

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2008-0002.001 – North Loop Planning Area (Additional Opt-In Properties)  
Vertical Mixed Use Building (V) Rezoning

**P.C. DATE:** May 13, 2008

**AREA:** 6 tracts on 10 acres

**APPLICANT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD)

**AGENT:** City of Austin, Neighborhood Planning and Zoning Department (NPZD),  
Andrew Holubeck

**PLAN ADOPTION DATE:** May 23, 2002

### **NEIGHBORHOOD ORGANIZATIONS:**

Brentwood Neighborhood Planning Contact Team  
Hancock Neighborhood Assn.  
Hyde Park Neighborhood Assn.  
Brentwood Neighborhood Assn.  
North Austin Neighborhood Alliance  
Wilshire Wood-Dellwood I Neigh. Assn.  
Ridgetop Neighborhood Association  
PODER People Organized in Defense of Earth & Her R  
Austin Independent School District  
University Hills/Windsor Park NPA Staff Liaison  
Home Builders Association of Greater Austin  
Taking Action Inc.  
Delwood II Neighborhood Organization  
Austin Neighborhoods Council  
Skyview Neighborhood Assn.  
Mueller Neighborhoods Coalition  
North Loop Neighborhood Planning Team  
Keep the Land  
North Loop Neighborhood Planning Liaison-COA  
Alliance to Save Hyde Park  
Brentwood/Highland Combined Neighborhood Planning Team - COA Liaison  
Northfield Neighborhood Assn.  
Homeless Neighborhood Organization  
Windsor Park Neighborhood Assn.  
Highland/Skyview Neighborhood Plan Contact Team  
Mueller Property Owners Association  
Mueller Community Association

**AREA OF PROPOSED ZONING CHANGES:** The additional Opt-In properties proposed by the North Loop Neighborhood Planning area consist of a triangular area bounded by Middle Fiskville Rd to the east, Southern Pacific Railroad right-of-way to the west, and E 56<sup>th</sup> St to the north.

**WATERSHEDS:** Tannehill Branch, Waller Creek, Boggy Creek (urban)

**DESIRED DEVELOPMENT ZONE:** Yes

**APPLICABLE CORE TRANSIT CORRIDORS :** E 51<sup>st</sup> St. and Airport Blvd.

**STAFF COMMENTS:**

In their VMU Opt-In/Opt-Out application, the North Loop Planning Area Contact Team recommended Vertical Mixed Use Building (V) zoning for the properties shown on the attached "North Loop Planning Area Additional Opt-In VMU Properties" table and "North Loop Planning Area Additional Opt-In Properties Tract Map." These properties were intended by the Neighborhood Plan Contact Team to be opted into VMU as a part of the original North Loop VMU case that was adopted by City Council on March 20, 2008. However, due to an error, these properties were omitted from the original case and are now being brought forward as an auxiliary case. The neighborhood has recommended all VMU incentives for properties within this 10 acre area.

**LIST OF ATTACHMENTS:**

**Attachment 1:** North Loop Neighborhood VMU Recommendations

**Attachment 2:** List of North Loop Neighborhood VMU Application  
Properties by Tract #, TCAD Property ID and City of Austin Address for  
properties in the VMU Overlay District and for Opt-In Properties

**Attachment 3:** North Loop Planning Area Additional Opt-In Properties Tract Map

**Attachment 4:** Zoning Map

**PLANNING COMMISSION RECOMMENDATION:**

*APPROVED VERTICAL MIXED USE BUILDING (V) DISTRICT ZONING WITH DIMENSIONAL  
STANDARDS, PARKING REDUCTION AND ADDITIONAL USES IN OFFICE DISTRICTS TO TRACTS 1-6  
(Approved on Consent).*

**ISSUES:** None at this time.

**CITY COUNCIL DATE:** June 5, 2008

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Andrew Holubeck  
**E-MAIL:** [andrew.holubeck@ci.austin.tx.us](mailto:andrew.holubeck@ci.austin.tx.us)

**PHONE:** 974-2054

## **NEIGHBORHOOD RECOMMENDATION**

Please see Attachment 1 for Neighborhood Recommendations.

## **BACKGROUND**

On August 31, 2006, the City Council adopted the "Design Standards & Mixed Use" ordinance as Subchapter E of Chapter 25-2 of the City Code. Most of the provisions of the ordinance went into effect on January 13, 2007. However, a separate process and schedule was established within the ordinance for Vertical Mixed Use.

