

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-8
AGENDA DATE: Thu 06/23/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0047 - Water-2-Wine - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3300 West Anderson Lane (Shoal Creek Watershed), from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Applicant: Kennedy Wilson Properties. Agent: Land Strategies. City Staff: Thomas Bolt, 974-2755.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Alice Glasco

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0047

Z.A.P. DATE: May 17, 2005

ADDRESS: 3300 West Anderson Lane

OWNER/APPLICANT: Kennedy Wilson Properties
(David Alsmeyer)

AGENT: Land Strategies
(Paul Linehan)

ZONING FROM: GR

TO: CS-1

AREA: .0872 acres
(3798 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

Recommend rezoning from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

Rezoning: C14-05-0047 - Water 2 Wine
Location: 3300 West Anderson Lane, Shoal Creek Watershed
Owner/Applicant: Kennedy Wilson Austin Inc.
Agent: Land Strategies
Request: GR to CS-1
Staff Rec.: **RECOMMENDED**
Staff: Thomas Bolt, 974-2755, thomas.bolt@ci.austin.tx.us
Neighborhood Planning and Zoning Department

APPROVED STAFF'S RECOMMENDATION FOR CS-1 ZONING; BY CONSENT.
[J.M; J.G 2ND] (9-0)

DEPARTMENT COMMENTS:

This site is located within an established commercial plaza. The plaza location is situated in a predominantly commercial area with GR, LI and LO district zoning. There are no single-family residences in close proximity to the site.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR	Miscellaneous retail occupancies
<i>North</i>	GR	Miscellaneous retail occupancies
<i>South</i>	GR	Restaurant
<i>East</i>	GR	Miscellaneous Shops and Bank
<i>West</i>	Unzoned	MOPAC Expressway North

AREA STUDY: No

TIA: N/A

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

#003 Allandale Neighborhood Association
#126 North Shoal Creek Neighborhood Association
#511 North Austin Neighborhood Alliance
#742 Austin Independent School District

SCHOOLS:

Pillow Elementary School
Burnet Middle School
Anderson High School

CASE HISTORIES: N/A

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
Anderson Lane	Varies	Varies	Major Arterial	No	# 65	No
Shoal Creek Blvd.	80'	55'	Collector	Yes	No	# 31
Great Northern Blvd.	60'	44'	Collector	No	No	No

CITY COUNCIL DATE: June 23, 2005

ACTION:

