

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0081

ACC Rio Grande Campus #3

P. C. DATE: 09/25/12, 11/13/12, 11/27/12, 01/08/13**ADDRESS:** 1212 Rio Grande Street**AREA:** 3.24 acres**APPLICANT:** Austin Community College
(William Mullane)**AGENT:** MWM Design Group, Inc.
(Frank Del Castillo, Jr.)**NEIGHBORHOOD PLAN AREA:** Downtown**CAPITOL VIEW:** Yes**T.I.A.:** No**HILL COUNTRY ROADWAY:** No**WATERSHED:** Shoal Creek**DESIRED DEVELOPMENT ZONE:** Yes**ZONING FROM:** UNZ, Unzoned & UNZ-H, Unzoned, Historic Landmark.**ZONING TO:** DMU, Downtown Mixed Use & DMU-H, Downtown Mixed use, Historic Landmark.**SUMMARY STAFF RECOMMENDATION:**

Staff recommends DMU-CO, Downtown Mixed Use, Conditional Overlay & DMU-H-CO, Downtown Mixed Use, Historic Landmark for Tract 1 and DMU-H-CO, Downtown Mixed Use, Historic Landmark, Conditional Overlay for Tract 2. The Conditional Overlay will limit the height to eighty feet (80') on Tract 1 and sixty feet (60') on Tract 2, require a minimum fifteen foot (15') setback on West 13th ½, Rio Grande and West 12th Streets, a ten foot (10') setback on West Avenue, prohibit the following use: Automotive repair services, Automotive sales, Automotive washing, Bail bond services, Council services, Drop off recycling collection facility, Exterminating services, Funeral services, Financial services Guidance services, Local utility services, Outdoor entertainment, Residential treatment, Restaurant limited and will limit total vehicle trips to less than 2,000 per day.

HISTORIC LANDMARK COMMISSION RECOMMENDATION:**PLANNING COMMISSION RECOMMENDATION:****DEPARTMENT COMMENTS:**

This site is within the Downtown Austin Plan. The site is located in the Northwest District of the Downtown Austin Plan. This property is not designated to convert to any new Downtown Mixed Use zoning district because it is currently unzoned. The site is currently developed with two buildings, the southern building being the former Austin High School which opened in September 1881. The current building was constructed in 1915. This building is now the main building of the Austin Community College Rio Grande Campus and is one of four zoning/rezoning requests submitted by Austin Community College. The site was designated as a Historic Landmark in 1982. This site is located within the Red Bud Trail Capital View Corridor. The site would not be affected by the Capital View Corridor since it allows for a maximum height

of one hundred and fifty feet (150'). The staff is recommending a ten foot (10') setback adjacent to West Avenue fifteen foot (15') setback on West 13th ½, Rio Grande and West 12th Streets which the applicant is in agreement with. The Original Austin Neighborhood Association is supporting the request by Austin Community College. (see attached letter) This site is located within the "desired development zone" where development is encouraged to locate. Any new construction will require compliance with Green Building standards of ONE Star for all buildings constructed on this site.

BASIS FOR RECOMMENDATION:

1. Zoning changes should promote compatibility with adjacent and nearby uses.

Granting DMU-CO would be in keeping with the adjacent uses and zonings in the area and would be in conformance with the recently adopted Downtown Austin Plan.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	UNZ & UNZ-H	Community College
NORTH	LO & GO	Single family
SOUTH	UNZ	Elementary School
EAST	GO	Office
WEST	MF-4, LO	Multifamily/Office

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-06-0177 807 West Ave.	From MF-4 to DMU-CO	Approved DMU-CO [Vote: 7-0]	Approved DMU-CO [Vote: 5-0]
C14-2007-0212 907 Rio Grande	From MF-4 to LO-MU	Approved LO-MU [Vote 7-0]	Approved LO-MU [Vote 9-0]
C14-00-2236 609 West 9 th St.	From GO to GO - MU	Approved GO - MU [Vote 9-0]	Approved GO-MU [Vote 5-0]

NEIGHBORHOOD ORGANIZATION:

- Austin Neighborhoods Council
- Downtown Austin Neighborhood Assn.
- Downtown Austin Neighborhood Coalition
- West End Alliance
- Original Austin Neighborhood Assoc.

