

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0092 – Rezoning of
1901 William Cannon Dr

DISTRICT: 5

ZONING FROM: GR

TO: CS-1

ADDRESS: 1901 W. William Cannon Dr. Suite 147

SITE AREA: 0.203 acres (8,832 sq. ft. *footprint*)

PROPERTY OWNER: Field Realty Partners
(James Grady Field)

APPLICANT: Betsy's Billiards, (Betsy Dees)

AGENT: Keepers Land Planning,
(Ricca Keepers)

CASE MANAGER: Mark Graham (512-974-3574, mark.graham@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant commercial-liquor sales (CS-1) district zoning. *For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

August 17, 2021:

CITY COUNCIL ACTION:

September 02, 2021

ORDINANCE NUMBER:

ISSUES

None at this time.

CASE MANAGER COMMENTS:

The subject zoning site is south of West William Cannon Drive and east of Manchaca Road. The Towne Square Center has three large multiple tenant buildings. The current zoning of the shopping center is primarily community commercial (GR) with one commercial – liquor sales (CS-1) footprint and one commercial – liquor sales – conditional overlay (CS-1-CO) footprint. The Church’s Chicken and River City Donut buildings are pad sites under separate ownership.

The rezoning tract is the former CVS Drug store leasehold, an 8,832 square foot leased space in the south-most building on the Manchaca end of the building. The applicant is the owner and operator of the restaurant and pool hall. The proposal is to continue the operation of the restaurant and pool hall and to add liquor sales.

BASIS OF RECOMMENDATION:

1. *Commercial-liquor sales district is intended predominately for commercial and industrial activities of a service nature which typically have operating characteristics or traffic service requirements generally incompatible with residential environments, and specifically includes liquor sales as a permitted use.*

The existing restaurant and billiards hall is located in a shopping center bounded by two major roadways: West William Cannon Drive is a street level 4; and Manchaca Road is a street level 3 in the ASMP (Austin Strategic Mobility Plan).

2. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors*

Both W. William Cannon Dr. and Manchaca Rd. are arterial roads and the requested CS-1 zoning would be consistent with locating intensive zoning near a two-arterial intersection.

3. *Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.*

The existence of two other CS-1 footprint zonings in the shopping center suggests that the subject request should result in a similar zoning decision.

EXISTING ZONING AND LAND USES:

| | Zoning | Land Uses |
|-------|---------------------|--|
| Site | GR | Restaurants: pizza, Mexican, Asian food; Personal Services: spa, barber, nails, pet grooming; business services: insurance, banking; retail smoking, liquor. |
| North | GR-NP | (Across W. William Cannon Dr.) Restaurant, Alternative Financial Services |
| South | LO, LO-CO, GR-MU-CO | Assisted Living Center |
| East | SF-3 | Family residences |
| West | GR, LO, SF-3 | (Across Manchaca Rd.) Grocery, Child care facility; detached residences |

NEIGHBORHOOD PLANNING AREA: Not applicable

TIA: The TIA has been deferred to site plan application, when land use and intensity is finalized.

WATERSHED: Williamson Creek – Suburban

OVERLAYS: ADU Approximate Area Reduced Parking

SCHOOLS: AISD: Cunningham Elementary, Covington Middle, Crockett H.S.

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District
Austin Lost and Found Pets
Austin Neighborhoods Council
Friends of Austin Neighborhoods
Go Austin Vamos Austin 78745
Homeless Neighborhood Association
Neighborhood Empowerment Foundation

Onion Creek Homeowners Assoc
Preservation Austin
SELTexas
Sierra Club, Austin Regional Group
South Austin Neighborhood Alliance (SANA)
TNR BCP - Travis County Natural Resources

