

ZONING CHANGE REVIEW SHEET**CASE:** C14-2015-0151 – Jon 3.4**Z.A.P. DATE:** January 19, 2016**ADDRESS:** 1201 Bastrop Highway Service Road**DISTRICT AREA:** 3**OWNER:** Jonathan Weinstein**AGENT:** Jim Bennett Consulting
(Jim Bennett)**ZONING FROM:** CS-CO**TO:** LI**AREA:** 3.4 acres**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant limited industrial services (LI) district zoning.

If the requested zoning is granted, it is recommended as a condition of zoning, that 1) a public pedestrian and bicycle access easement be provided from the shared use path which will connect to the east and south property lines, 2) that internal roadways, private driveways or streets be stubbed out to the east and south property lines, and 3) gating is prohibited along the stubbed out roadways.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

January 19, 2016:

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject lot is undeveloped and zoned general commercial services – conditional overlay (CS-CO) district along the Bastrop Highway service road, and is in close proximity to the US Highway 183 / SH 71 interchange. There is undeveloped property to the east and south (CH-CO; CS-CO), and a construction sales and services use, vehicle storage, cocktail lounge and auto repair business to the northwest (CS-CO; CS; CS-1-CO). The property is also located within Airport Overlay Zone 2 (AO-2 consists of the portions of the controlled compatible land use area that have a yearly day-night average sound level of at least 65 DNL decibels and not more than 70 DNL decibels) which does not allow for new residential development to occur. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the property to the limited industrial services (LI) district zoning to accommodate the development of a brewery, which falls under the light manufacturing land use classification. By way a 2014 code amendment relating to the sale of

beer or ale at a brewery and associated parking requirements, a brewery is a permitted use in the LI zoning district if it is at least 540 feet from any single family residential use (Ordinance No. 20140417-082). Additionally, beer and ale sold on-site may be consumed in an area that exceeds 33 percent or 5,000 square feet of the principal developed use of the brewery is located in an AO Zone-2. Staff recommends LI district zoning given its proximity to two state highways, separation from residential uses, location within the airport overlay zone, and adjacent compatible zoning and uses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO	Undeveloped
<i>North</i>	CH-CO	Undeveloped – proposed for commercial, retail and warehouse uses
<i>South</i>	CS; SF-3	TXDoT right-of-way for SH71 / US 183
<i>East</i>	CH-CO	Undeveloped – proposed for commercial, retail and warehouse uses
<i>West</i>	CS; I-SF-2; I-RR	Construction sales and services; Adult lounge; Auto repair business

AREA STUDY: N / A

TIA: Is not required

WATERSHEDS: Carson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council 742 – Austin Independent School District
 774 – Del Valle Independent School District 750 – Del Valle Neighborhood Association
 1195 – Imperial Valley Neighborhood Association
 1228 – Sierra Club, Austin Regional Group 1258 – Del Valle Community Coalition
 1340 – Austin Heritage Tree Foundation 1363 – SEL Texas
 1408 – Go! Austin/Vamos! Austin – Dove Springs 1424 – Preservation Austin
 1444 – East Austin Conservancy 1447 – Friends of the Emma Barrientos MACC
 1528 – Bike Austin 1530 – Friends of Austin Neighborhoods

SCHOOLS:

Del Valle Elementary School

Del Valle Middle School

Del Valle High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0135 – Highway 183 /	I-RR; CS to CH	To Grant CH-CO w/CO prohibiting	Apvd CH-CO w/ Restrictive Covenant

Highway 71 / Ben White		residential uses, and limiting height to 90' and a Restrictive Covenant for the Traffic Impact Analysis.	as recommended by the Commission (12-15-2005).
C14-99-2116 – Dalton Lane (City - initiated) – 1215 Dalton Ln	I-RR to RR	To Grant RR	Apvd RR (9-7-2000).
C14-99-0134 – Dalton Lane General Partnership - 1010-1070 Block of Dalton Ln	I-RR to RR for Tract 1 and LI for Tract 2	To Grant LI and to prohibit auto-related uses.	Apvd RR for Tract 1 and LI-CO for Tract 2 w/CO for 2,000 trips and prohibiting auto-related uses; adult-oriented uses and scrap and salvage (02-01-2001).

RELATED CASES:

The frontage was annexed into the City limits on September 7, 1998. The remaining portion of the property was annexed on September 6, 2001.

On September 28, 2006, Council rezoned the subject property as well as the adjacent property to the southeast to the CS-CO district (C14-06-0153 – Austin First Church).

