

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0163 – Medical Offices

DISTRICT: 10

ZONING FROM: NO-NP

TO: LO-NP

ADDRESS: 3405 Glenview Ave

SITE AREA: 0.1791 acres (7801.6 sq.ft.)

PROPERTY OWNER:

Alchemy Wellness Building, LLC
(Saima Jehangir)

AGENT:

Carlson Law, PLLC
(Michelle Carlson)

CASE MANAGER: Mark Graham (512-974-3574, mark.graham@austintexas.gov)

STAFF RECOMMENDATION:

The staff recommendation is to grant limited office-mixed use-neighborhood plan (LO-MU-NP) district zoning. *For a summary of the basis of staff's recommendation, see case manager comments below.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

January 28, 2020: ***APPROVED LO-MU-NP DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT. [J. THOMPSON, A. AZHAR 2ND];(11-0) C. LLANES PULIDO, P. SEEGER-ABSENT***

CITY COUNCIL ACTION:

February 20, 2020

ORDINANCE NUMBER:

ISSUES:

Parking is generally an issue in the area. The subject property has driveway access to Glenview Avenue leading to paved parking behind the building.

CASE MANAGER COMMENTS:

The subject 0.17 acre (7,802 square foot) lot is midblock on Glenview Avenue in a block with two story office buildings and former houses being used for offices. Austin's Seton Medical Center is a few blocks east and Mopac highway about six blocks west. The subject land is zoned for Neighborhood Office (NO) and the 1,560 square foot building at 3405 Glenview Avenue has recently been used as a real estate services office. The proposed use of the building is for

Medical Offices which are not a permitted use in the current NO zone district. Applicant requests rezoning to Limited Office (LO) zoning where medical office uses are permitted.

3405 Glenview Avenue is located within the Central West Austin Combined Neighborhood Plan (Windsor Road). The Future Land Use Map (FLUM) shows Office uses so a plan amendment is not required.

BASIS OF RECOMMENDATION:

Staff recommends limited office (LO-MU-NP) district zoning.

1. The proposed zoning should be consistent with the purpose statement of the district sought.

Limited Office district is intended for offices predominately serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods. Unlike the existing zoning, neighborhood office (NO), medical offices are allowed in the proposed LO zone district.

Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

2. Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.

The zoning map and Existing Zoning table below show that there is LO zoning in all directions around the subject lot with several former houses being used for offices, including medical offices.

3. Zoning changes should promote compatibility with adjacent and nearby uses.

Medical office use and development regulations are intended to make uses in LO compatible with the residential uses in scale and appearance. (25-2-94).

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	NO-NP	Office
North	LO-NP, NO-MU-NP, LR-CO-NP	Office, restaurant, drive thru fast food
South	LO-NP	Offices: medical and law, detached residential south of West 34 th Street.
East	NO-NP, LR-CO-NP	Bank, office, residential

	Zoning	Land Uses
West	NO-NP, LO-NP	Office, detached residential west of Jefferson St

NEIGHBORHOOD PLANNING AREA: Windsor Road/Central West Austin Combined NPA

AREA STUDY: Not applicable

TIA: Not required.

WATERSHED: Shoal Creek - Urban

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: Not applicable

HILL COUNTRY ROADWAY: Not applicable

OVERLAYS: ADU; Approximate Area Reduced Parking; Neighborhood Planning Areas; WINDSOR ROAD. Residential Design Standards: LDC/25-2-Subchapter F

SCHOOLS:

Bryker Woods Elementary

O. Henry Middle

Austin H.S.

