

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0206 Arabella

P. C. DATE: 05/10/11, 05/24/11

ADDRESS: 1502 West Avenue

AREA: .512 acres

APPLICANT/AGENT: William & Cynthia Baschnagel

NEIGHBORHOOD PLAN AREA: Downtown

CAPITOL VIEW: No

T.I.A.: No

HILL COUNTRY ROADWAY: No

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

ZONING FROM: LO-H – Limited Office -Historic

ZONING TO: GO – H - General Office - Historic

SUMMARY STAFF RECOMMENDATION:

Staff recommends GO-H, General Office, Historic zoning.

HISTORIC LANDMARK COMMISSION RECOMMENDATION:

Recommended the motion to change zoning from LO-H (Limited Office – Historic Landmark) to GO-H (General Office – Historic Landmark) zoning district for the footprint of the carriage house, for C14-2010-0206 (C14H-1977-0041), William T. Caswell house, 1502 West Avenue. The motion was approved on commissioner Arriaga's motion, commissioner Kleon's second on a 4-1 vote. Ayes: Arriaga, Hansen, Kleon, and Rosato; nay: Limbacher; absent: Leary and Myerthe

PLANNING COMMISSION RECOMMENDATION:

1st motion: The motion to deny staff's recommendation for GO-H-CO zoning (M. Dealey 1st, S.Kirk 2nd), failed in a vote of 3-3; Commissioners Dave Sullivan, Alfonso Hernandez and Richard Hatfield voting against (nay). MOTION FAILED

2nd motion: The motion to approve GO-H-CO zoning (A.Hernandez 1st, R.Hatfield 2nd), failed in a vote of 3-3; Commissioners Mandy Dealey, Sandra Kirk and Tina Bui voting against (nay). MOTION FAILED

This item will be forwarded to City Council with no recommendation from Planning Commission.

DEPARTMENT COMMENTS:

This tract of land is already zoned for an office use and is being used as an office today. The property is also zoned "Historic". The subject tract of land has frontage on West 15th Street and West Avenue. In the Transportation Reviewer's comments, West 15th Street is listed as a MAD6, that acronym stands for "Major Arterial, Divided W/Six Lanes" of traffic with counts of almost 35,000 vehicle trips per day. West Avenue is listed as a Collector Street with counts of almost 4,000 vehicle trips per day. Just one block to the East on West 15th Street is GO zoning on both sides of the street. Two blocks to the East is GO and CBD zoning and three blocks to the East is GO, CBD and CS zoning. Granting GO zoning here would be fair and reasonable, compatible and consistent with other zoning categories on West 15th Street.

The neighborhood has expressed concern for upzoning this property to GO, as it would set a “precedence” on the map. This property is also zoned “Historic” and is currently developed with an historic house and accessory structures. The likelihood of this structure ever being demolished and being replaced with a large multi-story structure is very slim. Even if the land owner wanted to make any changes to the exterior façade of the structure, or contemplated a total demolition, they would have to make application to the Historic Landmark Commission for a Certificate of Appropriateness/Demolition Permit and notice would go out to the neighbors within 500 feet informing them of the intentions of the owner and giving the neighborhood an opportunity to comment at a public hearing.

This site is currently “red tagged” for an illegal use, a hair salon is not permitted in the Limited Office zoning district. The first zoning district that allows “Personal Services” as a permitted use is General Office. The applicant has also submitted new field notes to reduce the area of the zone change request to that of the carriage house only as recommended by the Historic Landmark Commission. There is a valid petition against this requested zone change.

BASIS FOR RECOMMENDATION:

- Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

West 15th Street is listed as a “Major Arterial, Divided W/Six Lanes” of traffic with counts of almost 35,000 vehicle trips per day. West Avenue is listed as a Collector Street with counts of almost 4,000 vehicle trips per day

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	LO-H	Office
NORTH	NO-H-CO	Office
SOUTH	LO-H	Office
EAST	LO	Office
WEST	SF-3	Single Family

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-97-0102	From LO to LR-CO	Approved LR-CO [Vote: 7-0]	Approved LR-CO [Vote: 5-0]
C14-2009-0030	From SF-3-H to LO-MU-H	Denied LO-MU-H [Vote: 6-0]	Denied LO-MU-H [Vote: 4-3]

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
- Judges Hill Neighborhood Assoc.
- Original Austin Neighborhood Assoc.

