

**ZONING CHANGE REVIEW SHEET**

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**CASE:** C14-2011-0058 707 West Avenue Rezoning

**P.C. DATE:** 07/26/11

**ADDRESS:** 705, 707, 709, 711 West Avenue  
& 711 West 7th Street

**AREA:** 0.444 Acres

**APPLICANT:** Cirrus Logic, Inc.  
(Thurman Case)

**AGENT:** Armbrust & Brown, P.L.L.C.  
(Richard Suttle)

**NEIGHBORHOOD PLAN AREA:** Downtown

**CAPITOL VIEW:** Yes

**T.I.A.** No

**HILL COUNTRY ROADWAY:** No

**WATERSHED:** Shoal Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** GO – General Office

**ZONING TO:** CS – General Commercial Services

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends CS-CO, General Commercial Services - Conditional Overlay. The Conditional Overlay would prohibit the following uses: Agricultural sale and services, Automotive rentals, Automotive repair services, Automotive sales, Blood plasma service, Building maintenance services, Campground, Commercial off street parking, Construction sales and services, Convenience storage Drop off recycling collection facility, Equipment repair services, Equipment sales, Funeral services, Kennels, Monument retail sales, Plant nursery, Service station, Stables, Vehicle storage, and Veterinary services and would make the following uses a conditional use: Cocktail lounge, liquor sales and Bail bond services and would limit the vehicle trips to 2,000 per day.

**DEPARTMENT COMMENTS:**

The property is currently developed with a two story office building with an adjacent three story parking garage. The applicant, Cirrus Logic, Inc. is currently constructing a multi-story office building on property that it owns on the Northwest corner of West Avenue and 6<sup>th</sup> Street which was granted DMU-CURE zoning with ordinance number 20050728 in 2005. The new facility will be approximately 135,000 square feet and will be able to accommodate up to 500 employees at full capacity. The building is expected to be completed and ready for occupancy by the end of summer 2012. The property was granted CURE which increased the permitted height on the property to one hundred thirty six feet (136'). Cirrus Logic, Inc. is a premier supplier of high-precision analog and digital signal processing components for audio and energy markets. The applicant has indicated that they need a structure close to the one under construction that they can use for Electronic Prototype Assembly, Electronic Testing and Research Services. The first zoning district that permits those uses is General Commercial Services (CS). The subject property is located on the Northeast corner of 7<sup>th</sup> Street and West Avenue and is in the Northwest District of the Downtown Austin Plan. The Downtown Austin Plan calls for this property to convert to Downtown Mixed Use with a sixty foot height limit (DMU-60). The applicant has been meeting with the neighborhood, Original Austin Neighborhood Association, to work out an agreement that would satisfy both parties. To date the

neighborhood has issued a letter stating their position and it is included in your back up. The applicant has agreed to prohibit the listed uses in the letter. The prohibited uses are those that are not found in the Downtown Mixed Use zoning district. By agreeing to prohibit those uses, you are ostensibly left with a "DMU-60" with three additional uses, those being Electronic Prototype Assembly, Electronic Testing and Research Services. This case was heard by the Downtown Commission on July 20<sup>th</sup> and they voted 10-0-1 to support the zone change request.

**PLANNING COMMISSION RECOMMENDATION:**

**BASIS FOR RECOMMENDATION:**

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

Granting the requested zoning, as stated in the staff recommendation, would result in a land use that would be no more intense than what would be granted in the Downtown Austin Plan.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
SITE	GO	Office
NORTH	GO/MF-4	Office
SOUTH	GO/GR	Office building
EAST	GO	Office
WEST	GO	Retail/services

**CASE HISTORIES:**

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-05-0040	From GO to DMU-CURE-CO	Approved DMU-CURE-CO [Vote: 7-0]	Approved DMU-CURE CO [Vote: 7-0]
C14-06-0007	From CS to CBD-CO	Approved CBD-CO [Vote: 7-0]	Approved CBD-CO [Vote: 5-0]
C14-06-0183	From GR to CBD-CURE-CO	Approved CBD-CO-CURE [Vote: 7-0]	Approved CBD-CO-CURE [Vote: 7-0]

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

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**SCHOOLS:**

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

**SITE PLAN:**

- SP 1. This site is within the Capitol View Corridor, and the maximum height allowed within the view corridor is strictly enforced. For any new development, an application for a Capitol View Corridor Height Determination must be submitted to Intake and demonstrate compliance prior to site plan review. For more information, contact the Development Assistance Center at 974-6370.
- SP 2. This tract is also located within the Criminal Justice Center Overlay District (§ 25-2-650), and the following uses are prohibited:
- (1) bail bond services uses, cocktail lounge uses, or liquor sales uses that would otherwise be a permitted use as a conditional use; and
  - (2) pawn shop services uses is a prohibited use.
- SP 3. Any new construction may require compliance with Subchapter E, Commercial Design Guidelines for Urban Roadways. Additional comments will be made during the site plan review.
- SP 4. Site plans will be required for any new development other than single-family or duplex residential.

