

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

AGENDA



Thursday, February 15, 2007

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**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 64

Subject: C14-06-0196 - Cristo Rey Catholic Church - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2201-2205 E. 2 1/2 Street (Town Lake Watershed) from family residence (SF-3) district zoning to general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Staff Recommendation To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning Planning Commission Recommendation. To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Applicant: Catholic Diocese of Austin (Gregory M. Aymond) City Staff Robert Heil, 974-2330.

**Additional Backup
Material**

(click to open)

 **Staff_Report**

For More Information:

**ZONING CHANGE
AND NEIGHBORHOOD PLAN AMENDMENT
REVIEW SHEET**

ZONING CASE: C14-06-0196 Cristo Rey **P.C. Date:** November 16, 2006

NEIGHBORHOOD PLAN AMENDMENT: NPA 06 0010.01 Holly

ADDRESS: 2201-2205 East 2 ½ Street

OWNER/APPLICANT Catholic Diocese of Austin (Gregory M Aymond)

AGENT: Terry Welch

ZONING FROM: SF-3-NP **TO:** GO-CO-NP

LAND USE FROM: Single Family **TO:** Office

AREA: 0.638 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval the zoning request and the neighborhood plan amendment to general office – neighborhood plan – conditional overlay combining district zoning and office land use. The conditional overlay would limit daily vehicle trips to no more than 2000 additional trips, and prohibit the following uses:

- Business or Trade School
- Business Support Services
- Food Preparation
- Medical Offices
- Off-Street Commercial Parking
- Personal Services
- Printing and Publishing
- Restaurant (Limited)
- Service Station

PLANNING COMMISSION RECOMMENDATION:

November 14, 2006: APPROVED STAFF'S RECOMMENDATION FOR NEIGHBORHOOD PLAN AMENDMENT TO OFFICE AND APPROVED STAFF'S RECOMMENDATION FOR GO-CO ZONING; BY CONSENT.
[G.STEGEMAN, J REDDY 2ND] (8-0)

DEPARTMENT COMMENTS:

The site is currently zoned family residence-neighborhood plan (SF-3-NP), and the request is for general office-neighborhood plan (GO-NP) to allow for the expansion of offices of the Cristo Rey Catholic Church

The property is part of the Holly neighborhood plan, which was adopted in December 2001. The plan calls for single-family residential on the site. The plan amendment requested is from single family to office use.

The Holly neighborhood planning team supports the request for changing the land use to office. The neighborhood currently supports a rezoning of the property to limited office, but discussions are ongoing to see if there is consensus support for general office.

On January 11, 2007, the Council approved GO-CO-NP on this item, however, the public notice misstated the time of the public hearing, requiring this item to be reconsidered.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single family house and undeveloped
<i>North</i>	SF-3-NP	Single Family Homes
<i>South</i>	SF-3-NP	Cristo Rey Church
<i>East</i>	MF-5	Apartments
<i>West</i>	SF-3-NP	Single Family Homes

AREA STUDY: The property is part of the Holly neighborhood plan, which was adopted in December 2001. The plan calls for single-family residential on the site. The plan amendment requested is from single family to office use. The neighborhood planning team supports the request for Office land use.

TIA: A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

WATERSHED: Town Lake

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS

- Barrio Unidos
- East Town Lake Citizens Neighborhood Association
- El Concilio
- Guadalupe Neighborhood Development Corporation
- Austin Neighborhood Council

- Eastville - Central Neighborhood Association
- Holly Neighborhood Planning Team
- Holly Street Association
- SPEAK (Sentral Plus East Austin Koalition)
- PODER (Peple in Defense of Earth and her Resources)

SCHOOLS: (AISD ISD)

Zavala Elementary School

Martin Middle School

Johnston High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
Robert T Martinez Jr. St.	50'	40'	Local	Yes	Yes	Yes
East 2 nd St	50'	40'	Local	No	Yes	Yes
East 2 nd ½ St.	50'	30'	Local	No	No	Yes

CITY COUNCIL DATE:**ACTION:****January 11, 2007:**

Approved Staff's recommendation of GO-CO-NP, however there was an error in the notification and the item needed to be reposted.

