

**NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET****NEIGHBORHOOD PLAN:** Govalle/Johnson Terrace Combined**CASE#:** NPA-2016-0016.04**DATE FILED:** July 29, 2016 (In-cycle)**PROJECT NAME:** The Rail Spur Building**PC DATE:**

August 8, 2017

April 11, 2017

July 11, 2017

June 27, 2017

February 28, 2017

June 13, 2017

January 10, 2017

May 23, 2017

April 25, 2017

**ADDRESS:** 618 Tillery Street**DISTRICT AREA:** 3**SITE AREA:** 5.846 acres**OWNER/APPLICANT:** Peter Barlin (Previous Owner: Tom Calhoon)**AGENT:** Peter Barlin (Previous Agent: Michele Haussmann, Land Use Solutions)**TYPE OF AMENDMENT:****Change in Future Land Use Designation****From:** Office and Mixed Use**To:** Commercial and Mixed Use**Base District Zoning Change****Related Zoning Case:** C14-2017-0020**From:** LO-CO-NP & LO-MU-CO-NP**To:** GR-NP & GR-MU-NP**NEIGHBORHOOD PLAN ADOPTION DATE:** March 27, 2003**PLANNING COMMISSION RECOMMENDATION:**

*September 12, 2017-* After public discussion, the case was postponed to the October 10, 2017 hearing date to allow the owner to meet with the Govalle/Johnston Terrace NPCT, with the public hearing left open. [P. Seeger – 1<sup>st</sup>; J. Shieh – 2<sup>nd</sup>] Vote: 13-0.

**August 8, 2017** - Postponed on the consent agenda at the request of staff to the September 12, 2017 hearing. [N. Zaragoza- 1<sup>st</sup>; P. Seeger – 2<sup>nd</sup>] Vote: 10-3 [K. McGraw, J. Vela, and T. White absent. J. Schissler and F. Kazi recused from Item C-21].

**July 11, 2017** – Postponed on the consent agenda at the request of staff. [Schissler – 1<sup>st</sup>; P. Seeger – 2<sup>nd</sup>] Vote: 12-0 [J. Thompson absent].

**June 27, 2017** – Postponed on the consent agenda at the request of staff to the July 11, 2017 hearing. [J. Schissler – 1<sup>st</sup>; J. Shieh- 2<sup>nd</sup>] Vote: 7-0 [F. Kazi, A. De Hoyos Hart, P. Seeger, J. Vela, T. White, N. Zaragoza].

**June 13, 2017** – Postponed on the consent agenda at the request of the Applicant to the June 27, 2017 hearing. [J. Schissler -1<sup>st</sup>; J. Shieh – 2<sup>nd</sup>] Vote: 12-0 [A. De Hoyos Hart absent].

**May 23, 2017** – Postponed on the consent agenda at the request of the Applicant to the June 13, 2017 hearing. [P. Seeger-1<sup>st</sup>; N. Zaragoza-2<sup>nd</sup>] Vote: 8-0 [F. Kazi, A. DeHoyos Hart, J. Schissler, J. Thompson, and T. White absent].

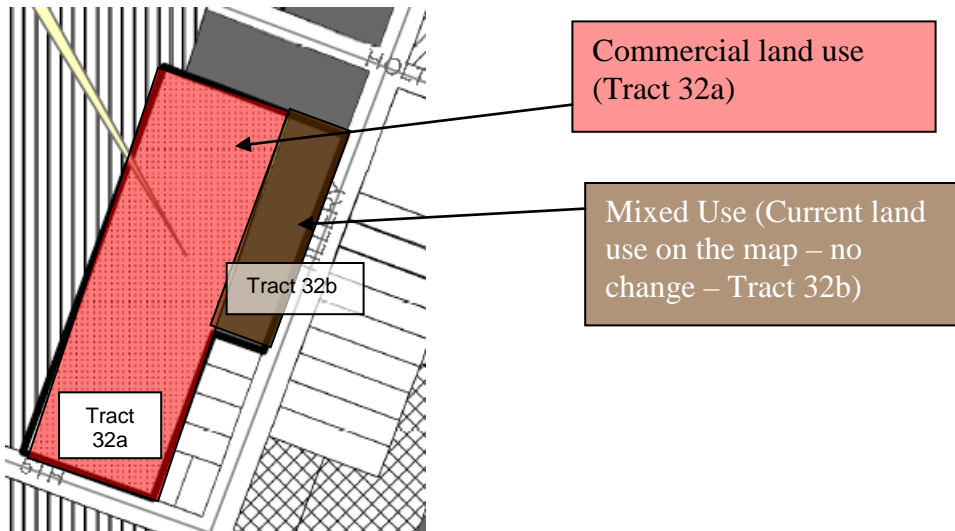
**April 25, 2017**- Postponed on the consent agenda at the request of the Applicant to the May 23, 2017 hearing. [F. Kazi – 1<sup>st</sup>; J. Schissler – 2<sup>nd</sup>] Vote: 10-0 [Commissioners J. Vela, T. White, and N. Zaragoza absent]

**April 11, 2017**- Postponed on the consent agenda at the request of the Applicant to the April 25, 2017 hearing. [N. Zaragoza – 1<sup>st</sup>; P. Seeger – 2<sup>nd</sup>] Vote: 11-0 [T. White and S. Oliver absent. Schissler recused from Items C-7, C-18, C-20, and C-21. F. Kazi recused from Item C-7].

**February 28, 2017** – Postponed on the consent agenda at the request of the Applicant to April 11, 2017. [P. Seeger- 1<sup>st</sup>; A. DeHoyos – 2<sup>nd</sup>] Vote: 11-0 [Commissioners Thompson and White absent].