SCHOOLS:

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

SITE PLAN:

SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP2. The site is subject to compatibility standards. Along the west property line (zoned SF-3 and if it does not get rezoned), the following standards apply:

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.

In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

SP4. The site is located within Criminal Justice Overlay, and two Capitol View Corridors from Red Bud Trail; height limits are strictly enforced. Additional comments will be made at the site plan review.

SP5. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property. Please contact the Historic Preservation Officer at 974-6454 for additional information [Chapter 25-11]. And there is a moonlight tower on this site, which is required that a moonlight tower will be adequately protected from damage during construction.

SP6. This site is within the Downtown Plan (CBD/DMU). Any new construction will require compliance with Green Building standards of ONE Star is required for all buildings constructed on this site. Contact the Green Building Program at 482-5300 for additional information. For information regarding the Downtown Plan and/or Design Commission, please contact Jorge Rousselin, with Urban Design Division at 974-2975.

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 floodplain maps there is no floodplain 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:

TR1. No additional right-of-way is needed at this time.

TR2. 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].

TR3. Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
West Avenue	80	40	Collector	Yes	No	No
Rio Grande	80	40	Collector	Yes	Yes	No
12th Street	varies	MNR 4	Arterial	Yes	Yes	Yes
13th 1/2 Street	60	30	Collector	Yes	No	No

