

ZONING CHANGE REVIEW SHEET**CASE:** C14-2016-0027 – WhichCraft Beer Store**P.C. DATE:** April 12, 2016**ADDRESS:** 2110 S. Lamar Boulevard, Suite F**DISTRICT AREA:** 5**OWNER:** Charlie Tames**APPLICANT:** City of Austin**ZONING FROM:** CS**TO:** CS-1**AREA:** .025 acres (1107 sq ft.)**SUMMARY STAFF RECOMMENDATION:**

Staff recommends commercial – liquor sales – conditional overlay (CS-1-CO) combining district zoning. The conditional overlay will prohibit cocktail lounge use.

DEPARTMENT COMMENTS:

January 12, 2016, the Planning Commission approved Staff's request to initiate a zoning case for a portion of the property located at 2110 South Lamar Boulevard. Specifically the 1107 square feet known as Suite F and currently occupied by WhichCraft Beer Store. The zoning request is from commercial services (CS) to commercial liquor sales (CS-1).

Background

In March of 2014, WhichCraft Beer Store applied for and received approval for a site plan exemption and change of use to Liquor Sales. In April, 2014 it also received verification from the City of Austin for a TABC license. The basis for the approval was an erroneously labeled Geographic Information System (GIS) zoning map. In April of 2015, a member of the Zilker Neighborhood Association notified Planning and Zoning Department staff of the error and the correction to the map was made. However, WhichCraft Beer Store continues to operate without the required zoning for the liquor sales use.

Zoning History

- 1959 2110 S. Lamar zoned Commercial Liquor Sales (C-1) (#590702A).
- 1966 Code Amendment eliminated C-1 citywide and replaced by Commercial Services (C) (#661103-B).
- 1973 Code Amendment reestablished C-1 however 2110 S. Lamar was not given that category at the time (#730920-C).
- 1984 Code Amendment replacing C with CS (#840301-S)
- Between 2008-2014, 2110 S. Lamar was erroneously labeled as CS-1 on the GIS zoning map.

In order for WhichCraft Beer Store to operate, it will need the CS-1 designation. Because of the staff error based on the incorrect GIS zoning map, staff is recommending and requesting the zoning change for the footprint of the existing WhichCraft Beer Store only. Staff is also recommending a conditional overlay prohibiting cocktail lounge use.

ISSUES: There are no known issues at this time.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS	Mix of retail uses – barbershop, home furnishings, nail salon, spa, beer store, swimsuits/clothing
<i>North</i>	CS	Restaurant, tattoo parlor, lingerie
<i>South</i>	CS-V	Restaurant under construction
<i>East</i>	CS	vacant
<i>West</i>	CS	Vacant, retail, real estate office, hair salon

NEIGHBORHOOD PLANNING AREA: Zilker Neighborhood Planning Area

TIA or NTA: No

WATERSHED: West Bouldin Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

- Austin Heritage Tree Foundation
- Austin Neighborhoods Council
- Barton Springs Heritage Association
- Bike Austin
- Friends of Austin Neighborhoods
- Homeless Neighborhood Association
- Preservation Austin
- Save our Springs Alliance
- Sierra Club, Austin Regional Group
- South Central Coalition
- South Lamar Business District
- South Lamar Neighborhood Association
- Zilker Neighborhood Association

SCHOOLS: Zilker Elementary, O’Henry Middle, Austin High

EXISTING STREET CHARACTERISTICS:

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO
S. Lamar Blvd	Varies	60’	Major Arterial	Yes	Yes

CITY COUNCIL DATE:

ACTION:

ORDINANCE READINGS: **1st**

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Andrew Moore

PHONE: 512-974-7604

EMAIL: Andrew.moore@austintexas.gov

STAFF RECOMMENDATION

Staff recommends commercial – liquor sales – conditional overlay (CS-1-CO) combining district zoning

BASIS FOR RECOMMENDATION

Zoning staff requested this zoning change to rectify a mapping error which allowed the current occupant (WhichCraft Beer Store) of this property to be permitted for a use not allowed in the existing zoning. The request will allow WhichCraft Beer Store to be compliant with zoning regulations.

EXISTING CONDITIONS

Site Characteristics

The subject property is an 1107 square feet retail store located within a larger retail building containing a mixture of hair salon/barber, home furnishings, clothing store and nail spa. S. Lamar is a major arterial and core-transit and commercial corridor.

NPZ Comprehensive Planning Review - Kathleen Fox 512-974-7877

CS to CS-1 (Liquor Sales)

This zoning case is located on the northeast corner of S. Lamar Boulevard and Oxford Avenue, on a property that is approximately .53 acres in size but only concerns .025 acres of this site. The property contains a one story mixed use commercial building, which includes a variety of commercial uses, including a beer shop. This rezoning is not located within the boundaries of an **adopted** neighborhood planning area but is within the South Lamar Combined Planning Area, in Zilker. Surrounding land uses includes residential uses to the north, vacant commercial land and an office supply store to the south, a restaurant to the east, and a variety of commercial businesses to the west on Oxford Avenue. The proposal is to obtain CS-1 zoning for the existing beer store.

Connectivity: The building is located directly in front of a bus stop, and sidewalks are located on both sides of this busy corridor. The Walkscore for this area is 73/100, meaning most errands in this area can be accomplished on foot.

