

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0064 – Old School Liquor and Market

DISTRICT: 5

ZONING FROM: GR

TO: CS-1

ADDRESS: 1901 West William Cannon Drive, Suite 165

SITE AREA: 0.0552 acres (2,404 square feet)

PROPERTY OWNER: Field Realty Partners, Ltd. (J. Grady Field)

APPLICANT: Old School Liquor and Market, Inc.
(Phil Harding and Debbie Mylius)

AGENT: Keepers Consulting
(Ricca Keepers)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

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

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

May 21, 2019: *APPROVED CS-1-CO DISTRICT ZONING WITH THE CONDITIONAL OVERLAY PROHIBITING ADULT-ORIENTED BUSINESSES, BAIL BOND SERVICES, AND COCKTAIL LOUNGE, BY CONSENT*

[J. DUNCAN; E. RAY – 2ND] (9-0) N. BARRERA-RAMIREZ – ABSENT; 1 VACANCY ON THE COMMISSION

CITY COUNCIL ACTION:

June 20, 2019:

ORDINANCE NUMBER:

ISSUES:

None at this time.

CASE MANAGER COMMENTS:

The subject rezoning area is a 2,404 square foot lease space occupied by a laundromat in a larger commercial center containing medical office, retail and restaurant uses, and zoned community commercial (GR). The shopping center is situated at the southeast corner of West William Cannon Drive and Manchaca Road and has driveways to both streets. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes commercial – liquor sales (CS-1) district zoning in order to occupy the lease space with a liquor store and food sales uses.

BASIS FOR RECOMMENDATION

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.

Staff recommends the Applicant's request based on the property's access to two arterial roadways which contain a mix of commercial uses and corresponding zoning.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR	Lease space occupied by a laundromat in a commercial center
<i>North</i>	GR	Restaurants (limited)
<i>South</i>	GR	Lease spaces for retail and restaurant uses; Medical office; Assisted living facility
<i>East</i>	GR	Lease spaces for medical office, retail and restaurant uses; Financial services; Personal services; Personal improvement services
<i>West</i>	GR	Lease spaces for retail and restaurant uses; Pet services

AREA STUDY: Not Applicable

TIA: Is not required

WATERSHED: Williamson Creek – Suburban

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

SCHOOLS:

Cunningham Elementary School Covington Middle School Crockett High School

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District
 790 – Cherry Creek Village Neighborhood Association
 1228 – Sierra Club, Austin Regional Group 1343 – Oak Hill Trails Association
 1363 – SEL Texas 1424 – Preservation Austin
 1429 – Go!Austin/Vamos!Austin (GAVA)-78745
 1443 – Shiloh Oaks Neighborhood Association 1528 – Bike Austin
 1531 – South Austin Neighborhood Alliance
 1550 – Homeless Neighborhood Association 1559 – Palomino Park HOA
 1578 – South Park Neighbors 1596 – TNR BCP – Travis County Natural Resources

1616 – Neighborhood Empowerment Foundation

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-80-240 – 6929-B Manchaca Rd	GR to C-1 (converted to CS-1)	To Grant	Apvd C-1 for 546 sf (02-26-1981).
C14-80-178 – 6929-A Manchaca Rd	GR to C-1 (converted to CS-1)	To Grant	Apvd C-1 for 1,632 sf (11-13-1980).

RELATED CASES:

The proposed rezoning area was covered by a zoning case that was approved for GR zoning in October 1972 (C14-71-164 – Austin Savings & Loan Association).

The rezoning area is a portion of Lot 2, Towne Square Center subdivision, recorded in July 1979 (C8s-79-103). Please refer to Exhibit B.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Manchaca Road	90 feet	55 feet	Major Arterial	6 feet	No	Yes
West William Cannon Drive	100 feet	80 feet	Major Arterial	6 feet	No	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

This rezoning case is located on the southeast corner of West William Cannon Drive and Manchaca Road, and concerns one of the retail bays (0.05 acres) located within the larger Towne Square Shopping Center. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses include the existing retail shopping center, a restaurant, retail uses, and single family houses to the north; to the south is the existing shopping center, an assisted living center and single family houses; to the east is the existing shopping center, commercial uses, and single family houses; and to the west is a grocery store, an apartment complex, and single family houses. The proposal is to convert an existing retail bay from a laundromat to a liquor store/market, which requires CS-1 zoning.

