

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

Thursday, November 02, 2006

+ Back Print

**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 45**

Subject: C14-06-0165 - Mount Zion - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2935-2941 E 13th Street (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning Staff Recommendation: To grant general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning Planning Commission Recommendation: To grant general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning. Applicant: Mount Zion Missionary Baptist Church (Luke Mercer) Agent: Mount Zion Missionary Baptist Church (Dusty McCormick) City Staff: Robert Heil, 974-2330.

Additional Backup Material

(click to open)

Staff Report**For More Information:**

**ZONING CHANGE
AND NEIGHBORHOOD PLAN AMENDMENT
REVIEW SHEET**

ZONING CASES: C14-06-0165 & C14-06-0166 **P.C. Date:** September 26, 2006

NEIGHBORHOOD PLAN AMENDMENT: NPA-06-0008.01 Rosewood

ADDRESS: 2935-2941 E. 13th St (C14-06-0165: Parking Lot) &
2924-2948 E. 13th St. (C14-06-0166: Family Life Center)

OWNER/APPLICANT Mount Zion Missionary Baptist Church (Luke Mercer)

AGENT: Mount Zion Missionary Baptist Church (Dusty McCormick)

<u>ZONING</u>	<u>FROM:</u>	<u>TO:</u>	<u>AREA</u>
C14-06-0165	SF-3-NP	GO-NP	0.689 acres
C14-06-1066	SF-3-NP	GO-NP	1.324 acres
TOTAL			2.013 acres

LAND USE FROM: Single Family **TO:** Civic

SUMMARY STAFF RECOMMENDATION:

NPA 06-0008.01 - Staff recommends approval of Civic Land Use

C14-06-0165 (Parking Lot) – Staff recommends approval of GO-MU-CO-NP with the following conditions:

- All civic uses are permitted
- The only commercial use permitted is off-site accessory parking
- Multi-family residential use is prohibited. Other residential uses are permitted.

C14-06-1066 (Family Life Center) – Staff recommends approval of GO-NP-CO with the following condition

- Development should not generate more than 2000 additional vehicle trips per day.

PLANNING COMMISSION RECOMMENDATION:

September 26, 2006: Approved staff's recommendation on all three cases on consent (7-0).

DEPARTMENT COMMENTS:

These three items are closely related and presented in one report to facilitate discussion

Zoning case C14-06-0165 and neighborhood plan amendment NPA-06-0008.01 are for a proposed parking lot for Mt Zion Missionary Baptist Church. The site is currently zoned family residence-neighborhood plan SF-3-NP and is designated as single family land use

in the Rosewood neighborhood plan. The request is for general office-neighborhood plan (GO-NP) district zoning and civic land use designation.

The proposed parking lot is planned to create 52 parking spaces, removing cars from the neighborhood streets during major church events.

Zoning case C14-06-0166 would allow the construction of a family life center associated with the church, providing additional classroom space, offices and a gymnasium. The zoning request is also for general office-neighborhood plan (GO-NP) district zoning. No neighborhood plan amendment is required for this property.

The neighborhood planning team met on September 1 to consider these requests. Approximately 25 people attended the meeting. After a presentation by the applicant, and a discussion, the neighborhood voted to support the applicant's request for a plan amendment.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SSF-3-NP	Church and Undeveloped
<i>North</i>	SF-3-NP	Single Family Homes
<i>South</i>	SF-3-NP	Single Family Homes
<i>East</i>	SF-3-NP	Single Family Homes
<i>West</i>	SF-3-NP	Single Family Homes

AREA STUDY: The property is part of the Rosewood neighborhood plan, which was adopted November 2001. The existing church is on land designated for civic uses and no plan amendment is required. The proposed parking lot is on land designated for single family uses, and has prompted the proposed neighborhood plan amendment NPA-06-0008.01

TIA: A traffic impact analysis was not required for case C14-06-0165 (Parking Lot) because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113]

A traffic impact analysis was waived for case C14-06-1066 (Family Life Center) 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 additional vehicle trips per day. [LDC, 25-6-117]

WATERSHED: Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS

- Rosewood Neighborhood Planning Team
- Martin Luther King Jr. / Airport Sector
- PODER (People Organized in Defense of Earth and her Resources)
- SPEAK (Sentral Plus East Austin Koalition)
- Clifford Sanchez Neighborhood Association
- Austin Neighborhood Council
- Mueller Neighborhood Coalition