SCHOOLS:

Matthews Elementary School O' Henry Middle School Austin High School

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.

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. The site is subject to compatibility standards. Along the West property line, the following standards apply:

No structure may be built within 25 feet of the 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 property line.

A landscape area at least 25 feet wide 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.

for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.

An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

Additional design regulations will be enforced at the time a site plan is submitted.

TRANSPORTATION:

TR1: Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
West Avenue	80'	37'	Collector	3,860 (TXDOT, 2005)
West 15 th Street	Varies	2@34'	Arterial (MAD6)	34,860 (TXDOT, 2005)

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 Avenue and West 15th Street.

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

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
West Avenue	Wide Curb	Wide Curb
West 15 th Street	Shared Lane	Shared Lane

TR6: Capital Metro bus service is available along West 15th Street (route no(s). 19, 662, and 683) and Rio Grande Street (route no 3).

CITY COUNCIL DATE: June 23th, 2011

July 28th, 2011

ACTION: Postponed to July 28th
by the neighborhood.

ORDINANCE READINGS:

1ST

2ND

3RD

ORDINANCE NUMBER:

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

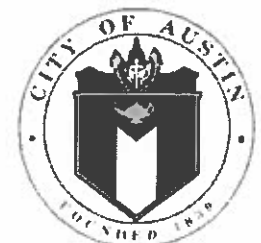
