ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0046 – 7720 & 7800 South 1st Street  Z.A.P. DATE: June 7, 2016

ADDRESS: 7720 and 7800 South 1st Street

DISTRICT AREA: 2

OWNER & APPLICANT: Adam Diaz

ZONING FROM & TO: CS-CO (Tract 1); AREA: 1.619 acres
GR-MU-CO (Tract 2), to change a condition of zoning

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant:

On Tract 1: general commercial services – conditional overlay (CS-CO) combining district zoning and remove the following uses from the prohibited use list: food sales, general retail sales (convenience & general), hotel-motel, indoor entertainment, off-site accessory parking, personal improvement services, personal services, and restaurant (general & limited); and

On Tract 2: community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning and remove the following uses from the prohibited use list: food preparation, general retail sales (general), hotel-motel, indoor entertainment, indoor sports and recreation, personal improvement services, and theater.

For Tracts 1 and 2, an additional CO is to limit the number of driveways to South 1st Street to one.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

June 7, 2016: APPROVED CS-CO DISTRICT ZONING AND GR-MU-CO DISTRICT ZONING AS STAFF RECOMMENDED, WITH THE EXCEPTION OF ESTABLISHING OUTDOOR ENTERTAINMENT AND OUTDOOR SPORTS AND RECREATION AS CONDITIONAL USES

[G. ROJAS; S. HARRIS – 2ND] (8-0) J. KIOLBASSA; S. LAVANI; D. BREITHAUP – ABSENT

ISSUES:

The Applicant would like to discuss the Zoning and Platting Commission recommendation as it pertains to permitting the Theater and Indoor Sports and Recreation uses on Tract 1, and limiting the number of driveways to one. The Applicant would like the ability to pursue these two uses and a second driveway on the property.
DEPARTMENT COMMENTS:

The subject two lots contain a community garden, are otherwise undeveloped and take access to South 1st Street. Tract 1, the northern lot, is zoned general commercial services – conditional overlay (CS-CO) combining district and Tract 2, the southern lot, is zoned community commercial – mixed use – conditional overlay (GR-MU-CO) combining district, by way of zoning cases in 2005. On both lots, the Conditional Overlay prohibits a number of land uses. There is a child care facility to the south (LO) and a vacant food sales use at the corner of Dittmar and South First Street (LR); attached condominiums under construction to the west at the corner of Dittmar and Cooper (MF-1-CO); and a pipeline easement, commercial use and undeveloped property to the north (SF-2; DR). Across South 1st Street to the west, there is a service station with food sales and other commercial uses, and undeveloped commercial land (LR). The nearest single family residences back up to South 1st Street and take primary access to Elderberry Drive. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to modify the Conditional Overlay on both lots to remove certain prohibited uses in order to develop the site with several greenhouses, a community garden and a parking area on Tract 1, and a theater, restaurant, six residential units and a parking area on Tract 2. Please refer to Exhibits C (2005 Zoning Ordinances) and D (Conceptual Site Plan). On Tract 1 (CS-CO), the Applicant proposes to remove the following uses from the prohibited use list:

food sales  general retail sales (convenience & general)  hotel-motel
indoor entertainment  off-site accessory parking
outdoor sports and recreation  outdoor entertainment
personal improvement services  personal services  restaurant (general & limited)

On Tract 2 (GR-MU-CO), the Applicant proposes to remove the following uses from the prohibited use list:

food preparation  general retail sales (general)  hotel-motel
indoor entertainment  indoor sports and recreation
outdoor sports and recreation  outdoor entertainment
personal improvement services  theater

Recent condominium developments to the west have changed the vicinity’s character to some degree since the CS-CO and GR-MU-CO zonings were approved in 2005. Many of the above-listed uses would capture pass-by traffic, serve the surrounding neighborhoods and are also typically located a major arterial roadway. In addition, the site is also located adjacent to a non-residential use and the 50-foot wide pipeline easement to the north. Staff has concerns, however, that the outdoor entertainment and outdoor sports and recreation uses on Tracts 1 and 2 have the potential to create noise conflicts with the condominium project that is in the initial phases of construction to the west. Due to the property’s frontage of approximately 284 feet on South 1st Street and proximity to the adjacent driveway serving the
child care facility to the south, Staff is also recommending a CO to limit the number of driveways on the site to one.

