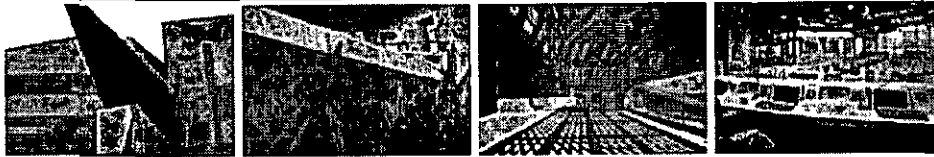


A U S T I N C I T Y C O U N C I L
AGENDA

Thursday, November 02, 2006

Back Print

**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 61**

Subject: C14-06-0161 - Southpark Meadows Building 19 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9200-9250 Cullen Lane (Slaughter Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to commercial-liquor sales (CS-1) district zoning Staff Recommendation. To grant commercial-liquor sales (CS-1) district zoning Zoning and Platting Commission Recommendation. To grant commercial-liquor sales (CS-1) district zoning Applicant. SP Meadows Central, Ltd. (Andy Pastor). Agent Cunningham-Allen, Inc. (Jana Rice) City Staff. Wendy Walsh, 974-7719

Additional Backup Material

(click to open)

- ☐ Staff Report
- ☐ Ordinance

For More Information:

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0161

Z.A.P. DATE: September 5, 2006
September 19, 2006

ADDRESS: 9200 – 9250 Cullen Lane

OWNER: SP Meadows Central, Ltd.
(Andy Pastor)

AGENT: Cunningham-Allen, Inc.
(Jana Rice)

ZONING FROM: GR-CO **TO:** CS-1 **AREA:** 0.500 acres (21,786 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant commercial – liquor (CS-1) district zoning.

ZONING & PLATTING COMMISSION RECOMMENDATION:

September 5, 2006. *APPROVED A POSTPONEMENT REQUEST TO 09/19/06 (NEIGHBORHOOD).*

[J MARTINEZ, S. HALE 2ND] (8-0) J SHIEH – ABSENT

September 19, 2006. *APPROVED STAFF'S RECOMMENDATION OF CS-1 DISTRICT ZONING FOR 15,534 SQUARE FEET.*

*[K. JACKSON, C HAMMOND 2ND] (5-2) B BAKER, J. SHIEH – NAY;
J. MARTINEZ, J PINNELLI – ABSENT*

ISSUES:

The President of the Park Ridge Owners Association and 44 association members have registered their opposition to the proposed zoning change.

DEPARTMENT COMMENTS:

The subject rezoning area is under construction for a shopping center and zoned community commercial – conditional overlay (GR-CO) by way of 2004 and 2006 zoning cases. The proposed location is accessed by a driveway from Slaughter Lane. Internal driveways also provide access to Cullen and Turk Lanes and the southbound lanes of the IH-35 frontage road. The rezoning is surrounded by other retail, restaurant and commercial uses within the Southpark Meadows Shopping center (GR-CO). The Park Ridge neighborhood is located on the north side of Slaughter Lane, with vehicular access to the subdivision occurring by way of Francia Trail. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant has requested commercial – liquor sales (CS-1) district zoning for a building footprint and surrounding area in order to occupy a tenant space with a cocktail lounge use. As shown in Exhibit C, the building is located off of a driveway entrance to the

Staff recommends CS-1 zoning, based on the following considerations: 1) the proposed use is compatible with the surrounding uses within the retail center and its corresponding GR-CO zoning; 2) it is separated from the nearest residential neighborhood by a major arterial; and, 3) access will be taken to two major arterial roadways and two collector streets.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO	Shopping center under construction
<i>North</i>	GR-CO	Shopping center under construction
<i>South</i>	GR-CO	Shopping center under construction
<i>East</i>	GR-CO	Shopping center under construction
<i>West</i>	GR-CO; SF-4A	Undeveloped and planned for additional shopping center space and single family residences

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 242 – Slaughter Lane Neighborhood Association
 300 – Terrell Lane Interceptor Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 499 – Park Ridge Owners Association 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District
 948 – South by Southeast Neighborhood Organization

SCHOOLS:

Williams Elementary School Bedichek Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0171 (The Grove at Southpark Meadows)	I-RR; LO-CO, CS-CO to GR-MU-CO for Tracts 1 and 2, SF-6 for Tract 3; SF-6-CO for Tract 4; GR-CO for Tract 5	To Grant GR-MU-CO for Tracts 1 and 2; SF-6 for Tract 3; SF-6-CO for Tract 4 and GR-CO for Tract 5, with additional prohibited uses and LR development standards,	Approved GR-MU-CO for Tracts 1 and 2, SF-6 for Tract 3 and GR-CO for Tract 5 as ZAP recommended, SF-4A for Tract 4. A Restrictive Covenant for the Traffic Impact

		and the conditions of the Traffic Analysis with additional turning movements allowed	Analysis (5-18-06).
C14-05-0002 (Quick Tract)	RR to CS	Approved GR-CO with CO for list of prohibited and conditional uses. Restrictive Covenant for the Traffic Impact Analysis	Approved GR-CO as recommended by ZAP. Restrictive Covenant is for the TIA (3-10-05).
C14-04-0075 (Southpark Meadows)	LO-CO; CS-1-CO to GR-CO	To Grant GR-CO with conditions of the TIA	Approved GR-CO with a Restrictive Covenant for the TIA, as recommended by ZAP (10-21-04)
C14-99-0129 (RCT)	To Terminate the Restrictive Covenant which addresses the discontinuance of a cocktail lounge use.	To Grant a Termination of the Restrictive Covenant	Approved a Termination of the Restrictive Covenant (10-21-04).
C14-04-0037 (Slaughter @ Cullen Commercial)	RR to GR	To Grant GR-CO with a list of prohibited uses and conditions of the TIA (7-20-04)	Approved GR-CO with CO for a list of prohibited and conditional uses, the Restrictive Covenant is for the TIA (8-26-04).
C14-03-0066 (Wal-mart: IH-35 and Slaughter Lane)	RR; SF-2; LI-CO, CS-CO and CS to GR	To Grant GR-CO with conditions of the TIA	Approved GR-CO with CO provide a 6' fence and landscaping along Cullen Lane; 2) direct all traffic south on Cullen Lane by way of limited function driveways onto Cullen Lane that allow right-in and left-out movements only, 3) the use of shielded / hooded lights throughout the site, and, 4) a list of prohibited uses and one accessory use

			The Restrictive Covenant is for the TIA memorandum and an Integrated Pest Management (IPM) Plan and a landscape plan for the use of native and adapted plant materials (10-30-03)
--	--	--	---

RELATED CASES:

The property is platted as Lot 4 of the Southpark Meadows Subdivision, recorded in August 2006 (C8-05-0267 0A) The Southpark Meadows Shopping Center Site Plan is presently under City review (SP-05-0568C). Please refer to Exhibits B and C

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Slaughter Lane	120 feet	2 @ 38 feet	Major Arterial	Yes	Yes	Priority 2

CITY COUNCIL DATE: October 19, 2006

ACTION: Approved a Postponement to November 2, 2006 (7-0).

