

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2013-0104 Shelley Tract

**P.C. DATE:** 10/2213

**ADDRESS:** 1700 West Avenue

**AREA:** 0.24 acres

**APPLICANT:** Blue Dragon, Ltd.  
(Lance Farrell)

**AGENT:** Land Answers, Inc.  
(Jim Wittliff)

**NEIGHBORHOOD PLAN AREA:** Downtown

**CAPITOL VIEW:** No

**T.I.A.:** Waived – See the Transportation Reviewers comments.

**WATERSHED:** Shoal Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** SF-3 – Family Residence

**ZONING TO:** LO-MU, Limited Office – Mixed Use

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends LO-MU- Limited Office-Mixed Use.

### **DOWNTOWN COMMISSION RECOMMENDATION:**

### **PLANNING COMMISSION RECOMMENDATION:**

### **DEPARTMENT COMMENTS:**

This segment of West Avenue, between Martin Luther King Jr. Boulevard and 12<sup>th</sup> Street, has undergone a twenty five year transformation to predominantly Limited Office (LO) and General Office (GO) zoning. This trend to move to Office zoning dates back to 1979. There are twenty four properties that front on West Avenue as depicted on the zone change map. Of those twenty four properties, more than fifty percent (50%) are zoned Neighborhood Office (NO), Limited Office (LO) or General Office (GO). The north east corner of 17<sup>th</sup> and West Avenue across the street from the subject tract is zoned General Office, (GO) the south east corner is zoned Limited Office, (LO) and the south west corner is zoned Limited Office, (LO). There is a multifamily apartment complex located to the north of the subject tract. Granting the zone change request to Limited Office would be in keeping with the zoning principle of “what is fair and reasonable, compatible and consistent with the zoning in the area”. The applicant has also requested the inclusion of the Mixed Use (MU) combining district overlay for the subject property. The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development. Within the districts that allow mixed use development, uses may be combined either vertically in the same building, or horizontally in multiple buildings, or through a combination of the two, depending on the standards of the district. In an MU combining district that is combined with a Limited Office (LO) base district, the minimum site area for each dwelling unit is:

- (i) 1,600 square feet, for an efficiency dwelling unit;
- (ii) 2,000 square feet, for a one bedroom dwelling unit; and
- (iii) 2,400 square feet, for a dwelling unit with two or more bedrooms.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	SF-3	Single Family Residence
<b>NORTH</b>	MF-3	Apartments
<b>SOUTH</b>	LO-H	Office
<b>EAST</b>	GO	Office
<b>WEST</b>	SF-3	Single Family Residence

**CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-91-0079 1504 West Ave.	From SF-3 to NO-H-CO	Approved NO-H-CO [Vote: 9-0]	Approved NO-H-CO [Vote: 7-0]
C14-78-184 1502 West Ave.	From "A" Residence (SF-3) to "O" Office (LO)	Approved "O" Office (LO) [Vote 7-0]	Approved "O" Office (LO) [Vote 9-0]
C14-80-171 1501 West Ave.	From "A" Residence (SF-3) to "O" Office (LO)	Approved "O" Office (LO) [Vote 7-0]	Approved "O" Office (LO) [Vote 9-0]

**BASIS FOR RECOMMENDATION:**

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

Granting Limited Office (LO) would be in keeping with the adjacent uses to the west and south as well as the predominate uses of Limited Office and General Office along West Avenue.

**NEIGHBORHOOD ORGANIZATION:**

- Austin Neighborhoods Council
- Downtown Austin Alliance
- Downtown Austin Neigh. Assoc.
- Downtown Austin Neigh. Coal.
- Original Austin Neigh. Assoc.
- Judges Hill Neigh. Assoc.
- Old Austin Neigh. Assoc.

**SCHOOLS:**

Matthews Elementary School, O'Henry Middle School, Austin High School

**SITE PLAN:**

Any new development is subject to Subchapter E. Design Standards and Mixed Use. The site is subject to compatibility standards. Along the north property line, 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.
  - 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 9 feet of 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.

**ENVIRONMENTAL:**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal 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.

**TRANSPORTATION:**

TR1. No additional right-of-way is needed at this time.

TR2. 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]

## TR 3. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
West Ave.	80'	40'	Collector	Yes	No	Yes

**CITY COUNCIL DATE:** November 21st, 2013**ACTION:****ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)**PHONE:** 974-7691


$$1'' = 200'$$





SUBJECT TRACT





Google earth

feet 10  
meters 3







Google earth

feet 10  
meters 3





## Patterson, Clark

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**From:** Milton R. Felger [redacted]  
**Sent:** Monday, September 23, 2013 11:14 AM  
**To:** Patterson, Clark  
**Subject:** FW: [Members] 1502 West Avenue  
**Attachments:** Shelly Zoning Application.pdf; Zoning - 1402 West.pdf; 1502 West.pdf; ATT00091.txt  
**Importance:** High

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**Importance:** High

Clark Patterson  
City of Austin

Dear Sir:

RE: Proposed zoning change of 1700 West Avenue; case number: C14-20013-0104

1. The property at 1700 West has always existed for single family use since it was built some 90 years ago! The present owner was very well aware the property was zoned SF-3 before he purchased the property about a year ago. The selling realtor said that the new owner's plan was in making fast big bucks by converting its use from residential to commercial.
2. To permit rezoning of 1700 West Avenue would destroy the historical character of our residential neighborhood; moreover, it is very nearby and will devalue my property at 1705 West Avenue which conforms with its zoning restrictions for residential use.
3. Accordingly, I **strongly** object to any conditional use permit for any commercial purpose, such as a hair salon, at 1700 West Avenue.
4. Please provide the proper format or method to for me to formally register my objection of any application for rezoning 1700 West Avenue.

Thank you so much for your assistance with this matter.

Sincerely,

/S/

MILTON R. FELGER, DDS, MS.  
Commander, U.S. Navy (ret.)  
10008 CORMORANT COVE  
AUSTIN, TX 78730-3583

Phone: [512- 795-9205](tel:512-795-9205)

Fax: [512- 795-9231](tel:512-795-9231)

Cell: [512- 970-1893](tel:512-970-1893)

E-mail: [redacted]

P.S. Can a out-of-town developer's big money rule the day in Austin??