

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Central Austin Combined Neighborhood Plan

CASE#: NPA-2012-0019.04 **DATE FILED:** June 15, 2012 (out-of-cycle)

PC DATE: July 14, 2012

ADDRESS/ES: 4306 Red River Street

SITE AREA: Approx. 0.3325 acres

APPLICANT: Steven and Leslie Fulton (Austin Vintage Guitars)

OWNER: Estate of Paul E. Green, Paula Johnson, Executrix

AGENT: Robin McCall Company (Robin McCall)

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Mixed Use/Office

To: Neighborhood Mixed Use

Base District Zoning Change

Related Zoning Case:

From: LO-MU-NP

To: LR-MU-NP

NEIGHBORHOOD PLAN ADOPTION DATE: August 26, 2004

PLANNING COMMISSION RECOMMENDATION: On July 14, 2012, a motion was made by Commissioner Kirk to approve staff's recommendation on the consent agenda. The motion was seconded by Commissioner Stevens and approved on a vote of 7 – 0 – 2, with Commissioner Hatfield absent with one seat vacant.

STAFF RECOMMENDATION: Recommended.

BASIS FOR STAFF'S RECOMMENDATION: The request meets the following plan Goals, Objectives, and Recommendations:

Goal One

Preserve the integrity and character of the single-family neighborhoods

Objective 1.1: Rezone property as needed to ensure that new development is compatible with the desired residential character of each neighborhood.

Recommendation 2: Identify areas where mixed use would enhance the livability of the neighborhoods and rezone accordingly.

Objective 1.4: Limit new commercial and multi-family spread into the single-family core of the neighborhoods by establishing a perimeter of apartments, offices, and commercial uses.

Recommendation 6: Preserve the commercial, office, and multi-family zoning surrounding the neighborhood and create a “hard edge” to prohibit incursions into the neighborhood.

Goal Three

Allow mixed-use development along the existing commercial corridors that is pedestrian oriented, neighborhood friendly, neighborhood scaled, and serves neighborhood needs

Medical Arts Street/Red River Street

Objective 3.6: Allow mixed use development in the Eastwoods Neighborhood along Medical Arts Street, on the triangle of land between Medical Arts Street and Red River Street, and east of Red River Street.

Recommendation 16 Allow the neighborhood mixed-use building and mixed-use combining district on commercially zoned properties along Medical Arts Street, on the triangular tract of land between Medical Arts Street and Red River Street, and on all tracts east of Red River Street and south of 30th Street.

Staff Analysis: The applicants’ request to change the future land use map to Neighborhood Mixed Use is a compatible land use for Red River Street, which is a Major Arterial that has a range of land uses and zoning. Neighborhood Mixed Use is design for compatibility with residential adjacency.

Mixed Use/Office – Existing Land Use

An area that is appropriate for a mix of residential and office uses.

Purpose

1. Accommodate mixed use development in areas that are not appropriate for general

- commercial development; and
- 2. Provide a transition from residential use to non-residential or mixed use.

Application

- 1. Appropriate for areas such as minor corridors or local streets adjacent to commercial areas;
- 2. May be used to encourage commercial uses to transition to residential use; and
- 3. Provide limited opportunities for live/work residential in urban areas.

Neighborhood Mixed Use – Proposed Land Use

An area that is appropriate for a mix of neighborhood commercial (small-scale retail or offices, professional services, convenience retail, and shopfront retail that serve a market at a neighborhood scale) and small to medium-density residential uses.

Purpose

- 1. Accommodate mixed use development in areas appropriate for a mix of residential uses and neighborhood commercial uses that serve surrounding neighborhoods; and
- 2. Provide transition from residential use to high intensity commercial or mixed use.

Application

- 1. Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single-family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and
- 2. May be used as a transition from high intensity commercial and residential uses to single-family residential uses.

BACKGROUND: The application was filed on June 15, 2012, which is out-of-cycle for neighborhood planning areas located on the west side of I.H.-35. The applicant received a letter from the C.A.N.P.A.C. Planning Contact Team.

The applicants request a change in the future land use map from Mixed Use/Office to Neighborhood Mixed Use. Their zoning change request is from LO-MU-NP to LR-MU-NP.

Steven and Leslie Fulton own a business called Austin Vintage Guitars, which is located on South First Street. The area where the property is located is proposed for redevelopment which has required them to seek another location for their business. The existing zoning of LO-Limited Office does not allow retail sales; therefore they see to rezone the property to LR- Neighborhood Commercial so they can have a small-scale retail business.

The Planning Contact Team supports the zoning change with a conditional overlay to prohibit uses. Please see the zoning case report for the C14-2012-0065.

PUBLIC MEETINGS: The ordinance-required plan amendment meeting was held on Monday, June 9, 2012. Two hundred and twenty-eight notices were mailed to property

owners who live or own property within 500 feet of the property proposed for a FLUM change, in addition to neighborhood organizations and environmental groups registered on the City's Community Registry. Ten people attended the meeting, in addition to one staff member.

After Maureen Meredith, case manager, made a brief presentation explaining the applicants' land use and zoning requests, in addition the planning process, the following questions were asked by the attendees:

Q. Do you plan to change the building?

A. Yes, eventually we proposed to build a second-story to the existing building and to demolish the duplex so we can have enough parking.

Q. Will you have a sound system?

A. Yes, but only so people can try out guitars. However, the amplifiers will be in a sound-proof room so as not disturb customers and the surrounding property owners.

