

A U S T I N C I T Y C O U N C I L
AGENDA

Thursday, August 24, 2006

+ Back Print

**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 76**

Subject: C14-06-0080 - San Jose Lofts - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 108 W. Gibson Street (East Bouldin Creek Watershed) from multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Applicant: Southside Church of Christ. Agent: Armbrust & Brown (Amanda Morrow). City Staff: Robert Heil, 974-2330.

Additional Backup Material

(click to open)

- [Staff Report](#)
- [Ordinance](#)

For More Information:

ZONING CHANGE REVIEW SHEET**CASE:** C14-06-0080 San Jose**PC. DATE:** May 23, 2006**ADDRESS:** 108.W. Gibson Street**OWNER/APPLICANT:** Southside Church of Christ**AGENT:** Ambrust and Brown (Amanda Morrow)**ZONING REQUEST:** From MF-4-NP to CS-MU-CO-NP**STAFF RECOMMENDATION:**

Staff recommends approval of CS-MU-CO-NP. The CO would reflect staff conditions as well as conditions agreed to by the neighborhood and applicant.

- Site Development Standards:
 - Limited to 1,400 unadjusted trips per day
 - Minimum Lot Width = 50'
 - Street side yard setback = 10'
 - Max. Building Coverage = 60%
 - Max. Impervious Cover = 75%
 - Max. Floor to Area Ratio = 1.25:1
 - Min. lot size = 5750 sq. ft.
 - Max. Height = 50 feet
 - Front yard setback = 10'
 - Interior Side Yard = None
 - Rear Yard = None
- The following uses would be permitted:
 - Administrative and Business Offices
 - Art Gallery
 - Art Workshop
 - Condominium Residential
 - Counseling Services
 - Family Homes
 - Group Home (Class I and II)
 - Hotel/Motel
 - Off-Site Accessory Parking
 - Off-site accessory parking shall only be provided for Lots 12 through 19, Block 13, Newning's Resubdivision of Blocks 13 and 2A, Swishers Addition.
 - On-site surface parking shall be prohibited.
 - Personal Improvement Services
 - Personal Services
 - Personal improvement service and personal service land uses shall only be allowed within 100 feet of the east property line.

- Professional Offices
- Religious Assembly
- Software Development
- Townhouse Residential
- Native vegetation, fencing , or another type of screening shall be constructed along the west property line.
- Non-residential development shall be limited to a total of 4,000 square feet of building(s) space, excluding the off-site parking.

PLANNING COMMISSION RECOMMENDATION:

May 9, 2006: Postponed to May 23 at the request of the staff.

May 23, 2006: *APPROVED STAFF'S RECOMMENDATION FOR CS-MU-CO-NP ZONING; BY CONSENT. [J.REDDY; K.JACKSON 2ND] (8-0) G.STEGEMAN – ABSENT...*

DEPARTMENT COMMENTS:

The property is currently zoned MF-4-NP and is the site of a church. The intent of the applicant is to redevelop the site with roughly 85 residential condominium units with some associated commercial uses. Some off-site parking may be provided at this site for specific addresses on S. Congress Avenue (San Jose Hotel, Jo's Coffee Shop, and one empty lot).

Staff recommends approval of CS-MU-CO-NP, with the conditions listed above. The request is in accord with the neighborhood plan, and the proposed conditional overlay reflects the recommendations of the staff's neighborhood traffic analysis, and the positive results of negotiations between the applicant and neighborhood association.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-4-NP	Church
<i>North</i>	SF-3-NP and CS-CO-NP	Single Family homes and commercial uses
<i>South</i>	CS-CO-NP	Auto Sales and other commercial Uses
<i>East</i>	CS-CO-NP, CS-1-CO-NP	Hotel, Coffee Shop, and other commercial uses
<i>West</i>	SF-3-NP	Single Family homes

AREA STUDY: The site falls within the Bouldin Neighborhood Plan which calls for mixed-use on the property. No plan amendment is required.

