

ZONING CHANGE REVIEW SHEET**CASE:** C14-2017-0083

Mosaic Sound Collective

P.C. DATE: August 22, 2017**ADDRESS:** 6400 FM 969**AREA:** Tract 1: 0.076 Acres

Tract 2: 2.623 Acres

DISTRICT: 1**OWNER:** Austin 1825 Fortview, Inc. (Jummy Nassour)**APPLICANT:** Alice Glasco Consulting (Alice Glasco)**EXISTING AND PROPOSED ZONING BY TRACT:**

<u>TRACT</u>	<u>EXISTING ZONING</u>	<u>REQUESTED ZONING</u>	<u>SQUARE FOOTAGE /ACREAGE</u>
1	GO-NP	CS-1-MU-NP	3,300 s.f. / 0.076 ac.
2	GO-NP	CS-MU-CO-NP	114,240 s.f. / 2.623 ac.
			TOTAL 117,540 s.f. / 2.7 ac +/-

NEIGHBORHOOD PLAN AREA: East MLK Combined Neighborhood Planning Area (MLK-183)**TIA:** Not Applicable**WATERSHED:** Walnut Creek**CAPITOL VIEW CORRIDOR:** No**DESIRED DEVELOPMENT ZONE:** Yes**AIRPORT OVERLAY:** Controlled Compatible Land Use Area**SUMMARY STAFF RECOMMENDATION:**

Staff supports the Applicant's request of Commercial-liquor sales-Mixed use-Neighborhood plan (CS-1-MU-NP) combining district zoning for Tract 1 and General commercial services-Mixed use-Neighborhood plan (CS-MU-NP) combining district zoning for Tract 2, with the following conditions:

1. The following land uses shall be prohibited on Tract 1 and Tract 2: Commercial blood plasma center, Equipment sales, Equipment repair services, and Vehicle storage.

ISSUES:

The proposed rezoning is intended to allow Mosaic Sound Collective to operate in the existing building on the subject property. Mosaic Sound Collective is a for-profit/non-profit organization, and proposes providing several music-related services and resources on the property. These include, but are not limited to: Community outreach, education and advocacy; Production and studio facilities; Screenprinting facilities; Rehearsal studios; Office space for music industry & nonprofits; Music tech incubator; Live music & performance space; Food and beverage, and Art studio & gallery. Alcoholic beverage service would be limited to Tract 1 (CS-1-MU-NP).

In May 2017, the City of Austin Music Commission adopted a recommendation to Council that the City of Austin formally endorse Mosaic Sound Collective's proposal to develop a "music and creative services hub on the East Side of Austin," as is proposed on this site. This item has not yet appeared on a City Council agenda. *Please refer to Exhibit A (Music Commission Recommendation).*

PLANNING COMMISSION RECOMMENDATION:

August 22, 2017:

DEPARTMENT COMMENTS:

The subject property is located on the north side of FM 969 east of Ed Bluestein Boulevard and the Cavalier Park residential neighborhood. The property is zoned GO-NP and is developed with a building and parking lot. The building is currently unoccupied, but has been used as an assisted living facility and administrative/business offices in the past. The proposed rezoning would establish two zoning tracts. The proposed Tract 1 includes a 3,300 square foot portion of the existing building. Tract 2 consists of the remainder of the proposed rezoning tract, and includes the remainder of the building, parking and open spaces. Tract 1 and Tract 2 are both zoned GO-NP.

Surrounding zoning includes a large MF-2-NP tract to the north, as well as small areas with LR-MU-NP, GO-MU-NP, and GO-NP. These are all currently undeveloped. To the west is a property that is zoned LR-MU-NP that is undeveloped. The Cavalier Park residential neighborhood is located further to the west and north, beyond these properties. To the east are an undeveloped LI-PDA-NP tract and the Walnut Creek Greenbelt. To the south, across FM 969 are several undeveloped tracts, as well as a church and a convenience store. These properties are a mix of CS-CO-NP, W/LO-CO-NP, and LR-NP.

Please refer to Exhibit B (Zoning Map).

