

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2011-0040 / St. Stephen's Baptist Church

**P.C. PUBLIC HEARING DATE:** July 12, 2011

**ADDRESS:** 3103 – 3107 East 51<sup>st</sup> Street

**OWNER:** St. Stephen's Baptist Church (Herbert Johnson) (512) 367-3460

**AGENT:** PAX Engineering, LLC (David P. Smith) (512) 264-0330

**ZONING FROM:** SF-3-NP

**TO:** MF-2-NP

**SITE AREA:** 0.63 acres (27,442 square feet)

**SUMMARY STAFF RECOMMENDATION:** The staff recommendation is to grant the change from SF-3-NP (Family Residence – Neighborhood Plan) combining district zoning to MF-2-NP (Multifamily Residence Low Density – Neighborhood Plan) combining district zoning.

**SUMMARY PLANNING COMMISSION RECOMMENDATION:** On July 12, 2011: Planning Commission approved staff's recommendation for MF-2-NP district zoning, was approved on the consent agenda by Commissioner Dave Anderson's motion, Commissioner Mandy Dealey seconded the motion on a vote of 7-0; Commissioner Danette Chimenti was absent, 1 vacancy on the commission.

**DEPARTMENT COMMENTS:** The 0.63-acre site is currently zoned SF-3-NP (Family Residence – Neighborhood Plan) combining district and is located on E. 51<sup>st</sup> Street just west of its intersection with Pecan Springs Road. The site lies within the East MLK Combined Neighborhood Plan and is bordered by single family zoning and undeveloped land to the north, west and south, and multi-family zoning and undeveloped land to the east.

The subject property is currently developed with a one-story church. The applicant is requesting MF-2-NP zoning which would be consistent with the zoning on the tract to the east. The adjacent property to the east is presently undeveloped and also owned by the church. Additionally, the multi-family zoning will allow the existing church to come into compliance with the development regulations prescribed by the Land Development Code and allow for the application of a consistent set of zoning development regulations when the church expands to the east at some time in the future.

The staff recommendation is to approve the requested zoning change. Changing the existing zoning base districts to one zoning category will more accurately reflect the primary land use on the site. In addition, a single zoning category will allow for thoughtful planning and design of future development and uses of the property.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP	Religious Assembly
<i>North</i>	SF-3-NP	Undeveloped
<i>South</i>	SF-3-NP / MF-2-NP	Undeveloped
<i>East</i>	MF-2-NP	Undeveloped
<i>West</i>	SF-3-NP	Undeveloped / Single-family residence

**NEIGHBORHOOD PLAN AREA:** East Martin Luther King Combined Neighborhood Plan

**TIA:** Is not required

**WATERSHED:** Fort Branch

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

PODER People Organized in Defense of Earth & Her Resources  
Austin Neighborhood Council  
East MLK Neighborhood Combined COA Liaison  
Anberly Airport Association  
Home Builders Association of Greater Austin  
League of Bicycling Voters  
Austin Parks Foundation  
Pecan Springs – Springdale Neighborhood Association  
Homeless Neighborhood Association  
Del Valle Community Coalition  
East MLK Combined Neighborhood Contact Team  
East MLK Combined Neighborhood Association  
Austin Monorail Project  
Super Duper Neighborhood Objectors and Appealers Organization  
The Real Estate Council of Austin, Inc  
Sierra Club, Austin Regional Group  
Senate Hills Homeowners' Association

**SCHOOLS: (AISD)**

- Blanton Elementary School
- Pearce Middle School
- Reagan High School

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

**RELATED CASES:** The East MLK Combined Neighborhood Plan rezonings were approved by Council on November 7, 2002 (C14-02-0142). The FLUM designation on this site is Mixed Residential so no plan amendment is required.

**ABUTTING STREETS:**

Name	ROW	Pavement	Class	Sidewalk	Bus Route	Bike Route
East 51st Street	Varies	MAU 4	Arterial	Yes	N/A	Yes

**CITY COUNCIL DATE:**

July 28, 2011

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**ZONING CASE MANAGER:** Joi Harden