**January 10, 2017** – Postponed on the consent agenda at the request of the Applicant to February 28, 217. [N. Zaragoza – 1<sup>st</sup>; F. Kazi- 2<sup>nd</sup>] Vote: 13-0

**STAFF RECOMMENDATION:** Recommended for Commercial and Mixed Use (See map below), same as applicant's request.



**BASIS FOR STAFF'S RECOMMENDATION:** Staff supports the applicant's request to change the future land use map from Office to Commercial land use on Tract 32a because it is compatible with the Civic land use to the west (Capital Metro Bus Terminal) and the Mixed Use land use and commercial zoning to the north. To the east and southeast of the property along Tillery Street are residential uses. The existing Mixed Use land use along Tillery Street and Tillery Street itself will serve as a buffer.

Below are sections of the Govalle/Johnson Terrace Plan document that staff believes supports the applicant's request:

## Land Use Goals

**Goal 1:**                    **Adjacent land uses should be compatible.** (Sector Plan)<sup>2</sup>

Key Principles:        Address the "over-zoning" of properties in the Govalle/Johnston Terrace Neighborhood Planning Area. (Sector Plan and modified by Gov/JT)

Non-residential development should not adversely affect existing businesses or neighborhoods, either by increases in traffic, noise, pollutants, or other safety hazards. (Sector Plan)

**Goal 2:**                    **Preserve and protect current and future single-family neighborhoods.** (Gov/JT)

Key Principles:        Initiate appropriate rezoning to preserve and protect established and planned single-family neighborhoods. (Gov/JT)

Encourage higher density residential developments to locate near major intersections, and in locations that minimize conflicts with lower density single-family neighborhoods. (Sector Plan)

Encourage higher density non-residential land uses to locate near major intersections and in industrial districts/business parks. (Sector Plan)

**Goal 3:**                    **Develop a balanced and varied pattern of land use.** (Sector Plan)

Key Principles:        Provide a balance of land use and zoning for people to both live and work in the area. (Gov/JT)

Encourage mixed use so that residential uses are allowed on some commercial properties. (Gov/JT)

Provide opportunities for land uses that serve the needs of daily life (live, work, play, shop) in a convenient and walkable environment. (Gov/JT)

## **LAND USE DESCRIPTIONS**

### ***EXISTING LAND USE ON THE PROPERTY***

**Office** - An area that provides for office uses as a transition from residential to commercial uses, or for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals and non-profit organizations.

### **Purpose**

1. Encourage office-related services in areas that cannot support the traffic generation of commercial uses;

2. Provide for small lot office conversions as a transition from commercial to residential uses; and
3. Preserve sites for employment and office related services.

**Application**

1. Appropriate for low volume streets such as collectors and minor arterials; and
2. Can be used to provide a transition between residential uses and more intense commercial and industrial uses.

**Mixed Use** - An area that is appropriate for a mix of residential and non-residential uses

**Purpose**

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

**Application**

1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and

6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

#### ***PROPOSED LAND USE ON THE PROPERTY***

**Commercial** - Lots or parcels containing retail sales, services, hotel/motels and all recreational services that are predominantly privately owned and operated for profit (for example, theaters and bowling alleys). Included are private institutional uses (convalescent homes and rest homes in which medical or surgical services are not a main function of the institution), but not hospitals.

##### **Purpose**

1. Encourage employment centers, commercial activities, and other non- residential development to locate along major thoroughfares; and
2. Reserve limited areas for intense, auto-oriented commercial uses that are generally not compatible with residential or mixed use environments.

##### **Application**

1. Focus the highest intensity commercial and industrial activities along freeways and major highways; and
2. Should be used in areas with good transportation access such as frontage roads and arterial roadways, which are generally not suitable for residential development.

**Mixed Use** - An area that is appropriate for a mix of residential and non-residential uses

##### **Purpose**

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
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7. Create additional opportunities for the development of residential uses and affordable housing; and

8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

#### **Application**

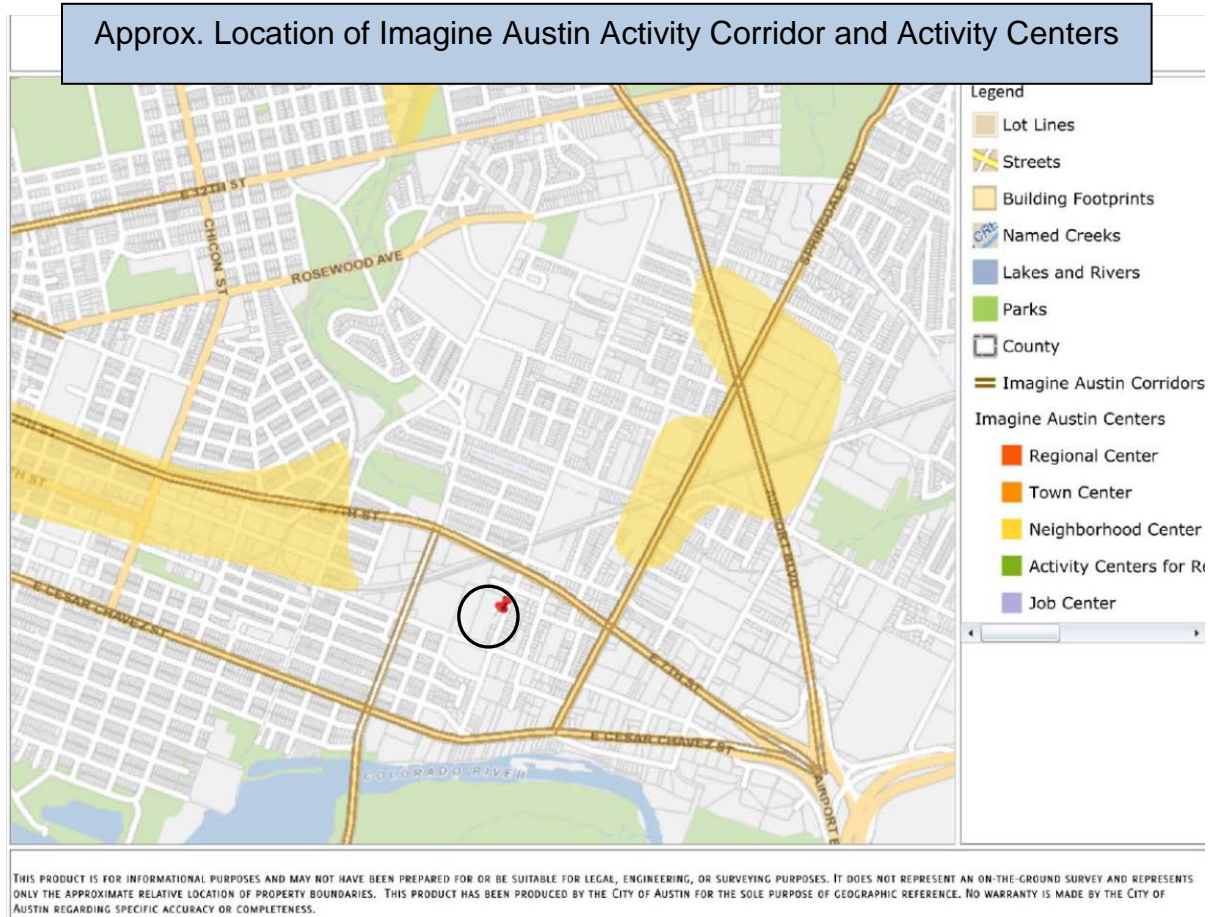
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5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

