

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-11
AGENDA DATE: Thu 04/28/2005
PAGE: 1 of 1**

SUBJECT: C14-04-0149.39– Old West Austin Neighborhood Plan rezoning at 1202 Shelley Avenue - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1202 Shelley Avenue (Town Lake Watershed) from multi-family residence medium density - neighborhood plan (MF-3-NP) combining district zoning to family residence - neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence – neighborhood plan (SF-3-NP) combining district zoning. Applicant: Brian Pape & Paige Frederick. Agent: City of Austin Neighborhood Planning and Zoning Department. Staff: Thomas Bolt, 974-2755.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0149.39

P.C. DATE: January 25, 2005

CITY COUNCIL: April 28, 2005

ADDRESS: 1202 Shelley Ave

OWNER/APPLICANT: Brian Pape & Paige Frederick

AGENT: City of Austin, NPZD
Thomas Bolt

ZONING FROM: MF-3-NP

TO: SF-3-NP

AREA: N/A

SUMMARY STAFF RECOMMENDATION: Approve the rezoning from multi-family residence district, neighborhood plan combining area (MF-3-NP) to family residence, neighborhood plan combining district (SF-3-NP)

PLANNING COMMISSION RECOMMENDATION:

APPROVE SF-3-NP BY CONSENT: VOTE: 8-0 (JMC-1st, CG-2nd)

ISSUES: N/A

DEPARTMENT COMMENTS:

The Old West Austin Neighborhood Plan approved by the City of Austin City Council on included a recommendation and action item to allow and support the down-zoning of all single family use properties from Multi-family zoning districts to Single-Family district.

The plan provided that the property owners should initiate these rezoning. The Old West Austin Neighborhood Association canvassed the Neighborhood Plan Area resulting in several requests by property owners to down zone their individual properties.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-3-NP	Single family residence
<i>North</i>	MF-3-NP	Single family residence
<i>South</i>	MF-3-NP	Single family residences
<i>East</i>	MF-3-NP	Single family residences
<i>West</i>	MF-3-NP	Single family residences

PLAN AREA: Old West Austin Neighborhood Plan

TIA: N/A

WATERSHED: Town Lake

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

018 Old West Austin Neighborhood Association
173 Old Enfield Homeowners Association
511 Austin Neighborhoods Council
998 West End Alliance

SCHOOLS:

Mathews Elementary
Austin High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-04-0149 - C14-04-0149.47	MF 3-NP & MF-4-NP to SF-3-NP	PENDING	PENDING

RELATED CASES: N/A

ABUTTING STREETS:

Rights-of-way on which the various properties are located are classified either as a local or collector.

CITY COUNCIL DATE: April 28, 2005

ACTION:

ORDINANCE READINGS: 1st

2nd





3rd

ORDINANCE NUMBER:

CASE MANAGER: Thomas Bolt
Thomas.bolt@ci.austin.tx.us

PHONE: 512-974-2755



 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: T. BOLT	  	ZONING CASE #: C14-04-0149.39 ADDRESS: 1202 SHELLEY AVE SUBJECT AREA (acres): N/A	DATE: 04-11 INTLS: SM	CITY GRID REFERENCE NUMBER H23
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STAFF RECOMMENDATION

Approve the rezoning from multi-family residence, neighborhood plan combining area (MF-3-NP) to family residence, neighborhood plan combining district (SF-3-NP)

BACKGROUND

The Old West Austin Neighborhood Plan approved by the City of Austin City Council on included a recommendation and action item to allow and support the down-zoning of all single family use properties from Multi-family zoning districts to Single-Family district.

The plan provided that the property owners should initiate these rezoning. The Old West Austin Neighborhood Association canvassed the Neighborhood Plan Area resulting in several requests by property owners to down zone their individual properties.

The Old West Austin Neighborhood Plan states under Goal 2(Protect the character of the Neighborhood) Objective 2.2 (Protect current pattern of single-family uses in neighborhood, Action Item 6:

If requested by the property owner, allow voluntary zoning rollback on multi-family zoning (on land that currently has single-family uses), by providing a no-cost zoning rollback. The neighborhood has approximately 340 parcels in single-family use with multi-family zoning. This zoning presents a threat to continued single-family uses,

BASIS FOR RECOMMENDATION

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

This property although zoned multi-family is currently developed and uses as a single-family district use.

