



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-5
AGENDA DATE: Thu 06/17/2004
PAGE: 1 of 1

SUBJECT: C14-04-0027 - Twin Liquors - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11521 RM 620 Road North (Bull Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Applicant: Plaza V 620, Ltd. (James H. Matoushak). Agent: Crocker Consultants (Sarah Crocker). City Staff: Sherri Gager, 974-3057.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0027

Z.A.P. DATE: March 16, 2004
May 4, 2004

ADDRESS: 11521 RM 620 Road North

OWNER/APPLICANT: Plaza V 620, Ltd. (James H. Matoushak)

AGENT: Crocker Consultants (Sarah Crocker)

ZONING FROM: GR-CO

TO: CS-1

AREA: 0.068 acres
(2,997 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant the applicant's request for CS-1 (Commercial Liquor Sales) zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

3/16/04: Approved staff's recommendation of CS-1 zoning by consent (8-0, K. Jackson-absent); J. Martinez-1st, J. Gohil-2nd.

5/4/04: Approved staff's recommendation of CS-1 zoning by consent (5-0, J. Martinez, J. Pinnelli, C. Hammond-absent); J. Gohil-1st, J. Donisi-2nd.

ISSUES:

Before this case went to the City Council for a public hearing on April 15, 2004, the agent submitted new field notes to relocate the space (suite) that was to be rezoned. The new zoning area is a suite directly to the south of the old space, within the proposed Plaza Volente retail center. The square footage of the space (suite area) remains the same. The agent has provided a graphic diagram showing the movement of the space that is to be rezoned (Attachment B). A new notice was sent out to the public so that the case could return to the Zoning & Platting Commission for another public hearing.

DEPARTMENT COMMENTS:

The property in question is currently undeveloped. The applicant plans to construct a liquor store on this site within a proposed retail shopping center at the southwest corner of R.M. 620 and Anderson Mill Road (SPC-03-0015C -Attachment A).

The staff recommends the applicant's request for CS-1 zoning for this site because the property in question is part of a larger commercial site that will take access from two arterial roadways, North FM 620 and Anderson Mill Road. The proposed CS-1 zoning will be surrounded by commercial uses in an approved retail shopping center.

The applicant agrees with the staff recommendation.

HILL COUNTRY ROADWAY:

This tract of land is located within a designated Hill Country Roadway corridor (A hill country roadway corridor is the land within the City's zoning jurisdiction located 1,000 feet or less from each side of the right-of-way of RM 620, from SH 71 to Anderson Mill Road).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO	Undeveloped
<i>North</i>	GR-CO	Undeveloped
<i>South</i>	GR-CO	Undeveloped
<i>East</i>	GR-CO, DR	Undeveloped
<i>West</i>	GR-CO	Undeveloped

AREA STUDY: N/A**TIA:** Waived**WATERSHED:** Bull Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** Yes**NEIGHBORHOOD ORGANIZATIONS:**

296 – Oak Deer Park Neighborhood Association
 332 – 620 Community Center Property Owners Association
 426 – River Place Residential Community Association, Inc.
 448 – Canyon Creek Homeowners Association
 475 – Bull Creek Foundation

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0111	DR to GR-CO	8/26/03: Approved staff's recommendation of GR-CO zoning by consent (8-0, K. Jackson-absent)	9/25/03: Approved GR-CO & RC-for TIA recommendations (7-0); all 3 readings
C14-02-0041	SF-2, DR to GR	11/19/02: Approved staff's recommendation of GR-CO zoning with conditions of: <ul style="list-style-type: none"> • 300' (depth) x 400' parallel to FM 620, will have 'LR' uses only (Tract 2); • conditions set out by staff in the T.I.A.; • No Pawn Shop Services; 	1/30/03: Granted GR-CO on 1 st reading (7-0) 3/6/03: Approved (7-0); 2 nd /3 rd readings

		<ul style="list-style-type: none"> No Adult Oriented Businesses; No Automotive Uses (Vote: 7-0, A. Adams-absent)	
C14-95-0167	SF-2 to MF-2	Approved GR-CO, LO-CO, and LR-CO w/ conditions (8-0)	Approved GR-CO, LO-CO, & LR-CO subject to conditions (5-0); 1 st reading Approved GR-CO (SW area); LO-CO (NE 300'); LR-CO (NW 300') (7-0); 2 nd /3 rd readings
C14-94-0124	DR to SF-2	Approved SF-2-CO w/ conditions (9-0)	Approved SF-2-CO w/ conditions (5-0); 1 st reading Approved SF-2-CO (5-0); 2 nd /3 rd readings
C14-93-0032	SF-2, DR to GR	Approved GR-CO as recommended	Approved GR-CO w/ conditions (5-0), 1 st reading Approved GR-CO (7-0); 2 nd /3 rd readings