Connectivity

There are public sidewalks located along W. William Cannon Drive and Manchaca Drive. A public transit stop is located directly in front of the shopping center. The Walkscore for this site is 64/100, Somewhat Walkable, meaning some errands may be accomplished on foot. The mobility and connectivity options in the area are above average.

Imagine Austin

The property is located along an ‘**Activity Corridor**’, which is characterized by a variety of activities and types of buildings that are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following IACP policies are also relevant to this case:

- **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 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 P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

Based on the comparative scale of the site relative to a variety of existing commercial land uses in the area, as well as the site being located along an Activity Corridor, which encourages neighborhood service commercial uses to make more vibrant corridors, the proposed project appears to support the policies of the Imagine Austin Comprehensive Plan.

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 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.

At this time, site specific information is unavailable regarding 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

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.

Please be aware that State Law governs the location of the sale of alcohol; it may not be sold within 300 feet of a church, public or private school or public hospital. Please refer to Subchapter C: Local Regulation of Alcoholic Beverages.

Transportation

FYI – Driveways, sidewalks, accessibility requirements, etc. shall comply with current Land Development Code and Criteria at the time of the Site Plan Applications.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a bicycle facility is recommended for Manchaca and William Cannon. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the [Bicycle Master Plan](#) for more information.

FYI – This project is adjacent to a street that has been identified in Austin's Corridor Mobility Program (see GIS file Construction eligible corridors).

Water / Wastewater

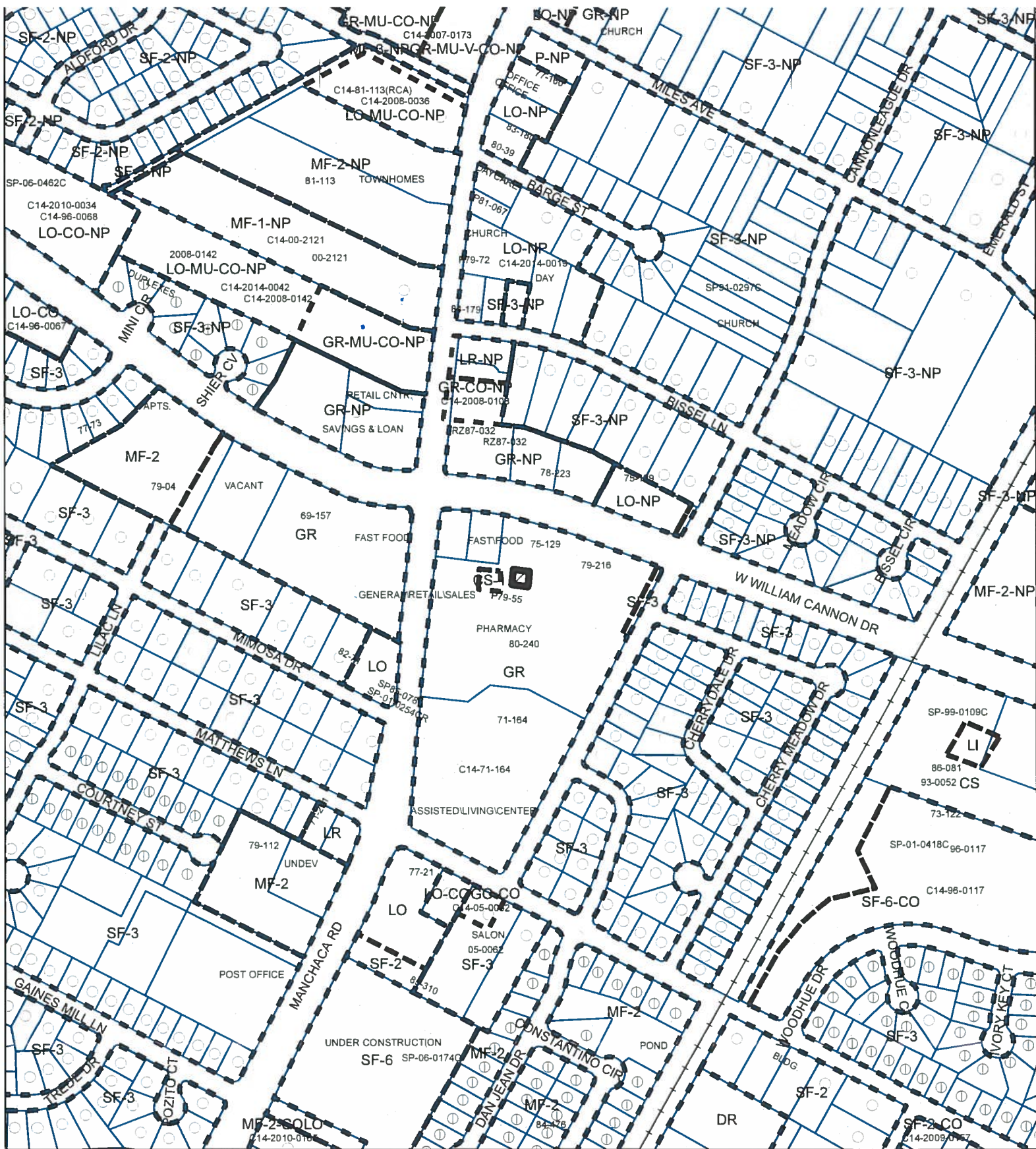
FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by 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.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- A-1: Aerial Map
- B: Recorded Plat






