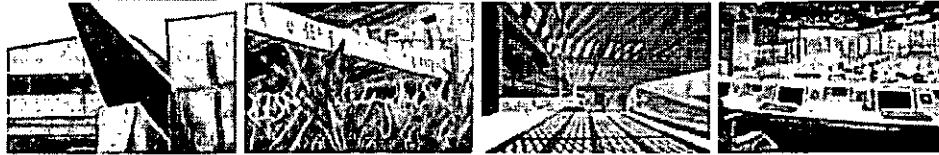


A U S T I N C I T Y C O U N C I L  
**AGENDA**

Thursday, July 27, 2006

[Back](#) [Print](#)**Zoning and Neighborhood Plan Amendments  
(Public Hearings and Possible Action)  
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 142**

**Subject:** C14-06-0110 - Highland Commons - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5775 Airport Boulevard (Tannehill Branch Watershed) from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to commercial liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district zoning. Planning Commission Recommendation: To grant commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Applicant: Highland Commons Shopping Center (Joan Andruus). Agent: Bury & Partners (Melissa Mathisen). City Staff: Jorge E. Rousselin, 974-2975.

**Additional Backup  
Material**

(click to open)

- ☐ [Staff Report](#)
- ☐ [Ordinance](#)

**For More Information:**

**ZONING REVIEW SHEET****CASE:** C14-06-0110**P. C. DATE:** June 27, 2006**ADDRESS:** 5775 Airport Boulevard (Portion of Highland Mall Site)**OWNER:** Highland Commons Shopping Center  
(Joan Andrus)**AGENT:** Bury + Partners  
(Melissa Mathisen)**REZONING FROM:** CS-MU-NP (Commercial services – mixed use – neighborhood plan)**TO:** CS-1-MU-NP (Commercial – liquor sales– mixed use – neighborhood plan)**AREA:** 0.579 Acres (25, 221.24 square feet)**SUMMARY PLANNING COMMISSION RECOMMENDATION:***June 27, 2006:****APPROVED STAFF'S RECOMMENDATION FOR CS-1-MU-CO-NP ZONING; BY CONSENT.  
[J.REDDY, D.SULLIVAN 2<sup>ND</sup>] (9-0)*****SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of CS-1-MU-CO-NP (Commercial – liquor sales– mixed use – neighborhood plan) combining district zoning. The recommended conditional overlay shall limit the daily vehicle trips to less than 2,000 per day. The Staff recommendation is based on the following considerations:

- 1.) The base land use shall remain a commercial use;
- 2.) The proposed intensity of land uses associated with CS-1-MU zoning will be compatible with existing surrounding commercial uses within the designated Neighborhood Urban Center;
- 3.) Similarly zoned properties are located within the designated Neighborhood Urban Center which promote a diversification of land uses;
- 4.) Vehicle trips are limited through the recommended conditional overlay; and
- 5.) All other conditions and as specified in Ordinance No. 040513-33B shall remain in effect. (Please see Exhibit A).

**DEPARTMENT COMMENTS:**

The subject rezoning consists of a 0.579 Acres (25, 221.24 square feet) site zoned CS-MU-NP located within the Highland Mall site. The property was rezoned on May 13, 2004 from CS to CS-MU-NP under Ordinance No. 040513-33B (Please see Attachment A) enacting the Highland Neighborhood Plan Area. The site is occupied by an existing K&G Store and vacant building. The applicant proposes to rezone the site to CS-1-MU-NP to allow for a "Specs" liquor store.

The Brentwood/Highland Neighborhood Planning Area Adopted Future Land use Map denotes this site as a Neighborhood Urban Center/Mixed Use Building Special Use Option.

Under Land Use Goals, page 28 of the Brentwood/Highland Combined Neighborhood Plan, the following is stated:

- *Encourage a mixture of compatible and appropriately scaled business and residential land uses in the neighborhood and mixed-use development on major*

*corridors to enhance this diversity.*

- *Focus higher density uses and mixed-use development on major corridors, and enhance the corridors by adding incentives for creative, aesthetically pleasing, pedestrian-friendly redevelopment.*

A plan amendment is not necessary as the base land use for the subject property will remain as commercial.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS-MU-NP	Retail / Vacant building
<i>North</i>	CS-MU-NP	Retail shopping center
<i>South</i>	CS-MU-NP	Vacant building
<i>East</i>	CS-MU-NP	Austin Community College
<i>West</i>	NO-NP	Office building / Fast food

**NEIGHBORHOOD PLAN AREA:**  
Brentwood/Highland Neighborhood

**TIA:** Waived (See Transportation comments)

**WATERSHED:** Tannehill Branch

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

283--North Austin Neighborhood Alliance  
511--Austin Neighborhoods Council  
740--Brentwood/Highland Combined Neighborhood Planning Team - COA Liaison  
742--Austin Independent School District  
937--Taking Action Inc.  
938--St. Johns Advisory Board

**SCHOOLS:**

Austin Independent School District

- Reilly Elementary School
- Webb Middle School
- McCallum High School

**RELATED CASES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-04-00012.002	Highland Neighborhood Plan	02/24/04: APVD STAFF REC W/EXCEPTIONS (6-0)	03/25/04: APVD 1ST RDG (7-0); SEE SCANNED DOC FOR SPECIFIC CC ACTIONS  04/15/04: APVD 2ND RDG W/AMENDMENTS (7-0)  05/13/04: APVD W/AMDMTS (7-0); 3RD RDG

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-99-2111	Cs to CS-1	01/18/00: APVD CS-1 (9-0); INDOOR ENTERTAINMENT/COCKTAIL LOUNGE AS ONLY ALLOWED CS-1 USE, IF USE CEASES, ZONING IS TO ROLLBACK TO CS, BY CONSENT (9-0)	02/17/00: APVD PC REC OF CS-1- CO ON ALL 3 RDGS (7-0)

