

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0074 – Gilfillan Place

H.L.C. DATE: July 24, 2017

H.L.C. DATE: August 28, 2017

P.C. DATE: August 8, 2017

P.C. DATE: September 12, 2017

ADDRESS: 603 W 8th Street

DISTRICT AREA: 9

OWNER/APPLICANT: 2015 Austin Gilfillan LP (Rene O. Campos)

AGENT: Drenner Group (Dave Anderson)

ZONING FROM: GO-H, GO-MU, GO **TO:** DMU-H

TOTAL AREA: 0.4158 acres (18,112 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

Staff recommends Downtown Mixed Use – Historic- Conditional Overlay (DMU-H-CO) combining district zoning. The conditional overlay will restrict building height to 60 ft.

HISTORIC LANDMARK COMMISSION ACTION:

July 24, 2017 *POSTPONED TO AUGUST 28, 2017 AT THE REQUEST OF THE APPLICANT*

August 28, 2017 *SCHEDULED FOR HISTORIC LANDMARK COMMISSION*

PLANNING COMMISSION ACTION:

August 8, 2017 *POSTPONED TO SEPTEMBER 12, 2017 AT THE REQUEST OF STAFF*

September 12, 2017 *SCHEDULED FOR PLANNING COMMISSION*

ISSUES:

None on the subject property

DEPARTMENT COMMENTS:

The subject property is 0.4158 acres (18,112 sq. ft.), located on the southwest corner of West 8th and Nueces Streets. The property is the site of the Gilfillan House, a City of Austin Historic Landmark and a Recorded Texas Historic Landmark property. The two-story brick structure is an example of the Prairie School Style, was designed for William Gilfillan by the architect Charles Page, and was constructed in 1905. Additional historical information is included in the Exhibit F. The property has driveway access by a curb cut from W. 8th Street as well as access from the alley along the southern property line.

The applicant would like to restore the existing structure, and to build a second, L-shaped building situated to the west and south of the existing building (Exhibit G). The historic building will remain central to the property, and the new building will interface and connect to it. To move forward with this plan, the applicant requests rezoning to DMU-H and, through a separate process, is seeking a certificate of appropriateness for the new building. The applicant has had discussions with the Certificate of Appropriateness Committee, received feedback, and is incorporating this feedback into their design before returning to the committee.

For the current case, the applicant has requested a rezoning from GO-H, GO-MU, and GO to DMU-H to construct an additional building on the property. The majority of the property currently zoned GO-H; along the western property line, there is a 3 foot-wide sliver that is zoned GO-MU to the north and GO to the south. The request is to rezone the entire property to DMU-H. The DMU-H zoning will allow reduced setbacks and additional impervious cover to provide flexibility in design of the new building.

Surrounding uses in the area include Multifamily Residential to the west, housed in the historically designated Sayers House (GO-MU-H), and separated from the property by a driveway. There are office uses to south and west of the property, as well as to the north across W. 8th Street. Across Nueces to the east is the Austin Women's Club.

The subject property is located in the Northwest District of the Downtown Austin Plan (DAP), and is also within the boundaries of a Regional Center, as identified on the Imagine Austin Growth Concept Map. The northwest corner of the subject property is traversed by Capitol View Corridor #9, the - Barton Creek Pedestrian Bridge Corridor (See Exhibit C), therefore building height would be limited within the corridor.

Properties in the area have seen a trend in rezoning to DMU, with many cases occurring since the DAP was adopted in 2011. As with many properties in the Northwest District, the DAP recommends a zoning change to DMU and suggests a height restriction of 60 ft. for the subject property, a requirement that reinforces the context of the Northwest Subdistrict (see Exhibit E).

Additionally, the Imagine Austin Comprehensive Plan (IACP) defines a *Regional Center*. One of the stated goals of Regional Centers is to "... Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other."

