

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Holly

CASE#: NPA-2016-0010.02

DATE FILED: April 8, 2016 (Out-of-cycle)

PROJECT NAME: East Sixth Village

PC DATE: July 26, 2016

ADDRESS: 622 Pedernales Street (*formally addressed as 2422 Hidalgo Street*)

DISTRICT AREA: 3

SITE AREA: 0.869 acres

OWNER/APPLICANT: 2422 Hidalgo Street, LP (M. Timothy Clark)

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Industry

To: Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2016-0043

From: LI-CO-NP

To: CS-MU-CO-NP

NEIGHBORHOOD PLAN ADOPTION DATE: December 13, 2001

PLANNING COMMISSION RECOMMENDATION:

July 26, 2016 – Approved on the consent agenda for Mixed Use land use. [J. Shieh – 1st; P. Seeger – 2nd] Vote: 10-0 [F. Kazi absent at time of vote; J. Thompson and A. Pineyro DeHoyos absent. R. Hinojosa and J. Mathias (ex-officio members) absent. J. Schissler recused from items C-3, C-4, and C-5; K. McGraw recused from item D-1; and J. Shieh recused from item C-11].

STAFF RECOMMENDATION: Recommended

BASIS FOR STAFF'S RECOMMENDATION: Staff supports the applicant's request to change the future land use map from Industry to Mixed Use because the request is consistent with the surrounding land uses, with mixed use to the north, east, south and west. The applicant proposes to build apartments with some commercial uses. The Holly neighborhood

plan supports a variety of housing options. The proposed multifamily development will provide housing options for the area and for the city.

Below are sections of the Holly Neighborhood Plan that staff believes supports the plan amendment request:

Land Use

Goal 1: Promote a variety of housing options for a mixture of different incomes.

Goal 2: Encourage opportunities to address compatibility between different residential, commercial and industrial uses.

Objective 2.1: Retain adjacent commercial and industrial uses within the Commercial Mixed Use District.

Objective 2.2: Restrict intensive commercial/industrial uses from residential area of neighborhood.

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Industry - Areas reserved for manufacturing and related uses that provide employment but are generally not compatible with other areas with lower intensity use. Industry includes general warehousing, manufacturing, research and development, and storage of hazardous materials

Purpose

1. To confine potentially hazardous or nuisance-creating activities to defined districts;
2. To preserve areas within the city to increase employment opportunities and increased tax base;
3. To protect the City's strategic advantage as a high tech job center; and
4. To promote manufacturing and distribution activities in areas with access to major transportation systems.

Application

1. Make non-industrial properties in areas with a dominant industrial character compatible with the prevailing land use scheme;

2. Where needed, require a buffer area for industrial property that abuts residentially used land;
3. Industry should be applied to areas that are not appropriate for residential or mixed use development, such as land within the Airport Overlay; 4. In general, mixed use and permanent residential activities are not appropriate in industrial areas. An exception may be the edge of an industrial area along the interface with an area in which residential activities are appropriate. Such exceptions should be considered case by case, with careful attention to both land use compatibility and design;
5. Industry should not be either adjacent to or across the road from single family residential or schools;
6. Use roadways and/or commercial or office uses as a buffer between residential and industry; and
7. Smaller scale “local manufacturing” districts may be appropriate in some locations to preserve employment opportunities and cottage industries of local artisans. In these areas, hazardous industrial uses (i.e. basic industry, recycling centers, and scrap yards) should be prohibited.

