

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-5
AGENDA DATE: Thu 07/28/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0076 - The Shops at Riverplace (CS-1 Zoning) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10601 FM 2222 (West Bull Creek Watershed) from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Applicant: Spasco Ltd. (San Aron). Agent: Offices of J. Bradley Greenblum (Bradley Greenblum). City Staff: Thomas Bolt, 974-2755.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0076

Z.A.P. DATE: June 21, 2005

ADDRESS: 10601 FM 2222

OWNER/APPLICANT: Spasco Ltd.
(Sandy Aron)

AGENT: Offices of J. Bradley Greenblum
(J. Bradley Greenblum)

ZONING FROM: GR

TO: CS-1

AREA: 2,823 sq. ft.

SUMMARY STAFF RECOMMENDATION:

Recommend approval of rezoning from community commercial (GR) district zoning to commercial liquor sales (CS-1) district zoning

ZONING AND PLATTING COMMISSION RECOMMENDATION:

Rezoning: C14-05-0076 - Shops at Riverplace (CS-1 zoning)
Location: 10601 FM 2222 Rd., West Bull Creek Watershed
Owner/Applicant: Spasco Ltd.
Agent: Law Offices of J. Bradley Greenblum (J. Bradley Greenblum)
Request: GR to CS-1
Staff Rec.: RECOMMENDED
Staff: Thomas Bolt, 974-2755, thomas.bolt@ci.austin.tx.us
Neighborhood Planning and Zoning Department

APPROVED CS-1-CO ZONING WITH LIQUOR SALES AS THE ONLY PERMITTED CS-1 USE; AND PERMITTED GR USES; NO ON-SITE CONSUMPTION; NO PAWNSHOP SERVICES.

[J.M; J.G 2ND] (7-0-1) M.W – ABSTAINED; K.J – ABSENT

DEPARTMENT COMMENTS:

The proposed liquor store use will occupy 2,823 sq. ft. of tenant space. Liquor sales is allowed in CS-1 zoning district.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR	Shopping plaza under construction nearing completion
<i>North</i>	GR & R&D	Balance of plaza property, FM 2222 & 3M Company
<i>South</i>	GR-CO	Undeveloped
<i>East</i>	GO	Undeveloped
<i>West</i>	GR-CO, LO-CO, LO, GR & GO	Miscellaneous occupancies – offices

AREA STUDY: No

TIA: No

WATERSHED: West Bull Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

#157 Courtyard Homeowner Association

#426 River Place Residential Community Association Inc.

#434 Lake Austin Business Owners

#439 Concerned Citizens For P&B of FM2222

#488 Canyon Creek Homeowners Association

#475 Bull Creek Foundation

#965 Old Spicewood Springs Rd. Neighborhood Association.

SCHOOLS:

This property is located within the Leander Independent School District

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-94-0167	Multi-tract	APPROVED R&D-PDA, GO-C, GR-CO. COND.-F.A.R. LIMITS	APPROVED R&D-PDA, GO-C, GR-CO. COND.-F.A.R. LIMITS 04/27/95
C14-95-0193	Multi- tract	APPROVED GR-CO, MF2-CO, GO-CO. COND.-HEIGHTS & DENSITY 04/26/96	APPROVED GR-CO, MF2-CO, GO-CO. COND.-HEIGHTS & DENSITY 08/25/96
C14-97-0083	I-SF-2	APPROVED LR-CO W/COND - NO SERVICE STATION 09/30/97	APPROVED LR-CO W/COND - NO SERVICE STATION 04/09/98
C14-04-0063	GO-CO TO GR-CO	APPROVED GR-CO W/COND. PROHIBITED USES 12/02/04	APPROVED GR-CO W/COND. PROHIBITED USES 02/16/04

RELATED CASES:

C14-05-0075 – Application to rezone from GR to CS for a Laundry Service in a tenant space within the same building.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
RM 2222	191'	75'	Arterial
River Place Boulevard	Varies	Varies	Arterial

