

SECOND/THIRD READINGS SUMMARY SHEET

02/7/09  
#32

**PLAN AMENDMENT & ZONING CASE NUMBERS:**

NPA-06-0009 03 (Calavan II neighborhood plan amendment)

C14-06-0163 (Calavan II rezoning)

**REQUEST**

**NPA-06-0009.03 (Calavan II neighborhood plan amendment)** Approve 2<sup>nd</sup>/3<sup>rd</sup> readings of an ordinance amending Ordinance No 011213-41, the Central East Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, by amending the future land use map from single family use to office-mixed use designation for the property located at 1204 Salina Street

**C14-06-0163 (Calavan II rezoning):** Approve 2<sup>nd</sup>/3<sup>rd</sup> readings of an ordinance amending Chapter 25-2 of the Austin City Code, rezoning the property locally known as 1204 Salina Street from SF-3-NP, family residence-neighborhood plan combining district, to LO-MU-CO-NP, limited office-mixed use-conditional overlay-neighborhood plan combining district zoning

**PROPERTY OWNER & AGENT:** Calavan Family Partnership (Brooks Calavan)

**DEPARTMENT COMMENTS:**

Originally, this request included tracts on East 12<sup>th</sup> street as well as the property fronting Salina. However, the applicant has withdrawn his request to amend the neighborhood plan or rezone the properties on East 12<sup>th</sup> St. The only property still included in the request is 1204 Salina. The request is for Office-Mixed Use land use designation and LO-MU-NP zoning.

The neighborhood supports L-MU-CO-NP and Office Mixed Use land use designation.

Staff recommends approval of the plan amendment to Office-Mixed Use.  
Staff recommends approval of the NO-MU-NP combining district zoning.

Both ordinances and the public restrictive covenant to accompany the rezoning reflect the conditions imposed by Council on 1<sup>st</sup> reading, which was approved on November 30, 2006.

**DATE & ACTION OF FIRST READING VOTE.**

November 30, 2006

**NPA-06-0009.03 (Calavan II neighborhood plan amendment)**· Approved on consent (7-0) the amendment to the future land use map from single family use to office-mixed use designation

**C14-06-0163 (Calavan II rezoning)**· Approved on consent (7-0) Planning Commission recommendation of LO-MU-CO-NP, with further direction to staff to draft a public restrictive covenant requiring that the property be subject to the Commercial Design Standards (Subchapter E of Chapter 25-2)

**PLANNING COMMISSION ACTION:**

October 24, 2006 Approved (8-0) LO-MU-CO-NP with the following conditions

- 1 Height is limited to 35'
- 2 The following uses are prohibited
  - Communication Services
  - Medical Offices (not exceeding 5000 sq ft of gross floor area)
  - Medical Offices (exceeding 5000 sq ft of gross floor area)

**CITY COUNCIL DATE** December 7, 2006

**CITY COUNCIL ACTION.**

**ASSIGNED STAFF** Robert Heil, 974-2330, [Robert.Heil@ci.austin.tx.us](mailto:Robert.Heil@ci.austin.tx.us)

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

**CASE:** NPA-06 0009 03 & C14-06-0163

**CC DATE:** 1<sup>st</sup> reading on Nov 30, 2006, 2<sup>nd</sup>/3<sup>rd</sup> readings scheduled for Dec 7, 2006

**PC DATE:** October 24, 2006

**ADDRESS:** 1204 Salina Street

**AREA:** 12,288 sq ft

**OWNER/AGENT:** Brooks Calavan

**LAND USE FROM** Single Family

**TO:** Office – Mixed Use

**ZONING FROM:** SF-3-NP

**TO:** LO-MU-NP

**STAFF RECOMMENDATION:**

Staff recommends approval of the plan amendment to Office-Mixed Use  
Staff recommends approval of the NO-MU-NP combining district zoning

**PLANNING COMMISSION RECOMMENDATION:**

**October 24, 2006:** Approved (8-0) LO-MU-CO-NP with the following conditions

- 3 Height is limited to 35'
- 4 The following uses are prohibited
  - Communication Services
  - Medical Offices (not exceeding 5000 sq ft of gross floor area)
  - Medical Offices (exceeding 5000 sq ft of gross floor area)

**NEIGHORHOOD PLAN** Central East Austin (adopted December 13, 2001)

**DEPARTMENT COMMENTS:**

Originally, this request included tracts on East 12<sup>th</sup> street as well as the property fronting Salina. However, the applicant has withdrawn his request to amend the neighborhood plan or rezone the properties on East 12<sup>th</sup> St. The only property still included in the request is 1204 Salina. The request is for Office-Mixed Use land use designation and LO-MU-NP zoning.

