

ZONING CHANGE REVIEW SHEET

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CASE: C14-2013-0104 Shelley Tract

P.C. DATE: 10/22/13, 11/12/13

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:

The Downtown Commission failed to make quorum on October 16th, so they have no recommendation for C14-2013-0104 (Shelley Tract).

PLANNING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

This segment of West Avenue, between Martin Luther King Jr. Boulevard and 12th 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 17th 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:

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- (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:

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

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
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]

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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

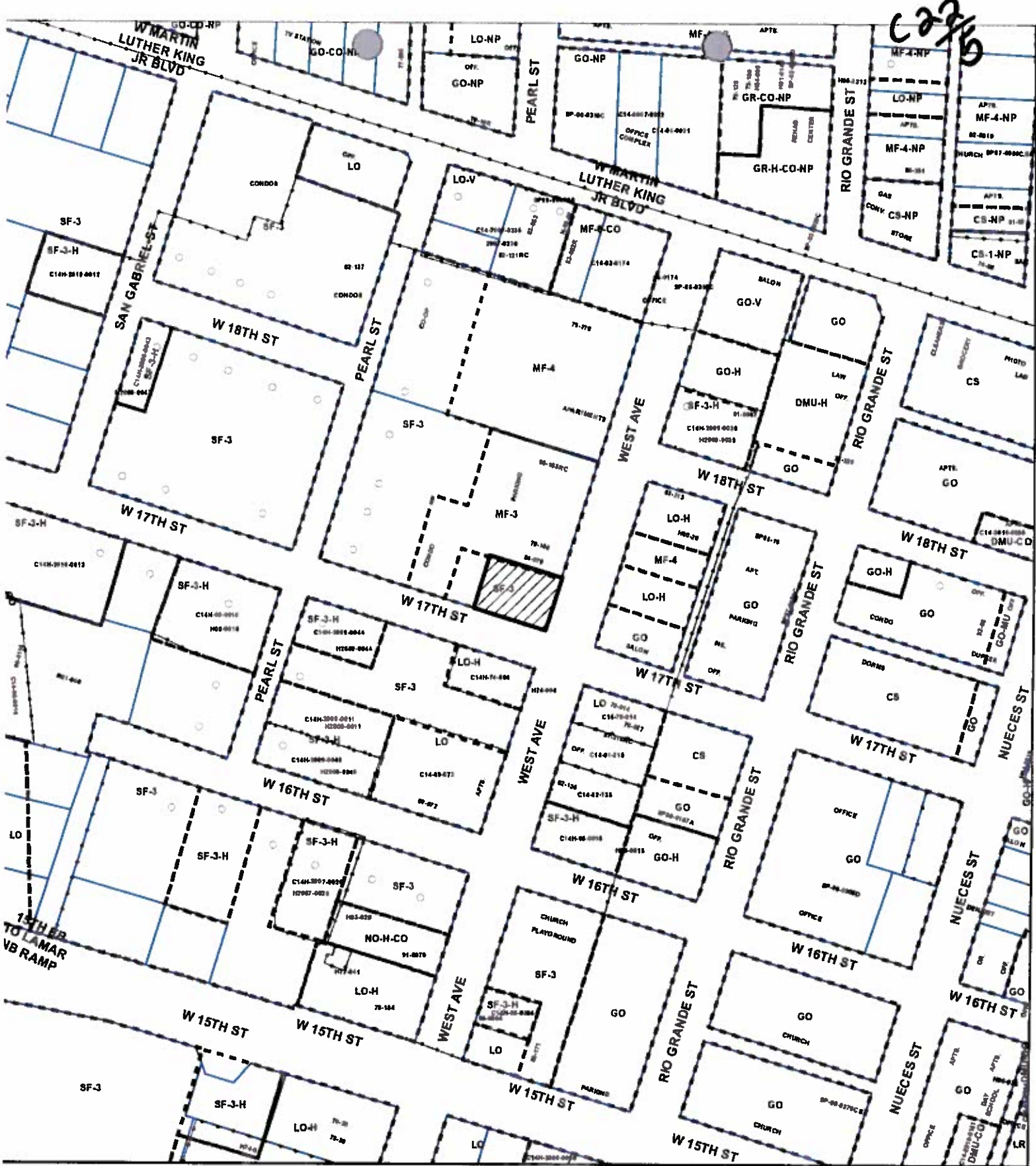
ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691