EXISTING ZONING AND LAND USES:

<table>
<thead>
<tr>
<th>Site</th>
<th>ZONING</th>
<th>LAND USES</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>SF-2; DR</td>
<td>Pipeline easement; Warehouses; Undeveloped</td>
</tr>
<tr>
<td>South</td>
<td>LO; LR</td>
<td>Child care facility; Food sales (vacant)</td>
</tr>
<tr>
<td>East</td>
<td>LR; SF-3</td>
<td>Service station with food sales, personal services, retail sales and restaurant; Single family residences</td>
</tr>
<tr>
<td>West</td>
<td>MF-1-CO</td>
<td>Condominiums (under construction)</td>
</tr>
</tbody>
</table>

AREA STUDY: N/A  TIA: Is not required

WATERSHED: South Boggy Creek  DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No  SCENIC ROADWAY: No

SCHOOLS:

Williams Elementary School  Bedichek Middle School  Crockett High School

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association  511 – Austin Neighborhoods Council
39 – Matthews Lane Neighborhood Association  742 – Austin Independent School District
627 – Onion Creek Homeowners Association  1340 – Austin Heritage Tree Foundation
1228 – Sierra Club, Austin Regional Group  1372 – Peaceful Hill Preservation League
1363 – SEL Texas  1374 – Friends of Williams Elementary
1424 – Preservation Austin  1429 – Go!Austin / Vamos!Austin (GAVA) – 78745
1440 – South Boggy Creek Environmental Association  1494 – South Boggy Creek Neighborhood Association
1528 – Bike Austin  1530 – Friends of Austin Neighborhoods
1550 – Homeless Neighborhood Association

CASE HISTORIES:

<table>
<thead>
<tr>
<th>NUMBER</th>
<th>REQUEST</th>
<th>COMMISSION</th>
<th>CITY COUNCIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>C14-2015-0061 – Townbridge Homes Rezoning – 7513 and 7603 Cooper Ln</td>
<td>DR; SF-2 to SF-6</td>
<td>To Grant SF-6-CO w/CO for 30 stand-alone units, 10' vegetative buffer along the southernmost property line</td>
<td>Apvd SF-6-CO with a Restrictive Covenant to prohibit the use of gated access on the property (12-10-2015).</td>
</tr>
<tr>
<td>Tract Number</td>
<td>Description</td>
<td>Conditions/Proposed Changes</td>
<td>Notes</td>
</tr>
<tr>
<td>--------------</td>
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</tr>
<tr>
<td>C14-2014-0052 – Cooper Lane Rezoning – 7405, 7409 and 7415 Cooper Ln</td>
<td>DR; SF-2 to SF-6-CO, as amended</td>
<td>To Grant SF-6-CO w/CO for a max of 65 units, 25’ vegetative buffer along the north property line, restrict uses to sf, townhouse/condo, and the cons. of the Neighborhood Traffic Analysis, and add’l cons. for full access to Sir Gawain, sidewalks to Sir Gawain and Cooper Ln, stub-out to property to south between Lots 43 and 54 (refer to Concept Plan), traffic calming device on private street close to Sir Gawain, and secondary entrance/exit to Cooper Ln.</td>
<td>Apvd SF-6-CO with a Restrictive Covenant as Commission recommended (8-28-2014). Note: Site plan apvd for 65 two-story condo units w/drives, sidewalks, utilities, drainage and other associated improvements on 9.86 acres.</td>
</tr>
<tr>
<td>C14-2014-0049 – Cooper Villas – 7805 Cooper Ln</td>
<td>CS-CO to MF-1</td>
<td>To Grant MF-1-CO w/CO prohibiting residential uses</td>
<td>Apvd MF-1-CO as ZAP recommended (6-26-2014). Note: Site plan apvd for 41 one-story condo units w/parking, detention pond, rain gardens, amenity center and pool on 3.82 acres.</td>
</tr>
</tbody>
</table>