ZONING

Exhibit A

ZONING CASE#: C14-2019-0064



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

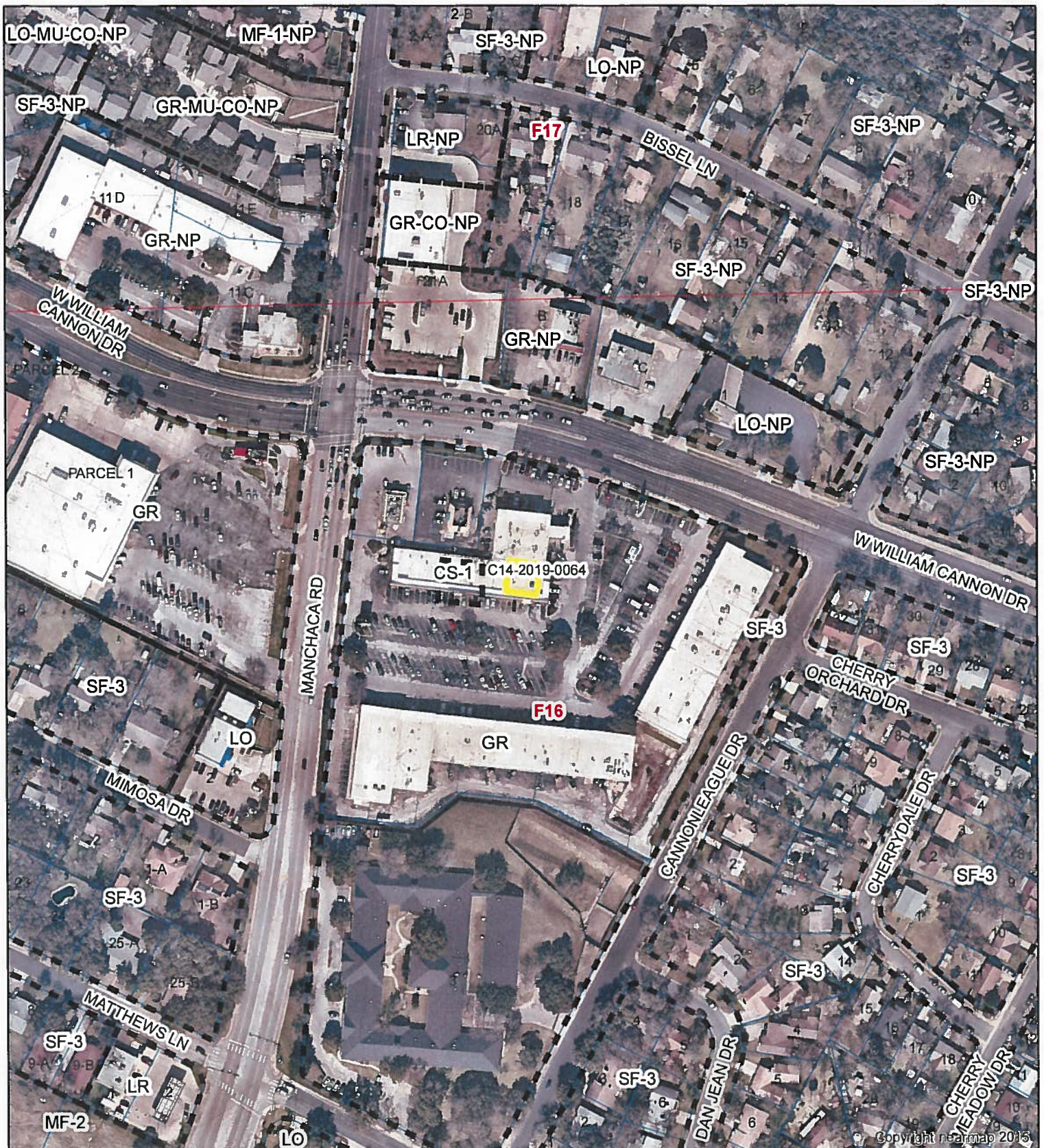
1" = 400'

