

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0065
Pioneer Bank on W. 38th St.

P.C. DATE: September 13, 2016
August 23, 2016
October 25, 2016
December 13, 2016
January 24, 2017

ADDRESS: 623 West 38th Street

AREA: 1.069 acres

DISTRICT: 9

OWNER: Pioneer Bank, SSB (Brian May)

AGENT: Doucet & Associates (Ted McConaghy)

FROM: GR-CO-NP

TO: GR-CO-NP, to change a condition of zoning

WATERSHED: Waller Creek

SCENIC ROADWAY: No

DESIRED DEVELOPMENT ZONE: Yes

TIA: Not Applicable

NEIGHBORHOOD PLAN AREA: Central Austin Combined (West University)

SUMMARY STAFF RECOMMENDATION:

Staff supports the Applicant's rezoning request. The proposed rezoning includes the following:

1. Remove prohibition of drive-in services from the current site zoning, and
2. Add a conditional overlay limiting drive-in services as an accessory to financial services only.

ISSUES:

A prohibition against drive-in services was added to the subject property in 2004 during the neighborhood plan process for West University (now part of the Central Austin Combined neighborhood plan). *(Please see Exhibit A- Zoning Ordinance Excerpts).*

The site is currently being developed in accordance with a site plan approved in 2014 (City File # SP-2014-0443C). The approved site plan includes a parking garage and a three-story office building to be used for financial services. The Applicant proposes adding drive-in land use as described in the rezoning request, which will trigger a Site Plan Correction. *(Please see Exhibit B- Approved Site Plan).*

PLANNING COMMISSION RECOMMENDATION:

August 23, 2017: *TO GRANT POSTPONEMENT TO SEPTEMBER 13, 2016, AS REQUESTED BY APPLICANT, ON CONSENT. (12-0) (N. Zaragosa-1st, J. Schissler- 2nd; M. Wilson- Absent]*

September 13, 2016: *TO GRANT POSTPONEMENT TO OCTOBER 25, 2016, AS REQUESTED BY NEIGHBORHOOD, ON CONSENT. (9-0) (P. Seeger-1st, A. Pineryro-DeHoyos - 2nd; K. McGraw, J. Schissler and J. Vela- Absent]*

October 25, 2016: *TO GRANT POSTPONEMENT TO DECEMBER 13, 2016, AS REQUESTED BY APPLICANT, ON CONSENT. (11-0) [J. Schissler- 1st, N. Zaragosa- 2nd; J. Thompson, J. Shieh- Absent]*

December 13, 2016: *TO GRANT POSTPONEMENT TO JANUARY 24, 2017, AS REQUESTED BY APPLICANT, ON CONSENT. (8-0) [P. Seegar- 1st, T. White- 2nd; A. Pineyro-DeHoyos, K. McGraw, T. Nuckols, J. Shieh- Absent]*

January 24, 2017: *TO DENY REZONING REQUEST. (10-0) [K. McGraw- 1st, A. DeHoyos-Hart- 2nd; S. Oliver, F. Kazi- Absent]*

DEPARTMENT COMMENTS:

The subject property is located at the southeast corner of West 38th Street and Ronson Street, one block west of Guadalupe Street. The property also extends south to have frontage on West 37th Street. Across West to 38th street to the north is a portion of the Central Park planned unit development (PUD) that is developed with a pond and open space. East of the property, across an alley, is property zoned CS-V-CO-NP and CS-1-V-CO-NP that is developed with a small commercial building that contains limited restaurant, alternative financial services and other uses. Also east of the property is a limited retail property zoned CS-CO-NP. Across West 37th Street to the south are properties zoned SF-3-CO-NP and SF-4A-CO-NP; these include residences as well as an undeveloped lot. Also to the south are properties zoned MF-3-NP developed with condominiums as well as an automotive repair business zoned CS-CO-NP. Across Ronson Street to the west are professional offices zoned GR-CO-NP and multifamily zoned LR-MU-CO-NP. *Please see Exhibits C and D (Zoning Map and Aerial View).*

As stated in the Issues section of this report, a site plan was approved for this property in 2014 and the approved site development permit is currently under construction. The 2004 zoning ordinance prohibited drive-in services as an accessory to commercial uses on 19 properties in the West University neighborhood plan area; drive-in services as an accessory to commercial uses were made conditional on 21 properties in the plan area, and prohibited drive-in services as an accessory to restaurant uses on 21 properties in the West University neighborhood plan area. The neighborhood plan did not break down specific commercial uses further, into uses such as financial services, pharmacy, etc.

