

Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION



AGENDA ITEM NO.: 60
AGENDA DATE: Thu 01/26/2006
PAGE: 1 of 1

SUBJECT: NPA-05-0016.02 - East 5th & Allen Street - Approve second/third readings of an ordinance to amend Ordinance No. 030327-12 (Govalle/Johnston Terrace Combined Neighborhood Plan), an element of the Austin Tomorrow Comprehensive Plan to change the Future Land Use Map from commercial land use designation to mixed use designation for the property located at 3304 East 5th Street. First reading approved on December 1, 2005. Vote: 6-0 (McCracken off the dais). Applicant: Saldana Homes. Agent: Rose Marie Rocha. City Staff: Scott Whiteman, 974-2865.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Govalle/Johnston Terrace Combined Neighborhood Plan

CASE#: NPA-05-0016.02

PC PUBLIC HEARING DATE: Tuesday, October 11, 2005

ADDRESS: 3304 E. 5th St. **AREA:** .346 Acres

APPLICANT: Saldaña Homes

OWNER: Saldaña Homes

AGENT: Rose Marie Rocha

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Commercial

To: Mixed Use

Related Zoning Case: C14-05-0123

Base District Zoning Change

From: GR-NP, Community Commercial - Neighborhood Plan Combining District

To: GR-MU-NP, Community Commercial – Mixed Use - Neighborhood Plan
Combining District

PLAN ADOPTION DATE: March 27, 2003

NPCD ADOPTION DATE: March 27, 2003

STAFF RECOMMENDATION: The staff recommendation is to **APPROVE** the requested change from commercial on the Future Land Use Map (FLUM) to mixed-use land use designation.

BASIS FOR RECOMMENDATION: The requested amendment is consistent with the Land Use recommendations in the Govalle/Johnston Terrace Combined Neighborhood Plan. See *Analysis* for more details.

PLANNING COMMISSION RECOMMENDATION: Recommended by consent (9-0)

BACKGROUND: The Govalle/Johnston Terrace Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on March 27, 2003. The requested plan amendment is in the Govalle Neighborhood Planning Area. The boundaries of the planning area are: Oak Springs Road on the north, Airport Boulevard on the east, the Colorado River on the south, and Pleasant Valley Road, 7th Street, Northwestern Avenue and Webberville Road on the west.

The subject tract is a .346 acre corner lot currently occupied by a vacant single-family house and metal shed. As part of the Govalle/Johnston Terrace neighborhood planning process, the subject tract was rezoned from LI (Limited Industrial services) to GR-NP. The applicant is requesting the plan amendment and zoning change to construct six for-sale multifamily units on the site. Multifamily residential is not a permitted use in the GR district.

ANALYSIS: The Govalle/Johnston Terrace Combined neighborhood plan land use goals state:

1. Develop a balanced and varied pattern of land use.
2. Create and preserve a sense of "human scale" to the built environment of the neighborhood.

The proposed plan amendment is consistent with these Goals.

The proposed plan amendment is also consistent with the following Key Planning Principles in the neighborhood plan:

- Encourage mixed use so that residential uses are allowed on some commercial properties.
- Encourage higher density residential developments to locate near major intersections, and in locations that minimize conflicts with lower density single-family neighborhoods.
- Provide a diverse range of housing opportunities for all stages of life and income levels.
- Encourage the development of affordable single-family and multifamily units on vacant tracts in established neighborhoods.

PUBLIC MEETINGS: NPZD staff held a public stakeholder meeting on September 21, 2005. Invitations were sent to the Govalle/Johnston Terrace interest list and property owners within 300 feet of the proposed plan amendment.

At this time, Govalle/Johnston Terrace does not have an officially-recognized planning team with adopted bylaws. However, by consensus, the stakeholders agreed to the proposed plan

amendment and zoning change with the applicant agreeing to limit some of the uses permitted in the GR district.

CITY COUNCIL DATE: January 26, 2006

ACTION: 12-1-05--The first reading of the ordinance for mixed use designation was approved.
6-0 (McCracken off the dais)

CASE MANAGERS: Scott Whiteman (Plan Amendment)
Robert Heil (Zoning Case)

PHONE: 974-2865
974-6054

EMAIL: scott.whiteman@ci.austin.tx.us
robert.heil@ci.austin.tx.us

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



**AGENDA ITEM NO.: Z-
AGENDA DATE: Thu 12/01/2005
PAGE: 1 of 1**

SUBJECT: NPA-05-0016.02 - East 5th & Allen Street - Conduct a public hearing and approve an ordinance to amend Ordinance No. 030327-112 (Govalle/Johnston Terrace Combined Neighborhood Plan), an element of the Austin Tomorrow Comprehensive Plan to change the Future Land Use Map from commercial land use designation to mixed use designation for the property located at 3304 E. 5th Street. Planning Commission Recommendation: To grant mixed use designation. Applicant: Saldana Homes. Agent: Rose Marie Rocha. City Staff: Scott Whiteman, 974-2865.