ORDINANCE READINGS: 1st

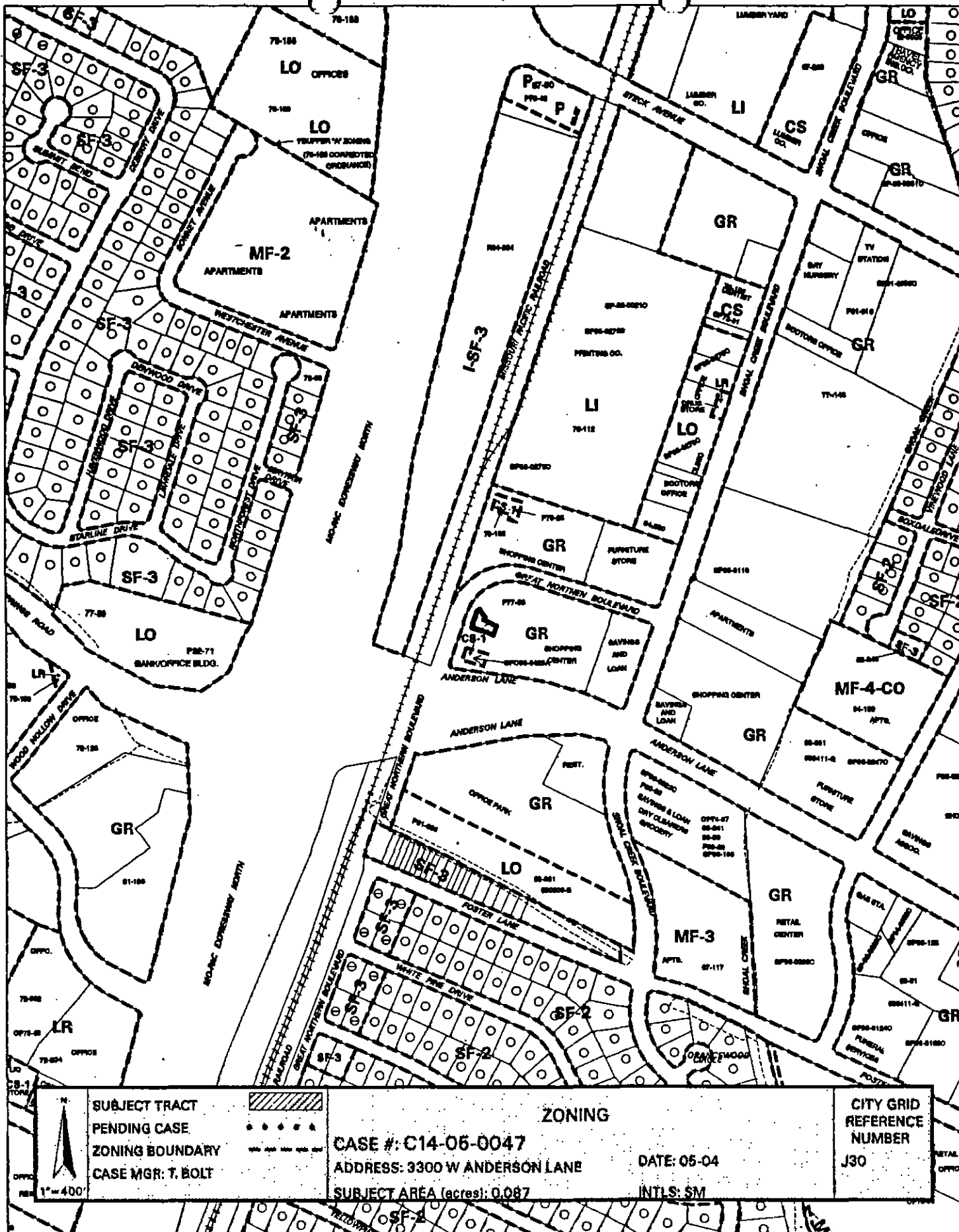
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Thomas Bolt
e-mail address: thomas.bolt@ci.austin.tx.us

PHONE: 974-2755





City of Austin

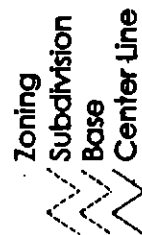
C14-05-0047

3300 W. ANDERSON LA.

REQUEST: FROM GR TO CS-1

**OWNER: WATER 2 WINE (TENANT)
KENNEDY WILSON PROP. LTI**

AGENT: LAND STRATEGIES



This map has been produced by the City of Austin as a working staff map and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness. Reproduction is not permitted without prior written permission from Watershed Protection & Development Review, City of Austin.

STAFF RECOMMENDATION

Recommend rezoning from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning.

BASIS FOR RECOMMENDATION

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

Commercial liquor sales (CS-1) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments. Liquor sales is one of the permitted uses in a CS-1 district.

Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.

The proposed use would allow consumption of an alcoholic beverage on premise. The beverages consumed would be made by patrons of the establishment.

Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.

The site is located on a major arterial near its intersection with MoPAC highway. West Anderson Lane has been developed with a variety of Commercial and office types of occupancies. Within a mile of the site there is a shopping mall. MoPAC separates this commercial area from residential areas to the west.

EXISTING CONDITIONS

Site Characteristics:

The overall site is fully developed with a multi-tenant building and various occupancies and required parking.

Impervious Cover

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

Environmental

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

According to flood plain maps, there is no flood plain within the project area.

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

Water Quality Control Requirements

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals, which would preempt current water quality or Code requirements.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 1,272 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).

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 and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustment, and utility relocation to serve the site and land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The landowner must pay the associated City fees.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards N/A

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3300 WEST ANDERSON LANE FROM COMMUNITY COMMERCIAL (GR) DISTRICT TO COMMERCIAL LIQUOR SALES (CS-1) DISTRICT.

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

PART 1. The zoning map established by Section 25-2491 of the City Code is amended to change the base district from community commercial (GR) district to commercial-liquor sales (CS-1) district on the property described in Zoning Case No. C14-05-0047, on file at the Neighborhood Planning and Zoning Department, as follows:

A tract of land containing 0.0872 acres of land area, being a portion of Lot 1, Block "B" of "Anderson Lane Office Park" Subdivision, the tract being more particularly described by metes and bounds in Exhibit "A", incorporated into this ordinance,

locally known as 3300 West Anderson Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 3. This ordinance takes effect on _____, 2005.

