

**NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET**

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**NEIGHBORHOOD PLAN:** Govalle/Johnston Terrace Combined

**CASE #:** NPA-2014-0016.03

**DATE FILED:** December 4, 2014 (out-of-cycle)

**PROJECT NAME:** Morotito's Plan

**PC DATE:** May 12, 2015

**ADDRESS:** 2901 E. 5<sup>th</sup> Street

**DISTRICT AREA:** 3

**SITE AREA:** 0.3115 acres

**OWNER/APPLICANT:** Michael A. Valdez

**AGENT:** Lourdes Godoy

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Single Family

**To:** Mixed Use

**Base District Zoning Change**

**Related Zoning Case:** C14-2014-0194

**From:** SF-3-NP

**To:** GR-MU-NP

**NEIGHBORHOOD PLAN ADOPTION DATE:** March 27, 2003

**PLANNING COMMISSION RECOMMENDATION:** (Pending)

**STAFF RECOMMENDATION:** Recommended

**BASIS FOR STAFF'S RECOMMENDATION:** The applicant's request to change the land use from Single Family to Mixed Use is supported by staff because E. 5<sup>th</sup> Street is predominantly a commercial corridor with some industrial uses. Mixed Use land use along this corridor is consistent with the existing land uses and staff believes the single family land use and zoning along this corridor will continue to transition to commercial uses over time.

The request meets the following Govalle/Johnston Terrace goals and recommendations.

## LAND USE GOALS

### **Goal 1: Adjacent land uses should be compatible.**

*Key Principles: Address the “over-zoning” of properties in the Govalle/Johnston Terrace Neighborhood Planning Area.*

- Non-residential development should not adversely affect existing businesses or neighborhoods, either by increases in traffic, noise, pollutants, or other safety hazards.

### **Goal 2: Preserve and protect current and future single-family neighborhoods.**

*Key Principles: Initiate appropriate rezoning to preserve and protect established and planned single-family neighborhoods.*

- Encourage higher density residential developments to locate near major intersections, and in locations that minimize conflicts with lower density single-family neighborhoods.
- Encourage higher density non-residential land uses to locate near major intersections and in industrial districts/business parks.

### **Goal 3: Develop a balanced and varied pattern of land use.**

*Key Principles: Provide a balance of land use and zoning for people to both live and work in the area.*

- Encourage mixed use so that residential uses are allowed on some commercial properties.
- Provide opportunities for land uses that serve the needs of daily life (live, work, play, shop) in a convenient and walkable environment.

## **LAND USE DESCRIPTIONS**

### **EXISTING LAND USE**

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

#### **Purpose**

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and

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3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

#### **Application**

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
2. 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**

**Mixed Use** - An area that is appropriate for a mix of residential and non-residential uses

#### **Purpose**

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

#### **Application**

1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;

