

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2017-0143 – 11500 Manchaca Road    **Z.A.P. DATE:** December 19, 2017

**ADDRESS:** 11500 Manchaca Road

**DISTRICT:** 5

**OWNER/APPLICANT:** JG Manchaca  
Property LLC & Garcia Road LLC  
(Espiron Garcia)

**AGENT:** Metcalfe Wolff Stuart &  
Williams, LLP  
(Michele Rogerson Lynch)

**ZONING FROM:** I-RR    **TO:** CS-CO – Tract 1 – 0.27 acres (11,688 square feet);  
GR-CO – Tract 2 – 3.30 acres (143,800 square feet);  
W/LO-CO – Tract 3 – 4.19 acres (182,585 square feet)

**TOTAL AREA:** 7.75 acres

### **SUMMARY STAFF RECOMMENDATION (REVISED ON 12-21-2017):**

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district for Tract 1, community commercial – conditional overlay (GR-CO) combining district zoning for Tract 2 and warehouse / limited office – conditional overlay (W/LO-CO) combining district for Tract 3. The Conditional Overlay prohibits the following uses:

On Tract 1, alternative financial services, agricultural sales and services, automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), bail bond services, business or trade school, campground, commercial blood plasma center, drop-off recycling collection center, electronic prototype assembly, electronic testing, equipment repair services, exterminating services, funeral services, hotel-motel, kennels, laundry services, medical offices (exceeding 5,000 s.f. gross floor area), monument retail sales, outdoor entertainment, outdoor sports and recreation, pawn shop services, pedicab storage and dispatch, plant nursery, research services, theater, vehicle storage and veterinary services;

On Tract 2, alternative financial services, automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), bail bond services, business or trade school, drop-off recycling collection center, exterminating services, funeral services, hotel-motel, medical offices (exceeding 5,000 s.f. gross floor area), outdoor entertainment, outdoor sports and recreation, pawn shop services, pedicab storage and dispatch, plant nursery, research services, special use historic, and theater;

On Tract 3, business or trade school, electronic prototype assembly, electronic testing, equipment repair services, exterminating services, and pedicab storage and dispatch.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

December 19, 2017: *APPROVED CS-CO DISTRICT ZONING FOR TRACT 1, GR-CO DISTRICT ZONING FOR TRACT 2, AND W/LO-CO DISTRICT ZONING FOR TRACT 3, WITH CONDITIONS OF R-O-W DEDICATION ON MANCHACA ROAD, AND THE FOLLOWING ADDITIONAL CONDITIONAL OVERLAYS: 1) ON TRACT 1, ADULT-ORIENTED BUSINESSES IS A PROHIBITED USE; 2) ON TRACT 3, TRUCK ACCESS IS PROHIBITED ON THE NORTH AND WEST PROPERTY LINES; 3) ON TRACT 3, LIGHTING FIXTURES ARE REQUIRED TO BE SHIELDED; 4) ON TRACT 3, A 25-FOOT WIDE UNDISTURBED VEGETATIVE BUFFER SHALL BE PROVIDED AND MAINTAINED ALONG THE NORTH AND WEST PROPERTY LINES; 5) THE REMOVAL OF EXISTING TREES WITHIN THE 25-FOOT COMPATIBILITY SETBACK IS PROHIBITED.*

*[J. DUNCAN; B. EVANS – 2<sup>ND</sup>] (8-0) D. BREITHAUPT; S. LAVANI – ABSENT; 1 VACANCY ON THE COMMISSION*

### **ISSUES:**

Correspondence from an adjacent neighbor is attached at the back of the Staff report.

After reviewing the recorded plat on this property, Transportation review staff determined that additional right-of-way on Manchaca Road was not required.

### **DEPARTMENT COMMENTS:**

The subject lot and Casa Garcias Road (a driveway) is located on Manchaca Road between Marcus Abrams Boulevard and Frate Barker Road and contains a mobile food vendor (Tract 1); corporate offices for a restaurant, a separate restaurant, and a commercial kitchen (Tract 2); and a parking area for a nearby moving company and two storage buildings (Tract 3). The property and adjacent properties to the north and south were annexed into the City limits on December 15, 2016 and assigned interim – rural residence (I-RR) zoning at that time. A “D” (non-land use) site plan for the property was approved in August 2002 and shows stormwater ponds, a building and a proposed asphalt parking area. There are commercial uses to the north (GR-CO; CS-1-CO); an office and commercial uses on Manchaca Road to the east and to the south (I-SF-2; I-RR), and the Olympic Heights single family residential subdivision to the west (I-SF-4A). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to create three zoning tracts along with Conditional Overlays specific to each tract that prohibit more intensive commercial uses and provide additional compatibility with the adjacent single family residential subdivision to the west. Tract 1 covers the existing warehouse building that includes the commercial kitchen (defined as a food preparation use which is first permitted in the CS district), and is proposed for general commercial services – conditional overlay (CS-CO) combining district zoning. Tract 2 covers approximately the front one-half of the property and has direct access to Manchaca Road and includes the mobile food vendor and offices, and Casa Garcia Road. It is proposed