PASSED AND APPROVED

_____, 2005

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§
§

Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Brown
City Clerk

Zoning Parcel**STATE OF TEXAS**

§

§

COUNTY OF TRAVIS

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FIELDNOTE DESCRIPTION of a tract or parcel of land containing 0.0872 acres (3798 square feet) of land area, being a portion of Lot 1, Block "B" of "Anderson Lane Office Park" a subdivision of record in Book 71, Page 98 of The Plat Records of Travis County, Texas, and is more particularly described by metes and bounds as follows;

COMMENCING at a ½" iron rod found with a cap marked "S. A. Garza" at the point of curvature in the intersection of the north right-of-way line of Anderson Lane and the east right-of-way of Great Norther Blvd., also being the south and west lines of above said Lot 1, Block "B", said commencing point being N81°18'00"W, 224.48 feet from a ½" iron rod found in the common lines between said Lot 1, Block "B" and Anderson Lane;

THENCE, N22°45'07"E, crossing said Lot 1, Block "B", 225.16 feet to an angle point of an interior wall along the west line of an existing building;

THENCE, crossing through the said building with the following four corners;

- 1) N54°31'08"E, 11.40 feet to a calculated point;
- 2) S35°28'52"E, 33.65 feet to a calculated point;
- 3) S28°21'57"W, 8.50 feet to a calculated point;
- 4) S61°08'03"E, 48.30 feet to a point on an interior wall of the said building;

THENCE, S19°44'46"W, 33.90 feet to a calculated point on the interior southeast wall of the building;

THENCE, N70°12'39"W, crossing through the building 80.43 feet to a calculated point on the said interior west wall of the building;

THENCE, N19°41'44"E, 59.72 feet to the **POINT OF BEGINNING AND CONTAINING** within these metes and bounds 0.0872 acres (3798 square feet) of land area.

EXHIBIT A

0.0872 Acres

Job No. 05514.10

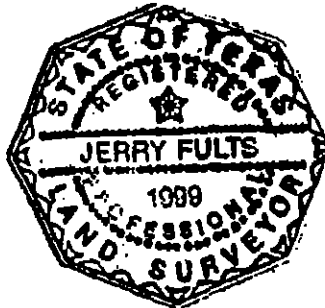
March 15, 2005

Bearing Basis is southwest line of above said Lot 1, Block "B" (Record)

Austin Grid MJ 30

That I, Jerry Fults, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 15 day of MARCH, 2005.