5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

### **IMAGINE AUSTIN PLANNING PRINCIPLES**

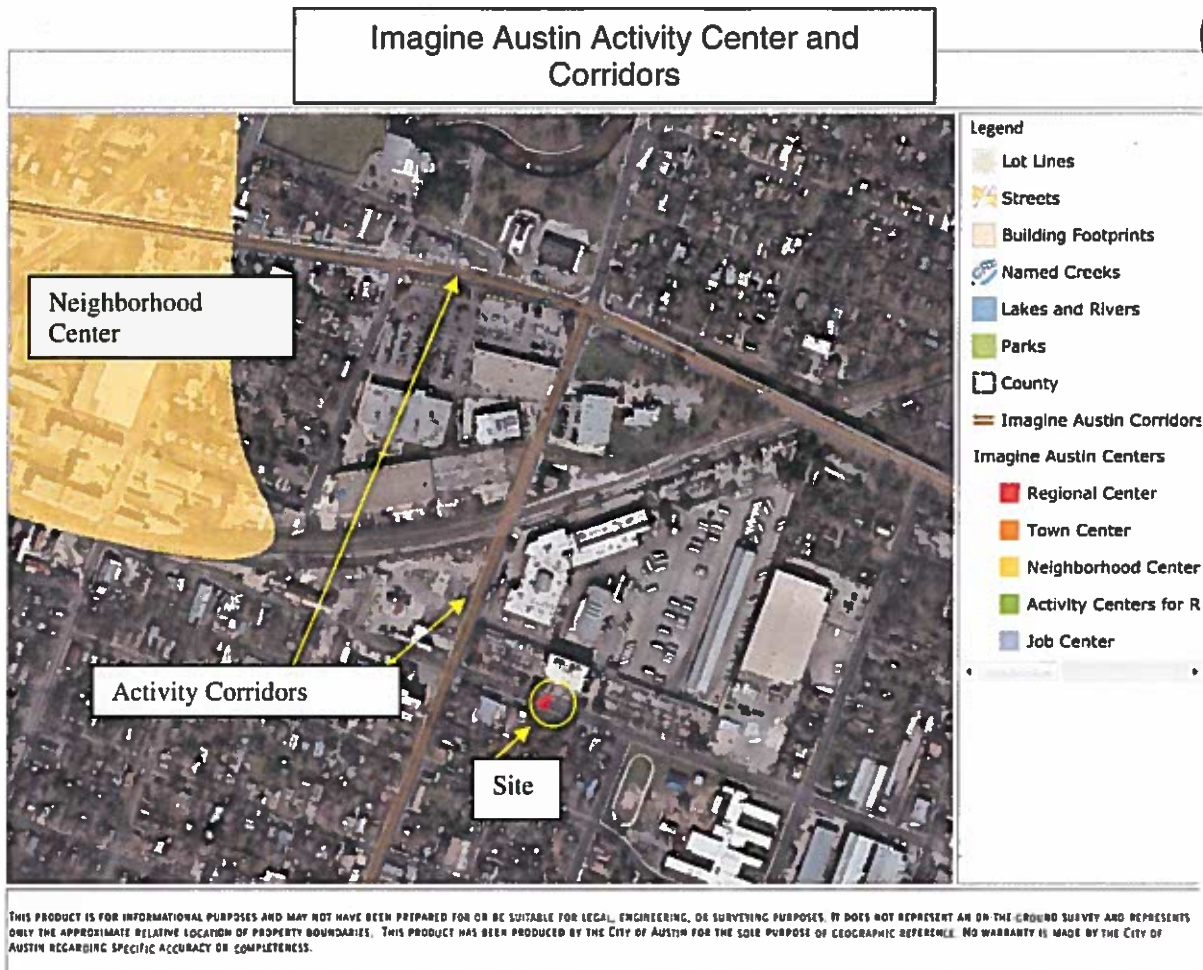
The property is a 0.25 miles from a Neighborhood Center and approximately 360 feet from Pleasant Valley Road an Activity Corridor, as identified in the Imagine Austin Comprehensive Plan.

- Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
  - *The property is located on a commercial corridor walking distance from an elementary school and numerous businesses.*
- Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
  - *The property is walking distance from four Capital Metro bus routes along a commercial corridor with bicycle lanes and sidewalks for pedestrians.*
- Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
  - *The property is located near an activity corridor.*
- Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
  - *The mixed use land use allows commercial, office, and residential uses.*
- Ensure harmonious transitions between adjacent land uses and development intensities.
  - *Mixed Use land use appropriate along E. 5<sup>th</sup> Street and is a compatible land use adjacent to residential uses to the south.*
- Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
  - *The property is not located in an environmentally sensitive area.*



- Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.
  - *Not applicable.*
- Protect, preserve and promote historically and culturally significant areas.
  - *Not applicable.*
- Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
  - *Not applicable.*
- Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
  - *Mixed use land allows commercial and office uses which could create a limited number of new jobs.*
- Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.
  - *Not applicable.*
- Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.
  - *Not applicable.*

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## IMAGINE AUSTIN GROWTH CONCEPT MAP

