

**PLANNING COMMISSION SUMMARY SHEET**

**ZONING CASE:** C14-2021-0081 – 5<sup>th</sup> & Walsh Rezoning

**REQUEST:**

C14-2021-0081 - 5<sup>th</sup> & Walsh Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1200, 1202, 1204, 1210, 1214, 1214 ½ West 5<sup>th</sup> Street; 504, 506 Walsh Street (Lady Bird Lake Watershed). Applicant's Request: To rezone from general commercial services – mixed use – vertical mixed use building – conditional overlay – neighborhood plan (CS-MU-V-CO-NP) combining district zoning and general commercial services – mixed use – conditional overlay – neighborhood plan (CS-MU-CO-NP) combining district zoning to limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) combining district zoning. Staff Recommendation: To grant limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) combining district zoning. Planning Commission Recommendation: To limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) combining district zoning, with conditions. Owner: Anchor Equities LTD (Jimmy Nassour); 1210 W. 5<sup>th</sup>, LTD (David Roberts); Walsh Street Properties, LTD (F. Walter Penn). Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.; Amanda Morrow). City Staff: Wendy Rhoades, 512-974-7719.

**DISTRICT:** 9

**DATE:** October 21, 2021

**PLANNING COMMISSION ACTION:**

Motion by Commissioner Schneider, seconded by Commissioner Shieh to approve limited industrial services – planned development area – neighborhood plan (LI-PDA-NP) combining district zoning, with conditions as agreed to by the Applicant and referenced in the OWANA letter dated October 12, 2021, noting that the conditions are to be memorialized in final documents as determined by the Staff and the Law Department, by consent.

**VOTE:** 9-0, Commissioner Praxis – Not Present for Passage of the Consent Agenda; Commissioners Azhar and Connolly, and Vice-Chair Hempel – Absent

**Old West Austin Neighborhood Association**

**PO Box 2724**

**Austin, TX 78768**

October 12, 2021

Ms. Wendy Rhoades  
City of Austin  
Housing and Planning Department  
1000 E. 11<sup>th</sup> Street, Suite 200  
Austin, Texas 78702

**VIA: Electronic Mail**

Re: 5th & Walsh Rezoning (C14-2021-0081)

Dear Ms. Rhoades:

This letter is submitted on behalf of the Old West Austin Neighborhood Association (“OWANA”) regarding the 5<sup>th</sup> and Walsh rezoning case currently in review under City Case No. C14-2021-0081 (the “Application”) regarding property located at 1200, 1204, 1210, 1214, and 12141/2 W. 5<sup>th</sup> Street, and 504 and 506 Walsh Street (the “Property”).

OWANA has been in close coordination with the developer and its representatives over the last several months in order to come to an agreement regarding the Application. After several weeks of negotiations OWANA supports rezoning the Property from CS-MU-V-CO-NP and CS-MU-CO-NP to LI-PDA subject to conditions outlined below:

Maximum Building Height:	75-FT.
Maximum Building Coverage & Impervious Cover:	95%
Minimum Site Area Requirements:	N/A
Setbacks:	Exclusive of garage openings, 25% of the net building façade along 5 <sup>th</sup> Street will be setback from the property line a minimum of 5-ft*  Exclusive of garage openings, 30% of the net building façade along Walsh Street will be setback from the property line a minimum of 5-ft*

	*In the event a sidewalk easement is required, the 5-ft setback will be measured from the edge of the sidewalk easement (clear zone) located within the site.
Upper Building Façade Set back:	At least 25% of the building along 5 <sup>th</sup> Street above 60-ft will set back a minimum of 5-ft from the ground floor building façade line.  The building along Walsh Street above 60-ft will set back a minimum of 10-ft from the ground floor building façade line.
Maximum Floor-to-Area Ratio:  Office Project:  Mixed-Use Project:	4.5:1  6.5:1
Uses:	In addition to the uses proposed by the applicant, the permitted uses have been updated to include convenience storage as a prohibited use.
Pedestrian Oriented Uses:	Exclusive of garage openings, 50% of the combined linear net building façade along 5 <sup>th</sup> Street and Walsh Street will have pedestrian-oriented uses.
Density Bonus:	For a commercial project with no residential component – for square footage above 2:1 FAR, approximately \$8/SF will be paid to an affordable housing non-profit organization.  For a mixed-use project with a residential component the project will meet the affordability requirements established by the V zoning ordinance ( <b>Ord. #20080306-056</b> ).
Sidewalks:  Sidewalks consist of two zones: a planting zone and a clear zone.	5 <sup>th</sup> Street: No less than 15-ft Walsh Street: No less than 15-ft
Planting Zone:	Street trees shall be planted no more than 25-ft on center along 5 <sup>th</sup> Street and Walsh Streets. As for the size of the street trees, they will be no less than 6in.
Additional Pedestrian Realm Improvements:	-Two (2) bike racks will be provided in the right-of-way along 5 <sup>th</sup> Street -Street lighting provided in the right-of-way every 88-ft

	-Four (4) benches per block face -Two (2) waste bins per block face
Loading/Maneuvering:	Section 25-6-532 ( <i>Off Street Loading Standards</i> ) and Section 25-6, Appendix A is modified to require a maximum of one (1) loading space to be provided on-site for the Property.  TCM Section 9.3.0 #3 is modified to allow maneuvering within the alley located along the northern property line.
Parking Location:	All parking will be provided underground.
Artwork:	Applicant agrees to source and commission local artist to provide the artwork in the lobby.
Austin Energy Green Building:	Applicant agrees to a 3-star Austin Energy Green Building rating.

Subject to the aforementioned conditions, we request that the Planning Commission and City Council approve the applicant's zoning request.

Sincerely,



Chair, Steering Committee  
Old West Austin Neighborhood Association

cc: Jerry Rusthoven  
Joi Harden  
Josh Lickteig  
Amanda Morrow  
Amanda Surman