



Item 63ph

**Zone Hearings/App Ordinances/Restrictive Covenants
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA DATE: 4/6/2006

Subject: C14-05-0190 - 515 West 15th Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 515 West 15th Street (Shoal Creek Watershed) from general office (GO) district zoning to central business district (CBD) district zoning. Zoning and Platting Commission
Recommendation: To grant central business district (CBD) district zoning with conditions.
Applicant: Cabot-Chase, Ltd. (Jimmy Nassour). **Agent:** Ron Thrower. **City Staff:** Jorge E. Rousselin, 974-2975.

Requesting Department: NPZD

For More Information: Jorge E. Rousselin, 974-2975

ZONING REVIEW SHEET**CASE:** C14-05-0190**Z.A.P. DATE:** January 31, 2006
March 7, 2006**ADDRESS:** 515 West 15th Street**OWNER:** Cabot-Chase, Ltd. (Jimmy Nassour)**AGENT:** Ron Thrower**REZONING FROM:** GO (General Office)**TO:** CBD (Central Business District)**AREA:** 0.2 Acres (8,712 sq. ft.)**SUMMARY ZONING AND PLATTING RECOMMENDATION:**

March 7, 2006:

APPROVED STAFF'S RECOMMENDATION FOR CBD-CO DISTRICT ZONING; WITH CONDITION THAT THE DEVELOPER PARTICIPATE IN THE GREAT STREETS PROGRAM BY ESCROWING FUNDS ON TOP OF DEVELOPMENT TO CARRY THAT PROGRAM FORWARD, WHENEVER THE BLOCK FACE IS COMPLETE OR AT TIME OF DEVELOPMENT; ALSO, PROHIBIT THE FOLLOWING USES:

- DRIVE-IN OR DRIVE-THROUGH USES;
- AUTOMOTIVE REPAIR SERVICES;
- AUTOMOTIVE SALES;
- AUTOMOTIVE WASHING;
- BAIL BOND SERVICES;
- COCKTAIL LOUNGE;
- COMMERCIAL OFF-STREET PARKING;
- CONVENIENCE STORAGE;
- EQUIPMENT SALES
- LIQUOR SALES
- SERVICE STATION;
- RESIDENTIAL TREATMENT;
- TRANSITIONAL HOUSING
- BLOOD/PLASMA CENTERS
- PAWNSHOP SERVICES

[K.JACKSON; M.HAWTHORNE 2ND] (9-0)**SUMMARY STAFF RECOMMENDATION:**

Staff recommends CBD-CO (Central Business District) conditional overlay combining district. The recommended conditional overlay will limit the vehicle trips to less than 2,000 vehicle trips per day pursuant to LDC, 25-6-117. The recommendation is based on the following considerations:

- 1.) The proposed use is compatible with existing CBD, and commercial development along Nueces Street, and West 15th Street
- 2.) It is adjacent to the designated Core Downtown District as identified by the Downtown Austin Design Guidelines;
- 3.) The proposed development will not be subject to compatibility standards; and
- 4.) Great Streets Program participation is recommended.

DEPARTMENT COMMENTS:

The subject rezoning area is an 8,712 square foot office building fronting West 15th Street and Nueces Street zoned GO. The applicant proposes to rezone the property to CBD to allow for a 60' tall mixed use building to include offices, retail and residential components. Participation in the Great Streets program will improve the aesthetic and functional quality of downtown streets and sidewalks surrounding the subject property.

