

1 of 29

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0119 – Neal Mixed Use Zoning

<u>P.C. DATE</u>: February 9, 2016 February 23, 2016

ADDRESS: 1507, 1509, 1511, 1601, 1603 Shoal Creek Boulevard

DISTRICT AREA: 9

OWNER/APPLICANT: F. Scott Holdings, LLC

AGENT: Site Specifics (John Hussey)

TRACT 1 - ZONING FROM:GOTO:GO-MUTRACT 2 - ZONING FROM:LOTO:GO-MUTRACT 3 - ZONING FROM:SF-3TO:GO-MU

TOTAL AREA: 1.56 acres (67,953 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

Staff recommends general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning for Tracts 1, 2, and 3. The conditional overlay will limit building height to 45ft. and will require that future development provide joint access for the properties to Shoal Creek Boulevard.

PLANNING COMMISSION RECOMMENDATION:

February 9, 2016; *Postponed, at the request of the Applicant, to February 23, 2016 [J. Vela III, J. Schissler-2nd] (12-0).*

February 23, 2016;

ISSUES: There is a valid petition at 39.06% against GO-MU zoning.

DEPARTMENT COMMENTS:

The subject tracts total approximately 1.56 acres located along a hillside at the north eastern corner of the 15th Street Bridge and Lamar Boulevard intersection on the most southern and isolated segment of Shoal Creek Boulevard. The subject tracts are surrounded by single family to the east, office uses to the north, undeveloped, City owned green space and Pease Park to the west and additional undeveloped, City owned land to the south. Development on the property includes eight structures, ranging from one to two stories which are currently being used for residential purposes. At least one of the four structures located on Tract 1 dates back to circa 1938. The remaining four structures, on Tract 2, were constructed in the 1950's and 1960's. Tract 3 is undeveloped. Per a site visit, there appears to be a homeless camp with a lot of trash and debris either on or close to Tract 3. The Tracts, combined, have a total of seven driveways that access Shoal Creek Boulevard.

The Applicant has requested to change the zoning for all three tracts to GO-MU in order to gain consistency of zoning and development standards across these adjacent properties. Additionally, the

-MU overlay is requested in order to remedy the existing legal, non-conforming residential uses on the property. There are no plans for redevelopment of the properties at this time.

In reviewing the zoning request, various issues and details were brought forward that could be a challenge in future development on the properties. At least one structure located on Tract 1 has been identified by local neighborhood residents as having potential for being historically significant. While historical significance has not been vetted by the City Historic Preservation Office, if substantiated, efforts to preserve the structure would be recommended or possibly required. Additionally, there are 3 trees of significant (most likely Heritage) size, located on Tracts 1 and 2. Similarly, there is a concern that the properties may have some critical environmental features that could hinder any significant redevelopment of the subject tracts; however, this issue would be assessed at the time of site plan or subdivision. The topography across the subject Tracts presents a 56 foot difference between the highest and lowest elevations with the highest elevation abutting SF-3 zoned properties to the east. These challenges are only to redevelopment and have no bearing on the existing development.

With the subject Tracts being situated close to Lamar Boulevard and West 15th Street, in close proximity to other properties that are similarly zoned LO or GO, and being adjacent to existing residential (SF-3) uses, Staff recommends GO-MU-CO combining district zoning for Tracts 1, 2 and 3. Existing or new uses and development on the three Tracts will continue to be buffered from the single-family uses by the topography of the land with the adjacent existing single-family uses located at the top of the cliff. Even though the Land Development Code already establishes protections for single-family uses through compatibility requirements for height, the conditional overlay will further limit building height to 45 feet for all three Tracts and will also require that future development provide joint access from the three Tracts to Shoal Creek Boulevard.

