

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-5
AGENDA DATE: Thu 01/13/2005
PAGE: 1 of 1**

SUBJECT: C14-04-0180 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2444 South 1st Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Michael Vasquez. Agent: Michael Vasquez. City Staff: Tom Bolt, 974-2755.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0180

ZAP DATE:

December 21, 2004

CITY COUNCIL:

January 13, 2005

ADDRESS: 2444 So. 1st St.

OWNER/APPLICANT: Michael Vasquez

AGENT: Michael Vasquez

ZONING FROM: SF-3

TO: GR

AREA: .15 acres

SUMMARY STAFF RECOMMENDATION:

Approve the rezoning from family residential district (SF-3) to community commercial district (GR)

ZONING AND PLATTING COMMISSION RECOMMENDATION:

APPROVED GR-CO ZONING; ONLY PERMITTED LR USE BEING GENERAL RETAIL SALES (GENERAL); ALL LR USES; NO DRIVE THROUGH SERVICES. [K.J; J.M 2ND] (9-0)

ISSUES: N/A

DEPARTMENT COMMENTS:

The subject property is situated between two Commercial Services district zoned properties on a right-of-way classified as an arterial. The Community Commercial (GR) district proposed would allow for less intense developments on properties to the north and south.

This site is located within the pending Galindo Neighborhood Planning Area. The Neighborhood Planning process is expected to begin in August 2005.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Jewelry Store
<i>North</i>	CS	Single-family structure with accessory bldg
<i>South</i>	CS	Restaurant
<i>East</i>	ROW & P-NP	City of Austin Park (Gillis Park) & Bouldin Creek Center
<i>West</i>	SF-3	Undeveloped and part of larger tract of land

AREA STUDY: N/A

TIA: N/A

WATERSHED: East Bouldin Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

#154 Dawson Neighborhood Association

#300 Terrell Lane Interceptor Association
 #428 Barton Springs/Edwards Aquifer Conservation Dist.
 #498 South Central Coalition
 #511 Austin Neighborhoods Council
 #904 Galindo Elementary Neighborhood Association
 #976 Dawson Neighborhood Planning Team

SCHOOLS:

Dawson Elementary School
 Fillmore Middle School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-01-0061	NPCD Dawson Neighborhood Plan and Ordinance	Motion to Approve Staff Recommendation failed (4-4) Send to City Council with no recommendation (8-0)	12/06/2001 Approved 3 rd reading of an ordinance for Dawson Neighborhood Plan rezoning
C14-99-0044	SF-3 TO LO	04/27/1999 Approved LO-CO limiting to NO uses	07/01/1999 Approved 3 rd reading LO-CO with conditions prohibiting some LO uses