for community commercial – conditional overlay (GR-CO) district zoning. Tract 3 covers the western portion of the site and currently functions as a parking area for moving trucks and includes two storage buildings. It is proposed for warehouse / limited office – conditional overlay (W/LO-CO) zoning which limits development to 25 feet or one story, 70% impervious cover, and has a floor-to-area ratio to 0.25 to 1. In the future, the Applicant intends to submit a site plan for a parking area and warehouse building on Tract 3. As information, the site plan application that shows the stormwater ponds, building and asphalt parking area was filed prior to annexation, and thus is allowed to continue in the absence of permanent zoning. The Staff does not object to the Applicant's request for prohibited uses and has included them in the recommendation sections of this report.

This land use character of this segment of Manchaca Road is predominantly commercial and Staff believes the zoning request is appropriate in terms of its location on an arterial roadway. Commercial uses would also serve the residents of the nearby and recently developed subdivisions. The Applicant's rezoning would permit the commercial uses that existed prior to annexation, prohibit more intensive uses and allow for limited development adjacent to single family residences on the western portion of property, therefore providing a transition in intensity.

#### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Mobile food vendor; Offices; Restaurant; Commercial kitchen; Driveway; Parking area for moving trucks; Storage buildings
<i>North</i>	GR-CO; I-SF-4A; CS-1-CO	Automobile sales; Service station / food sales; Alternative financial services; Single family residences and detention pond within the Olympic Heights subdivision
<i>South</i>	I-RR	Business park includes: School; Church; Restaurant (limited); Food sales; Liquor store; Auto and truck rentals; Offices; Hair salon; Indoor sports and recreation
<i>East</i>	I-SF-2	Equipment rentals; Moving company; Roofing company; Tattoo shop; Barber shop; Insurance office
<i>West</i>	I-SF-4A	Single family residences and amenity center within the Olympic Heights subdivision

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHED:** Slaughter Creek – Suburban

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

#### **SCHOOLS:**

Baranoff Elementary School

Bailey Middle School

Akins High School

**NEIGHBORHOOD ORGANIZATIONS:**

217 – Tanglewood Forest Neighborhood Association  
 627 – Onion Creek Homeowners Assoc.      742 – Austin Independent School District  
 943 – Save Our Springs Alliance      1214 – Bauerle Ranch Homeowner's Association  
 1228 – Sierra Club, Austin Regional Group      1363 – SEL Texas  
 1398 – Commander, Watch      1528 – Bike Austin  
 1530 – Friends of Austin Neighborhoods      1559 – Palomino Park HOA  
 1596 – TNR BCP – Travis County Natural Resources

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2017-0063 – 11630 Manchaca Rd	I-RR to GR	To Grant	Apvd (8-3-2017).
C14-2017-0009 – 11444 Manchaca Rd	I-SF-2 to GR	To Grant GR-CO w/CO for prohibited uses: alternative financial services, bail bonds, custom manufacturing, drop- off recycling collection, exterminating services, and a Restrictive Covenant to prohibit the use of outdoor sound amplification equipment on the property	Apvd GR-CO as ZAP rec (6-8-2017).
C14-2016-0130 – 11410 Manchaca Rd	GR-CO to CS-1	To Grant CS-1-CO w/CO maintaining the provisions for restaurant (general) use, and the list of prohibited and conditional uses from the 2010 zoning ordinance	Apvd CS-1-CO as ZAP rec (5-4-2017).
C14-2010-0038 – Rezoning 1.56 acres at 11410 Manchaca Rd	I-RR to GR-CO, as amended	To Grant GR-CO w/CO allowing for all LR uses and indoor entertainment, requires a service station to be located at least 50'	Apvd GR-CO as ZAP rec (11-4-2010).