November 2, 2006

ORDINANCE READINGS: 1st

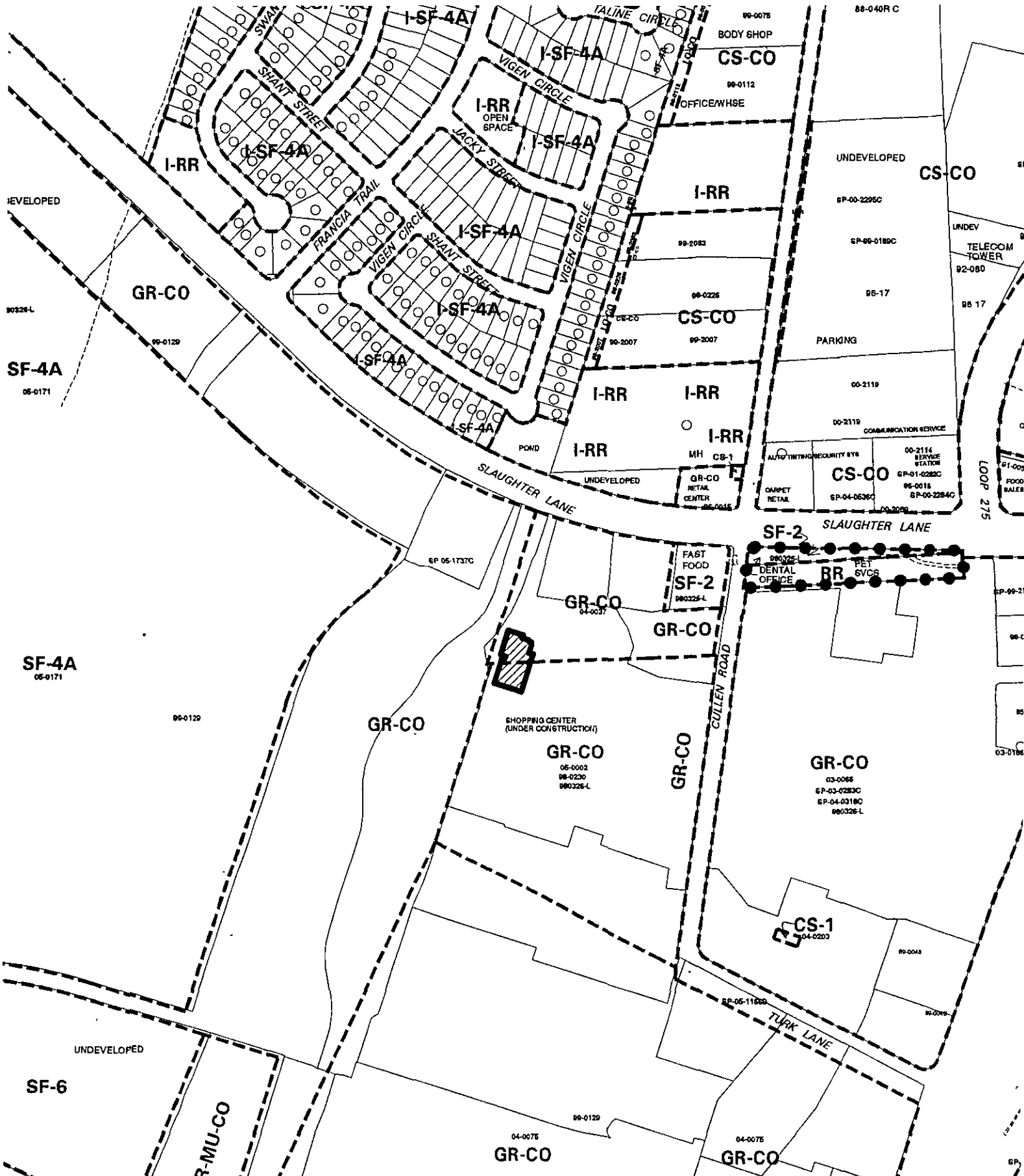
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Walsh
e-mail wendy.walsh@ci.austin.tx.us

PHONE: 974-7719

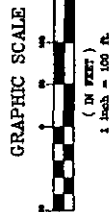


 1" = 400'	SUBJECT TRACT	 	ZONING EXHIBIT A		CITY GRID REFERENCE NUMBER F13
	PENDING CASE				
	ZONING BOUNDARY		CASE #: C14-06-0161	DATE: 06-10	
	CASE MGR: W. WALSH		ADDRESS: 9200 - 9250 CULLEN LN SUBJECT AREA (acres): 0.357	INTLS: SM	

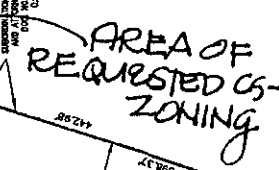


A REBUDIVISION OF LOT 2, BLAUGHTER • CULLEN COMMERCIAL, LOTS 12, 14 AND 16, TOWN OF DUNDAS, SUBDIVISION AND 256.978 ACRES OWNED BY SP. MEADOWS CENTRAL, LTD. AND 112.865 ACRES OWNED BY ABEL J. AND MARY ANN THERIOT FAMILY LIMITED PARTNERSHIP

256.976 ACRES OWNED BY SP MEADOWS CENTRAL, LTD. AND 12.655 ACRES OWNED BY ABEL J. AND MARY ANN THERIOT FAMILY LIMITED PARTNERSHIP



GRAPHIC SCALE
(IN FEET)
1 inch = 100 ft.



AREA OF REQUESTED ZONING

RESUBDIVISION OF LOTS 1 AND 2,
SLAUGHTER / IH35 COMMERCIAL
DOC. NO 200400105 O.P.R.C.

C8-05-0267.0A

SUBMITTAL DATE: - 01/10/2006

٥

3103 Bee Cave Road, Suite 202
Austin, Texas 78746-6819
Tel.: (512) 327-2946
Fax: (512) 327-2973

DATE, DECEMBER 2005	PROJECT NO. 2771007
---------------------	---------------------

DRAWN BY: BW

FILE 380 AC FINAL PLAT

20040268

EXHIBIT B
RECORDED PLAT

SKETCH TO ACCOMPANY DESCRIPTION

21,786 SQ. FT. TRACT
SHEET 1 OF 2

ROADWAY DEDICATION
PARCEL # 57
TRAVIS COUNTY
VOL. 11553 PG. 208 R.P.R.T.C.

SLAUGHTER LANE WEST
(120' R.O.W.)

ROADWAY DEDICATION
PARCEL # 58
TRAVIS COUNTY
VOL. 10890 PG. 310 R.P.R.T.C.

SCALE 1" = 100'

S.F. SLAUGHTER LEAGUE SURVEY NO. 7
ABSTRACT NO. 20

SP MEADOWS CENTRAL, LTD.
(30.300 ACRES)
DOC. NO. 2005106430
O.P.R.T.C.

SLAUGHTER LANE COMMERCIAL
VOL. 99 PG. 144 R.P.R.T.C.

SP MEADOWS CENTRAL, LTD.
DOC. NO. 2005075470 O.P.R.T.C.

RETAIL 19
28,565
FFE= 683.50

LOT 12

SP MEADOWS CENTRAL, LTD.
DOC. NO. 2005106994
O.P.R.T.C.

TOM F. DONNAHOO SUBDIVISION
VOL. 683 PG. 1
D.R.T.C.

RETAIL 18
44,945
FFE= 649.00

LOT 14

CA
Cunningham | Allen
Engineers • Surveyors

3103 Bee Cave Road, Suite 202

Austin, Texas 78746-6819

Tel: (512) 817-2945

(512) 817-2973

BEARING REFERENCE: GRID NORTH,
TEXAS STATE PLANE COORDINATE
SYSTEM NAD83 (CORS) CENTRAL
ZONE.

REFERENCE IS HEREIN MADE TO THE
METES AND BOUNDS DESCRIPTION TO
ACCOMPANY THIS SKETCH.

© COPYRIGHT 2006 CUNNINGHAM-ALLEN, INC.

