

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

C11

NEIGHORHOOD PLAN: North Lamar Combined Neighborhood Plan

CASE#: NPA-2012-0026.02

DATE FILED: August 16, 2012 (out-of-cycle)

PC DATE: October 23, 2012

ADDRESS: 9310 Georgian Drive

SITE AREA: 0.3887 acres

APPLICANT/OWNER: Amir Hossein Batoeinng

AGENT: Amir Hossein Batoeinng

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family

To: Neighborhood Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2012-0101

From: SF-3-NP

To: LR-MU-NP

NEIGHBORHOOD PLAN ADOPTION DATE: June 24, 2010

PLANNING COMMISSION RECOMMENDATION: Final recommendation pending.

STAFF RECOMMENDATION: Recommended.

BASIS FOR STAFF'S RECOMMENDATION: The property is the last home on the west side of Georgian Drive where the street T's into Rundberg Lane, a busy east/west major arterial. The property faces a commercial business that fronts onto Rundberg Lane, but has vehicular access from both Georgian Drive and Rundberg Lane. Normally staff would not support commercial encroachment into a residential neighborhood; however, because this home faces a commercial use instead of a residential use, staff recommends this lot transitioning into a low-intense commercial use.

LAND USE

CU
2

Create a well-balanced land use pattern in the North Lamar Combined Neighborhood Planning Area by assigning appropriate land uses to particular properties.

- Limit the encroachment of intense uses into the residential portion(s) of a neighborhood
- Place complementary uses next to one another
- Establish a logical pattern of uses
- Place more intense uses (e.g., industry, commercial) along large, arterial roadways and away from residential neighborhoods to limit adjacent incompatible uses.



Commercial uses encroach upon a residence on Elliot Street.

❖ **The residential character of the NLCNPA should be preserved.**

A neighborhood's character or identity is determined by the variety of residential units that house those living there. This is especially true of the housing within the NLCNPA, where nearly 80 percent of the properties are residential.¹ The neighborhood's housing stock represents both its rural roots and suburban-like development: rural, farm-style homes, suburban-style tract homes, and large apartment complexes are all components of the housing typology found throughout the NLCNPA. Throughout the planning process, stakeholders identified the sense of place created by the variety of house designs and lot configurations as valued characteristics of their neighborhoods. By preserving the large residential core of the NLCNPA, both the character and identity of these neighborhoods will be maintained.

Objective L.1: Preserve the residential character of the neighborhoods in the NLCNPA.

- Recommendation 1** Non-residential uses should not encroach into the established neighborhoods of the NLCNPA.

Objective L.2: Maintain a balanced residential character throughout the NLCNPA.

- Recommendation 1** Limit the construction of new, large multi-family residential complexes throughout the NLCNPA.
- Recommendation 2** New, more intense residential development should contain a mixed use element and be located along major roadways.

C11/3

BACKGROUND: The application was filed out-of-cycle with a letter from the North Lamar Planning Contact Team.

The property is currently a single family home which the applicant proposes to convert to a commercial business.

Existing Land Use – Single Family

Single family detached or two family residential uses at typical urban and/or suburban densities.

Purpose

Preserve the land use pattern and future viability of existing neighborhoods;

- Encourage new infill development that continues existing neighborhood patterns of development; and
- Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

Application

- Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
- May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

Proposed Land Use – Neighborhood Mixed Use

An area that is appropriate for a mix of neighborhood commercial (small-scale retail or offices, professional services, convenience retail, and shopfront retail that serve a market at a neighborhood scale) and small to medium-density residential uses.

Purpose

- Accommodate mixed use development in areas appropriate for a mix of residential uses and neighborhood commercial uses that serve surrounding neighborhoods; and
- Provide transition from residential use to high intensity commercial or mixed use.

Application

- Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single-family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and

C11
4

- May be used as a transition from high intensity commercial and residential uses to single-family residential uses.

PUBLIC MEETINGS: The ordinance-required plan amendment meeting was held on Monday, October 8, 2012. Three people attended the meeting. Also in attendance was the applicant and city staff for a total of five people. Approximately 203 notices were mailed to property owners, utility account holders within 500 feet of the property, including neighborhood organizations and environmental groups registered on the community registry.