### Definitions

**Neighborhood Centers** - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

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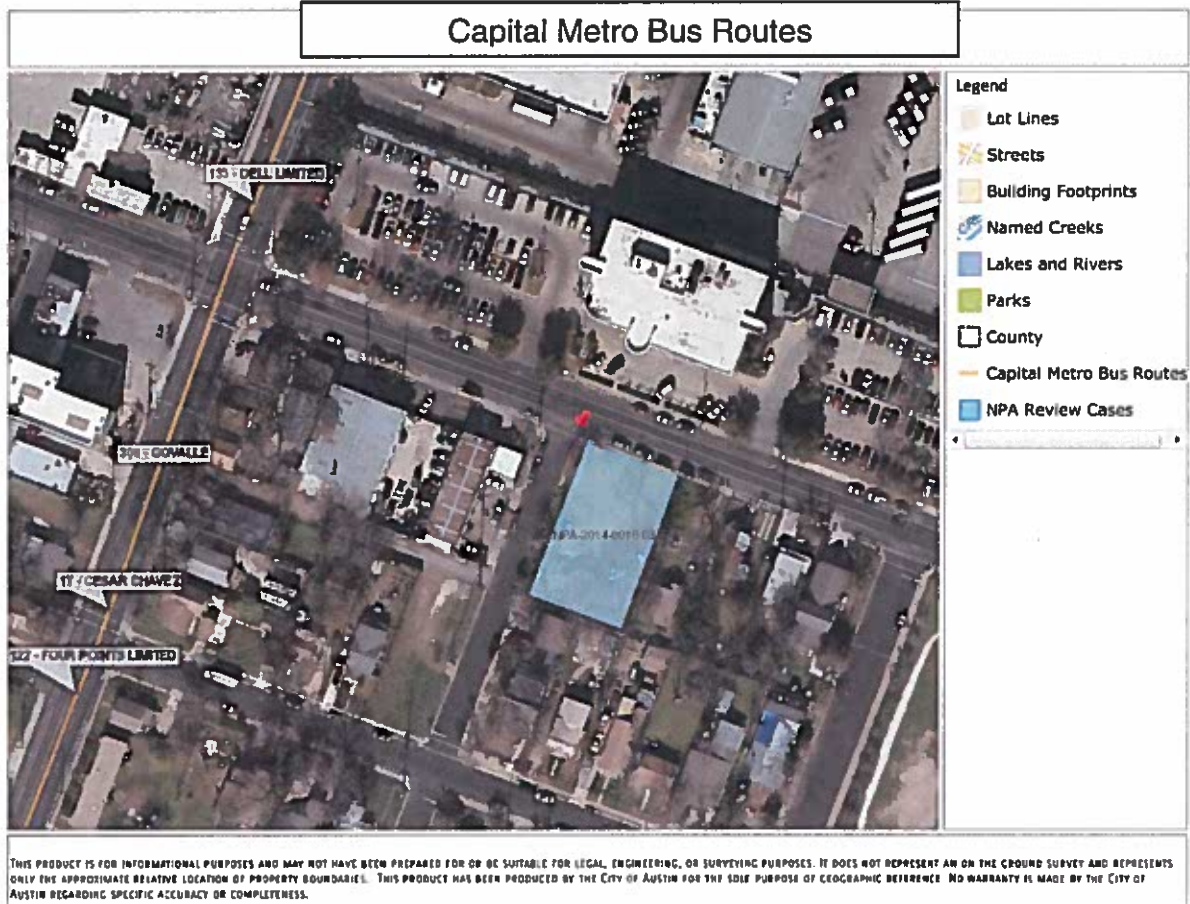
**Town Centers** - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

The Mueller redevelopment in Central Austin is an example of an emerging town center. Presently at Mueller, there are local and regional-serving retail establishments, the Dell Children's medical Center of Central Texas, and Seton Healthcare Family offices. Upon build-out, Mueller expects to include 4.2 million square feet of retail, offices, medical space, and film production, as well as 10,000 residents.

**Corridors** - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.



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**BACKGROUND:** The property is located at 2901 East 5<sup>th</sup> Street, which is located within the Govalle/Johnston Terrace Combined Neighborhood Plan. The applicant proposes to change the land use on the future land use map from Single Family to Mixed Use. The applicant proposes to build a small-scale retail, office, with possible residential uses.

A zoning change application has been filed on the property, case number C14-2014-0194. The applicant proposes to change the zoning from SF-3-NP (Family Residence District – Neighborhood plan) to GR-MU-NP (Community Commercial – Mixed Use-Neighborhood Plan).

**PUBLIC MEETINGS:** The ordinance required plan amendment meeting was held on January 28, 2015. Approximately 142 meeting notices were mailed to property and utility account holders located within 500 feet of the property, in addition to neighborhood and environmental groups registered on the community registry who requested notification for the area. Five people attended the meeting, including the applicant/owner, agent and one city staff member.

Lourdes Godoy and Michael Valdez told the attendees that they propose to rezone the property to GR-MU-NP so they can build a mixed use building with an office and/or coffee shop or juice bar, with the possibility of a small number of residential uses.