**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.

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- 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.

**TRANSPORTATION:**

TR1: Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
West Avenue	80'	36'	Collector	Not Available
West 7 <sup>th</sup> Street	80'	36'	Collector	Not Available

TR2: No additional right-of-way is needed at this time.

TR3: 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].

TR4: There are existing sidewalks along West 7th Street. There are no existing sidewalks along West Avenue.

TR5: 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:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
West Avenue	Wide Curb	Wide Curb
West 7 <sup>th</sup> Street	Shared Lane	Shared Lane

TR6: Capital Metro bus service (route nos. 4, 21, & 103) is available along West 6<sup>th</sup> Street at West Avenue.

**CITY COUNCIL DATE:** August 18th, 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



C14

**ZONING**

ZONING CASE#: C14-2011-0058  
 LOCATION: 705, 707, 709 & 711 WEST AVE & 711 W 7TH ST  
 SUBJECT AREA: 0.444 ACRES  
 GRID: J22  
 MANAGER: CLARK PATTERSON

-  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.





CAPITOL VIEW CORRIDOR

SUBJECT TRACT

WOOD ST

WEST AVE

W 9TH ST

W 8TH ST

W 7TH ST

W 6TH ST

RIO GRANDE ST

NUECES ST

GO-CURE

GAS STA

PRINT

GO-CURE

OFFICE

USED CARS

LAW OFF

GO-2132

GO

SP-05-0707C

SP-02-0416C

SP-04-0448C

GO

GO-CURE

USED CARS

### 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	tan $\theta$ times b'	Max. Elev. VP Elev. + a'	Max. Elev. - RS Elev. (approx.)
Barton Creek Pedestrian Bridge - 1	a	445	3285	482	208	6465	0.0246	5180	127.43	572.43	90.43
Barton Creek Pedestrian Bridge - 1	b	445	3465	472	208	8465	0.0246	5000	123.00	568.00	96.00

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ORDINANCE NO. 20050728-Z021

C1/8

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 800 WEST 6<sup>TH</sup> STREET, 602, 606, AND 700 WEST AVENUE FROM GENERAL OFFICE (GO) DISTRICT AND DOWNTOWN MIXED USE (DMU) DISTRICT TO DOWNTOWN MIXED USE- CONDITIONAL OVERLAY-CENTRAL URBAN REDEVELOPMENT DISTRICT (DMU-CO-CURE) 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 and downtown mixed use (DMU) district to downtown mixed use-conditional overlay-central urban redevelopment district (DMU-CO-CURE) combining district on the property described in Zoning Case No. C14-05-0040, on file at the Neighborhood Planning and Zoning Department, as follows:

Lots 1-6, Outlot 1, Division E, J.H. Robinson Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 1, Page 28, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 800 West 6<sup>th</sup> Street, 602, 606, and 700 West Avenue, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

**PART 2.** The regulations for the Property within the boundaries of the CURE combining district established by this ordinance are modified as follows:

The maximum height of a building or structure or portion of a building or structure is 136 feet.