TIA: Not Required

WATERSHED: East Bouldin Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Terrell Lane Interceptor Association
- Galindo Elementary Neighborhood Association
- South Central Coalition
- Austin Neighborhoods Council
- Bouldin Creek Neighborhood Association
- SoCo South First Street
- Bouldin Creek Neighborhood Planning Team
- Bouldin Forward Thinking

SCHOOLS: (AISD)

- Becker Elementary School
- Fulmore Middle School
- Travis High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
Gibson Street	70'	30'	Collector	No	No	Yes
James Street	60'	30'	Collector	No	No	No

CITY COUNCIL DATE: ACTION:

July 27, 2006: Postponed to August 9, 2006 at the request of the applicant.

August 9, 2006: Postponed to August 24 at the request of staff due

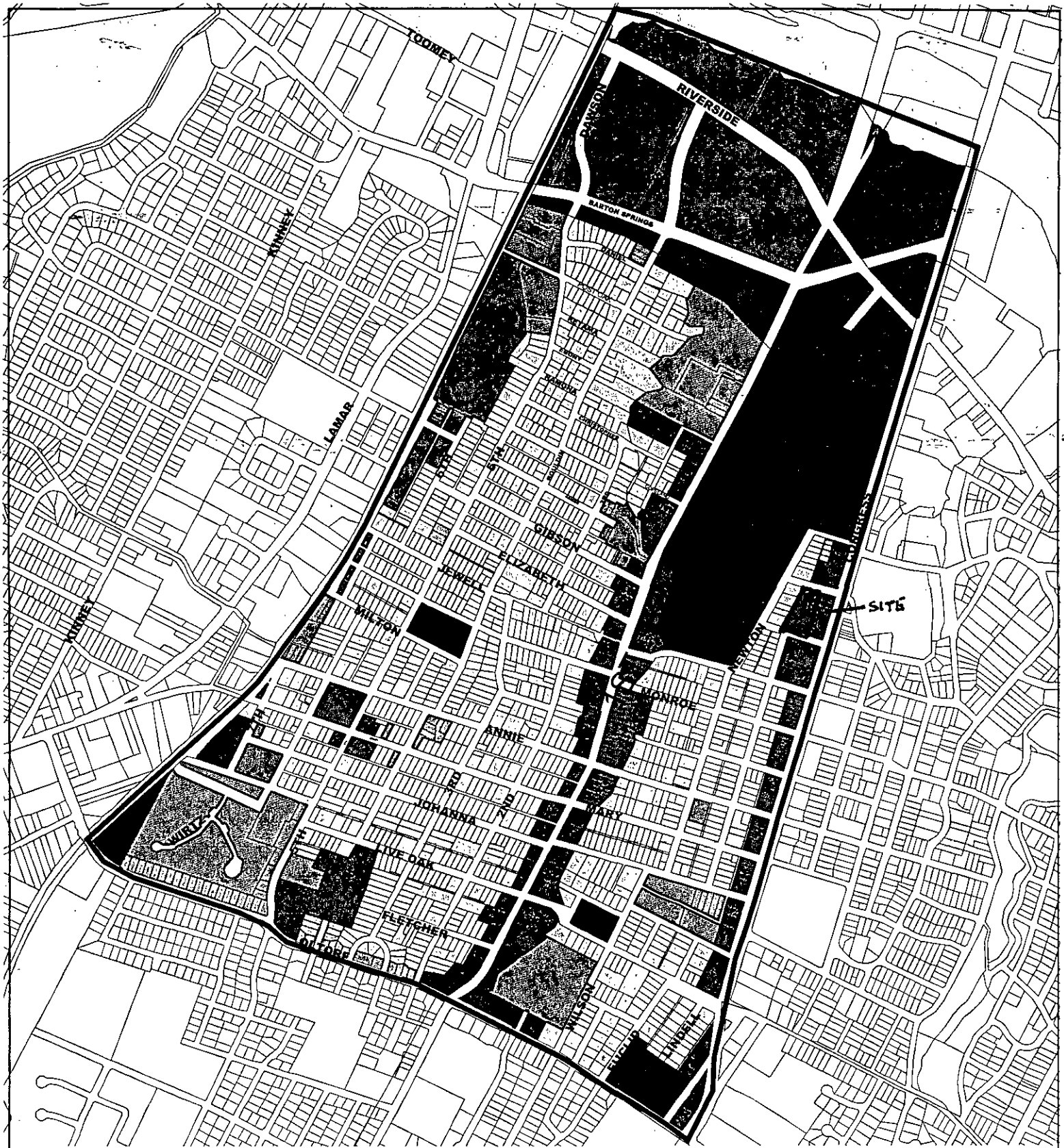
August 24, 2006:

