

ZONING CHANGE REVIEW SHEET**P.C. DATE:** September 12, 2017**CASE:** - C14-2017-0077 – Austin Community College District**ADDRESS:** 1218 West Avenue**DISTRICT AREA:** 9**OWNER/APPLICANT:** Austin Community College District (Paul R Mason)**AGENT:** Urban Design Group (Vanessa Mendez)**ZONING FROM:** SF-3 and P **TO:** DMU**TOTAL AREA:** 0.88 acres**SUMMARY STAFF RECOMMENDATION:**

Staff recommends Downtown Mixed Use- Conditional Overlay (DMU-CO) combining district. The Conditional Overlay will limit the height to sixty feet (60'); prohibit the following uses: Automotive repair services, Automotive sales, Automotive washing (of any type), Bail bond services, Cocktail lounge, Exterminating services, Liquor sales, Outdoor entertainment, Residential treatment and Service station; and will limit total vehicle trips to less than 2,000 per day.

PLANNING COMMISSION RECOMMENDATION:September 12, 2017 *Scheduled for Planning Commission***ISSUES:**

None on subject tract

DEPARTMENT COMMENTS:

The subject property is located on the west side of West Avenue, south of the Right of Way for W. 13th Street. The property is the site of a building which once housed the gymnasium for Austin High School, when the school was located across West Avenue at 1212 Rio Grande Street. Since 2004, the building has been a part of the Rio Grande campus of Austin Community College (ACC), and is known as Building 3000.

In 2012, an application was made to rezone the property to DMU – the same request as the current one. Staff supported the application with conditions, which included a 60 ft height limit, a 5 ft setback on West Avenue, a limit of 2,000 daily trips, and a set of prohibited uses. Planning Commission approved the staff recommendation, and added to the conditional overlay a prohibition on restaurants without a drive-thru, and a requirement for participation the Great Streets program. However, the applicant ultimately withdrew the application for rezoning.

For the current application, the applicant is requesting downtown mixed use (DMU) district zoning. The applicant does not currently have plans for changes to the property that would require a site plan. They have stated that they wish to rezone the property for consistency with their neighboring properties and to allow College and University Facilities land use by right. College and University Facilities is a conditional use in the SF-3 district. There is a simultaneously submitted rezoning request (C14-2017-0076), also to DMU base zoning, for a property located at 1212 Rio Grande Street, and for which ACC is the applicant.

The majority of the property (all but the northernmost 10 feet) is located within the Criminal Justice Center Overlay (LDC Section 25-2-650). Pawn shop services is a prohibited use within the overlay. Some land uses that would otherwise be permitted in the base zoning are conditional uses - bail bond services, cocktail lounges and liquor sales.

Part of the property is located within the Redbud Trail Capitol View Corridor (CVC). However, this would not be a constraint on the property, because for the portion it regulates, the CVC would limit building height to approximately 140 feet, and the height limit recommended by staff is 60 feet, and DMU base zoning allows 120 feet.

In the Imagine Austin Comprehensive Plan, downtown is designated as a Regional Center, the most urban place in the region. Higher densities are encouraged in these areas, including low to high rise residential, office, and other uses, including civic uses such as educational.

The property is located in the Northwest District of the Downtown Austin Plan (DAP), which was adopted in 2011. In the DAP, there are no specific zoning recommendations for the subject property. However, the area that surrounds the tracts are recommended for downtown mixed-use, DMU-60, with the 60 referring to a height limit to be contained in a conditional overlay. (See Exhibit C). Base DMU zoning allows for 120 feet in height. The Northwest District has a significant number of Historic Landmark structures. Limiting the height to 60 feet will better compliment the historic character of the district.

In addition to a height restriction, staff recommends the addition of a set of prohibited uses to the conditional overlay; these uses would not be desirable in the context of the neighborhood, should the property be redeveloped. Some of these uses are conditional in the DMU district, and this is an extra measure to ensure that they are not allowed in the district. Prohibited uses would be as follows: Automotive repair services, Automotive sales, Automotive washing (of any type), Bail bond services, Cocktail lounge, Exterminating services, Liquor sales, Outdoor entertainment, Residential treatment and Service station. Finally, a limit of 2,000 trips per day is recommended.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3 / P	Community College
<i>North</i>	W 13 th St (ROW), then LO, MF-4, GO-MU-H-CO	W 13 th St (ROW), then office, undeveloped
<i>South</i>	MF-4, LO, CS	Office, Retail, Three/fourplex

