

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0098 San Gabriel Liquor

P. C. DATE: 10/25/11

ADDRESS: 2408 San Gabriel Street

AREA: 0.16 acres

APPLICANT: Yates Living Trust, Koya Holdings
Louis Kowalski

AGENT: The Faust Group
(Bill Faust)

NEIGHBORHOOD PLAN AREA: Central Austin Combined

CAPITOL VIEW: No

T.I.A.: No

HILL COUNTRY ROADWAY: No

DESIRED DEVELOPMENT ZONE: Yes

WATERSHED: Waller Creek

ZONING FROM: LR-NP – Neighborhood Commercial, Neighborhood Plan

ZONING TO: CS-1-NP – Commercial Liquor Sales, Neighborhood Plan

SUMMARY STAFF RECOMMENDATION:

Staff recommends CS-1-CO-NP – Commercial Liquor Sales, Conditional Overlay, Neighborhood Plan. The Conditional Overlay will limit the vehicle trips to 2,000 per day and would prohibit the following uses: Cocktail Lounge and Adult Oriented Businesses.

PLANNING COMMISSION RECOMMENDATION:

1st motion: Motion to postpone to November 8, 2011 by the request of Planning Commission, was made by Commissioner Danette Chimenti, Commissioner Donna Tiemann seconded the motion on a vote of 4-2; Commissioners Alfonso Hernandez and Mandy Dealey voted against the motion (nay); Commissioners Jean Stevens, Richard Hatfield and Dave Anderson were absent. Motion Failed. 2nd motion: Motion to approve staff's recommendation for CS-1-NP district zoning was made by Commissioner Alfonso Hernandez, Commissioner Mandy Dealey seconded the motion on a vote of 3-4. Motion Failed. Item will be forwarded to City Council with no recommendation from Planning Commission.

DEPARTMENT COMMENTS:

The property is currently developed with a one story building office building that is currently unoccupied. This zoning case is within the boundaries of the Central Austin Combined Neighborhood Plan. The requested zoning change of LR-NP Neighborhood Commercial-Neighborhood Plan Combining District to CS-1-NP Commercial Liquor Sales-Neighborhood Plan Combining District is in accordance with the mixed use land use category identified on the Future Land Use Map (FLUM). The subject property is near the intersection of 24th Street and San Gabriel Street. The plan does not include any supplemental text regarding the proposed zoning request. The nearest CS-1 zoning is over one thousand feet away on Rio Grande Street.

BASIS FOR RECOMMENDATION:

Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

The requested zoning change is in accordance with the mixed use land use category identified on the Future Land Use Map.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	LR-NP	Office building
NORTH	MF-4-NP	Apartment complex
SOUTH	CS-MU-H-NP	Historic building
EAST	GR-MU-NP	Retail/Bicycle shop
WEST	MF-4-NP	Single family residence

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-92-0085	From MF-4 to GR-MU-CO	Approved GR-MU-CO [Vote: 7-0]	Approved GR-MU-CO [Vote: 6-0]
C14-93-0074	From MF-4 to GO-MU	Approved GO-MU [Vote: 7-0]	Approved GO-MU [Vote: 7-0]

NEIGHBORHOOD ORGANIZATION:

- University Area Assoc.
- Original West Austin Neighborhood Assoc.

SCHOOLS:

Bryker Elementary School O Henry Middle School Austin High School

ENVIRONMENTAL:

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller 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.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. 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.

4. According to flood plain maps, there is no flood plain within the project area.
5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. 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.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

SITE PLAN:

- SP 1. Any new development is subject to Subchapter E Design Standards and Mixed Use (Urban Roadway). Additional comments will be made when/if a site plan proposing new construction on the site is submitted.

TRANSPORTATION:

- TR1: No additional right-of-way is needed at this time.
- TR2: 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].
- TR3: San Gabriel Street is classified in the Bicycle Plan as Bike Route No. 131. West 24th Street is classified in the Bicycle Plan as Bike Route No. 42.
- TR4: Capital Metro bus service (Routes No. 410 and 642) is available along San Gabriel Street. Capital Metro bus service (Route No. 19) is available along W. 24th Street.
- TR5: There are existing sidewalks along both sides of San Gabriel Street and W. 24th Street.
- TR6: Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
San Gabriel Street	60'	30'	Collector Street	3,430
W. 24 th Street	Varies	MNR4	Minor Arterial	14,343