RELATED CASES: C14-04-0028
C14-03-0111
C14-02-0041
SPC-03-0015C

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Anderson Mill	120'	Varies	Arterial	N/A
RM 620	150'	Varies	Arterial	N/A

CITY COUNCIL DATE: April 15, 2004

ACTION: Pulled off agenda. Case renoticed and sent back to ZAP Commission.

June 10, 2004

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Gager

PHONE: 974-3057,
sherri.gager@ci.austin.tx.us



STAFF RECOMMENDATION

The staff's recommendation is to grant the applicant's request for CS-1 (Commercial Liquor Sales) zoning.

BACKGROUND

The property in question is currently undeveloped. The applicant plans to construct a liquor store on this site within a proposed retail shopping center at the southwest corner of R.M. 620 and Anderson Mill Road (SPC-03-0015C –Attachment A).

The staff recommends the applicant's request for CS-1 zoning for this site because the property in question is part of a larger commercial site that will take access from two arterial roadways, North FM 620 and Anderson Mill Road. The proposed CS-1 zoning will be surrounded by commercial uses in an approved retail shopping center.

The applicant agrees with the staff recommendation.

BASIS FOR RECOMMENDATION

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

The CS-1 zoning district is intended for the development of a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

2. *The proposed zoning should promote consistency, and orderly planning.*

The CS-1 zoning district would be compatible and consistent with the adjacent uses because there is commercial (GR-CO) zoning to the surrounding the property to the north, south, east and west. There is also GR-CO zoning at the southeast corner of Anderson Mill Road. To the south and west of the larger GR-CO retail center tract, there are commercial uses located in the County.

The CS-1 zoning district designation would be appropriate for this site because the property in question will take access from a major arterial roadway. The site will be located in a suite within a retail shopping center, which fronts onto RM 620 North.

3. *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 property in question is part of a larger tract of land that is located at the intersection of two arterial roadways, North RM 620 and Anderson Mill Road.

EXISTING CONDITIONS

Site Characteristics

The site in question is currently undeveloped. The property is relatively flat and contains numerous large trees.

Impervious Cover

The maximum impervious cover allowed by the CS-1 zoning district would be 95 %. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance. 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>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Note: The most restrictive impervious cover limit applies.

Environmental

The site is located over the Northern Edward's Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.

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.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 1,108 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 associated with the approved TIA filed with case #C14-03-0146 (addendum to C14-02-0041).

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

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Anderson Mill	120'	Varies	Arterial	N/A
RM 620	150'	Varies	Arterial	N/A

Right of Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Water and Wastewater