GO Development Standards:

GO	
Maximum Height:	60'
Maximum Building Coverage:	60%
Maximum Impervious Cover:	80%
Maximum Floor Area Ratio:	1:1

Source: The Code of the City of Austin, Volume III, Chapter 25-2-492

CBD Development Standards:

CBD	
Maximum Height:	-
Maximum Building Coverage:	100%
Maximum Impervious Cover:	100%
Maximum Floor Area Ratio:	8:1

Source: The Code of the City of Austin, Volume III, Chapter 25-2-492

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO	Office building
<i>North</i>	GO	Office building
<i>South</i>	GO	Office building
<i>East</i>	GO	Apartment building
<i>West</i>	CBD	Office building

AREA STUDY: N/A

TIA: Waived; See Transportation comments

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

57--Old Austin Neighborhood
 142--Five Rivers Neighborhood Assn.
 402--Downtown Austin Neighborhood Assn. (DANA)
 511--Austin Neighborhoods Council
 623--City of Austin Downtown Commission
 742--Austin Independent School District
 744--Sentral Plus East Austin Koalition (SPEAK)
 998--West End Austin Alliance

SCHOOLS:

Austin Independent School District

- Mathews Elementary School
- O. Henry Middle School
- Austin High School

RELATED CASES: N/A**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-96-0029	GO to DMU	03/26/96: APVD. DMU-CURE (9-0).	04/25/96: APVD. DMU-CO LIMITING HEIGHT TO 60' (5-0); ALL 3 RDGS.
C14-99-2066	GO to DMU	01/25/00: APVD STAFF REC OF DMU-CO & DMU-H-CO (8-1 JR-NAY); INCLUDING CONDS BY HLC & CONDS AGREED UPON BY AP & NEIGH; DELETE COUNSELING SVCS FROM THE PROHIBITED USES (8-1 JR-NAY).	05/18/00: APVD PC REC OF DMU-H-CO (TR 1) & DMU-CO (TR 2 & 3). (5-0)
C14-00-2081	GO to CBD	05/16/00: APVD STAFF REC OF CS-CURE-CO (7-0-1, BB-OFF DAIS, AN-ABSTAIN); W/CBD PKO REQ'T & PROHIBIT DRIVE-THRU USES.	06/22/00: APVD CS-CURE ON ALL RDGS (7-0).
C14-01-0052	GO to LR	05/22/01: APVD STAFF REC OF LR-CO W/CONDS (6-2, JR/BB-NAY).	07/19/01: APVD LR-CO W/CONDS (6-0); 1ST RDG. 08/09/01: APVD CS-CO (7-0); 2ND/3RD RDGS.