Staff supports the rezoning request because the impact of the proposed drive-in services will be limited to accessory to financial services only, and will be contained within the footprint of the approved parking garage. The parking garage already triggers compatibility requirements for screening from adjacent residential properties. The addition of any drive-in services will trigger a Site Plan Correction, at which time the layout will be reviewed further for circulation, safety, and more. The Applicant has agreed that any drive-in services will also be limited to a maximum of two lanes, each permitted a window or pneumatic tube and one ATM.

Correspondence is attached regarding the project. In addition to a summary letter from the Applicant, showing opposition from the Heritage Neighborhood Association and the Central Austin Neighborhood Planning Advisory Committee for the rezoning request. *Please see Exhibit E (Correspondence).*

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO-NP	Financial services (under construction)
<i>North</i>	PUD	Water feature/ open area
<i>South</i>	SF-3-CO-NP, SF-4A-CO-NP, MF-3-NP, CS-CO-NP	Residences, undeveloped, townhouse/condominiums
<i>East</i>	CS-V-CO-NP, CS-1-V-CO-NP	Limited restaurant, alternative financial services
<i>West</i>	GR-CO-NP, LR-MU-CO-NP	Professional offices, multifamily

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
38 th Street	78-89 ft.	66 ft.	Arterial	Yes	Yes, shared lane	Yes
Ronson Street	50 ft.	27 ft.	Local	Yes	No	Yes
37 th Street	50 ft.	27 ft.	Local	Yes	No	Yes

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council
Friends of Austin Neighborhoods
Central Austin Neighborhood Plan Area Committee
Central Austin Community Development Corporation
Heritage Neighborhood Association
Homeless Neighborhood Association
Preservation Austin
Shoal Creek Conservancy
Sierra Club, Austin Regional Group
SELTexas
Bike Austin

CITY COUNCIL DATE & ACTION:

September 22, 2016: *TO GRANT POSTPONEMENT TO NOVEMBER 10, 2016, AS REQUESTED BY STAFF, ON CONSENT. (10-0) (O.Houston-1st, G. Casar - 2nd; E.Troxclair- Absent]*

November 10, 2016: *TO GRANT POSTPONEMENT TO DECEMBER 8, 2016, AS REQUESTED BY STAFF, ON CONSENT. (11-0) [D. Zimmerman- 1st, O. Houston- 2nd]*

December 15, 2016: *TO GRANT POSTPONEMENT TO JANUARY 26, 2017, AS REQUESTED BY STAFF, ON CONSENT. (11-0) [D. Zimmerman - 1st, S. Gallo- 2nd]*

January 26, 2017: *TO GRANT POSTPONEMENT TO, AS REQUESTED BY STAFF, ON CONSENT. (11-0) [D. Garza- 1st, S. Renteria - 2nd]*

February 9, 2017: *TO GRANT POSTPONEMENT TO MARCH 2, 2017, AS REQUESTED BY THE APPLICANT, ON CONSENT. (11-0) [L. Pool- 1st, S. Renteria - 2nd]*

March 2, 2017:

ORDINANCE READINGS: 1st 2nd 3rd **ORDINANCE NUMBER:**

CASE MANAGER: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

PHONE: 512-974-2122

SUMMARY STAFF RECOMMENDATION:

Staff supports the Applicant's rezoning request. The proposed rezoning includes the following:

1. Remove prohibition of drive-in services from the current site zoning, and
2. Add a conditional overlay limiting drive-in services as an accessory to financial services only.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The base district, Community Commercial (GR) is "the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways." The subject tract has frontage on East 38th Street and is a few hundred feet west of Guadalupe Street—it is not an internal, neighborhood location, but a bustling activity corridor. Removal of the drive-in prohibition makes the zoning more suitable for the location.

