

**PLANNING COMMISSION
SITE PLAN WAIVER REQUEST REVIEW SHEET**

CASE NUMBER: SP-2019-0168C **PLANNING COMMISSION**
HEARING DATE: November 12th, 2019

PROJECT NAME: 3232 E Cesar Chavez

ADDRESS: 3232 E Cesar Chavez

APPLICANT: Cesar Nursery Owner, LLC

AGENT: Civiltude LLC; James Schissler, PE – (512) 476-4456
 5110 Lancaster Court
 Austin, Texas 78723

CASE MANAGER: Robert Anderson Phone: (512) 974-3026
robert.anderson@austintexas.gov

PROPOSED DEVELOPMENT:

The applicant is proposing to construct two office buildings and a parking garage.

DESCRIPTION OF WAIVERS:

The applicant is requesting a Compatibility Waiver from § 25-2-1063(C) which requires structures more than 100 feet but not more than 300 feet from the property triggering compatibility be no taller than 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property triggering compatibility.

The applicant is eligible for a waiver of a height restriction per § 25-2-1081(C) which allows for the Land Use Commission to approve a waiver if “there is an existing structure located between the proposed structure and the closest property to the proposed structure that triggers the compatibility standards.” The closest triggering property is across Cesar Chavez Street behind existing commercial structures.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the waiver request. Various factors inform staff recommendation for approval. These include the distance from the triggering property, the location of the site along Cesar Chavez, and the presence of commercial properties between the subject site and the property triggering compatibility. The site plan will comply with all other requirements of the Land Development Code.

PROJECT INFORMATION:

SITE AREA	148,335 square feet	3.405 acres
EXISTING ZONING	CS-CO-NP / GR-CO-NP	
WATERSHED	Colorado River (Urban)	
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance (Urban)	
TRAFFIC IMPACT ANALYSIS	Not required	
CAPITOL VIEW CORRIDOR	None	
PROPOSED ACCESS	Cesar Chavez	
	Allowed/Required	Existing Proposed
FLOOR-AREA RATIO	2:1 (CS) / 1:1 (GR)	0:1 / 0.15:1 1.76:1 (CS) / 0.99:1 (GR)

BUILDING COVERAGE	95% (CS) / 75% (GR)	0.0% / 15%	76% (CS) / 45% (GR)
IMPERVIOUS COVERAGE	95% (CS)/ 90% (GR)	63.7%	84.7%
PARKING	616.5	40	618

SUMMARY COMMENTS ON SITE PLAN:

The subject site is currently used as a landscape plant nursery and fitness center. The applicant is proposing to construct a two three-story administrative office buildings and a parking garage. The lots are zoned CS-CO-NP and GR-CO-NP.

COMPATIBILITY:

The site is subject to Compatibility Standards due to single-family structures, zoned SF-3-NP, to the west of Tillery Street within 540 feet. The project as proposed is fully compliant with the compatibility requirements for these triggering properties.

The site is also subject to Compatibility Standards due to land zoned SF-3 to the south across Cesar Chavez Street and beyond property zoned GR-MU-CO-NP. The SF-3 zoning triggering compatibility requirements is approximately 200 ft. in distance from the subject property. § 25-2-1063(C) requires structures more than 100 feet but not more than 300 feet from the property triggering compatibility be no taller than 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property triggering compatibility.

PLANNING COMMISSION ACTION:

N/A

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO-NP / GR-CO-NP	Administrative and Business Offices / Restaurant (General)
<i>North</i>	CS-CO-NP / LI-CO-NP	Commercial
<i>South</i>	Cesar Chavez St.	N/A
<i>East</i>	CS-CO-NP	Commercial
<i>West</i>	LI-CO-NP	Administrative and Business Offices

ABUTTING STREETS:

Street	Right-of-Way Width	Pavement Width	Classification
Cesar Chavez	96 ft.	46 ft.	ASMP Level 3

NEIGHBORHOOD ORGNIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Barrio Unido Neighborhood Association
 Bike Austin
 Black Improvement Association
 Buena Vista Neighborhood Association
 Claim Your Destiny Foundation
 Del Valle Community Coalition
 East Austin Conservancy
 East Riverside / Oltorf Neighborhood Plan
 Contact Team