#### ***IMAGINE AUSTIN PLANNING PRINCIPLES***

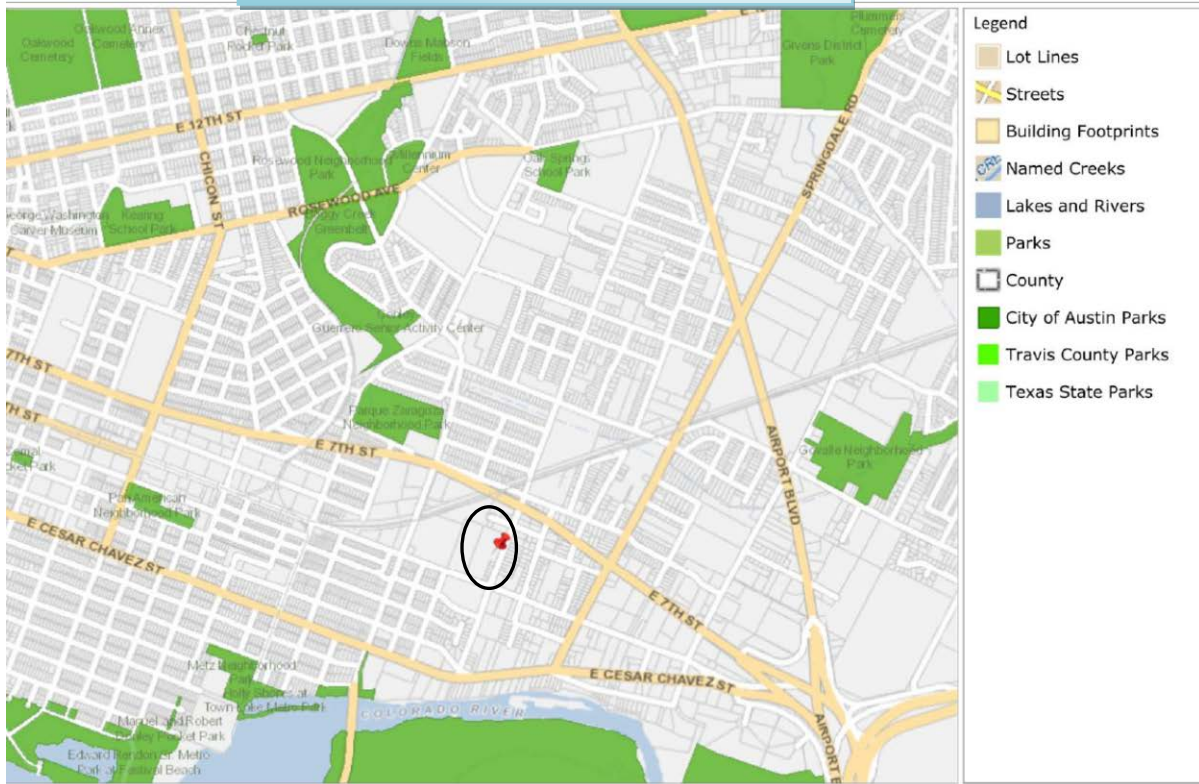
1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
  - ***The applicant is not proposing any residential uses on the property, although the zoning proposed for Tract 32b for GR-MU-NP would allow residential uses.***
2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
  - ***The property is approximately 400 feet south of E. 7<sup>th</sup> Street, which is identified as an Activity Corridor on the Imagine Austin Growth Concept Map. The property is less than ½ mile from a Neighborhood Center Activity Center.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
  - ***The property has frontage on E. 5<sup>th</sup> Street which is a commercial street.***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.

- *The applicant is not proposing any residential uses on the property, although the zoning proposed for Tract 32b for GR-MU-NP would allow residential uses.*
5. Ensure harmonious transitions between adjacent land uses and development intensities.
    - *The proposed commercial land use on Tract 32a provides a transition from Tillery Street to the bus depot located to the west of the property.*
  6. Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
    - *The property is not located in an environmentally sensitive area.*
  7. Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.
    - *The property is within 0.38 miles of two parks.*
  8. Protect, preserve and promote historically and culturally significant areas.
    - *Not applicable.*
  9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
    - *The property has frontage on a commercial corridor where many businesses and services are located.*
  10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
    - *Not directly applicable.*
  11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.
    - *Not applicable.*
  12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.
    - *Not applicable.*

