

## ZONING CHANGE REVIEW SHEET

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**CASE:** C14-2010-0078 601 W. 17<sup>th</sup> Street Rezoning **P. C. DATE:** 05-11-2010

**ADDRESS:** 601 W. 17<sup>th</sup> Street

**AREA:** .18 acres

**APPLICANT:** Dunham Law Firm  
(Paul Dunham)

**AGENT:** Lenworth Consulting  
(Nash Gonzales)

**NEIGHBORHOOD PLAN AREA:** Downtown

**CAPITOL VIEW:** No

**T.I.A.:** No

**HILL COUNTRY ROADWAY:** No

**WATERSHED:** Shoal Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** GO – General Office

**ZONING TO:** DMU – Downtown Mixed Use

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends DMU-CO, Downtown Mixed Use, Conditional Overlay. The Conditional Overlay will include the following:

A. The following uses are prohibited uses of the Property:

Automotive rentals

Automotive repair services

Automotive sales

Automotive washing (of any type)

Bail bond services

Cocktail lounge

Laundry service

Limited warehouse and distribution

Maintenance & service facilities

Pawn shop services

Service station

Vehicle storage

B. Exterminating services use is a conditional use of the Property.

C. The maximum height of a building or structure is 60 feet from ground level.

D. The minimum rear yard setback is 5 feet.

E. The minimum interior side yard setback is 5 feet.

F. Limit vehicle trips to 2,000 per day.

### **PLANNING COMMISSION RECOMMENDATION:**

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**DEPARTMENT COMMENTS:**

The 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. The subject tract is located in and amongst various zoning districts, including DMU, GO, CS and LO. The most recent surrounding case histories were requests to the DMU zoning district.

**BASIS FOR RECOMMENDATION:**

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

Granting DMU zoning would be in keeping with other similarly situated properties in the area that have recently received DMU zoning as well.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	GO	Office Building
<b>NORTH</b>	GO	Office Building
<b>SOUTH</b>	GO	Office Building
<b>EAST</b>	GO	Office Building
<b>WEST</b>	GO	Office Building

**CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-06-0158	From GO to DMU	Approved DMU-CO [Vote: 7-0]	Approved DMU-CO [Vote: 5-0]
C14-06-0187	From GO to DMU	Approved DMU-CO [Vote: 8-0]	Approved DMU-CO [Vote: 5-1]
C14-07-0223	From GO to DMU	Approved DMU-CO [Vote: 7-0]	Approved DMU- CO [Vote: 7-0]
C14-1996-0029	From GO to DMU	Approved DMU-CO [Vote: 7-0]	Approved DMU-CO [Vote: 7-0]
C14-2008-0047	From GO to DMU	Approved DMU-CO [Vote: 9-0]	Approved DMU-CO [Vote: 7-0]
C14-2004-0210	From GO to DMU	Approved DMU-CO [Vote: 8-1]	Approved DMU-CO [Vote: 7-0]
C14-2005-0049	From GO to DMU	Approved DMU-CO [Vote: 7-0]	Approved DMU-CO [Vote: 7-0]

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### **NEIGHBORHOOD ORGANIZATION:**

- Homeless Neighborhood Assn.
- Downtown Austin Neighborhood Coalition
- Pecan Street Owner's Association
- Downtown Austin Alliance
- Austin Warehouse District Association
- Old Pecan Street Association
- Sentral Plus East Austin Koalition
- Austin Neighborhood Council
- Downtown Austin Neighborhood Association

### **SCHOOLS:**

Matthews Elementary School  
O' Henry Middle School  
Austin High School

### **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. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. 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.
4. According to flood plain maps, there is no flood plain within the project area.
5. At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

### **SITE PLAN:**

This site currently uses off-site parking at the Northeast corner of Nueces & 17th St., as shown on approved site plan SP-06-0308CT.

This location is in the CURE overlay.

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

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.

**TRANSPORTATION:**

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

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]

Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Nueces	80'	30	Collector	Yes	3, 19, 29	Yes
W 17th	62'	30	Collector	No	No	Yes

**CITY COUNCIL DATE:** August 26th, 2010

**ACTION:**

**ORDINANCE READINGS:**

1<sup>ST</sup>

2<sup>ND</sup>

3<sup>RD</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)

**PHONE:** 974-7691





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## DMU-CO

The following is a list of the Conditional Overlays for properties in the vicinity of case number C14-2010-00~~78~~ which have recently received a zone change to Downtown Mixed Use (DMU).

PRUPLE – C14-2006-0158

1. 2,000 VEHICLE TRIP LIMIT
2. MINIMUM OF ONE (1) RESIDENTIAL UNIT
3. PROHIBIT THE FOLLOWING USES
  - A. COCTAIL LOUNGE
  - B. LIQUOR SALES
  - C. LAUNDRY SERVICES
  - D. PAWN SHOP SERVICES
4. DRIVE IN SERVICE PROHIBITED

GREEN – C14-2007-0223

1. 2,000 VICHICLE TRIP LIMIT

BLUE – C14-2008-0047

1. 2,000 VEHICLE TRIP LIMIT

YELLOW – C14-1996-0029

1. SIXTY FOOT (60') HEIGHT LIMIT

PINK – C14-2004-0210

1. 2,000 VEHICLE TRIP LIMIT

RED – C14-2005-0049

1. 2,000 VEHICLE TRIP LIMIT