PROPOSED LAND USE ON THE PROPERTY

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

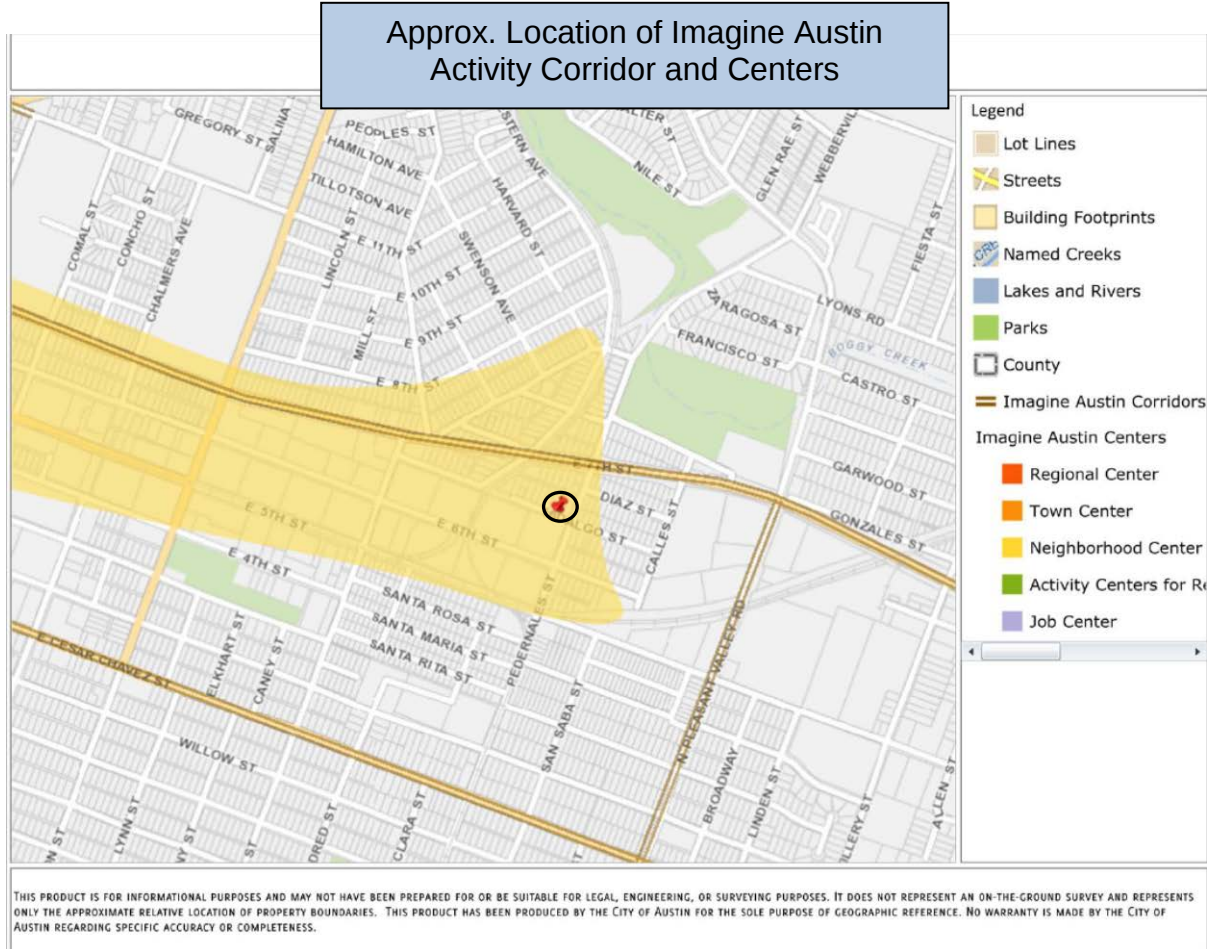
1. Allow mixed use development along major corridors and intersections;

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.

