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ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0020 / Andrew A. Bergad

P.C. DATE: April 26, 2011

ADDRESS: 1100 East 8th Street

OWNER/AGENT: Andrew A. Bergad, 303-947-9359

ZONING FROM: LO-H-NP

TO: SF-3-H-NP

SITE AREA: 0.2279 acres (9,927.32 sq. ft.)

SUMMARY STAFF RECOMMENDATION: The staff recommendation is to grant the change from LO-H-NP (Limited Office – Historic Landmark – Neighborhood Plan) combining district zoning to SF-3-H-NP (Family Residence – Historic Landmark – Neighborhood Plan) combining district zoning.

SUMMARY PLANNING COMMISSION RECOMMENDATION: Pending. This case is scheduled for the Planning Commission meeting of April 26, 2011.

ISSUES: The GAIN – Guadalupe Association for an Improved Neighborhood has provided a letter in support of the proposed rezoning which is attached to the back of the staff report.

The Historic Landmark Commission will consider the change in the base zoning district at their meeting scheduled for April 25, 2011.

DEPARTMENT COMMENTS: The 0.2279-acre site is currently zoned LO-H-NP (Limited Office – Historic Landmark – Neighborhood Plan) district and is located on the northeast corner of Waller Street and East 8th Street. The property lies within the Central East Austin Neighborhood Plan and is surrounded by single family residences and zoning to the north, south, and east, and multifamily and single-family zoning and residences to the west.

The subject property is currently developed a two-story brick single-family residence with a gabled roof. It has a full length porch with three chimneys. The applicant wishes to construct a two-family (secondary apartment) unit which is not permitted under the current base zoning of LO (Limited Office). The requested zoning change from LO-H-NP to SF-3-H-NP will allow for the proposed construction.

The staff recommendation is to approve the requested zoning change. The requested rezoning will allow the existing single-family residence to conform to the zoning and allow for the construction of a two-family residence. There are single-family residences and zoning that surround the property to the north, south east and west which allows for this type of development, and the Future Land Use Map (FLUM) shows the site as having single-family land use designation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LO-H-NP	One Single-family residence

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North	SF-3-NP	Single-family residences
South	SF-3-NP	Single-family residences
East	SF-3-NP	Single-family residences
West	MF-3-NP; SF-3-NP	Single-family residences

NEIGHBORHOOD PLAN AREA: Central East Austin Neighborhood Plan

TIA: A traffic impact analysis was not required for this case.

WATERSHED: Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

- Austin Neighborhood Council
- Organization of Central East Austin Neighborhoods (OCEAN)
- Austin Parks Foundation
- Homeless Neighborhood Organization
- Del Valle Community Coalition
- Home Builders Association of Greater Austin
- Central East Austin Neighborhood Planning Area
- ~~League of Bicycling Voters~~
- Guadalupe Development Neighborhood Corporation
- Sierra Club, Austin Regional Group
- Super Duper Neighborhood Objectors and Appealers Organization
- The Real Estate Council of Austin, Inc.
- El Concilio, Coalition of Mexican American Neighborhood Association
- PODER People Organized in Defense of Earth and her Resources
- Austin Monorail Project
- United East Austin Coalition
- Guadalupe Association for an Improved Neighborhood

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

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Average Daily Traffic
E. 8 th Street	50'	30'	Local Street	67 vehicles per day
E. 7 th Street	80'	60'	Major Arterial (MAU 4)	10,550 vehicles per day
E. 9 th Street	50'	30'	Local Street	79 vehicles per day
Waller Street	60'	40'	Collector Street	240 vehicles per day
Lydia Street	Varies	30'	Local Street	401 vehicles per day

- E. 7th Street is classified in the Bicycle Plan as Bike Route No. 52.
- Capital Metro bus service (Route No. 4) is available along E. 7th Street.
- There are existing sidewalks along both sides of E. 7th Street, E. 9th Street, Waller Street and Lydia Street. There are existing sidewalks only along the south side of E. 8th Street.

