

## NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

**NEIGHORHOOD PLAN:** Holly

**CASE#:** NPA-2019-0010.01

**DATE FILED:** June 18, 2019 (out-of-cycle)

**PROJECT NAME:** 2700 E. 5<sup>th</sup> Street

**PC DATE:** September 24, 2019  
August 27, 2019

**ADDRESS/ES:** 2700 E. 5<sup>th</sup> Street (portion of)

**DISTRICT AREA:** 3

**SITE AREA:** 0.54 acs

**OWNER/APPLICANT:** 2700 E. 5<sup>th</sup> JV, LLC

**AGENT:** Drenner Group, PC (Leah Bojo)

**CASE MANAGER:** Maureen Meredith

**PHONE:** (512) 974-2695

**STAFF EMAIL:** Maureen.meredith@austintexas.gov

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** (no land use designation)

**To:** Mixed Use

**Base District Zoning Change**

**Related Zoning Case:** C14-2019-0089

**From:** LI-NP

**To:** CS-MU-NP

**NEIGHBORHOOD PLAN ADOPTION DATE:** December 13, 2001

**PLANNING COMMISSION RECOMMENDATION:**

***September 24, 2019*** – Approved on the consent agenda for Mixed Use land use. [P. Seeger – 1<sup>st</sup>; J. Thompson- 2<sup>nd</sup>] Vote: 13-0-0.

***August 27, 2019*** – Postponed on the consent agenda to September 24, 2019 at the request of Staff. [J. Shieh – 1<sup>st</sup>; R. Schneider – 2<sup>nd</sup>] Vote: 12-0 [C. Kenny absent].

**STAFF RECOMMENDATION:** Recommended.

**BASIS FOR STAFF'S RECOMMENDATION:** Staff recommends the applicant's request for Mixed Use land use because a part of the property already has Mixed Use land use. Staff determined that during the Holly neighborhood planning process an error was made and the land use designation was accidentally left off this portion of the property because it was believed to be railroad right-of-way. See memo from Director Greg Guernsey provided in this report pages 10 – 14.

Below are sections of the Holly Neighborhood Plan that supports Mixed Use land use.

**Goal 2:** Encourage opportunities to address compatibility between different residential, commercial and industrial uses.

**Objective 2.1:** Retain adjacent commercial and industrial uses within the Commercial Mixed Use District.

**Objective 2.2:** Restrict intensive commercial/industrial uses from residential area of neighborhood.

**Objective 2.4:** Encourage locally owned/managed businesses

**Action Item 2.4.1:** Pursue grants and loans for small start-up businesses. - Holly Neighborhood Planning Team, Neighborhood Housing & Community Development

**Objective 2.5:** Encourage appropriate uses and scale of commercial.

**Action Item 2.5.1:** Encourage new development to adhere to the neighborhood design guidelines. - Neighborhood Planning & Zoning Department

**Action Item 2.5.11:** Rezone E. 5<sup>th</sup> (San Saba to Pleasant Valley) currently zoned CS, LR, SF-3 and LI to CS-MU-CO and GR-MU-CO. - Neighborhood Planning & Zoning Department

## **LAND USE DESCRIPTIONS**

### ***EXISTING LAND USE ON THE PROPERTY***

(No land use designation on the property)

### ***PROPOSED LAND USE ON THE PROPERTY***

**Mixed Use** - An area that is appropriate for a mix of residential and non- residential uses.

### **Purpose**

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live- work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non- residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on- street activity in commercial areas after 5 p.m. and built- in customers for local businesses.