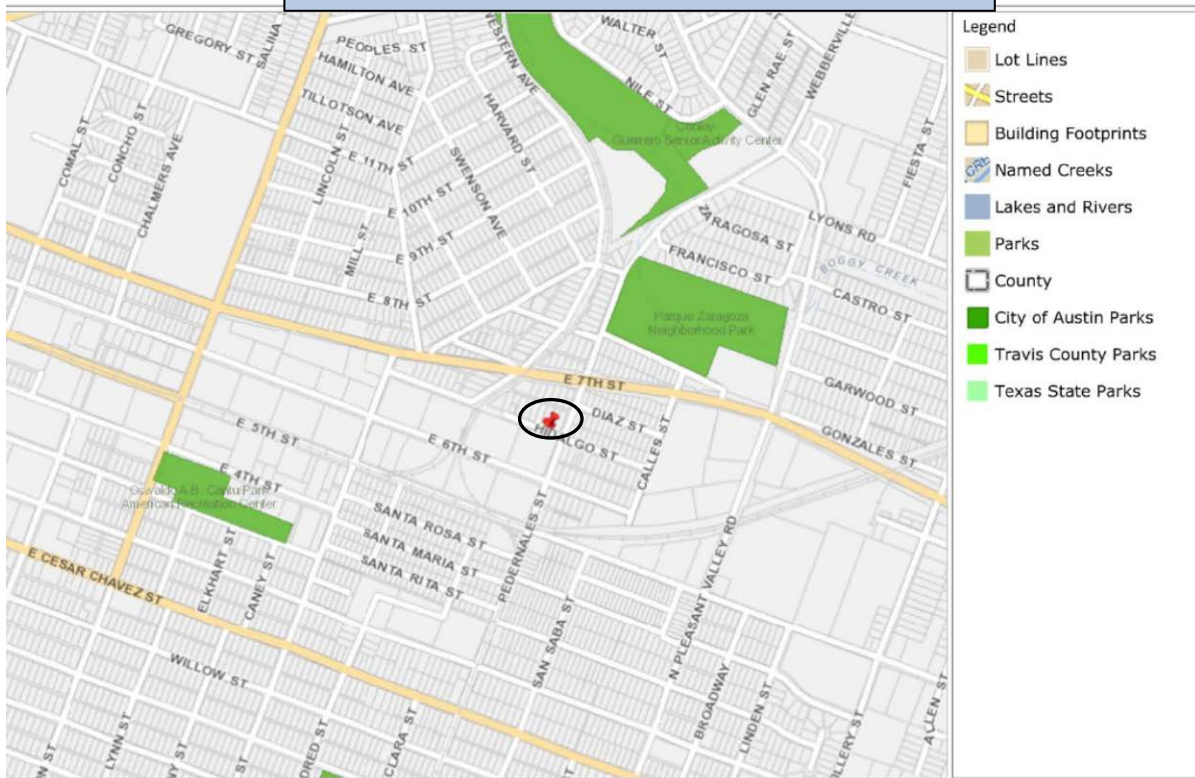
IMAGINE AUSTIN PLANNING PRINCIPLES

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 property is located within a Neighborhood Center Activity Corridor as identified in the Imagine Austin Comprehensive Plan. The property is near retail, employment, parks and other services. The proposed zoning of CS-MU-NP would allow residential uses, in addition to office and retail 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 located within a Neighborhood Center Activity Corridor as identified in the Imagine Austin Comprehensive Plan and is located near Capital Metro Bus Routes and access to bike lanes.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - ***The proposed development is considered an infill development that is located within an activity corridor.***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - ***The proposed zoning change could allow residential development, in addition to commercial and office uses.***
5. Ensure harmonious transitions between adjacent land uses and development intensities.

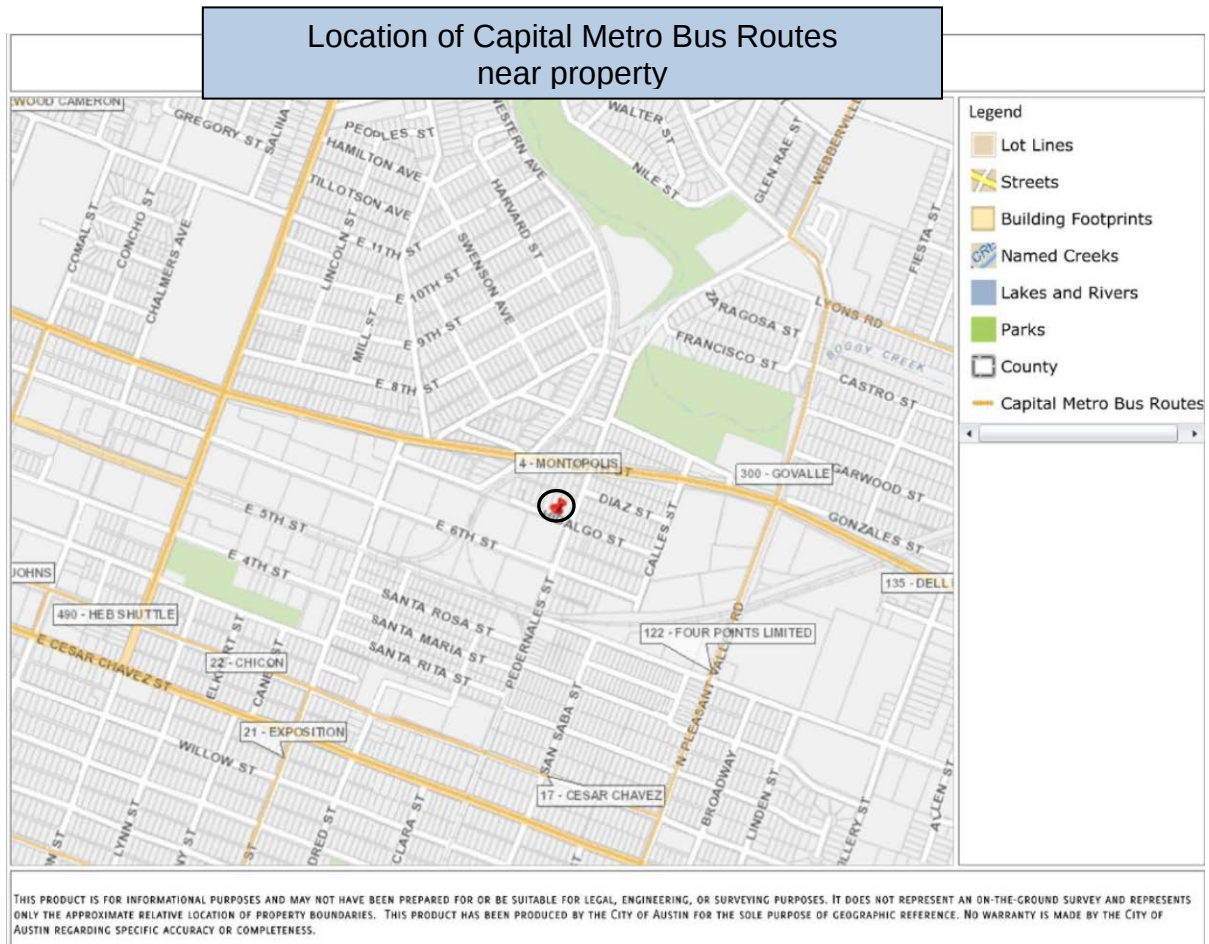
- ***The proposed land use change is compatible with the existing land uses.***
6. Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
 - ***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.
 - ***Not applicable.***
 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.
 - ***Not directly applicable.***
 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 directly applicable.***