**RELATED CASES:**

Tract 1 was approved for CS-CO zoning in December 2005 (C14-05-0161 – Prunty Tracts). Tract 2 was approved for GR-MU-CO zoning also in December 2005 (C14-05-0162 – Prunty Tracts).

The zoning area is platted as Lots 2 and 3 of the Dittmar at Cooper Subdivision, recorded on March 31, 2008 (C8-2007-0174.0A). Please refer to Exhibit B. There are no pending or approved site plans on the property.
The property was annexed into the City's Full Purpose Jurisdiction on November 1984 (C7a-83-017 A).

**EXISTING STREET CHARACTERISTICS:**

<table>
<thead>
<tr>
<th>Name</th>
<th>ROW</th>
<th>Pavement</th>
<th>Classification</th>
<th>Sidewalks</th>
<th>Bike Route</th>
<th>Capital Metro (within 1/4 mile)</th>
</tr>
</thead>
<tbody>
<tr>
<td>South 1st Street</td>
<td>72 feet</td>
<td>45 feet</td>
<td>Minor Arterial</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for South 1st Street.

**CITY COUNCIL DATE:** August 11, 2016

**ACTION:**

**ORDINANCE READINGS:** 1st 2nd 3rd

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades

**e-mail:** wendy.rhoades@austintexas.gov

**PHONE:** 512-974-7719
ORDINANCE NO. 20051215-Z006

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7720 SOUTH FIRST STREET, 7801-7805 COOPER LANE, AND 630-640 DITTMAR ROAD FROM DEVELOPMENT RESERVE (DR) DISTRICT AND LIMITED OFFICE (LO) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT FOR TRACT ONE AND MULTIFAMILY RESIDENCE LIMITED DENSITY-CONDITIONAL OVERLAY (MF-1-CO) COMBINING DISTRICT FOR TRACT TWO.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in Zoning Case No. C14-05-0161, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From development reserve (DR) district to general commercial services-conditional overlay (CS-CO) combining district.

A 1.439 acre tract of land, more or less, out of the William Cannon Survey No. 19, Abstract No. 6, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance; and

Tract Two: From development reserve (DR) district and limited office (LO) district to multifamily residence limited density-conditional overlay (MF-1-CO) combining district.

A 3.092 acre tract of land, more or less, out of the William Cannon Survey No. 19, Abstract No. 6, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit “B” incorporated into this ordinance (the “Property”),

locally known as 7720 South First Street, 7801-7805 Cooper Lane, and 630-640 Dittmar Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit “C”. 

Page 1 of 3
PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. 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.

2. The following uses are prohibited uses of Tract One:

Agricultural sales and services
Automotive repair services
Automotive washing (of any type)
Campground
Commercial off-street parking
Consumer convenience services
Drop-off recycling collection facility
Food sales
**General retail sales (convenience)**
Group home, Class I (general)
Group home, Class II
Hospital services (general)
Hotel-motel
Indoor sports and recreation
Laundry services
Medical offices (exceeding 5000 sq. ft. of gross floor area)
Monument retail sales
**Outdoor entertainment**
Pawn shop services
Personal services
Recreational equipment maintenance and storage
Restaurant (general)
Service station
Theater
Transportation terminal
Veterinary services
Automotive rentals
Automotive sales
Bail bond services
Commercial blood plasma center
Congregate living
Consumer repair service
Financial services
Funeral services
**General retail sales (general)**
Group home, Class I (limited)
Guidance services
Hospital services (limited)
**Indoor entertainment**
Kennels
Maintenance and service facilities
Medical offices (not exceeding 5000 sq. ft. of gross floor area)
Off-site accessory parking
Outdoor sports and recreation
Personal improvement services
Printing and publishing
Research services
Residential treatment
**Restaurant (limited)**
Software development
Transitional housing
Vehicle storage

Page 2 of 3
3. The following uses are conditional uses of Tract One:

   Business or trade school  
   Community recreation (private)  
   Construction sales and services  
   Exterminating services  
   Public secondary education facilities  

   College and university facilities  
   Community recreation (public)  
   Equipment repair services  
   Private secondary educational facilities

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on December 26, 2005.

