

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0093 – 510 W 15th Rezoning **P.C. DATE:** November 8, 2016

ADDRESS: 510 West 15th Street

DISTRICT AREA: 9

OWNER/APPLICANT: 15th and Nueces, LLC **AGENT:** Armbrust & Brown, PLLC
(Amanda Morrow)

ZONING FROM: GO **TO:** DMU **AREA:** 0.196 acres (8,556 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant downtown mixed use – conditional overlay (DMU-CO) combining district zoning. The Conditional Overlay limits height to 60 feet.

PLANNING COMMISSION RECOMMENDATION:

November 8, 2016: *APPROVED DMU-CO DISTRICT ZONING AS STAFF
RECOMMENDED, BY CONSENT
[P. SEEGER; F. KAZI – 2ND] (12-0) A. PINEYRODEHOYOS – ABSENT*

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a portion of a legal lot located on the northeast corner of West 15th and Nueces Streets and is zoned multi-family residence – moderate-high (MF-4) district. The property is developed with a single story office building and an onsite parking area that is accessible from Nueces Street. The property is immediately surrounded by apartments and a single family residence to the north, an office to the east, and a church across Nueces Street to the west. Please refer to Exhibits A and A-1.

The rezoning to Downtown Mixed Use (DMU) has been requested to bring the property into compliance with the Downtown Plan, and to allow greater flexibility should the property be redeveloped in the future. According to the Applicant, there is no specific plan at this time.

The property is located in the Northwest District of the Downtown Austin Plan (DAP) and in a Regional Center as defined by the Imagine Austin Comprehensive Plan (IACP). Staff recommends the rezoning request as it is supported by both the DAP and the IACP, is consistent with approved and existing zoning densities and intensities on adjacent properties and is compatible with nearby uses, therefore promoting consistency and orderly planning.

Looking at the bigger picture, the Northwest District is an area of transition in building form and height between the Judges Hill District to the West, which is mostly residential buildings of 1-3 stories, and the Uptown/Capitol District to the east, which currently has and is proposed for building heights upwards of 120 feet or more. One of the primary goals of the DAP is to encourage a mix of uses in the downtown area. Therefore, guidance given in the plan suggests zoning changes for particular properties to DMU and also references a suggested height restriction which was based on the height restrictions imposed by the base zoning for each property at that time; GO zoning allows height up to 60 feet. Therefore, the plan references a suggested height restriction of 60 feet. The DAP proposed the zoning changes with height restrictions in order to expand the permissible land uses for properties in the downtown area without granting additional entitlements to height and density on an area-wide basis. It was intended that any request for additional height beyond existing entitlements would be considered on a property-by-property basis so that due diligence is given to determining appropriate height in context with the area and district of each individual property. In this particular block, there is a consistent pattern of rezoning to DMU-CO with height restrictions of 60 feet by conditional overlay or by the site development standards established by the base zoning districts of surrounding properties. The property is eligible to participate in the Density Bonus Program. However, at this time, the Applicant's request for entitlements, including height, does not come with any indication of participating in the Density Bonus Program. Therefore, Staff recommends DMU-CO with the conditional overlay restricting building height at 60 feet. A rezoning to DMU-CO with a 60 foot height restriction will promote a mixture of uses, including residential at a scale that is appropriate to the context of the area and will provide a transition, in form, between the tallest development proposed in the Uptown/Capitol District and the predominantly residential Judges Hill District to the west.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO	Administrative / business office; Professional offices; Parking area
<i>North</i>	DMU-CO	Apartments; Single family residence; Offices
<i>South</i>	CS-CURE; GO; CBD-CO; CBD	Restaurants (limited); Personal services; Medical office; Financial services
<i>East</i>	DMU-CO	Professional office; Surface parking lot
<i>West</i>	GO	Religious assembly

NEIGHBORHOOD PLANNING AREA: Downtown Austin Plan (Northwest District)

TIA: Is not required

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Bryker Woods Elementary School O Henry Middle School Austin High School

NEIGHBORHOOD ORGANIZATIONS:

57 – Old Austin Neighborhood Association 58 – Judges' Hill Neighborhood Association
 402 – Downtown Austin Neighborhood Assn (DANA)
 438 – Downtown Austin Alliance 511 – Austin Neighborhoods Council
 623 – City of Austin Downtown Commission 742 – Austin Independent School District
 998 – West End Austin Alliance 1228 – Sierra Group, Austin Regional Group
 1253 – West Downtown Alliance 1340 – Austin Heritage Tree Foundation
 1363 – SEL Texas
 1391 – Central Austin Community Development Corporation
 1400 – Historic Austin Neighborhood Association 1424 – Preservation Austin
 1497 – Shoal Creek Conservancy 1528 – Bike Austin
 1530 – Friends of Austin Neighborhoods 1550 – Homeless Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2016-0022 – 502 W 15 th St and 1502 San Antonio St	LR to DMU	To Grant DMU-CO w/CO for 60ft. (5/24/2016)	Apvd DMU-CO as Commission recommended (6/16/2016).
C14-2015-0094 – Philip Raney, Nueces Street Partners LLC – 507 W 16 th St	GO to DMU	To Grant DMU-CO; 2K trips/day limit, max height @ 60ft. (9/22/2015)	Apvd DMU-CO; 2K trip/day limit, max height @60ft, prohibit group residential, alternative financial services, bail bond svcs, pawn shop svcs, transitional housing, liquor sales, cocktail lounge, outdoor entertainment, service station, residential treatment, consumer convenience svcs, drive-in svcs as accessory use to commercial (12/17/2015).
C14-2015-0093 – Philip Raney, Nueces Street Partners	GO to DMU	To Grant DMU-CO; 2K trips/day limit, max height @ 60ft. (9/22/2015)	Apvd DMU-CO; 2K trip/day limit, max height @60ft, prohibit group residential, alternative financial services, bail bond svcs, pawn shop svcs, transitional housing, liquor sales, cocktail lounge,