	ZONING	LAND USES
<i>East</i>	West Ave, then UNZ	West Ave, then Community College
<i>West</i>	P, SF-3	Parking, Austin Recreation Center, House Park/Stadium

NEIGHBORHOOD PLANNING AREA: Downtown Austin Plan (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: CVC 19, Red Bud Trail

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
Central Austin Community Development	1391
City of Austin Downtown Commission	623
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
C14-2017-0076 ACC Rio Grande Campus – Block 153 1212 Rio Grande St	From UNZ-H and UNZ to DMU-CO-H and DMU-CO	To be reviewed, 09-12-17	To be reviewed, 10-05-17
C14H-2017-0107 Tucker-Winfield Apartment House 1105 Nueces Street	From GO to GO-H	To be reviewed, 09-12-17	To be reviewed, 10-05-17
C14-2017-0054 San Antonio Street Rezoning 1202 San Antonio St	From GO to DMU	06-13-17- Apvd DMU-CO, CO for 60 ft ht limit, prohibited uses - bail bond services, liquor sales, cocktail lounge; outdoor amplified sound prohibited by restrictive covenant	08-03-17- Apvd DMU-CO on First reading only, CO for 60 ft ht limit, prohibited uses - bail bond services, liquor sales, cocktail lounge, 2,000 daily trip limit; outdoor amplified sound prohibited by restrictive covenant; pending Second and Third Readings
C14-2017-0059 1105 Rio Grande Street	From GO to DMU	06-20-17 - Apvd DMU-CO (CO for 60 ft height limit)	08-03-17- Approved DMU-CO combining district zoning on First Reading (Second and Third Readings pending completion of Public Restrictive Covenant)
C14-2017-0037 Burrell Johnston 1108 Nueces Street	From GO to DMU	05-09-17 - Apvd DMU-CO w/CO for 60' height limit	06-08-17- Apvd DMU-CO w/CO for 60' height limit
C14-2016-0110 West House LLC 1005 West Ave	From MF-4 to GO-MU	12-13-16- Apvd DMU-CO w/CO for 60'	01-26-17- Apvd DMU-CO as PC rec

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2015-0133 1204 San Antonio Street	From GO to CBD (Applicant amended request to go from GO to DMU on November 16, 2015)	03-08-16- Approved DMU-CO with a 90 ft. height restriction for Tract A (1204 San Antonio St.); DMU-CO with a 60 ft. height restriction for Tract B (1205 Nueces St.); bail bond services, cocktail lounge, pawn shop, liquor store, outdoor entertainment and amplified music uses are prohibited on Tracts A and B	06-16-16 - Approved DMU-CO zoning, with a height restriction of 60 feet and with bail bond services, cocktail lounge, pawn shop, liquor store, outdoor entertainment and outdoor amplified sound uses being prohibited (Ordinance 20160616-037)
C14-2013-0087 1402 West Avenue	From LO-H to DMU-CO-H	10-08-13- Apvd DMU-CO-H	12-12-13- Apvd (DMU-H-CO) Prohibited uses - cocktail lounge, liquor sales, bail bond services, pawn shop services, drive thru, auto rental, auto repair, auto sales, auto washing (of any type), service station, outdoor entertainment, group residential, and vehicle storage.
C14-2012-0080 1204 West Ave	From LO, MF-4, and CS TO DMU.	03-26-13- Apvd. Staff rec of DMU-CO w/added conds. of restaurant uses w/o drive-thru and include Great Streets	04-25-13 – Postponed indefinitely Case Expired per LDC 25-2-246(A)(2)
C14-2012-0082 1209 Rio Grande Street	From GO, LR-CO to DMU	03-26-13- Apvd DMU-CO (staff) with added conditions of restaurant uses without drive thru and include Great Streets	04-25-13- Apvd indefinite postponement; Case Expired per LDC 25-2-246(A)(2)
C14-2012-0081 and C14H-2012-0013 1212 Rio Grande Street	From UNZ-H & UNZ to DMU-H & DMU Case Expired per LDC 25-2-246(A)(2)	3-26-13 - Apvd. Staff rec of DMU-CO w/added conditions of restaurant uses w/o drive-thru and include Great Streets	04-25-13 - Postponed on consent indefinitely. Items postponed indefinitely are withdrawn from the active agenda and must