CITY COUNCIL DATE: November 10th, 2011
December 8th, 2011

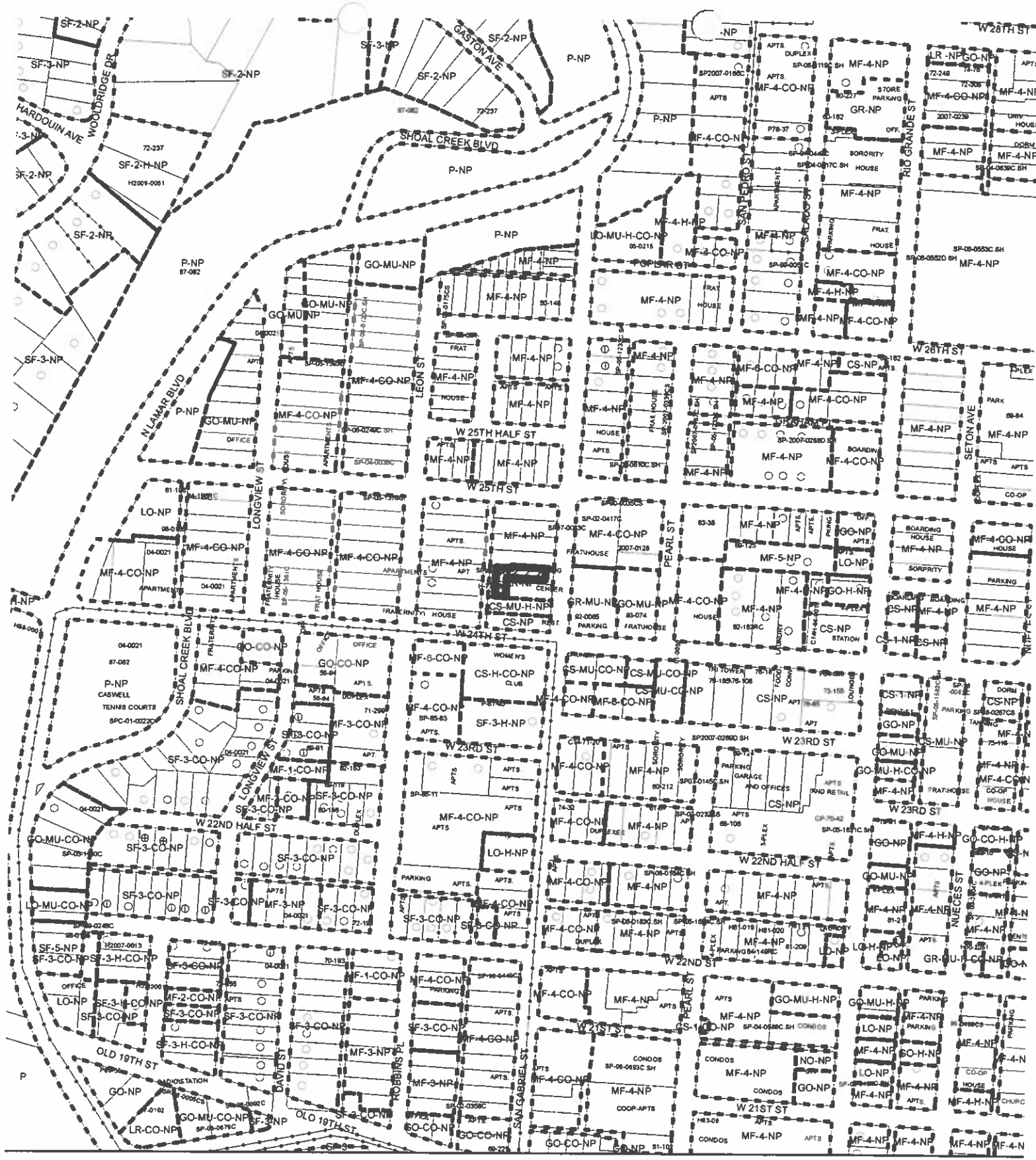
ACTION: Postponed to Dec. 8th

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691