The proposed rezoning and associated uses are consistent with zoning patterns in the area and are in accord with the DAP and IACP. Downtown mixed use is an appropriate base category for the property, therefore staff recommends DMU-H-CO with the conditional overlay limiting building height to 60 ft.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|-----------------------------------|---|
| <i>Site</i> | GO-H | Office |
| <i>North</i> | W 8 th St, then GO, LO | W 8 th St, then Office - Municipal Advisory Council of Texas |
| <i>South</i> | GO-H, GO | Office - Sooch Foundation |
| <i>East</i> | Nueces St, then MF-4-H | Nueces St, then Club/Lodge - Austin Women's Club |
| <i>West</i> | GO-MU-H, GO | Residential, Office |

NEIGHBORHOOD PLANNING AREA: Downtown (Northwest District)

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

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: Yes - Barton Creek Pedestrian Bridge Corridor

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

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

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

CASE HISTORIES:

| NUMBER | REQUEST | PLANNING COMMISSION | CITY COUNCIL |
|--|----------------|---|---|
| C14H-2016-0073 Carriage House AKA Bremond Stables 504 W 7th Street | GO to GO-H | 10-25-16 – Apvd staff rec for GO-H zoning | 12-8-16 – Apvd staff rec for GO-H zoning, Ordinance No. 20161208-046 |
| C14-2016-0034 701 Rio Grande 701 Rio Grande St | GO to DMU | 05-24-16- Apvd DMU-CO with a 60 ft height restriction | 06-16-16- Apvd DMU-CO; 60ft height restriction (Ordinance 20160616-061) |
| 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. |
| C14-2011-0124 / C14-2012-0105 – 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 West Ave. Rezoning; 705 West Avenue | 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 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 th St.; list of prohibited and conditional uses. |

| NUMBER | REQUEST | PLANNING COMMISSION | CITY COUNCIL |
|--|---------------------|----------------------------|---|
| C14-2011-0006 701 & 711 West 7th Street Rezoning 701 W 7 th Street | GO and GR to CBD | 06-14-11 - Apvd DMU-CURE | Apvd ord # 20110825-097 for (CBD-CO) (Max height is 375 ft, 50% of building sq ft for residential, at least one floor of underground parking, limit of 2,000 trips, sound amplification permit is prohibited, prohibited uses. |
| C14-2010-0207 – Robinson Foundation Offices; 510 W 8 th 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. |
| C14-06-0183 CLB/7TH & RIO GRANDE 615 W 7 th Street | GR to CBD | 12-12-06- Apvd DMU-CO | 03-01-07- Apvd Ord. 20070301-055 for CBD- CURE-CO, Max FAR 11:1, max height 60 ft, 75% of bldg. sf for residential, stepbacks from W 7 th St and Rio Grande St, req 2 levels of parking underground, req loading spaces in the alley, pedestrian use on 75% of building frontage, cocktail lounge use is prohibited |
| 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. |

| NUMBER | REQUEST | PLANNING COMMISSION | CITY COUNCIL |
|---|----------------------|---|---|
| C14-06-0007 RATTLE INN 610 Nueces St | CS to CBD | 02-28-06- APVD CBD-CO W/CONDS | 04-06-06- APVD CBD-CO, (CO of 2,000 trips) |
| C14H-04-0005 Sayers House 709 Rio Grande St | GO-MU to GO- MU-H | 06-15-04- APVD STAFF REC FOR GO-MU-H | 06-24-04- APVD GO-MU- H |

RELATED CASES:

| NUMBER | REQUEST | PLANNING COMMISSION | CITY COUNCIL |
|--|-----------------------|---|--|
| C14-2015-0111 Gilfillan House 603 W 8 th Street | From GO-H to DMU-H | 11-10-15- Apvd an Indefinite PP request by the Applicant | 12-10-15- Apvd an Indefinite PP request by the Applicant |

In 1980, the subject property was designated a City of Austin Historic Landmark by case C14H-80-027 and an –H- was appended to the base Office zoning. In 1981, zoning case C14-81-016 rezoned the subject property to general retail-historic (GR-H). A Restrictive Covenant was executed that required a roll-back to O-H zoning in the event that the property transferred ownership from the owner at that time. Additionally, the Restrictive Covenant limited uses to social gatherings, receptions, parties, benefits, openings, art shows, art classes, art exhibits and related sales of art works and art supplies. Large events were prohibited prior to 5:30 p.m. on Monday-Friday. Outdoor entertainment was prohibited after 12:00 o’clock midnight. Subsequently, in 1985, the subject property was rezoned to GO-H by case C14-85-075. (See Exhibit H for all).