Amir Batoeinng, the applicant, said he purchased the home 2006 and should have rezoned it at that time, but now is moving forward with rezoning the property. He admitted that the previous tenant had been cited by Code Enforcement for having too many garage sales, but he eventually had her evicted so that issue has been resolved. He would like rezone the property to LR-MU-NP so he can remodel the building to convert it into a computer parts store. After his presentation, the following questions were asked:

Q. Do you plan to add on to the building?

A. No.

Q. We would like for the driveway entrance/exit into the property to only be off of Rundberg Lane and to close the Georgian Drive driveway. Would you be willing to do that?

A. Yes.

Note: Lisa Hinely, chair of the PCT, said she talked to the transportation planner before this meeting and was told that he recommends two driveways, one on Georgian Drive and one on Rundberg Lane.

Q. What is there now?

A. A single family home. I'm renting it to a family.

Q. Will you provide a buffer from the single family home to the west?

(Note: Lisa Hinley thought the property would be subject to the commercial design standards.)

A. Yes.

Q. Will you increase the Impervious Cover?

A. No.

(Note, if additional parking is needed, then the impervious cover will increase).

CITY COUNCIL DATE: December 6, 2012 **ACTION:** Pending.

CASE MANAGER: Maureen Meredith **PHONE:** 974-2695

EMAIL: Maureen.meredith@austintexas.gov

Planning Contact Team Out-of-Cycle Letter

C11
/5

7 August 2012

Maureen Meredith
Neighborhood Planning
City of Austin

Re: 9310 Georgian

At the regularly scheduled July 2012 meeting, the North Lamar combined neighborhood plan contact team agreed to accept an out-of-cycle neighborhood plan amendment application before February 2013 to change the Future Land Use Map for 9310 Georgian and any adjacent properties.

Sincerely,

Lisa Hinely
Chair, North Lamar/Georgian Acres neighborhood team
512-836-8452
<http://nlct.wordpress.com/>

Cc: Amir Batoeinngi

CH
6

Letter of Support from the Planning Contact Team

9 October 2012

City of Austin Planning Commission

re: NPA 2012-0026.02 (9310 Georgian Dr)

Commissioners:

On October 8, 2012 the North Lamar Combined Neighborhood Plan contact team, including the applicant Mr. Batoeinng, participated in a community meeting facilitated by city staff to discuss his proposed zoning and future land use changes. Mr. Batoeinng approached the contact team in May 2012 for an out-of-cycle plan amendment. In the interim, contact team members visited the property, discussed the issues with other stakeholders, and reviewed their notes from the neighborhood planning process.

The North Lamar Combined Neighborhood Plan contact team has voted unanimously to **support the proposed zoning and future land use changes to Neighborhood Mixed Use, LR-MU-NP, for use as General Retail Sales (Convenience) with conditions:**

- Limit trips to 500 per day
- Site plan to include a vehicle entrance from Rundberg
- The following uses are prohibited: Residential Treatment, Telecommunication Tower, Service Station
- Drive-in service is prohibited

Our neighborhood plan's "future history" includes:

The neighborhood has become a clean and safe community. The residents and business owners developed ongoing partnerships with the Austin Police Department and Travis County District Attorney's Office... The area near the intersection of I-35 and Rundberg Lane, once a center of drug dealing and prostitution, is now a clean, thriving commercial corridor where a number of small, local businesses have set up shop.

The community has worked with City of Austin code inspectors to deal with activities such as illegal dumping, improperly and illegally operating businesses, nuisance properties, and other code violations to improve the quality of life for all residents. In the interior of the neighborhood, the neighborhoods largely retain their single-family character. The homes remain modestly-sized and reasonably-priced.

... More local-serving businesses have begun to appear. The convenience of these businesses entices people out of their cars. Improvements to the sidewalk network, design changes along several streets, and a street-tree

planting program create a pleasant walking environment. These changes have also made bicycle riding much more enjoyable. Changes made in subsequent City of Austin Bicycle Master Plans connect the neighborhoods much more safely and efficiently to the rest of Austin. Georgian Drive is known as one of the best walking and biking streets in the city.

CU
1/7

1. Our neighborhood plan was adopted recently, in June 2010. However, there have been significant changes in the Georgian/Rundberg area since then. Notably, a new elementary school is under construction north of the intersection, with Georgian Dr, the 370 bike route, and sidewalks being extended across Rundberg. Limiting trips, prohibiting drive-in service, and adding a Rundberg vehicle entrance provides multimodal connectivity with safety. The prohibited uses are not appropriate for this location near two schools, a church, and residences.

2. Neighborhood plan Recommendation 119 states that "Non-residential uses should not encroach into the established neighborhoods". Commercial and civic zoning along the Rundberg corridor enhances rather than threatens the residential areas of the neighborhood.

