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ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0135 / Cristo Rey Catholic Church Lot 6 Rezoning

P.C. PUBLIC HEARING DATE: January 11, 2011
December 14, 2010
November 9, 2010

ADDRESS: 2110 East 2nd Street

OWNER: Cristo Rey Catholic Church (Reverend Jayme Mathias), (512) 477-1099

AGENT: DAVCAR Engineering (Thomas Duvall), (512) 328-4428

ZONING FROM: SF-3-NP **TO:** GO-CO-NP

SITE AREA: 0.1466 acres (6,386 square feet)

SUMMARY STAFF RECOMMENDATION: The staff recommendation is to deny the requested rezoning from SF-3-NP (Family Residence – Neighborhood Plan) combining district zoning to GO-CO-NP (General Office – Conditional Overlay – Neighborhood Plan) combining district zoning.

SUMMARY PLANNING COMMISSION RECOMMENDATION: Pending. This case is scheduled for the Planning Commission meeting of January 11, 2011.

December 14, 2010: Planning Commission approved the postponement request by the applicant; by Consent. [M. DEALEY, S. KIRK 2nd] (6-0) (Commissioners D. CHIMENTI, J. REDDY and A. HERNANDEZ were absent).

November 9, 2010: Planning Commission approved the postponement request by the neighborhood; by Consent. [S. KIRK, M. DEALEY 2nd] (9-0)

DEPARTMENT COMMENTS: The 0.1466-acre site is currently zoned SF-3-NP (Family Residence – Neighborhood Plan) combining district and is located on the northwest corner of East 2nd Street and Robert Martinez Jr. Street. The site lies within the Holly Neighborhood Plan and is bordered by single family zoning and residences to the north and west, single family zoning and a church rectory to the south, and general office zoning and an office across Robert T. Martinez Jr. Street to the east.

The subject property is currently developed with a one-story single family residence and a two-story secondary apartment. The applicant is requesting GO-CO-NP zoning to construct a new parish office on the subject tract. The existing single family residence and secondary apartment which is currently on the property will be relocated to another site. The existing parish office located across Robert Martinez Jr. Street will be removed and redeveloped with parking areas to serve the Cristo Rey Catholic Church that is located at the southeast corner of East 2nd Street and Robert Martinez Streets. The goal of the proposed redevelopment is to improve the parking issues currently experienced by neighborhood residents during church activities.

The staff recommendation is denial of the requested zoning. The proposed zoning and use is not consistent and compatible with the existing zoning and uses in the block containing the subject tract,

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or in the blocks to the north, south and west. Additionally, the Land Use section of the Holly Neighborhood Plan specifically states in Objective 1.5: to preserve existing single family housing throughout the neighborhood. The Plan also emphasizes in Objective 2.3: to restrict incompatible uses in residential areas. The proposed office is not compatible with the adjacent single family residential uses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single-family residence; Secondary Apartment
<i>North</i>	SF-3-NP	Single-family residences
<i>South</i>	SF-3-NP	Rectory (Religious Assembly)
<i>East</i>	GO-CO-NP	Office (Parish Office- Religious Assembly)
<i>West</i>	SF-3-NP	Single-family residences

NEIGHBORHOOD PLAN AREA: Holly Neighborhood Plan

TIA: Is not required

WATERSHED: Town Lake

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

- Guadalupe Neighborhood Development Corporation
- PODER People Organized in Defense of Earth & Her Resources
- Austin Neighborhood Council
- Sentral Plus East Austin Koalition (SPEAK)
- El Concilio Coalition of Mexican American Neighborhood Association
- Barrio Unido Neighborhood Association
- Home Builders Association of Greater Austin
- League of Bicycling Voters
- Austin Parks Foundation
- East River City Citizens
- Homeless Neighborhood Association
- Del Valle Community Coalition
- Greater East Austin Neighborhood Association
- Cristo Rey Neighborhood Association
- United East Austin Coalition
- Austin Monorail Project
- Super Duper Neighborhood Objectors and Appealers Organization
- The Real Estate Council of Austin, Inc.
- Tejano Town
- Sierra Club, Austin Regional Group

SCHOOLS: (AISD)

- Zavala Elementary School
- Martin Middle School
- Eastside Memorial Green Tech High School

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CASE HISTORIES: There are no recent case histories on or surrounding the subject tract.

RELATED CASES: The Holly Neighborhood Plan rezonings were approved by Council on December 13, 2001 (C14-01-0166). A Neighborhood Plan Amendment to change the FLUM designation from Single Family to Office is also in process (NPA-2010-0010.01).

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
E. 2 nd Street	60'	44'	Local	Yes	No	Yes
Robert T. Martinez Jr. Street	54'	36'	Local	Yes	Yes	Yes

CITY COUNCIL DATE:

December 16, 2010

ACTION:

The item was postponed on consent to February 10, 2011 at the staff's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais.