Staff supports the rezoning request because the proposed rezoning reflects the character of this segment of FM 969, between Ed Bluestein Boulevard and Johnny Morris Road. Almost all of the properties along this corridor are zoned commercial and industrial, ranging from LR-MU-NP to CS-1-MU-CO-NP to LI-PDA-NP. The subject tract is the only Office zoned tract in the area. This section of FM 969 is designated as Mixed Use and Industry on the East MLK Combined Neighborhood Planning Area Future Land Use Map (FLUM). *Please refer to Exhibits C and D (Aerial Map and FLUM).* The FM 969 corridor is also designated as an Activity Corridor, as identified on the Imagine Austin Growth Concept Map. Staff recommends prohibiting several land uses on the property-- Commercial blood plasma center, Equipment sales, Equipment repair services, and Vehicle storage. This would make the site consistent with the other commercial and industrial properties along the corridor. Most of these properties, including the subject tract, were zoned in conjunction with the neighborhood plan in 2002.

Correspondence has been received from neighborhood representatives and members of the local music industry in support of the proposed rezoning and development. *Please refer to Exhibit E (Correspondence).*

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-NP	Vacant commercial building and parking
<i>North</i>	MF-3-NP, LR-MU-NP, GO-MU-NP, GO-NP	Undeveloped, Drainage structure
<i>South</i>	LR-NP, CS-CO-NP, W/LO-CO-NP	Undeveloped, Religious assembly, Convenience store
<i>East</i>	LI-PDA-NP	Undeveloped
<i>West</i>	LR-MU-NP	Undeveloped

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
FM 969	105 ft	68 ft	Major Arterial (MAU 4)	Partial	No	323 Anderson / Johnny Morris

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-06-0173	GO-NP to GO-MU-NP	10/24/2006: Recommended GO-MU-NP	12/14/2006: Ord #20061214-066 Approved GO-MU- NP
C14-2007-0058.SH Kaleidoscope Village	LR-NP to LR-MU-NP	6/12/2006: Recommended LR-MU-NP	6/21/2007: Ord # 20070621-131 Approved LR-MU- NP
C14-2016-0031 Kaleidoscope Village	SF-6-NP, LR-MU-NP, and LR-NP to MF-2-NP (Tract 1) and LR-MU-NP (Tract 2)	5/24/2016: Recommended MF-2-NP(Tract 1) and LR-MU-NP (Tract 2)	8/11/2016: Ord #20160811-041 Approved MF-2-NP(Tract 1) and LR-MU-NP (Tract 2)

SCHOOLS:

Norman Elementary School

Girls have an option to attend the Sadler Means Young Women's Leadership Academy. Boys have an option to attend the Garcia Young Men's Leadership Academy.

LBJ High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council
Homeless Neighborhood Association
East MLK Combined Neighborhood Contact Team
FRS Property Owners Association
Del Valle Community Coalition
Austin Heritage Tree Foundation
SELTexas
Heritage Village of Austin Home Owner's Association

Cavalier Park Neighborhood Association
Claim Your Destiny Foundation
East MLK Combined Neighborhood Association
AISD
Friends of Austin Neighborhoods
Sierra Club, Austin Regional Group
Bike Austin

CITY COUNCIL DATE & ACTION: September 28, 2017

ORDINANCE READINGS: 1st 2nd 3rd **ORDINANCE NUMBER:**

CASE MANAGER: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

PHONE: 512-974-2122

SUMMARY STAFF RECOMMENDATION:

Staff supports the Applicant's request of Commercial-liquor sales-Mixed use-Neighborhood plan (CS-1-MU-NP) combining district zoning for Tract 1 and General commercial services-Mixed use-Neighborhood plan (CS-MU-NP) combining district zoning for Tract 2, with the following conditions:

1. The following land uses shall be prohibited on Tract 1 and Tract 2: Commercial blood plasma center, Equipment sales, Equipment repair services, and Vehicle storage.