PASSED AND APPROVED

December 15, 2005

Will Wynn  
Mayor

APPROVED: David Allan Smith  
City Attorney

ATTEST: Shirley A. Gentry  
City Clerk

Page 3 of 3
ORDINANCE NO. 20051215-Z007

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7800-7804 SOUTH FIRST STREET FROM DEVELOPMENT RESERVE (DR) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from development reserve (DR) to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-05-0162, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.914 acre tract of land, more or less, out of the William Cannon Survey No. 19, Abstract No. 6, in 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 7800-7804 South First Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit “B”.

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

1. 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.

2. The following uses are conditional uses of the Property:

   Medical offices (exceeding 5000 sq. ft. of gross floor area)
   Community recreation (public)
   Hospital services (limited)

   Congregate living
   Community recreation (private)
   Group home, Class II
   Residential treatment

EXHIBIT C
TRACT 2
3. The following uses are prohibited uses of the Property:

- Automotive rentals
- Automotive sales
- Bail bond services
- Business support services
- Communications services
- Exterminating services
- Funeral services
- Hospital services (general)
- Indoor entertainment
- Outdoor sports and recreation
- Pawn shop services
- Research services
- Automotive repair services
- Automotive washing (of any type)
- Business or trade school
- Commercial off-street parking
- Drop-off recycling collection facility
- Food preparation
- General retail sales (general)
- Hotel-motel
- Indoor sports and recreation
- Outdoor entertainment
- Personal improvement services
- Theater

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on December 26, 2005.

PASSED AND APPROVED

December 15, 2005

Will Wyatt
Mayor

APPROVED: David Allan Smith
City Attorney

ATTEST: Shirley Al Gentry
City Clerk
SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant:

On Tract 1: general commercial services – conditional overlay (CS-CO) combining district zoning and remove the following uses from the prohibited use list: food sales, general retail sales (convenience & general), hotel-motel, indoor entertainment, off-site accessory parking, personal improvement services, personal services, and restaurant (general & limited); and

On Tract 2: community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning and remove the following uses from the prohibited use list: food preparation, general retail sales (general), hotel-motel, indoor entertainment, indoor sports and recreation, personal improvement services, and theater.

For Tracts 1 and 2, an additional CO is to limit the number of driveways to South 1st Street to one.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

   Tract 1: The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments.

   Tract 2: The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

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

   Recent condominium developments to the west have changed the vicinity's character to some degree since the CS-CO and GR-MU-CO zonings were approved in 2005. Many of the above-listed uses would capture pass-by traffic, serve the surrounding neighborhoods and are also typically located a major arterial roadway. In addition, the site is also located adjacent to a non-residential use and the 50-foot wide pipeline easement to the north. Staff has concerns, however, that the outdoor entertainment and outdoor sports and recreation uses on Tracts 1 and 2 have the potential to create noise conflicts with the condominium project that is in the initial phases of construction to the west. Due to the property's frontage of approximately 284 feet on South 1st Street and proximity to the adjacent driveway serving the child care facility to the south, Staff is also recommending a CO to limit the number of driveways on the site to one.
EXISTING CONDITIONS

Site Characteristics

The rezoning area contains a community garden and is otherwise undeveloped. Portions of each lot have dense vegetative cover.

Impervious Cover

The maximum impervious cover allowed by the CS and GR zoning districts is 80%, which is based on the more restrictive watershed regulations.