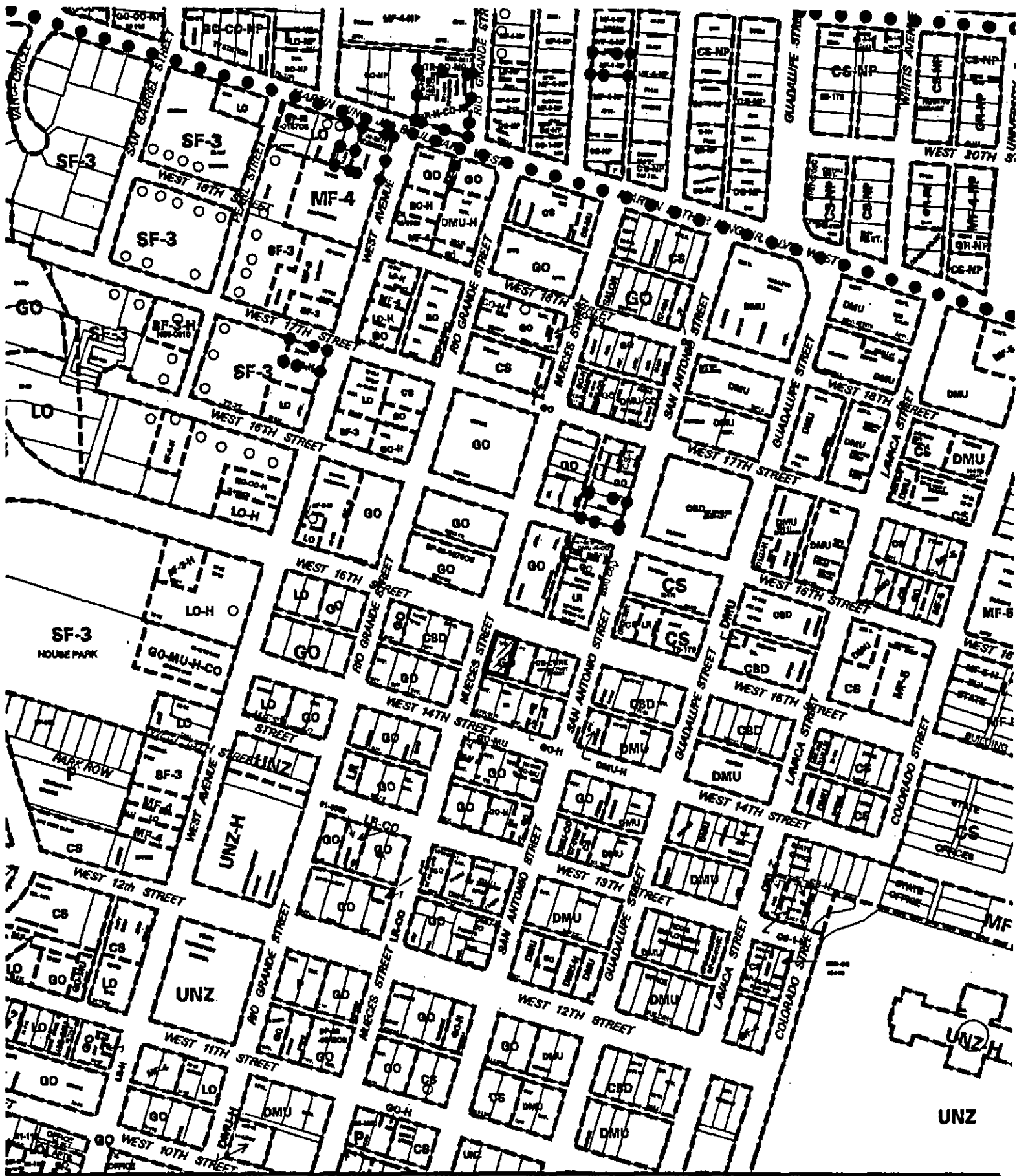
ABUTTING STREETS:




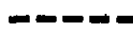
Name	ROW	Pavement	Classification
W. 15 th Street	100'	2 @ 30'	Major Arterial
Nueces Street	80'	40'	Collector

