

ZONING CHANGE REVIEW SHEET

CASE: C14-2018-0072 – 1700 West Avenue

DISTRICT: 9

ZONING FROM: SF-3

TO: LO-MU-CO

ADDRESS: 1700 West Avenue

SITE AREA: 0.24 acres (10,454 sf)

OWNER: 1700 West Avenue LLC
(Julia A. Clark)

APPLICANT: Metcalfe, Wolfe, Stuart,
and Williams, LLP (Michele R. Lynch)

CASE MANAGER: Scott Grantham (512-974-3574, scott.grantham@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends Limited Office – Mixed Use – Conditional Overlay (LO-MU-CO) combining district zoning. Conditional Overlay to limit development standards to those of Neighborhood Office district with the exception of Height and FAR, and to prohibit a set of uses (See Exhibit E). For a summary of the basis of staff's recommendation, see case manager comments on page 3.

PLANNING COMMISSION ACTION / RECOMMENDATION:

September 11, 2018 Approved LO-MU-CO combining district zoning [J. Schissler, J. Thompson – 2nd], Vote: 11-0. Commissioner Seeger was absent. One vacancy on the commission.

CITY COUNCIL ACTION:

October 4, 2018 Scheduled for City Council

ORDINANCE NUMBER:

ISSUES:

The subject property is the site of the historic Shelley house, constructed in the 1920s, which has been vacant for many years and is in a state of disrepair. The current property owner would like to create a live / work space to accommodate an accounting business and a single dwelling unit. If the zoning change is approved, the owner would apply for a building permit to remodel the structure, and submit a small project site plan (25-5-3) to fulfill parking and landscape requirements associated with an office use.

The applicant has had many discussions with the Judges Hill Neighborhood Association (JHNA). JHNA is supportive of the applicant's conceptual plan and use (Exhibit F, Correspondence with Interested Parties), and have focused their questions on the potential redevelopment of the property. The applicant and neighborhood came to an agreement in the form of a proposed Conditional Overlay. The Conditional Overlay would limit development standards to those of the Neighborhood Office (NO) district, with the exception of height and FAR, which would be kept as the Limited Office (LO) standards to accommodate the existing structure. Further, the Conditional Overlay would prohibit a set of uses (See Exhibit E, Amended Request Letter from Applicant).

In addition, the applicant and JHNA are in the process of executing a Private Restrictive Covenant which contains the terms of the Conditional Overlay, and other items. The City is not a party to this Restrictive Covenant, nor can the City enforce the document. However, it is acknowledged that the Restrictive Covenant can address areas not contained in the proposed Conditional Overlay, and therefore give some level of assurance to the neighbors about the future of the subject property.

The Judges Hill Neighborhood is part of the Downtown Austin Plan (DAP), approved by Council in 2011. However, the DAP is largely silent regarding the neighborhood, and the summary of district goals proposes no changes to Judges Hill.

CASE MANAGER COMMENTS:

The subject property is approximately 0.25 acres or 10,500 square feet, and consists of a portion of a lot on the northeast corner of West Avenue and West 17th Street. The historic house on the property was built in the 1920s, and a few prominent Austinites have lived there over time including George E. and Ellen Shelley, and Ralph and Lillie Steiner. Many changes have been made to the house over time, and it is currently in a state of disrepair and unoccupied. There is also a two-bay garage on the southwest corner of the property, which has been added much more recently and appears to be less than 30 years old.

The property takes access to West 17th Street and there are no currently proposed changes to access. The property is not in the flood plain, and has a gradual slope from the northeast to the southwest corner. There is a large heritage oak tree on the east side of the property immediately adjacent to West Avenue.

The blocks surrounding the subject property contain, apartments and condominiums, offices in office-type buildings, offices in traditional single family homes, as well as duplexes, and single family homes. Immediately around the subject property, there are more apartments and condominiums. To the west, there are more frequent duplexes and single family homes. To the east, especially on the east side of West Avenue, there more office uses.

BASIS OF RECOMMENDATION:

Staff recommends limited office – mixed use – conditional overlay (LO-MU-CO) combining district zoning.

Neighborhood representatives met with the applicant and agreed terms of a Conditional Overlay which would limit development standards, and prohibit a set of uses. Staff is supportive of this dialog and process, and does not object to the terms of the proposed Conditional Overlay, on which the applicant and Judges Hill Neighborhood Association have agreed (See Exhibit E).

The first basis of the recommendation is that zoning should allow for reasonable use of the property. The property is a large corner lot, and facing onto West Avenue, in a historic and centrally located neighborhood. Development under the existing zoning would compel the owner to build a single family or duplex building. However, the proposed zoning of LO-MU-CO would offer much more flexibility, and would allow for the development of the proposed live / work space, and keep the option open for one or two residential units.

The second basis is that 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. Within 200 feet of the subject property, there are five existing lots which have LO base zoning, all of which front onto West Avenue. The MU designation would also allow for a residential component, which also exists along West Avenue in the form of MF-3 and MF-4 zoned properties. Therefore, both offices and multifamily residential are well-established for similarly situated properties.

The third basis is that the proposed zoning should promote consistency, orderly planning, and an orderly relationship among land uses. Along West Avenue in the area of the subject property, the predominant base zones are MF and LO with a few GO zones mixed in, and the prevalent land uses are offices and multifamily structures. There are few SF-3 properties fronting on West Avenue; SF zones and uses are more common a block or more west of the subject property. A rezoning of an SF-3 property to LO-MU-CO on West Avenue fits the existing zoning and land use pattern.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3	Family Residence
North	MF-3, MF-4, SF-3	Apartment/Condo, Family Residence
South	W. 17 th St, then SF-3, SF-3-H, LO, LO-H	W. 17 th St, then Office, Single Family, Apartment/Condo
East	West Avenue, then GO, LO-H, and MF-4	West Avenue, then Office, and Apartment/Condo
West	SF-3, then Pearl St., then SF-3	Single Family, then Pearl Street, then Single Family

NEIGHBORHOOD PLANNING AREA: Downtown (Judges Hill Subdistrict)

TIA: Not required

WATERSHED: Shoal Creek

OVERLAYS: None

SCHOOLS: Bryker Woods Elementary, O’Henry Middle School, Austin High School

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District
Austin Neighborhoods Council
Bike Austin
Central Austin Community Development
City Of Austin Downtown Commission
Downtown Austin Neighborhood Assn (DANA)
Friends of Austin Neighborhoods
Historic Austin Neighborhood Association

Homeless Neighborhood Association
Judges Hill Neighborhood Association
Neighborhood Empowerment Foundation
Preservation Austin
Seltexas
Shoal Creek Conservancy
Sierra Club, Austin Regional Group
West Downtown Alliance, Inc.

