



Zoning
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-2
AGENDA DATE: Thu 09/30/2004
PAGE: 1 of 1

SUBJECT: C14-04-0110 - South First Mixed Use - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2906 and 2908 South First Street (West Bouldin Creek Watershed) from neighborhood commercial (LR) district zoning and community commercial (GR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Applicant: Tranquility Base, L.P. by Szeto Brothers Ventures, LLC (Nam and Gong Szeto). Agent: MJ Neal Architect (Viviane Vives). City Staff: Robert Heil, 974-2330.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0110

Z. P.C. DATE: August 17, 2004

ADDRESS: 2906 – 2908 S. 1st Street

OWNER/APPLICANT: Tranquility Base LP by Szeto
Brothers Ventures, LLC (Nam & Gong Szeto)

AGENT: M J Neal Architect
(Viviane Vives)

ZONING FROM: GR and LR

TO: GR-MU

AREA: 0.400 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant Community Commercial – Mixed Use (GR-MU).

ZONING & PLATTING COMMISSION RECOMMENDATION:

August 17, 2004: Approved Community Commercial – Mixed Use – Conditional Overlay (GR-MU-CO) Zoning: Limiting GR uses to Personal Improvement Services, and allowing all LR Uses excluding Financial Services. All GR development standards apply. **Vote 8-0, Clarke Hammond absent.**

ISSUES:

Applicant has agreed to the recommendation of the Zoning and Platting Commission

DEPARTMENT COMMENTS:

The subject area consists of two vacant tracts currently zoned Neighborhood Commercial (LR) and Community Commercial (GR). The site fronts South 1st Street, a minor arterial. Adjacent uses on S. 1st Street include Multi-Family apartments on LR zoning to the north, and Auto Parts Sales on GR zoning to the south. A single family residence on SF-3 zoning lies behind the site. Please see Exhibits A (Zoning Map) and B (Aerial View).

The applicant is proposing GR-MU zoning for both tracts to develop a mix of office, retail and residential units.

Staff supports GR-MU zoning. The development of this vacant site with GR-MU zoning is appropriate along this minor arterial and could serve adjacent residential areas. Additionally, the Mixed Use overlay provides an opportunity for live-work units complementing the mix of residential and commercial uses along S. 1st St.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR, LR	Undeveloped
<i>North</i>	LR	Multi-family
<i>South</i>	GR	Auto Parts Sales
<i>East</i>	LR-CO-NP	Grocery Store
<i>West</i>	SF-3	Single Family

AREA STUDY: None**TIA:** Not Required**WATERSHED:** West Bouldin**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**HILL COUNTRY ROADWAY:** No**REGISTERED NEIGHBORHOOD ORGANIZATIONS:**

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

SCHOOLS:

Dawson Elementary School Fulmore Middle School Travis High School

CASE HISTORIES:

There are no recent case histories on surrounding properties.

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
S. 1 st Street	65'	25'	Minor Arterial	22,502

- There are existing sidewalks along S. 1st Street.
- Capital Metro bus service is available along S. 1st. St. (Route #10)
- No additional right-of-way is needed at this time.

CITY COUNCIL DATE:**ACTION:****ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:**

CASE MANAGER: Robert Heil
 e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330

SUMMARY STAFF RECOMMENDATION**C14-04-0110**

The Staff recommendation is to grant Community Commercial – Mixed Use (GR-MU).

BACKGROUND

The subject area consists of two vacant tracts currently zoned Neighborhood Commercial (LR) and Community Commercial (GR). The site fronts South 1st Street, a minor arterial. Adjacent uses on S 1st Street include Multi-Family apartments on LR zoning to the north, and Auto Parts Sales on GR zoning to the south. A single family residence on SF-3 zoning lies behind the site. Please see Exhibits A (Zoning Map) and B (Aerial View).

The applicant is proposing GR-MU zoning for both tracts to develop a mix of office, retail and residential units.

Staff supports GR-MU zoning. The development of this vacant site with GR-MU zoning is appropriate along this minor arterial and could serve adjacent residential areas. Additionally, the Mixed Use overlay provides an opportunity for live-work units complementing the mix of residential and commercial uses along S. 1st St.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

GR–Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways.