LLC – 1507 Nueces St			outdoor entertainment, service station, residential treatment, consumer convenience svcs, drive in svcs as an accessory use to commercial (12/17/2015).
C14-2010-0151 – 506 W. 15th Street Rezoning	GO to CBD	To Grant DMU-CO; 60ft height restriction, IC@90%, FAR: 1:1, 5ft. front yard setback, 2K trip limit. (1/25/2011)	Apvd DMU-CO; 60ft height restriction, IC@90%, FAR: 1:1, 5ft. front yard setback, 2K trip limit (2/11/2011).
C14-05-0049 – Jeff Blatt; 500 W 16th St	GO to DMU	Denied DMU (6/7/2008)	Apvd DMU-CO; limiting trips to 2,000/day (9/1/2005)
C14-05-0190 – 515 West 15th St	GO to CBD	To Grant CBD-CO (3/7/2006)	Apvd CBD-CO; limiting trips to 2,000/day, prohibiting a list of uses, drive-in accessory use prohibited, height restricted to 70ft., only one commercial use on the ground floor of bldg. is permitted (8/8/2006).
C14-00-2081 – Moonlight Place – 501 W 15 th St	GO to DMU-CURE	To Grant CS-CURE; prohibiting drive-in svcs, provide at least 20% but not more than 60% of the number of parking spaces normally required (5/16/2000)	Apvd CS-CURE; Drive-in svc prohibited, limited to 2000 trips/day, maximum of 56% of the required parking may be reserved for compact cars, services station prohibited, the parking spaces provided on-site may not be less than 20% or more than 60% of the spaces required by City Code (6/22/2000).
C14-95-0154 – Ann Buratti – 1510 San Antonio St	GO-MU to DMU	To Grant DMU-CO (11/28/1995)	Apvd DMU-CO; prohibiting a list of uses, making certain uses conditional, height restricted to 60ft, only one structure allowed on site; restricts to 1 DU occupying no more than 50% of GFA of the structure (2/8/1996).

RELATED CASES:

None found.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
West 15 th Street	100 feet	72 feet	Arterial - MAD6	Yes	Yes	Yes
Nueces Street	80 feet	38 feet	Collector	Yes	Yes	Yes

FYI, according to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a bike boulevard is recommended for Nueces Street.

FYI, according to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a shared lane bicycle facility is recommended for W. 15th Street.

FYI, 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].