 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2013-0104

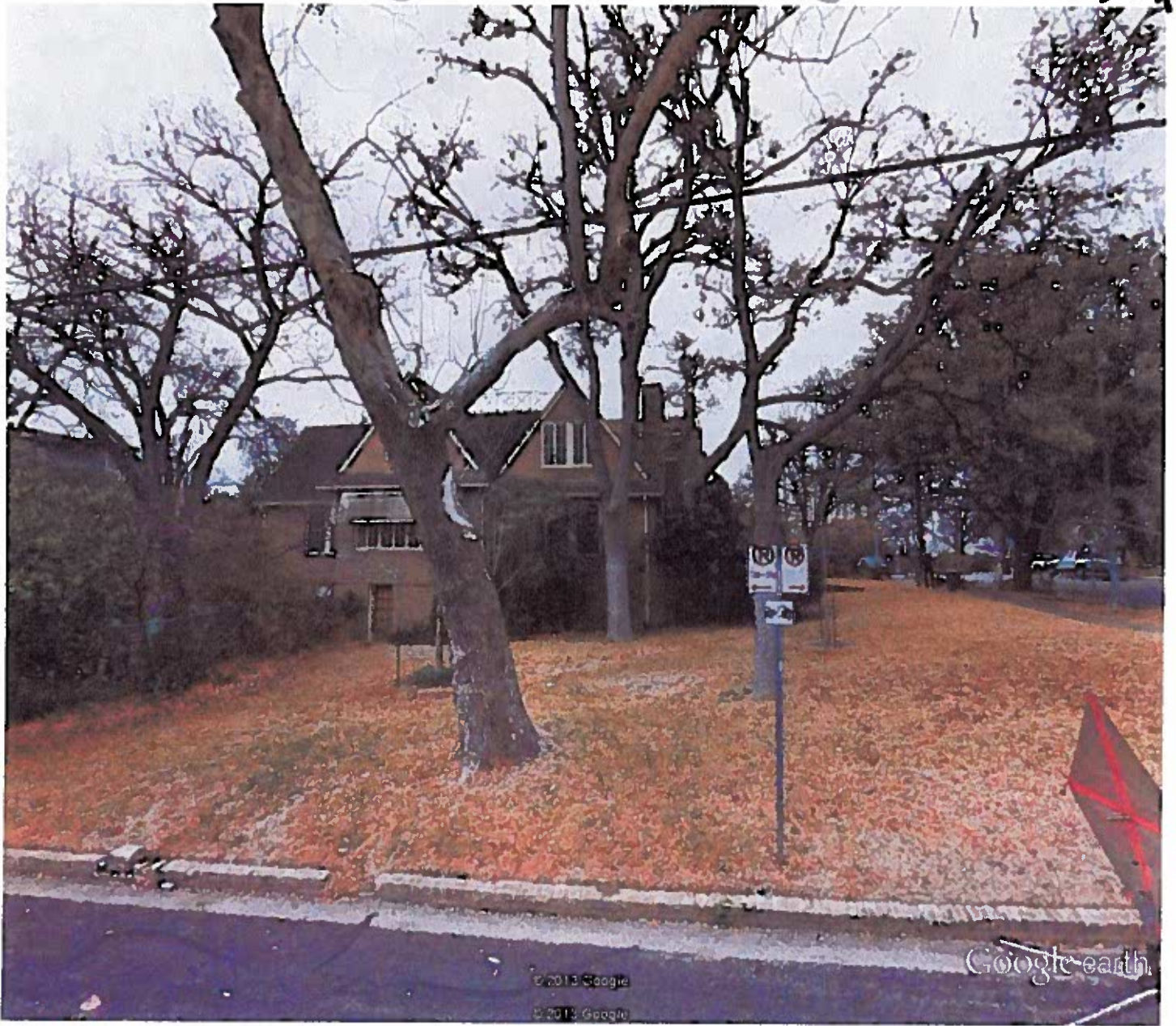
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.