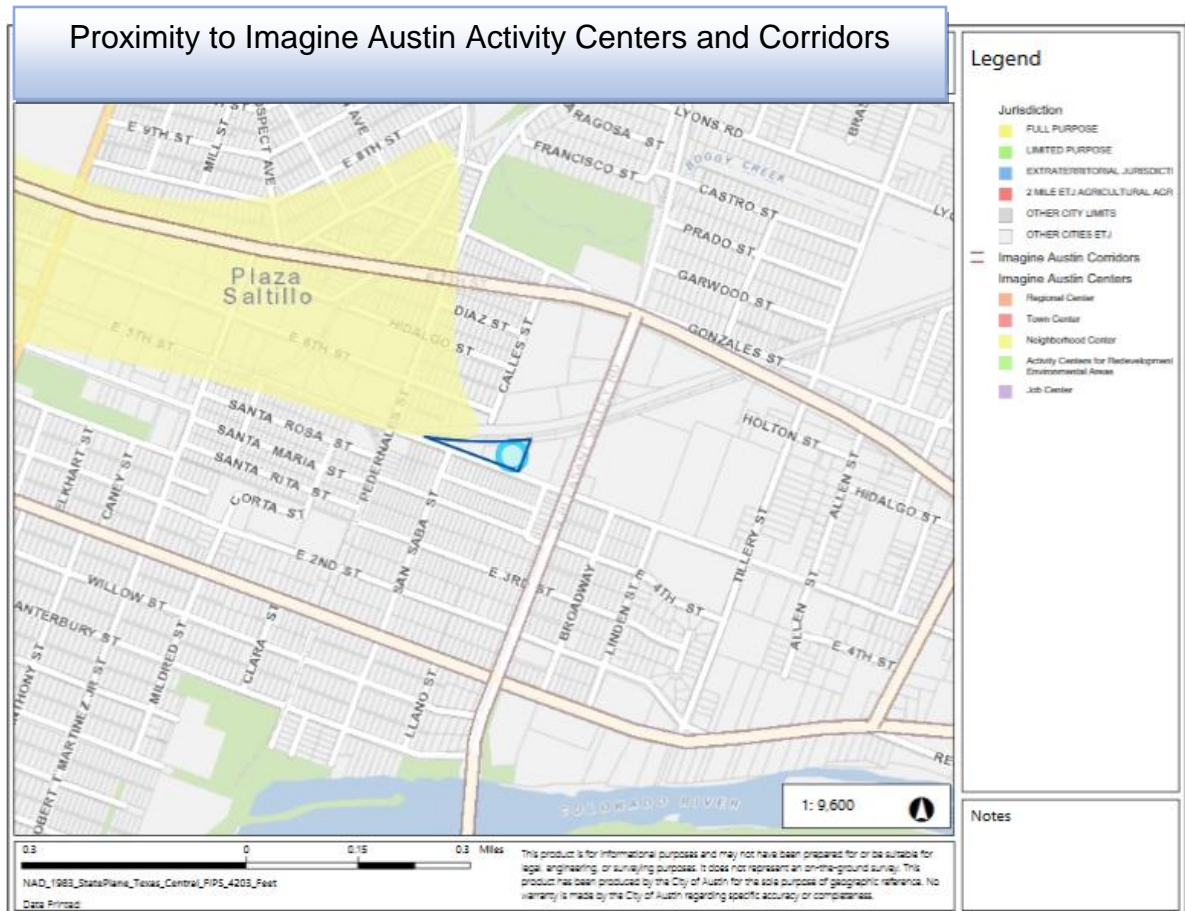
#### **Application**

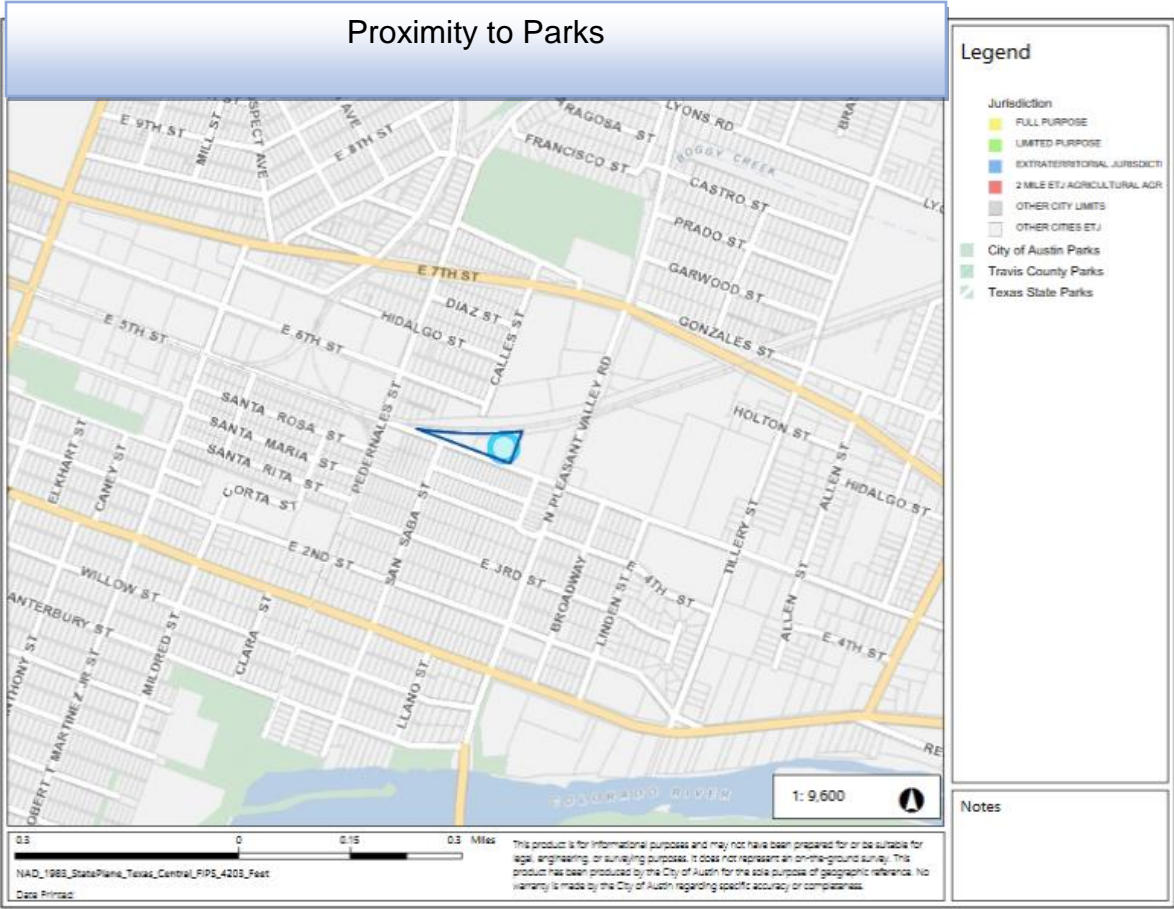
1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed- use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non- conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

