

**ZONING CHANGE REVIEW SHEET**

C5  
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**CASE:** C14-2011-0006  
701 & 711 West 7<sup>th</sup> St. Rezoning

**P. C. DATE:** 05/24/11 06/14/11

**ADDRESS:** 701 & 711 West 7<sup>th</sup> St

**AREA:** 0.608 acres

**APPLICANT:** LOWA, Ltd. (Daryl Kunik)

**AGENT:** Thrower Design (Ron Thrower)

**NEIGHBORHOOD PLAN AREA:** Downtown

**CAPITOL VIEW:** Yes

**T.I.A.:** Waived – See the Transportation Reviewer’s comments.

**HILL COUNTRY ROADWAY:** No

**WATERSHED:** Shoal Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** GO- General Office & GR – Community Commercial

**ZONING TO:** CBD – Central Business District.

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends CBD-CO: Central Business District – Conditional Overlay. The Conditional Overlay would limit vehicle trips to 2,000 per day.

**DEPARTMENT COMMENTS:**

This request is similar to other requests in the urban core of downtown to change the zoning to Central Business District to allow for additional height and massing for vertical development. The request for these two parcels on the corner of 7<sup>th</sup> Street and West Avenue would complete the CBD zoning on the block face and make the whole city block CBD. There is very little CBD zoning north of 7<sup>th</sup> Street as well as West of West Avenue. This site is located within the “desired development zone” where development is encouraged to locate. This case was heard by the Downtown Commission on May 18<sup>th</sup> they voted 9-0-2 to support the zone change request..

**Note:** Single family, multifamily and commercial uses on properties zoned CBD or DMU are required to meet a 1-star rating under Austin Energy's Green Building Program.

**PLANNING COMMISSION RECOMMENDATION:**

C5/2<sup>2</sup>

**BASIS FOR RECOMMENDATION:**

1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

Granting CBD zoning would be in keeping with adjacent CBD zoning to the South and East.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
SITE	GO & GR	Office Building
NORTH	CBD	Day Spa & Salon
SOUTH	CBD	Office Building
EAST	CBD-CO-CURE	Office Building
WEST	DMU-CO-CURE	Office Building

**CASE HISTORIES:**

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2008-0143	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 7-0]	Approved CBD-CURE [Vote: 7-0]
C14-2008-0144	From CBD-CURE to CBD-CURE	Approved CBD-CURE [Vote: 7-0]	Approved CBD-CURE [Vote: 7-0]
C14-00-2208	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 6-1-1]	Approved CBD-CURE [Vote: 7-0]

**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
- Austin City Lofts HOA
- West End Austin Alliance
- Original Austin Neighborhood Assoc.

**SCHOOLS:**

Matthews Elementary School, O' Henry Middle School, Austin High School

**SITE PLAN:**

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.

This site is within a Capital View Corridor. Prior to a development permit, a Capital View Corridor determination application must be submitted for review and completed, and the site plan must demonstrate compliance with Capital View Corridor height restrictions.

**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 flood plain within the project area.
5. 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.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**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].



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MEMORANDUM

TO: Dave Sullivan, Chair, Planning Commission

FROM: Michael Knox, Staff Liaison  
Downtown Commission

DATE: June 2, 2011

RE: 701-711 W. 7th  
Proposed Rezoning to CBD  
Case No. C14-2011-0006

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At their Wednesday, May 18, 2011 meeting, the Downtown Commission voted to support the zoning change by a 9-0-2 vote, with Commission Members Dealey and McGill abstaining.

Michael R. Knox  
Michael Knox, Staff Liaison  
Downtown Commission

cc: Clark Patterson, Planning and Development Review Department

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W. 7th Street is classified in the Bicycle Plan as Priority 1 Bike Route No. 52.

There are no Bus Routes along W. 7th Street, Rio Grande Street, and West Avenue.