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
			be re-noticed before being placed back on the council agenda
C14-2011-0010 821 West 11 th 821 West 11 th Street	From MF-3 to DMU	04-12-11- Apvd DMU-CO	04-28-11- Apvd Ord. No. 20110428-064 (DMU-CO); CO limit of 2,000 daily trips, max built of 40 ft, min front yard setback of 15 ft, prohibited uses – liquor sales, pawn shop services, cocktail lounge, adult oriented businesses.
C14-2010-0197 600 W 13 th Street	From GO to DMU	02-08-11- Apvd DMU-CO; CO to prohibit: Outdoor entertainment, pawnshops, bail bond services, cocktail lounge and liquor sales)	03-10-11- Apvd DMU-CO, Ord #20110310-34; CO for 60 ft max height, prohibited uses – pawn shop services, cocktail lounge, outdoor entertainment, bail bond services, liquor sales.
C14H-2009-0026 Byrne-Reed House 1410 Rio Grande St	From GO to GO-H	02-22-11- Apvd GO-H as staff rec.	03-10-11- Apvd GO-H, ord # 20110310-036.
C14-2007-0030 Allan Thrasher House 1104 San Antonio Street	From CS to DMU Case withdrawn	5-8-07 - W/D; no action req'd	N/A
C14-2007-0219 1306 West Avenue	From SF-3 to MF-4	11-27-07- Apvd staff rec of MF-4	01-10-08- Apvd MF-4, Ord. 20080110-088

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-84-056(RCT) & C14-75-085(RCT) Wells Fargo- Enfield 605 W 15 th Street	Restrictive Covenant termination	02-12-13- Apvd termination of restrictive covenant, use restriction to drive in-banking facility	04-15-13- Apvd ord. # 20130214-080; 03-21-13- Apvd ord# 20130321-062
C14-05-0190 515 West 15 th Street	From GO to DMU-CURE	03-07-06- APVD STAFF ALT REC OF CBD-CO W/CONDS	06-08-06- APVD CBD-CO; CO of limit of 2,000 daily trips, set of prohibited uses; drive-in prohibited, 70 ft height limit, only one commercial use allowed on the ground floor

RELATED CASES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2012-0079 ACC Rio Grande Campus – 1218 West Rezoning	From SF-3 & P to DMU	03-26-13- Apvd. Staff rec of DMU-CO w/added conds. of restaurant uses w/o drive-thru and include Great Streets	04-25-13- Apvd indefinite postponement; Case Expired per LDC 25-2-246(A)(2)

SUBDIVISION: One unplatted lot, and portions of two others; located on the west side of West Avenue, south of the Right of Way for W. 13th Street.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
W 13 th Street	30 ft.	20 ft.	Local	No	No	Yes
West Avenue	90 ft.	36 ft.	Collector	Yes	Yes, Wide Curb Lane	Yes

Transportation Planning – Natalia Rodriguez - 512-974-3099

- TR1. 50 feet of right-of-way way is required for W 13th Street. If the requested zoning is recommended for this site, 25 feet of right-of-way should be dedicated from the centerline of W 13th Street in accordance with the Transportation Criteria Manual. LDC, 25-6-55; TCM, Tables 1-7, 1-12.
- TR2. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.
- TR3. Additional right-of-way maybe required at the time of subdivision and/or site plan.
- TR4. A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113. LDC, Sec. 25-6-113.
- TR5. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a wide curb lane is recommended for West Avenue.

CITY COUNCIL DATE: October 5, 2017

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Scott Grantham

PHONE: 512-974-3574

EMAIL: Scott.Grantham@austintexas.gov

BASIS FOR RECOMMENDATION

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

Granting DMU-CO would be in keeping with the adjacent uses and zonings in the area and would be in conformance with the Downtown Austin Plan (DAP)

2. *The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.*
3. *Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.*

The Downtown Mixed Use 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 subject property is located in a general area that is primarily recommended for DMU with a suggested height restriction of 60 ft. (see Exhibit C). DMU will grant entitlement rights to develop the property in a way that will implement the district-specific goals.

The zoning change is also congruent with the Imagine Austin Plan that encourages infill and redevelopment, specifically in those areas classified as a Regional Center on the Imagine Austin's Growth Concept Map.