AREA CASE HISTORIES:

| Number | Request | Commission | City Council |
|---|-------------------------------------|---|---------------------------------------|
| C14-80-240 6929-B Manchaca Rd | GR to C-1 (converted to CS-1) | To grant | Apvd C-1 for 546 sf (02/26/1981) |
| C14-80-178 6929-A Manchaca Rd | GR to C-1 (converted to CS-1) | To grant | Apvd C-1 for 1,632 sf (11/13/1980) |
| C14-00-2121 6708 Manchaca Rd | Rezone 4.320 ac from SF-3 to MF-2 | To grant MF-1 | Apvd. 11/30/2000 Ord.# 001130-20 |
| C14-2008-0108 6805 Manchaca Rd | Rezone 0.489 ac LR to GR | To grant GR-CO. Conditions: A maximum 2000 Trips/day; B Conditional uses: community recreation (private), community recreation (public), hospital services (limited); Prohibited uses: Automotive repair services, automotive rentals, automotive sales, automotive washing (of any type). | Apvd. 07/24/2008 Ord.#20080724-116 |
| C14-2019-0087 1900 William Cannon Dr | Rezone 0.894 ac from LO-NP to GR-NP | To grant LR-NP as staff recommended. | Apvd.10/03/2019 Ord.#20191003-080 |
| C14-2008-0142 6800 Manchaca Rd | Rezone 4.77 Acres from SF-3 to GR | Rezone from SF-3 to GR-CO (1.811 ac, Tract One) & LO-MU-CO (2.792 ac., Tract Two). Conditions: A. Conditional uses: Community recreation (private & public); B. Automotive uses (repair, rental, sales, washing), bail bonds, business/trade school, business support services, commercial off-street parking, communication | Apvd.11/20/2008 Ord.#20081120-094 |

| Number | Request | Commission | City Council |
|--|--|--|---------------------------------------|
| | | services, drop-off recycling collection facility, exterminating services, food preparation, funeral services, hospital services (general), hotel-motel, indoor entertainment, Indoor sports and recreation, outdoor entertainment, outdoor sports and recreation, pawn shop services, personal improvement services, research services, residential treatment, theater. C. maximum 2000 trips/day | |
| C14-2014-0042 6800 Manchaca Rd Watters | Rezone 4.603 ac from GR-CO; LO-MU-CO to GR-MU-CO for Tract 1, and to LO-MU-CO for Tract 2. | To grant GR-MU-CO (Tract 1, 1.811 ac); and LO-MU-CO for (Tract 2, 2.792 ac). Conditions: Conditional use: community recreation (public and private). Prohibited uses: auto related (rentals, repair sales and washing); bail bonds, business/trade school, business support services, commercial off street parking, communication, drop-off recycling collection, exterminating services, food preparation, funeral services, hospital services (general), hotel-motel, | Apvd.06/12/2014 Ord.# 20140612-109 |

| Number | Request | Commission | City Council |
|---|--|---|--|
| | | indoor entertainment, indoor sports and recreation, outdoor entertainment, outdoor sports and recreation, pawn shop services, personal improvement services, research services, residential treatment, and theater. Maximum 2000 auto trips/day. | |
| C14-05-0062 Fletcher 1901 Matthews Ln | Rezone .25 ac SF-3 to GO-CO | Conditional overlay: Part 2. 1. Prohibited uses: business/trade school, business support services, guidance services, hospital services (limited), off-site accessory parking, printing and publishing. 2. Conditional uses: restaurant (limited), hospital services (general). 3. Maximum FAR is 0.7 to 1.0. Maximum building coverage is 50%. Maximum impervious cover is 70 percent. Maximum height is 40 feet. Maximum height is 3 stories. Minimum street front setback is 25 feet. | Apvd. 06/23/2005 Ord.# 20050623-Z011 |
| C14-2020-0084 The Training Kitchen | Rezone 0.75 ac from GO-CO and SF-3 to GR | To grant GR-MU-CO for (Tract 1, 0.25 ac) & GO for (Tract 2). CO Prohibits: auto rentals, repair, sales, washing, | Apvd. 11/12/2020 Ord.# 20201112-064 Removed day care services (commercial) |