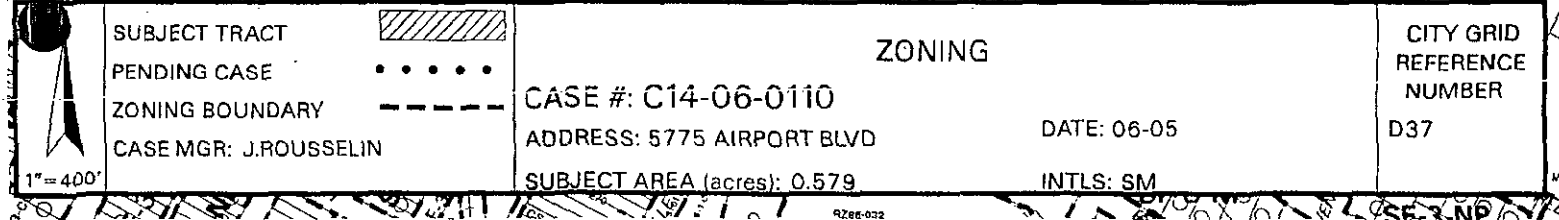
**ABUTTING STREETS:**

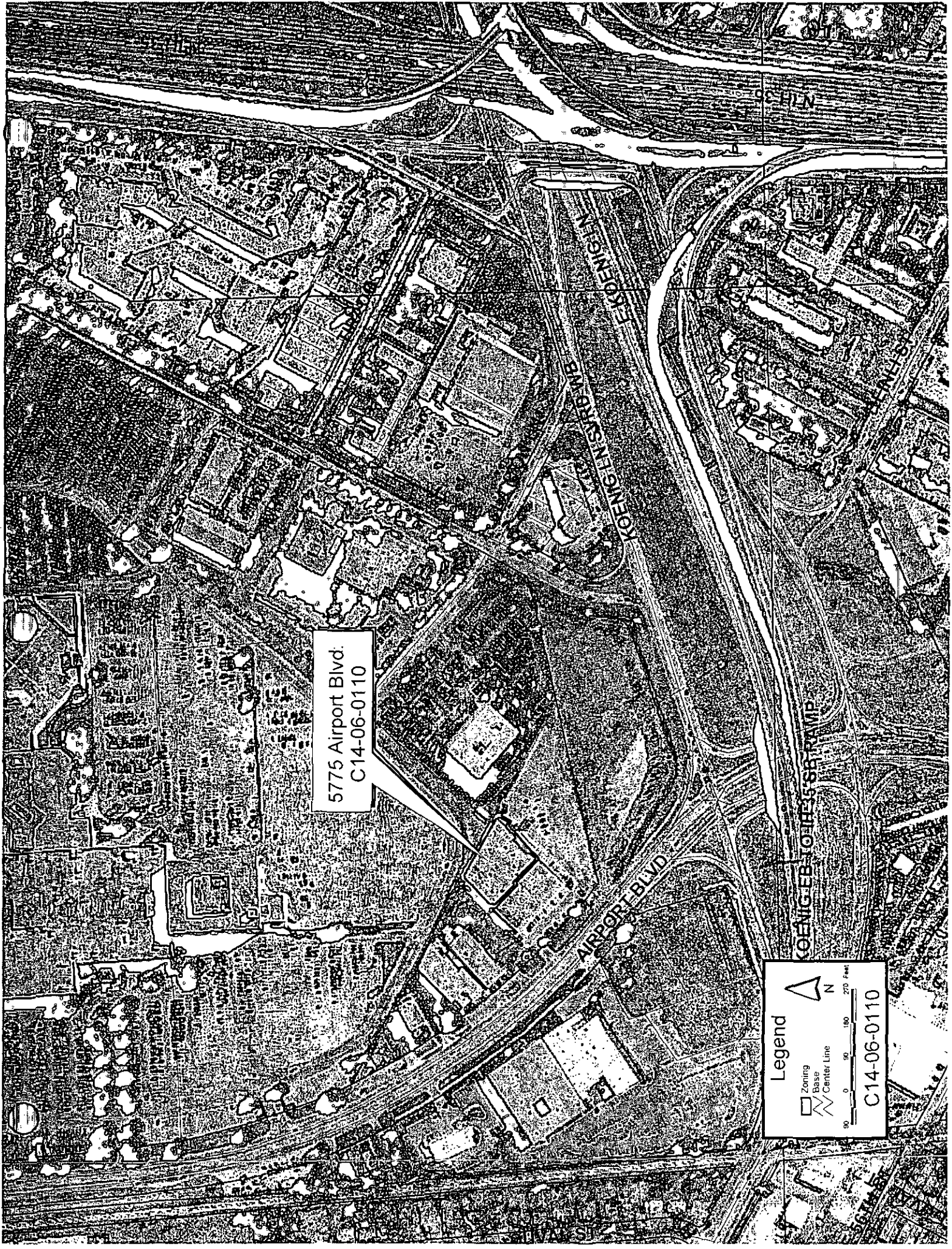
NAME	ROW	PAVEMENT	CLASSIFICATION	CAPITAL METRO	BICYCLE PLAN	SIDEWALKS
Airport Boulevard	Varies	Varies	Arterial	Yes	No	NO

**CITY COUNCIL DATE:**

July 27, 2006

**ACTION:****ORDINANCE READINGS:**1<sup>st</sup>2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Jorge E. Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** [jorge.rousselin@ci.austin.tx.us](mailto:jorge.rousselin@ci.austin.tx.us)





5775 Airport Blvd.  
C14-06-0110

**Legend**

- Zoning
- Base
- Center Line

90 0 90 180 270 Feet

**C14-06-0110**

## STAFF RECOMMENDATION

Staff recommends approval of CS-1-MU-CO-NP (Commercial – liquor sales– mixed use – neighborhood plan) combining district zoning. The recommended conditional overlay shall limit the daily vehicle trips to less than 2,000 per day. The Staff recommendation is based on the following considerations:

- 1.) The base land use shall remain a commercial use;
- 2.) The proposed intensity of land uses associated with CS-1-MU zoning will be compatible with existing surrounding commercial uses within the designated Neighborhood Urban Center;
- 3.) Similarly zoned properties are located within the designated Neighborhood Urban Center which promote a diversification of land uses;
- 4.) Vehicle trips are limited through the recommended conditional overlay; and
- 5.) All other conditions and as specified in Ordinance No. 040513-33B shall remain in effect. (Please see Exhibit A).

## BASIS FOR RECOMMENDATION

1. *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. Liquor sales is one of the permitted uses in a CS-1 district.

The requested rezoning is in conformance with the purpose statement of the district sought.

2. *The Brentwood/Highland Combined Neighborhood Plan encourages mixture of compatible and appropriately scaled business and residential land uses in the neighborhood.*

Under Land Use Goals, page 28 of the Brentwood/Highland Combined Neighborhood Plan, the following is stated:

- *Encourage a mixture of compatible and appropriately scaled business and residential land uses in the neighborhood and mixed-use development on major corridors to enhance this diversity.*
- *Focus higher density uses and mixed-use development on major corridors, and enhance the corridors by adding incentives for creative, aesthetically pleasing, pedestrian-friendly redevelopment.*

## EXISTING CONDITIONS

### Site Characteristics

The subject rezoning consists of a 0.579 Acres (25, 221.24 square feet) site zoned CS-MU-NP located within the Highland Mall site. The property was rezoned on May 13, 2004 from CS to CS-MU-NP under Ordinance No. 040513-33B enacting the Highland Neighborhood Plan Area. The subject property is located adjacent to existing retail uses and within the site of a regional retail center.

**Transportation**

1. No additional right-of-way is needed at this time.
2. The trip generation under the requested zoning is estimated to be 2,758 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).
3. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

**Environmental**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill Branch Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. At this time the site contains a building and a parking lot, so there are no significant environmental features.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**Water and Wastewater**

1. The landowner intends to serve the site with City of Austin water and wastewater utilities.
2. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility adjustments, or utility relocation are required, the landowner, at own expense, will be responsible for providing.
3. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility.
4. The plan must be in accordance with the City design criteria.

