

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0137 / 207 Chalmers

P.C. PUBLIC HEARING DATE: October 12, 2010

ADDRESS: 207 Chalmers Avenue and 1701 East 3rd Street

OWNER: Chalmers Properties (Grayson Cecil), (512) 517-1086

AGENT: Dale Guthrie, (512) 627-3474

ZONING FROM: SF-3-NP and CS-MU-CO-NP **TO:** GR-MU-CO-NP

SITE AREA: .675 acres

SUMMARY STAFF RECOMMENDATION: The staff recommendation is to grant the change from SF-3-NP (Family Residence – Neighborhood Plan) combining district zoning and CS-MU-CO-NP (General Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan) combining district zoning to GR-MU-CO-NP (Community Commercial – Mixed Use – Conditional Overlay – Neighborhood Plan) combining district zoning. The Conditional Overlay would limit vehicle trips to less than 300 per day, limit the height to 2 stories or 30 feet and prohibit the following uses: Automotive rentals, Automotive repair, Automotive sales, Automotive washing, Bail Bonds, Commercial off-street parking, Drop-off recycling collection, Exterminating services, Food preparation, Food sales, Funeral services, Hotel/Motel, Off-site accessory parking, Outdoor entertainment, Outdoor sports and recreation, Pawn shop, Restaurant (General), Restaurant (Limited) and Service station.

SUMMARY PLANNING COMMISSION RECOMMENDATION: October 12, 2010: Planning Commission *APPROVED* GO-MU-CO-NP; by Consent. [K. TOVO, R. HATFIELD 2ND] (6-0) (D. ANDERSON, M. DEALEY – absent; J. REDDY was off the dais).

DEPARTMENT COMMENTS: The .675-acre site is currently zoned SF-3-NP and CS-MU-CO-NP district. Its location is on the southeast corner of Chalmers Avenue and East 3rd Street. The site lies within the East Cesar Chavez Neighborhood Plan and is bordered by multifamily zoning and multifamily (Chalmers Court) to the north, single family zoning and single family residences to the west, commercial zoning and an office building to the south and multifamily and an office building (Austin Housing Authority) to the west.

The subject property is currently developed with an office and a single family residence. There is also a large amount of open space on the site. The applicant is requesting to rezone the property in order to develop approximately 21 units of Live/Work lofts which will be targeted to artists. The commercial area will be located on the first floor and the residential component on the second floor. According to the applicant, the proposed development will be pedestrian-oriented and will enhance the area with more activity. Additionally, the applicant's Conditional Overlay would limit development regulations including height and prohibit certain land use classifications.

The staff recommendation is to approve the requested zoning change because it allows for reasonable use of the property. The neighborhood does not want to lose any additional residential units, but also wants to encourage economic development particularly, local entrepreneurship. The proposed zoning

allows for the uses of living on the site and for art gallery and workshop. The applicant also proposes to prohibit uses that are allowed under the Community Commercial (GR) district but unwanted by the neighborhood. The East Cesar Chavez Neighborhood Plan also calls for promoting pedestrian oriented business along with allowing new or existing businesses to create housing above the business or on the same level.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO-NP and SF-3-NP	Office; Single-family residence
<i>North</i>	MF-4-NP	Multifamily (Chalmers Court)
<i>South</i>	CS-MU-CO-NP	Office
<i>East</i>	SF-3-NP	Single-family residences
<i>West</i>	MF-4-NP	Civic Use – Austin Housing Authority

NEIGHBORHOOD PLAN AREA: East Cesar Chavez

TIA: Is not required

WATERSHED: Town Lake

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

PODER People Organized in Defense of Earth & Her Resources
 East Cesar Chavez Neighborhood Planning Team
 East Cesar Chavez Neighborhood Association
 Guadalupe Neighborhood Development Corporation
 Austin Neighborhood Council
 Sentral Plus East Austin Koalition (SPEAK)
 El Concilio Coalition of Mexican American Neighborhood Association
 Barrio Unido Neighborhood Association
 Home Builders Association of Greater Austin
 League of Bicycling Voters
 Austin Parks Foundation
 East River City Citizens
 Homeless Neighborhood Association
 Del Valle Community Coalition
 Greater East Austin Neighborhood Association
 United East Austin Coalition

SCHOOLS: (AISD)

- Zavala Elementary School
- Martin Middle School
- Eastside Memorial Green Tech High School