| Number | Request | Commission | City Council |
|---|--|---|---|
| | | business support, communication services, congregate living, consumer convenience services, consumer repair services, day care services, (commercial), exterminating services, financial services, funeral services, general retail sales (general and limited), service station, software development and theater. | from the prohibited use list. |
| C14-2014-0019 Garrison Park NP Area Rezoning | Rezone 1,257.6 ac to add NP and design tools, special use infill options, restricted parking and restricted mobile food vending. | To grant | CC Resolution: South Austin Combined Neighborhood Planning Area Apvd. 06/28/2012 Ord.# 20160211-007 (correction to below) Ord.# 20141106-088 |
| C14-2019-0064 Old School Liquor and Market | Rezone 2395 sf from GR to CS-1 | To grant CS-1-CO on 2,406 sf with conditions: Prohibit Adult-oriented businesses, cocktail lounge, bail bond services. | Ord.# 20190620-149 Apvd. 06/20/2019 |

RELATED CASES:

C14-2019-0064, 20190620-149 (A 2,406 square foot Tract of Lot 2, Town Square Center, subdivision, (1901 West William Cannon Drive, Suite 165) was rezoned from GR to CS-1-CO. CO is for Prohibited uses: Adult-oriented businesses, Cocktail lounge, Bail bond services.

LEGAL DESCRIPTION OF THE SHOPPING CENTER:

Towne Square Center, Lot 2
Conveying Deed of 2016002707

OTHER STAFF COMMENTS:

Comprehensive Planning

This rezoning case is located near the southeast corner of West William Cannon Drive and Manchaca Road, and concerns the end-cap of the south building within the Towne Square Shopping Center. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses include the existing retail shopping center, restaurants, retail uses, and single family houses to the east; to the south is the assisted living center and single family houses; to the west, across Manchaca Road is a grocery store and single family houses to the south; The proposal is to add liquor sales, which requires CS-1 zoning, to the restaurant and pool hall uses which are already established.

Connectivity

There are public sidewalks located along W. William Cannon Drive and Manchaca Drive. A bus stop is located in front of the shopping center. The Walkscore for this site is 68/100, Somewhat Walkable, meaning some errands may be accomplished on foot. The mobility and connectivity options in the area are above average. TransitScore is 40 with Bus route 333 on William Cannon and the 103 Manchaca Flyer serving the area.

Imagine Austin

The property is located along an ‘Activity Corridor’, which is characterized by a variety of activities and types of buildings that are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following IACP policies are also relevant to this case:

- LUT P1. Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- LUT P7. Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities. Based on the comparative scale of the site relative to a variety of existing commercial land uses in the area, as well as the site being located along an Activity Corridor, which encourages neighborhood service commercial uses to make more vibrant corridors, the proposed project appears to support the policies of the Imagine Austin Comprehensive Plan.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson 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.
2. 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% |

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. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Parks and Recreation

PR1: There are currently no parkland requirements for uses other than residential and hotel. Given that the application is for CS-1, there would not be parkland dedication requirements or parkland impacts at the time of site plan or subdivision.

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. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP4. FYI: Additional design regulations will be enforced at the time a site plan is submitted.

COMPATIBILITY STANDARDS

- SP5. The site is subject to compatibility standards due to proximity and adjacency of SF-3 zoning to the East. 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.
 - Landscaping or screening is required along the eastern property line in accordance with the screening requirements (Section 25-2-1006 and ECM 2.9.1.), Parking Design Standards (Section 25-6-563) and/or Screening Standards (Section 25.2.1066) 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 zoned SF-5 or more restrictive.
 - For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 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 property in an SF-5 or more restrictive zoning district.
 - 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.

