

CASE: Christ Church Planning - SOUTH (C14-2024-0010) DISTRICT: 3

ADDRESS: 112 Medina Street; 105 San Marcos Street; and 1005 East 2nd Street

ZONING FROM: SF-3-NP

TO: CS-MU-DB90-CO-NP

SITE AREA: approximately 1.33 acres (approximately 57,934 square feet)

PROPERTY OWNER: Christ Church of Central Austin

AGENT: Thrower Design, LLC (Ron Thrower & Victoria Haase)

CASE MANAGER: Jonathan Tomko (512) 974-1057, jonathan.tomko@austintexas.gov

STAFF RECOMMENDATION:

Staff does not recommend granting general commercial services-mixed use-density bonus 90-conditional overlay-neighborhood plan (CS-MU-DB90-CO-NP) combining district zoning. Staff offers the alternative recommendation of neighborhood commercial-mixed use-vertical mixed use-conditional overlay-neighborhood plan (LR-MU-V-CO-NP) combining district zoning. The conditional overlay in staff's recommendation would prohibit the service station use. For a summary of the basis of Staff's recommendation, please see the basis of recommendation section below.

PLANNING COMMISSION ACTION / RECOMMENDATION:

August 13, 2024: Planning Commission approved CS-MU-CO-DB90-NP with a CO prohibiting the following uses: Hospital Services - General, Maintenance and Service Facilities Private, Transportation Terminal, Adult-Oriented Business, Agricultural Sales and Services, Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing - of any type, Bail Bond Services, Building Maintenance Services, Business or Trade School, Business Support Services, Campground, Commercial Blood Plasma Center, Commercial Off-Street Parking, Communication Services, Construction Sales and Services, Convenience Storage, Drop-Off Recycling Collection Facilities, Electronic Prototype Assembly, Electronic Testing, Employee Recreation, Equipment Repair Services, Equipment Sales, Exterminating Services, Food Preparation, Financial Services, Hotel/Motel, Indoor Entertainment, Indoor Sports and Recreation, Kennels, Laundry Services, Monument Retail Services, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shop Services, Research Services, Theater, Vehicle Storage, Veterinary Services, and Limited Warehousing and Distribution. Approved on Commissioner Johnson's motion, Commissioner Maxwell's second on an 8-4 vote. Those voting aye were Chair Hempel, Vice Chair Azhar, and Commissioners Anderson, Barrera-Ramirez, Johnson, Maxwell, Skidmore, and Woods. Those voting nay were Commissioners Cox, Haynes, Mushtaler, and Phillips

CITY COUNCIL ACTION:

October 10, 2024: Postponed by the Applicant and the Neighborhood.

November 21, 2024: Postponed indefinitely at the request of the Applicant on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.

May 8, 2025: Applicant request for indefinite postponement

ORDINANCE NUMBER:

N/A

ISSUES: N/A

CASE MANAGER COMMENTS:

The subject tract is currently a medium sized church of approximately 11,500 square feet on 1.33 acres. It is located a ½ block north of East Cesar Chavez Street. To the south are several retail/office uses mainly run out of single family structures. To the east and west are single family structures being utilized for residential purposes and to the north is undeveloped land also owned by the church and utilized as an unpaved parking lot. (This parcel is being considered on this same agenda, case C14-2024-0017. While they are adjacent lots they are separated by a roadway and thus must be two separate rezoning cases).

The tract is approximately 850 feet east of the Downtown Imagine Austin Center and approximately 500 feet south of the Plaza Saltillo Imagine Austin Center. Staff has concerns about this pocket single family neighborhood approximately 7 blocks by 1-2 blocks in area. There are at least five historical zoning cases that have been initiated within 1/3 mile of the subject tract, including a structure constructed in the late 19th century. It is clear the neighborhood is neither downtown to the west, nor the commercial corridor that Cesar Chavez is to the south, nor the TOD that Plaza Saltillo is to the north. It is something different as none of those initiatives or rezonings have made inroads into this small area. Granting this rezoning could result in further requests for more intense zoning which could have substantial impacts on this neighborhood of older single-family homes.

BASIS OF RECOMMENDATION:

Zoning should allow for reasonable use of the property.