CLIENT: ENDEAVOR REAL ESTATE GROUP OFFICE: 174

PROJ #: 277.1003

EXHIBIT C
SITE PLAN IN PROCESS

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant commercial – liquor sales (CS-1) district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The commercial – liquor sales (CS-1) zoning district is intended 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.

2. *Zoning changes should promote compatibility with adjacent and nearby uses*

Staff recommends CS-1 zoning, based on the following considerations: 1) the proposed use is compatible with the surrounding uses within the retail center and its corresponding GR-CO zoning; 2) it is separated from the nearest residential neighborhood by a major arterial; and, 3) access will be taken to two major arterial roadways and two collector streets

EXISTING CONDITIONS**Site Characteristics**

The site is undeveloped and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the CS-1 zoning district would be 80% based on the more restrictive watershed regulations

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. 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 Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%

Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

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

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: 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 3,957 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 proposed 5,861sf drinking place will generate approximately 670 vehicle trips per day.

The traffic impact analysis for this site was waived because this site is limited to the findings in the traffic impact analyses that were completed under zoning cases C14-04-0037 and C14-05-0002.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and relocation. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated applicable City fees.

Site Plan and Compatibility Standards

A cocktail lounge will also require a conditional use permit. Compatibility may be triggered to the north. There is a site plan currently approved for this property (SP-05-0568C) which provides for general retail uses, along with associated parking and drainage facilities.

September 5, 2006

Ms. Wendy Walsh
Zoning and Platting Commission
One Texas Center
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Re: Southpark Meadows
Case Number C14-06-0161
Hearing Date: September 5, 2006 6 00 p.m.

Dear Ms. Walsh:

The Park Ridge Owners' Association, Inc. has just learned that information may exist that is necessary to its successful opposition to the above-referenced rezoning issue. We do not feel that we have sufficient time to present this matter at the hearing scheduled for today. Therefore, we respectfully request that the hearing be rescheduled to allow time for the investigation into this information. We would appreciate it if you would consent to this request by having the appropriate person sign below and return a copy of this letter to us by facsimile at (512) 457-7001. *to 9/19/06*

Please feel free to call me at (512) 457-7095 with any questions. As always, thank you for your assistance in this matter.

Sincerely,

PARK RIDGE HOMEOWNERS' ASSOCIATION

Susan Hambright

By: _____
Susan Hambright, President

AGREED

CITY OF AUSTIN
ZONING & PLATTING COMMISSION

By _____
Its _____

Dated. _____

PUBLIC HEARING INFORMATION

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During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website.

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Susan Hambright President Park Ridge

Your Name (please print)

Park Ridge

Your address(es) affected by this application

8-28-16

Signature

Date

Comments: Park Ridge objects to this

rezone effort. In discussions and

meetings with Park Ridge in 2003 and 2004

endeavor undertaken that Park Ridge

objected to has been located near

our Subdividing. Endeavor met with

our City Council on July 15, 2006 and the

majority of homeowners at that meeting

wished to oppose this rezoning

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78762-9810

www.ci.austin.tx.us/development

~~Austin TV 78767 9910~~

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☒ I object

BRUCE A. SCHRAEDER

Your Name (please print)

9001 FRANKIA TRAIL

Your address(es) affected by this application

[Signature] 9.4.06

Signature

Date

Comments: THE REZONING IS OUTSIDE OF THE CONDOMINIUM OVERLAYS THAT WERE PUT IN PLACE PRIOR TO DEVELOPMENT OF THIS PROPERTY BY ENDORSEMENT. OUR NEIGHBORHOOD ASSOCIATION HAS MET WITH ENDORSEMENT AND WE HAVE VOICED OUR OPPOSITION TO THIS REQUEST FOR REZONING. IT IS NOT COMPATIBLE WITH OUR NEIGHBORHOOD OR FUTURE HOMES SCHEDULED TO BE BUILT ADJACENT TO THE PROPERTY.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Sandra Torres Williams

Your Name (please print)

8905 Swanson Lane

Your address(es) affected by this application

Sandra Torres Williams

Signature

8-31-2006

Date

Comments:

This kind of establishment should not be built so close to a neighborhood because traffic, drunk driving, vandalism, theft and noise will increase.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Robert Williams

Your Name (please print)

3305 Swanson Ln Austin TX 78742

Your address(es) affected by this application

Robert Williams 5300

Signature

Date

Comments: I oppose the rezoning.

based on previous rezoning and

Crime

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☐ I object

David Dapunt
Your Name (please print)

9120 Swenson LA 78748

Your address(es) affected by this application

David Dapunt *9/2/6*
Signature Date

Comments: *Opposed due to nature of proposed establishments.*

If you use this form to comment, it may be returned to
City of Austin
Neighborhood Planning and Zoning Department
Wendy Walsh
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting Commission

☐ I am in favor
☒ I object

Jim Hannon
Your Name (please print)

9124 VILLENOR
Your address(es) affected by this application

9/2/06
Date

Signature

Comments

If you use this form to comment, it may be returned to
City of Austin
Neighborhood Planning and Zoning Department
Wendy Walsh
P O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Brenda Siler

Your Name (please print)

8837 Talier Circle

Your address(es) affected by this application

[Signature]

Signature

9/4

Date

Comments:

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City of Austin
Neighborhood Planning and Zoning Department
Wendy Walsh
P O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☒ object

JENNIFER HANSEN
 Your Name (please print)

8704 TAINE CIRCLE
 Your address(es) affected by this application

Signature

9/3/06
 Date

Comments

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

DONALD R. JONES

Your Name (please print)

8821 TALINE CIR

Your address(es) affected by this application

Donald R. Jones

Signature

Date

9/3/06

Comments

☐ I am in favor
☒ I object

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Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☒ I object

MARY D JONES
 Your Name (please print)

8821 TALINE CIR AUSTIN TX 78746
 Your address(es) affected by this application

Mary D Jones
 Signature

Date

Comments

If you use this form to comment, it may be returned to
 City of Austin
 Neighborhood Planning and Zoning Department
 Wendy Walsh
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☒ I object

SHERY BOX

Your Name (please print)

5700 TALINE CIRCLE

Your address(es) affected by this application

Sherry Box

Signature

9-3-06

Date

Comments

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City of Austin
Neighborhood Planning and Zoning Department
Wendy Walsh
P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-06-0161
 Contact: Wendy Walsh, (512) 974-7719
 Public Hearing:
 September 5, 2006 Zoning and Platting
 Commission

☐ I am in favor
☒ Object

Renee Sellers
 Your Name (please print)
8825 Taline Circle
 Your Address(es) affected by this application

Heeli
 Signature
9/4/06
 Date

Comments

If you use this form to comment, it may be returned to:
 City of Austin
 Neighborhood Planning and Zoning Department
 Wendy Walsh
 P. O. Box 1088
 Austin, TX 78767-8810

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Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☒ I object

Your Name (please print)
 Janet O'Hier

Your address(es) affected by this application
 2037 Tawne Circle

Signature
 [Signature]

Date
 4 Sept 06

Comments

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City of Austin
 Neighborhood Planning and Zoning Department
 Wendy Walsh
 P O. Box 1088

Austin, TX 78767-9810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☒ Object

Denice Shaffer

Your Name (please print)

8921 Taline Cir 78748

Your address(es) affected by this application

Den Shaffer

Signature

Date

89-4-06

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P O Box 1088

Austin, TX 78767-8810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☒ I object

J.D. Macias

Your Name (please print)

609 Swanson Cove, Austin, Tx 78748

Your address(es) affected by this application

JDM 8/29/06

Signature

Date

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-9910

By my signature below, I confirm that I am (1) a homeowner and resident of Park Ridge, and (2) opposed to the rezoning efforts by SP Meadows Central, Ltd. to rezone the property at 9200-9250 Cullen Lane from GR (Community Commercial District) to CS-1 (Commercial Liquor Sales District). CS-1 zoning is not compatible with a residential environment.