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets, Austin
 Neighborhoods Council
 Bike Austin
 Bryker Woods Neighborhood Association
 Central West Austin Neighborhood Plan
 Contact Team
 West Austin Neighborhood Group

Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Preservation Austin
 SEL Texas
 Shoal Creek Conservancy
 Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2008-0003 1815, 1811, 1807, & 1721 West 35 th St.	Windsor Road Neighborhood Planning Area Vertical Mixed Use Bldg. Zoning Opt In/. Change boundaries of the Vertical Mixed Use Overlay (VMU) District to exclude certain tracts located along west 35 th Street in the Windsor Road Neighborhood Planning Area.	To Grant	(06/18/2008) Apvd
C14-00-2233 3409 Glenview Ave	From SF-3 to NO-MU	To Grant	(01/18/2001) Apvd

Number	Request	Commission	City Council
C14-03-0161 1608 West 34 th St.	From SF-3 to NO-MU-CO. List of prohibited uses: auto rentals, repair or washing; business or trade schools, commercial off-street parking, communication services, exterminating services, funeral services, hotel-motel, indoor entertainment, indoor sports and recreation, pawn shop services, research services (general), drop-off recycling. The following uses are conditional: community recreation (public/private), hospital services (limited), and restaurant (drive-in, fast food).	To Grant	(09/02/1999) Apvd.
C14-2015-0023	From SF-3-NP to LR-MU-NP amended to LO-MU-NP 05/29/2015.	(08/17/2015) Withdrawn	Not applicable
C14-96-0069	From SF-3 to GR-MU-CO. The CO prohibits vehicle access from Kerbey Lane and the alley on the south side of the property. A 2000 daily vehicle trip limit. Prohibited use list: auto- rental, repair, sale, washing. Also prohibited: commercial off-street parking, communication services, exterminating services, funeral services, hotel-motel, indoor entertainment, indoor sports and recreation, pawn shop services, research services (general), theater, hospital services (general) drop-off recycling. The following uses are conditional: community recreation (public/private), hospital services (limited), and restaurant (drive-in, fast food).	To Grant	(08/15/1996) Apvd.
C14-06-0139 3401 Mills Ave.	Mills Avenue parking Rezoning-City Initiated. Rezoning from P to GO-CO. Prohibited uses except parking with Conditional Overlay.	To Grant	08/24/2006 Apvd.
C14-06-0020 1500 West 34 th St.	From LO to GO-CO-NP limited to off-site parking uses	To Grant	(05/04/2006) Apvd.

RELATED CASES:

Platted as lot 11 of Glenview Addition, Book 3, Page 109

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case site is located on the east side of Glenview Avenue and contains an office in a former house, which is situated on a 0.179 acre parcel and is approximately 300 feet south of an **Activity Corridor**. This property is located within the boundaries of the Central West Austin Combined Neighborhood Plan area in the Windsor Road Neighborhood. Surrounding land uses includes an office and a restaurant to the north; to the south are offices; to the east is an office and a house; and to the west is an office. The request is to rezone the property to go from a general office use to a medical office use.

CONNECTIVITY:

Public sidewalks are located intermittently along this street. There are no bike lanes along the block. A transit stop is located 600 feet from the subject property. Connectivity and mobility options in this area are fair.

CENTRAL WEST AUSTIN COMBINED NEIGHBORHOOD PLAN (CWACNP)

The CWACNP Future Land Use Map (FLUM) designates this portion of the planning area as **‘Office,’** an area that provides for office uses as a transition from residential to commercial uses, or for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals and non-profit organizations. Zone LO is permitted in this FLUM category. The following text, goals, objectives and recommendations are taken from the OHCNP:

Objective 2: Preserve or enhance, as appropriate, existing multifamily housing and neighborhood serving commercial districts. Pg. 42

L.2.8 - The neighborhood office blocks between 34th and 35th Streets and Jefferson Street and Mills Avenue should remain small scale neighborhood office and residential uses that are harmonious with the Bryker Woods Elementary School and the existing single family neighborhood. Retaining the converted single-family homes is desirable. Returning these structures to single family residential use would also be welcome by the neighborhood. Pg. 44

Objective 4: Encourage the northeast corner of the Windsor Road Planning Area to become a mixed use, urban neighborhood, respecting and providing amenities to the Bryker Woods and West 31st Street neighborhoods. Pg. 44

L.4.3 - Allow office and commercial development along 34th Street between Medical Parkway and Shoal Creek Greenbelt. There should be a transition with neighborhood scaled stores and offices between the Shoal

Creek Greenbelt and Medical Parkway and more intensive development from Medical Parkway to Lamar Boulevard. Development should add to the existing shops and restaurants on 34th Street to create a lively, pedestrian-friendly streetscape. Pg. 45

Office uses are supported in this portion of the planning area.

