NEIGHBORHOOD PLAN AMENDMENT AND ZONING CHANGE REVIEW SHEET

CASE: NPA-06.0009.05 & C14-06-0160 **PC DATE:** February 27, 2007

ADDRESS: 1701, 1703 & 1705 Martin Luther King Jr. Blvd.

APPLICANT/AGENT: Calavan Family Partnership (Brooks Calavan)

LAND USE FROM Single Family **TO:** Commercial Mixed Use

ZONING FROM: SF-3--NP **TO:** GR-MU-NP

AREA: 0.450 acres

STAFF RECOMMENDATION :
Staff alternatively recommends Office-Mixed Use Land Use and LO-MU-CO-NP zoning, with a conditional overlay limiting development to no more than 2000 daily vehicle trips.

PLANNING COMMISSION RECOMMENDATION:

February 27, 2007: Approved the applicant's and neighborhood's request for GR-MU-CO-NP. (8-0)

DEPARTMENT COMMENTS:

The site is currently zoned SF-3-NP and contains 3 single family homes. The surrounding zoning is a mix of single family, multi-family and office base districts, with SF-3 zoning on the tracts immediately adjacent. To the southwest is the historic Oakwood Cemetery. Land uses along MLK Blvd on the neighborhood plan Future Land Use Map are mixed, with single-family uses approved for this site.

On February 13, 2007, OCEAN, the Organization of Central East Austin Neighborhoods, vote to support the request for Commercial Mixed Use Land Use, and GR-MU-CO-NP zoning with the following conditional overlay.

1) Limit height to 40 feet
2) All uses above the1st floor must be residential
3) The following uses would be prohibited:

- Automotive rentals
- Automotive repair services
- Automotive sales
- Automotive washing
- Commercial off street parking
- Drop off recycling collection facility
- Hospital services-general C
- Hospital services-limited
- Hotel-motel
- Indoor entertainment
- Indoor sports and recreation
- Outdoor entertainment C
- Outdoor sports and recreation
- Pawn shop services
- Residential treatment
- Service station

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3-NP	Single Family Homes
North	MF-3-NP	Single Family Homes
South	SF-3-NP	Single Family Homes & Offices
East	SF-3-NP & LO-MU-NP	Single Family Homes
West	P-H-NP	Oakwood Cemetery

NEIGHORHOOD PLAN: Central East Austin (adopted December 13, 2001)

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: Boggy Creek **DESIRED DEVELOPMENT ZONE:** Yes.

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
MLK Blvd.	76'	40'	Major Arterial	Yes	Yes	No
Leona Street	54'	28'	Collector	No	No	No

CITY COUNCIL DATE: **ACTION:**

April 5, 2007

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

PLAN AMENDMENT CASE MANAGER: Katie Halloran **PHONE:** 974-3509
EMAIL: katie.halloran@ci.austin.tx.us