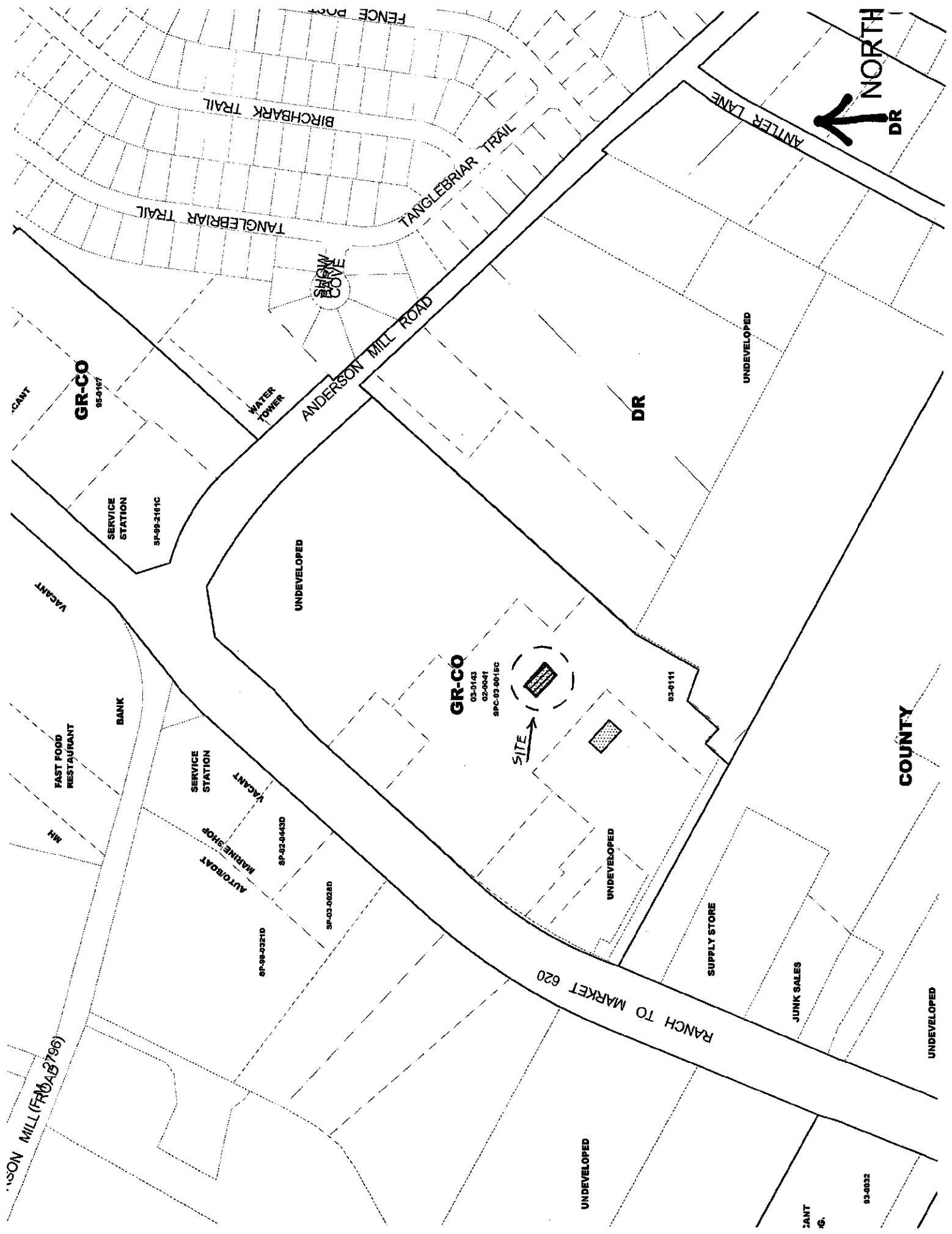
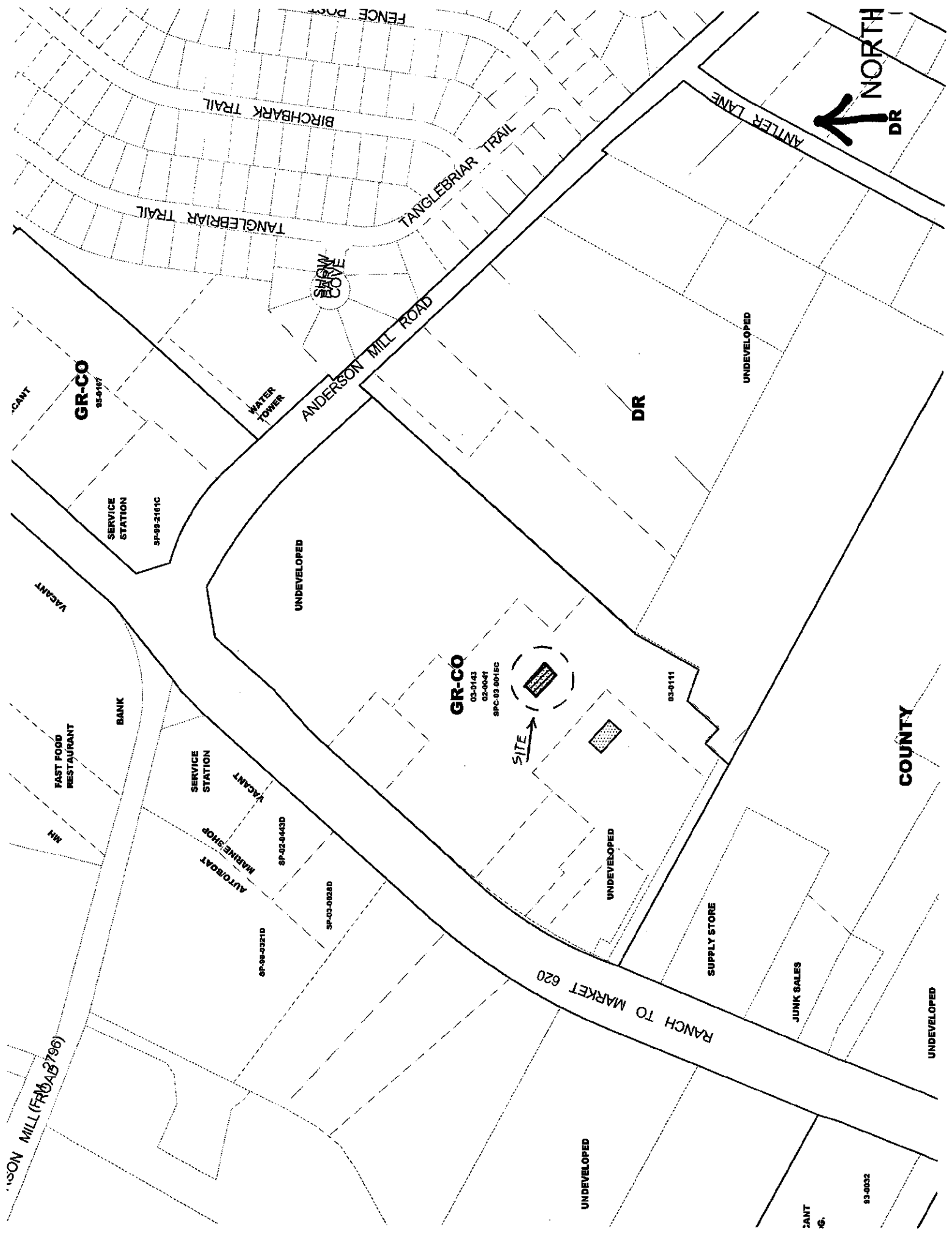
The landowner intends to serve the site with City water and wastewater utilities. Water or wastewater utility improvements, or system upgrades, or utility relocation, or adjustment are required, the landowner will be responsible for all costs and for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City's utility design criteria.

