

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2013-0091                      **P.C. DATE:** October 8, 2013  
2804 Sol Wilson-Zoning Change

**ADDRESS:** 2804 Sol Wilson Avenue                      **AREA:** 0.168 Acres

**OWNER:** Bih Jau Sheu

**AGENT:** Noa Levy

**FROM:** General commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning

**TO:** General commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning

**NEIGHBORHOOD PLAN AREA:** Rosewood

**TIA:** Not required

**WATERSHED:** Boggy Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends CS-MU-CO-NP zoning. All conditions of the existing conditional overlay will remain in effect. An additional condition will limit the property to less than 2,000 vehicular trips per day.

**PLANNING COMMISSION RECOMMENDATION:**

October 8, 2013: RECOMMENDED TO APPROVE STAFF RECOMMENDATION ON CONSENT. (8-0-1); D.CHIMENTI- 1<sup>ST</sup>, J. STEVENS- 2<sup>ND</sup>; (S. OLIVER-ABSENT).

**DEPARTMENT COMMENTS:**

The subject property is a single lot is located northeast of the intersection of Sol Wilson and Oak Grove Avenue. Currently, the subject property is undeveloped and is adjacent to the right-of-way of an unconstructed roadway, Harvey Street. The Austin Transportation Plan does not propose completion of Harvey Street. To the west of the subject property is a lot that is also zoned CS-CO-NP and is used for automotive repair and vehicle storage. To the east, across the unused Harvey Street right-of-way, is property developed as multifamily and zoned MF-3-NP. Across Sol Wilson Avenue to the south are several single family residences zoned SF-3-NP. Please refer to Exhibits A and B (Zoning Map and Aerial View). The property was zoned CS-CO-NP as part of the Rosewood Neighborhood Plan process. The following conditions were applied to the subject property (as well as others in the Plan Area), and will not be modified:

- Maximum building height 40 feet
- Prohibited land uses: Adult oriented businesses, Automotive washing (of any type), Commercial off-street parking, Construction sales and services, Custom manufacturing, Equipment sales, Laundry service, Maintenance and service facilities, Service station, Agricultural sales and services, Campground, Commercial blood plasma center, Convenience storage, Drop-off recycling collection facility, Equipment repair services, Limited warehousing and distribution, Pawn shop services, and Vehicle storage.
- Conditional land uses: Exterminating services, Hotel-motel, Monument retail sales, Residential treatment, Guidance services, Kennels, and Outdoor sports and recreation.

An additional proposed condition will limit the property to less than 2,000 vehicular trips per day.

**ABUTTING STREETS:**

Name	ROW	Pavement	Class	Sidewalk	Bus Route	Bike Route
Sol Wilson Ave.	Varies	30'	Local	No	No	No

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	CS-CO-NP	Undeveloped
<i>North</i>	CS-CO-NP, MF-3-NP	Right-of-way, Multifamily
<i>South</i>	SF-3-NP	Single family residences
<i>East</i>	MF-3-NP, CS-MU-V-CO-NP	Multifamily, Vacant, Multifamily
<i>West</i>	CS-CO-NP	Automotive repair, Vehicular storage

**RELATED ZONING CASES:** The property was zoned as part of the Rosewood Neighborhood Plan process with zoning case C14-01-0150.

**NEIGHBORHOOD ORGANIZATIONS:**

Del Valle Community Coalition  
 PODER  
 McKinley Heights Neighborhood Association  
 Homewood Heights Neighborhood Association  
 Austin Neighborhoods Council  
 African American Cultural Heritage District  
 Preservation Austin  
 United East Austin Coalition  
 Rosewood Neighborhood Contact Team

**CITY COUNCIL DATE/ACTION:** November 7, 2013: *MEETING CANCELLED*;  
 December 12, 2013:

**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup> **ORDINANCE NUMBER:**

**CASE MANAGER:** Heather Chaffin **PHONE:** 974-2122

e-mail: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

**STAFF RECOMMENDATION:**

Staff recommends CS-MU-CO-NP zoning for the subject property. The proposed rezoning will only add the Mixed Use (MU) designation to the existing zoning classification, and a limit on vehicular traffic generation.

The property is in a transitional area that includes commercial, multifamily, and single family residential development. The subject property is immediately adjacent to commercial and multifamily properties that access East 12<sup>th</sup> Street; however the subject property only has access to Sol Wilson, a dead-end residential collector. The remaining properties on this block of Sol Wilson are zoned SF-3-NP and MF-3-NP and developed with single family and multifamily land uses.

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

The subject property is currently the only property on Sol Wilson that does not have the option of residential land use, despite the location on a residential street. The property owner proposes developing the property with single family residential, consistent with the other properties fronting Sol Wilson.

