# NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

**NEIGHORHOOD PLAN:** Central Austin Combined Neighborhood Plan

**CASE#:** NPA-2008-0019.01

**PC DATE:** Tuesday, February 24, 2009

**ADDRESS/ES:** 3301 Kings Lane

**SITE AREA:** .086 acres (50ft X 75ft)

**APPLICANT:** David Heaps

**OWNER:** David Heaps

**AGENT:** Phil Moncada of A.E.C., Inc.

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Single Family **To:** Mixed Use

**Base District Zoning Change**

**Related Zoning Case:** C14-2008-0223
**From:** LO-NP **To:** LO-MU-NP

**NEIGHBORHOOD PLAN ADOPTION DATE: August 26, 2004**

**STAFF RECOMMENDATION:** The applicant's original request was to change the Future Land Use Map from Single Family to Mixed Use. Alternatively, staff recommends the Future Land Use designation of **Neighborhood Mixed Use.** The applicant approves of the alternative recommendation.

**PLANNING COMMISSION RECOMMENDATION:** To **DENY** approval of the requested change of the Future Land Use Map (FLUM) from **Single Family** to **Mixed Use**.

**BASIS FOR RECOMMENDATION:** The requested amendment is not consistent with the Land Use recommendations in the Central Austin Combined Neighborhood Plan. Mixed Use is appropriate for development along major corridors and intersections. The location and size of the requested amendment site is not appropriate for Mixed Use because it is on a very

narrow street (once an alleyway) and the size of the lot would not accommodate the construction of a Mixed Use project. However, staff recommends Neighborhood Mixed Use because it will maintain the neighborhood scale of structures while also transitioning appropriately between the higher intensity of Mixed Use/Office and the residential areas. For additional information, see *Land Use and Zoning Impacts.*

**BACKGROUND:**

The Central Austin Combined 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 August 26, 2004. The requested plan amendment is in the West University Neighborhood Planning Area. The boundaries of the West University Neighborhood Planning Area are: 45th Street to the north, Guadalupe Street to the east, Lamar Boulevard to the west, and MLK Boulevard to the south.

The purpose of the amendment and zoning change is to allow for the construction of a single family residence on a substandard size lot (3750.5 sq/ft) The property measures 50ft deep by 75ft wide and is currently used as a paved parking lot. The related zoning case would allow the construction of a single family house under the less restrictive site standards of the LO-MU (Limited Office-Mixed Use) zoning category which allows smaller set backs and an increase in building cover than that of SF-3 (Single Family-3) zoning standards.

**EXISTING ZONING AND LAND USES:**

| | FLUM | ZONING | LAND USES |
|---|---|---|---|
| *Site* | Single-Family | LO-NP | Parking Lot |
| *North* | Mixed Use/Office | LO-NP | Office |
| *South* | Multifamily | MF-2-CO-NP (CO – restricts building height to a maximum of 30ft.) | Apartments |
| *East* | Single Family | SF-3-CO-NP (CO – restricts building height to a maximum of 30ft.) | Single Family Homes |
| *West* | Mixed Use/Office | LO-NP | Medical facility/office |

**PUBLIC MEETINGS:**

City staff sent notices to all property owners, utility customers, and neighborhood organizations within 500 feet of the subject property announcing a community meeting for the proposed amendment. The meeting was held on Thursday, October 30, 2008 at which time the consultant presented the proposal to the community and answered questions.

At the meeting, questions were raised about the existence of wastewater easements on the subject property. Research concluded that there are no water or wastewater easements on the subject property. Other concerns regarded rear setback issues towards the two single family properties to the east of the subject property. A representative of the Neighborhood Planning Contact Team requested that before proceeding with the plan amendment and zoning change that has been filed, the property owner should first request a variance of the BOA for a decrease in SF-3 site standards that would allow the construction of a single family structure on the subject property. If granted by the BOA, the contact team would support a zoning change from LO-MU to SF-3 and a plan amendment would not longer be required. Under these circumstances only, The Neighborhood Planning Contact Team would support the applicant's project. As it stands, the Neighborhood Planning Contact Team does not support the amendment from or zoning change.