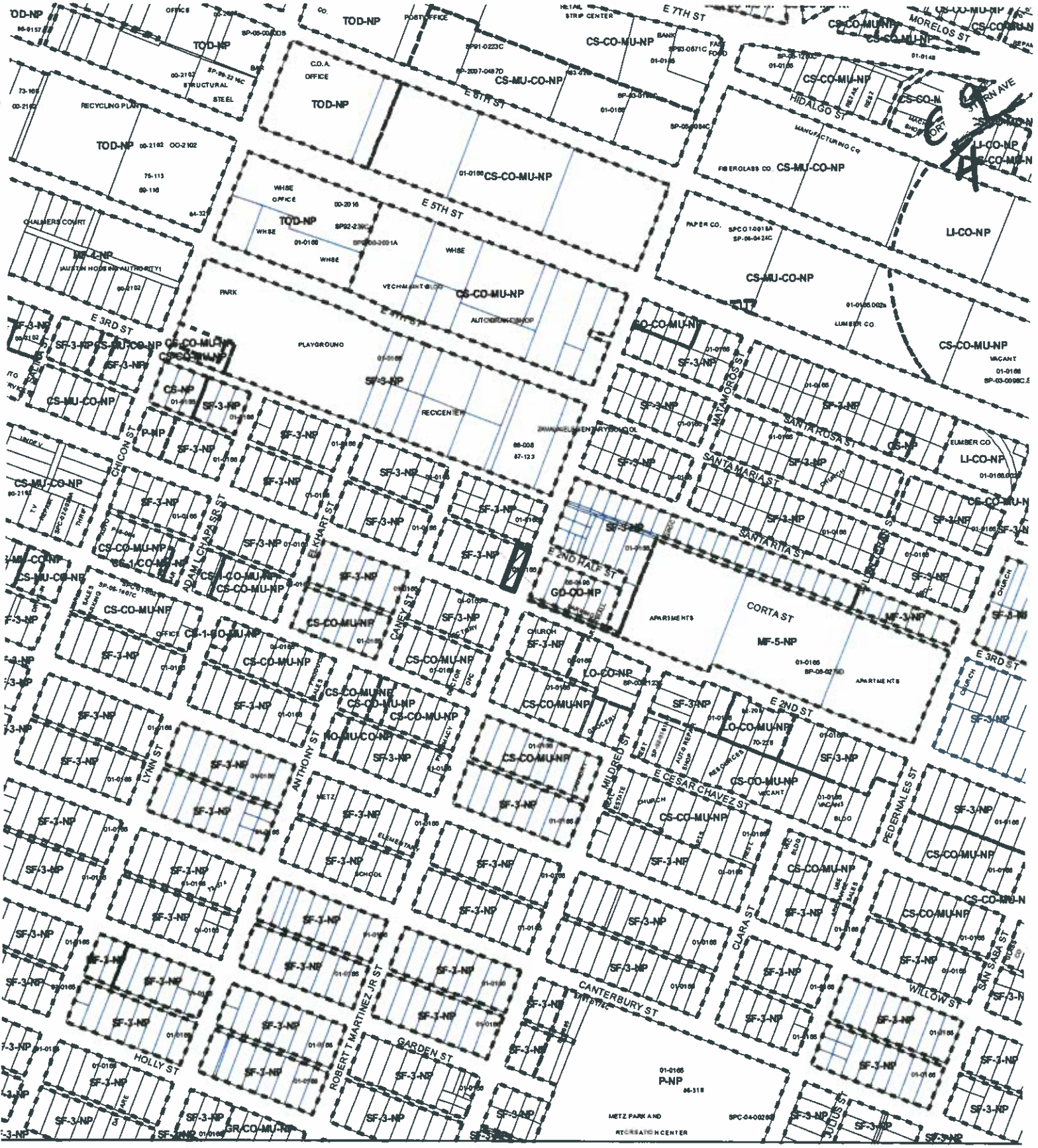
February 10, 2011

ORDINANCE READINGS: 1st 2nd 3rd





ORDINANCE NUMBER:

ZONING CASE MANAGER: Joi Harden

PHONE: 974-2122 **E-MAIL:** joi.harden@ci.austin.tx.us



ZONING

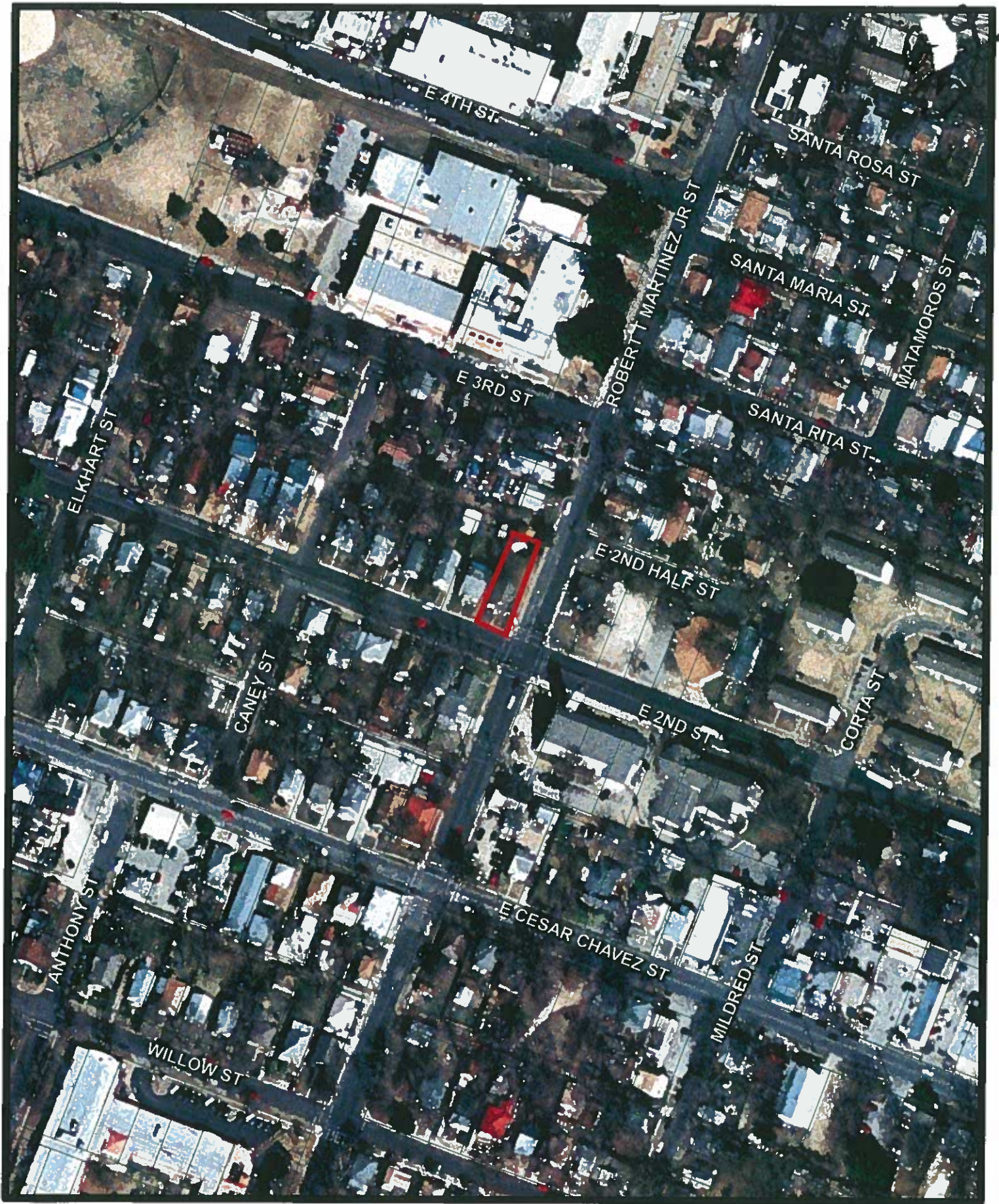
-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING CASE#: C14-2010-0135
 LOCATION: 2110 E 2ND ST
 SUBJECT AREA: 0.1466 ACRES
 GRID: K21
 MANAGER: JOI HARDEN



1" = 400'

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.



**C14-2010-0135 2110 E. 2nd Street
From SF-3-NP to GO-CO-NP**



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SUMMARY STAFF RECOMMENDATION

The staff recommendation is to deny the requested rezoning from SF-3-NP (Family Residence – Neighborhood Plan) combining district zoning to GO-CO-NP (General Office – Conditional Overlay – Neighborhood Plan) combining district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

The proposed zoning and use is not consistent and compatible with the existing zoning and uses in the block containing the subject tract; or in the blocks to the north, south and west. Additionally, the Land Use section of the Holly Neighborhood Plan specifically states in Objective 1.5: to preserve existing single family housing throughout the neighborhood. The Plan also emphasizes in Objective 2.3: to restrict incompatible uses in residential areas.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

The existing SF-3-NP zoning allows for reasonable use of the site while maintaining the character of the surrounding area. The proposed zoning does not promote an orderly and compatible relationship among land uses. The GO – office zoning encroaches into a block of single family residences and zoning.

EXISTING CONDITIONS

Site Characteristics

The subject property is currently developed with a one-story single family residence and a two story secondary apartment. The lot is flat and lightly vegetated.

Impervious Cover

The maximum impervious cover allowed by the GO zoning district would be 80%.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Town Lake 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.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

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.

