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ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0051 – 6104 South 1st Zoning **Z.A.P. DATE:** June 21, 2011

ADDRESS: 6104 South 1st Street

OWNER: Mursch Partners, LP
(J. Winston Krause)

AGENT: Werner Campbell Permits
(Danae Falvo)

ZONING FROM: LO

TO: GO

AREA: 0.5492 acres
(23,923.15 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – conditional overlay (GO-CO) combining district zoning. The Conditional Overlay limits the total number of daily trips to 2,000.

ZONING & PLATTING COMMISSION RECOMMENDATION:

June 21, 2011:

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject rezoning area consists of an office building with driveway and parking area that takes access to South 1st Street. The rezoning area as well as an additional parking area that adjoins to the north was zoned limited office (LO) by a 1981 case. There is a church further to the north (LO; SF-3), single family residences to the east (LO-MU-NP; SF-3-NP), offices (including medical) and a funeral home to the south (GR; GR-CO) and a child care facility to the west (SF-3). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes general office (GO) zoning as a step towards occupying a lease space within the building with a proposed guidance services use, a civic use which is first allowed in this district. The proposed tenant will provide outpatient substance abuse treatment that is licensed by the Texas Department of State Health Services. Staff recommends the Applicant's request given its location on an arterial roadway, and compatible adjacent zoning and land uses. The Conditional Overlay limits development to less than 2,000 vehicle trips per day.

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EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO	Vacant lease space in an office building with medical and administrative and business offices
<i>North</i>	LO	Parking; Religious assembly
<i>South</i>	GR; GR-CO	Medical office; Funeral services; Financial services
<i>East</i>	LO-MU-NP; SF-3-NP	Single family residences
<i>West</i>	LO; SF-3; GR	Child care facility; Offices

AREA STUDY: N/A**TIA:** Is not required**WATERSHED:** Williamson Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association
 511 – Austin Neighborhoods Council
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 1008 – Woodhue Community Association Watch
 1037 – Homeless Neighborhood Association
 1113 – Austin Parks Foundation
 1173 – South Congress Combined Neighborhood Plan Contact Team
 1187 – South Austin Neighbor Awareness Project
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1224 – Austin Monorail Project
 1236 – The Real Estate Council of Austin, Inc.
 1276 – South Congress Neighborhood Plan – COA Liaison

627 – Onion Creek Homeowners Association
 1075 – League of Bicycling Voters
 1116 – Soft Wind Neighborhood Association

SCHOOLS:

Odom Elementary School

Bedichek Middle School

Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0105 – Sweetbriar Neighborhood Planning Area Rezoning – Stassney Lane to	Rezoning of 43 tracts of land	To Grant	Approved (8-18-05).

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the North; IH-35 to the east; William Cannon Drive on the south, South 1st Street on the west			
C14-84-213(DE) – Andree Plaza C14-84-212 (Site Plan Deletion) – 724 Eberhart Lane	GR to GR for a site plan deletion	To Grant GR-CO with CO for 36' height limit	Approved GR-CO and deleted portion of site plan (11-29-01).
C14-84-213 – Andrea Plaza General Retail Center (also known as Gov't Employees FCU) – 7.1 acres, located at 6100-6300 South 1 st Street and Eberhart Lane	I-SF-3 to GR	To Grant GR, First Height and Area	Approved GR zoning with Restrictive Covenant which prohibits apartments and bars, but does allow restaurants with >50% food that also sell alcoholic beverages, site plan is attached (10-30-86).
C14-79-012 – The Wesleyan Church – 6012-6106 South 1 st Street	“A” Residence, First Height and Area to “O” Office, First Height and Area	To Grant “O” Office, First Height and Area	Approved “O” First Height and Area (LO zoning) (7-2-81).

RELATED CASES:

The rezoning area is a portion of Lot 1 of Wesleyan Church Subdivision 2, a subdivision recorded on June 15, 1981 (C8s-81-107). Please refer to Exhibit B.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route
South First Street	Varies	MAR – 4	Minor Arterial (22,043 vpd)	Yes, both sides	No. 10, 110 and 484
Blueberry Hill	50 feet	30 feet	Local (284 vpd)	Yes, both sides	No
Flournoy Drive	60 feet	41 feet	Residential Collector (1,540 vpd)	Yes, both sides	No

South 1st Street is classified in the Bicycle Plan as Bike Route No. 33.
 Flournoy Drive is classified in the Bicycle Plan as Bike Route No. 376.