**CITY COUNCIL DATE:** **March 5, 2009** **ACTION: TBD**

**CASE MANAGER:** Victoria Craig **PHONE:** 512-974-2857

**EMAIL:** Victoria.Craig@ci.austin.tx.us

## COMPREHENSIVE PLANNING CONSIDERATIONS

RELEVANT NEIGHBORHOOD PLAN RECOMMENDATIONS

The following goals, objectives and recommendations from the Central Austin Combined Neighborhood Plan relate to the proposed amendment and were taken into consideration by staff:

**Goal 1**: Preserve the integrity and character of the single-family neighborhoods.

Objective 1.8: Preserve the current pattern of single-family and smaller-scale multi-family land use in the neighborhood.

**Goal 3**: Allow mixed-use development along the existing commercial corridors that is pedestrian oriented, neighborhood friendly, neighborhood scaled, and serves neighborhood needs.

Objective 3.1: Provide for new commercial and housing opportunities by allowing mixed use along 34th Street between Lamar Boulevard and Guadalupe Street.

Recommendation 1 — Allow the neighborhood mixed use building along West 34th Street between Lamar Boulevard and Guadalupe Street.

Objective 3.2: West 34th Street between Lamar Boulevard and Guadalupe Street should become a primarily mixed use office corridor.

Recommendation 2 — Allow the neighborhood mixed use building on all commercial and office zoned properties along the corridor.

Recommendation 3 — Limit new building heights to maintain a neighborhood-friendly scale to the street.

LAND USE AND ZONING IMPACTS

The subject tract is an appropriate site for Neighborhood Mixed Use because it provides a transition from the residential uses south and east of the subject tract to the higher intensity Mixed Use/Office and Mixed Use on 34th Street.

The surrounding pattern of existing land uses is a mixture of residential and office uses. For this reason, the Mixed Use land use category is not entirely inappropriate. However, Mixed Use is intended for development along major corridors, like that of 34th Street in the Central Austin Combined Neighborhood Plan. Mixed Use would not be appropriate for a very narrow street like Kings Lane. Additionally, the major neighborhood concerns are to protect the two single family residential properties to the east of the subject property, to prohibit non-residential encroachment beyond properties that front W 34th

Street and to maintain a neighborhood scale on interior streets. For this reason, Neighborhood Mixed Use is more appropriate because it will maintain a neighborhood scale and provide a transition between higher intensity uses and residential uses.

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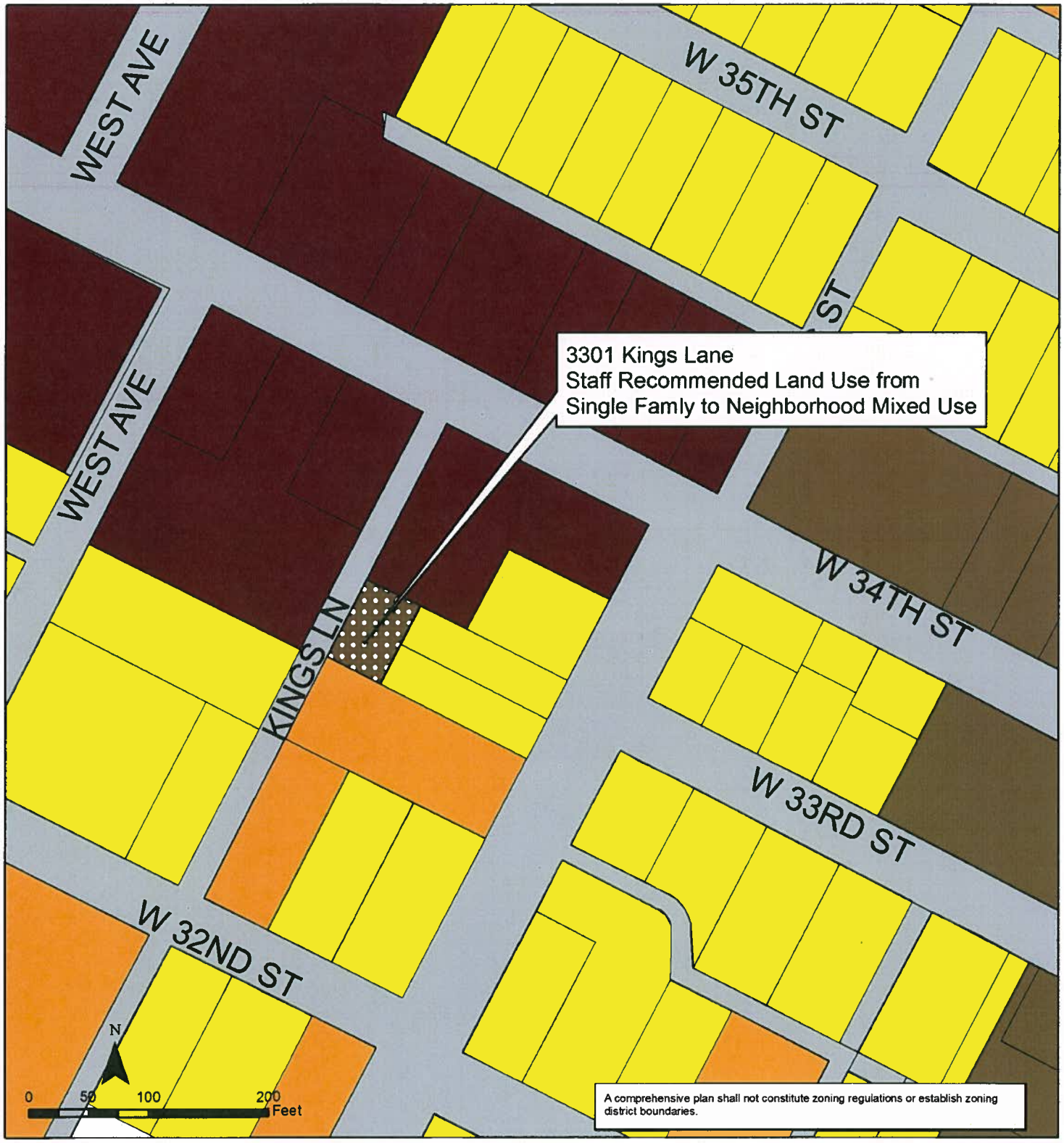
This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for the sole purpose of assisting in neighborhood planning discussions and decisions and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.