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



**ZONING BOUNDARY**

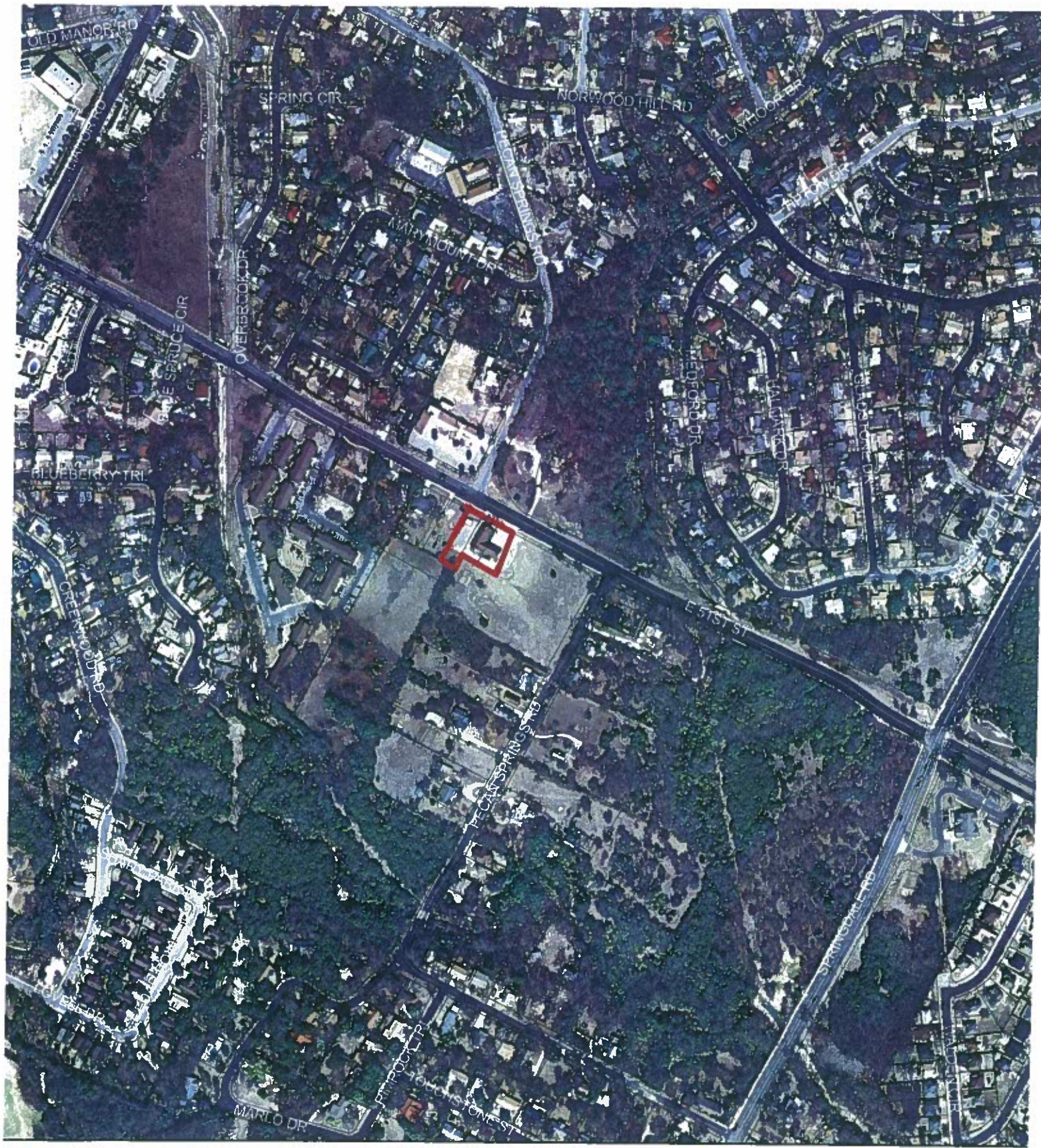
ZONING CASE#: C14-2011-0040  
LOCATION: 3103-3107 E 51st STREET  
SUBJECT AREA: 0.63 ACRES  
GRID: M24  
MANAGER: JOI HARDEN



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.





C14-2011-0040 - 3103 - 3107 E. 51st Street  
From SF-3-NP to MF-2-NP combining district zoning





## **SUMMARY STAFF RECOMMENDATION**

The staff recommendation is to grant the change from SF-3-NP (Family Residence – Neighborhood Plan) combining district zoning to MF-2-NP (Multifamily Residence Low Density – Neighborhood Plan) combining district zoning.

## **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

- 1. Zoning should be consistent with the proposed Future Land Use Map (FLUM) or adopted neighborhood plan.*

The E. MLK Combined Neighborhood Plan calls for this area to be zoned for multi-family residential uses (mixed residential). The proposed rezoning is compatible with the adopted Neighborhood Plan.

- 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. Most of the area is undeveloped. The rezoning will allow the existing church to expand to the east under one zoning district and set of development regulations.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The subject property is currently developed with a one-story church. The lot is flat and sparsely vegetated.

### **Impervious Cover**

The maximum impervious cover allowed by the MF-2-NP zoning district would be 60%.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Fort Branch 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 no flood plain within the project area.

No trees are located on this property. 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 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 Review**

The site is subject to compatibility standards. Along all property lines adjacent to single family, the following standards will apply with any future development:

- 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 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.