DEMOLITION AND HISTORIC RESOURCES

SP6. The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Transportation

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if trigger per LDC 25-6-113.

| Name | Existing ROW | ASMP Required ROW | Pavement | ASMP Classification | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|----------------------|--------------|-------------------|----------|---------------------|-----------|---------------|-------------------------------|
| William Cannon Drive | 113' | 120' | 72' | 4 | Yes | Yes | Yes |
| Cannon League Drive | 61' | 70' | 37' | 2 | Yes | Yes | Yes |
| Manchaca Road | 88' | 100' | 52' | 3 | Yes | Yes | Yes |

Austin Water Utility

AW1. 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 Austin Water for compliance with City criteria and suitability for operation and maintenance.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

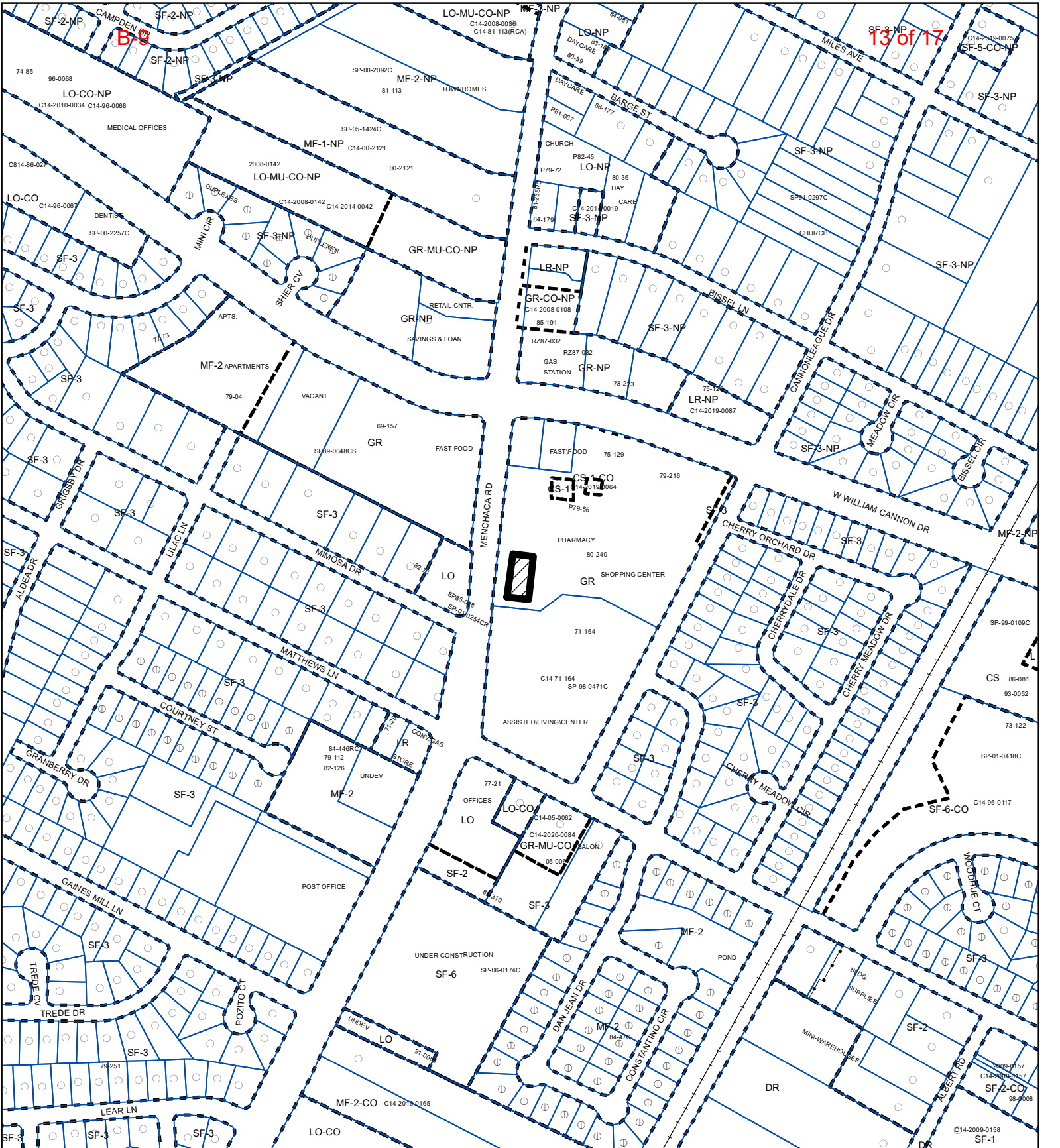
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

