

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2008-0150 808 Nueces Street

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

**ADDRESS:** 808 Nueces Street

**AREA:** .13 acres

**APPLICANT:** Stephen Adler

**AGENT:** Holford Group (Charles Dunn)

**NEIGHBORHOOD PLAN AREA:** None

**CAPITOL VIEW:** Yes

**T.I.A.:** No

**HILL COUNTRY ROADWAY:** No

**WATERSHED:** Shoal Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** GO – General Office

**ZONING TO:** DMU – Downtown Mixed Use

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends DMU-CO, Downtown Mixed Use-Conditional Overlay. The Conditional Overlay would make a bail bond services use, cocktail lounge use, or liquor sales use a conditional use; and prohibit pawn shop services use.

### **PLANNING COMMISSION RECOMMENDATION:**

The motion to approve staff's recommendation for DMU-CO district zoning with the condition of GO district height limit; was approved by Commissioner Mandy Dealey's motion, Commissioner Sandra Kirk second the motion on a vote of 7-0. Commissioners Perla Cavazos and Paula Hui were absent.

### **DEPARTMENT COMMENTS:**

The Downtown Mixed Use (DMU) district is the designation for a use located on the periphery of an area that has a CBD designation. A DMU district designation may be applied to a development that includes any combination of office retail, commercial, and residential uses and that is compatible with the downtown area. A DMU district use with an intermediate density may be used as a transition between the downtown area and surrounding districts. A DMU district is suitable for an area to which the central business district may expand. The subject tract is located in and amongst various zoning districts, including DMU, GO, LO and MF-4. The most recent surrounding case histories were requests to the DMU zoning district. It should be noted that this property lies within the Criminal Justice Overlay subdistrict (§ 25-2-650). In the criminal justice center overlay district a bail bond services use, cocktail lounge use, or liquor sales use that would otherwise be a permitted use is a conditional use; and a pawn shop services use is prohibited.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	GO	Office Building
<b>NORTH</b>	GO	Office Building
<b>SOUTH</b>	GO	Office Building
<b>EAST</b>	GO	Office Building
<b>WEST</b>	GO	Office Building

**CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-06-0177	From MF-4 to DMU	Approved DMU-CO [Vote: 7-0]	Approved DMU-CO [Vote: 5-0]
C14-06-0187	From MF-4-H to CBD-H	Approved DMU-H-CO [Vote: 8-0]	Approved DMU-H-CO [Vote: 5-1]
C14-99-0082	From MF-4 to DMU	Approved DMU-CO [Vote: 7-0]	Approved DMU- CO [Vote: 7-0]

**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 project is within the Criminal Justice Overlay subdistrict {§ 25-2-650}. In the criminal justice center overlay district: (1) a bail bond services use, cocktail lounge use, or liquor sales use that would otherwise be a permitted use is a conditional use; and (2) a pawn shop services use is prohibited.
2. A small portion of this site is within the Capitol View Corridor. Maximum height allowed within the corridor is strictly enforced. For any new development, an application for a Capitol View Corridor Height Determination must be submitted to Intake prior to site plan review; for more information, contact the Development Assistance Center at 974-6370.

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.

4. There appears to be a residential unit within 540 ft. of this site, and therefore would be subject to compatibility standards.

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection. Additional design regulations will be enforced at the time a site plan is submitted.

### **ENVIRONMENTAL:**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal 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. 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 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]

**Existing Characteristics:**

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Nueces	80	42'	Collector	Yes; one side	No	Priority 1

**CITY COUNCIL DATE:** September 25<sup>th</sup>, 2008  
October 16<sup>th</sup>, 2008  
October 23<sup>rd</sup>, 2008


**ACTION:** Postponed to 10/16  
Postponed to 10/23

**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



An aerial photograph of a city street intersection. A green rectangle highlights a specific tract. The text "SUBJECT TRACT 808 NUECES ST." is written in a yellow box with a pointer to the highlighted area. The text "Capital View Corridor" is written in a yellow box with a pointer to a street on the right. The text "W 8TH ST" is written on the street on the left, and "NUECES ST" is written on the street at the bottom.

SUBJECT TRACT  
808 NUECES ST.

Capital View Corridor

W 8TH ST

NUECES ST





# ZONING



- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE

ZONING CASE#: C14-2008-0150  
 ADDRESS: 808 NUECES ST  
 SUBJECT AREA: 0.13 ACRES  
 GRID: J22  
 MANAGER: C. PATTERSON



OPERATOR: S. MEEKS

1" = 400'

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