Imagine Austin

According to the Imagine Austin Comprehensive Plan, this parcel is located along an Activity Corridor, which supports retail and commercial uses, including liquor/beer sales. Based on the comparative scale of this site relative to other nearby commercial uses located nearby, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on this proposed rezoning.

NPZ Environmental Review - Mike McDougal 512-974-6380

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Boulder 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. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Based on COA GIS, no trees are located within the proposed rezoning area. 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. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

DSD Transportation Review – Bryan Golden - 512-974-3124

- TR1. Additional right-of-way maybe required at the time of subdivision and/or site plan.
- TR2. 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]

TR3. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
S. Lamar	90'	60'	Major Arterial	Yes	Yes	Yes

AWU-Utility Development Service Review - Neil Kepple - 512-972-0077

FYI: The site is currently served with City of Austin water and wastewater utilities. If new construction is proposed the landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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.

NPZ Site Plan Review - Scott Grantham - 512-974-2942

SP 1 Site plans will be required for any new development other than single-family or duplex residential.

SP 2 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.

COMPATIBILITY STANDARDS

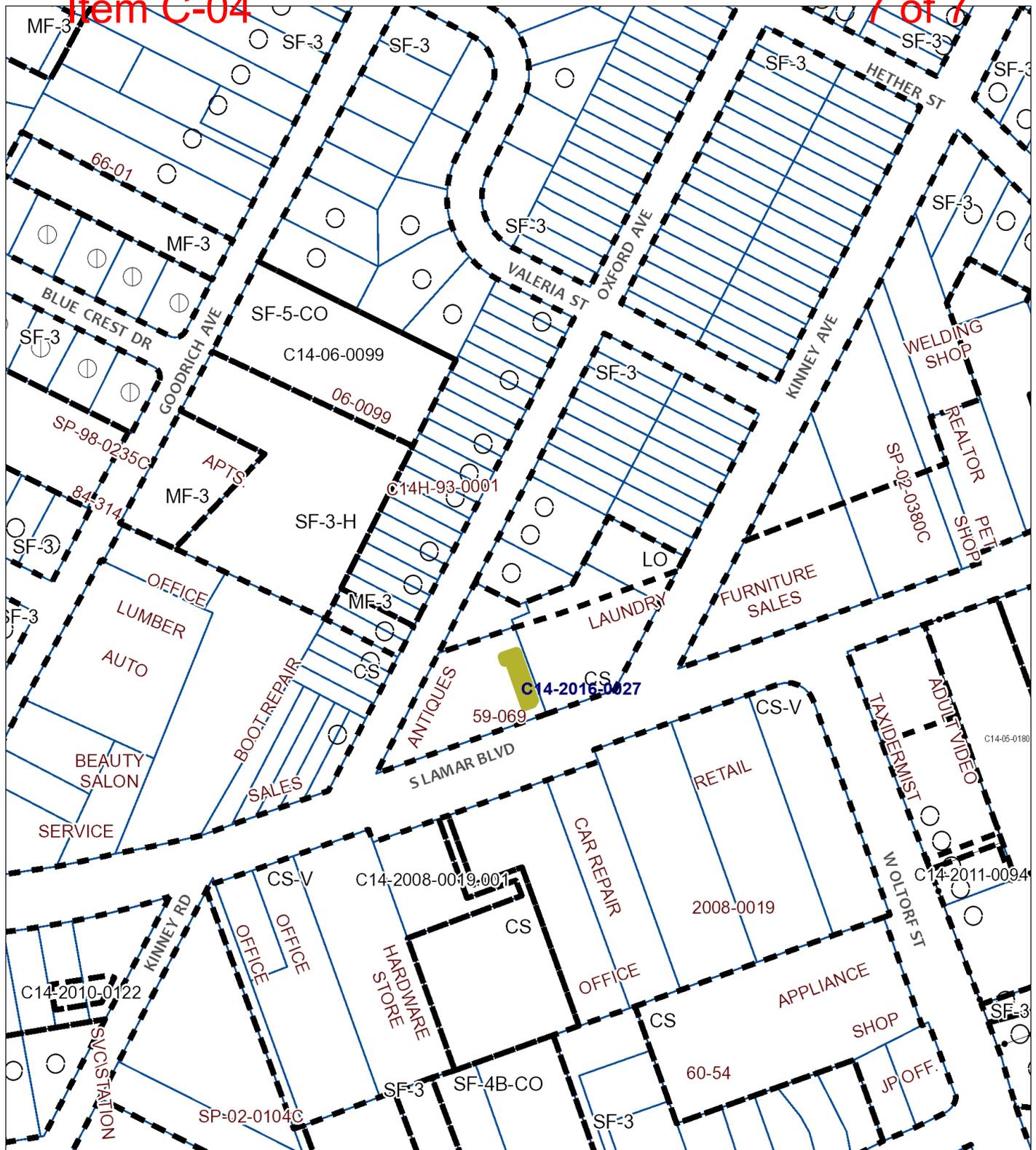
SP3 The site is subject to compatibility standards. Along the northeast, northwest, southeast, and portions of southwest property lines, the following standards apply:

- 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.

- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet of height are allowed plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- Additional design regulations will be enforced at the time a site plan is submitted.

AWU – Utility Development Service Review – Neil Kepple - 512-972-0077

FYI: 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, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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.



-  N
-  Subject Tract
-  Pending Case
-  Zoning Boundary
-  Railroads

ZONING
ZONING CASE#: C14-2016-0027



1" = 200'

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