EXISTING CONDITIONS***Site Characteristics***

The property is currently developed with one building, part of the Rio Grande campus of Austin Community College. There is a parking lot in front (east) of the building. Vehicular access to the parking lot is taken from West Avenue. There is a slight grade change on the property, sloping down from east to west. The western portion (approximately 40 feet) of the property is located within the City of Austin's Fully Developed 100-year floodplain.

Impervious Cover

The tract is located in an Urban Watershed and therefore the zoning district determines the impervious cover limits. The DMU zoning district allows 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.

Site Plan – Ramon Rezvanipour - 512-974-3124

- 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.

Compatibility Standards

- SP 4. The site is subject to compatibility standards. Along the north and west property lines, the following standards apply:
 - No structure may be built within 25 feet of the property line.
 - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - No parking or driveways are allowed within 25 feet of the property line.
 - 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.

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.

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

Overlays

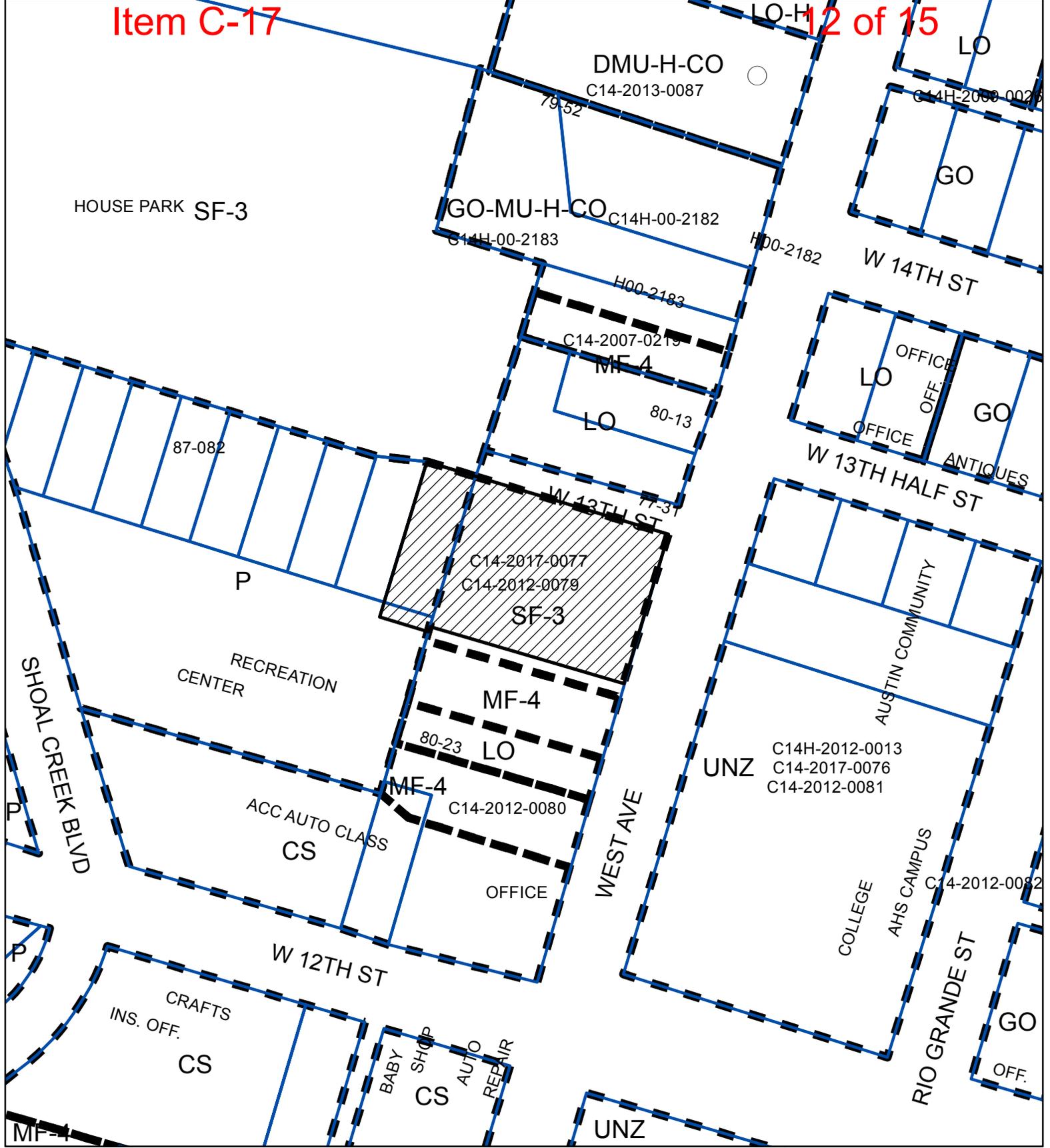
- SP 5. FYI – This site is located within the Criminal Justice Center Overlay, the Central Urban Redevelopment Overlay, the Red Bud Trail Capital View Corridor Overlay, and the Downtown Neighborhood Plan Area. Additional comments may be generated during the site plan review process.