JERRY FULTS
Registered Professional Land Surveyor
No. 1999 - State of Texas

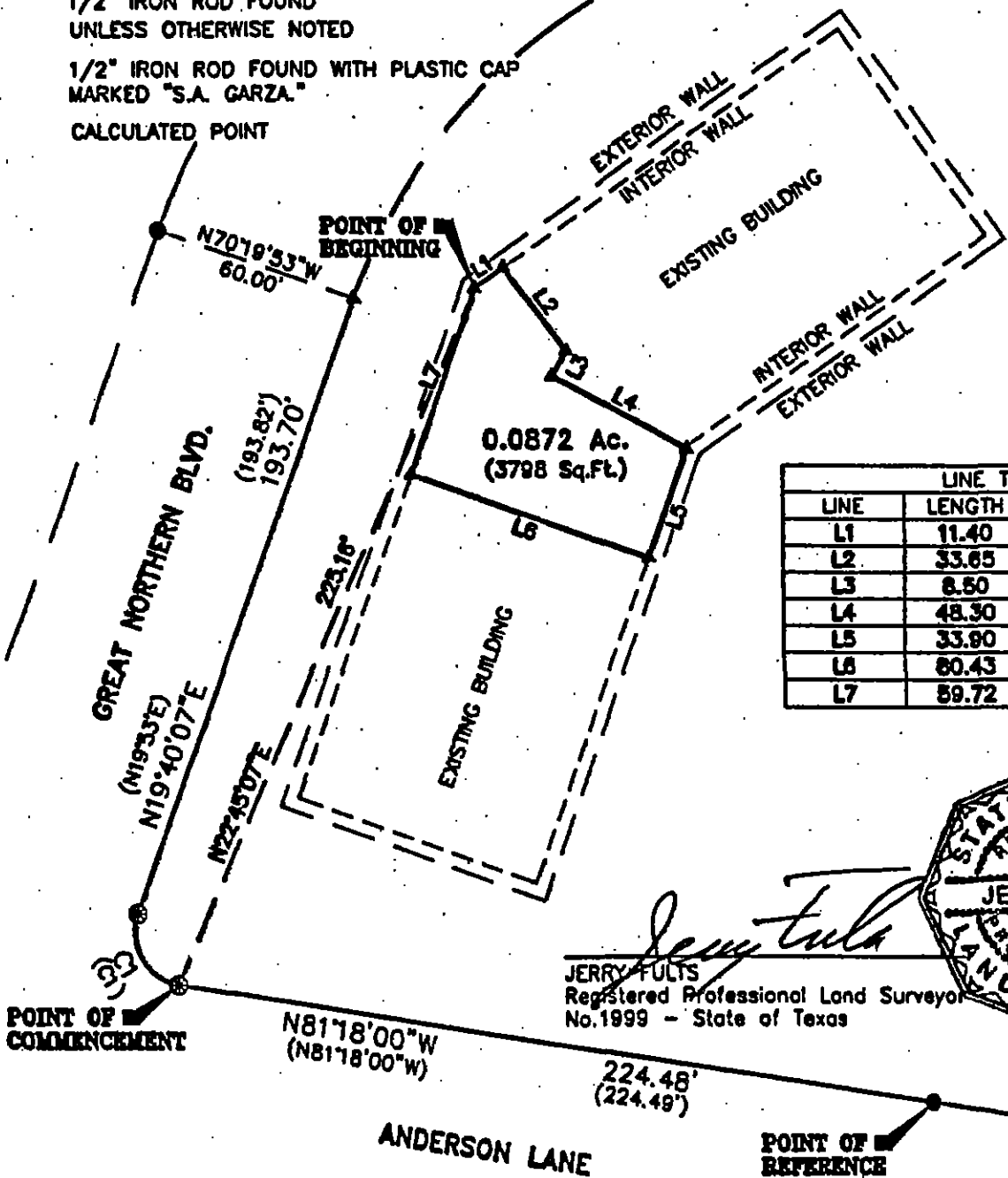
**SURVEY OF A 0.0872 ACRE (3798 Sq.Ft.)
BEING A PART OUT OF LOT 1, BLOCK B,
ANDERSON LANE OFFICE PARK,
TRAVIS COUNTY, TEXAS**



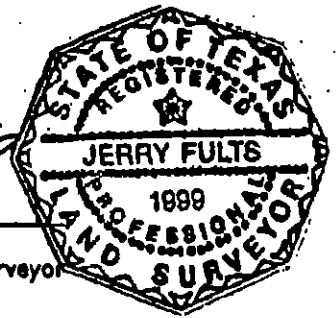
LEGEND

- T.C.P.R. TRAVIS COUNTY PLAT RECORD
P.U.E. PUBLIC UTILITY EASEMENT
● 1/2" IRON ROD FOUND
UNLESS OTHERWISE NOTED
⊙ 1/2" IRON ROD FOUND WITH PLASTIC CAP
MARKED "S.A. GARZA."
▲ CALCULATED POINT

LOT 1
BLOCK "B"
ANDERSON LANE
OFFICE PARK
Bk. 71 Pg. 98
T.C.P.R.



LINE TABLE		
LINE	LENGTH	BEARING
L1	11.40	N54°31'08"E
L2	33.65	S35°28'52"E
L3	8.50	S28°51'57"W
L4	48.30	S81°08'03"E
L5	33.90	S19°44'46"W
L6	80.43	N70°12'39"W
L7	59.72	N19°41'44"E



JERRY FULTS
Registered Professional Land Surveyor
No. 1999 - State of Texas

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD	Ch. BEARING
C1	101°27'42"	15.00	26.63	23.28	N30°08'32"W
(C1)	101°11'	15.00	26.49	23.18	N30°43'W

Dwg. # 05514P1.dwg

SHEET 1 OF 1



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SURVEYING
COMPANY
INCORPORATED**
 Building G, Suite 110
 (512) 327-4006