The VMU Opt-In/Opt-Out process provides an opportunity for neighborhoods to offer recommendations regarding the location and development standards for Vertical Mixed Use Buildings. The primary focus of this process is on property fronting certain major arterials defined as Core Transit Corridors; however, other properties may also be eligible for VMU. With some exceptions, properties fronting on a Core Transit Corridor are eligible for VMU unless "opted-out". Properties not fronting on the Core Transit Corridors are not eligible for VMU unless "opted-in".

As part of the Vertical Mixed Use (VMU) Opt-In/Opt-Out process the city of Austin was divided into approximately 80 neighborhood planning and/or VMU application areas. Over the next several months each of the application areas affected by the VMU process will be the subject of a zoning case. The Planning Commission will review these cases and provide recommendations to the City Council who will make the final determination as to the applicability of VMU. Zoning case C14-2008-0002.001 is an auxiliary case to the final step in the Vertical Mixed Use Opt-In/Opt-Out process for the North Loop Neighborhood application area.

Representatives of the North Loop Neighborhood Plan Contact Team submitted a Vertical Mixed Use (VMU) Opt-In / Opt-Out Application to the City on June 4, 2007. The Contact Team submitted an amended application on July 9, 2007.

## **Impervious Cover**

The maximum impervious cover limits for the proposed zoning districts are as follows:

LI, Limited Industrial Services	80 %
CS, Commercial Services	95 %
CS-1, Commercial – Liquor Sales	95 %
W/LO, Warehouse Limited Office	70%
GR, Community Commercial	90 %
LR, Neighborhood Commercial	80 %

LO, Limited Office	70 %
MH, Mobile Home	N / A
MF-4, Multifamily Residence Moderate – High Density	70%
MF-3, Multi-family Residence (Medium Density)	65 %
MF-2, Multi-family Residence (Low Density)	60 %
SF-6, Townhouse & Condominium Residence	55%
SF-5, Urban Family Residence	55%
SF-3, Family Residence	45 %
SF-2, Single Family Residence – Standard Lot	45 %
P, Public	varies (refer to the <u>Land Development Code</u> )

The maximum amount of impervious cover is determined as the more restrictive figure of the zoning district and watershed class.

### **Transportation**

Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process.

Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract-by-tract basis for any proposed land uses as would typically be provided.

A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW, participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

### **Water and Wastewater**

The area is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

### **Compatibility Standards**

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/use will be subject to compatibility development regulations.

**North Loop Planning Area VMU Neighborhood Recommendations**  
**Additional Opt-In Properties**  
**C14-2008-0002.001**

VMU Opt-In Properties				
Tract # (1)	All VMU Related Standards Apply	OPT IN (2)		
		Dimensional Standards	Parking Reduction	Additional Ground Floor Uses in Office Districts
1-6	X			

**RECOMMENDED AFFORDABILITY LEVEL FOR 10% OF RESIDENTIAL UNITS FOR RENTAL WITHIN  
A VERTICAL MIXED USE BUILDING: 80%**

- (1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.  
(2) Please refer to attached information for explanations of Opt-In and Opt-Out options.