Exhibit A: Zoning Map

Exhibit B: Aerial Map

Correspondence

 SUBJECT TRACT

PENDING CASE

 ZONING BOUNDARY

ZONING

Exhibit A

ZONING CASE#: C14-2021-0092

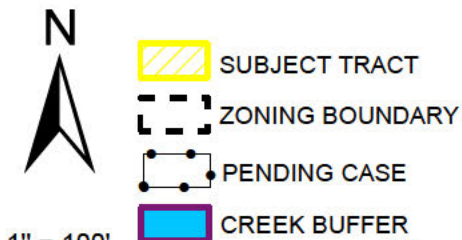
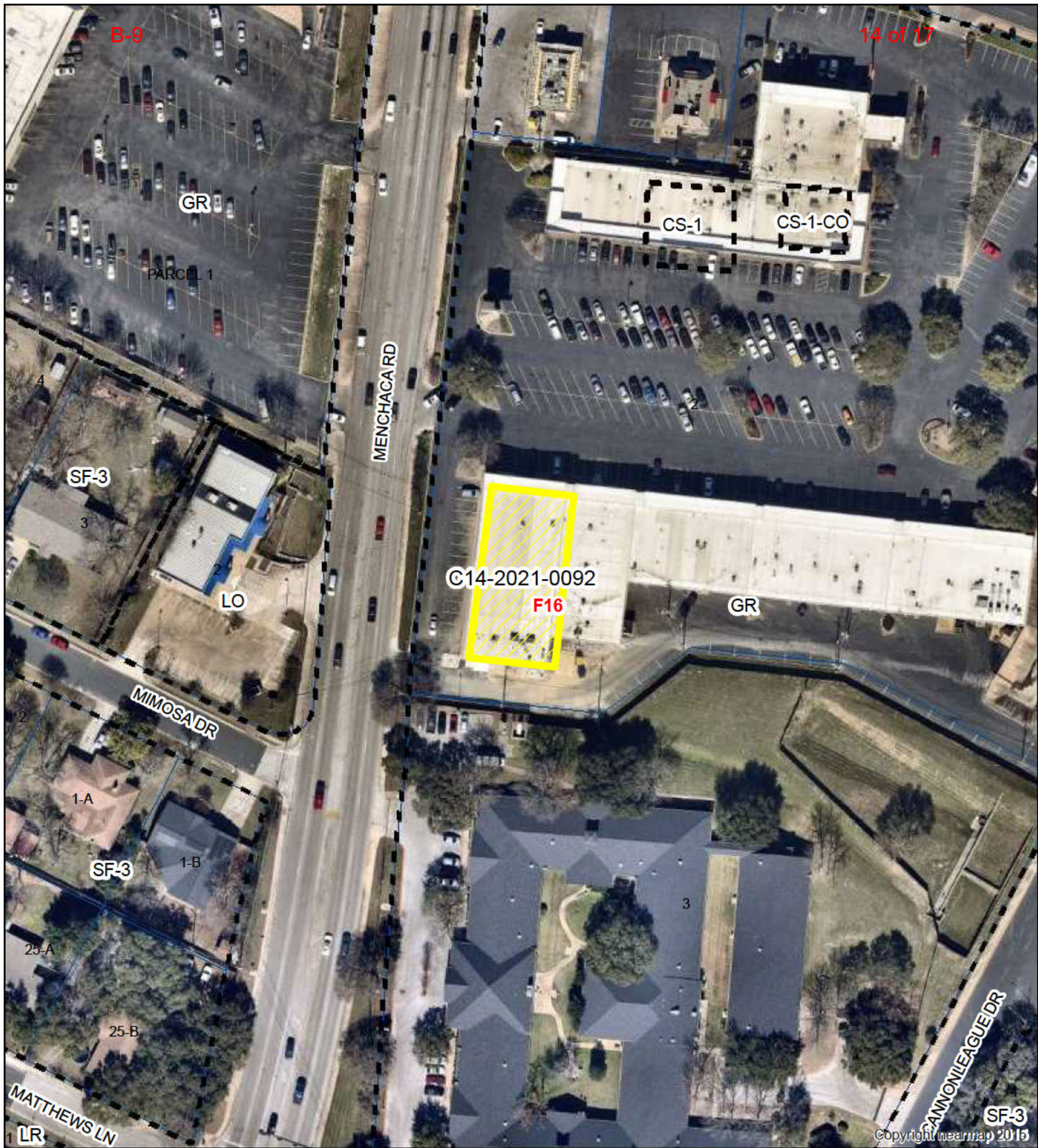
$$1'' = 400'$$