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CITY COUNCIL DATE: July 28, 2011

ACTION:

ORDINANCE READINGS: 1st

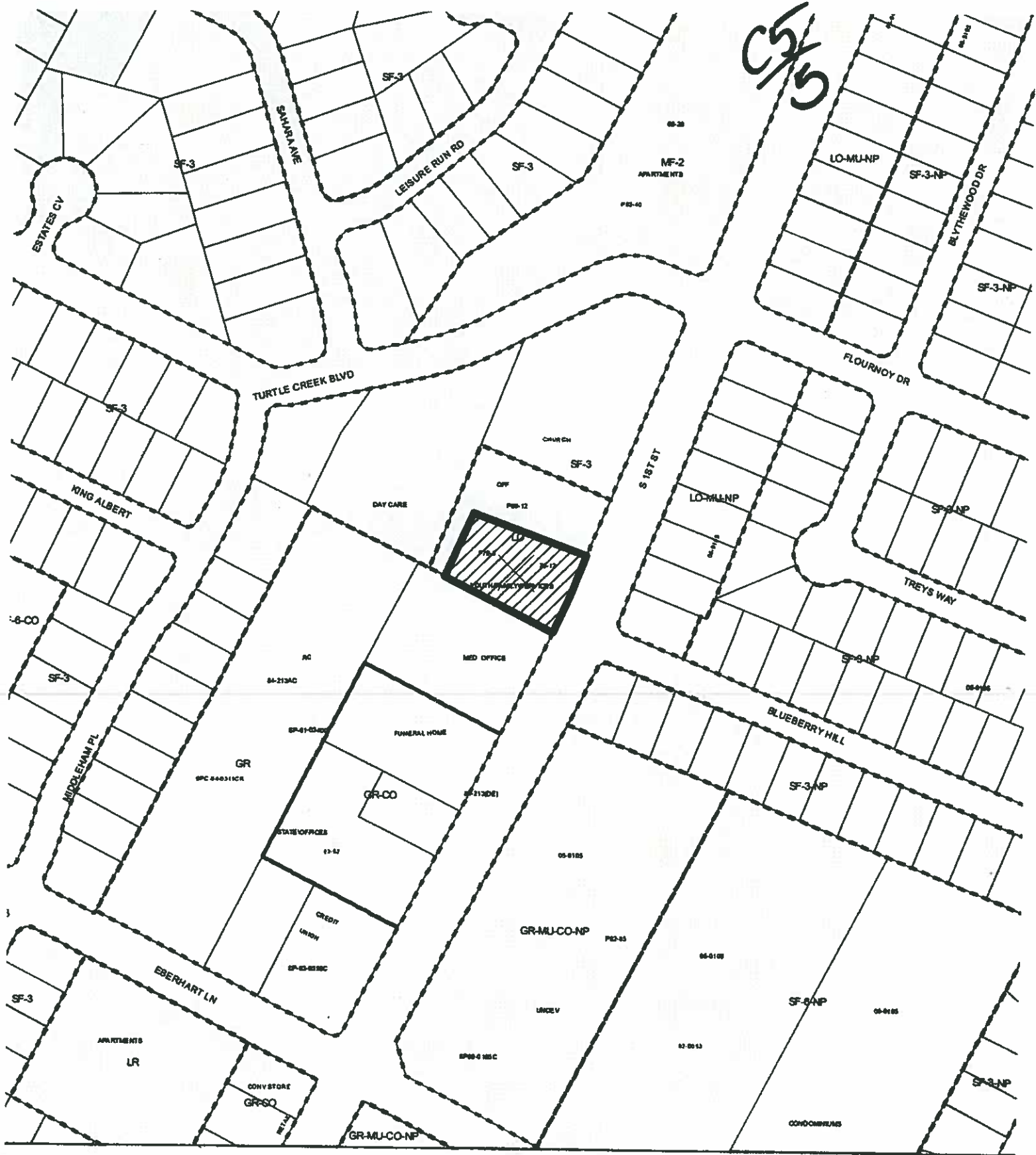
2nd

3rd

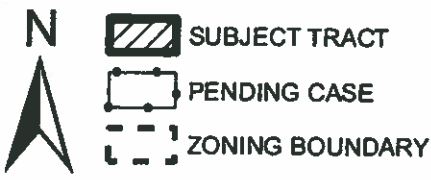
ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us