TRACT 1	ZONING	LAND USES
Site	GO	Office and Residential
North	GO	Office
South	LO	Office and Residential
East	SF-3	Single Family Residential
West	SF-3 / Public ROW	Undeveloped, City owned

EXISTING ZONING AND LAND USES:

TRACT 2	ZONING	LAND USES
Site	LO	
North	GO	Office and Residential
South	LO	Undeveloped, City owned (Charles Forest)
East	SF-3	Undeveloped, City owned & Single Family Residential
West	SF-3 / Public ROW	Undeveloped, City owned

TRACT 3	ZONING	LAND USES
Site	SF-3	Undeveloped
North	SF-3	Single Family Residential and undeveloped
South	SF-3	Undeveloped, City owned
East	SF-3	Single Family Residential
West	LO	Office and Residential

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NEIGHBORHOOD PLANNING AREA: Downtown Austin Plan

<u>TIA</u>: No, however a TIA may be required at the time of site plan.

WATERSHED: Shoal Creek DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Community Registry Name	ID
Judges' Hill Neighborhood Association	58
Central Austin Community Development Corporation	1391
SEL Texas	1363
City of Austin Downtown Commission	623
Austin Heritage Tree Foundation	1340
Historic Austin Neighborhood Association	1400
Austin Independent School District	742
Friends of Austin Neighborhoods	1530
Downtown Austin Neighborhood Assn. (DANA)	402
Friends of Emma Barrientos MACC	1447
Sierra Club, Austin Regional Group	1228
Shoal Creek Conservancy	1497
Bike Austin	1528
Austin Neighborhoods Council	511
Preservation Austin	1424
West End Austin Alliance	998
Old Enfield Homeowners Association	173
Site Specifics	832
Old West Austin Neighborhood Plan Contact Team	1011
Old Austin Neighborhood Association	57

<u>SCHOOLS</u>: Bryker Woods Elementary, O Henry Middle, Austin High

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2010-	LO-H to GO-H	12/16/2011 - forwarded to City	12/6/2015 – request withdrawn by
0206 -		Council w/o a recommendation.	the Applicant.
Arabella;			
1502 West			
Avenue			
C14-2010-	SF-3 to GO	10/26/2010 – Denied GO.	2/17/11 – request withdrawn by
0101 – Shoal			the Applicant.
Creek Blvd.;			
1808 Vance			

Circle			
C14-2010-	NO-H-CO to	Case Expired before being	Case Expired
0095	NO-H	scheduled for public hearings	
C14-06-0016	LO to SF-3	3/28/2006 – Apvd SF-3.	4/27/2006 – Apvd SF-3.
– Replat of			
West 16 th			
Place; 908 W			
16 th Street			

<u>RELATED CASES</u>: There are no related cases.

<u>ABUTTING STREETS</u>:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Shoal Creek Blvd	72'	35'	Collector	No	No	Yes

<u>CITY COUNCIL DATE</u>:

ACTION:

March 24, 2016;

ORDINANCE READINGS: 1st

 2^{nd}

ORDINANCE NUMBER:

CASE MANAGER: Victoria Haase

PHONE: 512-974-7691 EMAIL: tori.haase@austintexas.gov

3rd

STAFF RECOMMENDATION

Staff recommends general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning for Tracts 1, 2, and 3. The conditional overlay will limit building height to 45ft. and will require that future development provide joint access for the properties to Shoal Creek Boulevard.

BASIS FOR RECOMMENDATION

- 1. The proposed zoning should be consistent with the purpose statement of the district sought.
- 2. Zoning changes should promote compatibility with adjacent and nearby uses.
- *3.* Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.
- 4. The proposed zoning should promote consistency and orderly planning.

Generally, the subject tracts are located between Lamar Boulevard, a highly traveled core transit corridor, and the long established Judges Hill neighborhood which is an appropriate location for a office and/or residential uses. General office district is the zoning designation for offices and selected commercial uses predominantly serving community or citywide needs, such as medical or professional offices.

This particular area is unique in that the topography offers some protections or buffers to the single family neighborhood at the top of the hill from the busy, fast paced traffic on Lamar Boulevard. Similarly, there is a strip of City owned green space that slopes downward to Lamar Boulevard as it separates this isolated portion of Shoal Creek Boulevard, the subject properties, and the residents of the Judges Hill neighborhood from traffic and noise at the very bottom of the hill along Lamar Boulevard. The subject Tracts are located in an area that is appropriate for office and/or residential uses.

