

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2016-0034 – 701 Rio Grande

**P.C. DATE:** May 24, 2016

**ADDRESS:** 701 Rio Grande Street and 602 W 7<sup>th</sup> Street

**DISTRICT AREA:** 9

**OWNER/APPLICANT:** Tract 1 – Rio Grande Street Partners, LP. (Diana Zuniga)  
Tract 2 – 602 7<sup>th</sup> Street Partners, LP. (Diana Zuniga)

**AGENT:** Drenner Group (Jewels Watson)

<b><u>TRACT 1 ZONING - FROM:</u></b>	GO	<b><u>TO:</u></b>	DMU-CO	<b><u>AREA:</u></b>	0.4525 acres (19,710 sq. ft.)
<b><u>TRACT 2 ZONING - FROM:</u></b>	GO	<b><u>TO:</u></b>	DMU-CO	<b><u>AREA:</u></b>	0.1557 acres (6,782 sq. ft.)
				<b><u>TOTAL AREA:</u></b>	0.6082 acres (26,493 sq. ft.)

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends downtown mixed use-conditional overlay (DMU-CO) combining district zoning. The conditional overlay will restrict building height to 60 feet. This recommendation is congruent with the Applicant's request and is supported by the Old West Austin Neighborhood Association (see Exhibit D).

### **PLANNING COMMISSION RECOMMENDATION:**

May 24, 2016;

*Approved DMU-CO zoning, as recommended by Staff, per passage of the consent agenda [P. Seeger / J. Vela III – 2<sup>nd</sup>] (10-0).*

### **DEPARTMENT COMMENTS:**

The area to be rezoned in this case is referred to as 701 Rio Grande and consists of two Tracts (see Exhibits A & B). Tract 1 is addressed as 701 Rio Grande and consists of two legally platted lots. Tract 2 is addressed 602 W 7<sup>th</sup> Street and consists of 1 legally platted lot. Together, the two Tracts total 0.602 acres located on the northeast corner of Rio Grande and West 7<sup>th</sup> Streets.

Tract 1 is developed with a one-story circa 1970's office building that is constructed across two lots and orients towards W. 7<sup>th</sup> Street. This Tract has vehicular access from two driveways on West 7<sup>th</sup> Street, two driveways on Rio Grande Street and through the alleyway at the back of the property, along the northern property line. Tract 2 is developed with a circa 1930's two-story single-family house that has been converted to an office use. The structure orients towards W. 7<sup>th</sup> Street and is accessible by vehicle from the alleyway that runs along the northern property line, at the back of the property.

The Applicant has requested a rezoning to Downtown Mixed Use-Conditional Overlay (DMU-CO) to develop a multifamily residential project. The application originally proposed 144 dwelling units but

was amended on May 18, 2016 to 100 dwelling units. The Applicant is proposing a 60 foot height restriction in the Conditional Overlay.

The subject properties are located in a Regional Center, as identified on the Imagine Austin Growth Concept Map as well as the Northwest District of the Downtown Austin Plan (DAP). A portion of Tract 1 is traversed by a Capitol View Corridor and both Tracts are within the Criminal Justice Center overlay.

The Northwest District of the DAP is an area of transition in building form and height between the Judges Hill District to the West and the Uptown/Capitol District to the east. Judges Hill is mostly residential, single-family homes or buildings of 1-3 stories that were built in the early 1900's. This area is one of the earlier residential neighborhoods in the City of Austin and therefore has many City, State and Nationally recognized Historic Landmark Properties lending to a distinct character and feel. The Uptown/Capitol District to the east currently has and is proposed for building heights upwards of 120 feet or more. This area of downtown is mostly developed with government office or private industry office buildings.

Properties in the general area of the subject Tracts have seen a trend in rezoning to DMU over the past 15 years, some of which is attributable to the passage of the Downtown Austin Plan in 2011. The DAP encourages a mix of uses in the downtown area by recommending a zoning change to DMU for many properties. Additionally, the Plan makes reference to a height restriction for individual properties. The purpose of the height restriction is to recognize the existing height limitation, established by the base zoning district, of each property at the time that the downtown area was being studied. In doing so, a mix of uses would be encouraged without granting additional height, which may not be appropriate in context with the established character of the Northwest District. Tracts 1 and 2 have GO base district zoning allowing building height up to 60 feet. The properties are not eligible to participate in the Density Bonus Program to gain additional height above existing entitlements and the plan encourages a rezoning to DMU and recognizes the 60 foot height restriction suggesting that it may be necessary to limit building height for this tract in order to blend well with the existing scale and form in the area.