Location of parks in vicinity of 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 April 8, 2016, which is out-of-cycle for neighborhood planning areas located on the east side of I.H.-35. Greg Guernsey, Director of the Planning and Zoning Department, allowed the plan amendment application to be filed out-of-cycle. See Greg Guernsey's letter on page 12.

There is no Holly Neighborhood Plan Contact Team for the planning area which the applicant could have approached to ask for permission to file an out-of-cycle neighborhood plan amendment application.

The applicant has requested a change in the future land use map from Industry to Mixed Use for a multifamily development. The applicant proposes to change the zoning on the property from LI-CO-NP to CS-MU-CO-NP. See case report C14-2016-0043 for more information on the zoning request

PUBLIC MEETINGS: The ordinance required community meeting was held on May 17, 2016. Approximately 315 meeting notices were mailed to people who live or own property within 500 feet of the property, in addition to neighborhood and environmental groups who requested notification for the area. Five people attended the meeting, in addition to David Cox, the applicant/owner, Michael Whellan, and one city staff member.

After city staff provided an overview of the applicant's plan amendment and zoning request and explained the planning process in general, David Cox made the following presentation.

David Cox said the proposed zoning is for CS-MU-CO-NP with the proposed conditional overlay being the same as the Balcones property with no automobile uses and pawn shops. There will be approximate 250 apartments between the two properties. He said they do not have a site plan, because that would happen if the property is rezoned.

After his presentation, the following questions were asked:

Q. What is the current use? Are you renting it out?

A. No, it's not leased out. There used to be a towing company, but he left.

Q. Will there be storefronts facing the street?

A. That's the idea to have it facing Pedernales Street.

Q. Will there be guest parking?

A. There will be guest parking on the property. We will meet the City of Austin's parking requirement, but the market requires more parking.

Q. If SXSW holds events there, they will use the parking spaces. Maybe you could prohibit off-street parking.

A. I would need to review that. We probably couldn't prohibit it because we might need the parking for the commercial uses.

Q. If there will be 250 apartments with two people living in each apartment, there could be 500 cars leaving the apartment in the mornings.

A. People don't leave all at one time.

Q. Where will be the access?

A. There is a 30 foot alley where the ingress/egress will be.

Q. I'm concerned about people from your development parking in our neighborhood. Would you be willing to pay for the annual residential permits?

A. I don't want to comment to pay for neighborhood parking permits. It would be difficult to say for certain that the people who park in the neighborhood is from our development.

Q. Once it you build it, do you plan to sell the project?

A. We will own it forever.

Q. Will there be a restaurant there?

A. We haven't looked at that, but it would be a reasonable use on E. 6th Street. It would be small space. It's not a large space.

Q. Will there be affordable housing?

A. Yes, but it would be on the property with the VMU zoning, not on the property proposed for MU zoning.

Q. We want the apartments to be very affordable. 80% is not affordable.

A. We will look into it.

Q. Do you plan to have commercial uses?

A. Yes. It's better to have commercial on the bottom and residential on the top.

There is no Holly Planning Contact Team in the planning area.

