

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0116
518 E. Oltorf

P.C. DATE: 12/11/2012
01/22/2013

ADDRESS: 518 E. Oltorf Street

AREA: 0.387 acre
(16,857 sq. ft.)

OWNER: Howard Ramey and Michael McWatters

APPLICANT: Jimmy Nassour

AGENT: Alice Glasco Consulting (Alice Glasco)

ZONING FROM: GO-NP; General Office-Neighborhood Plan

ZONING TO: GR-NP; Community Commercial -Neighborhood Plan

NEIGHBORHOOD PLAN AREA: Greater South River City Combined Neighborhood

SUMMARY STAFF RECOMMENDATION

Staff recommendation is to grant Neighborhood Commercial-Conditional Overlay-Neighborhood Plan (LR-CO-NP) combining district zoning. The conditional overlay would limit the vehicle trips to less than 2,000 per day.

ISSUES:

The applicant is not in agreement with staff's recommendation, and maintains the request for GR-NP rezoning, with the 2,000 vtd limit. The applicant was granted a postponement until January 22, 2013 in order to continue working with neighborhood representatives.

PLANNING COMMISSION RECOMMENDATION:

To be determined January 22, 2013.

DEPARTMENT COMMENTS:

The subject tract is approximately 0.387 acres at the northwest corner of the intersection of E Oltorf Street and Rebel Road, lying approximately equidistant from Congress Avenue and Alta Vista Street. The parcel abuts residential to the north, commercial to the west, commercial across Rebel Road to the east, and multifamily and a church across Oltorf to the south (see Exhibit A & A-1). This is a developed site, with a semi-occupied office building and a paved parking lot that covers nearly the entire site (see Exhibit A-2). The office building itself is approximately 3,300 square feet, and dates from the mid-1960s, shortly after the property was platted in 1962 as the Delafield Subdivision.

The request for the rezoning is driven by the desire to redevelop the site into restaurant use. Tentatively, the applicant is proposing to reuse the existing structure, albeit with significant remodeling. No site plan or building permit applications have been submitted to the City at this time. A Neighborhood Traffic Analysis was required as pertains to Rebel Road. The results of this study indicate improvements may be required, especially as it relates to driveways and parking, but at the time of site (re-)development (see Exhibit B).

The site is currently depicted as Office on the Future Land Use Map for the South River City Neighborhood, a depiction it has maintained since that neighborhood plan was adopted in 2005. At the time of that Plan's adoption, the property was also rezoned from SF-3 and LR to

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its current GO base zoning district. A neighborhood plan amendment, from Office to Commercial, is recommended by staff and also on the Agenda for Commission consideration.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-NP	Insurance Office and Dentist Office
<i>West</i>	CS-V-NP; LR-NP	Retail Paint Store; Strip Shopping Center
<i>East</i>	CS-NP; LR-NP; GR-CO-NP; SF-3-NP (to northeast)	Auto Sales & Body Shop; Restaurants; Convenience Store
<i>North</i>	SF-3-NP	Duplex; Single-Family Residential
<i>South</i>	CS-V-NP; CS-NP; MF-6-CO-NP; SF-2-NP; SF-3-NP	Shopping Center; Auto Shop & Fast Food; Apartments; Religious Assembly; Single-Family Residential

TIA: Not Required (an NTA was submitted)

CAPITOL VIEW CORRIDOR: No

WATERSHED: Blunn Creek

DESIRED DEVELOPMENT ZONE: Yes

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

South River City Citizens Assn.	74
South Central Coalition	498
Austin Neighborhoods Council	511
Austin Independent School District	742
Home Builders Association of Greater Austin	786
Homeless Neighborhood Organization	1037
League of Bicycling Voters	1075
Greater South River City Combined Neighborhood Planning Team	1185
Austin Parks Foundation	1113
Super Duper Neighborhood Objectors and Appeals Organization	1200
Austin Monorail Project	1224
Sierra Club, Austin Regional Group	1228
The Real Estate Council of Austin, Inc.	1236
South Austin Commercial Alliance	1302
Austin Heritage Tree Foundation	1340
Zoning Committee of South River City Citizens Assn.	1360
SEL Texas	1363

SCHOOLS:

Austin Independent School District:

Travis Heights Elementary School Fulmore Middle School Travis High School

CASE HISTORIES:

This site, and other properties along both north and south sides of E. Oltorf were rezoned as part of the neighborhood planning process (C14-05-0138 for south, or St. Edward's Neighborhood, and C14-05-0139 for north, or South River City Neighborhood). The rezoning in this immediate area appears to be a mix of up-zoning, down-zoning, and what appears to be consolidation zoning.