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DEPARTMENT: and Zoning **AUTHORIZATION:** _____

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STAFF RECOMMENDATION: The staff recommendation is to **APPROVE** the requested change from commercial on the Future Land Use Map (FLUM) to mixed-use land use designation.

BASIS FOR RECOMMENDATION: The requested amendment is consistent with the Land Use recommendations in the Govalle/Johnston Terrace Combined Neighborhood Plan. See *Analysis* for more details.

PLANNING COMMISSION RECOMMENDATION: To grant the requested change to the Future Land Use Map from Commercial to Mixed Use (9-0).

BACKGROUND: The Govalle/Johnston Terrace Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on March 27, 2003. The requested plan amendment is in the Govalle Neighborhood Planning Area. The boundaries of the planning area are: Oak Springs Road on the north, Airport Boulevard on the east, the Colorado River on the south, and Pleasant Valley Road, 7th Street, Northwestern Avenue and Webberville Road on the west.

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amendment and zoning change with the applicant agreeing to limit some of the uses permitted in the GR district.

CITY COUNCIL DATE: To be determined

ACTION:

CASE MANAGERS: Scott Whiteman (Plan Amendment)
Robert Heil (Zoning Case)

PHONE: 974-2865
974-6054

EMAIL: scott.whiteman@ci.austin.tx.us
robert.heil@ci.austin.tx.us



RIVER BLUFF NEIGHBORHOOD ASSOCIATION

4907 Red Bluff Road, Austin, Texas 78702-5121

October 10, 2005

Dear Ms. Rocha,

Thank you for your presentation at the Govalle/Johnston Terrace Planning Team Review Committee meeting, held on September 21, 2005, on your proposed projects at **3304 East 5th and 704 Gunter Street**.

At this meeting, the Review Committee members and other neighborhood members heard and reviewed your presentation on the request to change the zoning for properties located at 3304 E. 5th and 704 Gunter Street. After an extensive discussion, members of the Review committee and other residents present came to a consensus decision on the above mentioned properties.

It was unanimously agreed by all attendees to accept the proposed amendments changes with the conditions as follows:

It is agreed that the here-mentioned properties **will be developed primarily as residential units, marketed & sold as such**. And in the event that Saldana Homes cannot market them as residential units, they will only market them for the following commercial purposes:

- The first amendment is to allow new construction for commercial mixed-use on the property of 3304 East 5 Street. Therefore, rezoning from GR-NP to GR-MU-CO-NP, with the conditional Overlay allowing only:
 - Administrative and Business Office
 - Professional Offices
 - Art and Craft Studio-Limited
- Second amendment request was to allow new construction for commercial mix-use on the property of 704 Gunter St. It was also agree to rezone from CS-CO-NP to CS-MU-CO-NP, with the conditional Overlay allowing only:
 - Administrative and Business Office
 - Professional Offices
 - Art and Craft Studio-Limited

We hereby support your project on condition that you honor and maintain these herein expressed conditions.

Thank you again for your desire to work with your neighbors in order to make Austin a better place for all of us to live in.

Daniel Llanes, coordinator
Neighborhood Review Committee,
Govalle/Johnston Terrace Neighborhood Planning Team

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Administrative and Business Office

Professional Offices

Art and Craft Studio-Limited

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Administrative and Business Office

Professional Offices

Art and Craft Studio-Limited

We hereby support your project on condition that you honor and maintain these herein expressed conditions.

Thank you again for your desire to work with your neighbors in order to make Austin a better place for all of us to live in.

Daniel Llanes, coordinator

Neighborhood Review Committee.

Govalle/Johnston Terrace Neighborhood Planning Team

Whiteman, Scott

From: daniel llanes [dllanesrb@earthlink.net]
Sent: Tuesday, October 11, 2005 4:01 PM
To: Whiteman, Scott
Subject: Letter of support for Saldana Homes projects at 3304 E. 5th & 704 Gunter

Scott, here is a cut & paste version of the letter. It is not signed. I will have a hard copy signed one for you at planning commission tonight.

Let me know if you need anything else.

thanks,

Daniel Llanes, coordinator

Neighborhood Review Committee,

Govalle/Johnston Terrace Neighborhood Planning Team

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10/11/2005

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BASIS FOR RECOMMENDATION: The requested amendment is consistent with the Land Use recommendations in the Govalle/Johnston Terrace Combined Neighborhood Plan. See *Analysis* for more details.

