ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0043
East Sixth Street Village North

P.C. DATE: July 26, 2016
July 12, 2016

ADDRESS: 622 Pedernales Street

AREA: 0.8609 acres

DISTRICT: 3

OWNER: 2416 East Sixth Street LP (Timothy Clark)

AGENT: 2416 East Sixth Street LP (Timothy Clark)

FROM: LI-CO-NP

TO: CS-MU-CO-NP

NEIGHBORHOOD PLAN AREA: Holly

TIA: Not Applicable

WATERSHED: Lady Bird Lake

SCENIC ROADWAY: No

CAPITOL VIEW CORRIDOR: No

DESIRED DEVELOPMENT ZONE: Yes

SUMMARY STAFF RECOMMENDATION:

Staff supports the Applicant’s request of general commercial service-mixed use-conditional overlay-
neighborhood plan (CS-MU-CO-NP). The proposed zoning includes the following conditions:

1. The following land uses would be prohibited: Campground, Kennels, Convenience storage, Vehicle
   storage, Service station, Adult oriented businesses, Exterminating services, Pawn shop services,
   Alternative financial services, Bail bond services, and Commercial blood plasma center.

2. The following land use would be conditional: Automotive washing (of any type).

ISSUES:

The Staff recommendation for CS-MU-CO-NP carries forward all of the prohibited land uses from the previous
zoning case, as well as reflects the land uses that are prohibited on surrounding tracts.

PLANNING COMMISSION RECOMMENDATION:

July 26, 2016: TO GRANT CS-MU-CO-NP AS RECOMMENDED BY STAFF WITH THE ADDITIONAL
CONDITION THAT OUTDOOR AMPLIFIED SOUND BE PROHIBITED, ON CONSENT, (8-1) [S. Oliver- 1st, J.
Shieh-2nd, F. Kazi- Arrived late for vote; J. Schissler- Recused; J. Thompson, A. Pineyro-DeHoyos- Absent]

July 12, 2016: TO GRANT A Postponement to july 26, 2016, as requested by staff, on
Consent, (12-0) [J. Shieh- 1st, J. Schissler-2nd; N. Zaragosa, J. Mathias- Absent]

DEPARTMENT COMMENTS: The subject property is zoned LI-CO-NP, and is currently occupied by a
warehouse style building with a mix of uses inside. In addition some commercial and light industrial uses, there
are personal improvement services occupying the building. The property is located at the northwest corner of
Hidalgo Street and Pedernales Street. Immediately to the west are vacant properties zoned CS-MU-CO-NP. East
of the subject property, across Pedernales are vacant parcels, as well as a bar, restaurant, and warehouse land uses.
These are zoned CS-1-MU-CO-NP, CS-MU-CO-NP, and LR-MU-NP. The interior of the residential area, further
east, is zoned SF-3-NP. Across Hidalgo Street to the south is the former Balcones Recycling property, which is
now subject of the related rezoning request, East Sixth Street Village South (C14-2016-0041), which is requesting
a changed from LI-CO-NP to CS-V-CO-NP to redevelop as a mixed use building. An 18-foot wide alley ROW is located immediately north of the property, but there are no plans to construct alley improvements. North of the alley ROW are several commercial properties that have frontage on East 7th Street and are zoned CS-MU-CO-NP. Please refer to Exhibits A and B (Zoning Map and Aerial View).

This area was zoned in 2001 as part of the Holly Neighborhood Plan process, with the associated zoning case, C14-01-0166. This property, however, was a contested tract, and was processed later, in 2003. That zoning case, C14-01-0166.002b, modified the Neighborhood Plan and addressed this lot and other contested tracts. The 2003 zoning ordinance established LI-CO-NP zoning for the subject property, with customized lists of conditional and prohibited land uses for this and the other contested properties. The approved zoning ordinance for these properties is attached (Exhibit C – Existing Zoning Ordinance).

