ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0134
West 34th St. Redevelopment, Tract "D"

P.C. DATE: 01/24/12, 04/10/12, 05/22/12
06/26/12, 07/24/12

ADDRESS: 715 W. 34th St.

AREA: 0.83 acres

APPLICANT: REIT Management & Research, L.L.C. (Richard Stilovich)

AGENT: McCann Adams Studio (Jana McCann)

NEIGHBORHOOD PLAN AREA: Central Austin Combined

CAPITOL VIEW: No

T.I.A.: Yes.

WATERSHED: Shoal/Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

ZONING FROM: LO-NP – Limited Office – Neighborhood Plan

ZONING TO: GO-NP – General Office, Neighborhood Plan

SUMMARY STAFF RECOMMENDATION:

Staff recommends GO-CO-NP – General Office, Conditional Overlay, Neighborhood Plan. The Conditional Overlay would limit the height of any structure to forty five feet (45'). The applicant will enter into a Restrictive Covenant that includes all recommendations listed in the update to the Traffic Impact Analysis memorandum, dated January 11, 2012, as provided in Attachment A.

PLANNING COMMISSION RECOMMENDATION:

The motion to approve staff's recommendation for GO-CO-NP zoning with neighborhood's agreement included, was approved by Commissioner Saundra Kirk's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 5-2; Commissioners Jean Stevens and Danette Chimenti voted against the motion (nay), Commissioner Richard Hatfield was absent, 1 vacancy on the commission.

DEPARTMENT COMMENTS:

The zoning case is within the boundaries of the Central Austin Combined Neighborhood Plan. The requested zoning change of LO-NP to GO-NP is in accordance with the Mixed Use/Office category identified on the Future Land Use map. The subject property is located along W. 34th Street between Lamar Boulevard and Guadalupe Street. The plan states on page 76 that this area "should become a primarily mixed use office corridor". In addition, page 77 of the plan recommends to "limit new building heights to maintain a neighborhood-friendly scale to the street". The existing Limited Office (LO) zoning category allows for a maximum height of forty feet (40'), while the General Office (GO) zoning category allows for a maximum height of sixty feet (60'). During the neighborhood planning process, there was extensive discussion regarding the height and scale of any new development along 34th Street which is reflected in the plan document and conditional overlays that were adopted concurrent with the neighborhood plan.

Height limits of forty feet (40') were put in place along the majority of 34th Street to ensure new development was in context with the adjacent residential areas. The uses permitted in General Office zoning are consistent with the plan's goal for W.34th Street between Lamar Boulevard and Guadalupe Street to become a mixed use office corridor; however to meet the "desired neighborhood-friendly scale to the street", the height should be limited to be consistent with the rest of 34th Street.

BASIS FOR RECOMMENDATION:

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

Granting GO-CO would be in keeping with the Central Austin Combined Neighborhood Plan which calls for property located along W. 34th Street between Lamar Boulevard and Guadalupe Street to become a primarily mixed use office corridor.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	LO-NP	Office
NORTH	LO-NP	Office
SOUTH	SF-3-CO-NP	Single Family Residential
EAST	LO-NP	Office
WEST	LO-NP	Office

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-95-0081 717 W. 35th St.	From SF-3 to LO-CO	Approved LO-CO [Vote: 7-0]	Approved LO-CO [Vote: 5-0]

NEIGHBORHOOD ORGANIZATION:

- Austin Neighborhoods Council
- Heritage Neigh. Assoc.
- West 31st Street Creekside Neigh. Assoc.

SCHOOLS:

Bryker 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.

Compatibility Standards

The site is subject to compatibility standards. Along the North and East property lines, 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.

ENVIRONMENTAL:

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek and Waller Creek Watersheds of the Colorado River Basin, which are 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.

TRANSPORTATION:

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo.

Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
34th Street	60	35	Collector	Yes	Yes	Yes
West Avenue	50	27	Local	No	No	Yes

CITY COUNCIL DATE: March 8th,
July 14th
September 27th
December 6th

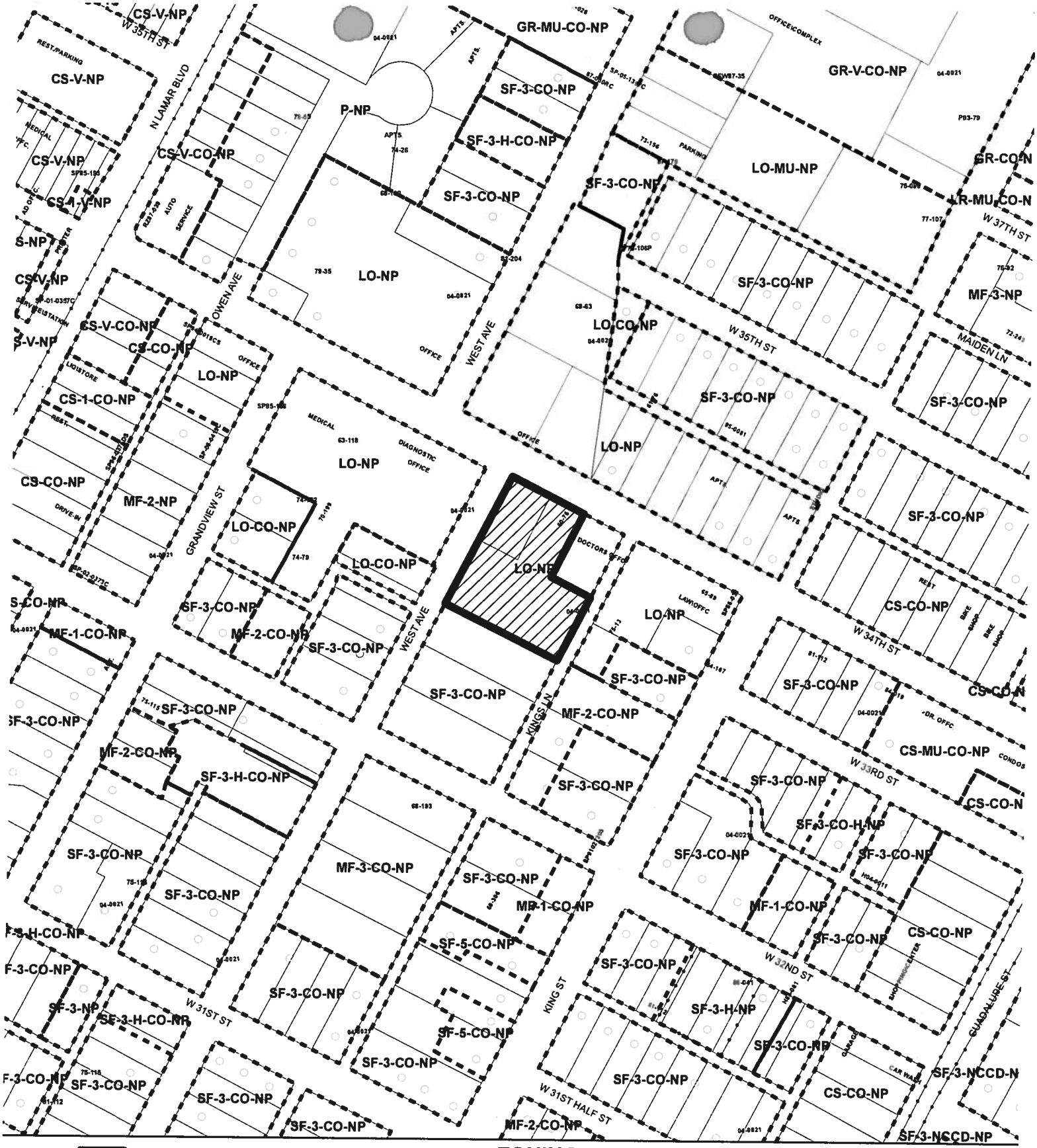
ACTION: Postponed to July 14th
Postponed to September 27th
Postponed to December 6th

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

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

PHONE: 974-7691



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1" = 200'