A zoning case was brought in 2015 (C14-2015-0111) to rezone the property from GO-H to downtown mixed use – historic (DMU-H) combining district zoning, with the intention of maintaining the professional office use while allowing Indoor Entertainment. This case was postponed indefinitely so that the applicant could meet with interested parties and surrounding neighborhoods without time limits.

SUBDIVISION:

The subject property is part of the Original Austin Subdivision, which is not considered an approved plat. It consists of lots 5 and 6 and the east three and a half (3 ½) feet of lot 7, Block 78, Original City of Austin Subdivision.

BASIS FOR RECOMMENDATION

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

The Downtown Mixed Use district is intended for use located on the periphery of an area that has a CBD designation. A DMU district designation may be applied to a development that includes any combination of office, retail, commercial, and residential uses and that is compatible with the downtown area. A DMU district use with an intermediate density may be used as a transition between the downtown area and surrounding districts. A DMU district is suitable for an area to which the central business district may expand. This zoning district is appropriate for this site even if only for its proximity to the CBD of the downtown area.

2. *Zoning should allow for reasonable use of the property.*

The DMU zoning district will allow for a reasonable use of the property as it will provide an opportunity for a mixture and wide variety of uses within the periphery of the downtown core where a dense mixture of uses is encouraged.

3. *The proposed zoning should promote consistency and orderly planning.*

Uses allowed by the DMU zoning district will be compatible and consistent with uses and zoning district on the neighboring blocks.

4. *The rezoning should be consistent with the policies and principles adopted by the City Council or by the Planning Commission.*

The DMU zoning district is appropriate for this site as it is supported by the Austin Downtown Plan that was adopted by City Council in December, 2011.

The zoning change is in accord with the Imagine Austin Plan that encourages infill and redevelopment, specifically in those areas classified as a “*Regional Center*” on the Imagine Austin Growth Concept Map.

EXISTING CONDITIONS

Site Characteristics

The subject property is 0.4158 acres and is developed with a two-story, brick structure that was built in 1905. The structure is situated at the peak of a hill that runs between Nueces and Rio Grande Streets. There is a significant change in topography from the eastern side of the property along Nueces Street being the lowest point towards the west to the peak of the hill where the structure is situated. The topography drops again along the western edge of the property.

There is a Heritage Tree, a Live Oak, at the northeast corner of the subject property which is structurally supported and separated from the street intersection by a raised, terraced rock wall. The property is not in a floodplain and there are no critical environmental features on the property.

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 – Anne Milne – 512-974-2868

Downtown Austin Plan

The property is located in the Northwest District of the Downtown Austin Plan. The subject property has been identified in the plan document as a property that may be eligible for a zoning change to Downtown Mixed Use (DMU) with a suggested height restriction of 60 ft. (pg. 79) if new zoning districts are created via implementation of the plan. The intent was to increase diversity of land uses while not creating an over-entitlement of said properties.

The recommended DMU zoning classifications were intended to expand entitlement rights to develop the property in a way that will expand a mix of land uses including commercial, retail, and residential opportunities and will implement the following Downtown Plan Goals:

AU-1.1: Replace single-use zoning districts with downtown mixed-use zoning designations.

Imagine Austin Plan

The subject property is located within the boundaries of a Regional Center as defined in the Imagine Austin Growth Concept Map. A Regional Center is the most urban and dense of the activity center types and is intended to be a retail, cultural, recreation, and entertainment destination in 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.

NPZ Site Plan Review – Cindy Edmond – 512-974-3437

SP1. This site is within a Capitol View Corridor. An application for a Capitol View Corridor Height Determination must be submitted to Intake and an application fee paid. For more information, contact the Land Use Review Division at 512-974-2680.