**EXISTING ZONING AND LAND USES:**

<table>
<thead>
<tr>
<th>Site</th>
<th>ZONING</th>
<th>LAND USES</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CS-MU-CO-NP</td>
<td>Alternative financial services, vacant retail and restaurant</td>
</tr>
<tr>
<td>South</td>
<td>CS-V-CO-NP</td>
<td>Vacant warehouse – proposed East 6th Street Village South</td>
</tr>
<tr>
<td>East</td>
<td>CS-MU-CO-NP, LI-CO-NP</td>
<td>Undeveloped, cocktail lounge, retail, restaurant, single famil residential</td>
</tr>
<tr>
<td>West</td>
<td>CS-MU-CO-NP</td>
<td>Vacant</td>
</tr>
</tbody>
</table>

**CASE HISTORIES:**

<table>
<thead>
<tr>
<th>NUMBER</th>
<th>REQUEST</th>
<th>COMMISSION</th>
<th>CITY COUNCIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>C14-01-0166</td>
<td>CS to CS-CO-MU-NP, etc.</td>
<td>11/27/2001: Approved CS-CO-MU-NP (9-0)</td>
<td>12/13/2001: Approved</td>
</tr>
<tr>
<td>Holly Neighborhood Plan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C14-01-0166.02a</td>
<td>CS-CO-MU-NP, etc.</td>
<td>Approved LI-CO-NP</td>
<td>6/12/2003: Approved</td>
</tr>
<tr>
<td>(contested tracts)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Central East Austin VMU Building (V) Zoning</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2400 E. 6th Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2406 and 2406 ½ Hidalgo St</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**ABUTTING STREETS:**

<table>
<thead>
<tr>
<th>Name</th>
<th>ROW</th>
<th>Pavement</th>
<th>Classification</th>
<th>Sidewalks</th>
<th>Bike Facility</th>
<th>Capital Metro (within ¼ mile)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hidalgo St</td>
<td>57'</td>
<td>27'</td>
<td>Collector</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Alley to the north (unimproved)</td>
<td>18'</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

**SCHOOLS:**

Zavala Elementary School  Martin Middle School  Eastside Memorial HS at Johnston
NEIGHBORHOOD ORGANIZATIONS:
- Austin Neighborhoods Council
- Artists and Neighbors Together (ANT)
- East Austin Conservancy
- Friends of Austin Neighborhoods
- Pedernales Neighborhood Association
- Del Valle Community Coalition
- Tejano Town
- El Concilio Mexican-American Neighborhoods
- Austin Heritage Tree Foundation
- Cristo Rey Neighborhood Association
- Barrio Unido Neighborhood Association
- United East Austin Coalition
- Guadalupe Neighborhood Development Corporation
- Friends of the Emma Barrientos MACC
- Organization of Central East Austin Neighborhoods
- Buena Vista Neighborhood Association
- Holly Neighborhood Coalition
- African American Cultural Heritage District Business Association
- Preservation Austin
- Sierra Club, Austin Regional Group
- SELTexas
- Blackshear Prospects Hills
- Bike Austin

CITY COUNCIL DATE & ACTION:
August 11, 2016: TO GRANT POSTPONEMENT TO SEPTEMBER 22, 2016, AS REQUESTED BY APPLICANT, ON CONSENT. (11-0) [K. Tovo- 1st, L. Pool- 2nd]

September 22, 2016:

ORDINANCE READINGS: 1st 8/11/2016  2nd  3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

PHONE: 512-974-2122
SUMMARY STAFF RECOMMENDATION:

Staff supports the Applicant’s request, with the addition of conditional overlays. Staff’s recommendation is general commercial service-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) with the following conditions:

1. The following land uses would be prohibited: Campground, Kennels, Convenience storage, Vehicle storage, Service station, Exterminating services, Pawn shop services, Scrap and salvage, Alternative financial services, Bail bond services, and Commercial blood plasma center.

2. The following land use would be conditional: Automotive washing (of any type).

Staff supports the rezoning request because it reduces industrial-zoned properties in the area, and is a similar zoning classification to most surrounding parcels. The Staff recommendation for CS-MU-CO-NP carries forward all of the prohibited land uses from the previous zoning case, as well as reflects the land uses that are prohibited on surrounding tracts.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. Granting of the request should result in an equal treatment of similarly situated properties.

   The recommended CS-MU-CO-NP is identical to many of the surrounding parcels. Parcels in this area were rezoned with the Holly Neighborhood Plan in 2001 and 2003, and other rezonings in 2009 and 2014 have continued the trend. The existing zoning of LI-CO-NP is an outlier, compared to the surrounding properties.