SCHOOLS: (AISD ISD)

Campbell Elementary School Kealing Middle School McCallum High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	SIDEWALKS	BICYCLE PLAN
E 13 th Street	50'	30'	Local	No	No
Harvey Stret	50'	30'	Local	No	No

CITY COUNCIL DATE:

ACTION:

ORDINANCE READINGS:

1st

2nd

3rd

ORDINANCE NUMBER:

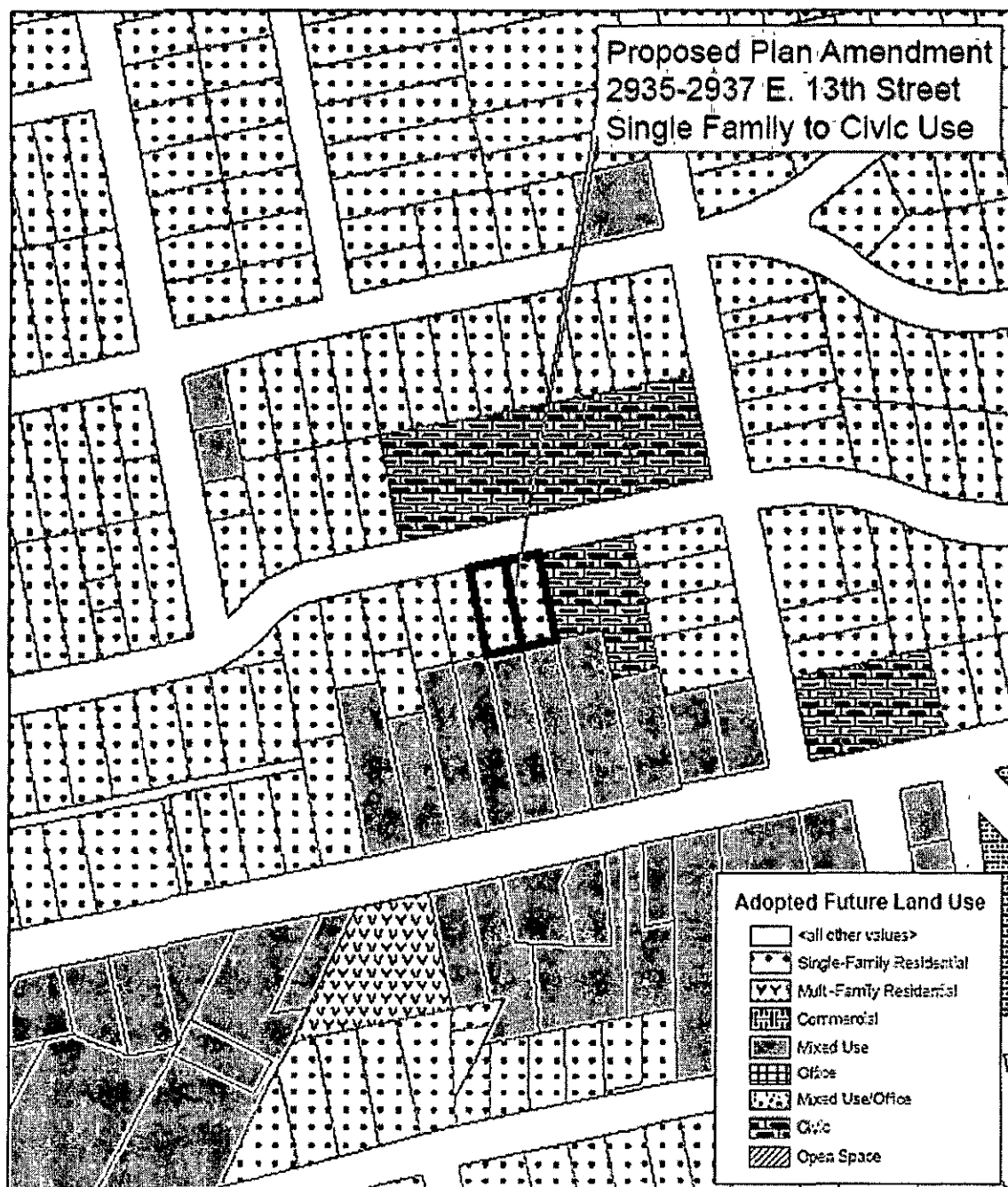
ZONING CASE MANAGER: Robert Heil

c-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330

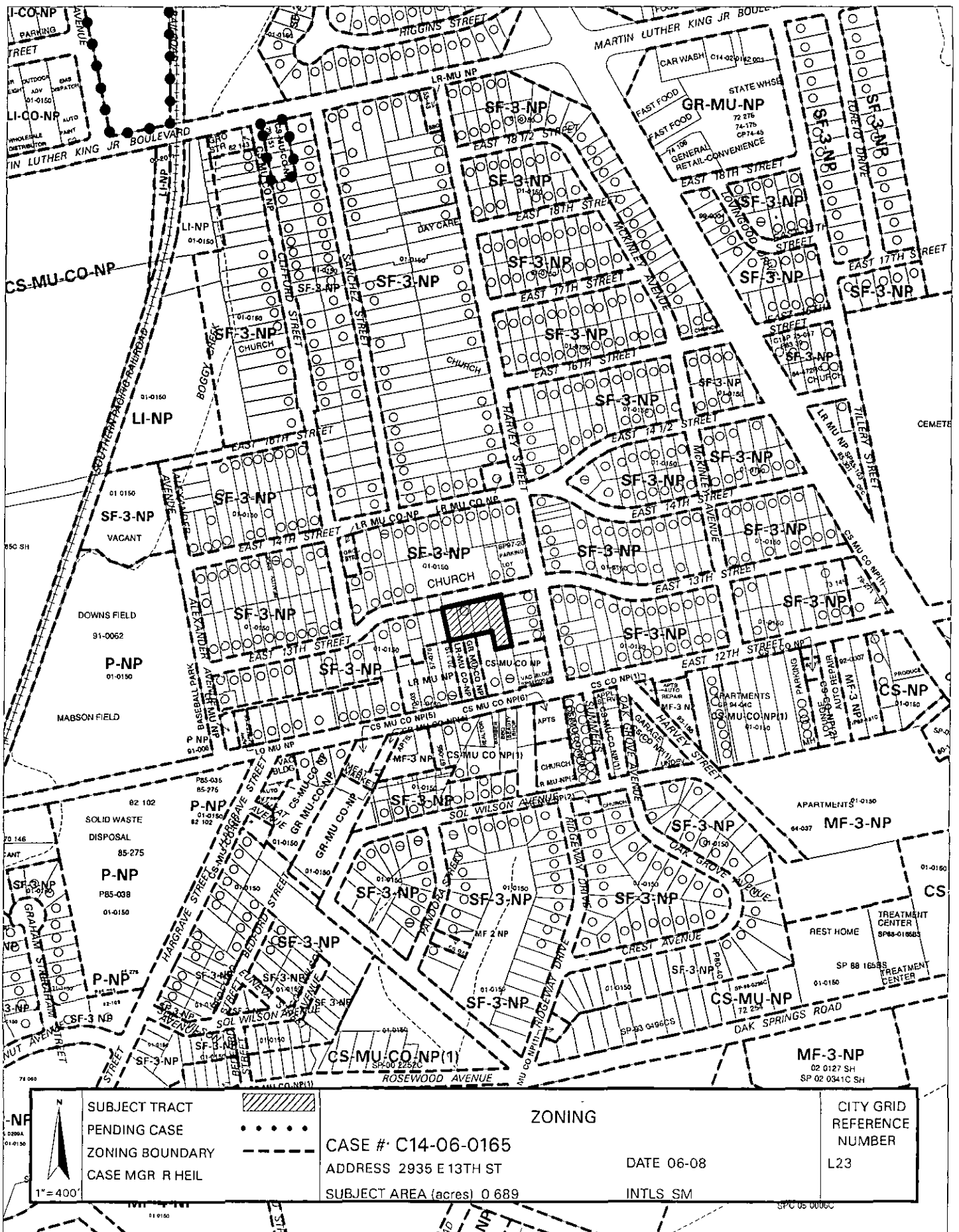
PLAN AMENDMENT MANAGER: Maureen Merideth **PHONE:** 974-2695