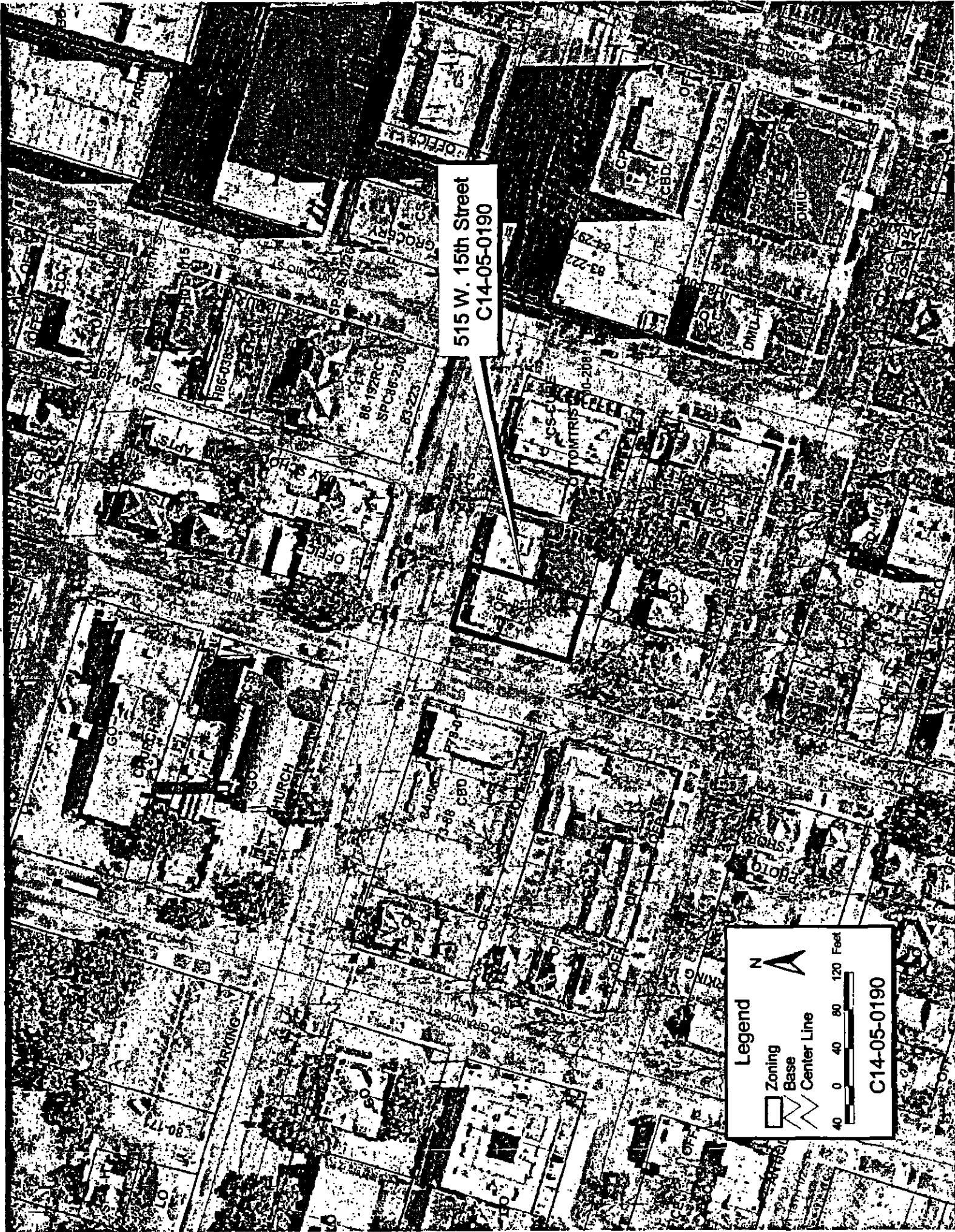
CITY COUNCIL DATE:

April 6, 2006

ACTION:**ORDINANCE READINGS:**1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Jorge E. Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** jorge.rousselin@ci.austin.tx.us



<p>  SUBJECT TRACT  PENDING CASE  ZONING BOUNDARY  CASE MGR: J.ROUSSELIN </p>	<p align="center"> ZONING </p> <p> CASE #: C14-05-0190 ADDRESS: 515 W 15TH ST SUBJECT AREA (acres): 0.200 </p> <p align="right"> DATE: 05-10 INTLS: SM </p>	<p> CITY GRID REFERENCE NUMBER J23 </p>
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515 W. 15th Street
C14-05-0190

Legend

- Zoning
- Base
- Center Line

40 0 40 80 120 Feet

C14-05-0190

STAFF RECOMMENDATION

Staff recommends CBD-CO (Central Business District) conditional overlay combining district. The recommended conditional overlay will limit the vehicle trips to less than 2,000 vehicle trips per day pursuant to LDC, 25-6-117. The recommendation is based on the following considerations:

- The proposed use is compatible with existing CBD, and commercial development along Nueces Street, and West 15th Street
- It is adjacent to the designated Core Downtown District as identified by the Downtown Austin Design Guidelines;
- The proposed development will not be subject to compatibility standards; and
- Great Streets Program participation is recommended.

BASIS FOR RECOMMENDATION

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

25-2-100 CENTRAL BUSINESS DISTRICT (CBD) DESIGNATION

- (A) Central business district (CBD) is the designation for an office, commercial, residential, or civic use located in the downtown area.
- (B) Site development regulations applicable to a CBD district use are designed to:
 - ensure that a CBD use is compatible with the commercial, cultural, historical, and governmental significance of downtown and preserves selected views of the Capitol;
 - promote the downtown area as a vital commercial retail area;
 - create a network of pleasant public spaces and pedestrian amenities in the downtown area;
 - enhance existing structures, historic features, and circulation patterns in the downtown area; and
 - consider significant natural features and topography in the downtown area.