CITY COUNCIL DATE:

August 11, 2016

ACTION: Postponed to September 22, 2016 at the request of the applicant. [K. Tovo – 1st; L. Pool – 2nd] Vote: 11-0.

September 22, 2016

ACTION: Approved on 1st Reading for Mixed Use land use. [O. Houston – 1st; G. Cesar – 2nd] Vote: 10-0 [Councilmember E. Troxclair absent]

October 13, 2016

ACTION: Postponed to November 10, 2016 at the request of the applicant. [D. Zimmerman-1st; S. Gallo – 2nd] Vote 9-0 [Council members P. Renteria and E. Troxclair absent]

November 10, 2016

ACTION: Postponed to the December 8, 2016 meeting at the request of the staff. [D. Zimmerman – 1st; O. Houston- 2nd] Vote: 11-0.

December 8, 2016

ACTION: Postponed to the December 15, 2016 meeting at the request of the staff. [E. Troxclair -1st, D. Zimmerman - 2nd] Vote:

10-0. [MPT K. Tovo absent]

CASE MANAGER: Maureen Meredith

PHONE: (512) 974-2695

EMAIL: maureen.meredith@austexas.gov

Letter from Planning Director Allowing the
Out-of-Cycle Plan Amendment Application

From: Guernsey, Greg

Sent: Thursday, April 07, 2016 8:10 AM

To: Meredith, Maureen; Whellan, Michael

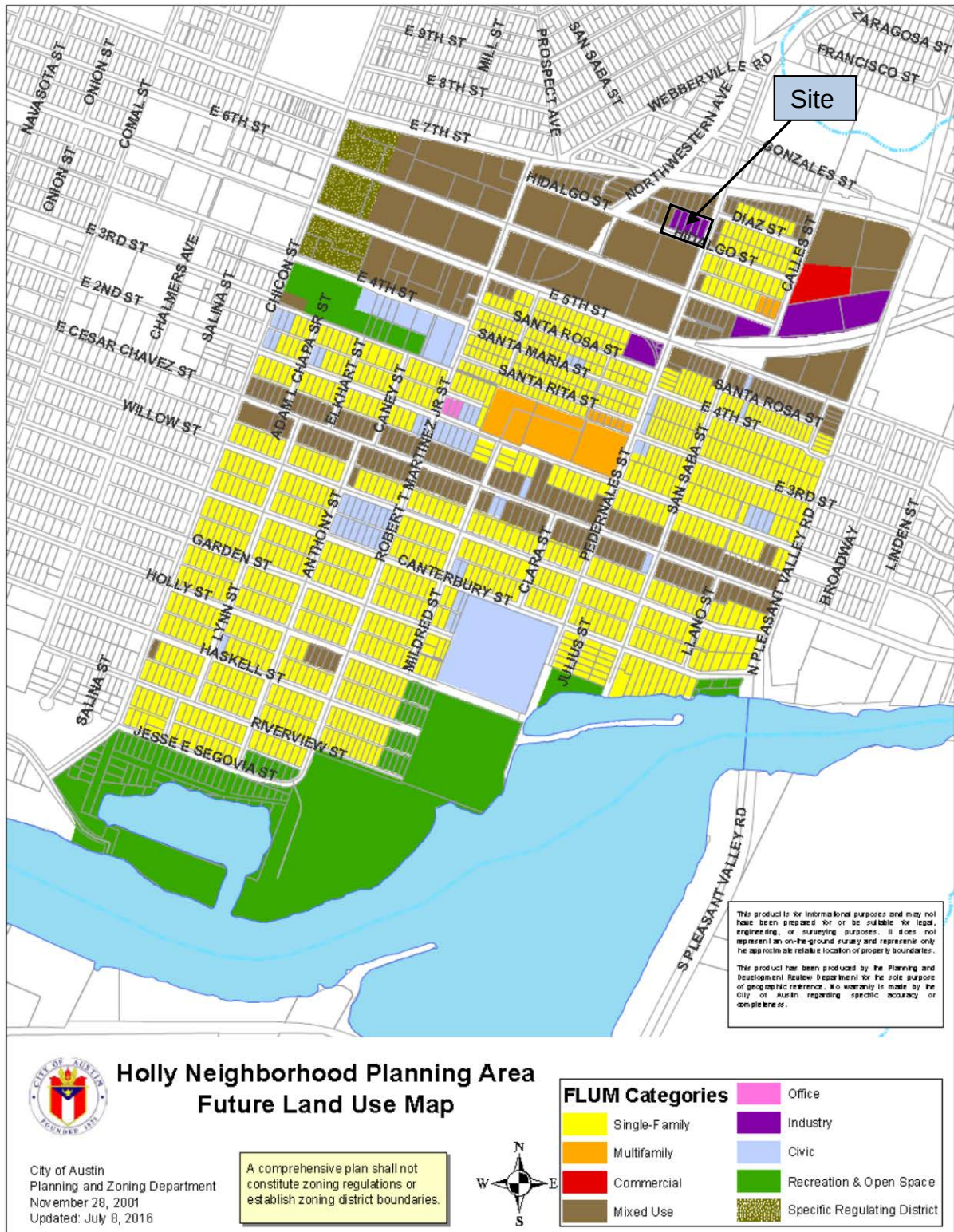
Cc: Santerre, Judy C.; Greathouse, Stevie; Dugan, Matthew; Lewis, Matthew