Both Tracts are located in the Criminal Justice Center Overlay District. The purpose of the CJC overlay is to mitigate the effects of the criminal justice center on the surrounding neighborhood by restricting certain land uses; bail bond services, cocktail lounge use or liquor sales uses are conditional uses. Pawn Shop use is prohibited.

A Capitol View Corridor Determination completed for the property immediately to the north at 707 Rio Grande shows the northwest corner of Tract 1 is traversed by Capitol View Corridor (CVC) #9 (Exhibit C). Looking at the results of the determination for 707 Rio Grande, it does not appear that the CVC will have much impact on the proposed development since the Applicant has requested a 60 ft. height restriction across the two Tracts. Even so, a CVC determination will be required for Tract 1 before a site plan can be approved for development at this location.

Staff recommends DMU-CO with the conditional overlay restricting building height at 60 feet because it is supported by the Imagine Austin Comprehensive Plan and the Downtown Austin Plan. The request is consistent with re-zonings in the area and is compatible with adjacent land uses.

**ISSUES:** None at this time.

**EXISTING ZONING AND LAND USES:**

TRACT 1	ZONING	LAND USES
<i>Site</i>	GO	Personal Improvement Services – Fringe Salon
<i>North</i>	GO	Office – 3Seventy
<i>South</i>	CBD-CURE-CO & CBD-CO	Mixed Use – Office, Commercial, Residential
<i>East</i>	GO	Office - Roscoe Properties (TRACT 2 of this rezoning)
<i>West</i>	GO and GO-H	Office – Historic Landmark Structure

TRACT 2	ZONING	LAND USES
<i>Site</i>	GO	Office – Roscoe Properties
<i>North</i>	GO-H	Office – Historic Landmark Structure
<i>South</i>	CBD-CURE-CO & CBD-CO	Mixed Use – Office, Commercial, Residential
<i>East</i>	GO-H	Office – Historic Landmark Structure – Sooch Foundation
<i>West</i>	GO	Personal Improvement Services – Fringe Salon (TRACT 1 of this rezoning)

**NEIGHBORHOOD PLANNING AREA:** Downtown Austin Plan      **TIA:** Not required

**WATERSHED:** Shoal Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** Yes

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

<i>Community Registry Name</i>	<i>ID</i>
Austin Neighborhoods Council	511
Historic Austin Neighborhood Association	1400
West Downtown Alliance Inc.	1253
City of Austin Downtown Commission	623
Old Austin Neighborhood Association	57
Shoal Creek Conservancy	1497
Preservation Austin	1424
SEL Texas	1363
Bike Austin	1528
Austin Heritage Tree Foundation	1340
Sierra Club, Austin Regional Group	1228
West End Austin Alliance	998
Downtown Austin Neighborhood Assn. (DANA)	402
Austin Independent School District	742
Friends of Austin Neighborhoods	1530
Downtown Austin Alliance	438
Homeless Neighborhood Association	1550

**SCHOOLS:** Mathews Elementary, O Henry Middle, Austin High

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2013-0147 – 707 West Avenue Rezoning; 707 West Avenue	CS-CO to DMU	2/25/2014 – Apvd DMU-CO; height restricted to 60 feet, vehicle trips limited to 2,000 per day.	6/12/2014 – Apvd DMU-CO; height restricted to 60 feet, vehicle trips limited to 2,000 per day.
C14-2012-0105 – 702 San Antonio St.	DMU-H-CO to DMU-H-CO	10/9/2012 – Apvd DMU-H-CO.	11/8/2012 - Apvd DMU-H-CO; limit of 2,000 trips/day; max height of 70ft; min. 15ft. front yard setback; prohibited uses – Auto repair, Auto washing, Auto Sales, Bail Bond Svc, Counseling Svc, Exterminating Svc, Financial Svc, Local Utility Svc, Service Station, Funeral Svc, Guidance Svc, Outdoor Entertainment, Pawn Shop Svc, Telecommunications Tower, Residential Treatment, Restaurant (limited), Drop-off Recycling Collection.
C14-2012-0083 – Cirrus Rezoning; 800 W 6 <sup>th</sup> St.	Tract 1: DMU-CO-CURE to DMU-CURE Tract 2: GO & LO to DMU	4/9/2013 – Apvd Tract 1: DMU-CURE Tract 2: DMU-CO – height limited to 90ft.	6/6/2013 – Apvd Tract 1: DMU-CO-CURE; height limit of 136ft. Tract 2: DMU-CO; height limit of 90ft.; 26 ft. building setback at north PL; prohibited uses – Auto Repair Svc, Auto Sales, Exterminating Svc, Financial Svc, Local Utility Svc, Residential Treatment, Pawn Shop Svc, Service Station, Counseling Svc, Drop-off Recycling Collection, Funeral Svc, Guidance Svc, Outdoor Entertainment, Liquor Sales, Restaurant (limited), Bail Bond Svc.
C14-2011-0124 – 702 San Antonio Street	GO-H to DMU-H	10/9/2012 – Apvd DMU-H-CO.	2/9/2012 – Apvd DMU-H-CO; height restricted to 60 feet; vehicle trips limited to 2,000 per day; minimum 15 ft. wide building setback from ROW on San Antonio Street; list or prohibited uses.
C14-2011-0058 – 707	GO to CS	7/26/2011 – Apvd CS-MU-CO.	10/6/2011 – Apvd CS-MU-CO; trips limited to 2,000/day; list of