The proposed rezoning meets the purpose statement set forth in the Land Development Code. The subject property an undeveloped land located adjacent to the designated Core Downtown District as identified by the Downtown Austin Design Guidelines. Furthermore, the proposed mix of uses will encourage a diversity of land uses along West 15th Street and Nueces Street.

2. The proposed zoning should promote consistency, and orderly planning.

The proposed change and recommended conditional overlay is compatible with the surrounding area as it is surrounded by a mixture of land uses, intensities, and CBD zoning. The proposed land uses are compatible to the existing adjacent uses.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area is an 8,712 square foot, one-story office building fronting West 15th Street and Nueces Street zoned GO. Access to the property is via Nueces Street and the existing alley. The applicant proposes to rezone the property to CBD to allow for a 60' tall mixed use building to include offices, retail and residential components.

Transportation

1. No additional right-of-way is needed at this time.
2. The trip generation under the requested zoning is estimated to be 3,957 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).
3. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117].
4. There are existing sidewalks along W. 15th Street and Nueces Street.
5. Nueces Street is classified in the Bicycle Plan as a Priority 1 bike route.
6. Capital Metro bus service is available along W. 15th Street.

Environmental

1. 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.
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. At this time, site-specific information is unavailable regarding existing trees and 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.

Water and Wastewater

1. The site is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustment are required, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility.

The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

Site Plan

1. Compatibility Standards not appear to be applicable per the GIS query.
2. Additional comments will be generated once the formal application for site plan is submitted.

Compatibility Standards

1. This site is not subject to compatibility standards under the provisions of 25-2-581.

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: C14-05-0190

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

January 31, 2006 Zoning and Platting Commission

JASON NASSOUR

Your Name (please print)

508 W. 14th Street, Austin TX 78701

Your address(es) affected by this application

[Signature]

Signature

Date

1/21/06

Comments:

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

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-8810



ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 515 WEST 15TH STREET FROM GENERAL OFFICE
3 (GO) DISTRICT TO CENTRAL BUSINESS DISTRICT-CONDITIONAL
4 OVERLAY (CBD-CO) COMBINING DISTRICT.

5
6 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

7
8 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
9 change the base district from general office (GO) district to central business district-
10 conditional overlay (CBD-CO) combining district on the property described in Zoning
11 Case No. C14-05-0190, on file at the Neighborhood Planning and Zoning Department, as
12 follows:

13
14 Lot 8, Block 177, Original City of Austin, Travis County, according to the map or
15 plat on file in the General Land Office of the State of Texas (the "Property"),

16
17 locally known as 515 West 15th Street, in the City of Austin, Travis County, Texas, and
18 generally identified in the map attached as Exhibit "A".

19
20 PART 2. The Property within the boundaries of the conditional overlay combining district
21 established by this ordinance is subject to the following conditions:

22
23 1. A site plan or building permit for the Property may not be approved, released, or
24 issued, if the completed development or uses of the Property, considered cumulatively
25 with all existing or previously authorized development and uses, generate traffic that
26 exceeds 2,000 trips per day.

