ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0006
701 & 711 West 7th St. Rezoning

P. C. DATE: 05/24/11 06/14/11

ADDRESS: 701 & 711 West 7th St

AREA: 0.608 acres

APPLICANT: LOWA, Ltd. (Daryl Kunik)

AGENT: Thrower Design (Ron Thrower)

NEIGHBORHOOD PLAN AREA: Downtown

CAPITOL VIEW: Yes

T.I.A.: Waived – See the Transportation Reviewer's comments.

HILL COUNTRY ROADWAY: No

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

ZONING FROM: GO- General Office & GR – Community Commercial

ZONING TO: CBD – Central Business District.

SUMMARY STAFF RECOMMENDATION:

Staff recommends CBD-CO: Central Business District – Conditional Overlay. The Conditional Overlay would limit vehicle trips to 2,000 per day.

PLANNING COMMISSION RECOMMENDATION:

The motion to approve DMU-CURE with what O.W.A.N.A brought forward; was approved by Commissioner Danette Chimenti's motion, Commissioner Mandy Dealey seconded the motion on a vote of 5-2; Commissioners Richard Hatfield and Tina Bui voted against the motion (nay), Commissioner Saundra Kirk was absent, 1 vacancy on the commission.

DEPARTMENT COMMENTS:

This request is similar to other requests in the urban core of downtown to change the zoning to Central Business District to allow for additional height and massing for vertical development. The request for these two parcels on the corner of 7th Street and West Avenue would complete the CBD zoning on the block face and make the whole city block CBD. There is very little CBD zoning north of 7th Street as well as West of West Avenue. This site is located within the "desired development zone" where development is encouraged to locate. This case was heard by the Downtown Commission on May 18th they voted 9-0-2 to support the zone change request..

Note: Single family, multifamily and commercial uses on properties zoned CBD or DMU are required to meet a 1-star rating under Austin Energy's Green Building Program.

BASIS FOR RECOMMENDATION:

1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

Granting CBD zoning would be in keeping with adjacent CBD zoning to the South and East.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	GO & GR	Office Building
NORTH	CBD	Day Spa & Salon
SOUTH	CBD	Office Building
EAST	CBD-CO-CURE	Office Building
WEST	DMU-CO-CURE	Office Building

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2008-0143	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 7-0]	Approved CBD-CURE [Vote: 7-0]
C14-2008-0144	From CBD-CURE to CBD-CURE	Approved CBD-CURE [Vote: 7-0]	Approved CBD-CURE [Vote: 7-0]
C14-00-2208	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 6-1-1]	Approved CBD- CURE [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
- Austin City Lofts HOA
- West End Austin Alliance
- Original Austin Neighborhood Assoc.

SCHOOLS:

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

SITE PLAN:

Site plans will be required for any new development other than single-family or duplex residential.

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.

This site is within a Capital View Corridor. Prior to a development permit, a Capital View Corridor determination application must be submitted for review and completed, and the site plan must demonstrate compliance with Capital View Corridor height restrictions.

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 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.

TRANSPORTATION:

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

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day [LDC, 25-6-117].

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W. 7th Street is classified in the Bicycle Plan as Priority 1 Bike Route No. 52.

There are no Bus Routes along W. 7th Street, Rio Grande Street, and West Avenue.

There are existing sidewalks along W. 7th Street, Rio Grande Street, and West Avenue.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
W. 7th Street	74'	40'	Collector	1,349
Rio Grande St.	74'	40'	Collector	2,270
West Avenue	80'	38'	Collector	2,394

CITY COUNCIL DATE: June 23rd, 2011 **ACTION:** Postponed to July 28th by Staff
July 28th, 2011

ORDINANCE READINGS: 1ST 2ND 3RD **ORDINANCE NUMBER:**

CASE MANAGER: Clark Patterson **PHONE:** 974-7691
Clark.patterson@ci.austin.tx.us

M E M O R A N D U M

TO: Dave Sullivan, Chair, Planning Commission

FROM: Michael Knox, Staff Liaison
Downtown Commission

DATE: June 2, 2011

RE: 701-711 W. 7th
Proposed Rezoning to CBD
Case No. C14-2011-0006

At their Wednesday, May 18, 2011 meeting, the Downtown Commission voted to support the zoning change by a 9-0-2 vote, with Commission Members Dealey and McGill abstaining.

Michael R. Knox

Michael Knox, Staff Liaison
Downtown Commission

cc: Clark Patterson, Planning and Development Review Department



ZONING

N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1" = 200'

ZONING CASE#: C14-2011-0006
LOCATION: 701 & 711 W 7TH ST.
SUBJECT AREA: 0.608
GRID: J22
MANAGER: C. PATTERSON

CITY OF AUSTIN
FOUNDED 1839

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.