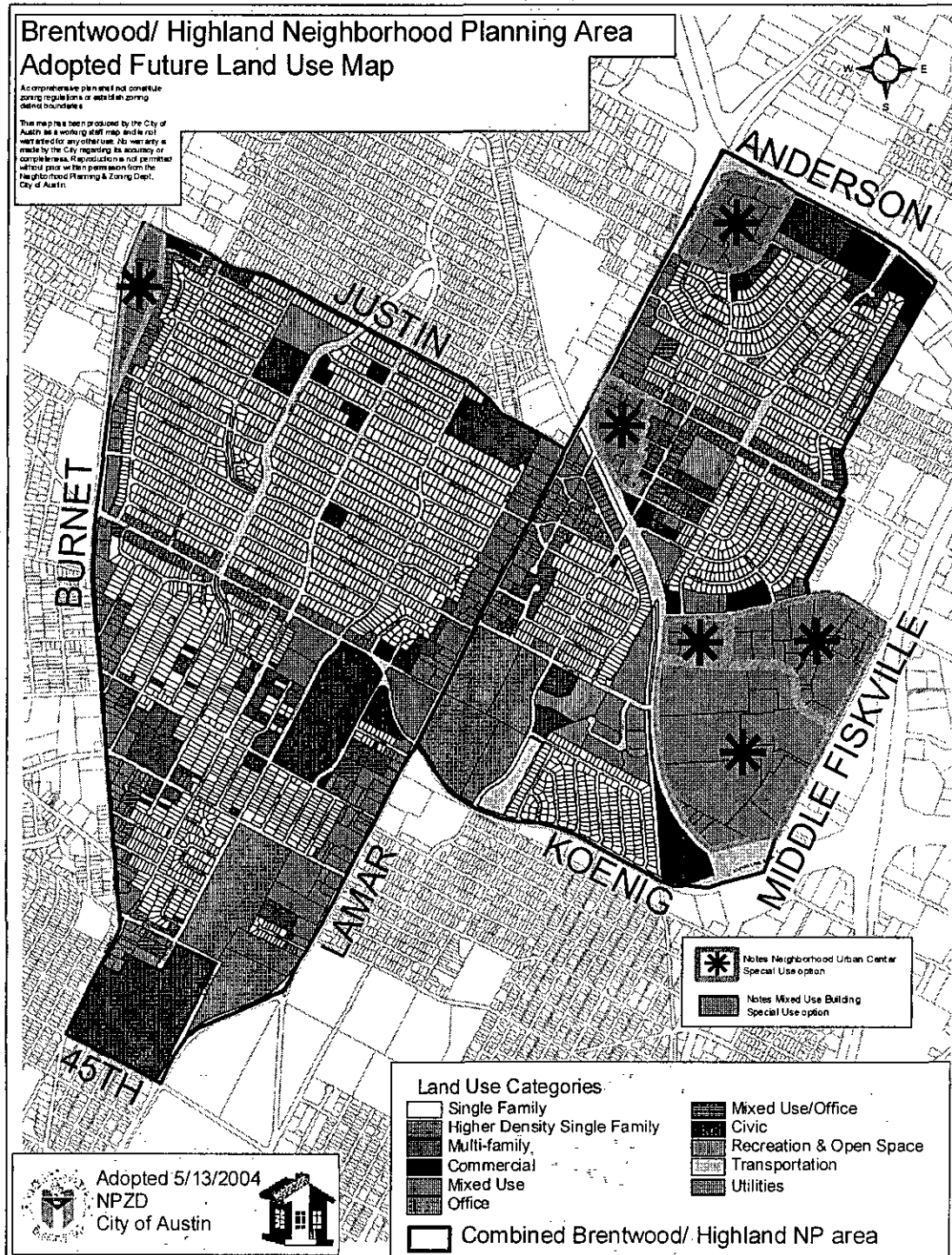


5. The water and wastewater utility construction must be inspected by the City.
6. The landowner must pay the associated and applicable City fees.

**Site Plan**

1. Compatibility standards do not apply to this site.

# Brentwood/Highland Combined Neighborhood Plan



## STAFF RECOMMENDATION

Staff recommends approval of CS-1-MU-CO-NP (Commercial – liquor sales– mixed use – neighborhood plan) combining district zoning. The recommended conditional overlay shall limit the daily vehicle trips to less than 2,000 per day. The Staff recommendation is based on the following considerations:

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2. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility adjustments, or utility relocation are required, the landowner, at own expense, will be responsible for providing.
3. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility.
4. The plan must be in accordance with the City design criteria.

5. The water and wastewater utility construction must be inspected by the City.
6. The landowner must pay the associated and applicable City fees.

**Site Plan**

1. Compatibility standards do not apply to this site.

**ORDINANCE NO. 040513-33B**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 863 ACRES OF LAND GENERALLY KNOWN AS THE HIGHLAND NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 108 TRACTS OF LAND.**

**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 add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 108 tracts of land within the property described in Zoning Case No.C14-04-0012.002, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 863 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A" incorporated into this ordinance, (the "Property"), and includes, as follows,

North Highland Subdistrict area bounded by Crestland Drive on the north, Twin Crest Drive on the east, St. Johns Avenue on the south and Lamar Boulevard on the west; and

South Highland Subdistrict area bounded by Airport Boulevard on the north and east, Denson Drive on the south and Lamar Boulevard on the west, as shown on Exhibit "B",

generally known as the Highland neighborhood plan combining district, locally known as the area bounded by Anderson Lane on the north, Twin Crest Drive and Middle Fiskville Road on the east, Koenig Lane on the south and Lamar Boulevard on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

Except as provided in this ordinance, the existing base zoning districts and conditions remain in effect.

**PART 2.** The base zoning districts for the 108 tracts of land are changed from family residence (SF-3) district, multifamily residence limited density-conditional overlay (MF-1-CO) combining district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, multifamily residence moderate high density (MF-4) district, neighborhood office (NO) district, limited office (LO) district, neighborhood commercial (LR) district, community commercial (GR) district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, commercial-liquor sales (CS-1) district, commercial-liquor sales-conditional overlay (CS-1-CO) combining district, and limited industrial services-conditional overlay (LI-CO) combining district, and unzoned district (UNZ), to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district, townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district, multifamily residence low density-neighborhood plan (MF-2-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district, multifamily residence moderate high density-neighborhood plan (MF-4-NP) combining district, neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district, commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below:

TRACT	ADDRESS	FROM	TO
200	621 & 705 ANDERSON LN W, 7620 GUADALUPE ST, 7601, 7701 & 7801 LAMAR BLVD N, 608 & 622 MORROW ST	CS	CS-MU-NP
201	7701 LAMAR BLVD N (footprint)	CS-1	CS-1-MU-NP
202	7601 LAMAR BLVD N (footprint)	CS-1	CS-1-MU-NP