**SITE PLAN**

SP 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.

SP 2. FYI - This site is located in the Rosewood Neighborhood Plan. Please see the City's website <http://www.austintexas.gov/departments/neighborhood-planning> for a copy of the recommended design guidelines.

SP 3. The site is subject to compatibility standards for any proposed commercial development. Along the 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.
- f. Additional design regulations will be enforced at the time a site plan is submitted.

SP 4. This property is within the Controlled Compatible Land Use Area defined by Chapter 241 of the Local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited. For more information, contact Joe Medici, Noise Abatement Officer at (512) 530-6652.

**TRANSPORTATION**

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

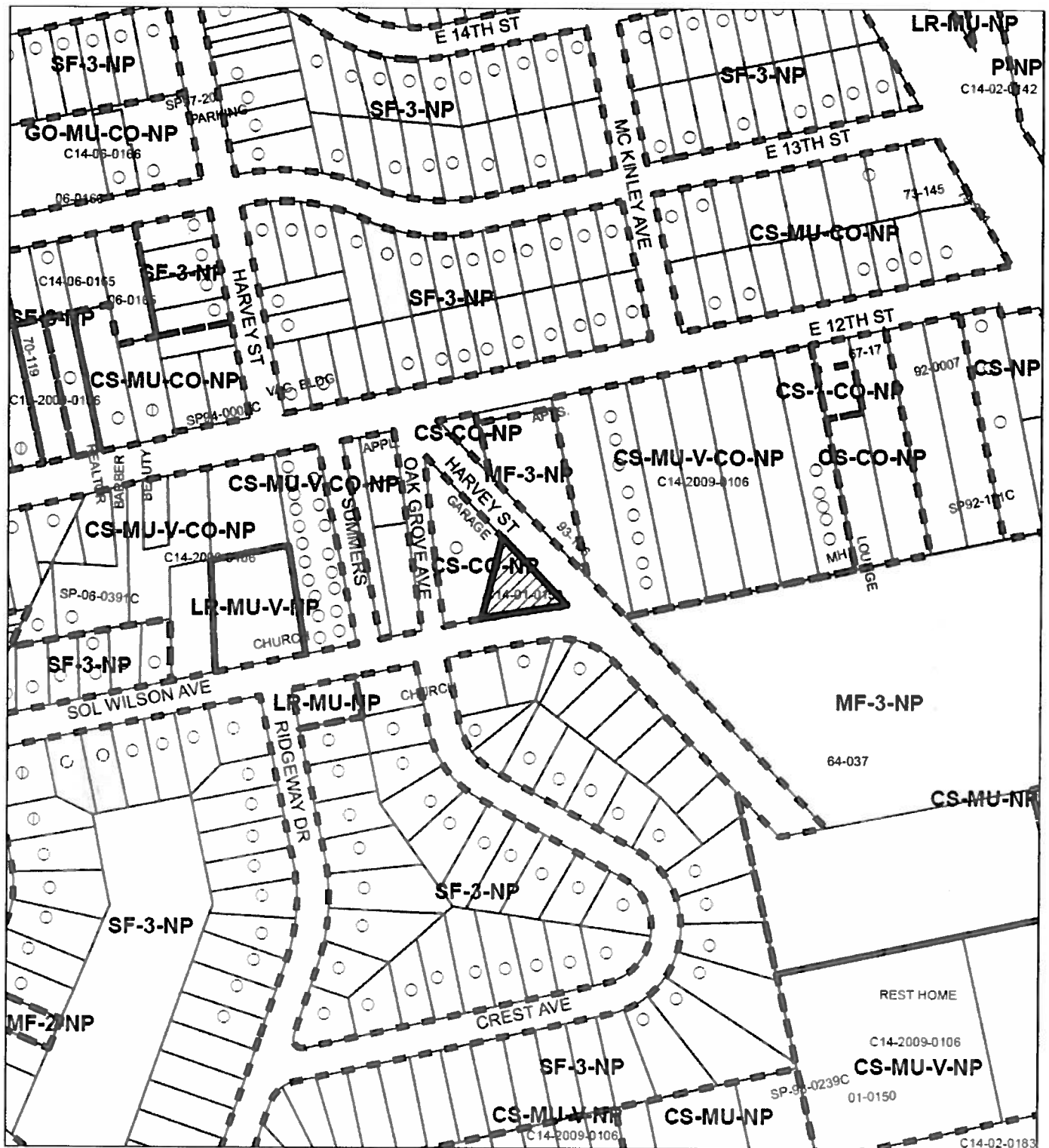
TR2. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

### ENVIRONMENTAL

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

### WATER UTILITY

FYI: 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 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.



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 200'

### ZONING

ZONING CASE#: C14-2013-0091

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.