ORDINANCE READINGS: 1st: 2nd 3rd

ORDINANCE NUMBER:

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








PHONE: 974-2330



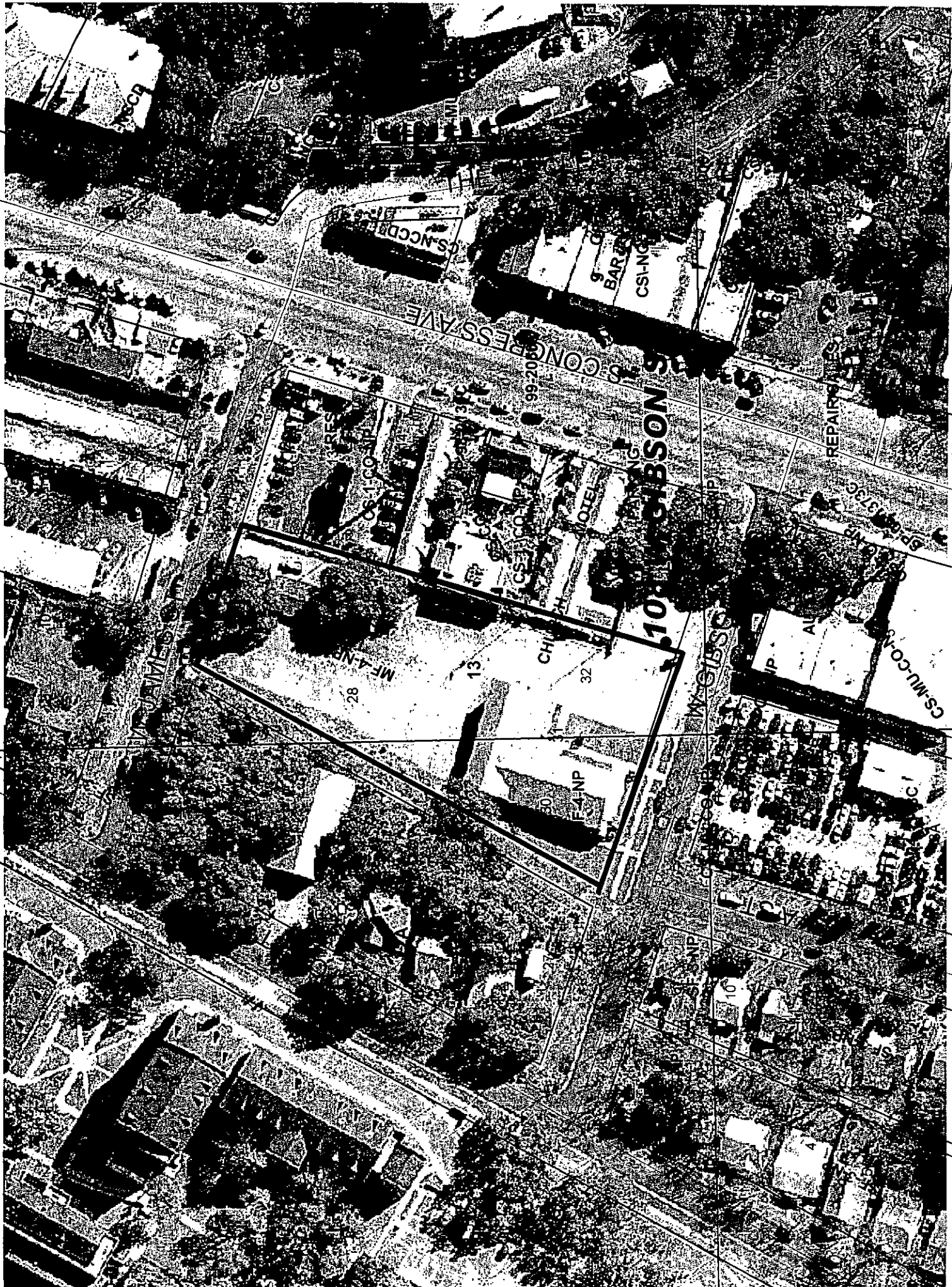
Bouldin Creek Neighborhood Planning Area Future Land Use Map