Similar properties along the east side of Lamar Boulevard and this portion of Shoal Creek Boulevard have either GO or LO zoning. Rezoning the three Tracts to GO-MU would promote consistency with the nearby office uses and also allow the flexibility to incorporate a higher density residential use if desired which would buffer and transition to the less intense, single family properties to the east.

EXISTING CONDITIONS

Site Characteristics

The subject tracts are located on a hill side that slopes downward, west. Tracts 1 & 2 are developed with 8 structures ranging from one to two stories. Tract 3 is undeveloped and heavily wooded. Tract 3 was not accessible by foot at the time of site visit. The properties, combined, have a total of seven driveways that access Shoal Creek Boulevard. Some driveways are long and made of concrete or asphalt while others are short with angled parking spaces constructed of brick pavers. Per a site visit, there are at least 3 trees of significant (most likely Heritage) size, located on Tract 1. There appears to be some topographic constraints as there is a difference of 56 feet between the highest and lowest elevations across the three Tracts.

Impervious Cover

The Tracts are located in an Urban Watershed and therefore the zoning district will determine the impervious cover limits. The LO zoning district established an impervious cover limit of 70%. The GO zoning district allows up to 80% impervious cover. In scenarios where conflicting regulations are presented, the most restrictive impervious cover limit applies.

Comprehensive Planning

The subject tracts are located in the Judges Hill District of the Downtown Austin Plan. The Plan provided no recommendations for this district or this specific property.

Environmental – Mike McDougal, 512-974-6380

- 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. Zoning district impervious cover limits apply in the Urban Watershed classification.
- 3. According to floodplain maps there is a floodplain adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.
- 4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- 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. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
- 7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

DSD Transportation – Bryan Golden, 512-974-3124

- TR1. Additional right-of-way maybe required at the time of subdivision and/or site plan.
- TR2. If the requested zoning is granted, it is recommended that joint access be provided for the 3 lots along Shoal Creek Blvd to mitigate approaching traffic from Lamar/15th.
- TR3. A TIA may be required at the time of site plan.

- TR4. A Neighborhood Traffic Analysis (NTA) may be required at the time of site plan if access to W. 16th Street is proposed.
- TR4. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Shoal Creek Blvd.

Water and Wastewater – Bradley Barron, 512-972-0078

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 any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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 tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Storm Water 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 storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

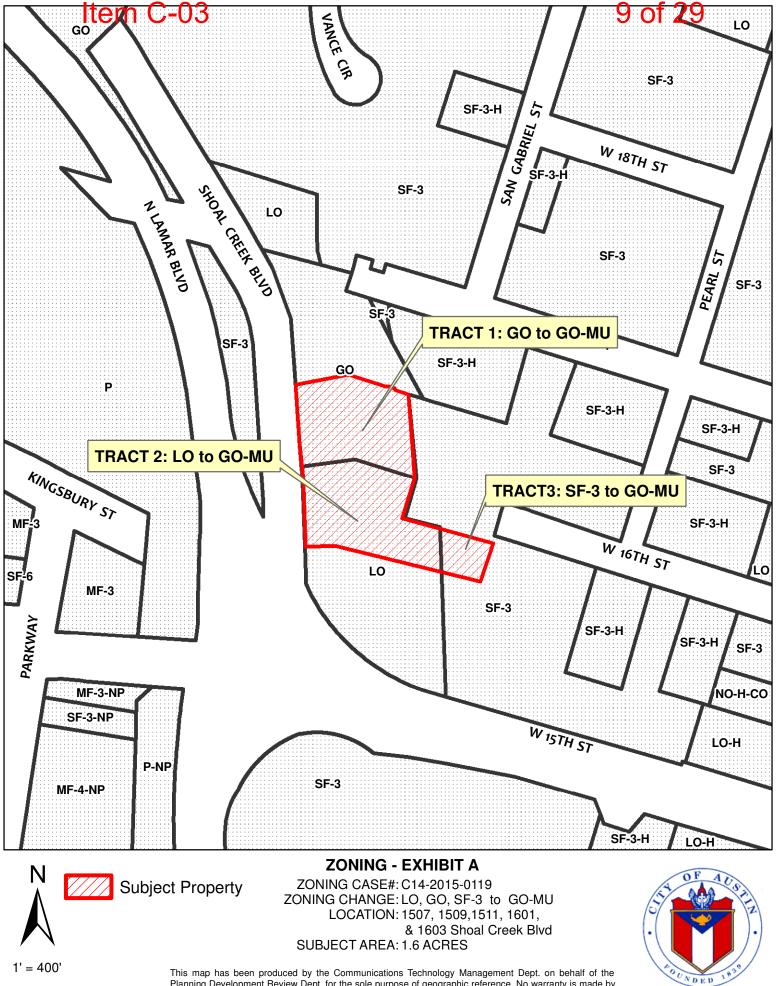
Site Plan and Compatibility Standards – Rosemary Avila, 512-974-2784

