

ZONING CHANGE REVIEW SHEET

CASE: C14-2009-0166 Westend Bistro

P. C. DATE: 02-09-2010

ADDRESS: 1315 West 6th Street

AREA: 0.4029 acres

APPLICANT: AGSA Group, L.L.C.
(Gretchen Alley)

AGENT: Jim Bennett Consulting
(Jim Bennett)

NEIGHBORHOOD PLAN AREA: Old West Austin **CAPITOL VIEW:** Yes

T.I.A.: No

HILL COUNTRY ROADWAY: No

WATERSHED: Town Lake

DESIRED DEVELOPMENT ZONE: Yes

ZONING FROM: LO-V-NP, LO-NP

ZONING TO: GR-V-CO-NP

SUMMARY STAFF RECOMMENDATION:

Staff recommends GR-V-CO-NP, Community Commercial – Vertical Mixed Use - Conditional Overlay-Neighborhood Plan. The Conditional Overlay would limit the size of the structure to no more than 3,500 square feet and limit the height to two (2) stories or twenty five feet (25').

PLANNING COMMISSION RECOMMENDATION:

The motion to approve staff's recommendation for GR-V-CO-NP zoning; was approved on the consent agenda by Commissioner Mandy Dealey's motion, Commissioner Dave Anderson second the motion on a vote of 8-0; Commissioner Jay Reddy was absent.

DEPARTMENT COMMENTS:

The applicant is proposing to convert the existing single family dwelling that was serving as a chiropractor's office to a restaurant. The applicant is requesting that the Vertical Mixed Use Combining District be applied to the property to the west as well. The applicant is working with the Old West Austin Neighborhood Association to enter into a private restrictive covenant that would place additional restrictions on the property. With the execution of the private restrictive covenant, the Old West Austin Neighborhood Association will not object to the requested rezoning.

ISSUES:

The adapted Old West Austin Neighborhood Plan states that "on the South side of 6th Street, for lots fronting on 6th, no zoning changes to a more permissive base district should be permitted. Rezoning that do not change the base district but add mixed use capability should be permitted, if the existing building and character are maintained. Preservation of existing single-house structures is strongly encouraged"

If so desired, the Council may initiate a Neighborhood Plan Amendment to alter this request for this address or for the plan as a whole. Staff is allowing this case to proceed because the plan text is advisory. The OWANA Neighborhood Plan Contact Team has been made aware of the zoning case, but has not indicated support or objection at this time.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LO-NP & LO-V-NP	Chiropractor
North	SF-3-H-NP	Residential
South	CS-MU-CO-NP	Multi-family
East	CS-MU-V-CO-NP	Parking Lot
West	LO-CO-NP	Office

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-96-0001	From CS to PUD	Approved staff's recommendation for PUD. (7-1)	Approved staff's recommendation for PUD. (5-0) All 3 readings.
C14-99-2032	From SF-3 to LO-MU	Approved staff's recommendation for LO-MU. (6-0)	Approved staff's recommendation for LO-MU. (7-0) All 3 readings.

BASIS FOR RECOMMENDATION:

- Zoning changes should promote compatibility with adjacent and nearby uses.*

Granting GR-V-NP zoning for the subject tract will be compatible with adjacent uses and adjacent zoning on the tracts to the north, east, west and south.

NEIGHBORHOOD ORGANIZATION:

- Homeless Neighborhood Assoc.
- Austin Neighborhoods Council
- League of Bicycling Voters
- West End Austin Alliance
- Old West Austin Neigh. Assoc.

SCHOOLS:

- Matthews Elementary School
- O'Henry Middle School
- Austin High School

ENVIRONMENTAL:

- The site is 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. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding 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.

SITE PLAN:

Should any new development be proposed at this location:

- SP 1 This site is within the Mopac Bridge - SDCC Capitol View Corridor. Should the applicant propose any construction on-site, demonstration of a cross-section of the building with the base elevation and maximum height allowed within the corridor would be required. An application for a Capitol View Corridor Height Determination would also be required. For more information, contact the Development Assistance Center at 974-6370.
- SP 2 It appears the structure on site is within the West Line National Register Historic District. 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 prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property. Please contact the Historic Preservation Officer at 974-6454 for additional information [Chapter 25-11].
- 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.
- SP 4 The site is subject to compatibility standards. Compatibility Standards are applicable to all property adjoining or across the street from a lot zoned or used as a SF-5 or more restrictive or within 540 feet from the lot zoned SF-5 or more restrictive. This lot has an SF-3-H-NP lot located across the street along the northern edge of the property, as well as a single-family structure to the west that may or may not be used as single-family.

- No structure may be built within 25 feet of the SF-zoned or used property line.
- 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.
- No parking or driveways are allowed within 25 feet of the SF-zoned or used property line.
- A landscape area is required along 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.

SP 5 FYI - This site is located in the Old West Austin Neighborhood Plan.

