ORDINANCE AMENDMENT REVIEW SHEET
C20-2019-012

Description:
Discuss and consider an ordinance amending Title 25 of the City Code to correct a Downtown Density Bonus boundary mapping discrepancy for the property at 827 West 12th Street.

Background:
The Downtown Austin Plan (DAP) was adopted with amendments by the Austin City Council in December 2011 by Ordinance No. 20111208-093. The DAP established fundamental principles relating to a Downtown Density Bonus Program (DDBP) to address and provide:

1. Maintaining existing height and density limits as a baseline with some adjustments based on the surrounding context;
2. Establish a Density Bonus Program for downtown;
3. Employ additional density incentives to achieve specific community objectives; and
4. Establish specific scale-compatibility standards that are tailored to the downtown context.

Per 25-2-586 (B), floor area ratio (FAR) and height maps were created to describe where the DDBP applies while assigning maximum floor-to-area (FAR) and heights across multiple portions of downtown. (See Attachment “A”).

A possible mapping discrepancy was brought to Staff’s attention with the intent to understand how the boundary affecting the property at 827 W. 12th Street was derived.

Staff researched the following:
1. Existing lot configuration per filed notes (See Attachment “B”) The existing plat depicts one lot with multiple buildings on the site dating to 2006 and prior to the DAP and the DDBP.

2. Existing lot attributes
   - Existing lot is approximately 24,393 ft²;
   - Approximately 14,866 ft² of the existing lot is currently included in the DDBP boundary (approximately 61% of the lot); and
   - The current DDBP boundary apparently bisects two structures on the site and does not adhere to existing lot lines. (See Attachment “C”).

3. Existing zoning
   Under Ordinance No. 20190620-124, The existing zoning on the site is Downtown Mixed-use Conditional Overlay (DMU-CO) combining district. The conditional overlay imposed on the site sets a maximum height of a building or structure on the property to not exceed 60 feet. (See Attachment “D”).
4. Building permit data
Building permit data for the property depicts small alterations, rehabilitations, and interior work to existing structures dating to 1985 without evidence of major construction on the site. (See Attachment “E”).

Staff Recommendation:
Staff recommends the proposed code amendment as depicted in the proposed draft maps. (See Attachment “F”)

City Council and Board and Commission Actions:
- June 19, 2019 - Codes and Ordinances Joint Committee Recommended code amendment to the Planning Commission on a 5-0 vote (Commissioners Kazi and Barrera-Ramirez absent).
- June 20, 2019 – City Council approved Ordinance No. 20190620-124 on Third Reading rezoning the subject property from Commercial Services (CS) to DMU-CO.
- July 9, 2019 – Planning Commission: Recommended initiation of the code amendment on a 11-0 vote.

Council Action on Code Amendment: Pending

Ordinance Number: NA

City Staff: Jorge E. Rousselin
Phone: (512) 974-2975

Email: jorge.rousselin@austintexas.gov
Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map

NOTE: Properties in the Rainey Street Subdistrict of the Waterfront overlay must obtain a floor-to-area ratio (FAR) of up to 8:1 by meeting the requirements of Section 25-2-739 of the City Code. FAR exceeding 8:1 may be obtained through the Downtown Density Bonus Program, as described in Section 25-2-586 of the City Code.

NOTE: Maximum heights shown do not reflect restrictions imposed by Capital View Corridors (CVC) or special districts.
EXHIBIT "A"

Being 0.555 of an acre of land more or less, out of and a part of OUTLOT NO. FIVE (5) IN DIVISION "E", in Travis County, Texas. Said tract being more particularly described in field note Exhibit "A".

Being 0.555 acre out of Outlot S, Division "B", in the City of Austin, Travis County, Texas, according to the map or plat of record in the General Land Office of the State of Texas, as shown on accompanying survey plat and being more particularly described as follows (Bearings for this survey obtained from Document No. 2004028529, Official Public Records, Travis County, Texas):

BEGINNING at an "x" cut in concrete found in the south line of West 12th Street (80' R.O.W.), as the most northerly northwest corner of a tract described in a deed to C. M. Daehs, recorded in Volume 5919, Page 2085, Deed Records, Travis County, Texas, for the southeast corner of this tract from said point, a 150' south found bearing, S 70°26'00" E, 61.12'; and an "x" cut in concrete found bearing, N 70°26'00" W, said course constitutes directional control for this survey, 201.25'.

THENCE, with the west line of said Daehs tract and the east line of this tract, S 19°15'04" W, 184.73'; by a 150' south pin set with plastic cap stamped "ARNUMSUR XPLS 4772", at an interior southeast corner in said Daehs tract, for the southeast corner of this tract.

