

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0018 – 117 Sandra Street

P.C. DATE: May 25, 2010

ADDRESS: 117 Sandra Street

OWNER: Rueben Kogut

AGENT: Mike McHone Real Estate
(Mike McHone)

ZONING FROM: SF-3-NP

TO: GO-MU-CO-NP

AREA: 0.156 acres
(6,795 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – mixed use – conditional overlay – neighborhood plan (GO-MU-CO-NP) combining district zoning. The Conditional Overlay: 1) limits the uses of the property to off-site accessory parking and all family residence (SF-3) uses, 2) requires gating of a driveway that serves a commercial use and provides vehicular access to Sandra Street; 3) requires a solid fence along the west property line, and 4) requires that outside lighting on the south side of the property be directed away from the adjoining residences situated in SF-3-NP zoning areas.

PLANNING COMMISSION RECOMMENDATION:

May 25, 2010: *APPROVED GO-MU-CO-NP DISTRICT ZONING WITH RIGHT-OF-WAY DEDICATION AS STAFF RECOMMENDED; BY CONSENT.*

[K. TOVO; J. REDDY – 2ND] (9-0)

ISSUES:

Transportation Staff has further evaluated the need for right-of-way dedication at the zoning stage and agreed to defer the requirement to the site plan stage. If the property develops with a single family residence, then additional right-of-way would not be needed. In addition, since the property is under a notice of violation for currently using the SF-3 lot for off-site parking purposes, the Applicant is required to obtain a site plan to bring the site into conformance with current Code requirements, and right-of-way could be obtained at that time.

A letter from the South Congress Neighborhood Planning Area Contact Team outlining the conditions of support is attached at the back of the packet.

DEPARTMENT COMMENTS:

The subject property is undeveloped and zoned family residence – neighborhood plan (SF-3-NP) district, and serves as a parking area used by employees of warehouse uses on the north side of Sandra Street. There are warehouse uses to the north (CS-1-MU-CO-NP; CS-MU-

CO-NP), a storage area to the west (LO-NP), single family residences to the south (SF-3-NP), and single family residences and a child care facility to the west (SF-3-NP). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The off-site accessory parking use is first allowed in the general office (GO) base district and hence the Applicant has requested a rezoning to the general office – mixed use – conditional overlay – neighborhood plan (GO-MU-CO-NP) combining district in order to resolve a red-tag issue. The off-site accessory parking use has existed for more than a decade. In order to promote compatibility with the residential uses to the west and south, the Conditional Overlay would: 1) limit the uses of the property to off-site accessory parking and all family residence (SF-3) uses, 2) require gating of a driveway that serves a commercial use and provides vehicular access to Sandra Street; 3) require a solid fence along the west property line, and 4) require that outside lighting on the south side of the property be directed away from the adjoining residences situated in SF-3-NP zoning areas. Staff recommends the Applicant's requested zoning with the enhanced compatibility standards and security measures to nearby residences as described above.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Parking area used by employees of warehouses to the north across Sandra Street
<i>North</i>	CS-1-MU-CO-NP; CS-MU-CO-NP	Warehouses; Tire sales and repair
<i>South</i>	SF-3-NP	Single family residences
<i>East</i>	LO-NP	Storage; Warehouses; Tractor and lawn equipment sales
<i>West</i>	SF-3-NP	Single family residences; Child care facility

NEIGHBORHOOD PLAN AREA: South Congress Combined **TIA:** Is not required (Sweetbriar)

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 96 – Southeast Corner Alliance of Neighborhoods
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 1037 – Homeless Neighborhood Association 1075 – League of Bicycling Voters
 1108 – Perry Grid 644 1113 – Austin Parks Foundation
 1173 – South Congress Combined Neighborhood Plan
 1187 – South Austin Neighbor Awareness Project

1200 – Super Duper Neighborhood Objectors and Appeals Organization
 1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group
 1236 – The Real Estate Council of Austin, Inc.