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

RELATED CASES: The East Cesar Chavez Neighborhood Plan rezonings were approved by Council in May 1999 (C14-00-2102). A Neighborhood Plan Amendment to change the FLUM designation from Single Family to Mixed Use is also in process (NPA-2010-0002.01).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Chalmers Ave	50'	28'	Local	No	No	Yes (within ¼ mile)
3 rd Street	70'	36'	Local	Yes	No	Yes (within ¼ mile)

CITY COUNCIL DATE:
November 4, 2010

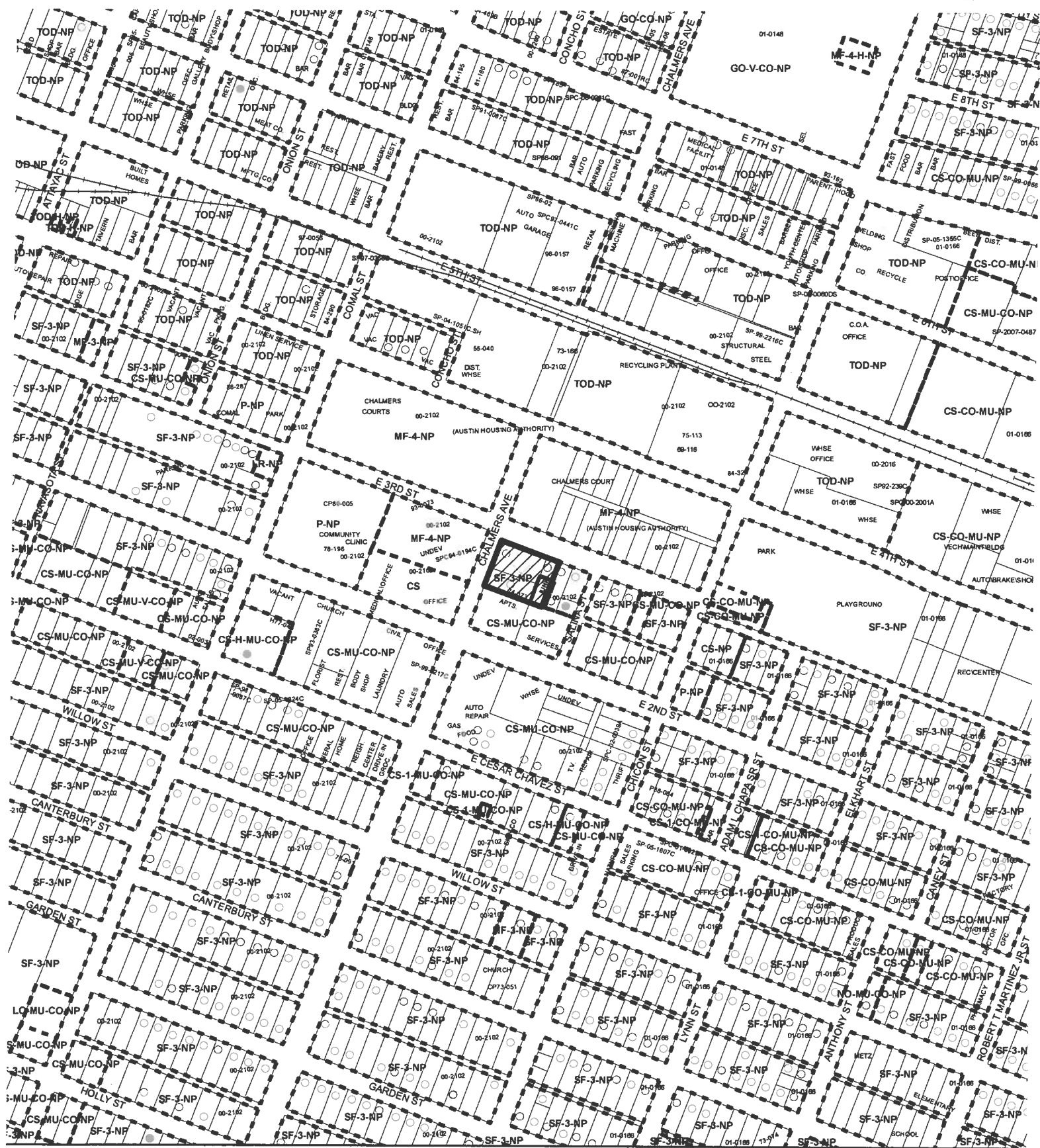
ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