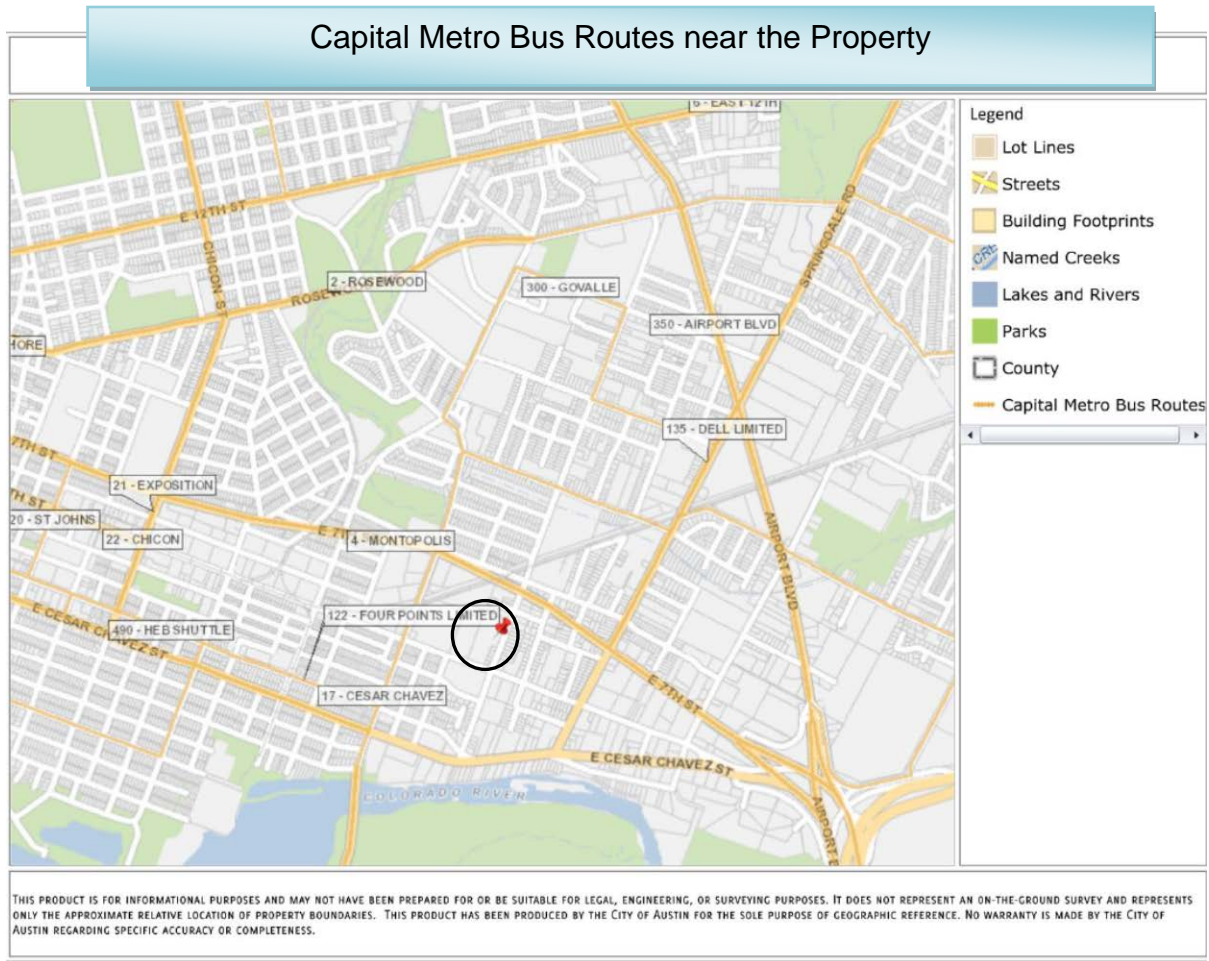




### Location of Parks near the property



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## IMAGINE AUSTIN GROWTH CONCEPT MAP

### *Definitions*

**Neighborhood Centers** - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

**Town Centers** - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

**Job Centers** - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

**Corridors** - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

**BACKGROUND:** The application was filed on July 29, 2017, which is in-cycle for neighborhood planning areas located on the east side of I.H.-35. The request is to change the future land use map from Office to Commercial land use. There is another tract of land along Tillery that currently has Mixed Use land use, but that is proposed to stay the same.

The applicant's agent has been working with the Govalle/Johnson Terrace Neighborhood Plan Contact Team and neighborhood groups regarding the proposed zoning change request which was file on January 24, 2017. The zoning change request is to change the zoning from



LO-CO-NP (Tract 32a) to GR-NP and from LO-MU-CO-NP (Tract 32b) to GR-MU-NP. The proposed use is for a 75,000 square foot office building, which is an exiting building on Tract 32A and for approximately 11,000 square feet of retail uses and parking garage on the portion of Tract 32a that has frontage along E. 5<sup>th</sup> Street. See back pages of this report for proposed site plan. For more information on the zoning change request, please see case report for C14-2017-0020.

The existing 75,000 square foot building was previously used as a warehouse. It is now being remodeled for an office uses.

**PUBLIC MEETINGS:** The ordinance-required community meeting was held on March 22, 2017. Approximately 147 meeting notices were mailed to people who live or own property within 500 feet of the property, in addition to utility account holders who live within 500 feet and neighborhood organizations and environmental groups who requested notification for the area. Two citizens attended the meeting in addition to one staff member and Kelan Robinson, the applicant's agent and the owner's architect working on the project.

Kelan Robinson of Land Use Solutions, LLC, said they have been working with the Govalle/Johnson Terrace Planning Contact Team and neighborhood associations over the last months. The latest proposal is to have 75,000 square feet of open/creative office space in the existing building. On the south portion of the property along E. 5<sup>th</sup> Street is the Phase II of the project where 11,000 square feet of retail space is proposed with a parking garage to be built behind it. The current zoning on the property where the existing 75,000 square foot office building is currently located is LO-NP (Tract 32a). The proposed zoning to GR-NP is to allow for commercial uses. On Tract 32b, the current zoning is LO-MU-CO-NP. The proposed zoning is for GR-MU-NP. The current and proposed FLUM is Mixed Use. The owner is requesting the MU overlay to make the proposed zoning consistent with the current land use. No residential uses are proposed for Tract 32b).

The owner of the property has hired an architect to make the property greener, to add grass and trees and to generally open up the property.