CITY COUNCIL DATE: July 28, 2005

ACTION:

ORDINANCE READINGS: 1st

2nd

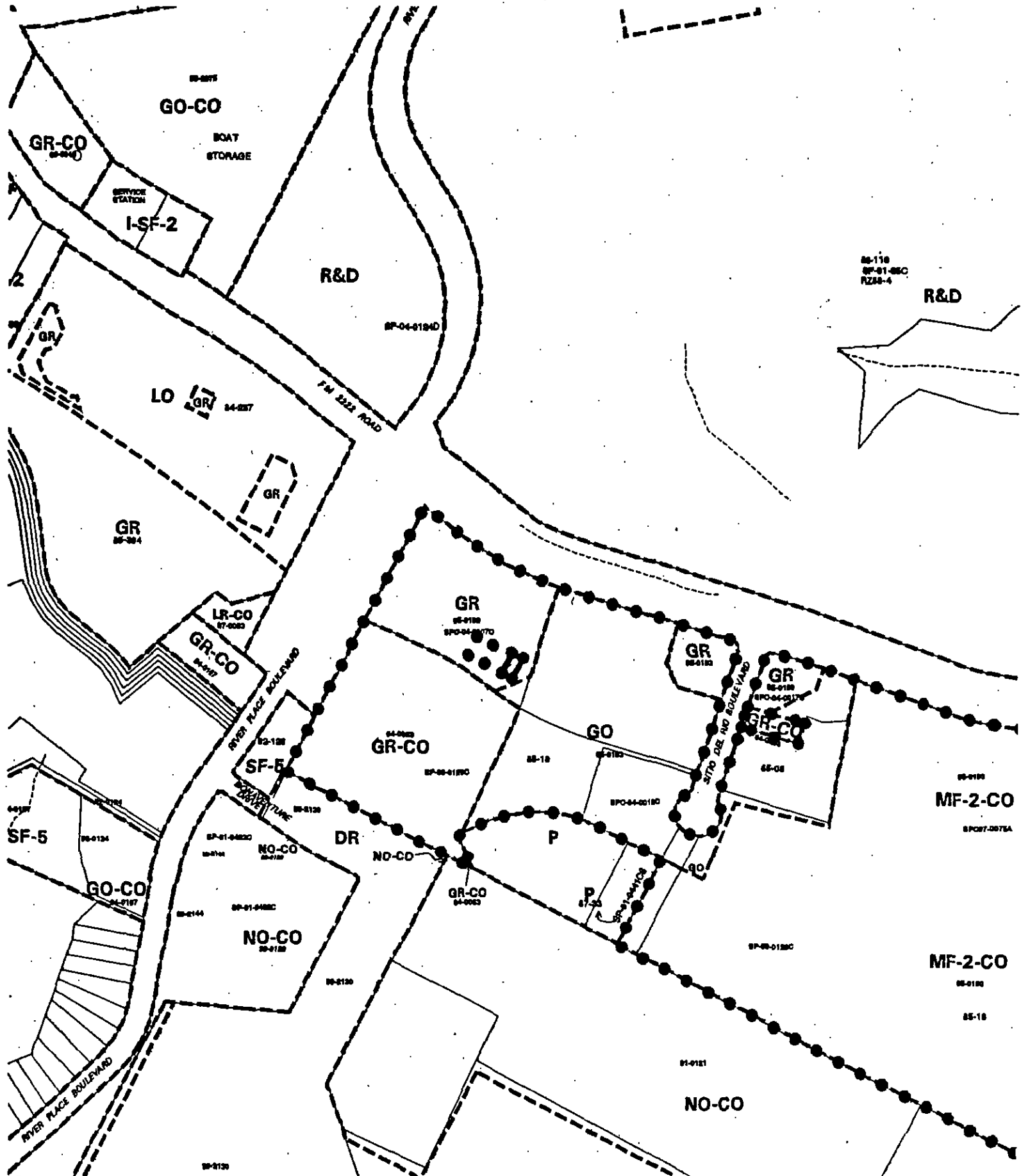
3rd

ORDINANCE NUMBER:

CASE MANAGER: Thomas Bolt

PHONE: 974-2755

e-mail address: Thomas.bolt@ci.austin.tx.us



 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: T. BOLT	 	ZONING CASE #: C14-05-0076 ADDRESS: 10601 FM 2222 RD SUBJECT AREA (acres): 0.065	DATE: 05-05 INTLS: SM	CITY GRID REFERENCE NUMBER D33
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City of Austin

C14-05-0075 & 76

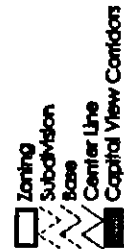
SHOPS AT RIVERPLACE

0075 - LAUNDRY SERVICE

0076 LIQUOR SALES

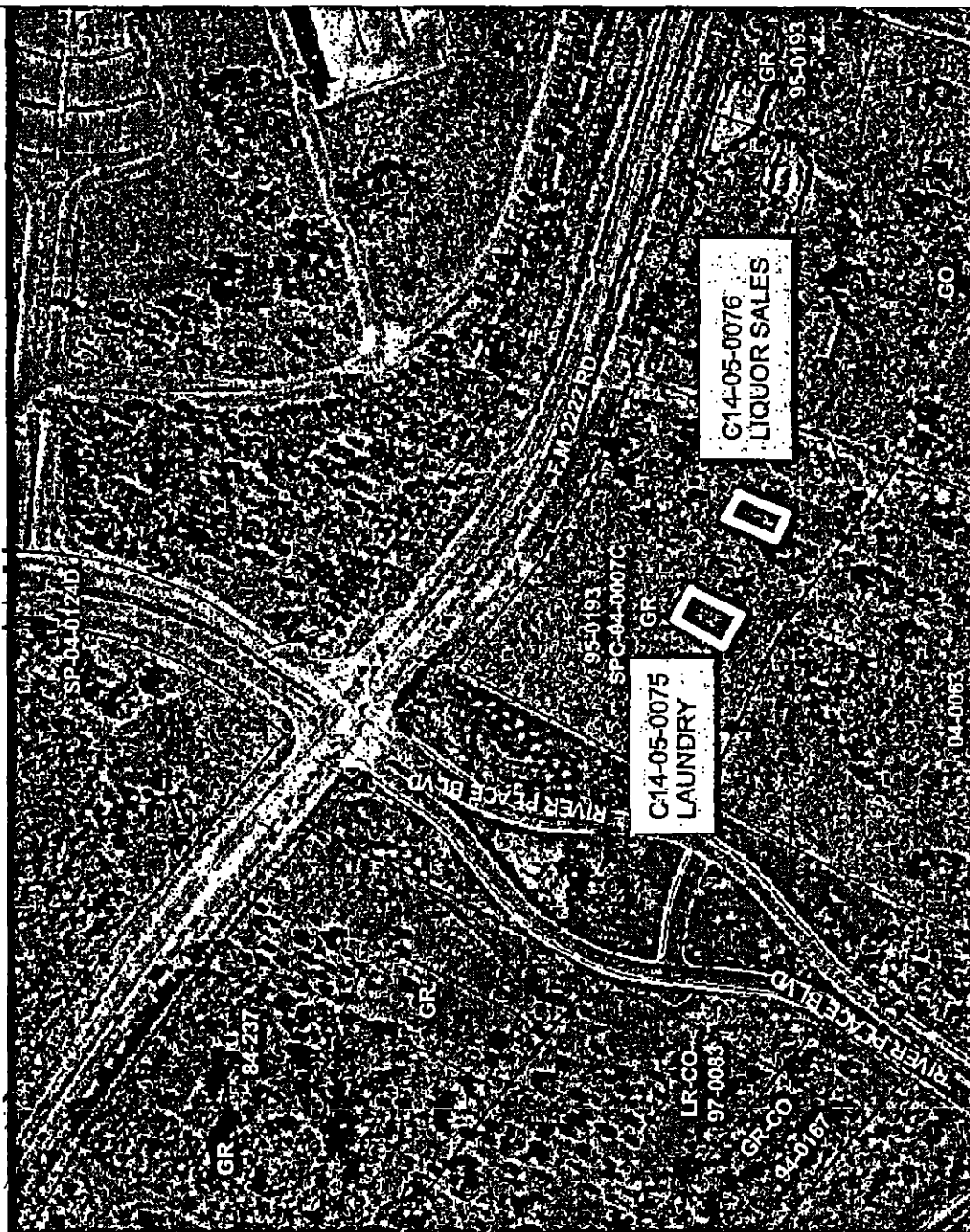