Stormwater Detention

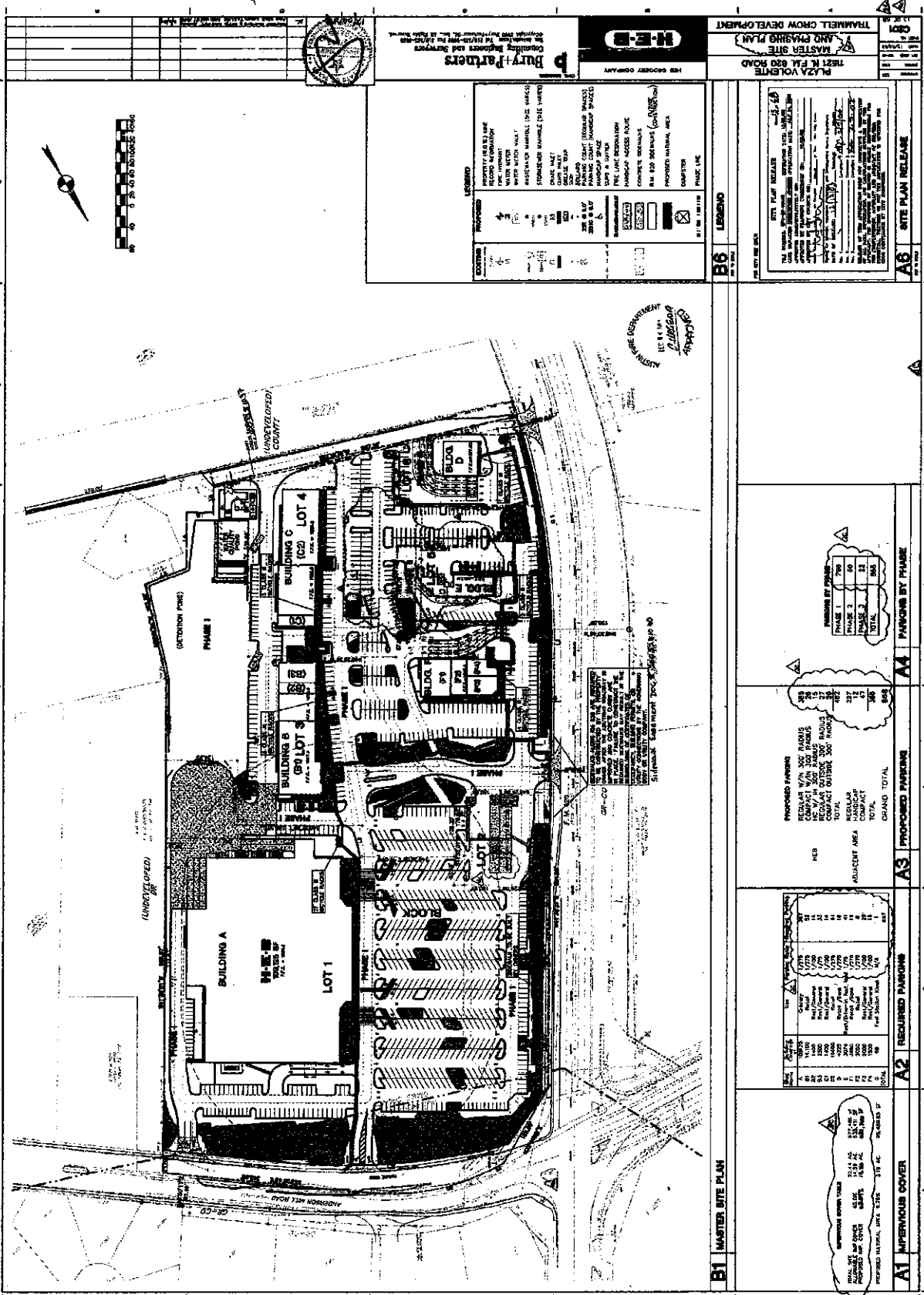
At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm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