Q. Wouldn't the City have required the "greening" of the property anyway?

A. Yes, it would have required it for the new site.

Q. What kind of retail would be there?

A. We don't have any tenants lined up, but maybe a coffee shop or a bank.

Q. Would they sell alcohol?

A. No, alcohol would be sold, not even with a restaurant. To sell alcohol we'd have to get permission from AISD because there is a school across the street.

Q. My mother lives across the street, we don't mind office uses but we don't want dance hall or alcohol sales. We want a quiet use because we want a quiet neighborhood. No venues for parties or big gatherings. The previous use had 18-wheeler trucks idling early in the morning and we don't want this use anymore.

A. Yes, we hear you. We will pass this information along to the property owner.

Q. Will there be any residential uses on the property?

A. No plans at this time.

Q. Will there be individual offices?

A. There is a big office space that has no tenants, but ideally there would be a tenant who would want to use the entire space, but the owner could chop it up into smaller spaces, but that would mean more leases to be managed. The owner had a commercial kitchen inquiring about leasing space.

**CITY COUNCIL DATE:**

August 17, 2017

**ACTION:** Postponed to October 5, 2017

October 5, 2017

**ACTION:**

**CASE MANAGER:** Maureen Meredith

**PHONE:** (512) 974-2695

**EMAIL:** [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov)

Letter from the Govalle/Johnson Terrace Combined  
Neighborhood Plan Contact Team

**Govalle/Johnson Terrace Neighborhood Plan Contact Team**  
*"Strength Through Unity"*

May 10, 2017

Re: **618 Tillery**

Dear Commissioners and Council members,

Please accept this letter on behalf of the Govalle/Johnson Terrace Neighborhood Plan Contact Team as an expression of our

**Support for the plan amendment application at 618 Tillery, with the following conditions.**

1. Maintain the existing building as is, without expanding the height or footprint, to include:  
Include following allowable uses:

Business or Trade School	Business Support Services
Consumer Convenience Services	Consumer Repair Services
Financial Services	Food Preparation / Food Sales
General Retail Sales (Convenience)	General Retail Sales (General)
Off-site Accessory Parking (CP in LO)	Personal Improvement Services
Printing and Publishing	Restaurant (Limited)
Theater	
2. Keep LO designation for existing building, but include "office" designation to include the uses stated in #1.
3. Support for proposed new building facing the 5<sup>th</sup> Street with height limit of 40'.

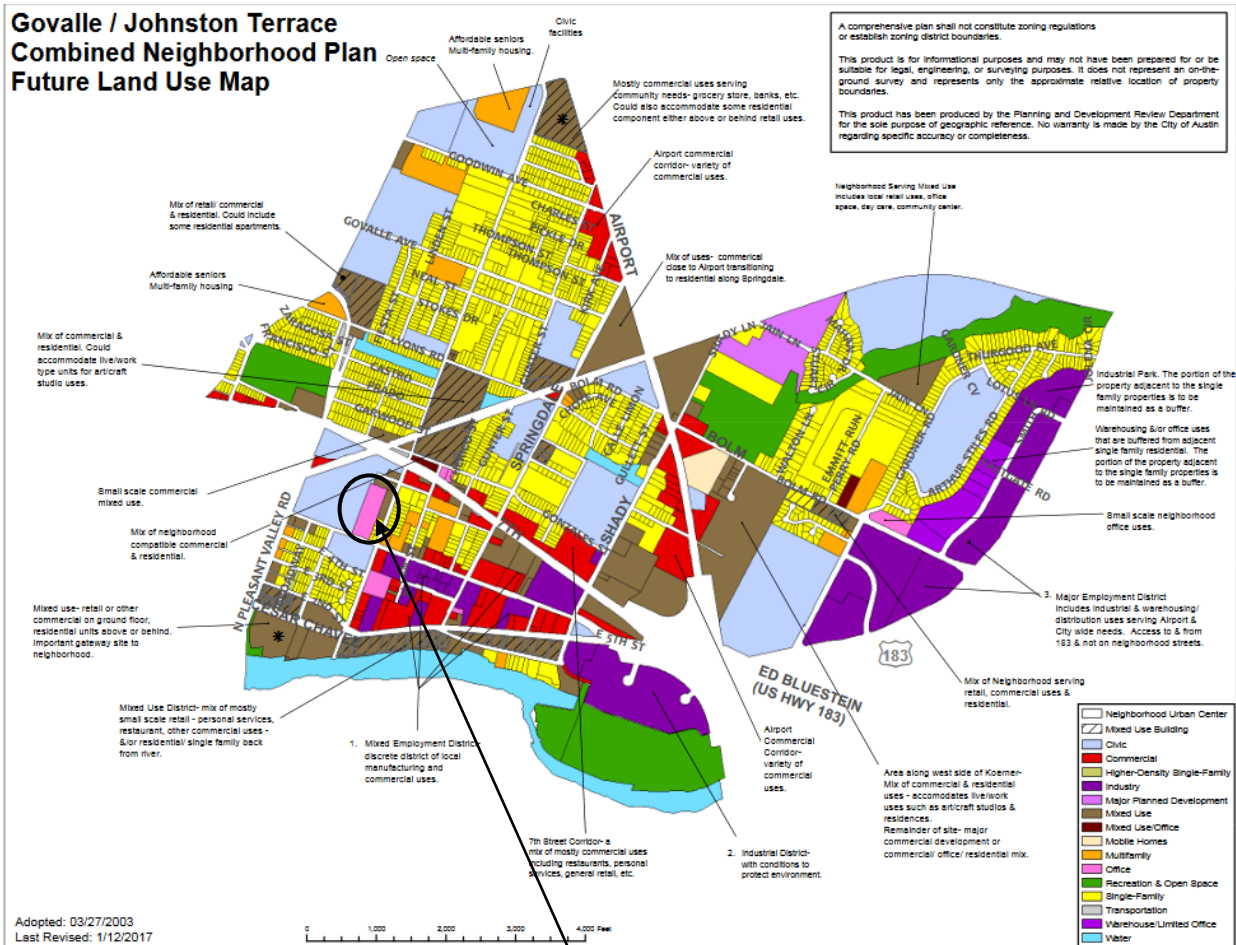
Generally we feel that this project, with these conditions, is a benefit to the community.