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0104 Shelley Tract 1700 West Ave	From SF-3 to LO- MU-CO	Case Withdrawn	Case Withdrawn
C14H-2013-0005 Judges Hill Historic District	Add Historic District	Case Withdrawn	Case Withdrawn
C14H-2009-0011 St David's Rectory 1603 Pearl Street	From SF-3 to SF-3-H	06-23-09 – Apvd SF-3-H	08-06-09 – Apvd SF- 3-H
C14H-2009-0044 James C. Nagle (Harrington) House 1615 Pearl Street	From SF-3 to SF-3-H	11-10-09 – Apvd SF-3-H	12-17-09 – Apvd SF- 3-H

RELATED CASES:

An earlier zoning application (C14-2013-0104) had also proposed LO-MU-CO. This application included a plan for maintaining the historic structure, converting the basement into an office, and the upper floor into two residential dwelling units. This zoning case faced neighborhood opposition, and was ultimately withdrawn.

The subject property consists of a 0.24 acre tract of land, being a portion of Outlot 17, Division E, of the City of Austin, Travis County, Texas, being all of that called 0.24 acre tract of land conveyed to Clayton L. Morgan by Special Warranty Deed, as recorded in Document No. 2015041780 of the Official Public Records of Travis County, Texas (O.P.R.T.C.Tx.) (See Exhibit C, Survey and Field Notes).

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
West Avenue	80 feet	37 feet	Collector	Yes	No	Yes
17 th Street	60 feet	28 feet	Collector	No	Yes	Yes

OTHER STAFF COMMENTS:Comprehensive Planning**Downtown Austin Plan**

The property is located in the Judges Hill District of the Downtown Austin Plan. The DAP does not establish any specific goals for this area nor does it recommend any changes to this part of Downtown Austin. The subject property is not within a defined character area.

The recommendations in the DAP that are relevant to this case are general to all of the districts in Downtown Austin and not specific to the Judges Hill area of Downtown. The following Downtown Austin Plan Goals are relevant to this case:

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

AU-5.1: Provide incentives for Downtown office and employment uses.

Since the DAP provides direction that both supports and opposes the proposed change staff believes the DAP does not provide clear direction on the suitability of the proposed zoning change in this location.

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. The following IACP policies are applicable to this case:

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.

E P2: Implement policies that create, nurture, and retain small and local businesses.

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

Environmental

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.

Zoning district impervious cover limits apply in the Urban Watershed classification.

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.

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.

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.

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.

Site Plan

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

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.

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

The site is subject to compatibility standards. Along the south 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.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.

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

Transportation

Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

Additional right-of-way may be required at the time of subdivision and/or site plan. 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]

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a bike lane is recommended for 17th Street. Please review the Bicycle Master Plan for more information.

FYI – the existing driveway along 17th Street may be required to be removed and/or reconstructed at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.

FYI – the existing sidewalks along West Avenue do not appear to be ADA compliant based on Google Images. The existing sidewalks and curb ramps along West Avenue shall be reconstructed and sidewalks along 17th Street shall be constructed to City of Austin

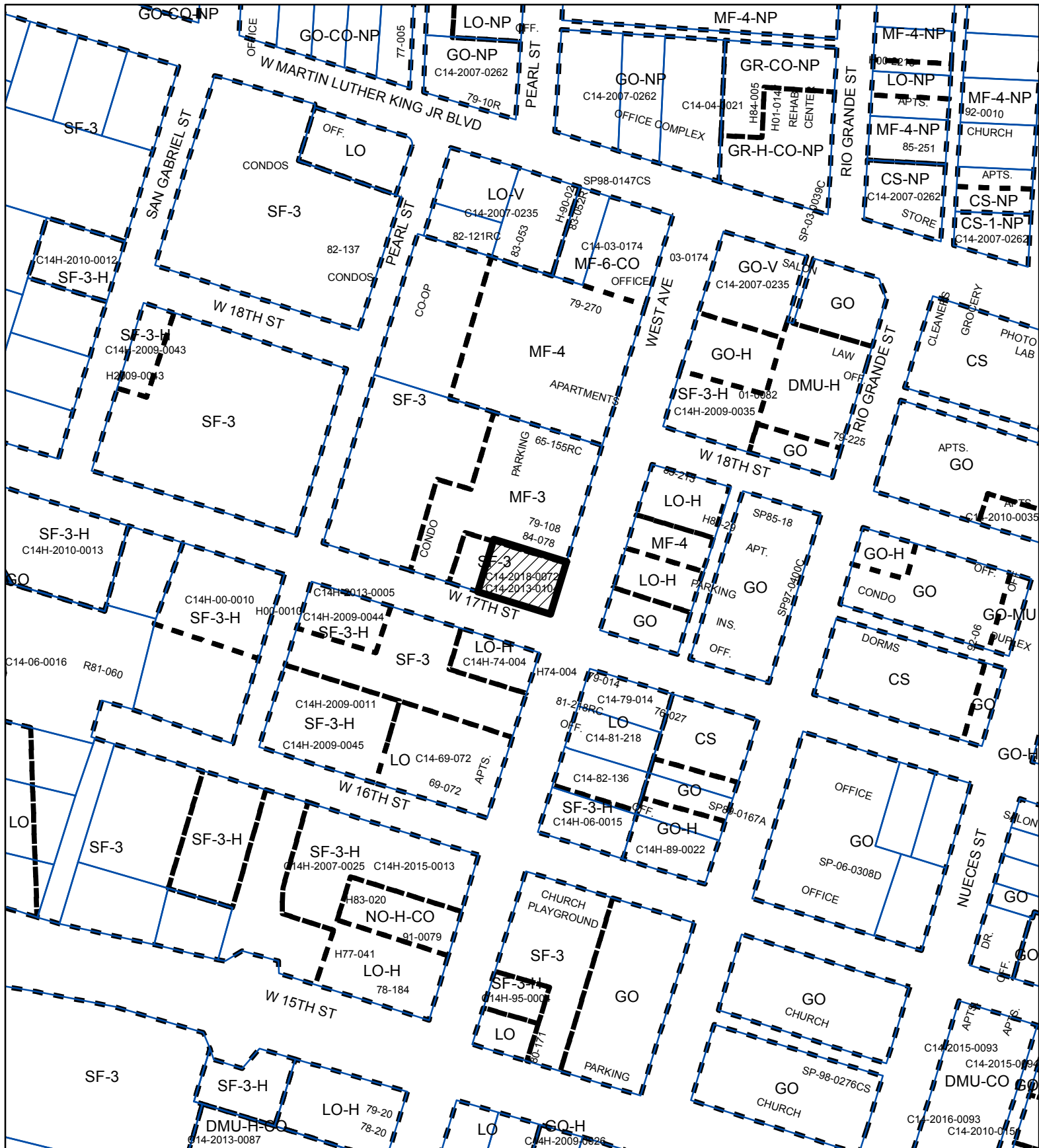
standards at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual.