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 Old West Austin Homeowners Association for the purpose of seeking support and involvement in the proposed down zoning canvassed the neighborhood. Many property owners within the plan area having a similar situations and are seeking the same SF-3-NP zoning district for their properties

The proposed zoning should be consistent with the goals and objectives of the City Council.

The Old West Austin Neighborhood Plan, approved in 2000 had a specific goal and action item addressing consistency with current use and zoning. This request along with many others within the planning area has similar circumstances. The proposed downzoning is consistent with the Neighborhood Plan Goal #2, Objective 2.2., Action Item 6.

The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission

The City of Austin City Council approved the Old West Austin Neighborhood Plan in which goals and action items addressed support for this request.

Zoning should be consistent with approved and existing residential densities.

The current use of this property is consistent with those permitted in the SF-3-NP district. SF-3-NP district along with the Small Lot Amnesty provision within the plan will allow for secondary units on lots having SF-3-NP zoning.

Rezoning should not contribute to the over zoning of the area.

The proposed zoning seeks to maintain the current mix of both single family, single family with secondary units, and multi-family uses within the Old West Austin Neighborhood Plan area.

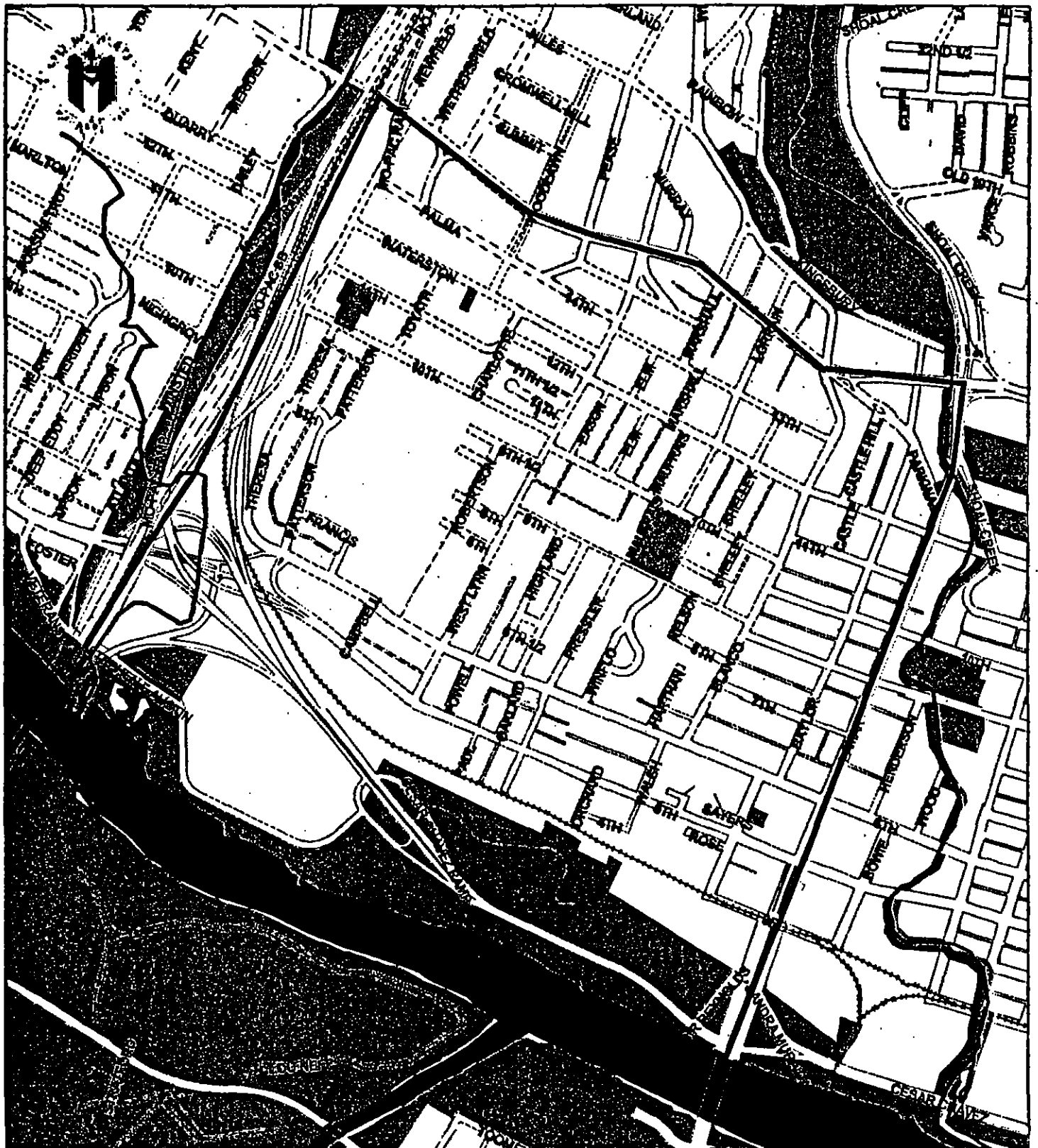
Zoning changes should promote a balance of intensities and densities.

