

ZONING CHANGE REVIEW SHEET

CASE: C14-2007-0038.SH, Garden Terrace

ZAP DATE: May 1, 2007

May 15, 2007

COUNCIL DATE: May 24, 2007

ADDRESS: 1015 West William Cannon Drive

OWNER/AGENT: Garden Terrace Housing Corporation (Walter Moreau, Jennifer Daughtrey)

ZONING FROM: MF-1-CO

TO: MF-2-CO

AREA: 5.77 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant MF-2-CO, Multi-Family Residence Low Density Conditional Overlay, combining district zoning.

The Conditional Overlay recommended is the same as the existing one, save for the prohibition of telecommunication towers. The CO would

- Limit the building height to 22 feet, the height of the existing one-story building;
- Prohibit the following uses: Club or Lodge, or Community Recreation (public or private)
- Limit the floor-to-area-ratio (FAR) to 0.17852 to 1.

ZONING & PLATTING (ZAP) COMMISSION RECOMMENDATION:

05/01/07: Postponed on consent to 05/15/07 at the request of Staff [8-0 (Janis Pinelli, Stephanie Hale 2nd; Joseph Martinez absent)].

05/15/07: Approved Staff's recommendation of MF-2-CO [7-2 (Clarke Hammond, Teresa Rabago 2nd; Betty Baker and Joseph Martinez voting against the rezoning)] but with the additional condition that the maximum number of units be limited to 103.

DEPARTMENT COMMENTS:

Existing Zoning & Covenant

The property is currently used as a Single Room Occupancy (SRO) rental facility in which each unit is occupied by one resident. The units are considered efficiency apartments which are permitted in MF-1, and MF-2. The existing building is approximately 45,000 square feet in size. The site was zoned MF-1-CO in 2001 to allow the conversion of the then-nursing home to the SRO facility. The Conditional Overlay

- Limits the building height to 22 feet (the height of the existing building);
- Prohibits the following uses: Club or Lodge, Community Recreation (public or private), and Telecommunications Tower; and
- Limits the FAR to 0.17852 to 1 (which reflects the FAR on the 1986 Site Plan).

There is also a private restrictive covenant that was executed as part of the 2001 case between the owner and the Cooper Land Neighborhood Association and the FAR South Austin Community Association that requires

- The prohibition of the property as a temporary housing shelter (occupancy is limited to residents and tenants under signed lease and occupancy agreements and their immediate family and guests);
- The extension of a fence and landscaping along the west property line to William Cannon;
- Fence repair on the property;
- Exterior lighting aligned and located so as to not shine unreasonably onto neighbor residences;
- The prohibition to the extent allowed by law of hand gun possession on the property; and
- The prohibition of food to persons other than property residents.

Current Request

The applicant has requested MF-2 zoning because they would like to convert some of the existing building space into additional units. There are currently 88 units. The applicant would like to add 15 more units for a total of 103 units, which are 5 more units than are allowed under MF-1.

	Max. Units Per Acre	Max. Units Allowed for Subject 5.77-acre Property
MF-1	17	98
MF-2	23	123

Subject to approval of the rezoning request, the City's Neighborhood Housing and Community Development (NHCD) Department has certified that the proposed project meets the City's SMART (Safe, Mixed-Income, Accessible, Reasonably-priced, Transit-Oriented) Housing standards at the presubmittal stage (see attached letter from NHCD). The project is eligible for a 100% waiver in certain City development fees because the project will provide 100% of its units to households at or below 50% Median Family Income.

Staff supports the rezoning to MF-2 with the continuation of the existing conditional overlay, save for the prohibition of telecommunication towers. It is the City's policy to not recommend prohibition of telecommunication towers since there are existing City regulations governing the location and placement of such structures. Staff recommends continuation of the existing conditional overlay since conditions in the area have not changed.

