ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0108 Parker House DISTRICT: 5

ZONING FROM: GO-H-NP and MF-4-H-NP

TO: GO-H-NP (Tract 1) and MF-4-NP (Tract 2), as amended

ADDRESS: 2404 Rio Grande Street

SITE AREA: 0.3245 Acres

PROPERTY OWNER/APPLICANT: 2404 Rio Grande St. LP (William Archer)

AGENT: South Llano Strategies (Glen Coleman)

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)

STAFF RECOMMENDATION:
Staff supports the Applicant's request to rezone the property to GO-H-NP on Tract 1 and MF-4-NP on Tract 2. *For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

HISTORIC LANDMARK COMMISSION ACTION/ RECOMMENDATION:
May 18, 2020: TO DENY THE REMOVAL OF HISTORIC LANDMARK DESIGNATION (H-) FROM TRACT 2 (7-0). [Myer- 1st, Little- 2nd; Reed, Jacob, Koch, Papavasiliou- Absent]

PLANNING COMMISSION ACTION/ RECOMMENDATION:
August 11, 2020: To grant Staff recommendation (7-1) [Anderson- 1st, Kenny- 2nd; Shaw- Nay; Llanes-Pulido, Kazi, Schneider- Abstain]
July 28, 2020: To postpone to August 11, 2020 as requested by Planning Commission, on consent.
June 23, 2020: To grant postponement to July 28, 2020 as requested by Applicant, on consent.
May 26, 2020: To grant postponement to June 23, 2020 as requested by Neighborhood, on consent.

CITY COUNCIL ACTION:
August 27, 2020:
July 30, 2020: To grant postponement to August 11, 2020 as requested by Staff, on consent
June 4, 2020: To grant postponement to July 30, 2020 as requested by Staff, on consent.

ORDINANCE NUMBER:

ISSUES:
The Applicant proposes removing the historic landmark designation (H-) from the rear of the property (Tract 2 only) and adjusting the boundary of the MF-4 area and the GO area. This would allow redevelopment of Tract 2. No change to the base zoning district or historic landmark designation is proposed on Tract 1, where the Parker House building is located. No changes to the Parker House structure are proposed.

The Applicant previously requested higher intensity-mixed use zoning on the property and has amended the request twice to reduce the intensity of the zoning requested. The current amendment to the rezoning is a result of additional research by the Applicant into the West Campus/University Neighborhood Overlay (UNO). The Applicant has determined that their land use and redevelopment goals can be achieved under UNO if the H- designation is removed from Tract 2.

The Applicant proposes that the existing GO-H-NP zoning on Tract 1 extend 10 feet from the rear of the Parker House structure, and MF-4-NP for Tract 2. Staff originally recommended a 15-foot setback but decided to support the 10-foot setback at a later point. Currently the GO- approximately 24 feet from the rear of the Parker House structure.

The Historic Landmark Commission (HLC) voted 7-0 to deny the request to remove the H-designation from the MF-4-H-NP area.

CASE MANAGER COMMENTS:
The proposed rezoning is for 0.3245 acre property located on the west side of Rio Grande Street between West 24th and West 25th Streets. The property is located in the Outer West Campus subdistrict of the West Campus/University Neighborhood Overlay (UNO). The property is also located within the West University Neighborhood Plan area. The properties are designated as Mixed Use on the future land use map (FLUM) of the Central Austin Combined Neighborhood Plan area, so a FLUM amendment is not required.