U/a

**Q. So you have a site plan?**

A. No, we don't have a site plan, but we propose to have the building facing E. 5<sup>th</sup> Street.

**Q. The parking situation is an issue. Capital Metro and the muffler shop have people parking in the neighborhood.**

A. Maybe we can submit an application to the City for the Residential Parking Permit Program to stop people from parking on our streets. We can look into that.

**Q. The commercial you're proposing scares me because you could sell the property to someone else.**

A. It's a big lot for one single family home. We pay a lot of property taxes; we need to find a way to use the property. We want to build something ourselves to show our children.

Comments:

People want businesses, not apartments. We want residential uses. We don't want people buying buildings and homes as investments, but we want people to build homes to live there.

After the discussion, the applicant and the property owner to the south agreed to meet to discuss prohibiting certain uses within the GR – Community Commercial zoning district.

The Govalle/Johnston Terrace supports the zoning change request. See letter on page 11.

**CITY COUNCIL DATE:** June 11, 2015    **ACTION:** (Pending)

**CASE MANAGER:** Maureen Meredith

**PHONE:** (512) 974-2695

**EMAIL:** Maureen.meredith@austintexas.gov

Out-of Cycle Letter from the Govalle/Johnson Terrace  
Planning Contact Team

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**Govalle/Jonston Terrace Neighborhood Contact Team**  
***"Strength Through Unity"***

November 24<sup>th</sup>, 2014

Ms Godoy,

Given that the Govalle/ Johnston Terrace Neighborhood Contact Team approved your zoning change request for your project at 2101 E. 5<sup>th</sup> Street in June of this year,

Please accept this letter as confirmation that the Govalle/Johnston Terrace Neighborhood Contact Team will support and initiate an out of cycle plan amendment application for you when you are ready to do so.

Please let me know if you need anything else from us.

Thank you,



Daniel Llanes, Chair  
Govalle/Johnston Terrace Neighborhood Contact Team  
512-431-9665

Letter of Recommendation from the Govalle/Johnston Terrace PCT



**Govalle/Johnston Terrace Neighborhood Contact Team  
Strength Through Unity**

July 9, 2014

To whom it may Concern,

On June 21<sup>st</sup>, 2014 the Review Committee for the Govalle/Johnston Terrace Neighborhood Contact team heard a presentation by Lourdez Godoy on the property at

**2901 E. 5<sup>th</sup> St. – zoned SF3  
seeking to change to GR/MU**

in order to build office space and live on second floor of new building..

After review and discussion the Review Committee recommends **support for the change from SF3 to GR/MU.**

Please feel free to contact me with any questions or comments.

Thank you,

Daniel Llanes, Chair  
Govalle/Johnston Terrace Neighborhood Contact Team  
512-431-9665