3. The neighborhood plan talks about the importance of code compliance in achieving a safe healthy neighborhood, recognizing that there may be a short-term cost in exchange for the long-term increase in profitability achieved by an attractive, desirable setting. For several years, this property was used as a furniture store/flea market, generating numerous code compliance cases. Mr. Batoeinng says that he attempted to work with the tenant, and then to evict her, to remedy this situation. He commits to complying with city codes and improving the appearance of the property to make it an attractive business site and entrance into Georgian Acres.

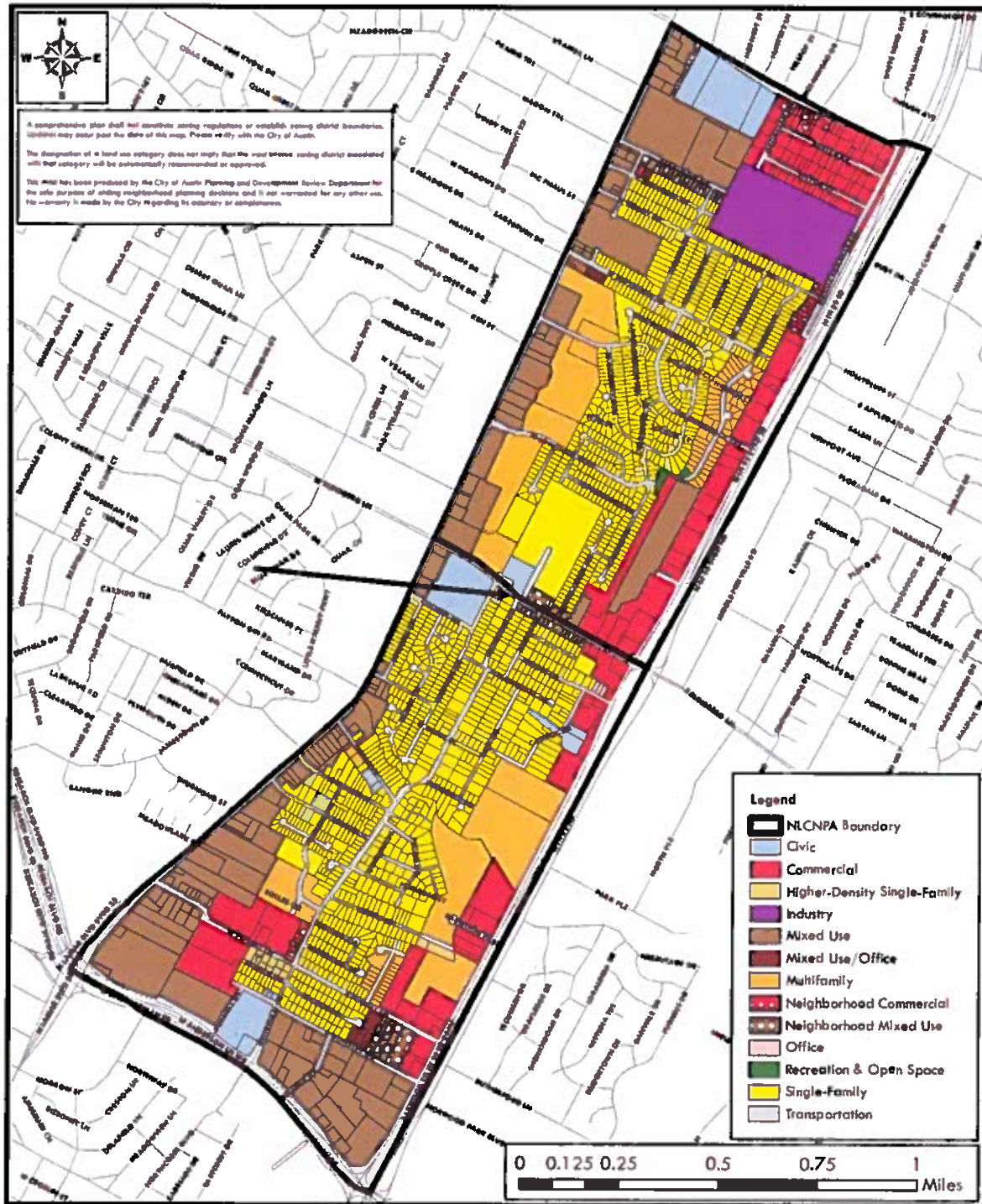
Thank you for your attention.

