

Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION



AGENDA ITEM NO.: 62
AGENDA DATE: Thu 09/01/2005
PAGE: 1 of 1

SUBJECT: C14-05-0049 - Jeff Blatt - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 500 West 16th Street (Shoal Creek Watershed) from general office (GO) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. First reading approved on July 28, 2005. Vote: 6-0, Council Member Kim off the dais. Applicant: Jeff Blatt. Agent: Thrower Design (Ron Thrower). City Staff: Jorge Rousselin, 974-2975.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0049

Z.A.P. DATE: June 7, 2005

ADDRESS: 500 W. 16th Street

OWNER/APPLICANT: Jeff Blatt

AGENT: Thrower Design
(Ron Thrower)

ZONING FROM: GO **TO:** DMU

AREA: .27 Acres

SUMMARY STAFF RECOMMENDATION:

Recommend approval of the rezoning from general office (GO) district zoning to downtown mixed-use – conditional overlay (DMU - CO) district zoning. The Conditional Overlay would limit vehicle trips to 2000.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

Rezoning:	C14-05-0049 - Jeff Blatt
Location:	500 W. 16th St., Shoal Creek Watershed
Owner/Applicant:	Jeff Blatt
Agent:	Thrower Design
Request:	GO To DMU-CO
Staff Rec.:	RECOMMENDED
Staff:	Thomas Bolt, 974-2755, thomas.bolt@ci.austin.tx.us Neighborhood Planning and Zoning Department

DENIED STAFF'S RECOMMENDATION FOR DMU-CO ZONING.
[J.M; J.D 2ND] (7-2) K.J; M.W – NAY

DEPARTMENT COMMENTS:

The proposed zoning is consistent with the Downtown Austin Design Guidelines with regard to zoning district categories within the area defined as core downtown. Attached are two maps copied from the downtown Austin design guidelines. The first map (Exhibit A) indicated the core downtown area and overlay areas within the downtown area. The second map (Exhibit B) indicates the core downtown and adjacent areas, which have separate or additional guidelines. There are no plans for redevelopment of this site at this time.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO	Office building
<i>North</i>	GO	Multi-family, two family with garage apartment
<i>South</i>	DMU-H-CO	Office
<i>East</i>	CBD	Parking garage
<i>West</i>	GO	Offices

AREA STUDY: Downtown Austin Design Guidelines **TIA:** N/A

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

#142 Five Rivers Neighborhood Association
#159 North Capitol Area Neighborhood Association
#402 Downtown Austin Neighborhood Association (DANA)
#438 Downtown Austin Alliance
#511 Austin Neighborhoods Council
#632 City of Austin Downtown Commission
#698 West Campus Neighborhood Association
#742 Austin Independent School District
#744 Sentral Plus East Austin Koalition (SPEAK)

SCHOOLS:

Bryker Woods Elementary
O. Henry Middle School
Austin High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-04-0210	GO to DMU-CO	3/29/05 Recommended approval of DMU-CO	4/14/05 Approved 3 readings to rezone to DMU-CO

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bus Route	Bike Route
16 th Street	60'	30'	Collector	Yes	No	No
San Antonio Street	80'	40'	Collector	Yes	No	No

CITY COUNCIL DATE: July 28, 2005
Sept. 01, 2005

ACTION: Appr. DMU-CO

ORDINANCE READINGS: 1st 07/28/05 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Jorge E. Rousselin, NPZD