February 15, 2007:**ORDINANCE READINGS:**1st2nd3rd**ORDINANCE NUMBER:**

ZONING CASE MANAGER: Robert Heil
e-mail address: robert.heil@c1.austin.tx.us

PHONE: 974-2330

PLAN AMENDMENT MANAGER: Adrienne Domas
e-mail address: adrienne.domas@c1.austin.tx.us

PHONE: 974-6355

SUMMARY STAFF RECOMMENDATION

Staff recommends approval the zoning request and the neighborhood plan amendment to general office – neighborhood plan – conditional overlay combining district zoning and office land use. The conditional overlay would limit daily vehicle trips to no more than 2000 additional trips, and prohibit the following uses:

- Business or Trade School
- Business Support Services
- Food Preparation
- Medical Offices
- Off-Street Commercial Parking
- Personal Services
- Printing and Publishing
- Restaurant (Limited)
- Service Station

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

- 1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The granting of GO-CO-NP, with the prohibited uses and density limits as described will not negatively impact the surrounding residential neighborhood character.

Transportation

No additional right-of-way is needed at this time. Additional right-of-way may be required at the time of site development.

The trip generation under the requested zoning is estimated to be 921 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]

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
Robert T Martinez Jr. St	50'	40'	Local	Yes	Yes	Yes
East 2 nd St.	50'	40'	Local	No	Yes	Yes
East 2 nd ½ St.	50'	30'	Local	No	No	Yes

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Town Lake 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

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

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.

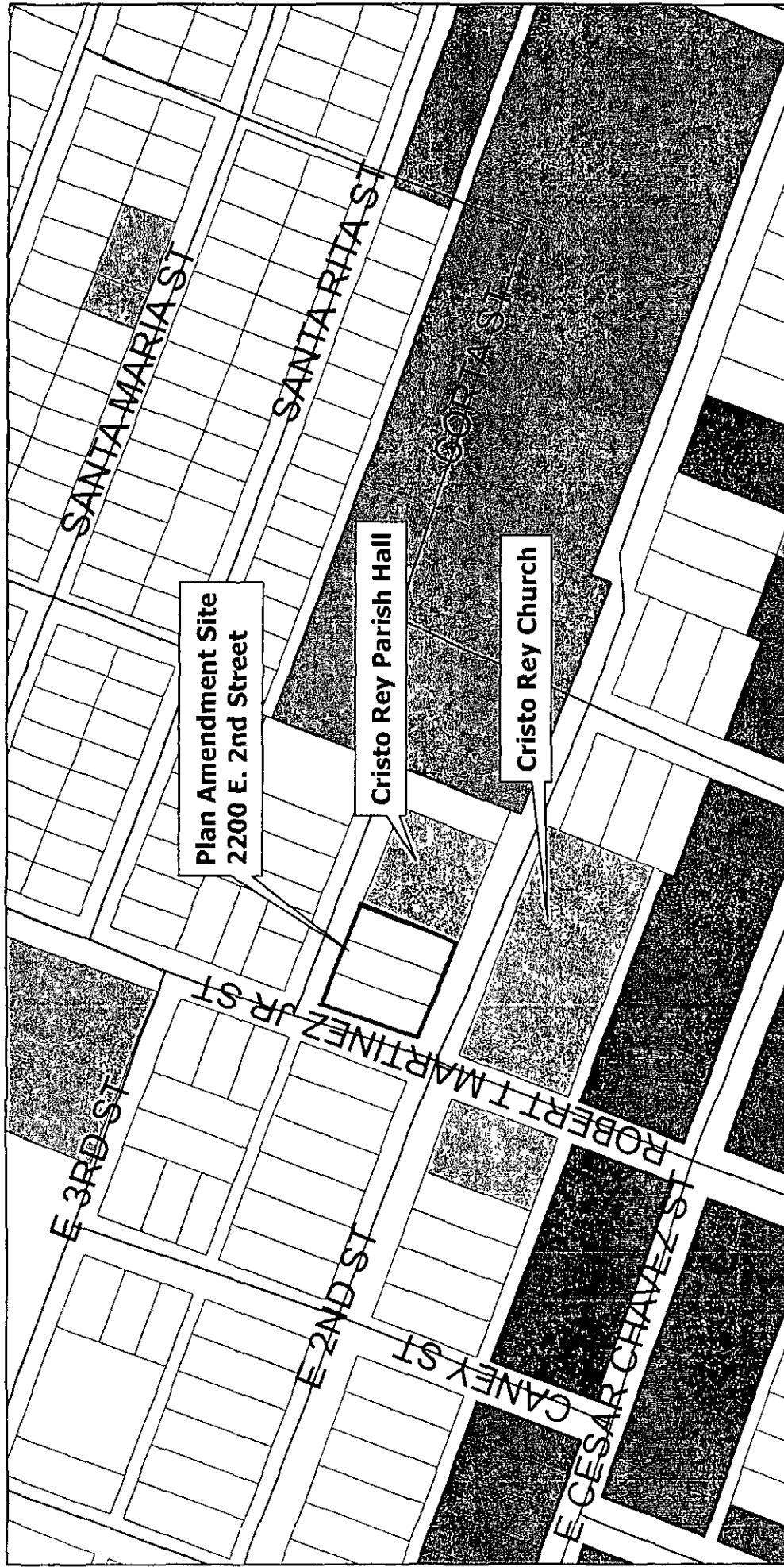
According to flood plain maps, there is no flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