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: 3/29/2019



N



1" = 200'



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY



CREEK BUFFER

OLD SCHOOL LIQUOR AND MARKET

ZONING CASE#: C14-2019-0064

LOCATION: 1901 W. William Cannon Dr. Ste. 165

SUBJECT AREA: .0552 ACRES

GRID: F16

MANAGER: WENDY RHOADES

EXHIBIT A1



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

STATE OF TEXAS
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS that William Cannon/Hanchaca Association, Ltd., a Texas limited partnership of William Cannon Ltd., being a Texas limited partnership of Gary L. Bradley and John C. Woolley, and Allied Development Co., being a Texas general partnership of R.R. Willford and R.J. Fallow, acting by and through Allied Development Co., as general partner, owner of that certain 12.991 acre tract and conveyed to it in Volume 6226, Page 257 of the Public Records of Travis County, Texas, does hereby subdivide said tract in accordance with the attached plat to be known as TOWNE SQUARE CENTER, and does hereby dedicate to the public all streets and easements as shown hereon.

WITNESS MY HAND this 17th day of July 1979 A.D.

Richard M. Linde
R. M. Linde

WITNESS MY HAND this 17th day of July 1979 A.D.

R. J. Fallow
R. J. Fallow

STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, on this day personally appeared R. M. Linde, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged that he executed the same for the purpose and consideration therein expressed.

WITNESS MY HAND this 17th day of July 1979 A.D.

Robert C. Thompson
Robert C. Thompson
Notary Public in and for Bexar County, Texas

Before me, the undersigned authority, on this day personally appeared R. J. Fallow, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged that he executed the same for the purpose and consideration therein expressed.

WITNESS MY HAND this 17th day of July 1979 A.D.

Robert C. Thompson
Robert C. Thompson
Notary Public in and for Bexar County, Texas

APPROVED FOR RECORD
Richard M. Linde
Richard M. Linde, Director of Planning
July 24 1979

ACCEPTED AND AUTHORIZED FOR RECORD by the Planning Commission of the City of Austin, Texas on the 24th day of July 1979.

Robert C. Thompson
Robert C. Thompson
Notary Public in and for Bexar County, Texas

FILED FOR RECORD this 25th day of July 1979, at 2:00 o'clock P.M. Berlin Shropshire, Clerk
County Court, Travis County, Texas.