Austin Water Utility

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 Austin Water 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.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Survey and Field Notes
- D. Excerpt from the Downtown Austin Plan (DAP)
- E. Amended Request Letter from Applicant
- F. Correspondence with Interested Parties
- G. Correspondence with Planning Commission



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

Zoning Case C14-2018-0072

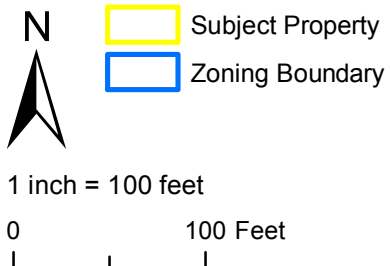
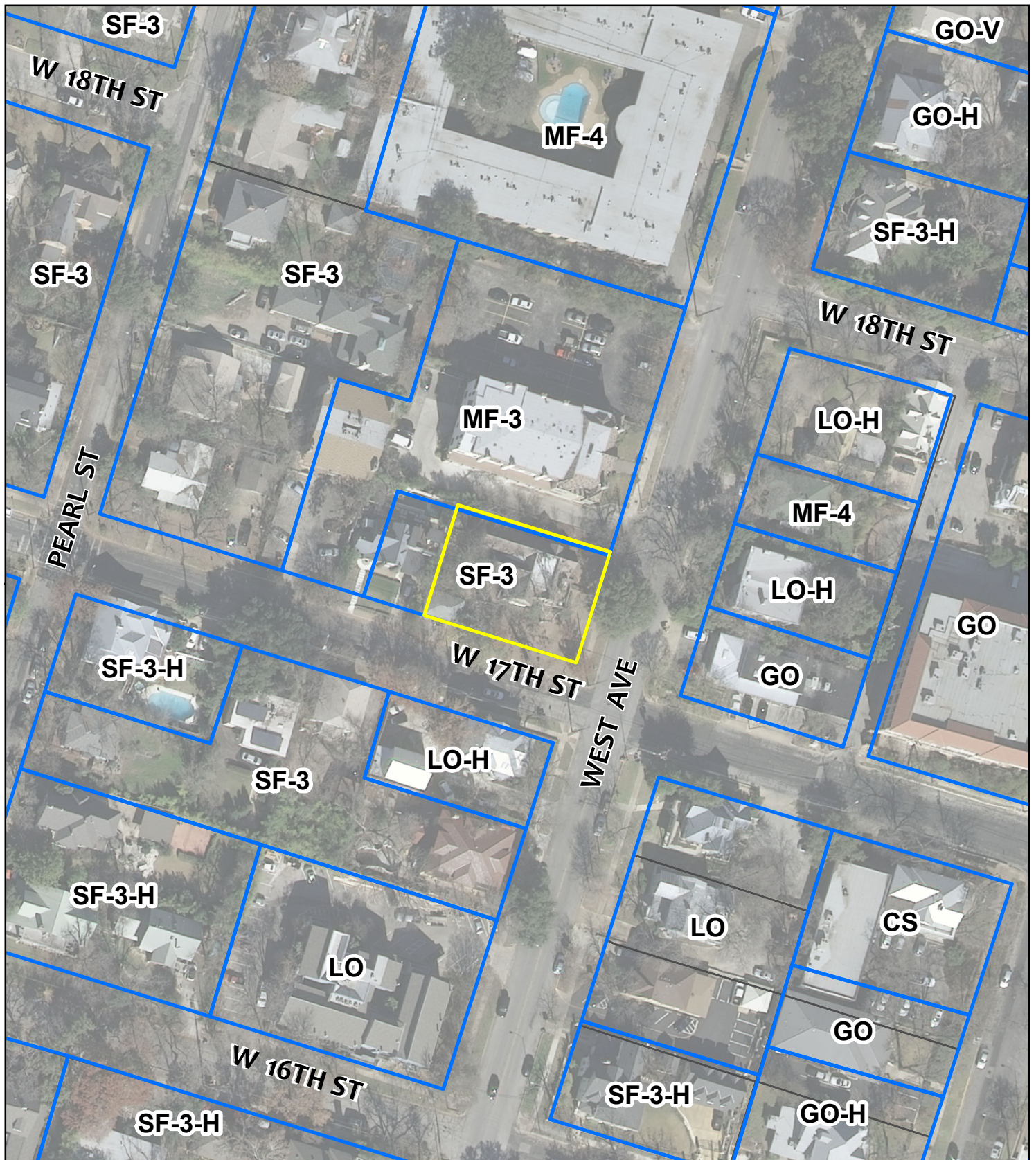
EXHIBIT A



1" = 200'

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.