Staff supports the rezoning request because the proposed rezoning reflects the character of this segment of FM 969, between Ed Bluestein Boulevard and Johnny Morris Road. Almost all of the properties along this corridor are zoned commercial and industrial. The subject tract is the only Office zoned tract in the area. This section of FM 969 is designated as Mixed Use and Industry on the East MLK Combined Neighborhood Planning Area Future Land Use Map (FLUM). The FM 969 corridor is also designated as an Activity Corridor, as identified on the Imagine Austin Growth Concept Map. Staff recommends prohibiting several land uses on the property-- Commercial blood plasma center, Equipment sales, Equipment repair services, and Vehicle storage. This would make the site consistent with the other commercial and industrial properties along the corridor. Most of these properties, including the subject tract, were zoned in conjunction with the neighborhood plan in 2002.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Per City Code, Commercial-liquor sales (CS-1) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments. Liquor sales is one of the permitted uses in a CS-1 district. General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments. CS and CS-1 zoning is compatible with the other commercial and industrial properties located along this Activity Corridor. The proposed CS-1 area is small and not adjacent to the MF-2-NP property to the north.

2. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

The requested zoning would allow commercial uses that are in line with City goals of supporting local creative industries and promoting commercial and employment opportunities in East Austin. The recommendation provided by the City's Music Commission (attached) demonstrates their support of Mosaic Sound Collective's proposal to develop a "music and creative services hub on the East Side of Austin," as is proposed on this site.

3. *Granting of the request should result in an equal treatment of similarly situated properties.*

The proposed rezoning reflects the character of this segment of FM 969, between Ed Bluestein Boulevard and Johnny Morris Road. Almost all of the properties along this corridor are zoned commercial and industrial, ranging from LR-MU-NP to CS-1-MU-CO-NP to LI-PDA-NP. The subject tract is the only Office zoned tract in the area. The recommended prohibited land uses are also consistent with these properties.

ADDITIONAL STAFF COMMENTS**Site Plan:**

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

SP 2. 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.

SP 3. 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 5. FYI – This site is located within the MLK-183 Neighborhood Plan, the East MLK Combined Neighborhood Planning Area, and the Austin-Bergstrom Airport Controlled Compatible Land Use Area Overlay. No use will be allowed that can create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing. Additional comments may be generated during the site plan review process.

Comprehensive Planning:

The East MLK Neighborhood Plan (EMNP) Future Land Use Map (FLUM) designates this portion of the planning area as 'Mixed Use'. Zones CS-1 and CS-MU are permitted under the Mixed Use FLUM category. The following EMNP policies are applicable to this request:

Goal Two - Promote a mix of land uses that respect and enhance the existing neighborhood and address compatibility between residential, commercial, and industrial uses.

Goal Four - Promote the development and enhancement of the neighborhood's major corridors.

Objective 4.1: Allow mixed use development along major corridors and intersections.

The policies and text taken from the EMNP and the FLUM appears to support this mixed use project in this portion of the planning area.

The property is located along an Imagine Austin 'Activity Corridor', which are characterized by a variety of activities and types of buildings located along the roadway, and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following IACP policies are also relevant to this case:

- LUT P1. Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- LUT P4. Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

Based on this property being: (1) within an area designated as Mixed Use on the EMNP FLUM, which supports commercial and mixed use; (2) along an 'Activity Corridor', as identified on the Imagine Austin Growth Concept Map that supports mixed uses, including areas for business, community services, and recreation; and (3) the Imagine Austin policies referenced above that supports the a variety of land uses including mixed use, this proposed project appears to supported by the Imagine Austin Comprehensive Plan.

Transportation:

- TR1. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.
- TR2. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a Wide Shoulder is recommended for FM 969.
- TR3. According to the Austin Urban Trails Master Plan, an urban trail is recommended for FM 969.
- TR4. 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]
- TR5. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
FM 969	105 ft	68 ft	Major Arterial (MAU 4)	Partial	No	323 Anderson/ Johnny Morris

Environmental:

- The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.
- Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

- According to floodplain maps there is no floodplain within or adjacent to the project location.
- Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

5. Some 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 512-974-1876. 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. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.
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.
8. According to GIS there is an intermediate CWQZ on-site. Only certain types of disturbance are allowed within the CWQZ.

Water/Wastewater:

FYI: 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 Austin Water 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 fees once the landowner makes an application for Austin Water utility tap permits.