IMAGINE AUSTIN (IACP)

Based upon the policies in the CWACNP policies that support Office uses, adjacent offices, and the nearby **Activity Corridor**, this rezoning supports the policies of Imagine Austin.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal 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. Zoning district impervious cover limits (maximum of 70% in LO zone district) apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

Site Plan

- SP1. Site plans will be required for any new development other than single-family or duplex residential.
- SP2. 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.

- SP3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP4. FYI: Additional design regulations will be enforced at the time a site plan is submitted.

COMPATIBILITY STANDARDS

- SP5. The site is subject to compatibility standards due to proximity of SF-3-NP zoning to the south, west, and east. The following standards apply:
- 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.
 - An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

DEMOLITION AND HISTORIC RESOURCES

- SP6. The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

RESIDENTIAL DENTIAL DESIGN STANDARDS OVERLAY

- SP7. The site is subject to 25-2 Subchapter F. Residential Design and Compatibility Standards.

Transportation

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. Additional right-of-way may be required at the time of subdivision and/or site plan. The adjacent street characteristics table is provided below:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Glenview Ave.	50'	26'	Level 1	Yes (along north side)	No	No

Austin Water Utility

WW1. 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 any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

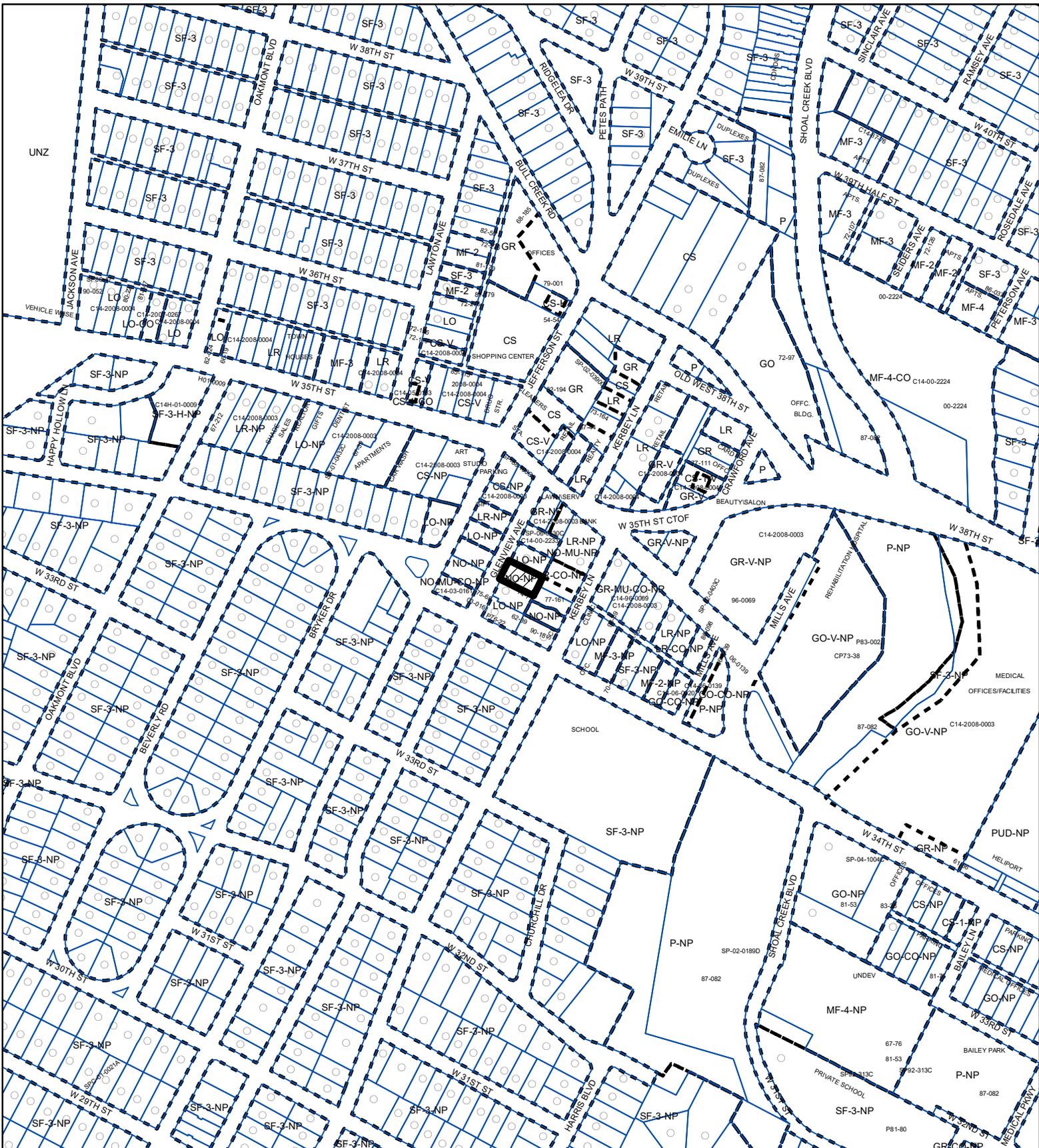
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

