

ZONING CHANGE REVIEW SHEET**CASE:** C14-2018-0149 – MLK Rezoning**DISTRICT:** 1**ZONING FROM:** SF-3-NP**TO:** SF-5-NP, as Amended**ADDRESS:** 3300 and 3302 East Martin Luther King, Jr. Boulevard**SITE AREA:** 0.47 Acres**PROPERTY OWNERS:**

Deborah Boatner

AGENT:

Hector Avila

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)**STAFF RECOMMENDATION:**

Staff supports the Applicant's request to rezoned from SF-3-NP to SF-5-NP. For a summary of the basis of staff's recommendation, see case manager comments on page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

March 26, 2019:

CITY COUNCIL ACTION:

April 25, 2019:

ORDINANCE NUMBER:

ISSUES:

The Applicant originally requested to rezone from SF-3-NP to SF-6-NP, but has revised his request to SF-5-NP.

CASE MANAGER COMMENTS:

The subject tract is located at the northeast corner of East Martin Luther King, Jr. Boulevard (MLK) and Tillery Street. The property is zoned SF-3-NP and contains one vacant single family house. To the immediate north and east are more single family residences that are zoned SF-3-NP. Further east is J.J. Seabrook Greenbelt Park, which is zoned P-NP. Across Tillery Street to the west is a medical clinic and retail store that are zoned CS-MU-NP. Further west are more commercial properties that are zoned TOD-NP, including a salon, restaurants and retail. To the northwest are residences zoned SF-3-NP. Across MLK to the south are more residences zoned SF-3-NP. To the southwest are commercial uses zoned GR-MU-NP and TOD-NP. Uses include Automotive repair, Automotive washing, and restaurants. To the southeast is undeveloped land zoned SF-6-CO-NP and land zoned SF-3-NP developed with religious assembly land use. *Please see Exhibits A and B—Zoning Map and Aerial Exhibit.*

Staff supports the Applicant's SF-5-NP rezoning request. The 0.47 acre tract is located at the edge of a residential neighborhood where it meets a much more intense commercial area. The Applicant proposes building six dwelling units on the site, two more than permitted under SF-3-NP. SF-5-NP zoning can provide a transition between these differing areas and provide housing options beyond SF-3. The future land use map has designated these lots as higher density single family, which is suitable for SF-5 zoning.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Urban family residence (SF-5) district is the designation for a moderate density single-family residential use on a lot that is a minimum of 5,750 square feet. A duplex, two-family, townhouse, or condominium residential use is permitted in an SF-5 district under development standards that maintain single family neighborhood characteristics. An SF-5 district designation may be applied to a use in an existing family residential neighborhood in a centrally located area of the City. An SF-5 district may be used as a transition between a single family and multifamily residential use or to facilitate the implementation of City affordable housing programs.

2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

SF-5-NP zoning will permit higher density residential development than SF-3-NP and will allow a wider variety of housing types (detached residential, duplex, condominium, etc.)

3. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*

SF-5-NP will create a transition between the CS-MU-NP, GR-MU-NP and TOD-NP properties to the west and the SF-3-NP, P-NP and SF-6-CO-NP properties to the east.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3-NP	Single family residential
North	SF-3-NP	Single family residential
South	SF-3-NP, GR-MU-NP, TOD-NP, SF-6-NP	Single family residential, Automotive repair services, Car wash, fast food restaurant, Undeveloped, Religious assembly
East	SF-3-NP, P-NP	Single family residential, Public park
West	CS-MU-NP, TOD-NP	Medical office, Retail, Personal services, Fast food restaurant

NEIGHBORHOOD PLANNING AREA: East MLK CombinedTIA: N/AWATERSHED: Tannehill BranchNEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhood Council
 Black Improvement Association
 Neighborhood Empowerment Foundation
 Friends of Austin Neighborhoods
 East MLK Combined Neighborhood Contact Team
 Homeless Neighborhood Association
 Homeless Neighborhood Association
 Martin Luther King, Jr. Neighborhood Association
 Friends of Austin Neighborhoods
 J.J. Seabrook Neighborhood Association
 Claim Your Destiny Foundation