Staff recommends approval of the plan amendment to Office-Mixed Use  
Staff recommends approval of the NO-MU-NP combining district zoning

The owner of this property, wants to use the structure which fronts Salina Street for his real estate office and his wife's interior design office.

Existing adjacent land uses include Single Family Residential on the west, north and east, and commercial uses to the south along E 12<sup>th</sup> Street.

The Central East Austin 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 December 13, 2001. The boundaries of the planning area are Martin Luther King on the north, Interstate Highway Thirty-Five (I-35) on the west, the alley between East 6th and 7th Streets and East 7th Street on the south and Northwestern Avenue, Rosewood Avenue, and Chicon Street on the East.

**EXISTING ZONING AND LAND USES.**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP	Single Family Home
<i>North</i>	SF-3-NP	Single Family Homes
<i>South</i>	CS-NP	Automotive Repair
<i>East</i>	SF-3-NP	Single Family Homes
<i>West</i>	SF-3-NP	Single Family Homes

**AREA STUDY:** Central East Austin    **TIA:** Not required

**WATERSHED** Boggy Creek

**DESIRED DEVELOPMENT ZONE:** Yes

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

**ABUTTING STREETS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bus Route</b>	<b>Bike Route</b>
E 13 <sup>th</sup> Street	50'	30'	Collector	No	No	No
E 12 <sup>th</sup> Street	60'	40'	Minor Arterial	Yes	Yes	Priority 2
Salina Street	40'	26'	Local	No	No	No

**CITY COUNCIL DATE:**

2<sup>nd</sup>/3<sup>rd</sup> readings scheduled for December 7, 2006

**ACTION**

**ORDINANCE READINGS:**

1<sup>st</sup> reading, November 30, 2006

**NPA-06-0009.03 (Calavan II neighborhood plan amendment):** Approved on consent (7-0) the amendment to the future land use map from single family use to office-mixed use designation

