

Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION



AGENDA ITEM NO.: 52
AGENDA DATE: Thu 11/18/2004
PAGE: 1 of 1

SUBJECT: C14-04-0158 - Guadalupe Flats - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4525 Guadalupe Street (Waller Creek Watershed) from multifamily residence moderate-high density (MF-4) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. First reading on November 4, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant and Agent: Codney Group (Mike Rhodes). City Staff: Glenn Rhoades, 974-2775.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guemsey

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-04-0158

REQUEST:

Approve second and third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4525 Guadalupe Street (Waller Creek Watershed) from multifamily residence moderate-high density (MF-4) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. First reading on November 4, 2004. The conditional overlay will prohibit the following:

Group Residential	Single Family Attached
Administrative and Business Office	Automotive Rental
Automotive Repair	Automotive Sales
Automotive Washing	Art Gallery
Art Workshop	Business or Trade School
Commercial Off-Street Parking	Communications Services
Consumer Convenience Services	Consumer Repair Services
Exterminating Services	Financial Services
Food Sales	Funeral Services
General Retail Sales (convenience)	General Retail Sales (general)
Hotel-Motel	Indoor Entertainment
Indoor Sports and Recreation	Business Support Services
Medical Offices (<5,000 sq. ft.)	Medical Offices (>5,000 sq. Ft.)
Off-Site Accessory Parking	College and University Facilities
Outdoor Sports and Recreation	Pawn Shop Services
Personal Services	Pet Services
Professional Office	Research Services
Restaurant (limited)	Restaurant (general)
Scrap and Salvage	Service Station
Software Development	Theater
Urban Farm	Congregate Living
Community Recreation (private)	Community Recreation (public)
Counseling Services	Cultural Services
Guidance Services	Day Care Services (commercial)
Day Care Services (general)	Day Care Services (limited)
Hospital Services (general)	Hospital Services (limited)
Local Utility Services	Private Primary Educational Facilities
Private Secondary Educational Facilities	Public Primary Educational Facilities
Public Secondary Educational Facilities	Residential Treatment
Safety Services	

In addition to the above uses restrictions, there are the following development restrictions:

The property is to be limited to 2,000 vehicle trips per day.

The maximum height of any building on the easterly 120 feet shall be limited to 30 feet.

A driveway cut may not exceed 20 feet.

The maximum impervious cover is limited to 60%.

DEPARTMENT COMMENTS:

The adjacent property to the west, zoned GR-MU-CO, was approved by Council on April 15, 2004 (case # C14-03-0167). When the owner of the property first submitted the application, the request was for GR-MU-CO for the tract that was approved and the tract that is before you now. However, the owner removed the present tract because it was believed that the proposed development of multifamily and retail could be built without the back portion being rezoned. GR-MU allows for the same density as MF-4, but does not have the same development regulations (F.A.R., Impervious Cover etc.). Through the course of reviewing the site plan it was determined that the applicant does not have enough F.A.R. to build the project. A copy of the site plan has been included.

The subject tract is located in the Hyde Park Neighborhood planning area. However, in this section of the planning area, a zoning ordinance has not yet been completed. At this time, the Hyde Park Neighborhood Association (HPNA) is working towards submitting a Neighborhood Conservation Combining District (NCCD) to the City for review and approval. It has not yet been completed, and staff is reviewing this submittal as a regular zoning case.

APPLICANT/AGENT: Codney Group (Mike Rhodes)

DATE OF FIRST READING/VOTE:

November 4, 2004 – Approved GR-MU-CO on first reading (Vote: 7-0).