#### ***IMAGINE AUSTIN PLANNING PRINCIPLES***

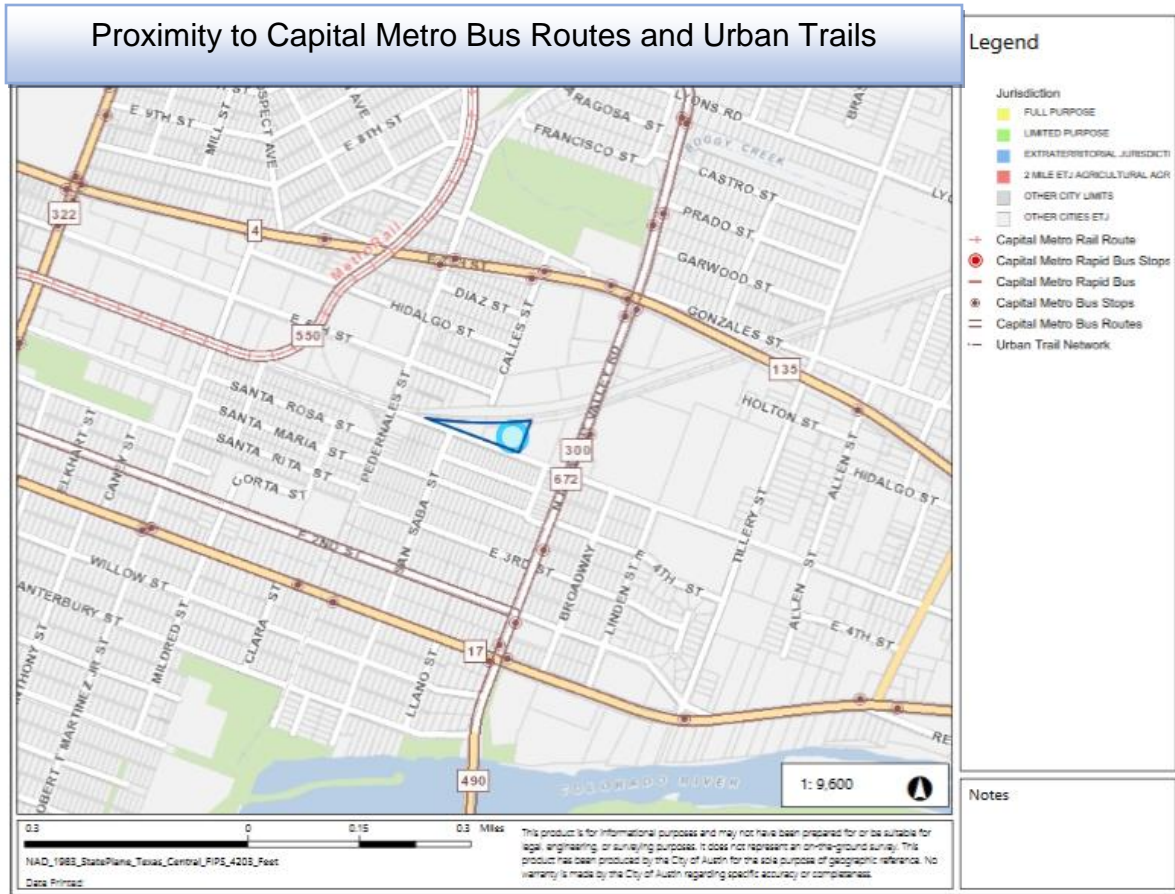
1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
  - ***No residential uses are proposed on this portion of the property, although part of the property is currently zoned CS-MU-CO-NP, which could allow residential uses. The property is located on the edge of the Plaza Saltillo Neighborhood Center and near three Activity Corridors. The property is near multiple businesses and bus routes.***
2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
  - ***The property is located on the edge of the Plaza Saltillo Neighborhood Center and near three Activity Corridors. The property is near multiple businesses and bus routes.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
  - ***The property is located along E. 5<sup>th</sup> Street which is near three Activity Corridors, N. Pleasant Valley, E. 7<sup>th</sup> Street and E. Cesar Chavez Street.***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
  - ***The proposed zoning of CS-MU-NP would allow for residential uses.***
5. Ensure harmonious transitions between adjacent land uses and development intensities.
  - ***Half of the property already has Mixed Use land use. This request is to add the Mixed Use land use to the part of that did not get a land use designation during the neighborhood planning process.***
6. Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
  - ***The property is not located within an environmentally sensitive area, but is within the Desired Development Zone.***
7. Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.
  - ***Not applicable.***
8. Protect, preserve and promote historically and culturally significant areas.
  - ***Not applicable.***

9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
  - ***Not applicable.***
10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
  - ***Not applicable.***
11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.
  - ***Not applicable.***
12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.
  - ***Not applicable.***









## IMAGINE AUSTIN GROWTH CONCEPT MAP

### Definitions

**Neighborhood Centers** - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

**Town Centers** - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although

fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

**Job Centers** - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

**Corridors** - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

**BACKGROUND:** On or about May 2019 the agent for the property owner approached the Planning and Zoning staff inquiring why part of property at 2700 E. 5<sup>th</sup> Street does not have a land use designation. After staff conducted research, it was determined that during the neighborhood planning process a portion of the property was believed to be railroad right-of-way and was not given a land use designation so it was left off the future land use map. See letter from Planning Director Greg Guernsey on pages 10-14 of this report for more information. The proposed land use is for Mixed Use.