OWNER: SAPSCO LTD

AGENT: J. BRADLEY GREENBLUM

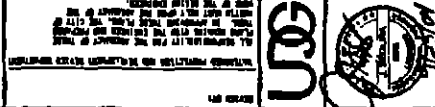


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Thu Jun 14 08:55:39 2005

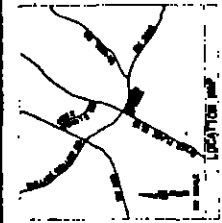


2222 BUSINESS PARK
10700 Pk 2222
OVERALL SITE PLAN & PREVIOUS COVER SUMMARY

[illegible]

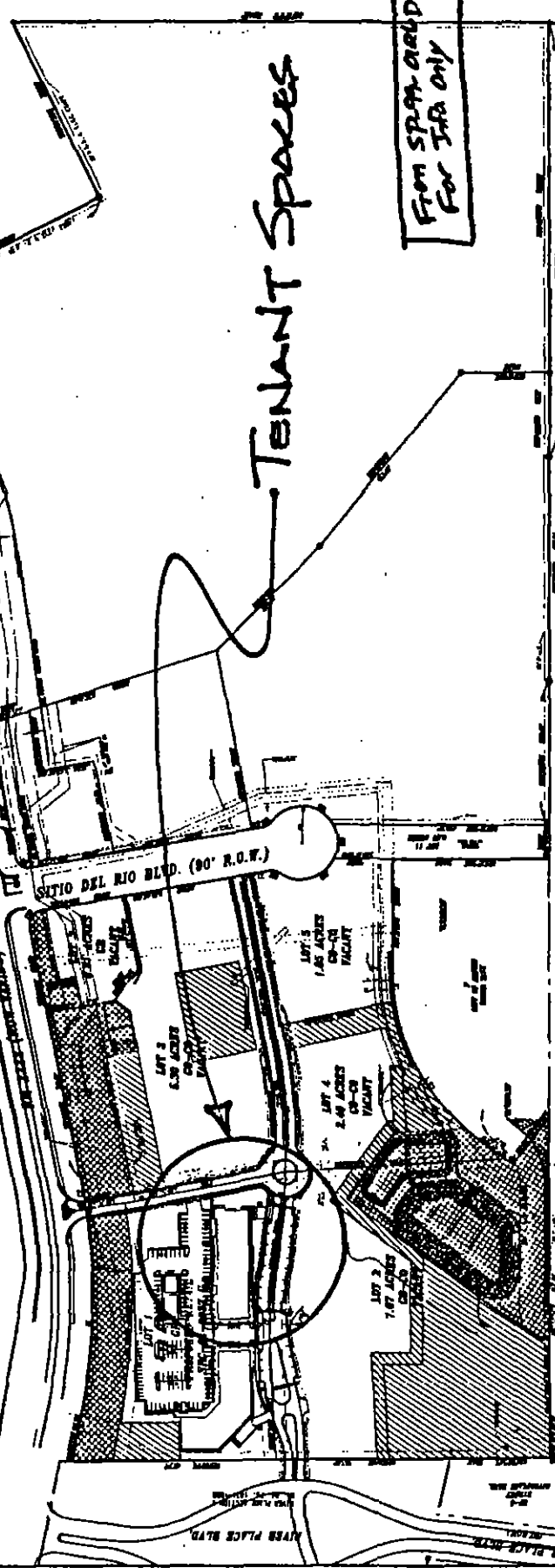
AS AGREED UPON WITH CITY STAFF.
EASEMENTS THAT HAVE BEEN
RESTORED WITH NATIVE
VEGETATION MAY BE INCLUDED
IN THE 40% AREA AT THE TIME
OF SITE PLAN SUBMITTAL.

