

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0086 – La Mexicana Supermercado **Z.A.P. DATE:** October 4, 2016

ADDRESS: 2004 East William Cannon Drive

DISTRICT AREA: 2

OWNER: TATI Investments Group, LLC
(Zulfiqar Maknojia)

AGENT: Cuatro Consultants, Ltd.
(Hugo Elizondo, Jr.)

ZONING FROM: LR (1.27 acres);
MF-3 (6.79 acres)

TO: LR for Tract 1 (2.41 acres);
MF-3 for Tract 2 (5.65 acres)

TOTAL AREA: 8.06 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial (LR) district zoning for Tract 1 and multifamily residence-medium density (MF-3) district zoning for Tract 2, as requested.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

October 4, 2016: *APPROVED LR FOR TRACT 1 AND MF-3 FOR TRACT 2, AS STAFF RECOMMENDED, BY CONSENT*

[G. ROJAS; S. LAVANI – 2ND] (10-0) ANN DENKLER – ABSENT

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject undeveloped property has neighborhood commercial (LR) zoning along most of its East William Cannon Drive frontage and multi-family residence – medium density (MF-3) district for a 51-foot wide portion that is suited for driveway access. William Cannon is a divided major arterial roadway and therefore, vehicle movements are limited to right-turn in, right-turn out. There is undeveloped land to the north (MF-3), apartments to the east and west (MF-3), and a manufactured home subdivision and commercial uses to the south (MH; GR; CS-CO). For additional context, the Williamson Creek Greenbelt is further north (SF-3). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the property to increase the acreage of neighborhood commercial (LR) zoned area so that it may be developed with an 18,100 square foot

supermarket and correspondingly decrease the acreage of multi-family residence – medium density (MF-3) zoned area. An administrative site plan is in process for the supermarket site.

The north side of this segment of William Cannon Drive is predominantly zoned and used for multi-family residences, and an increase in the amount of LR zoned area will provide for commercial uses that would serve the residences in proximity to this property. The property's frontage on William Cannon Drive, a six-lane arterial roadway is also appropriate for commercial uses. Therefore, Staff is able to recommend the Applicant's rezoning request as outlined above.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LR; MF-3	Undeveloped
<i>North</i>	MF-3; RR	Undeveloped; Williamson Creek Greenbelt
<i>South</i>	MH; GR; CS-CO	Manufactured homes within the North Bluff community (South Creek subdivision); Auto repair; Alternative financial services; Food sales; Personal services; Service station; Convenience storage
<i>East</i>	MF-3	Apartments
<i>West</i>	MF-3	Apartments

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

96 – Southeast Corner Alliance of Neighborhoods (SCAN)

511 – Austin Neighborhoods Council

627 – Onion Creek Homeowners Association

742 – Austin Independent School District

1228 – Sierra Club, Austin Regional Group

1258 – Del Valle Community Coalition

1340 – Austin Heritage Tree Foundation

1363 – SEL Texas

1408 – GO! Austin/VAMOS! Austin – Dove Springs

1431 – Indian Hills Neighborhood Watch

1438 – Dove Springs Neighborhood Association

1441 – Dove Springs Proud

1528 – Bike Austin

1530 – Friends of Austin Neighborhoods

1550 – Homeless Neighborhood Association

1578 – South Park Neighbors

SCHOOLS:

Perez Elementary School

Mendez Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2012-0151 - Lot 7, 81 William Cannon, Joint Venture Subdivision	LR to MF-3	To Grant MF-3	Apvd (01-31-2013).
C14-97-0072 – South Creek Zoning – 1807 E. William Cannon Dr.	GR to CS	Apvd CS-CO w/conditions	Apvd CS-CO w/CO for 2,000 trips and list of prohibited uses (9-11-1997).
C14-88-0099 – North Bluff Center – 1909 E. William Cannon Dr.	CS to GR	Apvd GR	Apvd GR (9-29-1988).

RELATED CASES:

The property was annexed into the full-purpose City limits on November 16, 1972 (C7-72-4AN).

The property was platted as Lots 5 and 6 of 81 William Cannon Joint Venture Subdivision, recorded in March 1988 (C8S-87-105). There is a site plan in process for the proposed supermarket (SP-2016-0265C – La Mexicana Supermercado).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
East William Cannon Drive	120 feet	85 feet	Major Arterial Divided 6 Lanes	Yes	Yes	Yes

CITY COUNCIL DATE: November 10, 2016

ACTION: Approved a Postponement request by the Staff to December 15, 2016. Vote: 11-0.