Compatibility Standards

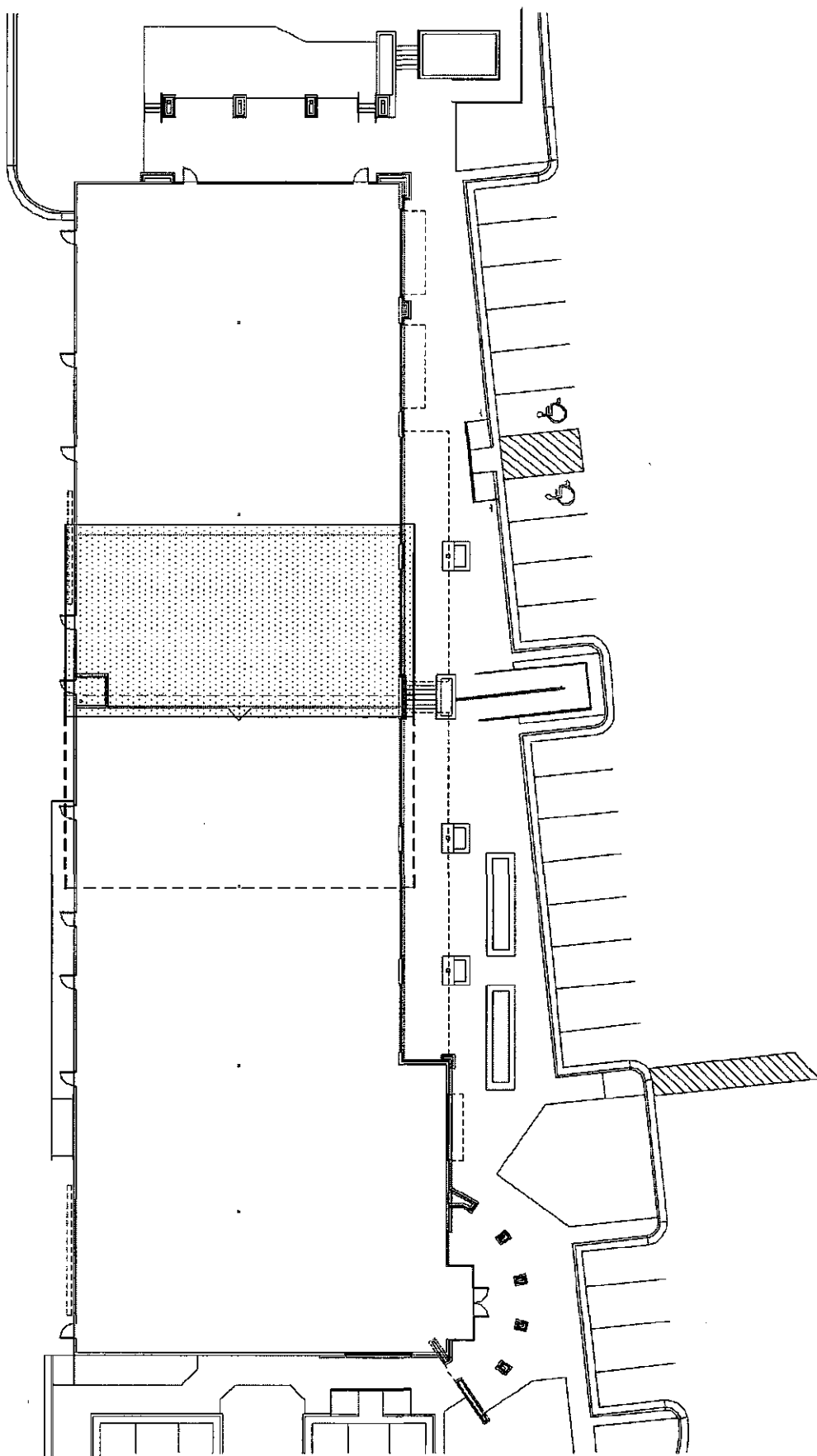
This application is for the rezoning of a CS-1 footprint within an approved site plan for a retail shopping center, Plaza Volente, file SPC-03-0015C. The existing approved site plan complies with all applicable Land Development Code regulations.