In 2007, Vertical Mixed Use Building (V) was added to the northeast and southeast corners of the intersection of South Congress and East Oltorf.

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
WEST 100 E. Oltorf/2301 S. Congress C14-05-0159	CS & CS-1 to CS-NP	Approved; 09/13/2005	Approved; 09/25/2005
C14-2007-0224	CS-NP to CS-V-NP	Approved; 11/13/2007	Approved; 12/13/2007
500 E. Oltorf C14-05-0159	LR & SF-3 to LR-NP	Approved; 09/13/2005	Approved; 09/25/2005
EAST C14-05-0139 2309 Rebel	LR to SF-3-NP	Approved; 09/13/2005	Approved; 09/25/2005
2302 East Side Dr	LR to MF-4-NP	Approved; 09/13/2005	Approved; 09/25/2005
614 E. Oltorf	LR & GR to GR-CO-NP	Approved; 09/13/2005	Approved; 09/25/2005
710 E. Oltorf	LR to MF-4-NP	Approved; 09/13/2005	Approved; 09/25/2005
NORTH Rebel Road residences C14-05-0139	SF-3 to SF-3-NP	Approved; 09/13/2005	Approved; 09/25/2005
SOUTH 101-103 E. Oltorf/ 2401-2501 S Congress/400 Long Bow Lane C14-05-0138	CS to CS-NP	Approved; 09/13/2005	Approved; 09/25/2005
C14-2007-0224	CS-NP to CS-V-NP	Approved; 11/13/2007	Approved; 12/13/2007
501 E. Oltorf C14-05-0138	GR to MF-4-CO-NP	Approved; 09/13/2005	Approved; 09/25/2005

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C14-2007-0202	MF-4-CO-NP to MF-6-CO-NP	Approved; 02/12/2008	Approved; 03/06/2008
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RELATED CASES:

As relates to the subject tract, identified with a different address in the neighborhood plan, the tract was rezoned from commercial (LR) and family residence (SF-3) to general office (GO), in accordance with a Future Land Use Map (FLUM) designation of office. The proposed neighborhood plan amendment, to change the FLUM designation from office to commercial, is also on the Commission's agenda for approval.

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
508 E. Oltorf C14-05-0139	LR & SF-3 to GO-NP	Approved; 09/13/2005	Approved; 09/25/2005

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic Count
Oltorf Street	104 to 107 Feet	60 Feet	Major Arterial	20,952
Rebel Road	50 Feet	28 Feet	Local	454*

*ADT Count taken on 04/11/2001

ABUTTING TRANSIT:

Name	Sidewalks	Capital Metro Bus Service	Existing Bicycle Facility	Recommended Bicycle Facility (2009 Plan)
Oltorf	Yes (Both Sides)	Yes (Multiple Routes)	Bike Lane	Bike Lane
Rebel	No (except just north of intersection)	No	None	None

CITY COUNCIL DATE: TBD (tentative 1/31/2013)

ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Lee Heckman
e-mail address: lee.heckman@austintexas.gov

PHONE: 974-7604

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STAFF RECOMMENDATION

C14-2012-0116

Staff recommendation is to grant Neighborhood Commercial-Conditional Overlay-Neighborhood Plan (LR-CO-NP) combining district zoning. The conditional overlay would limit the vehicle trips to less than 2,000 per day.

BACKGROUND

The site is currently zoned General Office-Neighborhood Plan, a rezoning and combining district assigned with the adoption of the Greater South River City Neighborhood Plan in 2005. An office building has been on site since the mid-1960s.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

- 1) Zoning should promote compatibility with adjacent and nearby uses and promote a transition between adjacent and nearby zoning districts, land uses, and development intensities; and***
- 2) Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.***

Staff supports commercial zoning at this intersection, convinced that such use is appropriate both now and into the future. However, staff recommends neighborhood commercial rather than the applicant's request for community commercial at this time.

The existing general office mixed use (GO) district zoning is the district designation for offices and selected commercial uses that serve community and city-wide needs, such as medical or professional offices. A building in a GO district may contain one or more different uses. The use of this property over the past several decades has been consistent with an office zoning district.