PHONE: 974-2975

E-MAIL: jorge.rousselin@ci.austin.tx.us



UNIVERSITY OF TEXAS CAMPUS
UNZ

MF

CITY GRID
REFERENCE
NUMBER
J23

ZONING

SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY
CASE MGR: T. BOLT

CASE #: C14-05-0049
ADDRESS: 800 W 16TH ST
SUBJECT AREA (acres): 0.270

DATE: 05-07
INTLS: SM

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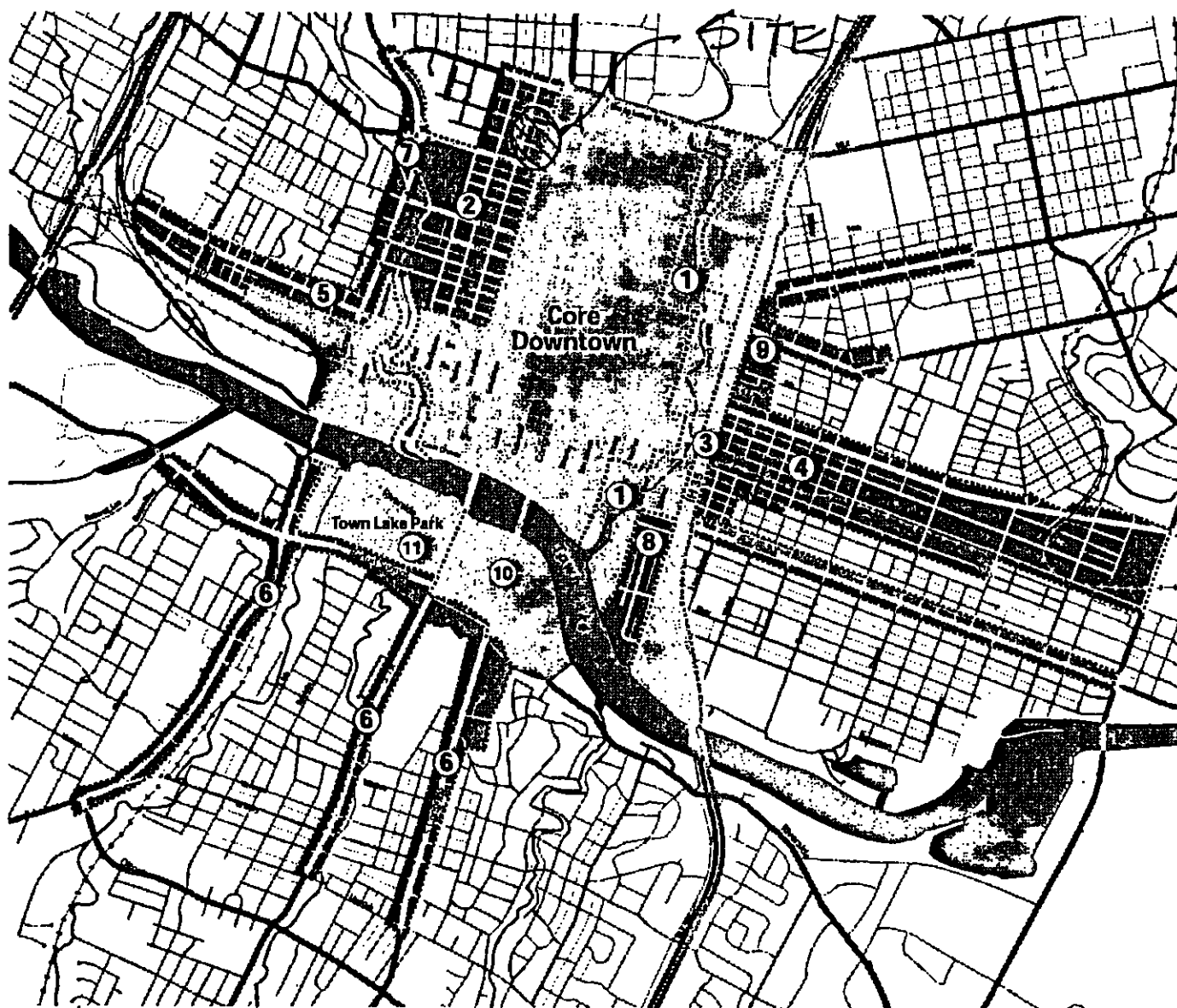
EXHIBIT A



Dark Grey – Core Downtown; **Lighter Grey** – overlay areas within the Core Downtown

May 2000

EXHIBIT B



STAFF RECOMMENDATION

Recommend approval of the rezoning from general office (GO) district zoning to downtown mixed-use – conditional overlay (DMU - CO) district zoning. The Conditional Overlay would limit vehicle trips to 2000 per day.

BASIS FOR RECOMMENDATION

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

Downtown Mixed Use (DMU) district is the designation for a use located on the periphery of an area that has a CBD designation. A DMU district designation may be applied to a development that includes any combination of office retail, commercial and residential uses and that is compatible with the downtown area. A DMU district use with an intermediate density may be used as a transition between the downtown area and surrounding districts. A DMU district is suitable for an area to which the central business district may expand.

Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.