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

   The recommended CS-MU-CO-NP is identical to many of the surrounding parcels, and will therefore promote similar land use development. Additionally, it is a down-zoning from a more intensive industrial zoning classification, which also reduces detrimental impacts.

Site Plan:

   SP 1 Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. Hidalgo Street is an Urban Roadway.

Transportation:

TR1. Additional right-of-way maybe required at the time of subdivision and/or site plan.

TR2. A Traffic Impact Analysis may be required at the time of site plan.

TR3. Alley improvements may be required at time of site plan.

TR4. Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR5. Existing Street Characteristics:

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Environmental:
1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Ladybird 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. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
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. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Water/Wastewater:
FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.
AN ORDINANCE AMENDING ORDINANCE NO. 011213-44, AND REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICT ON SEVEN TRACTS OF LAND IN THE HOLLY NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON THESE TRACTS OF LAND.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Ordinance No. 011213-44 is amended to include the property identified in this Part in the Holly neighborhood plan combining district. The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district and to change the base districts on seven tracts of land described in File C14-01-0166.002b, as follows:

From limited industrial services (LI) district to limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district.

2406 Hidalgo St.; Lot 1, Blk 14, Olt 23, Div A, Lincoln Place (Tract 8)
2406 Hidalgo St.; Lots 2-3 Blk 14, Olt 23, Div A, Lincoln Place (Tract 9)
2422 Hidalgo St. (Tract 10)
2415 East 5th St. (Tract 24)
0 East 5th St.; 20 feet from 5th St. r.o.w. Olt 10, Div O, Industrial Addn (Tract 25)
2419 East 5th St. (Tract 26)
2421 East 5th St. (Tract 27) (the “Property),

generally known as the Holly neighborhood plan (NP) combining district, locally known as the property bounded by 7th Street on the north, Pleasant Valley Road on the east, Chicon Street on the west and Town Lake on the south, in the City of Austin, Travis County, Texas, and generally identified in Exhibit “A”.

PART 2. The Property is subject to Ordinance No. 011213-44 that established the Holly neighborhood plan combining district.
PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions.

1. The following uses are prohibited uses of Tracts 8 and 9:

   Campground                     Convenience storage
   Exterminating services         Hotel-motel
   Kennels                        Liquor sales
   Pawn shop services             Resource extraction
   Scrap and salvage              Service station
   Telecommunication tower        Vehicle storage

2. The following uses are conditional uses of Tracts 8 and 9:

   Automotive washing (of any type) Commercial off-street parking
   Indoor entertainment            Indoor sports and recreation

3. The following uses are prohibited uses of Tracts 10, 24, 25, 26, and 27:

   Basic industry                  Liquor sales
   Residential treatment           Scrap and salvage
   General warehousing and distribution Recycling center
   Resource extraction

4. The following uses are conditional uses of Tracts 24, 25, 26, and 27:

   Light manufacturing             Art and craft studio (industrial)

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 4. The Council waives the requirements of Section 2-2-3 and 2-2-7 of the City Code for this ordinance.
PART 5. This ordinance takes effect on August 11, 2003.

PASSED AND APPROVED

July 31, 2003

Will Wynn
Mayor

APPROVED: Sedora Jefferson
City Attorney

ATTEST: Shirley A. Brown
City Clerk
Heather:

I'd like to submit the following comments in regards to the series of public hearings on rezoning and neighborhood plan considerations. I will submit one for each case independently, but they are all related. I've copied Maureen, as the other comments and objections pertain to her cases (as I will copy you in turn on hers).

**Case Number:** C14-2016-0043

**We object to this proposal**
Name: Chris and Sarah Robinson  
**Address Impacted:** 2500 Hidalgo  
**Date:** 5/01/2016 (we're late in getting this to you, our apologies)  
**Comments:** This neighborhood is not equipped to handle the influx of residents as proposed by the builders in this case and others. Traffic has not been well thought out and and none of these plans would do anything to mitigate an already worsening situation. They would instead try to leverage existing roads and routes and exacerbate an escalating traffic situation. Independently, one of these projects may be acceptable, but as a collection they would put undo strain on a neighborhood plan intended for single family residences.