SCHOOLS:

Pleasant Hill Elementary School Bedicheck Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0105 – Sweetbriar NP Rezoning – 301 West Stassney Lane (Tract 203)	SF-6-CO to GO- MU-CO-NP	To Grant	Approved GO-MU- CO-NP with the CO prohibiting access to Glen Meadow Drive, and limiting to 17 u.p.a. (8-18-05).
C14-05-0105 – Sweetbriar NP Rezoning – 201 West Stassney Lane (Tract 205)	GR; MF-3 to CS-MU-CO-NP	To Grant	Approved CS-MU- CO-NP with the CO prohibiting auto sales and washing, and pawn shop services (8-18-05).
C14-05-0105 – Sweetbriar NP Rezoning – 107 and 119 West Stassney Lane (Tract 206)	CS-1 to CS-1- MU-CO-NP	To Grant	Approved CS-1-MU- CO-NP with the CO prohibiting auto sales and washing, and pawn shop services (8-18-05).
C14-05-0105 – Sweetbriar NP Rezoning – 5604 and 5606 South Congress Avenue (Tract 207)	CS; SF-3 to CS- MU-CO-NP	To Grant	Approved CS-MU- CO-NP with the CO prohibiting auto sales and washing, and pawn shop services (8-18-05).
C14-05-0105 – Sweetbriar NP Rezoning – 5700 and 5708 South Congress Avenue (Tract 209)	CS; GR to GR- MU-CO-NP	To Grant	Approved GR-MU- CO-NP with CO prohibiting auto sales and washing, and pawn shop services (8-18-05).
C14-02-0107 – Stassney Condominiums – 301 West Stassney Lane	NO-CO to SF-6	To Grant SF-6-CO	Approved SF-6-CO with CO prohibiting access to Glen Meadow Drive, and limiting density to 36

			units, (12 u.p.a) (10-10-02)
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RELATED CASES:

The property is platted as Lot 7 of the Connie Lynn Addition, a subdivision recorded in 1946 (C8-1946-1773). Please refer to Exhibit B. There are no site plan cases on the subject property.

The rezonings associated with the Sweetbriar Neighborhood Plan Area were approved by Council on August 18, 2005 (C14-05-0105). The base district of the subject property did not change, and the NP combining district was added.

A Neighborhood Plan Amendment to change the Future Land Use Map (FLUM) from Single Family to Mixed Use is also being considered (NPA-2010-0020.01 – 117 Sandra Street).

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Sandra Street	50 feet	27 feet	Local	No	No	No

CITY COUNCIL DATE: June 24, 2010

ACTION:

ORDINANCE READINGS: 1st

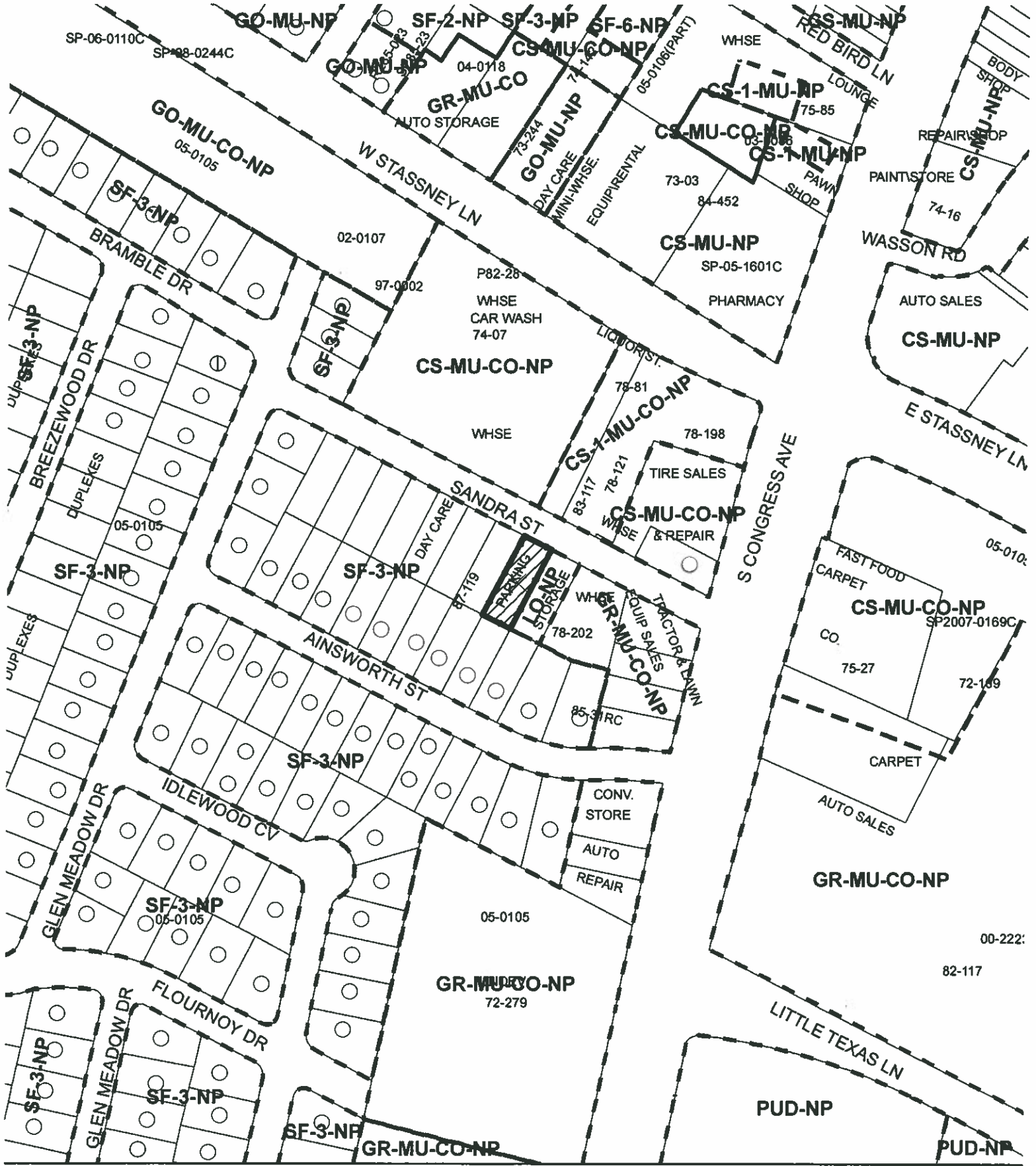
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719



N

1" = 200'

LEGEND

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

OPERATOR: S. MEEKS

ZONING

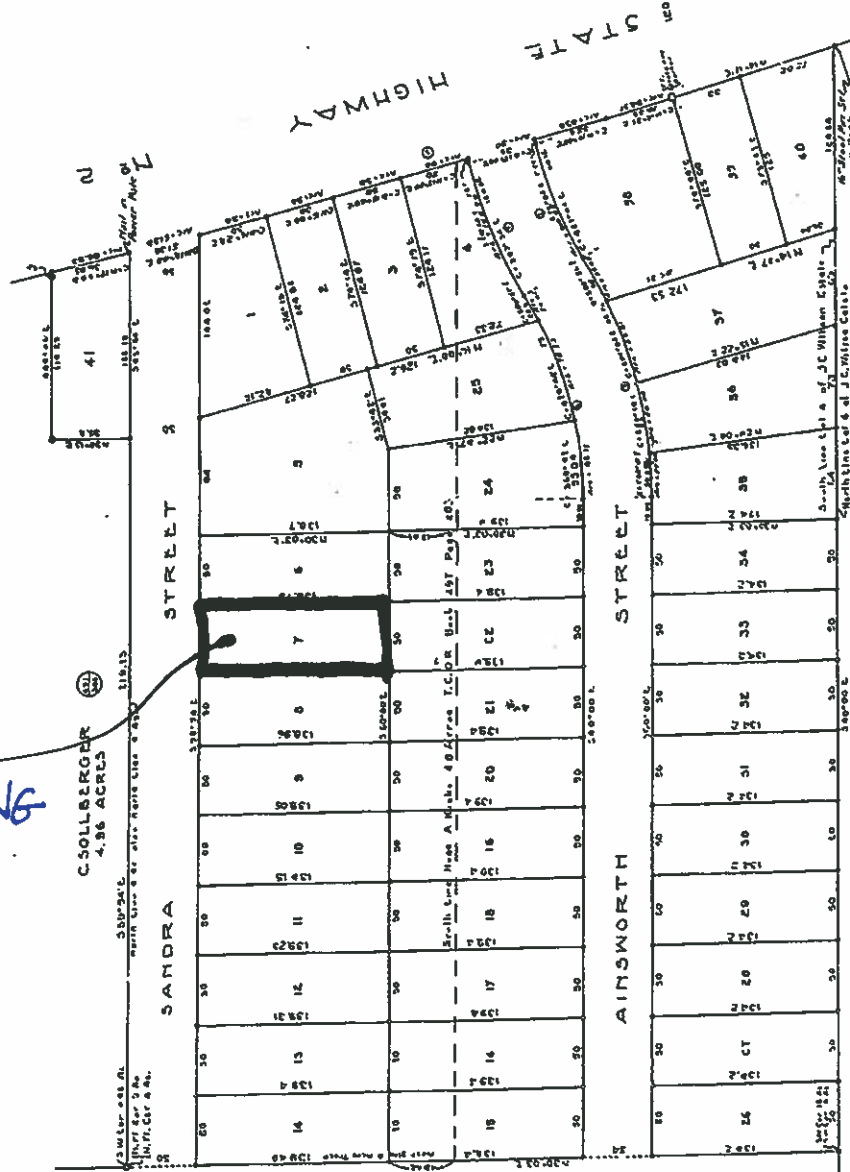
ZONING CASE#: C14-2010-0018
 ADDRESS: 117 SANDRA ST
 SUBJECT AREA: 0.156 ACRES
 GRID: G17
 MANAGER: W. RHOADES