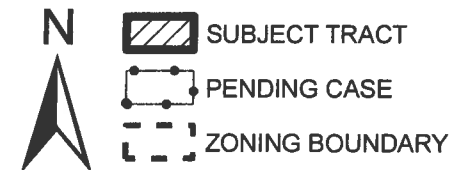
ZONING CASE MANAGER: Joi Harden

PHONE: 974-2122 **E-MAIL:** joi.harden@ci.austin.tx.us



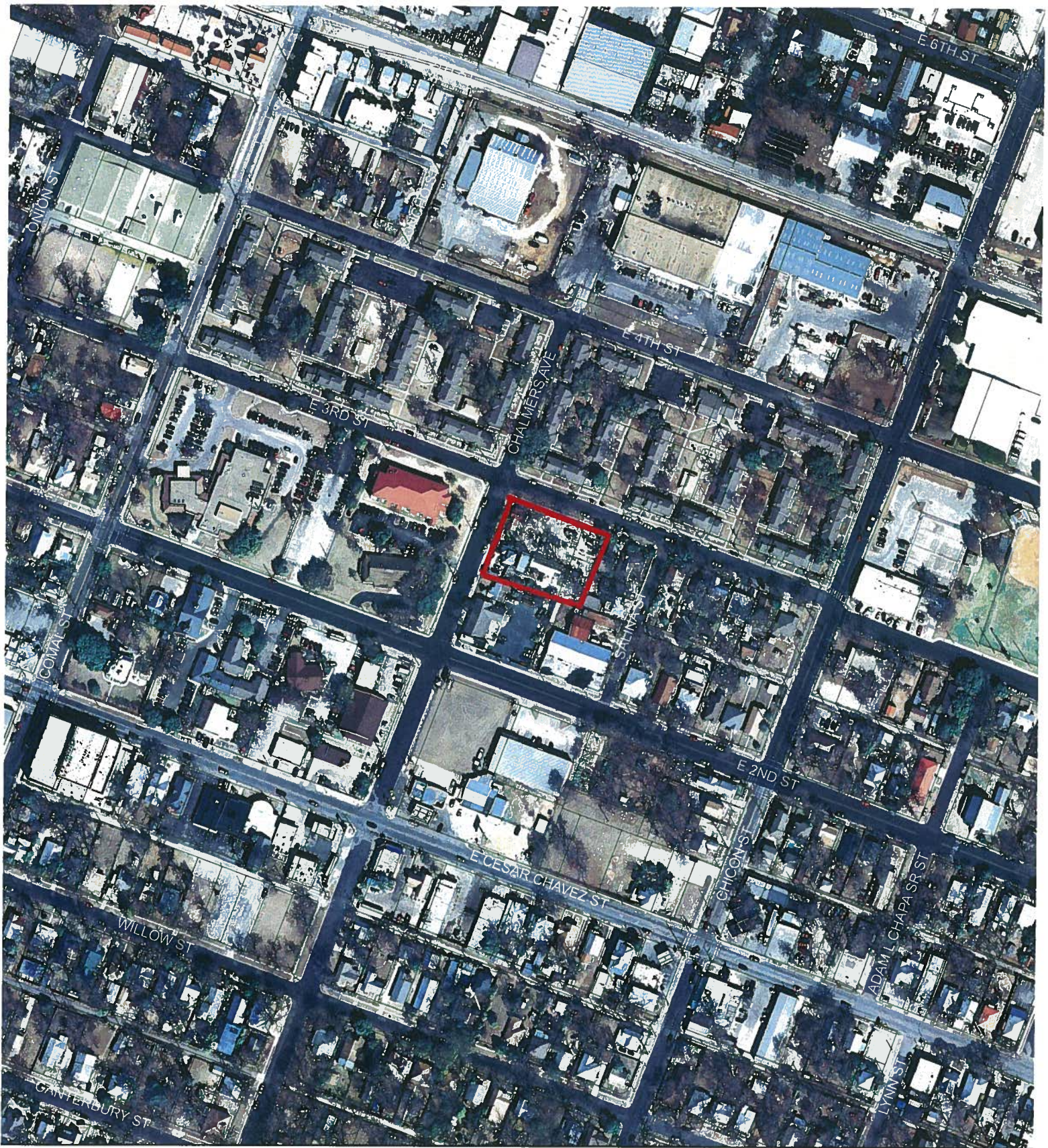
ZONING

ZONING CASE#: C14-2010-0137
 LOCATION: 207 CHALMERS AVE
 SUBJECT AREA: 0.675 ACRES
 GRID: K21
 MANAGER: JOI HARDEN



1" = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



C14-2010-0137 - 207 Chalmers Avenue
From SF-3-NP and CS-CO-NP to GR-MU-CO-NP
combined district zoning