UNDISTURBED AREA:
HILL COUNTRY BUFFER ZONE,
REVEGETATED EASEMENTS, ETC.



Tenant Spaces

From SPAA-ordd
For Ifa only



THE SITE IS COMPOSED OF SIX LOTS. IT HAS BEEN APPROVED AS ONE CONJUNCTIVE DEVELOPMENT. IF PORTIONS OF THE LOTS ARE SOLD, APPLICATION FOR SUBDIVISION AND SITE PLAN APPROVAL MUST BE RE-FILED. DEC. # 20041007042

RECORDED IN BOOK 32 OF THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA, PAGE 107.

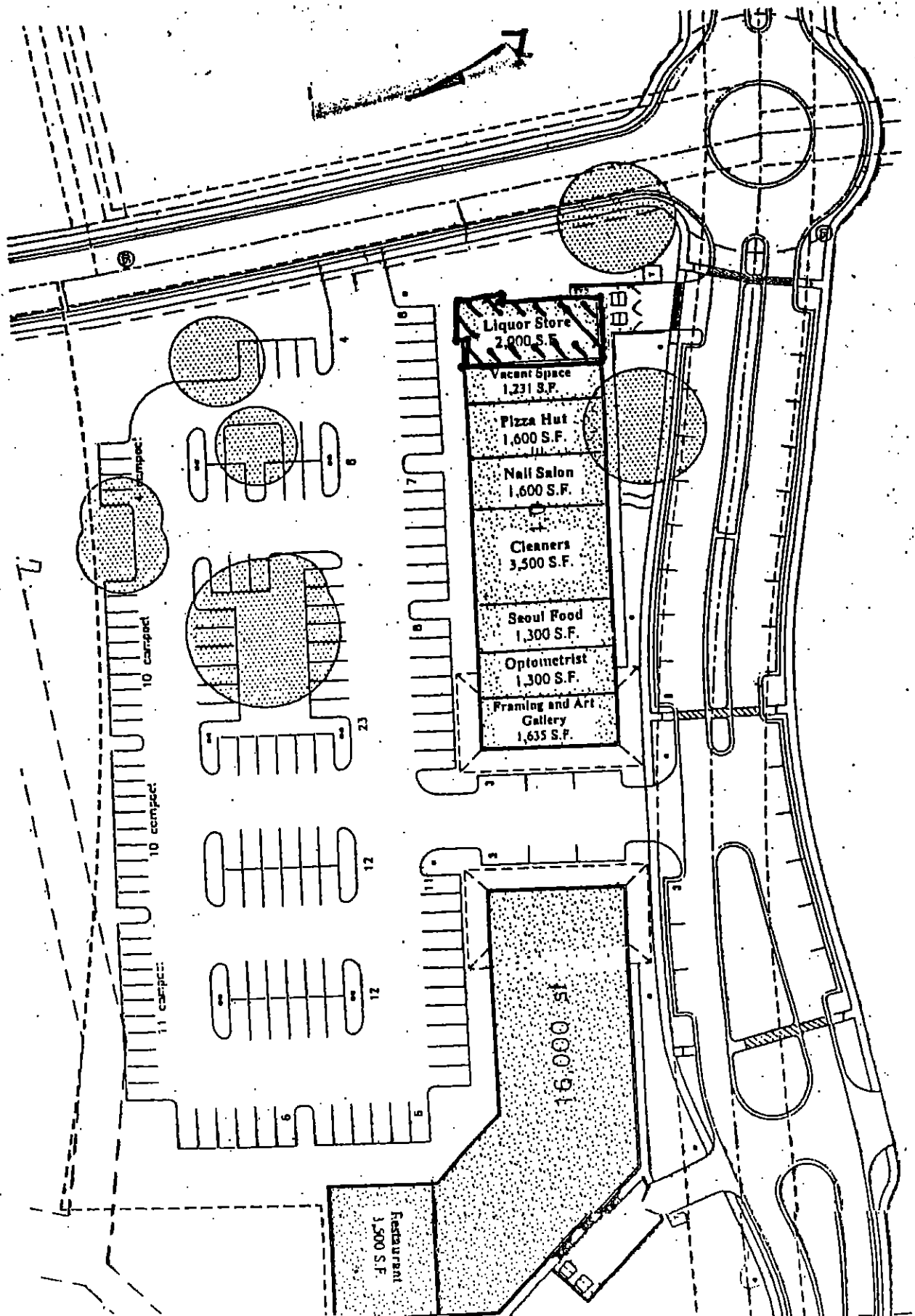
LOT	ACREAGE (FSA)		C.C. USED BY SUBURIT		C.C. REMAINING		C.C. ASSIGNED FOR EACH INDIVIDUAL SITE PLANS WITH THE SUBDIVISION		C.C. ACTUALLY USED BY EACH INDIVIDUAL SITE PLANS (EXCLUDING THE COVER USED BY THE SUBDIVISION)		40% UNDISTRIBUTED RECD		UNDISTRIBUTED PROPOSED		
	ACRE	SF	ACRE	SF	ACRE	SF	ACRE	SF	ACRE	SF	ACRE	SF	ACRE	SF	
1	4.74	204,052	1.31	57,221	0.39	17,005	1.66	71,168	2.50	107,203	394-04-0037 C	1.31	57,220	1.16	50,605
2	7.67	334,186	3.07	133,474	0.44	17,791	2.46	107,354	1.78	78,578		2.01	133,474	2.75	208,957
3	3.20	139,573	6.52	283,822	0.25	10,763	31.085	134,773	0.90	394,773		0.92	41,830	0.96	42,171
4	1.85	80,647	0.74	32,259	0.16	6,884	25.375	110,819	0.64	27,740	59C-04-0018 C	0.74	32,259	0.23	10,125
5	0.31	91,548	0.36	15,819	0.00	0	0.36	15,819	0.40	17,216		0.36	15,819	0.00	0
TOTAL	22.33	957,987	9.16	393,195	1.63	71,070	7.53	328,125	7.53	328,125	59-29-0126 D	9.16	393,195	9.11	400,031