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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



Created: 6/17/2021



Rezoning of 1901 West William Cannon Drive

Exhibit B

ZONING CASE#: C14-2021-0092
 LOCATION: 1901 W William Cannon Dr #147
 SUBJECT AREA: 0.203 Acres
 GRID: F16
 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 Aus in regarding specific accuracy or completeness.

From: [Rhoades, Wendy](#)
To: [Graham, Mark](#)
Subject: FW: Case Number: C14-2021-0092
Date: Friday, August 6, 2021 10:46:42 AM

Wendy Rhoades

From: Rhoades, Wendy
Sent: Sunday, July 25, 2021 5:08 PM
To: Graham, Mark <Mark.Graham@austintexas.gov>
Subject: FW: Case Number: C14-2021-0092

Mark,

Below is an email exchange I've had with the owner of a day care across Manchaca Road to the west (at its intersection with Mimosa Drive and zoned LO), in case it's helpful to you. I haven't had any emails on the other two rezoning cases I reassigned to you, -0117 and -0119.

Wendy

From: Rhoades, Wendy
Sent: Friday, June 25, 2021 10:21 AM
To: Macarena Poole <[REDACTED]>
Subject: RE: Case Number: C14-2021-0092

Ms. Poole,

Thank you for your question about the recently filed rezoning case located at 1901 West William Cannon Drive, Suite 147, which is currently occupied by an 8,500 square foot billiards parlor. The proposed rezoning to the CS-1, commercial-liquor sales district would allow for the sale of liquor at the billiards parlor. Staff review of the Applicant's request has just begun and Staff does not have a zoning recommendation at this time. I will not schedule this case for public hearings at the Zoning and Platting Commission and City Council before early August. You will receive a mailed public notice of the scheduled Zoning and Platting Commission and City Council meeting dates more than one week prior to each meeting.

The billiards parlor is approximately 185 feet from the KidSpring Bilingual Learning Center (classified as a day care facility). Because food is sold at the billiards business, it is not subject to the Texas Alcoholic Beverage Code's (TABC's) 300-foot distance requirement that apply to an establishment that sells alcohol and a church, public or private school or hospital.

Please let me know if you have additional questions.

Sincerely,
Wendy Rhoades

From: Macarena Poole <[REDACTED]>
Sent: Thursday, June 24, 2021 3:15 PM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: Case Number: C14-2021-0092

*** External Email - Exercise Caution ***

Good afternoon,

We own a daycare, KidSpring Bilingual Learning Center, 500 feet or less from this project location. We were wondering if it would be a problem rezoning this location to a commercial-liquor sales district. Could you please let us know what the city thinks of this being so close to a daycare?

Thank You & Best Regards

G. Macarena Poole
Early Childhood Educator & Director
www.kidspring.me
(737) 203-8533



Note: Should additional backup be submitted after the online publishing of this staff report, it may be found at the following link:

https://www.austintexas.gov/cityclerk/boards_commissions/meetings/54_1.htm