According to flood plain maps, there is no flood plain within the project area.

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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.

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]

Water and Wastewater

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 the Austin Water Utility for compliance with City criteria. 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.

Site Plan Review

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the west, north, and south property line, the following standards apply:

- No structure may be built within 25 feet of the western property line.
- 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.
- No parking or driveways are allowed within 5 feet of the western 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.

Additional design regulations will be enforced at the time a site plan is submitted.

§ 25-2-1068 Construction Of Parking Lots And Driveways By Civic Uses Prohibited.

- (A) Except as provided by Subsection (B), a parking lot or driveway may not be constructed to serve a civic use described in Section 25-2-6 (Civic Uses Described) if:

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- (1) construction of the parking lot or driveway requires the removal of a single-family residential use; or
 - (2) the civic use provides secondary access from the civic use through a lot.
- (B) Subsection (A) does not apply if at least 50 percent of the property adjoining the lot on which the parking lot or driveway is located is in a townhouse and condominium residence (SF-6) or more restrictive zoning district. Property that adjoins the rear of the lot, property owned by the owner of the civic use, and right-of-way are not considered in making a determination under this subsection.



Oficina del Párroco
Office of the Pastor

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Iglesia Católica de
CRISTO REY
Catholic Church
"Tu Casa"

Personal Parroquial
Parish Staff

Rev. Jayme Mathias
Párroco / Pastor

Rev. Facundo Medina Blanco
Vicario Parroquial / Parochial Vicar

Rev. Señor Agapito López
Diácono / Deacon

Hna. Elizabeth Z. Villanueva, FMA
Ministerios Salesianos / Salesian Ministries

Hna. M. Guadalupe Medina, FMA
Educación Religiosa / Religious Education

Hermilo Jaimes
Compromiso Parroquial / Stewardship

Benito Guerrero, Jr.
Desarrollo / Institutional Advancement

Michele Rodriguez
Administradora / Administrator

Ángeles Godínez
Recepcionista / Receptionist

Rubén Bucio & Tito Camillo
Instalaciones / Facilities

Consejo Pastoral
Pastoral Council

Rigoberto Álvarez
Honorable Cuerpo de Seguridad

Honorio Baraona
Jóvenes Unidos para Cristo Rey

Delia León
Católicos Misioneros

Ester Hernández
Cooperación Salesianos

Elnór & María Palacios
Adoración Nocturna

Manuel & Marisol Pérez
Movimiento Familiar Cristiano

Jesús & Isabel Ramírez
Cristo Renueva Su Parroquia

Yolanda Villanueva
Grupo de Oración

Consejo Financiero
Finance Council

Daniel Camarena
Taquerías Arandas

Ramón Carrasquillo
Carrasquillo Associates

John Chronis
Chronis Interests, L.L.C.

Roy Gómez
Shortstop & Sandy's

Pedro Kaufmann
Piedras, L.L.C.

Hilbert Maldonado
Hil-Bert's Burgers

John McDaniel
Terry McDaniel & Company

Helen Morales
International Bank of Commerce

Barbara Rivera
Internal Revenue Service

December 1, 2010

Dear Members of the Planning Commission of the City of Austin,

I write to respectfully request the postponement of the hearing of our petition to rezone our property at 2110 East Second Street, presently scheduled for December 14. This is our first request for such a postponement, and we do not anticipate submitting a similar request in the future

Mr. Gavino Fernández, Jr. successfully sought the postponement of our hearing before your commission on November 9, on the grounds of desiring additional time to speak with us about the case. It does not seem that we will be able to meet with Mr. Fernández before December 14.

Additionally, with the great amount of activity here in our parish community during the coming weeks and with the travels scheduled by various persons who would like to be present at the hearing before your commission, I write to respectfully request that our case be heard at the next meeting of your commission on January 11.

I thank you in advance for your consideration of this request, and I look forward to speaking with you about the great community support for this project of rezoning 2110 East Second Street.

I can be most directly reached at my direct line (826-0280) or by e-mail at jmathias@craustin.com.

Sincerely,

Rev. Jayme Mathias
Pastor



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Harden, Joi

From: today [REDACTED]
Sent: Friday, November 05, 2010 11:02 AM
To: [REDACTED]; [REDACTED]; [REDACTED];
[REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED];
[REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; Harden, Joi
Subject: Barrio Unido request for postponement of case c14-2010-0135

We the members of Barrio Unido in good standing hereby request a postpopnement of case c14-2010-0135 list on your November 9, 2010 agenda until oyur next scheduled meeting of December 14, 2010. We need additional time to wotk out issues with applicant and have homeowners members out of town untl1 November 12 due to veterans day trip.

Respectfully submitted

Frances Martinez, President Barrio Unido Neighborhood Association
Gavino Fernandez, Jr Vice-President Barrio Unido Neighborhood Association

Thank You