		from the west property line, establishes that a drive-in services use requires a CUP site plan, and limits trips to 2,000/day.	
C14-06-0101 – Ravenscroft – 11401-11499 Blk Manchaca Rd	I-RR to SF-6	To Grant SF-6-CO w/ CO limited to 26 units and 300 trips per day, with a RC for the Neighborhood Traffic Analysis	Apvd SF-6-CO with CO limited to 18 units, 5.388 u.p.a. and 300 trips per day, with a RC for the Neighborhood Traffic Analysis (9-28-2006).
C14-06-0102 – Ravenscroft – 11301-11351 Blk Manchaca Rd	I-RR to SF-6	To Grant SF-6-CO w/ CO limited to 70 units and 698 trips per day, with a RC for the Neighborhood Traffic Analysis	Apvd SF-6-CO with CO limited to 78 units, 9.72 u.p.a. and 698 trips per day, with a RC for the Neighborhood Traffic Analysis (9-28-2006).
C14-05-0009 – Brazos Zoning – 11410 Manchaca Rd	I-RR to GR	To Grant GR-CO w/CO allowing business support services, general retail sales (general), personal improvement services and restaurant (general) and all LR uses, prohibit drive-in services as an accessory use to a commercial use, and 2,000 trips per day.	Apvd GR-CO with the CO for: 1) limits the development to the following GR uses: restaurant (general); business support services; retail sales (general); and personal improvement services, and all LR uses; 2) prohibits drive-in service as an accessory use to a commercial use; 3) 2,000 trips per day; 4) requires the application of compatibility standards. The Restrictive Covenant limits the personal improvement services use to health and fitness clubs (7-28-2005).

**RELATED CASES:**

The property was annexed into the City limits on December 15, 2016 and assigned I-RR district zoning (C7a-2016-0007). The zoning area is platted as Lot 1, The Foley Subdivision, recorded in March 2002 (C8-02-0001.0A). Also included in the zoning area, Casa Garcias Road is a dedicated public road from its intersection with Manchaca Road to a depth of 450 feet and thereafter is a 50-foot wide access easement, both by separate instruments. An administrative "D" site plan was approved for a 9,800 square foot convenience store and 10 gas pumps on August 20, 2002 (SP-02-0006D – Foley Subdivision). In May 2017, a site plan correction was also approved for an added gravel landscape area and temporary shade structure for the mobile food vendor along the Manchaca Road frontage (SP-2013-0023D – Jackie's Gymnastics).

As information, a Development Permit "D" site plan does not include a land use element, in this case because at the time the location was within the Extra-Territorial Jurisdiction. Also, a complete site plan application was filed with the City before the date the annexations proceedings were instituted, and the Applicant has continuation of land use rights, as outlined in Section 43.002 of the Texas Local Government Code. The City allows for the development of properties to be completed in accordance with the site plan on file, without requiring zoning consistent with the existing uses.

**EXISTING STREET CHARACTERISTICS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Manchaca Road	103 feet	47 feet	Arterial	No	Yes, wide curb lane	No

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for Manchaca Road.

FYI – Manchaca Road is owned and operated by Texas Department of Transportation.

FYI – Frate Barker Road is proposed for improvements through a Travis County CIP project. There is a project to reconstruct Manchaca Road to a "5 lane urban roadway" from Ravenscroft Drive to FM 1626 (1.142 miles). The project is anticipated to be ready to let in the Summer-Fall 2018 timeframe (Project No. 2689-01-023).