All material to be attached present.

There have been many indications of the increasing importance of the role of the State in the economy of the United States. The Government has been expanding its role in the economy of the United States in many ways. It has been increasing its role in the economy of the United States in many ways. It has been increasing its role in the economy of the United States in many ways.

**THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
500 FIFTH AVENUE
NEW YORK 17, N. Y.**

EXHIBIT "B"
THE SHOPS AT RIVERPLACE
SITE PLAN



STAFF RECOMMENDATION

Recommend approval of rezoning from community commercial (GR) district zoning to commercial liquor sales (CS-1) district zoning

BASIS FOR RECOMMENDATION

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

Commercial-liquor sales (CS-1) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

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.

The site is located at the intersection of two arterial rights-of-way. The site has been developed for multi-tenant use with access from River Place Blvd. Residents of the Neighborhood will not have to enter FM 2222 to access neighborhood serving businesses. Liquor sales is first listed as a permitted use in the CS-1 zoning district.

EXISTING CONDITIONS

Hill Country Roadway

The site is located within 1,000 feet of RM 2222 and within a Hill Country Roadway Corridor. The site is located within the moderate intensity zone of the Hill Country Roadway. The site may be developed with the following maximum floor-to-area ratio (FAR):

Slope	Maximum FAR
0-15%	.25:1
15-25%	.10:1
25-35%	.05:1

Except for clearing necessary to provide utilities or site access, a 100/50-foot vegetative buffer will be required along RM2222. At least 40% of the site (excluding dedicated right-of-way) must be left in a natural state. The allowable height is as follows: Within 200 feet of the nearest right-of-way boundary the maximum height is 28 feet, and beyond 200 feet the maximum height is 40 feet.

This site is located on a Scenic Roadway [Sec. 25-10-6 & 25-10-124].

Impervious Cover

The site is located over the Edward's Aquifer Recharge Zone. The site is in the Lake Austin Watershed of the Colorado River Basin, and is classified as a Water Supply Rural Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone. Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>	<i>Allowable Density</i>
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

Environmental

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.

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

At this time, site-specific information is unavailable regarding existing trees and 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 on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

Water Quality Control Requirements

At this time, no information has been provided as to whether this property has any preexisting approvals, which would preempt current water quality or Code requirements.

Transportation

The trip generation under the requested zoning is estimated to be 1,051 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

The traffic impact analysis for this site was waived because this site is subject to the conditions of a previously approved traffic impact analysis.

Capital Metro bus service is not available within 1/4 mile of this property.

RM 2222 is classified in the Bicycle Plan as a Priority 2 bike route.

There are existing sidewalks along River Place Boulevard.

Water and Wastewater

The landowner intends to serve the tract with City of Austin water and wastewater utility service. If water or wastewater utility improvements are required, the landowner will be responsible for all cost and for providing the utility improvements.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 10601 FM 2222 ROAD FROM COMMUNITY COMMERCIAL (GR) DISTRICT TO COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY (CS-1-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from community commercial (GR) district to commercial-liquor sales-conditional overlay (CS-1-CO) combining district on the property described in Zoning Case No. C14-05-0076, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.065 acre (2,823 square feet) tract of land, more or less, out of Lot 1, Block A, Twenty-Two Twenty-Two Business Park Subdivision, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 10601 FM 2222 Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following uses are prohibited uses of the Property:

Pawn shop services	Agricultural sales and services
Campground	Commercial blood plasma center
Consumer convenience services	Convenience storage
Drop-off recycling center	Electronic prototype assembly
Equipment repair services	Equipment sales
Kennels	Monument retail sales
Off-site accessory parking	Plant nursery
Vehicle storage	Veterinary services
General warehousing and distribution	Transitional housing
Transportation terminal	Cocktail lounge

1
2 2. Drive-in service is prohibited as an accessory use to a commercial use.

3
4 Except as specifically restricted under this ordinance, the Property may be developed and
5 used in accordance with the regulations established for the commercial-liquor sales (CS-1)
6 base district and other applicable requirements of the City Code.

7
8 **PART 3.** This ordinance takes effect on _____, 2005.

9
10
11 **PASSED AND APPROVED**

12
13 _____, 2005

§
§
§

14
15
16 Will Wynn
17 Mayor

18
19
20 **APPROVED:**

21 David Allan Smith
22 City Attorney

ATTEST:

Shirley A. Brown
City Clerk

MAY 13, 2005
CLIENT: BRAD GREENBLUM

JOB NO. 747-13

FIELD NOTE NO. 747-01
PROJECT: 0.065 ACRE ZONING TRACT
COA GRID NO. D-33

EXHIBIT A

FIELD NOTES

A DESCRIPTION OF 0.065 ACRE (2,823 SQUARE FEET) OF LAND SITUATED IN LOT 1, BLOCK A, TWENTY-TWO TWENTY-TWO BUSINESS PARK A SUBDIVISION WHOSE PLAT IS RECORDED IN VOLUME 100, PAGES 170-172 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID 0.065 ACRE AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