Water and Wastewater

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

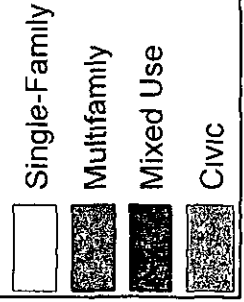


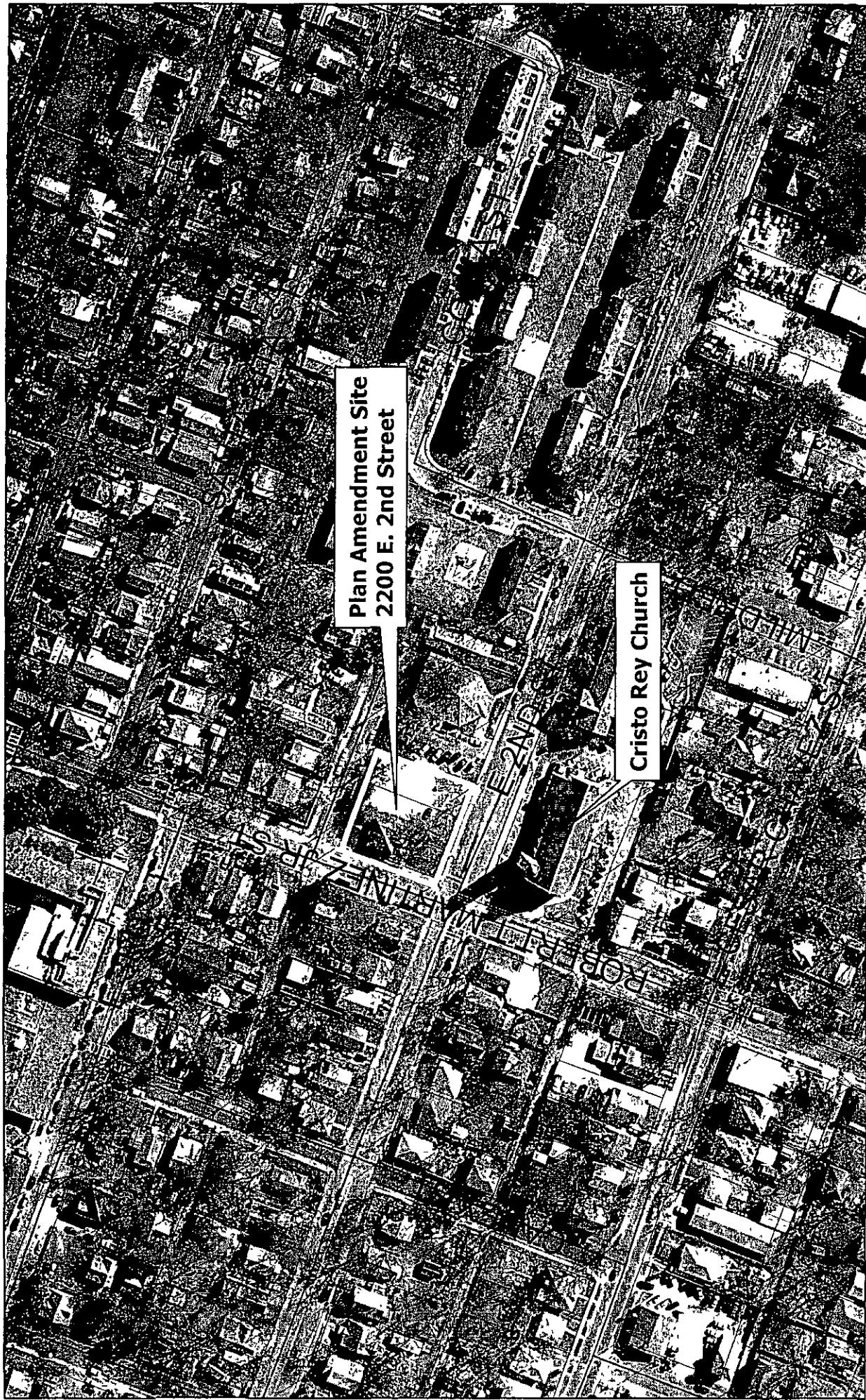
Holly Neighborhood Plan Amendment NPA-06.0010-01

This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for the sole purpose of assisting in neighborhood planning discussions and decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.

