

ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0074 1804 Ulit Avenue

P.C. DATE: October 27, 2020

ADDRESS: 1804 Ulit Avenue

AREA: 0.139 acres (5,702 square feet)

DISTRICT AREA: 1

OWNER: Four Caddy LLC (Stephen DiMarco)

APPLICANT: Drenner Group LP (Amanda Swor)

ZONING FROM: P-NP TO: NO-CO-NP

SUMMARY STAFF RECOMMENDATION:

The Staff's recommendation is to grant NO-CO-NP as requested, which includes the following conditions:

- A. 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 500 trips per day.
- B. The following uses are not permitted uses of the Property: Community events, Communication services facilities, Congregate living, Counseling services, Residential treatment

PLANNING COMMISSION RECOMMENDATION: October 27, 2020: Approved
on the consent agenda. Vote: 11-0.

CITY COUNCIL DATE:

November 12, 2020:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

PHONE: 512-974-2122

ISSUES:

The subject property is the former home of the Ulit Avenue Missionary Baptist Church congregation; the 2,649 square foot church building remains. In 2013-2014 the congregation left this location and constructed a new church at 5415 East Martin Luther King, Jr. Boulevard. The property was sold to the current owner in 2016 and the building was used as Administrative/business offices for several years. This use is a nonconforming use under Section 25-2-624 of City Code because it is not related to a civic/public service. The Administrative/business tenant recently moved out and the owner wishes to find a new office tenant for the existing building. ***Please see Exhibit C- Applicant Letter.***

DEPARTMENT COMMENTS:

As stated above, the subject property is the former home of the Ulit Avenue Missionary Baptist Church congregation and is located on the west side of Ulit Avenue between East 18th Street and East Martin Luther King, Jr. Boulevard. Most of the other properties along this block are zoned SF-3-NP and developed with single family residential. One property across Ulit Avenue to the northeast is zoned P-NP and is used for religious assembly. ***Please see Exhibits A and B- Zoning Map and Aerial Map.***

Staff recommends the requested rezoning change. Public (P) zoning is intended as follows:

§ 25-2-624 - PUBLIC (P) DISTRICT USES.

(A) In a public (P) district, the following are permitted uses:

- (1) governmental, civic, public service, and public institutional uses;
- (2) residential uses associated with educational, military, medical, or similar public uses;
- (3) commercial or industrial uses that are accessory to or in support of a principal public use on the same site;
- (4) agricultural uses; and
- (5) temporary uses.

(B) A telecommunication tower use is a permitted or conditional use, as determined in accordance with Section 25-2-839 (Telecommunication Towers).

Based on these code requirements, there are very few land use options in P zoning. Neighborhood office (NO) allows the possibility of limited office development on the property utilizing the existing church building.

BASIS OF RECOMMENDATION

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

City Code states:

“Neighborhood office (NO) district is the designation for a small office use that serves neighborhood or community needs, is located in or adjacent to a residential neighborhood and on a collector street that has a width of 40 feet or more, and does not unreasonably affect traffic. An office in a NO district may contain not more than one use. Site development regulations applicable to a NO district use are designed to preserve compatibility with existing neighborhoods through renovation and modernization of existing structures.”

2. *Zoning should allow for reasonable use of the property.*

P-NP zoning allows a very limited number of possible land uses which must be civic in nature. NO-CO-NP would allow low intensity use of the existing 2,649 square foot building.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	P-NP	former Religious assembly, now vacant
<i>North</i>	SF-3-NP	Single family residential

<i>South</i>	SF-3-NP	Single family residential
<i>East</i>	SF-3-NP, P-NP	Single family residential, Religious assembly
<i>West</i>	SF-3-NP	Single family residential

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2014-0006 1805 & 1807 Ulit Ave.	P-NP to SF-3-NP	2/25/2014: To grant SF-3-NP as recommended, on consent	3/27/2014: To grant SF-3-NP as rec on consent

NEIGHBORHOOD PLAN AREA: ChestnutTIA: Not requiredWATERSHED: Boggy CreekEXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	ASMP Required ROW	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Ulit Avenue	46' (varies)	27'	Existing	ASMP 1	No	No	Yes

NEIGHBORHOOD ORGANIZATIONS:

Rodgers Washington Holy Cross	East Austin Conservancy
Del Valle Community Coalition	MLK JR. TOD Staff Liason (COA)
Austin Neighborhoods Council	Friends of Austin Neighborhoods
Neighborhood Empowerment Foundation	Neighbors United for Progress
Chestnut Addition Neighborhood Assoc.	Bike Austin
SEL Texas	Sierra Club, Austin Regional Group
Homeless Neighborhood Association	Austin ISD
Anberley Airport Association	Chestnut Neighborhood Revitalization Corporation
Chestnut Neighborhood Plan Contact Team	Rosewood Neighborhood Plan Contact Plan Team

ADDITIONAL STAFF COMMENTSTransportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies existing right-of-way as sufficient for Ulit Avenue. The traffic impact analysis should be deferred to the time of site plan application when land uses and intensities will be known.

TR1. Existing Street Characteristics:

Name	ROW	Pavement	ASMP Required ROW	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Ulit Avenue	46' (varies)	27'	Existing	ASMP 1	No	No	Yes

Site Plan

SP 1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. SP 2. The site is subject to compatibility standards. Along all property lines, the following standards apply: a. No structure may be built within 25 feet of the property line. b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line. c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line. d. No parking or driveways are allowed within 25 feet of the property line. e. A landscape area at least 25 feet wide is required along 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. SP 3. Additional design regulations will be enforced at the time a site plan is submitted

Environmental

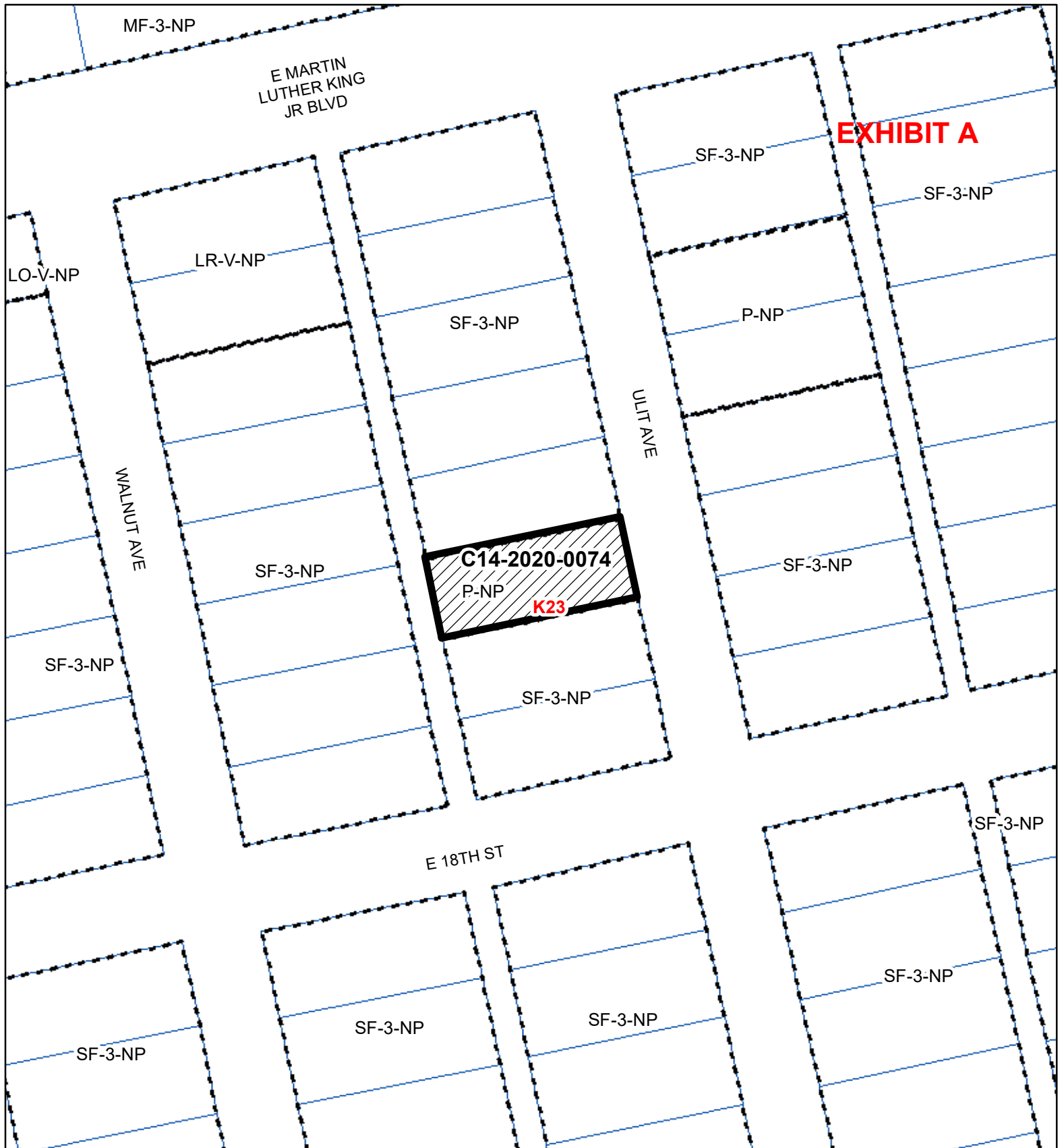
1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits 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.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Water and Wastewater