EXHIBIT A

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



REASONING AREA



CURVE DATA

1.	2.	3.
$d = 3701$	$d = 1784$	$d = 1784$
$n = 35.04$	$n = 35.04$	$n = 35.04$
$T = 243.59$	$T = 243.59$	$T = 243.59$
$LC = 106.32$	$LC = 106.32$	$LC = 106.32$
$ARC = 90.15$	$ARC = 107.35$	$ARC = 107.35$
$d = 3701$	$d = 3701$	$d = 3701$
$n = 35.04$	$n = 35.04$	$n = 35.04$
$T = 243.59$	$T = 243.59$	$T = 243.59$
$LC = 106.32$	$LC = 106.32$	$LC = 106.32$
$ARC = 90.15$	$ARC = 107.35$	$ARC = 107.35$

[illegible]

STATE OF TEXAS
COUNTY OF TARRANT

I, Miss Conie Cleaver, County Clerk of Tarrant County, Texas, do hereby certify that on the Friday of August 2, 1936, I received from the Texas Department of Criminal Justice, a duly authorized person, the following persons, and that the same were duly received in the hands of said Court in Book 2, Page 233.

WILLIAM W. HAMP AND SEAL OF OFFICE this 3rd day of August A. D. 1936

Miss Collie Moore
County Clerk, Treas. County, Texas
or, K. Dugmire
Spokane

MRS. J.T. ROBINSON

FILED 104 SECOND
APR 30 9:30 a'clock A.M.
31 403 of 10-1-1946
A. O. 1946.

STATE OF TEXAS }
COUNTY OF TRAVIS }

[illegible]

Witness My Hand and Seal of the Court of
said County, the date last above written,
(SEAL)

(JZAL)
MISS TWILIG HATFAS
Clark County Court, Yreka County, Yreka.
Wm. E. S. Parnett

Legend
 • Tree Stake
 ● Iron Tree Ties
 D Concrete Monument
 Scales 1" = 50 Feet

In payment of 5 feet to reserved for
Public Utilities off the rear of each lot
and along the east lines of lots 3, 25 and
17

APPROVED FOR ACCEPTANCE

DATE: 7/25/46
J.E. Mother
Director of Public Works

APPROVED BY CITY PLAN COMMISSION

7-7-46 W. F. Funderburg
7-7-46 Wally Funderburg
Chairman Secretary

THE STATE OF TEXAS;
COUNTY OF TRAVIS;

THE STATE OF TEXAS,
COUNTY OF TRAVIS:

Know all men by THESE PRESENTS, that we, Jennie Beath and her husband, Earl Beath do hereby certify a portion of a certain tract, in portion of the land of the late John Beath, deceased, in Canon Kings Survey 615 in Travis County, Texas, as described in a deed from Jennie Beath to the County of Travis, Texas, to which conveyance reference is here made for all particulars, and subdivision to be made hereafter, and that the same is more fully and completely described in certain legal numbering from 1 to 42 inclusive, according to map or plat showing same, and do hereby dedicate to the public all these hereunto.