East Town Lake Citizens Neighborhood
 Association
 El Concilio Mexican-American Neighborhoods
 Friends of Austin Neighborhoods
 Govalle/Johnston Terrace Neighborhood Plan
 Contact Team
 Greater East Austin Neighborhood Association
 Guadalupe Neighborhood Development
 Corporation
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Neighbors United for Progress
 Parque Zaragosa Neighborhood Association

Preservation Austin
River Bluff Neighborhood Assoc.
SELTexas
Sierra Club, Austin Regional Group
State of Texas
Tejana Bilingual Community
Tejano Town
Tillery Square Neighborhood Association
United Austin for the Elderly
United East Austin Coalition



October 24, 2019

City of Austin Development Planning Commissioners
301 W 2nd Street
Austin, Texas 78701

Re: Compatibility Waiver for SP-2019-0168C
3232 E Cesar Chavez
Austin, Texas 78702

Dear Commissioners,

On behalf of our client, Cesar Nursery Owner, LLC, we are requesting a compatibility waiver for the 3232 E Cesar Chavez project. The project proposes to remove the existing landscape plant nursery and fitness center and replace them with two four-story administrative office buildings, a structured parking garage, and ancillary improvements. The 3.43-acre site is located at 3232 and 3306 E Cesar Chavez in East Austin. The east portion of the site is zoned CS-CO-NP, General Commercial - Conditional Overlay - Govalle Neighborhood Plan and the west portion of the site is zoned GR-CO-NP, Community Commercial - Conditional Overlay - Govalle Neighborhood Plan.

Compatibility is triggered by SF-3 zoning on the rear portion for the properties fronting on the south side of E Cesar Chavez and by the properties on the west side of Tillery St. The triggering properties on Tillery St. are approximately 380 feet west of the site, so there is no compatibility waiver required for those properties. The triggering zoning line on the rear portion of the properties on the south side of E Cesar Chavez is approximately 200 feet south of the site, so the height limit at the front property line would be 50 feet. The request is to allow the office buildings, which are set at the front property line per Subchapter E requirements, to be the 60 foot height allowed by zoning.