The property located to the east of the subject tract is zoned CBD. Other zonings found in the area are DMU, CS and GO. Other similarly situated properties in this area have been rezoned to DMU.

Zoning changes should promote compatibility with adjacent and nearby uses.

Directly east (across San Antonio St.) there is CBD zoning districts. To the west is GO. To the south is a GO District. The proposed DMU district would allow for a broader list of permitted uses with fewer development restriction as would be required under GO district zoning.

EXISTING CONDITIONS

Impervious Cover

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

Environmental

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.

According to flood plain maps, there is no flood plain within the project area.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Water Quality Control Requirements

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.

Transportation

No additional right-of-way is needed at this time.

The trip generation under the requested zoning is estimated to be 6,527 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).

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]

Water and Wastewater

The area is served with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation are necessary to serve the site or land use, the landowner, at own expense, will be responsible for providing. Also, the utility plan must be reviewed and approved and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Compatibility Standards N/A

MEMORANDUM

TO: Betty Baker, Chair and Members of the Zoning & Platting Commission

FROM: Dora Anguiano, ZAP Commission Coordinator
Neighborhood Planning and Zoning Department

DATE: July 14, 2005

SUBJECT: ZAP Commission Summary

Attached is a ZAP Commission summary, which will be forwarded to the City Council.

CASE # C14-05-0049

16. Rezoning: C14-05-0049 - Jeff Blatt
Location: 500 W. 16th St., Shoal Creek Watershed
Owner/Applicant: Jeff Blatt
Agent: Thrower Design
Request: GO To DMU-CO
Staff Rec.: RECOMMENDED
Staff: Thomas Bolt, 974-2755, thomas.bolt@ci.austin.tx.us
Neighborhood Planning and Zoning Department

SUMMARY

Thomas Bolt, staff – “The request is to rezone the property from GO to DMU-CO; the CO would limit vehicle trips to 2000 per day. The proposed zoning is consistent with the Downtown Austin Guidelines with regard to zoning district categories within the area; defined as core downtown; attached are two maps copied from the Downtown Austin Design Guidelines. The first map indicated the core downtown area and the overlay areas within the downtown area; the second map indicates the core downtown and adjacent areas, which have separate and additional guidelines. This particular property is located right on the border, it’s difficult for me to tell you whether it’s located within the downtown or within the adjacent corridor or adjacent district. We are recommending DMU-CO for this property, the site is currently developed with an office building, its two stories tall, and we have DMU-H to the south, CBD to the east, GO to the north and west”.

Commissioner Martinez – “What were you having trouble distinguishing or determining?”

Mr. Bolt – “The downtown district design guidelines, there are two maps, one that shows the downtown core area and the other delineates some of the adjacent areas”.

Commissioner Martinez – “So you’re proceeding with your recommendation; if you had to make a choice, you’re saying it’s not part of the core downtown area?”

Mr. Bolt – “I’m saying it’s right on the border; I’m not sure where it is to be honest with you; it’s shown on GIS...”

Commissioner Martinez – “That’s professional perspective; if you can not be on the border it’s which way?”

Mr. Bolt – “Uh, CBD, downtown”.

Commissioner Martinez – “Okay; what will you define what core downtown means?”

Mr. Bolt – “Core downtown meaning the areas where we’re looking to densify into 8 to 1 FAR’s as recommending in the Downtown Design Guidelines”.

Commissioner Martinez – “I asked, not where you want to go, but what is your definition of what core downtown would mean? Not what you want to do in the future, but what is that place now represented, what would you describe what is considered core downtown as opposed to what you are saying which is what you want to do; I’m saying what does it start off now?”

Mr. Bolt – “I’m not sure if I know how to answer that, I’m looking at a design guideline that recommends certain types of density and development for a core area, what I can say right now is that there is an office building on that property, there are some offices and homes that have been converted; I’m just not sure how to answer that question”.

Commissioner Baker – “Let’s go to the map on A16-5 and A16-4, from this site is it within the core area?”

Mr. Bolt – “Yes”.

Commissioner Baker – “Is that the answer to your question Mr. Martinez?”

Commissioner Martinez – “No, I was trying to say, what defines what the core downtown area is; and the response you gave was “it’s where we want to do something”, I’m just backing up before you get to that, to say define for me, downtown planners, what does core downtown mean? It may seem like a stupid, but simple question, but I just want to know is it 20-story buildings, is it large avenues... what is core downtown?”