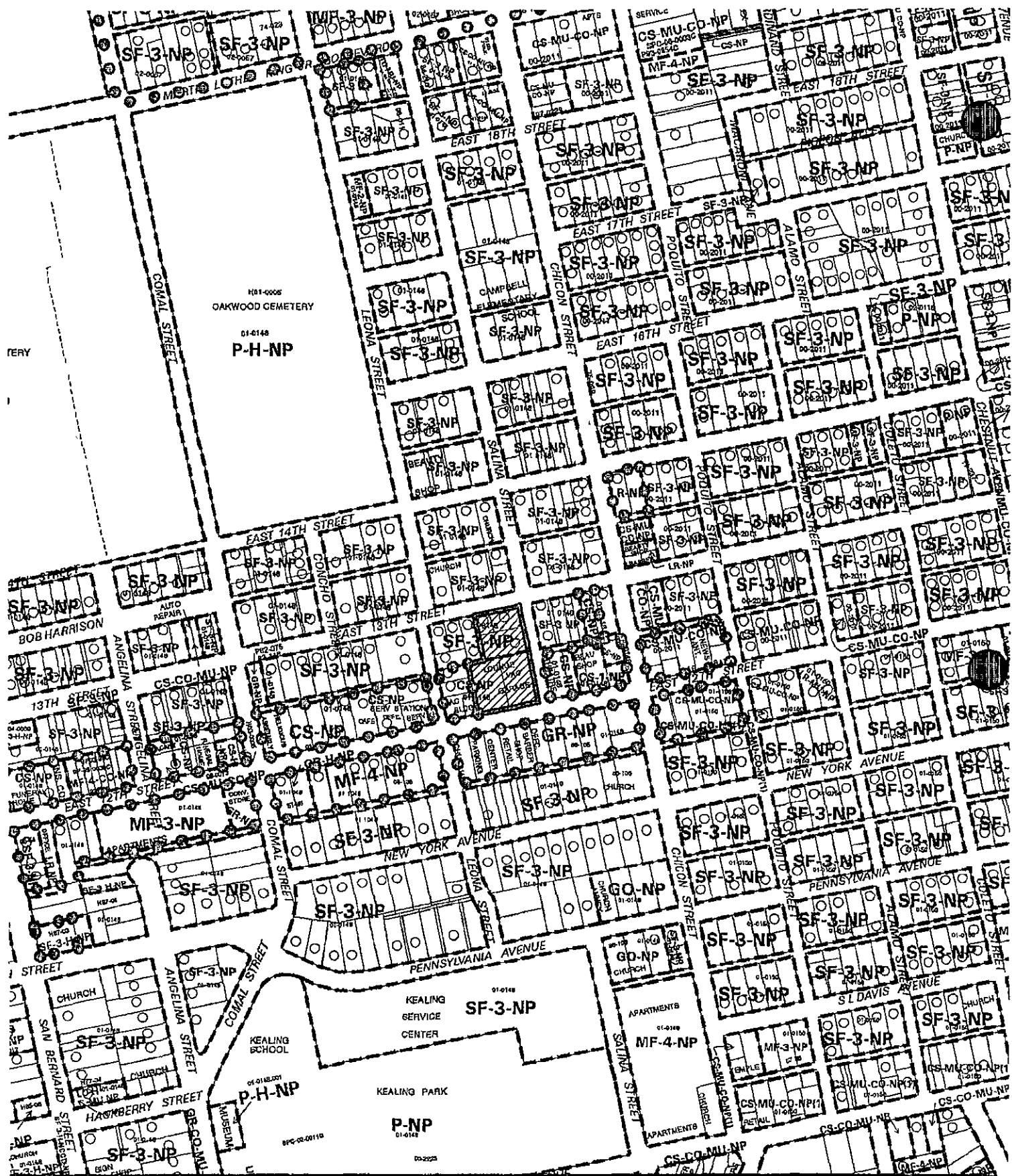
**C14-06-0163 (Calavan II rezoning):** Approved on consent (7-0) Planning Commission recommendation of LO-MU-CO-NP, with further direction to staff to draft a public

restrictive covenant requiring that the property be subject to the Commercial Design Standards (Subchapter E of Chapter 25-2)

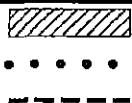
**ORDINANCE NUMBER:**

**PLAN AMENDMENT CASE MANAGER:** Katie Halloran    **PHONE.** 974-3509  
**EMAIL:**    katie.halloran@ci.austin.tx.us

**ZONING CASE MANAGER**    Robert Heil    **PHONE.** 974-2330  
**EMAIL.**    Robert.Heil@ci.austin.tx.us



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



### ZONING

CASE #: C14-06-0163  
 ADDRESS: 1204 SALINA ST AT E  
 12TH ST  
 SUBJECT AREA (acres): 0.823

DATE: 06-08  
 INTLS: SM

CITY GRID  
 REFERENCE  
 NUMBER  
 K23

1" = 400'

8-14-0000-NP

01-0118

## **STAFF RECOMMENDATION :**

Staff recommends approval of a plan amendment from Single Family Residential to Mixed Use Office, however, staff recommends rezoning to NO-MU-CO-NP, but does not recommend rezoning this tract to LO-MU-NP

## **BASIS FOR RECOMMENDATION:**

1204 Salina lies within a defined Single Family Residential base zoning district and the CEA Plan seeks to preserve the integrity of such districts. The recommended Conditional Overlay would restrict building coverage to existing percentages to encourage preservation of the existing structures

- The CEA Plan includes an objective and action item in its Historic Preservation section which state

Objective 1.1 Maintain and preserve the integrity of current residential districts  
Action 1 Preserve residential character as shown on the Future Land Use Map (page 12 in the plan), implement the land use plan " (p. 6)

