

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2008-0144

The Project at Sixth & Congress – West

**P. C. DATE:** 08-26-2008

**ADDRESS:** 501 N. Congress Avenue

**AREA:** .5069 acres

**APPLICANT:** Walton Stacy Office Partners IV, L. P.  
(Tom Stacy)

**AGENT:** Armbrust & Brown, L. L. P.  
(Lynn Ann Carley)

**NEIGHBORHOOD PLAN AREA:** None

**CAPITOL VIEW:** Yes

**T.I.A.:** Waived – See the Transportation Reviewer's  
comment's and Restrictive Covenant request.

**HILL COUNTRY ROADWAY:** No

**WATERSHED:** Town Lake

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** CBD-CURE – Central Business District – Central Urban Redevelopment District.

**ZONING TO:** CBD-CURE – Central Business District – Central Urban Redevelopment District.

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends CBD-CURE – Central Business District – Central Urban Redevelopment District with the applicant entering into a Restrictive Covenant that replaces and modifies the Restrictive Covenant terminated under case #C14-06-0071 (RCT). The CURE overlay would allow a floor to area ratio of 20-1, and to modify Section 25-2-643 of the City Code. This modification would allow a building setback of forty feet (40') from the property line adjacent to Congress Avenue for structures whose minimum height is thirty feet (30') from ground level and whose maximum height may exceed ninety feet (90'). The Restrictive Covenant would have three parts - 1. That the applicant participate in the City of Austin Great Streets program for any new development on the property. 2. That the applicant submit an Access Study to the Transportation Review Section of Watershed Protection & Development Review Department for any proposed project on the property and 3. That the development be restricted to 17,193 vehicle trips per day.

### **PLANNING COMMISSION RECOMMENDATION:**

The motion to approve staff's recommendation for CBD-CURE zoning; was approved on the Consent Agenda by Commissioner Jay Reddy, Commissioner Mandy Dealey second the motion on a vote of 7-0. Commissioners Paula Hui and Perla Cavazos were absent.

### **DEPARTMENT COMMENTS:**

This property was rezoned from Central Business District (CBD) to Central Business District – Central Urban Redevelopment District (CBD-CURE) with case number C14-06-0071. There was also a companion zoning case, C14-06-0069 for adjacent properties that the applicant owns. The purpose of the zone change request was to utilize the CURE overlay to modify the Floor-to-Area-Ratio (FAR) from the standard 8-1 in the CBD zoning district to a 30-1 FAR.

An additional site development regulation that was modified by the CURE overlay was Section 25-2-643 of the City Code. This modification allowed a building setback of forty feet (40') from the property lined adjacent to Congress Avenue for structure whose minimum height is thirty feet (30') from ground level and whose maximum height may exceed ninety feet (90'). This CURE modification changed the setback along Congress Avenue from the required sixty feet (60') to forty feet (40'). The applicant is requesting that this modification be granted with this zoning case as well.

The staff recommendation was to approve the zone change request with the stipulation that the applicant enter into a Restrictive Covenant (RC) on the property. The RC had three parts to it – 1. That the applicant participate in the City of Austin Great Streets program for any new development on the property. 2. That the applicant submit an Access Study to the Transportation Review section of Watershed Protection & Development Review Department for any proposed project on the property and 3. That the development be restricted to 14,221 vehicle trips per day. The RC was agreed to by the applicant and a single RC was executed that covered both zoning cases, C14-06-0069 & C14-06-0071.

This property lies within the Congress Avenue Overlay District (CA), the Convention Center Overlay District (CC), the Capital View Corridor (CV) and a National Register Historic District.

#### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	CBD-CURE	Office building
<b>NORTH</b>	CBD-CURE	Office building
<b>SOUTH</b>	CBD-CURE	Museum
<b>EAST</b>	CBD/CBD-CURE	Office Building
<b>WEST</b>	CBD/CBD-H	Retail

#### **CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-01-0029	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-1]	Approved CBD-CURE [Vote: 7-0]
C14-06-0071	From CBD-CURE to CBD-CURE	Approved CBD-CURE [Vote: 8-0]	Approved CBD-CURE [Vote: 5-0]
C14-06-069	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-0]	Approved CBD-CURE [Vote: 5-0]

#### **NEIGHBORHOOD ORGANIZATION:**

- Homeless Neighborhood Assn.
- Downtown Austin Neighborhood Coalition
- Pecan Street Owner's Association
- Downtown Austin Alliance
- Austin Warehouse District Association
- Old Pecan Street Association
- Sentral Plus East Austin Koalition
- Austin Neighborhood Council
- Downtown Austin Neighborhood Association

### **SCHOOLS:**

Matthews Elementary School  
O' Henry Middle School  
Austin High School

### **SITE PLAN:**

1. This site is located within the National Register Historic District (LDC 25-2-351). It is also located within the Congress Avenue Overlay district (LDC 25-2-165), which serves to protect the historic character and symbolic significance of Congress Avenue and to enhance the pedestrian environment of the area. Would the proposed rezoning meet this requirement?
2. This site is located within a Capital View Corridor. Would the proposed height of  $30 \text{ ft} < X < 90 \text{ ft}$  within the proposed 40 ft setback along the property be in compliance?
3. Any new development is subject to Subchapter E. Design Standards and Mixed Use, except where Great Streets regulations would supersede. Additional comments will be made when the site plan is submitted.

### **ENVIRONMENTAL:**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Town Lake 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. At this time, site-specific information is unavailable regarding existing trees and 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.

**TRANSPORTATION:**




1. No additional right-of-way is needed at this time.
2. A traffic impact analysis was waived for this case because the applicant agreed limit trips to not more than 17,193 trips per day in conjunction with adjacent and associated case C14-2008-0143. Applicant also agrees to submit an access study during the site plan application process in order to evaluate driveway LOS for the proposed project.

Name	RO W	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
S Congress Avenue	120'	60'	Arterial	Yes	Yes	Multiple Routes
E 5 <sup>th</sup> Street	80'	60'	Arterial	Yes	Yes	

**CITY COUNCIL DATE:** September 25, 2008**ACTION:****ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup> **ORDINANCE NUMBER:****CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)**PHONE:** 974-7691



# ZONING

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE#: C14-2008-0144  
 ADDRESS: 501 CONGRESS AVE  
 SUBJECT AREA: 0.5069 ACRES  
 GRID: J22  
 MANAGER: C. PATTERSON



OPERATOR: S. MEEKS

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1" = 400'





Capital View  
Corridor

Congress Avenue  
Overlay District (CA)

Subject Tract  
501 Congress  
Avenue