TRACT	ADDRESS	FROM	TO
203	0 ANDERSON LN W (ABS 789 SUR 57 WALLACE J P ACR 7.38) & 0 NORTHWAY DR (ABS 789 SUR 57 WALLACE J P ACR 2.298)	SF-3	P-NP
204	7702, 7704, 7706 & 7708 NORTHCREST BLVD	SF-3	MF-2-NP
205	7703 NORTHCREST BLVD, 200, 201 & 203 NORTHCREST CIRCLE	SF-3	MF-2-NP
206	701 MORROW ST	NO	NO-MU-NP
207	712 CRESTLAND DR, 7521, 7535, 7543 & 7545 LAMAR BLVD N	GR	GR-MU-CO-NP
207	7545 LAMAR BLVD N	CS	GR-MU-CO-NP
208	0 (0.460 AC NORTHWAY CREST SEC 2, PB 6, PG 35)	SF-3	P-NP
209	0 (0.422 AC NORTHWAY CREST SEC 2, PB 6, PG 35)	SF-3	P-NP
210a	7205 LAMAR BLVD N, 704 & 710 ST JOHNS AVE W	CS	CS-MU-CO-NP
210a	704 ST JOHNS AVE W	GR	CS-MU-CO-NP
210b	707 CRESTLAND DR	SF-3	CS-MU-CO-NP
210b	7427 LAMAR BLVD N (abutting N Lamar Blvd)	SF-3	CS-MU-CO-NP
210b	7209 LAMAR BLVD N	LO	CS-MU-CO-NP
210b	7209, 7221, 7301 & 7313 LAMAR BLVD N	LR	CS-MU-CO-NP
210b	7209, 7221 & 7301 LAMAR BLVD N	GR	CS-MU-CO-NP
210b	707 CRESTLAND DR, 7209, 7221, 7301, 7313, & 7401 LAMAR BLVD N	CS	CS-MU-CO-NP
210c	7427 LAMAR BLVD N (abutting south and rear property lines)	CS-1	CS-1-MU-CO-NP
210d	7427, 7435 & 7439 LAMAR BLVD	CS	CS-MU-CO-NP
211	7401 LAMAR BLVD N	SF-3	NO-MU-NP
211	7401 LAMAR BLVD N	NO	NO-MU-NP
212a	700 & 702 ST JOHNS AVE W	LR	LR-MU-CO-NP
212a	702 & 704 ST JOHNS AVE W	LO	LR-MU-CO-NP
212b	7202 MARCELL ST, 612, 616, 618, 620 & 624 ST JOHNS AVE W	SF-3	LR-MU-CO-NP
212b	624 ST JOHNS AVE W	LO	LR-MU-CO-NP
213a	610 ST JOHNS AVE W	SF-3	NO-MU-NP
213b	602, 604 & 608 ST JOHNS AVE W	SF-3	NO-MU-NP
213c	600 ST JOHNS AVE W	SF-3	NO-MU-NP
214a	514 ST JOHNS AVE W	SF-3	NO-MU-NP
214b	402, 404, 406, 410, 412, 500, 502, 504, 506, 508, 510 & 512 ST JOHNS AVE W	SF-3	SF-6-CO-NP
214c	400 ST JOHNS AVE W	SF-3	NO-MU-NP
215a	206 ST JOHNS AVE W	SF-3	NO-MU-NP
215b	100, 102, 104 & 106 ST JOHNS AVE E, 100, 102, 104, 106, 108, 110, 200, 202 & 204 ST JOHNS AVE W	SF-3	SF-6-CO-NP
215c	7200 EAST CREST DR	SF-3	NO-MU-NP
216	7201 EAST CREST DR	SF-3	NO-MU-NP
217	206 ST JOHNS AVE E	LO	LO-MU-NP



TRACT	ADDRESS	FROM	TO
244	108 DENSON DR W	CS	CS-MU-CO-NP
246	6204 & 6206 BURNS ST, 700 DENSON DR W	SF-3	MF-3-NP
246	704 & 706 DENSON DR W	CS	MF-3-NP
247	6205, 6215, 6221, 6225 & 6301 LAMAR BLVD N	CS	CS-MU-CO-NP
248a	6225 LAMAR BLVD N	SF-3	GR-MU-CO-NP
248b	721 LAMAR PL	CS	MF-4-NP
249	702 LAMAR PL	CS	MF-4-NP
250	6408 BURNS ST	CS	MF-4-NP
251a	6411 LAMAR BLVD N & 720 LAMAR PL	CS	CS-MU-CO-NP
251b	6509, 6517, 6519, 6531, 6535 & 6539 LAMAR BLVD N, 6506, 6510 & 6516 SHIRLEY AVE	CS	CS-MU-CO-NP
251b	6509 LAMAR BLVD N	GR	CS-MU-CO-NP
252	6507 SHIRLEY AVE	CS	CS-MU-CO-NP
253	619 BRENTWOOD ST	SF-3	LR-MU-CO-NP
254a	6601 & 6603 SHIRLEY AVE	CS	CS-MU-CO-NP
254b	6605, 6619 & 6623 SHIRLEY AVE	CS	CS-MU-CO-NP
255	617 GAYLOR ST	SF-3	SF-6-NP
256	602, 606, 608, 610, 612 & 614 GAYLOR ST	SF-3	SF-6-NP
256	604 GAYLOR ST	MF-2	SF-6-NP
257	6701 GUADALUPE ST	NO	NO-MU-NP
258	0 CANION ST (near intersection of Williams & Canion); 614, 636, 646, 650 & 654 CANION ST & 6901 SHIRLEY AVE	LI	CS-MU-CO-NP
258	600, 610, 620, 624, 630 & 634 CANION ST	CS	CS-MU-CO-NP
259a	6701, 6713, 6719 & 6725 SHIRLEY AVE	CS	CS-MU-CO-NP
259b	607 & 609 CANION ST, 601, 603 & 605 WILLIAMS ST	CS	CS-MU-CO-NP
260	616 GAYLOR ST	SF-3	SF-6-NP
261	613 CANION ST, 600 & 604 WILLIAMS ST	LI	CS-MU-CO-NP
262	6610 SHIRLEY AVE	CS	CS-MU-CO-NP
263	0 LAMAR BLVD N (located south of intersection of Wallingford Bend & Lamar Blvd N); 6601, 6607, 6611, 6615, 6701, 6705 & 6719 LAMAR BLVD N, 6700, 6702, 6714, 6720, 6722 & 6726 SHIRLEY AVE	CS	CS-MU-CO-NP
264	6721 LAMAR BLVD N	CS	CS-MU-CO-NP
265	6801 & 6813 LAMAR BLVD N & 6900 SHIRLEY AVE	CS	CS-MU-CO-NP
265	6813, 6817 & 6901 LAMAR BLVD N, 0 RAYMOND ST (E 60' OF LOT 17 BLK E PLAZA PLACE), 6900, 904 & 6910 SHIRLEY AVE	LI	CS-MU-CO-NP
266	6016 & 6020 DILLARD CIRCLE	CS	CS-MU-CO-NP
267a	105 DENSON DR W	CS	CS-MU-CO-NP
267b	6015 DILLARD CIRCLE	CS	CS-MU-CO-NP
267c	6003 DILLARD CIRCLE	CS	CS-MU-CO-NP

TRACT	ADDRESS	FROM	TO
268	0 DENSON DR W (ABS 789 SUR 57 WALLACE J P ACR 2.542)	CS	CS-MU-CO-NP
268	0 DENSON DR W (ABS 789 SUR 57 WALLACE J P ACR 2.542)	MF-3	CS-MU-CO-NP
269	5997 DILLARD CIRCLE	CS	CS-MU-CO-NP
269	5997 DILLARD CIRCLE	MF-3	CS-MU-CO-NP
270	300 HUNTLAND DR W	CS	CS-CO-NP
270	300 HUNTLAND DR W	CS-1	CS-CO-NP
271	6757 AIRPORT BLVD	CS	CS-MU-CO-NP
272	407 KENNISTON DR & 500 PAMPA DR	GR	GR-CO-NP
273	6809 GUADALUPE ST	LR	LR-CO-NP
274	6820 & 6821 AIRPORT BLVD, 6800 GUADALUPE ST	CS	CS-CO-NP
275	200, 314, 404, 418, 502, 520, 604 & 700 HIGHLAND MALL BLVD E, 201, 305, 505, 617 & 713 HUNTLAND DR E, 6700 & 6718 MIDDLE FISKVILLE RD	CS	CS-MU-NP
276	404 HIGHLAND MALL BLVD E	CS-1	CS-1-MU-NP
277	6700 MIDDLE FISKVILLE RD	CS-1-CO	CS-1-MU-NP
278	223 & 301 ANDERSON LANE W	CS	CS-CO-NP
280	0 GUALALUPE ST (ABS 789 SUR 57 WALLACE J P ACR 3.2) & 0 GUADALUPE (ABS 789 SUR 57 WALLACE J P ACR 9.86)	UNZ	P-NP
280	0 GUADALUPE ST (ABS 789 SUR 57 WALLACE J P ACR 9.86)	SF-3	P-NP
281	401 ST JOHNS AVE W	SF-3	P-NP
282	503 KENNISTON DR	SF-3	MF-3-NP

**PART 3.** The following applies to an existing legal lot with single-family residential use or secondary apartment special use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 4,000 square feet or less, the impervious coverage may not exceed 65 percent.