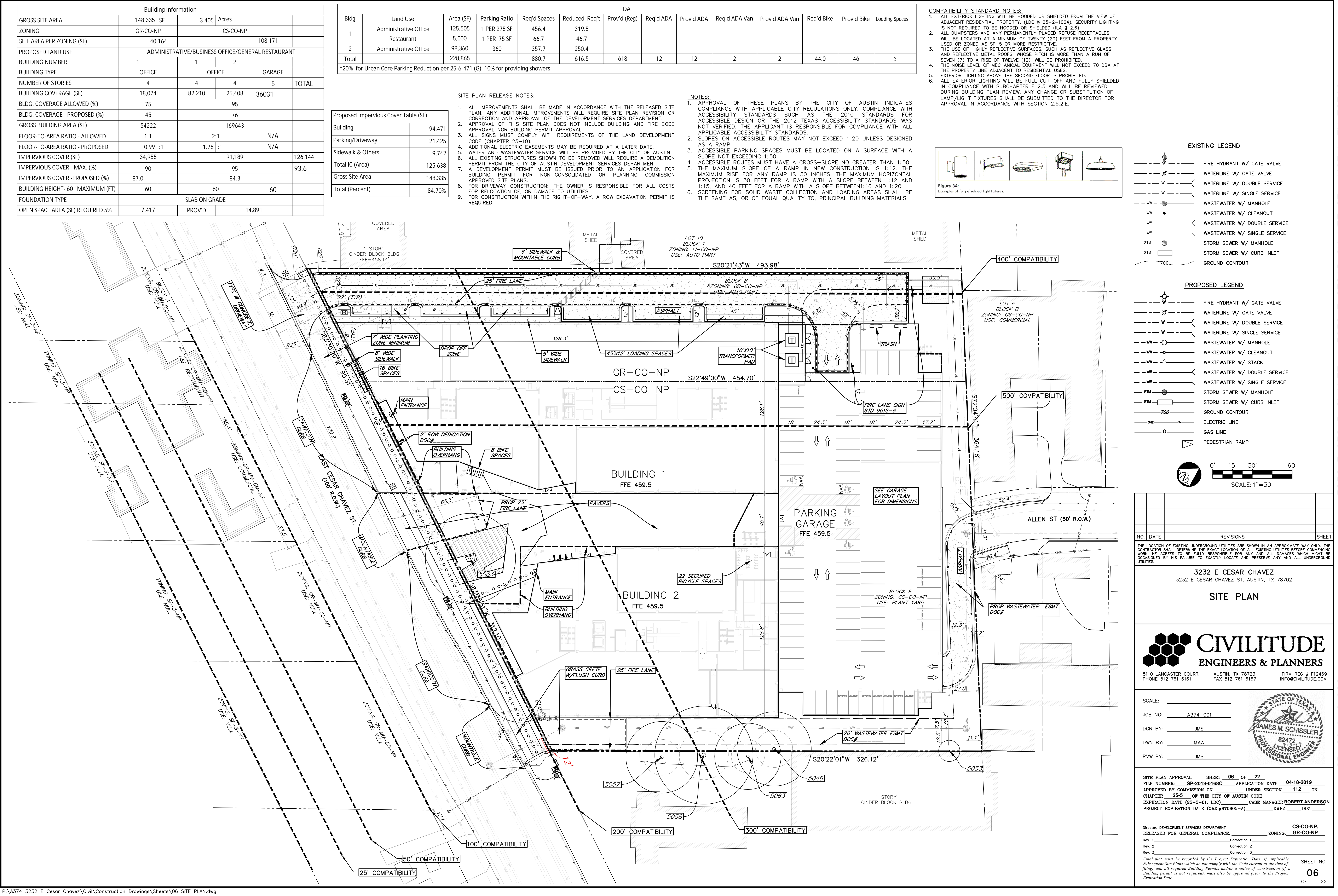
Discussions with the Neighborhood Planning and Zoning Dept. staff to determine the rationale for the SF-3 zoning on rear portion of the commercial properties revealed that the zoning was used decades ago as a means to minimize or prevent development along the Colorado River before environmental regulations were implemented. The zoning line and 25-foot no-build compatibility setback would essentially allow impervious cover and/or buildings within 75 feet of the south right-of-way of E Cesar Chavez. But this also limited the height of buildings on the north side of E Cesar Chavez, which we believe was an unintended result of the SF-3 zoning.

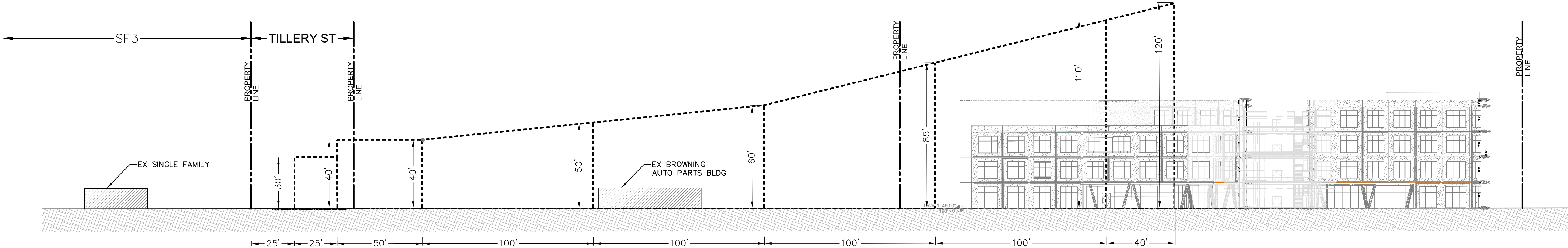
If you have any questions, please do not hesitate to contact us and inquire at 512-761-6161.