Mr. Bolt – “It would mean the height of a downtown area, it would mean pedestrian right-of-ways or access to shops with living units above them; it would be an extension of what we have right now, but a little bit to the east”.

Commissioner Martinez – “Got it, I understand”.

Commissioner Baker – “You said that to the south of this there’s a DMU-H, I can’t find it on the map”.

Mr. Bolt – “There’s a small property on the corner, you can barely read it on the map”.

Commissioner Baker – “Okay; thank you. I’m not sure if that’s justification for the DMU, that’s just a comment”.

Ron Thrower, applicant – “We’re not trying to use the historic DMU zoning for the area to try and justify are request for DMU on this site; our tract is located on 16th and San Antonio, directly across the street we have the Southwestern Bell building which is 8 or 9 stories tall; south from here we have 225-foot building, with 23 floors; we’re basically in the shadows of these large buildings. What I see is more appropriate for our tract with DMU zoning; that height allows for a transition to the GO zoning, granted we’re not asking for 120-feet for our property, we’re only asking to develop to 75-feet. By doing

so, we think that we can obtain a good mixed use development on this tract of land, which would include parking, office and residential components associated with the construction of the building. We have talked to the Five Rivers Neighborhood Association and entered into a restrictive covenant with them in regards to streetscape improvements if we build above 60-feet, we have absolutely no problem with that; we're probably going to do it even if we don't build to 60-feet, but we are intending to build up to 75-feet for this tract".

Commissioner Martinez – "75-feet translates into how many floors?"

Mr. Thrower – "Two floors of parking and four floors of occupied structure; so it would be 6-stories".

Commissioner Martinez – "Currently, what's the closest 6-story building to that corner property?"

Mr. Thrower – "I think the Southwestern Bell building is 8 or 9 stories tall. The intersection of 15th and Guadalupe, there's a 9-story building".

FAVOR

No Speakers.

OPPOSITION

No Speakers.

Commissioner Martinez and Gohil moved to close the public hearing.

Commissioner Martinez – "I didn't realize that my office building, which is on the corner of 18th and Nueces, it's not property that I own, but it's property that the association that I work for owns; I don't think I would need to abstain, do you?"

Commissioner Baker – "No, there should be no conflict of interest".

Commissioner Martinez – "Then I'll make a motion to deny the zoning request".

Commissioner Donisi – "I'll second it just for discussion purposes".

Commissioner Martinez – "My reasoning is that I was asking staff about the designation of core downtown, being that I work downtown and I look out of my window; there's a huge difference between what I would define as core downtown and that fringe indoor transition area that I see on A16-6, then that into a much more residential area; when I asked what building would be the same height, the Southwestern Bell building was said, but that's on Guadalupe. I can't see the justification as "well we can't tell what it is, we

just know we want it denser and it has to be 6-stories"; there has to be some compromise; for that reason I say we deny the zoning".

Commissioner Baker – "If they would come in about ½ block, I would have felt better as far as getting CBD".

Commissioner Hammond – "I agree, that seems pretty small".

Motion carried.

COMMISSION ACTION:
MOTION:

MARTINEZ, DONISI
DENIED **STAFF'S**
RECOMMENDATION FOR DMU-CO
ZONING.

AYES:

GOHIL, BAKER, PINNELLI, RABAGO,
HAMMOND, MARTINEZ, DONISI

NAY:

JACKSON, WHALEY

MOTION CARRIED WITH VOTE: 7-2.

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 500 WEST 16TH STREET FROM GENERAL OFFICE (GO) DISTRICT TO DOWNTOWN MIXED USE-CONDITIONAL OVERLAY (DMU-CO) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general office (GO) district to downtown mixed use-conditional overlay (DMU-CO) combining district on the property described in Zoning Case No. C14-05-0049, on file at the Neighborhood Planning and Zoning Department, as follows:

Lots 1 and 2, Outlot 29, Division E, Original City of Austin, according to the map or plat of record in the General Land Office, State of Texas (the "Property"),

locally known as 500 West 16th Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A"

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

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

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

1 **PART 3.** This ordinance takes effect on _____, 2005.