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 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.

Water Utility – Neil Kepple – 512-972-0077

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

Zoning Case: C14-2017-0077

EXHIBIT A



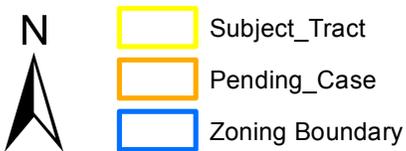
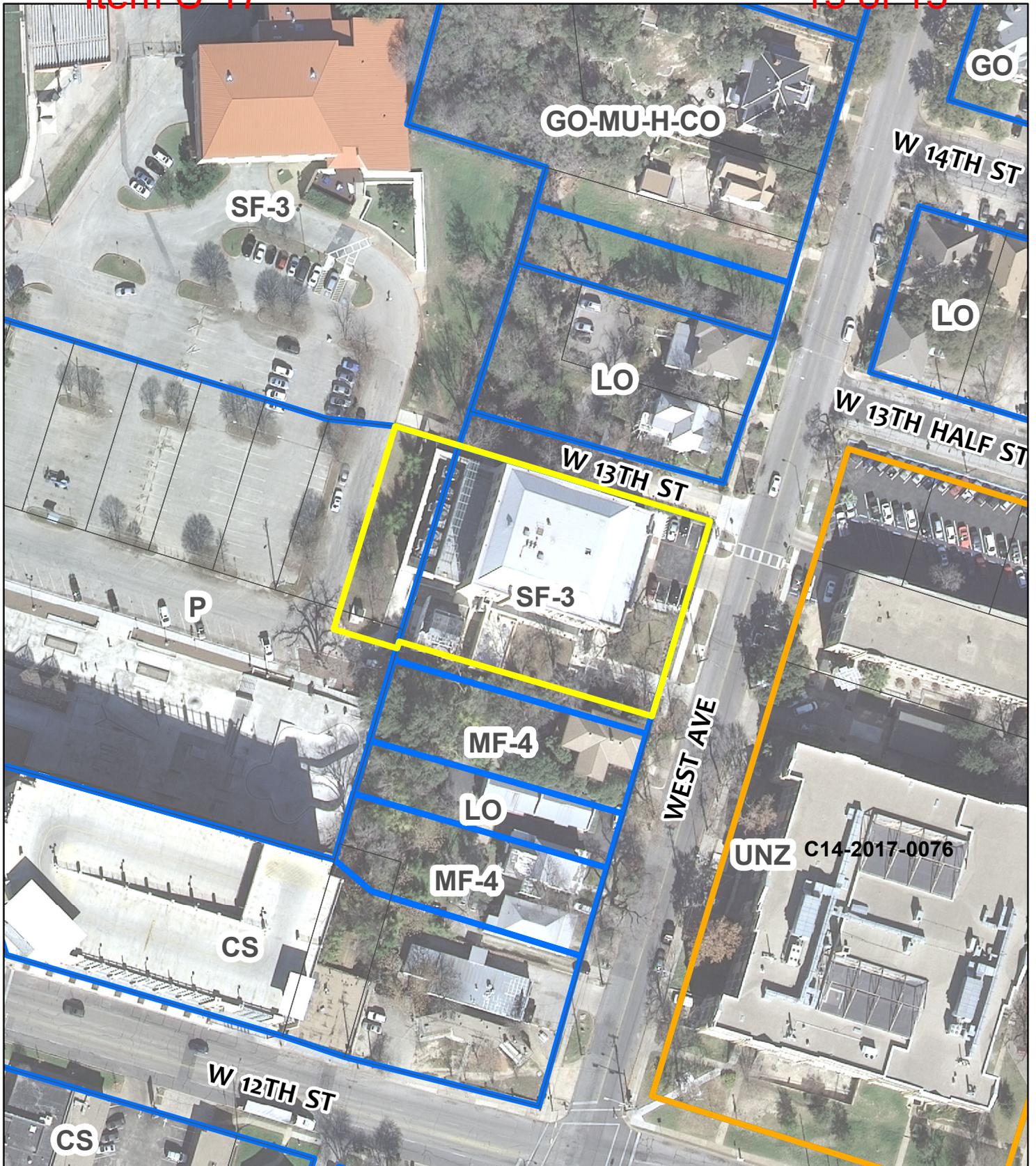
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 125'

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.