CAPITAL VIEW CORRIDOR
SUBJECT TRACT
W 10TH ST
W 9TH ST
W 8TH ST
W 7TH ST
W 6TH ST
W 5TH ST
W 4TH ST
W 3RD ST
HENDERSON ST
WOOD ST
BOWIE ST
NUECES ST
WEST AVE
RIO GRANDE ST
SAN ANTONIO ST
CS
CS-CO
P
LO
MF-4
GO
GO-H
GR
DMU
DMU-CO
DMU-CURE
DMU-CURE-CO
CBD
CBD-CO
CBD-CURE
CBD-CURE-CO
GO-MU-H

Height Determination Worksheet

Important: Select the Viewpoint/Corridor Name (below) FIRST.

Viewpoint/Corridor Name	Review Site	VP Elevation.	Distance from Cap to Review Sitr Point	RS Elevation (approx.)	a 653 - VP Elev.	b Distancr VP to Cap	tan Θ a/b	b' Distance VP to RS	a' tan Θ times b'	Max. Elev. VP Elev. + a'	h Max. Elev. - RS Elev. (xpprox.)
Barton Creek Pedestrian Bridge - 1	a	445	3285	476	208	8465	((0246	5180	127.43	572.43	96.43
Barton Creek Pedestrian Bridge - 1	b	445	3465	470	208	8465	0.0246	5000	123.00	568.00	98.00

Original Austin
Neighborhood
Association

Post Office Box 1282
Austin, TX 78767
www.originalaustin.com
www.citicite.com/oana/

May 16, 2011

Clark Patterson, Case Manager
Planning & Development Review Department
City of Austin

RE: C14-2011-0006 - 701 & 711 West 7th Street

Dear Mr. Patterson:

The Board of Directors (BoD) of the Original Austin Neighborhood Association (OANA) at its regularly scheduled second Tuesday of the month meeting on 05-10-11, upon notice to interested parties, discussed the above referenced rezoning request from GO & GR zoning districts to CBD zoning district. The BoD supports this zoning change to the extent it enhances and generally protects the residential and historic character of our neighborhood. **Based on this, the BoD of OANA does not support a change to CBD zoning on the subject property, but does support a zoning change to DMU-CURE, with a conditional overlay enforced by the City of Austin.**

Conditions we would like to see attached to the zoning of this property are that within the allowable 375 feet of development height that there be a mix of uses, but no less that 50% single family residential use, and that there be a maximum of 2,000 trips per day be allowed for the project. We understand that is number of trips per day and would not accommodate a substantial amount of some commercial use, but it would accommodate a substantial amount of residential use on the site. Our support is also conditioned on at least one story of underground parking at the site being required. And, we also condition our support on approved of this zoning change including at least the following prohibited uses: bail bond services, pawn shop services, automotive services, and any use containing outdoor entertainment.

Sincerely:

Ted Siff

Ted Siff, President

Board of Directors
Ted Siff, President
Mark Holzbach, Vice President
Albert Stowell, Treasurer
Blake Tollett, Secretary
Jocelyn Dabeau
Rick Hardin
Perry Lorenz
John Horton
Bill Schnell

DANA

Downtown Austin Neighborhood Association

SOCIAL
KNOWLEDGEABLE
INFLUENTIAL

Michael McGill
President

Josh Allen
Vice President

Madge Whistler
Secretary

Albert Stowell
Treasurer

Jocelyn Dabeau

Jude Galligan

Amber Gugino

Bill McCann

Mitchell McGovern

Ian Stonington

Kristina Witt

12 June 2011

Re: C14-2011-0006 – 701 & 711 West 7th Street

Honorable Mayor Leffingwell and City Council Members:

The Downtown Austin Neighborhood Association (DANA) wishes to express its mutual support for the position of the Original Austin Neighborhood Organization (OANA) regarding the zoning case before you at 701 & 711 West 7th Street (C14-2011-0006). The property is within the borders of both associations and we have a shared interest in its successful redevelopment.

Both organizations recommend the zoning of DMU-CURE and a Conditional Overlay (CO) with the following provisions:

- limiting height to 375'
- restricting use to no less than 50% residential
- requiring at least one (1) floor of underground parking
- limiting the total number of trips per day generated by the development to no more than 2,000, and
- prohibiting the following uses:
    - Any use that would require an outdoor music permit
    - Pawn shop services;
    - Automotive services;
    - Bail bond services; and
    - Other uses that applicant and neighborhood associations mutually agree to expressly prohibit.

Please do not hesitate to contact me if you have any questions in regards to this position.