Neighborhood Planning and
Zoning Department
March 2002

A comprehensive plan shall not
constitute zoning regulations or
establish district boundaries.

- | | | | |
|---|---------------------------------|---|------------|
|  | Single-Family |  | Mixed Use |
|  | Higher-Density
Single-Family |  | Civic |
|  | Multifamily |  | Open Space |
|  | Commercial | | |





SUMMARY STAFF RECOMMENDATION

Staff recommends approval of CS-MU-CO-NP. The CO would reflect staff conditions as well as conditions agreed to by the neighborhood and applicant.

- Site Development Standards:
 - Limited to 1,400-unadjusted trips per day
 - Minimum Lot Width = 50'
 - Street side yard setback = 10'
 - Max. Building Coverage = 60%
 - Max. Impervious Cover = 75%
 - Max. Floor to Area Ratio = 1.25:1
 - Min. lot size = 5750 sq. ft.
 - Max. Height = 50 feet
 - Front yard setback = 10'
 - Interior Side Yard = None
 - Rear Yard = None
- The following uses would be permitted:
 - Administrative and Business Offices
 - Art Gallery
 - Art Workshop
 - Condominium Residential
 - Counseling Services
 - Group Home (Class I and II)
 - Hotel/Motel
 - Off-Site Accessory Parking
 - Off-site accessory parking shall only be provided for Lots 12 through 19, Block 13, Newning's Resubdivision of Blocks 13 and 2A, Swishers Addition.
 - On-site surface parking shall be prohibited.
 - Personal Improvement Services
 - Personal Services
 - Personal improvement service and personal service land uses shall only be allowed within 100 feet of the east property line.
 - Professional Offices
 - Software Development
 - Townhouse Residential
- Native vegetation, fencing, or another type of screening shall be constructed along the west property line.
- Non-residential development shall be limited to a total of 4,000 square feet of building(s) space, excluding the off-site parking.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The change from MF-4-NP to CS-MU-CO-NP is a compatible change that will allow for a modest, appropriate level of mixed use infill.

EXISTING CONDITIONS

Site Characteristics

The 1.54-acre tract proposes condominium and retail uses. The site is located in south Austin one block west of South Congress on Gibson Street, with frontage also on James Street. The project, which is currently zoned Multi Family Neighborhood Plan (MF-4-NP), is requesting a change to Commercial Services Mixed Use Conditional Overlay Neighborhood Plan (CS-MU-CO-NP). The tract will have vehicular access to James Street and Gibson Street. Surrounding the tract to the north is James Street, to the west is single family, to the east is a motel and restaurant and Gibson Street creates the southern border.