West Ave. Rezoning; 707 West Avenue			prohibited uses; established GO site development regulations.
C14-2011- 0036 – 807, 809, 811 Nueces St.	GO to DMU	5/24/2011 – Apvd DMU.	6/23/2011 – Apvd DMU-CO; trips limited to 2,000/day; height limited to 100 feet; 5ft minimum setback from property line along Nueces St; 5ft minimum setback from property line along 9 <sup>th</sup> St.; list of prohibited and conditional uses.
C14-2011- 0006 - ; 701 & 711 West 7 <sup>th</sup> Street	GO & GR to CBD	6/14/2011 – Apvd DMU-CURE	Apvd CBD-CO; max. height of 375ft.; requires 50% of net square bldg. footage for residential uses; parking must include one floor of underground parking; 2K DTL; prohibits sound amplification permit; prohibits uses.
C14-2010- 0207 – Robinson Foundation Offices; 510 W 8 <sup>th</sup> Street	MF-4 to DMU	6/14/2011 – Apvd DMU-CO.	7/28/2011 – Apvd DMU-CO; Bldg. height limited to 90ft.; prohibited bail bond services, pawn shop services, liquor sales. Food preparation and food sales are conditional uses.
C14-2008- 0150 – 808 Nueces Street	GO to DMU	9/9/2008 – Apvd DMU-CO.	12/11/2008 – Apvd DMU-CO; Bldg. height limited to 60ft; bail bond services, liquor sales and cocktail lounge are conditional uses; pawn shop use is prohibited.
C14-06-0187 – PATTON / 800San Antonio St	MF-4-H to CBD		12/14/2006 – Apvd DMU-H-CO; 55ft. height restriction; requires minimum of 30% GFA to be residential; 2K trip DTL.
C14-06-0183 - CLB/7TH & RIO GRANDE; 605 & 615 West 7 <sup>th</sup> St.	GR to CBD- CURE	12/12/06 – Apvd DMU-CO	3/1/2007 – Apvd CBD-CURE- CO; if bldg. is over 60ft. in height then F.A.R. is limited to 11.0:1.0; 75%of GFA must be residential; if bldg. exceeds 68ft. height, a 15ft step-back is required from West 7 <sup>th</sup> ROW, a 7ft. step-back is required from Rio Grande ROW; two levels of parking shall be underground. The above-ground floors of parking structure must be screened; loading spaces shall be located in the ally area to the South; pedestrian uses shall occupy 75% of the bldg. frontage along Rio Grande Street and West

			7 <sup>th</sup> Street; cocktail lounge is prohibited; limit of 2,000 trips/day; vehicular access from Rio Grande to parking structure shall be for residential uses only.
C14-06-0177 – 807 West; 807 West Avenue	MF-4 to DMU	9/26/2006 – Apvd DMU-CO.	11/2/2006 – Apvd DMU-CO; list of prohibited uses; drive in service is prohibited as an accessory use to a commercial use; height restricted to 60ft.
C14-06-0007 – Rattle Inn, 610, 612, 616 Nueces Street	CS to CBD	2/28/2006 – Apvd CBD-CO	4/6/2006 – Apvd CBD-CO; 2,000 daily trip limit.
C14-99-2124 – 805 West Avenue, 805 West Avenue	MF-4 to DMU	1/18/2000 – Apvd GO-MU-CO	3/23/2000 – Apvd DMU-CO; list of prohibited uses; Non-residential use not to exceed 78% of GFA; A parking space may not be located in front street adjacent to West Avenue; A structure or portion of a structure may not be located within 15 feet of West Avenue and may not exceed 60 ft.
C14-99-0138 – 802 San Antonio St	MF-4 to DMU	11/9/1999 – Apvd DMU-CO.	12/9/1999 - Apvd DMU-CO; 2K DTL; requires 15% of GFA for residential uses; prohibits uses.