**CITY COUNCIL DATE:** February 1, 2018

**ACTION**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

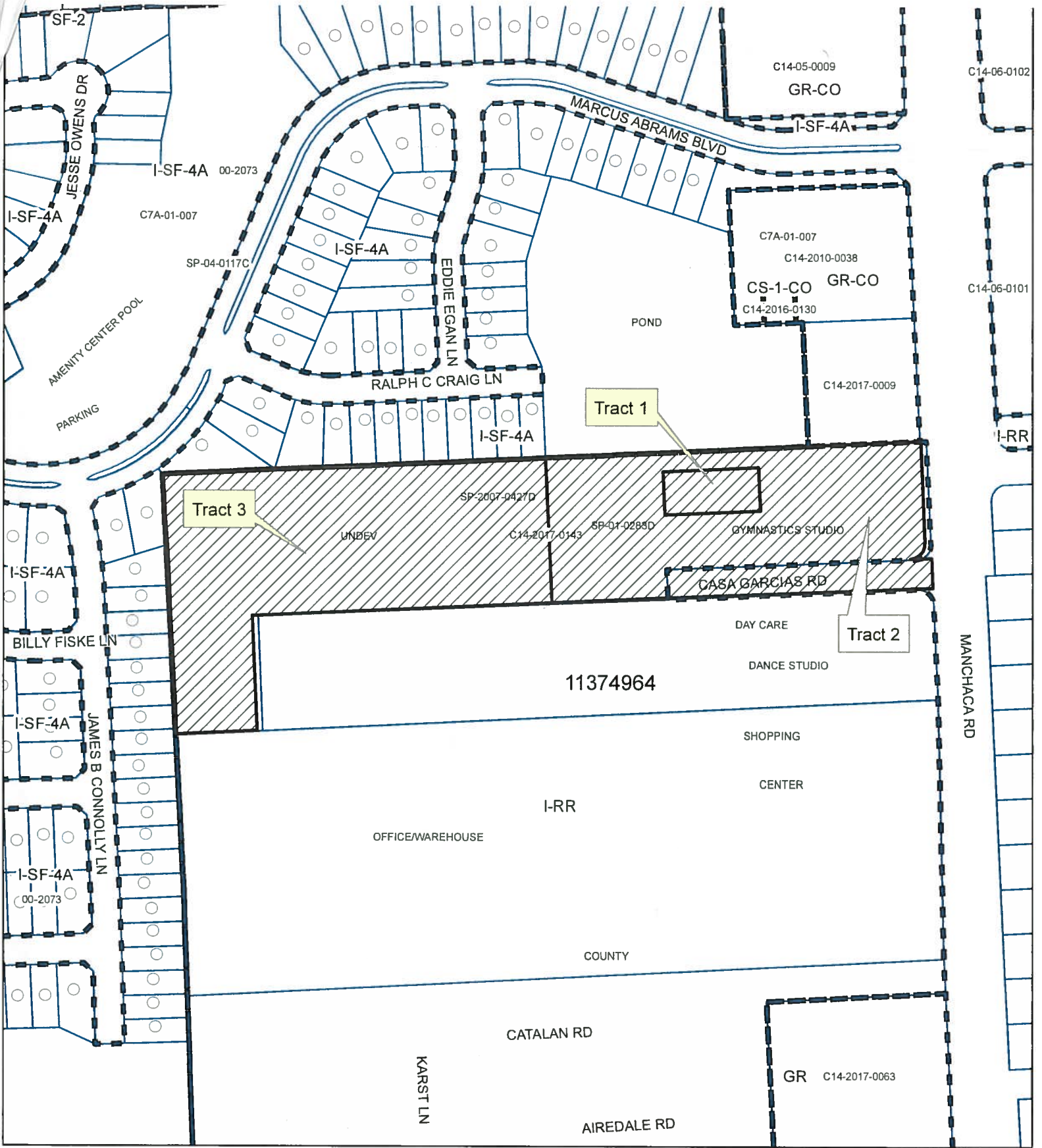
3<sup>rd</sup>





**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades

**PHONE:** 512-974-7719

e-mail: [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)




 SUBJECT TRACT  
 PENDING CASE  
 ZONING BOUNDARY

# ZONING

EXHIBIT A

Zoning Case: C14-2017-0143



1" = 212'

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.





1" = 200'

- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY
- CREEK BUFFER

## 11500 MANCHACA ROAD

*Exhibit A*

ZONING CASE#: C14-2017-0143

LOCATION: 11500 MANCHACA ROAD

SUBJECT AREA: 7.75 ACRES

GRID: D12

MANAGER: WENDY RHOADES

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.