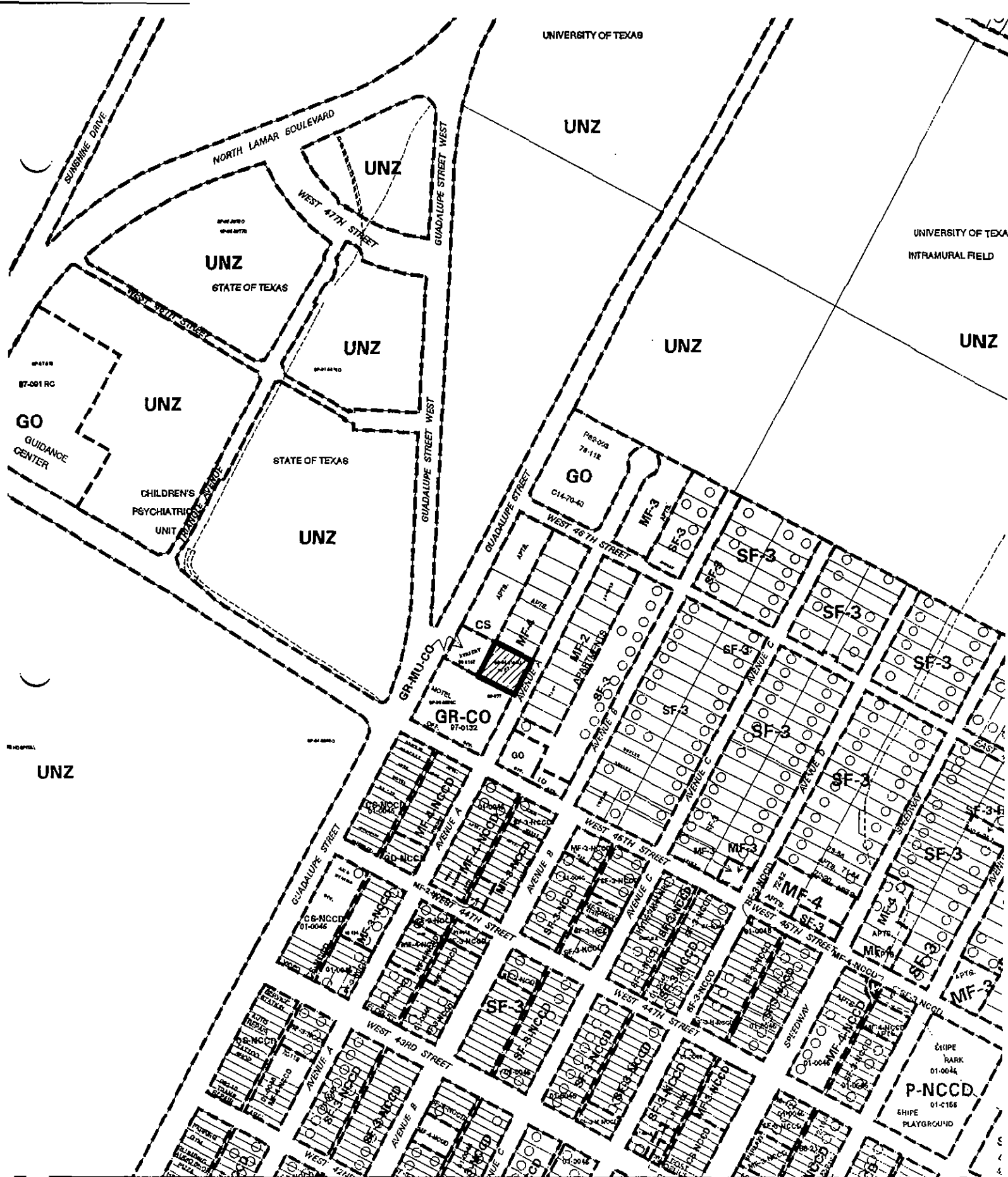
CITY COUNCIL DATE:

November 4, 2004 – Approved GR-MU-CO

November 18, 2004 -

ASSIGNED STAFF: Glenn Rhoades

PHONE: 974-2775
glenn.rhoades@ci.austin.tx.us



SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: G. RHOADES

CASE #: C14-04-0158
 ADDRESS: 4525 GUADALUPE ST
 SUBJECT AREA (acres): 0.393

ZONING

DATE: 04-10

INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 J26

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0158

P.C. DATE: October 26, 2004

C.C. DATE: November 4, 2004
November 18, 2004

ADDRESS: 4525 Guadalupe Street

OWNER/AGENT: Codney Group Inc.
(Mike Rhodes)

ZONING FROM: MF-4

TO: GR-MU-CO

AREA: .405 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends the proposed change to GR-MU-CO, Community Commercial Services-Mixed Use-Conditional Overlay combining district zoning. The conditional overlay will limit vehicle trips to 2,000 per day in addition to the items listed below.

PLANNING COMMISSION RECOMMENDATION:

October 26, 2004 – Approved community commercial services-mixed use-conditional overlay (GR-MU-CO) combining district zoning (Vote: 8-0) on consent. The conditional overlay limited the property to 2,000 vehicle trips per day in addition to the following:

1. Personal improvement services is to be the only allowable GR use, in addition to all MF-4 uses with the exception of single-family attached and group residential.
2. The maximum height of any building on easterly 120 feet shall be 30 feet.
3. A driveway may not exceed 20 feet in width.
4. Impervious cover is limited to 60%.

ISSUES:

The adjacent property to the west, zoned GR-MU-CO, was approved by Council on April 15, 2004 (case # C14-03-0167). When the owner of the property first submitted the application, the request was for GR-MU-CO for the tract that was approved and the tract that is before you now. However, the owner removed the present tract because it was believed that the proposed development of multifamily and retail could be built without the back portion being rezoned. GR-MU allows for the same density as MF-4, but does not have the same development regulations (F.A.R., Impervious Cover etc.). Through the course of reviewing the site plan it was determined that the applicant does not have enough F.A.R. to build the project. A copy of the site plan has been included.