The 0.54 acres that is part of the plan amendment is zoned LI-NP. The proposed zoning is for CS-MU-NP for a proposed office use. Please see the associated zoning case C14-2019-0089 for more information.

**PUBLIC MEETINGS:** The ordinance-required community meeting was held on July 29, 2019. Approximately 380 meeting notices were mailed to people who live or own property within 500 feet of the property, in addition to neighborhood groups and environmental groups registered on the community registry for the area. There was one attendee, in addition to two city staff members and two people representing the property owner.

Leah Bojo, the applicant's agent, said the entire lot will be redeveloped for an office use with first floor retail. She said during the neighborhood planning process part of the property was left off the property during the planning process. We are not asking for the conditional overlay this property that is currently on the part property to the east.

Q. How many stories are proposed?

A. Four stories, sixty feet.

Q. Are residential uses proposed?

A. No.

Q. How much parking will be provided?

A. We will exceed code.

Q. I'm here from Capital Metro and want to ask about drainage. Where will it flow? Will it be directed into a pipe?

A. I don't know, but I will find out and call you, if you give me your contact info.

Q. Will there be fencing along the property line to the north? Capital Metro has experience with people crossing the path of the train from E. 5<sup>th</sup> Street.

A. I don't know, but I will find out.

Q. Is a TIA required?

A. The proposed development didn't trigger one.

Q. Will there be a back entrance to the property on the north side of the property?

A. No, the only entrance will be from E. 5<sup>th</sup> Street

**CITY COUNCIL DATE:**

**September 19, 2019**

**ACTION:** Postponed to October 17, 2019 at the request of staff.

Memo from the Director of the Planning & Zoning Department



MEMORANDUM

**TO:** In-Take Division

**FROM:** Gregory I. Guernsey, AICP, Director  
Planning and Zoning Department

**DATE:** June 13, 2019

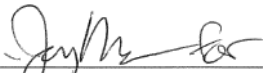
**RE:** 2700 E. 5<sup>th</sup> Street  
Holly Neighborhood Planning Area

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After conducting research, Planning and Zoning staff have determined that property at 2700 E. 5<sup>th</sup> Street (~0.551 acres) was omitted from the Holly Neighborhood Plan during the planning process in error and consequently does not have a land use designation on the future land use map (FLUM). The property was owned at the time of the planning process by the Union Pacific Railroad Company and should have been included.

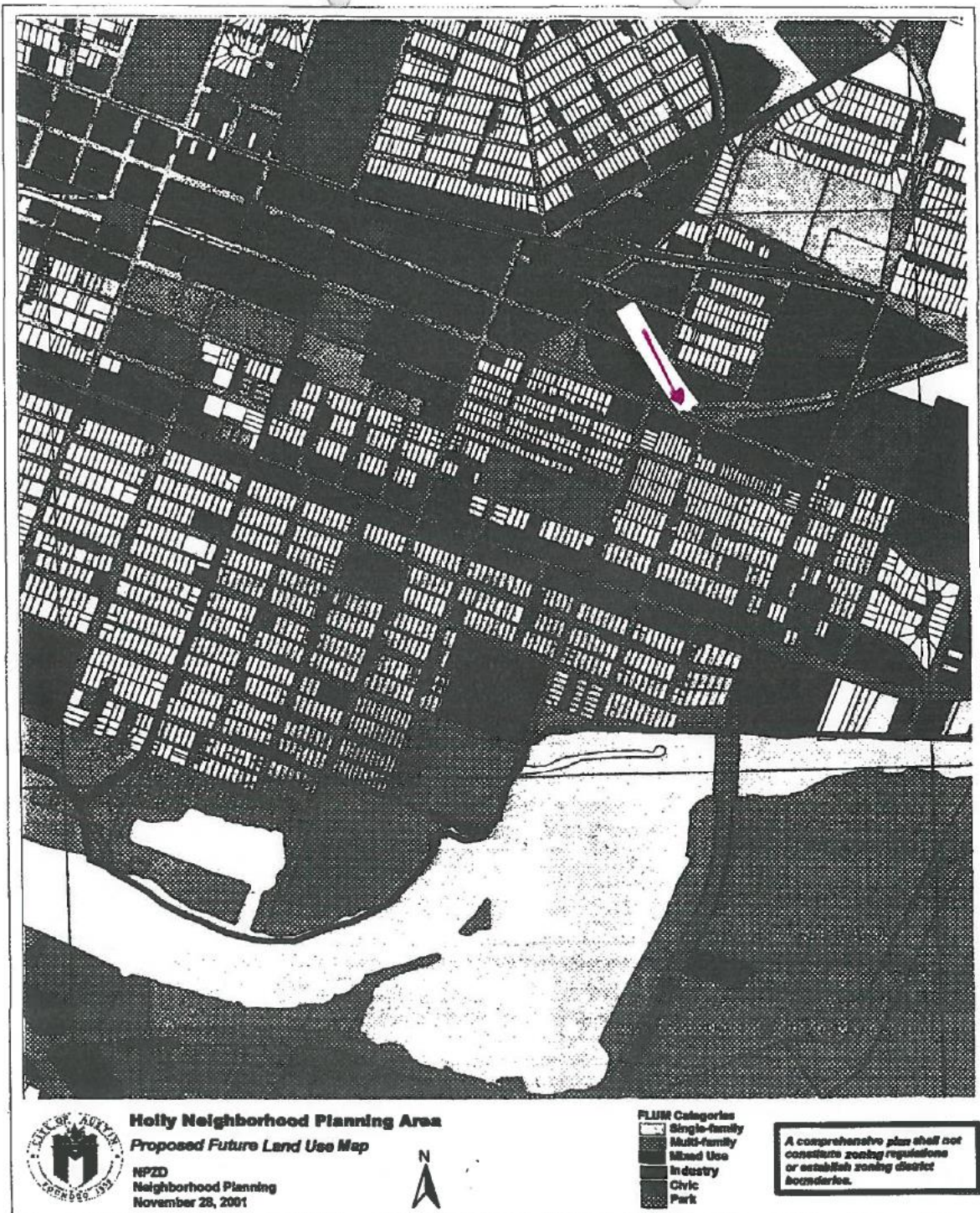
Because of this error, the Planning & Zoning Department is initiating this plan amendment application to include this portion of the property into the Holly future land use map to be part of the adjacent property to the east, 2716 and 2726 E. 5<sup>th</sup> Street.