SP 6 FYI - OUTDOOR MUSIC VENUES: Any outdoor amplified sound or outdoor music venue requires a separate permit to show compliance with the sound ordinance. For additional information for permits, contact Clara Hilling at 974-2686.

TRANSPORTATION:

TR1: Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
West 6 th Street	70'	40'	Arterial (MAU4)	21,319 (COA, 03/11/09)

TR2: No additional right-of-way is needed at this time.

TR3: 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].

TR4: There are existing sidewalks along West 6th Street.

TR5: According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or proposed along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Proposed Bicycle Facilities
West 6th Street	Shared Lane	Bike Lane

TR6: Capital Metro bus service (route no. 4, 21, 122, and 663 (LA)) is available along West 6th Street.

CITY COUNCIL DATE: March 11th, 2010

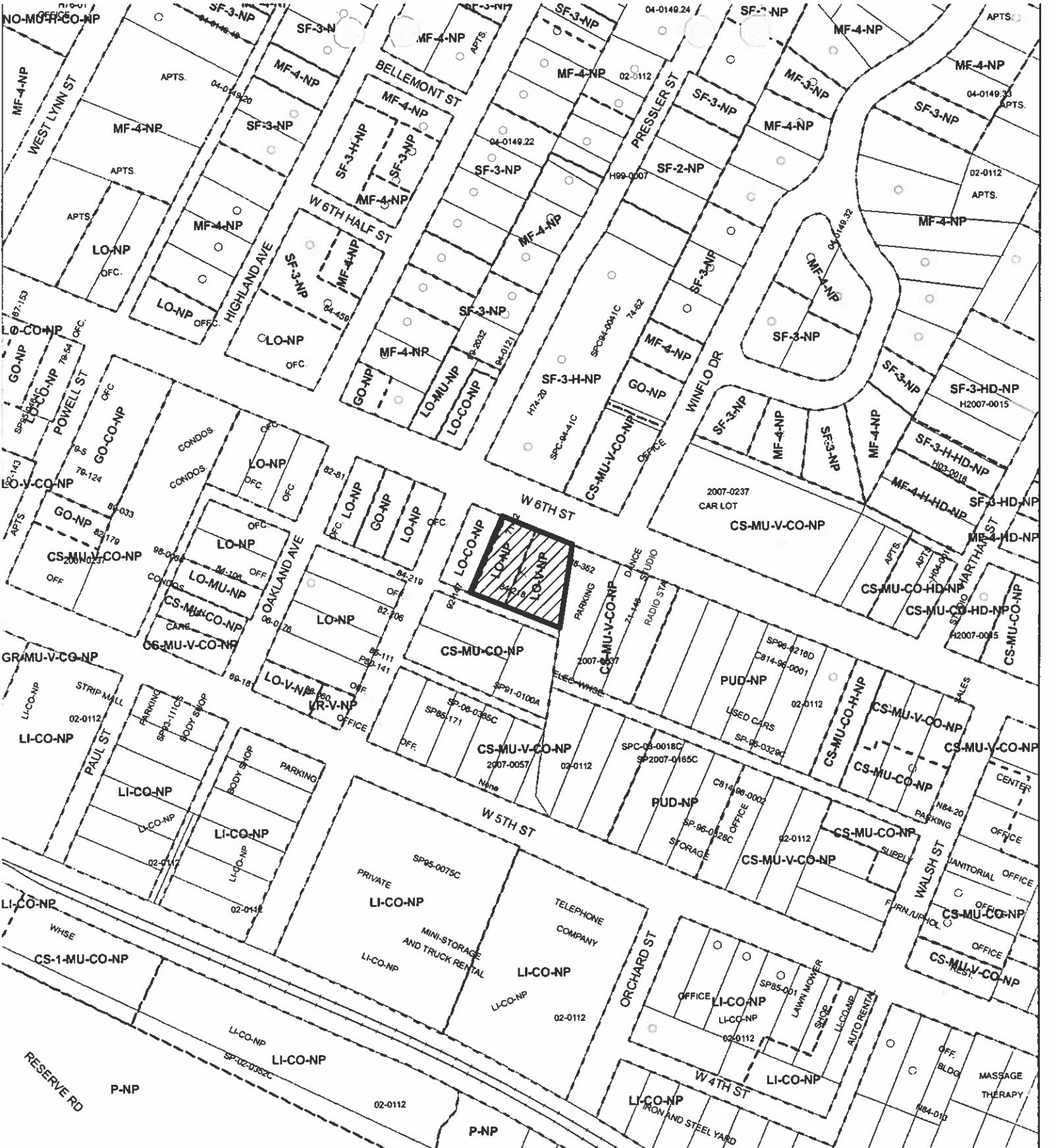
ACTION:




ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691



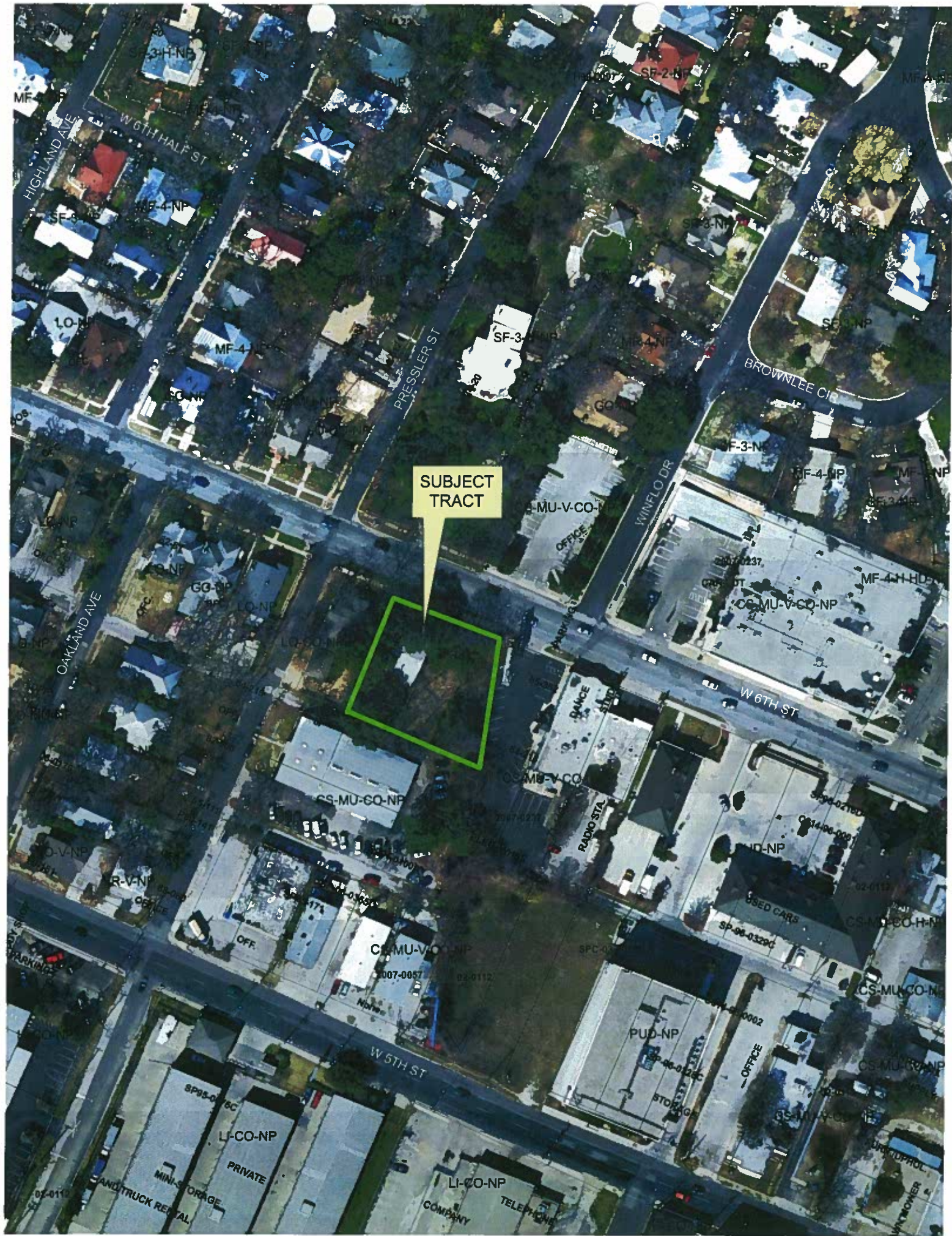
-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

OPERATOR: S. MEEKS

ZONING

ZONING CASE#: C14-2009-0166
ADDRESS: 1315 W 6TH ST
SUBJECT AREA: 0.4029 ACRES
GRID: M29
MANAGER: J. HARDEN





City of Austin
Zoning and Platting Department
Reference: 1315 W. 6th Street A & B

December 22, 2009

To Whom It May Concern:

OWANA will not oppose the zoning change from LO to GR for 1315 W. 6th Street to operate a Restaurant and Rental Kitchen based on the addition of the following conditions to the ordinance approving the rezoning. The square footage shall be limited to the square footage in the existing structure including height. No late night beverage permit may be issued for the property. No outdoor sound amplification shall be permitted.

We understand the current building on the property contains 3477 square feet. OWANA understands and does not object to the lessee constructing an exterior deck of no more than 1000 square feet for outdoor restaurant seating if approved by the City. In addition, the City required parking spaces must be met for the stated square footage to seat 60 inside and 40-50 outside.

The agreement would be with the owner of the property, Gretchen Alley, and the City.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Seals", with a long horizontal flourish extending to the right.

Paul Seals

Chair Old West Austin Neighborhood Association (OWANA)

SCANNED