CITY COUNCIL DATE: May 26, 2011

ACTION: N/A

ORDINANCE READINGS: 1st 2nd 3rd

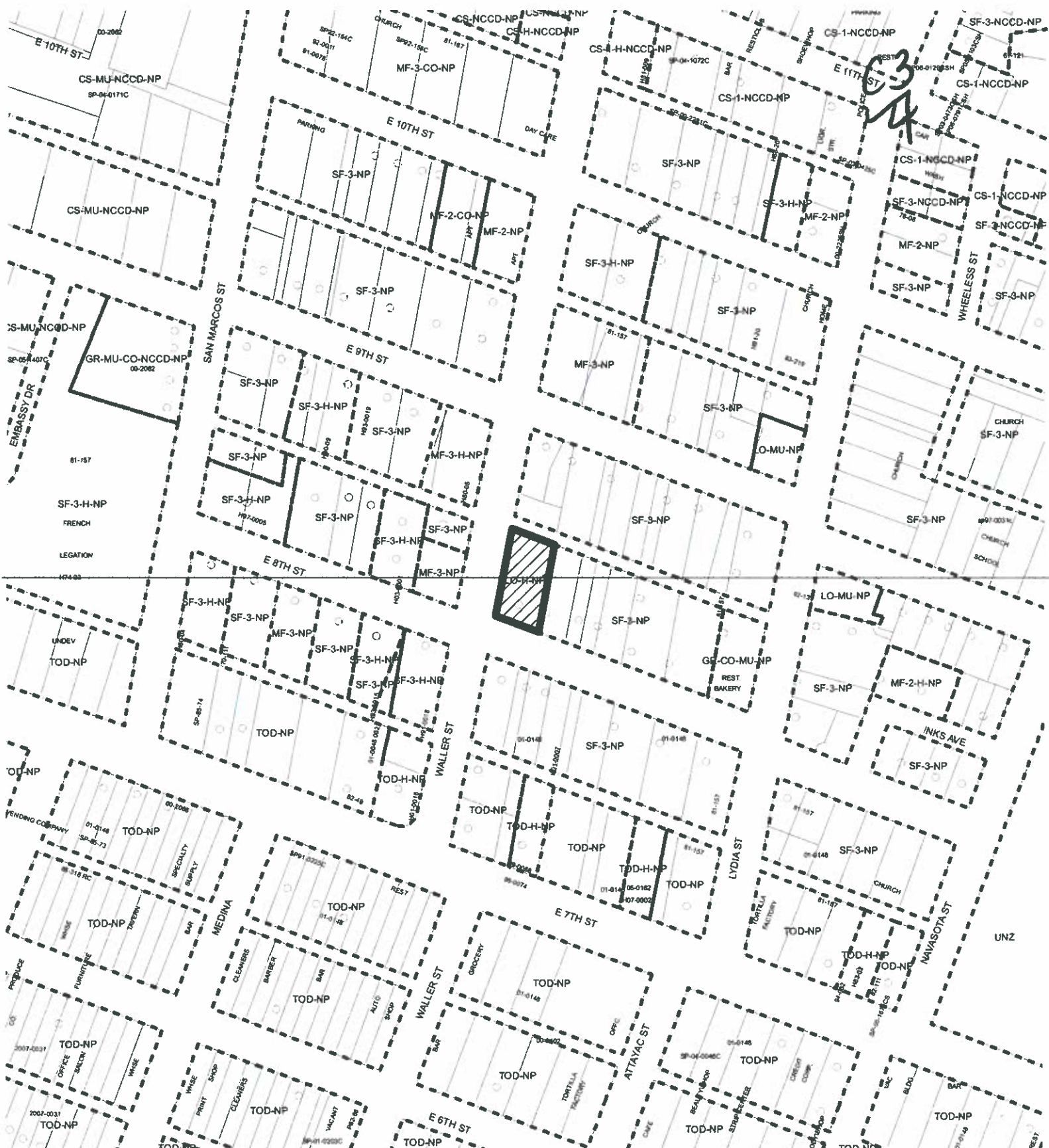
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ORDINANCE NUMBER:

CASE MANAGER: Joi Harden





E-MAIL: joi.harden@ci.austin.tx.us;

PHONE: 974-2122



ZONING

ZONING CASE#: C14-2011-0020
 LOCATION: 1100 E 8TH ST
 SUBJECT AREA: 0.2279 ACRES
 GRID: J22
 MANAGER: JOI HARDEN

-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



1" = 200'

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.