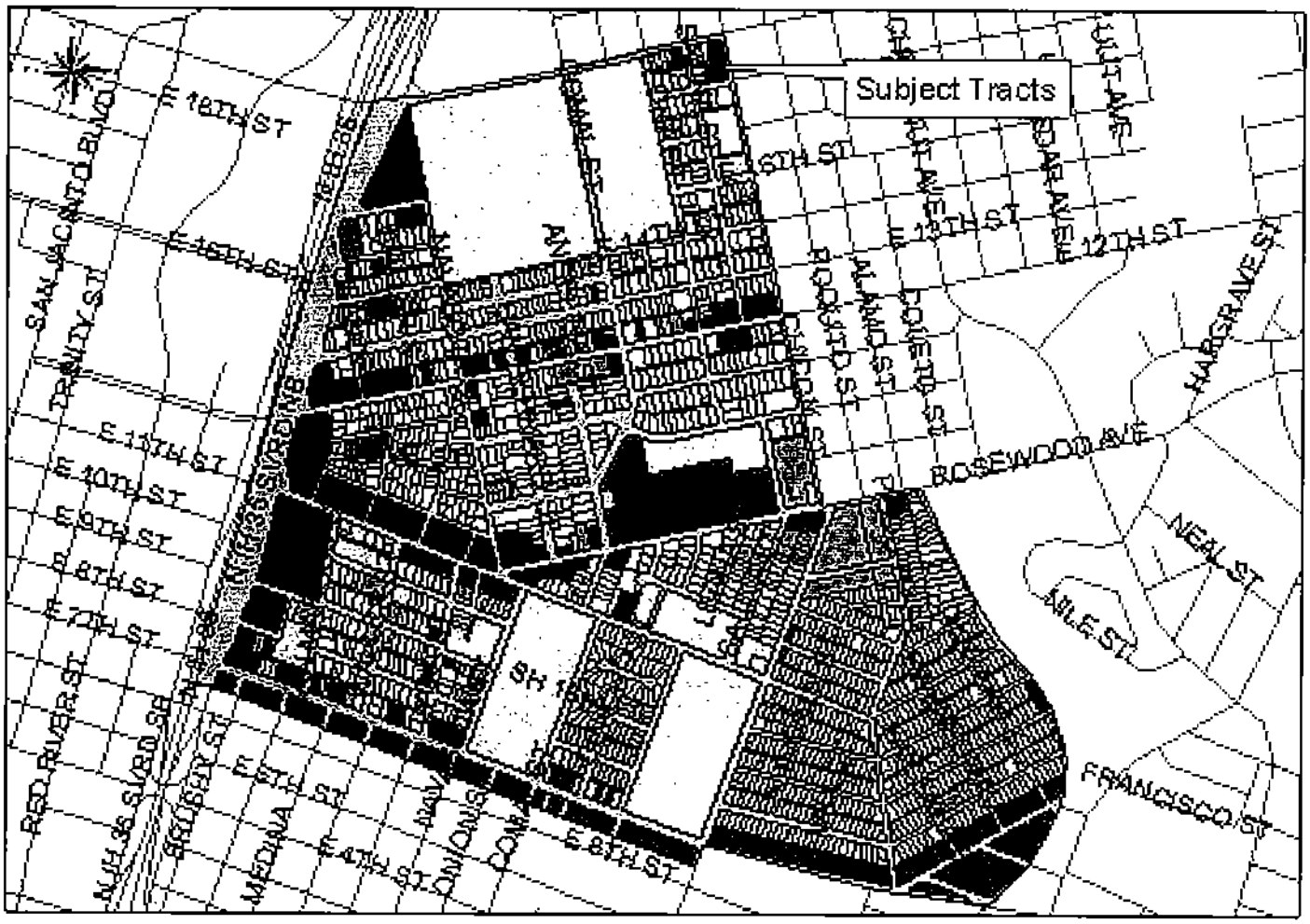
ZONING CASE MANAGER: Robert Heil **PHONE:** 974-2330
EMAIL: Robert.Heil@ci.austin.tx.us

N 1"=400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: R. HEIL	ZONING CASE #: C14-06-0160 ADDRESS: 1701 - 1705 E MARTIN LUTHER KING BLVD SUBJECT AREA (acres): 0.450	DATE: 06-07 INTLS: SM	CITY GRID REFERENCE NUMBER K23

The City of Austin
Neighborhood Planning and Zoning Department

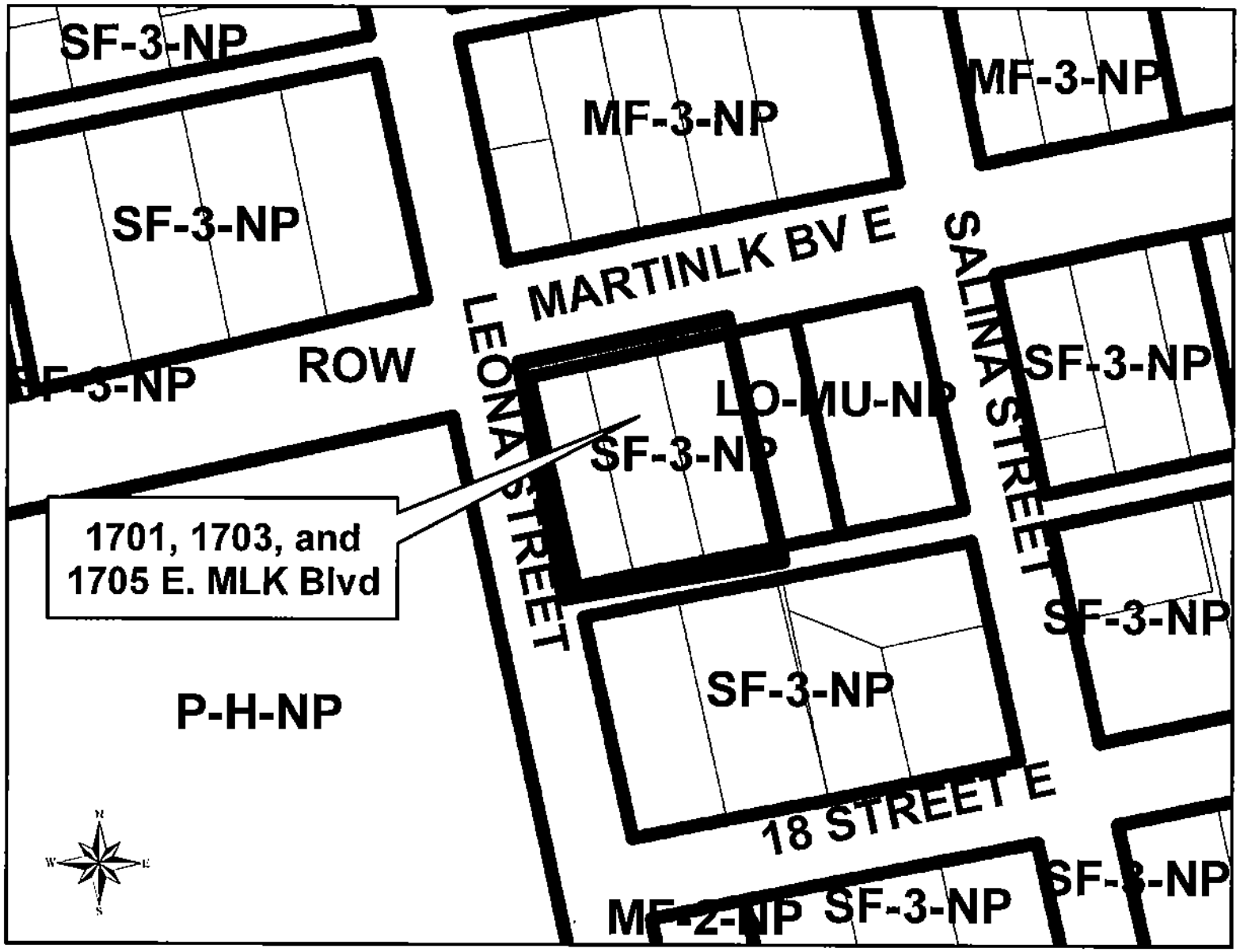
Proposed Central East Austin Neighborhood Plan Amendment