Please feel free to contact me with any comment or question you may have regarding this case.

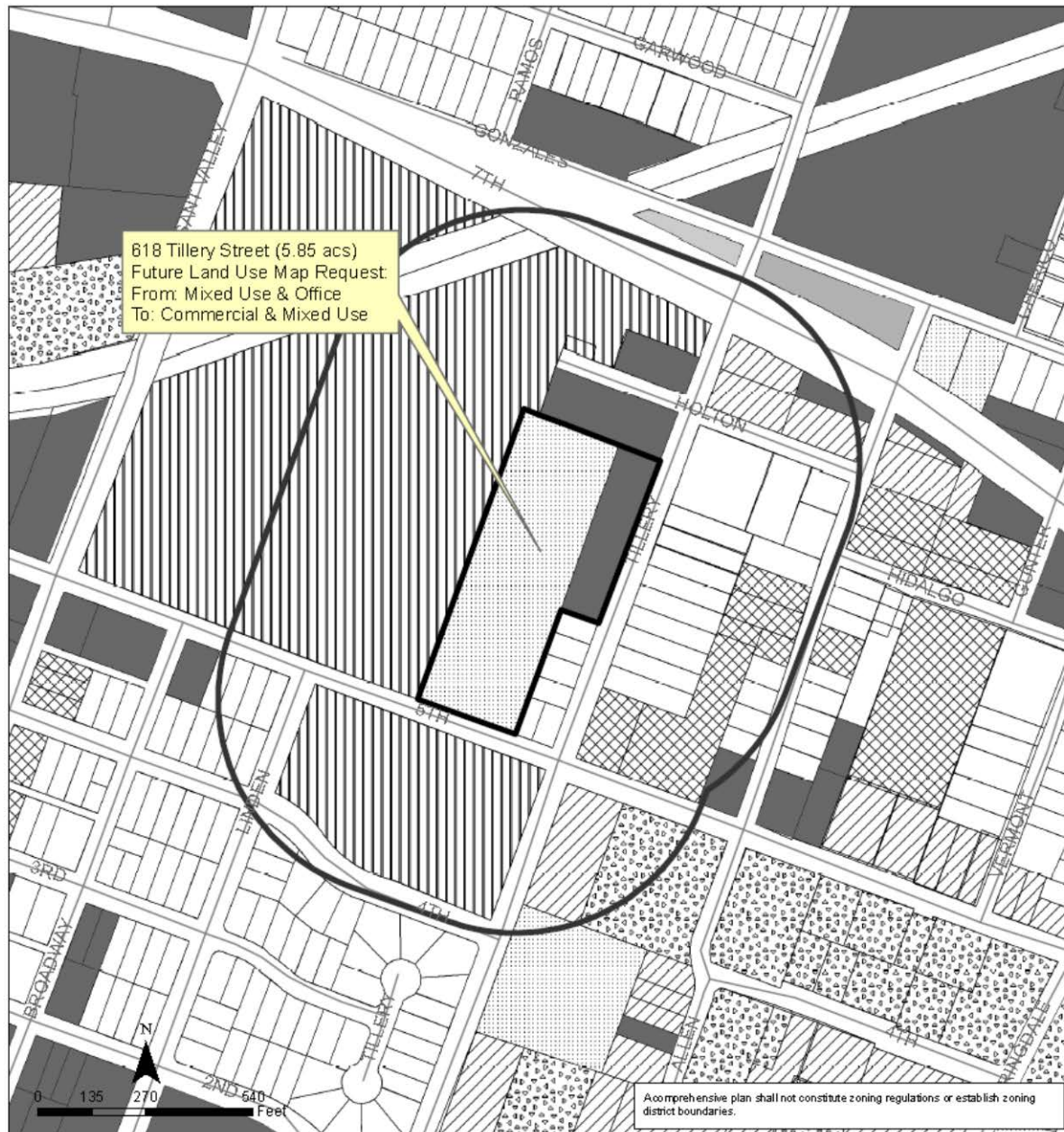
Thank you,



Daniel Llanes, Coordinator  
Govalle/Jonston Terrace Neighborhood Plan Contact Team







### Govalle/Johnston Terrace Combined Neighborhood Planning Area NPA-2016-0016.04

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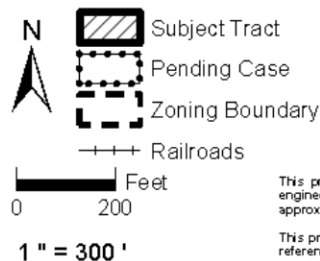


City of Austin  
Planning and Zoning Department  
Created on 8/9/2016, by: meredithm

#### Future Land Use

	500 ft. Notif. Boundary		Mixed Use/Office
	Subject Property		Industry
	Single-Family		Civic
	Multi-Family		Recreation & Open Space
	Commercial		Transportation
	Mixed Use		Water
	Office		