THENCE, with the north line of said Daehs tract and the south line of this tract, N 70°11'29" W, 150.96'; to a 150' south pin found at the most westerly northwest corner of said Daehs tract, at the southwestern corner of a tract described as 0.66 acre in a deed to Gilbert Caudle, et al., recorded in Volume 3272, Page 519, Deed Records, Travis County, Texas, currently owned by Cuesta Financial Group, Inc., for the southwesterly corner of this tract.

THENCE, with the east line of said Caudle tract and the west line of this tract, N 19°15'04" E, passing at 94.70', a 5/8" iron pin found at the northeast corner of said Caudle tract and the southeast corner of a tract described in a deed to Elmsigor Family, Ltd., recorded in Volume 12337, Page 2506, Real Property Records, Travis County, Texas, in all, 184.17', to a 150' south pin set with plastic cap stamped "ARNUMSUR XPLS 4772", in the south line of West 12th Street, at the northeast corner of said Elmsigor tract, for the northwest corner of this tract.

THENCE, with the south line of West 12th Street and the north line of this tract, S 70°26'00" E, 130.95', to the PLACE OF BEGINNING and containing 0.555 acre of land, more or less.

Prepared from a survey made on the ground March 7, 2006, by:

Arnenum Professional Surveying
8906 Wall Street, Suite 302
Austin, Texas 78754
(512) 832-1232
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ROBERT M. SANCOMB
4772

ROBERT M. BURTON
R.P.L.S. No 4772
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817 W 12TH ST | PIER Migration Water Tap - 817 W 12TH ST, AUSTIN-FULL PURPOSE, 78701 | 2326315 | B3268 | 19-47B3268 | W | 23-MAY-47 | 23-MAY-47 | Replace sewer line to comm bldg only. |


817 W 12TH ST | PIER Migration Sewer Tap - 817 W 12TH ST, AUSTIN-FULL PURPOSE, 78701 | 2274909 | 8097A | 19-288097A | W | 31-OCT-28 | 31-OCT-28 |


817 W 12TH ST | PIER Migration Water Tap - 817 W 12TH ST, AUSTIN-FULL PURPOSE, 78701 | 2429277 | G24223 | 19-82G24223 | W | 19-MAY-82 | 19-MAY-82 | Plumbing For Commercial - Gas |

823 W 12TH ST | 823 W 12TH ST | 10370067 | 2009-129934 | BP | 24-NOV-09 | 24-NOV-09 | Change of Use and Interior Remodel from Admin/Bus Office to Printing & Publishing Services |

823 W 12TH ST 823 W 12TH ST 10368378 2009-128462 BP 20-09128462 BP 19-NOV-09 19-NOV-09 Rehab/repair existing deck. Original permit was 2006-018517 BP.

823 W 12TH ST DAN & CHRISTINA WESTBROOK 277611 Ctrl-06-0482 20-06000482 DA 17-DEC-06


823 W 12TH ST 823 12 Street West 0.0000 4261931 9708010 19-97001749 EP 23-JUN-97 23-JUN-97 Replace Elec Meter & Riser-Commercial


823 W 12TH ST 823 12 Street West 0.0000 3609676 8509404 19-85025528 PP 19-APR-85 19-APR-85 Gas Repair

823 W 12TH ST 823 W 12TH ST 10368374 2009-128458 PR 20-09128458 PR 19-NOV-09 19-NOV-09 Rehab/repair existing deck. Original permit was 2006-018517 BP.

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827 W 12TH ST 827 W 12TH STREET- 12193531 20-19071466 GF 07-MAY-19

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The Applicant proposes to rezone approximately 0.555 acres from CS to DMU-CO.
Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map

Figure 1: Page 1

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Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map

Figure 1: Page 2

DRAFT

Maximum Floor Area Ratio (FAR)
Maximum Height (Feet)

Areas Ineligible for Density Bonus Program
(Height and density may not exceed underlying zoning)

Waterfront Overlay District (WO)
Density Bonus recommendations within the WO will be
developed by the Waterfront Planning Advisory Board (WPAB)

Public Parks/ Open Space (ineligible)

NOTE: Maximum heights shown do not reflect restrictions imposed by Capital View Corridors (CVC) or special districts.

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August 20, 2019

Jorge Rousselin  
Development Services Division Manager  
City of Austin  
505 Barton Springs Rd, Suite 575  
Austin, Texas 78704

Dear Mr. Rousselin,

As the owner of 827 W. 12th Street, I support the proposed code amendment that would modify the Downtown Density Bonus map to include the entirety of the property. We appreciate the City’s willingness to address this mapping error.

All best!

Lisa Tipps  
Sole member, LTDB LLC

P.O. Box 300038  
Austin, Texas 78703  
512.431.0269