**PART 4.** Secondary apartment special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1462 through 25-2-1463 of the Code.

**PART 5.** The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the NP combining district:

1. Front porch setback applies as set forth in Section 25-2-1602 of the Code.
2. Except as provided in Subsection 3, impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.
3. The restrictions in Subsection 2 do not apply to the lots adjacent to St. Johns Avenue.
4. Garage placement restrictions apply as set forth in Section 25-2-1604 of the Code.

**PART 6.** Cottage special use is permitted on lots in residential districts within the boundaries of North Highland Subdistrict and South Highland Subdistrict as set forth in Sections 25-2-1442 through 25-2-1444 of the Code.

**PART 7.** Tract 221 may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 1504 of the Code.

**PART 8.** Tracts 200, 201, 202, 222a, 222b, 222c, 223, 241, 242, 243a, 243b, 243c, 275, 276, and 277 may be developed as a neighborhood urban center special use as set forth in Sections 25-2-1521 through 25-2-1524 of the Code.

**PART 9.** 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 conditional uses of Tracts 210a, 210c, 210d, 222a, 222c, 251b, 258, 261, 262, 263, 264, 265, and 274:

Agricultural sales and services  
Commercial blood plasma center  
Equipment sales  
Vehicle storage

Campground  
Equipment repair services  
Kennels

2. Construction sales and services use is a conditional use of Tracts 210b, 222b, 223, 247, 251a, 270, 271, 278, and 279.

3. The following uses are prohibited uses of Tracts 210b, 222b, 223, 247, 251a, 270, 278, and 279:

Agricultural sales and services  
Commercial blood plasma center  
Equipment repair services  
Kennels  
Outdoor sports and recreation

Campground  
Drop-off recycling collection facility  
Equipment sales  
Outdoor entertainment  
Vehicle storage

4. The following uses are prohibited uses of Tract 271:

Agricultural sales and services  
Commercial blood plasma center  
Equipment repair services  
Kennels  
Outdoor sports and recreation

Campground  
Drop-off recycling collection facility  
Equipment sales  
Outdoor entertainment

5. The following uses are prohibited uses of Tracts 212a, 212b, 220a, 220c, 221, 253, and 273:

Service station

Off-site accessory parking

6. The following uses are prohibited uses of Tracts 267a, 267c, and 269:

Agricultural sales and services  
Automotive sales  
Campground  
Commercial off-street parking  
Drop-off recycling collection facility  
Equipment sales  
Kennels  
Maintenance and service facilities  
Off-site accessory parking  
Outdoor sports and recreation  
Service station

Automotive rentals  
Automotive washing (of any type)  
Commercial blood plasma center  
Convenience storage  
Equipment repair services  
Exterminating services  
Laundry services  
Monument retail sales  
Outdoor entertainment  
Pawn shop services  
Vehicle storage

7. The following uses are prohibited uses of Tract 244:

Agricultural sales and services	Campground
Commercial blood plasma center	Drop-off recycling collection facility
Equipment repair services	Equipment sales
Kennels	Outdoor sports and recreation
Pawn shop services	Vehicle storage

8. The following uses are prohibited uses of Tracts 266 and 267b:

Agricultural sales and services	Automotive rentals
Automotive sales	Automotive washing (of any type)
Campground	Commercial blood plasma center
Commercial off-street parking	Drop-off recycling collection facility
Equipment repair services	Equipment sales
Exterminating services	Kennels
Laundry services	Off-site accessory parking
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Service station
Vehicle storage	

9. General retail sales (general) use and general retail sales (convenience) use for an area that exceeds 20,000 square feet of gross floor area is a prohibited use on Tracts 252, 254a, 254b, 259a, 259b, 267a, 267c, and 269.

10. General retail sales (general) use and general retail sales (convenience) use for an area that exceeds 35,000 square feet of gross floor area is a prohibited use on Tracts 266 and 267b.

11. Drive-in service is prohibited as an accessory use to commercial uses of Tracts 221, 248a, 252, 254a, 254b, 259a, 259b, 266, 267a, 267b, 267c, 268, and 269.

12. The following uses are prohibited uses of Tracts 207, 238, 239, 240a, 240b, and 272:

Drop-off recycling collection facility	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services

13. The following uses are prohibited uses of Tract 240a:

Agricultural sales and services  
Building maintenance services  
Convenience storage  
Laundry services  
Construction sales and services  
Electronic prototype assembly  
Equipment sales  
Veterinary services  
Transportation terminal

Art and craft studio (general)  
Campground  
Kennels  
Monument retail sales  
Commercial blood plasma center  
Equipment repair services  
Maintenance and service facilities  
Transitional housing