December 15, 2016

ORDINANCE READINGS: 1st

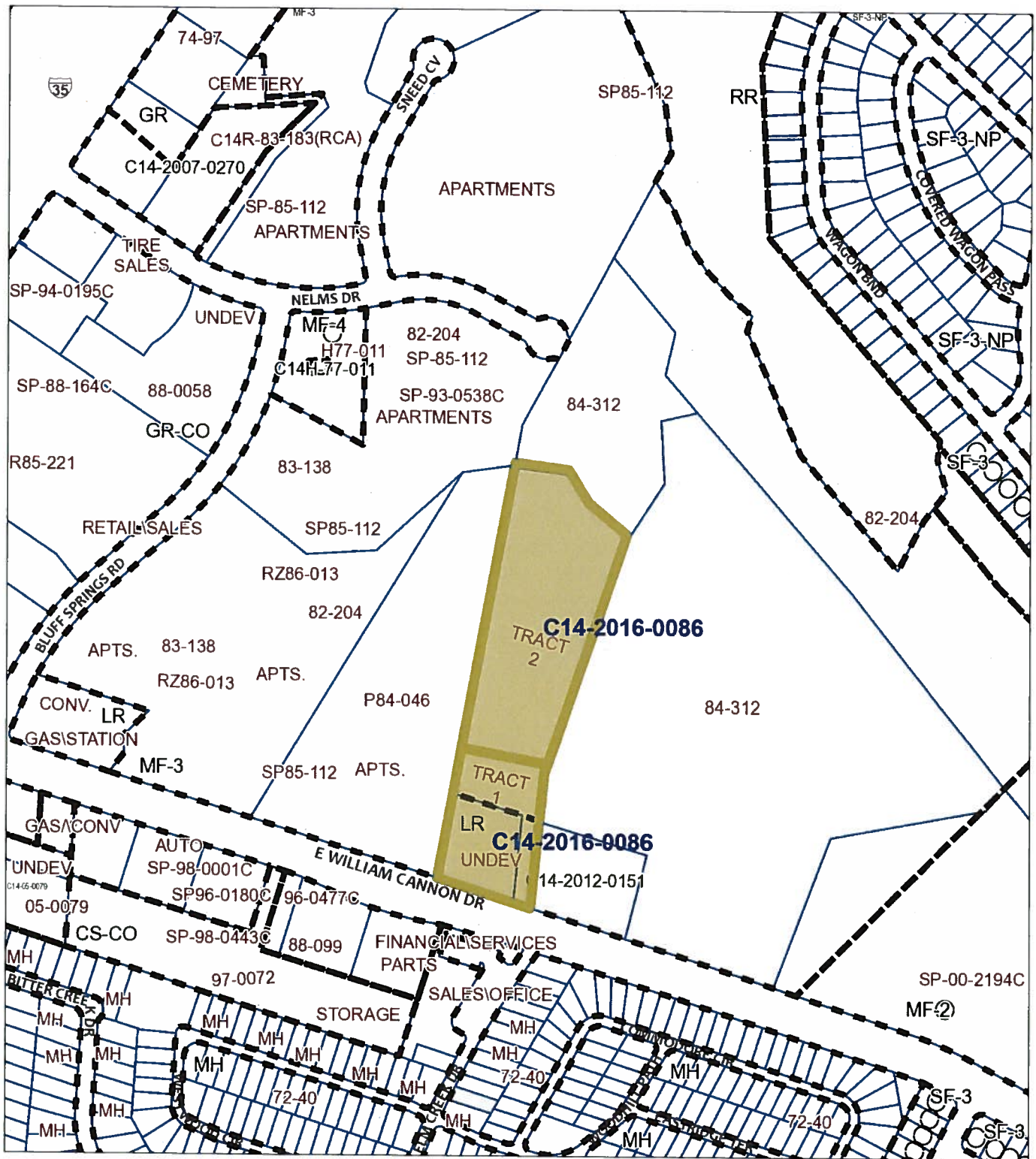
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719



- Subject Tract
- Pending Case
- Zoning Boundary
- Railroads

200 400
Feet

1" = 400'