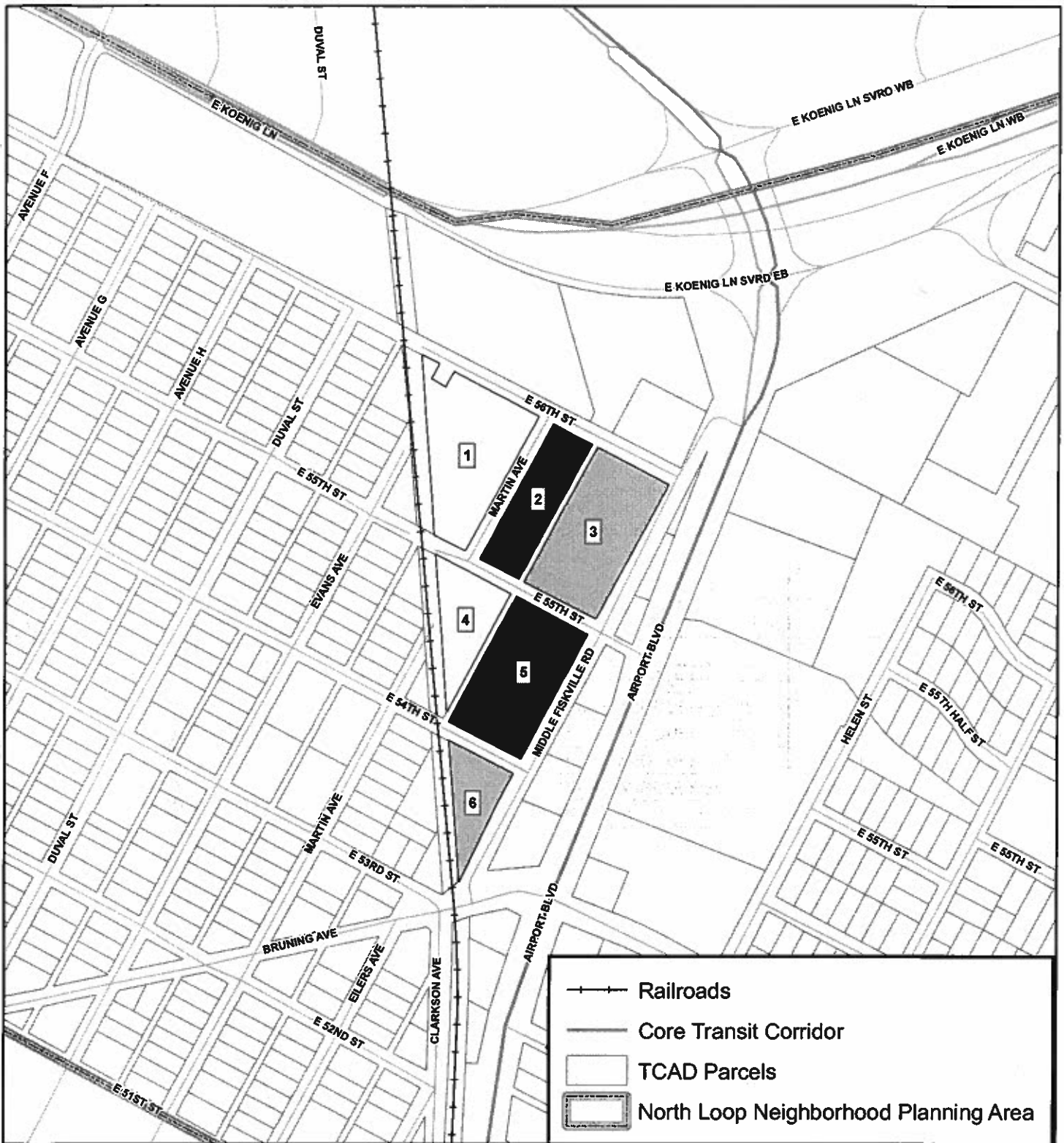
**North Loop Neighborhood Planning Area Additional Opt-In VMU Properties  
C14-2008-0002.001**

<b>Vertical Mixed Use (VMU) Overlay District Properties</b>		
<b>Tract # (1)</b>	<b>TCAD Property ID (2)</b>	<b>COA Address (3)</b>
1	225278	5504 MARTIN AVE
	225279	5500 MARTIN AVE
	225280	601 E 56TH ST
	225281	605 E 56TH ST
	225282	LOT 32 BLK 33 *LESS N 10FT HIGHLANDS THE PLUS ADJ 1/2 VAC ST
	476854	5502 1/2 MARTIN AVE 5504 1/2 MARTIN AVE
2	225287	5509 MARTIN AVE
	225290	5501 MARTIN AVE
	225291	707 E 56TH ST
3	225283	5508 MIDDLE FISKVILLE RD
	225284	5506 MIDDLE FISKVILLE RD
	225285	5504 MIDDLE FISKVILLE RD
	225286	5502 MIDDLE FISKVILLE RD
	225288	5500 MIDDLE FISKVILLE RD
	225289	711 E 56TH ST
4	225377	701 E 55TH ST
5	225368	5420 MIDDLE FISKVILLE RD
	225369	5418 MIDDLE FISKVILLE RD
	225370	5416 MIDDLE FISKVILLE RD
	225371	5414 MIDDLE FISKVILLE RD
	225372	5410 MIDDLE FISKVILLE RD
	225373	5408 MIDDLE FISKVILLE RD
	225374	5406 MIDDLE FISKVILLE RD
	225375	5402 MIDDLE FISKVILLE RD
	225376	5400 MIDDLE FISKVILLE RD
6	225457	5306 MIDDLE FISKVILLE RD

(1) The tract number refers to the numbered tracts on the Vertical Mixed Use (VMU) Tract Map.