[illegible]

By my signature below, I confirm that I am (1) a homeowner and resident of Park Ridge, and (2) opposed to the rezoning efforts by SP Meadows Central, Ltd. to rezone the property at 9200-9250 Cullen Lane from GR (Community Commercial District) to CS-1 (Commercial Liquor Sales District). CS-1 zoning is not compatible with a residential environment

[illegible]

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☐ I object

Your Name (please print)
 CANDY J. WARRON

Your address(es) affected by this application
 8829 TINE CR. AUSTIN, TX 78748

Signature
 [Signature]
 Date
 9/4/06

Comments

If you use this form to comment, it may be returned to:
 City of Austin
 Neighborhood Planning and Zoning Department
 Wendy Walsh
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☐ I object

Walter Smith

Your Name (please print)

Your address(es) affected by this application

9205-
VICTOR CIRCLE Austin

Walter Smith Signature

Date

Comments

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P O Box 1088

Austin, TX 78767-8810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☐ I object

Mame Smith

Your Name (please print)

9303 VIGOR CIRCLE

Your address(es) affected by this application

Mame Smith

Signature

Date

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P O. Box 1088

Austin, TX 78767-9810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☐ I object

Your Name (please print)
Carmen Bauer

Your address(es) affected by this application
8705 Talie Cir Hqs TX 78748

Your address(es) affected by this application

Signature
Carmen Bauer

Date

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☐ I object

Karin Swenson (owner)
Your Name (please print)

2024 Taline Ct. Austin TX 78748
Your address(es) affected by this application

Karin Swenson
Signature

9/4/06
Date

Comments

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Neighborhood Planning and Zoning Department
Wendy Walsh
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☐ I am in favor
☐ I object

Alexandra Andrade
Your Name (please print)

2841 Talive Circle
Your address(es) affected by this application

Your address(es) affected by this application

9-4-06
Date

Signature

Comments

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City of Austin
Neighborhood Planning and Zoning Department
Wendy Walsh
P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

Wendy Walsh
Your Name (please print)

Franklin Trail

Your address(es) affected by this application

Rm 100

Signature

Date

8/26/06

Comments

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Walsh

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☐ I object

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Case Number: C14-06-0161

Contact: Wendy Walsh, (512) 974-7719

Public Hearing:

September 5, 2006 Zoning and Platting

Commission

☒ I am in favor
☐ I object

Levend Lewis
Your Name (please print)

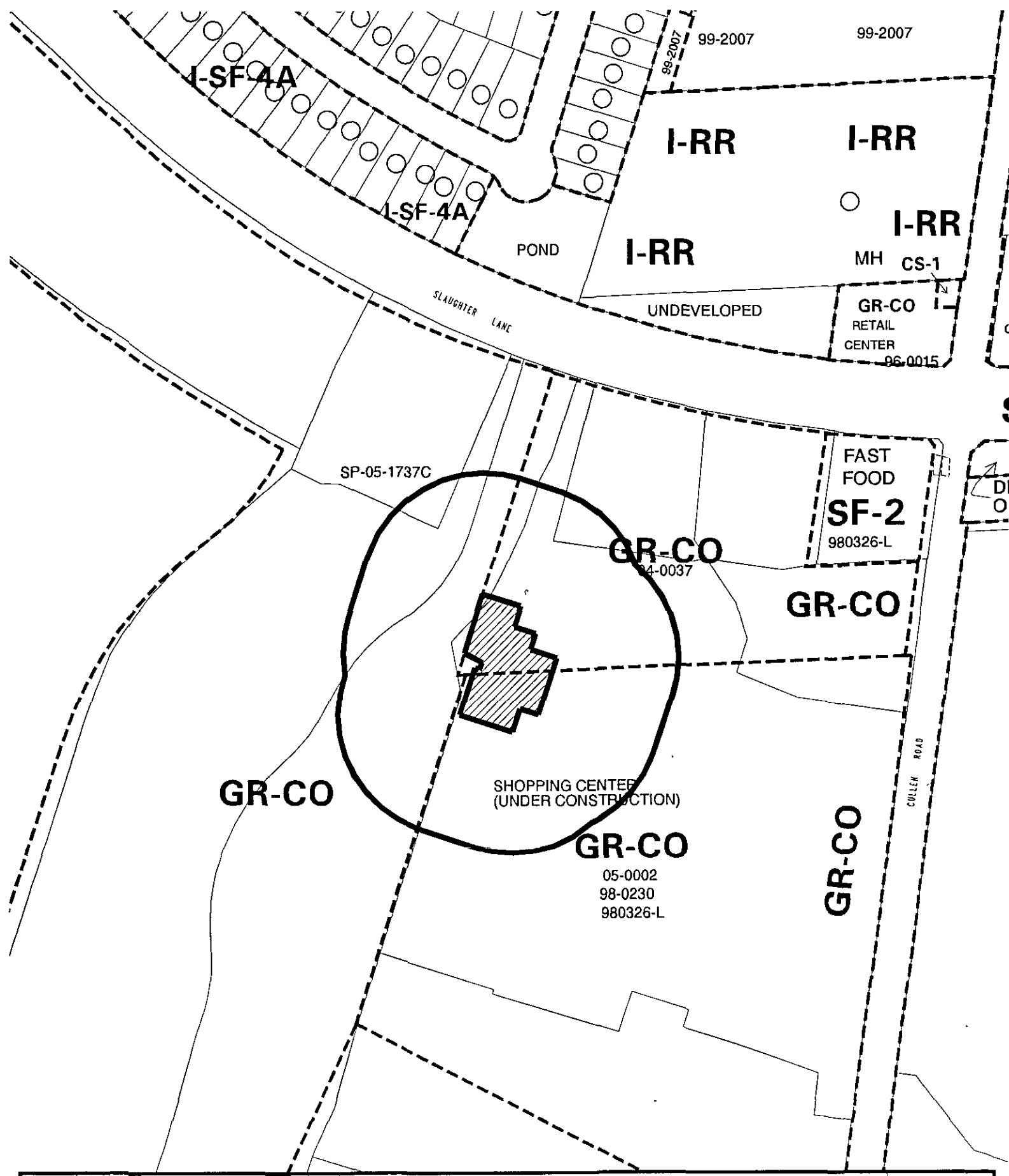
6712 Tilley Circle
Your address(es) affected by this application

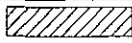
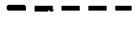
Levend Lewis
Signature

8-30-06
Date

Comments

If you use this form to comment, it may be returned to
City of Austin
Neighborhood Planning and Zoning Department
Wendy Walsh
P. O. Box 1088
Austin, TX 78767-8810



 1" = 200'	SUBJECT TRACT		PETITIONS CASE # C14-06-0161 ADDRESS 9200 - 9250 CULLEN LN SUBJECT AREA (acres) 0.500	DATE 06-09 INTLS SM	CITY GRID REFERENCE NUMBER F13
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR W WALSH				



Pacific Institute
FOR RESEARCH AND EVALUATION

PIRE

Translating Science into Practice

How Alcohol Outlets Affect Neighborhood Violence

Kathryn Stewart



Prevention Research Center
PACIFIC INSTITUTE FOR RESEARCH AND EVALUATION

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*Pacific Institute for Research and Evaluation is one
of the nation's preeminent independent, nonprofit
organizations merging scientific knowledge and
proven practice to create solutions that improve the
health, safety and well-being of individuals,
communities, nations, and the world*

Introduction

Neighborhoods where bars, restaurants and liquor and other stores that sell alcohol are close together suffer more frequent incidences of violence and other alcohol-related problems, according to recent research by the Prevention Research Center and others. The strong connection between alcohol and violence has been clear for a long time – but now we know that this connection also relates to the location of places that sell alcohol.