Attachment B



ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 11521 R.M. 620 ROAD NORTH FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES (CS-1) 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-conditional overlay (GR-CO) combining district to commercial-liquor sales (CS-1) district on the property described in Zoning Case No.C14-04-0027, on file at the Neighborhood Planning and Zoning Department, as follows:

A 2,997 square foot tract of land, more or less, out of the S.A. & M.G. RR CO. Survey No. 800, and the Jesse Grimes Survey No. 25, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as 11521 R.M. 620 Road North, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. This ordinance takes effect on _____, 2004.

PASSED AND APPROVED

_____, 2004 §
 §
 §

Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith Shirley A. Brown
City Attorney City Clerk

2,997 SQUARE FEET
BUILDING "B" (REVISED)
PLAZA VOLENTE SUBDIVISION

FN. NO. 04-126 (HRJ)
APRIL 12, 2004
BPI JOB NO. 103-89

EXHIBIT A
DESCRIPTION

OF 2,997 SQUARE FEET OF LAND OUT OF THE S.A. & M.G. R.R. CO. SURVEY NO. 800, ABSTRACT NO. 749 AND THE JESSE GRIMES SURVEY NO. 25, ABSTRACT NO. 318, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 3, BLOCK "A", PLAZA VOLENTE SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200300320 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2,997 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at an iron pipe found for the southwesterly corner of that certain 2.95 acre tract of land conveyed to K & H Investments by deed of record in Volume 12290, Page 742 of the Real Property Records of Travis County, Texas, being the northwesterly corner of the remainder of that certain 31.97 acre tract of land conveyed to London Enterprises-620 by deed of record in Volume 11140, Page 956 of said Real Property Records, same being an angle point in the easterly line of said Lot 3;

THENCE, N37°51'41"W, leaving the easterly line of said Lot 3, over and across said Lot 3, a distance of 213.89 feet to the POINT OF BEGINNING and southeasterly corner hereof;

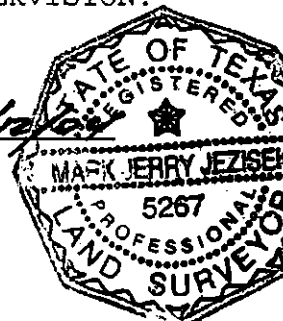
THENCE, continuing over and across said Lot 3, for the southerly, westerly, northerly and easterly lines hereof, the following four (4) courses and distances:

- 1) N48°26'59"W, a distance of 74.00 feet to the southwesterly corner hereof, from which a 1/2 inch iron rod with cap set in the westerly line of R.M. 620 (150' R.O.W.), being the southwesterly corner of Lot 4, Block "A" of said Plaza Volente Subdivision bears S76°27'12"W, a distance of 654.48 feet;
- 2) N41°33'01"E, a distance of 40.50 feet to the northwesterly corner hereof;
- 3) S48°26'59"E, a distance of 74.00 feet to the northeasterly corner hereof;
- 4) S41°33'01"W, a distance of 40.50 feet to the POINT OF BEGINNING, containing an area of 2,997 square feet of land, more or less, within these metes and bounds.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD, SUITE 200
AUSTIN, TEXAS 78746