Austin Inncity Alliance
 AISD
 Bike Austin
 SELTexas
 Neighbors United for Progress
 East Austin Conservancy
 Del Valle Community Coalition
 Preservation Austin
 Anderly Airport Association
 Sierra Club

AREA CASE HISTORIES:

CITY FILE # / NAME	ZONING FROM & TO	PLANNING COMMISSION	CITY COUNCIL
C14-2016-0025 3417 E. MLK	SF-3-NP to SF-6-NP	Max 72 d.u., Emergency access only to E. 17 th St.	9/22/2019: Ord 201609065, SF-6-CO-NP
C14-2008-0243.SH 3522 E. MLK	SF-6-NP to MF-2-NP	MF-2-CO-NP Max 2,000 vehicles/day, max 22 d.u.	03/12/2009: Approve Ord No. 20090312-042, MF-2-CO-NP 9/22/2019
C14-2008-0031 MLK TOD	Various to TOD-NP	TOD-NP	03/12/2009: Approve Ord No. 20090312-027, TOD-NP

RELATED CASES: The MLK Neighborhood Plan and associated rezonings were approved by Council on November 7, 2002 (C14-02-0142.003— Ordinance No. 021107-Z-12c). The MLK NPA was later incorporated into the East MLK Combined NPA. The FLUM designation on this site is Mixed Residential, so a neighborhood plan amendment is not required.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Tillery Street	50'	30'	Collector	No	Yes, wide curb lane	Yes
MLK Jr Boulevard	95'	65'	Arterial	Yes	Yes, shared lane	Yes

OTHER STAFF COMMENTS:

ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill Branch Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

SITE PLAN

- SP 1. Site plans will be required for any new development other than single-family or duplex residential.
- SP 2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
- SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

TRANSPORTATION

- TR1. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

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]. A neighborhood traffic analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 300 vehicle trips per day. [LDC 25-6-114].

TR3. This project is adjacent to a street that has been identified in Austin's Corridor Mobility Program (Martin Luther King Boulevard). The sidewalk and bicycle facilities shall comply with the required cross-section for MLK Boulevard at the time of the site plan application. At this time, this section of the corridor is in the preliminary engineering phase. The cross section should match the identified improvements within the existing transportation plans.

TR6. Per LDC 25-6-381, access to Martin Luther King Boulevard is prohibited since alternative access is available to Tillery Street. Additionally, per TCM 1.3.2.C.1, single family residences should not normally front arterials (MLK Boulevard). It is recommended that the applicant provide joint access for the two tracts to Tillery Street.

TR7. Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR8. The Urban Trails Master Plan recommends a tier II urban trail along MLK Boulevard. Per the Urban Trails Program, it is recommended to replace the existing sidewalk with a 10-foot shared use path with 5-foot setback from the roadway (per design considerations from the 2014 Urban Trails Plan). This is an important connection as it would facilitate connectivity between a planned neighborhood bikeway on Tillery to the trail along Pershing in addition to future connectivity along MLK. Please review the Urban Trails Master Plan for more information. Janae Spence, Urban Trails, Public Works Department may provide additional comments and requirements for right-of-way dedication and trail construction in accordance with LDC 25-6-55 and LDC 25-6-101.

TR9. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a bike lane is recommended for Tillery Street and a protected bike lane is recommended for Martin Luther King Boulevard. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

TR10. FYI – the existing driveway on Tillery Street and the existing sidewalks and curb ramps along MLK Boulevard will be required to be removed and/or reconstructed at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual. Sidewalks shall be constructed according to the City of Austin standards along Tillery Street at the time of the site plan application.