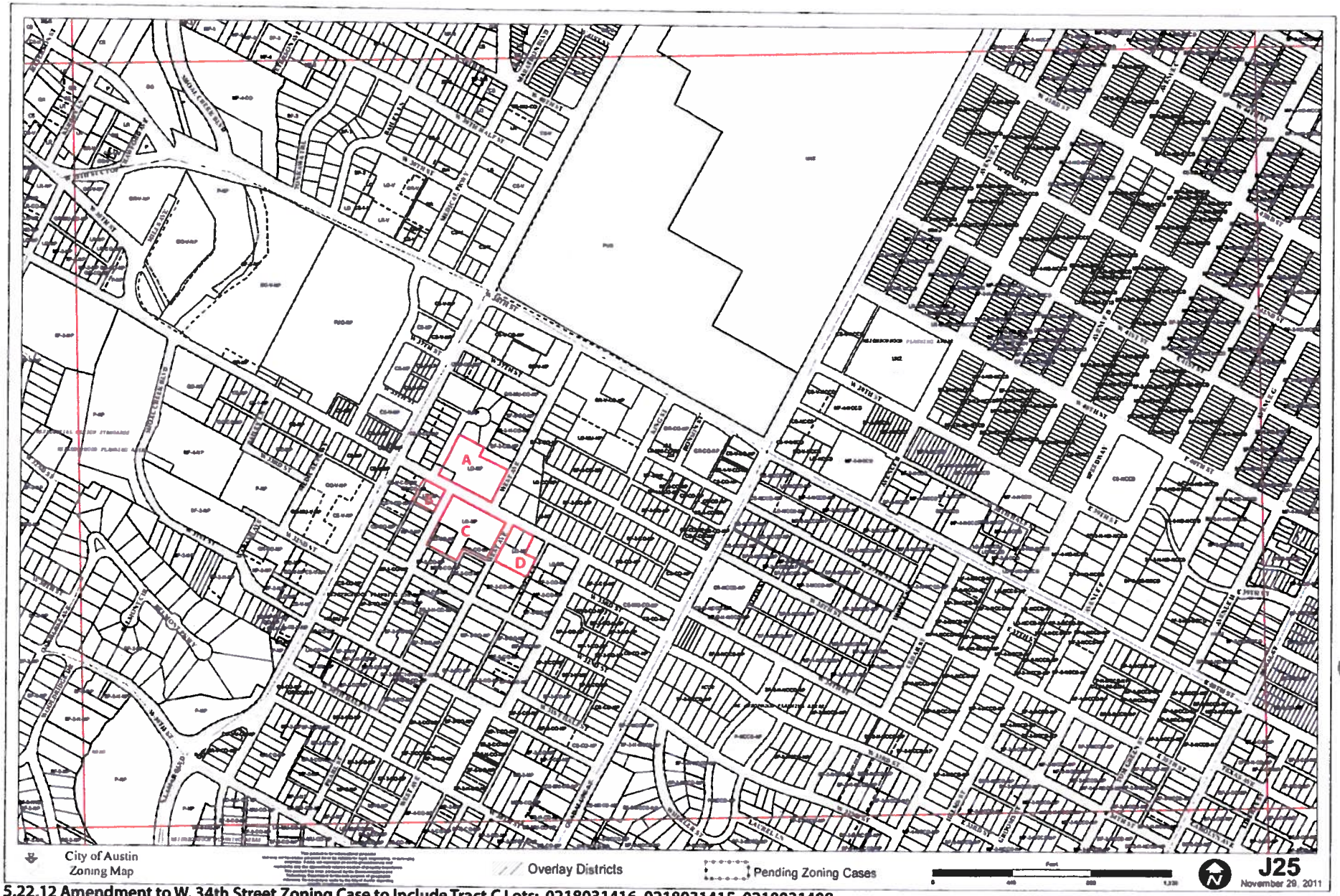
ZONING

ZONING CASE#: C14-2011-0134

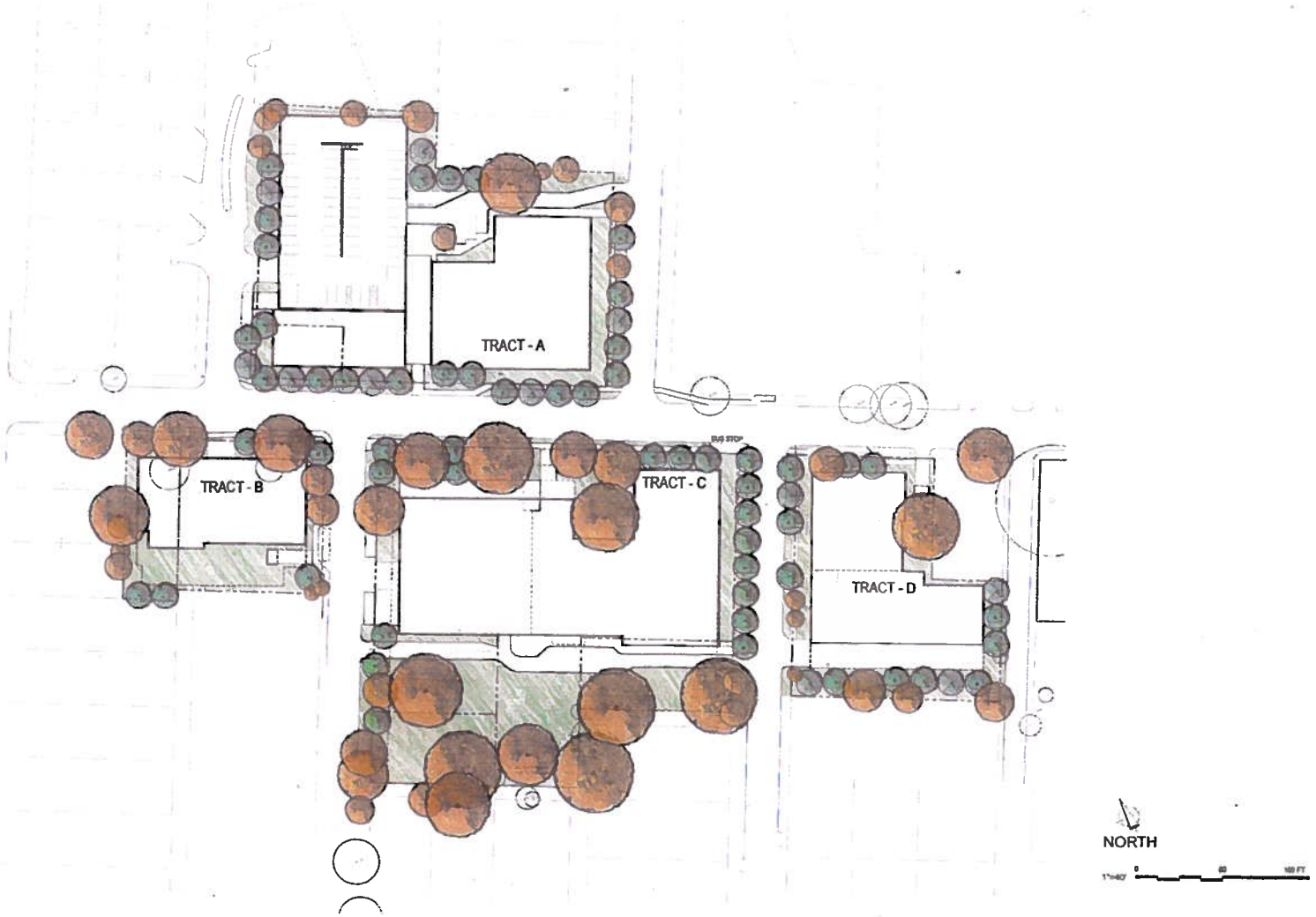
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.


SUBJECT TRACT
WEST AVE
W 35TH ST
W 34TH ST
W 32ND ST
W 33RD ST
KINGS LN
KING ST
LO-NP
LO-CO-NP
SF-3-CO-NP
MF-3-CO-NP
P-NP
LR-MU-CO-NP