The front portion of the property is developed with the historic Parker House and is zoned GO-H-NP (Tract 1). The rear of the property is zoned MF-4-H-NP and is used for a parking area, garage, and a garage apartment. South of the property is a fraternity house and a convenience store with gas station, both zoned CS-NP. West of the property is multifamily land use, zoned MF-4-NP. North of the property is multifamily land use, zoned MF-5-NP, LO-NP, GO-NP, and MF-4-NP. Across Rio Grande Street to the east are properties zoned MF-4-NP, CS-NP, and CS-1-NP. These properties are developed with sorority house and multifamily land uses. ***Please see Exhibits A and B—Zoning Map and Aerial Exhibit.***

The Applicant is requesting that the H- designation be removed from the rear portion of the property where the parking and apartment unit is located (Tract 2). Since this area does not contain any structures of historic significance, Staff supports this request. This would allow redevelopment of that area that does not have historical significance. The boundary between the GO-H-NP zoning on Tract 1 and the MF-4-NP zoning on Tract 2 would be adjusted to match the setback.

HISTORIC PRESERVATION OFFICE COMMENTS:
The Applicant came before the Historic Landmark Commission with a proposal to construct a new rear building on this site in the H-zoned section of the tract, even though the site for the proposed

new building was a parking lot and non-historic building that did not contribute to the context of the historic Parker House. The Applicant worked with the Certificate of Appropriateness Review Committee on the design of the proposed new building and resulted in a positive recommendation for its construction. HPO staff is concerned that removal of the H zoning at this point without a commitment to construct the approved building, nor plans for another new building will result in the loss of authority to review any proposed new construction on the site. The requested buffer of 10 feet may be sufficient to protect the integrity of the context of the historic Parker House.

The Historic Landmark Commission (HLC) voted 7-0 to deny the request to remove the H-designation from the MF-4-H-NP area in May 2020. Minutes from that meeting are attached. ***Please see Exhibit C- HLC Minutes.***

Correspondence has been received regarding the rezoning request. ***Please see Exhibit D-Correspondence.***

BASIS OF RECOMMENDATION:

1. Zoning should allow for reasonable use of the property.

The H-designation on Tract 2 effectively precludes redevelopment of Tract 2. The MF-4-H-NP portion of the property contains a small garage and garage apartment, but a parking lot takes up most of the area. This is not the highest and best use of a multifamily zoned parcel in the west campus area.

2. Granting of the request should result in an equal treatment of similarly situated properties.

Historic landmark designation is typically not retained on properties with no historic significance.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	GO-H-NP, MF-4-H-NP	Office, Multifamily
North	LO-NP, GO-NP, MF-5-NP, MF-4-NP	Multifamily
South	CS- NP	Fraternity house, Convenience store/gas station
East	CS-NP, CS-1-NP, MF-4-NP	Multifamily
West	MF-4-NP	Multifamily

STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Rio Grande St	60'	32'	ASMP level 2	Yes	Yes	No

NEIGHBORHOOD PLANNING AREA: West University NP Area

OVERLAYS: West Campus/UNO (Outer West Campus)

TIA: N/A

WATERSHED: Shoal Creek

NEIGHBORHOOD ORGANIZATIONS:

Homeless Neighborhood Association	AISD
Shoal Creek Conservancy	My Guadalupe
Austin Neighborhoods Council	CANPAC
Preservation Austin	Friends of Austin Neighborhoods
Central Austin CDC	Sierra Club
Neighborhood Empowerment Foundation	Bike Austin

OTHER STAFF COMMENTS:

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.
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 property.
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. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. 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.

SITE PLAN

SP 1. Site plans will be required for any new development other than single-family or duplex residential.
SP 2. 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.
SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
SP 4. FYI: Additional design regulations will be enforced at the time a site plan is submitted.

COMPATIBILITY STANDARDS

SP 5. The entire site is subject to compatibility standards due to proximity to property zoned SF-3-NP on all sides. The following standards apply:

· For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.

· For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
SP 7. The site is subject to 25-2 Subchapter F. Residential Design and Compatibility Standards.