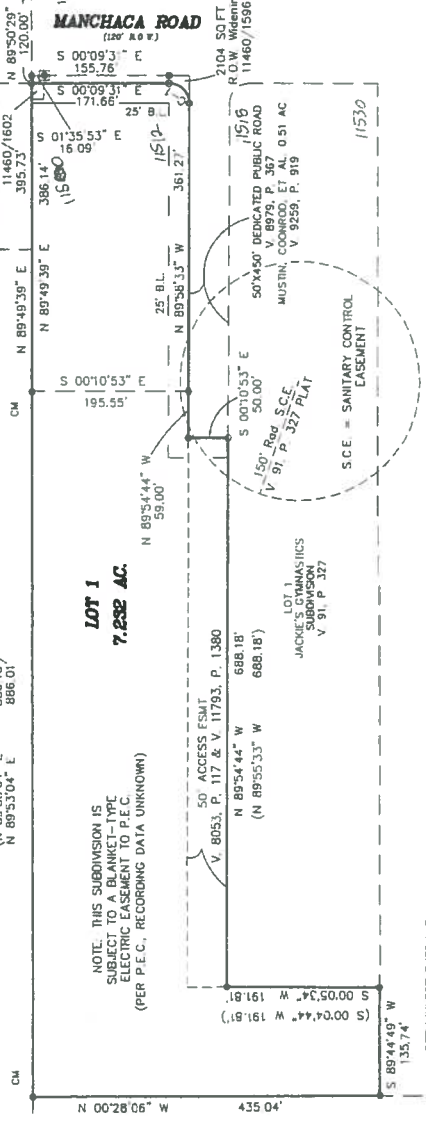
# THE FOLEY SUBDIVISION

CONTINENTAL HOMES OF TEXAS LP  
DOCUMENT NO. 20001123257  
(31.68 AC.)

BEARING BASIS  
(N 89°53'04" E 886.10'  
N 89°53'04" E 886.01')

NOTE: THIS SUBDIVISION IS  
SUBJECT TO A BLANKET-TYPE  
ELECTRIC EASEMENT TO P.E.C.  
(PER P.E.C. RECORDING DATA UNKNOWN)

LOT 1  
7.288 AC.



DTW INVESTMENTS L.P.  
DOCUMENT NO. 1999038452  
(12.659 AC.)

STATE OF TEXAS  
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS,  
THAT JIM FOLEY, OWNER OF 7.232 ACRES OF LAND  
OUT OF THE WALKER WILSON LEAGUE SURVEY NO. 2, IN TRAVIS COUNTY,  
TEXAS, DO HEREBY SUBDIVIDE SAID TRACT OF LAND IN  
ACCORDANCE WITH CHAPTER 212.004 OF THE LOCAL GOVERNMENT CODE, WITH  
HEREFORE GRANTED AND NOT RELEASED, TO BE KNOWN AS "THE FOLEY  
SUBDIVISION", AND WE DO HEREBY DEDICATE  
STREETS AND EASEMENTS SHOWN HEREON

JIM FOLEY  
2-4-02  
DATE  
1370 MARPLE LANE  
MANCHACA, TEXAS 78652

Caroline Foley  
2-4-02  
DATE  
1370 MARPLE LANE  
MANCHACA, TEXAS 78652

STATE OF TEXAS  
COUNTY OF TRAVIS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 4<sup>th</sup> DAY OF  
February, 2002 A.D. BY JIM FOLEY  
AND CAROLINE FOLEY, FOR THE PURPOSE  
AND CONSIDERATIONS THEREIN STATED.

Signature: *Jim Foley*  
Signature: *Caroline Foley*  
PRINTED NAME OF NOTARY  
01/23/05  
COMMISSION EXPIRES



## COMMISSIONERS' COURT RESOLUTION

IN APPROVING THIS PLAT, THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS, ASSUMES NO OBLIGATION TO BUILD OR MAINTAIN ANY STREETS, ROADS, OR PUBLIC THOROUGHFARES SHOWN ON THIS PLAT OR ANY BRIDGES, OR CULVERTS IN CONNECTION THEREWITH. THE BUILDING OF ALL STREETS, ROADS, AND OTHER PUBLIC THOROUGHFARES SHOWN ON THIS PLAT, AND ALL BRIDGES AND CULVERTS NECESSARY TO BE CONSTRUCTED OR PLACED IN CONNECTION THEREWITH, OR OTHER PUBLIC THOROUGHFARES OR IN CONNECTION THEREWITH, OR THE RESERVATION OF ANY RIGHT OF WAY OR DEVELOPER OF THE TRACT OF LAND COVERED BY THIS PLAT IN ACCORDANCE WITH PLANS AND SPECIFICATIONS PRESCRIBED BY THE COMMISSIONERS COURT OF TRAVIS COUNTY, TEXAS.

THE OWNER(S) OF THE SUBDIVISION SHALL CONSTRUCT THE SUBDIVISION'S STREETS AND DRAINAGE IMPROVEMENTS (THE IMPROVEMENTS) TO COUNTY STANDARDS. THE OWNER(S) SHALL BE RESPONSIBLE FOR THE COST OF THE IMPROVEMENTS FOR MAINTENANCE OR TO RELEASE FISCAL SECURITY POSTED TO SECURE PRIVATE IMPROVEMENTS. TO SECURE THIS OBLIGATION, THE OWNER(S) MUST POST FISCAL SECURITY WITH THE COUNTY IN THE AMOUNT OF THE ESTIMATED COST OF THE IMPROVEMENTS. THE OWNER(S)' OBLIGATION TO CONSTRUCT THE IMPROVEMENTS TO COUNTY STANDARDS AND TO POST FISCAL SECURITY TO SECURE SUCH CONSTRUCTION IS A CONTINUING OBLIGATION BEGINNING ON THE DATE OF RECORDING OF THIS PLAT AND CONTINUING UNTIL THE PUBLIC IMPROVEMENTS HAVE BEEN ACCEPTED FOR MAINTENANCE BY THE COUNTY, OR THE PRIVATE IMPROVEMENTS HAVE BEEN CONSTRUCTED AND ARE PERFORMING TO COUNTY STANDARDS.