1204 Salina is surrounded on the north, east, and west by single family homes and is a part of an established residential district

- The CEA Plan includes a relevant objective and action item in its Historic Preservation section

Objective 1.2 Identify and explore the creation of local, state, or federal historic districts or landmarks

Action 3 Recommend the eligible historic districts identified in the "Historic Resources Survey of East Austin- September 2000" report be established as local historic districts " (p. 7)

The *Thirteenth Street* district is considered an eligible historic district, the subject tract is within this district (The district includes the south side of the 1200 block of E 13<sup>th</sup> Street ). The loss of historic homes within this district would compromise the integrity of this historic residential neighborhood

- Two of nine overall Neighborhood Plan Goals for the CEA Plan reinforce the objective above (p. 3). These goals respectively state:
  1. Preserve, restore, and recognize historic resources and other unique neighborhood features
  7. Respect the historic, ethnic and cultural character of the neighborhood of Central East Austin
- The CEA Plan prioritizes the preservation of existing housing stock (p. 4) and affordable units (see below). 1204 Salina Street currently contains three housing units

- 2 Create housing that is affordable, accessible, and attractive to a diverse range of people

## **TRANSPORTATION**

The trip generation under the requested zoning is estimated to be 5,470 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]

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. Current traffic counts are needed from the applicant for E 13<sup>th</sup> Street and Salina Street. Once provided, the analysis will be completed.

### **Existing Street Characteristics**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bus Route</b>	<b>Bike Route</b>
E 13 <sup>th</sup> Street	50'	30'	Collector	No	No	No
E 12 <sup>th</sup> Street	60'	40'	Minor Arterial	Yes	Yes	Priority 2
Salina Street	40'	26'	Local	No	No	No

## **SITE PLAN**

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

### **Compatibility Standards**

The site is subject to compatibility standards. Along the north, west and east 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



- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive
  - An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property
- Additional design regulations will be enforced at the time a site plan is submitted

## ***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 sf 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.

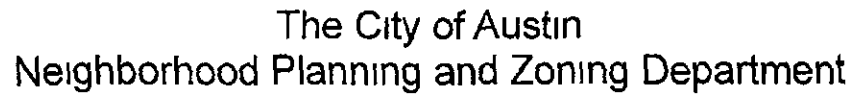
According to flood plain maps, there is no flood plain within the project area.