Sincerely,

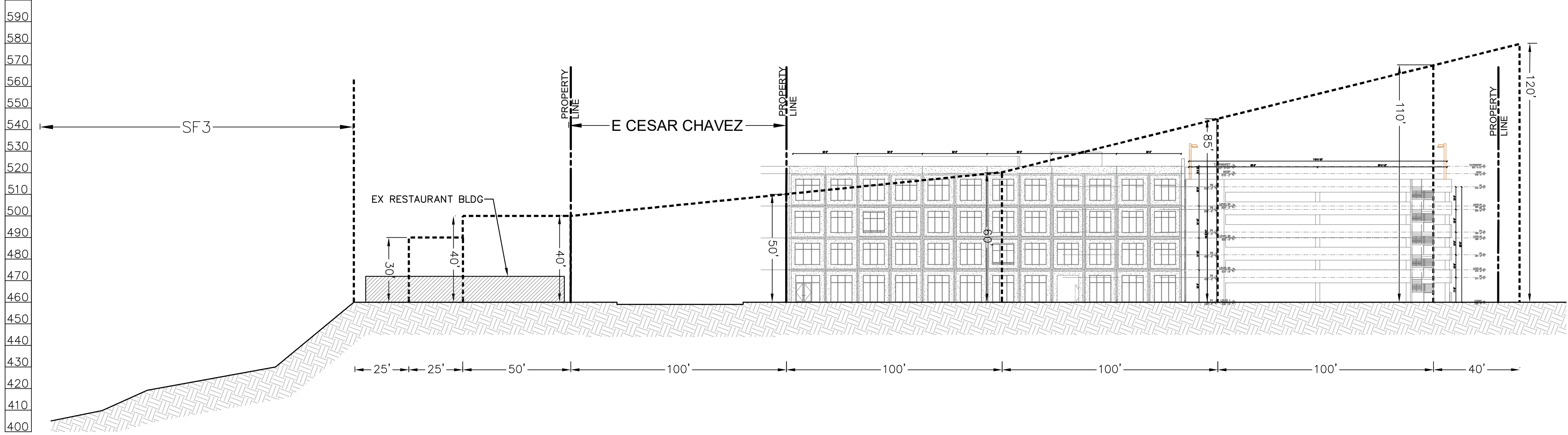
A handwritten signature in black ink that reads "James M. Schissler".