Comprehensive Plan:

The subject property is located within the boundaries of the Central Austin Combined NPA, in the West University. Surrounding land uses includes multi-family apartments to the north and west, a variety of retail uses to the west, and single family housing and retail to the south. The proposed use is a bank with a bank drive-thru. The existing zoning ordinance for this site prohibits drive-in service and the request is to remove the conditional overlay prohibiting drive-thrus.

Due to its proximity to the Heart Hospital of Austin and Seton Hospital, the segment of 38th Street between Guadalupe and Lamar Boulevard is more oriented toward the healthcare industry and serves both citywide and regional healthcare needs. New healthcare facilities being developed near the intersection of Lamar Boulevard and 38th Street will further reinforce the notion of a growing healthcare "district" in this part of the city.

Imagine Austin-- The subject property is located along an Activity Corridor as identified on the Imagine Austin Growth Concept Map. Activity corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. The following Imagine Austin policies are also applicable to this case:

- LUT P3 Promote development in compact centers, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- HN P11. Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

Based on the property being located along an Activity Corridor, the proposed commercial use appears to be supported by Imagine Austin.

Site Plan:

SP1) Site plans will be required for any new development other than single-family or duplex residential.

SP2) 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.

SP3) The site is subject to compatibility standards. Along the south property line, 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 landscape area at least 25 feet wide is required along 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.

SP4) Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Transportation:

TR1. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for 38th Street.

TR2. This project is adjacent to a street where the curb is proposed to be moved to achieve superior bicycle facilities (38th Street). However, the existing building conflicts with the curb realignment, therefore, the curb will not be proposed for realignment at this time.

TR3. Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR4. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
38 th Street	78-89 ft.	66 ft.	Arterial	Yes	Yes, shared lane	Yes
Ronson Street	50 ft.	27 ft.	Local	Yes	No	Yes
37 th Street	50 ft.	27 ft.	Local	Yes	No	Yes

TR5. FYI: Staff will review internal circulation design at time of site plan. At time of site plan, to ensure that the proposed development will not adversely impact the public right-of-way, please provide information regarding the location of the drive-in within the garage, internal site circulation, and the entrance and exit for the drive-in.

TR6. A drive-in bank use proposes a lower trip generation than other drive-in uses; therefore, transportation staff recommends to only allow drive-ins for bank uses at this site (at this time).

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. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within 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. 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. 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.

Water/Wastewater:

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, 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. 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.