1 inch = 100 feet



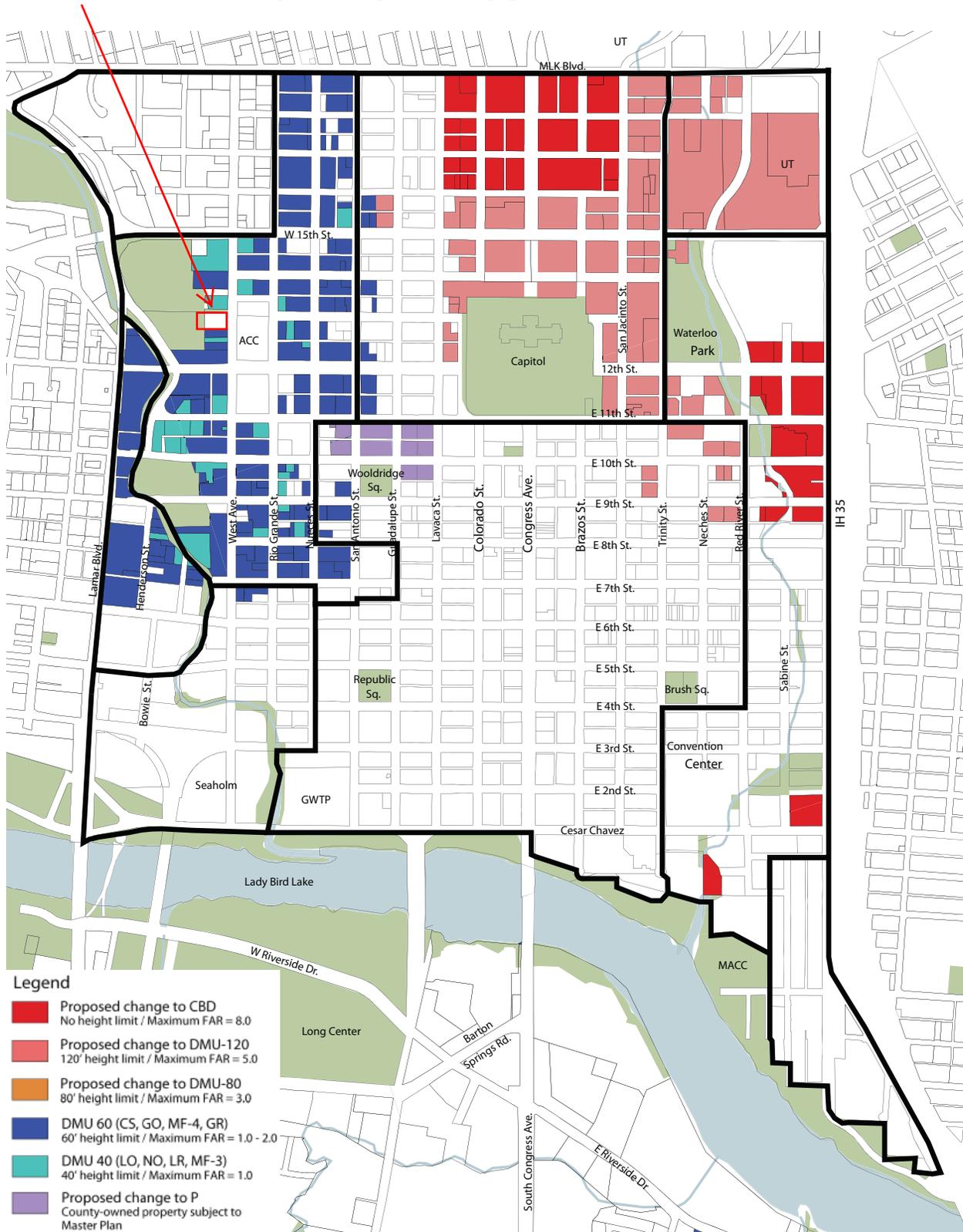
ZONING & VICINITY

Zoning Case: C14-2017-0077
 Address: 1218 West Avenue
 Subject Area: 0.88 Acres
 Case Manager: Scott Grantham