ZONING & VICINITY

Zoning Case: C14-2018-0072
 Address: 1700 West Avenue
 Subject Area: 0.24 Acres
 Case Manager: Scott Grantham

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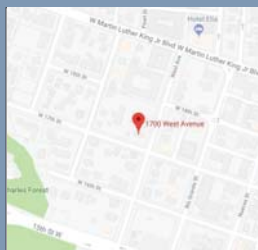


EXHIBIT B

PREPARED BY:

EXACTA
TEXAS SURVEYORS, INC.

2132 E 9th St, Suite 310, Cleveland, OH 44115
LB# 10193993 | exacta365.com | p: 866.735.1916 | f: 866.744.2882



PROPERTY ADDRESS: 1700 WEST AVENUE, AUSTIN, TEXAS 78701

SURVEY NUMBER: 1803.1605

18031605
BOUNDARY SURVEY
TRAVIS COUNTY

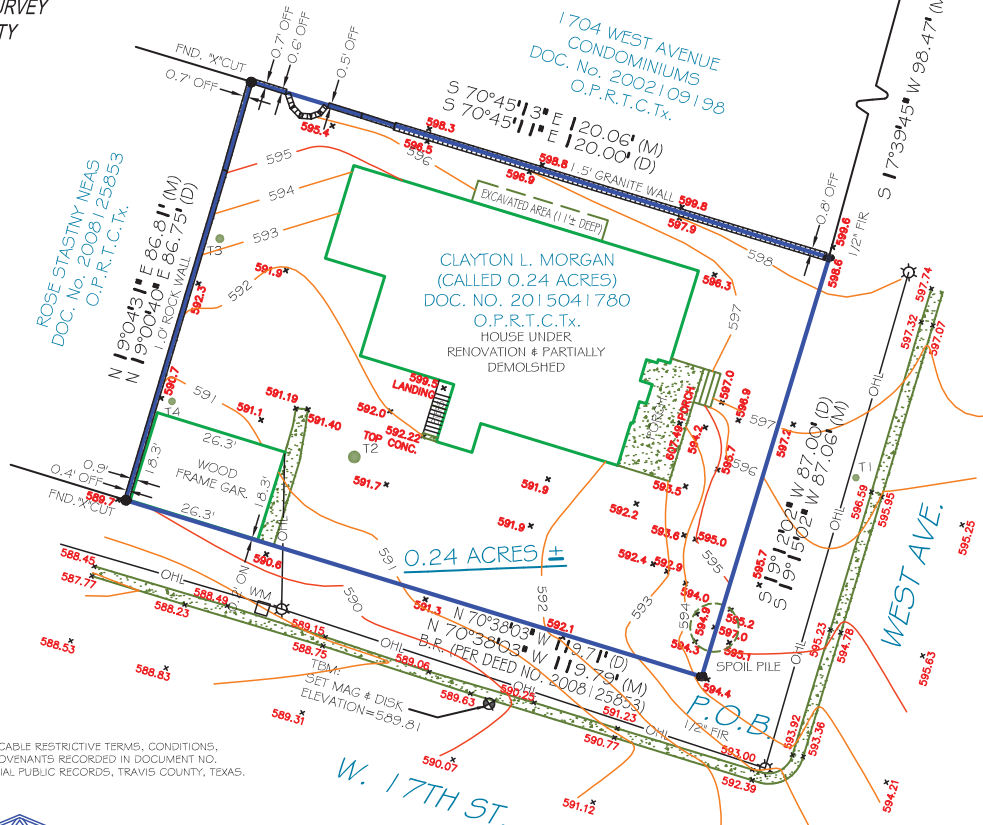
REV: TOPO AND TREES ADDED 4/3/18 (DLM)

(REV2 5/24/2018) (REV1 4/5/2018)

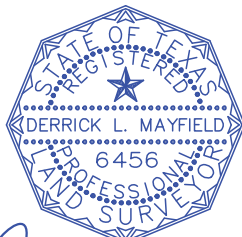
EXHIBIT C

TREE TABLE:
T1 - 29" OAK
T2 - 30" PECAN
T3 - 21.3" ELM
T4 - 17.5" ELM

ROSE STASTNY NEAS
DOC. NO. 2008125853
O.P.R.T.C.Tx.



TITLE NOTES:
1. SUBJECT TO APPLICABLE RESTRICTIVE TERMS, CONDITIONS,
STIPULATIONS AND COVENANTS RECORDED IN DOCUMENT NO.
2015041780, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.



Derrick L. Mayfield

NOTES:
FENCE OWNERSHIP NOT DETERMINED
THE ELEVATIONS SHOWN HEREON WERE OBTAINED USING GPS
IN CONJUNCTION WITH GEONET RTK GPS/GNSS NETWORK
AND ARE ON NAVD 1988 DATUM
INDICATES ELEVATION ON NAVD 1988 DATUM
O.P.R.T.C.Tx = OFFICIAL PUBLIC RECORDS,
TRAVIS COUNTY, TEXAS

I HEREBY CERTIFY THAT: THIS PLAT REPRESENTS THE RESULTS OF
A SURVEY MADE ON THE GROUND ON THE 5TH DAY OF APRIL,
2018; ALL EASEMENTS AND RIGHTS-OF-WAY SHOWN ON THE PLAT
AND SET FORTH WITHIN THE TITLE COMMITMENT ISSUED BY
ALLIANT NATIONAL TITLE INSURANCE COMPANY, GF NO.
201800731, EFFECTIVE MAY 16, 2018, ARE SHOWN OR NOTED
HEREON; THERE ARE NO VISIBLE ENCROACHMENTS OR
OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN HEREON;
THE PROPERTY HAS ACCESS TO A DEDICATED RIGHT-OF-WAY PER
PLAT.



GRAPHIC SCALE (In Feet)
1 inch = 30' ft.

Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor.
Nothing hereon shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

FLOOD INFORMATION:

BY PERFORMING A SEARCH WITH THE LOCAL GOVERNING
MUNICIPALITY OR WWW.FEMA.GOV, THE PROPERTY APPEARS TO BE
LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN THE CITY OF
AUSTIN, COMMUNITY NUMBER 480624, DATED 01/06/16.

