

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2010-0079 Fruth House

**P. C. DATE:** 07-13-10

**ADDRESS:** 3500 Speedway

**AREA:** 0.128 acres

**APPLICANT:** Pamela Morris

**AGENT:** Karen McGraw Architect (Karen McGraw)

**NEIGHBORHOOD PLAN AREA:** Central Austin Combined, North University

**CAPITOL VIEW:** No

**T.I.A.:** No

**HILL COUNTRY ROADWAY:** No

**DESIRED DEVELOPMENT ZONE:** Yes

**WATERSHED:** Waller Creek

**ZONING FROM:** MF-1-H-NCCD-NP – Multi-Family Residence Limited Density, Historic, Neighborhood Conservation Combining District, Neighborhood Plan.

**ZONING TO:** MF-1-H-NCCD-NP – Multi-Family Residence Limited Density, Historic, Neighborhood Conservation Combining District, Neighborhood Plan.

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends MF-1-H-NCCD-NP – Multi-Family Residence Limited Density, Historic, Neighborhood Conservation Combining District, Neighborhood Plan with an amendment to the NCCD that changes the site development regulations for tract number SD-870A. The following shall apply to tract number SD-870A, in “Part 8. Speedway District” of Ordinance #040826-58:

1. The required lot size shall be 5,600 square feet.
2. The street yard setback shall be 17 feet.
3. The rear setback shall be 5 feet.
4. The parking requirement shall be 2 spaces.
5. A street side yard driveway for a two-family use is permitted
6. An attic space may be considered exempt if it is at least 35% under 7’ in height.

### **PLANNING COMMISSION RECOMMENDATION:**

### **DEPARTMENT COMMENTS:**

The request is to amend the North University Neighborhood Conservation Combining District (Ord. #040826-58) in order to construct a garage apartment on Tract SD-870A, also known as 3500 Speedway. This structure was rehabilitated to its original condition and was granted “Historic” zoning by case number C14H-04-0004 in 2004. The owner has expressed a desire to construct a small garage apartment at the rear of the structure. The owner has presented the request to the North University Neighborhood Association which voted to support the owner’s request (letter attached). The owner also conferred with the neighbors to the north and west, which abut the subject property. Both of these owners support the request as well (letter attached).

**BASIS FOR RECOMMENDATION:**

- Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

This property is located in a multifamily zoning district and the addition of the garage apartment will offer an affordable option in the area.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	MF-1-H-NCCD-NP	Single Family
<b>NORTH</b>	MF-1-H-NCCD-NP	Single Family
<b>SOUTH</b>	MF-1-H-NCCD-NP	Multifamily
<b>EAST</b>	MF-1-H-NCCD-NP	Multifamily
<b>WEST</b>	MF-4-H-NCCD-NP	Single Family

**CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-01-0046	Hyde Park NCCD	Approved NCCD [Vote: 8-0]	Approved NCCD [Vote: 5-2]

**NEIGHBORHOOD ORGANIZATION:**

- Homeless Neighborhood Assn.
- Hyde Park Neighborhood Assoc.
- Hyde Park homeowner's Assoc.
- CANPAC
- North University Neighborhood Assoc.
- Austin Neighborhood Council

**SCHOOLS:**

Lee Elementary School  
Kealing Middle School  
McCallum High School

**SITE PLAN:**

The proposed "two-family" dwelling is assumed to be similar to a duplex. Any new development with more than 2 units will require a site plan to make any modifications to the site.

**ENVIRONMENTAL:**

- The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller 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. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. 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.
4. According to flood plain maps, there is no flood plain within the project area.
5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**TRANSPORTATION:**

No additional right-of-way is needed at this time.