The requested community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways. Staff recommends neighborhood commercial (LR) district, which is the designation for a commercial use that provides business service and office facilities for the residents of a neighborhood. Site development regulations and performance standards applicable to a LR district use are designed to ensure that the use is compatible and complementary in scale and appearance with a residential environment.

This tract abuts Oltorf Street, which is a major arterial and heavily traveled; the tract abuts commercially zoned property to the west. Continuing westward are various commercial venues until one reaches the CS-V zoned properties of Congress Avenue. Across Oltorf are the new District at SoCo Apartments, an MF-4 (moderate density) and MF-6 (highest density) zoned multifamily project. To the east lies Rebel Road and an automobile use on a general commercial services (CS) tract. Along Oltorf to the east are a few restaurants on the north side of the street and a church to the south. Further east and closer to Alta Vista Street are single-family and family residence-zoned properties, as well as apartments with different levels of density (and zoning districts). Given this tract's location on the north side of Oltorf, between existing commercial properties which extend a minimum of 1,000 feet in either direction, commercial zoning is appropriate.

However, staff cannot recommend the more intense GR commercial zoning at this intersection at this time. First, property immediately to the north of the tract is zoned family residence (SF-3-NP) and is used that way. Site development standards aside, staff is concerned about the potential incompatibility of unlimited GR uses on this site and the abutting single-family residences. Staff thinks LR would provide a more appropriate transition between busy Oltorf and the adjacent single-family residential than unlimited GR. Although the current proposal is a restaurant reuse of the existing structure, there is no guarantee the site would not be redeveloped with more intense GR uses and at a higher density.

Consequently, staff thinks this site, which is in an area of redevelopment and transition along Oltorf, is appropriate for commercial uses. Yet, given the immediacy of single-family homes along its northern border, staff is mindful of the compatibility challenges intense commercial uses might bring. Staff thinks LR zoning is more compatible and a better transition away from Oltorf than unrestricted GR zoning.

Second, but related, is that staff is concerned about the potential discord between unlimited GR uses, the Rebel Road single-family neighborhood, and the nature of Rebel Road itself. Rebel Road is a 1,200 feet long street that connects Live Oak Street and Oltorf. It is a local street primarily serving a collection of 20 single-family homes. It is possible Rebel Road is also used for shortcuts or cut-through traffic, but given its length and function, Rebel Road is not a collector-level street and will not likely become one in the future.

As indicated in the neighborhood transportation analysis, a restaurant on this subject tract will increase traffic on Rebel Road by 37%. This percentage increase is relatively high because there is so little vehicle traffic on Rebel Road now; in terms of actual automobile trips, the pre- and post-restaurant estimates are 390 versus 533 vehicle trips per day. An extra 143 vehicle trips per day may not, by itself, negatively impact the character of a single-family neighborhood served by this road, but it does speak to the compatibility concerns of unlimited GR zoning uses abutting and leading into a single-family residential neighborhood. Given the zoning principle of promoting retail or similarly intense uses at intersections of arterials and major collectors (and not just local or collector-level intersections in general), staff cannot recommend unlimited GR zoning at this location at this time.

3) Zoning should be consistent with an adopted study, the Future Land Use Map (FLUM) or an adopted neighborhood plan.

This rezoning request is accompanied by a neighborhood plan amendment, and staff's recommendation for Neighborhood Commercial rezoning is contingent upon a recommendation by the Planning Commission to change the Future Land Use Map for this tract from Office to Commercial.

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EXISTING CONDITIONS

Site Characteristics

This is a developed site, with approximately 3,300 square feet of office space, some of it two-story, and associated paved parking. There is one significantly-sized tree on site, and some trees or shrubs along the northern property line; otherwise, the site is essentially impervious. The site slopes from west to east, but the topography is not a constraint to redevelopment.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Blunn 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.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. 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.
4. According to flood plain maps there is no flood plain within the project area.
5. 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.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Site Plan and Compatibility Standards

1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
2. The site is subject to compatibility standards. Along the north and south property line, the following standards apply:
 - a. No structure may be built within 25 feet of the property line.
 - b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - d. No parking or driveways are allowed within 25 feet of the property line.

- e. A landscape area at least 25 feet wide 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.
3. Additional design regulations will be enforced at the time a site plan is submitted.
 4. This site is within the Greater South River City Neighborhood Planning Area.