By: *Lincoln Klemeier*
Deputy, Inc.

STATE OF TEXAS
COUNTY OF TRAVIS

I, Berlin Shropshire, Clerk of the County Court within and for the County and State aforesaid, do hereby certify that the foregoing instrument with its certificate of authentication was filed for record in the office of the County Clerk on the 25th day of July 1979, at 2:00 o'clock P.M. and was duly recorded in the Public Records of Travis County, Texas, in the Plat Record of said County in Book 78, Page 130.

WITNESS MY HAND AND SEAL of the Court of said County on the date last written above. Berlin Shropshire,
Clerk County Court, Travis County, Texas.

By: *Lincoln Klemeier*
Deputy, Inc.

FLOOD PLAIN NOTE
The 100 year flood plain will be contained within easements shown on this plat after proposed improvements are made.

ENGINEER

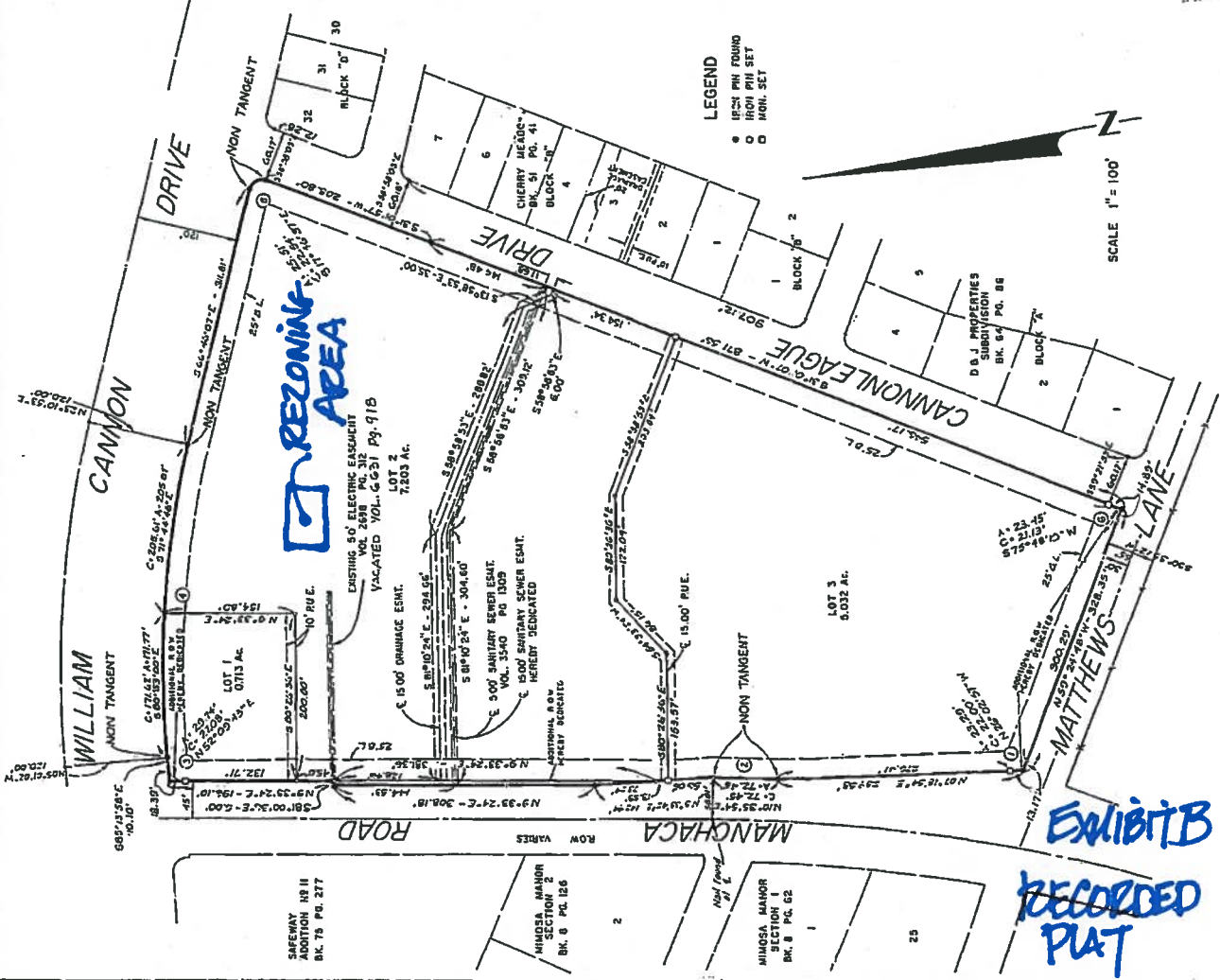
I, John Hoell, am authorized under the laws of the State of Texas to practice the profession of ENGINEERING and hereby certify that this plat complies with Chapter 41 of the City of Austin Code in true and correct, and was prepared from an actual survey made under my supervision on the ground.