Comprehensive Planning

This rezoning case is located on west side of South 1st Street on two parcels that when combined total 1.69 acres in size. The property is mostly undeveloped but does have a community garden on it. The property is not located in the boundaries of a neighborhood planning area. Surrounding land uses includes undeveloped land to the north, a learning center to the south, and undeveloped land to the east and west. The proposed use is a variety of commercial uses, including food sales, general retail, hotel/motel, and an indoor/outdoor entertainment area.

Connectivity: There is a public sidewalk located along this portion of S. 1st Street, and a public transit stop is located less than a quarter of mile away. The Walkscore for this site is 33/100, meaning most errands require a car.

Imagine Austin

The subject property is located along an Activity Corridor as identified on the Imagine Austin Growth Concept Map. Activity corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. The following Imagine Austin policies are applicable to this case:

- LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.

- LUT P4. Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

- LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
Based upon this property being situated along an **Activity Corridor** as designated on the Growth Concept Map and the Imagine Austin policies above, both which support commercial uses, this project appears to be supported by Imagine Austin.

**Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the South Boggy Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<table>
<thead>
<tr>
<th>Development Classification</th>
<th>% of Gross Site Area</th>
<th>% of Gross Site Area with Transfers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family (minimum lot size 5750 sq. ft.)</td>
<td>50%</td>
<td>60%</td>
</tr>
<tr>
<td>Other Single-Family or Duplex</td>
<td>55%</td>
<td>60%</td>
</tr>
<tr>
<td>Multifamily</td>
<td>60%</td>
<td>70%</td>
</tr>
<tr>
<td>Commercial</td>
<td>80%</td>
<td>90%</td>
</tr>
</tbody>
</table>

According to floodplain maps there is no floodplain within or adjacent to the project location.

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

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

**Site Plan**

GIS shows this site to be entirely within three Hazardous Pipeline easements: Equilon, SouthTex, and Williams. Development in a restricted pipeline area is regulated by Sec. 25-2-516. Review by the Fire Department is required [LDC, 25-2-516]. Any site plan submitted will need to show the outlines of all pipeline easements, and distances from structures to the easement boundary and pipes.
Before a person may place a road, surface parking lot, or utility line in a restricted pipeline area, the person must deliver to the Director a certification by a registered engineer stating that the proposed construction activity and structure are designed to prevent disturbing the pipeline or impeding its operation [LDC, 25-2-516(D)(2)].

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. As information, South 1st Street is a Suburban Roadway.

The site is subject to compatibility standards. Along the north and east property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

**Transportation**

Additional right-of-way may be required at the time of subdivision and/or site plan.

If the requested zoning is granted, it is recommended that joint access be provided between both lots along South 1st Street due to insufficient frontage for a driveway (northern lot). As information, spacing between driveways is 200 feet on major arterial roadways such as South 1st Street. The zoning area has a total of 286 linear feet along South 1st Street.

A traffic impact analysis may be required at the time of site plan.

A conditional overlay of 2,000 trips is *not* recommended at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

**Water / Wastewater**

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and
approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.
August 3, 2016

Mayor Steve Adler and Austin City Council Members

In reference to zoning case C14-2016-0046, I am requesting the land uses of Theater and Indoor Sports and Recreation be changed from prohibited uses to permitted uses on Tract 1. Staff has supported those uses on Tract 2 and I believe it makes sense to have consistent land uses across the two Tracts.

I would also like to request that the driveway limitation be removed from the draft rezoning ordinance. As the site plan shows, there are future plans for a crop production operation on the west side of Tract 1 that will function as a driveway for delivery trucks. Tract 2 has an existing driveway as shown on the conceptual site plan. Sharing one driveway between Tract 1 and 2 will be difficult due to expected congestion. Tract 2 will serve traffic from the planned retail, residential, and restaurant uses.

Thank you,

Adam Diaz
Owner/Developer
512-751-5910,