- SP1. Site plans will be required for any new development other than single-family or duplex residential.
- SP2. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP3. 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.
- SP4. The site is subject to compatibility standards. Along the east property lines, the following standards apply:
 - No structure may be built within 25 feet of the triggering property line.
 - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the triggering property line.
 - •No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the triggering property line.
 - No parking or driveways are allowed within 25 feet of the property line.

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• A landscape area at least 25 feet wide is required along 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.

SP5. Additional design regulations will be enforced at the time a site plan is submitted.



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.





AERIAL MAP - EXHIBIT B ZONING CASE#: C14-2015-0119 ZONING CHANGE: LO, GO, SF-3 to GO-MU LOCATION: 1507, 1509,1511, 1601, & 1603 Shoal Creek Blvd SUBJECT AREA: 1.6 ACRES



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.

1' = 400'



Case Number:

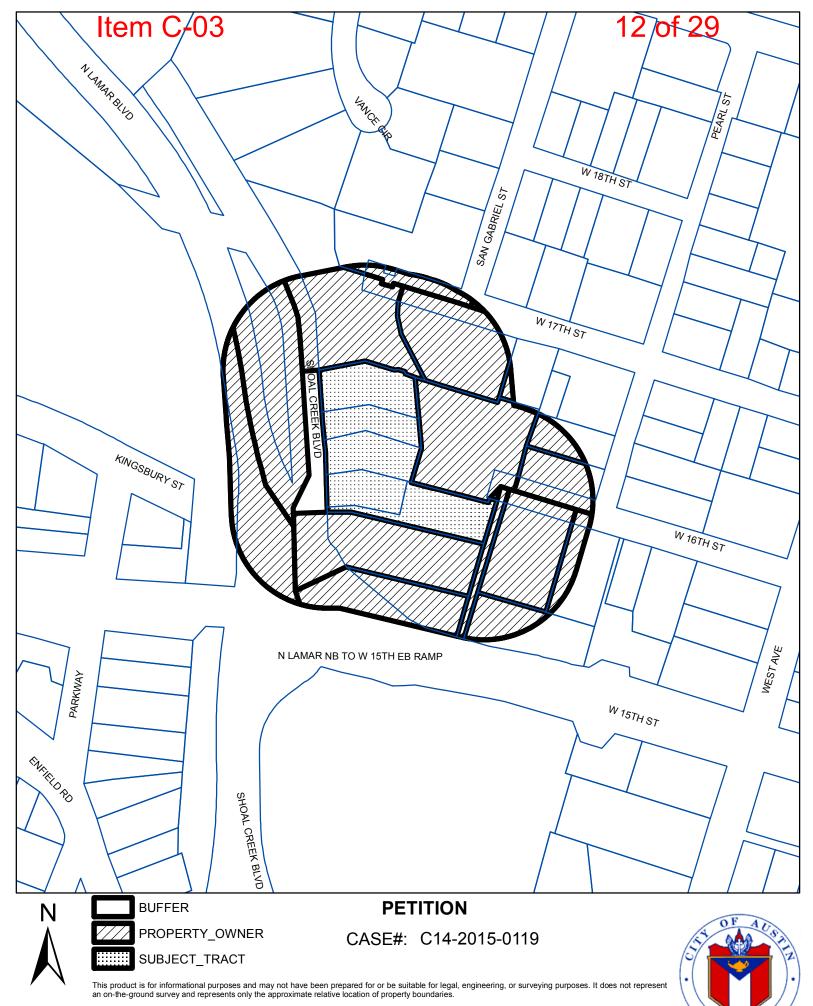
C14-2015-0119

PETITION

Date:	1/15/2016
Total Square Footage of Buffer:	385641.2455
Percentage of Square Footage Owned by Petitioners Within Buffer:	39.06%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Precent
0211010725	1609 SHOAL CREEK BLVD 78701	AUSTIN EQUITY INVESTORS LTD	no	43432.09	0.00%
0112000319	1700 SAN GABRIEL ST AUSTIN 78701	BLAKESLEE JULIE D & JOHN WILLIAM SHELBY SPONG	yes	6746.09	1.75%
0211010727	903 W 17 ST 78701	BRADSHAW ELIZABETH S MORIN LIFE ESTATE	no	1236.69	0.00%
0211010707	W 16 ST 78701	CITY OF AUSTIN	no	5441.04	0.00%
0112000401	N LAMAR BLVD 78701	CITY OF AUSTIN	no	37610.66	0.00%
0211010601	SHOAL CREEK BLVD 78701	CITY OF AUSTIN	no	49685.63	0.00%