**EXHIBIT
A**BOARD/COMMISSION RECOMMENDATIONMusic CommissionRecommendation Number: 20170501-004 : Formal Endorsement of Mosaic Sound Collective's Proposal

WHEREAS, the Music Commission has recommended and submitted to the Mayor and City Council of Austin support for musicians and the arts through a number of policy proposals and initiatives in the Mayor's Omnibus Resolution, including creation of music business hubs, diversity in the arts, and development of solutions to affordable housing for musicians and artists; and

WHEREAS, the Mosaic Sound Collective and Mosaic Sound Collective Foundation were established to serve Austin's musical and creative community and to preserve Austin's Music and Artistic Culture through support, development and preservation of Austin's rich music and cultural heritage, education, and economic development through establishing a music and creative services hub on the East Side of Austin and supporting affordable housing for musicians;

NOW THEREFORE, BE IT RESOLVED, that the Music Commission hereby approves and recommends that the City Council support the Mosaic Sound Collective's request for assistance from the City as detailed herein; and

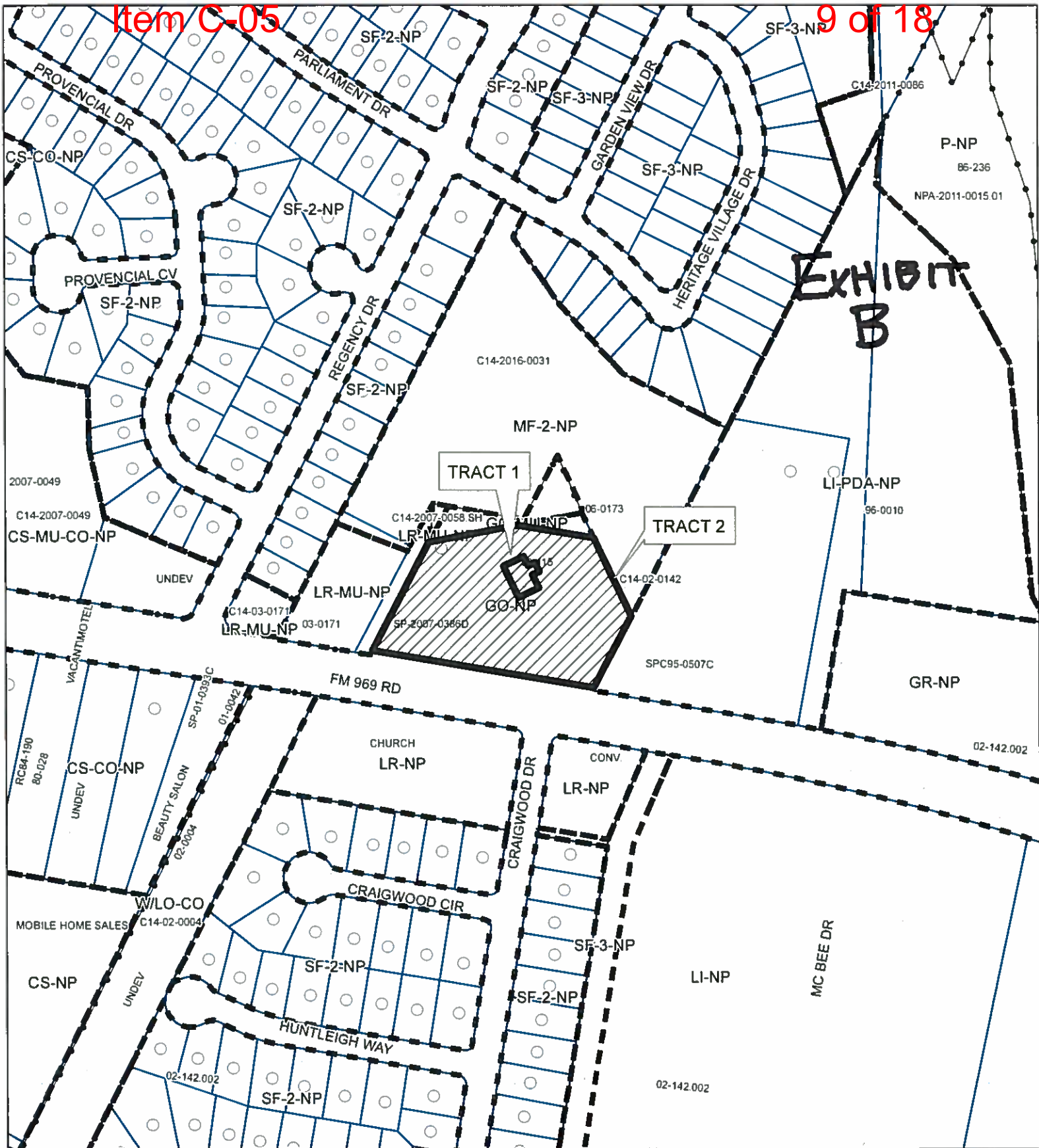
FURTHER RESOLVED, that the Music Commission requests that City Council (i) approve Mosaic's request to change their zoning from its current level to one that will accommodate the uses planned for the Mosaic Hub (ii) requests that the Mayor and City Council Members each nominate one person to the Mosaic Diversity Committee to assist Mosaic in its efforts to promote diversity and meet the needs of all musicians and the community; (iii) direct city staff to work with and support Mosaic's goal of developing affordable housing for musicians and artists; and (iv) direct city staff to assist Mosaic in its efforts to assist musicians and artists through education, preservation, and promoting economic development, including securing federal HUD, Commerce Department, Economic Development Administration, and Labor Department support and funds for their mission.