IN WITNESS WHEREOF, we hereunto set our hands this 20th day of January, A. D. 1946.

AND THAT I, AUGUST A. MICHIE, being duly sworn, depose and testify that the above is a true and correct copy of the original of the within Canon Kings Survey 615 in Travis County, Texas, as described in a deed from Jennie Beath to the County of Travis, Texas, to which conveyance reference is here made for all particulars, and subdivision to be made hereafter, and that the same is more fully and completely described in certain legal numbering from 1 to 42 inclusive, according to map or plat showing same, and do hereby dedicate to the public all these hereunto.

AND THAT I, AUGUST A. MICHIE, being duly sworn, depose and testify that the above is a true and correct copy of the original of the within Canon Kings Survey 615 in Travis County, Texas, as described in a deed from Jennie Beath to the County of Travis, Texas, to which conveyance reference is here made for all particulars, and subdivision to be made hereafter, and that the same is more fully and completely described in certain legal numbering from 1 to 42 inclusive, according to map or plat showing same, and do hereby dedicate to the public all these hereunto.

WITNESSED my hand and the seal of said County, this 20th day of January, A. D. 1946.

County Clerk

THE STATE OF TEXAS,
COUNTY OF TARRANT.

CONFIRM OF TRUTHS.

STATE OF CALIFORNIA, in and for
said County of Santa Clara, this day personally appeared
said John A. Smith, his wife, all known to me to be the
persons whose names are subscribed to the foregoing
affidavit, and they acknowledged to me that they executed
the same for the purposes and consideration therein
expressed and the said Amelia Smith, wife of the said
John A. Smith, having been examined by me privately and
separately from their husbands, and hearing the same fully
explained to them, they, the said John A. Smith and Cath-
arine Smith, acknowledged to me that they were then living
dead, and they declared that they had willingly signed
the same for the purposes and consideration herein
expressed, and that they did not wish to retract it.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 24th day
of June, A. D. 1907, at San Jose, California.

John A. Smith *Catharine Smith*
and wife *John A. Smith*
Historical Public Printer - H-10600 (S.F.A.)

(အမျိုးမျိုး)

Subdivided June 1946
Platefile Engineering Co.
By *Allyn Wells*
Marion O. Wells
New York Professional Eng.

EXHIBIT B-RECORDED
PLAT

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – mixed use – conditional overlay – neighborhood plan (GO-MU-CO-NP) combining district zoning. The Conditional Overlay: 1) limits the uses of the property to off-site accessory parking and all family residence (SF-3) uses, 2) requires gating of a driveway that serves a commercial use and provides vehicular access to Sandra Street; 3) requires a solid fence along the west property line, and 4) requires that outside lighting on the south side of the property be directed away from the adjoining residences situated in SF-3-NP zoning areas.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The general office (GO) district is intended for offices and selected commercial uses predominantly serving community or City-wide needs, such as medical or professional offices. A building in a GO district may contain more than one use.

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

In order to promote compatibility with the residential uses to the west and south, the Conditional Overlay would: 1) limit the uses of the property to off-site accessory parking and all family residence (SF-3) uses, 2) require gating of a driveway that serves a commercial use and provides vehicular access to Sandra Street; 3) require a solid fence along the west property line, and 4) require that outside lighting on the south side of the property be directed away from the adjoining residences situated in SF-3-NP zoning areas. Staff recommends the Applicant's requested zoning with the enhanced compatibility standards and security measures to nearby residences as described above.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and relatively flat. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GO zoning district is 80%, a consistent figure between the zoning and watershed regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Williamson 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%
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.

Trees will likely 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.

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.

Transportation

If the requested zoning is recommended for this site, 35 feet of right-of-way should be dedicated from the centerline of Sandra Street in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12. Note: This requirement has been deferred to the site plan stage of development.