5.22.12 Amendment to W. 34th Street Zoning Case to Include Tract C Lots: 0218031416, 0218031415, 0218031408



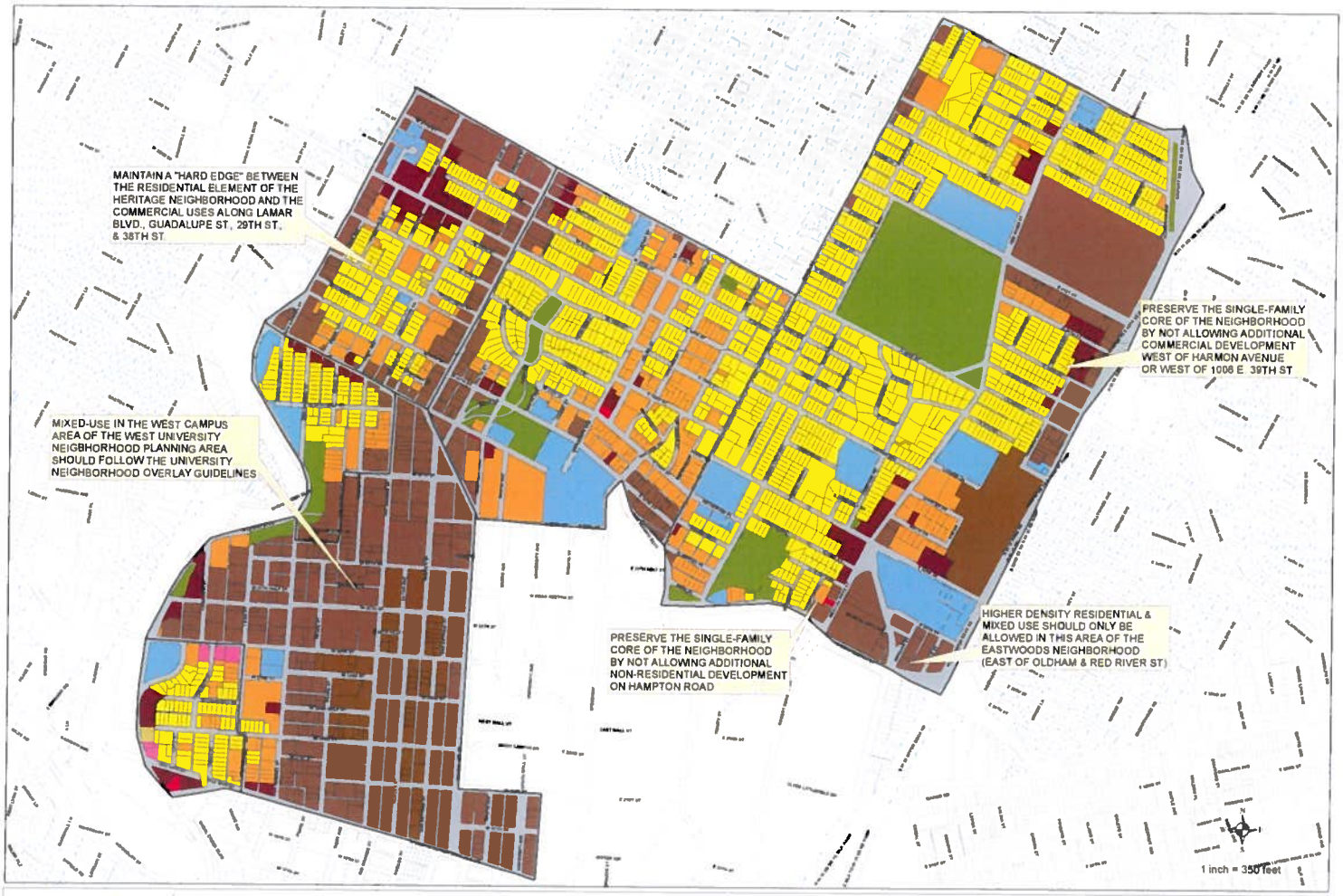
CONCEPTUAL SITE PLAN
W. 34th STREET REDEVELOPMENT PROJECT

REAR DROP-OFF SITE PLAN
SCALE: 1" = 40-0"



Google earth

feet 10
meters 3



Central Austin Combined Neighborhood Planning Area: Future Land Use Map

City of Austin
Neighborhood Planning and Zoning Department
Revised September 1, 2010

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

Legend

- Single-Family
- Higher-Density Single-Family
- Multifamily
- Commercial
- Mixed Use
- High Density Mixed Use
- Office
- Mixed Use/Office
- Civic
- Recreation & Open Space
- Transportation