**PART 3.** 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.



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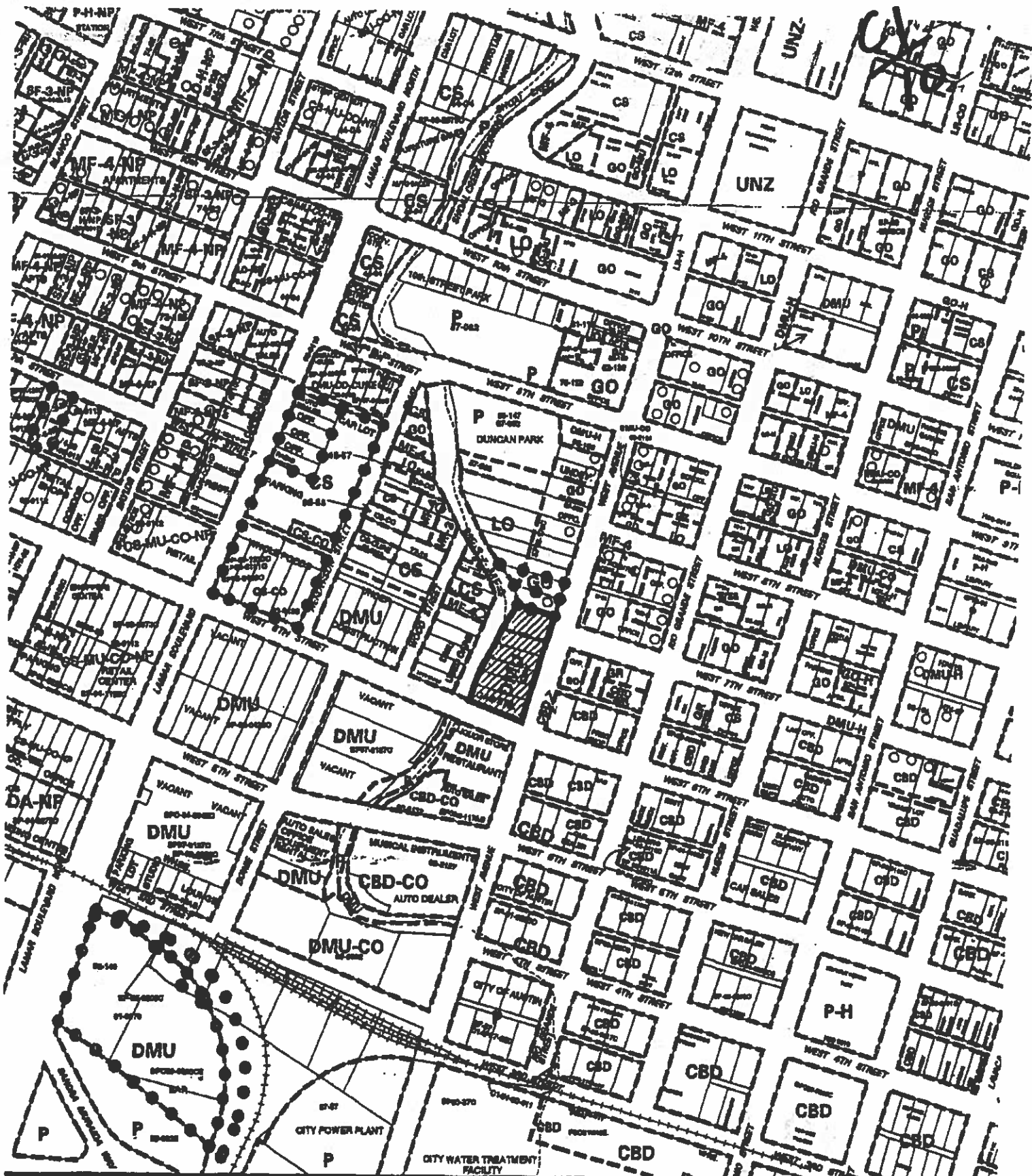
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the downtown mixed use (DMU) base district and other applicable requirements of the City Code.





**PART 4.** This ordinance takes effect on August 8, 2005.

**PASSED AND APPROVED**

\_\_\_\_\_ July 28 \_\_\_\_\_, 2005      §  
   §  
   §  
   \_\_\_\_\_  
   Will Wynn  
   Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
   David Allan Smith     Shirley A. Brown  
   City Attorney     City Clerk



 1" = 400'	<b>SUBJECT TRACT</b> 	<b>ZONING EXHIBIT A</b>	<b>CITY GRID REFERENCE NUMBER</b> H22
	<b>PENDING CASE</b> 		
	<b>ZONING BOUNDARY</b> 		
	<b>CASE MGR: T. BOLT</b>		
<b>CASE #: C14-05-0040</b>		<b>DATE: 05-07</b>	
<b>ADDRESS: 800 W 8TH ST</b>		<b>INTLS: SM</b>	
<b>SUBJECT AREA (acres): 1.337</b>			