ZONING

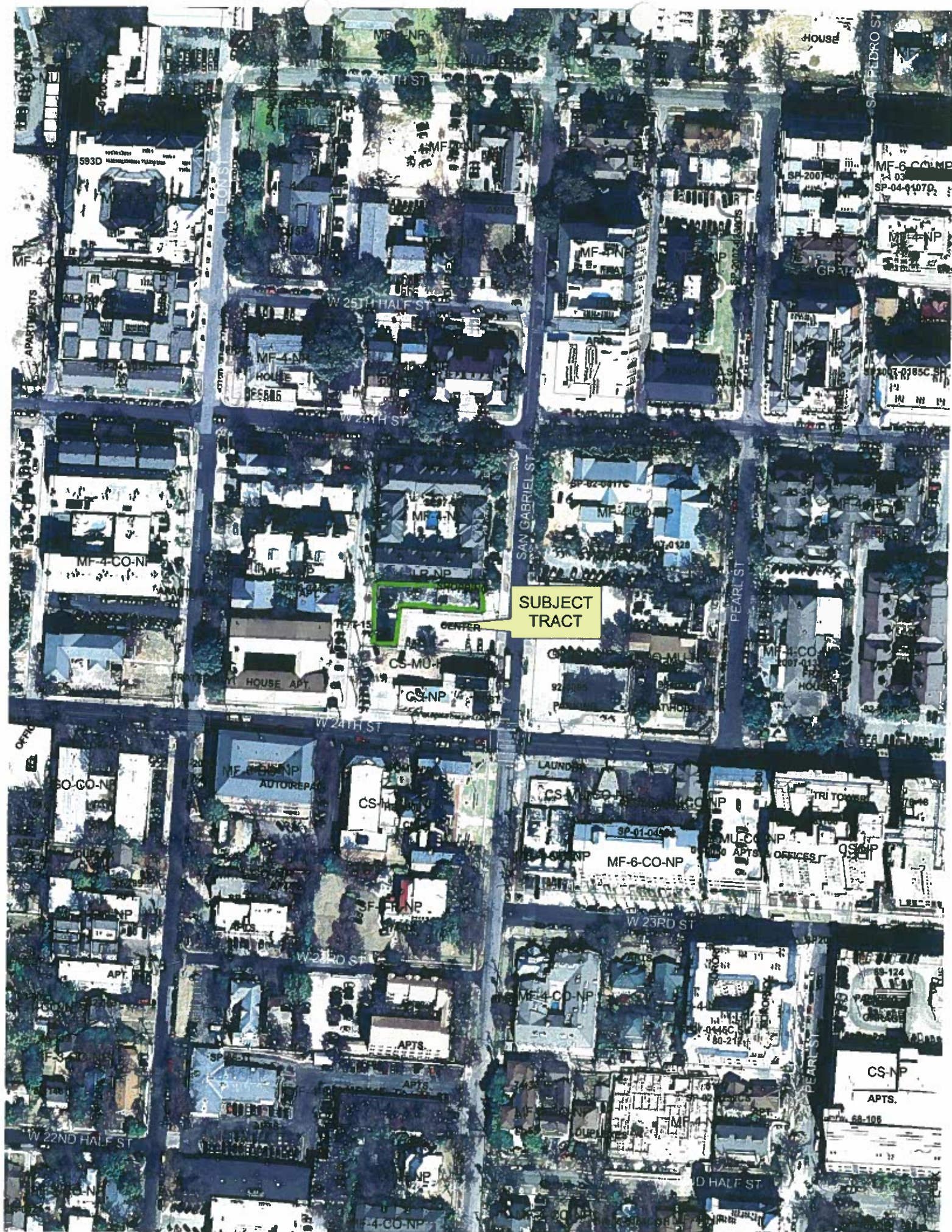
ZONING CASE#: C14-2011-0098
 LOCATION: 2408 SAN GABRIEL ST
 SUBJECT AREA: 0.4602 ACRES
 GRID: J24
 MANAGER: CLARK PATTERSON