The proposed zoning request will contribute to the ability to support a mix of residential uses within the Neighborhood Plan Area.

EXISTING CONDITIONS

Site Characteristics

The site is generally flat and currently developed with a family residential district use.



Old West Austin Neighborhood Planning Area

 Parks

0.5 0 0.5 Miles





- This map has been produced by the City of London for the sole purpose of giving rough guidance and is not warranted for any other use. In particular, it draws attention to one-way streets.

[illegible]

38 Rezoning: C14-04-0149.37 - OWANA 1313 W 91/2 ST
Location: 1313 W 91/2 ST, TOWN LAKE Watershed, Old West Austin
NPA
Owner/Applicant: Charles Price
Agent: COA
Request: Rezone from MF-4-NP to SF- 3-NP
Staff Rec.: RECOMMENDED
Staff: Rezoning, 974-2755, Thomas.Bolt@ci.austin.tx.us
Neighborhood Planning & Zoning

MOTION: APPROVE BY CONSENT

VOTE: 8-0 (JMC-1st, CG-2nd)

39 Rezoning: C14-04-0149.38 - OWANA 1804 WATERSTON
Location: 1804 WATERSON AVE, TOWN LAKE Watershed, Old West
Austin NPA
Owner/Applicant: Amelia Boatright
Agent: COA
Request: Rezone from MF-3 - NP to SF-3-NP
Staff Rec.: RECOMMENDED
Staff: Rezoning, 974-2755, Thomas.Bolt@ci.austin.tx.us
Neighborhood Planning & Zoning

MOTION: APPROVE BY CONSENT

VOTE: 7-0 (JMC-1st, CG-2nd; DS- RECUSED)

40 Rezoning: C14-04-0149.39 - OWANA 1202 SHELLEY
Location: 1202 SHELLEY AVE, TOWN LAKE Watershed, Old West
Austin NPA
Owner/Applicant: Brian Pape & Paige Federick
Agent: COA
Request: Rezone from MF-3 - NP to SF-3-NP
Staff Rec.: RECOMMENDED
Staff: Rezoning, 974-2755, Thomas.Bolt@ci.austin.tx.us
Neighborhood Planning & Zoning

MOTION: APPROVE BY CONSENT

VOTE: 8-0 (JMC-1st, CG-2nd)

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1202 SHELLEY AVENUE IN THE OLD WEST AUSTIN NEIGHBORHOOD PLAN AREA FROM MULTIFAMILY RESIDENCE MEDIUM DENSITY-NEIGHBORHOOD PLAN (MF-3-NP) COMBINING DISTRICT TO FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-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-medium density-neighborhood plan (MF-3-NP) combining district to family residence-neighborhood plan (SF-3-NP) combining district on the property described in Zoning Case No. C-4-04-0149.39 on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 11, Block G, Outlot 7, Division 2, Shelley Heights Addition, Original City of Austin, as more particularly described in a Warranty Deed of record in Document No. 2000099663, Official Public Records of Travis County, Texas, (the "Property")

locally known as 1202 Shelley Avenue, in the Old West Austin neighborhood plan area, and generally identified in the map attached as Exhibit "A".

PART 2. Except as otherwise provided in this ordinance, the Property is subject to Ordinance No 020926-26 that established the Old West Austin neighborhood plan combining district.

PART 3. This ordinance takes effect on _____, 2005.

PASSED AND APPROVED

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§
§

_____, 2005

Will Wynn
Mayor

APPROVED:

ATTEST:

David Allan Smith
City Attorney

Shirley A. Brown
City Clerk

