

ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0035 707 W 14th Apartments

DISTRICT: 9

ZONING FROM: GO

TO: DMU-CO

ADDRESS: 707 West 14th Street

SITE AREA: 0.10 acres (4,356 sq. ft.)

PROPERTY OWNER: Jaydev (Jay Reddy)

AGENT: 503 Walnut, LLC (Chris Riley)

CASE MANAGER: Mark Graham (512-974-3574, mark.graham@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant downtown mixed use – conditional overlay (DMU-CO) district zoning. The Conditional Overlay limits building height to 60 feet. For a summary of the basis of staff's recommendation, see case manager comments below.

PLANNING COMMISSION ACTION / RECOMMENDATION:

June 23, 2020: APPROVED (DMU-CO) DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT.

[J. THOMPSON; R. SCHNEIDER 2ND] (12-0) P. Seeger - ABSENT

CITY COUNCIL ACTION:

Jul 30, 2020:

ORDINANCE NUMBER

ISSUES:

No issues have been identified for this request.

CASE MANAGER COMMENTS:

The subject rezoning consists of a 0.10 ac (4,416 sq. ft.) site fronting West 14th Street between Rio Grande Street and West Avenue. There is no minimum lot size for the requested DMU zone. Both sides of the street are zoned for office uses. On the south side of West 14th Street, the east half the block including the subject site is zoned for general office (GO) and the west half zoned for limited office (LO). The application notes that the existing building was used as an office before fire damage in 2018. The north side of West 14th Street in the same block is zoned GO.

The owner intends to raze the fire damaged building and build apartments on the site. The requested DMU zone district permits the residential use with a maximum impervious coverage of 100%, Floor Area Ratio (FAR) of 5:1, has no required setbacks or yards.

Mixed Use

The site is within the Downtown Austin Plan (DAP), in the Northwest District. The DAP recommends infill residential in the Northwest District with increased density (AU-1.2). The subject site is on a block that is residential in appearance though entirely zoned for office uses. The two-story apartment style building next door to the east is an architect's office. To the west there are three small detached buildings built as houses, two of which are used as offices. There is an accounting practice in the house style building on the northwest corner of West 14th Street and West Avenue. Next door to the accountant and immediately across the street from the subject property are two and three-story apartment buildings.

Height

Two Land Development Code regulations affect the height for the subject property: the zone district limit and the Capitol View Corridor (CVC) limits. The Downtown Austin Plan, adopted 2011, made specific zoning recommendations for rezoning with an emphasis on height in the Northwest part of Downtown Austin. The DAP map (Exhibit C) shows proposed rezoning to Downtown Mixed Use appended with a number indicating maximum height. The recommendation was to eliminate single use zones in favor of mixed-use zones each with a maximum building height: 40, 60, 80 or 120 feet, leading up to the CBD zone district with no height limit. In short, the zone district height limits provide transitions from lower height districts to the Central Business District. Although the separate zone districts were not created in the Land Development Code, they provide guidance here. In this case, 707 14th Street is in the general office (GO) zoned area which becomes DMU-60. This is the basis for the recommended conditional overlay (CO) limiting building height to 60 feet. Although it appeared that a City of Austin Capital View Corridor (CVC) might affect development height it has been determined that the CVC does not affect this property.

BASIS OF RECOMMENDATION:

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

DMU – Downtown Mixed-Use district is intended for areas on the periphery of the central business district (CBD) zoning 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.

The subject site is in the Downtown Austin Plan (DAP): Northwest District. The area is already a mix of office and residential uses, but in single purpose districts and at low intensities. When the DAP was adopted in 2011 this area was identified as an area that should be rezoned to DMU with a 60 foot limit on building heights. The subject proposal is to raze what was once a single-family detached house and build apartments in its place using the flexibility of the DMU zoning and consistent with plans for the periphery of downtown. The property is **not** in a designated Downtown Density Bonus Area.

2. *The proposed zoning should satisfy a real public need and not provide special privilege to the owner.*

The need for additional infill housing in Austin is well documented. The proposal is aligned with community goals for compact and connected development. The location is close to downtown employment and entertainment, the Austin Recreation Center, Austin Community College and the Shoal Creek open space and trail. The location is about one-third of a mile, via West Avenue and West 12th Street to North Lamar Boulevard, an Imagine Austin Corridor.