We will attempt to attend the hearings as possible, but with three scheduled it may be difficult to attend them all.

Regards,
Sarah and Chris Robinson
Austin, TX 78767-2810
P.O. Box 1088
Heather Chatham
Planning & Zoning Department
City of Austin

For additional information on the City of Austin’s Land Development Process, visit our website:

www.austintexas.gov/planning.

Within a single development combination of office, retail, commercial, and residential uses (also known as a retail, the MW Combining District allows the Distinct to convert commercial zoning to mixed use zoning. The MW Combining District may add the Mixed Use (MW) Combining District in order to allow for mixed use development, the Council may grant a more intense zoning when requested but in no case will it grant a more intense zoning request or reserve the land to a less intense zoning.

From the announcement, no further notice is required. The announcement or confirmation that is not later than 60 days after a board of commission announce the specific date and time for a hearing before the Commission. If the boyfriend is own recommendation to the City Council, the city may evaluate the city’s interest in confirming that public interest may evaluate the City Council’s recommendation and public interest. Your notice of application is sent to a board of commission may affect your neighborhood. If you would like to express an interest in an application, you may also contact a neighborhood or environmental group opposing the project. The project number is the City Council. Although applications and their agende(s) are a public hearing. Before the Land Use Commission and council a public hearing. The board of commission may affect your neighborhood. If you would like to express an interest in an application, you may also contact a neighborhood or environmental group opposing the project. The project number is the City Council. Although applications and their agende(s) are a public hearing. Before the Land Use Commission and council a public hearing. The board of commission may affect your neighborhood. If you would like to express an interest in an application, you may also contact a neighborhood or environmental group opposing the project. The project number is the City Council. Although applications and their agende(s) are a public hearing. Before the Land Use Commission and council a public hearing. The board of commission may affect your neighborhood. If you would like to express an interest in an application, you may also contact a neighborhood or environmental group opposing the project. The project number is the City Council. Although applications and their agende(s) are a public hearing. Before the Land Use Commission and council a public hearing. The board of commission may affect your neighborhood. If you would like to express an interest in an application, you may also contact a neighborhood or environmental group opposing the project. The project number is the City Council. Although applications and their agende(s) are a public hearing. Before the Land Use Commission and council a public hearing. The board of commission may affect your neighborhood. If you would like to express an interest in an application, you may also contact a neighborhood or environmental group opposing the project. The project number is the City Council. Although applications and their agende(s) are a public hearing. Before the Land Use Commission and council a public hearing. The board of commission may affect your neighborhood. If you would like to express an interest in an application, you may also contact a neighborhood or environmental group opposing the project. The project number is the City Council. Although applications and their agende(s) are a public hearing. Before the Land Use Commission and council a public hearing. The board of commission may affect your neighborhood.
DATE: July 24, 2016

TO: MAUREEN.MEREDITH PLANNING AND ZONING DEPT.  
Maureen.Meredith@austintexas.gov

FROM: GLORIA MORENO, PRESIDENT  
PEDERNALES NEIGHBORHOOD ASSOCIATION

CC: Michael Whellen, Gavino Fernandez, Tracy Ekstrand

SUBJECT: CASE #'S C14-2016-0043 & C14-2016-0041

Dear Maureen,

As President of Pedernales Neighborhood Association I am writing this letter to you to let you know that we have agreed to support the projects (CASE #'S C14-2016-0043 & C14-2016-0041) planned to be down-zoned from LI. We have also spoken and welcome these projects even though we do have concerns.

CONCERNS:

1. Heavy traffic will be infiltrating northbound and southbound on Pedernales Street. Pedernales Street already has ultra heavy traffic in the mornings and ultra heavy traffic in the afternoons. Our recommendation is that the project owner work with us to come up with a better solution.

2. We request the project owners to negotiate with us to have the cement buffers removed from the bike lanes. They are not needed and are causing many problems. They also narrow down the driving lanes on Pedernales Street from East 5th to E. 7th Street.

3. Amplified music and concerts should not be permitted on the premises.

4. Bookstores selling “R” Rated Materials should not be allowed.

We hope to be able to work together to keep our community safe and secure.

If you have any questions please do not hesitate to contact me.

Sincerely,
Gloria Moreno