EXHIBIT A

TRACT	ADDRESSES	FROM	TO
230	801 W 34TH ST	LO	LO-NP
231	3205, 3207 GRANDVIEW AVE	LO	LO-CO-NP
232	808 W 32ND ST	MF-2	MF-2-CO-NP
233	808, 810 W 32ND ST	MF-2	SF-3-CO-NP
234	3200, 3204, 3206, 3208 (LOT 5 & S10FT OF LOT 6 BLK 5 OLT 75 DIV D PENN SUB OF BLK 5&6 SMYTH SUB) GRANDVIEW ST	MF-2, LO	MF-2-NP
235	3318 (N40FT OF LOT 8-8 BLK 5 OLT 75 DIV D PENN SUB OF BLK 5&6 SMYTH SUB PLUS ADJ VAC ALLEY) GRANDVIEW ST	LO	LO-NP
236	3303 (LOT 14-15 & S 15 FT OF LOT 13 & N 9 FT OF LOT 16 BLK 5 OLT 75 DIV D PENN SUB OF BLK 5&6 SMYTH SUB) N LAMAR BLVD	CS, CS-1	CS-CO-NP
237	3311 (LOT 12 & N 34 FT OF LOT 13 BLK 5 OLT 75 DIV D PENN SUB OF BLK 5&6 SMYTH SUB) N LAMAR BLVD	CS-1	CS-1-CO-NP
238	805 W 34TH ST; 3317 N LAMAR BLVD	CS	CS-CO-NP
239	3401, 3411, 3419, 3423 N LAMAR BLVD	CS	CS-CO-NP
240	3501 N LAMAR BLVD; 3400, 3406, 3408, 3412 OWEN AVE	CS	P-NP
241	800, 808 W 34TH ST; 3408 WEST AVE	LO	LO-NP
242	905, 907 W 37TH ST; 3507 N LAMAR BLVD; 3500, 3501, 3502, 3503 OWEN CIR	MF-2, MF-3, LO, CS	P-NP
243	711 W 38TH ST (N 323.29 FT MEDICAL SCIENCE CENTER CONDOMINIUMS)	LR	GR-CO-NP
244	711 (S 154.55 FT MEDICAL SCIENCE CENTER CONDOMINIUMS) W 38TH ST; 3509, 3511, 3513 WEST AVE	LO, LR	LO-MU-NP
245	700, 702, 704, 706, 710, 712, 714, 720 W 34TH ST; 3409 WEST AVE	SF-3, LO	LO-NP
245A	717 W 35TH ST	LO-CO	LO-CO-NP
246	631 W 38TH ST	GO	GR-CO-NP
247	624 W 37TH ST	MF-4	LR-MU-CO-NP
248	623 W 38TH ST	LO	GR-CO-NP
249	601 W 38TH ST; 3702 (LOT 1 BLK 7 PLUS 1/2 VAC ALLEY OLT 73 DIV D BUDDINGTON SUBD) GUADALUPE ST	CS	CS-CO-NP
250	3702 (LOT 2 BLK 6 PLUS 1/2 VAC ALLEY OLT 73 DIV D BUDDINGTON SUBD) GUADALUPE ST	CS-1	CS-1-CO-NP
251	604 W 37TH ST; 3700 GUADALUPE ST	CS	CS-CO-NP
252	605 W 37TH ST; 3510 (N 72.5 FT OF LOTS 1 & 2 BLK 1 OLT 76 DIV D BUDDINGTON SUBD) GUADALUPE ST	CS	CS-CO-NP
253	3510 (S 72.5 FT OF LOTS 1 & 2 BLK 1 OLT 76 DIV D BUDDINGTON SUBD) GUADALUPE ST	CS, CS-1	CS-1-CO-NP
254	608 MAIDEN LN	CS	CS-1-CO-NP
255	3500 GUADALUPE (E 100 FT LOTS 1-3 BLK 4 OLT 76-78 DIV D GYPSY GROVE SAVE AND EXCEPT A 6,158 SQUARE FOOT TRACT OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT K)	CS	CS-CO-NP
256	3500 GUADALUPE (A 6,158 SQUARE FOOT TRACT OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT K)	CS-1	CS-1-CO-NP

Indoor sports and recreation
Kennels
Outdoor entertainment

Transportation terminal
Vehicle storage

19. The following uses are conditional uses of Tracts 156, 157, 158, and 195:

Automotive rentals
Automotive sales
Hotel-motel
Service station

Automotive repair services
Hospital services (general)
Residential treatment

20. Cocktail lounge use is a prohibited use of Tract 157.

21. The following uses are prohibited uses of Tracts 249 and 264:

Agricultural sales and services
Automotive repair services
Automotive washing (of any type)
Campground
Limited warehousing and distribution
Maintenance and service facilities
Convenience storage
Drop-off recycling collection facilities
Outdoor sports and recreation
Pawn shop services
Transportation terminal
Service station

Automotive rentals
Automotive sales
Building maintenance services
Kennels
Indoor sports and recreation
Construction sales and services
Monument retail sales
Outdoor entertainment
Electronic prototype assembly
Equipment repair services
Equipment sales
Vehicle storage

22. Drive-in service is prohibited as an accessory use to commercial uses of Tracts 141, 142, 146, 146A, 148, 160, 164, 166, 170, 172, 174, 243, 246, 248, 249, 261, 262, 264, and 266.

23. Drive-in service is a conditional use as an accessory use to commercial uses of Tracts 176, 177, 178, 179, 179A, 180, 209, 210, 213, 219, 220, 250, 251, 252, 253, 254, 255, 256, 257, 259, and 260.

24. Drive-in service is prohibited as an accessory use to restaurant (general and limited) uses of Tracts 176, 177, 178, 179, 179A, 180, 209, 210, 213, 219, 220, 250, 251, 252, 253, 254, 255, 256, 257, 259, and 260.