3. *Zoning should allow for reasonable use of the property.*

There are residential and office uses around the subject site. The proposal is for multifamily residential. The DAP recommends changing from single purpose zoning districts to the mixed use DMU zone, and also specifically for infill residential uses with increased density in the Northwest District. The proposal is consistent with those recommendations.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	GO	Vacant building
North	GO, LO, GO-H	Multi-family residential, office
South	GO, across W 13 th Half St: DMU-CO	Bed and breakfast, educational
East	LO, MF-5-CO-NP	Office, residential
West	LO, across West Ave. GO-MU-H-CO, MF-4, LO	Office, residential

NEIGHBORHOOD PLANNING AREA: Downtown Austin Plan (Northwest District)

TIA: Deferred until Site Plan when use and intensities will be known.

WATERSHED: Shoal Creek-Urban. 100% impervious cover permitted in DMU zoning district.

OVERLAYS: ADU Approximate Area Reduced Parking Capitol View Corridors: ENFIELD ROAD
Downtown Austin Plan Districts: Northwest Residential Design Standards: LDC/25-2-Subchapter F

SCHOOLS:

Mathews Elementary

O. Henry Middle

Austin High

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Bike Austin
 Central Austin Community Development Corporation
 City of Austin Downtown Commission
 Downtown Austin Alliance
 Downtown Austin Neighborhood Assn. (DANA)

Friends of Austin Neighborhoods
 Historic Austin Neighborhood Association
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Old Austin Neighborhood Association
 Preservation Austin
 SEL Texas
 Shoal Creek Conservancy
 Sierra Club, Austin Regional Group
 West Downtown Alliance, Inc.

AREA CASE HISTORIES

Number	Request	Commission	City Council
C14H-2009-0026 Byrne-Reed House 1410 Rio Grande St.	Rezone 0.4055 ac. GO to GO-H	To grant	Apvd, 03/10/2011 Ord #20110310-036
C14-2019-0091 503 Walnut Apts 503 W 14 th St	Rezone .0758 ac. GO to DMU-CO. Conditions: height not to exceed 60 ft.; prohibited uses: Bail bond svcs., cocktail lounge, liquor sales, outdoor amplified sound, pawn shop svcs.	To grant	Apvd, 09/19/2019 Ord # 20190919-132
C14-2010-0197 600 W. 13 th St	GO to DMU-CO. Conditions: maximum height 60 ft.; prohibited uses: pawn shop svcs., bail bond svcs., cocktail lounge, liquor sales, outdoor entertainment	To grant	Apvd, 03/10/2011 Ord # 20110310-034
C14-2012-0082 1209 Rio Grande St ACC Rio Grande Campus- Block 152 Rezoning	GO and LR-CO to DMU	To grant	Expired.

C14-01-0052 605 W 13 th St Waterloo I, Ltd	Rezone 0.0160 ac. GO to LR-CO (surface off-street parking may not be closer than 10 ft. from property line parallel to W 13 th St.; prohibited uses: Bed and breakfast (group 1 and 2), art and craft studio (limited), consumer repair svcs., food sales, medical office (not exceeding 5,000 sq. ft.), personal svcs., professional office, service station, administrative and business office, consumer convenience services, financial services, off-site accessory parking, pet services, urban farm, restaurant (limited), software development, communication service facilities, college and university facilities, community events, day care svcs., (limited), cultural svcs. Private secondary education facilities, private primary educational facilities, Public secondary educational facilities, public primary educational facilities, telecommunication tower 1, counseling svcs., day care svcs., commercial) day care svcs., (general), local utility svcs., safety svcs.	To grant	Apvd, 8/9/2001 Ord # 010809-28
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C14-2012-0081 1212 Rio Grande St. Block 153 Rezoning,	Rezone from UNZ and UNZ-H to DMU-CO and DMU-CO-H. Condition: maximum height 60 ft. Prohibited uses Tract 1: Automotive repair services, automotive sales, automotive washing (of any type), bail bond svcs., cocktail lounge, exterminating services, liquor sales, outdoor entertainment, residential treatment, service station, pawn shop services. Prohibited uses Tract 2: Automotive repair svcs., automotive sales, automotive washing (of any type) , bail bond svcs., cocktail lounge, exterminating svcs. Liquor sales, outdoor entertainment, residential treatment, service station.	To grant	Apvd, 10/05/2017 Ord # 20171005-043
C14-2017-0076 1212 Rio Grande St. Block 153 Zoning ACC Rio Grande Campus	Rezone 1.451 ac. from UNZ to DMU-CO for Tract 1 and 1.796 ac UNZ-H to DMU-H for Tract 2. Conditions: maximum height of 60 ft.;	To grant	Apvd, 10/05/2017 Ord # 20171005-043