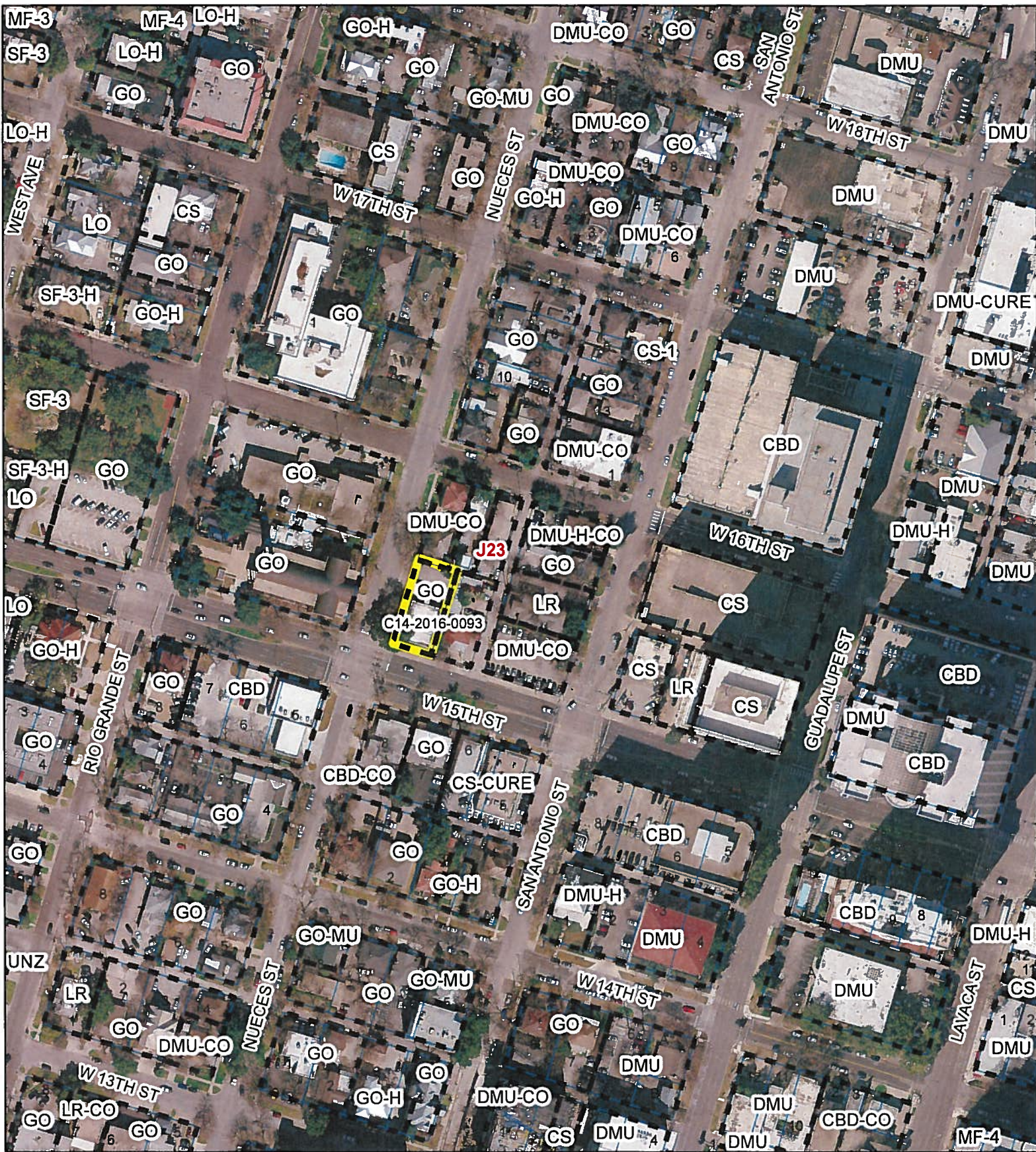
CITY COUNCIL DATE: December 8, 2016 **ACTION:**

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719



ZONING

Exhibit A1

ZONING CASE#: C14-2016-0093
 LOCATION: 510 W. 15th St.
 SUBJECT AREA: .196 ACRES
 GRID: J23
 MANAGER: Wendy Rhoades



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.

N



1" = 200'

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CREEK BUFFER

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant downtown mixed use – conditional overlay (DMU-CO) combining district zoning. The Conditional Overlay limits height to 60 feet.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

- 1. The proposed zoning should be consistent with the purpose statement of the district sought.*

The Downtown Mixed Use (DMU) district is intended for areas on the periphery of CBD classifications in the central core area, permitting a variety of uses compatible with downtown Austin and allowing intermediate densities as a transition from the commercial core to surrounding districts. Site development regulations are intended to permit combinations of office, retail, commercial, and residential uses within a single development.

- 2. Granting of the request should result in an equal treatment of properties.*

Staff is recommending the rezoning request as it is supported by both the DAP and the IACP, is consistent with approved and existing zoning densities and intensities on adjacent properties and is compatible with nearby uses, therefore promoting consistency and orderly planning.

EXISTING CONDITIONS**Site Characteristics**

The subject rezoning area contains administrative / business offices and professional offices, and trees and landscaping along the Nueces Street frontage.

Impervious Cover

Impervious cover limits are established by the zoning district for this property. The current zoning district of GO establishes an 80% impervious cover limit. The DMU zoning district allows for up to 100% impervious cover.

Comprehensive Planning

Downtown Austin Plan - The subject property is located in the Northwest District of the Downtown Austin Plan. The subject property has been identified in the plan document as a property that is proposed for a zoning change to Downtown Mixed Use (DMU) with a suggested height restriction of 60 ft. (pg. 79). While there is no specific use or project planned for the subject property at this time, the zoning change to DMU will grant entitlement rights to develop the property in a way that will implement the following district-specific goals:

- 2. Bring residents back to the neighborhood.
- 5. Improve the pedestrian environment.

Imagine Austin Plan - The subject property is located within the boundaries of a '*Regional Center*', as identified in the Imagine Austin's Growth Concept Map, found in the Imagine Austin Plan. A Regional Center is the most urban of the three activity centers outlined in the growth concept map and are intended to be retail, cultural, recreational, and entertainment destinations for Central Texas. These are also the places where the greatest density of people and jobs and the tallest buildings in the region will be located. The densities, buildings heights, and overall character of a center will vary depending on location. Regional centers will range in size between approximately 25,000-45,000 people and 5,000- 25,000 jobs. The following IACP policies are applicable to this case:

- **LUT P3** Promote development in **compact centers**, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

Based on the information above, Staff believes that the proposed zoning change is supported by both the Downtown Austin Plan and the Imagine Austin Comprehensive Plan.

Environmental

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.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

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.

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.

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 *north* 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.

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

Additional comments will be made when the site plan is submitted.

Storm Water Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

Transportation

FYI, additional right-of-way may be required at the time of subdivision and/or site plan.

Water / Wastewater

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 land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.