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**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2010-0127 / LifeWorks East Central

**P.C. PUBLIC HEARING DATES:** November 8, 2011  
May 24, 2011  
December 14, 2010  
November 9, 2010

**ADDRESS:** 2001 and 2005 Chicon Street

**OWNER:** Youth and Family Alliance, dba LifeWorks (Susan McDowell), (512) 735-2453

**AGENT:** Metcalfe Williams, LLP (Michele Rogerson Lynch), (512) 961-8845

**ZONING FROM:** SF-3-NP

**TO:** LO-MU-CO-NP

**SITE AREA:** 0.4058 acres (17,677 square feet)

**SUMMARY STAFF RECOMMENDATION:** The staff recommendation is to grant the requested rezoning from SF-3-NP (Family Residence – Neighborhood Plan) combining district zoning to LO-CO-MU-NP (Limited Office – Mixed Use – Conditional Overlay – Neighborhood Plan) combining district zoning. The Conditional Overlay allows for medical offices and all neighborhood office (NO) uses, and limits site development standards to those established for NO zoning, except for impervious cover.

**SUMMARY PLANNING COMMISSION RECOMMENDATION:**  
November 8, 2011:

**ISSUES:**

Correspondence from the owner as well as Blackland Neighborhood Association is located at the back of the Staff packet.

**DEPARTMENT COMMENTS:** The 0.4058-acre site is currently zoned SF-3-NP (Family Residence – Neighborhood Plan) combining district. Its location is on the northwest corner of East 20<sup>th</sup> Street and Chicon Street. The site lies within the Upper Boggy Creek Neighborhood Plan and is bordered by single family zoning and an undeveloped lot to the north, single family zoning and residences to the east and west, and multifamily zoning and apartments to the south.

The subject property is currently developed with a one-story office building occupied by LifeWorks since 1983 through a Special Permit (C14p-82-054). The applicant is requesting a rezoning because LifeWorks is planning to sell the property to another user for the use as a medical office, and is requesting a zoning change so the existing building will be in compliance with city code.

The staff recommendation is to approve the requested zoning change because it allows for reasonable use of the property. There is limited office and more intensive commercial zoning southeast and southwest of the lot. The subject tract is also located on a collector street which provides good traffic circulation and is adequate for a higher zoning category. While the existing site did not have limited office zoning, a similar use has existed on the site for over a decade.

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**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Office
<i>North</i>	SF-3-NP	Undeveloped
<i>South</i>	MF-3-NP	Multifamily residential
<i>East</i>	SF-3-NP	Single-family residences
<i>West</i>	SF-3-NP	Single-family residences

**NEIGHBORHOOD PLAN AREA:** The subject property is located in the Upper Boggy Creek 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

**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 Mixed Use/Office is also in process (NPA-2010-0010.01).

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**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
East 2 <sup>nd</sup> Street	60 feet	44 feet	Local	Yes	No	Yes
Robert T. Martinez Jr. Street	54 feet	36 feet	Local	Yes	Yes	Yes

**CITY COUNCIL DATE:**

December 16, 2010

**ACTION:**

This item was postponed indefinitely on consent at the applicant's request on Council Member Spelman's motion, Mayor Pro Tem Martinez' second on a 6-0. Council Member Cole was off the dais.

May 26, 2011

This item was postponed indefinitely on consent on Council Member Morrison's motion, Mayor Pro Tem Martinez' second on a 6-0 vote. Council Member Spelman was off the dais.

December 8, 2011

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**ZONING CASE MANAGER:** Wendy Rhoades