Environmental

1. 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.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. 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.
4. According to flood plain maps, there is no flood plain within the project area.
5. At this time, the site is developed with a building, driveways and a parking lot. Aside from existing trees, there are no significant environmental features on the site.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Transportation

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

The trip generation under the requested zoning is estimated to be 8,221 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). The applicant proposes to construct 4,000sf of retail and up to 85 condominiums which will generate approximately 1,397 trips per day.

A Neighborhood Traffic Analysis is required and will be performed for this project by the Transportation Review staff. Results will be provided in a separate memo. LDC, Sec. 25-6-114.

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 South Congress Avenue.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
Gibson Street	70'	30'	Collector	No	No	Yes
James Street	60'	30'	Collector	No	No	No

Water and Wastewater

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

Site Plan

The site is subject to compatibility standards. Along the west property line, the following standards apply:

No structure may be built within 25 feet of the SF-3 zoned 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.



MEMORANDUM

TO: Robert Heil, Case Manager
CC: Amanda Morrow, Armbrust and Brown
FROM: Emily M. Barron, Senior Planner
DATE: May 16, 2006
SUBJECT: Neighborhood Traffic Analysis for James Street and Gibson Street
Zoning Case: San Jose Lofts C14-06-0080

The Transportation Section has performed a neighborhood traffic impact analysis for the above referenced case and offers the following comments.

The 1.54-acre tract proposes condominium and retail uses. The site is located in south Austin one block west of South Congress on Gibson Street, with frontage also on James Street. The project, which is currently zoned Multi Family Neighborhood Plan (MF-4-NP), is requesting a change to Commercial Services Mixed Use Conditional Overlay Neighborhood Plan (CS-MU-CO-NP). The tract will have vehicular access to James Street and Gibson Street. Surrounding the tract to the north is James Street, to the west is single family, to the east is a motel and restaurant and Gibson Street creates the southern border.

Roadways

James Street is classified as a neighborhood collector with 60' of right-of-way and 30' of pavement. This roadway carries approximately 487 vehicles per day (vpd).

Gibson Street is classified as a neighborhood collector with 70' of right-of-way and 30' of pavement. This roadway carries approximately 299 vehicles per day (vpd).

Trip Generation and Traffic Analysis

Based on the ITE's publication Trip Generation, the proposed development at the time of site plan will generate approximately 1,397 vehicles per day (vpd).

Trip Generation		
LAND USE	SIZE	Trips Per Day
Retail	4,000sf	838
Condominiums	85du	559
TOTAL		1,397

Distribution of trips was estimated as follows:

Street	Site Traffic
James Street	60%
Gibson Street	40%

Below is a table containing the estimated number of trips that will affect each street:

Street	Existing Traffic (vpd)	Site Traffic (vpd)	Total Traffic after Project (vpd)
James Street	487	838	1,325
Gibson Street	299	559	858

The Land Development Code specifies desirable operating levels for certain streets in section 25-6-116. These levels are as follows: A residential local or collector street with a pavement width of 30' or greater should carry 1,800 vehicles per day or less.

Conclusions

1. The neighborhood traffic analysis was triggered because the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 trips per day, and the project has access to a local or residential collector street where at least 50 percent of the site frontage has an SF-5 or more restrictive zoning designation. James Street and Gibson Street are both classified as residential collector roadways.
2. The traffic along James Street and Gibson Street does not exceed the requirements established in Section 25-6-116.
3. This site should be limited through a conditional overlay to 1,400 unadjusted trips per day.
4. The City Council may approve a zoning application if it is determined that the applicant has satisfactorily mitigated adverse traffic effects or the projected additional traffic from a project has an insignificant effect on the residential street.

If you have any questions or require additional information, please contact me 974-2788.