**Future Land Use**

- Single-Family
- Multifamily
- Neighborhood Mixed Use
- Mixed Use
- Mixed Use/Office
- Transportation

City of Austin
Neighborhood Planning and Zoning Dept.
Created on 1/20/2009

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**Future Land Use**

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City of Austin
Neighborhood Planning and Zoning Dept.
Created on 2/25/2009

# CANPAC

*Central Austin Neighborhoods Planning Advisory Committee*

Planning Commission
City Hall
City of Austin
Austin, Texas 78701

Re: CANPAC opposition to proposed zoning change at 3301 King's Lane

Dear Members of the Planning Commission,

This letter is to convey CANPAC's opposition to the proposed zoning change at 3301 King's Lane. CANPAC agrees with the Heritage Neighborhood position that this proposed zoning change (to –MU) is inappropriate for this site.

CANPAC is especially troubled by the proposed change to the FLUM map, and is concerned that this could lead to an erosion of fragile nearby residential fabric. The FLUM map was carefully crafted during the neighborhood planning process, and CANPAC believes that its goals reflect an appropriate balance of residential protection and commercial vitality.

Please join CANPAC in opposing this proposed zoning change.

Thank you very much for your attention to this matter.

Regards,

Alfred Godfrey
CANPAC Co-Chair

Mary Ingle
Canpac Co-Chair

**PUBLIC MEETING NOTES**
**October 30, 2008**
**Central Austin Combined Neighborhood Plan**
**NPA-2007-0005.01 located at 912 Bastrop Hwy**

Applicant's Proposal

Phil Moncada explained the applicant's proposal:

- Requesting a plan amendment from Single Family to Mixed Use on the Future Land Use Map
- Provided a tentative site plan
- Proposal to build a single family, 2 story house: XX sq. feet
- Discussed the applicant's reasoning for requesting a zoning change of LO-MU-NP, rather than SF-3.
- Specifically stated that they plan to build a single family structure which will decrease the impervious cover of the lot, which is currently at 100%.

Questions/Concerns from the Neighborhood

- Does the tentative site plan abide by the McMansion requirements?
- Concerns of an existing wastewater easement that runs through the subject property
- Concerns for privacy of the single family properties to the east
- Concerns that if the true intent is to build a single family structure, it should be done within a corresponding zoning category and not under the requested LO-MU-NP zoning category
- Can the applicant request variances for a particular zoning category without having the zoning category in place?

Meeting Attendees

Phil Moncada, representing consultant
Robert Mace, Neighborhood Stakeholder
Betsy Greenberg, Neighborhood Stakeholder
Jay Farrell, Neighborhood Stakeholder
Al Godfrey, Neighborhood Stakeholder
Anne Boyer, Neighborhood Stakeholder
Victoria Craig, City of Austin, NPZD Staff