FYI: The landowner intends to serve the site with City of Austin water utilities. There is currently no public wastewater service available to this tract. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. 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 fees once the landowner makes an application for Austin Water utility tap permits.

INDEX OF EXHIBITS TO FOLLOW

- A. Zoning Map
- B. Aerial Exhibit
- C. Applicant Letter



1804 Ulit Avenue



C14-2020-0074



Creek Buffers



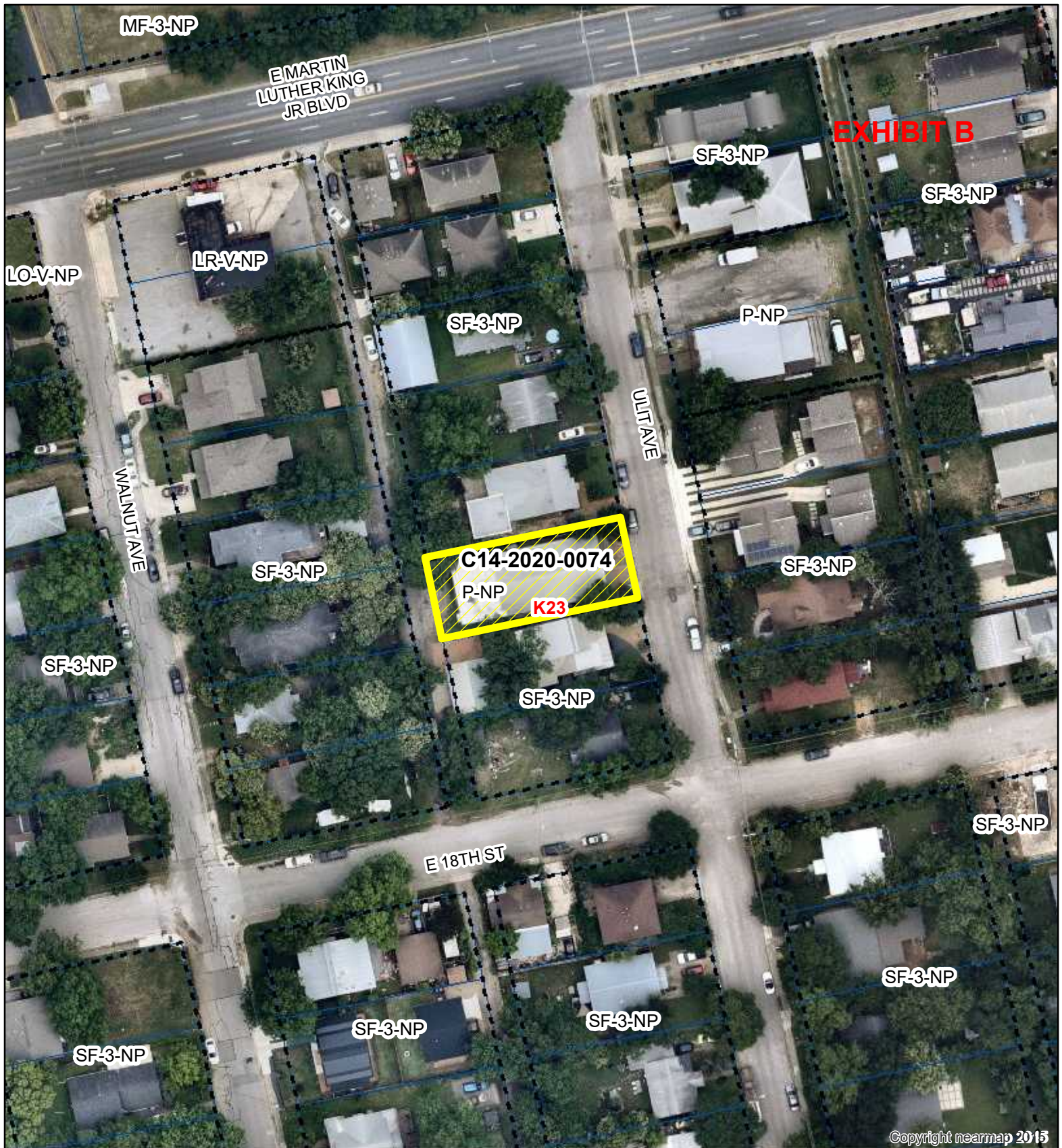
ZONING BOUNDARY

ZONING CASE#: C14-2020-0074
 LOCATION: 1804 Ulit Avenue
 SUBJECT AREA: .1309 Acres
 GRID: K23
 MANAGER: Heather Chaffin



1" = 75'

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.



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Amanda W. Swor
aswor@drennergroupp.com
512-807-2904

DRENNER GROUP

EXHIBIT C

October 21, 2020

Ms. Denise Lucas
Planning and Zoning Department
City of Austin
505 Barton Springs Road
Austin, TX 78704

Via Electronic Delivery

Re: 1804 Ulit Avenue – Zoning and Neighborhood Plan Amendment application for the approximately 0.1309-acre property located at 1804 Ulit Avenue in Austin, Travis County, Texas (the “Property”)

Dear Ms. Lucas:

As representatives of the owner of the Property, we respectfully submit the enclosed zoning and Neighborhood Plan Amendment (NPA) application packages. The project is titled 1804 Ulit Avenue, consists of 0.1309 acres, and is located on the west side of Ulit Avenue, approximately 260 feet south of the intersection of East Martin Luther King Jr. Boulevard and Ulit Avenue. The Property is currently developed with a 2,649 SF one story church building that has been used as office space since September 26, 2016.