(2) Each TCAD Property ID number represents a separate property, as recorded by the Travis Central Appraisal District.

(3) The COA Addresses listed for each property are those addresses on file with the city pertaining to that property. If a COA address was not available for a property the TCAD address and/or legal description was used.



**North Loop Neighborhood Planning Area  
Additional Opt-In Properties Tract Map  
VMU Opt-In/Opt-Out Process  
C14-2008-0002.001**

Produced by City of Austin  
Neighborhood Planning and Zoning Dept.  
December 20, 2007

0 125 250 500 Feet



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1" = 400'



ORDINANCE NO. \_\_\_\_\_

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A**  
2 **VERTICAL MIXED USE BUILDING (V) COMBINING DISTRICT TO CERTAIN**  
3 **TRACTS OF LAND LOCATED IN THE NORTH LOOP NEIGHBORHOOD PLAN**  
4 **AREA.**

5  
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

7  
8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
9 add a vertical mixed use building (V) combining district to certain tracts of land (the  
10 "Property") described in Zoning Case No. C14-2008-0002.001, on file at the  
11 Neighborhood Planning and Zoning Department, as follows:

12  
13 Approximately 10 acres of land in the City of Austin, Travis County,  
14 Texas, more particularly described and identified in the tract map  
15 attached as Exhibit "A" (*North Loop Neighborhood Planning Area*),

16  
17 located in the North Loop neighborhood plan area, locally known as the area bounded by  
18 Koenig Lane on the north, North IH-35 on the east, 45<sup>th</sup> Street, Red River Street, and 51<sup>st</sup>  
19 Street on the south, and North Lamar Boulevard on the west, in the City of Austin, Travis  
20 County, Texas, and identified in the map attached as Exhibit "B" (*the Zoning Map*).

21  
22 Except as specifically provided in this ordinance, the existing base zoning districts,  
23 combining districts, and other conditions remain in effect.

24  
25  
26 **PART 2.** The zoning districts for the Property are changed from general commercial  
27 services-conditional overlay-neighborhood plan (CS-CO-NP) combining district to general  
28 commercial services-vertical mixed use building-conditional overlay-neighborhood plan  
29 (CS-V-CO-NP) combining district, as more particularly described and identified in the  
30 chart below:

Tract #	TCAD Property ID	COA Address	FROM	TO
1	225278	5504 MARTIN AVE	CS-CO-NP	CS-V-CO-NP
	225279	5500 MARTIN AVE	CS-CO-NP	CS-V-CO-NP
	225280	601 E 56TH ST	CS-CO-NP	CS-V-CO-NP
	225281	605 E 56TH ST	CS-CO-NP	CS-V-CO-NP
	225282	LOT 32 BLK 33 *LESS N 10FT HIGHLANDS THE PLUS ADJ 1/2 VAC ST	CS-CO-NP	CS-V-CO-NP
	476854	5502 1/2 MARTIN AVE	CS-CO-NP	CS-V-CO-NP
		5504 1/2 MARTIN AVE	CS-CO-NP	CS-V-CO-NP
2	225287	5509 MARTIN AVE	CS-CO-NP	CS-V-CO-NP
	225290	5501 MARTIN AVE	CS-CO-NP	CS-V-CO-NP
	225291	707 E 56TH ST	CS-CO-NP	CS-V-CO-NP
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	225376	5400 MIDDLE FISKVILLE RD	CS-CO-NP	CS-V-CO-NP
6	225457	5306 MIDDLE FISKVILLE RD	CS-CO-NP	CS-V-CO-NP

**PART 3.** The Property is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*) as follows:

- A. The Property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).
- B. The Property is subject to the parking reductions identified in Article 4.3.3 E.3. (*Dimensional and Parking Requirements*).