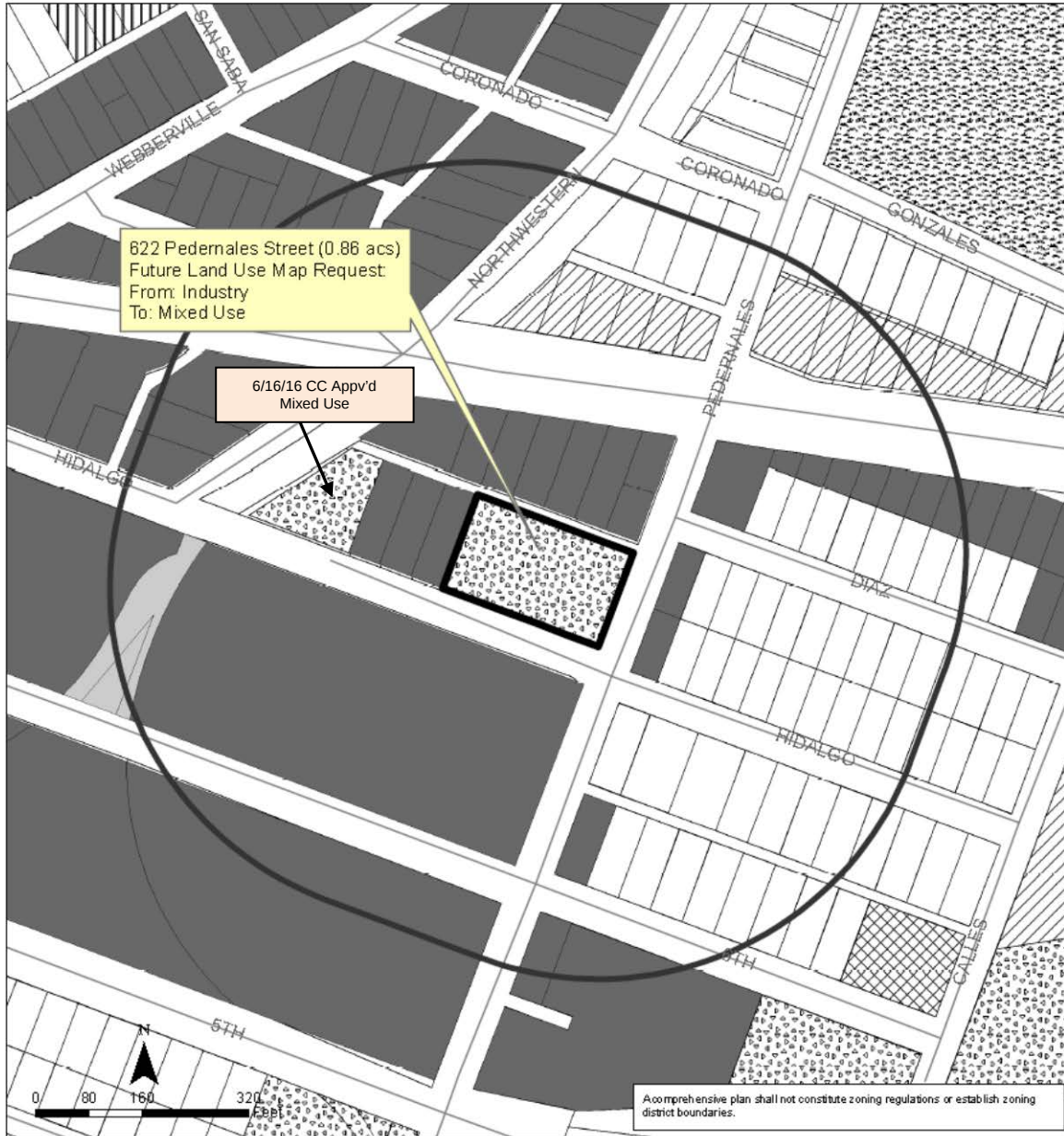
Subject: RE: 2422 Hidalgo St. - Neighborhood Plan Amendment Application

