

ZONING CHANGE REVIEW SHEET

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CASE: C14-2010- 0207 – Robinson Foundation Offices

P.C. DATE: February 8, 2011
February 22, 2011

ADDRESS: 510 W 8th Street

OWNER/APPLICANT: Darnell Robinson Family, LLC (Michael Ginsberg)

AGENT: A.G. Consulting (Alice Glasco)

ZONING FROM: MF-4

TO: DMU

AREA: 0.1699 acres (7,400 ft²)

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of DMU-CO (Downtown Mixed Use-Conditional Overlay) district zoning. The Conditional Overlay would make a bail bond services, cocktail lounge, and liquor sales a conditional use; prohibit pawn shop services use and limit vehicle trips to less than 2,000 per day.

DEPARTMENT COMMENTS: This 0.1699 acre site is currently developed with a multifamily structure and zoned MF-4. The applicant seeks to rezone the property to Downtown Mixed Use for construction of an office building. The Downtown Mixed Use (DMU) district is the designation for a use located on the periphery of an area that has a Central Business District (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. It should be noted that this property lies the Criminal Justice Overlay sub-district {§ 25-2-650}, in which a bail bond services, cocktail lounge, and liquor sales use are conditional uses and a pawn shop services use is prohibited. Also, the northeastern corner of the property lies within the Barton Creek Pedestrian Bridge Capital View Corridor.

Through negotiation with the Original Austin Neighborhood Association, the applicant has agreed to the following conditions:

- Maximum height of 90 feet
- The following uses shall be prohibited: bail bond services, a stand alone cocktail lounge use, pawn shop and liquor sales.
- The following uses shall be conditional: food service and a cocktail lounge use is associated with an offsite club, hotel or bed and breakfast use.
- If the proposed structure exceeds 60 feet in height, a minimum of 15% of the net rentable conditioned space of any such building must be residential.

Based on the site location and limitations, staff recommends approval of DMU-CO district zoning. The rezoning will allow the applicant to achieve site development regulations that will allow for a reasonable office use on the downtown property.

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EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|----------------|------------------------------|
| <i>Site</i> | MF-4 | Multi-Family |
| <i>North</i> | DMU-CO; GO; CS | Parking; Professional Office |
| <i>South</i> | MF-4; GO; GO-H | Professional Office; Club |
| <i>East</i> | P; P-H | Library; History Center |
| <i>West</i> | LO; GO; DMU-CO | Professional Office |

TIA: Waived

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATION:

- 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

CASE HISTORIES

| NUMBER | REQUEST | COMMISSION | COUNCIL |
|---------------|--------------------|---|---|
| C14-99-0138 | MF-4 to DMU-CO | APVD STAFF REC OF DMU-CO BY CONSENT (8-0) | APVD PC'S REC OF DMU-CO W/CONDS (7-0); ALL 3 RDGS |
| C14-06-0187 | MF-4-H to DMU-H-CO | APVD STAFF ALT REC OF DMU-H-CO (8-0) | APVD DMU-H-CO (5-1, BD/-NO); ALL 3 RDGS |

BASIS FOR RECOMMENDATION

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

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Based on the site location and limitations, staff recommends approval of DMU-CO district zoning. The rezoning will allow the applicant to achieve site development regulations that will allow for a reasonable office use on the downtown property.

2. *Zoning changes should promote a balance of intensities and densities.*

The Granting of this rezoning request should result in an equal treatment of similarly situated properties, and is consistent with other similarly situated properties in the area that promote a combination of office, retail, commercial and residential uses that are compatible with the downtown area.

EXISTING CONDITIONS

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.

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

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.

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

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

Water and Wastewater

If 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 the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. 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

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tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

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.

Transportation:

| Name | ROW | Pavement | Classification | Daily Traffic |
|-----------------------------|-----|----------|----------------|----------------------|
| West 8 th Street | 80' | 40' | Collector | Not Available |
| Nueces Street | 80' | 40' | Collector | 3362 (COA, 01/27/10) |

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].

There are existing sidewalks along Nueces Street and a segment of West 8th Street. The sidewalk along West 8th Street terminates in front of a rock wall on the adjoining property.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows:

Existing Street Characteristics:

| Street Name | Existing Bicycle Facilities | Recommended Bicycle Facilities |
|-----------------------------|-----------------------------|--------------------------------|
| West 8 th Street | None | None |
| Nueces Street | Shared Lane | Bike Boulevard (Super Route) |

Capital Metro bus service (route no(s). 171, 461, 935, 982 - 984, 986 and 987) is available along Guadalupe Street at West 8th Street.

Site Plan:

Any new construction may require compliance with Subchapter E, Commercial Design Guidelines. Additional comments will be made during the site plan review.