SITE PLAN

PIONEER BANK
 ON WEST 38th STREET
 AUSTIN, TEXAS
 623 W. 38th STREET



Project No. 10
 Date: 10/15/01
 Scale: 1" = 40'

10
 10/15/01
 1" = 40'

LEGEND

- Proposed Building
- Proposed Pavement
- Proposed Planting
- Proposed Signage
- Proposed Fencing
- Proposed Lighting
- Proposed Stormwater Management
- Proposed Security
- Proposed Other

SITE LEGEND

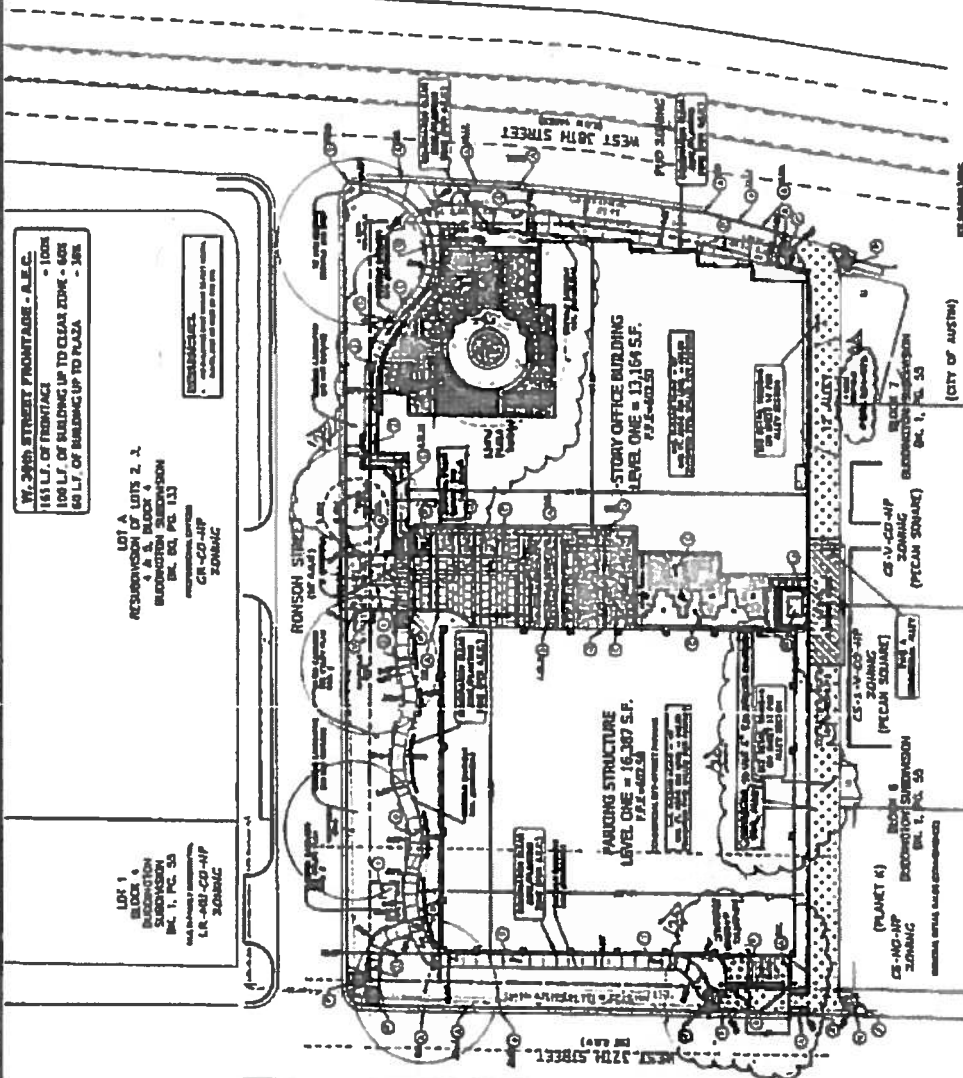
1. PROPOSED BUILDING
2. PROPOSED PAVEMENT
3. PROPOSED PLANTING
4. PROPOSED SIGNAGE
5. PROPOSED FENCING
6. PROPOSED LIGHTING
7. PROPOSED STORMWATER MANAGEMENT
8. PROPOSED SECURITY
9. PROPOSED OTHER

SITE NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
2. THE PROPOSED BUILDING SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
3. THE PROPOSED PAVEMENT SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
4. THE PROPOSED PLANTING SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
5. THE PROPOSED SIGNAGE SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
6. THE PROPOSED FENCING SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
7. THE PROPOSED LIGHTING SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
8. THE PROPOSED STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
9. THE PROPOSED SECURITY SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.