Case#: C14-2017-0020



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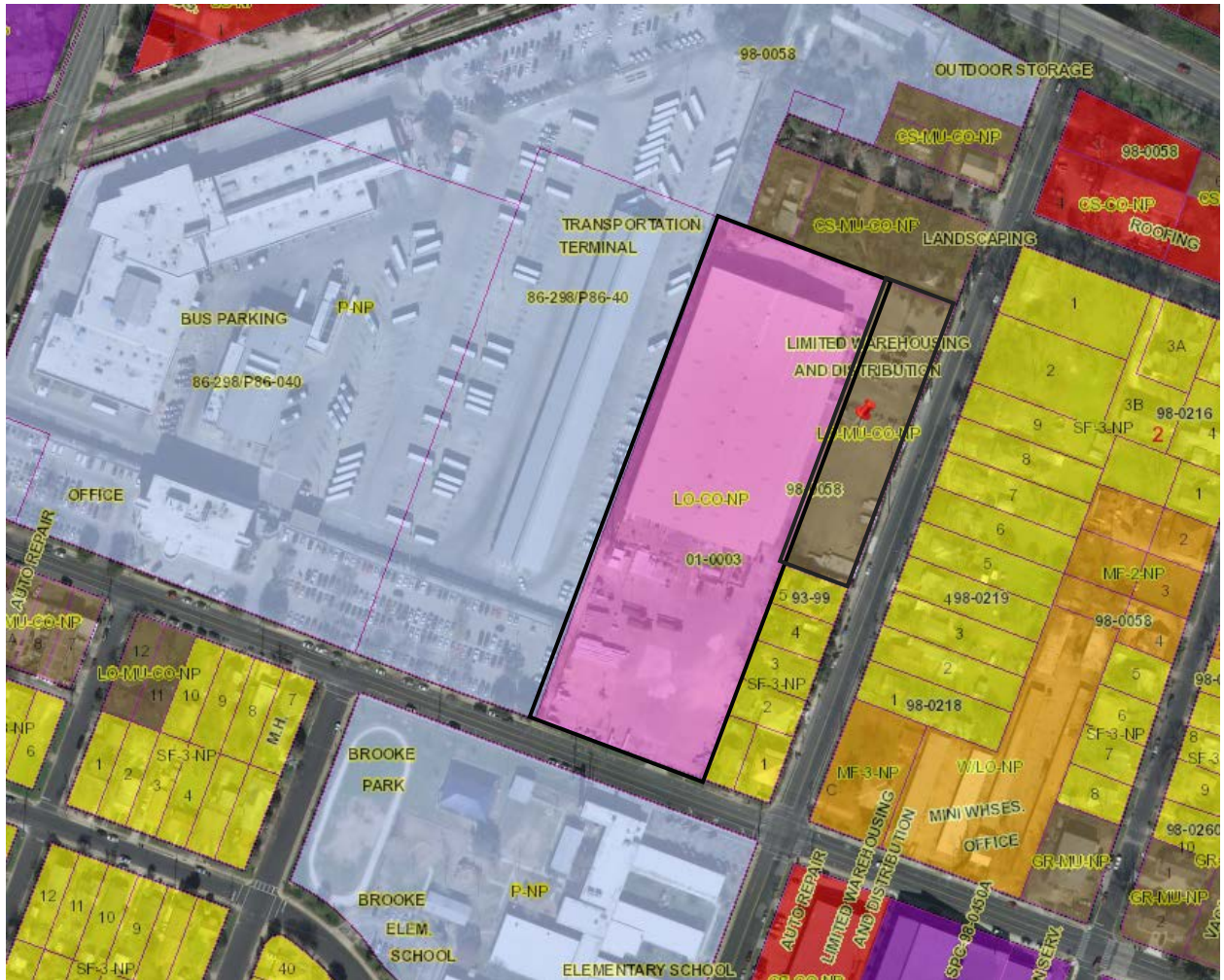
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Created: 3/22/2017