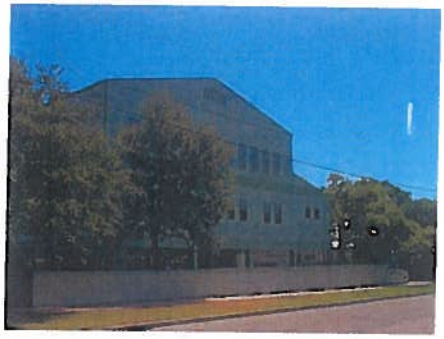
West 34th Street

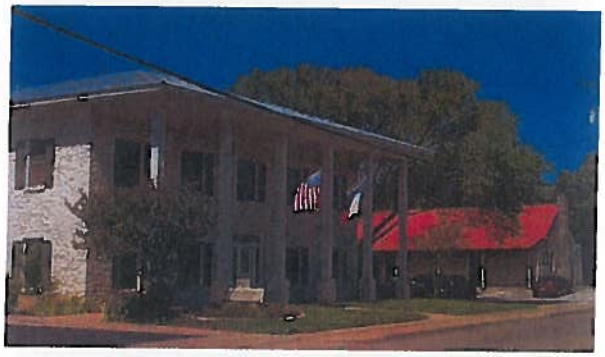
Objective 3.1: Provide for new commercial and housing opportunities by allowing mixed use along 34th Street between Lamar Boulevard and Guadalupe Street.

Recommendation 1 Allow the neighborhood mixed use building along West 34th Street between Lamar Boulevard and Guadalupe Street.

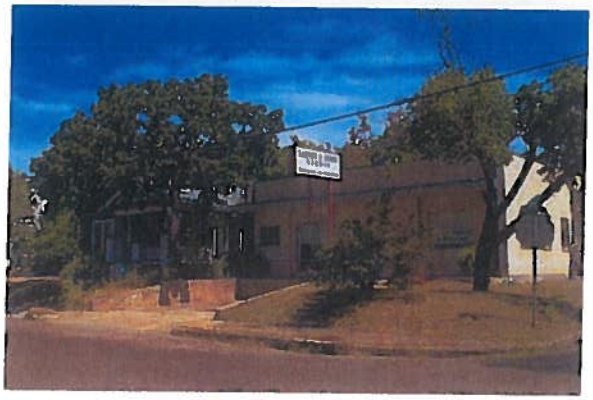
Objective 3.2: West 34th Street between Lamar Boulevard and Guadalupe Street should become a primarily mixed use office corridor.

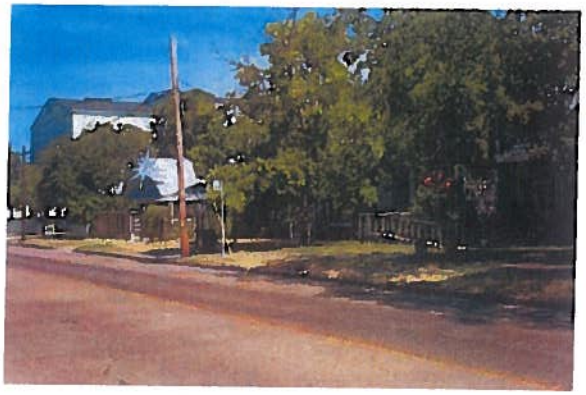






There are a variety of office and commercial uses along West 34th Street between Guadalupe Street and Lamar Boulevard. The majority of the larger office uses are closer to Lamar (above and left) while closer to Guadalupe there is a mix of smaller scale commercial and office uses (below).





Recommendation 2 Allow the neighborhood mixed use building on all commercial and office zoned properties along the corridor.

Recommendation 3 Limit new building heights to maintain a neighborhood-friendly scale to the street.

Guadalupe Street/29th Street/38th Street

Objective 3.3: Guadalupe Street (29th Street to 30th Street) and adjacent commercial corridors—29th and 38th Streets—should become more pedestrian-friendly, mixed use corridors. Building heights should be limited in order to avoid creating a canyon-like effect along the narrow Guadalupe right-of-way.

Guadalupe and 29th Streets should provide shopping and services for the nearby neighborhoods as well as the rest of the city. Along 29th Street, immediately west of Guadalupe, the intensity of commercial uses should transition from more intense at the intersection of the two streets to less intense farther west along 29th Street. Along 29th, building heights should be limited to prevent new development from towering over the adjacent single-family neighborhoods.