Transportation

1. Following existing streets are abutting this parcel:

Name	ROW	Pavement	Classification	Daily Traffic City of Austin traffic counts:
Oltorf ST	104' to 107'	60'	Major Arterial	20,952
Rebel RD	50'	28'	Local	454*

*ADT Count taken on 04/11/2001

2. No additional ROW is required in accordance with the AMATP during the subdivision and site plan application process for Oltorf ST or Rebel RD
3. 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].
4. A Neighborhood Traffic Analysis is required and will be performed for this project by the Transportation Review staff. Results will be provided in a separate memo [LDC, Sec. 25-6-114]. The applicant that will be required to conduct a traffic count.
5. There are existing sidewalks along both sides of Oltorf ST.
6. There are no existing sidewalks along Rebel RD; except close to the intersection with Oltorf St.
7. Following table shows 2009 Bicycle Plan recommendations for the boundary streets for this parcel:

Street Name	Existing Bicycle Facility	Recommended Bicycle Facility
Oltorf ST	Bike Lane	Bike Lane
Rebel RD	None	None

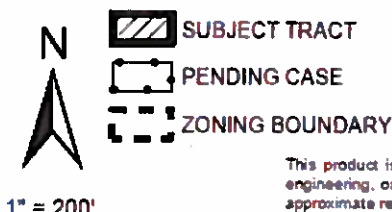
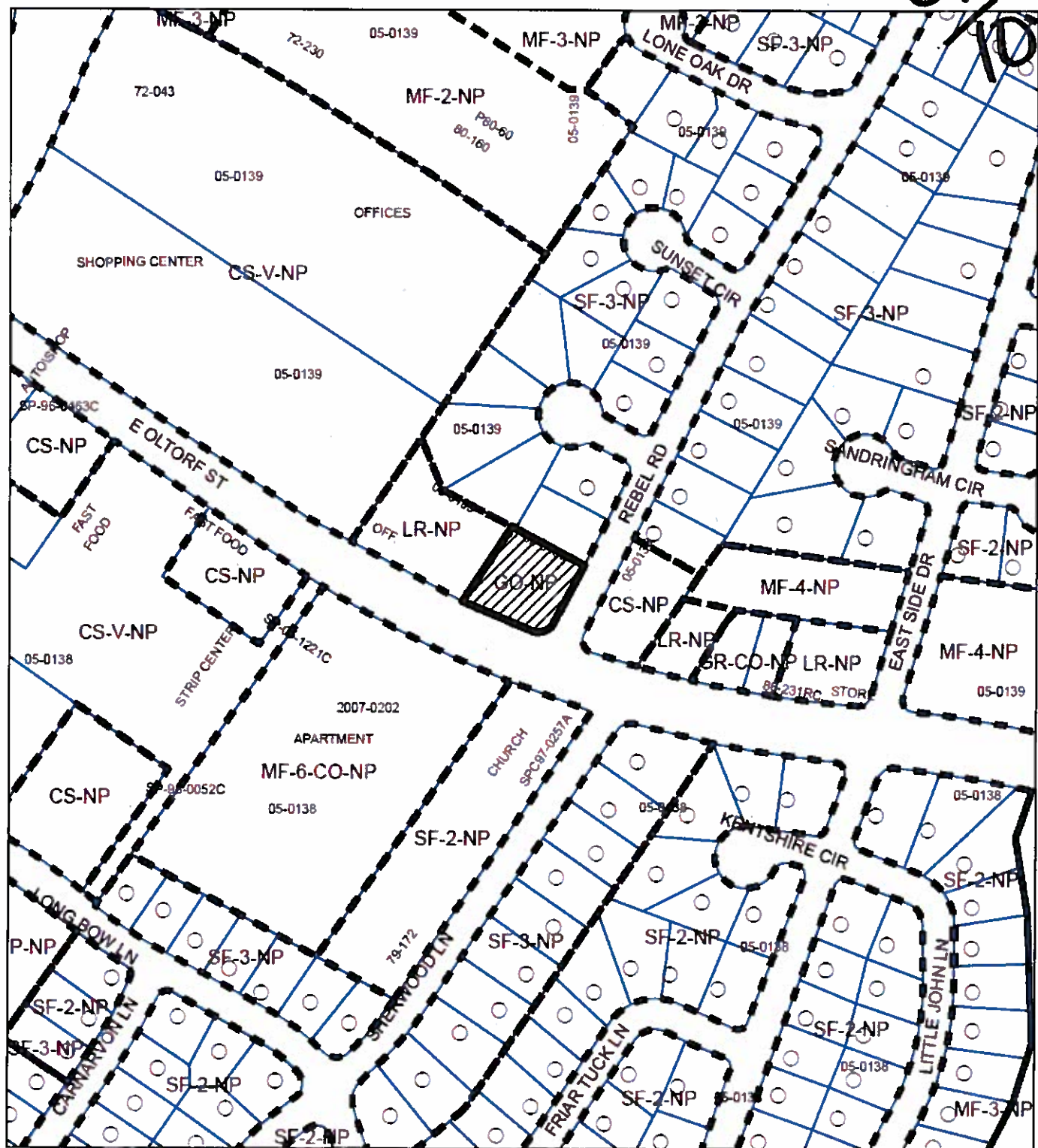
Water and Wastewater