0211010720	SHOAL CREEK BLVD 78701	CITY OF AUSTIN	no	46544.32	0.00%
0211010730	W 16 ST 78701	CITY OF AUSTIN	no	10701.37	0.00%
0211010719	1501 SHOAL CREEK BLVD 78701	CITY OF AUSTIN	no	27745.22	0.00%
0211010708	903 W 16 ST 78701	GOSSELINK PAUL & MARGARET L	yes	32857.13	8.52%
0211010731	908 W 16 ST 78701	HORNADAY WALTER & RAINA	yes	46468.90	12.05%
0211010703	1604 PEARL ST 78701	KUNZ JOSEPH DAVID LIVING TRUST	yes	5872.22	1.52%
0211010704	900 W 16 ST 78701	SWANN DENISE	yes	14839.98	3.85%
0211010726	1001 W 17 ST 78701	TASSIN JAY & BRENT DANNINGER	yes	36732.35	9.53%
0211010709	901 W 16 ST 78701	WARD MICHAEL E	yes	7101.39	1.84%
Total				373015.10	39.06%



1 " = 200 ' This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

NDED

October 21, 2015 Ms Tori Haase City of Austin Planning and Zoning Department One Texas Center 505 Barton Springs Road, Suite 500 Austin, TX

Dear Ms Hasse,

Please find enclosed 8 Petitions to oppose the application for re-zoning Case Number C14-2015-0119,

1507, 1509, 1511, 1601 and 1603 Shoal Creek Blvd.

(There are 2 petitions for 901 West 16th --husband and wife co-owners.) Please present these petitions for certification as a valid petition. Please contact me as soon as possible if there is something else needed for a valid petition.

Sincerely,

Magan

Megan Meisenbach 1800 San Gabriel Street Austin, TX 78701 512-940-2615 mmeisenbach@austin.rr.com

RECEIVED

OCT 21 2015

1507, 1509, 1511, 1601 & 1603 Shoal Creek Boulevard

File Number: C14-2015-0119

Application to change zoning from SF-3, LO and GO to GO -MU

RE: Petition to Oppose Re-Zoning of 1507, 1509, 1511, 1601 & 1603 Shoal Creek Boulevard

Dear Honorable Members of the Austin City Council, Planning Commission and Planning Staff:

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest any change of the Land Development Code that would zone the properties to any classification other than their individual present zonings.