PERMITS

City of Austin, Texas
 Department of Public Works
 Engineering Division
 10000 N. Highway 71, Suite 100
 Dallas, Texas 75243, Phone (214) 343-1100
 Fax (214) 343-1101



PERMITS

Permit Type	Permit Number	Permit Date	Permit Status
Building	10000	10/15/01	Issued
Paving	10000	10/15/01	Issued
Planting	10000	10/15/01	Issued
Signage	10000	10/15/01	Issued
Fencing	10000	10/15/01	Issued
Lighting	10000	10/15/01	Issued
Stormwater	10000	10/15/01	Issued
Security	10000	10/15/01	Issued
Other	10000	10/15/01	Issued

SITE ANALYSIS TABLE

Item	Value
TOTAL SITE	100,000 S.F.
ALLOWABLE IMPERVIOUS COVER	40,000 S.F.
PROPOSED IMPERVIOUS COVER	40,000 S.F.
PERMITTED FLOOR ELEVATION	601.50
BUILDING - 4 STORIES	100,000 S.F.
PARKING STRUCTURE - 4 STORIES	100,000 S.F.
PARKING STRUCTURE HEIGHT	MAX. 40'

NOTES

1. THE PROPOSED BUILDING SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
2. THE PROPOSED PAVEMENT SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
3. THE PROPOSED PLANTING SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
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6. THE PROPOSED LIGHTING SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
7. THE PROPOSED STORMWATER MANAGEMENT SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
8. THE PROPOSED SECURITY SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.
9. THE PROPOSED OTHER SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN, TEXAS, ORDINANCES AND SPECIFICATIONS.

LOT 1
 BLOCK 1
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 2
 BLOCK 2
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 3
 BLOCK 3
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 4
 BLOCK 4
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 5
 BLOCK 5
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 6
 BLOCK 6
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 7
 BLOCK 7
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 8
 BLOCK 8
 SUBDIVISION
 B.L. 1, P.L. 50
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LOT 9
 BLOCK 9
 SUBDIVISION
 B.L. 1, P.L. 50
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LOT 10
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 ZONING

LOT 40
 BLOCK 40
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 41
 BLOCK 41
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 42
 BLOCK 42
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 43
 BLOCK 43
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 44
 BLOCK 44
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 45
 BLOCK 45
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