MU–Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development. The MU combining district is intended for use in combination with the base district only when its use will further the purposes and intent of the base district.

- 2. Zoning changes should promote compatibility with adjacent and nearby uses.*

Staff recommends GR-MU zoning as described above as it provides: 1) a reasonable re-use of the property; 2) an appropriately-scaled opportunity for neighborhood commercial needs.

EXISTING CONDITIONS**Site Characteristics**

The site is currently vacant. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GR-MU zoning district would be 90%. The site is located in the West Bouldin Creek Watershed, classified as an Urban Watershed. Impervious cover is not limited in this watershed class.

Environmental

The site is located in the West Bouldin Creek Watershed, classified as an Urban Watershed. Impervious cover is not limited in this watershed class. 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 cumulative square feet is exceeded, and detention for the two-year storm.

The site is not located over the Edwards Aquifer Recharge Zone. There is no flood plain within the project area. The site contains no 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

The trip generation under the requested zoning is estimated to be 2,181 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification. This falls under the minimum.

There are existing sidewalks and Capital Metro bus service along S. 1st. St. No additional right-of-way is needed at this time.

Water and Wastewater

The tract is served 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.

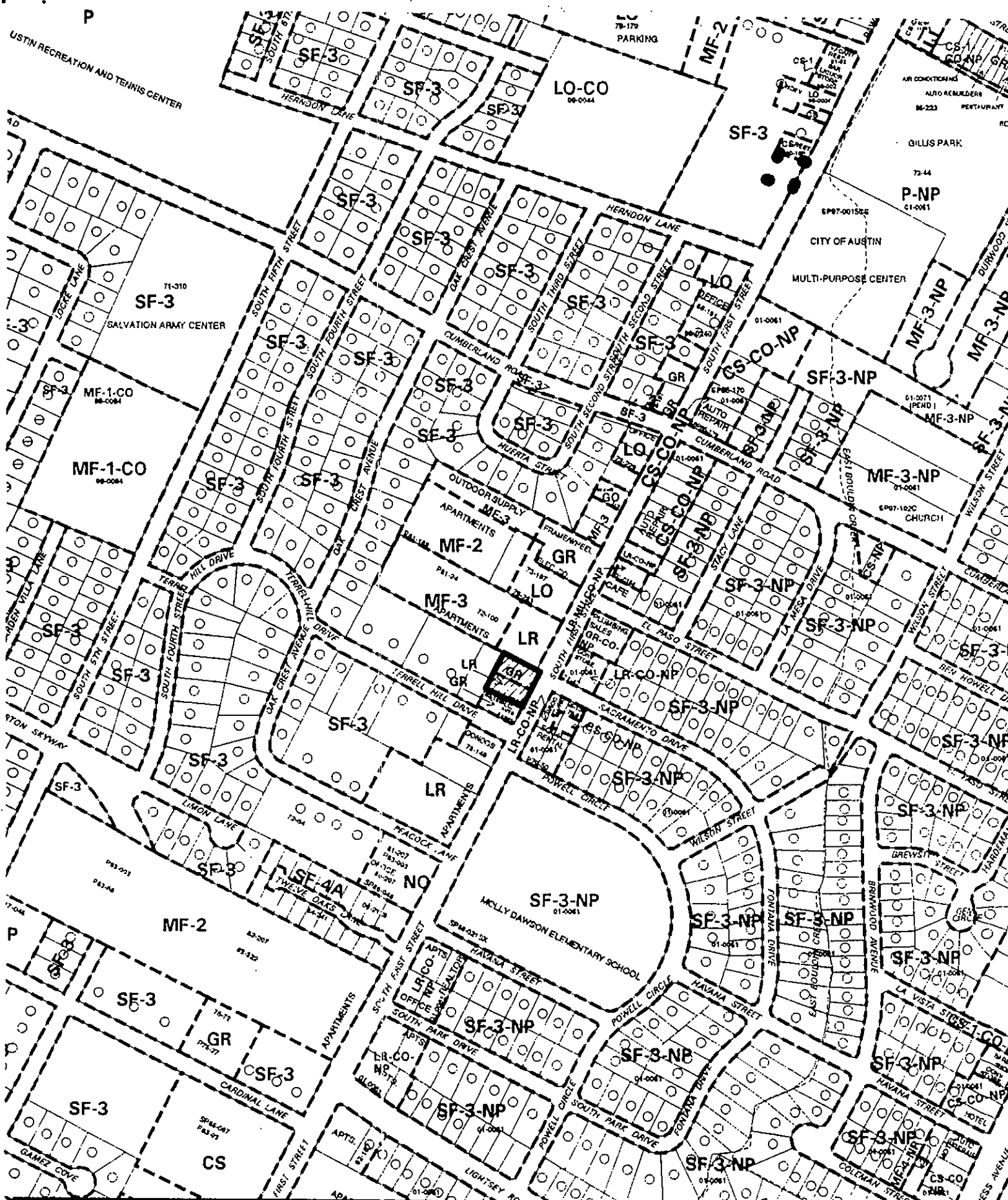
Stormwater Detention


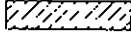

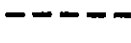
At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater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

Compatibility Standards

The site is subject to compatibility standards. Along the north, south, east & west property lines, the following standards apply:

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



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT A	CITY GRID REFERENCE NUMBER H19	
	PENDING CASE 			CASE #: C14-04-0110
	ZONING BOUNDARY 			ADDRESS: 2906-2908 S 1ST ST