The alternative recommendation offered, neighborhood commercial-mixed use-vertical mixed use-conditional overlay-neighborhood plan (LR-MU-V-CO-NP) combining district zoning would allow for reasonable use of the property. Income restricted affordable housing units are still incentivized with a -V designation as opposed to a -DB90.

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

Staff encourages promoting a transition between the CS- zoning on Cesar Chavez and the single-family neighborhood. LO- or LR- zoning would be more appropriate to serve as a transition.

Rezoning should not contribute to the over zoning of the area.

There are concerns about granting such intense zoning on a block nearly surrounded by single family uses and historic structures. Granting such zoning would result in the neighborhood fusing together with one of the three adjacent areas surrounding the neighborhood, the Central Business District, the Cesar Chavez Commercial Corridor, or the Plaza Saltillo Transit Oriented Development Station Area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Medium-sized church, approximately 11,500 square feet, 1-story built in approximately 1960.
<i>North</i>	SF-3-NP (case C14-2024-0017)	Undeveloped land, gravel parking lot also owned by the applicant
<i>South</i>	CS-MU-CO-NP and CS-H-MU-CO-NP	Retail, coffee shop/café, undeveloped land, single family homes being used as retail/office uses. The historic Evans-Morris-Hiesler House (Built in approximately 1899)
<i>East</i>	SF-3-NP	Single family home
<i>West</i>	SF-3-NP	Single family home built in approximately 1912.

NEIGHBORHOOD PLANNING AREA: East Cesar Chavez Neighborhood Planning Area

WATERSHED: Waller Creek Watershed

SCHOOLS: A.I.S.D.

Sanchez Elementary School

Martin Middle School
Austin High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Barrio Unido Neighborhood Assn., Capital Metro, Del Valle Community Coalition, East Austin Conservancy, East Cesar Chavez Neighborhood Association, East Cesar Chavez Neighborhood Plan Contact Team, El Concilio Mexican-American Neighborhoods, Friends of Austin Neighborhoods, Greater East Austin Neighborhood Association, Guadalupe Neighborhood Development Corporation, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Preservation Austin, SELTexas, Sierra Club, Austin Regional Group, Tejano Town, Waterloo Greenway

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14H-2023-0137 (Sinningson House)	The Historic Landmark Commission is requesting to rezone approximately 0.178 acres from SF-3-NP to SF-3-H-NP.	11.28.2023: Motion by Commissioner Azhar, seconded by Commissioner Cox to grant SF-3-H-NP, combining district zoning, historic-age footprint portion of the front house on the property only, for C14H-2023-0137 - 1100 E. 2nd St. A located at 1100 E. 2nd St. Unit A was approved on a vote of 10-1. Commissioner Mushtaler voted nay. Vice-Chair Hempel and Commissioner Woods absent.	07.18.2024: Failed due to lack of supermajority vote.
C14H-2023-0147 (Johnson & Johnson Grocery and Home)	The applicant is requesting to rezone approximately 5,200 square feet from CS-MU-CO-NP to CS-MU-CO-NP-H.	02.27.2024: Motion to grant Staff's recommendation of CS-MU-CO-H-NP combining district zoning for C14H-2023-0147 - Johnson & Johnson Grocery/Home;	04.04.2024: A motion to approve Ordinance No. 20240404-059 for general commercial services-mixed use-conditional overlay-historic landmark-neighborhood plan

		located at 311 E Cesar Chavez St/94 Navasota St was approved on the consent agenda on the motion by Vice-Chair Azhar, seconded by Commissioner Woods on a vote of 11-0. Commissioner Mushtaler off the dais. Commissioner Maxwell absent.	(CS-MU-CO-H-NP) combining district zoning was approved on Council Member Qadri's motion, Council Member Harper-Madison's second on a 10-0 vote. Council Member Alison Alter was off the dais.
C14-2023-0153 (1307 and 1309 East 4 th Street)	The applicant is proposing to rezone approximately 0.29 acres from TOD-NP to TOD-NP (Mixed Use).	06.11.2024: A motion to approve applicant's request and staff's recommendation for TOD-NP (TOD Mixed Use Subdistrict) was approved on Commissioner Anderson's motion and Commissioner Johnson's second, on a 9-0-1 vote with Commissioner Woods abstaining.	Scheduled to be heard by Council on 08.29.2024

RELATED CASES:

C14-2024-0017 (Christ Church Planning – NORTH) request to rezone from SF-3-NP to CS-MU-V-CO-NP, as amended)

NPA-2023-0002.01 - Recreation and Open Space, Single Family and Civic to Mixed Use land use

ADDITIONAL STAFF COMMENTS:

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller 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. 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.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments on rezoning

PARD – Planning & Design Review

PR1: Parkland dedication will be required for the new applicable uses proposed by this development, multifamily with CS-MU-CO-NP zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Fees in-lieu may be required for the residential uses, and those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan

- SP 1. Site plans will be required for any new development other than single-family, two-family or duplex residential.
- SP 2. 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 3. 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. The site is subject to compatibility standards due to the proximity of the SF-3-NP districts to the north, west, and east.

SP 4. This tract is already developed and the proposed zoning change is a footprint within the existing development. The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

SP 5. This site is within the Longhorn Shores Capitol View Corridor. An application for a Capitol View Corridor Height Determination would be required.

Transportation and Public Works Department (TPW) – Engineering Review

TPW 1. The Austin Strategic Mobility Plan (ASMP) calls for 64 feet of right-of-way for Medina St. It is recommended that 32 feet of right-of-way from the centerline should be dedicated for Medina according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

TPW 2. The Austin Strategic Mobility Plan (ASMP) calls for 64 feet of right-of-way for E 2nd Street. It is recommended that 32 feet of right-of-way from the centerline should be dedicated for E 2nd Street according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

TPW 3. The Austin Strategic Mobility Plan (ASMP) calls for 64 feet of right-of-way for San Marcos Street. It is recommended that 32 feet of right-of-way from the centerline should be dedicated for San Marcos Street according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
San Marcos Street	Level 1	64'	61'	30'	Yes	No	Yes
E 2 nd Street	Level 1	64'	58'	30'	Yes	Shared Lane	Yes
Medina Street	Level 1	64'	59'	28'	Yes	No	Yes

TPW 4. A Neighborhood Traffic Analysis is required and will be performed for this project by TPW staff. Results will be provided in a separate memo. LDC 25-6-114. NTA requires three (3) consecutive 24-hour tube counts, preferably on Tuesday, Wednesday, and Thursday, during a non-holiday week when school is in session. Please contact this

reviewer to discuss the location of the tube counts. Results will be provided in a separate memo. LDC 25-6-114.

Austin Water Utility

No comments on rezoning.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter
- D. Neighborhood Transportation Analysis (NTA) Memo dated June 7, 2024



Created: 3/20/2024



January 22, 2024

Ms. Lauren Middleton-Pratt
Director, Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: Rezoning Application – Christ Church Planning - 206 Medina, 112 Medina, 105 San Marcos, 1010 E 2nd St.

Dear Ms. Middleton-Pratt:

On behalf of the Owner(s) of the property referenced above, we respectfully submit the enclosed rezoning application. The subject lands are comprised of Lots 1-6 and 11-16 of the N.G. Shelley Subdivision and total approximately 1.33 acres. The lands are located within Council District 3, represented by Council Member Jose Valesquez and are within the East Cesar Chavez Neighborhood Planning Area. There is an associated Neighborhood Plan Amendment application, NPA-2023-0002.01, that was submitted in July of 2023.

The lots have a combination of Single Family, Civic and Recreation & Open Space Future Land Use designations and the all the land area has SF-3-NP zoning. The request is to amend the FLUM to *Mixed Use* for all lots and to rezone the properties to CS-MU-CO-NP zoning with the Conditional Overlay prohibiting the following uses:

Adult Oriented Businesses
Automotive Rental
Automotive Repair Services
Automotive Sales
Automotive Washing (of any type)
Bail Bond Services
Building Maintenance Services

Construction Sales & Service
Kennels
Marina
Pawn Shop Services
Service Station
Vehicle Storage

The owner, Christ Church of Austin, desires new development and possible redevelopment of some areas to accommodate more building space for their congregational needs and for greater community programming, including formalizing parking. They do not wish to increase the size of their sanctuary space, rather they

are in need of additional classroom space and meeting space. Also, there is consideration for uses, beyond Civic (Religious Assembly), to assist future needs of the organization and the local community. As specific uses have not been identified at this time, the request is made for Mixed Use FLUM designation and for the CS zoning district to accommodate more permissive site development standards, beyond the SF-3 standards that exist today. The rezoning will also allow opportunity for residential and/or commercial uses, should that be a desire in the near or distant future.

