



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-5
AGENDA DATE: Thu 03/11/2004
PAGE: 1 of 1

SUBJECT: C14-04-0006 - Dawson Mixed Use Building - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3507 South First Street (East Bouldin Creek Watershed) from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning. Applicant: Sandra Steadham. Agent: City of Austin.(Neighborhood Planning & Zoning Department). City Staff: Annick Beaudet, 974-2975.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0006

PC DATE: February 10, 2004

ADDRESS: 3507 South First Street

OWNER/APPLICANT: Sandra Steadham

AGENT: City of Austin (Neighborhood Planning & Zoning Department)

ZONING FROM: LR-NP **TO:** LR-NP **AREA:** .245 acres

SUMMARY STAFF RECOMMENDATION (revised 2-10-04):

Staff recommends neighborhood commercial-neighborhood plan combining district (LR-CO-NP) and Neighborhood Mixed Use Building Special Use (MUB). The CO would make the following uses conditional: service station and drive through services as an accessory use.

PLANNING COMMISSION RECOMMENDATION:

2-10-04: To recommend the staff recommendation of LR-CO-NP by consent. 6-0. Lydia Ortiz-absent

ISSUES:

The applicant is in agreement with the staff recommendation.

DEPARTMENT COMMENTS:

The purpose of this rezoning request is to add the Neighborhood Mixed Use Building Special Use (MUB) to the subject tract. It was the intent of the zoning ordinance associated with the Dawson Neighborhood Plan to apply the MUB to all commercially zoned properties on South 1st Street. The MUB was inadvertently not applied to this specific property. In addition, staff included the same conditional overlay (CO) that applied to other commercial properties along South First Street.

The Dawson Neighborhood Association and the property owner are in support of this rezoning request that will add the MUB special use option to the property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LR-NP	Vacant building
<i>North</i>	MF-3-NP	Apartments
<i>South</i>	MF-3-NP	Apartments
<i>East</i>	MF-3-NP	Apartments
<i>West</i>	MF-3, SF-3, CS	Apartments, Single Family house, indoor entertainment (meeting hall)

AREA STUDY: Dawson Neighborhood Plan

TIA: Not required.

WATERSHED: East Bouldin Creek

DESIRED DEVELOPMENT ZONE: Yes.

CAPITOL VIEW CORRIDOR: No.

HILL COUNTRY ROADWAY: No.

NEIGHBORHOOD ORGANIZATIONS:

Dawson Neighborhood Association
Dawson Neighborhood Planning Team
Terrell Lane Interceptor Association
Barton Springs/Edwards Aquifer Conservation District
South Central Coalition
Galindo Elementary Neighborhood Association
Austin Neighborhoods Council

CASE HISTORIES:

NUMBER	REQUEST	ZONING AND PLATTING COMMISSION	CITY COUNCIL
C14-01-0061	Dawson Neighborhood Plan	7-10-01: Forward to City Council without a recommendation.	12-06-01: Approved rezonings w/conditions.

RELATED CASES:

There is currently an active site plan application under review by the City of Austin for a proposed art gallery.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
South 1 st Street	80'	40'	Arterial
Alpine Road	60'	Varies	Collector

CITY COUNCIL DATE: March 11, 2004

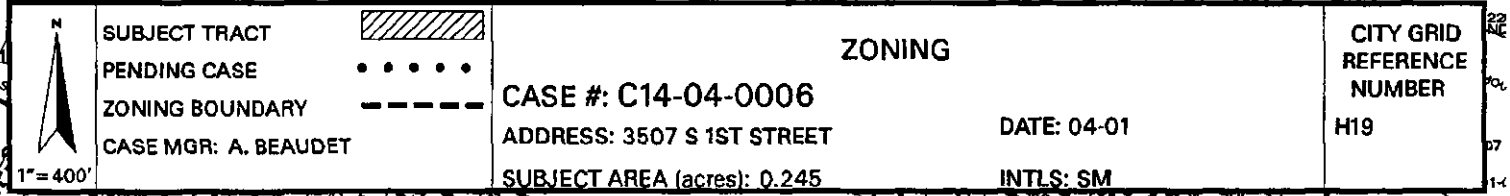
ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Annick Beaudet

PHONE: 974-2975



Staff recommends neighborhood commercial-neighborhood plan combining district (LR-CO-NP) and Neighborhood Mixed Use Building Special Use (MUB). The CO would make the following uses conditional: service station and drive through services as an accessory use.