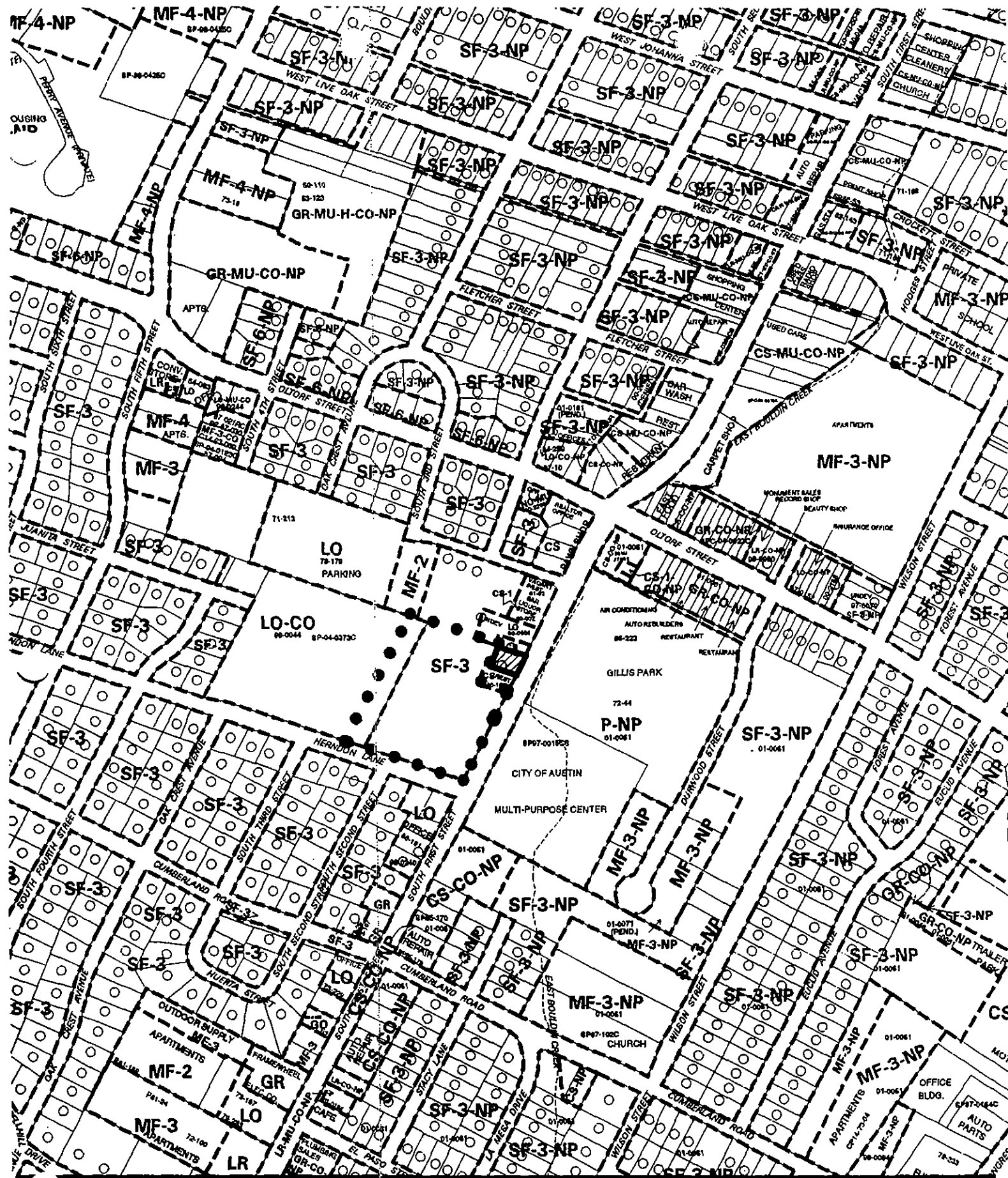
RELATED CASES: N/A**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
S. 1 st St.	65'	48'	Arterial	Yes	Route 10	Yes

CITY COUNCIL DATE: January 13, 2005**ACTION:****ORDINANCE READINGS:** 1st January 13, 2005 2nd3rd**ORDINANCE NUMBER:**