POINTS OF INTEREST NONE VISIBLE

POWERED BY:

surveystars
www.surveystars.com

CLIENT NUMBER:

DATE: 04/05/18

BUYER: 1700 WEST AVENUE, LLC

SELLER:

CERTIFIED TO: 1700 WEST AVENUE, LLC; HERITAGE TITLE COMPANY

This is page 1 of 2 and is not valid without all pages.

EXACTA TEXAS SURVEYORS, INC.

2132 E 9th St, Cleveland OH 44115
LB# 10193993 | P: 866.735.1916 | F: 773.305.4011

Please Remit Payment To: 2132 E 9th St | Suite 310, Cleveland, OH 44115

LEGAL DESCRIPTION:
SEE EXHIBIT A**JOB SPECIFIC SURVEYOR NOTES:**

THE BEARING REFERENCE OF NORTH 70 DEGREES 38 MINUTES 03 SECONDS WEST IS BASED ON THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 17TH STREET, AS METIONED WITHIN THAT SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2015041780 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

GENERAL SURVEYOR NOTES:

1. Firm Branch #10193993 is physically located at 2132 E 9th St, Suite 310, Cleveland, OH 44115.
2. The Legal description used to perform this survey was supplied by others. This survey does not determine or imply ownership.
3. Due to varying construction standards, house dimensions are approximate.
4. This survey is exclusively for the use of the parties to whom it is certified. It is not transferable to additional institutions or subsequent owners.
5. This property subject to any and all recorded and unrecorded easements. Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants or ownership title evidence.
6. If there is a septic tank, well or drain field on this survey, the location of such items was shown to us by others and are not verified.
7. Any additions or deletions of this 2 page survey document are strictly prohibited. Use of this survey beyond the purpose of the transfer of title without written authorization of the signing surveyor is prohibited.
8. Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain such data was performed at www.fema.gov.
9. Dimensions are in feet and decimals thereof.
10. All pins marked as set are 5/8" or 1/2" diameter, 18" iron rebar, with "EXACTA" cap.
11. This survey only shows improvements found above ground. Underground footings, utilities and encroachments are not located on this survey map.
12. The information contained on this survey has been performed exclusively, and is the sole responsibility, of Exakta Surveyors. Additional logos or references to third party firms are for informational purposes only.
13. Points of Interest (POI's) are selected above- ground improvements which may be in contact with boundary, building setbacks or easement lines, as defined by the parameters of this survey. There may be additional POI's which are not shown, not called-out as POI's, or which are otherwise unknown to the surveyor. These POI's may not represent all items of interest to the viewer.
14. Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
15. House measurements should not be used for new construction or planning. Measurements should be verified prior to such activity.

LEGEND:

LINETYPES: (UNLESS OTHERWISE NOTED)		SURFACE TYPES: (UNLESS OTHERWISE NOTED)		SYMBOLS: (UNLESS OTHERWISE NOTED)	
BOUNDARY LINE	IRON FENCE	ASPHALT	BRICK or TILE	BENCH MARK	FIRE HYDRANT
STRUCTURE	OVERHEAD LINES	CONCRETE	COVERED AREA	CENTERLINE	FOUND OR SET MONUMENT
CENTERLINE	SURVEY TIE LINE	WATER	WOOD	CENTRAL ANGLE or DELTA	GUNWIRE OR ANCHOR
CHAIN-LINE or WIRE FENCE	WALL OR PARTY WALL			COMMON OWNERSHIP	MANHOLE
EASEMENT	WOOD FENCE			CONTROL POINT	TREE
EDGE OF WATER	VINYL FENCE			CONCRETE MONUMENT	UTILITY OR LIGHT POLE
				CATCH BASIN	WELL
				ELEVATION	