The subject tract is located in the Hyde Park Neighborhood planning area. However, in this section of the planning area, a zoning ordinance has not yet been completed. At this time, the Hyde Park Neighborhood Association (HPNA) is working towards submitting a Neighborhood Conservation Combining District (NCCD) to the City for review and approval. It has not yet been completed, and staff is reviewing this submittal as a regular zoning case.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS	Vacant building
<i>North</i>	CS and MF-4	Apartments
<i>South</i>	GR-CO	Retail
<i>East</i>	GO MF-2	Office Apartments
<i>West</i>	Not Zoned	Hospital

AREA STUDY: Hyde Park Neighborhood Plan**TIA:** N/A**WATERSHED:** Waller Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

#034 – Hyde Park Neighborhood Association
 #283 – North Austin Neighborhood Alliance
 #511 – Austin Neighborhoods Council
 #603 – Mueller Neighborhoods Coalition
 #631 – Alliance to Save Hyde Park
 #937 – Taking Action Inc.

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-97-0132	GO, MF-4 and CS to GR-CO	Approved GR-CO. The CO prohibits access to Ave. A, access to Guadalupe restricted to right in and right out and prohibits the following uses: Auto rental, auto repair, auto sales, auto washing, business or trade school, business support services, commercial off0street parking, communications services, drop-off recycling collection facilities, exterminating services, funeral services, general retail sales general, hotel-motel, indoor entertainment, indoor sports and recreation, outdoor entertainment, outdoor sports and recreation, pawn shop services,	

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Guadalupe Street	Varies	Varies	Collector	N/A
Avenue A	50'	36'	Local	N/A

CITY COUNCIL DATE: November 4, 2004

ACTION: Approved GR-MU-CO (Vote: 7-0).