PHONE: 974-7719



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ZONING

Exhibit A

ZONING CASE#: C14-2001-0051
 LOCATION: 6104 S 1ST ST
 SUBJECT AREA: 0.5452 ACRES
 GRID: G16
 MANAGER: W. RHOADES



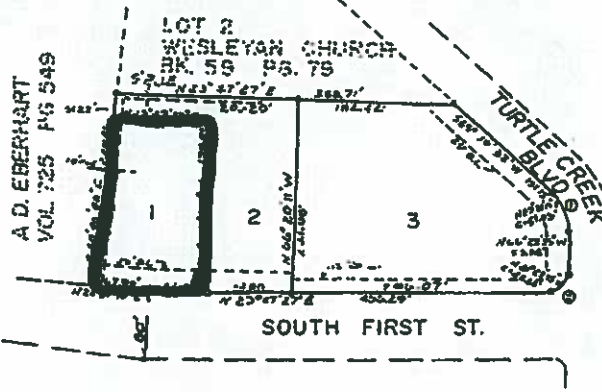
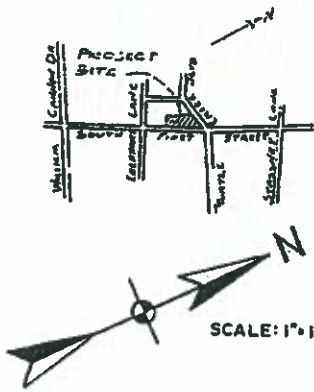
1"=200'

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.



WESLEYAN CHURCH SUBDIVISION 2

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LEGEND
IRON PIN FOUND
IRON PIN SET

CURVE DATA

	① R	② C	③ L	④ C
A	48°00'00"		92°57'33"	
R	62.74'		10.90'	
T	21.94'		4.05'	
A	52.58'		34.64'	
C	54.05'		26.28'	

STATE OF TEXAS
COUNTY OF TRAVIS

1204. ALL MEN BY THESE PRESENTS:

THAT, WESLEYAN CHURCH, A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF INDIANA WITH PRINCIPAL OFFICE IN THE COUNTY OF MARION, INDIANA, ACTING HEREIN BY AND THROUGH ITS DISTRICT SECRETARY, REVEREND GARY SAWYER, OWNER OF A 3.84 ACRE TRACT OF LAND CONVEYED TO US BY DEED OF RECORD IN VOLUME 3933, PAGE 1164 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, KNOWN AS "WESLEYAN CHURCH", A SUBDIVISION OF RECORD IN BOOK 59, PAGE 79 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS, DO HEREBY SUBDIVIDE A 2.518 PORTION, PREVIOUSLY KNOWN AS LOT 1, AND BEING THAT SAME PROPERTY AS WAS VACATED BY INSTRUMENT RECORDED IN VOLUME 7144, PAGE(S) 979, OF THE TRAVIS COUNTY, TEXAS DEED RECORDS; IN ACCORDANCE WITH THE ATTACHED PLAT, SAID SUBDIVISION TO BE KNOWN AS WESLEYAN CHURCH SUBDIVISION 2, AND DO HEREBY DEDICATE TO THE PUBLIC THE STREETS AND EASEMENTS SHOWN HEREON.

WITNESS OUR HAND THIS 15th DAY OF JUNE, A.D., 1981.

WESLEYAN CHURCH

Rev. Gary Sawyer
REV. GARY SAWYER, DISTRICT SECRETARY

STATE OF TEXAS
COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED REVEREND GARY SAWYER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15th DAY OF JUNE, A.D., 1981.

APPROVED FOR ACCEPTANCE: Richard R. Lillie, Director of Planning, Jan 26, 1982

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN ON THE 26th DAY OF JANUARY, A.D., 1982

FILED FOR RECORD: THIS THE 27th DAY OF January, A.D., 1982 AT 2:25 O'CLOCK P.M.