CASE MANAGER: Thomas Bolt
 e-mail address: Thomas.bolt@ci.austin.tx.us

PHONE: 974-2755



SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY
CASE MGR: T. BOLT

CASE #: C14-04-0180
ADDRESS: 2444 S 1ST ST
SUBJECT AREA (acres): 0.150

ZONING

DATE: 04-11
INTLS: SM

CITY GRID
REFERENCE
NUMBER
H20



City of Austin

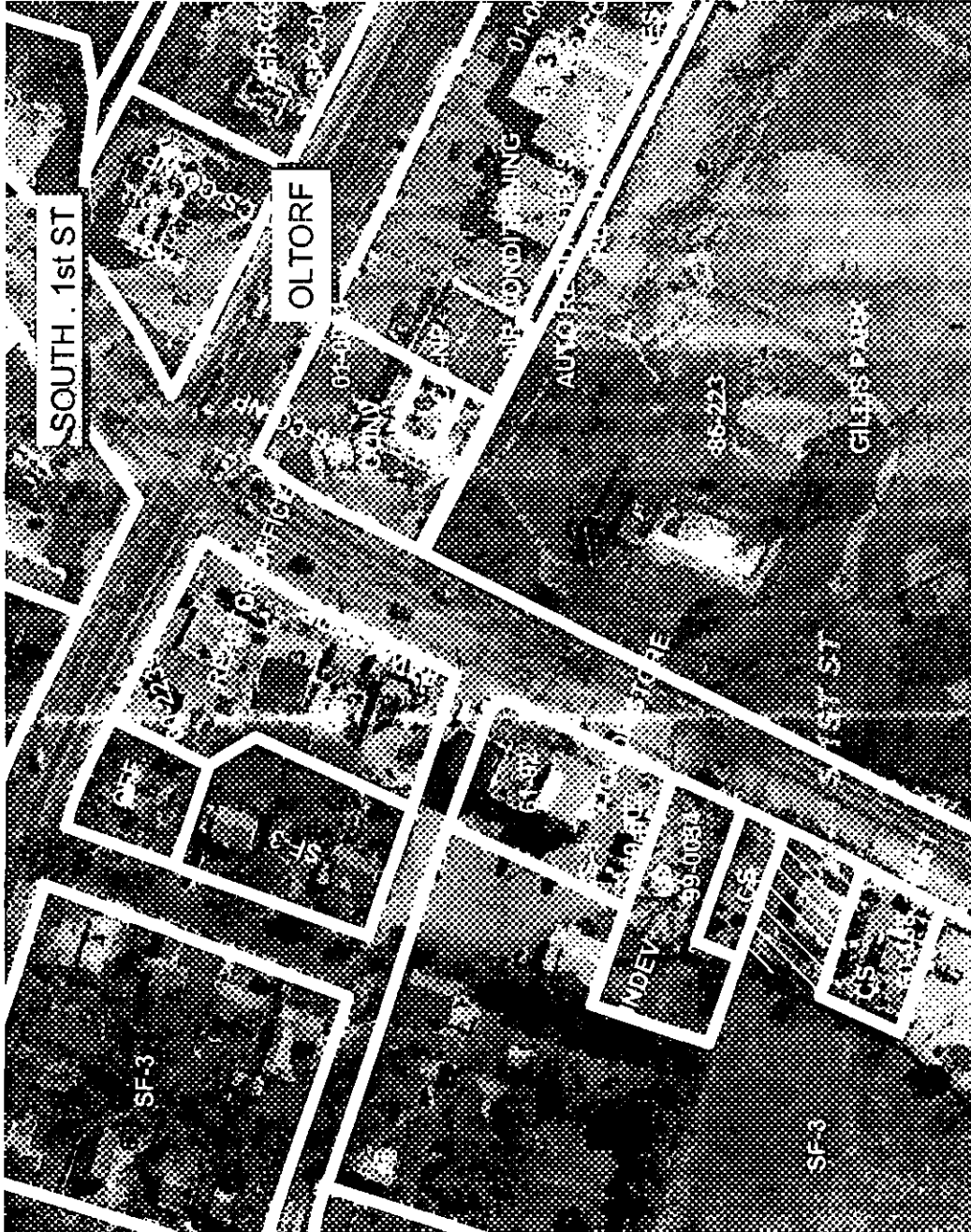
C14-04-0180

2444 SO. 1ST ST.

REQUEST:
FROM SF-3 TO GR

OWNER/AGENT
MICHAEL VASQUEZ

Zoning
Subdivision
Base



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STAFF RECOMMENDATION

Approve the rezoning from family residence district (SF-3) to community commercial district (GR)

BACKGROUND N/A**BASIS FOR RECOMMENDATION**

Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.

Properties to the north and south fronting on South 1st St. are zoned CS allowing more intense commercial service uses than those allowed under the proposed zoning of this property.

Zoning changes should promote compatibility with adjacent and nearby uses.

Adjacent uses are a restaurant to the south and a single family structure zoned CS to the north. The proposed GR will continue the ability to develop commercial use along this section of So. 1st St. The SF-3 zoning district is out of character in this area.

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

The proposed zoning will allow more consistency with potential adjacent uses.

Granting of the request should result in an equal treatment of similarly situated properties.

Similarly situated properties in this area have commercial district zoning.

EXISTING CONDITIONS**Site Characteristics**

Site is relatively flat and developed with a single-family residence and accessory structures.

Impervious Cover

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the East Bouldin 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. Impervious cover is not limited in this watershed class.

Environmental

According to flood plain maps, there is flood plain within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Environmental con't.

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

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.

Water Quality Control Requirements

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.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 1,153 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

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 water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City utility design criteria. The landowner must pay all associated City plan review and inspection fees.

The landowner must pay the tap and impact fee once the landowner makes an application for a City water and wastewater utility tap permit.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards

The site is subject to compatibility standards. Along the west and south (currently under review for a proposed zoning change) and north property line, the following standards apply:

- No structure may be built within 25 feet of the property line.

Compatibility Standards con't.

- 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.
- 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.