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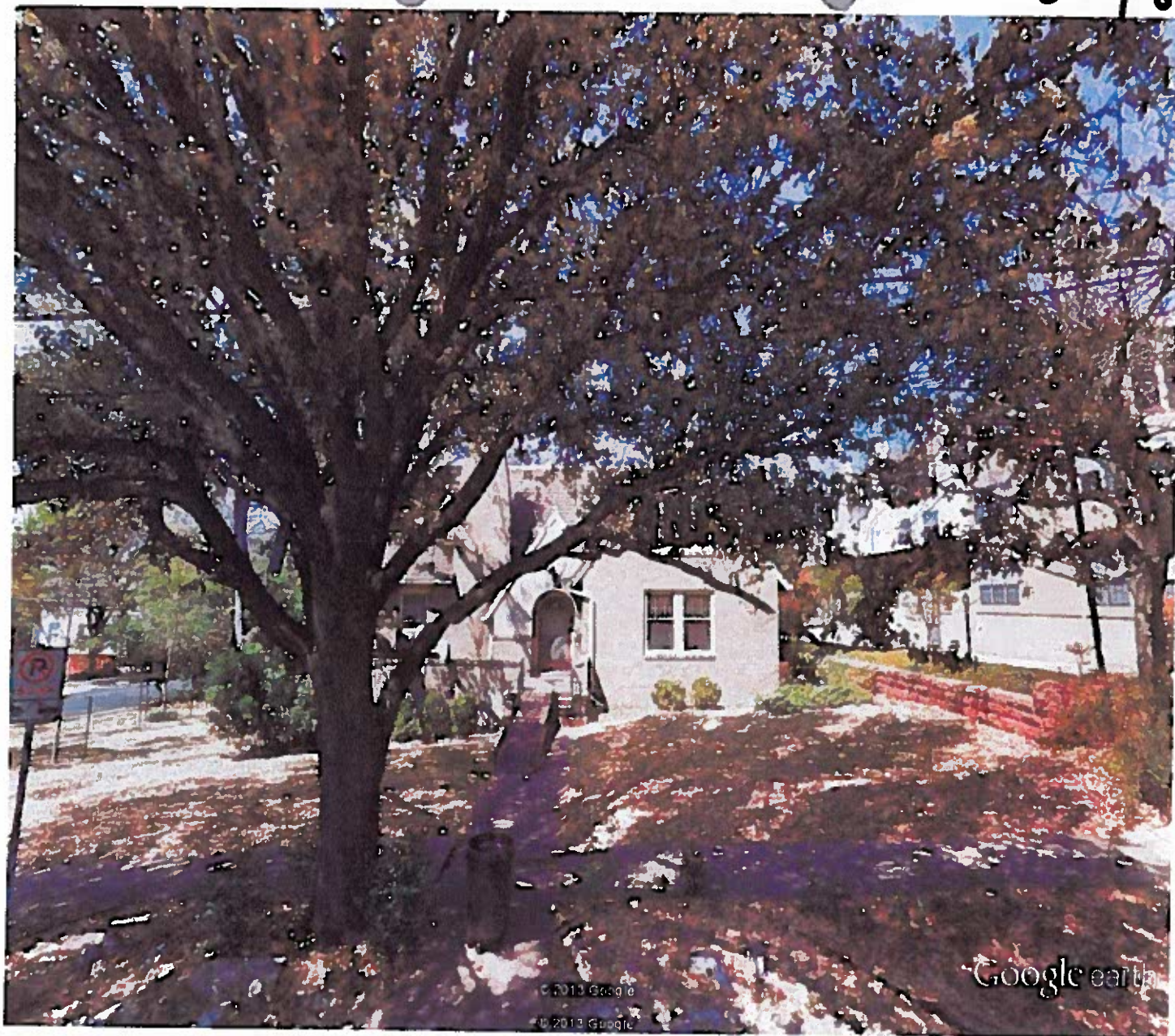


Google earth

feet 10
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1610_West_Ave.jpg



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1703_West_Ave.jpg

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Patterson, Clark

From: Milton R. Felger
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

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: [51 2- 795-9231](tel:512-795-9231)

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

E-mail: mfelger@navymail.mil

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

Patterson, Clark

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From: Ray Langenberg <rlangenberg@scottdoug.com>
Sent: Wednesday, October 16, 2013 8:21 AM
To: Patterson, Clark
Subject: Case No. C14-2013-0104 Shelly Tract at 1700 West Avenue

Clark –

Please be advised that at its October 6, 2013 meeting, the Judge's Hill Neighborhood Association voted to oppose the application to change the zoning from SF-3 to LO-MU.

The Associate considers this property to be within the Association boundaries and the Association wishes to preserve the predominantly single family character of the neighborhood.

Thank you for your consideration of this matter.

Ray Langenberg
President, Judge's Hill Neighborhood Association
1802 Vance Circle
Austin TX 78701
W – 495-6313
H – 391-1594
rlangenberg@scottdoug.com

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PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2013-0104

Contact: Clark Patterson, 512-974-7691

Public Hearing: Oct 22, 2013, Planning Commission

Nov 21, 2013, City Council

Jerri Hudson Bell

Your Name (please print)

903 W. 18th St.

Your address(es) affected by this application

Jerri Hudson Bell

Signature

Oct 15, 13

Date

Daytime Telephone: 512-565-1587

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2013-0104

Contact: Clark Patterson, 512-974-7691

Public Hearing: Oct 22, 2013, Planning Commission

Nov 21, 2013, City Council

MICHAEL WARD

Your Name (please print)

901 W. 16th St.

Your address(es) affected by this application

Michael Ward

Signature

10-13-13

Date

Daytime Telephone: 512-632-9561

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2013-0104

Contact: Clark Patterson, 512-974-7691

Public Hearing: Oct 22, 2013, Planning Commission

Nov 21, 2013, City Council

Sally Ward
Your Name (please print)

901 West 16th 78701
Your address(es) affected by this application

Sally Ward
Signature

10-12-13
Date

Daytime Telephone: 512-970-0149

Comments: This is a residential neighborhood with no parking available.

☐ I am in favor
☒ I object

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

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