Sincerely,

Lisa Hinely
Chair, North Lamar Combined Neighborhood Plan contact team
836-8452
<http://nlct.wordpress.com/>

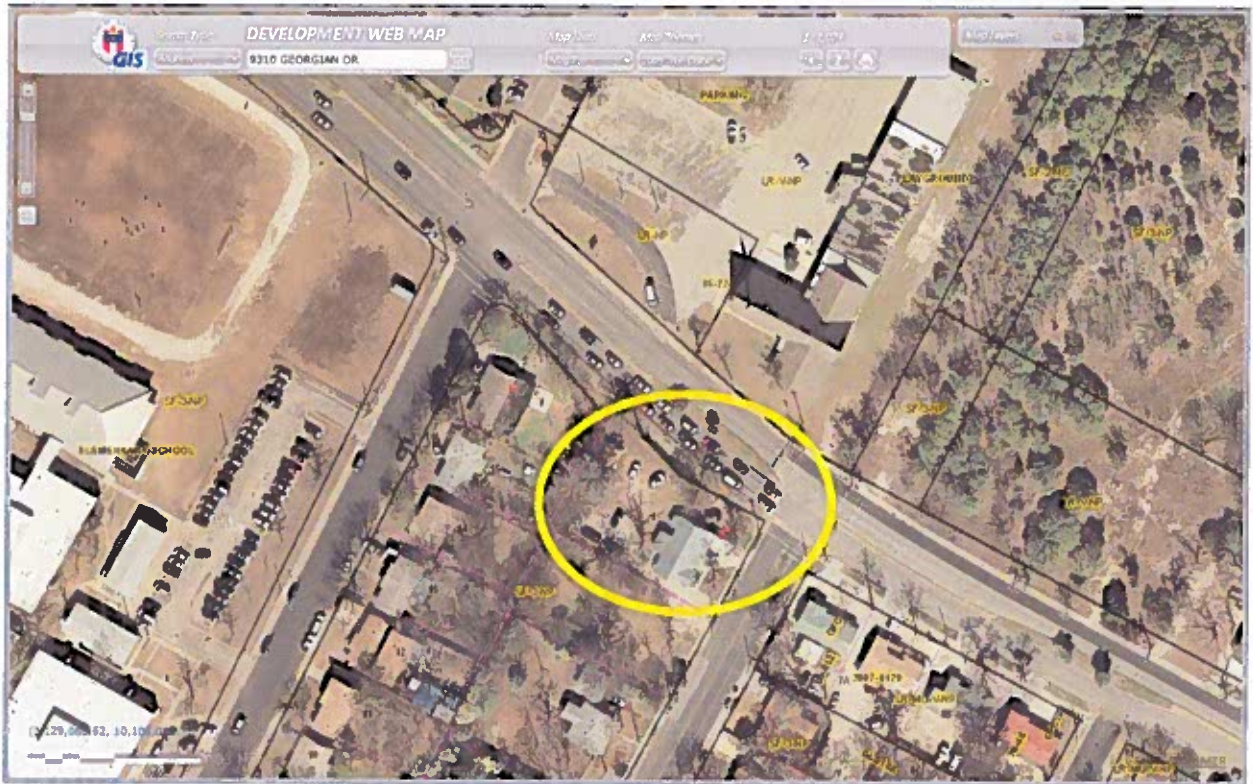
cc: Maureen Meredith
Sherri Sirwatis
Amir Batoeinng