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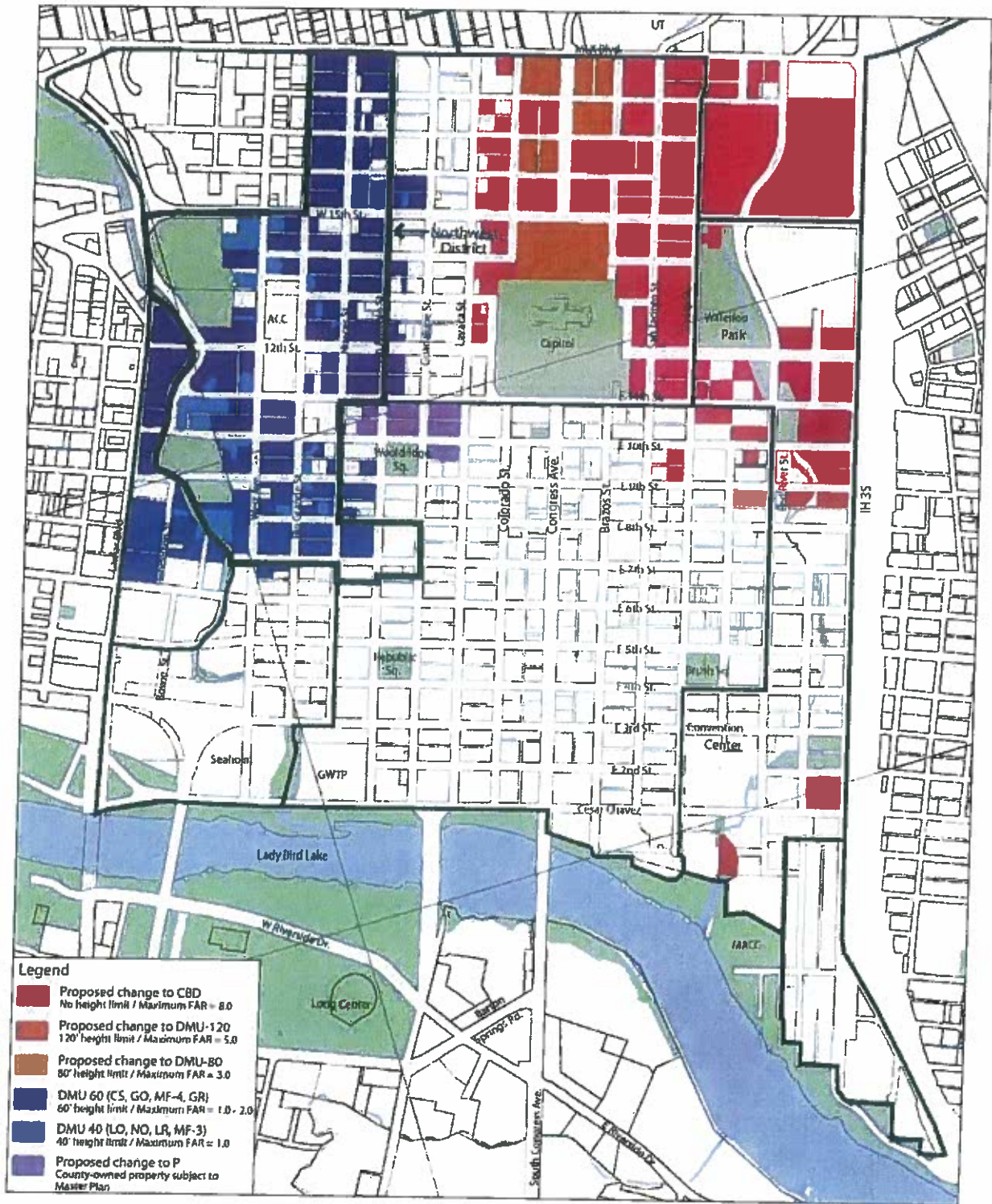


Figure 7:  
Northwest District Proposed Zoning Changes

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### Future Headquarters Building



In January 2011, Cirrus Logic began construction on its new corporate headquarters in downtown Austin at 800 West 6th Street, intersecting West Avenue. The new facility will be approximately 135,000 square feet and will be able to accommodate up to 500 employees at full capacity. The building is expected to be completed and ready for occupancy by the end of summer 2012.

#### Weeks of July 4 and June 27, 2011



#### Weeks of June 20, June 6 and May 30, 2011



#### Weeks of May 23, May 9 and May 2, 2011



#### Weeks of April 25, April 18, and April 4, 2011

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

June 24, 2011

Clark Patterson, Case Manager  
Planning & Development Review Department  
P. O. Box 1088  
Austin, Texas 78767

**RE: C14-2011-0058 - 707 West Avenue, AKA: 705, 709, 711 West Avenue and 710 West 7th Street**

**Proposed Zoning Change:**

**From: GO-General Office**

**To: CS-General Commercial Services**

Dear Mr. Patterson:

The Board of Directors (BoD) of the Original Austin Neighborhood Association (OANA) at its regularly scheduled monthly meeting on June 15, 2011, upon notice to interested parties, discussed the above referenced rezoning request to change the zoning from GO-General Office to CS-General Commercial Services for this property on West Avenue.