14. The following uses are conditional uses of Tract 240a:

Plant nursery

Custom manufacturing

15. The following uses are prohibited uses of Tracts 252, 254a, 254b, 259a, and 259b:

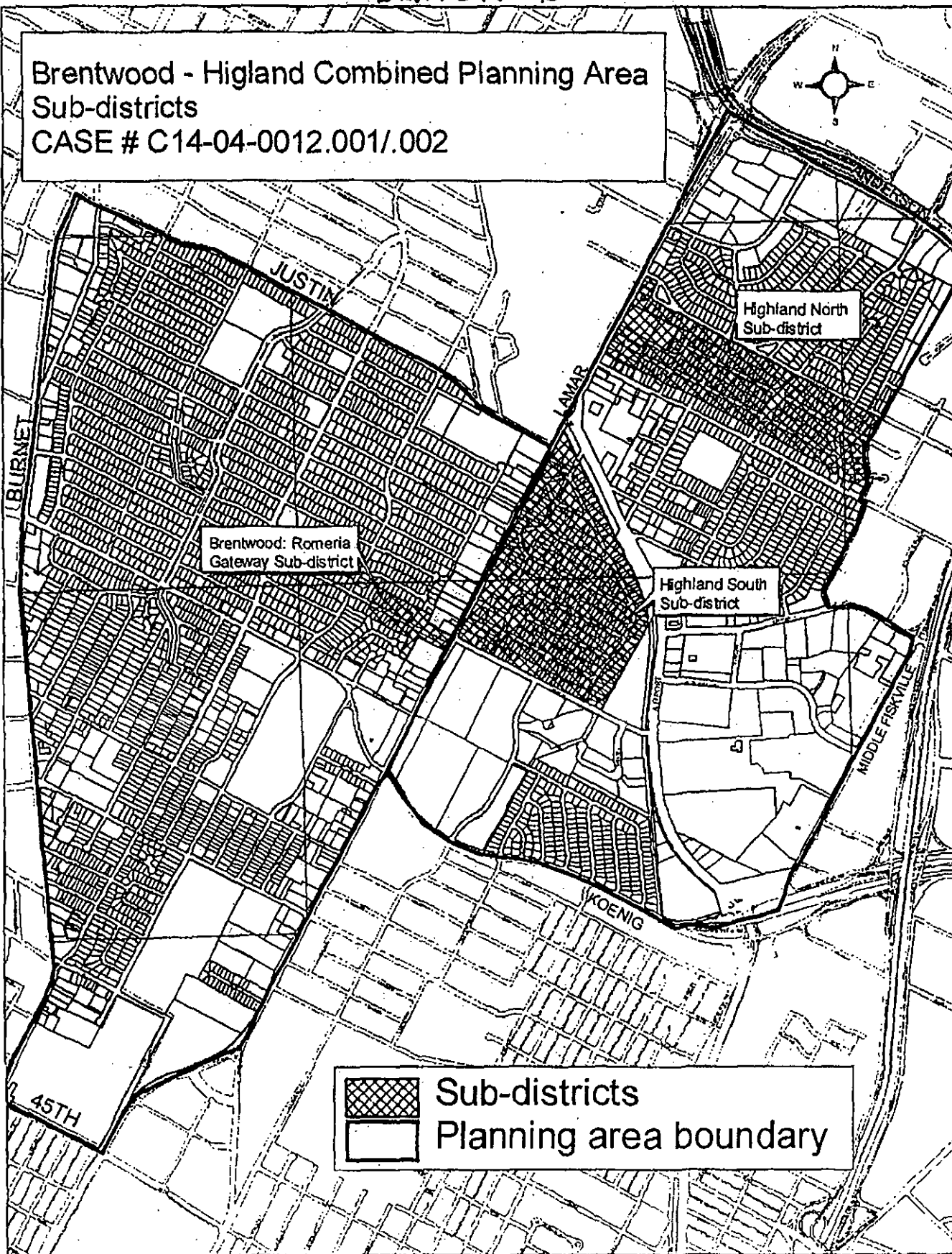
Agricultural sales and services  
Automotive rentals  
Automotive washing (of any type)  
Campground  
Commercial off-street parking  
Drop-off recycling collection facility  
Equipment repair services  
Exterminating services  
Laundry services  
Maintenance and service facilities  
Off-site accessory parking  
Outdoor sports and recreation  
Plant nursery  
Vehicle storage

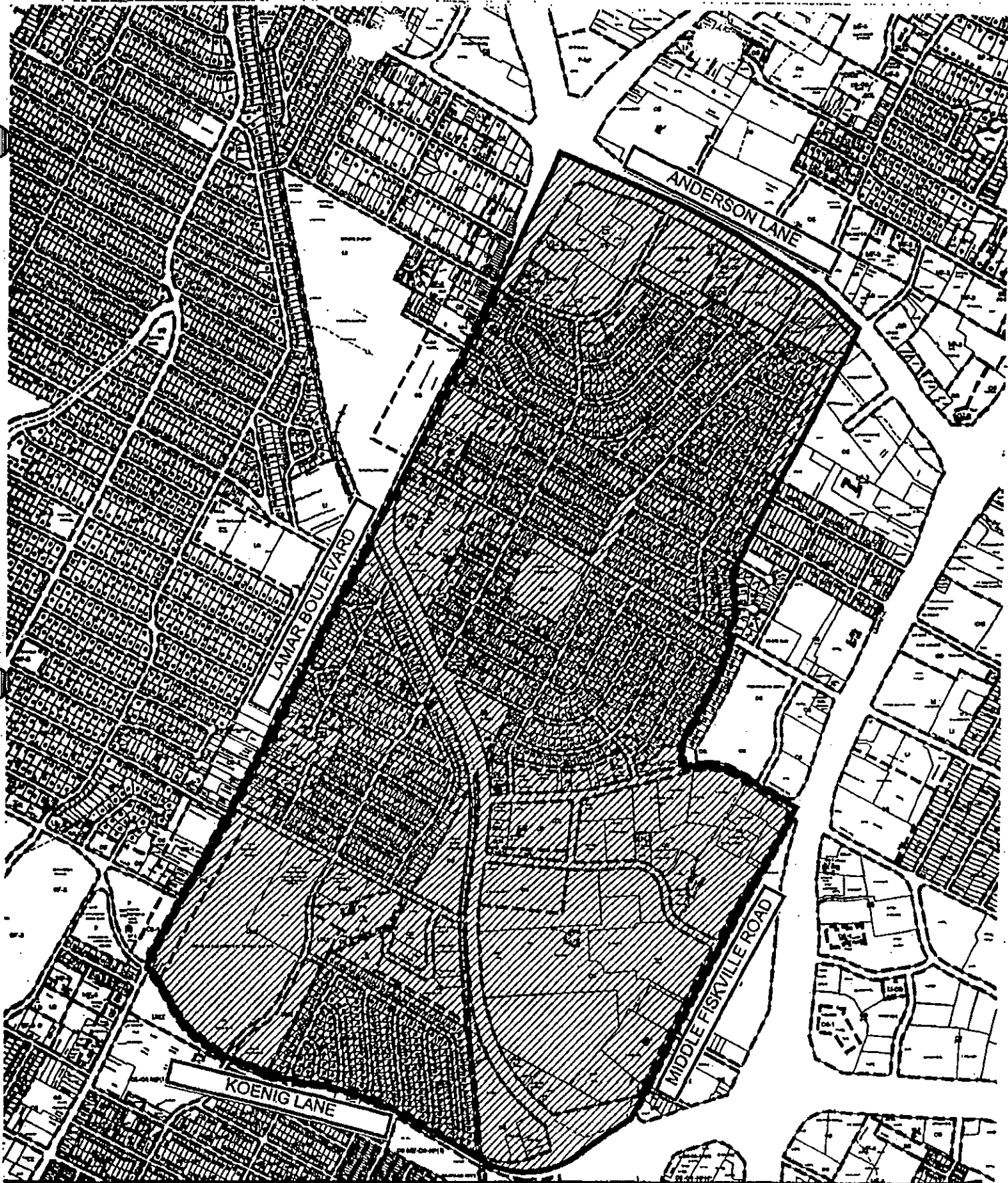
Art and craft studio (general)  
Automotive sales  
Building maintenance services  
Commercial blood plasma center  
Convenience storage  
Electronic prototype assembly  
Equipment sales  
Kennels  
Limited warehousing and distribution  
Monument retail sales  
Outdoor entertainment  
Pawn shop services  
Service station  
Veterinary services



16. Condominium residential use is a prohibited use of Tracts 214b, 215b, 218b, 219b, and 220b.

EXHIBIT B

Brentwood - Highland Combined Planning Area  
Sub-districts  
CASE # C14-04-0012.001/002





 1" = 1200'	SUBJECT TRACT		ZONING EXHIBIT C		CITY GRID REFERENCE NUMBER K27-29.127- 9
	PENDING CASE	• • • • •			
	ZONING BOUNDARY	-----	CASE #: C14-04-0012.002	DATE: 04-01	
	CASE MGR: A. BEAUDET	PLAN	ADDRESS: HIGHLAND NEIGHBORHOOD	INTLS: SM	
	SUBJECT AREA (acres): N/A				



KATRINA M. DANIEL

**RECEIVED**

JUN 22 2006

June 22, 2006

**Neighborhood Planning & Zoning**

Mr. Jorge Rousselin  
City of Austin  
Neighborhood Planning and Zoning  
505 Barton Springs, 5th floor  
Austin, TX 78704

Re: Highland Commons  
Zoning Case C14-06-0110  
5775 Airport Boulevard  
Austin, Travis County, Texas

Dear Mr. Rousselin,

The Board of Directors of the Highland Neighborhood Association has no opposition to the proposed rezoning of a .579 acre footprint of land out of the existing Highland Commons Shopping Center at 5775 Airport Boulevard. The proposed rezoning is from CS-MU-NP to CS-1-MU-NP.