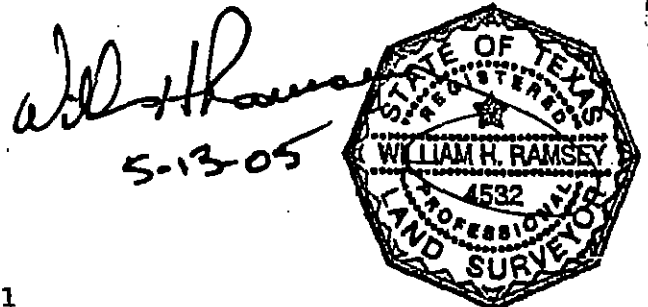
COMMENCING, for reference, at a 60d nail found for the southeast corner of said Lot 1, the northeast corner of Lot 2 of said Block A, the northwest corner of Lot 4 of said Block A and the southwest corner of Lot 3 of said Block A from which a 1/2 inch iron rod found for a point of curvature bears a distance of 91.57 feet along the arc of a curve to the right, being the south line of said Lot 1 and the north line of said Lot 2, whose radius is 1045.00, central angle is 05°01'14" and whose chord bears N55°17'49"W, 91.54 feet;

THENCE along the east line of said Lot 1 and the west line of said Lot 3, N18°35'48"E, 77.46 feet to a point;

THENCE, departing the east line of said Lot 1 and the west line of said Lot 3, crossing said Lot 1, N61°24'24"W, 54.45 feet to the southeast corner and the POINT OF BEGINNING of the herein described 0.065 acre;

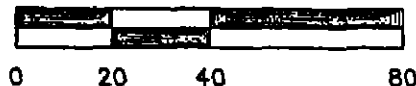
THENCE continuing across said Lot 1 with the south, west, north and east lines of the herein described 0.065 acre the following four (4) courses:

1. N61°24'24"W, 38.50 feet to a point,
2. N28°35'36"E, 73.33 feet to a point,
3. S61°24'24"E, 38.50 feet to a point,
2. S28°35'36"W, 73.33 feet to the POINT OF BEGINNING containing 0.065 acre of land more or less.



CURVE	LENGTH	DELTA	RADIUS	DIRECTION	CHORD
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C1	91.57	05°01'14"	1045.00	N55°17'49"W	91.54
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LINE	DIRECTION	DISTANCE
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L1	N61°24'24"W	38.50
L2	S61°24'24"E	38.50

TWENTY-TWO TWENTY-TWO
BUSINESS PARK

BOOK 100, PGS. 170-172

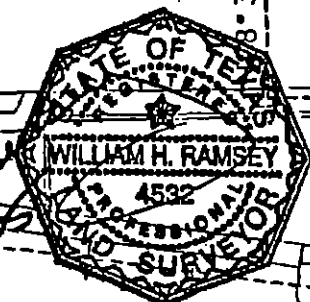
PRTC

LOT 1, BLOCK A

LOT 3, BLOCK A

BUILDING 2

2823 SF
0.065 AC.



N18°35'48"E
12.5' P.U.E. (PER PLAT)

321.11'

POINT OF
BEGINNING

54.45'
N61°24'24"W

77.46'

POINT OF
COMMENCING

N52°47'12"W 113.19'
E 50' ACCESS ESM'T. & P.U.E. (PER PLAT)

LEGEND

- - 1/2" IRON ROD FOUND
- ▲ - 60D NAIL FOUND
- △ - CALCULATED POINT
- TCRPR - TRAVIS COUNTY REAL PROPERTY RECORDS
- TCPR - TRAVIS COUNTY PLAT RECORDS
- OPRTC - OFFICIAL PUBLIC RECORDS TRAVIS COUNTY

LOT 2, BLOCK A

LOT 4, BLOCK A

RAMSEY LAND SURVEYING, L.L.C.

8718 SOUTHWEST PARKWAY
P.O. BOX 92768
AUSTIN, TEXAS 78709-2768
PHONE (512) 301-9398
FAX (512) 301-9395
r@surveyflash.net

SKETCH TO ACCOMPANY
FIELD NOTE NO. 747-01

JOB NO. 747-13

COA GRID NO. D-33

GRAYSEN.DGN 05-12-05 MCO