Staff is able to support MF-2 zoning because

- It provides for continued use with a reasonable increase in density of the existing SRO facility and is consistent with the Council's policy of providing Opportunities for S.M.A.R.T. Housing to occur;
- It would not be incompatible with the more intensive GR zoning to the west and LO-zoned townhomes to the east;
- This is located on William Cannon Drive, a major arterial roadway; and
- The existing conditional overlay is maintained.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-1-CO	Single room occupancy rental facility
<i>North</i>	LO; SF-3; SF-6; NO-MU-CO	Parking lot (LO); Single-family residences (SF-3 and SF-6); Church (NO-MU-CO)

<i>South</i>	SF-3	Single-family residences
<i>East</i>	LO; GR and SF-3 across Cooper Lane	Townhomes (LO); Apartments (GR) and single-family residences (SF-3) across Cooper Lane
<i>West</i>	GR	Car wash; Oil and lube shop across Mount Carrell Drive

AREA STUDY: South Austin Infill Study (9-83)**TIA:** Not required**WATERSHED:** South Boggy Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**REGISTERED NEIGHBORHOOD/COMMUNITY ORGANIZATIONS:**

21 - Cooper Lane Neighborhood Association 26 - Far South Austin Community Assn.
61 - Pleasant Hill Neighborhood Association 300 - Terrell Lane Interceptor Assn.
428 - Barton Springs I Edwards Aquifer Conservation District
511 - Austin Neighborhoods Council 627 - Onion Creek Homeowners Assn.
742--Austin Independent School District
786--Home Builders Association of Greater Austin

SCHOOLS:

This site is served by the Austin Independent School District.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-01-0125.SH (subject site)	SF-3 to MF-1-CO	Recommended MF-1- CO w/restrictive covenant	Approved MF-1-CO with restrictive covenant
C14-01-0084	SF-3 to NO for Tract 1; SF-6 for Tract 2	Recommended NO-MU- CO w/conditions (1000 trips, access restriction, veg. buffer, prohibited uses) for Tract 1; SF-6 for Tract 2	Approved NO-MU-CO w/ZAP conditions save for access restriction for Tract 1; SF-6 for Tract 2
C14-00-2193	LO to SF-6	Recommended SF-6	Approved SF-6
C14-98-0228	SF-6-CO to LO	[Case withdrawn]	N/A

EXISTING STREET CHARACTERISTICS:

STREET	RIGHT- OF- WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
West William Cannon Drive	120 feet	2 lanes at 36 feet	Major arterial divided	N/A

There are existing sidewalks along West William Cannon Drive. West William Cannon Drive is classified in the Bicycle Plan as a Priority 1 bike route. Capital Metro bus service is available along West William Cannon Drive.

CITY COUNCIL DATE:

ACTION:

ORDINANCE READINGS:

1st

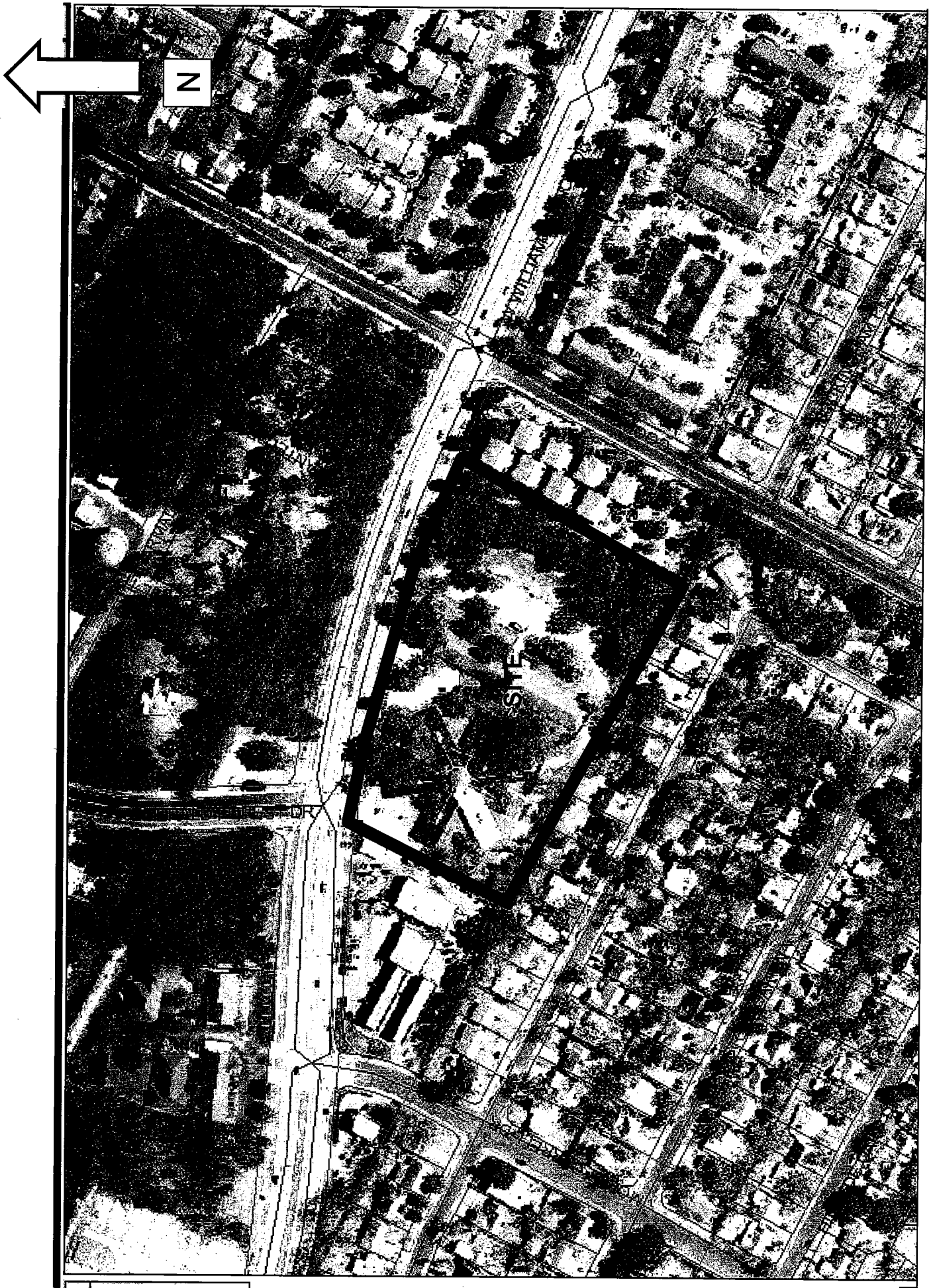
2nd

3rd

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SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant MF-2-CO combining district zoning.

Staff is able to support MF-2 zoning because

- It provides for continued use, with a reasonable increase in density, of the existing SRO facility and is consistent with the Council's policy of providing Opportunities for S.M.A.R.T. Housing to occur;
- It would not be incompatible with the more intensive GR zoning to the west and LO-zoned townhomes to the east;
- This is located on William Cannon Drive, a major arterial roadway;
- The conditional overlay recommended by Staff maintains the existing conditional overlay given that conditions in the area have not changed.

BASIS FOR LAND USE RECOMMENDATION

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

Multifamily residence low density (MF-2) district is the designation for a multifamily use with a maximum density of up to 23 units per acre, depending on unit size. The MF-2 district is appropriate in a multifamily residential area located near single family neighborhoods or in an area for which low density multifamily use is desired.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

MF-2 zoning would not be incompatible with the more intensive GR zoning to the west, the LO-zoned townhomes to the east, and the SF-3-zoned single-family residences to the south. This property is also located on William Cannon Drive, a major arterial roadway.

EXISTING CONDITIONS

Site Characteristics

The subject property is developed with a single room occupancy rental facility. Access is taken from William Cannon Drive. There appear to be no significant topographical or environmental constraints.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the South Boggy 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. 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 Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>

Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

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 existing trees and 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 on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Site Plan

This tract is already developed and the proposed zoning change is a footprint within the existing development. A change of use within the existing structure would not trigger compatibility development regulations. However, any new construction on this site would be subject to compatibility development regulations due to the existing SF-3 zoned property to the south, SF-3 to the north, and would be subject to the following requirements:

Compatibility Standards

The site is subject to compatibility standards. Along the south property line, 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.
- A landscape area at least 15 feet wide is required along 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.
- Additional design regulations will be enforced at the time a site plan is submitted.
- 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. (would be impacted by SF properties to the north).
- 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.

Transportation

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]

The trip generation under the requested zoning is estimated to be 1,040 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) for MF-2 zoning based on 5.77 acres.

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

There are existing sidewalks along West William Cannon Drive. West William Cannon Drive is classified in the Bicycle Plan as a Priority 1 bike route. Capital Metro bus service is available along West William Cannon Drive.

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
West William Cannon Drive	120 feet	2 lanes at 36 feet	Major arterial divided	N/A

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utility service. The landowner, at his/her own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and relocation. 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.