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 WASTE WATER***

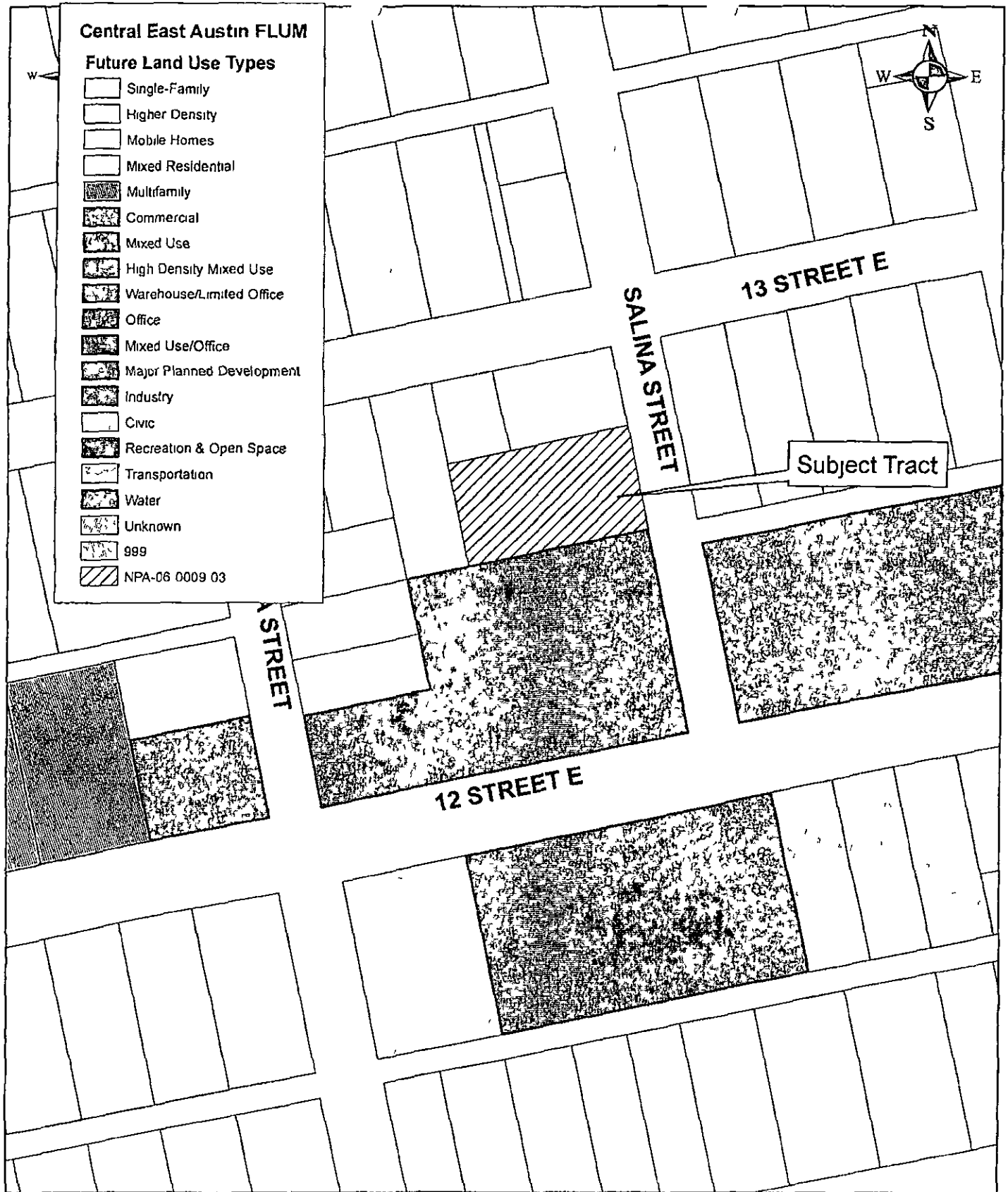
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and relocation. The water and wastewater 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 water and wastewater utility construction must be inspected by the City. The landowner must pay all associated and applicable City fees.



Case Number NPA-06-0009 03  
Subject Properties 1204 Salina Street  
Plan Amendment Request Single Family Residential to Mixed Use Office  
Related Rezoning Request SF-3-NP to LO-MU-NP