Government agencies with authority over land-use and/or liquor licenses can help fight crime and blight and improve quality of life by controlling licenses to sell alcohol and the location of licensees. Governments can make rules that set minimum distances between alcohol outlets; they can limit new licenses for areas that already have outlets too close together; they can stop issuing licenses when a particular location goes out of business; and they can permanently close outlets that repeatedly violate liquor laws.

This paper presents some of the questions and answers about alcohol sales outlets and alcohol problems – especially the relationship between outlet location and violence.

What is the relationship between outlet density and violence?

A number of studies have found that in and near neighborhoods where there is a high density of places that sell alcohol, there is a higher rate of violence. That is, when bars, liquor stores, and other businesses that sell alcohol are close together, more assaults and other violent crimes occur.

Some of the important findings about outlet density and violence are described below.

- In a study of Camden, New Jersey, neighborhoods with alcohol outlet density had more violent crime (including homicide, rape, assault, and robbery). This association was strong even when other neighborhood characteristics such as poverty and age of residents were taken into account.¹
- In a study of 74 cities in Los Angeles County, California, a higher density of alcohol outlets was associated with more violence, even when levels of unemployment, age, ethnic and racial characteristics and other community characteristics were taken into account.²
- In a six-year study of changes in numbers of alcohol outlets in 551 urban and rural zip code areas in California, an increase in the number of bars and off-premise places (e.g., liquor, convenience

and grocery stores) was related to an increase in the rate of violence. These effects were largest in poor, minority areas of the state, those areas already saturated with the greatest numbers of outlets.³

- Violence committed by youth was more common in minority neighborhoods where there are many outlets that sell alcohol for consumption off the premises (such as liquor and convenience stores).⁴ This finding makes sense because underage drinkers are more likely to purchase alcohol in a store than in a bar or restaurant.
- In neighborhoods where there are many outlets that sell high-alcohol beer and spirits, more violent assaults occur.⁵
- Large taverns and nightclubs and similar establishments that are primarily devoted to drinking have higher rates of assaults among customers.⁶

A larger number of alcohol outlets and a higher rate of violence might be expected in poorer neighborhoods or in neighborhoods with a larger population young people. But as the research described above shows, even when levels of poverty and the age and the ethnic background of residents are taken into account, a high density of outlets is strongly related to violence regardless of a neighborhood's economic, ethnic or age status.

All of the characteristics of alcohol outlet location can be important. It is easy to see that a town with many bars, restaurants, and stores that sell alcohol could be different from one that has fewer outlets. It is also easy to see that a neighborhood that has a bar on each corner and a liquor store on each block has a completely different environment than one that has few outlets or none at all. Other characteristics of the environment make a difference, too. For example, a strip of bars near a college campus presents a different environment from a similar density of bars in an upscale city center and also different from a similar density in a poor neighborhood. But in each case, some form of increased violence would be expected as compared to comparable areas with fewer alcohol outlets. A study of changes in outlet density over time as related to violence in California found that regardless of other neighborhood characteristics, an increase in outlets increased violence. In neighborhoods with a high minority population and low incomes, the effect was more than four times greater than for the statewide sample of communities.

What accounts for the relationship between outlet density and violence?

The research that has been done so far cannot pinpoint exactly why having more outlets in a small area seems to result in more violence. Various explanations have been proposed. One is that alcohol outlets can be a source of social disorder. A liquor store parking lot full of people drinking in their cars or on the curb and broken bottles littering the area outside a bar may send a message that this is a neighborhood in which normal rules about orderly behavior are not enforced. Another possible explanation is that a neighborhood with a large number of outlets acts as a magnet for people who are more inclined to be violent or more vulnerable to being assaulted. It is also possible that a high number of outlets results in a large number of people under the influence of alcohol – which makes them both more likely to be violent and less able to defend themselves.⁷ It is most probable that all of these factors come into play.

What is the relationship of outlet density to other alcohol problems?

The density of alcohol outlets has also been found to be related to other alcohol problems such as drinking and driving, higher rates of motor vehicle-related pedestrian injuries, and child abuse and neglect.⁸⁹

How do governments regulate outlet density?

States and communities can regulate the number of bars, restaurants, and stores that sell alcohol in a given area. Sometimes the number and location of alcohol outlets is not limited at all. In some jurisdictions, the number of alcohol outlets is limited based on the population of the area – only so many outlets per thousand residents, for example. In other cases, the location of outlets is regulated – for example, some states or communities set minimum distances from schools or churches. Research increasingly finds, however, that geographic density is the key aspect of outlet location – that is, the distance between outlets. Where over-concentrations of outlets occur, greater problems arise.

Governments can use their regulatory powers to reduce violence by:

- Making rules that set minimum distances between alcohol outlets,
- Limiting new licenses for areas that already have outlets too close together,
- Not issuing a new license when a particular location goes out of business;
- Permanently closing outlets that repeatedly violate liquor laws (such as by selling alcohol to minors or to intoxicated persons or allowing illicit drug sales or prostitution on the premises)

What implications do these findings have for state and local licensing policies?

The research strongly suggests that limits on outlet density may be an effective means of reducing alcohol problems, especially violence. States and communities can use controls on the number and location of alcohol outlets as a tool for reducing violence, creating a safer and healthier alcohol environment, and improving the quality of life of a community.

What other alcohol policies are important?

Alcohol is a legal and widely consumed commodity; but it is also a commodity that can create a variety of serious health and social problems. Alcohol policies are an important tool for preventing these problems. Every day, states and communities make decisions about the sale of alcohol: who can sell it, when and where it can be sold, who it can be sold to. State and local laws and policies control many aspects of the system by which alcohol is manufactured, marketed, sold, purchased, and consumed.

Regulations serve a variety of purposes, for example, they help ensure that tax revenues are collected. But the regulation of the business of selling alcohol goes beyond economic concerns. Each element of the regulatory system provides opportunities for creating a healthier social environment with respect to alcohol. For example, regulations can prevent unsafe sales practices – such as prohibiting all-you-can-drink specials that encourage intoxication. Regulations can control advertising and promotion that appeals to minors and establish the minimum age and training qualifications for people who sell and serve alcohol. Each type of regulation has the potential to ensure that alcohol is consumed in a safe and healthy manner.

What aspects of alcohol availability can be regulated?

The regulation of alcohol sales can have an impact on the availability of alcohol – that is, how easy and convenient it is to buy. Some states and communities try to make alcohol less available by selling it only in limited places – for example, state liquor stores. Other communities sell it more freely – making it available in grocery stores, convenience stores, gas stations, laundromats, drive-through windows, and so forth. States and communities can also limit the hours and days of sale, and other aspects of the conditions of sale. The regulation of availability is important because research generally shows that when alcohol is more easily available, people drink more and more alcohol problems occur.