BASIS FOR RECOMMENDATION

1. Rezoning requests should be consistent with an adopted area study or neighborhood plan. The requested zoning and addition of an infill option special use (the neighborhood mixed-use building, MUB) is consistent with the Dawson Neighborhood Plan (DNP). It was the intent of the zoning ordinance associated with the Dawson neighborhood plan to apply the MUB to all commercially zoned properties on South 1st Street. The MUB was inadvertently not applied to this specific property. An objective under Goal 4 of the DNP is to "encourage types of new businesses and building types that are compatible with the neighborhood and its other existing businesses". A goal under the Neighborhood Character chapter is to "preserve the commercial character of South 1st Street". Because the MUB is permitted on all other commercially zoned properties along South 1st street, permitting the MUB on this property creates compatibility with possible future development. Also, a commercial component is required for a MUB, thereby preserving the commercial character of the street. Lastly, the Business and Commerce chapter lists "apartments above stores" as a desired element for commercial streets within the planning area.

EXISTING CONDITIONS**Site Characteristics**

The site is developed with a vacant building. There are some large oak trees on the site.

Impervious Cover

The maximum impervious cover allowed by the LR zoning district would be 80%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations. 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. It is in the Desired Development Zone. Impervious cover is not limited in this watershed class. Therefore, the zoning district impervious cover restriction applies (80%).

Environmental

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.

According to flood plain maps, there is no 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.

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

Transportation

Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

The trip generation under the requested zoning is estimated to be 1,035 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).

There are existing sidewalks along South 1st Street and Alpine Road

Capital Metro bus service is available along South 1st Street (Route #10).

NAME	ROW	PAVEMENT	CLASSIFICATION
South 1 st Street	80'	40'	Arterial
Alpine Road	60'	Varies	Collector

Water and Wastewater

The landowner intends to serve the tract with City of Austin water and wastewater utility service. If water or wastewater utility improvements are required, the landowner will be responsible for all cost and for providing the utility improvements.

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

SP 1. The site is subject to compatibility standards due to the presence of SF-3 zoned property within 540-feet of the subject tract.

- For a structure more than 100 feet but not more than 300 feet from single-family property, a structure may attain a height of 40 feet plus one foot for each 10 feet in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from the property line, a structure may attain a height of 60 feet plus one foot for each four feet in excess of 300 feet from the property zoned SF-5 or more restrictive.
- 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.

SP 2. Development of a Plant Nursery in the LR zoning district will require the approval of a Conditional Use Permit by the Planning Commission.

DEPARTMENT COMMENTS

The purpose of this rezoning request is to add the Neighborhood Mixed Use Building Special Use (MUB) to the subject tract. It was the intent of the zoning ordinance associated with the Dawson Neighborhood Plan to apply the MUB to all commercially zoned properties on South 1st Street. The MUB was inadvertently not applied to this specific property. In addition, staff included the same conditional overlay (CO) that applied to other commercial properties along South First Street.

The Dawson Neighborhood Association and the property owner are in support of this rezoning request that will add the MUB special use option to the property.

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3507 SOUTH 1ST STREET IN THE DAWSON NEIGHBORHOOD PLAN AREA FROM NEIGHBORHOOD COMMERCIAL-NEIGHBORHOOD PLAN (LR-NP) COMBINING DISTRICT TO NEIGHBORHOOD COMMERCIAL-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LR-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from neighborhood commercial-neighborhood plan (LR-NP) combining district to neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district on the property described in Zoning Case No.C14-04-0006, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.245 acre tract of land, more or less, out of the Darlington Addition in the City of Austin, Travis County, generally identified in the map attached as Exhibit "A".

locally known as 3507 South 1st Street, in the City of Austin, Travis County, Texas.

PART 2. The property may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. Service station use is a conditional use of the Property.
2. Drive-in service use is a conditional use as an accessory use to commercial uses.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the (LR) base district and other applicable requirements of the City Code.

PART 4. Except as otherwise provided in this ordinance the Property is subject to Ordinance No. 011206-10 that established the Dawson neighborhood plan combining district.