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]

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Speedway	60'	40'	Collector	Yes	5, IM, FW	Yes
W. 35th Street	60'	27'	Local	Yes	No	Yes

**CITY COUNCIL DATE:** August 19<sup>th</sup>, 2010

**ACTION:**

**ORDINANCE READINGS:**

1<sup>ST</sup>

2<sup>ND</sup>

3<sup>RD</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)

**PHONE:** 974-7691

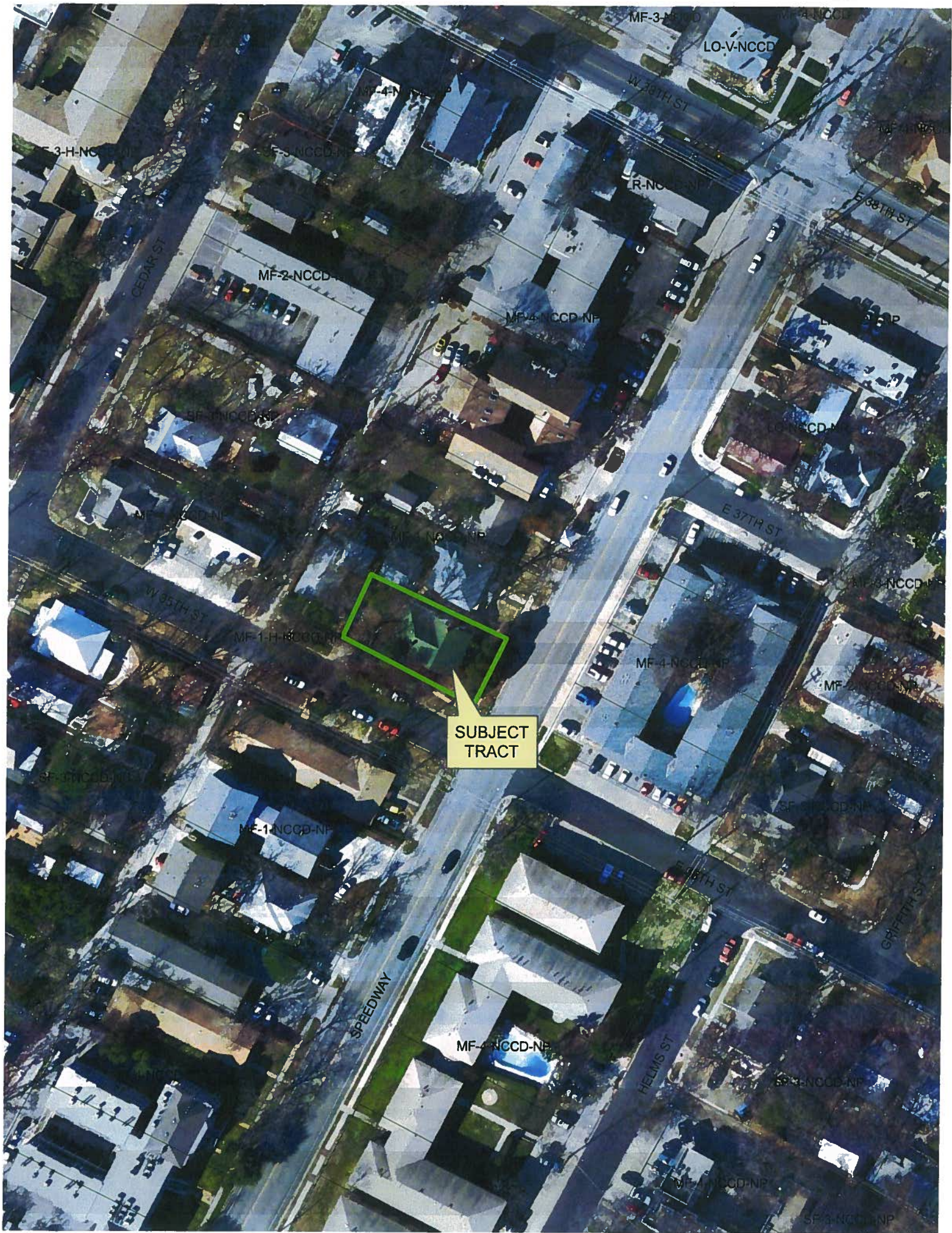


ZONING CASE#: C14-2010-0079  
LOCATION: 3500 SPEEDWAY  
SUBJECT AREA: 0.128  
GRID: J 25  
MANAGER: CLARK PATTERSON



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.