Date of Approval: 5/1/2017

Record of the vote: (Unanimous 9-0 vote, with Commissioners Rappaport and Lawson absent)





Attest: _____

(Staff or board member can sign)



ZONING

ZONING CASE#: C14-2017-0083

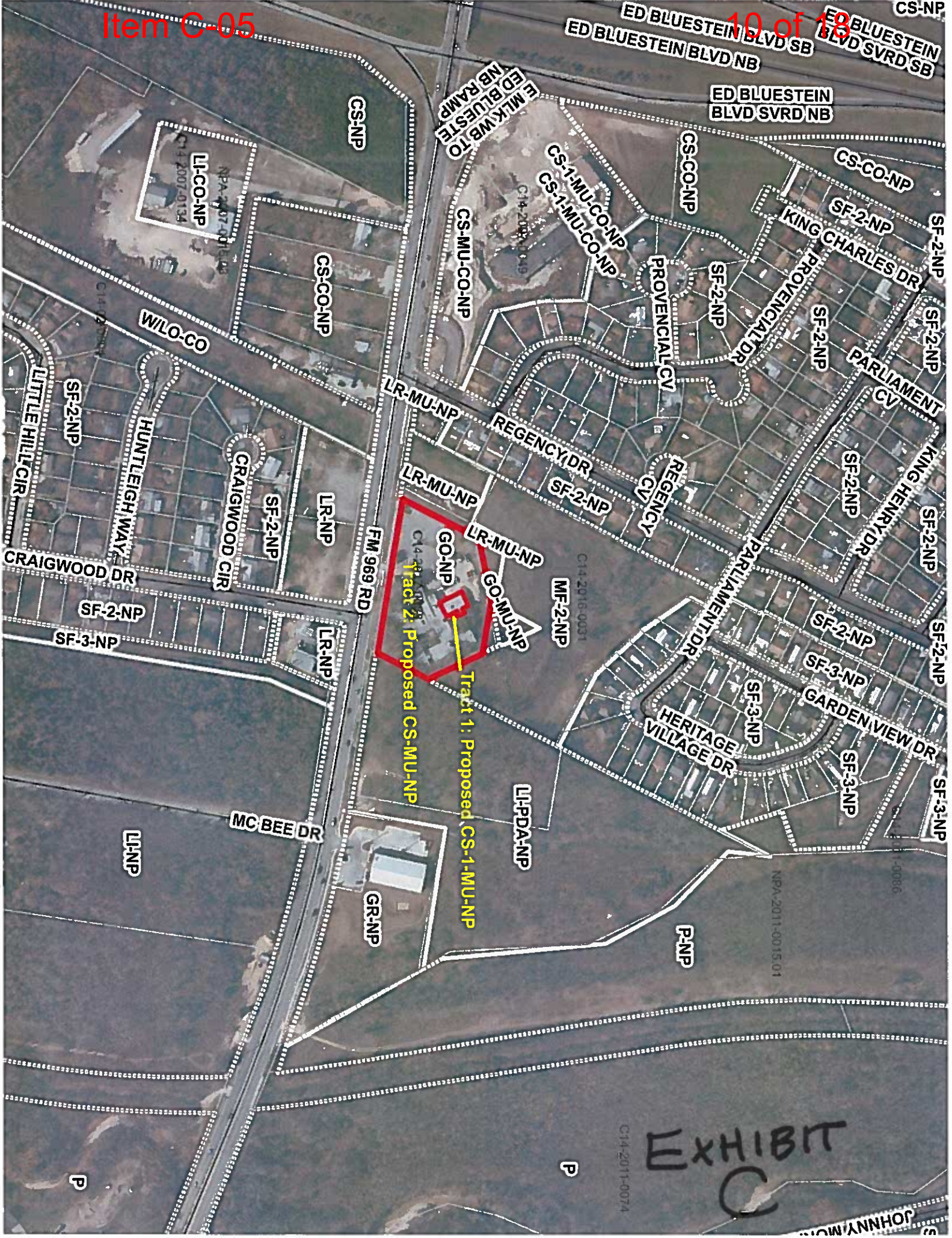
-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