C11/8



North Lamar Combined Neighborhood Planning Area Future Land Use Map

Adopted: August 26, 2010



C16
10



Site – 9310 Georgian Drive – zoned SF-3-NP, Proposed for LR-MU-NP

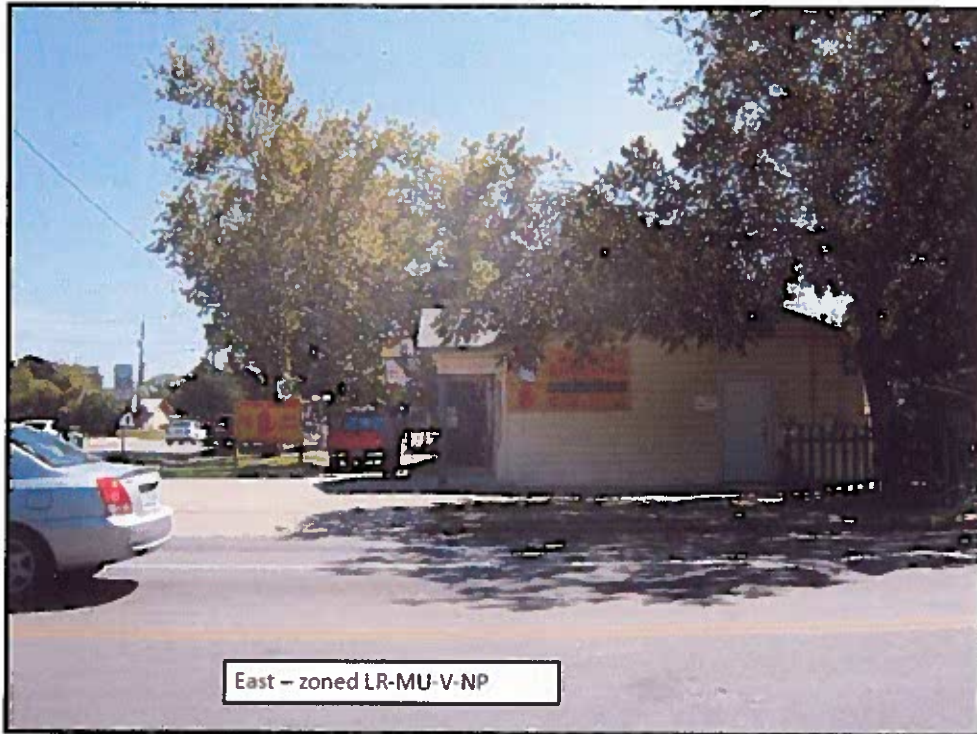
C11
/11



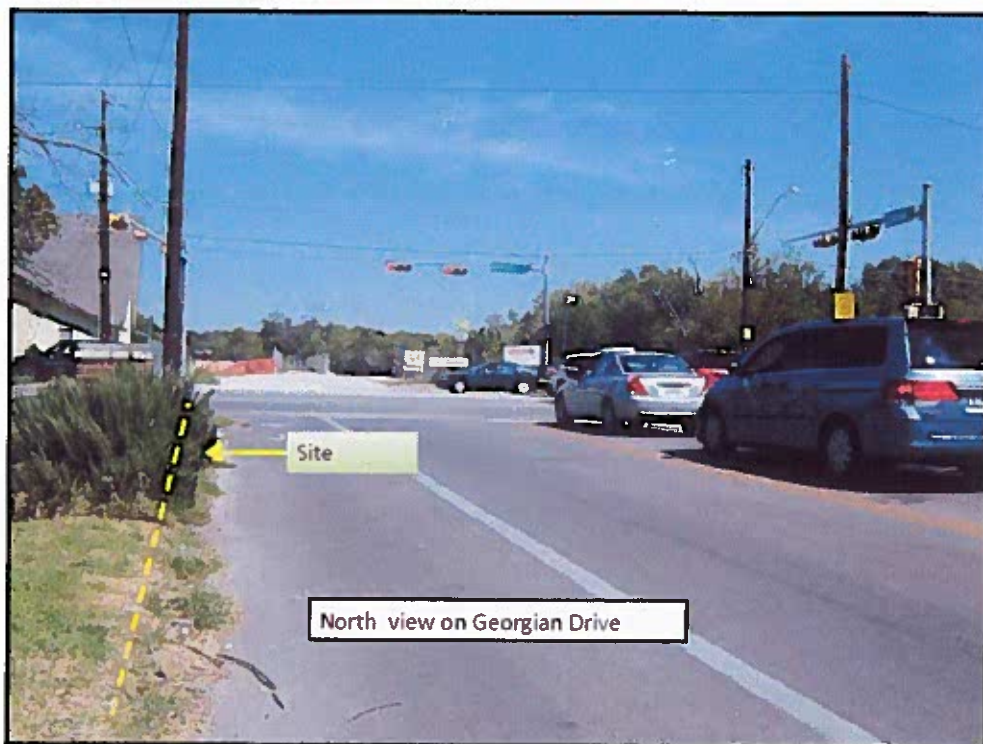
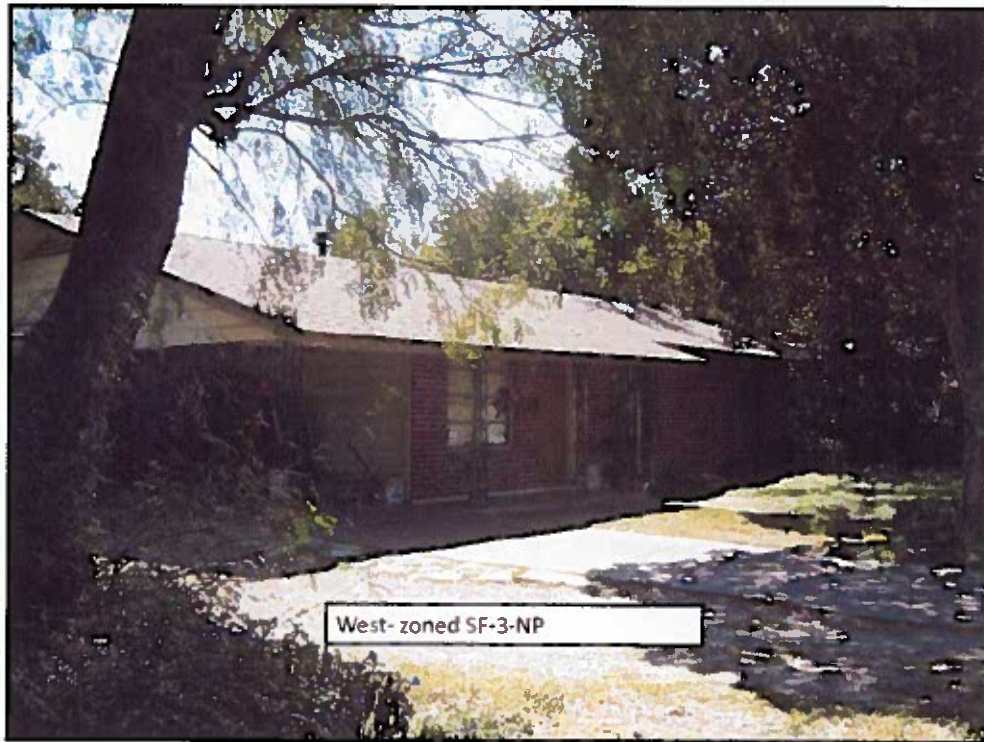
C11
/12