The agent for the above-stated zoning case has been in contact with our neighborhood group throughout the re-zoning process, and we feel the proposed zoning and use is consistent with the surrounding zoning and land uses. If you have any questions, please do not hesitate to contact me.

Sincerely,



Katrina M. Daniel  
President  
Highland Neighborhood Association

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5775 AIRPORT BOULEVARD IN THE HIGHLAND NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-NEIGHBORHOOD PLAN (CS-MU-NP) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-MU-CO-NP) COMBINING DISTRICT.

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

**PART 1.** The zoning map established by Section 25-2-19.1 of the City Code is amended to change the base district from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district to commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district on the property described in Zoning Case No. C14-06-0110, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.579 acre tract of land, more or less, out of the James P. Wallace Survey No. 57, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 5775 Airport Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** Except as specifically provided in Part 3 and Part 4, the Property may be developed and used in accordance with the regulations established for the commercial-liquor sales (CS-1) base district and other applicable requirements of the City Code.

**PART 3.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

**PART 4.** The Property is subject to Ordinance No. 040513-33B that established the Highland neighborhood plan combining district.

2 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2006.

3  
4  
5 **PASSED AND APPROVED**

6  
7  
8  
9 \_\_\_\_\_, 2006

§  
§  
§

10 Will Wynn  
11 Mayor

12  
13  
14 **APPROVED:**

15 David Allan Smith  
16 City Attorney

**ATTEST:**

Shirley A. Gentry  
City Clerk



**Professional Land Surveying, Inc.  
Surveying and Mapping**

**EXHIBIT A**

Office: 512-443-1724  
Fax: 512-441-6987

2807 Manchaca Road  
Building One  
Austin, Texas 78704

**0.579 ACRE  
ZONING DESCRIPTION**

A ZONING DESCRIPTION OF 0.579 ACRES (APPROXIMATELY 25,200 S.F.) IN THE JAMES P. WALLACE SURVEY NO. 57, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, J. GRANT WEBSTER SUBDIVISION, A SUBDIVISION OF RECORD IN BOOK 12, PAGE 72, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO HIGHLAND COMMONS SHOPPING CENTER, LTD., BY SPECIAL WARRANTY DEED, DATED MARCH 23, 1999, RECORDED IN VOLUME 13396, PAGE 1718, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.579 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

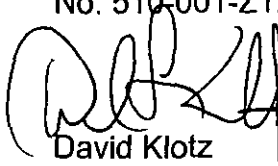
**BEGINNING** at a point in Lot 1, J. Grant Webster Subdivision being also the north corner of the existing commercial building, from which a 1/2" rebar found for the north corner of Lot 1, J. Grant Webster Subdivision, being also the east corner of the Lot 2-A, Resubdivision of Lot 2, J. Grant Webster Subdivision, a subdivision of record in Book 14, Page 55, and in the southwest line of Lot 2, Austin Mall Subdivision, a subdivision of record in Book 48, Page 87, both of the Plat Records of Travis County, Texas bears North 41°49'00" West, a distance of 5.26 feet and North 48°11'00" East, a distance of 3.35 feet;

**THENCE** continuing over the said Lot 1, J. Grant Webster Subdivision the following sixteen (16) courses:

1. South 59°25'58" East, a distance of 187.82 feet to a point;
2. South 46°51'57" West, a distance of 5.13 feet to a point;
3. South 59°27'44" East, a distance of 5.53 feet to a point;
4. South 30°32'16" West, a distance of 32.88 feet to a point;
5. North 59°27'44" West, a distance of 15.36 feet to a point;
6. South 46°48'11" West, a distance of 18.49 feet to a point;
7. South 43°11'49" East, a distance of 1.35 feet to a point;
8. South 46°48'11" West, a distance of 100.95 feet to a point;
9. North 44°09'01" West, a distance of 90.23 feet to a point;

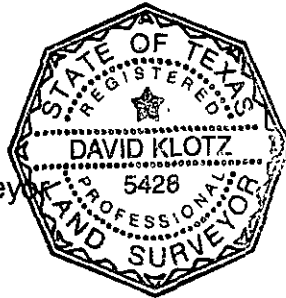
10. South  $45^{\circ}50'59''$  West, a distance of 7.30' feet to a point;
11. North  $44^{\circ}09'01''$  West, a distance of 83.20 feet to a point;
12. North  $45^{\circ}50'59''$  East, a distance of 6.70 feet to a point;
13. North  $44^{\circ}22'33''$  West, a distance of 7.14 feet to a point;
14. North  $46^{\circ}19'30''$  East, a distance of 110.00 feet to the **POINT OF BEGINNING**, containing an area of 0.579 acres of land, more or less.

Surveyed on the ground April 24, 2006. Bearing basis is the northwest line of Lot 1, J Grant Webster Subdivision, i.e. North  $48^{\circ}11'00''$  East. Attachments: Survey Drawing No. 510-001-Z1.dwg.

 05/10/06

David Klotz Date

Registered Professional Land Surveyor  
State of Texas No. 5428

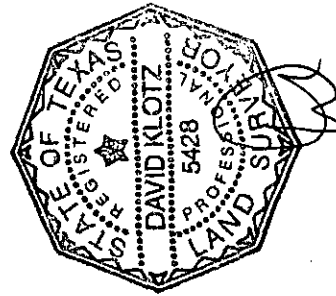


SKETCH TO ACCOMPANY A DESCRIPTION OF 0.579 ACRES (APPROXIMATELY 25,200 S.F.) IN THE JAMES P. WALLACE SURVEY NO. 57, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, J. GRANT WEBSTER SUBDIVISION, A SUBDIVISION OF RECORD IN BOOK 12, PAGE 72, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO HIGHLAND COMMONS SHOPPING CENTER, LTD., BY SPECIAL WARRANTY DEED, DATED MARCH 23, 1999, RECORDED IN VOLUME 13396, PAGE 1718, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

LINE TABLE		
No.	BEARING	LENGTH
L1	S46°51'57"W	5.13'
L2	S59°27'44"E	5.53'
L3	S30°32'16"W	32.88'
L4	N59°27'44"W	15.36'
L5	S46°48'11"W	18.49'
L6	S43°11'49"E	1.35'
L7	S45°50'59"W	7.30'
L8	N45°50'59"E	6.70'
L9	N44°22'33"W	7.14'

LEGEND	
●	1/2" REBAR FOUND
○	CALCULATED POINT
( )	RECORD DATA
///	OVERALL BUILDING

BUILDING DIMENSIONS AND FLOOR AREA WERE DERIVED BY A COMBINATION OF FIELD MEASUREMENTS ON THE EXTERIOR OF THE BUILDING AND THE INTERIOR WALLS, AND BY UTILIZING AN ARCHITECTURAL FLOOR PLAN CREATED BY HODGES, LUECKE, CRAWLEY ARCHITECTS, DATED 09/01/1984 AND PROVIDED BY BURY + PARTNERS CONSULTING ENGINEERS.