**C14-2011-0020 - 1100 E. 8th ST.
From LO-H-NP to SF-3-H-NP
combining district zoning**



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SUMMARY STAFF RECOMMENDATION

The staff recommendation is to grant the change from LO-H-NP (Limited Office – Historic Landmark – Neighborhood Plan) combining district zoning to SF-3-H-NP (Family Residence – Historic Landmark – Neighborhood Plan) combining district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

SF-3 – Family Residence district is intended as an area for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. Duplex use is permitted under development standards that maintain single-family neighborhood characteristics. This district is appropriate for existing single-family neighborhoods having typically moderate size lot patterns, as well as development of additional family housing areas with minimum land requirements.

The requested rezoning will allow the existing single-family residence to conform to the zoning and allow for the construction of a two-family residence. There are single-family residences and zoning that surround the property to the north, south east and west which allows for this type of development

- 2. *Zoning should be consistent with the proposed Future Land Use Map (FLUM) or adopted neighborhood plan.*

The Future Land Use Map (FLUM) shows 1100 East 8th Street as having single-family land use designation which reflects the intention of staff and the community. The proposed rezoning will be consistent with the FLUM and allow the existing single-family residence to conform.

EXISTING CONDITIONS

Site Characteristics

The subject property is currently developed a two-story brick single-family residence with a gabled roof. It has a full length porch with three chimneys. The lot has a steep slope and many bushes.

Impervious Cover

The maximum impervious cover allowed by the SF-3 zoning district is 45%.

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.

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

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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.

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 is not required for this case because the traffic generated by the proposed down-zoning will 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

No Comments.

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GAIN- Guadalupe Association for an Improved Neighborhood

1111 East 8th Street - Austin, Texas 78702

512-479-6275

February 26, 2011

To Whom It May Concern:

The board of directors and membership of the Guadalupe Association for an Improved Neighborhood (GAIN) met on February 26, 2011 and voted unanimously to support a change in zoning for 1100 East 8th Street, from LO-H-NP to SF-3-H-NP and voted unanimously to support a request for a variance from onsite parking requirements, reducing required spaces from 3 vehicles to 2.

It is our understanding that the owners of the property, Alli Carr and Andy Bergad, intend to construct a secondary garage apartment/studio and have determined that the current zoning of Limited Office does not allow that use. The change in zoning from LO to SF-3 is in accord with the FLUM of the adopted Central East Austin Neighborhood Plan and conforms to the actual use of the property as it has been solely residential for several years. Residents and property owners who attended the meeting and who expressed their views by email were unanimously in support of the change in zoning to Single-Family.

The addition of a secondary apartment requires a total of 3 parking spaces be provided on the site; 2 for the main residence and 1 for the secondary unit. ~~However, the property currently lacks any parking spaces.~~ The new garage apartment will provide 2 spaces, whereas currently there are none. It was noted that the topography and the existence of large trees make it difficult, if not impossible, to provide three parking spaces on that site. Adjacent neighbors, property owners and nearby residents noted that the lot has streets on two sides where additional offsite parking is available. Waller Street, in particular, is wide and provides safe, curbside parking. For these reasons, GAIN directors and members expressed unanimous support for the owners' request for a variance reducing required parking from 3 to 2 spaces.

It is our hope that, because the zoning change is in accord with the FLUM of the adopted neighborhood plan, City staff will be able to schedule the case for the Planning Commission directly after receiving the application rather than requiring the request come from the neighborhood plan contact team, OCEAN. If this is not permissible, GAIN will support the owners request through OCEAN.

Sincerely,



H. Michael Guajardo, President
Guadalupe Association for an Improved Neighborhood