November 18, 2004

ORDINANCE READINGS: 1st 11/4/04

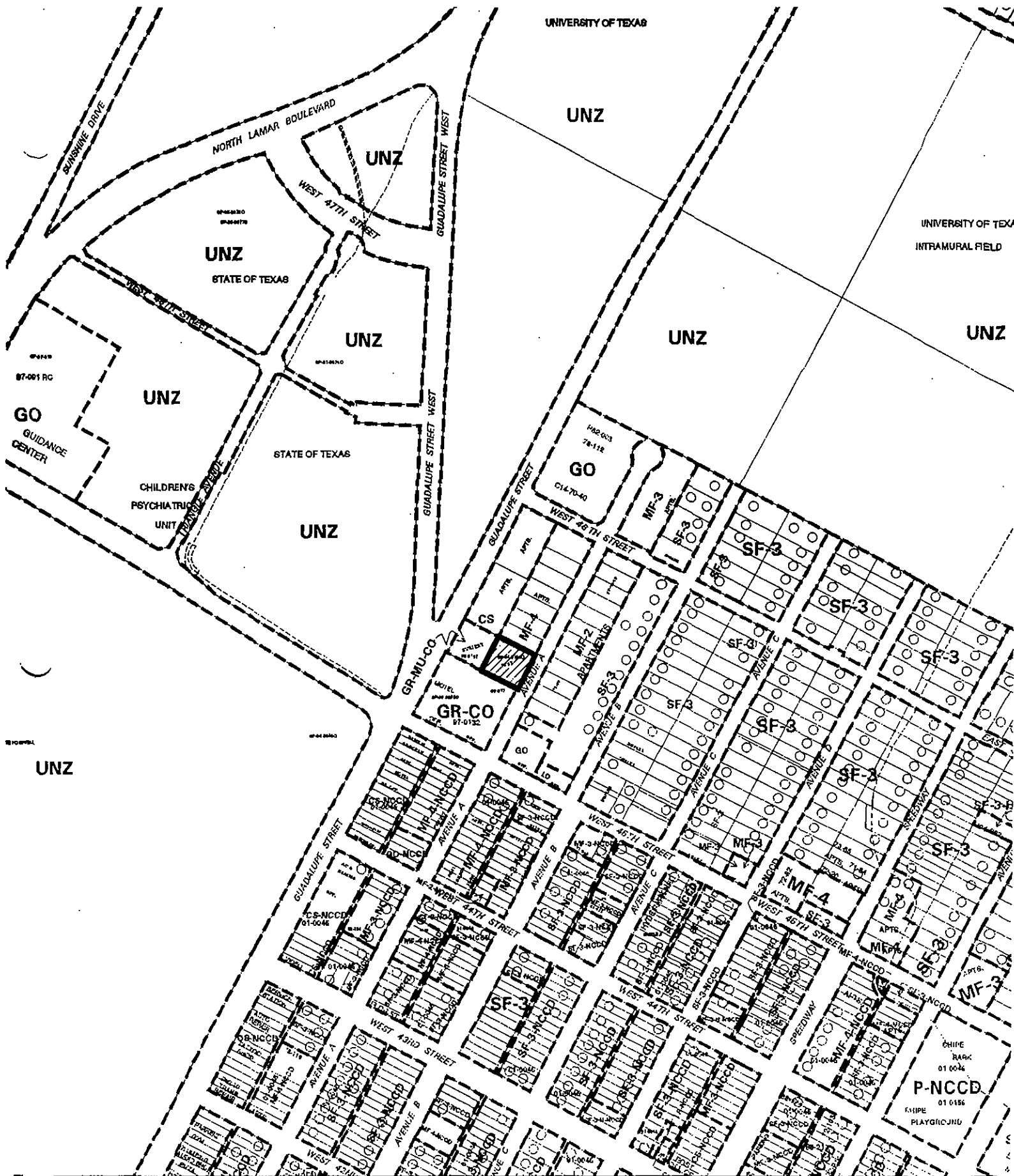
2nd


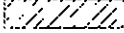


3rd

ORDINANCE NUMBER:

CASE MANAGER: Glenn Rhoades

PHONE: 974-2775



 1" = 400'	<p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: G.RHOADES</p>	<p>ZONING</p> <p>CASE #: C14-04-0158</p> <p>ADDRESS: 4525 GUADALUPE ST</p> <p>SUBJECT AREA (acres): 0.393</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>J26</p>
		<p>DATE: 04-10</p> <p>INTLS: SM</p>	



City of Austin

case # C14-04-0158

Subdivision
Base



This map was prepared by the City of Austin and is for informational purposes only. It is not intended to be used for any other purpose. The City of Austin does not warrant the accuracy or completeness of the information contained herein. The City of Austin is not responsible for any errors or omissions in this map. The City of Austin is not responsible for any damages or losses resulting from the use of this map. The City of Austin is not responsible for any claims or liabilities arising from the use of this map.

UTILITY CONNECTION DETAIL

STAFF RECOMMENDATION

Staff recommends the proposed change to GR-MU-CO, Community Commercial Services-Mixed Use-Conditional Overlay combining district zoning. The conditional overlay will limit vehicle trips to 2,000 per day in addition to the items listed above.

BASIS FOR RECOMMENDATION

The proposed change is in conformance with the Hyde Park Neighborhood Plan. The property is in the Guadalupe District and the Avenue A District of the Hyde Park Neighborhood Plan. The Plan encourages mixed uses and to provide a mixture of commercial and residential uses..

The proposed zoning should be consistent with the neighborhood plan and the purpose statement of the district sought.

GR – Community Commercial district zoning is intended for office or 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.

The applicant is requesting the change in order to develop the site with a mixed-use building. The owner intends to have ground level retail and multifamily above and to the rear towards Avenue A. The request, as presented by the applicant, complies with the adopted neighborhood plan and meets the purpose statement set forth in the Land Development Code. The property is on the periphery of the Hyde Park neighborhood and will potentially serve the adjacent residents

The proposed zoning should promote consistency and orderly planning.

GR-MU allows for the same multifamily density, and is subject to the same density limits as MF-4 district zoning. The proposed change would be compatible with the existing MF-4 to the north and other multifamily developments to the east.

The proposed zoning should allow for a reasonable use of the property.

The GR-MU zoning district would allow for a fair and reasonable use of the site. GR-MU zoning is appropriate for this site because of the location of the property and the mixed residential and commercial character of the area.

Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.

The subject tract is located at the confluence of Guadalupe Street and Guadalupe Street West.

EXISTING CONDITIONS

Site Characteristics

The site is currently occupied with a vacant office building.

Transportation

Additional right-of-way may be required at the time of subdivision and/or site plan.

The trip generation under the requested zoning is estimated to be 3,386 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 waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Capital Metro bus service is available along Guadalupe.

Guadalupe is classified in the Bicycle Plan as a Priority 1 bike route.

There are existing sidewalks along Guadalupe and Avenue A.

Impervious Cover

The maximum impervious cover allowed under GR zoning is 90%.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller 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 limits will apply.

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. 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.

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.

Right of Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way

for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. Water and wastewater utility improvements, offsite main extension and system upgrades are required. The landowner/developer will be responsible for all costs and providing.

The water and wastewater utility improvements,. Offsite main extensions and system upgrades must be in accordance with the City's utility design criteria. The utility plan must be reviewed and approved by the Austin Water Utility. The construction must be inspected by the City.

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

There is currently a site plan in review for this tract, file SP-04-0186C [Sylvia Limon, case manager]

It appears that the lots across Avenue A [4505, 4507, & 4509] are developed with single-family or two-family residential development, which triggers compatibility development regulations. Along the east property line, the following standards apply:

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the single-family property line.
- 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.