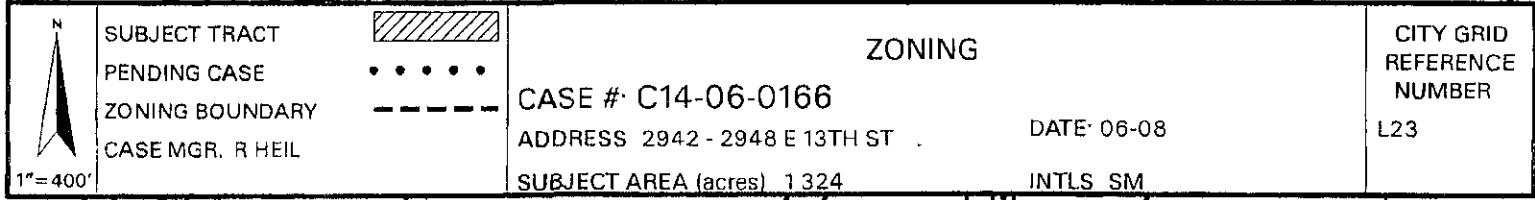
e-mail address: maureen.merideth@ci.austin.tx.us




Rosewood Neighborhood Plan
Neighborhood Plan Amendment
Case # NPA-06-0008.01









C14-06-0166
Mount Zion Church (2 of 2)
2942 E 13th St
SF-3-NP to GO-NP

C14-06-0165 and NPA -06-0008.01
Mount Zion Church (1 of 2)
2935 E 13th St
SF-3-NP to GO-NP
Single Family to Civic

SUMMARY STAFF RECOMMENDATION

NPA.06-0008.01 - Staff recommends approval of Civic Land Use

C14-06-0165 (Parking Lot) – Staff recommends approval of GO-MU-CO-NP with the following conditions:

- All civic uses are permitted
- The only commercial use permitted is off-site accessory parking
- Multi-family residential use is prohibited. Other residential uses are permitted.

C14-06-1066 (Family Life Center) – Staff recommends approval of GO-NP-CO with the following condition

- Development should not generate more than 2000 additional vehicle trips per day

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*
2. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character*

General Office (GO) district is the designation for an office or commercial use that serves neighborhood and community needs. A building in a GO district may contain one or more different uses. The purpose of the mixed use (MU) combining district is to allow office, retail, commercial and residential uses to be combined on a single development.

General office zoning would allow the expansion of services at an important community serving institution. Staff recommends the conditional overlay and the mixed use overlay for the parking lot, to address the possibility that this tract could be redeveloped at a high density in the future, and if so, it should be done with uses that would be compatible.

3. *The proposed zoning and plan amendments should support the goals of the neighborhood plan*

The proposed parking lot is planned to create 52 parking spaces, removing cars from the neighborhood streets during major church events. This supports the neighborhood plan Goal 3, Create a transportation network that allows all residents to travel safely throughout the neighborhood and Goal 5, Preserve and enhance the character of the Rosewood neighborhood.

Site Plan

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations. This property will be subject to Compatibility regulations and restrictions at the time of site plan submittal. Residential properties to the east and west and across the street to the north will trigger the need for

screening, property line fencing, and shielded lights in the parking lot, if any are proposed.

Some of the lots for the proposed parking lot appear to possibly not be legally subdivided. If any utilities, such as electricity, are intended to be extended to the proposed parking lot, the lots must be legally subdivided or made legal by legal lot determination.

Site plans will be required for any new development other than single-family or duplex residential.

This site is within the Controlled Compatible Land Use Area of Austin-Bergstrom International Airport, but outside the Airport Overlay Zones. This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited.

Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

Additional right-of-way may be required with the subdivision and/or site plan for this property.

The trip generation under the requested zoning for case C14-06-0165 (Parking Lot) is estimated to be 1,012 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 a parking lot for the church existing across the street.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

The trip generation under the requested zoning for C14-06-1066 (Family Life Center) is estimated to be 2,143 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 expand the existing church and the site with the proposed use of a church and family life center will generate approximately 352 trips per day, this is an increase of 229 daily trips over the currently existing 123 trips per day.

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 not available within 1/4 mile of this property

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	SIDEWALKS	BICYCLE PLAN
E 13 th Street	50'	30'	Local	No	No
Harvey Stret	50'	30'	Local	No	No

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy 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.

Water and Wastewater

The landowner intends to serve the site 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 utility adjustments 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 design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.