CITY COUNCIL DATE: November 1st, 2012

ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691





TRACT 1

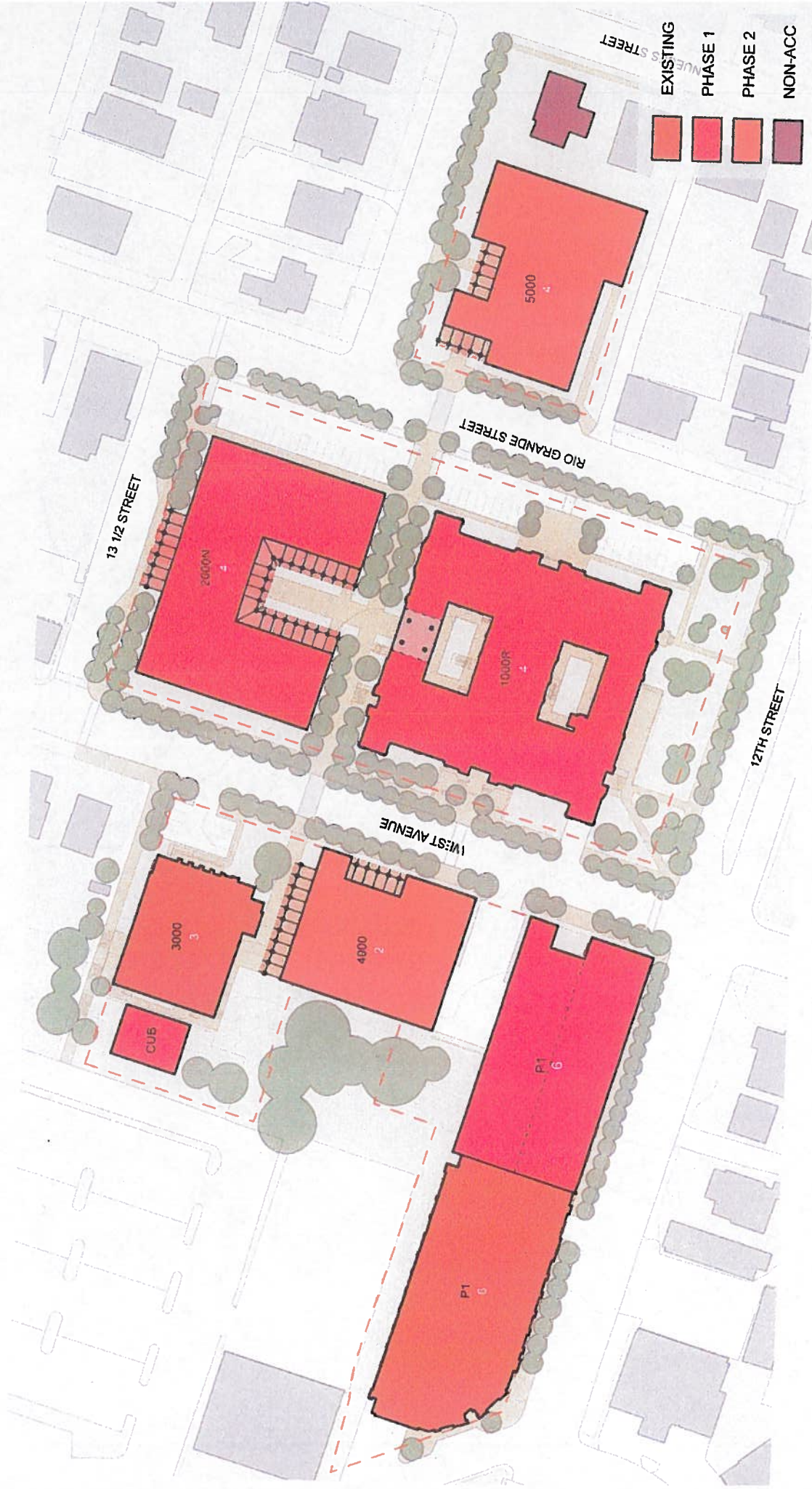
TRACT 2



Height Determination Worksheet

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

[illegible]



