

ZONING CHANGE REVIEW SHEET

CASE: C14-2009-0042 / Cherrywood Green

P.C. DATE: March 12, 2009

ADDRESS: 1600 East 34th Street

OWNER / AGENT: City of Austin – Parks Department (Chris Yanez), 512-974-6777

ZONING FROM: SF-3-NP

TO: P-NP

SITE AREA: .5 acres (21,780 sq. ft.)

SUMMARY STAFF RECOMMENDATION: The staff recommendation is to grant the change from SF-3-NP (Family Residence – Neighborhood Plan) district zoning to P-NP (Public – Neighborhood Plan) district zoning.

SUMMARY PLANNING COMMISSION RECOMMENDATION: March 12, 2009: Planning Commission *APPROVED* staff's recommendation for P-NP zoning; on the Consent Agenda by Commissioner Clint Small's motion, Commissioner Jay Reddy second the motion on a vote of 6-0; Commissioners Paula Hui, Sandra Kirk and Chris Ewen were absent.

DEPARTMENT COMMENTS: The .5-acre site is currently zoned SF-3-NP (Family Residence Neighborhood Plan) district and is located north of 34th Street, west of Cherrywood Street and east of Kern Ramble Street. The site lies within the Upper Boggy Creek Neighborhood Plan and is surrounded by single-family residences to the north, south, and west. The area to the east of the site is not developable land due to the deep slope.

The subject property is moderately vegetated. The parcel is owned by the City of Austin Parks Department and improved with picnic tables, a crushed granite walk, landscaping, water fountain, etc. currently located at the site. Recently some private utility work has taken place that called into question the ownership/use of the parcel. The neighborhood has requested that the City of Austin Parks Department initiate a zoning request to "P" for public use.

The staff recommendation is to approve the requested zoning change because it allows for reasonable use of the property. Additionally it is the City Council's general policy that all City-owned or leased land be zoned Public (P) district.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single-Family Residences
<i>North</i>	SF-3-NP	Single-Family Residences
<i>South</i>	SF-3-NP	Single-Family Residences
<i>East</i>	SF-3-NP	Undeveloped
<i>West</i>	SF-3-NP	Single-Family Residences

NEIGHBORHOOD PLAN AREA: Upper Boggy Creek

TIA: A traffic impact analysis was not required for this case.

WATERSHED: Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Home Builders Association of Greater Austin

Dellwood Neighborhood Assn.

Austin Neighborhoods Council

Mueller Neighborhoods Coalition

Homeless Neighborhood Organization

Austin Parks Foundation

PODER People Organized in Defense of Earth & Her Resources

Anberly Airport Assn.

League of Bicycling Voters

Upper Boggy Creek Neighborhood Planning Team

Keep the Land

Cherrywood Neighborhood Assn.

CASE HISTORIES: There are no relevant case histories on or surrounding the subject tract.

RELATED CASES: The Upper Boggy Creek Neighborhood Plan rezonings were approved by Council on August 1, 2002 (C14-02-0057).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Route
East 34 th Street	50'	30'	Local	No	No	No

CITY COUNCIL DATE:

June 18, 2009

ACTION:

ORDINANCE READINGS: 1st 2nd 3rd




ORDINANCE NUMBER:

CASE MANAGER: Joi Harden

PHONE: 974-2122

E-MAIL: joi.harden@ci.austin.tx.us



-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

OPERATOR: S. MEEKS

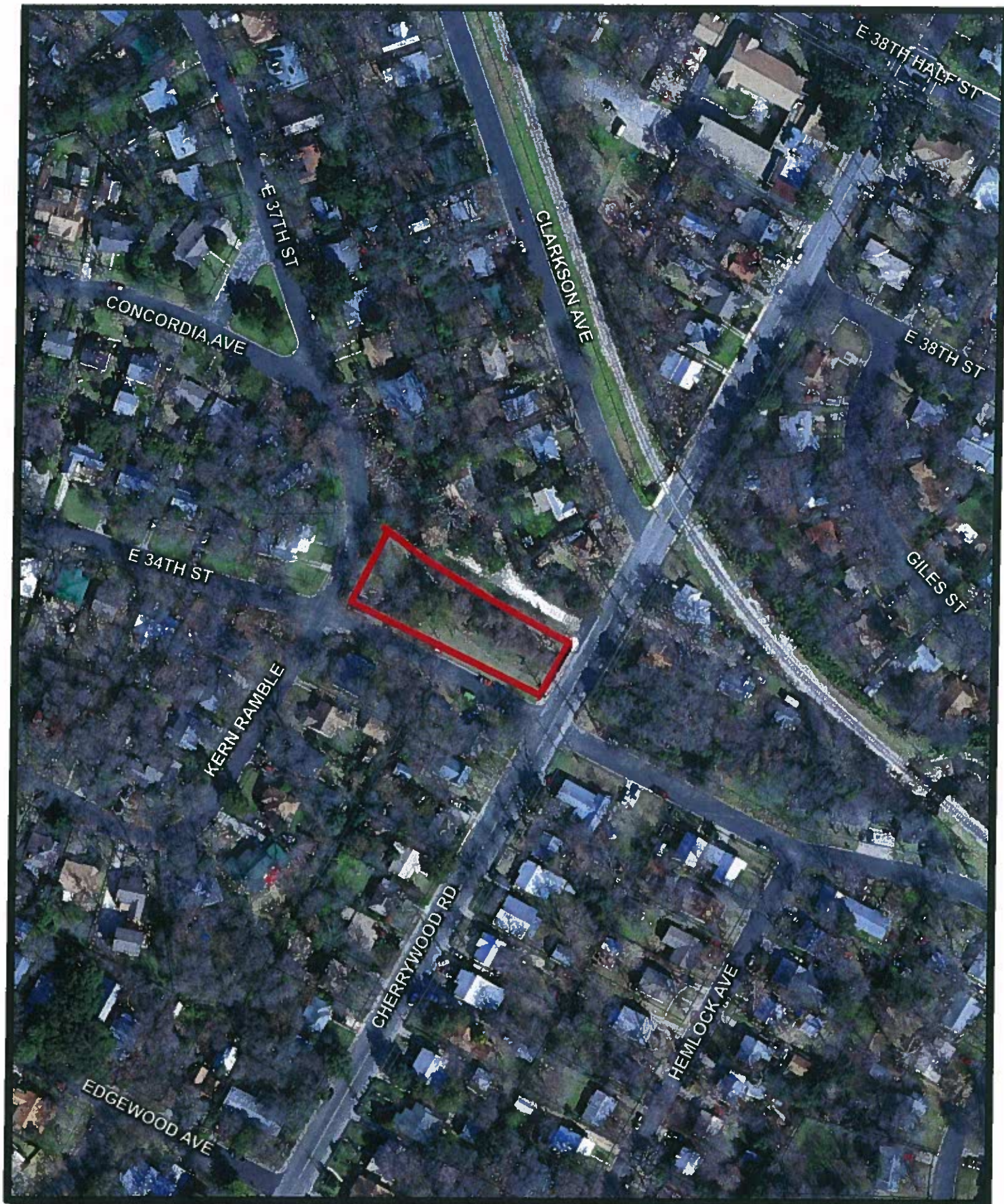
ZONING

ZONING CASE#: C14-2009-0042
 ADDRESS: 1600 E 34TH ST
 SUBJECT AREA: 0.5 ACRES
 GRID: K24
 MANAGER: J. HARDEN



1" = 400'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference.
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C14-2009-0042 1600 E. 34th St.
From Family Residence - Neighborhood Plan (SF-3-NP) to
Public -Neighborhood Plan (P-NP) District Zoning



SUMMARY STAFF RECOMMENDATION

The staff recommendation is to grant the change from SF-3-NP (Family Residence – Neighborhood Plan) district zoning to P-NP (Public – Neighborhood Plan) district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

P- Public district is the designation for a governmental, civic, public service, or public institution use. A P zoning district designation may be applied to a use located on property used or reserved for a civic or public institutional purpose or for a major public facility, regardless of ownership of the land on which the use is located. The Cherrywood Green Park is consistent with this purpose statement.

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

The proposed rezoning will allow for reasonable use of the site while maintaining the character of the surrounding area. Staff recommends rezoning based on its compatibility with the character of the surrounding area.

EXISTING CONDITIONS

Site Characteristics

The subject property is moderately vegetated. There are some minor improvements (picnic tables, crushed granite walk, landscaping, water fountain etc.) currently located at the site.

Impervious Cover

For a site less than one acre, the maximum impervious cover allowed by the P zoning district is based on the site development regulations of an adjoining zoning district for a distance of 100 feet into the site. This property is completely surrounded by SF-3-NP district zoning. Therefore, this property would be subject to SF-3 site development regulations. [LDC 25-2-625]

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 a flood plain within the project area.

Numerous trees could be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding 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.

Transportation

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

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 of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan Review

No comments with the proposed use of open space that is left as-is, and/or not requiring a site plan for improvements. If, however, a site plan for improvements on this property were to be turned in, please be aware that this site would be subject to Subchapter E: Design Standards, Compatibility Standards and would require a Commission-approval if the site is over 1 acre.