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]

Additional comments may be provided when more complete information is obtained.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. 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 and Compatibility Standards

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the west and south property lines, the following standards apply:

- No structures may be built within 15 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 is allowed within 5 feet of the property line.
- A landscape area 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.

Fund	1	0	0	0
Dept	6	8	0	0
Unit(s)	8	7	8	3

eCOMBS #	N					
Division Code	6	9	G	0	8	0
Location Code	W	2	0	0	0	3
Fiscal Year	2	0	1	1		
FTE Amount	1	.	0			
Effective Date	10	-	01	-	10	

Salary Budget	
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	Position requires a title currently used by this department.
x	Position requires a title not currently used by this department.
	Position requires a new title.

1.	This position will assist with various inventories; generate Development Process Tracking report; monitor, review and analyze revenues; assist with business plan, financial forecast, and budget documents; generate reports for management including vacancy savings, performance measures, ICMA measures, training and travel.					
2.	Reporting Relationships (titles). <i>Attach organization chart.</i> <table border="1"> <tr> <td>Position Reports To</td> <td>Financial Manager – Lisa Nickle</td> </tr> <tr> <td>Subordinate Positions (direct reports).</td> <td></td> </tr> </table>		Position Reports To	Financial Manager – Lisa Nickle	Subordinate Positions (direct reports).	
Position Reports To	Financial Manager – Lisa Nickle					
Subordinate Positions (direct reports).						
3.	Recommended Position Class (title) Standard/Exempt 13941 (Financial Specialist – AB7) <table border="1"> <tr> <td>Qualifications (for requested new position classification).</td> <td> Graduated from an accredited four-year college or university with major course work in Finance, Accounting, Economics, or field related to the job plus one (1) year experience in reviewing or analyzing finance or accounting records. A Master's degree in Finance, Accounting, Economics, Business or Public Administration or field related to the job may be substituted for the required experience. </td> </tr> </table>		Qualifications (for requested new position classification).	Graduated from an accredited four-year college or university with major course work in Finance, Accounting, Economics, or field related to the job plus one (1) year experience in reviewing or analyzing finance or accounting records. A Master's degree in Finance, Accounting, Economics, Business or Public Administration or field related to the job may be substituted for the required experience.		
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Name

Signature

Phone

Date

Department Head, Name	Signature		
Budget Office, Name	Signature	Phone	Date

Position Class Code							Title	
Pay Grade							Market	
Position Number								
Qualifications								

Compensation, Name	Signature	Date
Records, Name	Signature	Date

To: Planning Commission & City Council Members
Re: NPA-2010-00201.01
CPA-2010-0018
Date: April 24, 2010

On April 22, 2010, the South Congress Combined Neighborhood Plan Contact Team held a meeting in accordance with our bylaws to discuss the applicant's proposed future land use amendment from SF-NP (Single Family – Neighborhood Plan) to GO-CO-NP (General Office – Conditional Overlay – Neighborhood Plan) at 117 Sandra Street. The community meeting was also held on April 22, 2010 and the contact team took testimony from surrounding neighbors which was taken into consideration.

The South Congress Combined Neighborhood Plan Contact Team has voted unanimously to recommend the plan amendment and zoning change at 117 Sandra Street on a conditional vote, provided the following terms are met by the property owner:

- Required fence along west side of property should be a continuation of the existing Cedar plank fence. New fencing should match the existing fence.
- Installation of a bar-type gate at the entrance of the property to be secured at night, thus preventing unwanted entry by cars to the property
- Installation of an overhead light on the south side of the property. Light should have minimum creep onto adjoining property.
- We request the city add an additional city streetlight on Sandra Street in the vicinity of 117 Sandra Street.

Although the Future Land Use Map and Goal 3 of the Neighborhood Plan (pg.60) support Single-Family along this portion of Sandra Street, we believe: 1) that the property is a continuation of commercial properties emanating west from the major thoroughfare, South First Street; and, 2) that the property has been used for its proposed rezoning purpose (parking) for well over a decade and the change merely grants an official status and brings the property physically up to city code, thus improving the space in regards to the neighborhood.

Thank you,
Earl Vallery
South Congress Combined Neighborhood Plan Contact Team, Vice-Chair
512-963-7021 – residentwine@gmail.com