Case NPA-06-0009 03

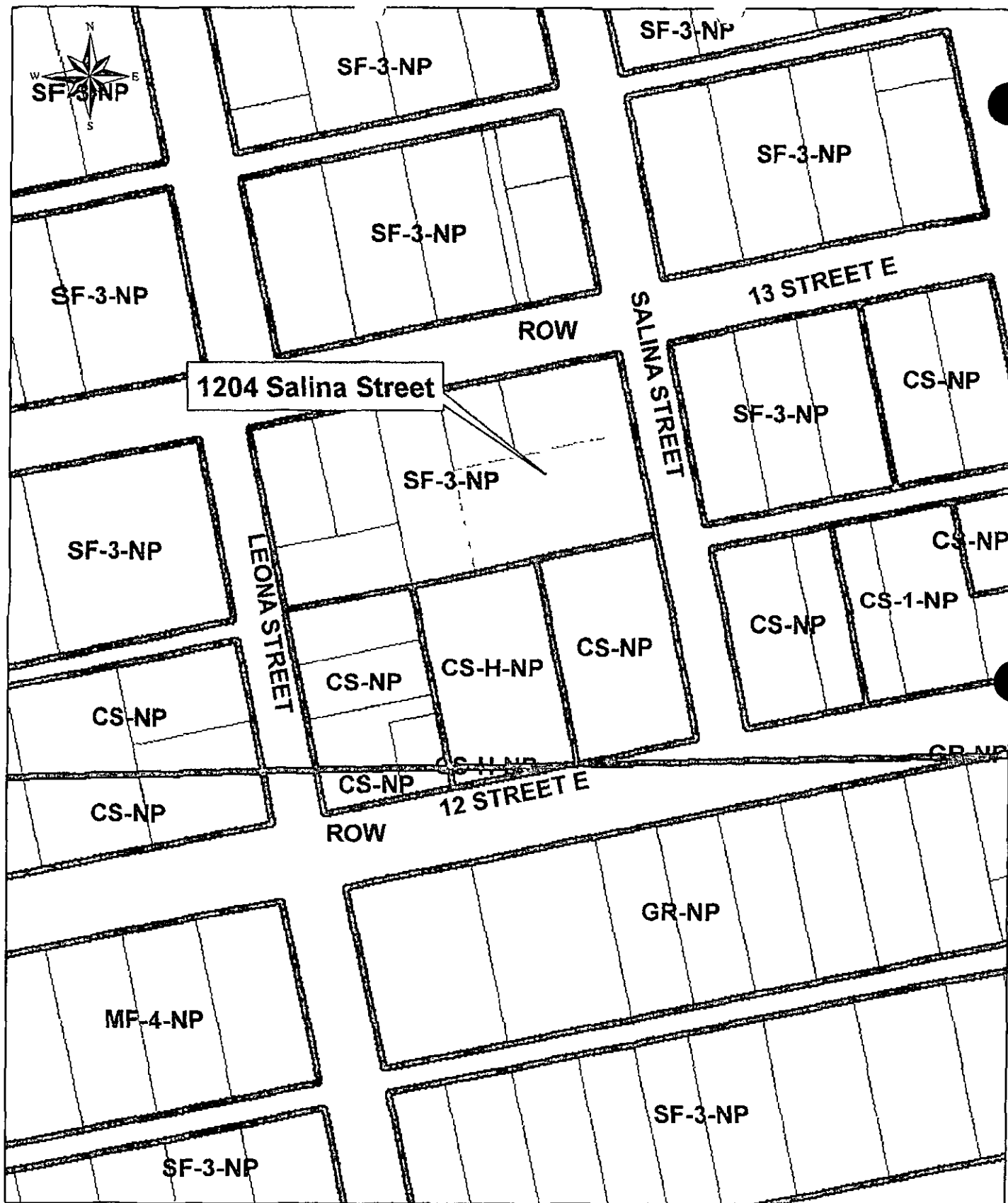


**Future Land Use Map Central East Austin Neighborhood Plan  
Plan Amendment Case NPA-06-0009.03**



City of Austin  
Neighborhood Planning & Zoning Department

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



CEA Neighborhood Plan Current Zoning  
Plan Amendment Case NPA-06-0009.03



City of Austin  
Neighborhood Planning & Zoning Department

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



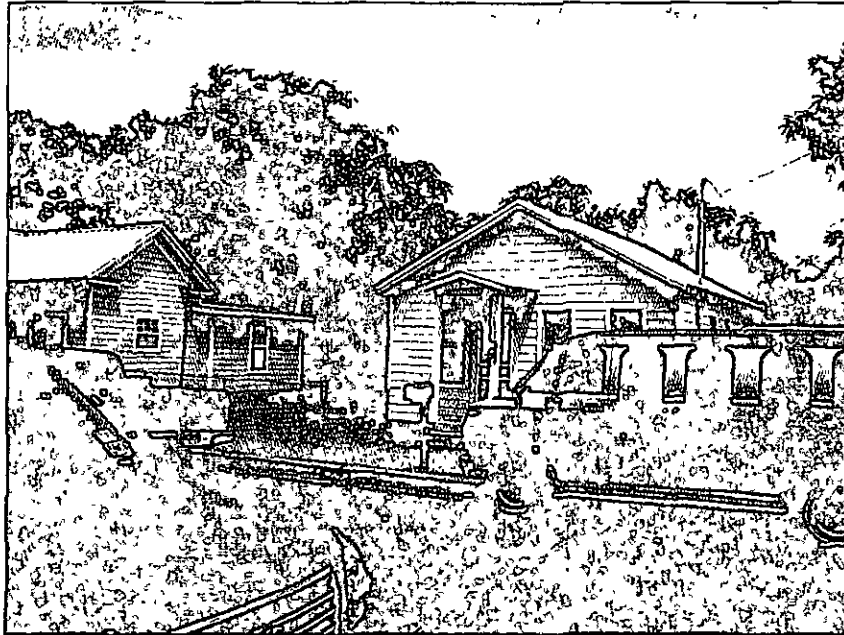
2003 Aerial Photograph  
**Plan Amendment Case NPA-06-0009.03**