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4 **PASSED AND APPROVED**

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8 _____, 2005

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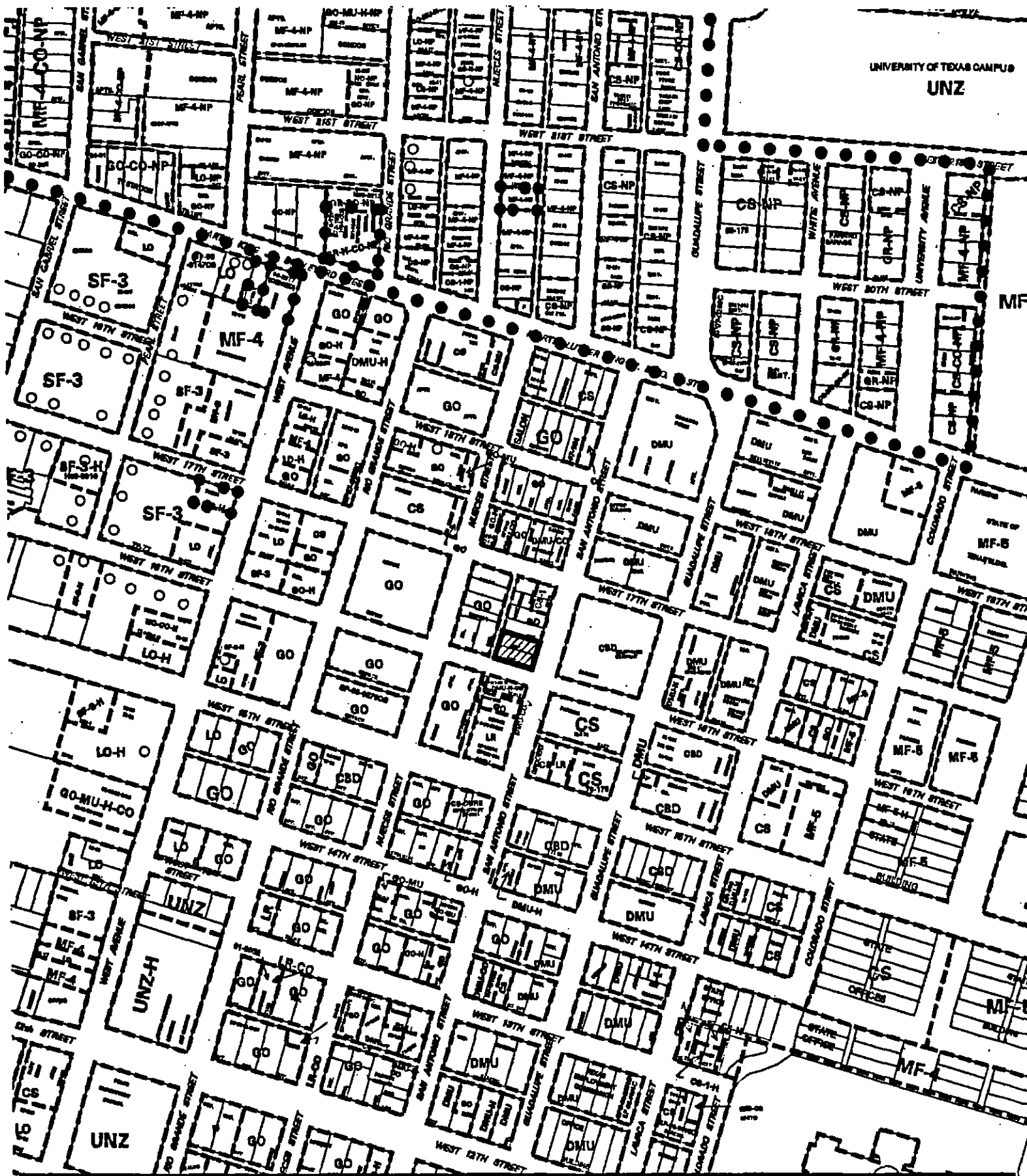
9 Will Wynn
10 Mayor

11
12
13 **APPROVED:** _____

14 David Allan Smith
15 City Attorney

ATTEST: _____

Shirley A. Brown
City Clerk



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SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY
CASE MGR: T. BOLT

CASE #: C14-05-0049

ADDRESS: 500 W 16TH ST

SUBJECT AREA (acres): 0.270

ZONING

DATE: 05-07

INTLS: SM

CITY GRID
REFERENCE
NUMBER
J23