There are existing sidewalks along W. 7th Street, Rio Grande Street, and West Avenue.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
W. 7th Street	74'	40'	Collector	1,349
Rio Grande St.	74'	40'	Collector	2,270
West Avenue	80'	38'	Collector	2,394

CITY COUNCIL DATE: June 23rd, 2011

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





*Handwritten initials/signature*

CAPITAL VIEW CORRIDOR

SUBJECT TRACT





### Height Determination Worksheet

Important: Select the Viewpoint/Corridor Name (below) FIRST.

Viewpoint/Corridor Name	Review Site	VP Elevation.	Distance from Cap to Review Site Point	RS Elevation (approx.)	a 653 - VP Elev.	b Distance VP to Cap	tan $\theta$ a/b	b' Distance VP to RS	a' tan $\theta$ times b'	Max. Elev. VP Elev. + a'	h Max. Elev. - RS Elev. (approx.)
Barton Creek Pedestrian Bridge - 1	a	445	3285	476	208	4465	0.0246	5180	127.43	572.43	96.43
Barton Creek Pedestrian Bridge - 1	b	445	3465	470	208	4465	0.0246	5000	123.00	568.00	98.00

C/S





CS/A

**Post Office Box 1282**  
**Austin, TX 78767**  
[www.originalaustin.com](http://www.originalaustin.com)  
[www.citicite.com/oana/](http://www.citicite.com/oana/)

**May 16, 2011**

Clark Patterson, Case Manager  
Planning & Development Review Department  
City of Austin

**RE: C14-2011-0006 - 701 & 711 West 7th Street**

Dear Mr. Patterson:

The Board of Directors (BoD) of the Original Austin Neighborhood Association (OANA) at its regularly scheduled second Tuesday of the month meeting on 05-10-11, upon notice to interested parties, discussed the above referenced rezoning request from GO & GR zoning districts to CBD zoning district. The BoD supports this zoning change to the extent it enhances and generally protects the residential and historic character of our neighborhood. **Based on this, the BoD of OANA does not support a change to CBD zoning on the subject property, but does support a zoning change to DMU-CURE, with a conditional overlay enforced by the City of Austin.**

Conditions we would like to see attached to the zoning of this property are that within the allowable 375 feet of development height that there be a mix of uses, but no less that 50% single family residential use, and that there be a maximum of 2,000 trips per day be allowed for the project. We understand that is number of trips per day and would not accommodate a substantial amount of some commercial use, but it would accommodate a substantial amount of residential use on the site. Our support is also conditioned on at least one story of underground parking at the site being required. And, we also condition our support on approved of this zoning change including at least the following prohibited uses: bail bond services, pawn shop services, automotive services, and any use containing outdoor entertainment.

Sincerely:

Ted Siff, President

**Board of Directors**

**Ted Siff, President**

**Mark Holzbach, Vice President**

**Albert Stowell, Treasurer**

**Blake Tollett, Secretary**

**Jocelyn Dabeau**

**Rick Hardin**

**Perry Lorenz**

**John Horton**

**Bill Schneli**

**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.

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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](http://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: C14-2011-0006  
Contact: Clark Patterson, 512-974-7691  
Public Hearing: May 10, 2011, Planning Commission

William Archer

Your Name (please print)

717 + 719 W. 6th

Your address(es) affected by this application

*[Signature]*

Signature

Daytime Telephone: 43-3556

Date

5-2-11

I am in favor  
 I object

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2011-0006

Contact: Clark Patterson, 512-974-7691

Public Hearing: May 10, 2011, Planning Commission

Your Name (please print) ALBERT KOEHLER

I am in favor  
 I object

Your address(es) affected by this application 800 W. 5th # 808

Your address(es) affected by this application

[Signature] 5/5/11  
Signature Date

Daytime Telephone: 512 458-4545

Comments:

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

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2011-0006  
Contact: Clark Patterson, 512-974-7691  
Public Hearing: May 24, 2011, Planning Commission  
June 23, 2011, City Council