(C) CALCULATED	E.O.W. EDGE OF WATER	N.T.S. NOT TO SCALE	R.P. RADIUS POINT	A.E. ACCESS EASEMENT
(D) DEED	ELEV. ELEVATION	NAVDB88 NORTH AMERICAN VERTICAL	R/W RIGHT OF WAY	A.N.E. ANCHOR EASEMENT
(F) FIELD	EM ELECTRIC METER	DATUM OF 1988	RES. RESIDENCE	C.M.E. CANAL MAINTENANCE ESMT.
(M) MEASURED	ENCL. ENCLOSURE	NGVD29 NATIONAL GEODETIC	REG. RANGE	C.U.E. COUNTY UTILITY ESMT.
(P) PLAT	ENT. ENTRANCE	VERTICAL DATUM OF 1929	S.B.L. SET BACK LINE	D.E. DRAINAGE EASEMENT
(R) RECORD	EUB ELECTRIC UTILITY BOX	O.C.S. ON CONCRETE SLAB	S.C.L. SURVEY CLOSURE LINE	D.U.E. DRAINAGE AND UTILITY ESMT.
(S) SURVEY	FF. FINISHED FLOOR	O.G. ON GROUND	S.T.L. SURVEY TIE LINE	ESMT. EASEMENT
A.S.B.L. ACCESSORY SETBACK LINE	F.O.P. EDGE OF PAVEMENT	O.R.B. OFFICIAL RECORD BOOK	S.W. SEAWALL	I.E./E. INGRESS/EGRESS ESMT.
A/C AIR CONDITIONING	F.D.H. FOUND DRILL HOLE	O.R.V. OFFICIAL RECORD VOLUME	S/GD SET GLUE DISC	IR.E. IRRIGATION EASEMENT
B.C. BLOCK CORNER	FCM FND. CONCRETE MONUMENT	O/A OVERALL	S/W SIDEWALK	L.A.E. LIMITED ACCESS ESMT.
B.F.P. BACKFLOW PREVENTOR	FIP FOUND IRON PIPE	O/S OFFSET	SCR. SCREEN	L.B.E. LANDSCAPE BUFFER ESMT.
B.R. BEARING REFERENCE	FIPC FOUND IRON PIPE & CAP	OFF OUTSIDE OF SUBJECT PARCEL	SEC. SECTION	L.E. LANDSCAPE ESMT.
B.R.L. BUILDING RESTRICTION LINE	FIR FOUND IRON ROD	OH. OVERHANG	SEP. SEPTIC TANK	L.M.E. LAKE OR LANDSCAPE
B/W BAY/BOX WINDOW	FIRC FOUND IRON ROD & CAP	OHL OVERHEAD LINES	SEW. SEWER	MAINTENANCE EASEMENT
B.L.G. BUILDING	FN FOUND NAIL	ON INSIDE OF SUBJECT PARCEL	SIRC SET IRON ROD & CAP	M.E. MAINTENANCE EASEMENT
BLK. BLOCK	FND FOUND	P.B. PLAT BOOK	SN&D SET NAIL & DISC	P.U.E. PUBLIC UTILITY EASEMENT
BM BENCHMARK	FND FOUND	P.C. POINT OF CURVATURE	SQ.F. SQUARE FEET	R.O.E. ROOF OVERHANG ESMT.
BSMT. BASEMENT	FPKN FOUND PARKER-KALON NAIL	P.C.C. POINT OF COMPOUND	STY. STORY	S.W.E. SIDEWALK EASEMENT
C CURVE	FPKN&D FOUND PK NAIL & DISC	P.C.P. CURVATURE	SV SEWER VALVE	S.W.M.E. STORM WATER MANAGEMENT
C.B. CONCRETE BLOCK	FRSPK FOUND RAILROAD SPIKE	PI. POINT OF INTERSECTION	T.O.B. TOP OF BANK	EASEMENT
C.L.F. CHAIN LINK FENCE	GAR. GARAGE	P.O.B. POINT OF BEGINNING	TBM TEMPORARY BENCHMARK	T.U.E. TECHNOLOGICAL UTILITY ESMT.
C.O. CLEAN OUT	GM GAS METER	P.O.C. POINT OF COMMENCEMENT	TEL. TELEPHONE FACILITIES	U.E. UTILITY EASEMENT
C.V.G. CONCRETE VALLEY GUTTER	ILL. ILLIGIBLE	PP. PINCHED PIPE	TWP. TOWNSHIP	
C/L CENTER LINE	INST. INSTRUMENT	P.R.C. POINT OF REVERSE CURVATURE	TX TRANSFORMER	
C/P COVERED PORCH	INT. INTERSECTION	P.R.M. PERMANENT REFERENCE	TYP. TYPICAL	
C/S CONCRETE SLAB	L. LENGTH	PT. POINT OF TANGENCY	U.R. UTILITY RISER	
CATV CABLE TV RISER	LSR LICENSE # - BUSINESS	P/E POOL EQUIPMENT	UG UNDERGROUND	
CH CHORD BEARING	M.B. MAP BOOK	PLS PROFESSIONAL LAND SURVEYOR	UR UTILITY RISER	
CHM. CHIMNEY	M.E.S. MITERED END SECTION	PLT PLANTER	V.F. VINYL FENCE	
CONC. CONCRETE	M.F. METAL FENCE	PSM PROFESSIONAL SURVEYOR AND MAPPER	W.F. WOODEN FENCE	
COR. CORNER	M.S. MITERED END SECTION		W/C WITNESS CORNER	
CS/W CONCRETE SIDEWALK	MH MANHOLE		W/F WATER FILTER	
D.F. DRAIN FIELD	N.R. NON RADIAL		WM WATER METER VALVE BOX	
D.H. DRILL HOLE			WV WATER VALVE	
D/W DRIVEWAY				

ELECTRONIC SIGNATURE:

In order to "Electronically Sign" all of the PDFs sent by STARS, you must use a hash calculator. A free online hash calculator is available at <http://www.fileformat.info/tool/md5sum.htm>. To Electronically Sign any survey PDF: 1. Save the PDF onto your computer. 2. Use the online tool at <http://www.fileformat.info/tool/md5sum.htm> to browse for the saved PDF on your computer. 3. Select the Hash Method as SHA. 4. Click Submit. Your PDF is electronically signed if all of the characters in the SHA-1 code submitted by STARS matches the code which is produced by the hash calculator. If they match exactly, your PDF is electronically signed. If the codes do not match exactly, your PDF is not authentic.

PRINTING INSTRUCTIONS:

1. While viewing the survey in Adobe Reader, select the "Print" button under the "File" tab.
2. Select a printer with legal sized paper.
3. Under "Print Range", click select the "All" toggle.
4. Under the "Page Handling" section, select the number of copies that you would like to print.
5. Under the "Page Scaling" selection drop down menu, select "None."
6. Uncheck the "Auto Rotate and Center" checkbox.
7. Check the "Choose Paper size by PDF" checkbox.
8. Click OK to print.

TO PRINT IN BLACK + WHITE:

1. In the main print screen, choose "Properties".
2. Choose "Quality" from the options.
3. Change from "Auto Color" or "Full Color" to "Gray Scale".

OFFER VALID ONLY FOR:
1700 WEST AVENUE, LLC

EXACTA

10% OFF

**OF FUTURE SURVEYING SERVICES
ON THIS PROPERTY, UP TO \$500.**

*Offer valid for fence stakeouts and additions to the existing structures only. Valid only for the buyer as listed on the first page of this survey for up to one year after survey issuance date. Total discount not to exceed \$500.