Legend

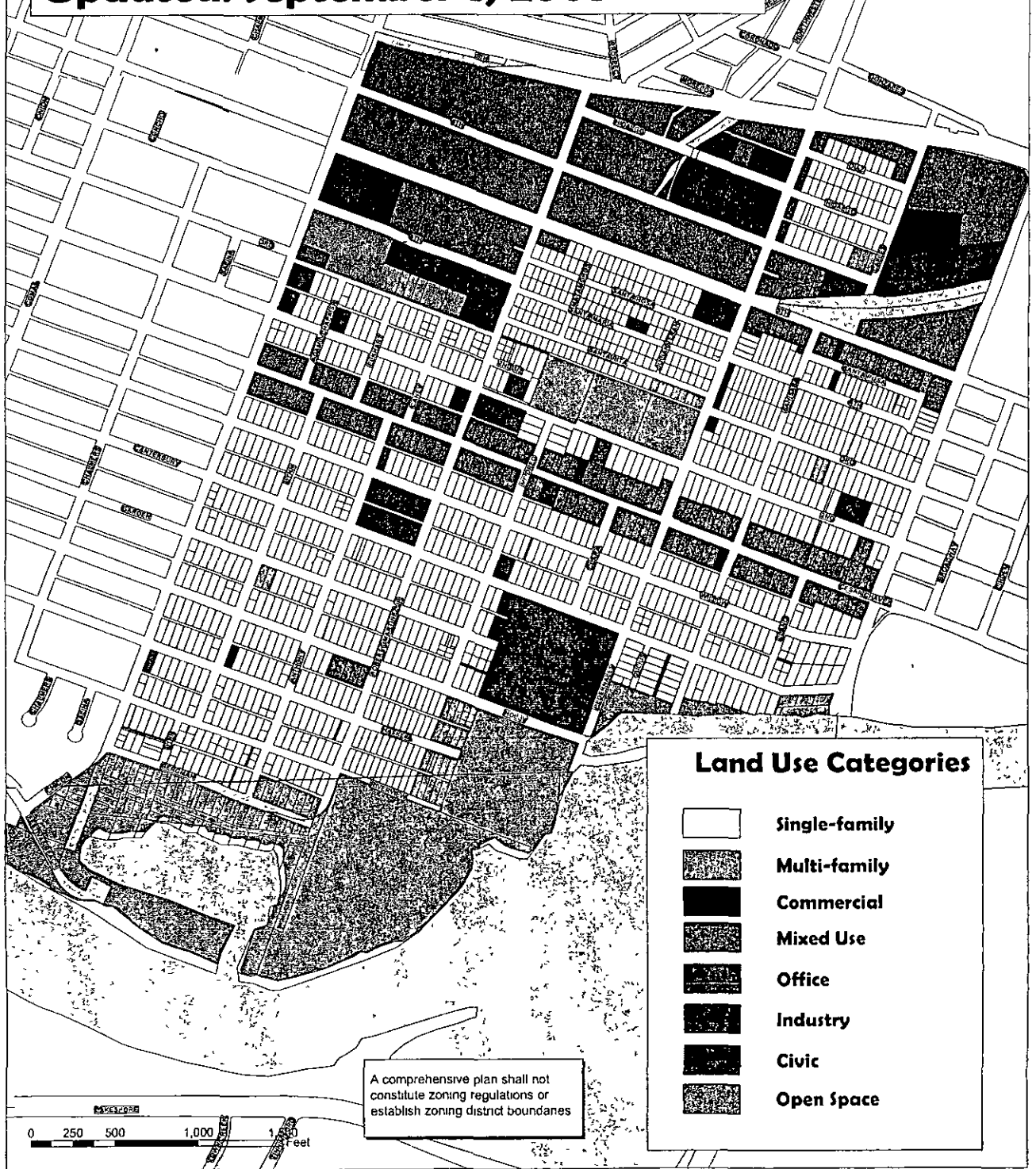
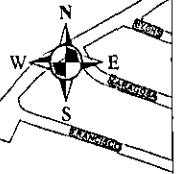
Future Land Use Map