References

- ¹ Gorman D , Speer P , Gruenewald, P., and Labouvie, E (2001) *Journal of Studies on Alcohol*, 62 628-636
- ² Scribner, R. et al. (1995) The risk of assaultive violence and alcohol availability in LA County, *American Journal of Public Health*, 85 335-340
- ³ Gruenewald, P J. and Remer, L. Changes in outlet densities affect violence rates. In review, *Alcoholism Clinical and Experimental Research*, 2004
- ⁴ Alaniz, M , Cartmill, R , and Parker, R (1998) Immigrants and violence, *Hispanic Journal of Behavioral Sciences*, 20, 155-174
- ⁵ Stevenson, R , Lind., B. and Weatherburn, D (1999) The relationship between alcohol sales and assault in New South Wales, Australia, *Addiction*, 94(3) 397-410
- ⁶ Stockwell, T et al. (1992) Levels of drunkenness of customers leaving licensed premises in Perth, Western Australia a comparison of high and low "risk" premises *British Journal of Addiction*, 87 873-881
- ⁷ Gorman, et al (2001).
- ⁸ Freisthler, B , Midanik, L T and Gruenewald, P J Alcohol outlets and child physical abuse and neglect Applying routine activities theory to the study of child maltreatment *Journal of Studies on Alcohol*, 65, 586-592, 2004
- ⁹ Stockwell, T and Gruenewald P (2001) Controls on Physical Availability of Alcohol, in Heather, N., Peters T , and Stockwell, T (eds), *International Handbook of Alcohol Dependence and Problems*, John Wiley and Sons, Ltd.

- 10. Rezoning:** **C14-06-0135 - Private Mini Storage**
Location: 604 and 700 Corral Lane; 7116 South IH-35 Service Road
 Southbound, South Boggy Creek Watershed
Owner/Applicant: Amy Trost and Christopher Masey; DL Case Investments, Inc. (Daniel Case)
Agent: Lopez-Phelps & Associates, L.L.C. (Amelia Lopez-Phelps)
Postponements: Postponed on 8/1/06 (staff & applicant), Continued on 8/15/06 (ZAP);
 Postponed on 9/5/06 (neighborhood)
Request: SF-2; SF-3 to CS
Staff Rec.: **Not recommended.**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
 Neighborhood Planning & Zoning Department

POSTPONED TO 10/03/06 (APPLICANT)

[J.GOHIL, T.RABAGO 2ND] (5-2) S.HALE, B.BAKER – NAY; J.PINNELLI, J.MARTINEZ – ABSENT

- 11. Rezoning:** **C14-06-0161 - Southpark Meadows Building 19**
Location: 9200 - 9250 Cullen Lane, Slaughter Creek Watershed
Owner/Applicant: SP Meadows Central, Ltd. (Andy Pastor)
Agent: Cunningham-Allen, Inc (Jana Rice)
Postponements: Postponed on 9/5/06 (neighborhood)
Request: GR-CO to CS-1
Staff Rec.: **Recommended**
Staff: Wendy Walsh, 974-7719, wendy.walsh@ci.austin.tx.us
 Neighborhood Planning and Zoning Department

APPROVED STAFF'S RECOMMENDATION OF CS-1 DISTRICT ZONING FOR 15,534 SQUARE FEET.

[K.JACKSON, C.HAMMOND 2ND] (5-2) B.BAKER, J.SHIEH – NAY; J.MARTINEZ, J.PINNELLI – ABSENT

SUMMARY

Wendy Walsh, staff, gave staff presentation.

Commissioner Baker – This is footprint zoning only and 21,000 square feet; is that all for CS-1 zoning?

Ms. Walsh – It's for CS-1, it includes the building plus the surrounding area to meet parking requirements.

Richard Suttle – This was once 21-acres and all zoned CS-1 when it was the South Park Meadows concert facility. This footprint zoning is in a building that is already site planned, it's an end of a building, parking plus some outdoor seating. Should you decide whether this is an appropriate use, it is 15,534 feet; it's part of the 400-acre mixed use development at South Park, which would include retail, office, restaurant and other uses. This site is over 500-feet from the

nearest residence; we have a major arterial separating us from the nearest single-family house. This is a large mixed use project and we're asking to add another use.

FAVOR

No Speakers.

OPPOSITION

Jim Hannaman – Park Ridge Homeowners Association – Spoke against the rezoning This does not need to be in there; we have students nearby and this will be a big nuisance to South Austin.

Commissioner Baker – Assuming that the CS-1 zoning is granted; what do you think would be an appropriate size?

Mr. Hannaman – My house is 1,700 square feet, that size there would be appropriate, but my personal opinion would be about a square centimeter; really I don't want a bar that close to my house because I don't see any benefit for anyone who lives in the area.

Commissioner Rabago – Do you know of any other sites in that area that serves liquor?

Mr. Hannaman – A restaurant is another thing, I don't have a problem with an Applebee's; somewhere that serves meals and that is the primary purpose; but I have a problem with a business whose primary purpose is to serve alcohol

Commissioner Hammond – Will they be serving food?

Mr. Suttle – They have some, but there's a restaurant next door and then there's a Woodrow's next to that restaurant. By the way, this is beer and wine only; there is no hard liquor.

Commissioner Hammond – So is the 9,000 square foot outdoor patio, correct?

Mr. Suttle – Actually, the outdoor area is roughly 12,000 square feet; the indoor area is roughly 3,534 square feet.

Susan Hambricht, President of Park Ridge Homeowner's Association – Spoke in opposition. We have no need for a bar in our neighborhood; all this is going to do is put drunk drivers on the roads, we ask that you say no to this request

David Dupont, resident – Spoke in opposition.

Commissioner Baker – How would people cut through your neighborhood?

Mr. Dupont – Slaughter Lane passes our neighborhood on the south side and there's a large boulevard that subdivides the Park Ridge Subdivision to an east and the west.

Commissioner Baker – There isn't a street near this bar that goes through to Slaughter, towards your neighborhood, is there?

Mr. Dupont – Slaughter Lane will lead to Francia.

Commissioner Hammond – There's already a number of bars and restaurant type of operations within the scope of the whole development, correct?

Mr. Dupont – Yes.

Commissioner Hammond – So it this a site issue or a concern about having a bar operation or sport bar? What is the biggest issue for your neighborhood?

Mr. Dupont – The biggest issue is proximity; the farther away from our neighborhood, the better.

There was discussion between the Commission and neighbors regarding the discussions that took place between the neighborhood and the applicant.

Commissioner Hammond – Is Endeavor doing a good job with this development?

Mrs. Hagbright – Yes they are.

Denice Shaffer – Spoke in opposition; stated that she prefers more residential in the area, rather than commercial.

Commissioner Hammond – I'll ask you the same question, has Endeavor done a good job in their overall development?

Ms. Shaffer – Yes; everything has been convenient, but it's coming toward our neighborhood.

Betty Edgemon – Spoke in opposition We have enough bars in South Austin, we do not need anymore

REBUTAL

Richard Suttle – A cocktail Lounge is still a legal use in Austin, Texas, we just have to determine where they are okay. Our proposal on this use is that all sound ordinances, light ordinances, all compatibility standards, landscape and buffering will be adhered to; we're not in close vicinity to any homes It's in the middle of 400-acre, mixed use development that would have up to 16 million square feet of commercial uses If we can't have it in the middle of one of the biggest mixed use projects in Austin, at the intersection of two of the largest roads in Austin; then where could you do it?

Commissioner Shieh – Has the applicant looked at other sites for this type of project?

Mr. Suttle – The problem is, there are restaurants with a playscape on the other side of the whole project, so it was determined to slide this away from that area. It is also surrounded by GR uses, so it seemed to be a better location.

Commissioner Rabago – What will be the hours of operation?