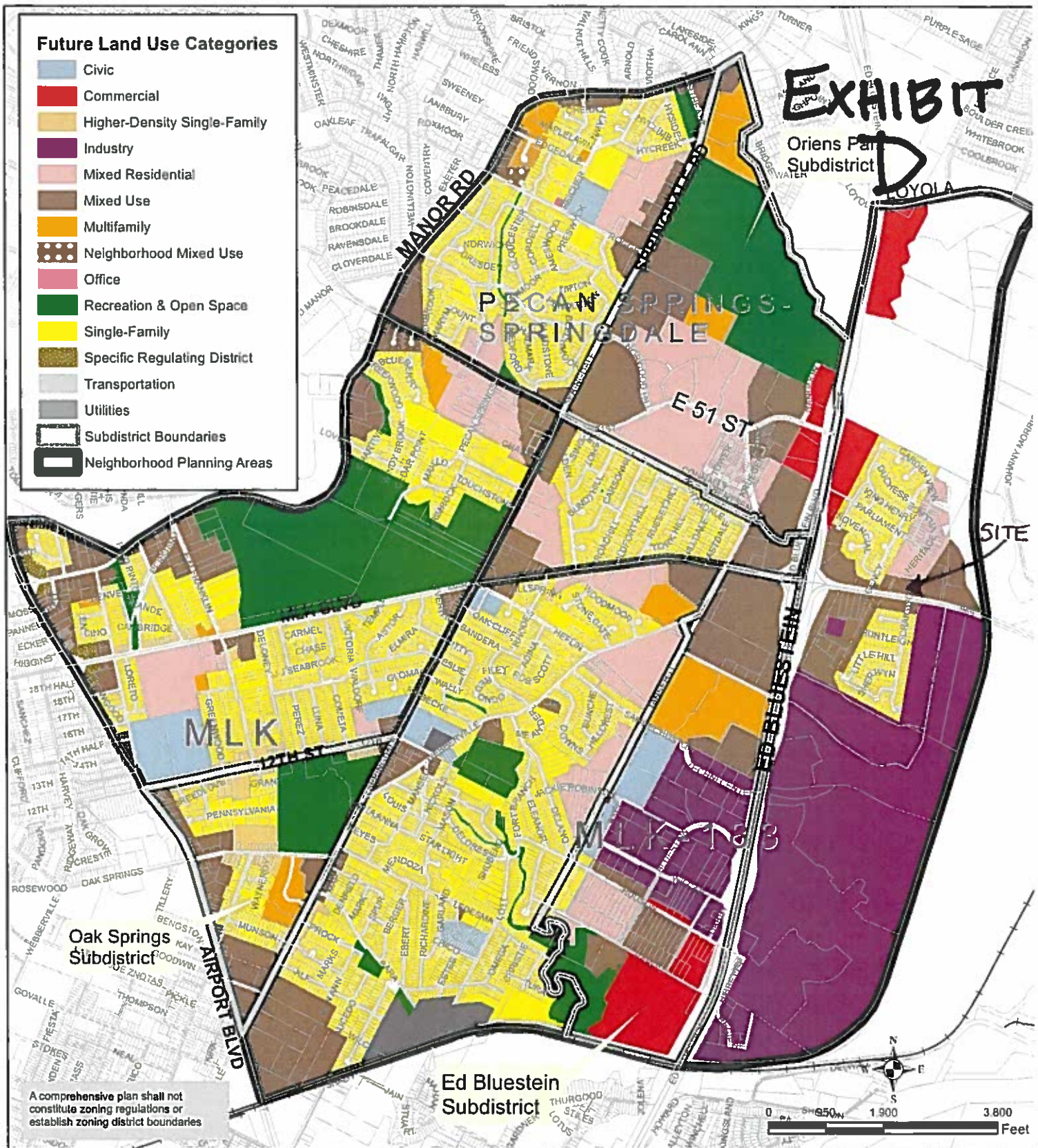
1" = 250'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.







