

**PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT
REVIEW SHEET**

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CASE NUMBER: SPC-2010-0083DST **PLANNING COMMISSION**
HEARING DATE: August 24, 2010

PROJECT NAME: 1507 E Cesar Chavez Parking Lot

ADDRESS: 1507 E. Cesar Chavez

NEIGHBORHOOD PLAN: East Cesar Chavez

APPLICANT: Sabre Chavez Partners, LLC (Matthew Lutz) (512) 499-8300
1711 E. Cesar Chavez W 6th St.
Austin, TX 78701

AGENT: MFH Engineering (Martha Mangum) (512) 477-3713
5807 Highland Pass
Austin, TX 78731

CASE MANAGER: Donna Galati Phone: 974-2733
donna.galati@ci.austin.tx.us

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit to construct an 16-space parking lot at 1507 E Cesar Chavez. The parking lot is to serve the adjacent property, an Administrative/Office building located at 1519 E Cesar Chavez. Because the parking is on an adjacent tract, it is considered off-site parking. Off-site parking is a Conditional Use according to the Conditional Overlay of the zoning ordinance, 001214-20.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit for off-site accessory parking. The parking will serve the administrative/office building immediately adjacent to the parking lot. The site plan complies with all requirements of the Land Development Code including Compatibility Standards.

PROJECT INFORMATION

SITE AREA	6,273 square feet	0.144 acres
EXISTING ZONING	CS-MU-CO-NP	
WATERSHED	Town Lake (Urban)	
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance (Urban)	
TRAFFIC IMPACT ANALYSIS	Not required	
CAPITOL VIEW CORRIDOR	None	
PROPOSED ACCESS	E. Cesar Chavez (entrance) Ally (exit)	
	Allowed/Required	Existing
FLOOR-AREA RATIO	2:1	0
BUILDING COVERAGE	95%	0
IMPERVIOUS COVERAGE	95%	17.6%
PARKING for 1519 E Cesar Chavez	17	1 ADA on site
		16 off-site at 1507 E Cesar Chavez

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SUMMARY COMMENTS ON SITE PLAN:

The proposed off-site accessory parking lot is located at a currently vacant lot. The applicant is proposing to pave this tract for a parking lot to serve the adjacent administrative/office building. The lot is zoned CS-MU-CO-NP. Ordinance No. 001214-20 established the zoning and conditional overlay for the site for the East Cesar Chavez Neighborhood Plan, which provides that off-site accessory parking is a conditional use on this tract. This is considered off-site parking because the administrative/office building is on a separate tract than the proposed parking lot.

COMPATIBILITY

The single family houses to the south of the proposed parking lot are screened with a 6-foot wooden fence, and would otherwise be a permitted use within the CS zoning district. This lot is 53-feet wide, and according to Compatibility Standards, Design Regulations (LDC 25-2-1067-H), the minimum required setback for a driveway is 1-foot and the minimum required setback for parking is 6-feet. The driveway is proposed 17-feet from the residential uses to the South and the parking is proposed 21-feet from the nearest residential property. All compatibility setbacks and standards are met.

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO-NP	Off-site accessory parking lot
<i>North</i>	E Cesar Chavez, then CS-MU-V-CO-NP	Car Sales/ Bar & Grill
<i>South</i>	SF-3-NP	Single Family
<i>East</i>	CS-MU-CO-NP	Administrative/Office Building (to use the parking)
<i>West</i>	CS-MU-V-CO-NP	Car Wash

ABUTTING STREETS

Street	Right-of-Way Width	Pavement Width	Classification
E. Cesar Chavez	57 ft	32 ft	Arterial

NEIGHBORHOOD ORGNIZATIONS:

- 6—Barrio Unido Neighborhood Assn.
- 24—East Town Lake Citizens Neighborhood Org.
- 30—Guadalupe Neighborhood Development
- 511—Austin Neighborhoods Council
- 742—Austin Independent School District
- 744—Sentral Plus East Austin Koalition (SPEAK)
- 786—Home Builders Association of Greater Austin
- 972—PODER
- 975—East Cesar Chavez Neighborhood Planning Team
- 1017—East River City Citizens
- 1037—Homeless Neighborhood Assn.
- 1075—League of Bicycling Voters
- 1113—Austin Parks Foundation
- 1189—Tejano Town
- 1200—Super Duper Neighborhood Objectors and Appealers Organization
- 1220—Greater East Austin Neighborhood Assn
- 1223—East Cesar Chavez Neighborhood Assn
- 1224—Austin Monorail Project
- 1225—Christo Rey Neighborhood Association

1228—Sierra Club, Austin Regional Group
1236—The Real Estate Council of Austin, Inc
1258—Del Valle Community Coalition

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CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

The following evaluation is included to provide staff's position on each point of the conditional use permit criteria. Section **25-5-145** of the Land Development Code (**EVALUATION OF CONDITIONAL USE SITE PLAN**) states:

A. The Land Use Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

B. A conditional use site plan must:

1. Comply with the requirements of this title;

Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.