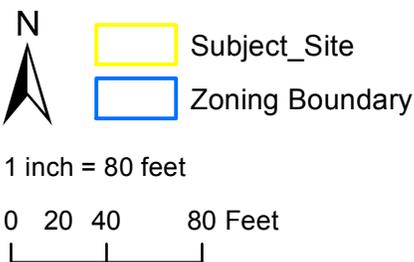
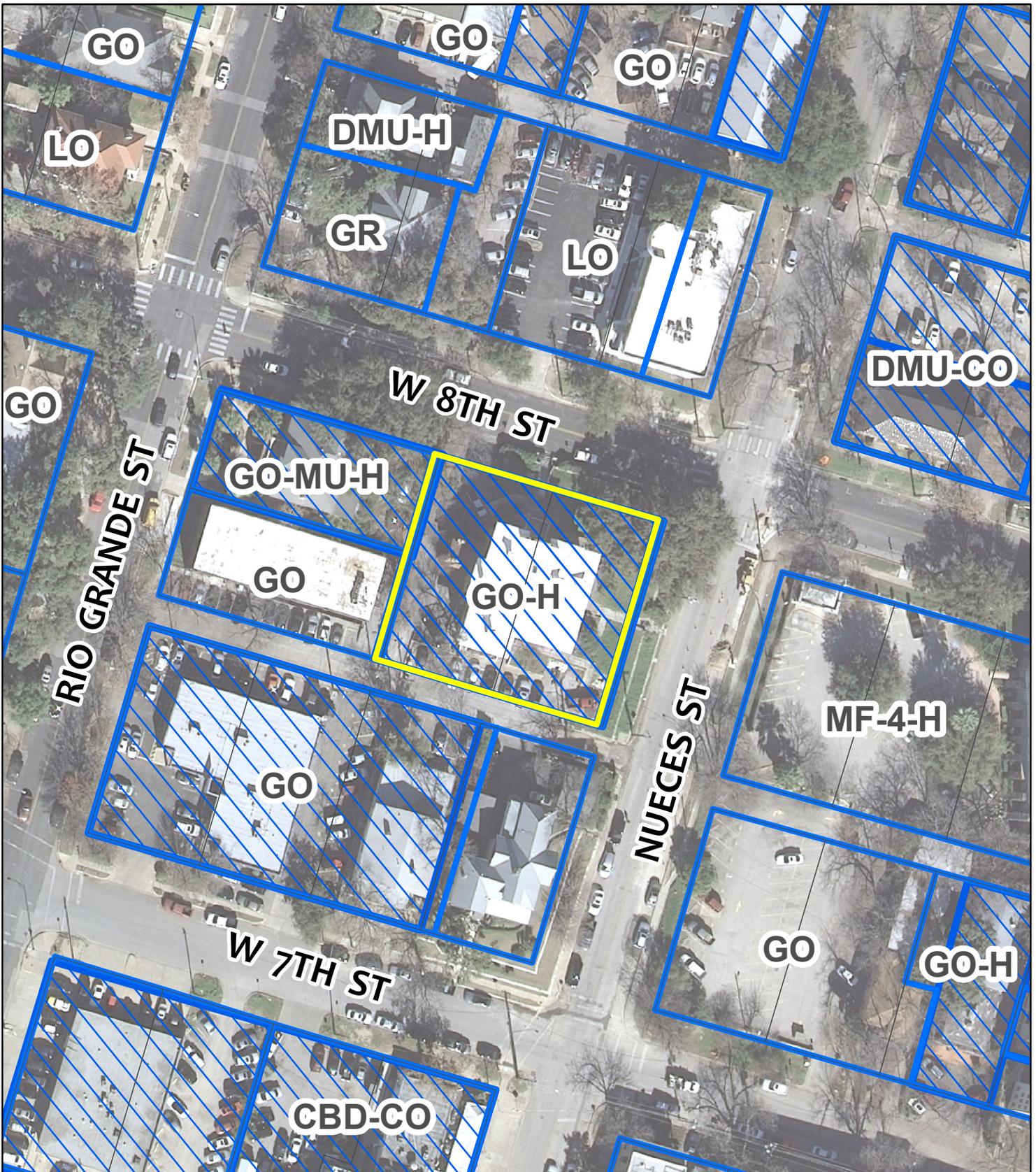
SP2. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

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.
5. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
6. 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.
7. 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.

Water Utility – Neil Kepple – 512-972-0077

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.