- EXISTING
- PHASE 1
- PHASE 2
- NON-ACC



Google earth

feet 10
meters 3





Google earth

feet 10
meters 4



Draft - May 21, 2010

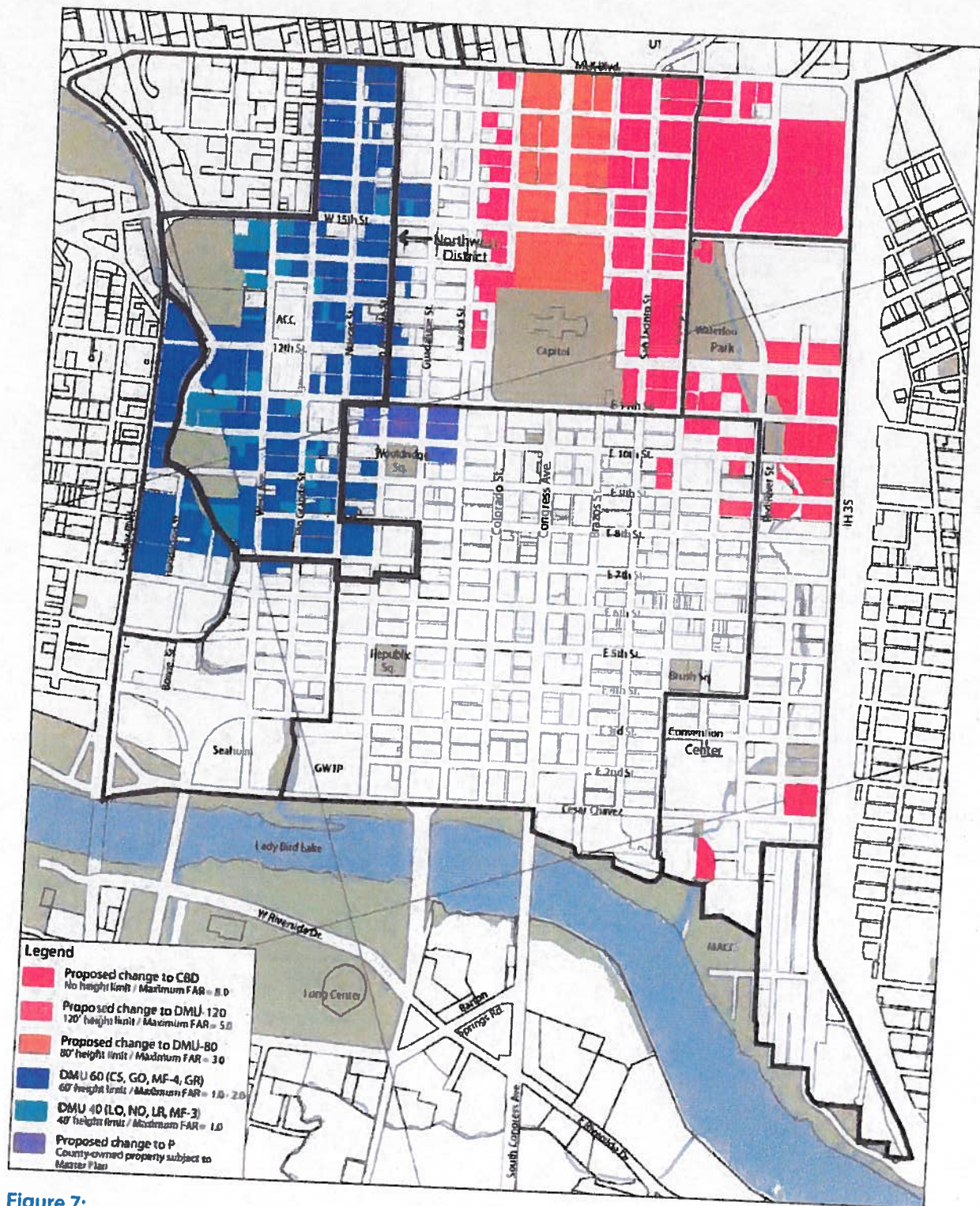
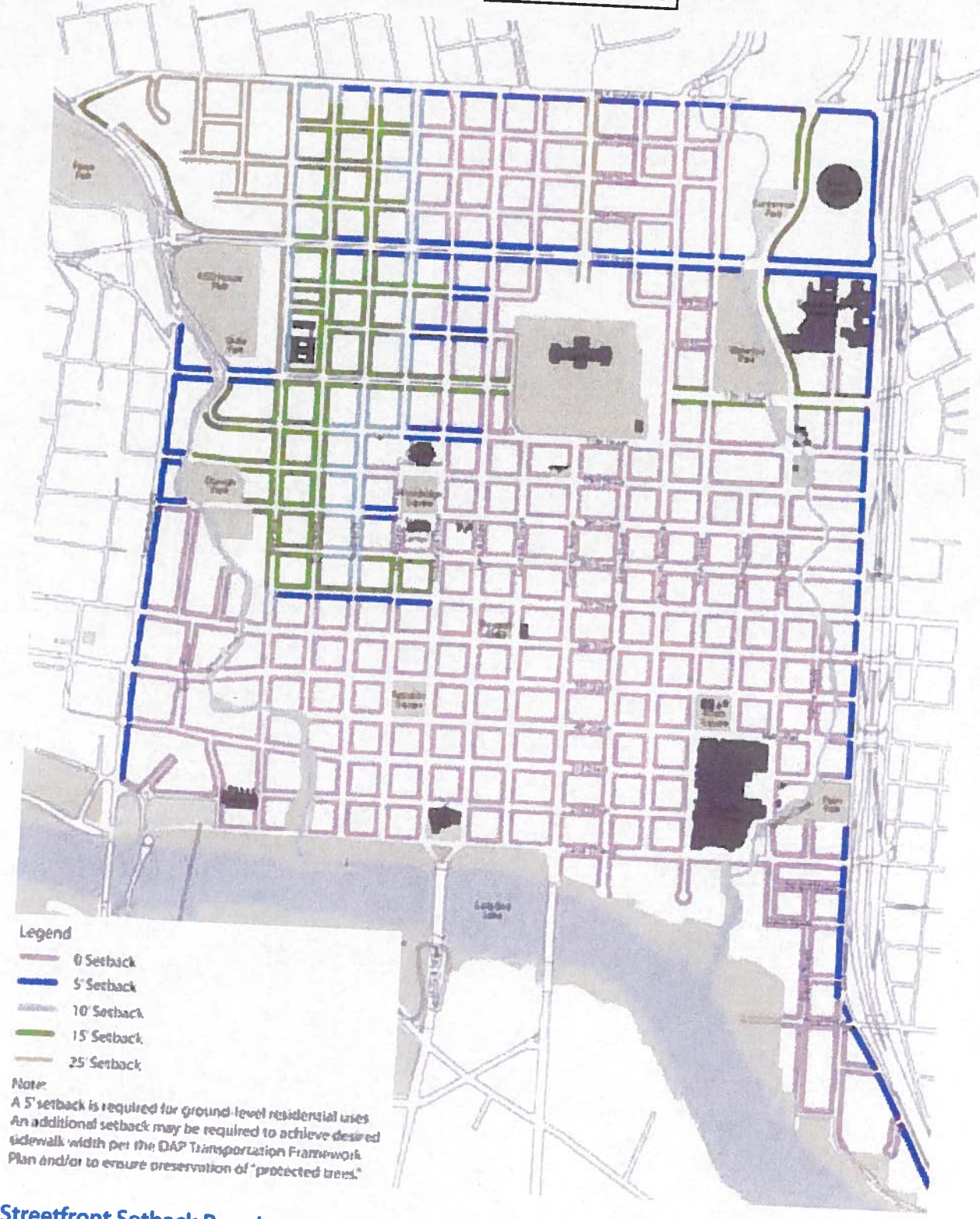