	CASE MGR: T. BOLT			DATE: 04-07 INITIALS: CMA



C I T Y ZONING AND PLATTING COMMISSION

August 17, 2004 [ANNOTATED]

One Texas Center

505 Barton Springs Road

3rd Floor Conference Room

CALL TO ORDER – 6:00 P.M.

COMMENCED: 6:15 P.M.

ADJOURNED: 7:45 P.M.

_____ Betty Baker – Chair

_____ John Philip Donisi

_____ Jay A. Gohil

A-ill _____ Clarke Hammond - Secretary

_____ Melissa Whaley Hawthorne – Assist. Secretary

_____ Keith Jackson – Parliamentarian

_____ Joseph Martinez – Vice-Chair

_____ Janis Pinnelli

_____ Teresa Rabago

ORDER OF PROCEDURE

1. Chair announces request.
2. Staff presents a summary of the case.
3. Chair calls on those **FAVORING** the request.
 - a. Applicant's presentation (5 minutes).
 - b. Others favoring the request (3 minutes).
4. Chair calls on those **OPPOSING** the request.
 - a. Primary presentation (5 minutes).
 - b. Others opposing the request (3 minutes).
5. Applicant is given opportunity to answer objections stated. (3 minutes)
6. Staff summation and questions from the Commission.
7. The public hearing on a zoning case may be closed and no further testimony is taken from the public.
8. If the public hearing is closed, the Commission shall make a recommendation to the City Council within 14 days or the case will be forwarded to the City Council without a recommendation. (Section 25-2-282)

All of the following items may be acted upon by one motion. The Commission does not consider items earlier than the time stated on the agenda; "Other Business" items can be taken at any time. After the posted time, the Commission Chairperson may announce the item and, if there is no opposition, the item may be taken "by consent" for approval without discussion.

CITIZENS WISHING TO SPEAK BEFORE THE COMMISSION MUST REGISTER BY SIGNING A LIST AT THE ENTRANCE.

Any interested party aggrieved by a decision of the Zoning and Platting Commission on a Hill Country Site Plan, Conditional Use Permit, Replacement Site Plan, or a Preliminary Subdivision Plan with an environmental variance may only appeal the Commission's decision to the City Council. The notice of appeal must be submitted in writing on a form provided by the Director of Neighborhood Planning and Zoning Department within fourteen (14) days following the decision of the Zoning and Platting Commission.

POSTED: August 13, 2004

TIME: 4:00 P.M.