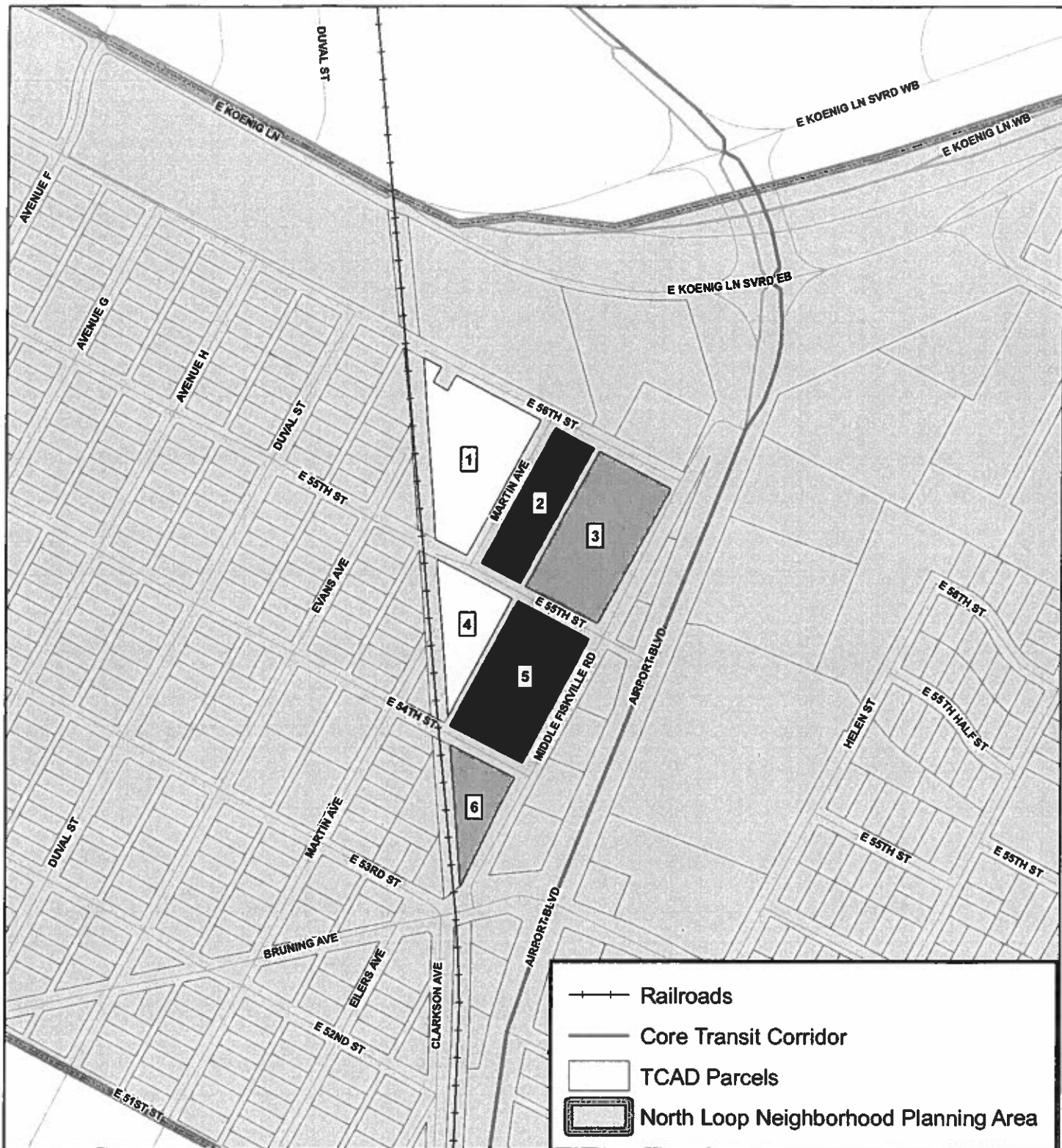
- 1 C. For property in office districts, the additional uses allowed under Article 4.3.3.  
2 C.2 (*Ground-Floor Commercial Uses Allowed*) apply.  
3  
4 D. Ten percent of residential units available for rental in a vertical mixed use  
5 building shall be reserved for households earning no more than 80 percent of  
6 the Annual Median Family Income.  
7

8 **PART 4.** This ordinance takes effect on \_\_\_\_\_, 2008.  
9

10 **PASSED AND APPROVED**  
11

12  
13 §  
14 §  
15 \_\_\_\_\_, 2008 § \_\_\_\_\_  
16 Will Wynn  
17 Mayor  
18  
19

20 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
21 David Allan Smith Shirley A. Gentry  
22 City Attorney City Clerk



# **North Loop Neighborhood Planning Area** *EXHIBIT A* **Additional Opt-In Properties Tract Map** **VMU Opt-In/Opt-Out Process** **C14-2008-0002.001**