Case Number: NPA-06-0009.05
Subject Properties: 1701, 1703, and 1705 E. MLK Blvd.
Plan Amendment Request: Single Family to Commercial Mixed Use
Related Rezoning Request: SF-3-NP to CS-MU-NP



Locator Map: 1701, 1703, and 1705 E. MLK Blvd.
Central East Austin Neighborhood Planning Area

Case NPA-06-009.05



Central East Austin Neighborhood Plan:
Current Zoning Map

Plan Amendment Case NPA-06-0009.05
Zoning Case C14-06-0160

City of Austin
Neighborhood Planning & Zoning Department

Future Land Use Map: Central East Austin Neighborhood Plan

Plan Amendment Case NPA-06-0009.05

City of Austin
Neighborhood Planning & Zoning Department

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

2003 Aerial Photograph

Plan Amendment Case NPA-06-0009.05

City of Austin
Neighborhood Planning & Zoning Department

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

STAFF RECOMMENDATION :

Staff alternatively recommends Office-Mixed Use Land Use and LO-MU-CO-NP zoning, with a conditional overlay limiting development to no more than 2000 daily vehicle trips.

BASIS FOR RECOMMENDATION:

- The CEA Neighborhood Plan seeks to preserve existing residential areas.
- The GR (Community Commercial) base zoning district allows uses which are not compatible with an older residential neighborhood .
- The GR (Community Commercial) base zoning district's site development standards would allow for a much more intense project than that which is called for in the CEA Future Land Use Map (FLUM).
  Maximum building coverage: SF-3= 40%, GR-MU = 75%
  Maximum impervious cover: SF-3= 45%, GR-MU = 90%

BACKGROUND:

The Central East Austin Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on December 13, 2001. The boundaries of the planning area are: Martin Luther King on the north, Intestate Highway Thirty-Five (I-35) on the west, the alley between East 6th and 7th Streets and East 7th Street on the south and Northwestern Avenue, Rosewood Avenue, and Chicon Street on the East.

TRANSPORTATION

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

The trip generation under the requested zoning is estimated to be 3,695 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 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]

If access to Leona Street is proposed, a Neighborhood Traffic Analysis is required and will be performed for this project by the Transportation Review staff. Results will be provided in a separate memo. LDC, Sec. 25-6-114. Current traffic counts from the applicant for Leona between MLK and E. 11th Street would be required.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
MLK Blvd.	76'	40'	Major Arterial	Yes	Yes	No
Leona Street	54'	28'	Collector	No	No	No

SITE PLAN

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

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Compatibility Standards

The site is subject to compatibility standards. Along the east, west, north and south 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.
- 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.
- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

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

ENVIRONMENTAL

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

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