There now exists a careful balance of zoning in the Judges Hill area. Increasing the zoning intensity for commercial properties immediately adjacent to single family homes would upset that balance and threaten the character and livability of this historic central neighborhood.

In Black Ink

Signature: Sally Would Printed Name: Sally Would Address: 901 West Woth, Austin 78701 Contact: Paopeoty Dwnee Email: Sallyubed 1@ Sbcglobal. net Phone: 512-472-8460

RECEIVED

OCT 21 2015

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In Black Ink

Signature: Michael Gurund

Printed Name: MICHAEL WARD

Address: Goi W. 16Th St.

Contact: PROPERTY OWNER

Email: mike. ward. austin @ gmail. com

Phone: 512-632-9561

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Signature: Raina Honnaday Printed Name: RAINA HORNADAY Address: 908 W16th St. Austin TX 79701

Contact:

Email: raina@hornaday, net

Phone: 512-971 -8825

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Paulit Musselmk 2 C PAUL & HOSSEZIWIE In Black Ink Signature: Printed Name: MARGARE

Address:

903 W. 16THST., AUSTIN, TX 7870/ measselink@austin rr.com prosselink@iglawfiem.com Contact:

Email:

Phone: 512- 322 -9599

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D. Blackeslee + John W.S. Spo In Black Ink Signature: Printed Name: ULED. BLAYESLEE San Gabriel + 1800 Vance Address: John Spong Contact: porgetexaspently, com **Email:** Phone: 512- 217.3446

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In Black Ink

Signature:

- Burnout of

Address:

Printed Name:

1604 PEARL ST

Contact:

Email: DRAWBRIDGER @ YHHOD . COM

J. DAVAD

Phone: 512- 708 9205

RECEIVED

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In Black Ink

Signature: Denute Sevana Printed Name: DENISE SWAND Address: 900 W. 16th St

Contact:

Email: clswann 4@ austin, rr. com

Phone: 512-477-5454

RECEIVED

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In Black Ink

Signature: You Tamp

Date: 9/8/15

Printed Name: JAY TASSIN

Address: 1001 W. 177M STREET ANSTIN, TX 78701 Contact: JAY TASSIN Email: JTASSIN@AUSTIN. RR. com

Phone: 512-786 -2.611

RECEIVED

OCT 21 2015

I am in favor comments should include the board or commission's name, the scheduled Written comments must be submitted to the board or commission (or the OFFICE SALE IN THIS PREDOMINARY SINGLE date of the public hearing, and the Case Number and the contact person Comments: THERE IS TOO MUCH ENCRONCHMENT From contact person listed on the notice) before or at a public hearing. Your X I object Date 1.25-16 MICHAEL L. AND AMANDA J. BRUENMED Public Hearing: Feb 9, 2016, Planning Commission FAMILY HISTORIC NEIGHBORNOOD. If you use this form to comment, it may be returned to: March 24, 2016, City Council Amaddy - Mumm Your address(es) affected by this application Signatule Daytime Telephone: S12 944 33 89 Contact: Tori Haase, 512-974-7691 807 W. 16 TH STRLET Case Number: C14-2015-0119 Planning & Zoning Department Your Name (please print) Austin, TX 78767-8810 listed on the notice. Victoria Haase City of Austin P. O. Box 1088 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 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 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 to those uses already allowed in the seven commercial zoning You may also contact a neighborhood or environmental organization that has expressed an interest in an application During its public hearing, the board or commission may 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 districts. As a result, the MU Combining District allows the speak FOR or AGAINST the proposed development or change. combination of office, retail, commercial, and residential uses **PUBLIC HEARING INFORMATION** from the announcement, no further notice is required.

affecting your neighborhood.

Item C-03

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

within a single development.

zoning.

10	Item C-03			23 OT 29
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