2003 Aerial Photograph Plan Amendment Case NPA-06-0010-01

Holly Neighborhood Planning Area Future Land Use Map Updated: September 8, 2003



Land Use Categories

- | | |
|--|---------------|
| | Single-family |
| | Multi-family |
| | Commercial |
| | Mixed Use |
| | Office |
| | Industry |
| | Civic |
| | Open Space |

HOLLY NEIGHBORHOOD PLAN CONTACT TEAM

DATE: September 26, 2006

TO: Adrienne domas
Neighborhood Planning & Zoning Department
505 Barton Springs Rd.
Austin, TX 78704
Adrienne.domas@ci.austin.tx.us

FROM: Gloria Moreno
Holly NP CT
2504 Hidalgo Street
Austin, TX 78702
gjmoreno@hotmail.com

Dear Adrienne,

RE: CASE # NPA-06-0010.01

Per your phone call, last week, requesting a confirmation, in writing, about the outcome of the meeting called by Cristo Rey Catholic Church to discuss a re-zoning change, I am happy to generate this letter and send it to you as an attachment via email. I hope this will be sufficient

The meeting was held at the Cristo Rey Catholic Church Parish Hall, 2210 East 2nd Street, at 6:30 p m on Tuesday, September 19, 2006. After the opening and introductions, Adrienne Domas, City of Austin Neighborhood Planning & Zoning Department, Comprehensive Planning, made a presentation about the need and request for change the zoning from SF3 (Single Family) for Lots 12, 13, and 14 to match the other three lots currently identified as Civic Use and zoned LO (Limited Office) : Lot 9, Lot 10, and Lot 11 which are already being used by the church for the parish hall and its parking lot. The reason for this request is that the church wants to be able to use this area for additional office, meeting, and conference rooms space

Cristo Rey Church staff then made their presentation. They stated how the need for more space was assessed and their only way to take care of the lack of space is to use a portion of the SF3 lots on the NorthEast corner of East 2nd and Robert Martinez Jr. Streets. In order to construct or bring in an already fabricated unit, the first step is to request a zoning change for said property from SF3 to LO

After an indepth discussion, a vote was taken and it was the consensus of the residents, from the Holly NP area, in attendance, to change the zoning from SF3 to LO.

As chair of the Holly NP Contact Team, I am confirming that a sound "YES" is the vote for the requested change and an ammended plan for the Holly Neighborhood Plan.

Thank you,

Gloria Moreno
Holly NP Contact Team, Chair

LULAC #4814, Active Member

Pedernales Neighborhood Association, President El Concilio, Active Member

Heil, Robert

From: Rusthoven, Jerry
Sent: Thursday, January 18, 2007 5:27 PM
To: Wynn, Will, Martinez, Mike [Council Member], Kim, Jennifer, Leffingwell, Lee, Cole, Sheryl; Dunkerley, Betty; McCracken, Brewster
Cc: Guernsey, Greg, Sandoval, Marie; Heil, Robert; Council Executive Assistants
Subject: FW: Opposed - Rezoning Case# C14-06-0196 Item #73 PH
Importance: High

Dear Mayor and Council,

Ms. Navarro is correct that this case was improperly notified. When the notices are prepared for the Council often the notice from the Planning Commission is used as a template since only the date, time and public body hearing the case are different. The other data, the case address, zoning request, City Hall address all remain the same. In this case the time was inadvertently not changed from the 6pm start of the Planning Commission to the 4pm start of the City Council. I have spoken with Ms. Navarro and informed her that a new notice will be sent out and the case will have a public hearing on Feb 15th when she may address the Council. I have attempted to contact the Church's architect to let them know as well and will try again tomorrow. We can have the case ready for all 3 readings on Feb 15th.