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




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proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.

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ZONING CASE#: C14-2012-0116

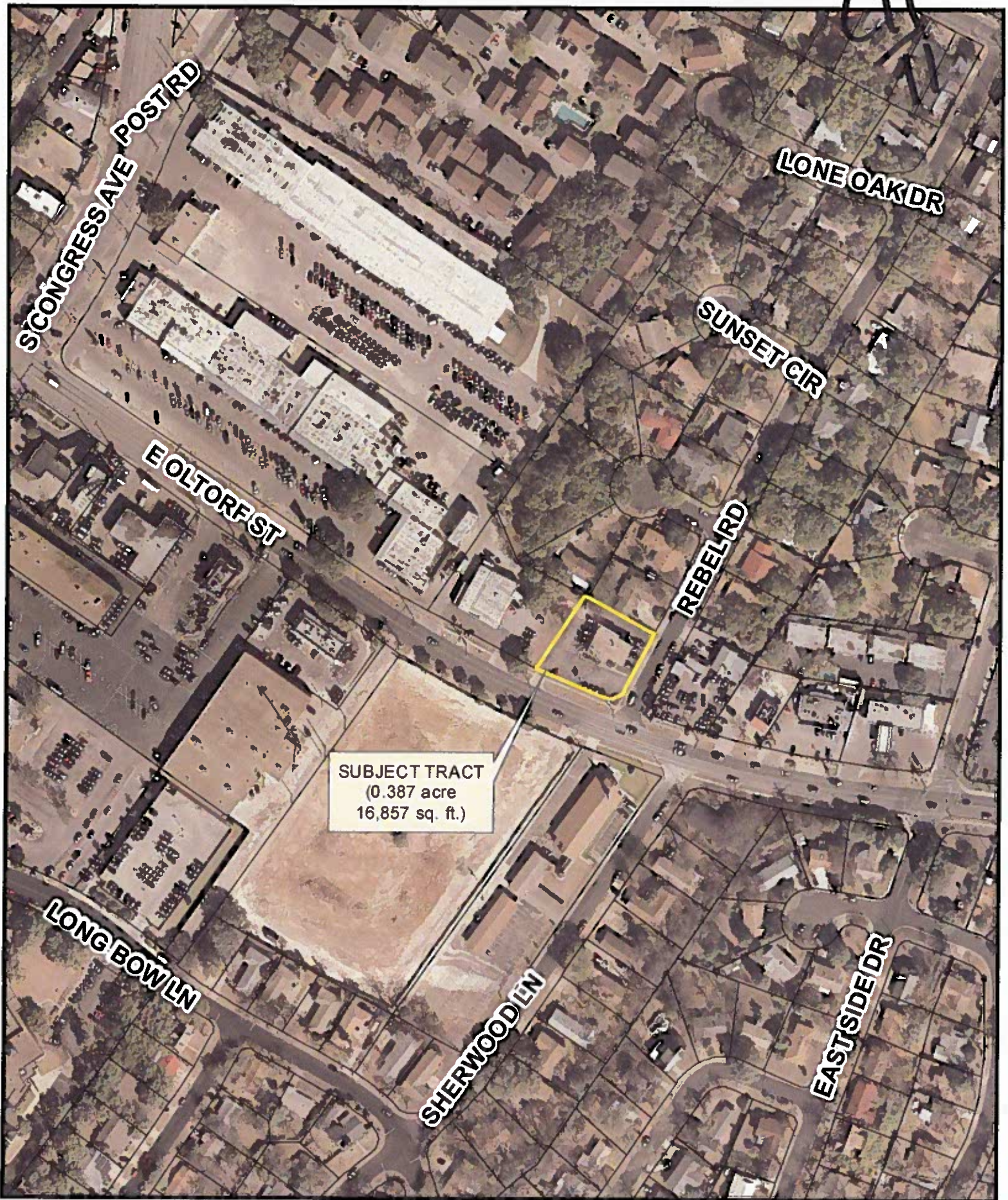
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