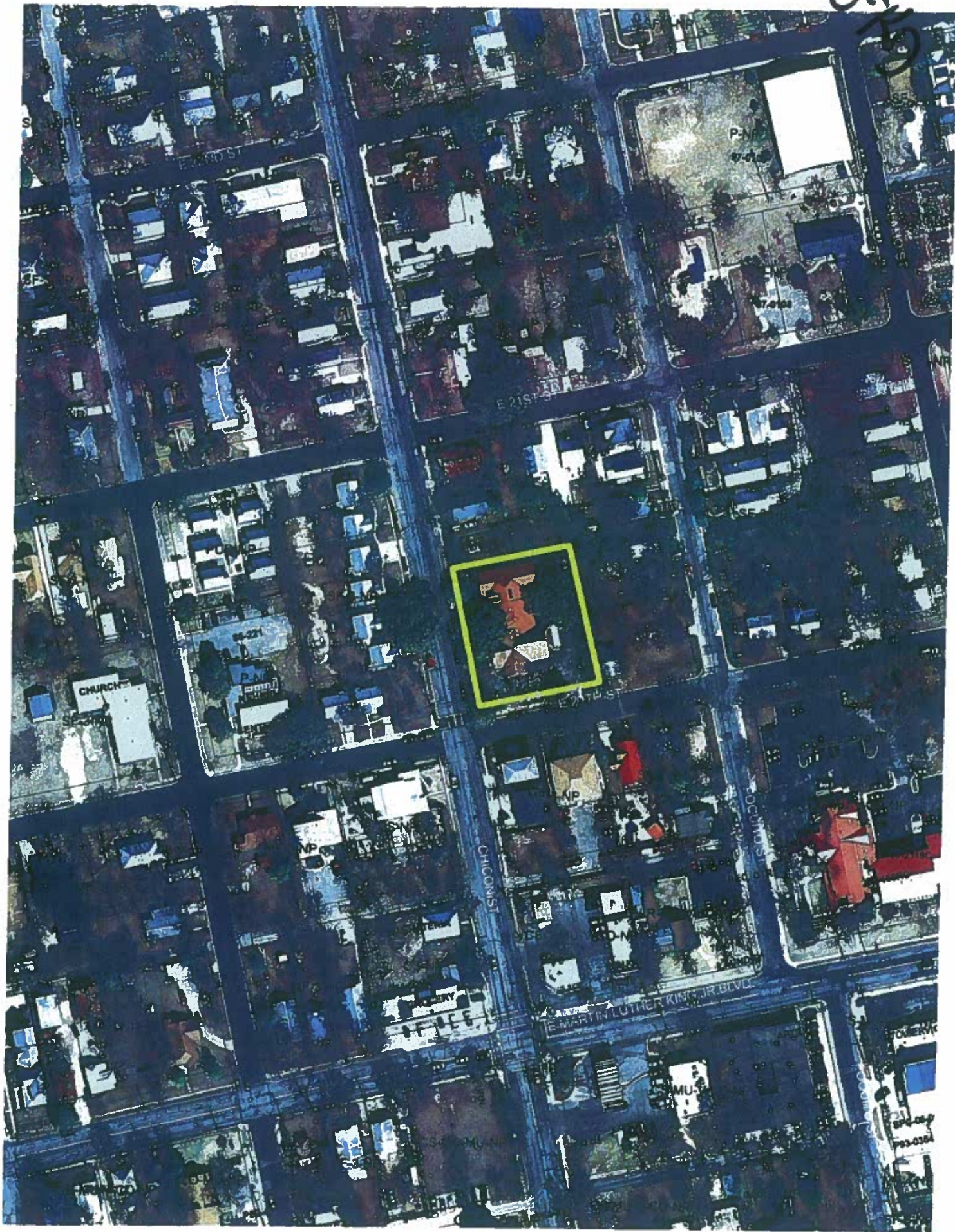
**PHONE:** 974-7719

**E-MAIL:** [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov)





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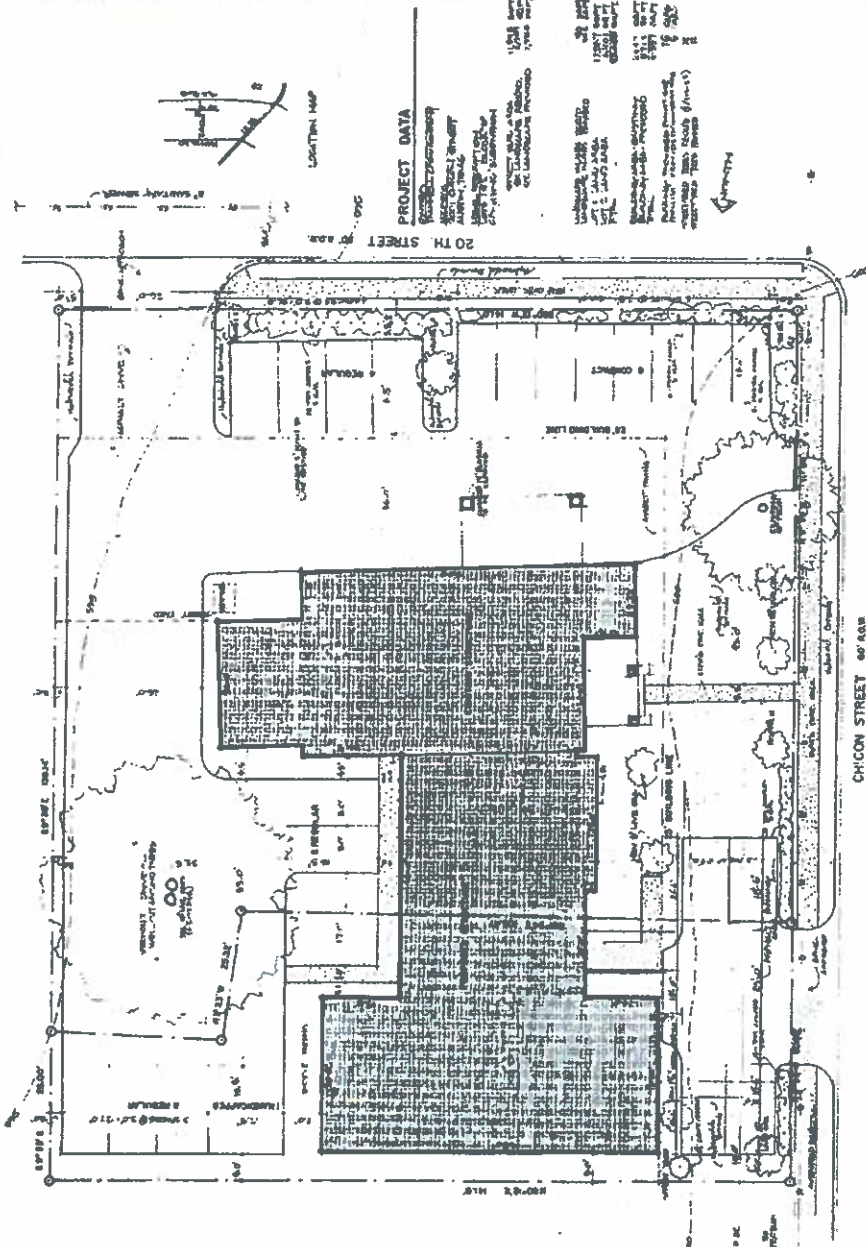




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C14P-82-054

SITE PLAN  
SCALE 1" = 10'



PROJECT DATA

OWNER: HEADQUARTERS FOR CHILD & FAMILY SERVICES  
 100 CHICON STREET  
 AUSTIN, TEXAS 78701  
 PROJECT NO. C14P-82-054  
 DATE: 11/1/82  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]



- NOTES:**
1. Proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  2. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  3. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  4. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  5. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  6. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  7. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  8. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  9. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  10. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  11. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  12. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  13. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  14. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  15. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  16. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  17. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  18. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  19. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.
  20. The proposed building shall be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.

**PLANNING COMMISSION APPROVAL**  
 The Planning Commission has reviewed the site plan and has approved the same for the City of Austin. The Commission's approval is subject to the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03, which requires that all new buildings be constructed in accordance with the City of Austin Comprehensive Zoning Ordinance, Chapter 21C, Section 21C.03.