Figure 7:
Northwest District Proposed Zoning Changes

Amendment 42



Streetfront Setback Requirements Map



Post Office Box 1282

Austin, TX 78767

www.originalaustin.org

June 6, 2012

Mr. Bill Mullane
Executive Director, Facilities and Construction
Austin Community College District
9101 Tuscany Way
Austin, Texas 78754

RE: Rezoning of ACC – Rio Grande Campus

Dear Mr. Mullane:

The Original Austin Neighborhood Association (OANA) Board of Directors met at its regularly scheduled monthly meeting yesterday and discussed your Rio Grande Campus plan. I've organized our response into three sections: zoning, setbacks and compatibility. Here it is:

Zoning

We thank you for working with OANA over the last 3 years. We appreciate the opportunities we've had to discuss your plans and to provide input. We anticipate that you will be submitting a request to rezone nine (9) parcels of land in connection with your Rio Grande Campus plan. Our understanding of your zoning change requests is as follows:

1204 West Ave	from LO, MF-4, CS	to DMU
1206 West Ave	from LO, MF-4	to DMU
1215½ West Ave	from UNZ	to DMU
1218 West Ave	from SF-3, P	to DMU
1212 Rio Grande St	from UNZ-H	to DMU-H
1216 Rio Grande St	from UNZ	to DMU
1209 Rio Grande St	from GO	to DMU
1215 Rio Grande St	from GO	to DMU
605 West 13 th St	from LR-CO	to DMU

With regard to these zoning requests, we support all them, subject to the following conditions:

1. Height: We support your effort to accommodate an increasing number of students and we support the Downtown Austin Plan's (DAP) recommendations regarding building height. The condition we proposed is to restrict height to 60' on the 8 properties other than 1216 Rio Grande Street. We support the current (pre-DAP) DMU height limit of 120' on 1216 Rio Grande Street.