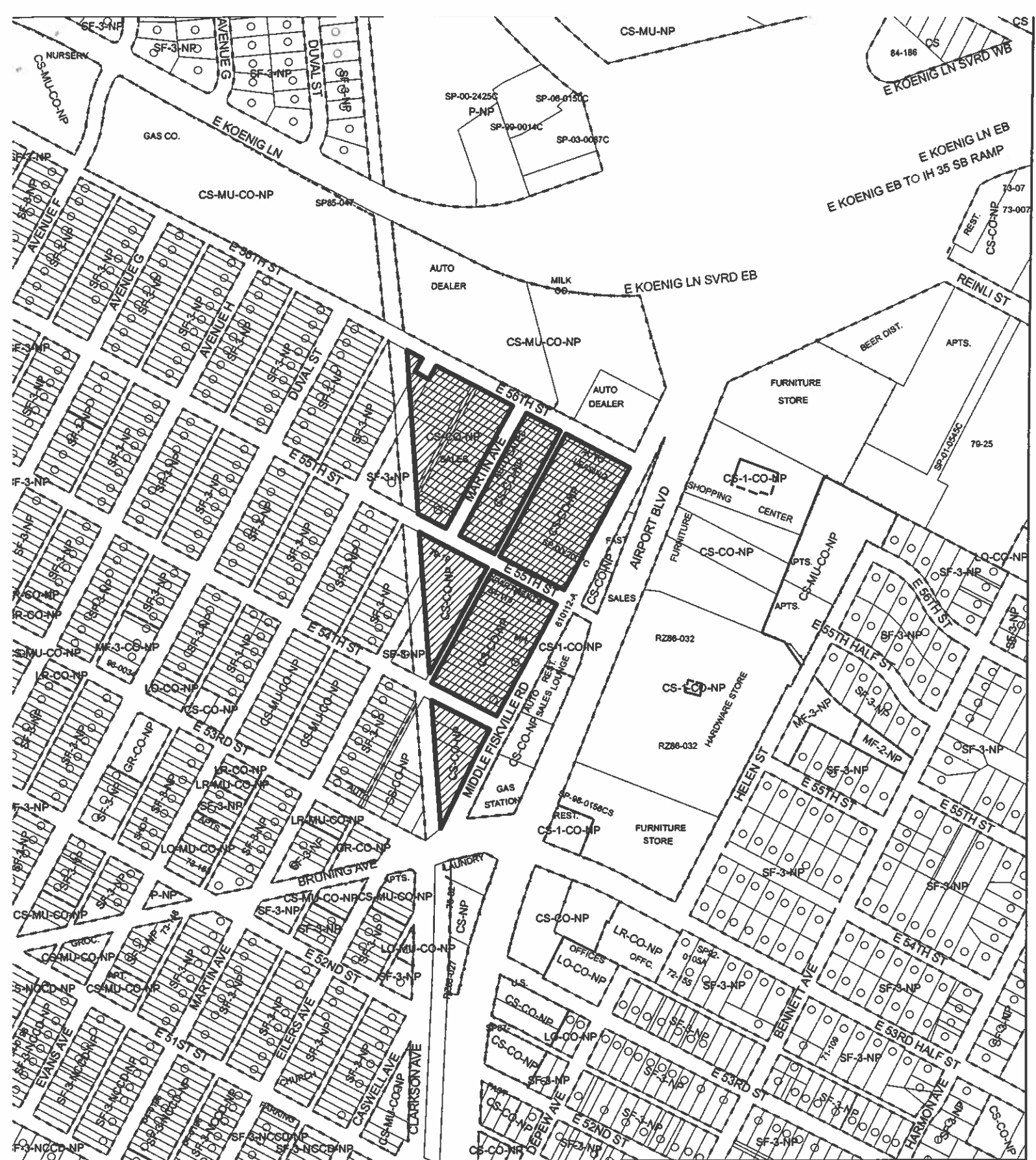


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 Neighborhood Planning and Zoning Dept.  
 December 20, 2007



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# ZONING EXHIBIT B



**SUBJECT TRACT**



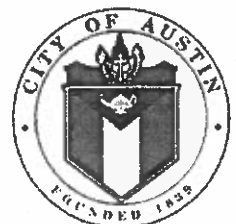
**ZONING BOUNDARY**



**PENDING CASE**

ZONING CASE#: C14-2008-0002.001  
 ADDRESS: NORTH LOOP PLANNING AREA  
 SUBJECT AREA: 10 ACRES  
 GRID: K26  
 MANAGER: A. HOLUBECK

OPERATOR: S. MEEKS



1" = 400'

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