# Govalle / Johnston Terrace Combined Neighborhood Plan Future Land Use Map

**Site**

Adopted: March 27, 2003  
Last Revised: August 19, 2013

0 1,000 2,000 3,000 4,000 Feet

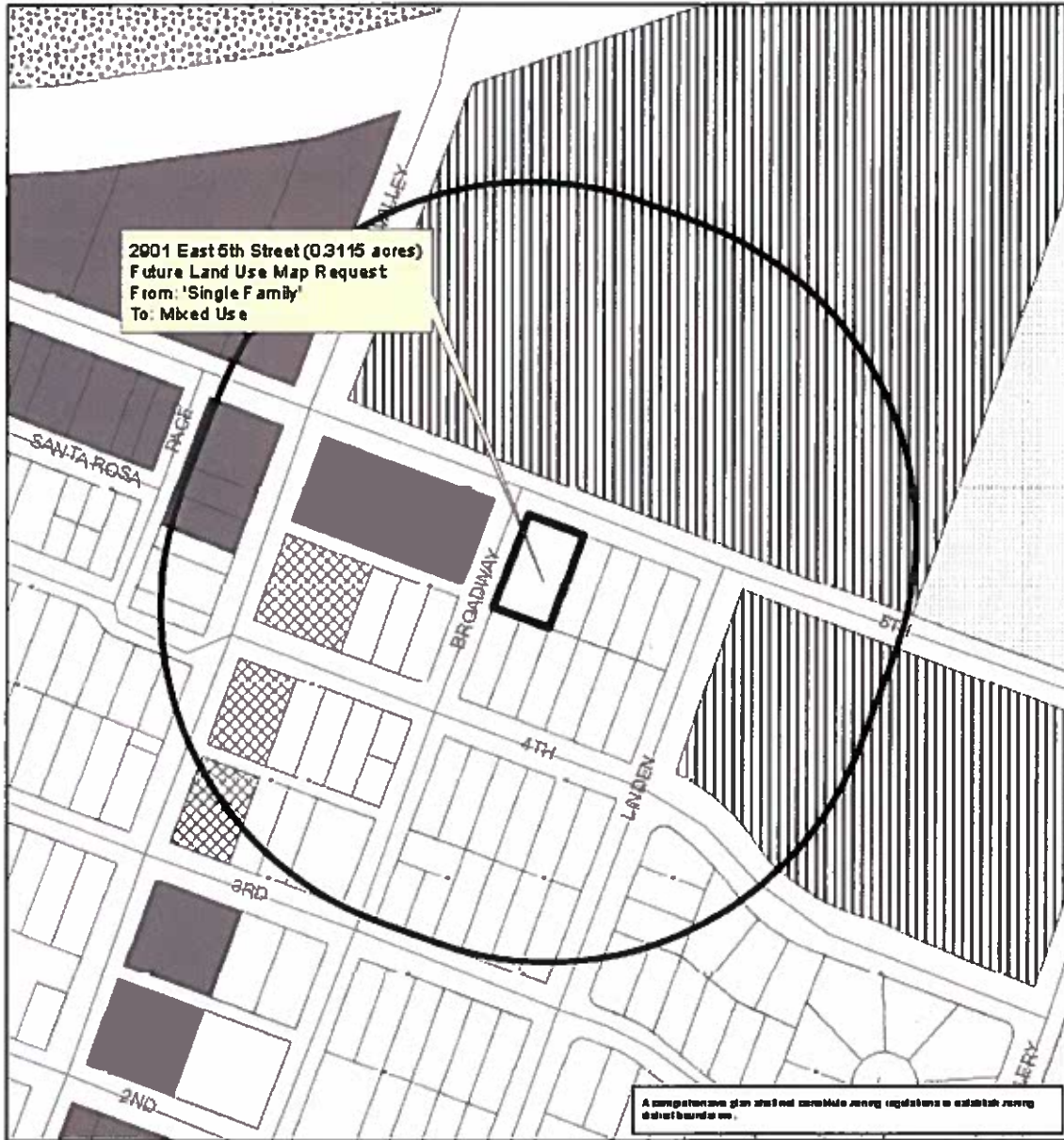
**Map Legend:**

- Neighborhood Boundary
- Urban Center
- Urban Use Building
- City
- Commercial
- Industry
- Urban Use
- Urban Use Office
- Mobile Homes
- Multifamily
- Office
- Major Planned Development
- Residential Open Space
- Single Family
- Water Use/Limited Open
- Woods

**Map Labels:**

- 1. Major Planned Development
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**Govalle/Johnston Terrace Neighborhood Planning Area**  
NPA-2014-0016.03