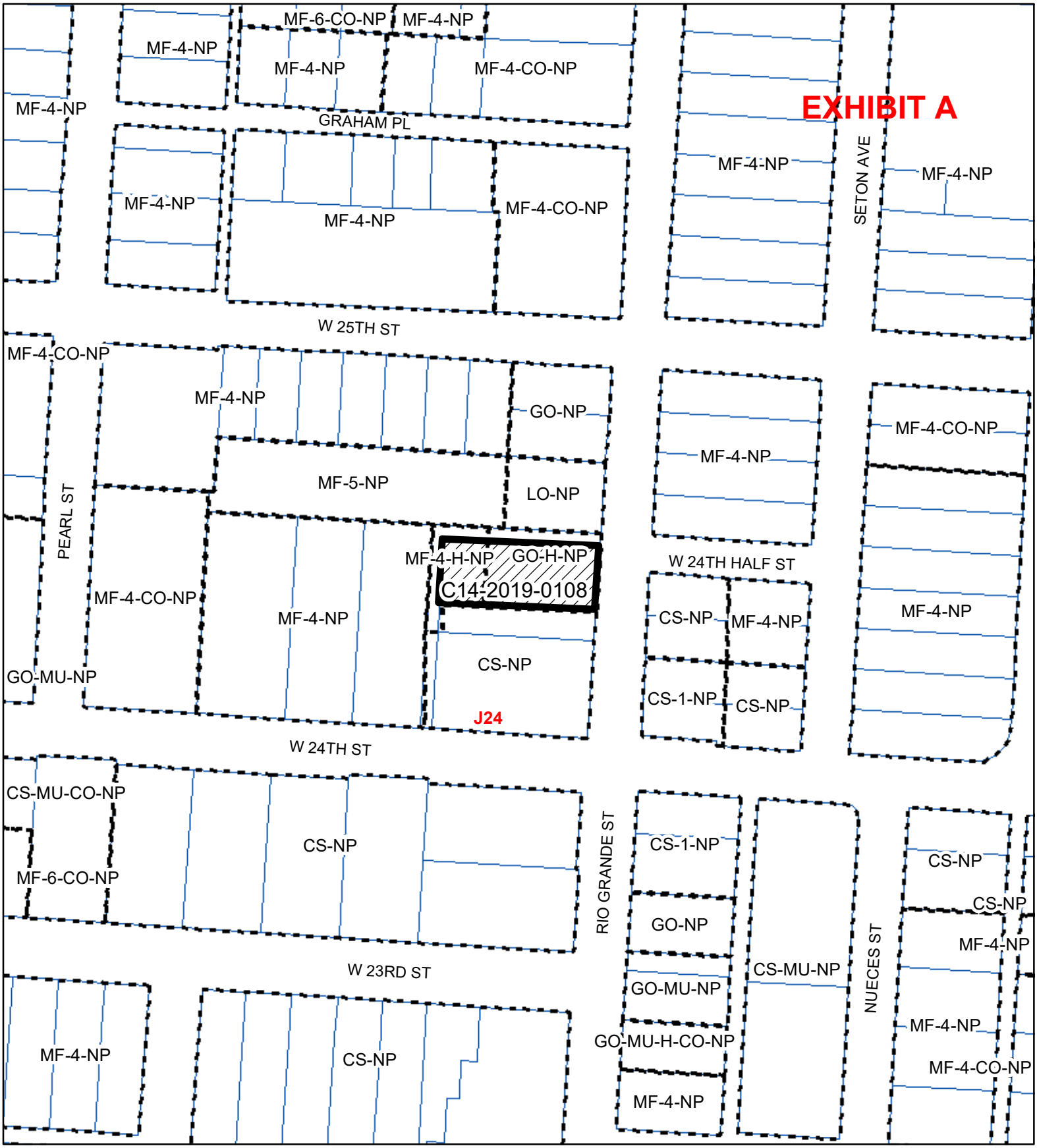
TRANSPORTATION
A traffic impact analysis shall be required at the time of site plan if triggered. The Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 60 feet of right-of-way for Rio Grande St. Additional right-of-way maybe required at the time of subdivision and/or site plan. The adjacent street characteristics table is provided below:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Rio Grande St	60'	32'	ASMP level 2	Yes	Yes	No