Mr. Suttle – It's State mandated that we can't stay open later than 2:00 a.m. My understanding is that they will be seeking a late hour permit, which means that it can be open later than midnight; with that comes the sound ordinance and other ordinances that protect the neighborhood

Commissioners Hale and Rabago moved to close the public hearing

MOTION

Commissioner Jackson – I'll make a motion to approve the CS-1 zoning for 15,534 square feet.

Commissioner Hammond – I'll second for discussion purposes.

Commissioner Jackson – This area is going to be one of the largest commercial/retail areas in town; this represents 1 ½ % of the projected retail space at this site. It's in commercial, it's surrounded by commercial; it's several hundred feet away from the major thoroughfare and several hundred feet away from the nearest residential structure. The closest residential would be the residential that will be built in this area, but that residential will be built after this use exist, so the people that move into that area will know that this use exist. I think this makes sense.

Commissioner Hammond – I'm sensitive to the neighborhood's concerns. What I thought was important for this area was to have more local businesses in this development, not that I'm cheerleading for this type of project, but I think that what Mr. Jackson said, it has some validity. I know that the neighbors are very concerned about this bar and others coming in, but I'm hoping that the developer will have some sense of proportion with any other projects like these that will be coming along.

Commissioner Baker – I am opposed to the motion.

Commissioner Shieh – So am I.

Motion carried. (6-2)

October 9, 2006

Ms. Wendy Walsh
Neighborhood Planning and Zoning Department
One Texas Center
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Re Southpark Meadows
Case Number C14-06-0161
Hearing Date: October 19, 4:00 p.m.

Dear Wendy:

The Park Ridge Owners' Association, Inc. respectfully requests a postponement of the above-referenced rezoning issue from October 19, 2006 to November 16, 2006, as the October 19 hearing date presents conflicts for board members and other interested parties. We would appreciate it if you would consent to this request by having the appropriate person sign below and return a copy of this letter to us by fax at (512) 457-7001

Please feel free to call me at (512) 914-2094 with any questions. As always, thank you for your assistance in this matter.

Sincerely,

PARK RIDGE HOMEOWNERS' ASSOCIATION

Susan Hambright

By: _____
Susan Hambright, President

AGREED.

CITY OF AUSTIN

By _____
Its _____

Dated: _____

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 9200-9250 CULLEN LANE FROM COMMUNITY
3 COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT
4 TO COMMERCIAL-LIQUOR SALES (CS-1) DISTRICT.
5

6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
7

8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from community commercial-conditional overlay (GR-CO)
10 combining district to commercial-liquor sales (CS-1) district on the property described in
11 Zoning Case No. C14-06-0161, on file at the Neighborhood Planning and Zoning
12 Department, as follows:
13

14 A 0.357 acre (15,534 square feet) tract of land, more or less, out of the S.F.
15 Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of
16 land being more particularly described by metes and bounds in Exhibit "A"
17 incorporated into this ordinance,
18

19 locally known as 9200-9250 Cullen Lane, in the City of Austin, Travis County, Texas, and
20 generally identified in the map attached as Exhibit "B".
21

22 **PART 2.** This ordinance takes effect on _____, 2006.
23
24

25 **PASSED AND APPROVED:**
26

27 §
28 §
29 _____, 2006 § _____
30

31 Will Wynn
32 Mayor
33

34 **APPROVED:** _____ **ATTEST:** _____
35 David Allan Smith Shirley A. Gentry
36 City Attorney City Clerk

DESCRIPTION

DESCRIPTION OF 15,534 SQUARE FEET OR 0.357 OF ONE ACRE OF LAND SITUATED IN THE S F SLAUGHTER LEAGUE SURVEY NO 1, ABSTRACT NO 20, IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 4, BLOCK "A", SOUTHPARK MEADOWS SUBDIVISION, A RESUBDIVISION OF LOT 2, SLAUGHTER @ CULLEN COMMERCIAL, LOTS 12, 14 AND 16, TOM F DUNNAHOO SUBDIVISION, AND 256.975 ACRES OWNED BY SP MEADOWS CENTRAL, LTD, AND 112.855 ACRES OWNED BY ABEL J AND MARY ANN THERIOT FAMILY LIMITED PARTNERSHIP, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT NO 200600268 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND ALSO BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO SP MEADOWS CENTRAL, LTD, OF RECORD IN DOCUMENT NO 2005075471 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO SP MEADOWS CENTRAL, LTD OF RECORD IN DOCUMENT NO 2005105994 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 15,534 SQUARE FEET OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

COMMENCING at a 1/2 inch rod with cap (Bury and Partners) found for the southwest corner of Lot 1, Block "A" of said Southpark Meadows Subdivision and an interior ell corner of said Lot 4, from which a 1/2 inch iron rod with cap (Bury and Partners) found in the north line of said Southpark Meadows Subdivision, the curving south right-of-way line of Slaughter Lane West (120' R O W), and being the south line of that certain Roadway Dedication described as Parcel No 58 to Travis County, Texas, of record in Volume 10890, Page 310 of the Real Property Records of Travis County, Texas, for the northwest corner of said Lot 1 and the northernmost northeast corner of said Lot 4, bears N14°36'50"E a distance of 273.02 feet,

THENCE over and across said Lot 4, S38°51'07"W a distance of 143.50 feet to a point for the northwest corner and POINT OF BEGINNING of the herein described tract,

THENCE continuing over and across said Lot 4, the following thirteen (13) courses and distances

- 1 S72°27'10"E a distance of 50.14 feet to a point for the northernmost northeast corner of the herein described tract,

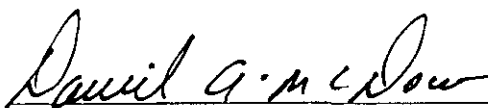
- 2 S17°35'51"W a distance of 8 84 feet to a point,
- 3 S72°24'09"E a distance of 21 56 feet to a point at the beginning of a curve to the right,
- 4 With said curve to the right an arc distance of 23 55 feet, having a radius of 15 00 feet, a central angle of 89°56'59", and a chord which bears S27°25'40"E a distance of 21 20 feet to a point,
- 5 S17°32'50"W a distance of 23 11 feet to a point,
- 6 S72°27'10"E a distance of 14 52 feet to a point for the easternmost northeast corner of the herein described tract,
- 7 S17°32'50"W a distance of 125 48 feet to a point for the southeast corner of the herein described tract,
- 8 N72°27'06"W a distance of 93 18 feet to a point for the southwest corner of the herein described tract, from which a 1/2 inch iron rod with cap set in the west line of said Lot 4 and an east line of Lot 29, Block "A" of said Southpark Meadows Subdivision, bears N48°51'16"W a distance of 27 28 feet,
- 9 N17°32'54"E a distance of 80 53 feet to a point,
- 10 S63°23'47"E a distance of 7 23 feet to a point,
- 11 N26°36'13"E a distance of 13 00 feet to a point,
- 12 N63°23'47"W a distance of 17 42 feet to a point,
- 13 N17°32'50"E a distance of 77 47 feet to the POINT OF BEGINNING, containing 15,534 square feet of land, more or less, within these metes and bounds

Reference is herein made to the sketch accompanying this metes and bounds description

Bearing Reference Grid North, Texas State Plane coordinate system NAD83 (CORS) Central Zone

I hereby certify that this description was prepared from the results of a survey made on the ground under my supervision

CUNNINGHAM-ALLEN, INC



David A McDow
Registered Professional Land Surveyor No 5908
Date 09/27/06



SKETCH TO ACCOMPANY DESCRIPTION

15,534 SQ. FT. TRACT
SHEET 1 OF 2

ROADWAY DEDICATION
PARCEL # 57
TRAVIS COUNTY
VOL. 11553 PG. 208 R.P.R.T.C.