Emily M. Barron
Sr. Planner - Transportation Review
Watershed Protection and Development Review Department

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 108 WEST GIBSON STREET IN THE BOULDIN CREEK NEIGHBORHOOD PLAN AREA FROM MULTIFAMILY RESIDENCE MODERATE HIGH DENSITY-NEIGHBORHOOD PLAN (MF-4-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-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 multifamily residence moderate high density-neighborhood plan (MF-4-NP) combining district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district on the property described in Zoning Case No. C14-06-0080, on file at the Neighborhood Planning and Zoning Department, as follows:

Lots 28-32 Block 13, Nora Eck Resubdivision of Lot 19 and the south 3.82 feet of Lot 18, Block 13, plus the vacated alley out of the Newning Resubdivision of Block 13, and 2A, as shown on a plat of record in Volume 3, Page 228, Travis County Plat Records (the "Property"),

locally known as 108 West Gibson Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. Except as specifically provided in Part 3 and Part 4, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City 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. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 1,400 trips per day.

- 1 2. A commercial use may not exceed 4,000 square feet of gross building coverage. A
2 parking structure is not included in the calculation of building coverage.
3
4 3. A personal improvement service use and a personal services use are not permitted in
5 the area beyond 100 feet of the east property line.
6
7 4. The following uses are prohibited uses of the Property:

8
9 Bed and breakfast residential (Group 1)

10 Duplex residential

11 Multifamily residential

12 Automotive rentals

13 Automotive repair services

14 Automotive washing (of any type)

15 Building maintenance services

16 Business support services

17 Commercial blood plasma center

18 Communication services

19 Consumer convenience services

20 Convenience storage

21 Electronic prototype assembly

22 Exterminating services

23 Food preparation

24 Funeral services

25 General retail sales (general)

26 Indoor sports and recreation

27 Laundry services

28 Medical offices (not exceeding 5000 sq.ft.

29 of gross floor area)

30 Outdoor entertainment

31 Pawn shop services

32 Printing and publishing

33 Restaurant (general)

34 Service station

35 Vehicle storage

36 Custom manufacturing

37 Club or lodge

38 Communication services facilities

39 Community recreation (public)

40 Congregate living

Bed and breakfast residential (Group 2)

Mobile home residential

Agricultural sales and services

Telecommunication services

Automotive sales

Bail bond services

Business or trade school

Campground

Commercial off-street parking

Construction sales and services

Consumer repair services

Drop-off recycling collection facilities

Equipment sales

Financial services

Food sales

General retail sales (convenience)

Indoor entertainment

Kennels

Medical offices (exceeding 5000 sq.ft.

of gross floor area)

Monument retail sales

Outdoor sports and recreation

Plant nursery

Research services

Restaurant (limited)

Theater

Veterinary services

Limited warehousing and distribution

College and university facilities

Community events

Community recreation (private)

Cultural services

1 Day care services (commercial)
2 Day care services (limited)
3 Hospital services (general)
4 Maintenance and service facilities
5 Private secondary educational facilities
6 Public secondary education facilities

Day care services (general)
Guidance services
Hospital services (limited)
Private primary educational facilities
Public primary educational facilities
Safety services

7
8 5. Development of the Property shall comply with the following regulations.

- 9
10 a. The maximum building coverage is 60 percent.
11
12 b. The maximum impervious cover is 75 percent.
13
14 c. The maximum height is 50 feet from ground level.
15
16 d. The maximum floor-to-area ratio is 1.25 to 1.0.

17
18 **PART 4.** The Property is subject to Ordinance No. 020523-33 that established the Bouldin
19 Creek neighborhood plan combining district.

20
21 **PART 5.** This ordinance takes effect on _____, 2006.