Exhibit A: Zoning Map

Exhibit B: Aerial Map



ZONING EXHIBIT A

ZONING CASE#: C14-2019-0163



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

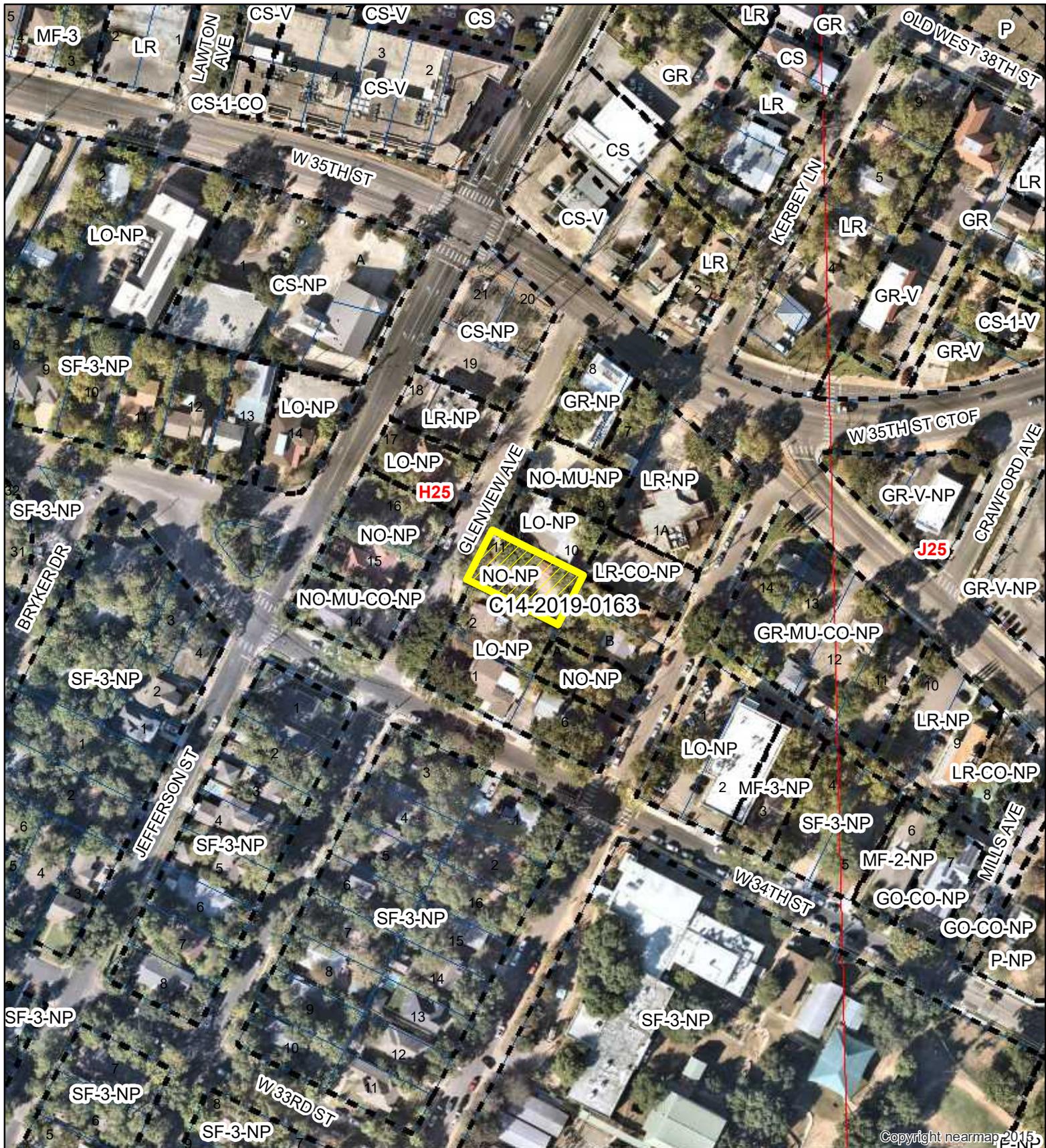


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1" = 400'

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created: 12/9/2019



1" = 150'

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

MEDICAL OFFICES

EXHIBIT B

ZONING CASE#: C14-2019-0163
 LOCATION: 3405 GLENVIEW AVE.
 SUBJECT AREA: .1791 ACRES
 GRID: H25
 MANAGER: MARK GRAHAM



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2019-0163

Contact: Mark Graham, 512-974-3574

Public Hearing: January 28, 2020, Planning Commission
February 20, 2020, City Council

Irene Pickhardt
Your Name (please print)

3311 Bryker Dale
Your address(es) affected by this application

Irene Pickhardt
Signature

Date

Daytime Telephone: 512-463-9566

Comments: Our neighborhood association has tried to reach out to applicant, but have not been able to find a time to communicate.

I ask for a postponement.

We have no date on parking and other matters.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Mark Graham

P. O. Box 1088

Austin, TX 78767-8810

Graham, Mark

From: the Pickhardts <pickhardts@yahoo.com>
Sent: Sunday, January 26, 2020 2:41 PM
To: Graham, Mark
Subject: Withdraw concerns about C14-2019-063

*** External Email - Exercise Caution ***

Mr. Graham,

I sent in a protest against the rezoning of 3405 Glenview. I would like to withdraw that protest.

Thank you,

Irene Pickhardt

CAUTION:This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to CSIRT@austintexas.gov.

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Case Number: C14-2019-0163
Contact: Mark Graham, 512-974-3574
Public Hearing: January 28, 2020, Planning Commission
February 20, 2020, City Council

Your Name (please print) Shannon Dowell

I am in favor
 I object

Your address(es) affected by this application 1512 W. 35th Street cutoff #108 - 78731

Signature [Signature] Date 1/18/20

Daytime Telephone: _____

Comments: _____

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Mark Graham
P. O. Box 1088
Austin, TX 78767-8810