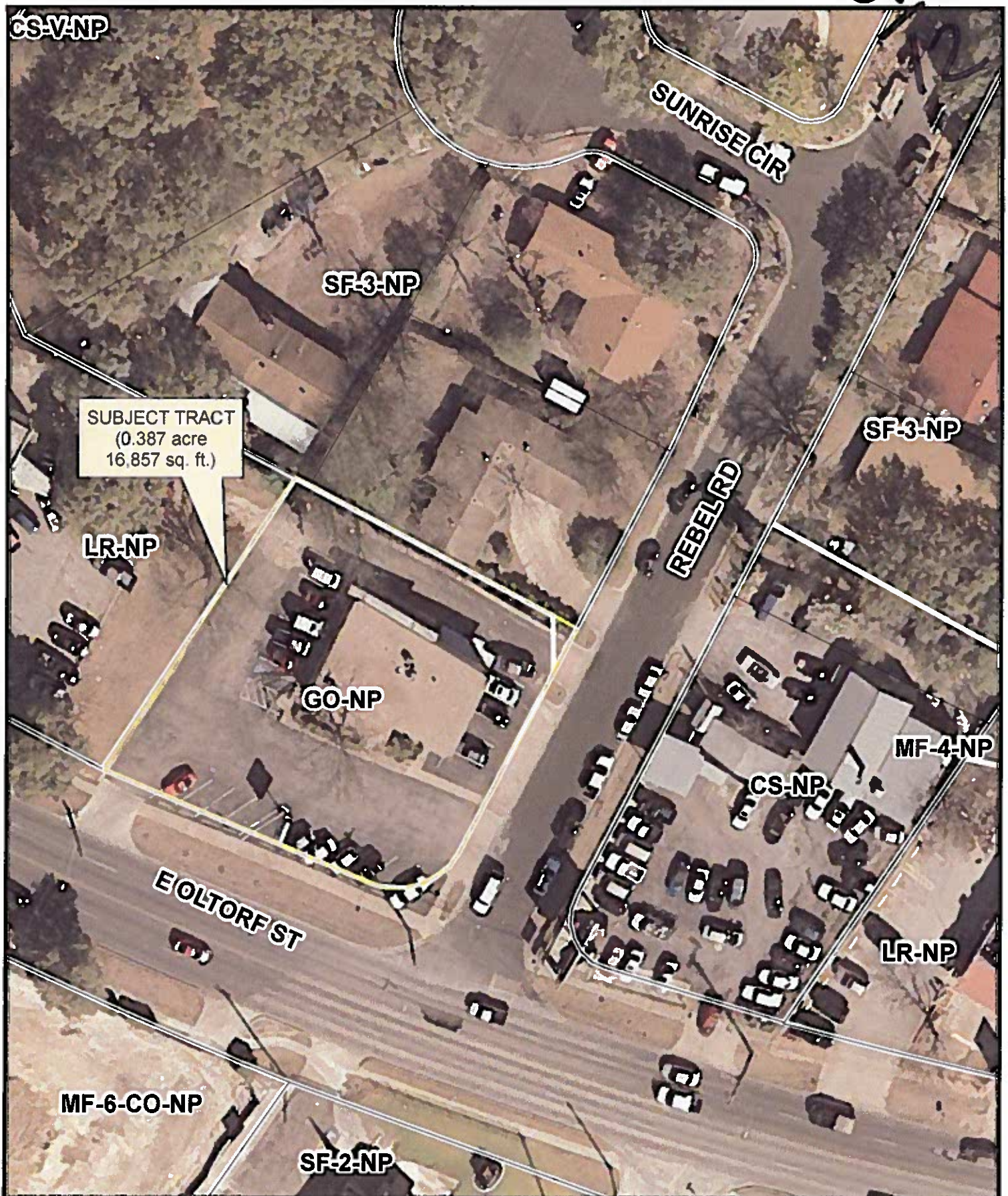
Exhibit A



Imagery: 2009

Exhibit A - 1
Aerial

0 100 200 400
Feet
1 inch = 200 feet



Imagery: 2009

Exhibit A - 2
Aerial

0 25 50 100 Feet
1 inch = 50 feet



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MEMORANDUM

TO: Lee Heckman, Case Manager
CC: Alice Glasco, Alice Glasco Consulting
FROM: Shilpa Bhadsavle, Transportation Planner
DATE: November 7, 2012
SUBJECT: Neighborhood Traffic Analysis for Rebel Road
Zoning Case: 518 E Oltorf ST, C14-2012-0116

The Transportation Section has performed a neighborhood traffic impact analysis for the above referenced case and offers following comments. The neighborhood traffic analysis was required for this zoning case because the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 trips per day, and the project has access to a local street where at least 50 percent of the site frontage has an SF-5 or more restrictive zoning designation.

The .387-acre tract proposes a restaurant use where the site is currently being used as insurance office. This site is located in south Austin, southeast of S Congress Ave and E Oltorf ST. The project, which is currently zoned General Office (GO-NP), is requesting a change to Community Commercial (GR-NP). The tract has vehicular access to E Oltorf ST on the south side and to Rebel RD on the east side. Surrounding the tract to the north is single family, and to the south are multifamily and some single family uses. As you go further west, more properties are zoned (CS), Commercial Services where land uses are commercial.

Roadways

E Oltorf ST is a major arterial as per the Austin Metropolitan Area Transportation Plan (AMATP), with approximately 87 feet of right-of-way and 41 feet of pavement. This street is currently carrying more than 27,000 vehicles per day (vpd), west of Sherwood Ln.

Rebel Road is a local Street with 50 feet of right-of-way and 28 feet of pavement. This street is currently carrying 390 vpd from Sunrise CIR to E Oltorf ST.

Trip Generation and Traffic Analysis

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE) *Trip Generation report, 8th edition*, the development will generate approximately 477 (considering high turnover sit down restaurant as the proposed use) average daily trips (ADT) assuming that the site develops to the proposed project.

Distribution of trips was estimated as follows:

Street	Site Traffic
E Oltorf ST	70%
Rebel RD	30%

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Below is a table containing the estimated number of adjusted trips that will affect each street:

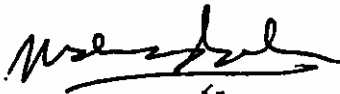
Street	Existing Traffic (vpd)	Site Traffic (vpd)	Total Traffic after Project (vpd)	% Increase
E Oltorf ST	27,000	334	27,334	1.2%
Rebel Road	390	143	533	37.0%

The Land Development Code specifies desirable operating levels for certain streets in section 25-6-116. These levels are as follows: A residential street with a pavement width less than 30 feet should not exceed 1,200 vehicles per day. For the purposes of this neighborhood traffic analysis, this is applicable to Rebel RD.

Conclusions/Recommendations

1. There are currently three driveways from this site which access Rebel Road. There is head-in back-out parking on the west side of Rebel RD that uses the second driveway. In addition, this site has two additional driveways off of Rebel RD. These existing driveways are non-complying in accordance with the City of Austin's driveway design standards for width and spacing. If the requested zoning is granted, it is recommended that the existing head-in back-out parking be removed and driveways be reconstructed to meet current City of Austin standards at the time of site plan application.
2. Currently, the existing driveway accessing E Oltorf ST does not meet the City of Austin's driveway design standard for width and spacing. At the time of site plan application, this driveway may be required to be reconstructed to current City of Austin standards.
3. Currently, on street parking is prohibited on East side of Rebel RD only for corner clearance. At the time of site plan application, additional signage for prohibiting off street parking on the west side of Rebel RD may be required by the Austin Transportation Department.
4. Development of 518 E Oltorf should be limited to the land used and intensity, which will not exceed or significantly vary from the projected traffic assumed based on 477 vehicle trips per day. Such assumptions include daily trip generation, peak hour generation, trip distribution, and other related traffic characteristics.

If you have any questions or require additional information, please contact me 974-6421.



Shiipa Bhadsavie
Senior Planner, Transportation Review
Planning and Development Review Department