EXACTALB# 10193993
www.exakta365.com
p: 866.735.1916
f: 866.744.2889

2132 E 9th St | Suite 310 | Cleveland, OH 44115

EXHIBIT A

JOB NUMBER: 1803.1605

DATE: 04/05/18

REVISION DATE(S): (REV.2 5/24/2018) (REV.1 4/5/2018)

Description of a 0.24 acre tract of land, being a portion of Outlot 17, Division E, of the City of Austin, Travis County, Texas, being all of that called 0.24 acre tract of land conveyed to Clayton L. Morgan by Special Warranty Deed, as recorded in Document No. 2015041780 of the Official Public Records of Travis County, Texas (O.P.R.T.C.Tx.), said 0.24 acre tract of land being shown on the accompanying survey, and more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found at the intersection of the North right-of-way line of West 17th Street and the West right-of-way line of West Avenue, for the Southeast corner of said Shelley tract and the Southeast corner hereof;

THENCE with said North right-of-way line of West 17th Street, the South line of said Shelley tract, and the South line hereof North 70°38'03" West (Record North 70°38'03" West) a distance of 119.79 feet (Record 119.71 feet) to an "X" found cut in a rock wall for the Southeast corner of that tract of land conveyed to Rose Stastny Neas by Special Warranty Deed recorded in in Document No. 2008125853 O.P.R.T.C.Tx., the Southwest corner of said Shelley tract, and the Southwest corner hereof;

THENCE with the East line of said Neas tract, the West line of said Shelley tract, and the West line hereof, North 19°04'31" East (Record North 19°00'40" East) a distance of 86.81 feet (Record 86.75 feet) to an "X" found cut in a rock wall on the south line of 1704 West Avenue Condominiums, a condominium regime tract recorded in Document No. 2002109198 O.P.R.T.C.Tx. for the Northeast corner of said Neas tract, the Northwest corner of said Shelley tract, and the Northwest corner hereof;

THENCE with the south line of said 1704 West Avenue Condominiums, the North line of said Shelley tract, and the North line hereof South 70°45'13" East (Record South 70°45'11" East) a distance of 120.06 feet (Record 120.00 feet) to a 1/2" iron rod set with plastic cap marked "Exacta" found on said West right-of-way line of West Avenue, for the Southeast corner of said 1704 West Avenue Condominiums, the Northeast corner of said Shelley tract, and the Northeast corner hereof;

THENCE with said West right-of-way line of West Avenue, the East line of said Shelley tract, and the East line hereof South 19°15'02" West (Record South 19°12'02" West) a distance of 87.06 feet (Record 87.00 feet) to the **POINT OF BEGINNING** hereof; and containing 0.24 acres (10,425.27 sq. ft.) of land, more or less.



EXHIBIT D - EXCERPT FROM DAP

SUMMARY OF DISTRICT GOALS

1 CORE/WATERFRONT DISTRICT

- Enhance the Core as the premier employment, cultural and visitor center of the region.
- Improve the quality of the pedestrian experience.
- Make it easier to get to Downtown and move around without a car.
- Restore and activate the historic squares.
- Ensure that the District is a welcoming and affordable place for all.
- Preserve the historic building fabric.

2 NORTHWEST DISTRICT

- Preserve neighborhood's historic residential character.
- Bring residents back to neighborhood.
- Preserve existing tree canopy along streets.
- Preserve and enhance existing open space.
- Improve pedestrian environment.
- Improve conditions for bicycling.
- Improve Shoal Creek and improve quality and accessibility of its creekside trail.

3 UPTOWN/CAPITOL DISTRICT

- Promote broader diversity of uses.
- Encourage redevelopment of underutilized properties and parking garages along the Lavaca/Guadalupe and San Jacinto/Trinity Street transit corridors.
- Enhance State Capitol campus along Congress Avenue, consistent with the 1989 Texas Capitol Master Plan.
- Enhance streets to be pedestrian/bicycle-friendly and to link better with Downtown and UT.

4 MARKET/LAMAR DISTRICT

- Strengthen area as compact, pedestrian-oriented mixed-use district, with retail and restaurant uses.
- Improve quality and safety of pedestrian environment, particularly along Lamar Boulevard, 5th and 6th streets.
- Enhance streets to be more bicycle-friendly.
- Enhance Shoal Creek, addressing flood control and improving continuity and accessibility of trail.
- Promote appropriately-scaled new development to transition to neighborhoods west of Lamar.

5 LOWER SHOAL CREEK DISTRICT

- Improve Creek as open space amenity, and improve continuity and accessibility of trail.
- Improve flood capacity and riparian character of Creek corridor.
- Extend street grid to create stronger bicycle, pedestrian and vehicular linkages to Core/Waterfront.
- Promote mix of residential, commercial, cultural and visitor-oriented uses that contribute to the day and nighttime life.

6 WALLER CREEK DISTRICT

- Transform Creek into urban greenway and linear open space that connects surrounding community.
- Create continuous pedestrian and bicycle access between Lady Bird Lake and UT in/near Creek corridor.
- Improve pedestrian and bicycle connections between East Austin, UT, Waller Creek and Core/Waterfront.
- Maintain and enhance environmental and habitat value of Creek as a riparian corridor.
- Encourage new development that promotes area as diverse, livable, and affordable mixed-use district with a distinctly local feel.
- Establish activities along Creek that contribute to its safety and vitality and to area's economic revitalization.
- Promote as a place for creative and cultural activities, including live music venues, galleries, studios, etc.
- Improve Palm and Waterloo parks to better serve adjacent neighborhoods and to provide opportunities for community-wide events and recreation.

7 RAINEY STREET DISTRICT

- Allow for orderly transition from single-family enclave to high density, mixed-use neighborhood.
- Establish infrastructure master plan to promote an adequate roadway, pathway and utility network.
- Create stronger pedestrian and bicycle linkages to CBD, Lady Bird Lake, Waller Creek and East Austin.
- Create improved roadway connectivity to IH 35 frontage road and Cesar Chavez.
- Preserve existing tree canopy along Rainey Street to the maximum extent possible.

8 JUDGES HILL DISTRICT - No proposed changes

9 UT/NORTHEAST DISTRICT - No proposed changes

EXHIBIT E



METCALFE WOLFF
STUART & WILLIAMS, LLP
Attorneys at Law

MICHELE ROGERSON LYNCH
512.404.2251
mlynch@mwswtexas.com

August 30, 2018

Mr. Greg Guernsey, Director
Planning and Zoning Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Via Hand Delivery

Re: Amendment to Application for Rezoning; 0.24 acres located at 1700 West Avenue;
Case Number C14-2018-0072 (the "Application")

Dear Mr. Guernsey:

As representatives of the owner of the above stated Property we respectfully submit an amendment to the pending Application related to agreements with the Judges Hills Neighborhood Association. Specifically, we request to amend the proposed Conditional Overlay (CO) of the Limited Office-Mixed Use-Conditional Overlay (LO-MU-CO) to allow for the following:

- 1) Neighborhood Office District (NO) site development regulations with the exception of allowing for Limited Office (LO) height and floor-to-area-ratio; and
- 2) Proposed list of prohibited uses as noted in the attached Exhibit A.