PLANNING COMMISSION RECOMMENDATION: Pending

5th & Gunter

The following uses are prohibited:

Art gallery
Automotive rentals
Automotive repair services
Automotive sales
Automotive washing (of any type)
Bail bond services
Business or trade school
Business support services
College and university facilities
Commercial off-street parking
Communications services
Consumer convenience services
Consumer repair services
Custom manufacturing
Drop-off recycling collection facility
Exterminating services
Financial services
Food preparation
Food sales
Funeral services
General retail sales (Convenience)
General retail sales (General)
Guidance services
Hospital services (General)

Hospital services (Limited)
Hotel-motel
Indoor entertainment
Indoor sports and recreation
Medical offices (exceeding 5,000 sq. ft. of gross floor area)
Medical offices (not exceeding 5,000 sq. ft. of gross floor area)
Off site accessory parking
Outdoor entertainment
Outdoor sports and recreation
Pawn shop services
Personal improvement services
Personal services
Pet services
Plant nursery
Printing & publishing services
Research services
Residential treatment
Restaurant (General)
Restaurant (Limited)
Service station
Software development
Theater

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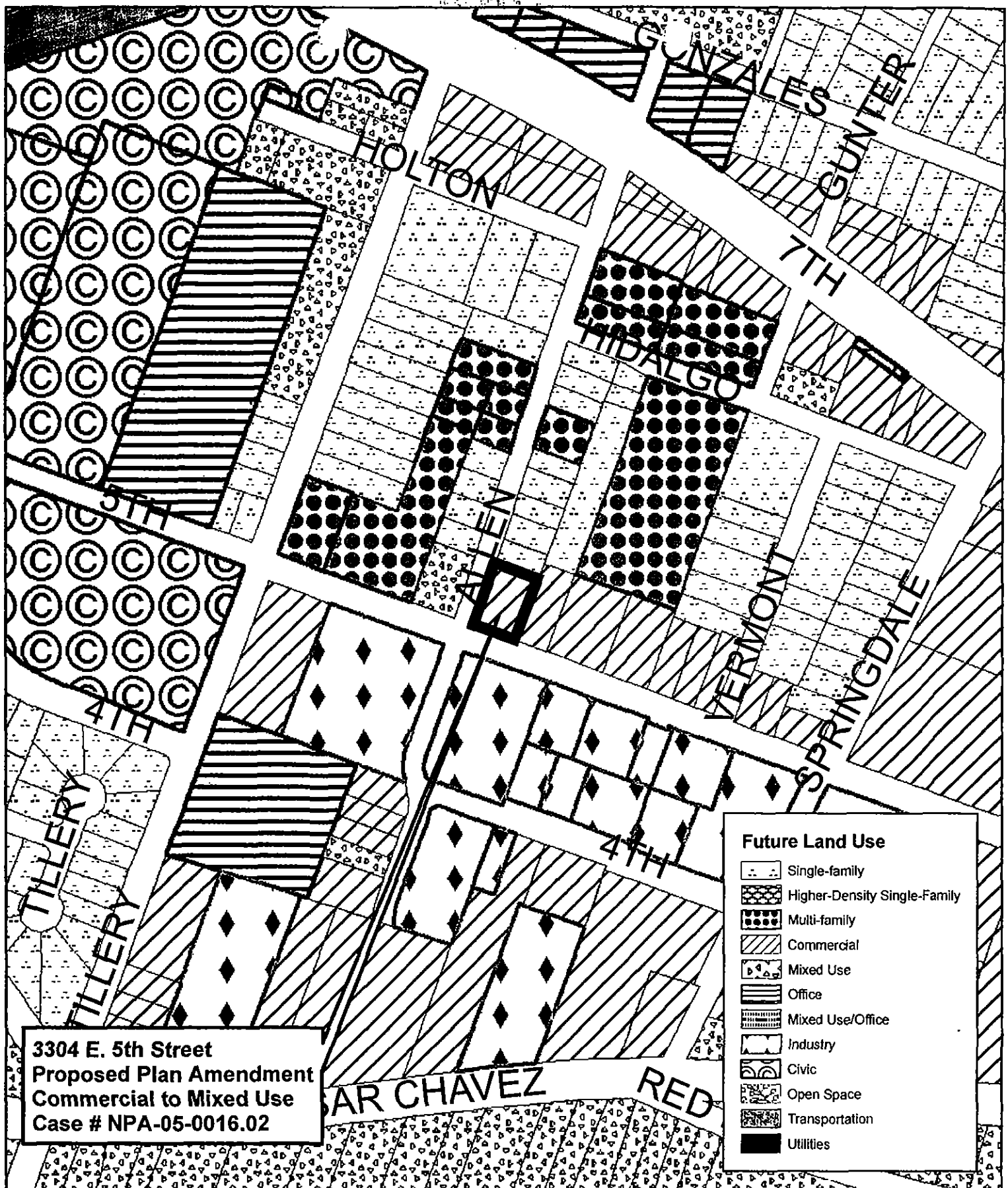
CITY COUNCIL DATE: To be determined