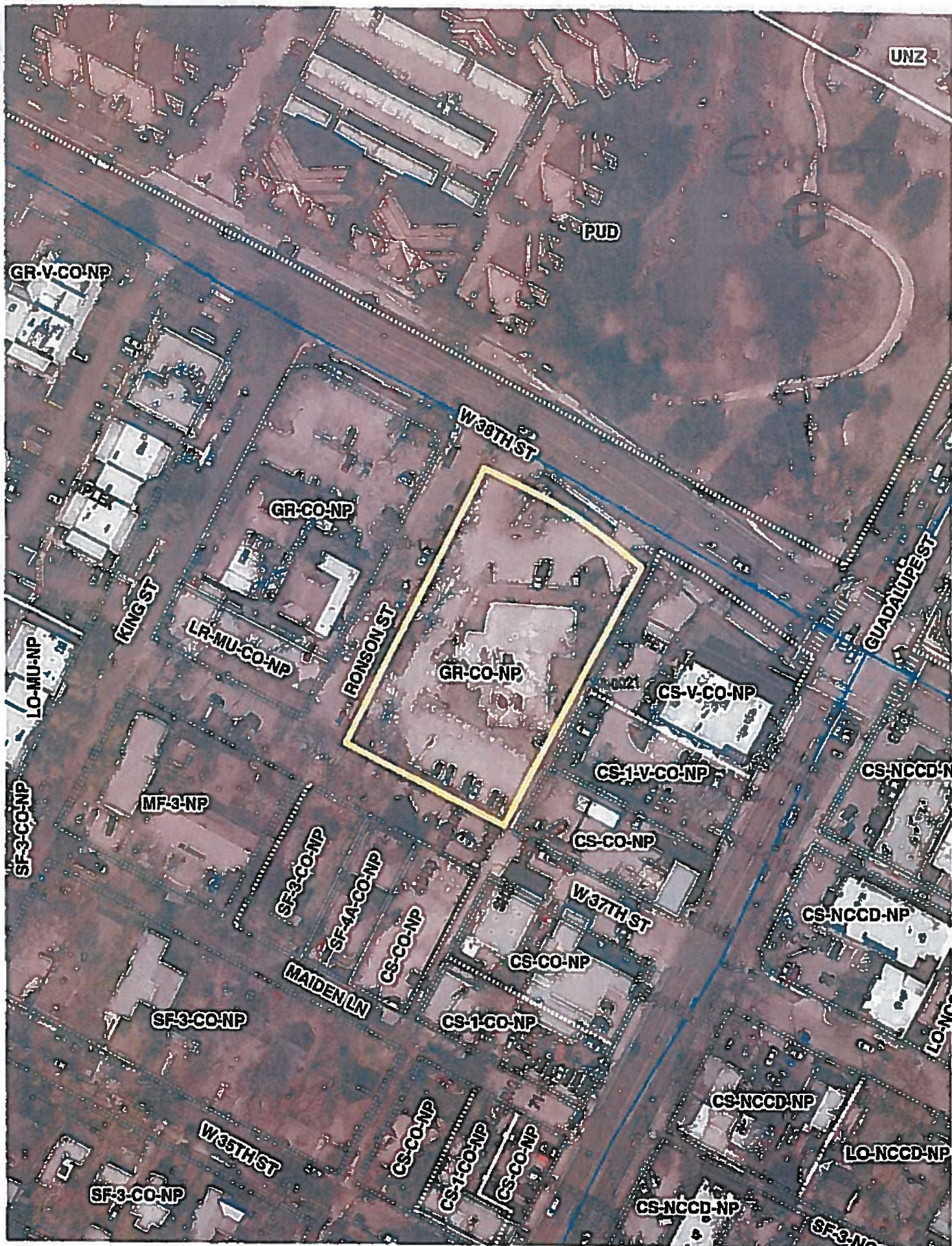
LOT 46
 BLOCK 46
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 47
 BLOCK 47
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 48
 BLOCK 48
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 49
 BLOCK 49
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING

LOT 50
 BLOCK 50
 SUBDIVISION
 B.L. 1, P.L. 50
 ZONING





7401B Highway 71 West, Suite 160
Austin, TX 78735
Office: 512.583.2600
Fax: 512.583.2601

DoucetandAssociates.com

EXHIBIT E

June 16, 2016

Greg Guernsey, Director
Planning and Zoning Department
City of Austin
505 Barton Springs Rd.
Austin, TX 78704

Re: Pioneer Bank on W. 38th St.
Re-Zoning Request (Remove C/O prohibiting drive-in services)

Dear Mr. Guernsey:

Please see the enclosed application and support documentation for a proposed re-zoning of the property at 623 W. 38th St. This property is owned by 'Pioneer Bank, SSB'. The site is currently under construction per site development permit plans SP-2014-0443C.

The existing zoning of the site is 'GR-CO-NP', per Ordinance No. 040826-57. The property is called Tract 248 in the zoning ordinance; the site is part of the overall West University Neighborhood Plan Area.

Per Conditional Overlay #22 on Page 18 of the ordinance, drive-in service is a prohibited use on this tract. Our re-zoning request is to remove this prohibition. All other aspects of the zoning ordinance would remain the same.