Respectfully,

Michael P. McGill

Michael P. McGill
President

DOWNTOWN AUSTIN NEIGHBORHOOD ASSOCIATION
P.O. Box 997 Austin, TX 78767 • downtownaustin.org

PUBLIC HEARING INFORMATION

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During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2011-0006
Contact: Clark Patterson, 512-974-7691
Public Hearing: May 10, 2011, Planning Commission

William Archer
Your Name (please print)

☑ **I am in favor**
☐ **I object**

717 & 719 W. 6th
Your address(es) affected by this application

Signature

5-2-11
Date

Daytime Telephone: 413-3556

Comments:

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2011-0006
Contact: Clark Patterson, 512-974-7691
Public Hearing: May 10, 2011, Planning Commission

ALBERT KOEHLER

Your Name (please print)

☑ **I am in favor**
☐ **I object**

800 W. 5th # 808

Your address(es) affected by this application

Signature

5/5/11

Date

Daytime Telephone: 512 458-4545

Comments:

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Case Number: C14-2011-0006
Contact: Clark Patterson, 512-974-7691
Public Hearing: May 24, 2011, Planning Commission
June 23, 2011, City Council

Scott Sayers

Your Name (please print)

☑ **I am in favor**
☐ **I object**

1800 Nueces St.

Your address(es) affected by this application

Austin TX 78701 — 5-26-11

Signature — *Date*

Daytime Telephone: 512-478-3483

Comments: The Board of the West Downtown Alliance supports this application.

Scott Sayers
President

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City of Austin
Planning & Development Review Department
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P. O. Box 1088
Austin, TX 78767-8810

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Contact: Clark Patterson, 512-974-7691
Public Hearing: May 24, 2011, Planning Commission
June 23, 2011, City Council

DEVON DIKEOU / FERNANDO TROYA

Your Name (please print)

☐ **I am in favor**
☒ **I object**

706 RIO GRANDE

Your address(es) affected by this application

DIKEOU / TROYA — 5-14-11

Signature — *Date*

Daytime Telephone: 917-498-6790, 512-560-1848

Comments:

If you use this form to comment, it may be returned to:
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Case Number: C14-2011-0006
Contact: Clark Patterson, 512-974-7691
Public Hearing: May 10, 2011, Planning Commission

James Powell
Your Name (please print)

☐ **I am in favor**
☑ **I object**

717 West Ave-
Your address(es) affected by this application

James Powell — 5-6-11
Signature — *Date*

Daytime Telephone: 477-9939

Comments: I object.

If you use this form to comment, it may be returned to:
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Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2011-0006
Contact: Clark Patterson, 512-974-7691
Public Hearing: May 10, 2011, Planning Commission

James Powell
Your Name (please print)

☐ **I am in favor**
☒ **I object**

715 West Ave –
Your address(es) affected by this application

James Powell
Signature

5-6-11
Date

Daytime Telephone: 477-9939

Comments: I object.

If you use this form to comment, it may be returned to:
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Contact: Clark Patterson, 512-974-7691
Public Hearing: May 24, 2011, Planning Commission
June 23, 2011, City Council

ALBERT KOEHLER

Your Name (please print)

☐ **I am in favor**
☒ **I object**

800 W. 5th # 808 AUSTIN, TX 78703

Your address(es) affected by this application

Signature

5-17-11

Date

Daytime Telephone: 512 458·4545

Comments: FIRST OF ALL IT'S INSIDE THE VIEW CORRIDOR. WE DON'T NEED ANOTHER HIGH RISE REPLACING CLASSIC DOWNTOWN ARCHITECTURE.

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Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810

INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / rezonificación será repasada y acción será tomada de acuerdo a dos audiencias públicas: ante la Comisión de Usos Urbanos y el cabildo municipal. Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al propuesto desarrollo urbano o cambio de zonificación. Usted también puede contactar a una organización de protección al medio ambiente u organización de vecinos que haya expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rézonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District,* a ciertos usos urbanos de comercio. La designación *MU-* Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación *MU-* Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la *Internet*:
www.ci.austin.tx.us/development

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Numero de caso: C14-2011-0006
Persona designada: Clark Patterson, 512-974-7691
Audiencia Publica: May 10, 2011, Planning Commission

LAWRENCE SPECK
Su nombre (en letra de molde)

☐ **I am in favor**
☒ **I object**

Su domicilio(s) afectado(s) por esta solicitud

Firma *Fecha*

Daytime Telephone:

Comments:

Si usted usa esta forma para proveer comentarios, puede retornarlos :
City of Austin
Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2011-0006
Contact: Clark Patterson, 512-974-7691
Public Hearing: May 24, 2011, Planning Commission
June 23, 2011, City Council

Elsie Powell
Your Name (please print)

☐ **I am in favor**
☑ **I object**

505 W. 7th
Your address(es) affected by this application

Austin, TX 78701 5-15-11
Signature *Date*

Elsie S. Powell

Daytime Telephone:

Comments: I object.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Development Review Department
Clark Patterson
P. O. Box 1088
Austin, TX 78767-8810