WATER UTILITY
1. 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. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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:

A: Zoning Map
B. Aerial Exhibit
C. HLC Minutes
D. Correspondence

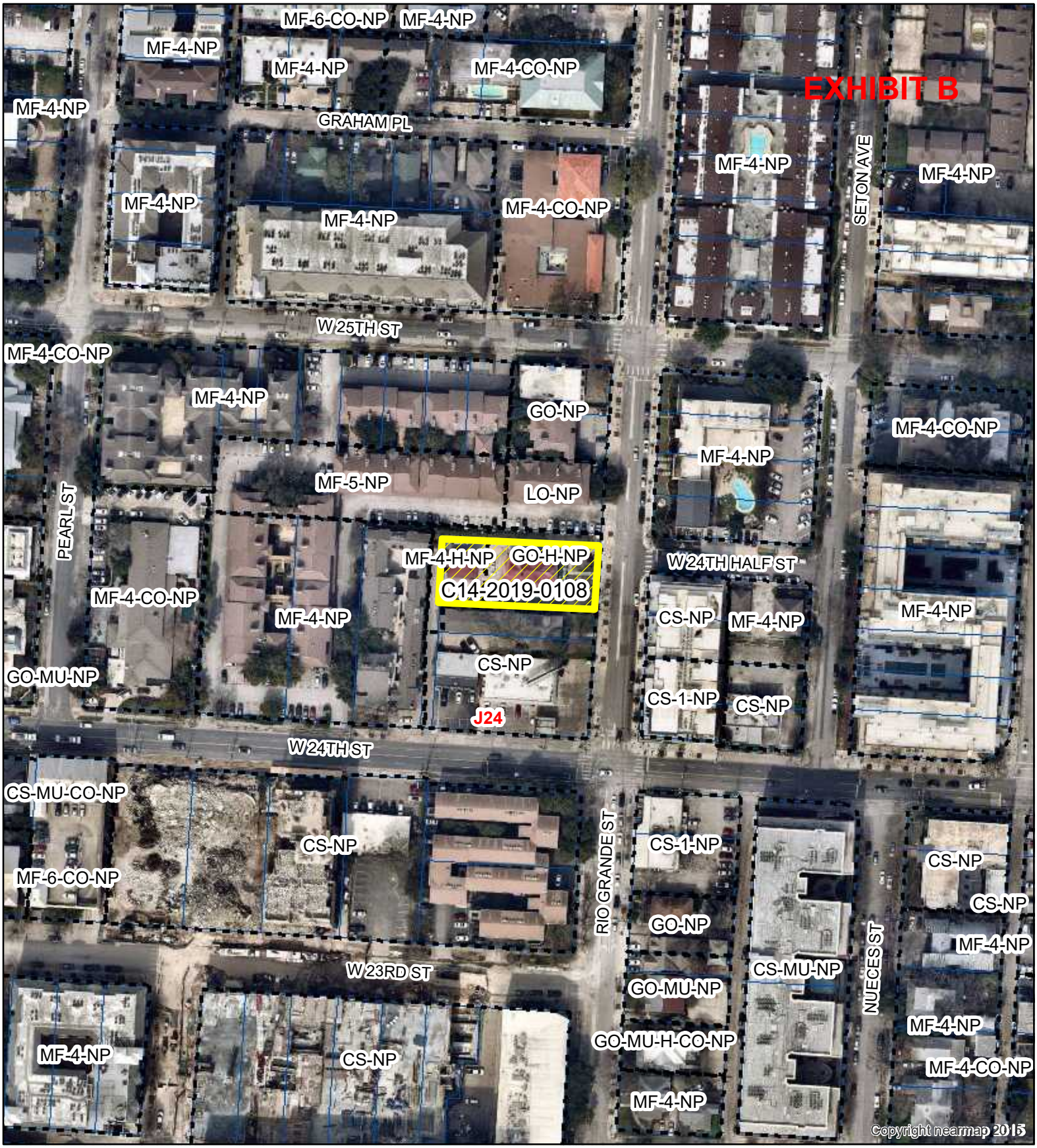


PARKER HOUSE

ZONING CASE#: C14-2019-0108
LOCATION: 2404 RIO GRANDE ST
SUBJECT AREA: .3245 Acres
GRID: J24
MANAGER: Heather Chaffin

1" = 150'

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.