22
23
24 **PASSED AND APPROVED**

25
26
27
28 _____ 2006

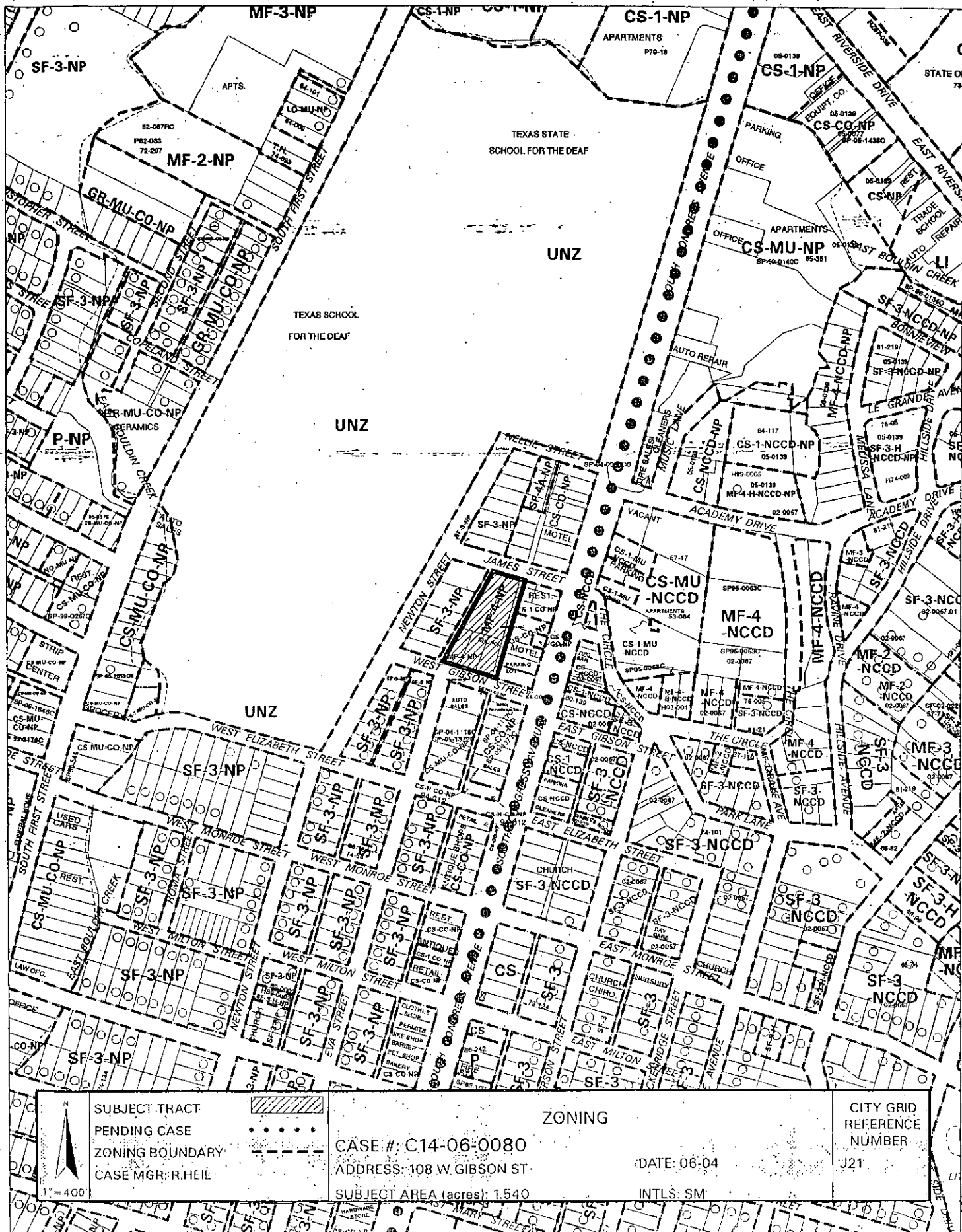
Will Wynn
Mayor

29
30
31
32
33 **APPROVED:**

David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry
City Clerk



SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: R. HEIL

ZONING

CASE #: C14-06-0080
 ADDRESS: 108 W GIBSON ST
 SUBJECT AREA (acres): 1.540

DATE: 06.04
 INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 J21