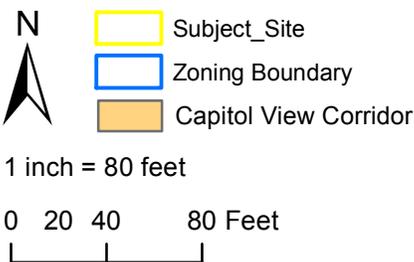
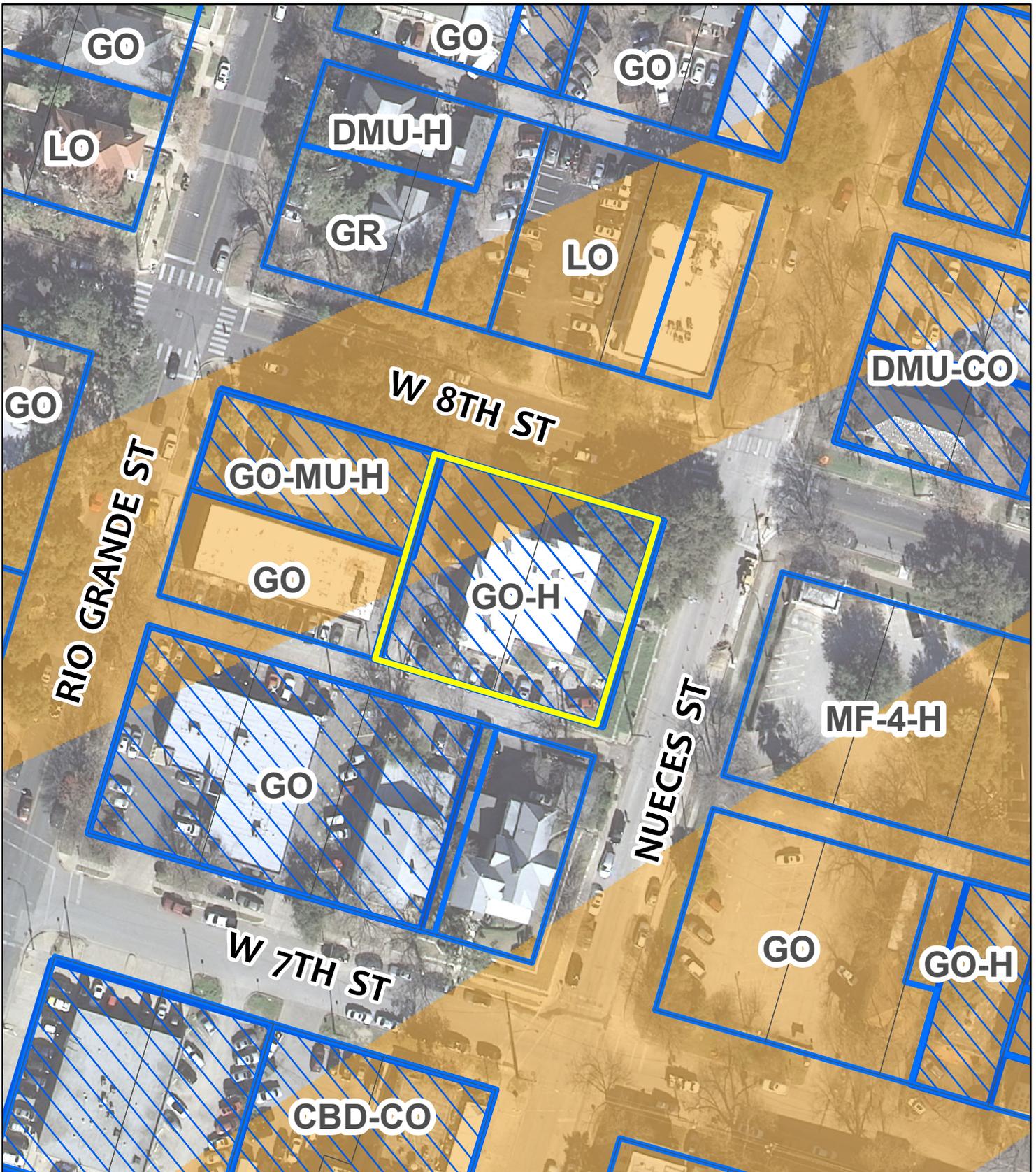