Due to its proximity to the Heart Hospital of Austin and Seton Hospital, the segment of 38th Street between Guadalupe and Lamar Boulevard is more oriented toward the healthcare industry and serves both citywide and regional healthcare needs. New healthcare facilities being developed near the intersection of Lamar Boulevard and 38th Street will further reinforce the notion of a growing healthcare "district" in this part of the city.

New development along this segment of 38th Street will likely be supportive of this "district;" however, it should be designed in a pedestrian-friendly fashion.

Recommendation 4 Allow the mixed use building on commercially zoned properties along 29th Street as far west as West and Salado Streets.

Recommendation 5 Limit building heights along 29th Street to promote a more neighborhood-scaled commercial corridor.

Recommendation 6 Retain the intensive zoning along 29th Street to retain the permissive site development standards but limit the allowed uses to promote a more neighborhood-friendly commercial corridor.

Date: January 11, 2012

To: Clark Patterson, Case Manager

CC: Kathleen Hornaday, P.E., P.T.O.E, HDR, Inc.

Reference: West 34th Street Development, C14-2011-0131 through 0134

The West 34th Street Development site is located along 34th Street, between Lamar Boulevard and Kings Lane in Austin, Texas. The proposed development will consist of approximately 228,005 square feet of medical office use and 3,300 square feet of high-turnover (sit-down) restaurant use located on four adjacent tracts along 34th Street.

Access to the development will be provided via five driveways: one driveway that will provide access to the parking garage on Owen Avenue; one driveway that will provide access on W. 34th Street; one driveway to Grandview Street; one driveway to West and one driveway to Kings Lane.

Transportation Review staff has reviewed the traffic impact analysis that was prepared for the W. 34th Street Development on September 19, 2011 (amended December 22, 2011), and offers the following comments:

TRIP GENERATION

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the proposed development is expected to generate approximately 8,658 unadjusted daily weekday trips. Of these, 562 trips are estimated to occur during the AM peak-hour and 619 trips are estimated for the PM peak-hour.

Table 1 below shows the trip generation by land use for the proposed development:

Table 1. Unadjusted Weekday Peak Hour Trip Generation

Land Use	Size	24-Hour Two-Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Medical-Dental Office	228, 005 SF	8,238	415	109	157	425
High-Turnover (Sit-Down) Restaurant	3,300 SF	420	20	18	22	15

ASSUMPTIONS

1. Traffic growth rates for the area were determined using traffic counts conducted by Gram Traffic Inc, and from TxDOT and CAMPO projected daily volumes. Based on the available information, a 3 percent annual growth rate was applied to the study area roadways.
2. A pass-by reduction of 43 percent was assumed for the High Turnover (Sit-Down) Restaurant during the PM peak period.
3. An internal capture reduction of 10 percent was assumed for the proposed Medical-Dental Office use for the PM peak period.
4. A transit reduction of 5 percent was assumed for all site-generated trips, for both the existing network and proposed project site, during each peak period, based on annual ridership information from Capital Metro.
5. No pedestrian trip reduction was assumed for this project.

Table 2 below provides a summary of the adjusted daily and peak hour trip generation.

Table 2. Adjusted Weekday Peak Hour Trip Generation

Land Use	Size	24-Hour Two-Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Medical-Dental Office	228, 005 SF	7,435	394	104	134	363
High-Turnover (Sit-Down) Restaurant	3,300 SF	313	19	17	12	8

Table 3 below provides a summary of the area transportation system:

Table 3. Existing and Planned Roadways

Roadway	Segment	Classification	Future Improvements	Bike Plan?
Lamar Boulevard	29th Street to Rundberg	MAD 4	MAD 6	Yes
Guadalupe Street	29th Street to 45th Street	MAD 4	Existing	Yes
38th Street	Jefferson Street to Guadalupe Street	MAD 4	Existing	Yes
34th Street	Lamar Boulevard to Guadalupe Street	Collector	Existing	Yes
West Avenue	30th Street to 38th Street	Collector	Existing	No
Kings Lane	30th Street o 34th Street	Collector	Existing	No
Owen Avenue	34th Street to 38th Street	Local	Existing	No
Grandview Street	30th Street o 34th Street	Local	Existing	No

TRAFFIC ANALYSIS

The impact of site development traffic on the existing area roadways was analyzed. Two time periods and three travel conditions were evaluated:

- 2011 Existing Conditions
- 2017 Forecasted Conditions (without Site Traffic)
- 2017 Forecasted Conditions with Site Generated Traffic

Intersection Level of Service (LOS)

The TIA analyzed 4 signalized intersections, 8 un-signalized intersections, and each of the site driveways. Table 4 shows the existing (2011) and projected (2017) levels of service results. The 2017 analysis assumes that all roadway and intersection improvements recommended in the TIA are constructed.