0 80 160 320 Feet

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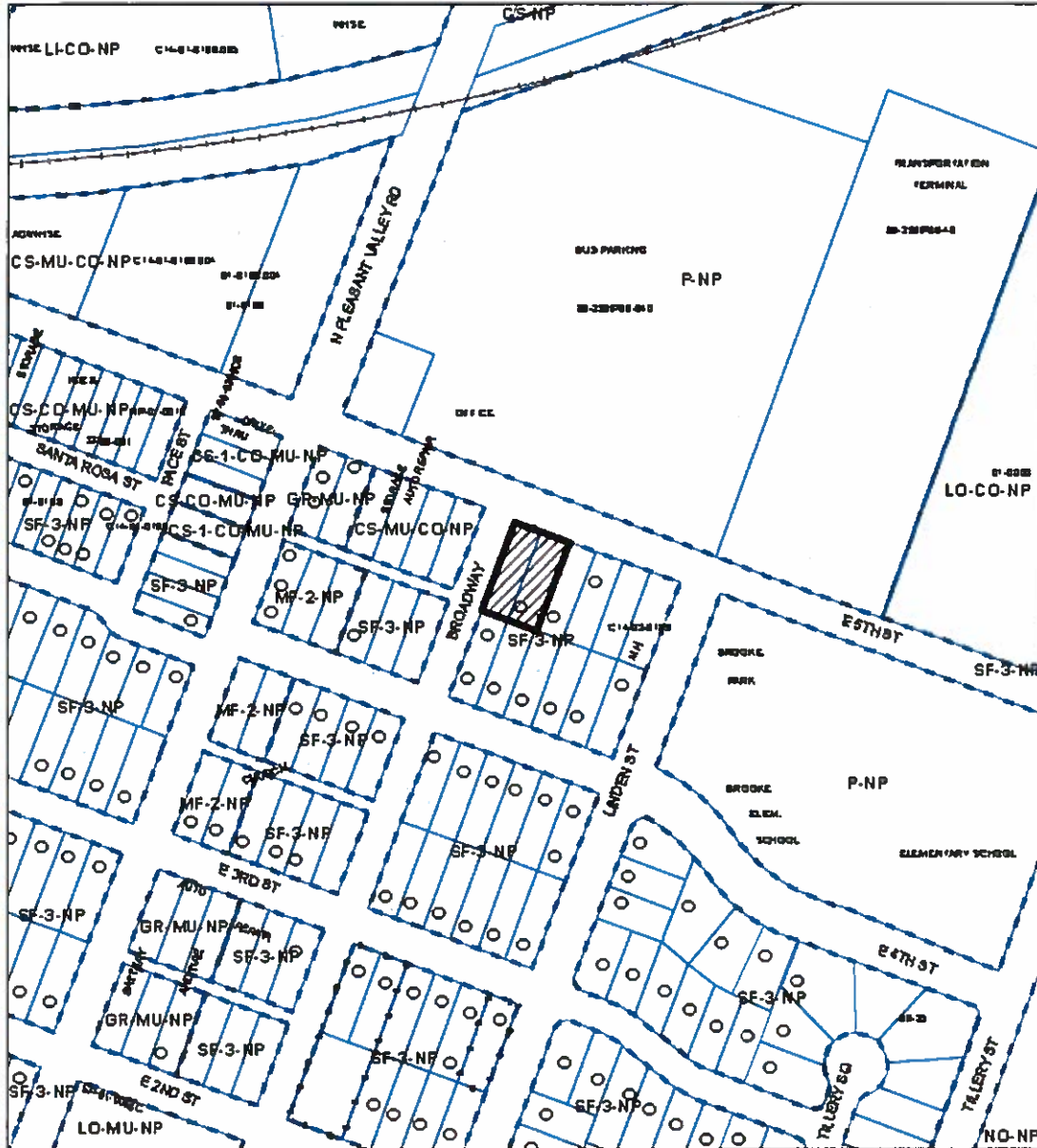
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Planning and Development Review Department  
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Future Land Use	
	Single-Family
	Multi-Family
	Commercial
	Mixed Use
	Office
	Mixed Use/Office
	Industry
	Civic
	Recreation & Open Space
	Transportation
	Water
	Subject Property

C/14



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

**ZONING**  
CASE#: C14-2014-0194

1" = 200'