BEARING BASIS: GRID AZIMUTH FOR TEXAS CENTRAL ZONE, 1983/93  
HARN VALUES FROM LCRA CONTROL NETWORK.

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 510-001-Z1.DOC

DATE OF SURVEY: 4/24/06  
PLOT DATE: 05/10/06  
DRAWING NO.: 510-001-Z1  
PROJECT NO.: 510-001  
SHEET 2 OF 2

Chaparral

LOT 2-A  
RESUB OF LOT 2  
J. GRANT WEBSTER SUBDIVISION  
(14/55)

BEARING BASIS

N48°11'00"E 288.36'  
(N48°11'00"E 288.45')

83.86'

11.79'

N48°11'00"E

3.35'

N41°49'00"W

5.26'

N46°19'30"E 110.00'

L9

L8

N44°09'01"W  
83.20'

APPROXIMATE  
LOCATION  
OF INTERIOR  
WALL

ONE STORY  
BRICK FACED  
COMMERCIAL  
BUILDING  
(APPROXIMATELY)  
(41,930 S.F.)

N44°09'01"W  
90.23'

0.579 ACRE  
(APPROX. 25,200 S.F.)

L6

S46°48'11"W  
100.95'

L1

L2

L3

L4

L5

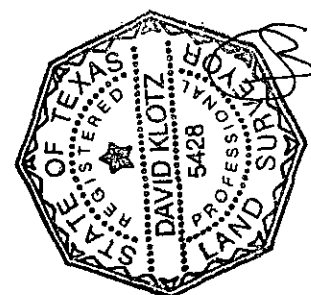
S59°31'49"E 168.34'  
(S59°31'00"E 168.33')

P.O.B.

LOT 2  
AUSTIN MALL SUBD.  
(48/87)

LOT 1  
AUSTIN MALL  
SUBDIVISION  
(48/87)

LOT 1  
J. GRANT WEBSTER  
SUBDIVISION  
(12/72)

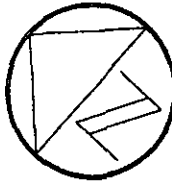


AIRPORT BOULEVARD  
(RIGHT-OF-WAY WIDTH VARIES)

BEARING BASIS: GRID AZIMUTH FOR  
TEXAS CENTRAL ZONE, 1983/93  
HARN VALUES FROM LCRA CONTROL  
NETWORK.

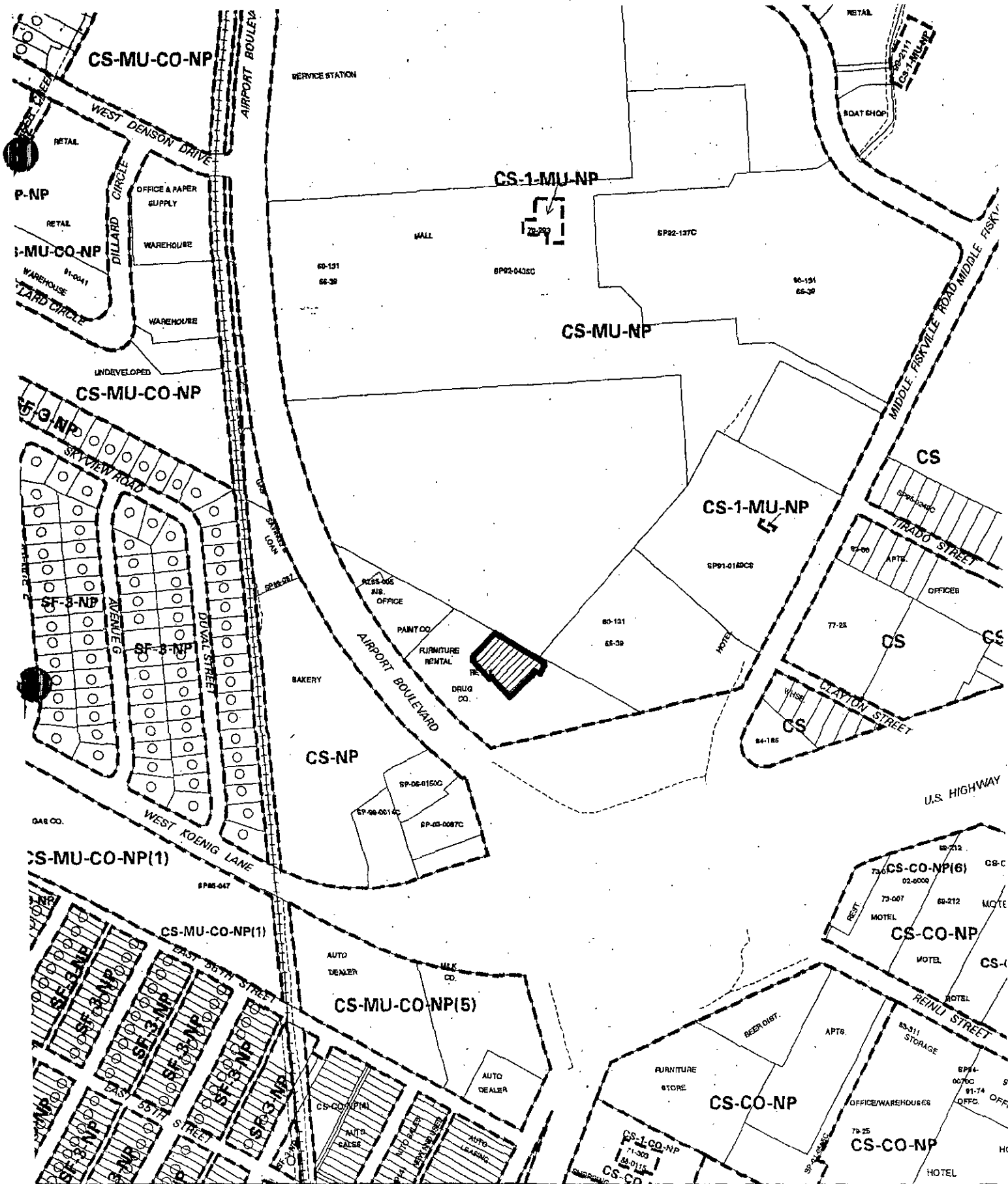
ATTACHMENTS: METES AND BOUNDS  
DESCRIPTION 510-001-Z1.DOC

DATE OF SURVEY: 4/24/06  
PLOT DATE: 05/10/06  
DRAWING NO.: 510-001-Z1  
PROJECT NO.: 510-001  
SHEET 1 OF 2



1" = 50'

Chaparral



 " = 400'	SUBJECT TRACT 	<b>ZONING EXHIBIT B3</b>		CITY GRID REFERENCE NUMBER <b>D37</b>
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-06-0110 ADDRESS: 5775 AIRPORT BLVD SUBJECT AREA (acres): 0.579	DATE: 06-05 INTLS: SM	
	CASE MGR: J.ROUSSELIN			