**RELATED CASES:**

C17-06-0013 – Capitol View Corridor Height Determination for 602 W 7<sup>th</sup> Street  
– Approved 9/6/2006 with no height restrictions (see Exhibit D)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Facility	Capital Metro (within ¼ mile)
Rio Grande St	80'	37'	Collector	Yes	Shared Lane	Yes
W. 7th	80'	37'	Collector	Yes	Shared Lane	Yes

**CITY COUNCIL DATE:**

**ACTION:**

June 16, 2016;

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Victoria Haase

**PHONE:** 512-974-7691

## **EXISTING CONDITIONS**

### ***Site Characteristics***

Tract 1, at 701 Rio Grande, is developed with a one-story stucco building that was built circa 1970. The building is surrounded on all sides by an asphalt parking lot. There is one mature tree between the parking lot and sidewalk along W. 7<sup>th</sup> Street and 3 mature trees in the greenspace between the sidewalk and Rio Grande Street. Based upon a site visit, there does not appear to be any topographical constraints. However, topography data shows a gradual decrease in elevation from east to west.

Tract 2, located at 602 W. 7<sup>th</sup> Street is developed with a two-story, stucco building that was built circa 1930. Parking for this property is along the northern property line, accessible by an alleyway. There are 2 mature trees at the front of the property, close to W. 7<sup>th</sup> Street and another tree at the back of the property, where the parking is located. Tract 2 is at a higher elevation than Tract 1 and has a higher degree of topographic changes.

### ***Impervious Cover***

The GO zoning district establishes a limit of 80% impervious cover. The DMU zoning district will allow up to 100% impervious cover.

### ***Comprehensive Planning***

**Downtown Austin Plan** - The subject property is located in the Northwest District of the Downtown Austin Plan. The subject property has been identified in the plan document a property that is proposed for a zoning change to Downtown Mixed Use (DMU) with a suggested height restriction of 60 ft. (pg. 79). DMU will grant entitlement rights to develop the property in a way that will implement the following district-specific goals:

- 2. Bring residents back to the neighborhood.
- 5. Improve the pedestrian environment.

**Imagine Austin Plan** - The subject property is located within the boundaries of a 'Regional Center', as identified in the Imagine Austin's Growth Concept Map, found in the Imagine Austin Plan. A Regional Center is the most urban of the three activity centers outlined in the growth concept map and are intended to be retail, cultural, recreational, and entertainment destinations for Central Texas. These are also the places where the greatest density of people and jobs and the tallest buildings in the region will be located. The densities, buildings heights, and overall character of a center will vary depending on location. Regional centers will range in size between approximately 25,000-45,000 people and 5,000- 25,000 jobs. The following IACP policies are applicable to this case:

- **LUT P3** Promote development in **compact centers**, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

Based on the information above, Staff believes that the proposed zoning change is supported by both the Downtown Austin Plan and the Imagine Austin Comprehensive Plan.

***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 no floodplain within or adjacent to 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.

***DSD Transportation – Amanda Couch, 512-974-2881***

- TR1. Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.
- TR2. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a Quiet Street is recommended for Rio Grande St and a Buffered Bike Lane is recommended for W 7<sup>th</sup>.
- TR3. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