# NORTH UNIVERSITY NEIGHBORHOOD ASSOCIATION

www.nuna-austin.org



June 18, 2010

Mr. Clark Patterson  
City of Austin Planning and Development Review Department  
P.O. Box 1088  
Austin, TX 78767

Re: Case #C14-2010-0079, 3500 Speedway

Dear Mr. Patterson:

We are delighted to recommend to your office a two family addition in our North University NCCD. Over the last three months, members of the Executive Committee and the North University Neighborhood Planning Team have met several times with the applicant and their architect Karen McGraw. They have presented and adjusted a project that addresses all concerns raised during our review.

We find that the project as presented is entirely appropriate for the area and consistent with the goals of the NCCD subdistrict in which it resides.

The Historic Landmark Commission's Certificate of Appropriateness Committee had a favorable first review of the project. We agree that the structure is compatible and appropriate with the historically zoned Fruth House, which is the primary use.

Therefore, the NUNA General Membership at its June 14, 2010 meeting voted to endorse an amendment to the NCCD, city ordinance 20040826-058 Part 8. Speedway District:

For the property at 3500 Speedway, the following applies for a two-family use:

- 1) The required lot size is 5,600 square feet;
- 2) The street side yard setback is 17 feet;
- 3) The rear setback is 5 feet;
- 4) The parking requirement is 2 spaces;
- 5) A street side yard driveway for a two-family use is permitted; and
- 6) An attic space may be considered exempt if it is at least 35% under 7' in height.

As the sponsoring entity for the NCCD, we take our stewardship of this ordinance as a serious responsibility. The resolution included a sense that this amendment is unique to the property. It is an exceptional case in which precedent is not established. This was a posted action item, and notice was given through the distribution of 1200 newsletters prior to the meeting.

Please do not hesitate to contact me with any questions. I can be reached at 750-7852.

Very truly yours,

Laurence Miller  
President

cc: North University NPT  
Executive Committee

LM:sm



Scott Thomas and Maria Orozova  
102 W. 35<sup>th</sup> Street  
Austin, Texas 78705  
512-466-2551

Pam Bell and Rice Jackson  
3500 Speedway  
Austin, Texas 78705

Dear Pam & Rice,


We have reviewed your plans for the garage apartment addition and support and approve of them. We know you need garage space and we have no problem with the small efficiency dwelling above. We understand that there are several issues regarding the City Zoning codes and we support the changes needed to allow your project as follows:

- 1) Lot size – amend the required lot size for two-family use from 7,000 square feet to 5,600 square feet, which is the size of your lot.
- 2) Street side yard setback – the required averaged setback would be approximately 23' and we support your request for 17'. This will place your porch at approximately 12' from the 35<sup>th</sup> Street property line.
- 3) Rear setback – standard code is 10' but since our setback to your lot is a side yard and requires only 5' we support your request for 5'.
- 4) Parking – the requirement for two-family use is 3 spaces and we support your request for 2 spaces.
- 5) Street side yard driveway. Should the city interpret that you are not allowed to access the garage from 35<sup>th</sup> Street, we support a change to that requirement since you do not have alley access and your home fronts on Speedway.

We have seen your plans and support the design with the agreement that any windows abutting our east property line will have a sill height of at least 6' above the finished floor.

Yours truly,

  
\_\_\_\_\_  
Scott Thomas

  
\_\_\_\_\_  
Maria Orozova

4-23-10

\_\_\_\_\_  
Date

4-23-10

\_\_\_\_\_  
Date

SCANNED