The rezoning area is platted as Lot 1, United Pentecostal Subdivision recorded in March 2007 (C8-06-0227.0A). Please refer to Exhibit B. There are no site plan cases on the subject property.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Bastrop Highway Service Road	130 feet	26 feet	Local	No	No	No

CITY COUNCIL DATE: February 11, 2016

ACTION:

ORDINANCE READINGS: 1st

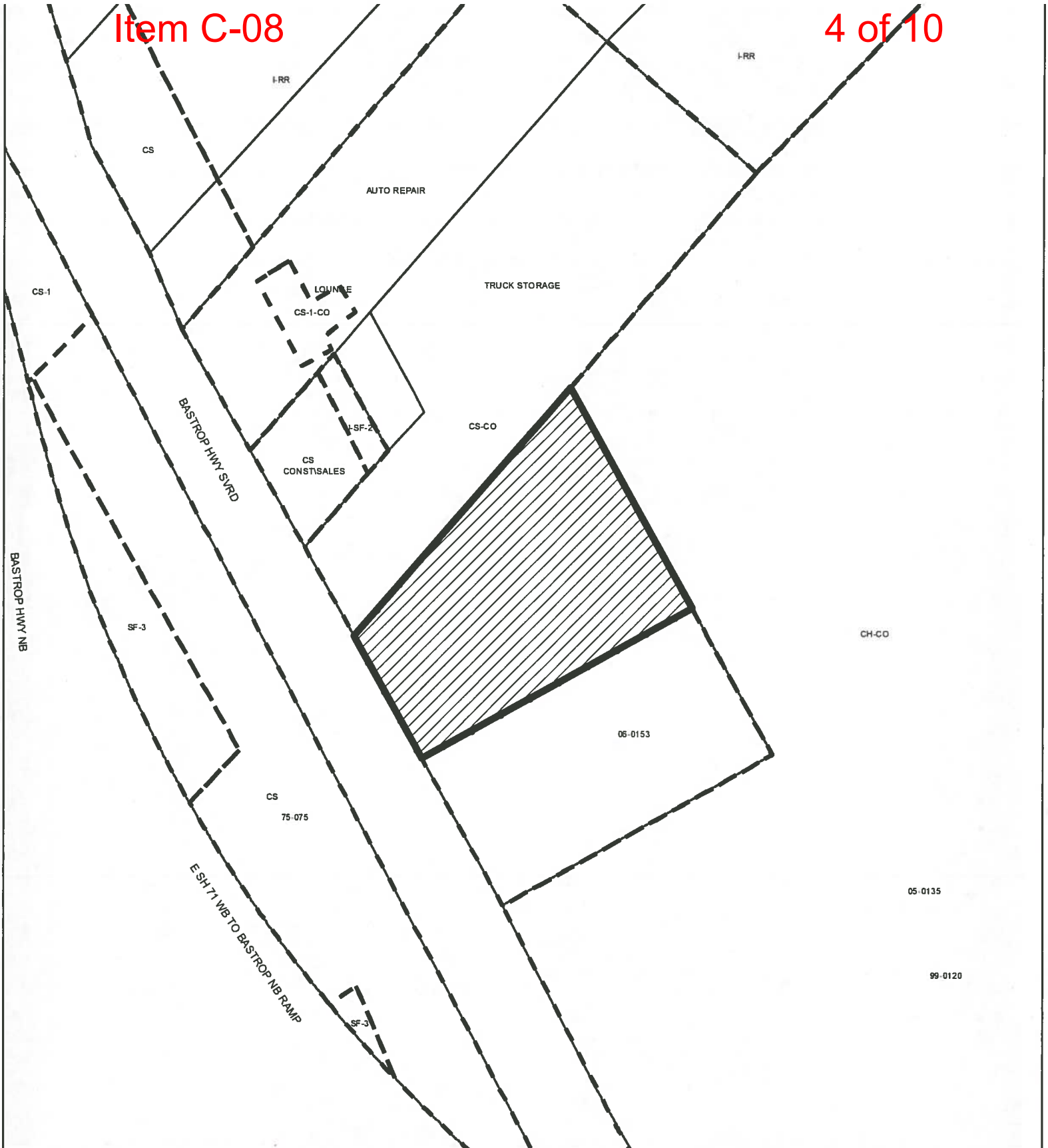
2nd




3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
ZONING CASE#: C14-2015-0151