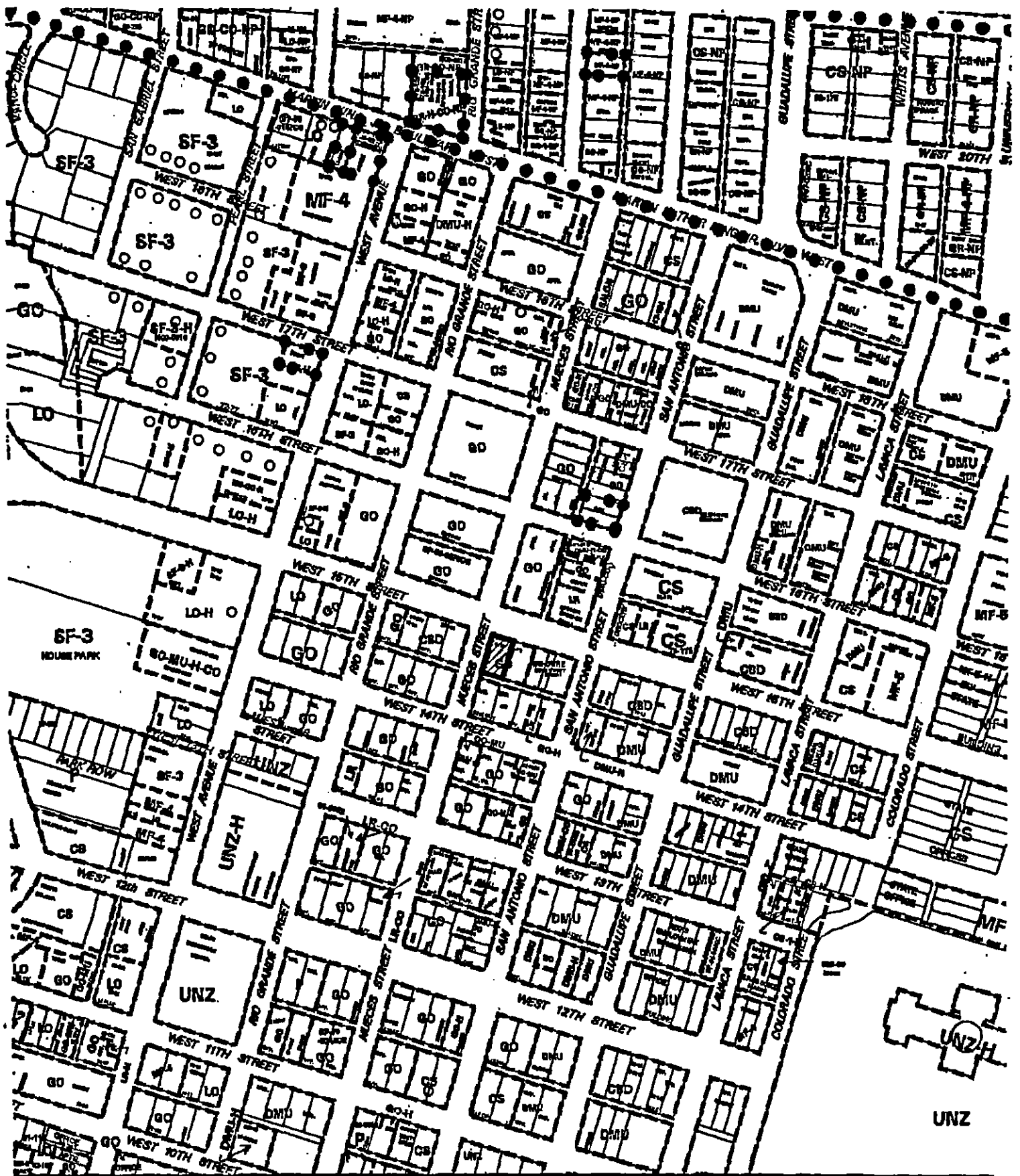
27
28 2. The following uses are prohibited uses of the Property:





29
30 Automotive repair services Automotive sales
31 Automotive washing (of any type) Bail bond services
32 Cocktail lounge Commercial off-street parking
33 Convenience storage Equipment sales
34 Liquor sales Service station
35 Residential treatment Transitional housing
36 Commercial blood plasma center Pawn shop services
37

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the central business district (CBD) base district and other applicable requirements of the City Code.

PASSED AND APPROVED

APPROVED: _____ **ATTEST:** _____
David Allan Smith Shirley A. Gentry
City Attorney City Clerk



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT A		CITY GRID REFERENCE NUMBER J23
	PENDING CASE 			
	ZONING BOUNDARY 	ADDRESS: 515 W 16TH ST	DATE: 05-10	
	CASE MGR: J.ROUSSELIN	SUBJECT AREA (acres): 0.200	INTLS: SM	