DAVID C. BODENMAN, CHAIRMAN

BY L. Jones, DEPUTY

STATE OF TEXAS
COUNTY OF TRAVIS

I, DORIS SHROPSHIRE, CLERK, OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN OFFICE ON THE 27th DAY OF January, A.D., 1982 AT 2:25 O'CLOCK P.M. IN THE PLAT RECORDS OF SAID COUNTY IN BOOK 52, PAGE 10 AND DULY RECORDED AT 2:32 O'CLOCK P.M. ON THE 27th DAY OF January, A.D., 1982.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, THE LAST DATE WRITTEN ABOVE.

DORIS SHROPSHIRE, CLERK, COUNTY COURT, TRAVIS COUNTY, TEXAS

I, R. E. STANSBERRY, AN AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING AND SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH CHAPTER 61, OF THE CIVIL CITY CODE, IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION IN THE GROUND.

1 June 81

R. E. STANSBERRY, PROFESSIONAL ENGINEER

NOTES:

1. TO BE CONSTRUCTION ON LOTS IN THIS SUBDIVISION, DRAINAGE PLANS WILL BE SUBMITTED TO THE PUBLIC WORKS DEPARTMENT OF THE CITY OF AUSTIN FOR REVIEW. RAINFALL RUNOFF SHALL BE HELD TO THE AMOUNT LISTED AT UNDEVELOPED STATUS BY PONDING OR OTHER APPROVED METHOD.

2. USES ON LOT 3 OF THIS SUBDIVISION SHALL BE RESTRICTED TO THOSE USES PERMITTED UNDER "C" ZONING UNTIL SUCH TIME AS A ZONING CHANGE MAY PERMIT OTHERWISE.

3. LOTS SHALL BE OCCUPIED UNTIL CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER SYSTEMS.

4. 100 YEAR FLOOD PLAIN DOES NOT ENCOMPASS THIS SUBDIVISION.

5. SIX (6.0) FOOT SIDEWALK WILL BE REQUIRED ON THE WEST SIDE OF SOUTH FIRST STREET.

RECEIVED

EXHIBIT B
RECORDED PLAT

CITY PLANNING
CITY OF AUSTIN

85-81-1072

Vol 82 Page 10
p. 27-82 RCH 75:31
Vol 82 Page 10

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SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – conditional overlay (GO-CO) combining district zoning. The Conditional Overlay limits the total number of daily trips to 2,000.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The general office (GO) district is intended for offices and selected commercial uses predominantly serving community or City-wide needs, such as medical or professional offices. A building in a GO district may contain more than one use.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Staff recommends the Applicant's request given its location on an arterial roadway, and compatible adjacent zoning and land uses. The Conditional Overlay limits development to less than 2,000 vehicle trips per day.

EXISTING CONDITIONS**Site Characteristics**

The rezoning area is a vacant lease space within an office building. The site is relatively flat and there appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the GO zoning district is 80%, a consistent figure between the *zoning and watershed* regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%

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Commercial	80%	90%
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According to floodplain maps there is no floodplain within or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

No trees are located on this property. 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.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

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

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

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. Water and wastewater utility plans 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 and Compatibility Standards

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

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.

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- 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 25 feet of the property line.
- A landscape area is required along the 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.

May 13, 2011

C5/11

Mrs. Wendy Rhoades
City of Austin
Planning and Development Review Department
505 Barton Springs Road
Austin, Texas 78704

*RE: Zoning Application
6104 South 1st Street (.5452 Acres)
Proposed Rezoning from LO (Limited Office) to GO (General Office)*

Dear Mrs. Rhoades:

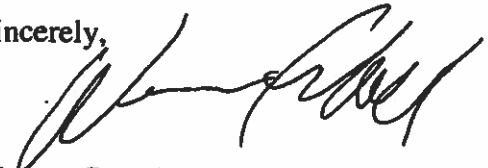
As the representative of the owner of the above referenced property, I respectfully submit the enclosed zoning application package for review.

The purpose of the proposed rezoning of the property from LO to GO is to allow the use of 'Guidance Services'. The owner intends to lease an existing space to the tenant, How I Live Life, Inc. The proposed tenant will provide outpatient substance abuse treatment licensed by the Texas Department of State Health Services.

The property is not located within an approved Neighborhood Plan. A Traffic Impact Analysis (TIA) has been waived per the enclosed TIA Determination Worksheet completed by Amber Mitchell.

Please let me know if you or your team members require any additional information or have any questions.

Sincerely,



Werner Campbell
Principal