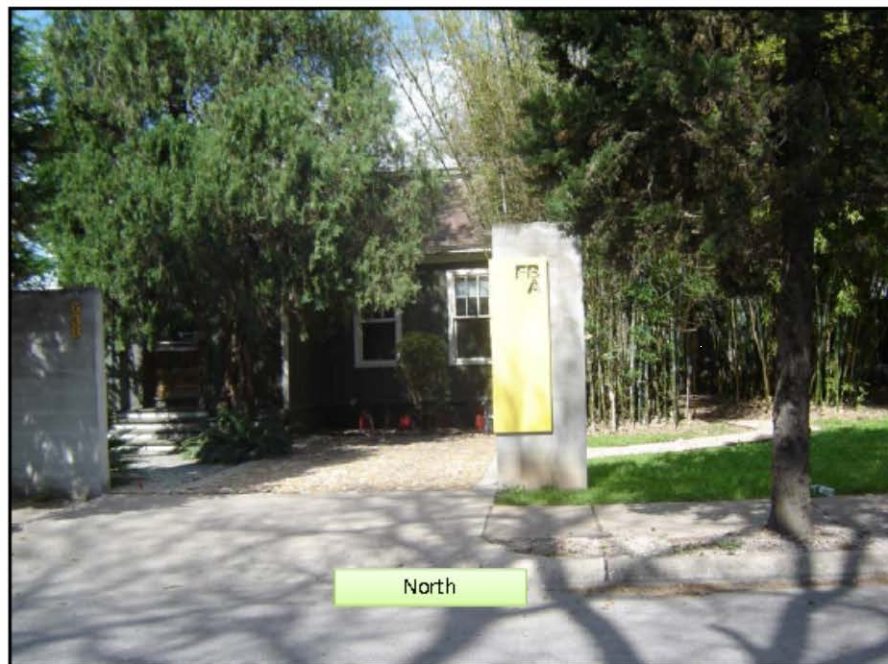


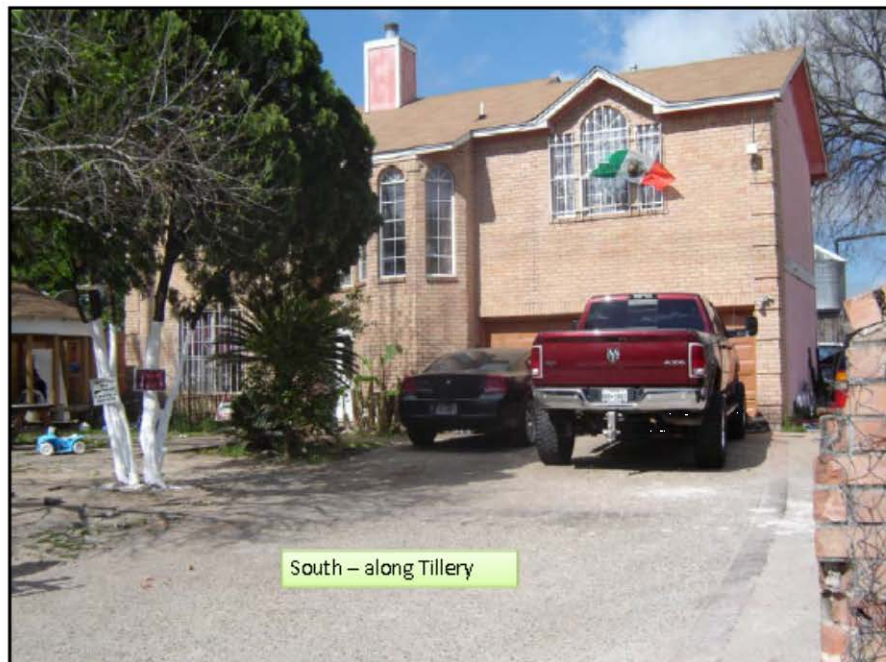
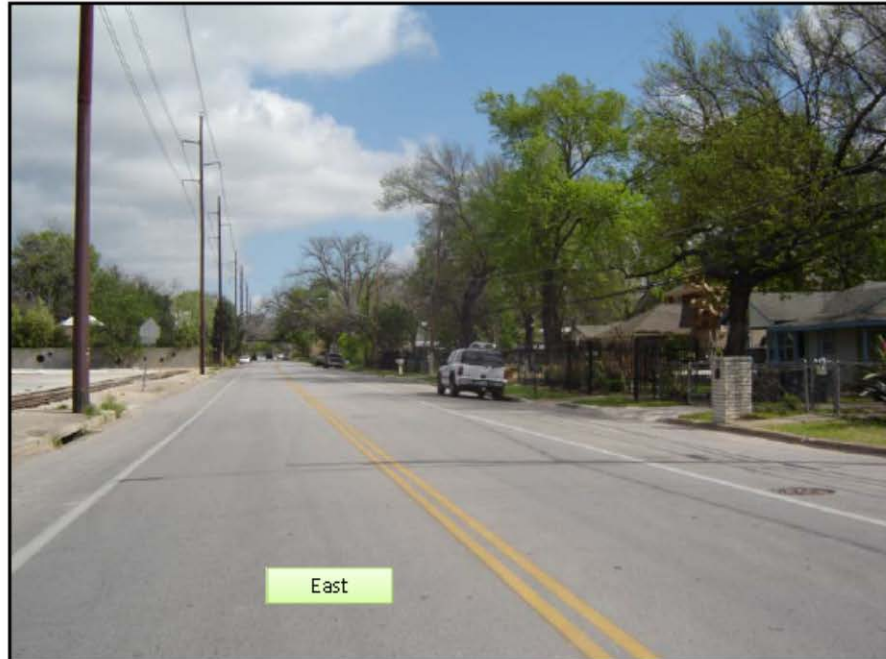








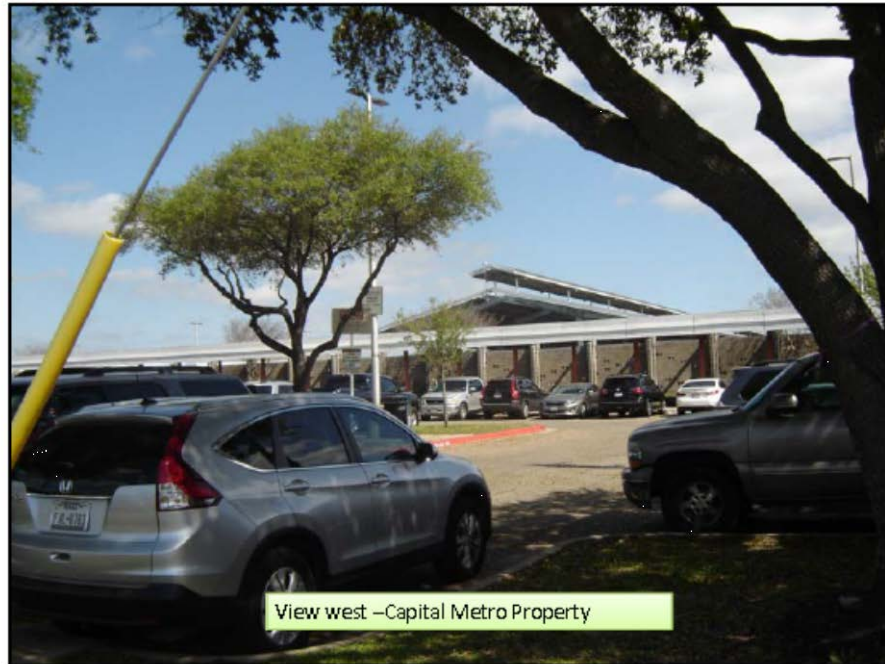












## PUBLIC HEARING COMMENT FORM

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

City of Austin  
Planning and Zoning Department  
Kathleen Fox  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2016-0016.04

Contact: Kathleen Fox, phone: 512-974-7877

Public Hearing: Jan 10, 2017, Planning Commission

BENIGNO GONZALEZ

Your Name (please print)

2906 E. 9TH ST.

Your address(es) affected by this application

Benigno Gonzalez

Signature

Date

Comments: Hello Folks:

I don't approve of this  
construction project. We in  
this area don't like the  
Traffic situation. (BGP)

☐ I am in favor  
☒ I object

## PUBLIC HEARING COMMENT FORM

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

City of Austin  
Planning and Zoning Department  
Maureen Meredith  
P. O. Box 1088  
Austin, TX 78767-8810

RECEIVED  
8/17/17

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2016-0016.04  
Contact: Maureen Meredith, Phone: 512-974-2695  
Public Hearings: Aug 8, 2017, Planning Commission  
Aug 17, 2017, City Council

☐ I am in favor  
☒ I object

Your Name (please print)

DEMINGO GONZALEZ

Your address(es) affected by this application

2906 E. 4th St.

07-18-17

Signature

Date

Comments:

Too much traffic  
congestion.

BD

**Comments:**