THE AUTHORIZATION OF THIS PLAT BY THE COMMISSIONERS COURT FOR FILING OR THE RECORDING OF THIS PLAT DOES NOT CONSTITUTE AN OBLIGATION OF THE COUNTY OF TRAVIS COUNTY, TEXAS, TO INSTALL STREET NAME SIGNS OR ERECT TRAFFIC CONTROL SIGNS, SUCH AS SPEED LIMIT, STOP SIGNS, AND YIELD SIGNS, WHICH IS CONSIDERED TO BE A PART OF THE DEVELOPER'S CONSTRUCTION.



- LEGEND
- 1/2" REBAR FOUND
  - ◻ HWY MON.
  - 1/2" REBAR SET
  - ◻ C.M. CONTROL MONUMENT
  - ( ) RECORD CALL 1656
  - V 11537 P. 1656
  - & BK 91, P. 327



**SUMMARY STAFF RECOMMENDATION (REVISED ON 12-21-2017):**

The Staff recommendation is to grant general commercial services – conditional overlay (CS-CO) combining district for Tract 1, community commercial – conditional overlay (GR-CO) combining district zoning for Tract 2 and warehouse / limited office – conditional overlay (W/LO-CO) combining district for Tract 3. The Conditional Overlay prohibits the following uses:

On Tract 1, alternative financial services, agricultural sales and services, automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), bail bond services, business or trade school, campground, commercial blood plasma center, drop-off recycling collection center, electronic prototype assembly, electronic testing, equipment repair services, exterminating services, funeral services, hotel-motel, kennels, laundry services, medical offices (exceeding 5,000 s.f. gross floor area), monument retail sales, outdoor entertainment, outdoor sports and recreation, pawn shop services, pedicab storage and dispatch, plant nursery, research services, theater, vehicle storage and veterinary services;

On Tract 2, alternative financial services, automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), bail bond services, business or trade school, drop-off recycling collection center, exterminating services, funeral services, hotel-motel, medical offices (exceeding 5,000 s.f. gross floor area), outdoor entertainment, outdoor sports and recreation, pawn shop services, pedicab storage and dispatch, plant nursery, research services, special use historic, and theater;

On Tract 3, business or trade school, electronic prototype assembly, electronic testing, equipment repair services, exterminating services, and pedicab storage and dispatch.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

Tract 1: The general commercial services (CS) district is intended predominantly for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. The CS district is best suited for uses located at intersections of arterial roadways or arterials with collector status. The intention is to promote safe and efficient use of transportation facilities.

Tract 2: The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways.

Tract 3: The proposed warehouse / limited office (W/LO) district is the designation for an office or warehouse use for a building trade or other business that does not require a highly visible location or generate substantial volumes of heavy truck traffic, that generates low or moderate vehicular trips, and that requires less access than a retail use. A W/LO district may require special measures to be compatible with adjacent uses. A W/LO district may be located adjacent to a residential use only if the density of the residential development is higher than a typical single-family density or if the physical conditions of the site allow for buffering and project design to mitigate potential adverse impacts.

*2. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*

This land use character of this segment of Manchaca Road is predominantly commercial and Staff believes the zoning request is appropriate in terms of its location on an arterial roadway. Commercial uses would also serve the residents of the nearby and recently developed subdivisions. The Applicant's rezoning would permit the commercial uses that existed prior to annexation, prohibit more intensive uses and allow for limited development adjacent to single family residences on the western portion of property, therefore providing a transition in intensity.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The subject lot is developed with commercial uses and there do not appear to be any significant topographical constraints on the site. There is a grassy drainage swale within the Manchaca Road right-of-way.

### **Impervious Cover**

The maximum impervious cover allowed by the CS and GR zoning districts is 80% which is based on the more restrictive *watershed* regulations. The maximum impervious cover allowed by the W/LO zoning district is 70% which is based on the more restrictive *zoning* regulations.