The properties are located a block north of E. Cesar Chavez, an Imagine Austin Activity Corridor and is just south of the Plaza Saltillo Imagine Austin Center. The area has a variety of uses and access to transit options. The Mixed Use FLUM designation & rezoning will allow a variety of uses that will contribute to a complete community.

Please contact our office or me directly should you have need for additional information. Thank you for your time and attention to this application.

Kind regards,

A handwritten signature in black ink, appearing to be 'Victoria Haase', with a stylized, flowing script.

Victoria Haase

cc: Joi Harden, Housing & Planning Department (*via electronic delivery*)



MEMORANDUM

To: Victoria Haase
CC: Danielle Morin, AICP; Eduardo Mariño Ph.D.; Adrianna Morrow, EIT
FROM: Nathan Aubert P.E.
DATE: June 7th, 2024
SUBJECT: Christ Church Planning North & South | C14-2024-0010 & C14-2024-0017

The proposed development consists of two separate sites: Christ Church North and Christ Church South. Christ Church North consists of 20 for-rent units and a 1,200 square foot (SF) coffee shop. Christ Church South proposes expanding the existing religious assembly use from 11,480 square feet to 18,000 square feet and adding 33 multifamily units for rent. The associated zoning cases for these developments are included in this Neighborhood Traffic Analysis (NTA). The Christ Church North site includes 206 Medina Street and 1010 E 2nd Street while the Christ Church South site includes 112 Medina Street and 105 San Marcos Street (Figure 1). The existing South site currently houses 11,480 square feet of religious assembly space, while the North site serves as a parking lot. The adjusted trip generation for both developments exceeds the 300-trip threshold for a local street specified in 25-6-114 of the Land Development Code (LDC). The Transportation Development Services (TDS) division has conducted an NTA and offers the following comments.

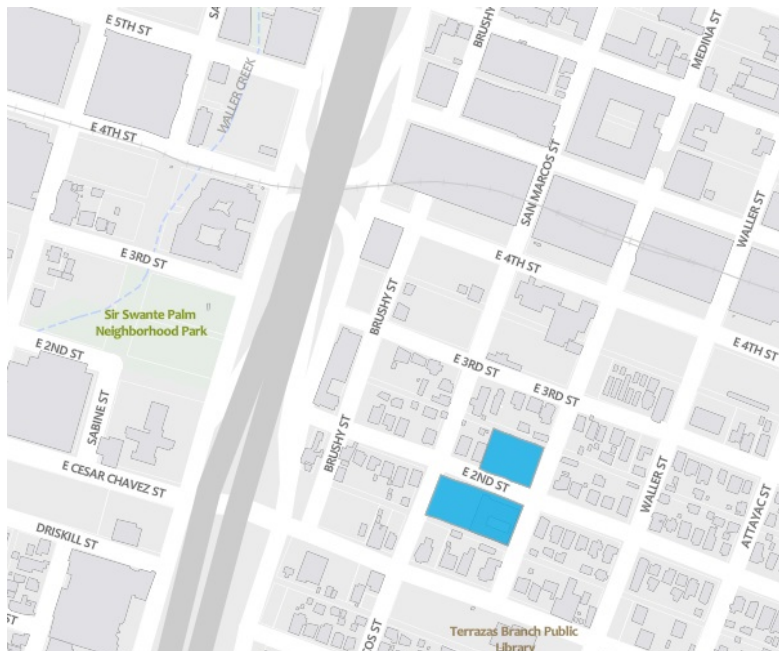


Figure 1: Site Location including both Christ Church North and Christ Church South

Roadways

The North site has frontage along Medina Street and E 2nd Street, and the South site has frontage along Medina Street, E 2nd Street, and San Marcos Street. All three streets are classified as level 1 streets in the Austin Strategic Mobility Plan (ASMP).

Medina Street:

Medina Street has approximately 58 to 60 feet of right-of-way along the frontage of both sites, with approximately 30 feet of pavement width. It has curbs, gutters, and unmarked travel lanes. The South site has sidewalks along both sides of the street, but the North site and much of Medina Street are missing sidewalks. The ASMP requires up to 64 feet of right-of-way along Medina Street and identifies the need for sidewalk improvements.