East MLK Combined Neighborhood Planning Area Future Land Use Map

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Chaffin, Heather

Subject: FW: C14-2017-0083 6400 FM 969
Attachments: 6400 FM 969 RD Stone Ridge rezoning application.pdf

**EXHIBIT
E**

From: Clifford May [mailto:
Sent: Monday, July 31, 2017 10:32 AM
To: Chaffin, Heather; Dan Redman; Stephen Easley
Subject: C14-2017-0083 6400 FM 969

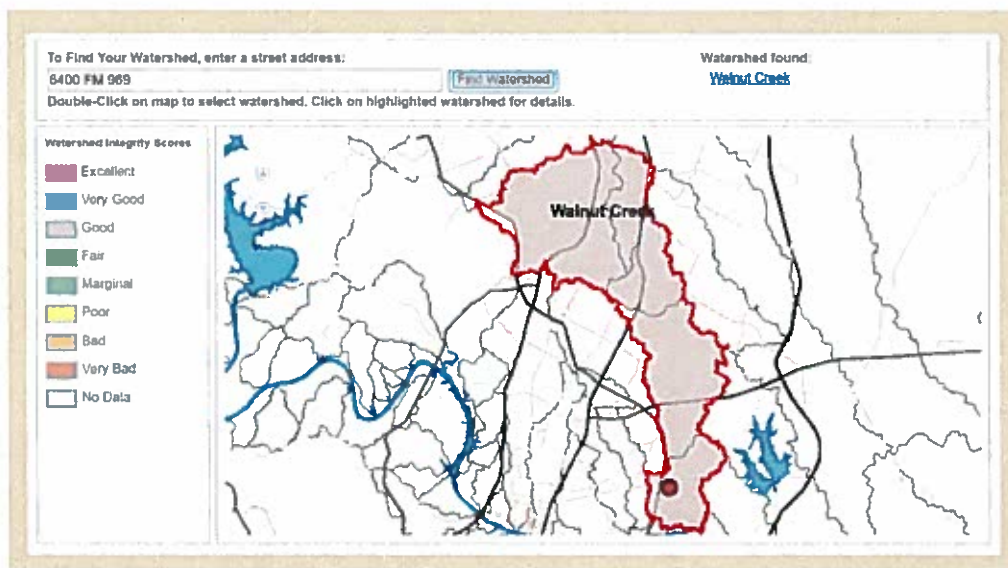
Heather,

I am in support of the zoning application C14-2017-0083 6400 FM 969 RD.
Having reviewed the online paperwork I want to bring to everyone's attention that the proper watershed for this location is Walnut Creek.

The application is indicating the site is in Elm

austintexas.gov
the official website of the City of Austin

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watershed.

Clifford May, REALTOR®
Longbow Real Estate Group
Associate/Real Estate Agent
512-458-3210

Chaffin, Heather

Subject: FW: rezoning case C14-2017-0083 (Mosaic Sound Collective)

From: Chris Bemben [mailto:
Sent: Monday, August 14, 2017 12:57 PM
To: Chaffin, Heather
Subject: rezoning case C14-2017-0083 (Mosaic Sound Collective)

Dear Ms. Chaffin,

As an east side resident of the Webberville community, I am in support of the Mosaic Sound Collective's zoning change from office to commercial/mixed use filed under case # C14-2017-0083. Having met the individuals involved and learning about their mission, I am confident they will create an important space on the East Side for all of Austin. Please feel free to contact me in connection with this issue.