Q. Do you plan to keep the fence around the property?

A. Yes, but it will be repaired.

Q. In the neighborhood is already people who play in bands and you can hear drums, etc, that do all night, which drive the tenants in the apartments to the south crazy.

A. We have a time restriction in people who test the guitars and amplifiers of 15 minutes. That way they don't come into the store just to practice all day.

Q. When you build the second story, will it have windows?

A. No, it won't have windows for security reasons.

Mark Burch, from the Hancock Subarea of the CANPAC planning area was at the meeting and discussed the proposed conditional overlay to prohibit certain uses. That list on is pages 6 and 7 of this report.

After the attendees discussed the prohibited uses, the general consensus seemed to be support because they believed the surrounding residential uses would be protected from incompatible uses.

CITY COUNCIL DATE: August 16, 2012

ACTION: Pending

CASE MANAGER: Maureen Meredith

PHONE: 974-2695

EMAIL: Maureen.meredith@austintexas.gov

Letter from the C.A.N.P.A.C. Planning Contact Team

From: Nuria Zaragoza
Sent: Tuesday, June 12, 2012 10:54 AM
To: Hirsch, Michael L.
Cc: Adam Stephens; Bart Whatley; Robin
Subject: 4306 Red River, Out of cycle plan amendment

Dear Mr. Guernsey,

I write this letter to you as Co-chair of CANPAC (Central Austin Combined Neighborhood planning Area) to support an out of cycle plan amendment submittal for 4306 Red River.

CANPAC votes to support Hancock in their position: Motion passed (unanimous): Zoning Committee finds no objections to an out of cycle plan amendment and further wishes to recommend that the neighborhood association require a Conditional Overlay to the sought LR zoning to alter allowed uses as follows: Conditional uses: Bed & breakfast, day care services commercial, group home, medical office; Uses not allowed: Communication services facilities, communications services, consumer convenience services, counseling services, financial services, local utility services, off site accessory parking, pet services, restaurant, safety services, service station, urban farm, detention, community recreation, club/lodge.

Sincerely,

Nuria Zaragoza
Co-Chair CANPAC

Hancock Neighborhood Association's Letter of Support

To: Austin Planning Commission and City Council Members
Re: NPA-2012-0019.04
Date: July 19, 2012

At its regularly scheduled meeting on July 18, 2012, the Hancock Neighborhood Association, in accordance with its bylaws, adopted the following motion endorsing the changes proposed for the future land use designation and zoning of the property located at 4306 Red River in Austin, Texas:

Resolved:

The Hancock Neighborhood Association endorses the request (NPA-2012-0019.04) to change the future land use designation on the Central Austin Combined Neighborhood Plan for the property located at 4306 Red River Street from "Mixed Use/Office" to "Neighborhood Mixed Use."

We also endorse a change in the base zoning for the property from "Limited Office" (LO) to "Neighborhood Commercial" (LR), with the understanding that overlays implementing the following conditions will be adopted simultaneously:

Allowed uses --

- Administrative and Business Offices
- Art Gallery
- Art Workshop
- Consumer Repair Services
- General Retail Sales (Convenience)
- General Retail Sales (General)
- Personal Services
- Professional Office
- Software Development
- Cultural Services
- Day Care Services (Limited)
- Private Primary Educational Facilities
- Private Secondary Educational Facilities
- Public Primary Educational Facilities
- Public Secondary Educational Facilities
- Religious Assembly

Conditional uses --

- Bed & Breakfast (Group 1)
- Bed & Breakfast (Group 2)
- Medical Offices -- exceeding 5000 sq. ft. gross floor area
- Medical Offices -- not exceeding 5000 sq. ft. gross floor area
- Special Use Historic
- Community Garden
- Congregate Living

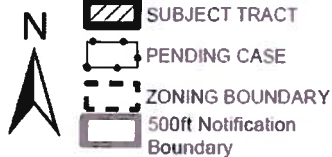
Day Care Services (Commercial)
Day Care Services (General)
Family Home
Group Home, Class I (General)
Group Home, Class I (Limited)
Group Home, Class II

Prohibited uses --

Alternative Financial Services
Consumer Convenience Services
Financial Services
Food Sales
Off-Site Accessory Parking
Personal Improvement Services
Pet Services
Plant Nursery
Printing and Publishing
Restaurant (General)
Restaurant (Limited)
Service Station
Custom Manufacturing
Urban Farm
Club or Lodge
College and University Facilities
Communication Service Facilities
Community Events
Community Recreation (Private)
Community Recreation (Public)
Counseling Services
Guidance Services
Hospital Services (Limited)
Local Utility Services
Residential Treatment
Safety Services
Telecommunication Tower

HNA's President, Mike Hirsch, asked me to inform you of this action. Please let me know if you questions or need additional information.

Mark Burch
452-3981



NEIGHBORHOOD PLAN AMENDMENT

NPA CASE#: NPA-2012-0019.04
ADDRESS: 4306 Red River Street
ACRES: Approx 0.335 acres

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**Central Austin Combined Neighborhood Plan
NPA-2012-0019.04**

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City of Austin
Planning and Development Review Department
Created on 06/29/2012_ M Meredith



Legend

- 500ft notification boundary
- Future Land Use Categories**
- Single-Family
- Multi-Family
- Mixed Use
- Mixed Use/Office
- Civic