I am in favor  
 I object

Your Name (please print) Scott Smiles

1800 Nueces St.

Your address(es) affected by this application

Austin TX 78701

5-16-11

Date

Signature Scott Smiles

Daytime Telephone:

512-478-3483

Comments:

The board of the  
West Downtown Alliance  
supports this application.  
Scott Smiles  
President

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

City of Austin  
Planning & Development Review Department  
Clark Patterson  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C14-2011-0006

Contact: Clark Patterson, 512-974-7691

Public Hearing: May 24, 2011, Planning Commission  
June 23, 2011, City Council

DEVON DKEOU / FERNANDO TRUJANO

Your Name (please print)

706 RIO GRANDE

Your address(es) affected by this application

DKEOU / TRUJANO

Signature

Date

5-14-11

Daytime Telephone: 917-498-6790, 512-560-1848

Comments:

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

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2011-0006  
Contact: Clark Patterson, 512-974-7691  
Public Hearing: May 10, 2011, Planning Commission

I am in favor  
 object

Your Name (please print) James Powell

717 West Ave -

Your address(es) affected by this application

JAMES POWELL

Signature

5-6-11

Date

Daytime Telephone: 477-9939

Comments:

I object.

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

City of Austin  
Planning & Development Review Department  
Clark Patterson  
P. O. Box 1088  
Austin, TX 78767-8810

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 Contact: Clark Patterson, 512-974-7691  
 Public Hearing: May 10, 2011, Planning Commission

James Powell  
 Your Name (please print)

115 West Ave -

Your address(es) affected by this application

[Signature]  
 Signature

5-6-11  
 Date

Daytime Telephone: 477-9939

Comments: For object.

I am in favor  
 I object

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

Planning & Development Review Department  
 Clark Patterson  
 P. O. Box 1088  
 Austin, TX 78767-8810

*[Handwritten initials]*

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Contact: Clark Patterson, 512-974-7691  
Public Hearing: May 24, 2011, Planning Commission  
June 23, 2011, City Council

I am in favor  
 I object

Your Name (please print) ALBERT KOECKER

Your address(es) affected by this application 800 W. 5TH # 808 AUSTIN, TX 78703

Signature [Handwritten Signature] Date 5-17-11

Daytime Telephone: 512 458-4545

Comments: FIRST OF AN ITS INSIDE THE VIEW CORRIDOR. WE DON'T NEED ANOTHER HIGH RISE REPLACING CARS.C DOWNTOWN ARCHITECTURE.

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

City of Austin  
Planning & Development Review Department  
Clark Patterson  
P. O. Box 1088  
Austin, TX 78767-8810

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## INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / re zonificación será repasada y acción será tomada de acuerdo a dos audiencias públicas: ante la Comisión de Usos Urbanos y el cabildo municipal. Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al propuesto desarrollo urbano o cambio de zonificación. Usted también puede contactar a una organización de protección al medio ambiente u organización de vecinos que haya expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rézonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la *Internet*:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Numero de caso: C14-2011-0006

Persona designada: Clark Patterson, 512-974-7691

Audiencia Publica: May 10, 2011, Planning Commission

LAWRENCE SPECK

Su nombre (en letra de molde)

I am in favor  
 I object

Su domicilio(s) afectado(s) por esta solicitud

Firma

Fecha

Daytime Telephone:

Comments:

Si usted usa esta forma para proveer comentarios, puede retornarlos:

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

CSP/17

**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](http://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: C14-2011-0006  
Contact: Clark Patterson, 512-974-7691  
Public Hearing: May 24, 2011, Planning Commission  
June 23, 2011, City Council

Your Name (please print) Elsie Powell  
505 W. 7th

I am in favor  
 Object

Your address(es) affected by this application

Austin, TX 78701 5-15-11

Signature Elsie Powell Date

Daytime Telephone: \_\_\_\_\_

Comments: 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  
Clark Patterson  
P. O. Box 1088  
Austin, TX 78767-8810

*CP*  
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