SUMMARY STAFF RECOMMENDATION

The staff recommendation is to grant the change from SF-3-NP (Family Residence – Neighborhood Plan) combining district zoning and CS-MU-CO-NP (General Commercial Services – Mixed Use – Conditional Overlay – Neighborhood Plan) combining district zoning to GR-MU-CO-NP (Community Commercial – Mixed Use – Conditional Overlay – Neighborhood Plan) combining district zoning. The Conditional Overlay would limit vehicle trips to less than 300 per day, limit the height to 2 stories or 30 feet and prohibit the following uses: Automotive rentals, Automotive repair, Automotive sales, Automotive washing, Bail Bonds, Commercial off-street parking, Drop-off recycling collection, Exterminating services, Food preparation, Food sales, Funeral services, Hotel/Motel, Off-site accessory parking, Outdoor entertainment, Outdoor sports and recreation, Pawn shop, Restaurant (General), Restaurant (Limited) and Service station.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

GR- Community Commercial district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

MU- Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development. Allows development of all types of residential uses, including single-family residential, multifamily residential, and townhouses.

The applicant is requesting to rezone the property in order to develop approximately 21 units of Live/Work lofts which will be targeted to artist. The commercial area will be located on the first floor and the residential component on the second floor. According to the applicant, the proposed development will be pedestrian oriented and will enhance the area with more activity. Additionally, the applicant's Conditional Overlay would limit development regulations including height and prohibit certain land use classifications.

2. The proposed zoning should allow for reasonable use of the site.

GR-MU allows a fair and reasonable use for the site.

The area has a combination of commercial, multifamily and single family zonings. The proposed zoning with the conditional overlays that would limit development regulations including height and prohibit certain land use classifications allows for a development that would maintain the character of the area. Additionally, the Land Use, Zoning and Neighborhood Character section the East Cesar Chavez Plan specifically states in Objective 1: Action 2, to allow new or existing businesses to create housing above the business or on the same level.

EXISTING CONDITIONS

Site Characteristics

The subject property is currently developed with an office and a single family residence. There is also a large amount of open space on the site. The site is relatively flat and lightly vegetated.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90%.

Environmental

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

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.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Transportation

Additional right-of-way may be required with the subdivision or site plan application.

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 300 vehicle trips per day. [LDC, 25-6-117]

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 by the land use. Water and wastewater utility plans 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

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 North 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 25 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.
- 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.

INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / rezonificación será repasada y acción será tomada de acuerdo a dos audiencias públicas: ante la Comisión de Usos Urbanos y el cabildo municipal. Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al propuesto desarrollo urbano o cambio de zonificación. Usted también puede contactar a una organización de protección al medio ambiente u organización de vecinos que haya expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rezonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la Internet:

www.ci.austin.tx.us/development

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Numero de caso : C14-2010-0137

Persona designada : Joi Harden, 512-974-2122

Audiencia Publica : Oct. 12, 2010, Planning Commission
Nov. 4, 2010, City Council

Broke & Taylor Wagen

Su nombre (en letra de molde)

☒ I am in favor
☐ I object

208 Salina Street Austin TX 78702

Su domicilio(s) afectado(s) por esta solicitud

[Signature]

Firma

10/7/10

Fecha

Daytime Telephone: (512) 228-2319

Comments: We live on the block with the

proposed development and are excited for
the prospect of more high-density development
for residential & commercial use. The property
serves no purpose at this point except
growing weeds, and we would be very
supportive of the (many) new neighbors.
Our harness to downtown is an asset with its
own costs, but they are worth it.

Si usted usa esta forma para proveer comentarios, puede retornarlos :
City of Austin

Planning & Development Review Department

Joi Harden

P. O. Box 1088

Austin, TX 78767-8810