E 2nd Street:

E 2nd Street has approximately 61 feet of right-of-way between the North and South sites, with about 30 feet of pavement width. It features curbs, gutters, on-street parking on the south side, and marked travel lanes. There are sidewalks on both sides of the street near the site, including the frontages of the North and South sites. E 2nd Street is situated between San Antonio Street and E Cesar Chavez Street and falls within a school zone with a 20-mph speed limit. The ASMP requires up to 64 feet of right-of-way and identifies E 2nd Street as a bicycle priority for a Neighborhood Bikeway.

San Marcos Street:

San Marcos Street has approximately 59 feet of right-of-way along the South site frontage, with approximately 30 feet of pavement width. It features curbs, gutters, and sidewalks on both sides of the street along the site frontage, and unmarked travel lanes. San Marcos Street is located between E 11th Street and Holly Street, offers on-street parking, and a 30-mph posted speed limit. The ASMP requires up to 64 feet of right-of-way along San Marcos Street with no long-term improvements identified.

The North site is adjacent to a 20-foot wide unpaved alleyway to the north, and the South site is adjacent to another 20-foot wide unpaved alleyway to the south. The North site has two existing access points on Medina Street and one on E 2nd Street. The South site has one existing access point on E 2nd Street. The North site proposes access on Medina Street and E 2nd Street, while the South site proposes access on Medina Street, San Marcos Street, and E 2nd Street. Site access review and approval will be deferred to the time of the site plan and must comply with current city standards, including the TCM and LDC. This NTA does not endorse the proposed access locations.

Trip Generation and Traffic Analysis

According to the 11th Edition of the Institute of Transportation Engineer's Trip Generation Manual, the planned development is projected to generate 316 vehicle trips per day on the North Site. The current location is a parking lot. The planned development on the South site is projected to generate 424 vehicle trips per day. After accounting for existing trips

generated by the 11,480-square-foot church, the net increase in trips on the South site is 337. Table 1 provides a detailed analysis of trip generation.

Table 1 – Trip Generation

Land Use	ITE Code	Size	Unadjusted Trip Generation
<u>Existing</u>			
South Site			
Religious Assembly	560	11,480 SF	87
TOTAL EXISTING			87
<u>Proposed</u>			
North Site			
Multifamily Housing (Low-Rise)	220	20 DU	204
Coffee Shop	936	1,200 SF	112
South Site			
Religious Assembly	932	18,000 SF	137
Multifamily Housing (Low-Rise)	220	33 DU	287
TOTAL PROPOSED			740
NET TRIPS			653

24-hour traffic volumes were collected on March 19, 20, and 21, 2024, at the intersections of E 2nd Street and Medina Street and E 2nd Street and San Marcos Street (Figure 2).