N

C14-2020-0015

Creek Buffers

ZONING BOUNDARY

PARKER HOUSE

ZONING CASE#: C14-2019-0108
LOCATION: 2404 RIO GRANDE ST
SUBJECT AREA: .3245 Acres
GRID: J24
MANAGER: Heather Chaffin

1" = 150'

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EXHIBIT C

Historic Landmark Commission
May 18, 2020.

1. **C14-2019-0108 – Parker House – Offered for consent approval but with comments of concern by the Historic Preservation Office**
   2404 Rio Grande Street
   Council District 9
   Proposal: Remove historic zoning from the rear portion of the property.
   Applicant: William Archer, owner; Glen Coleman, agent.
   City Staff: Heather Chaffin, Planning and Zoning Department, 974-2122. Staff Recommendation: Approve but taking into consideration Historic Preservation Office comments.

Minutes for discussion of Item A.1:

- City Staff Heather Chaffin explained that the applicant is proposing to remove H-designation from rear of the property. This will allow residential and commercial uses on the rear of the lot.

- Historic Preservation Officer Steve Sadowsky gave a presentation on the project. He mentioned the applicants came up with previous proposals to add value to the property and the applicant worked with the Certificate of Appropriateness review committee on a design to construct a new building. Removal of H-zoning troubles staff because there's no guarantee of what will go back there. On the other hand, there is a 15-foot buffer which is what we generally require for historic buildings to protect integrity. If the HLC is comfortable with the buffer, they should recommend the zoning change.

- Commissioner Myers asked if the Certificate of Appropriateness that was granted for the new construction was still in effect.

- Sadowsky confirmed that an approved Certificates of Appropriateness doesn't expire.

- Commissioner Myers explained that a building in the rear wil gravitate from the back of the lot and reach into the H-zoned portion. Keeping H-zoning on the entire lot allow the Commission control over what gets built and how much it reaches into the historic portion.

- Commissioner Heimsath asked how big the lot is that they're requesting removal for.

- Chaffin said that they don't have the exact calculations for tract 1 and tract 2, but a rough estimate would be that the front 60% of the lot would retain H-zoning and the rear 40% would not have H-zoning.

- Commissioner Heimsath asked if there's only two structures on the property.

- Chaffin confirmed yes.

- Commissioner Heimsath noted that the property line would be close to the edge of the non-historic building.

- Chaffin is unsure regarding the closeness of the property line.

- Commissioner Heimsath asked for clarification on what looks like a driveway from Rio Grande street and parking lots that serve the adjacent apartment buildings. He doesn't see how a dense development could take place here if it was an isolated lot. There would be a lot of steps that would need to be taken to have a successful non-historic development.

- Chaffin confirmed that this was the proposal presented to staff.

- Commissioner Myers mentioned the parking lot behind the historic building and explained that the pulled the item for discussion because there was intrusion into the historic arena, as it were, at the last iteration. Seeing what's happened to another historic building that's now completely surrounded on two sides and overhead by construction, she is reluctant to give away H-zoning without a definite plan and a mandatory requirement of setback that includes airspace.

- Chaffin explained that its been a parking lot for 20 years. Prior to that there used to be living spaces at the back of the lot.

- Commissioner Myers moved to deny the removal of H-zoning on the property. She is open to the applicants coming back with specific plans, but is very hesitant to remove H-zoning because of what's happened in the past to other buildings.

- Commissioner Little seconded the motion.