If you have any questions, please contact Mark Walters at (512) 974-7695 or Wendy Rhoades at (512) 974-7719.

  
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Gregory I. Guernsey, AICP, Director  
Planning and Zoning Department

Attachment: Black and White FLUM from Plan  
Color FLUM from Plan  
Color Zoning Map of Property  
Color FLUM Map of Property

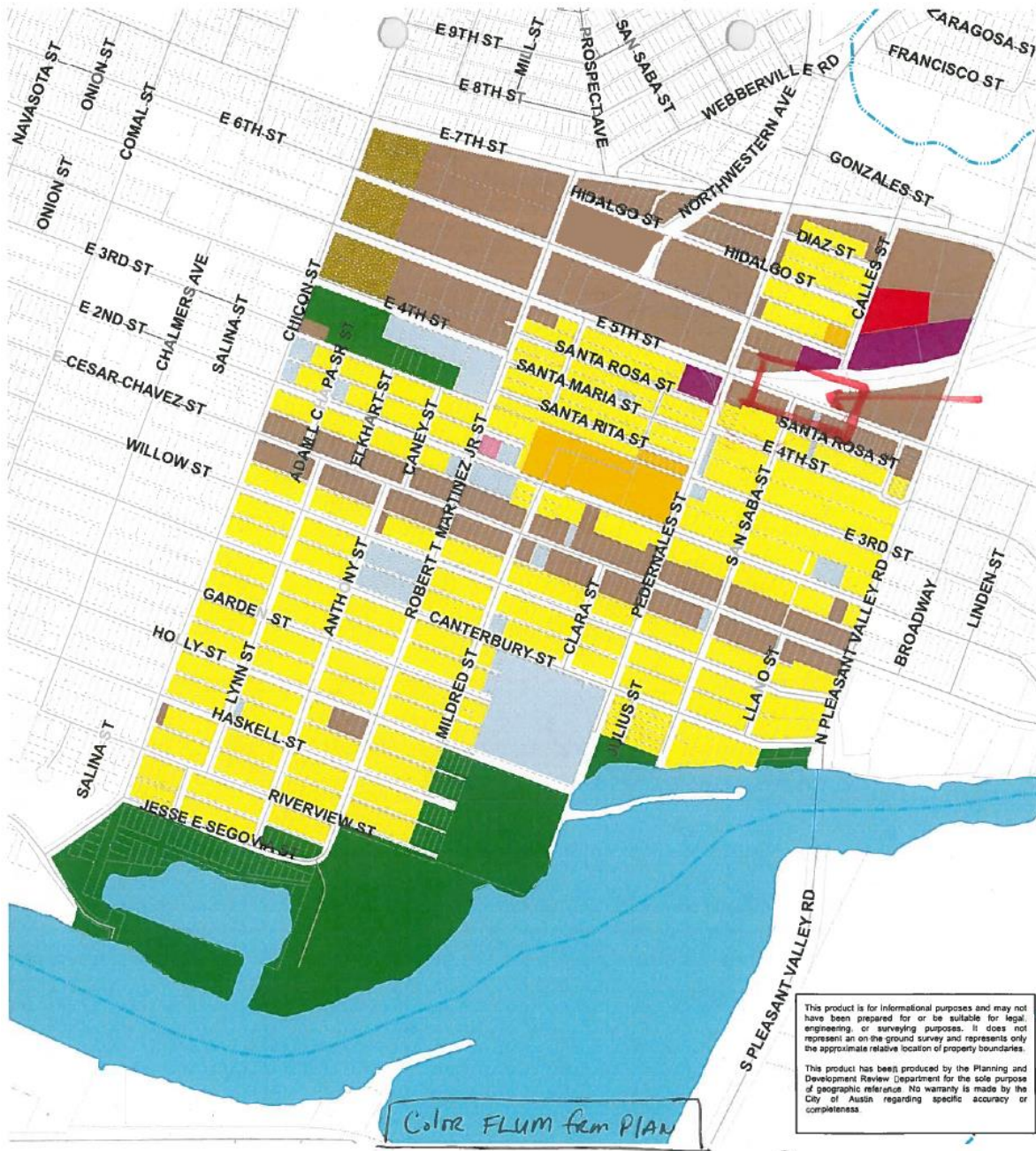
Page 1 of 5



Black and White FLUM from PLAN

Page 2 of 5





## Holly Neighborhood Planning Area Future Land Use Map

City of Austin  
Planning and Zoning Department  
Created: 11/28/2001  
Updated: 2/21/2017