	<p>Tract 1 prohibited uses: automotive repair svcs., automotive sales, automotive washing (of any type) bail bond svcs., cocktail lounge, exterminating svcs., liquor sales, outdoor entertainment, residential treatment, service station, pawn shop svcs.</p> <p>Tract 2 prohibited uses: Automotive repair svcs., automotive sales, automotive washing (of any type), bail bond svcs., cocktail lounge, exterminating svcs., liquor sales, outdoor entertainment, residential treatment, service station.</p>		
C14H-2012-0013 1212, 1216 Rio Grande St; 1215 ½ West Ave. Austin High School	<p>Tract 1: 1.388 ac. Tract 2: 1.859 ac. Tract 4: 1.451 ac., UNZ to DMU-80 Tract 5: 1.796 ac., UNZ-H to DMU-80-H</p>	unknown	Expired
C14-2012-0080 1240, 1204 West Ave ACC-Rio Grande	Rezone 0.3627 ac LO, MF-4, and CS to DMU.	To grant	Expired
C14-2012-0079 1218 West Ave ACC Rio Grande Campus #1	Rezone 0.8803 from SF-3, P to DMU-H-CO	To grant	Expired
C14-2017-0077 1218 West Avenue ACC Rio Grande Campus	Rezone 0.8803 ac. from SF-3, P to DMU-CO. Conditions: vehicle trips limited to 2000 per day, building height limited to 60 feet. Prohibited uses: automotive repair svcs., automotive sales, automotive washing (any type) bail bond svcs., cocktail lounge, exterminating svcs., liquor sales, outdoor entertainment, residential treatment, service station.	To grant	Apvd 10/05/2017 Ord # 20171005-044
C14-2007-0219 1306 West Ave.	Rezone 0.344 ac from SF-3 to MF-4	To grant	Apvd., 01/10/2008 Ord # 20080110-088

C14H-00-2183 1308 West Avenue Mueller-Danforth House II	Rezone 0.579 ac. from SF-3 to GO-MU-H-CO	To grant	Apvd., 12/14/2000 Ord # 001214-95
C14H-00-2182 1400 West Avenue Mueller-Danforth House I	Rezone 0.481 from SF-3 to GO-MU-H-CO	To grant	Apvd., 12/14/2000 Ord # 001214-94
C14-2013-0087 1402 West Ave.	Rezone from LO-H to DMU - CO-H. Conditions: Uses may not generate trips exceeding 2000 per day. Maximum impervious cover is 70 percent. Minimum setbacks 25 feet front yard, 5 feet rear, and 5 ft. side yard.	To grant	Apvd. 12/12/2013 Ord # 20131212-106

RELATED CASES

None

LEGAL DESCRIPTION

The north 69 feet of Lot 6, Block 153, Original City Subdivision

OTHER STAFF COMMENTS:

Site Plan

SP1. Site plans will be required for any new development other than single-family or duplex residential.

SP2. 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. This project is less than 540 ft. from a property to the west zoned SF-3.

SP4 CVC comment removed by Case Manager

SP4. This site is within the Downtown Austin Plan. Learn more here
<http://www.austintexas.gov/page/downtown-austin-plan>

SP5. The DMU zoning allows the following development regulations:

Maximum Height: 120 ft. (unless reduced by a Conditional Overlay, Restrictive Covenant, Capitol View Corridor or other development regulation).

Maximum Building Coverage: 100%

Maximum FAR: 5:1

Maximum Impervious Cover: 100%

Environmental Review

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. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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.

Comprehensive Plan**Downtown Austin Plan**

The property is in the North West District of the Downtown Austin Plan (DAP). The applicant is proposing to change the zoning from General Office (GO), to Downtown Mixed Use (DMU). Some of the Northwest Street District specific goals are:

- Preserve the neighborhood's historic character (p.38)
- To improve the pedestrian environment. (p.38)
- Improve conditions for bicycling (p.38)
- Great Streets improvements are a public improvement priority for this district (p.38)

The property is currently the site of a one-story home, which later was converted to an office building, was damaged in a fire in 2018 and sat vacant since. The change to DMU will allow for greater density.

The following DAP goals are relevant to this case:

- DD-1.1: Maintain height and density limits as a baseline with some adjustments on the surrounding context. (p.23)
- DD-3.1: Promote a compatible relationship between new and historic buildings (p.24)

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

Austin Water Utility

AW1. 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.

INDEX OF EXHIBITS TO FOLLOW

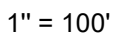
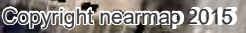
Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Downtown Austin Plan: Rezoning Recommendations Map



Created: 3/13/2020



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Exhibit B

MANAGER: MARK GRAHAM



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.