Jerry Rusthoven, AICP
 Manager
 Zoning, Historic Preservation and Annexation Divisions
 Neighborhood Planning and Zoning Dept
 City of Austin
 One Texas Center 5th Floor
 505 Barton Springs Rd
 P.O. Box 1088
 Austin, TX 78767
 (512) 974-3207
 (512) 974-6054 fax

From: Rebecca Navarro [mailto:rnavarro13@Austin.rr.com]
Sent: Monday, January 15, 2007 11:48 AM
To: Wynn, Will; Martinez, Mike [Council Member]; Kim, Jennifer; Leffingwell, Lee; brewster.mccracken@ci.austin.tx.us; Cole, Sheryl; Dunkerley, Betty
Cc: Guernsey, Greg
Subject: Opposed - Rezoning Case# C14-06-0196 Item #73 PH
Importance: High

Dear City of Austin Council Members:

I have attached the **Notice Of Public Hearing Rezoning** I received in the mail. After receiving this notice, I called and left a voicemail for Robert Heil requesting information and voicing my opposition to this Rezoning. However, I never received a return call. This Case# C14-06-0196, item #73 PH, was to be heard on **Thursday, January 11, 2007 @ 6:00 p.m..**

I made arrangements to take off work early and arrived at Austin City Hall at 5:30. After 2 1/2 hours of waiting, I was told that, per the "new" agenda, my case was addressed at **4:00 p.m.** and appeared to be approved. Why was the time changed and I not notified? Many of my neighbors who oppose this rezoning were inconvenienced as well.

On Friday, 1/12/07, I called to voice my complaint and was forwarded to Jerry Rusthoven, Robert Heil's supervisor. I left two voicemails; one at 9:21 a.m. & one at 2:16

2/8/2007

p.m.. As of today, Monday, January 15, 2007, I have yet to receive a return call from either Mr. Heil or Mr. Rusthoven.

I am opposed to this rezoning for many reasons. Cristo Rey Catholic Church (Catholic Diocese of Austin) has many facilities that is used to house the staff. This rezoning is to build additional facilities on four vacant lots, which in my opinion, are not necessary. I believe these lots would be better served if made into parking lots so that the neighbors' driveways will not be blocked. On any given day, especially Sundays or special occasions, i.e. Easter, Mother's Day, etc., it is very difficult to gain access to my Mother's driveway because it is blocked by church members' cars. I purchased signs, put out orange construction cones and put notes on cars, but nothing seems to work. The most adamant reason I am opposed to this rezoning is that my Mother is 93 years old and there have been times when EMS has had a difficult time getting to her due to the cars blocking the drive. We have even had to go so far as to go to the church and interrupt the service to get cars moved.

It seems this church wants to consume every vacant lot available in east Austin. I attend church on a regular basis myself, but enough is enough when it begins to disrupt the neighbor's daily lives. I hope you will consider my concerns and NOT grant this rezoning.

Thank you for your time.

Rebecca A. Navarro
2213 E 2 1/2 St.
Austin, TX 78702
e-mail: rnavarro13@austin.rr.com
cell#: 512-663-7658

2/8/2007



NOTICE OF PUBLIC HEARING REZONING

NPZD

FEB - 5 2007

Mailing Date: November 3, 2006

Case Number: C14-06-0196

Este aviso le informa de una audiencia pública tratando un cambio de zonificación dentro de una distancia de 300 pies de su propiedad. Si usted desea recibir una copia de este aviso en español, por favor llame al (512) 974-7668.

Please be advised that the City of Austin has received an application for a zoning change.

Owner: Catholic Diocese of Austin (Gregory M Aymond)

Telephone: 512.837.7825

Agent: Terry Welch

Telephone: 512.458.9800

Address and/or Legal Description: 2201-2205 E 2 ½ Street

Proposed Zoning Change

From **SF-3-NP- Family Residence district** is intended as an area for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. Duplex use is permitted under development standards which maintain single-family neighborhood characteristics. This district is appropriate for existing single-family neighborhoods having typically moderate sized lot patterns, as well as for development of additional family housing areas with minimum land requirements. NP – **Neighborhood Plan district** denotes a tract located within the boundaries of an adopted Neighborhood Plan.

To **GO – General Office district** is intended for offices and selected commercial uses predominately serving community and city-wide needs.

This application is scheduled to be heard by the City Council on February 15, 2007. The meeting will be held at City Hall Council Chambers, 301 West 2nd Street beginning at 4:00 PM.

You are being notified because City Ordinance requires that all property owners within 300 feet of the proposed development and affected neighborhood organizations be notified when an application is scheduled for a public hearing. If you have any questions concerning this application, please contact Robert Heil of the Neighborhood Planning and Zoning Department at (512) 974-2330 and refer to the Case Number at the top right of this notice. However, you may also find information on this case at our web site www.ci.austin.tx.us/gis/reviewcases/rcase_table_search.cfm.

For additional information on the City of Austin's land development process, please visit our web site www.ci.austin.tx.us/development.