The OANA BoD believes that CS zoning is not consistent with the recommendations for the Northwest District of the Downtown Austin Plan. A number of OANA directors are opposed to the proposed rezoning and the application of CS zoning on or north of West 7th Street within the boundaries of OANA. Among their concerns is that this zoning change request, if approved, will set a bad precedent, no matter what conditions are placed on it.

Additionally, some OANA directors believe the applicant could work with City staff to initiate a code amendment that would allow the uses they need within the DMU zoning category, and once this is done, the applicant could apply for DMU zoning, consistent with the Downtown Austin Plan recommendations.

However, after discussions with you, other city staff and the applicant, **the majority of the OANA BoD, does not object to the applicant's proposed uses (i.e., Electronic Prototype Assembly, Electronic Testing and Research Services) at this location.**

Therefore, in consultation with the applicant, **the OANA BoD supports CS-CO zoning on the subject property, provided that the applicant agrees to a Conditional Overlay (CO) enforced by the City of Austin; and provided the applicant enters into a private Restrictive Covenant (RC) with OANA, limiting this zoning change to 1) this tract of land; 2) at this time; and, 3) to this user.**

**We propose that the CO would contain the following provisions.**

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First, the CO would prohibit the following uses that otherwise would be allowed under CS zoning:

- Agricultural Sales and Service
- Automotive Sales
- Campground
- Convenience Storage
- Equipment Repair Service
- Kennels
- Service Station
- Veterinary Services
- Automotive Rentals
- Blood plasma service
- Commercial off street parking
- Drop-Off Recycling Collection Facility
- Equipment Sales
- Monument Retail Sales
- Stables
- Automotive Repair Services
- Building Maintenance Services
- Construction Sales & Services
- Funeral Services
- Plant Nursery
- Vehicle Storage

Second, the CO would require Great Streets treatment in the public right of way and pedestrian-oriented uses within the building along both the West 7<sup>th</sup> Street and West Avenue frontages, as well as creating the appropriate building façade treatments and openings that contribute to a high-quality pedestrian environment, such as those required by Subchapter E of the Land Development Code. (This would also include re-locating the dumpster, which is currently in the public ROW, onto the property and screening it, and screening the surface parking, per the current Landscape Ordinance.

Third, the CO would require that in any building on this property a minimum of 50% of the building's net square footage above 60' in height would have to be dedicated to residential uses.

Thank you in help in this case, and please contact me if you have any questions.

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 Schnell**

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6 July 2011

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

RE: C14-2011-0058; 707 West Avenue

Dear Mr. Patterson:

I am writing to you today as an individual property owner (601 & 603 West 12th Street and 1202 San Antonio Street) in the North West District of downtown Austin. I am opposed to the rezoning of the above referenced property to the requested CS zoning district, or any zoning district less restrictive than DMU-60, and would ask City Staff to recommend that zoning district also.

My opposition to the requested rezoning is based on the following:

1) Under the definition of the Commercial Services zoning district:

“Commercial or industrial activities which typically have operating characteristics or traffic service requirements **generally incompatible with residential environments**”

There are contiguous residential uses to the east, north and northwest of the property proposed for rezoning, and a plain reading of the Land development Code should preclude this rezoning as being incompatible with this long standing use.

2) The introduction of the Commercial Services zoning district on to this block would be spot zoning, and regardless of Conditional Overlays, would potentially destroy the character of the block. There are no current zoning districts comparable to the requested zoning district east of West Avenue and north of West 7th Street, and the granting of the requested rezoning would set a precedent.

3) The applicant has cited a need to do “electronic testing” at the property referenced and have cited that use as the reason they need such an intense zoning district. First, why was not this testing facility need not anticipated in their ongoing building project at West 6th Street and West Avenue? I also question why this purportedly innocuous use cannot be accommodated by a change in allowed use under the DMU zoning district. Rezoning a property, especially to a much less restrictive zoning district than is currently in place is a very consequential matter.

4) The Downtown Austin Plan anticipates a rezoning of the property to DMU-60.

I consider this matter a “bright line” test of whether the City is serious about bringing residents back to the North West District. I am asking that the rezoning request be denied.

Blake Tollett  
3701 Bonnie Road 78703  
512-477-4028  
blake.tollett@earthlink.net