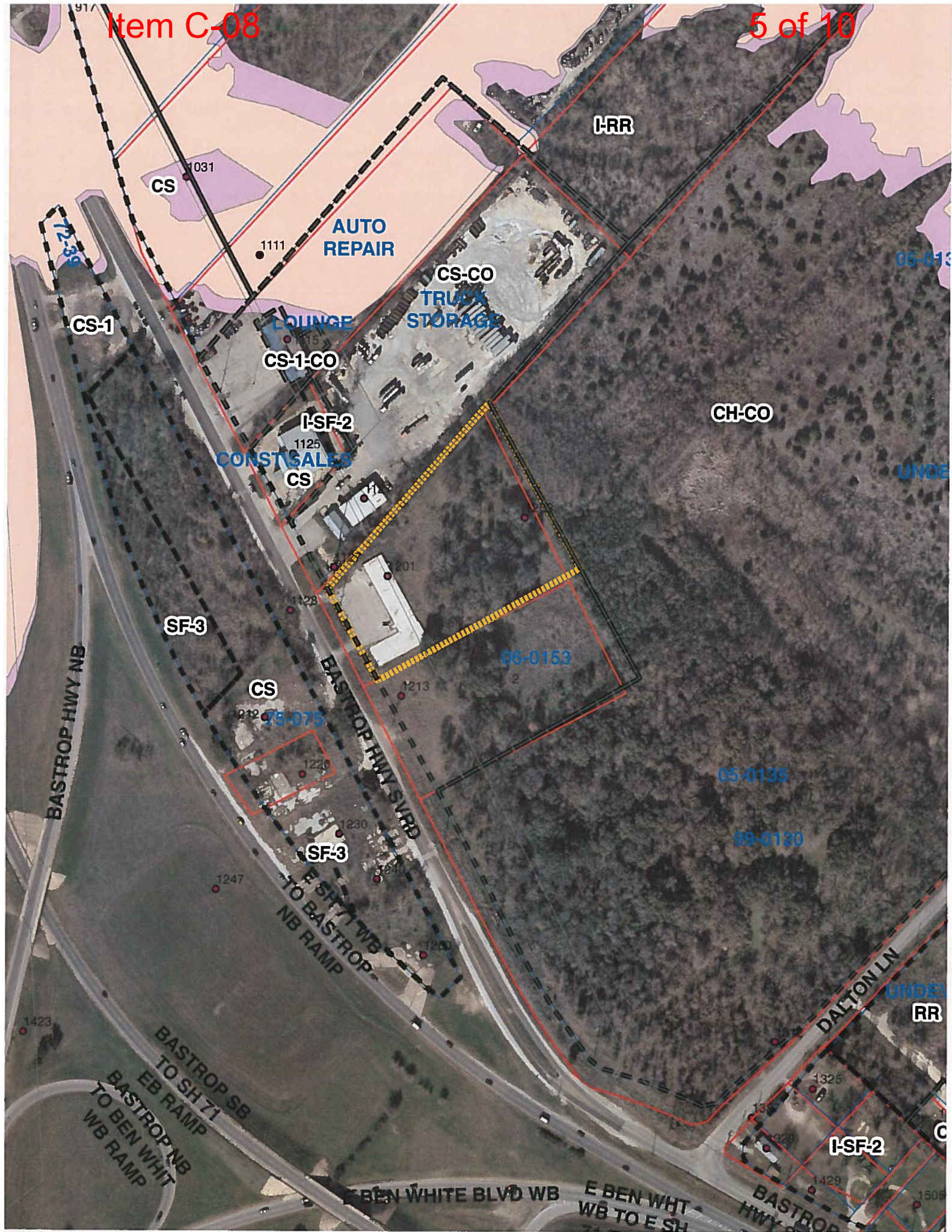
EXHIBIT A

1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





SUMMARY STAFF RECOMMENDATION:

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If the requested zoning is granted, it is recommended as a condition of zoning, that 1) a public pedestrian and bicycle access easement be provided from the shared use path which will connect to the east and south property lines, 2) that internal roadways, private driveways or streets be stubbed out to the east and south property lines, and 3) gating is prohibited along the stubbed out roadways.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The LI district designation is for a commercial service use or limited manufacturing use generally located on a medium or large sized site.

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

Staff recommends LI district zoning given its proximity to two state highways, separation from residential uses, location within the airport overlay zone, and adjacent compatible zoning and uses.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and has a large stand of trees along the northeast side of the property. The site is relatively flat and there appear to be no significant topographical constraints.

Impervious Cover

Within the Carson Creek watershed, the maximum impervious cover allowed by the LI zoning district would be 80%, which is a consistent figure between the watershed and the zoning regulations.

Comprehensive Planning

This zoning case is located on the north side of E. Ben White Blvd. and on the east side of Bastrop Highway on an undeveloped lot that is approximately 3.4 acres in size. The property is also located just outside the boundaries of the Montopolis Neighborhood Planning Area. Surrounding land uses includes undeveloped land to the northeast and south, and heavy commercial uses to the north, bounded by a highway frontage road, and in proximity to two highways. The proposed use is beer manufacturing/brewery tasting business.

Imagine Austin

Based on the comparative scale of this site relative to other commercial, and light industrial uses located along these heavily travelled highways, as well as the site not being located along an Activity Corridor or within an Activity Center, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on this proposed rezoning.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Carson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location.

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

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 512-974-1876. 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.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

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

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

This property is within the Airport Overlay Zone – AO-2. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Section 25-13-23, are prohibited. Noise level reduction measures may be required for certain new structures. For more information, contact the Noise Abatement Officer at (512) 530-6652.

FYI – A brewery is a conditional use if the site is 540 feet from any single family residential use [25-2-865(B)(2)].

Transportation

If the requested zoning is granted, it is recommended, as a condition of zoning, that internal roadways, private driveways or streets be stubbed out to the east and south property lines. It is recommended that gates be prohibited along the stubbed out roadways.

A shared use path has been constructed by the CTRMA within the right-of-way of this property. If the requested zoning is granted, it is recommended, as a condition of zoning, that a public pedestrian and bicycle access easement be provided from the shared use path which will connect to the east and south property lines. This connection is for future pedestrian connections to the surrounding undeveloped land.

At this time a traffic impact analysis is not required for this case. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for Bastrop Highway. Additional right-of-way maybe required at the time of subdivision and/or site plan [LDC, Sec. 25-6-51 and 25-6-55].

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 and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.