ACTION:

CASE MANAGERS: Scott Whiteman (Plan Amendment)
Robert Heil (Zoning Case)

PHONE: 974-2865
974-6054

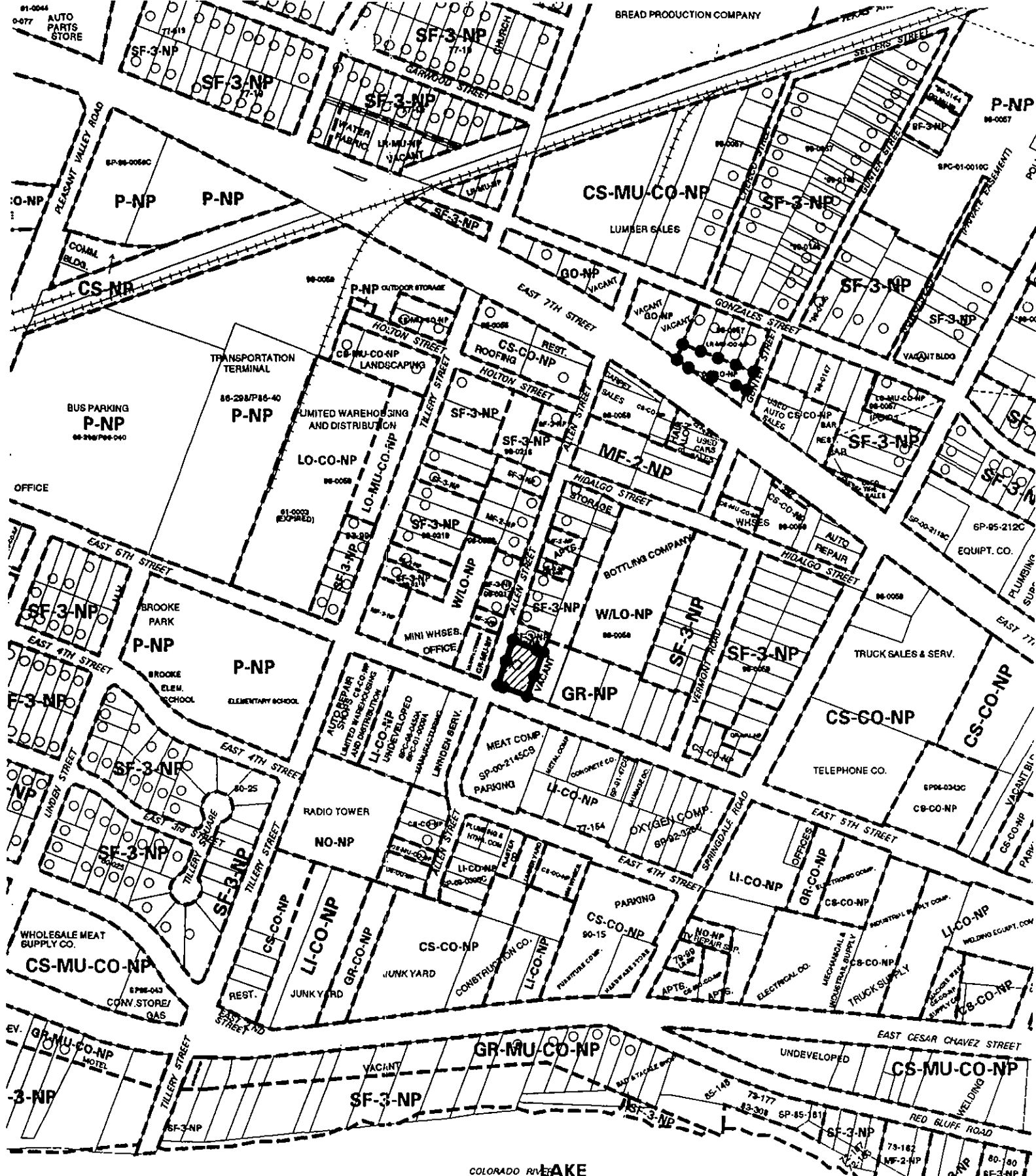
EMAIL: scott.whiteman@ci.austin.tx.us
robert.heil@ci.austin.tx.us







Govalle/Johnston Terrace
Combined Neighborhood Plan
Neighborhood Plan Amendment
Case# NPA-05-0016.02

Created by NPZD
 10/5/2005





 1" = 400'	SUBJECT TRACT 	<h3>NEIGHBORHOOD PLAN AMENDMENT</h3>		CITY GRID REFERENCE NUMBER L21
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: NPA-05-0016.02 ADDRESS: 3304 E 5TH ST SUBJECT AREA (acres): 0.346	DATE: 05-07 INTLS: SM	
	CASE MGR: A. SMITH			