FACILITATOR: David Wahlgren

8. C14-04-0101 – CITY OF AUSTIN – NPZD. By: City of Austin – Neighborhood Planning & Zoning Department (Sherri Gager), Area bounded by North Lamar Blvd. on the northwest, Evergreen Drive on the South east and West Mary Street on the south. (West Bouldin Creek). **FROM CS-MU-CO; SF-3, CS-CO TO CS-MU. ALTERNATE RECOMMENDATION: CS-MU-CO. City Staff: Sherri Gager, 974-3057.**

***APPROVED GR-MU-CO ZONING; PROHIBIT FUNERAL SERVICES.
[M.W, J.M 2ND] (7-1) K.J – NAY; C.H – ABSENT***

9. C14-04-0102 – ESKEW PLACE COMMERCIAL. By: Eskew Place, Ltd. (Marcus Whitfield), 3512 – 3610 South Lamar Blvd. (West Bouldin Creek; Barton Creek – In Barton Springs Zone). **FROM SF-2 TO CS-MU. ALTERNATE RECOMMENDATION: GR-MU-CO. City Staff: Wendy Walsh, 974-7719.**

***APPROVED STAFF'S RECOMMENDATION OF GR-MU-CO ZONING.
[K.J; J.M 2ND] (6-2) B.B, J.D – NAY; C.H – ABSENT***

10. C14-04-0100 – JOSEPH G. WHEELER, By: Joseph G. Wheeler, 9001 Old Lampasas Trail. (Bull Creek). **FROM I-SF-2 TO LO. RECOMMENDED. City Staff: Sherri Gager, 974-3057.**

***POSTPONED TO 09/21/04 (NEIGHBORHOOD)
[J.M; J.G 2ND] (8-0) C.H – ABSENT***

11. C14-04-0110 – TRANQUILITY BASE LP, By: Szeto Brothers Ventures, LLC (Nam & Gong Szeto), M J Neal Architect (Viviane Vives). 2906 & 2908 South 1st Street. (West Bouldin). **FROM GR, LR TO GR-MU. RECOMMENDED. City Staff: Robert Heil, 974-2330.**

***APPROVED GR-MU-CO ZONING; LIMIT GR USES TO PERSONAL IMPROVEMENT SERVICES; ALLOW ALL LR USES, EXCLUDING FINANCIAL SERVICES; ALL GR DEVELOPMENT REGULATIONS.
[K.J; M.W 2ND] (8-0) C.H – ABSENT***

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 2906 AND 2908 SOUTH FIRST STREET FROM NEIGHBORHOOD COMMERCIAL (LR) DISTRICT AND COMMUNITY COMMERCIAL (GR) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) 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 (LR) district and community commercial district (GR) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-04-0110, on file at the Neighborhood Planning and Zoning Department, as follows:

Lots 2-3, The Glass Addition Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 76, Page 351, of the Plat Records of Travis County, Texas, (the "Property")

locally known as 2906 and 2908 South First Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following uses are prohibited uses of the Property:

Automotive rentals	Automotive sales
Automotive repair services	Automotive washing (of any type)
Business or trade school	Business support services
Commercial off-street parking	Communication services
Exterminating services	Financial services
Funeral services	General retail sales (general)
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services
Restaurant (general)	Theater
Hospital services (general)	

1
2 2. Drive-in service is prohibited as an accessory use to a commercial use.

3
4 3. The following uses are conditional uses of the Property:

5
6 Medical office (exceeding 5000 sq. ft. Community recreation (private)
7 gross floor area) Community recreation (public)
8 Congregate living Group home, Class II
9 Hospital services (limited) Residential treatment