### **Comprehensive Planning**

This zoning case is located on the west side of Manchaca Road, and is not located within the boundaries of a neighborhood planning area. The property is 7.75 acres in size and contains a corporate office, a warehouse, a barbeque restaurant and a food trailer. The property is surrounded by automobile sales, a drainage pond and single family residences to the north; retail, a church and a private school to the south; an equipment rental company to the east; and single family houses to the west. The proposal is to acknowledge the existing uses on the property via a zoning change, which is a warehouse, a corporate office, and commercial catering/restaurant, and apply a conditional overlay to prohibit such uses as (but not limited to): auto services, funeral home; pawn shop; exterminating services and so on.

**Connectivity**

The Walkscore for this site is 39/100, Car Dependent, meaning most errands require a car. There are no public sidewalks or a CapMetro transit stop in this area.

**Imagine Austin**

The comparative scale of the site relative to other commercial and light industrial uses located along this corridor, as well the property not being located along an Activity Corridor or within an Activity Center as identified on the Imagine Austin Growth Concept Map, falls below the scope of Imagine Austin and consequently the plan is neutral on the proposed rezoning.

**Drainage**

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

**Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter 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.

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.

### **Site Plan**

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

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.

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

### **Compatibility Standards**

The site is subject to compatibility standards. Along the north, east, and west 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 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.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- 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.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

Additional design regulations will be enforced at the time a site plan is submitted.



**Transportation**

Staff does not support the request to apply a Conditional Overlay of 2,000 daily trips for this site. A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

Additional right-of-way may be required at the time of subdivision and/or site plan.

In order to provide development in accordance with the City of Austin Comprehensive Master Plan (Imagine Austin), the Complete Streets Policy, and the Vision Zero Policy, staff recommends providing joint use access with the property to the site and removing the existing driveway to Manchaca Road to reduce the number of cut cuts at the time of the subdivision and/or site plan application, whichever comes first. Driveway access to Manchaca Road shall be reviewed and approved by the Texas Department of Transportation.

**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, 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 Austin Water 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 fees once the landowner makes an application for Austin Water utility tap permits.





METCALFE WOLFF  
STUART & WILLIAMS, LLP  
Attorneys at Law

MICHELE ROGERSON LYNCH  
512.404.2251  
mlynch@mwswtexas.com

November 9, 2017

Mr. Greg Guernsey, Director  
Planning and Zoning Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704

*Via Hand Delivery*

Re: Application for Zoning; 7.25 acres located at 11500 Manchaca Rd (the "Property")

Dear Mr. Guernsey:

As representatives of the owner of the above stated Property we respectfully submit the attached Application for zoning. The Property is located at 11500 Manchaca Rd (see Location Map attached) and is currently zoned Interim Rural Residence (I-RR). The Property was annexed in 2016 with Ordinance # 20161110-022 (also submitted with application) and was given the interim zoning classification of Interim Rural-Residential (I-RR) upon annexation.

The Property is not within a neighborhood plan and is currently developed with two structures. The Property is owned by the family of the local Casa Garcia restaurants and is currently developed and being used for the restaurant's corporate offices, storage and commercial kitchen/ catering. There is also a separate restaurant and food trailer located on the Property. Surrounding zoning includes Interim Single Family Residence Small Lot (I-SF-4-A) to the north and west, Interim Rural Residential (I-RR) to the south, and ETJ to the east. Surrounding land uses include single family, industrial uses, and open space.

We are proposing to zone the Property to three different tracts to match the uses currently occupying the Property. The three different zoning categories are Community Commercial- Conditional Overlay (GR-CO), Warehouse/ Limited Office- Conditional Overlay (W/LO-CO), and General Commercial Services-Conditional Overlay (CS-CO). The "CO" of the zoning chain stands for Conditional Overlay and we are proposing to prohibit the following uses in the Conditional Overlay for each of the tracts as shown in the attached Prohibited Land Uses Table.