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



FLUM Categories	
<span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> Single-Family	<span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> Industry
<span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> Multifamily	<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> Civic
<span style="display:inline-block; width:15px; height:15px; background-color:red; border:1px solid black;"></span> Commercial	<span style="display:inline-block; width:15px; height:15px; background-color:green; border:1px solid black;"></span> Recreation & Open Space
<span style="display:inline-block; width:15px; height:15px; background-color:brown; border:1px solid black;"></span> Mixed Use	<span style="display:inline-block; width:15px; height:15px; background-color:darkgreen; border:1px solid black;"></span> Specific Regulating District

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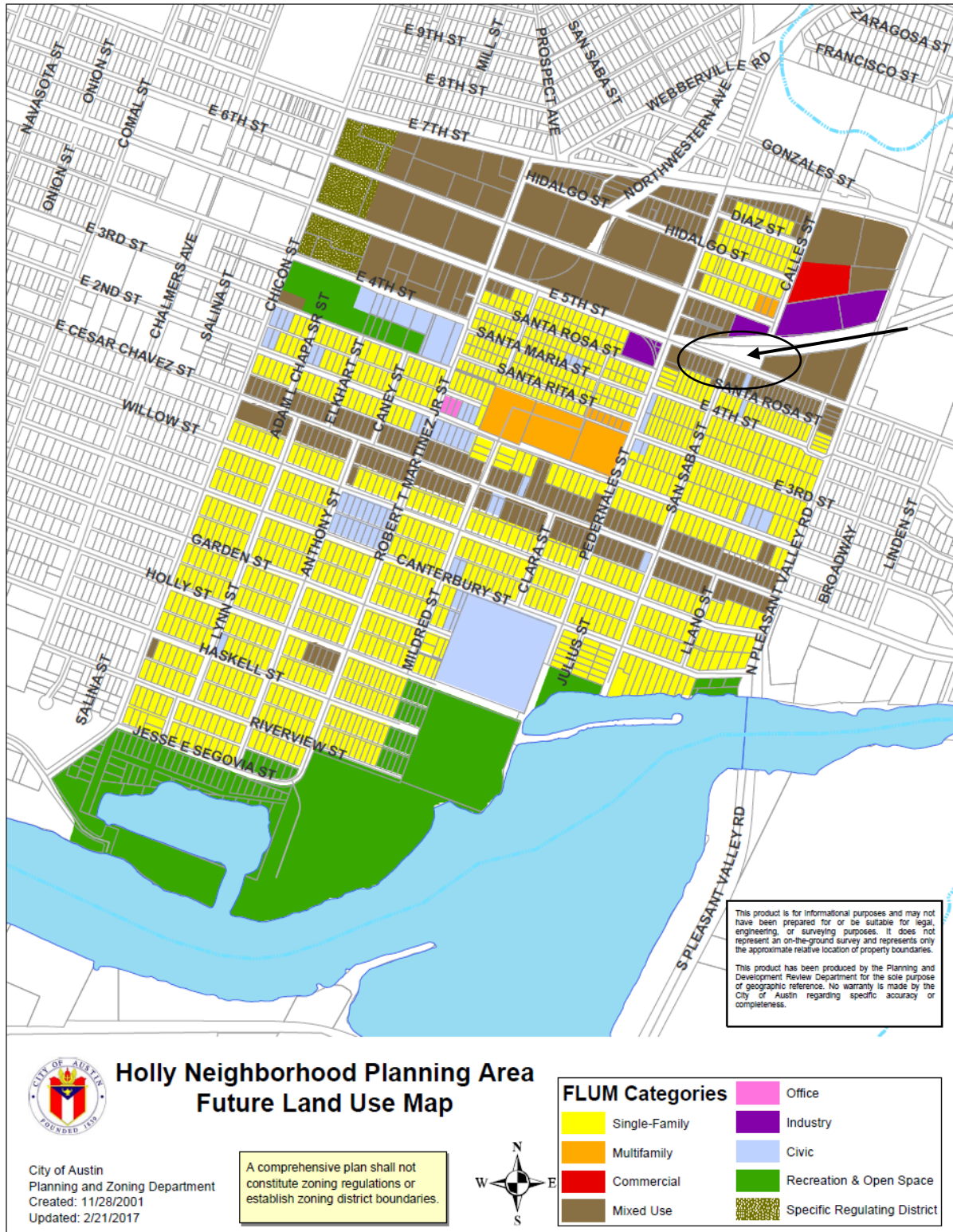