- Commissioner Heimsath conveyed his concern over setting a precedent of having H-zoning nipped away at without a specific plan. He mentioned that this property has already been through the process for an approved addition that met the Commission's first round of approval. The fact that this wasn't good enough for the applicant doesn't put them in a good light.

- Commissioner Myers agrees with Commissioner Heimsath's comments that there will be unintended consequences that can transpire if they were to approve the removal of H-zoning.

- Commissioner Reed called a vote.

MOTION: Recommend against the removal of H zoning on the property by Myers, Little seconds. Vote: 7-0.

EXHIBIT D

August 3, 2020

Heather Chaffin
City of Austin Planning and Development
500 Barton Springs Road, Floor 5
Austin, Texas 78704

Re: C14-C14-2019-0108 - The Parker House / parking lot

Hello Heather,

Thank you for your assistance last week.

To review, after speaking with west campus community members and learning more about the UNO overlay, the applicant has decided to keep his existing zoning on the house and the parking lot and remove only the Historic designation, "H" from the back lot as indicated in the above referenced zoning case.

Consistent with your recommendation and that of University Area Partner's, this is contingent on the set back between the current and future structures not exceeding ten feet.

The above ask' was reflected, perfectly, in staff's recommendation at the July 28th Planning Commission. The applicant and I appreciate this; please place this letter in the August 11th back up along with the signed agreement by University Area Partners.

Thank You,

- glen coleman

glen coleman
glen@southllano.com

UNIVERSITY AREA PARTNERS, INC.

2026 Guadalupe #303B Austin, Texas 78705 (512) ~~474-6682~~ 554-8440

Planning Commission
City of Austin
P.O. Box 1088
Austin, Texas 78767

July 10, 2020

Re: C14-2019-0108, Parker House 2404 Rio Grande

Dear Commissioners,

The Board of Directors of University Area Partners is pleased to confirm that the owner and UAP have reached a mutually satisfactory agreement regarding the rezoning for the above described zoning case. The owner has agreed to withdraw the request for the MU overlay and will instead opt-in to either the University Neighborhood Overlay District or the Affordability Unlocked Overlay Program provided, however; that the Historic (H) overlay zoning is removed from the rear of 2404 Rio Grande beginning at a point 10 ft from the rear of the Parker House as illustrated on the attached exhibit.

UAP wants to thank the owner and his agent for working with UAP to achieve this agreement which is a benefit to all and the affordability of new housing in Austin.

Best regards,

Mike McHone, V. P. University Area Partners

Acknowledged and agreed: Parker House authorized representative

glen COLEMAN
7-24-2020

Exhibit C14-2019-0108 Pauline House

SCALE: 1" = 30'