CITY COUNCIL DATE: March 3, 2011

ACTION:

ORDINANCE READINGS: 1st

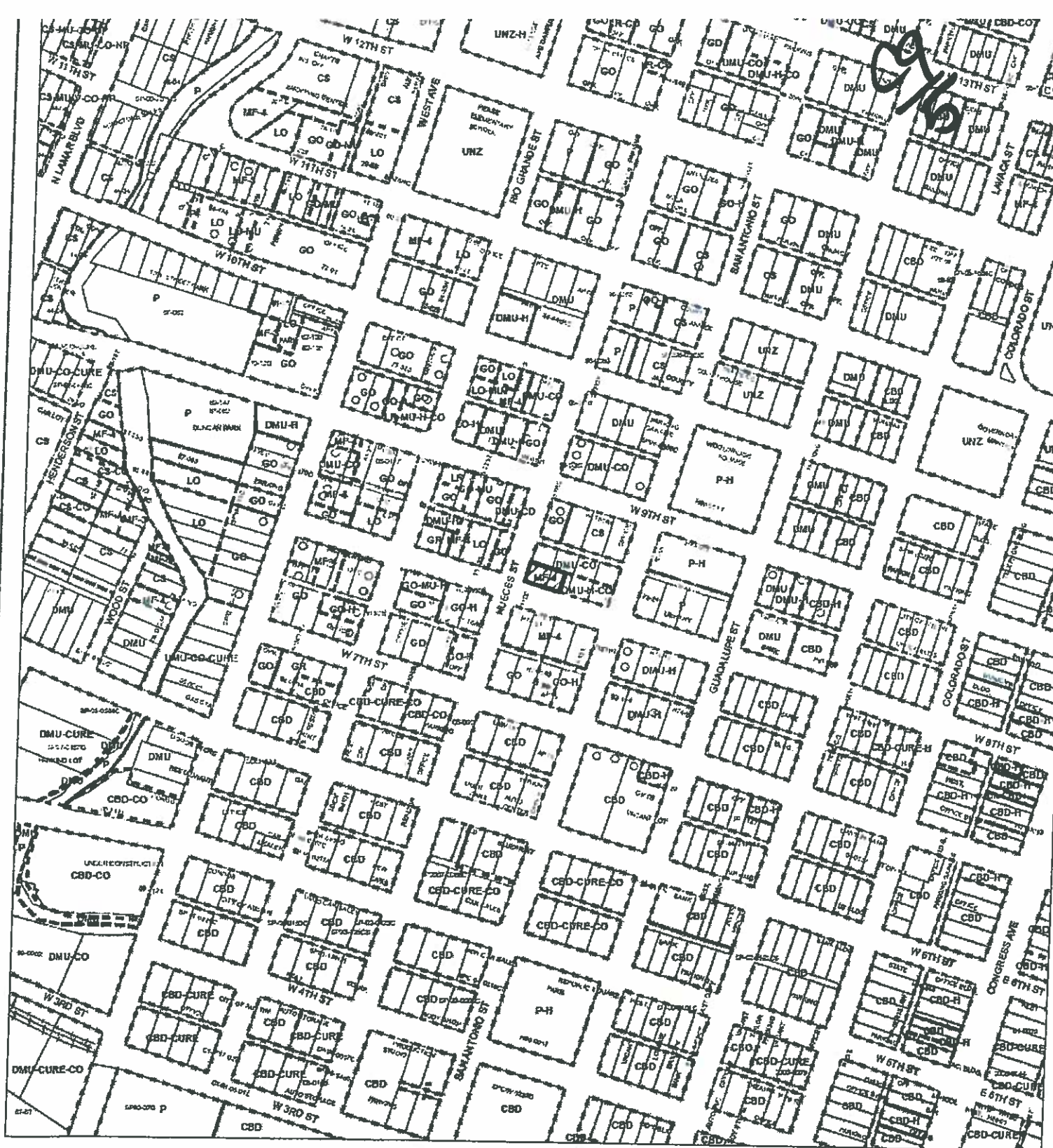
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Stephen Rye