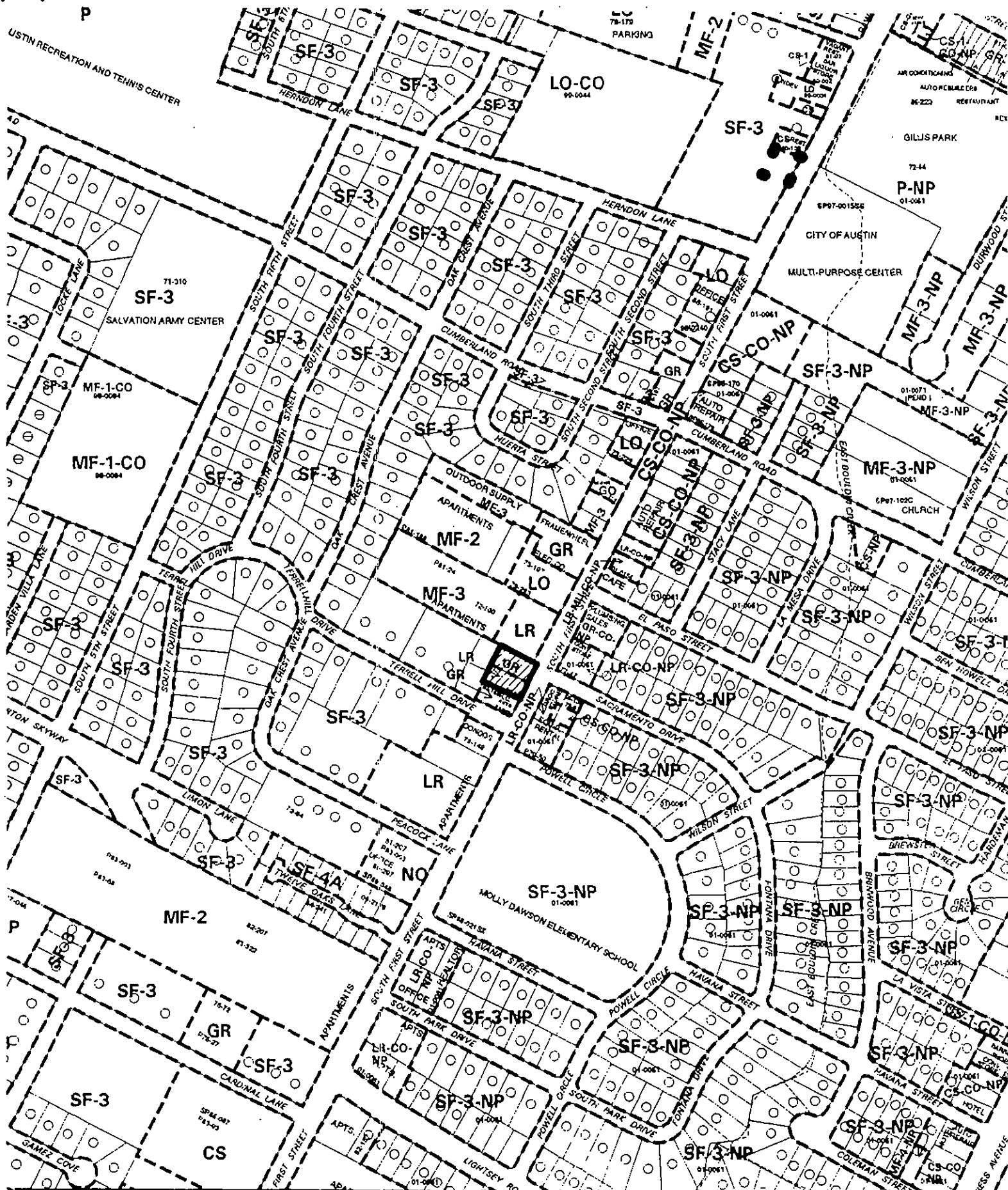
10
11 Except as specifically restricted under this ordinance, the Property may be developed and
12 used in accordance with the regulations established for the community commercial (GR)
13 base district and other applicable requirements of the City Code.

14
15 **PART 3.** This ordinance takes effect on _____, 2004.

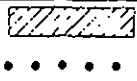
16
17
18 **PASSED AND APPROVED**

19
20 §
21 §
22 _____, 2004 § _____
23 Will Wynn
24 Mayor

25
26
27 **APPROVED:** _____ **ATTEST:** _____
28 David Allan Smith Shirley A. Brown
29 City Attorney City Clerk



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



CASE #: C14-04-0110
 ADDRESS: 2906-2908 S 1ST ST
 SUBJECT AREA (acres): 0.400

ZONING EXHIBIT A

DATE: 04-07

INITIALS: CM

CITY GRID
 REFERENCE
 NUMBER

H19

1" = 400'