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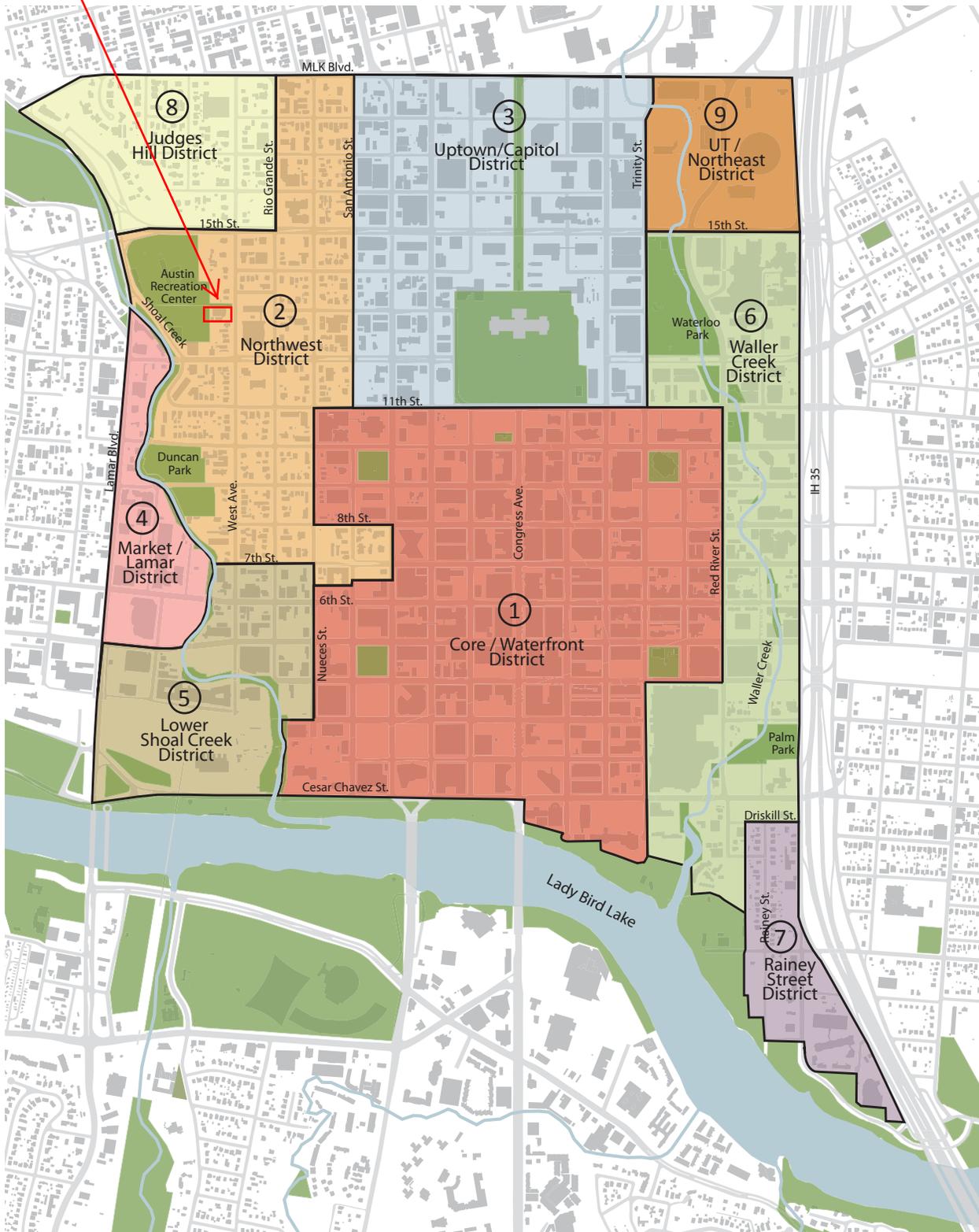


EXHIBIT B



Proposed Downtown Zoning Changes

Tracts



Downtown Districts Map