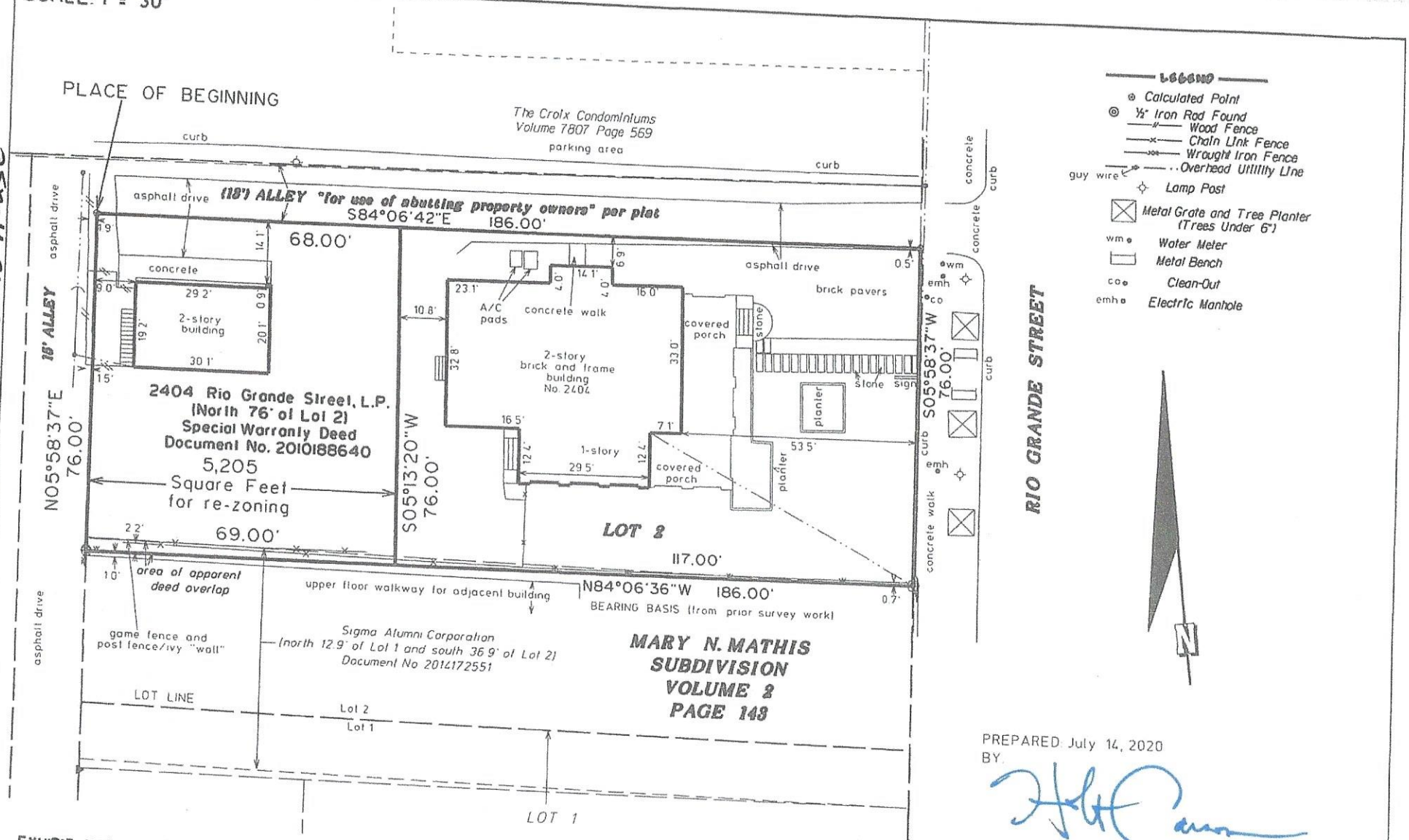


EXHIBIT MAP TO ACCOMPANY FIELD NOTE DESCRIPTION OF 5,205 SQUARE FEET OF LAND, BEING A PORTION OF THE NORTH 76 FEET OF LOT 2, MARY N. MATHIS SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2 PAGE 143 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT CONVEYED TO 2404 RIO GRANDE STREET, L.P. BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2010188640 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

STATE OF TEXAS
REGISTERED
HOLT CARSON
5166
PROFESSIONAL
LAND SURVEYOR

PREPARED July 14, 2020
BY

Holt Carson
Registered Professional Land Surveyor No 5166

HOLT CARSON, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
(512) 442-0990
Texas Licensed Surveying Firm No 10050700

C 1020134a

CANPAC

Central Austin Neighborhood Planning Advisory Committee

C14-2019-0108

2404 Rio Grande St

Planning Commission,

CANPAC does not support rezoning this property to CS-MU-NP-General Commercial Services as the property can be redeveloped under the UNO (University Neighborhood Overlay) which will allow for more intensive development while requiring affordable housing and pedestrian/bicycle improvements CS-MU-NP-General Commercial Services does not.

CANPAC supports removing the historic designation from the rear of the property with a 15’ set back to the historic structure.

Thank you,

Adam Stephens and Bart Whatley co-chairs