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Tillery Street	50'	30'	Collector	No	Yes, wide curb lane	Yes
MLK Jr Boulevard	95'	65'	Arterial	Yes	Yes, shared lane	Yes

WATER UTILITY

1. 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 land use. 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.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map**
- B. Aerial Exhibit**



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2018-0149

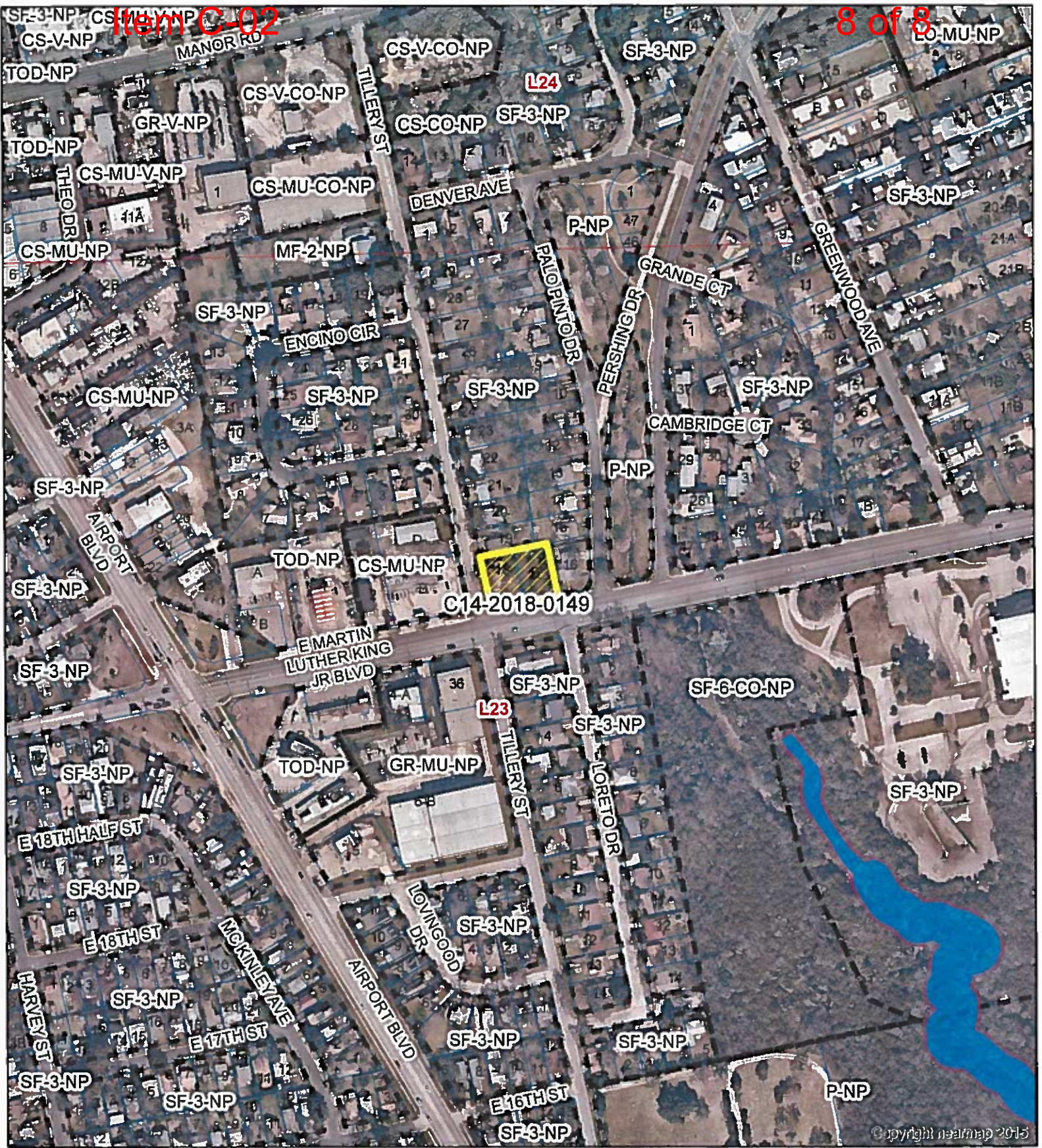
1" = 400'

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Created: 12/7/2018



MLK REZONING

ZONING CASE#: C14-2018-0149
LOCATION: 3302 E MLK BLVD.
SUBJECT AREA: .47 ACRES
GRID: L23
MANAGER: HEATHER CHAFFIN

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE
- CREEK BUFFER



1" = 400'

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