2. Uses: The condition we propose is that the following potential uses of the property be prohibited:

-Automotive Repair Services	-Automotive Sales	-Automotive Washing
-Bail Bond Services	-Counseling Services	-Drop-Off Recycling Collection Facility
-Exterminating Services	-Funeral Services	-Financial Services
-Guidance Services	-Local Utility Services	-Outdoor Entertainment
-Pawn Shop Services	-Residential Treatment	-Telecommunications Tower

- Restaurant (Drive-in)
- Service Station
- and any use requiring an outdoor music permit

3. Great Streets: The condition we proposed is that any and all development on each property shall include participation in the Austin Great Streets Program.

Setback requirements

The street right-of-way for West Avenue is 80' with a pavement width of 40'. This provides for 20' of open space between the curb and the property line on each side of the street. In addition, the Downtown Austin Plan requires an additional 25' of building setback on the west side of West Avenue and an additional 10' of setback on the east side of West Avenue, for a total distance from the curb to any proposed building of 45' on the west side and 30' on the east side of the street, as shown on the Street front Setback Requirements Map. We understand that you will be requesting a modification to the Northwest District Street Front Setback Requirements as follows:

1204 West Ave	from 25 feet setback	to 5 feet setback or 25-feet from curb
1206 West Ave	from 25 feet setback	to 5 feet setback or 25-feet from curb
1218 West Ave	from 25 feet setback	to 5 feet setback or 25-feet from curb

We support these requests for changes in the setback requirements because they will benefit pedestrians and allow for more effective utilization of the properties.

Compatibility

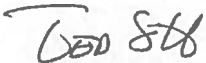
The Proposed Downtown Compatibility Zones and Standards provide for maximum height limitations that will affect your property because of the incorrect SF-3 Zoning that currently exists on the House Park property. We understand that you will be requesting a waiver to the Downtown Compatibility standards to eliminate the height limitations in relation to any parcel zoned or designated use as single-family. The waiver will only apply to Block 153.

OANA simply obscures that the House Park property is incorrectly zoned and that this mistake should be corrected. Therefore, **OANA recommends that the City of Austin correct the zoning on the House Park property by changing it to P-Public**, which would remove 'compatibility' as an issue.

As stated and conditioned above, OANA supports Austin Community College's rezoning request, and looks forward to the proposed improvements of the Rio Grande Campus. If we need to provide support by attending a Planning Commission meeting or City Council meeting, let us know when the meeting(s) will be and we will have one of our representatives present.

Should you have any questions, please contact me.

Sincerely,



Ted Siff, President

Board of Directors

Albert Stowell, Treasurer
Blake Tollett, Secretary
Ray Canfield
Rick Hardin
Paul Isham
Perry Lorenz
John Horton
Bill Schnell

Patterson, Clark

From: Jay Tassin <jtassin@austin.rr.com>
Sent: Thursday, December 13, 2012 10:45 AM
To: Haase, Victoria (Tori)
Cc: Patterson, Clark
Subject: Re: Case Numbers C14-2012-0079, -0080, -0081 and -0082
Attachments: Compatibility Zones dap_final_report_11-15-10.jpg; DAP II front setbacks 2-16-10_rev2-23-10.pdf; ACC Rio Grande All Phases 2012.jpg; Resolution ACC Rio Grande.docx

Dear Historic Landmark Commissioners,

I'm a resident of downtown Austin and a member of the Heritage Society. I ask that you that you require ACC to adhere to the Downtown Austin Plan (DAP) as while changing its zoning categories for the Rio Grande campus. This will ensure that it respects both the history of the old Austin High School, one of our most important historic landmarks, and the integrity of the painstaking, expensive public process that, following input from various commissions such as yours, led to adoption of the DAP by our City Council.

In general, I support the increased zoning to Downtown Mixed Use and the increased flexibility it will afford ACC in generating a more dynamic, pedestrian- and cyclist-friendly campus. The Original Austin Neighborhood Association has asked that some of the more worrisome uses (Bail Bondsman, for instance) be removed for these sites, which seems prudent for a school. I also agree with the plan to eventually generate additional parking (attachment 1 from the ACC website, the brick red building labeled P1) for the many working students who, while juggling dual obligations in a high-traffic city, can only reach campus in a timely fashion by car.