Hello Maureen and Michael:

In accordance with Section 25-1-804 – APPLICATION TO AMEND NEIGHBORHOOD PLAN, I will accept the future land use map amendment request for the property at 2422 Hidalgo Street under Section 25-1-804 (C1)(1) as a hardship, since not neighborhood contact team exists within the Holly Neighborhood Planning Area and the proposed FLUM change and zoning change would have the effect of reducing the potential of future industrial uses being established with close proximity (approximately 100 feet) to an existing single family neighborhood. In addition, the existing property is not in compliance with current environmental regulations and the property owner agreed to comply with current water quality rules and regulations as set forth in the City Code and technical manuals for the new non-industrial mixed-use development project.

Greg





Holly Neighborhood Planning Area NPA-2016-0010.02

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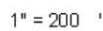
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City of Austin
Planning and Development Review Department
Created on 6/29/2016, by: meredithm

Future Land Use

	500 ft. Notification Boundary		Specific Regulating District
	Subject Property		Office
	Single-Family		Industry
	Multi-Family		Civic
	Commercial		Recreation & Open Space
	Mixed Use		Transportation

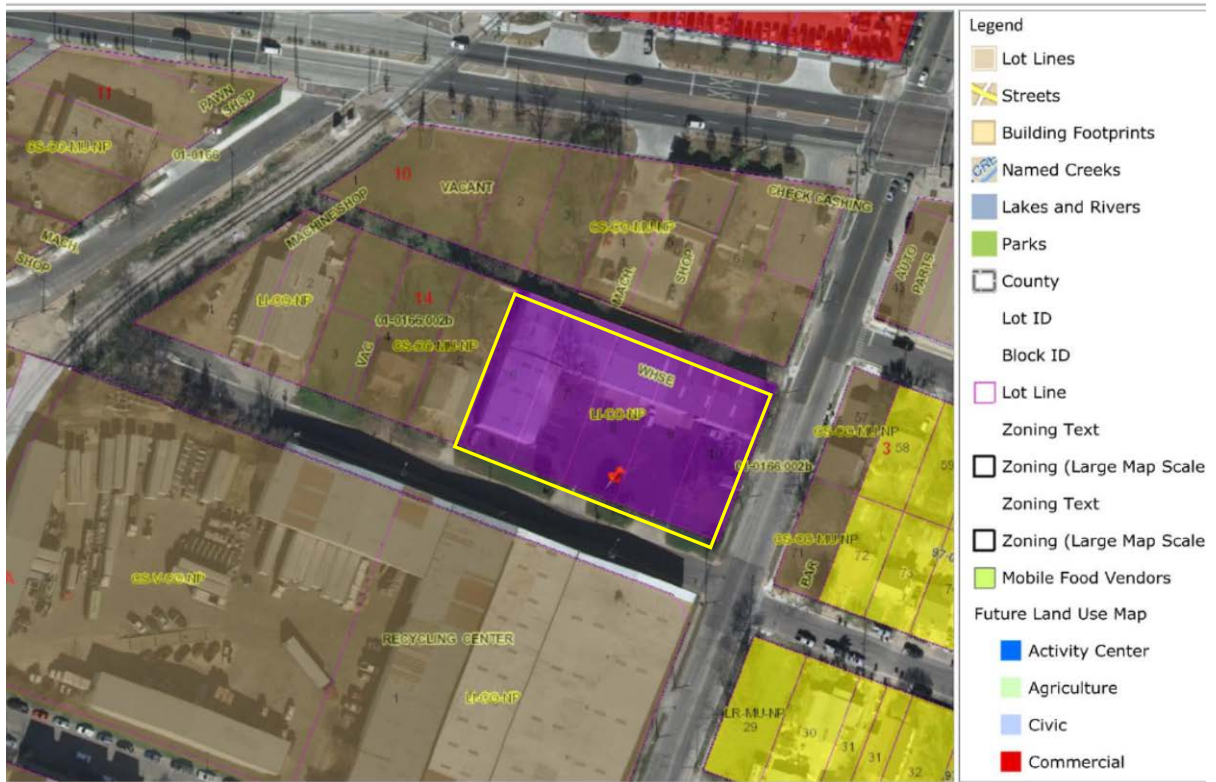