If you have any questions about this amended Application for rezoning or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,

A handwritten signature in black ink that reads "Michele Rogerson Lynch". The signature is written in a cursive, flowing style.

Michele Rogerson Lynch



EXHIBIT A

1700 West Avenue (C14-2018-0072)
LO-MU-CO
Prohibited Uses
Art Workshop
Art Gallery
Bed & Breakfast (Group 2)
Bed & Breakfast (Group 1)
Club or Lodge
College and University Facilities
Communication Service Facilities
Communications Services
Community Events
Community Garden
Community Recreation (Private)
Community Recreation (Public)
Congregate Living
Convalescent Services
Counseling Services
Cultural Services
Day Care Services (Commercial)
Day Care Services (General)
Day Care Services (Limited)
Group Residential
Hospital Services (Limited)
Medical Offices -- exceeding 5000 sq. ft. gross floor area
Medical Offices -- not exceeding 5000 sq. ft. gross floor area
Multifamily Residential
Off-Site Accessory Parking ¹⁴
Personal Services
Private Primary Educational Facilities
Private Secondary Educational Facilities
Public Primary Educational Facilities
Public Secondary Educational Facilities
Residential Treatment
Safety Services
Short -Term Rental ¹³
Software Development
Special Use Historic
Urban Farm

EXHIBIT F

To: Commerce National Bank
Att: Dennis Zulkowski
Re: Julia Clark property at 1700 West Ave

Dear Sir,

The Judges Hill Neighborhood Association has completed an agreement with Julia Clark and her representatives for a Private Restrictive Covenant and Conditional Overlay for the referenced property, and will support the effort to rezone the property from its' current SF-3 zoning to LO-MU-CO.

A handwritten signature in black ink that reads "Jim Montgomery". The signature is written in a cursive, flowing style.

Jim Montgomery

President Judges Hill Neighborhood Association

From: [Scott Sayers](#)
To: [Grantham, Scott](#)
Subject: re. 1700 West Ave.
Date: Tuesday, July 17, 2018 4:18:27 PM

Scott,

As President of the West Downtown Alliance and on behalf of our board of directors, we would like to support the application for the zoning change to LO-MU-CO for 1700 West Avenue.

Since the area between West Ave. and San Antonio St. (within our boundaries) to the west and east, and between W. 12th St. and MLK (within our boundaries) to our south and west are mostly commercial businesses, this application makes complete sense and is certainly in the spirit of the area being office, service businesses or commercial.

Thank you,
Scott Sayers

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.

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: C14-2018-0072

Contact: Scott Grantham, 512-974-3574

Public Hearing: Sep 11, 2018, Planning Commission

Scott Grantham

Your Name (please print)

1800 Nueces St.

Your address(es) affected by this application

Ann 78911 Kelly St

Signature

Daytime Telephone:

512-418-3483

Date

8-8-18

Comments:

*I am the resident of the
West Country Homes -
I am in favor of the
application - because in this
area the city has a
and the city is the best -*

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

City of Austin

Planning & Zoning Department

Scott Grantham

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2018-0072
Contact: Scott Grantham, 512-974-3574
Public Hearing: Sep 11, 2018, Planning Commission

McAfee WAFU

Your Name (please print)

☒ I am in favor
☐ I object

Your address(es) affected by this application

401 W. 16th St. Austin 78701

Signature

Date

Daytime Telephone: 512-632-9561

Comments:

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

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

PUBLIC HEARING INFORMATION

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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: C14-2018-0072

Contact: Scott Grantham, 512-974-3574

Public Hearing: Sep 11, 2018, Planning Commission

SALLY WARD

Your Name (please print)

☒ I am in favor
☐ I object

901 W. 16TH ST. Austin 78701

Your address(es) affected by this application

Scott Ward

Signature

9-5-18

Date

Daytime Telephone: 512-970-0149

Comments:

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

City of Austin

Planning & Zoning Department

Scott Grantham

P. O. Box 1088

Austin, TX 78767-8810

From: Grantham, Scott
Sent: Tuesday, September 11, 2018 2:24 PM
To: McGraw, Karen - BC <bc-Karen.McGraw@austintexas.gov>
Cc: Rivera, Andrew <Andrew.Rivera@austintexas.gov>; Sadowsky, Steve <Steve.Sadowsky@austintexas.gov>
Subject: C-07 - C14-2018-0072 - 1700 West Avenue

Karen,

Good afternoon!

I spoke to Steve Sadowsky about this so that I could be clear about the scenario and process in which the city might initiate historic zoning.

The brief answer is that the City does not initiate historic zoning without a) a request from an owner or b) plans that include demolition which would compromise the historic integrity of the structure.

However, historic designation is still possible:

1. Because of the state of the building, a partial demolition permit will be required as part of the construction. The applicant will need to come to the HPO for the permit.
2. The HPO will evaluate the plans, and determine whether the building's historic integrity would be compromised. If not, the permit will be issued and partial demolition can move forward.
3. If the plans appear to compromise historic character, the permit will come before the Historic Landmark Commission, and the Commission may initiate historic zoning (-H) and recommend the building as a landmark.

Please let me know if you have any further questions.

Take care!

Best - Scott

Scott Grantham

Senior Planner

City of Austin | Planning and Zoning Department

505 Barton Springs Road | 5th floor | Austin TX | 78704

Tel | 512.974.3574

Email | scott.grantham@austintexas.gov

From: McGraw, Karen - BC
Sent: Sunday, September 09, 2018 2:39 PM
To: Grantham, Scott <Scott.Grantham@austintexas.gov>
Subject: C-07

Scott,

You mention that this is “the historic Shelley House” so why is it not being slated for historic zoning or at least review by the HLC?

This is the opportunity to do that. The building may be eligible for preservation tax credits (local, state and/or national).

Has staff discussed this with the applicant?

Thanks,

Karen McGraw
District 9 Planning Commissioner

Karen McGraw
Boards and Commissions