Our justification for the request includes the following:

- The proposed bank drive-in services create a nominal increase in trips. A study of a similar Pioneer Bank facility nearby showed an average daily trip generation of 16 trips.
- Pioneer Bank is primarily a 'business' rather than 'consumer' bank, and therefore has far fewer drive-in customers than a consumer-oriented bank such as Wells Fargo.
- The drive-in services will be located within the parking garage and will not cause additional noise or headlights in the adjacent neighborhood.
- Drive-in services are standard and expected services for bank customers, especially for those with children.
- We have already met with the local neighborhood group (Heritage) to obtain support for our re-zoning case. Our initial meeting went well and we are going to present to the entire group at their next formal meeting on July 11.

Thank you for your review of this material; please contact me if you have any questions.

COMMITMENT YOU EXPECT.
EXPERIENCE YOU NEED.
PEOPLE YOU TRUST.



Sincerely,

A handwritten signature in black ink, appearing to read 'Ted McConaghy'.

Ted McConaghy, MA
Senior Planner
Doucet & Associates, Inc.
Authorized Agents for Pioneer Bank
7401-B Hwy. 71 W., Ste. 160
Austin, TX 78735

CANPAC

Central Austin Neighborhood Planning Advisory Committee

CANPAC RESOLUTION

Pioneer Bank Zoning Case C14-2016-0065

WHEREAS The Central Austin Combined Neighborhood Plan was adopted in 2004 and the zoning ordinance prohibited drive-in services as an accessory use on this and other properties,

WHEREAS both Guadalupe and 38th Streets are core transit identified in Article 5 of Subchapter E of Chapter 25-2 of Austin's Land Development Code indicating that these are roadways where the City of Austin encourages bicycling, walking, and transit use,

WHEREAS the proposed Pioneer Bank rezoning is for a property on 38th Street, very near Guadalupe Street, and across the street from single family zoned homes on 37th Street,

WHEREAS drive through uses damage walkability, encourage late night hours, are inaccessible to anyone not in a car, and currently cause traffic backups on the core transit corridors bordering the Heritage neighborhood,

WHEREAS the requested zoning change conflicts with the Imagine Austin goal of being compact and connected,

WHEREAS drive through uses are consistently grandfathered by the City of Austin,

WHEREAS it is important not to set a precedent that would allow any additional drive through uses in the Central Austin Combined planning area,

BE IT RESOLVED, the Central Austin Neighborhood Planning Advisory Committee (CANPAC) requests that the Planning Commission and Austin City Council deny the request for a zoning change that would remove the prohibition on drive through uses as requested in zoning case C14-2016-0065.

Adopted: October 17, 2016

Signed,
Bart Whatley
CANPAC co-chair

CANPAC MEMBERS

Eastwoods Association, Hancock Neighborhood Association, Heritage Neighborhood Association, North University Neighborhood Association, Shoal Crest Neighborhood Association, Original West University Neighborhood Association, and University Area Partners

RESOLUTION
Heritage Neighborhood Association
Pioneer Bank Zoning Case
C14-2016-0065

WHEREAS The Central Austin Combined Neighborhood Plan was adopted in 2004 and the zoning ordinance prohibited drive-in services as an accessory use on this and other properties,

WHEREAS both Guadalupe and 38th Streets are core transit corridors identified in Article 5 of Subchapter E of Chapter 25-2 of Austin's Land Development Code indicating that these are roadways where the City of Austin encourages bicycling, walking, and transit use,

WHEREAS the proposed Pioneer Bank rezoning is for a property on 38th Street, very near Guadalupe Street, and across the street from single family zoned homes on 37th Street,

WHEREAS drive through uses damage walkability, encourage late night hours, are inaccessible to anyone not in a car, and currently cause traffic backups on the core transit corridors bordering the Heritage neighborhood,

WHEREAS drive through uses are consistently grandfathered by the City of Austin,

WHEREAS it is important not to set a precedent that would allow any additional drive through uses in the Heritage Neighborhood,

BE IT RESOLVED, the Heritage Neighborhood Association requests that the Planning Commission and Austin City Council deny the request for a zoning change that would remove the prohibition on drive through uses as requested in zoning case C14-2016-0065.

Adopted: November 14, 2016

Signed: 
John Boardman, President
Heritage Neighborhood Association