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

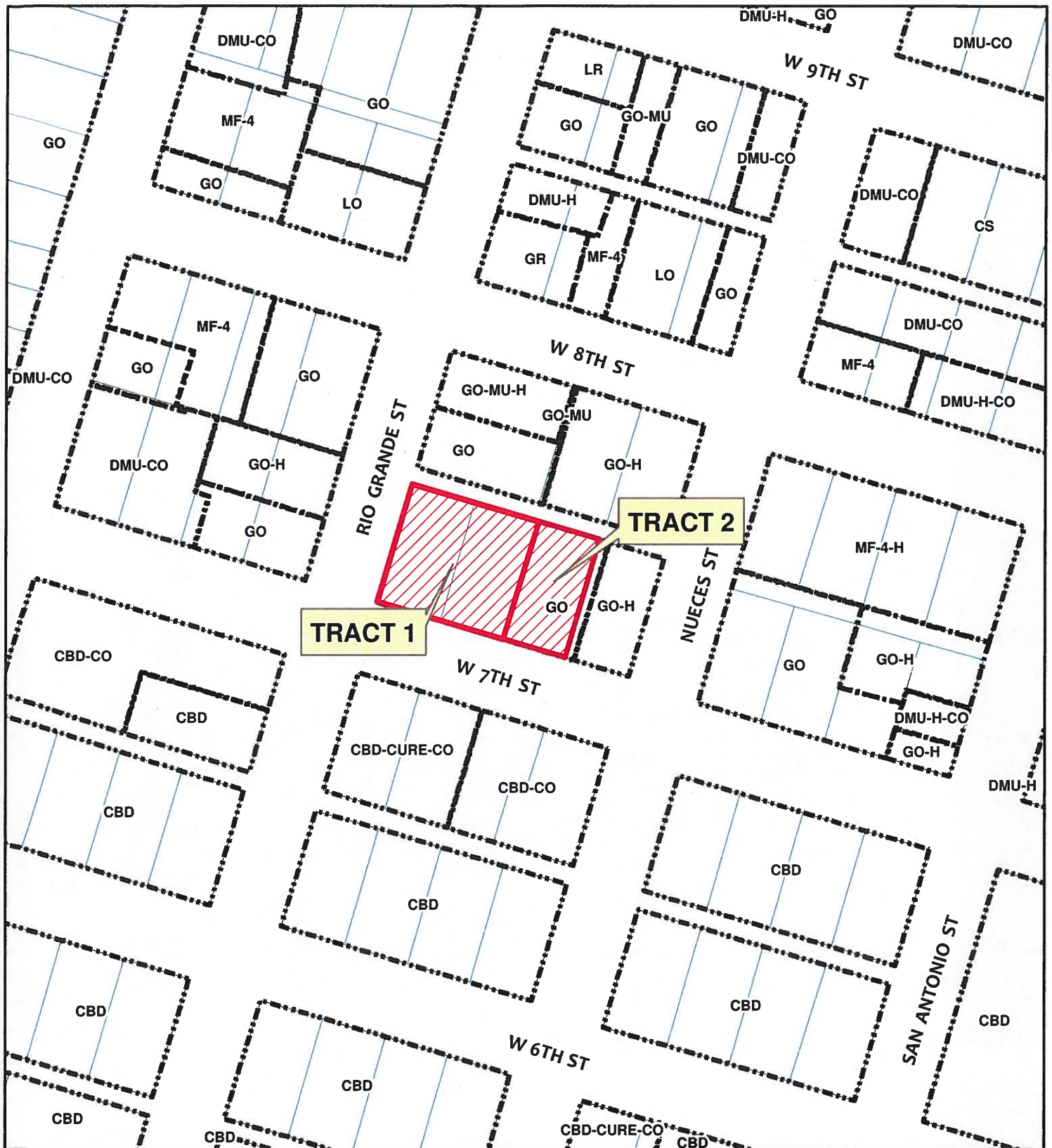
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.

***Site Plan and Compatibility Standards – Christine Barton-Holmes, 512-974-2788***

- SP 1 Any new development is subject to Subchapter E. Design Standards and Mixed Use.  
Additional comments will be made when the site plan is submitted.
- SP 2 The northwest corner of this site is within the Barton Creek Pedestrian Bridge/SDCC Capitol View Corridor (Corridor #'s 9 and 32). A Capitol View Corridor height analysis will need to be filed and reviewed prior to or concurrent with the site plan and the site plan and elevations will need to indicate allowable and proposed heights based on that analysis.
- SP 3 The site is within the Criminal Justice Center Overlay, 25-2-177 and is subject to those requirements.



1' = 400'