- N
- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

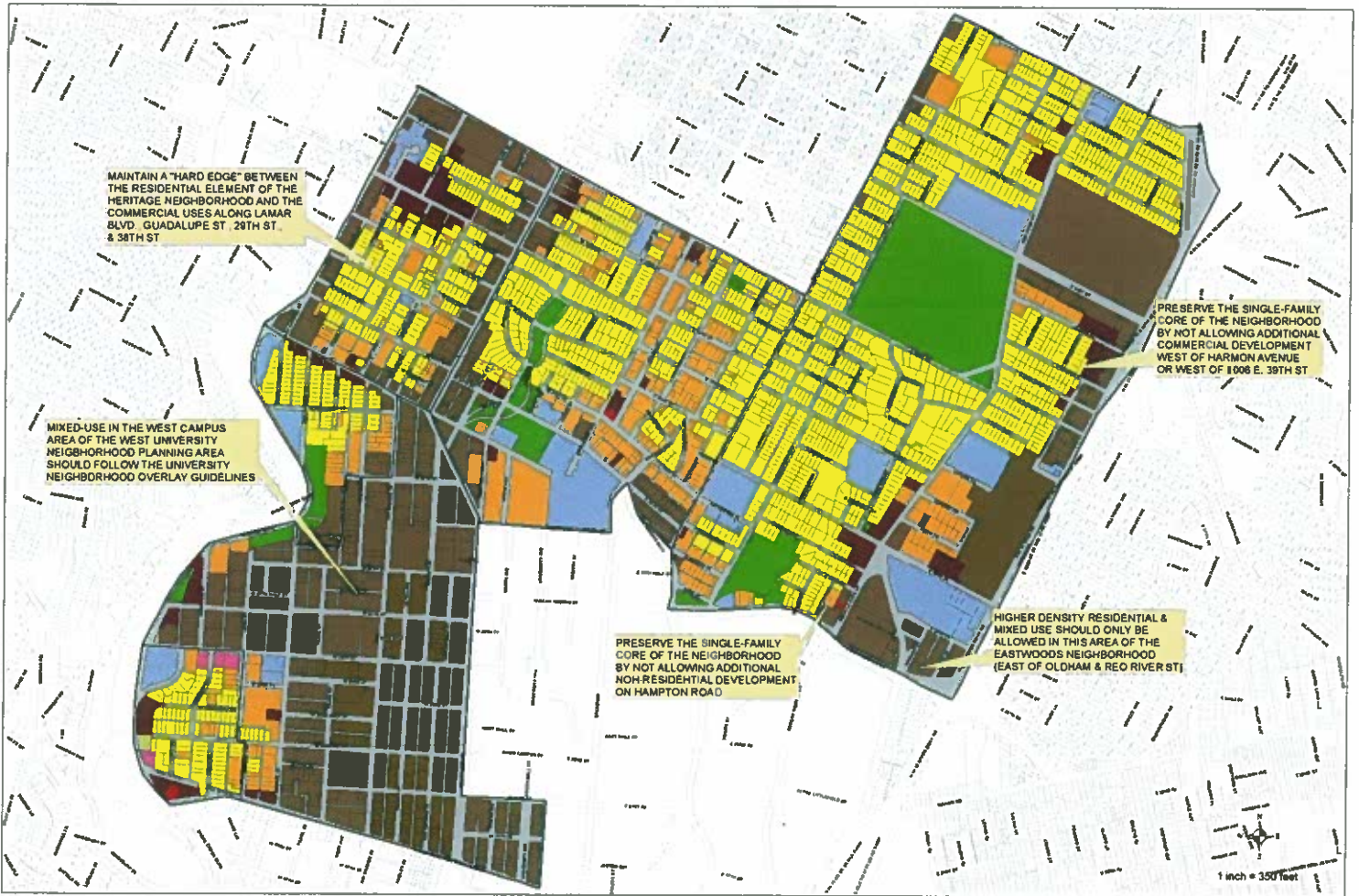
1" = 400'

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.









Central Austin Combined Neighborhood Planning Area: Future Land Use Map



City of Austin
Neighborhood Planning and
Zoning Department
Revised September 1, 2010

*A comprehensive plan shall not constitute zoning
regulations or establish zoning district boundaries.*

Legend

■ Single-Family	■ Mixed Use	■ Civic
■ Higher-Density Single-Family	■ High Density Mixed Use	■ Recreation & Open Space
■ Multifamily	■ Office	■ Transportation
■ Commercial	■ Mixed Use/Office	

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: C14-2011-0098

Contact: Clark Patterson, 974-7691

**Public Hearing: Oct 25, 2011, Planning Commission
Nov 10, 2011, City Council**

Hinh Phan

Your Name (please print)

2401 Lem St #202

Your address(es) affected by this application

[Signature]

Signature

10/20/11

Date

Daytime Telephone: 832-276-4278

Comments:

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

City of Austin
Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810