ZONING & VICINITY - EXHIBIT B

Zoning Case#: C14-2017-0074
 Address: 603 W 8th Street
 Subject Area: 0.4158 acres
 Case Manager: Scott Grantham

This map has been produced for the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





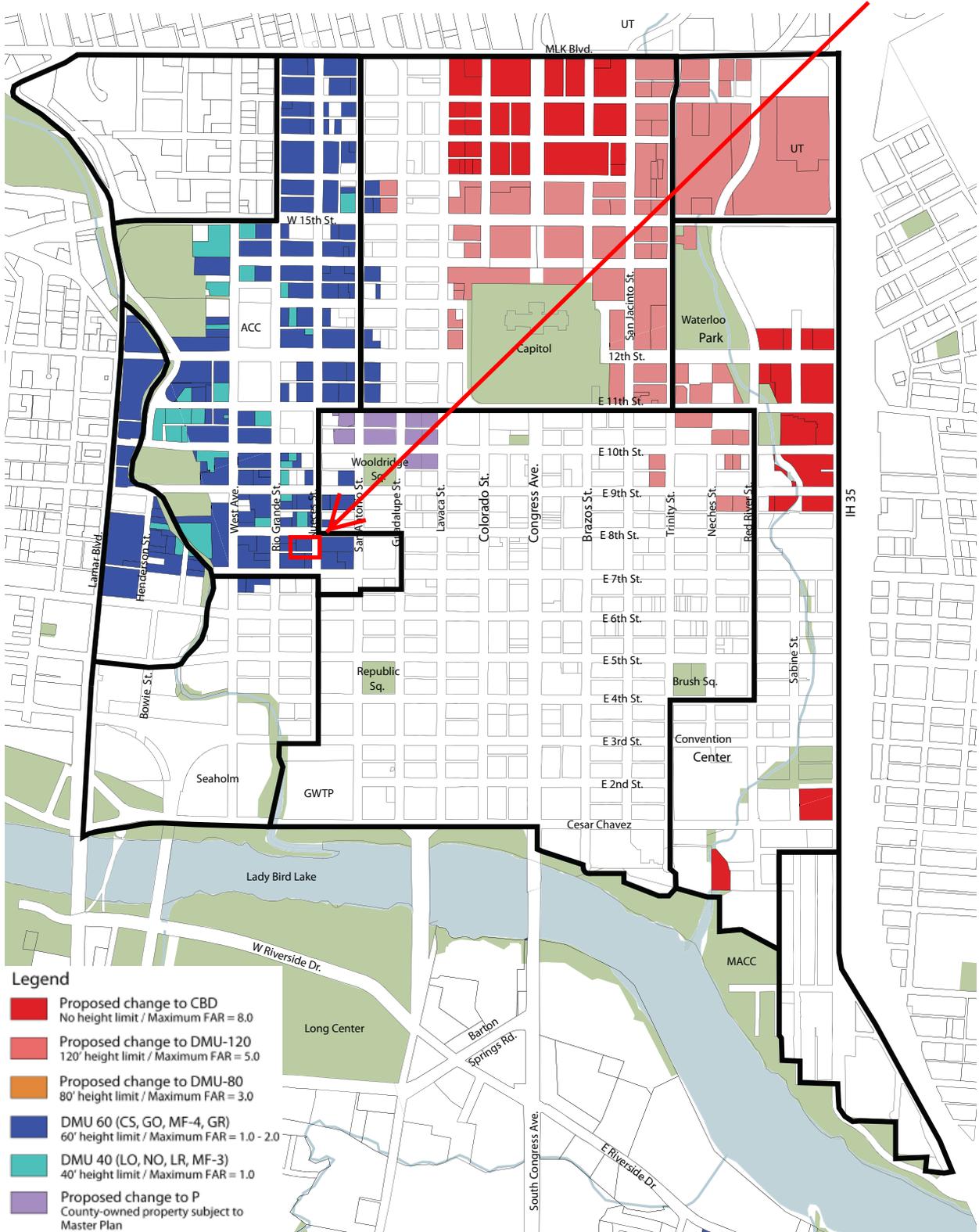
Capitol View Corridors - EXHIBIT C

Zoning Case#: C14-2017-0074
 Address: 603 W 8th Street
 Subject Area: 0.4158 acres
 Case Manager: Scott Grantham

