an arterial roadway.

EXISTING CONDITIONS**Site Characteristics**

The rezoning area consists of a vacant lease space and there appear to be no significant topographical constraints on the site.

Impervious Cover

Within the Tannehill Branch Creek watershed, the maximum impervious cover allowed by the CS-1 zoning district would be 95%, which is based on the more restrictive zoning regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill Branch Creek 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. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no 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 his 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 and Compatibility Standards

This site is currently developed and the zoning is within the building footprint. Any new development is subject to Subchapter E. Design Standards and Mixed Use. This is a site is located in the Highland Neighborhood Plan. Additional comments will be made if a new site plan is submitted.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2010-0155

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: Oct. 26, 2010, Planning Commission

Nov. 18, 2010, City Council

Alan Savar for Mike Zapas

Your Name (please print)

SBIS Agents (BWA)

Your address(es) affected by this application

10-17-2010

Date

Signature

Daytime Telephone: 512-302-9696

Comments: NOTE: 500 FOR NOW IMPROVEMENTS IN THE AREA.

<input checked="" type="checkbox"/> I am in favor <input type="checkbox"/> I object
--

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810