The Property is currently zoned P-NP, Public-Neighborhood Plan. The requested rezoning is from P-NP to NO-CO-NP (Neighborhood Office – Conditional Overlay – Neighborhood Plan) zoning district. Following discussion with the Neighborhood Plan Contact team, the applicant proposes to add the following conditional overlay:

- A. 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 500 trips per day.
- B. The following uses are not permitted uses of the Property:
 - Community events
 - Communication services facilities
 - Congregate living
 - Counseling services
 - Residential treatment

The Property was annexed on or before March 14, 1946 and is currently developed with a structure that was originally a church that appears to have been built in 1956. The purpose of this rezoning request is to maintain the current office use that has been operating in the existing structure.

October 21, 2020

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The Property is located in the Chestnut Neighborhood Planning Area and has a Future Land Use Map (FLUM) designation of Civic therefore, a Neighborhood Plan Amendment is required to be submitted. We have worked with the Chestnut Neighborhood Planning Contact Team and received the attached letter of support mirroring the proposed conditions in the proposed conditional overlay dated June 29, 2020. The requested change to the FLUM is from Civic to Office.

A Traffic Impact Analysis ("TIA") is not required per the attached TIA determination form dated June 26th, 2020 and executed by Amber Mitchell.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,

A handwritten signature in blue ink that reads "Amanda Swor". The signature is fluid and cursive, with the first name "Amanda" and last name "Swor" clearly distinguishable.

Amanda W. Swor

cc: Joi Harden, Planning and Zoning Department (*via electronic delivery*)
Heather Chaffin, Planning and Zoning Department (*via electronic delivery*)