2. Comply with the objectives and purposes of the zoning district;

Staff Response: The proposed off-site parking use is a conditional use in the East Cesar Chavez neighborhood plan zoning ordinance. The CS zoning districts are intended for uses of a service nature that have operating characteristics or traffic service requirements that are incompatible with residential environments. The site is located on East Cesar Chavez and is physically separated from nearby residential uses. Although this is a proposal for off-site parking, the business the parking will serve is adjacent to this site.

3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;

Staff Response: The site plan will comply with all requirements of the Land Development Code. The site plan complies with setback, height, and compatibility requirements.

4. Provide adequate and convenient off-street parking and loading facilities; and

Staff Response: The site plan will create adequate off-street parking and loading for the adjacent administrative/office building.

5. Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.

Staff Response: The site plan will comply with all requirements of the Land Development Code including Compatibility Standards, and reasonably protects the health, safety, and welfare of persons and property.

C. In addition, a conditional use site plan may not:

6. More adversely affect an adjoining site than would a permitted use;

An off-site parking lot use will have no more impact on adjoining properties than other permitted uses in the area which could operate with similar hours, because the parking is to serve the adjacent business.

7. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or

Staff Response: The site plan does not adversely affect the safety and convenience of vehicular and pedestrian circulation, since the parking is to serve the adjacent building.

8. Adversely affect an adjacent property or traffic control through the location, lighting, or type of

a sign. Staff Response: All signs and lighting will comply with the Land Development Code.

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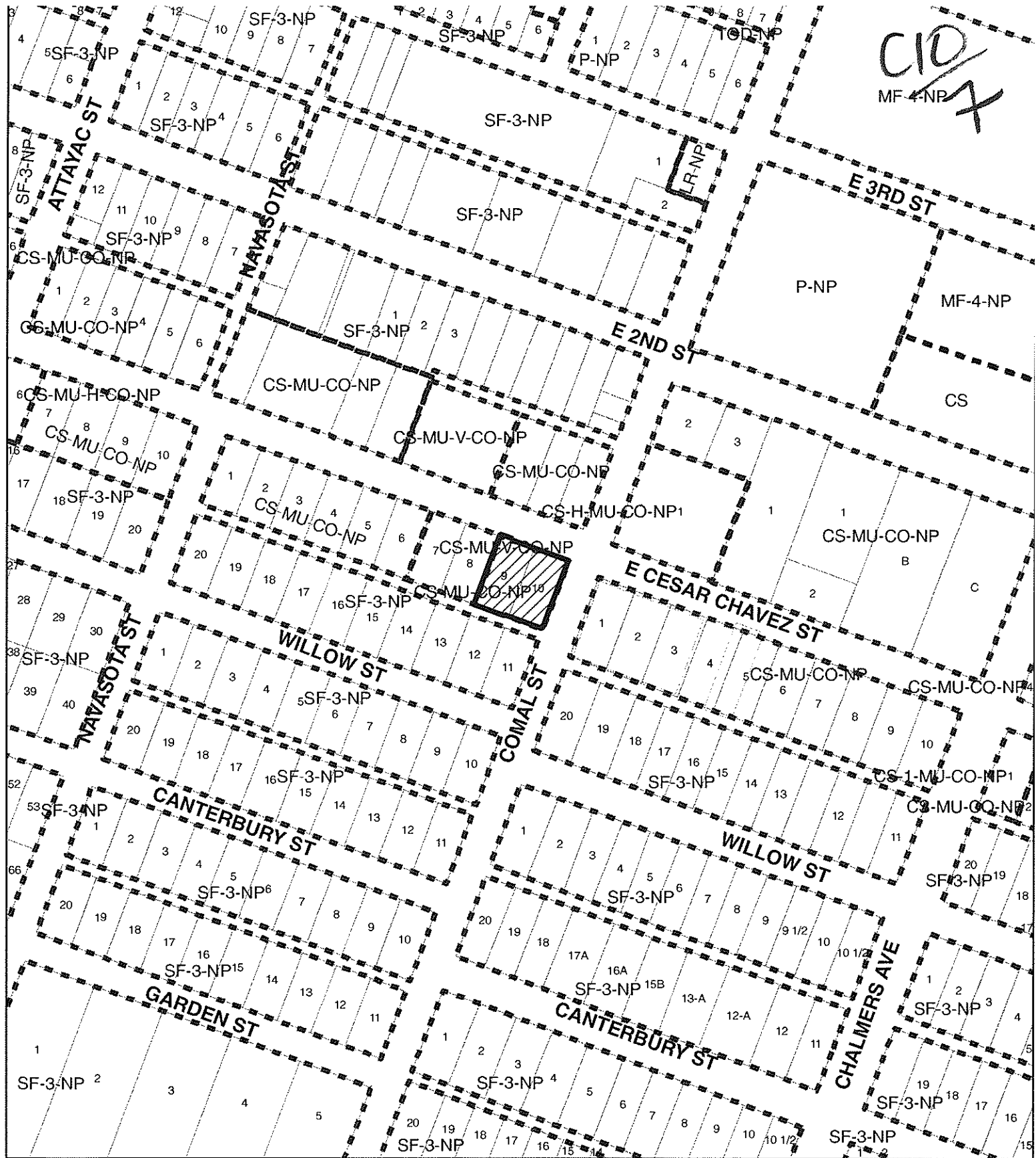
D. A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.