ZONING

ZONING CASE#: C14-2016-0086

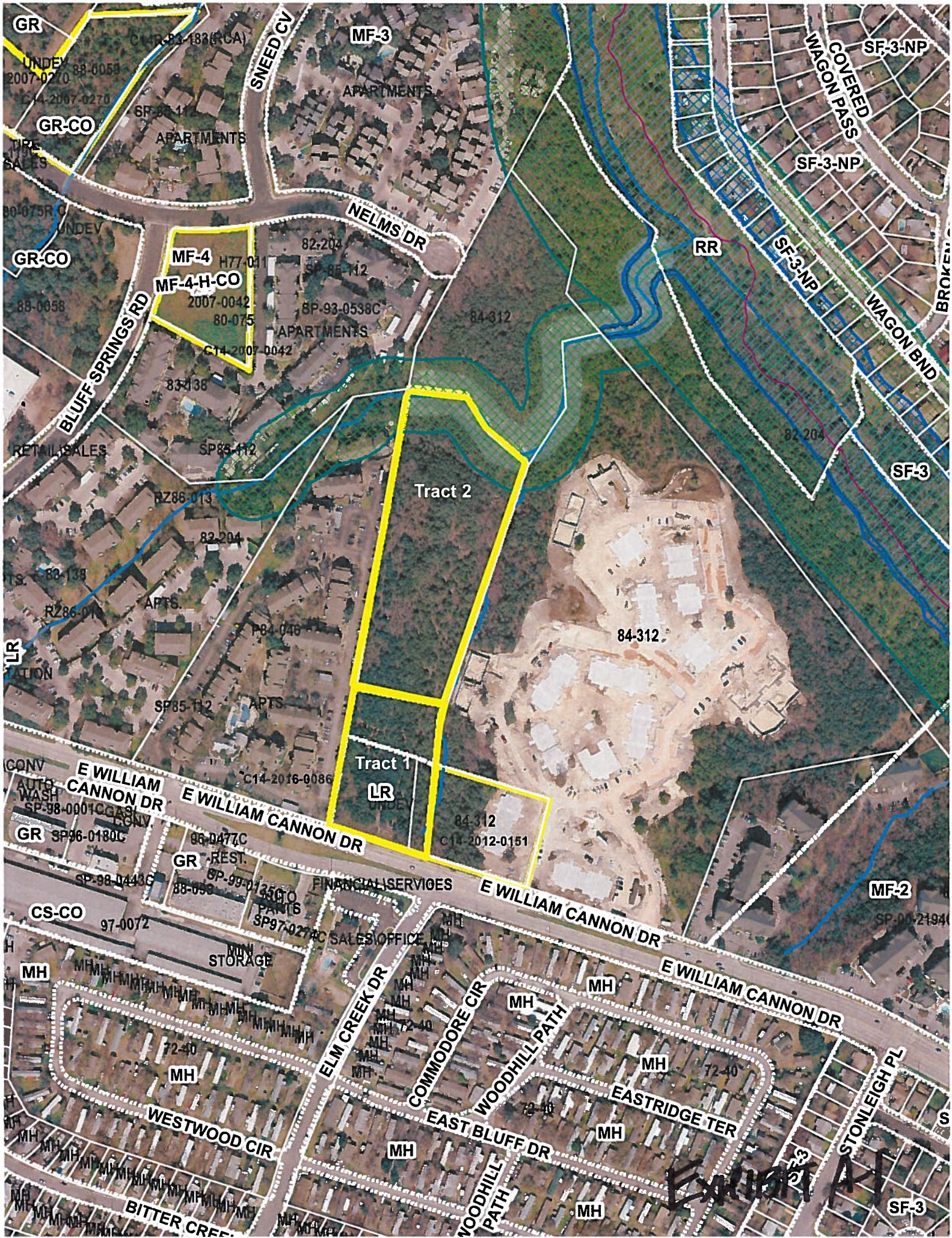
Exhibit A



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created 09/20/16



GR

MF-3

SF-3-NP

GR-CO

MF-4

MF-4-H-CO

RR

SF-3-NP

SF-3-NP

SF-3

Tract 2

Tract 1

LR

MF-2

CS-CO

MH

MH

MH

MH

MH

SF-3

EXHIBIT A

3569 3/1/88 50.2

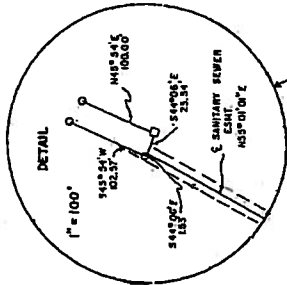
PLAN RELIABLE, HAVING SURVEYED, TEXAS



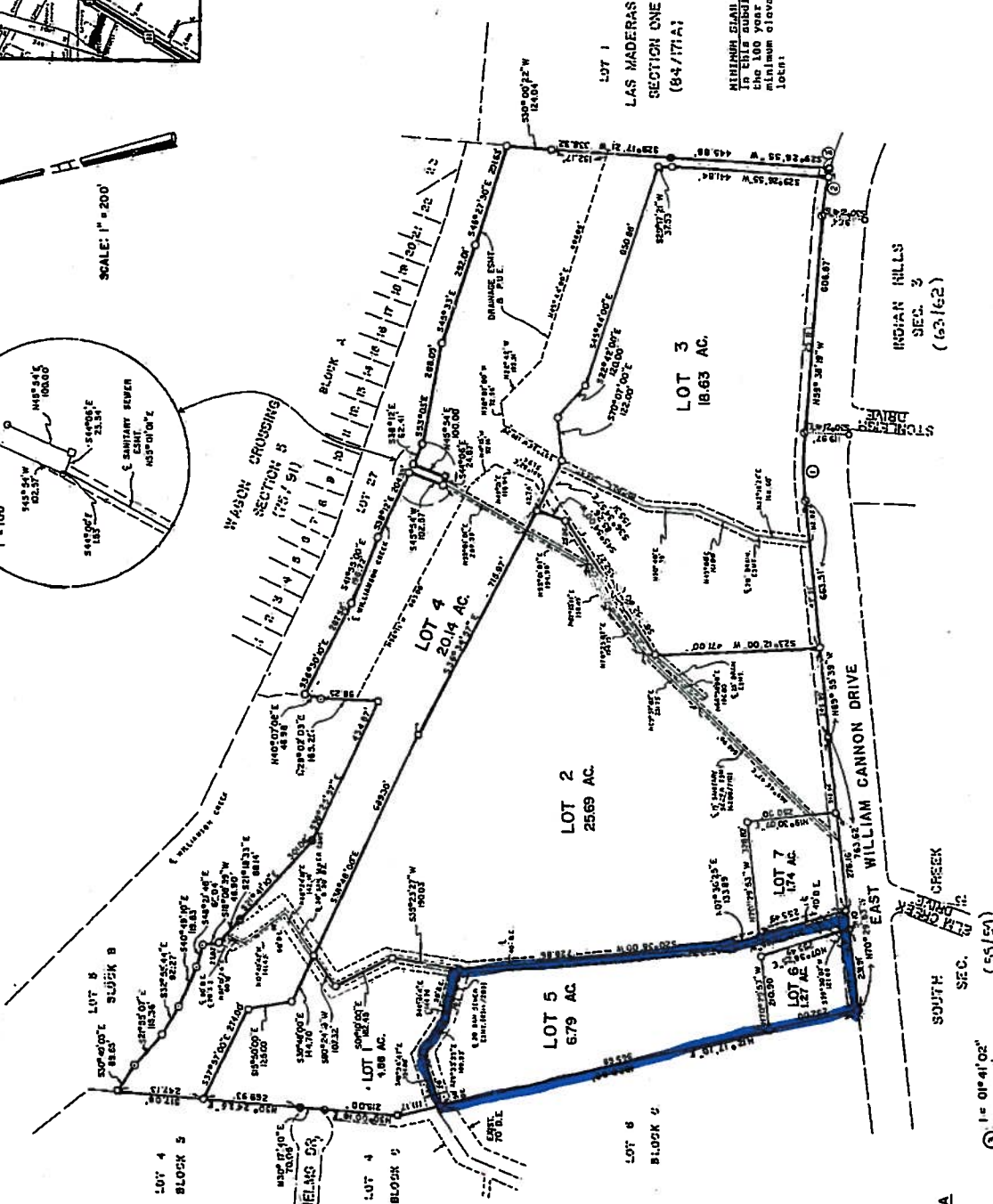
VICINITY MAP

LEGEND

- IRON PIN FOUND
- IRON PIN SET
- METAL BOLT FOUND
- IRON PIPE FOUND
- CONC. MONUMENT SET
- D DRAINAGE EASEMENT
- D.E. PUBLIC UTILITY EASEMENT
- B.L. BUILDING LINE



SCALE: 1" = 200'



CONAL SLUFFS SEC ONE 194/199

EXHIBIT B
RECORDED PLAT

CURVE DATA

- ① $I = 10^{\circ}18'00''$
 $R = 1060.00'$
 $A = 190.95'$
 $CB = N64^{\circ}46'22''W$
 $C = 190.30'$
- ② $I = 08^{\circ}00'29''$
 $R = 661.36'$
 $A = 136.42'$
 $CB = N65^{\circ}08'23''W$
 $C = 136.28'$
- ③ $I = 01^{\circ}41'02''$
 $R = 881.36'$
 $A = 26.32'$
 $CB = N01^{\circ}29'40''W$
 $C = 26.32'$

MINIMUM SLAB ELEVATIONS: All finished slab elevations in this subdivision shall be 1.0 foot minimum above the 100 year frequency flood level. The following minimum elevations are hereby set for the affected lots:

LOT	ELEVATION
1	590.0
2	590.0
3	590.0
4	590.0
5	590.0
6	590.0
7	590.0

81 William Cannon Joint Venture Subdivision

C8S-87-105

GRIFFIN
ENGINEERING GROUP

SHEET 1 OF 2

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood commercial (LR) district zoning for Tract 1 and multifamily residence-medium density (MF-3) district zoning for Tract 2, as requested.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The neighborhood commercial (LR) district is intended for shopping facilities that provide limited business services and offices to the residents of the neighborhood, such as consumer repair services, food sales, service stations, and pet services. The purpose statement listed in the City of Austin *Land Development Code* states: "The Neighborhood Commercial district is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment."

This property has frontage on East William Cannon Drive.

- 2. Zoning changes should promote compatibility with adjacent and nearby land uses.*
3. Zoning should allow for reasonable use of the property.

The north side of this segment of William Cannon Drive is predominantly zoned and used for multi-family residences, and an increase in the amount of LR zoned area will provide for commercial uses that would serve the residences in proximity to this property. The property's frontage on William Cannon Drive, a six-lane arterial roadway is also appropriate for commercial uses. Therefore, Staff is able to recommend the Applicant's rezoning request as outlined above.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and is heavily treed.

Impervious Cover

Within the Williamson Creek Watershed:

- the maximum impervious cover allowed by the LR zoning district would be 80%, which is a consistent figure between the watershed and zoning regulations.
- the maximum impervious cover allowed by the MF-3 zoning district would be 65%, which is based on the more restrictive zoning regulations.

Comprehensive Planning

This rezoning case is located on the north side of E. William Cannon Drive on two undeveloped lots that when combined are approximately 8.06 acres in size. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes undeveloped land to the north, large apartment complex to the east and west, and a large manufactured home subdivision and commercial uses to the south. The proposed use is multifamily apartments and commercial land uses.

Connectivity

The property is within a short walking distance to two Cap Metro transit stops along William Cannon Drive, and public sidewalks are available on both sides of the street. Several fast food restaurants, a grocery store, and retail uses are located less than a half a mile walk from this property going west towards IH-35. The Walkscore for this site is 54/100, meaning some errands can be accomplished on foot, and transit is nearby.

Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located along an **Activity Corridor** (William Cannon Drive). **Activity Corridors** are designated for additional people and jobs and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following Imagine Austin policies are taken from Chapter 4 of the IACP, which specifically discusses promoting a variety of land uses and a compact and connected city:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **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.
- **HN P10.** Create **complete neighborhoods** across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based upon this property being: (1) situated along a **Activity Corridor** as designated on the Growth Concept Map, which supports commercial and multifamily uses; and (2) the Imagine Austin policies referenced above that supports a variety of development, including multifamily and commercial uses in this area of the city, staff believes that this project is supported by Imagine Austin.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson 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:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area 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 floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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 and Compatibility Standards

Site plans will be required for any new development other than single-family or duplex residential.

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

Additional comments will be made when the site plan is submitted.

Transportation and Complete Streets Review

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

A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for E. William Cannon Drive.

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 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 Austin Water 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.

Based on current public infrastructure configurations, service extension requests will be required to provide service to this site for wastewater service. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor. Ph: 512-972-0211.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

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.austintexas.gov/planning.

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: C14-2016-0086

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: October 4, 2016, Zoning and Platting Commission
November 10, 2016, City Council**

Stacey Tyer
 Your Name (please print)

6608 Elm Creek #267 TX 78744
 1st Austin,

Your address(es) affected by this application

Stacey Tyer
 Signature

Date

9/29/16

Daytime Telephone: 512-695-5853

Comments:

Going to cause more traffic.
More traffic accidents.
Need Red Light there.

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

Neighborhood Petition to Request Postponement
of Zoning Change Hearing

City Council Agenda Item No. 49

Case #C14-2016-0086

Property Address: 2004 East William Cannon Drive

We reside in the North Bluff Estates community which is across street from where the zoning change is proposed, we request to postpone the hearing while we get more information about the development and how it will affect us, as we only came to find out about the proposed zoning change recently when the location was being cleared of trees.

We request postponement of this case to December 15th.

Name

Address

Rosenda Buenaventura 2005 OAK MOTTE LN ^{AUSTIN TX} 78744
traila #6

Concepcion Jimeno 6600 ELM CREEK Austin TX 78744

Lidia Mendez 6600 Elm Creek dr traila #210 78744

Jose Miranda Rodriguez 6600 elm creek ^{Traila 136} Austin tx.