APPROVED: [Signature]  
 DATE: 11/1/82

OWNER: HEADQUARTERS FOR CHILD & FAMILY SERVICES  
 100 CHICON STREET  
 AUSTIN, TEXAS 78701

**ELAYSON & ASSOCIATES, P.A.**

ARCHITECTS

PROJECT NO. C14P-82-054  
 DATE: 11/1/82  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]

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## **SUMMARY STAFF RECOMMENDATION**

The staff recommendation is to grant the requested rezoning from SF-3-NP (Family Residence – Neighborhood Plan) combining district zoning to LO-CO-MU-NP (Limited Office – Mixed Use – Conditional Overlay – Neighborhood Plan) combining district zoning. The Conditional Overlay allows for medical offices and all neighborhood office (NO) uses, and limit site development standards to those established for NO zoning, except for impervious cover.

## **BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

LO- Limited Office district is a designation for offices and selected commercial uses predominantly serving neighborhood or community needs, and is located in or adjacent to residential neighborhoods.

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

The existing zoning allows for reasonable use of the site while maintaining the character of the surrounding area.

## **EXISTING CONDITIONS**

### **Site Characteristics**

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

### **Impervious Cover**

The maximum impervious cover allowed by the LO zoning district would be 70%.

### **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.

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

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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:
- (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.