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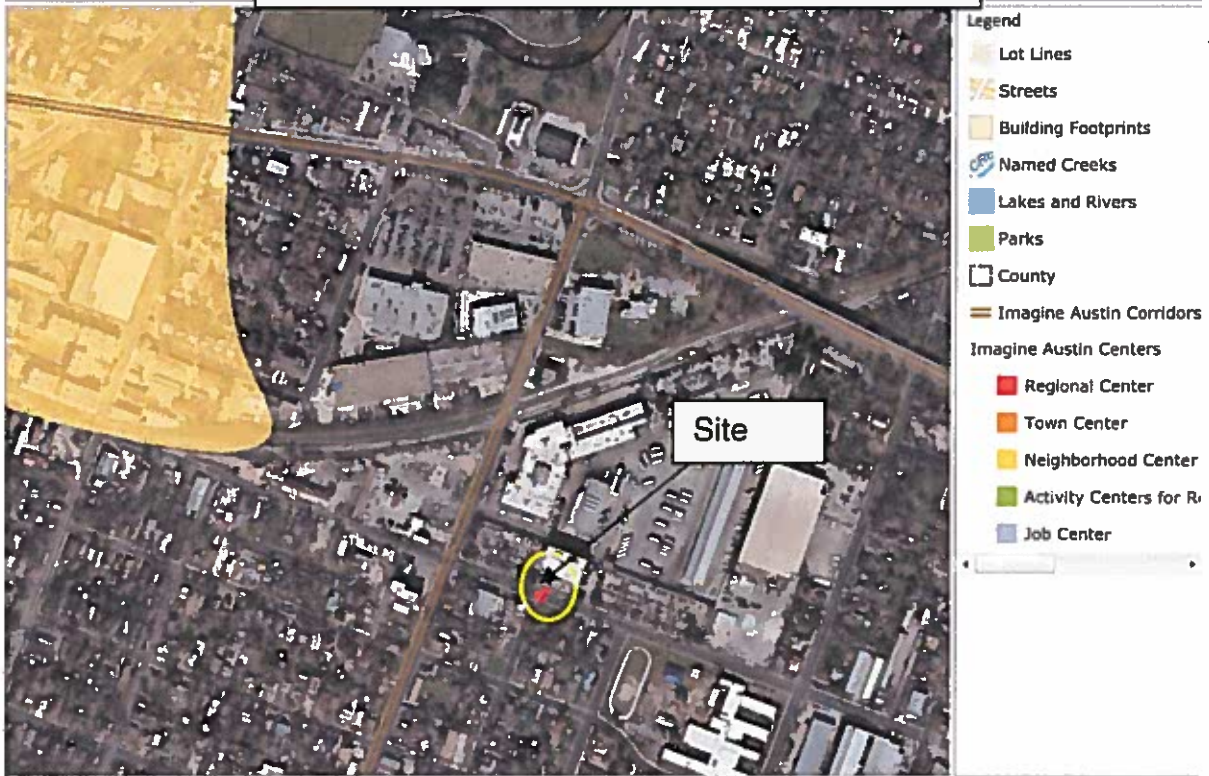
CITY OF AUSTIN DEVELOPMENT WEB MAP



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# Imagine Austin Growth Concept Map – Activity Centers and Activity Corridors



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## Capital Metro Bus Routes



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CITY OF AUSTIN DEVELOPMENT WEB MAP

