

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0045 - Hackberry

P.C. DATE: June 26, 2012

ADDRESS: 1311 Hackberry St. / 1168 Angelina St.

AREA: 0.246 acres

OWNER/AGENT: Metropolitan AME Church (Ken Ballage)

FROM: SF-3-NP

TO: LO-MU-NP

NEIGHBORHOOD PLAN AREA: Central East Austin

TIA: Is not required

WATERSHED: Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SUMMARY STAFF RECOMMENDATION:

Staff recommendation is to grant neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district. The applicant supports the NO-MU-NP recommendation as well. The current land use designation on the neighborhood FLUM is civic, and the planned use as a church office or residence for the church pastor is also civic. Therefore, no change is needed to the neighborhood plan/FLUM.

PLANNING COMMISSION RECOMMENDATION:

June 26, 2012: *TO GRANT NO-MU-NP AS RECOMMENDED BY STAFF. MOTION BY DEALEY, 2ND BY HATFIELD. (7-0-2)(HERNANDEZ, CHIMENTI ABSENT).*

DEPARTMENT COMMENTS:

The subject property is located at the southwest corner of Hackberry and Angelina Streets, and is occupied by a single family house that faces Hackberry Street. The City of Austin has files for the subject property referencing both the Hackberry and Angelina Street addresses. The lot immediately west of the subject property is an undeveloped lot that is zoned SF-3-NP. The remaining properties to the west and south are also zoned SF-3-NP, and occupied with single family houses and civic uses. Across Hackberry Street to the north, is property zoned SF-3-NP and used for Church of God in Christ. Behind the church are more SF-3-NP lots used as single family residential properties. Also to the north is a property zoned LO-H-MU-NP, at the northeast corner of Hackberry and San Bernard Streets. The property contains historic Thompson Home, which contains the Archival Center of Zeta Phi Beta Sorority. Across Angelina Street to the east of the subject property are the George Washington Carver Museum and Cultural Center, George Washington Carver Library, and Kealing Park. Please refer to Exhibits A and B (Zoning Map and Aerial View).

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk	Bus Route	Bike Route
Hackberry	80	37	Local	No	No	No
Angelina	77	37	Collector	No	Yes	No

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single family residence
<i>North</i>	SF-3-NP, LO-H-MU-NP	Religious assembly, Single family residences, Club/lodge
<i>South</i>	SF-3-NP	Single family residences
<i>East</i>	P-H-NP, P-NP	Museum, Library, Park
<i>West</i>	SF-3-NP	Single family residences, thrift store

RELATED CASES:

The Central East Austin Neighborhood Plan was processed under City File # NP-01-0009 and Ordinance # 011213-41 adopts the Neighborhood Plan and the FLUM. Zoning case C14-01-0148 was adopted concurrent with the plan (Ordinance # 011213-42) which approved the Central East Austin Neighborhood Plan Combining District (NPCD).

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council
 PODER
 Robertson Hill Neighborhood Coalition
 East End Ibiz District
 African American Cultural Heritage District Business Association
 United East Austin Coalition
 Kealing Neighborhood Association
 East End Merchant's Association
 OCEAN
 Robertson Hill Neighborhood Association
 Blackshear Prospect Hills

SCHOOLS:

Blackshear Elementary School
 Kealing Middle School
 Eastside Memorial HS at Johnston

CITY COUNCIL DATE: August 2, 2012

ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
 e-mail: heather.chaffin@austintexas.gov

PHONE: 974-2122

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district. The applicant also supports the NO-MU-NP recommendation. The property is owned by Metropolitan AME Church, which plans to use the building as a church office or residence for the church pastor, or other church support uses. The current land use designation on the neighborhood FLUM is civic; therefore, no change is needed to the neighborhood plan/FLUM.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

Neighborhood office (NO) district is the designation for a small office use that serves neighborhood or community needs, is located in or adjacent to a residential neighborhood and on a collector street that has a width of 40 feet or more, and does not unreasonably affect traffic. Site development regulations applicable to an NO district use are designed to preserve compatibility with existing neighborhoods through renovation and modernization of existing structures.

2. Zoning should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

This area is a mix of civic and residential land uses. There are several churches and related properties in the vicinity, as well as a City park, museum and middle school. As an NO-MU-NP property, the rezoning will allow the site to have more flexibility in use.

Comprehensive Planning:

1. This zoning case is within the boundaries of the Central East Austin Neighborhood Plan. The requested zoning change of SF-3-NP to LO-MU-NP is in accordance with the civic land use category on the Future Land Use Map because the proposed use supports the functions of a church. The Central East Austin Neighborhood Plan does not include any supplemental text regarding the proposed zoning request.

Site Plan:

1. A zoning change to LO-CO will create new requirements for any redevelopment of this site. The current structures may or may not become “pre-existing legally non-complying” as a result of this change, and any addition or renovation may not increase any level of resulting non-compliance.

2. Any new structure/ development will be subject to compatibility standards because of the adjacent proximity to single-family zoning and/or use. Height, setback, lighting and noise requirements are considered in compatibility review.

3. Commercial Design Standards (Subchapter E) will apply to any new development on this property after rezoning. Angelina Street is an Urban Street and urban standards will apply to the sidewalk design and layout and building placement.

Environmental:

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek and Town Lake Watersheds of the Colorado River Basin, which are classified as Urban Watersheds by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. 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.
4. According to flood plain maps, there is no flood plain within the project area.
5. 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.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Transportation:

1. No additional right-of-way is needed at this time.
2. 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/Wastewater:

WW1. 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.