PHONE: 974-7691



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

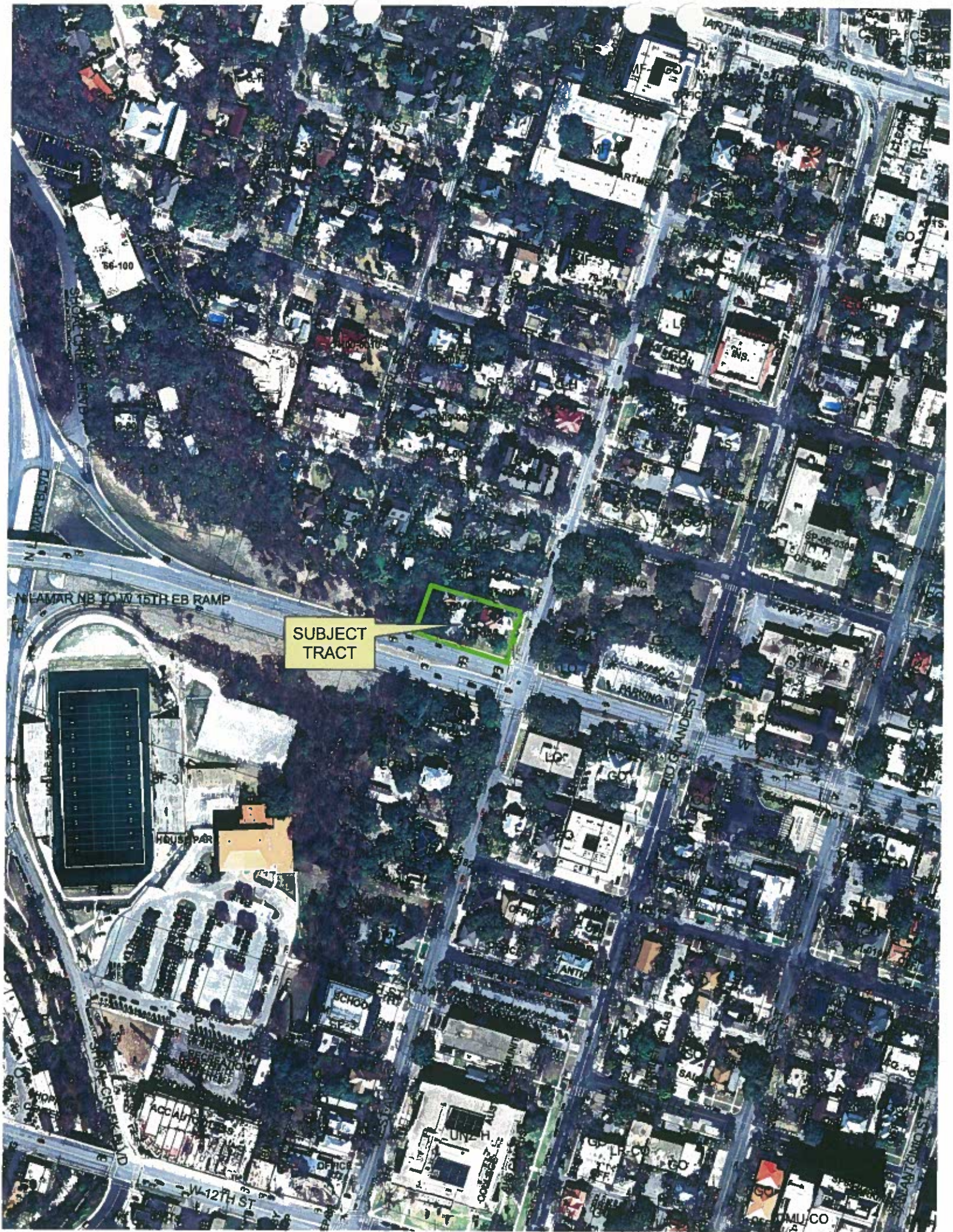
ZONING

ZONING CASE#: C14-2010-0206
 LOCATION: 1502 WEST AVE
 SUBJECT AREA: 0.022 ACRES
 GRID: J23
 MANAGER: CLARK PATTERSON



1" = 400'

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.



PETITION

Case Number:

C14-2010-0206

Date:

May 26, 2011

1502 WEST AVE

Total Area Within 200' of Subject Tract

150639.8378

1	<u>0211010709</u>	<u>WARD MICHAEL E</u>	<u>2934.72</u>	<u>1.95%</u>
2	<u>0211010710</u>	<u>CHRISTIAN GEORGE S</u>	<u>6766.78</u>	<u>4.49%</u>
3	<u>0211010712</u>	<u>& ELIZABETH</u>	<u>17825.48</u>	<u>11.83%</u>
4	<u>0211010713</u>	<u>HARPER JEFFREY D &</u>	<u>19432.80</u>	<u>12.90%</u>
5	<u></u>	<u>JWAM WEST MGT LLC</u>	<u></u>	<u>0.00%</u>
6	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
7	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
8	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
9	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
10	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
11	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
12	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
13	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
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17	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
18	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
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26	<u></u>	<u></u>	<u></u>	<u>0.00%</u>
27	<u></u>	<u></u>	<u></u>	<u>0.00%</u>

Validated By:

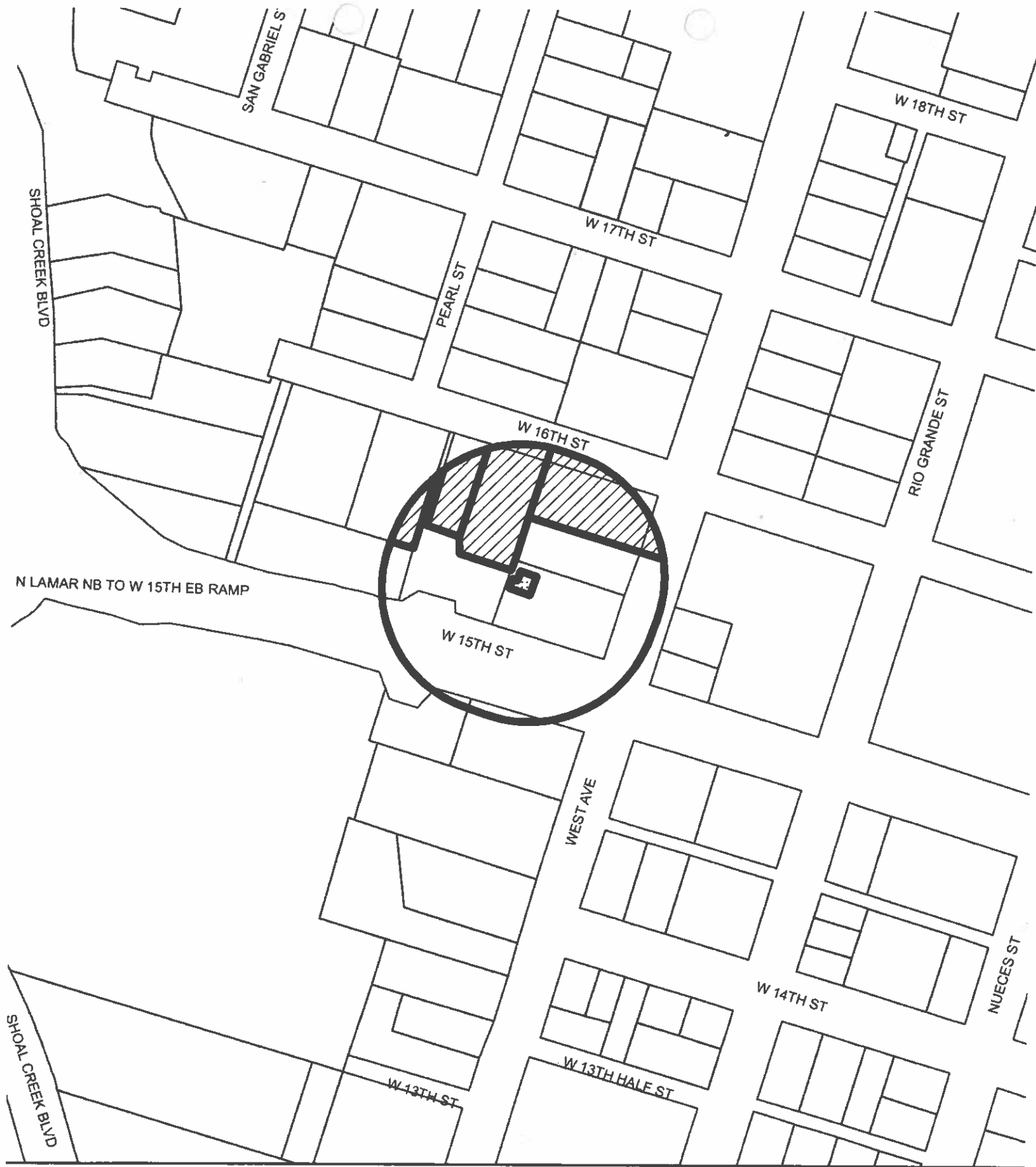
Stacy Meeks

Total Area of Petitioner:

46,959.79

Total %

31.17%



-  BUFFER
-  PROPERTY_OWNER*
-  SUBJECT_TRACT

PETITION

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ADDRESS: 1502 WEST AVE
GRID: J23
CASE MANAGER: CLARK PATTERSON



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PETITION 1502 West Ave

File Number: C14-2010-0206

Application from LO-H to GO-H

RE: Petition to Oppose Re-Zoning of 1502 West Avenue from LO-H to GO-H

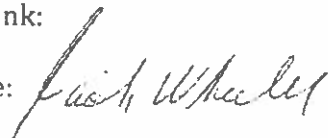
Dear Honorable Members of the Austin City Council, Planning Commission and Planning Staff:

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than LO-H.

A zoning change will not improve the livability or function of the area.

In Black Ink:

Signature:



Printed Name: JACK WHEELER

Address 1510 WEST AVE

Contact: JACK WHEELER

Phone Number: 512-917-5663

Date: 4-15-11

PETITION 1502 West Ave

File Number: C14-2010-0206

Application from LO-H to GO-H

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A zoning change will not improve the livability or function of the area.

In Black Ink: *Betsy Christian + George Christian*

Signature:

Printed Name: George and Betsy Christian

Address: 807 W 16th Street, Austin, Texas 78701-1519

Contact: Betsy Christian

Phone Number: (512) 784-3915

Date: April 8, 2011

PETITION 1502 West Ave

File Number: C14-2010-0206

Application from LO-H to GO-H

RE: Petition to Oppose Re-Zoning of 1502 West Avenue from LO-H to GO-H

Dear Honorable Members of the Austin City Council, Planning Commission and Planning Staff:

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A zoning change will not improve the livability or function of the area.