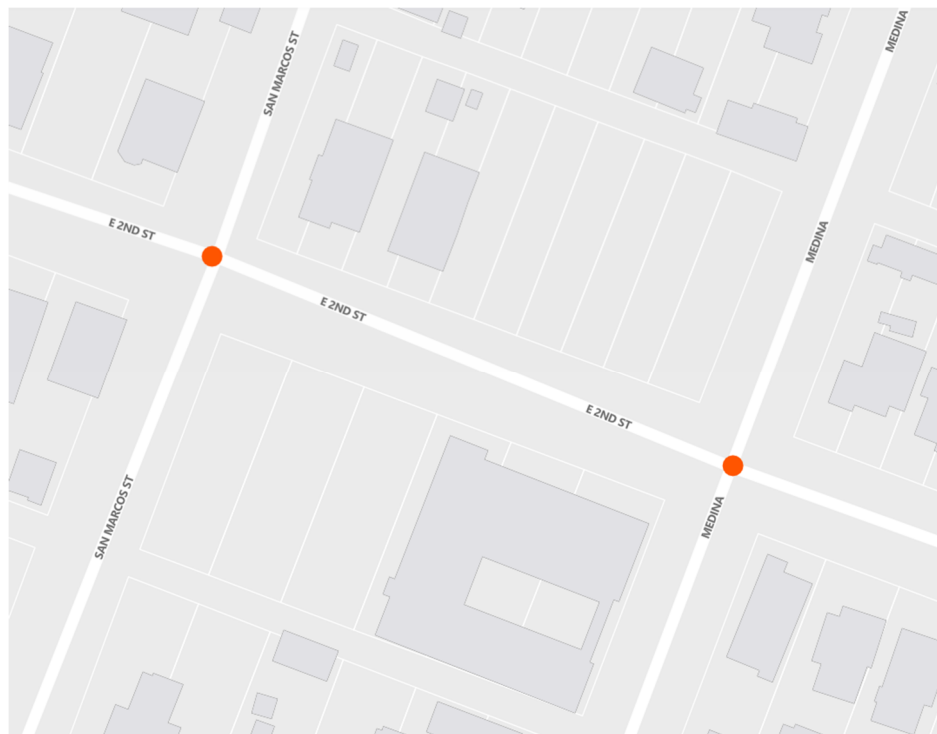


Figure 2: Intersection count locations

Table 2 shows the expected trip distribution for both current and planned land uses, illustrating how trips would be directed onto neighboring streets. Since future driveway locations are not confirmed, the proposed trip distribution matches the existing distribution.

Table 2 – Trip Distribution

Street	Expected Trip Distribution (Percentage)	Expected Trip Distribution (vpd)
<u>Existing</u>		
E 2 nd Street (East)	25%	22
E 2 nd Street (West)	23%	20
San Marcos Street (North)	18%	16
San Marcos Street (South)	20%	17
Medina Street (North)	6%	5
Medina Street (South)	8%	7
<u>Proposed</u>		
E 2 nd Street (East)	25%	185
E 2 nd Street (West)	23%	170
San Marcos Street (North)	18%	133
San Marcos Street (South)	20%	148
Medina Street (North)	6%	44
Medina Street (South)	8%	60

Table 3 shows existing traffic, proposed site traffic, total traffic after development, and the percentage increase in traffic. The proposed trip distribution matches the existing distribution, estimating an 11% overall traffic increase in the surrounding area.

Table 3. Traffic Summary

Street	Existing Traffic from Counts (vpd)	Site Traffic added to Roadway (vpd)	Total Future Traffic (vpd)	Percentage Increase in Traffic
E 2 nd Street (East)	1,686	185	1,871	11%
E 2 nd Street (West)	1,526	170	1,696	11%
San Marcos Street (North)	1,239	133	1,372	11%
San Marcos Street (South)	1,301	148	1,449	11%
Medina Street (North)	372	44	416	11%
Medina Street (South)	533	60	593	11%

According to Section 25-6-116 of the LDC, streets with pavement width between 30 and 40 feet are operating at an “undesirable” level if the average daily traffic volume exceeds 1,800 vehicles per day. The portion of E 2nd Street to the east of the sites currently operates at

“desirable” levels but will operate at an “undesirable” level with the addition of site traffic from both proposed sites. San Marcos Street, Medina Street, and the portion of E 2nd Street to the west of the site will continue to operate at “desirable” levels with the added traffic from both proposed sites.

Please note that any building permit(s) associated with this development issued on or after June 22, 2022, will be subject to the Street Impact Fee (SIF) program. SIF calculation shall be performed during the Site Plan review and any fee will be collected at the time of building permit. For SIF-related offsets, reductions, and other information, please visit City’s SIF website (<https://www.austintexas.gov/departments/street-impact-fee>).

Recommendations/Conclusions

Based on this analysis, the Transportation & Public Works (TPW) Department has the following recommendations and conclusions:

1. At the time of site plan each development shall build TCM-compliant sidewalks along the entire site frontage.
2. If the number of units proposed in Table 1 is exceeded, TDS may reassess the NTA.
3. Any building permit(s) associated with this development issued on or after June 22, 2022, will fall under the Street Impact Fee (SIF) program. The calculation for the SIF will be conducted during the Site Plan review, and the corresponding fee will be collected when the building permit is issued. For details regarding SIF adjustments, reductions, and other information, please refer to the City’s SIF website at <https://www.austintexas.gov/departments/street-impact-fee>. Furthermore, the site development permit for the mentioned site will only be granted once any necessary improvements are indicated in the site plan.

Please contact me if you have questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Nate Aubert".

Nathan Aubert, PE

Transportation & Public Works Department