Subject Property

Base Map

Zoning Boundary

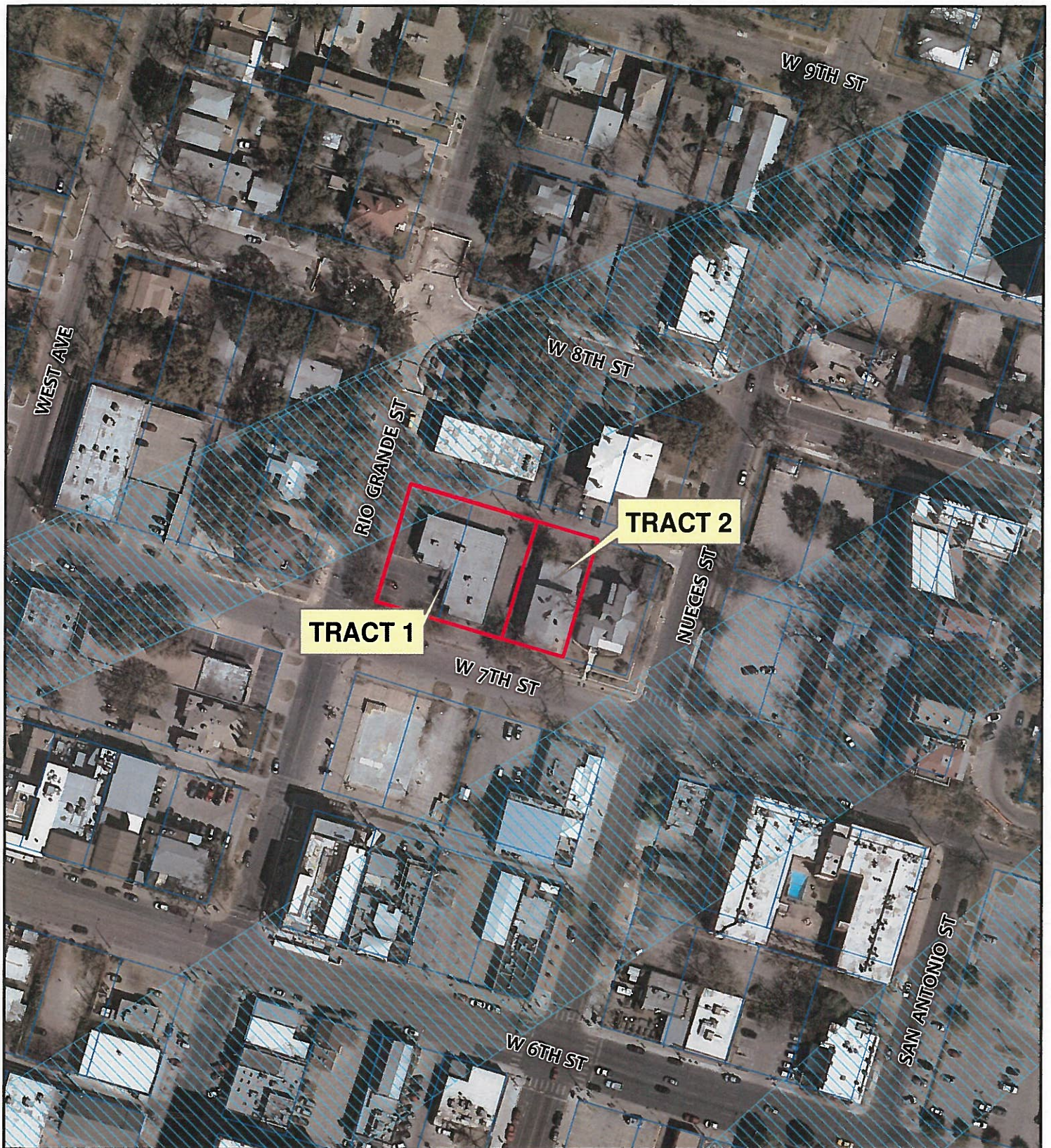
## ZONING MAP - EXHIBIT A

ZONING CASE#: C14-2016-0034  
 ZONING CHANGE: GO to DMU-CO  
 LOCATION: 701 Rio Grande Street & 602 W 7th St  
 SUBJECT AREA: 0.6082 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'



Subject Property



Capitol View Corridor



Base Map

## AERIAL MAP - EXHIBIT B

ZONING CASE#: C14-2016-0034

ZONING CHANGE: GO to DMU-CO

LOCATION: 701 Rio Grande Street & 602 W 7th St

SUBJECT AREA: 0.6082 ACRES



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# City of Austin

Founded by Congress, Republic of Texas, 1839  
 Watershed Protection and Development Review Department  
 One Texas Center, 505 Barton Springs Road  
 P.O. Box 1088, Austin, Texas 78767

## CAPITOL VIEW CORRIDOR DETERMINATION

C17-06-0014

For: 701 Rio Grande Street

9/6/2006

Case Reviewer: Lynda Courtney

974-2810

This site is traversed by the Capitol View Corridor # 9, "Barton Creek Pedestrian Bridge", and the State-Defined Capitol Corridor # 32 in the same location but established with a longer viewpoint. These were established as view corridors in the Capitol View Preservation Ordinances 840802-T and 841220-CC. The Capitol View Corridor calculations are established to determine the maximum height structures may be built without compromising a straight line which connects a viewpoint to the base of the capitol dome.

Five points were identified on the site where edges of the view corridor meets corner points or lot lines on the existing site. These points are identified in the calculations and on the photographic exhibit as points A through E.

The specified points would allow for building heights between 78.11 and 88.08 feet in the City of Austin corridor and between 85.23 and 95.63 feet in the SDCC. The sets of calculations are shown on the worksheet, included as an exhibit with this report. Height is measured as explained in the definition from the City of Austin Land Development Code, also included with this report. Since the City Defined Capitol Corridor # 9 has more restrictive heights and maximum elevations, those are the ones shown on the photographic exhibit. **The maximum elevations shown at these points represent the heights above sea level beyond which any development on the site cannot exceed.**

This property is zoned "GO", General Office. GO has a height limit of 60'. The height for this site would be governed by the more restrictive zoning limitations instead of the height limitations specified in the view corridors.