Chris Bemben and Christina Freeborn
5204 Delores Ave
Austin TX 78721
210.835.4585

Chaffin, Heather

Subject: FW: Support for Zoning Change at Mosaic Sound Collective

From: On Behalf Of Evan Bozarth
Sent: Thursday, August 10, 2017 5:21 PM
To: Chaffin, Heather
Subject: Support for Zoning Change at Mosaic Sound Collective

Dear Ms. Chaffin,

As a member of the Austin Music Community, I support Mosaic Sound Collective's zoning change from office to commercial/mixed use, filed under case number C14-2017-0083 at 6400 FM 969 Road. MSC is vital to the health and vibrance of our music scene in Austin, and these changes will allow them to continue providing affordable resources, services, education, jobs and performance spaces for Austin musicians.

thanks!

.....
Evan Bozarth
AIRSHP.COM
.....



AIRSHP

Chaffin, Heather

Subject: FW: Mosaic Sound Collective

From: Reggie O'Farrell
Sent: Thursday, August 10, 2017 6:03 PM
To: Chaffin, Heather
Subject: Mosaic Sound Collective

Dear Ms. Chaffin,

As a member of the Austin Music Community, I support Mosaic Sound Collective's zoning change from office to commercial/mixed use, filed under case number C14-2017-0083 at 6400 FM 969 Road.

I've been a part of the music community in Austin for 7 years now (as an audio engineer and musician) and I think what they are trying to do will fill some gaps in what Austin has to offer to the music community.

Thank You.

Reggie O'Farrell
512-269-6872

www.wombrecording.com
www.mohawkaustin.com
www.nomadsound.net

Chaffin, Heather

Subject: FW: Support for zoning change case C14-2017-0083

From: Brent Buford [mailto:
Sent: Thursday, August 10, 2017 6:33 PM
To: Chaffin, Heather
Subject: Support for zoning change case C14-2017-0083

Ms. Chaffin,

As a resident of Austin for over 30 years and the owner of an Austin-based music business (Armadillo Karaoke Company), I strongly support the mission of Mosaic Sound Collective and its goal of growing Austin's music industry and community.

As such, I support Mosaic's requested zoning change from office to commercial/mixed use (case C14-2017-0083 at 6400 FM 969 Road). Thank you for your time and consideration.

--
brent buford

w: brentbuford.com

Chaffin, Heather

Subject: FW:

From: On Behalf Of Dustin Bozarth
Sent: Friday, August 11, 2017 9:49 AM
To: Chaffin, Heather
Subject:

Dear Ms. Chaffin,

As a longtime member of the Austin Music Community both as a business owner and musician myself, I support Mosaic Sound Collective's zoning change from office to commercial/mixed use, filed under case number C14-2017-0083 at 6400 FM 969 Road.

Mosaic's mission is a very important one, and I have the utmost confidence that they will provide a valuable service to the music community - In fact, they represent a direct solution to many of the problems that have been documented in the music commission's omnibus report..

Thanks for your time.

.....
Dustin Bozarth // AIRSHP
.....



Chaffin, Heather

Subject: FW: Mosaic zoning changes

From: Stuart Sullivan [mailto:
Sent: Wednesday, August 16, 2017 12:21 PM
To: Chaffin, Heather
Subject: Mosaic zoning changes

Hi, my name is Stuart Sullivan and i've been a music professional for over 30 years, most of it in Austin. I am a string believer in the power of community. Austin's music community is in need of vision and commitment to stay strong and grow. I feel the Mosaic presents an incredible opportunity to provide strength and stability for fractured and diffuse music community.

It is dor this reason i ask you to support Mosaic's request fir a zoning change from GO (general office) to CS (commercial services)

Sincerely

Stuart Sullivan
Owner Wire Recording
Partner Lucky Hound Music

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Stuart Sullivan
Wire Recording
Austin TX