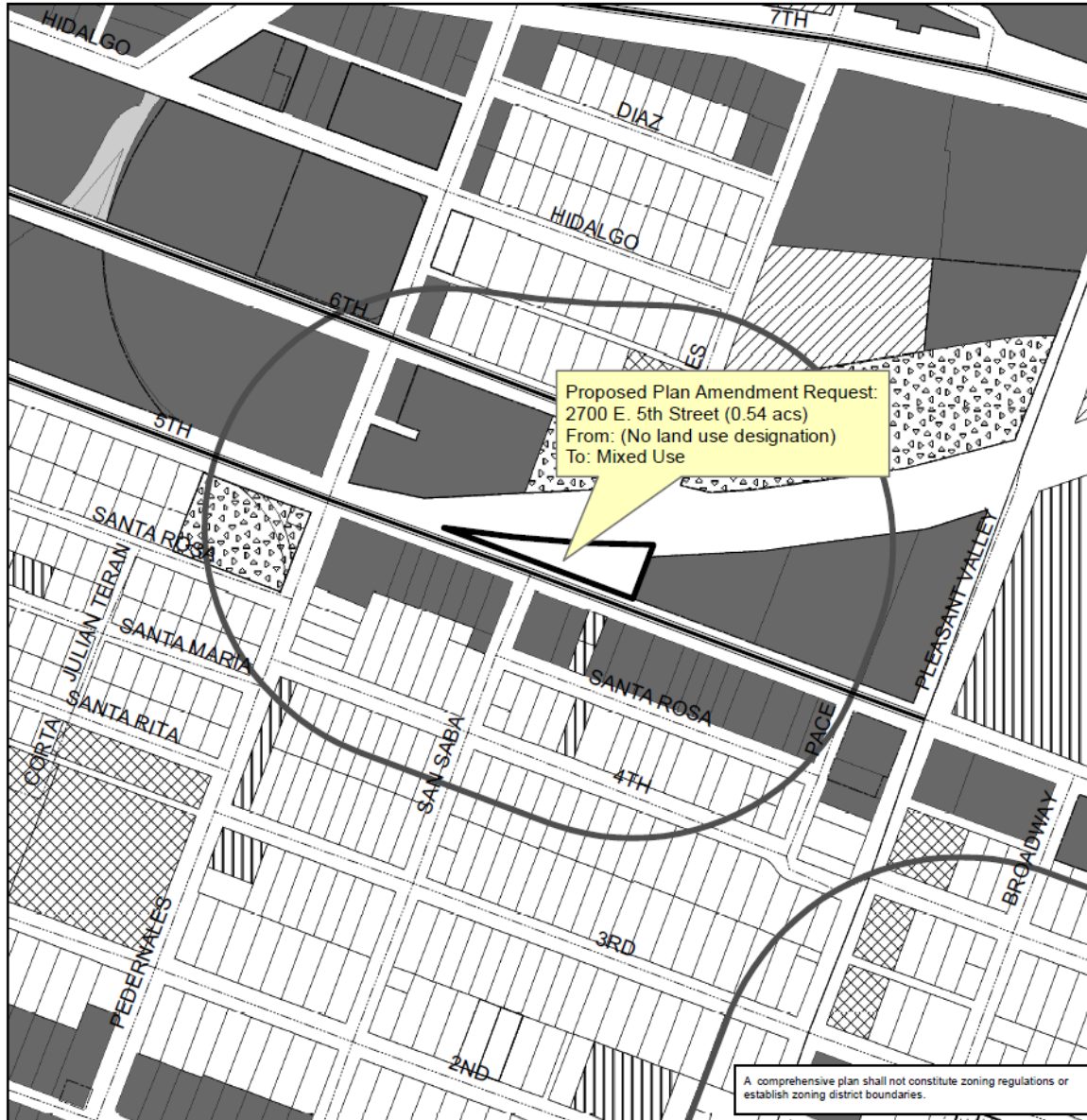












## Holly Neighborhood Plan NPA-2019-0010.01



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 the Planning and Development Review for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



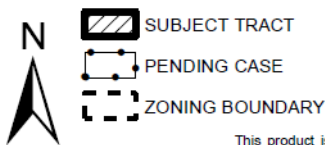
City of Austin  
Planning and Zoning Department  
Created on July 2, 2019\_M Meredith

0 105 210 420 Feet

### Legend

- Core Transit Corridors
- 500ft notification boundary
- NPA CASES
- Civic
- Commercial
- Higher-Density Single-Family
- Industry
- Mixed Use
- Multi-Family
- Single-Family
- Transportation