If you have any questions about this determination, please call Lynda Courtney at 974-2810.

Lynda J. Courtney  
 Development Services Process Coordinator  
 Development Assistance Center  
 Watershed Protection and Development Review Department

Attachments



C17-03-0014

# 707 RIO GRANI

6

D  
578.72/ 78.72'

5

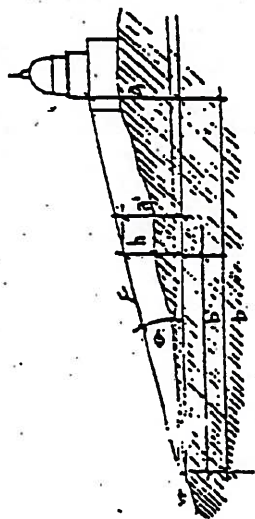
E  
576.84/ 85.84'

NE

## CAPITOL VIEW CORRIDOR

## Height Determination Worksheet

Location Map



$$\tan \theta = \frac{a}{b}$$

$$\tan \theta \times b = a$$

$$a = c - h$$

VP - Vantage Point  
 a - elevation of base of dome (653') minus VP elevation  
 b - distance from VP to Capitol  
 c - sightline to Capitol  
 d - VP elevation to sightline at review site  
 e - distance from VP to review site  
 h - allowable height

name of CVC with picture of review site  
 letter of site  
 from sheet

measure site to Capitol  
 subtract from "b"

C17-06-0014  
 707 Rio Grande

Viewpoint	Review Site	VP Elevation	RS Elevation (approx.)	a 653 - VP Elevation	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. el. - RS elev. (approx.)
#32	A	445	487	208	8465	.025	5505	137.63	582.63	95.63
Barton	B	445	489	208	8465	.025	5554	138.85	583.85	94.85
Creek	C	445	501	208	8465	.025	5649	141.23	586.23	85.23
Pedernan	D	445	500	208	8465	.025	5635	140.88	585.88	85.88
Bridge	E	445	491	208	8465	.025	5568	139.2	584.2	93.2
SDCC										

(46) HEIGHT, when used in reference to a building, means the vertical distance from the average of the highest and lowest grades adjacent to the building to:

- (a) for a flat roof, the highest point of the coping;
- (b) for a mansard roof, the deck line;
- (c) or a pitched or hip roof, the average height of the highest gable; or
- (d) for other roof styles, the highest point of the building.



# City of Austin

C14-2016-0034 - EXHIBIT D

Founded by Congress, Republic of Texas, 1839  
Watershed Protection and Development Review Department  
One Texas Center, 505 Barton Springs Road  
P.O. Box 1088, Austin, Texas 78767

## *CAPITOL VIEW CORRIDOR DETERMINATION*

*C17-06-0013*

For: 602 W. 7<sup>th</sup> Street

9/6/2006

Case Reviewer: Lynda Courtney

974-2810

This site is not traversed by any of the Capitol View Corridors, but is located between Corridor # 9 "Barton Creek Pedestrian Bridge", and Corridor # 5 "Lamar Bridge". The Capitol View Corridors were established by the Capitol View Preservation Ordinances 840802-T and 841220-CC. The Capitol View Corridor calculations are established to determine the maximum height structures may be built without compromising a straight line which connects a viewpoint to the base of the capitol dome.

This property is zoned "GO", General Office, which has a height limit of 60'. The height for this site would be governed by zoning limitations.

If you have any questions about this determination, please call Lynda Courtney at 974-2810.

Lynda J. Courtney  
Development Services Process Coordinator  
Development Assistance Center  
Watershed Protection and Development Review Department

Attachments



EEK PEDESTRIAN

CC # 32

576.06/ 87.06

6

5

1

2

3

**602 W 7TH ST**

C17-06-0013

4

Site is not in a CVC

7



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

**16 May, 2016**

Victoria Haase, Case Manager  
Planning & Zoning Department  
City of Austin

**RE: C14-2016-0034; 701 Rio Grande & 602 W. 7th Streets**

Dear Ms. Haase:

The Board of Directors (BoD) of Old Austin Neighborhood Association (OANA), after discussion at our regularly scheduled monthly meeting on Tuesday May 10th, 2016, voted unanimously to support the applicant's request to rezone the properties from the GO zoning districts to the DMU zoning districts with a condition of 60 feet of developmental height, or DMU-60. This voluntary acceptance of the recommendation called for in the Downtown Austin Plan/Northwest District (DAP/NWD) is to be applauded.