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- (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.

lifeworks

3700 South 1st Street  
Austin, TX 78704

1 512 735 2400  
1 512 735 2452

www.lifeworksaustin.org

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Joi Hardin  
City of Austin Development Department  
505 Barton Springs, 5<sup>th</sup> Floor  
Austin, Texas 78704

10/26/10

Dear Ms. Hardin,

This letter is written to revise our Zoning, Neighborhood Plan and Future Land Use Map Amendment requests for the properties owned by the Youth and Family Alliance dba LifeWorks at 2001, 2005, and 2007 Chicon Street. We submitted the original requests in July. The property is currently zoned SF3 - NP, we had requested a change to LO-CO-NP and office use. Then we requested that staff consider LR zoning for the site; however this was not acceptable to the staff. Therefore we would like to revert to the LO zoning and request a MU addition and have Neighborhood Plan and the FLUM designate the use as Mixed Use/Office.

In order to respect the Blackland Neighborhood's concerns about commercial encroachment into what they consider a core residential neighborhood, we would agree to the following development restrictions on the vacant lot at 2007:

- 1) Limit the uses to all uses in NO zoning plus only Medical Office exceeding 5,000 sq. ft. for LO zoning and Mixed Use/Office codes.
- 2) Impose the Site Development regulations for NO Zoning except to allow Impervious cover to remain at the 70% LO standard.
- 3) Impose the existing overlay on commercial properties on MLK Blvd as described in the Upper Boggy Creek Neighborhood Plan (this would apply to both properties).

I hope this meets the requirements for this revision to our application. Please contact me if you have any additions needs.



Mitch Weyand  
Chief Operating Officer  
LifeWorks  
512-735-2462

cc: Maureen Meredith, Michele Lynch

SHELTER | SAFETY | SUPPORT | SUCCESS



## BLACKLAND NEIGHBORHOOD ASSOCIATION

Meghan Griffiths, President

2111 E. 22<sup>nd</sup> St  
Austin, Texas 78722  
512-577-8669  
meghan\_griffiths@hotmail.com

November 5, 2010

**Joi Harden**  
Development Review Department  
One Texas Center, 5<sup>th</sup> fl  
505 Barton Springs Road  
Austin, Texas

*Re: Notice of Public Hearing for Rezoning of 2001, 2005, 2007 Chicon St; case numbers C14-2010-0127; C14-2010-0136*

Dear Joi Harden:

This letter is submitted by the Blackland Neighborhood Association (BNA) in response to the application by Youth and Family Alliance, dba LifeWorks, to rezone the lots at 2001, 2005 and 2007 Chicon Street from SF-3-NP to LO-MU-CO-NP.

On May 4, 2010, after discussions with Life Works representative Mitch Weynand and consideration by the BNA Land Use Committee and the BNA general body, the BNA voted to approve rezoning for the lots at 2001 and 2005 Chicon Street from SF-3-NP to LO-MU-CO-NP. The BNA, therefore, does not oppose the requested rezoning for these two lots.

The BNA does, however, oppose the requested rezoning for the lot at 2007 Chicon Street. After discussion at its November 2 meeting, the BNA voted to submit this letter of opposition to the zoning change. Members of the neighborhood cited concerns that the variance would allow unwanted commercial encroachment into the interior of the neighborhood. In addition, the lot is currently used as a garden, and it is the association's understanding that the variance is sought primarily to build a parking lot to serve the buildings at 2001 and 2005 Chicon. The BNA requests that the city deny the zoning change for the lot at 2007 Chicon Street.

Thank you for your consideration of this matter.

Sincerely,

/s/ 

Meghan Griffiths, BNA President

Cc: Maureen Meredith

## INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / rezonificación será repasada y acción será tomada de acuerdo a dos audiencias públicas: ante la Comisión de Usos Urbanos y el cabildo municipal. Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al propuesto desarrollo urbano o cambio de zonificación. Usted también puede contactar a una organización de protección al medio ambiente u organización de vecinos que haya expresado interés en la aplicación teniendo implicaciones a su propiedad

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rézonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la *Internet*:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Numero de caso: C14-2010-0127

Persona designada: Joi Harden, 512-974-2122

Audiencia Publica: May 24, 2011, Planning Commission

May 26, 2011, City Council

DAVID KIDYUN/HUNTER DEE FASSA  
Su nombre (en letra de molde)

☐ I am in favor  
☒ I object

1706 E 21<sup>st</sup>

Su domicilio(s) afectado(s) por esta solicitud

Firma

Daytime Telephone: (512) 426-5136

5/12/2011  
Fecha

Comments:

I BELIEVE THAT THE  
INTENDED USE IS INAPPROPRIATE  
FOR THIS RESIDENTIAL  
NEIGHBORHOOD

THANKS

Si usted usa esta forma para proveer comentarios, puede retornarlos:

City of Austin

Planning & Development Review Department

Joi Harden

P. O. Box 1088

Austin, TX 78767-8810

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