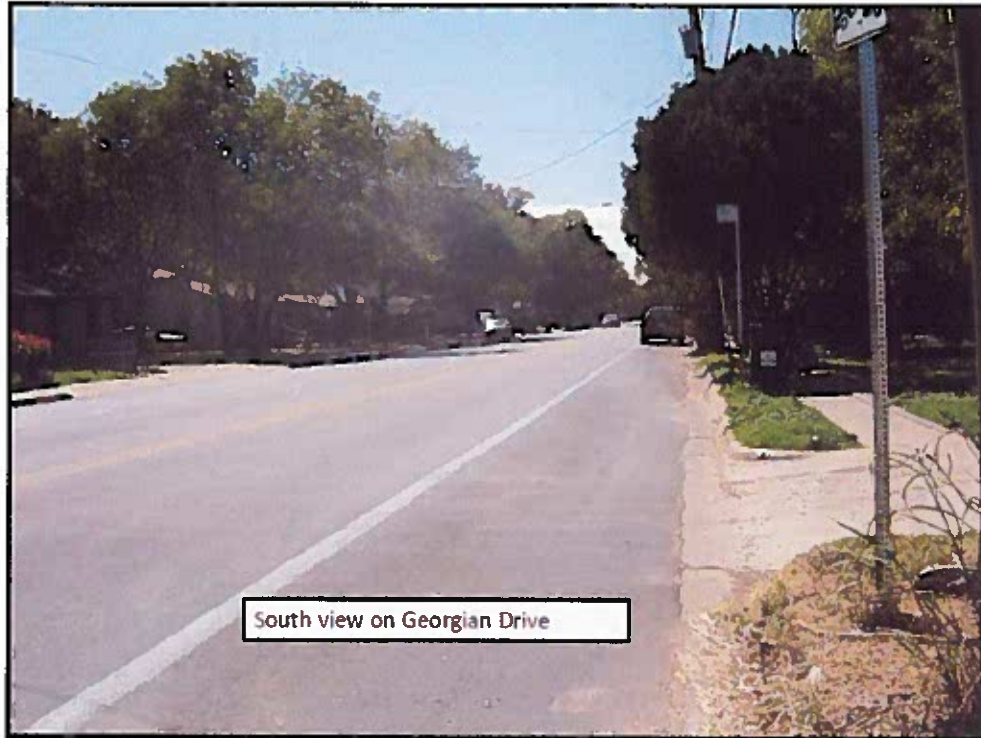
C11
/13



CU
14



C11
15



CU
16