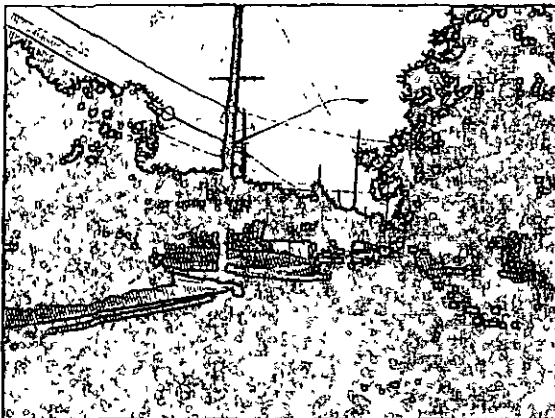
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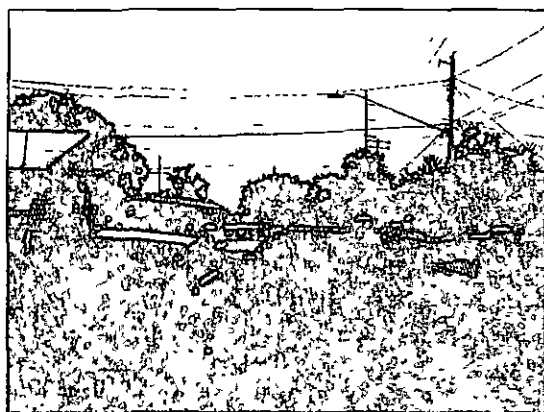
Property east of site, across Salina St.



View north on Salina Street



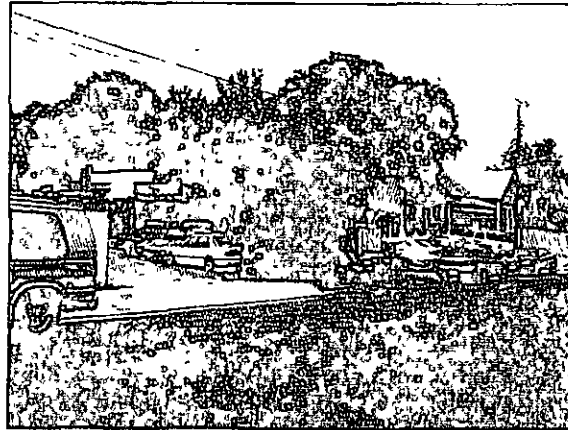
View south on Salina Street



Site looking west: 1204 Salina



Property south, 1702 E. 12<sup>th</sup> Street



Property north, 1713 E. 13<sup>th</sup> St.



Property north, 1713 E. 13<sup>th</sup> St.





October 17, 2006

**RE: Support for zoning change at 1204 Salina Street  
from SF-3 to LO-MU**

On October 10, 2006 the Central East Austin Neighborhood Association (OCEAN) voted to support Brooks Calavan's request for a zoning change at 1204 Salina Street from SF-3 to LO-MU. 1204 Salina is composed of three structures. The owner and his wife wish to operate a real estate business and an interior design business out of the structure closest the street and the two rear houses would be leased as residential. There was no neighborhood opposition to the request but there was concern regarding JT Auto enterprises operating on an adjacent lot abutting 12<sup>th</sup> Street also owned by Brooks Calavan. Some members of the neighborhood requested that the property owner allow JT Auto to remain at its current location to which the owner agreed. A vote was held, there were no votes in opposition to the zoning change and 11 votes in favor of supporting the zoning change from SF-3 to LO-MU. OCEAN respectfully requests that the Planning Commission respect the vote of the neighborhood and allow the existing SF-3 zoning for this lot to be changed to LO-MU.

Sincerely,

Rudy Williams  
President, Central East Austin Neighborhood Association