The two issues that most concern me are street setbacks and height limits. To abrogate either would undermine the integrity of the thoughtfully designed public plan.

Appropriate street setbacks (attachment 2) were carefully determined by the city's consultants after thorough public input. These setbacks compensate for asymmetry in the position of street rights-of-way and honor the predominant setback of structures on each roadway in historic areas of the Northwest District and Judges Hill. ACC's application asks to reduce setbacks from 25 feet to 5 feet and from 15 feet to 10 feet, thereby making its expansions "sore thumbs" that protrude beyond predominant setbacks on West Avenue and Rio Grande Street.

Such protrusions destroy the character of these streets and their tree canopies in a slippery slope fashion. Once you make exceptions, the logic behind this type of character preservation crumbles, and each subsequent applicant asks to "max out" based on the new precedent. It is counter to the spirit of the DAP, which preserves what is good and unique in each of the various parts of downtown, while encouraging density appropriate to a given area or block.

My second concern is the request to increase heights from 40 or 60 feet to as much as 120 feet (!). We spent hundreds of hours as citizens participating with our appointed and elected leaders to develop the approved plan with its cogent logic and sense of balance. Now is no time to renege on that commitment. Old Austin High looks to be less than 40 feet tall. To abut it with a large-

footprint (attachment 1 from the ACC website, the brick red building labeled 2000N), 120-foot-tall building would destroy the visual integrity of the historic structure in a downtown district where planners and leaders agree that history is especially important.

ACC is a government entity that purports to abide by all City of Austin rules. With their new campuses, including over 80 acres at nearby Highland Mall, ACC cannot claim that it lacks space for central expansion. Approving this application unchanged would create an especially dangerous precedent. Zoning is by its nature subject to the domino theory, and an inappropriate government exception is the most injurious kind. If ACC, with its enormous opportunities for expansion nearby, is allowed to ignore the rules, the next applicant for such an egregious variance will be able to claim onerous discrimination if denied similar treatment. It's hypocritical for government to make rules for its citizens yet exempt itself for no defensible reason, especially in a setting where no credible hardship can be imagined.

In developing the DAP, residents of single family homes gave up existing property rights to replace Compatibility Standards with Compatibility Zones in portions of Judges Hill and the Northwest District. These zones, by eliminating roll-back zoning or single family use as generators of compatibility effects, reduce homeowner protections but allow developers increased flexibility and predictability.

The ACC application seeks to ignore Compatibility Zones A and B, which limit heights to 40 feet on either side of West Avenue and 60 feet on the west side of Rio Grande (the old Austin High and its northern annex, shown in blue, are split by the border between these zones in attachment 3). These zones run continuously north into Judges Hill and allow heights to step up in a rapid, orderly progression from areas dense with smaller scale historic structures and dense tree canopies toward the densest areas of the urban core. If you allow a local government entity to punch holes in the zones, you will undermine the commitment made to homeowners who supported the compatibility concessions. Others will then run roughshod over the reduced protections, breaking the promise on a wider scale and discouraging future cooperation from central Austin homeowners.

In summary, I ask that you honor the public process that got us here and support the appropriate increase in entitlements (DMU-40 and DMU-60) for ACC's expansion while respecting the DAP and, in particular its specific street setbacks and compatibility zone height limits. Attachment 4 summarizes this in a resolution by the Judges Hill Neighborhood Association.

Thank you for your service to Austin,

Jay Tassin

Downtown Officer, Judges Hill Neighborhood Association

<<...>> <<...>> <<...>> <<...>>

Whereas Judges Hill Neighborhood Association shares compatibility zones in the Downtown Austin Plan with Austin Community College, the JHN Association requests that the City of Austin honor the Downtown Austin Plan's height requirements (40 feet and 60 feet) and street setback requirements, and that any entitlements granted to Austin Community College respect the visual historic integrity of the old Austin High School.