ZONING CASE#: C14-2016-0043



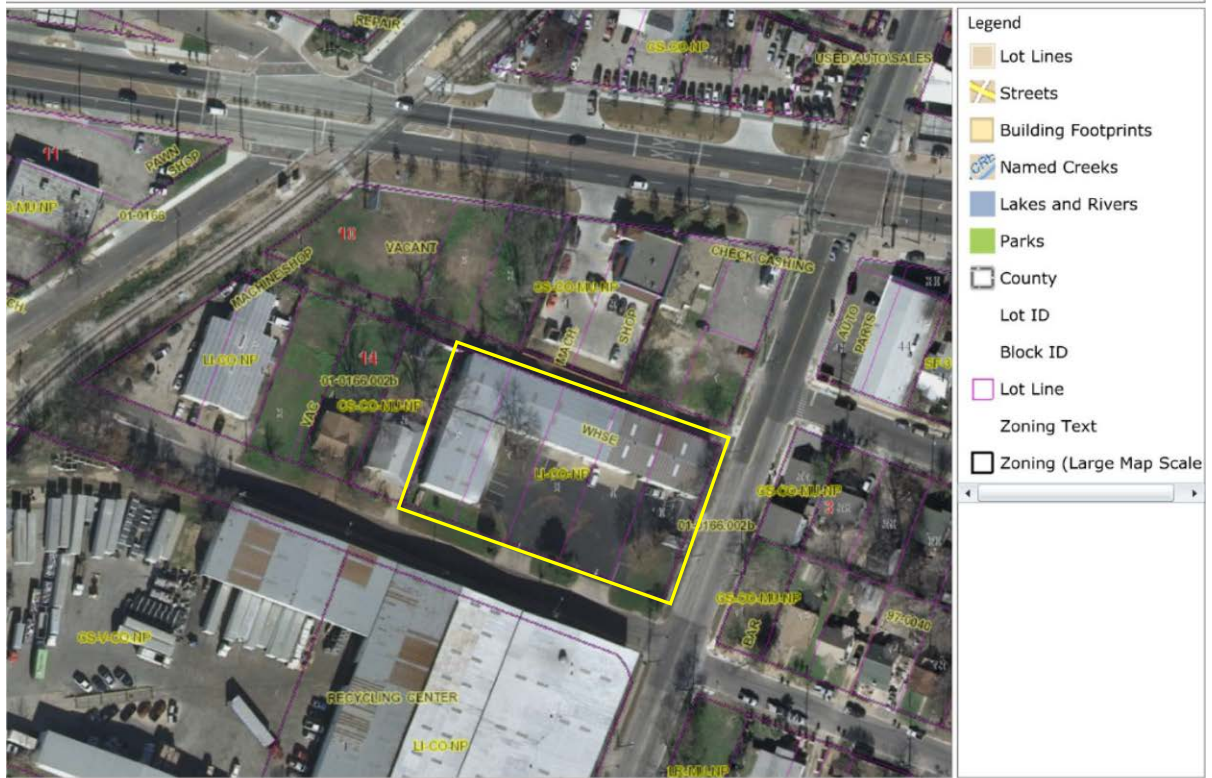
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CITY OF AUSTIN DEVELOPMENT WEB MAP



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From: Sarah and Chris Robinson [mailto:sarahchris@]
Sent: Monday, May 16, 2016 8:15 PM
To: Chaffin, Heather
Cc: Meredith, Maureen; gjmoreno@
Subject: Public Hearing Comment - Case # C14-2016-0043

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 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

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

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

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.

RECEIVED
8/24/16

Case Number: NPA-2016-0010.02
Contact: Phone: 512-974-2695
Public Hearings: Jul 26, 2016, Planning Commission
Aug 11, 2016, City Council

☐ I am in favor
☒ I object

budget Wilson
Your Name (please print)

2401 e. 6th # 2030 Austin TX 78702
Your address(es) affected by this application

Signature
Date 7/29/16

Comments:

multiple mixed use locations
being erected quickly and densely
that aren't being rented yet inundating
the area with speeding cars, ~~no~~
improvement in traffic structure, litter, noise
and more invested transient neighbors.

despite owner objections the city keeps pushing

these projects, massive in comparison
to our homes, into our neighborhood.