If you have any questions about this Application for zoning or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,

Michele Rogerson Lynch

cc: Lenny Arellano, CFO, Casa Garcias



### Prohibited Land Uses Table

GR-CO	W/LO – CO	CS-CO
Alternative Financial Services	Business or Trade School	Alternative Financial Services
Automotive Rentals	Electronic Prototype Assembly	Agricultural Sales and Services
Automotive Repair Services	Electronic Testing	Automotive Rentals
Automotive Sales	Equipment Repair Services	Automotive Repair Services
Automotive Washing (of any type)	Exterminating Services	Automotive Sales
Bail Bond Services	Pedicab Storage and Dispatch	Automotive Washing (of any type)
Business or Trade School		Bail Bond Services
Drop-Off Recycling Collection Facility		Business or Trade School
Exterminating Services		Campground
Funeral Services		Commercial Blood Plasma Center
Hotel-Motel		Drop-Off Recycling Collection Facility
Medical Offices – exceeding 5000 sq. ft. gross floor area		Electronic Prototype Assembly
Outdoor Entertainment		Electronic Testing
Outdoor Sports and Recreation		Equipment Repair Services
Pawn Shop Services		Exterminating Services
Pedicab Storage and Dispatch		Funeral Services
Plant Nursery		Hotel-Motel Kennels
Research Services		Laundry Services
Special Use Historic		Medical Offices – exceeding 5000 sq. ft. gross floor area
Theater		Monument Retail Sales
		Outdoor Entertainment
		Outdoor Sports and Recreation
		Pawn Shop Services
		Pedicab Storage and Dispatch
		Plant Nursery
		Research Services
		Theater
		Vehicle Storage
		Veterinary Services

## 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.austintexas.gov/planning](http://www.austintexas.gov/planning).

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: C14-2017-0143**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearings: December 19, 2017, Zoning and Platting Commission  
February 1, 2018, City Council**

Carl DAYWOOD

*Your Name (please print)*

600 Sabine St, Ste 200, Austin 78701

*Your address(es) affected by this application*

Card guided

*Signature*

12-13-2017

*Date*

512-474-8845

*Daytime Telephone:*

I own

11517 + 11519 Manchaca

I support Zoning Change

CD

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

City of Austin  
 Planning & Zoning Department  
 Wendy Rhoades  
 P. O. Box 1088  
 Austin, TX 78767-8810

## Rhoades, Wendy

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**From:** Mary Pillot [REDACTED]  
**Sent:** Tuesday, December 12, 2017 2:19 PM  
**To:** Rhoades, Wendy  
**Cc:** Roger King  
**Subject:** Case Number: C14-2017-0143

TO: WENDY RHOADES  
City Of Austin Zoning Department and Property Development

From: Mary Pillot & Roger King  
1905 Ralph C. Craig Lane  
Austin, TX 78748

Re: Case Number: C14-2017-0143



Thank you for answering some of my questions yesterday pertaining to Case Number C14-1017,  
Proposed Zoning Change  
Project Location: 11500 Manchaca Rd, Austin Texas,  
Owner: JG Manchaca Property LLC & Garcia Road LLC, Espirion Garcia

Our home stead property, located at 1905 Ralph C. Lane, Austin, TX 78748, of which we have a City utility account, is within 500 feet of the project location



as stated in a copy of Notice of Filing of Application for Rezoning dated November 22, 1917 which we received in the mail recently and a yesterday a letter of Public Hearing for Rezoning came in the mail.

My husband, Roger King and I, Mary Pillot object to proposed Zoning Change to the Project Location: 11500 Manchaca Rd, Austin listed above. I filled out a form on the City of Austin's website, inquiring if the property in question was compliant with City of Austin Zoning Code and I sent photos of the property that I took from my back yard attached to service request form as follows:  
Service Request Number: 17-00127194  
Service Type: Austin Code - Request Code Officer  
Service Location: 11500 MANCHACA RD, AUSTIN, TX 78748  
Status: Closed  
Created On: May 15, 2017 05:31:PM  
Comments: I took photos of property this weekend

I'm attaching photos of this property that I took in September 9, 2017 right behind our house.  
More photos that I took today, Tuesday, December 12, 2017.

We appreciate your consideration in the matter of our property and residential zoning in the City of Austin and Olympic Heights, as well as other families who will be affected by any commercial zoning in our neighborhood.

Thank for your time and consideration from the Land Use Commission and City Council. We look forward to a response.  
Mary Pillot and Roger King  
310-402-7102

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**Case Number: C14-2017-0143**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearings: December 19, 2017, Zoning and Platting Commission**

**February 1, 2018, City Council**

*Richard and Susana Dunlap*  
 Your Name (please print)

*2201 Billy Mills Ln, Austin, TX 78748*  
 Your address(es) affected by this application

*Susana Dunlap*  
 Signature

*12-14-17*  
 Date

Daytime Telephone: *512-282-5635*

Comments:

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

City of Austin  
 Planning & Zoning Department  
 Wendy Rhoades  
 P. O. Box 1088  
 Austin, TX 78767-8810