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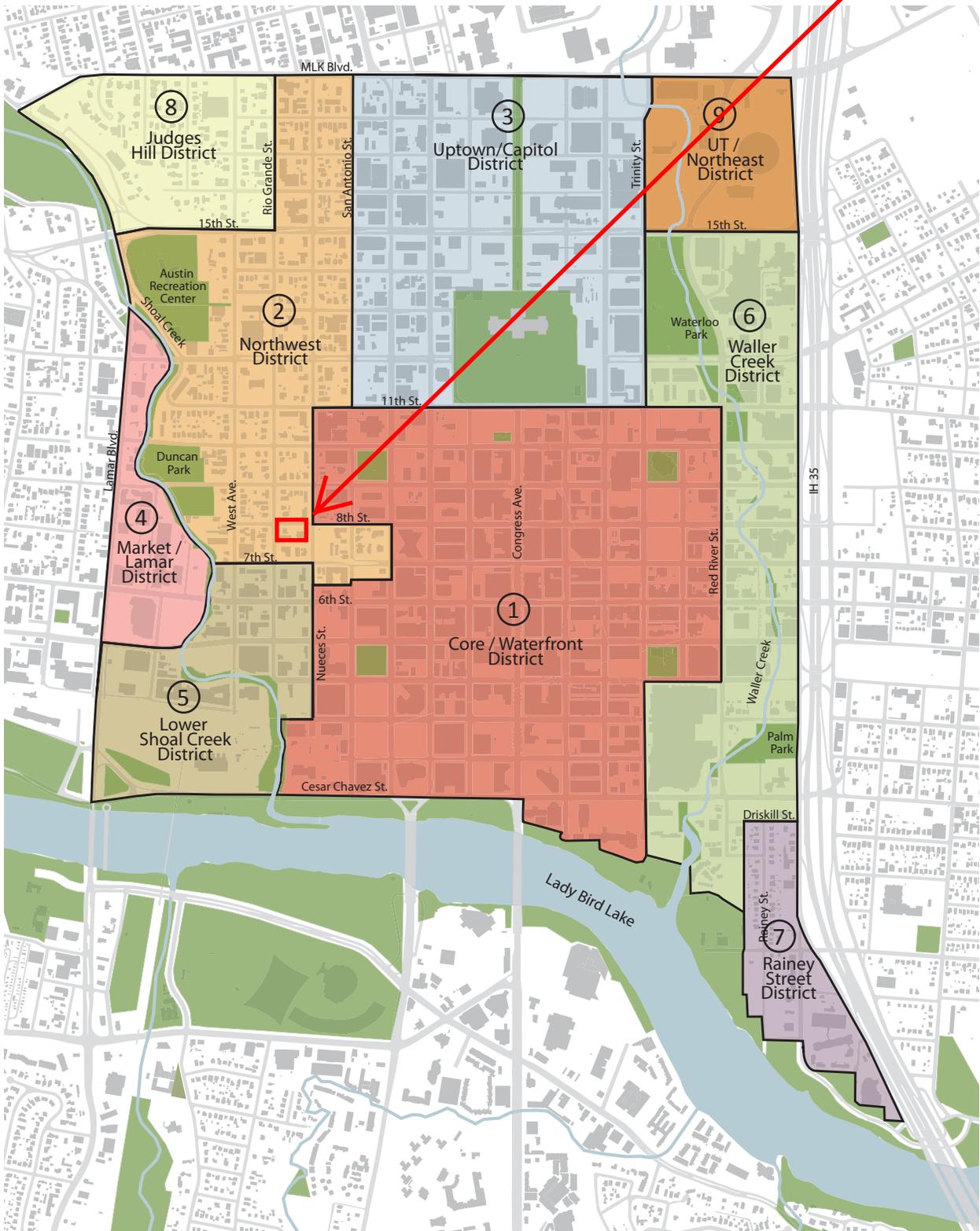


EXHIBIT E - EXCERPTS FROM DAP TRACT



Proposed Downtown Zoning Changes

TRACT



Downtown Districts Map