James M. Schissler, P.E.
Vice President

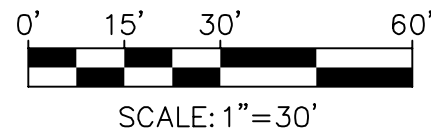




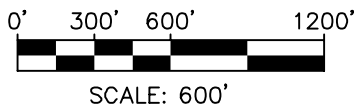
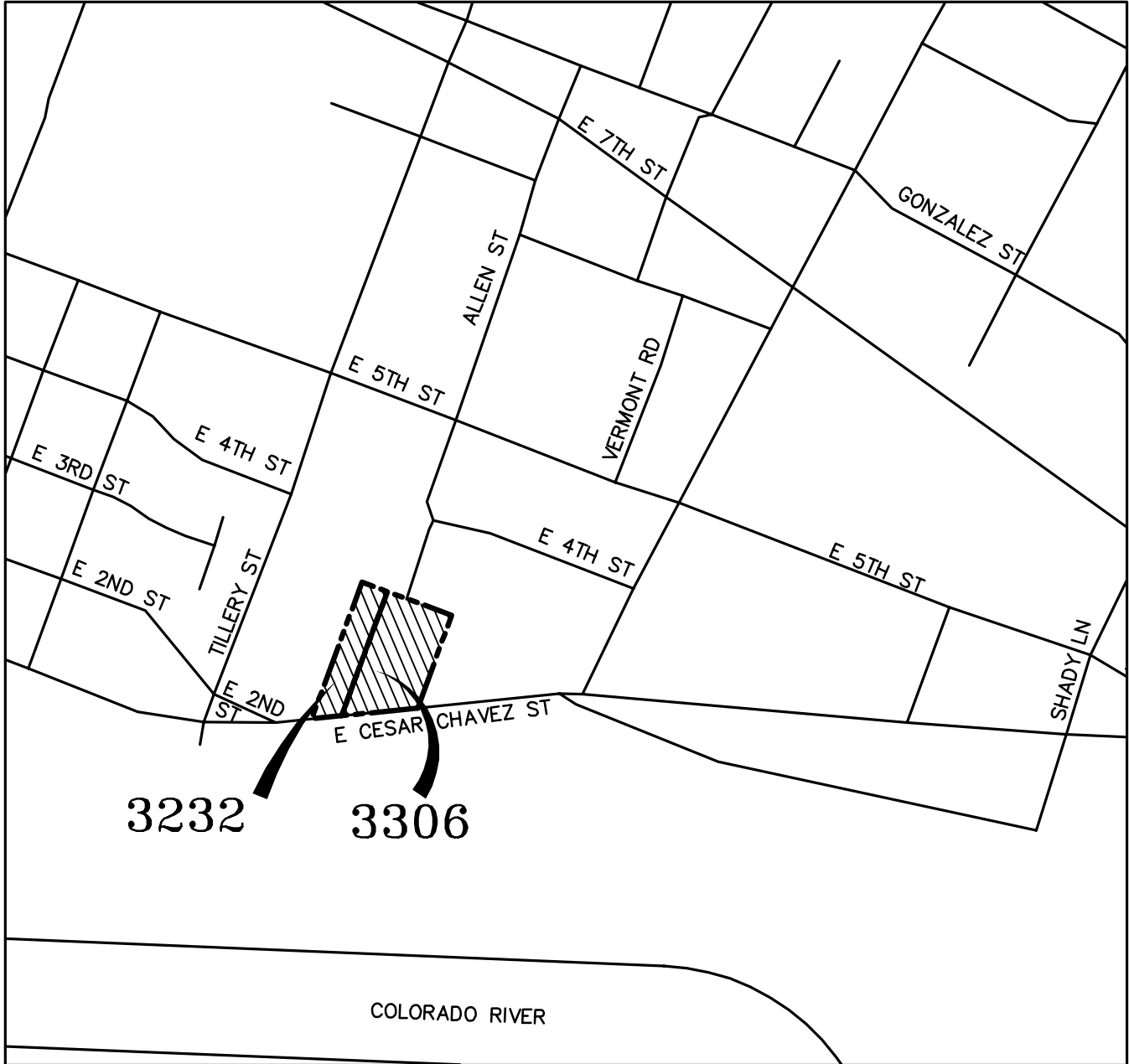
TILLERY ST CROSS SECTION



EAST CESAR CHAVEZ ST CROSS SECTION



NO.	DATE	REVISIONS	SHEET
THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.			
3232 E CESAR CHAVEZ 3232 E CESAR CHAVEZ ST, AUSTIN, TX 78702			
COMPATIBILITY SECTIONS			
 5110 LANCASTER COURT, AUSTIN, TX 78723 FIRM REG # F12469 PHONE 512 761 6161 FAX 512 761 6167 INFO@CIVILITUDE.COM			
SCALE:	1"=30'		
JOB NO:	A374-001		
DGN BY:	JMS		
DWN BY:	MAA		
RVW BY:	JMS		
SITE PLAN APPROVAL SHEET 22 OF 22 FILE NUMBER: SP-2019-0168C APPLICATION DATE: 04-18-2019 APPROVED BY COMMISSION ON UNDER SECTION 112 ON CHAPTER 25-5 OF THE CITY OF AUSTIN CODE EXPIRATION DATE (25-5-81, LDC) CASE MANAGER ROBERT ANDERSON PROJECT EXPIRATION DATE (ORD.#970905-A) DWFZ DDZ			
Director, DEVELOPMENT SERVICES DEPARTMENT CS-CO-NP, RELEASED FOR GENERAL COMPLIANCE: ZONING: GR-CO-NP			
Rev. 1	Correction 1		
Rev. 2	Correction 2		
Rev. 3	Correction 3		
Final plat must be recorded by the Project Expiration Date, if applicable. Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction of a Building permit is not required, must also be approved prior to the Project Expiration Date.			
SHEET NO. 22 OF 22			



LOCATION MAP

GRID: L21
MAPSCO: 616E