PHONE: 974-7604
stephen.rye@ci.austin.tx.us



09/16

ZONING

ZONING CASE#: C14-2010-0207
 LOCATION: 510 W 8TH ST
 SUBJECT AREA: 0.1699 ACRES
 GRID: J22
 MANAGER: STEPHEN RYE

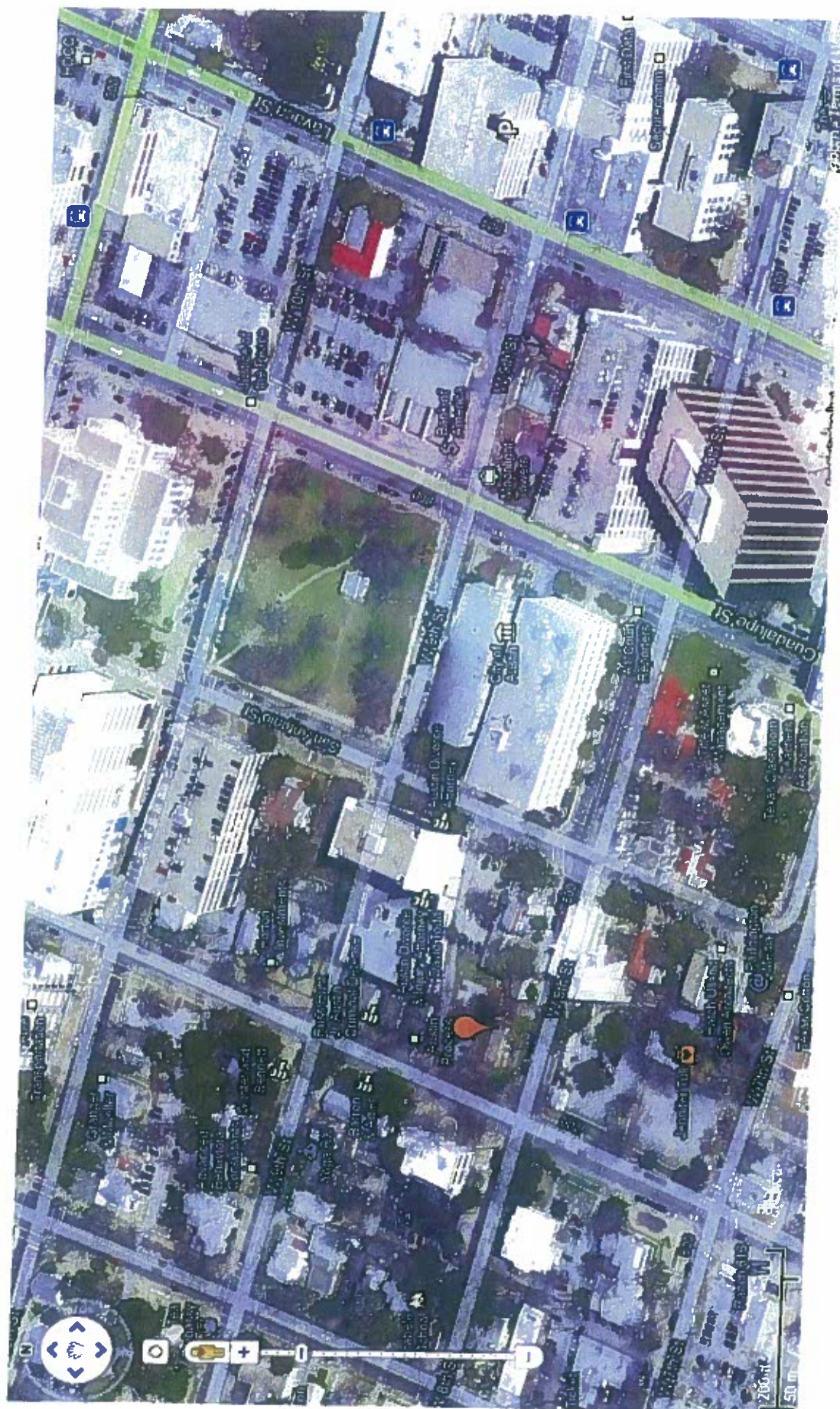


- N
 - SUBJECT TRACT
 - PENDING CASE
 - ZONING BOUNDARY
- 1" = 400'

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.