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2 **PART 5.** This ordinance takes effect on _____, 2004.
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5 **PASSED AND APPROVED**
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9 _____, 2004

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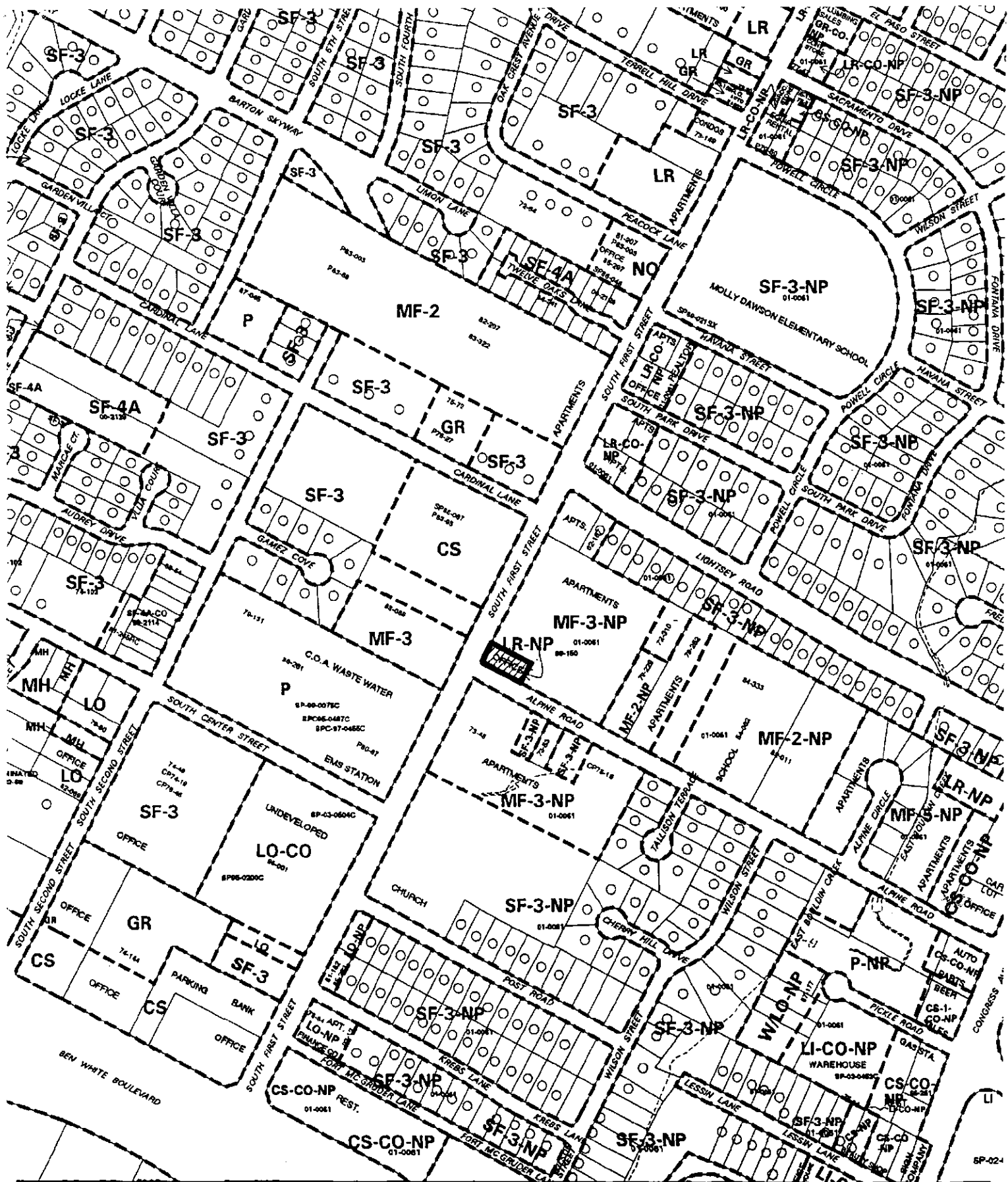
Will Wynn
Mayor

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14 **APPROVED:** _____

David Allan Smith
City Attorney

ATTEST: _____

Shirley A. Brown
City Clerk



	<p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: A. BEAUDET</p>	<p>ZONING <i>EXHIBIT A</i></p> <p>CASE #: C14-04-0006</p> <p>ADDRESS: 3507 S 1ST STREET</p> <p>SUBJECT AREA (acres): 0.245</p> <p>DATE: 04-01</p> <p>INTLS: SM</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>H19</p>
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