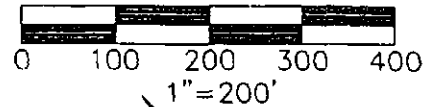
Mark J. Jezisek
MARK J. JEZISEK
R.P.L.S. NO. 5267
STATE OF TEXAS



LEGEND

- ⊙ IRON PIPE FOUND
- 1/2" IRON ROD WITH CAP SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

LOT 1 620' HILL COUNTRY CE ER
CAB. T. SLD. 399
LOT 7 LOT 8



ANDERSON MILL ROAD
(R.O.W VARIES)

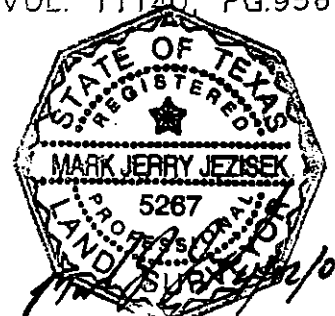
WILLIAMSON COUNTY
TRAVIS COUNTY

1.1075 ACRES
KEVIN A. WARD
VOL. 12598
PG. 1982

S.A. & M.G. RR CO.
SURVEY NO. 800
ABSTRACT NO. 749

2.95 ACRES
K & H INVESTMENTS
VOL. 12290, PG. 742

REMAINDER OF
31.97 ACRES
LONDON
ENTERPRISES-620
VOL. 11140, PG.956



SHEET 1 OF 2

R. M. 620 ROAD N.
(150' R.O.W.)

BLOCK "A"
VOLUME SUBDIVISION
DOC. 200000061

BLOCK "A"
SOPHIE'S CHOICE
SUBDIVISION
VOL. 100, PG. 270

WILLIAM P. RUTLEDGE
SURVEY NO. 603
ABSTRACT
NO. 663

PLAZA VOLENTE SUBDIVISION
DOCUMENT NO. 200300320

JESSE GRIMES
SURVEY NO. 25
ABSTRACT
NO. 318

5.00 ACRES
C.P. BIRDEN
VOL. 4293, PG. 214

PROPOSED
BUILDINGS

SKETCH TO ACCOMPANY DESCRIPTION

OF 2,997 SQUARE FEET OF LAND OUT OF THE S.A. & M.G. R.R. CO. SURVEY NO. 800, ABSTRACT NO. 749 AND THE JESSE GRIMES SURVEY NO. 25, ABSTRACT NO. 318, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 3, BLOCK "A", PLAZA VOLENTE SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200300320 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

Bury+Partners
Consulting Engineers and Surveyors
Austin, Texas Tel 512/325-0011 Fax 512/325-0325
Bury+Partners, Inc. ©Copyright 2004

PLAZA VOLENTE

DATE: 04/12/04 FILE: H:\103\B9\10389X28.dwg FN No.: 04-126(HRJ) DRAWN BY: H.R.J. PROJ. No: 103-89



VICINITY MAP
N.T.S.

LINE TABLE

No.	Bearing	Distance
L1	N48°26'59"W	74.00'
L2	N41°33'01"E	40.50'
L3	S48°26'59"E	74.00'
L4	S41°33'01"W	40.50'

BEARING BASIS:

THE BASIS OF BEARING IS PROVIDED BY LCRA GPS SUB-HARN DATA AND IS REFERENCED TO THE NAD 83/93 HARN HORIZONTAL CONTROL DATUM TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE AND NAVD 88 VERTICAL CONTROL DATUM.

SHEET 2 OF 2

Bury+Partners
Consulting Engineers and Surveyors
Austin, Texas Tel 512/328-0011 Fax 512/328-0325
Bury+Partners, Inc. ©Copyright 2004

PLAZA VOLENTE

SKETCH TO ACCOMPANY DESCRIPTION

OF 2,997 SQUARE FEET OF LAND OUT OF THE S.A. & M.G. R.R. CO. SURVEY NO. 800, ABSTRACT NO. 749 AND THE JESSE GRIMES SURVEY NO. 25, ABSTRACT NO. 318, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 3, BLOCK "A", PLAZA VOLENTE SUBDIVISION, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200300320 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

DATE: 04/12/04

FILE: H:\103\89\10389X28.dwg

FN No.: 04-126(HRJ)

DRAWN BY: H.R.J.

PROJ. No: 103-89