During discussions with the applicant, the OANA BoD suggested and the applicant accepted as further conditions that the following Uses are accepted as Prohibited rather than Conditional: bail bond services, a stand-alone cocktail lounge use, pawn shop use and liquor/package store. In addition, an outdoor entertainment/amplified music use of the site is prohibited. We also discussed whether the project would comply with the Great Streets criteria and it was our collective understanding that the criteria would be required.

The proposal brought to the OANA BoD envisions a multistory structure with partially underground parking, a ground floor consisting of live/work spaces, with the above stories being residential. Because this configuration conforms to the goals of the neighborhood association we would additionally support a development FAR of 5 to 1 for the project.

We respectfully ask City Staff, the Planning Commission and the City Council to view the rezoning requests favorably in light of the above mutually agreed upon conditions, and as always, we thank you for your service to our City.

Sincerely,

Ted Siff, President

**Board of Directors**  
**Ted Siff, President**  
**Ray Canfield**

**Michael Portman, Treasurer**  
**Austin Stowell**

**Blake Tollett, Secretary**  
**Paul Isham**

# **C14-2016-0034 - EXHIBIT E**

**Perry Lorenz  
Diana Zuniga**

**Perry Horton  
Charles Peveto**

**Bill Schnell**

**Haase, Victoria [Tori]**

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**Subject:** FW: Rezoning of 701 Rio Grande and 602 W. 7th

**From:** Diana Zuniga  
**Sent:** Tuesday, May 17, 2016 10:23 PM  
**To:** Stephen O. Drenner; Jewels Watson  
**Subject:** Fwd: Rezoning of 701 Rio Grande and 602 W. 7th

Diana Zuniga  
Investors Alliance, Inc.  
300 Bowie St., Ste. 100A  
Austin, TX 78703  
512.480.8100

Begin forwarded message:

**From:** Bert Pence <>  
**Date:** May 17, 2016 at 6:13:19 PM CDT  
**To:** Diana Zuniga <[t](#)>  
**Subject:** Re: Rezoning of 701 Rio Grande and 602 W. 7th

Diana,

Thank you for taking the time to come meet with me concerning your rezoning case.

Please use this email as your evidence to the Commission and Council, that I **SUPPORT** your zoning case.

Good luck!

*Bert*

**Bert Pence**  
Pence Investments, Ltd  
708 Rio Grande St  
Austin, TX 78701-2779  
of: 512-476-9200; mb: 512-917-6000

On May 17, 2016, at 5:41 PM, Diana Zuniga <> wrote:



Bert, Thank you for taking the time to meet to discuss the status of the rezoning of property I own with partners at 701 Rio Grande and 602 W. 7<sup>th</sup>. The property is currently zoned GO and we are seeking to rezone it to DMU60. This is the zoning designation the property was assigned by the Downtown Austin Plan. As you know the DAP has not been codified.

It is our intention to develop a primarily residential project with some mixed uses which would allow for live/work units. We have received support for the zoning change from the city staff as well as OANA. I have also been visiting with neighbors like you to address any questions or concerns they may have.

We go before the planning commission on May 24 and city council on June 16. It would give me great comfort to know that you support our zoning request. Please let me know if you support our request to rezone the property. Your assistance in this matter is greatly appreciated. Diana

## 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.austintexas.gov/planning](http://www.austintexas.gov/planning).

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: C14-2016-0034  
Contact: Victoria Haase, 512-974-7691  
Public Hearing: May 24, 2016, Planning Commission  
June 16, 2016, City Council

James Powell

Your Name (please print)

715 West Ave -  
717 West Ave.

Your address(es) affected by this application

James Powell

Signature

May 23, 2016

Date

Daytime Telephone: 512-477-9939

Comments: I oppose the zoning change.  
The current zoning of  
General Office is the most  
appropriate for this site  
in the neighborhood.  
I own two properties  
within 500 feet.  
Thank you.

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

City of Austin  
Planning & Zoning Department  
Victoria Haase  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C14-2016-0014

Contact: Victoria Haase, 512-974-7691

Public Hearing: May 24, 2016, Planning Commission

June 16, 2016, City Council

DEVON DIXON

Your Name (please print)

706 RIO GRANDE

Your address(es) affected by this application

DEVON & DIXON

Signature

5-24-16

Date

Daytime Telephone: 917-498-6790

Comments: I OBJECT TO THIS REQUEST FOR

ZONING CHANGE. GO ZONING IS

BEST FOR OUR NEIGHBORHOOD - AS A

PROPERLY OWNED ON THE OTHER SIDE

OF RIO GRAND IN THE SAME BLOCK.

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

City of Austin

Planning & Zoning Department

Victoria Haase

P. O. Box 1088

Austin, TX 78767-8810