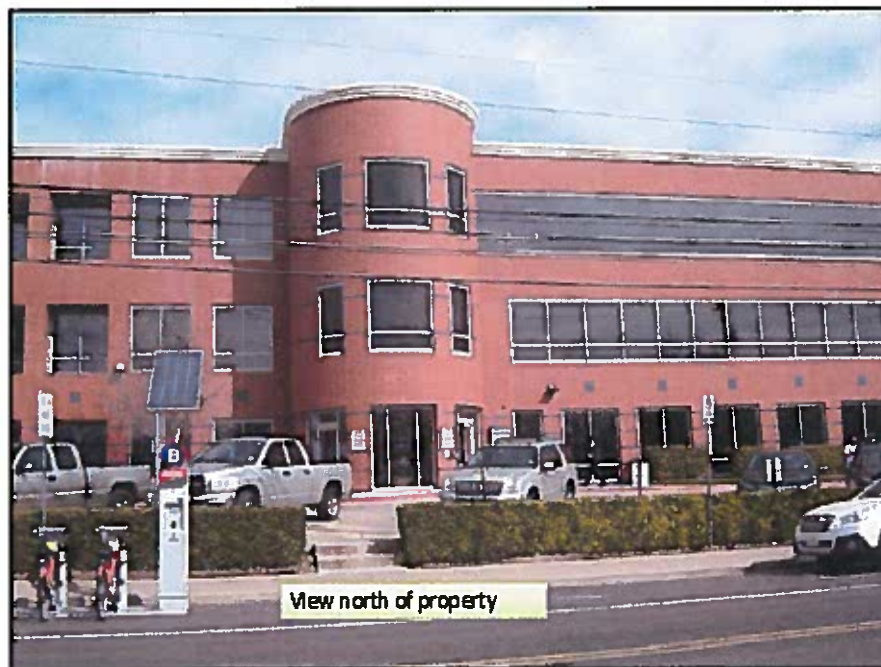


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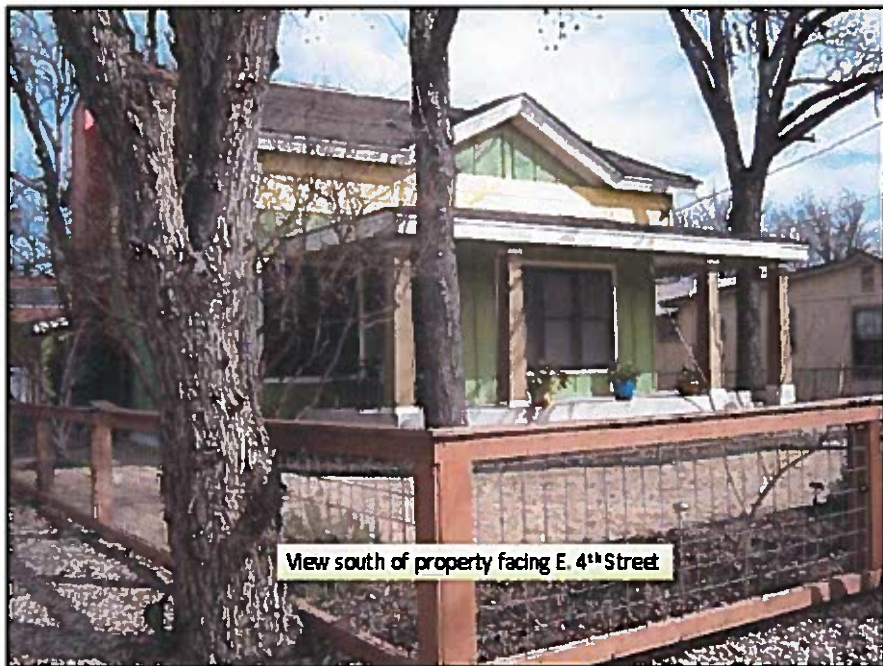
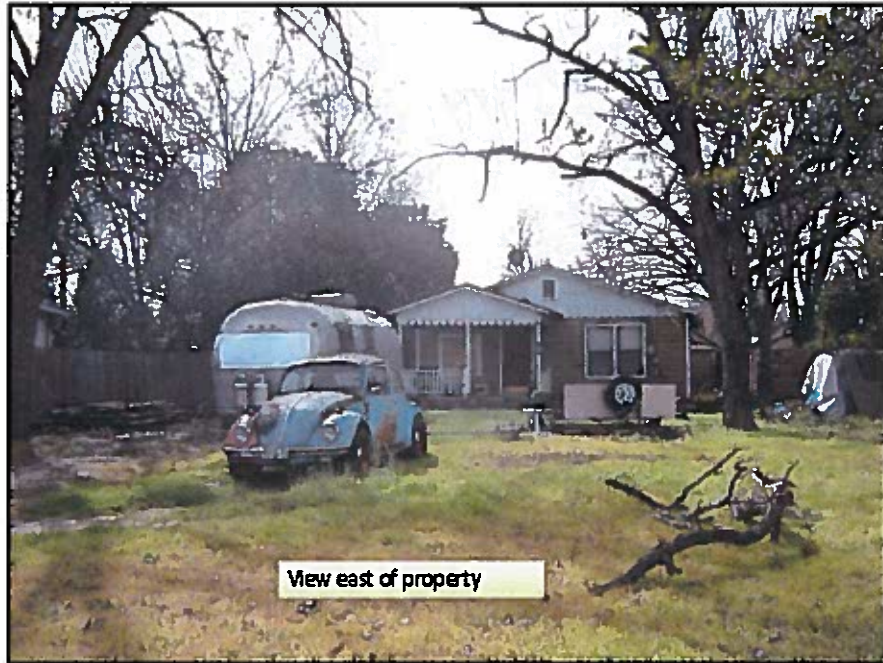


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C1/22



C1/23

**From:** Dave Reed  
**Sent:** Thursday, January 08, 2015 7:04 PM  
**To:** heather.chaffin@autintexas.gov; Meredith, Maureen  
**Subject:** Inquiry on Rezoning and Neighborhood Amendment Application

Heather and Maureen,  
I'm writing in reference to these 2 cases and would like to inquire on how to get additional information.

NOTE: These cases list adjacent addresses, but it is actually a single piece of property with an existing home that overlaps the lot line.

Rezoning Application Case: C14-2014-0194 2905 E 5th St

From: SF-3  
To: GR-MU-NP

Neighborhood Plan Amendment: NPA-2014-0016.03 2901 E 5th St

From: Single Family  
To: Mixed Use

I am immediately adjacent to this property and I am not familiar with the proposal. I have concerns about allowing any non-residential uses, especially considering the already crowded traffic patterns from the Capital Metro offices and the Auto Mechanic shop across the street. Overflow from these properties extends for several blocks already.

Thanks,  
David Reed  
2900 E 4th St