Patterson, Clark

From: David Holt <dholt@fastmail.fm>
Sent: Tuesday, December 11, 2012 8:13 PM
To: Patterson, Clark
Subject: Concerning Case Numbers C14-2012-0079, -0080, -0081 and -0082

Dear Historic Commission and Planning Commission,

Concerning Case Numbers C14-2012-0079, -0080, -0081 and -0082

Please vote against the zoning changes requested by ACC Rio Grande, in order to honor the City of Austin's Downtown Austin Plan's height requirements (40 feet and 60 feet) and street setback requirements, and that any entitlements granted to Austin Community College respect the visual historic integrity of the old Austin High School.

Sincerely,

David Holt
Old Austin High Class of 1965
2305 Toulouse Drive
Austin, Texas 78748
512-280-3161

dholt@fastmail.fm

Patterson, Clark

From: Mollie Tower <mtower@realtime.net>
Sent: Tuesday, December 11, 2012 7:23 PM
To: Patterson, Clark
Subject: Austin High School Changes

Dear Historic Commission and Planning Commission, Concerning Case Numbers C14-2012-0079, -0080, -0081 and -0082 Please vote against the zoning changes requested by ACC Rio Grande, in order to honor the City of Austin's Downtown Austin Plan's height requirements (40 feet and 60 feet) and street setback requirements. Any entitlements granted to Austin Community College needs to respect the visual historic integrity of the old Austin High School.

Sincerely,

Mollie Tower

Austin HS, Class of '63

October 29, 2012

To the Austin Planning Commission and the Austin City Council:

Re:

Proposed DMU 60 Zoning Plan
C16 C14-2012-0079 HCC Rio Grande
C17 C14-2012-0080 HCC Rio Grande
C18 C14-2012-0081 HCC Rio Grande
C19 C14-2012-0082 HCC Rio Grande

My name is Roger Pinckney. I have Power of Attorney for Mr. Robert Gage. Mr. Gage is 97 yearsold and is a life long resident of Austin. He has lived at 1304 Rio Grande for almost 50 years and owns three properties within three hundred feet of the old Austin High School now Austin Community College at the corner of Rio Grande and E. 12th.

Mr. Gage and I and some of his neighbors are opposed to the zoning changes proposed by Austin Community College. We are not opposed to their planned improvements, but to the zoning chages proposed by the City Planning Department. The proposed DMU 60 zoning plan needs a fresh review by the City Planning Department and the City Council. This new plan covers a huge area from the river to Martin Luther King St. and from Lamar Blvd. to near Guadalupe St. with the exception of Judge's Hill. This new zoning category allows all kinds of uses, including car repair businesses, restaurants, bars, etc. This is a classic example of SPOT ZONING" and is a horrible way to do city planning. The neighbors do not want to fight every zoning case that comes before the zoning board. It would be difficult and time consuming to remain organized for each case year after year.

This area has some beautiful residential neighborhoods with many private homes, offices, condos and apartments. It already has a high density usage and cannot remain an attractive place for people to want to live in if there is increased demand for parking spaces, increased noise levels from bars, restaurants, etc.

I was born in Austin and helped start one of the first neighborhood organizations, North University Neighborhood Association, NUNA, in the 1970s. It was from Red River St. to Duval

and 26th St to 38th St. This area was saved from turning into a bar scene with only offices and fraternities into the desirable inner city place to live that it is today.

We urge that the City Planning Department and City Council take a fresh look at this interesting area of old Austin and come up with a plan that preserves these areas. Other cities such as New Orleans with the French Quarter and San Antonio with its King William District have been able to preserve these interesting downtown spots as livable, quiet spots. Please consider our request to table the proposed DMU 60 Zoning Plan.



Roger Pinckney

P.O. Box 691

LLANO, TX 78643

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cell 325-248-1400