In addition, Sec. **25-5-146 (CONDITIONS OF APPROVAL)** states:

(A) To make a determination required for approval under Section 25-5-145 (Evaluation Of Conditional Use Site Plan), the Land Use Commission may require that a conditional use site plan comply with a condition of approval that includes a requirement for:

- (1) a special yard, open space, buffer, fence, wall, or screen;
- (2) landscaping or erosion;
- (3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;
- (4) signs;
- (5) characteristics of operation, including hours;
- (6) a development schedule; or
- (7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.

MFH Engineering
5627 Highland Place, Austin, Texas 78731
Tel (512) 477-3743
Fax (512) 375-0331



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MF-4-NP
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SITE PLAN



SUBJECT TRACT



ZONING BOUNDARY

CASE#: SPC-2010-0083DST
ADDRESS: 1507 E Cesar Chavez
CASE NAME: 1507 E Cesar Chavez Parking Lot
MANAGER: Donna Galati

OPERATOR: Donna Galati

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



INTERESTED PARTY INFORMATION

Interested parties are specifically defined in section 25-1-131 of the City Code. To view the Code on-line, go to this link:
http://www.amlegal.com/austin_tx/.

Besides the applicant or owner listed in an application, a person can become an interested party if they communicate an interest to the City and if they satisfy at least one of the following criteria: 1) they occupy a primary residence that is within 500 feet of the site of the proposed development; 2) they are the record owner of property within 500 feet of the site of the proposed development; or 3) they are an officer of an environmental or neighborhood organization that has an interest in the site of the proposed development or whose declared boundaries are within 500 feet of the site of the proposed development.

If a person satisfies the criteria to become an interested party, they must communicate an interest by either delivering a written statement to the Land Use Commission conducting the hearing or appearing and speaking for the record at the public hearing. A person may also provide a written statement to the Case Manager or by making telephone contact with the Case Manager. The communication must: 1) generally identify the issues of concern; 2) include the person's name, telephone phone number, and mailing address; and 3) if the communication is by telephone, be confirmed in writing.

Written comments concerning the site plan application may be submitted to the case manager on this form. Comments on a separate form should include the case number and the contact person listed on the notice.

Case Number: SPC-2010-0083DST
Contact: Donna Galati, 974-2733 or Elsa Garza, 974-2308

☒ I am in favor ☐ I object
☐ I meet the requirements for and request to be an interested party

Name (please print) Scott Dieckle Telephone number 512-762-4671

Address(es) affected by this application (Street, City, ZIP Code) 1601 E. Cesar Chavez St. 7208 Austin, TX 78702

Mailing address (Street, City, ZIP Code)

Signature [Signature] Date 7/30/2010

Comments: _____

Mail comment forms to:
City of Austin
Planning and Development Review Department
Attn: Donna Galati
P. O. Box 1088
Austin, TX 78767-1088

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Contact: Donna Galati, 974-2733 or Elsa Garza, 974-2308

☐ I am in favor ☒ I object
☒ I meet the requirements for and request to be an interested party

Name (please print) Shawn Somerville (512) 577-3341
Telephone number

1508 Willow St. Austin TX 78702
Address(es) affected by this application (Street, City, ZIP Code)

same as above
Mailing address (Street, City, ZIP Code)

Donna Galati Signature 8/6/10 Date

Comments: I want to be assured
there will be no light
pollution from this parking lot.
lighting fixtures must have
designed proper cutoff so that
there will be no light trespass
into my back yard.

Mail comment forms to:
City of Austin
Planning and Development Review Department
Attn: Donna Galati
P. O. Box 1088
Austin, TX 78767-1088