SLAUGHTER LANE WEST
(120' R.O.W.)

ROADWAY DEDICATION
PARCEL # 58
TRAVIS COUNTY
VOL. 10890 PG. 310 R.P.R.T.C.

SCALE 1" = 100'

LOT 31
BLOCK A

S.F. SLAUGHTER LEAGUE SURVEY NO. 1
ABSTRACT NO. 20

SP MEADOWS CENTRAL, LTD.
(30.300 ACRES)
DOC. NO. 2005106430
O.P.R.T.C.

LOT 28
BLOCK A

LOT 29

LOT 1
BLOCK A

W/CAP
(BURY & PARTNERS)

P.O.C. SP MEADOWS CENTRAL, LTD.
DOC. NO. 2005075471 O.P.R.T.C.

P.O.B.

DEED LINE

LOT 4
BLOCK A

SP MEADOWS CENTRAL, LTD.
DOC. NO. 2005105994
O.P.R.T.C.

BEARING REFERENCE: GRID NORTH,
TEXAS STATE PLANE COORDINATE
SYSTEM NAD83 (CORS) CENTRAL
ZONE.

REFERENCE IS HEREIN MADE TO THE
METES AND BOUNDS DESCRIPTION TO
ACCOMPANY THIS SKETCH.

SOUTHPARK MEADOWS SUBDIVISION
A RESUBDIVISION OF LOT 2, SLAUGHTER & CULLEN COMMERCIAL;
LOTS 12, 14 AND 16, TOM F. DUNNAHOO SUBDIVISION; AND
256.975 ACRES OWNED BY SP MEADOWS CENTRAL, LTD., AND
112.855 ACRES OWNED BY ABEL J. AND MARY ANN THERIOT
FAMILY LIMITED PARTNERSHIP
DOC. NO. 200600268 O.P.R.T.C.

CA

Cunningham | Allen

Engineers • Surveyors

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Austin, Texas 78746-6819

Tel (512) 327-2946

Fax (512) 327-2973

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SKETCH TO ACCOMPANY DESCRIPTION

15,534 SQ. FT. TRACT

SHEET 2 OF 2

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S72°27'10"E	50.14'
L2	S17°35'51"W	8.84'
L3	S72°24'09"E	21.56'
L4	S17°32'50"W	23.11'
L5	S72°27'10"E	14.52'
L6	N17°32'54"E	80.53'
L7	S63°23'47"E	7.23'
L8	N26°36'13"E	13.00'
L9	N63°23'47"W	17.42'
L10	N17°32'50"E	77.47'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG.	CHORD
C1	15.00'	23.55'	89°56'59"	S27°25'40"E	21.20'

LEGEND

- ⊙ ½" IRON PIPE FOUND (UNLESS STATED)
- ½" IRON ROD W/CAP SET (UNLESS STATED)
- ½" IRON ROD FOUND (UNLESS STATED)
- ▽ PK NAIL WITH WASHER SET
- ⊙ COTTON SPINDLE FOUND
- P.R.T.C. PLAT RECORDS TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS OF TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

SURVEYED BY:

David A. McDow
 DAVID A. MCDOW
 REG. PROF. LAND SURVEYOR
 NO. 5908
 DATE: 09/27/06



CA
 Cunningham | Allen
 Engineers • Surveyors

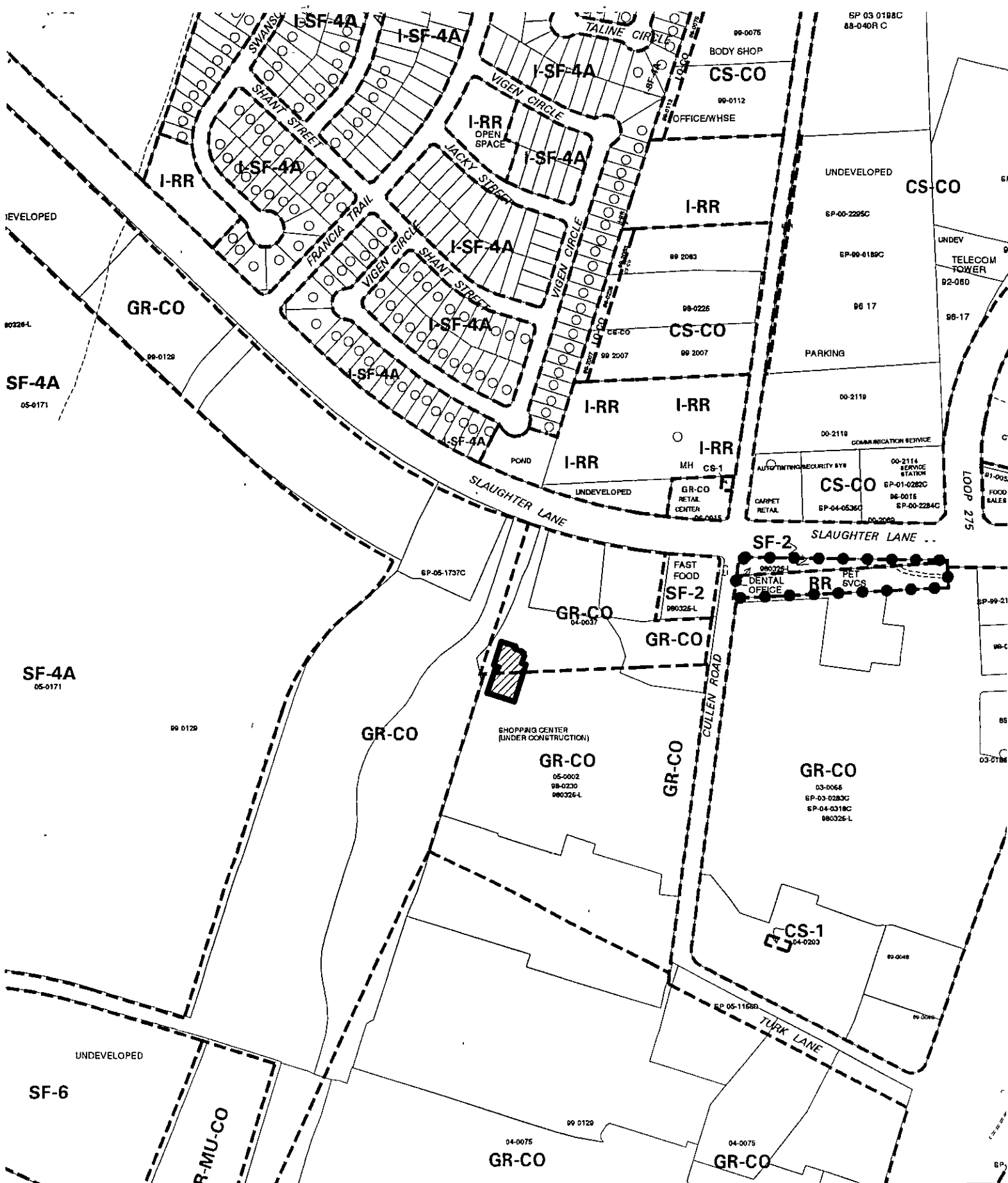
3103 Bee Cave Road, Suite 202

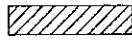
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 1" = 400'	SUBJECT TRACT		ZONING EXHIBIT B CASE #: C14-06-0161 ADDRESS 9200 - 9250 CULLEN LN SUBJECT AREA (acres) 0.357	DATE 06-10 INTLS SM	CITY GRID REFERENCE NUMBER F13
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR W WALSH				