John Hoell
John Hoell, Registered Professional Engineer
Date 6-27-79

PREPARED BY:
CITY PLANNING
CITY OF AUSTIN

4911 HARMON AVE. SUITE 109
AUSTIN, TEXAS 78751
DRAWN BY: J. WELSH

CBS-79-103



TOWNE SQUARE CENTER

CURVE	DATA	
	①	②
1	64° 43' 42"	27° 07' 05"
2	20° 00'	196° 06'
3	13° 17'	36° 23'
4	23° 29'	72° 45'
5	22° 00'	72° 45'
6	18° 16' 28"	184° 01'
7	20° 00'	190° 44'
8	16° 39'	371° 64'
9	23° 29'	23° 45'
10	37° 04'	37° 04'
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EXHIBIT B
RECORDED
PLAT

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: C14-2019-0064

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: May 21, 2019, Zoning and Platting Commission;

June 20, 2019, City Council

Lindsay Scogin
Your Name (please print)

Field Realty Partners
Your address(es) affected by this application

☒ I am in favor
☐ I object

J. Scogin
Signature

5-16-19
Date

512-453-6566
Daytime Telephone:

Comments:

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

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.

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Contact: Wendy Rhoades, 512-974-7719

Public Hearings: May 21, 2019, Zoning and Platting Commission;
June 20, 2019, City Council

SCHOOLS, GEDRAGE & NATALIE
Your Name (please print)

☐ I am in favor
☒ I object

7003 Cannon League dr
Your address(es) affected by this application

[Signature]
Date 5/16/19

Daytime Telephone: 512 291 52 57

Comments: Already a lot of disturbances
by home less people in commercial
area, worried about added
access to alcohol.

This is for the concern of the case number
C14-2019-0064 in charge of Wendy Rhoades
for a zoning change from GP to CS-1,
public hearings on May 21, 2019 at 2:00 PM
and June 20, 2019 city council.

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

Final - Zoning and Platting Commission May 21, 2019 Q & A Report

2. **Rezoning:** **C14-2019-0064 - Old School Liquor and Market; District 5**
Location: 1901 West William Cannon Drive, Suite 165, Williamson Creek Watershed
Owner/Applicant: Field Realty Partners, Ltd. (J. Grady Field); Old School Liquor and Market, Inc. (Phil Harding and Debbie Mylius)
Agent: Keepers Consulting (Ricca Keepers)
Request: GR to CS-1
Staff Rec.: **Recommended**
Staff: Wendy Rhoades, 512-974-7719
Planning and Zoning Department

Question: Commissioner King

Regarding this case, as I understand, CS-1 zoning allows the following uses:

- Adult Lounge
- Cocktail Lounge
- Adult-Oriented Businesses
- Bail Bond Services

Would the applicant/owner be willing to prohibit these uses as a condition of the zoning?

Are there any schools, child day care facilities, or child-related land uses within 500 linear feet of this site?

Answer: Staff and Applicant

The Applicant is willing to prohibit these uses:

- Adult-Oriented Businesses (it covers adult lounge too and therefore, doesn't need to be covered as a separate use)
- Bail Bond Services
- Cocktail Lounge