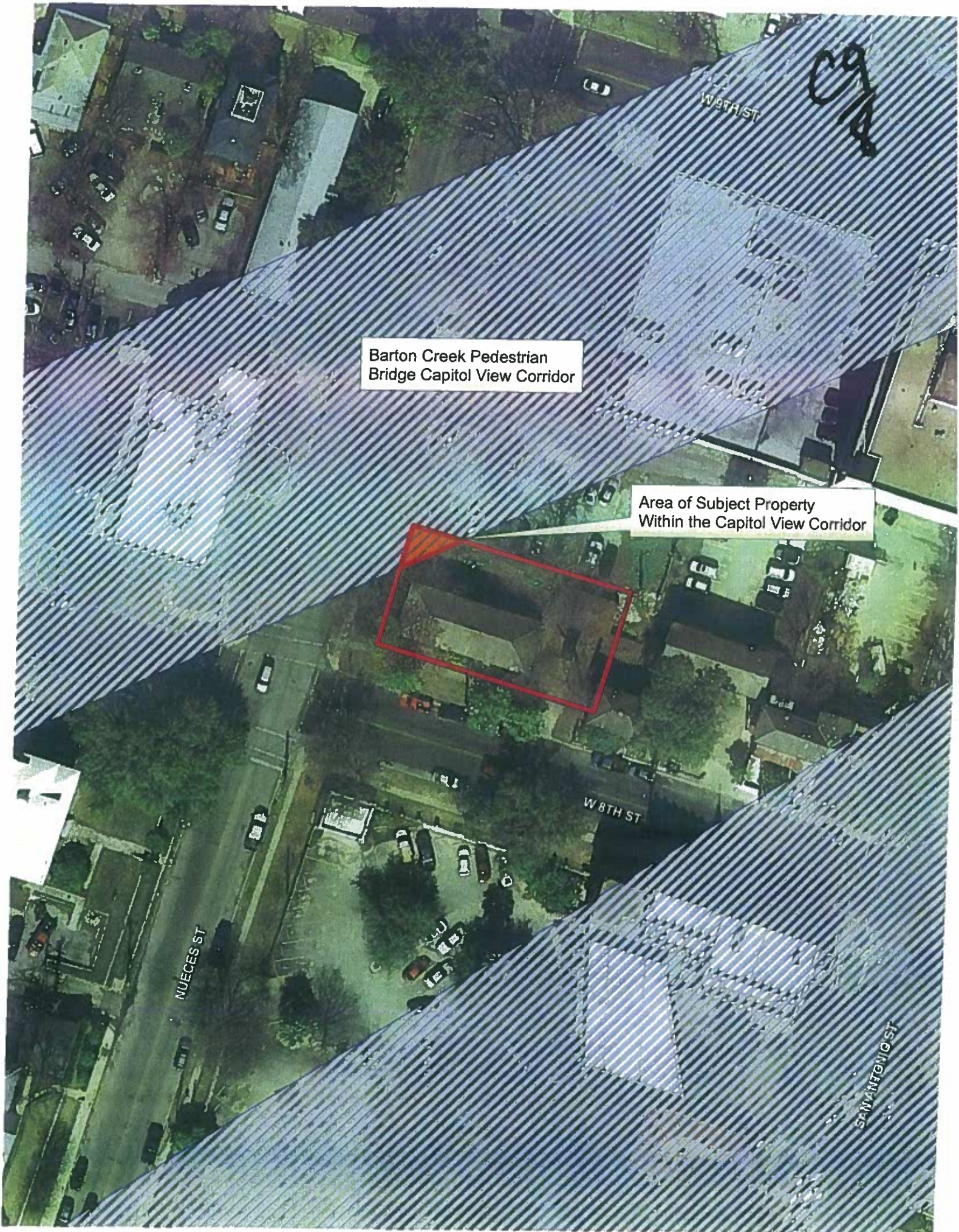


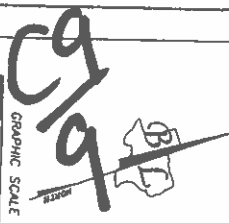
An aerial photograph of a city street grid, likely in New York City, showing a dense arrangement of buildings and trees. A red pin is placed on a street, marking a specific location. The map includes a scale bar at the bottom indicating distances up to 50 meters, and a compass rose. Street names such as 'Main St' and 'Broad St' are visible. The image is oriented horizontally, with the top of the map corresponding to the left side of the page.



Barton Creek Pedestrian
Bridge Capitol View Corridor

Area of Subject Property
Within the Capitol View Corridor





AND DESCRIBED IN
VOL. 5315, PG 124
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AND THAT THIS PROPERTY HAS ACCESS TO

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***West Downtown Alliance
1800 Nueces St.
Austin, Tx. 78701***

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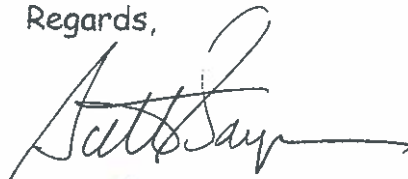
Stephen Rye
505 Barton Springs Road, 5th floor (visit)
P. O. Box 1088 (mail)
Austin, Texas 78767

Dear Mr. Rye,

The board of directors of the West Downtown Alliance supports case #C14-2010-0207 by the Darnell Robinson Family LLC, Michael Ginsberg, for the rezoning of their property at 510 W. 8th St.

Please feel free to call me if you have any questions.

Regards,

A handwritten signature in black ink, appearing to read "Scott Sayers", with a long horizontal flourish extending to the right.

Scott Sayers
President, WDA

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2010-0207

Contact: Stephen Rye, 512-974-7604

Public Hearing: Feb. 8, 2011, Planning Commission
Mar. 3, 2011, City Council

Amber Dodson

Your Name (please print)

708 San Antonio Street

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: 472-1336

Comments:

☐ I am in favor
☒ I object

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If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

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Amber Dodson

Your Name (please print)

708 San Antonio Street

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: 512-472-1336

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

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