Table 4. Intersection Level of Service

Intersection	2011 Existing		2017 Forecasted		2017 Site + Forecasted	
	AM	PM	AM	PM	AM	PM
Lamar Boulevard and W. 38th Street*	D	D	E	E	D	D
West Avenue and W. 38th Street *	A	B	A	B	B	B
Guadalupe Street and W. 34th Street*	A	A	A	B	B	B
Lamar Boulevard and W. 34th Street*	A	B	B	C	B	C
Owen Avenue and W. 34th Street	A	A	A	A	–	–
Owen Avenue/Driveway B and W. 34th Street	–	–	–	–	A	A
Grandview Street and W. 34th Street	A	A	A	A	A	A
West Avenue and W. 34th Street	A	A	A	A	A	A
Owen Avenue and Driveway A	–	–	–	–	A	A
Grandview Street and Driveway C	–	–	–	–	A	A
West Avenue and Driveway D	–	–	–	–	A	A
Kings Lane and Driveway E	–	–	–	–	A	A

*Existing signalized intersection.

RECOMMENDATIONS

1) The owner will install stop signs and appropriate pavement markings for all site driveways.

2) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics. Add the following note the cover sheet and site plan sheet: "The site plan is subject to a limitation of 7,748 adjusted vehicle trips per day with zoning cases C14-2011-0131 through -0134.

If you have any questions or require additional information, please contact me at 974-2628.

Ms. Shandrian Jarvis
Senior Planner
Planning and Development Review Department

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: C14-2011-0134
Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

Ty Davidson
Your Name (please print)

☐ I am in favor
☑ I object

709 B W 34th
Your address(es) affected by this application

Signature

2/7/12
Date

Daytime Telephone: 512 452 9292

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: C14-2011-0134
Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

Brent Sprague Sharon Power
Your Name (please print)

☐ I am in favor
☑ I object

3504 West Ave., Austin TX 78705
Your address(es) affected by this application

[signature] Sharon Power
Signature

2-9-12
Date

Daytime Telephone: 512-750-6895

Comments: We object to the rezoning based on incompatibility with scale and character with the existing residential neighborhood; the impact of increased traffic on residential streets; and increased impervious cover based on the increased heat island effect and environmental effects. If the developer would agree to a conditional overlay to mitigate these concerns, we would be interested in discussion.

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Austin, TX 78767-8810

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Case Number: C14-2011-0134
Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

Jack + Janet Allen
Your Name (please print)

☐ **I am in favor**
☒ **I object**

3505 West Avenue
Your address(es) affected by this application

Signature

2/7/12
Date

Daytime Telephone: (512) 981-3090

Comments: GO-LP = higher traffic volume through residential neighborhood.

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: C14-2011-0134
Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

Marshall Durrett
Your Name (please print)

☐ **I am in favor**
☒ **I object**

3200 Grandview Street
Your address(es) affected by this application

Signature

02-07-2012
Date

Daytime Telephone: (512) 472-3100

Comments: We all need to play by the same rules & stick with the neighborhood plan approved several years ago. Traffic and parking are already strained enough in the immediate area. Upzoning these properties will only add to the problem.

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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: C14-2011-0134
Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

DON DAVIS
Your Name (please print)

☑ **I am in favor**
☐ **I object**

707 W. 34th
Your address(es) affected by this application

Signature

2-6-12
Date

Daytime Telephone: 464-3751

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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Contact: Clark Patterson, (512) 974-7691
Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

ANN BOWER
Your Name (please print)

☐ I am in favor
☑ I object

3506 WEST
Your address(es) affected by this application

Ann Bower
Signature

2/13/12
Date

Daytime Telephone: (512) 451-2540

Comments: TOTALLY INAPPROPRIATE FOR THIS RESIDENTIAL NEIGHBORHOOD.

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