In Black Ink:

Signature:

The image shows two handwritten signatures in black ink. The first signature, on the left, is 'Mark W. Seeger' and the second, on the right, is 'Jeff D. Harper'. Both are written in a cursive, flowing style.

Printed Name: Mark W. Seeger & Jeff D. Harper

Address: 805 W 16th Street, Austin, Texas 78701-1519

Contact: Mark W. Seeger

Phone Number: (512) 784-0013

Date: April 8, 2011

PETITION 1502 West Ave

File Number: C14-2010-0206

Application from LO-H to GO-H

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A zoning change will not improve the livability or function of the area.

In Black Ink:

Signature:

Sally Ward Michael Ward

Printed Name: Mike and Sally Ward

Address: 901 W 16th Street, Austin, Texas 78701-1519

Contact: Sally Ward

Phone Number: (512) 477-8460

Date: April 8, 2011

PUBLIC HEARING INFORMATION

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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: C14-2010-0206

Contact: Clark Patterson, 512-974-7691

Public Hearing: April 25, 2011, Historic Landmark Commission,
May 10, 2011, Planning Commission, June 9, 2011, City Council

Michelle E. Sewell ADDED

Your Name (please print)

1501 West Avenue, Austin, TX 78701

Your address(es) affected by this application

4/18/2011

Date

Signature

Daytime Telephone:

Comments: We object to zoning change
due to additional commercial
nature of the zoning change.
House is a historic treasure
& should be adequately
cared for and maintained.

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: C14-2010-0206

Contact: Clark Patterson, 512-974-7691

Public Hearing: May 24, 2011, Planning Commission
June 23, 2011, City Council

MARGARET GOSSELINK
Your Name (please print)

903 W. 16TH, AUSTIN, TX 78701
Your address(es) affected by this application

M. Gosse
Signature

Date

Daytime Telephone: 322-9599

Comments: *zoning such as QO-H is not appropriate as it should be reserved for locations serving city-wide needs - not located in an historic neighborhood*

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Contact: Clark Patterson, 512-974-7691

Public Hearing: April 25, 2011, Historic Landmark Commission,
May 10, 2011, Planning Commission, June 9, 2011, City Council

PATRICIA P. MONROE

Your Name (please print) *BILL MONROE*

1606 Pearl St.

78701

Your address(es) affected by this application

[Signature]

Signature

4/17/11

Date

Daytime Telephone: *512 472 3319*

Comments:

*The neighborhood is The
LAST in Downs town. NO G.O.
Families would leave, Tax base
will actually decline,
This property has failed to
comply with current zoning req
So, we'll likely no follow COJ
Very BAD placement for nearby
properties*

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Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

*that wish
for G.O. too*

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Contact: Clark Patterson, 512-974-7691

Public Hearing: April 25, 2011, Historic Landmark Commission,
May 10, 2011, Planning Commission, June 9, 2011, City Council

MICHAEL WARD

Your Name (please print)

901 W. 16th St, Austin TX 78701

Your address(es) affected by this application

Michael Ward 4-16-11

Signature

Date

Daytime Telephone: 512-632-9561

Comments: 66-H Community Commercial

is inappropriate for this site,
and is too intensive in uses.

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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Contact: Clark Patterson, 512-974-7691

Public Hearing: May 24, 2011, Planning Commission
June 23, 2011, City Council

SCOTT SORCELL
Your Name (please print)

☒ I am in favor
☐ I object

1800 Nueces St. Austin TX 78701

Your address(es) affected by this application

Scott Sorce
Signature

Date

Daytime Telephone: 512/478-3483

Comments:

The board of directors of
The West Downtown Alliance supports
this application.

Thank,

Scott Sorce, President

If you use this form to comment, it may be returned to:

City of Austin
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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: C14-2010-0206

Contact: Clark Patterson, 512-974-7691

Public Hearing: May 24, 2011, Planning Commission

June 23, 2011, City Council

Your Name (please print) Joseph Turner

1504 West Ave

Your address(es) affected by this application

8011

Signature

Date

Daytime Telephone: 474-4892

Comments:

☒ I am in favor
☐ 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