**ZONING**  
ZONING CASE#: C14-2019-0089

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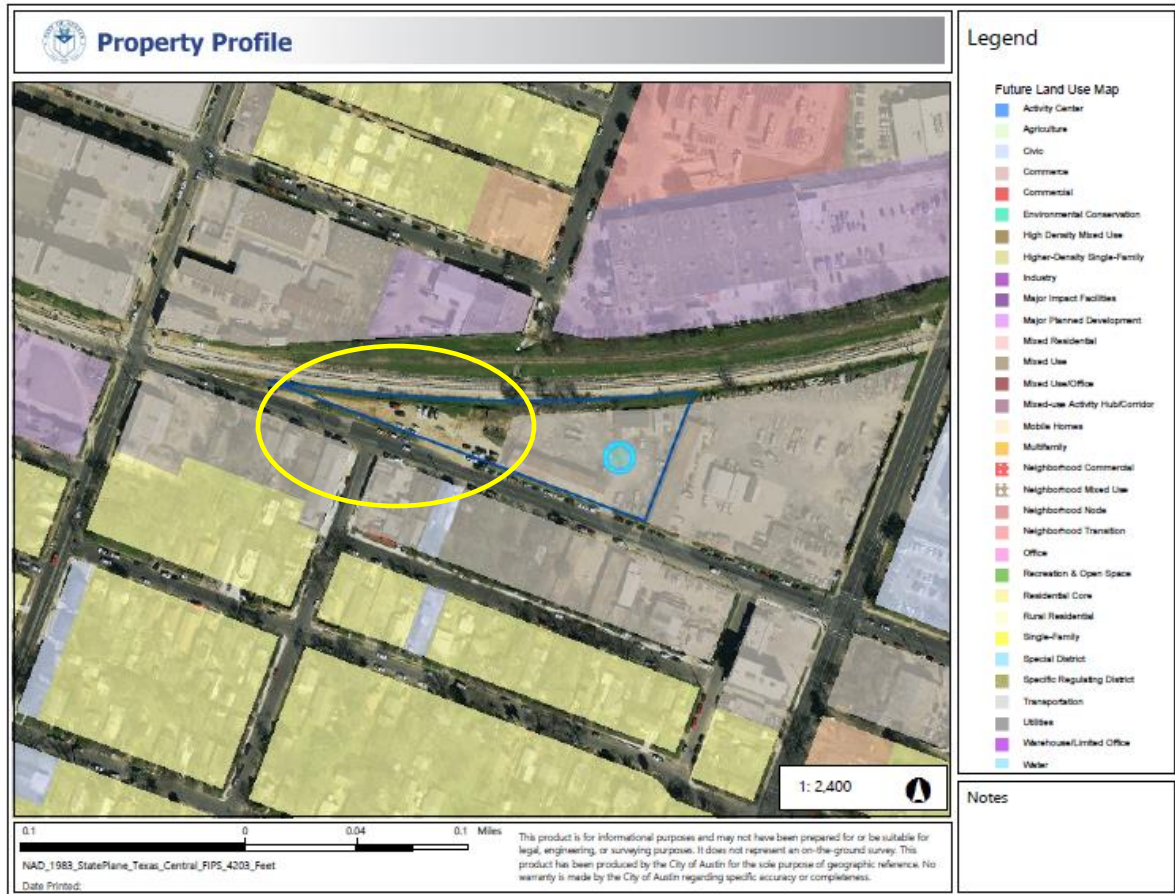
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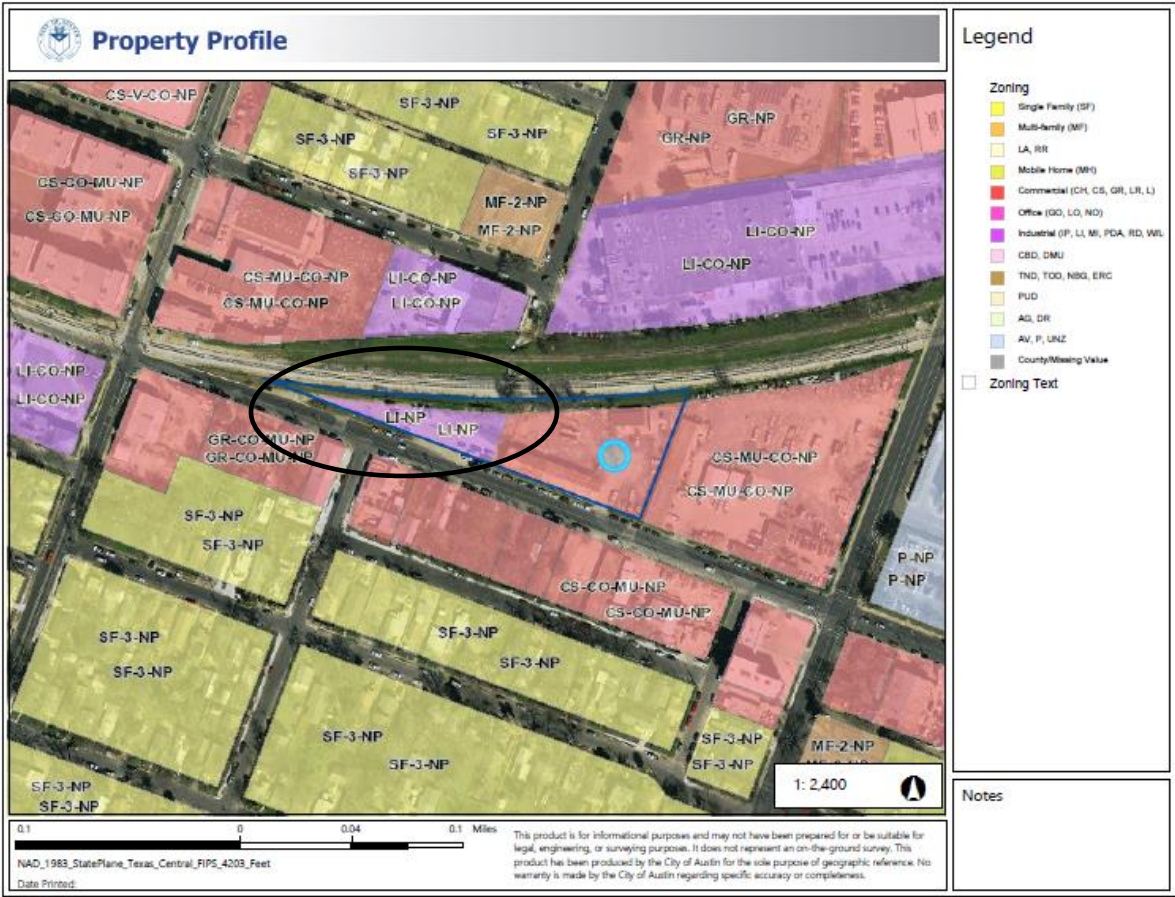


Created: 6/24/2019











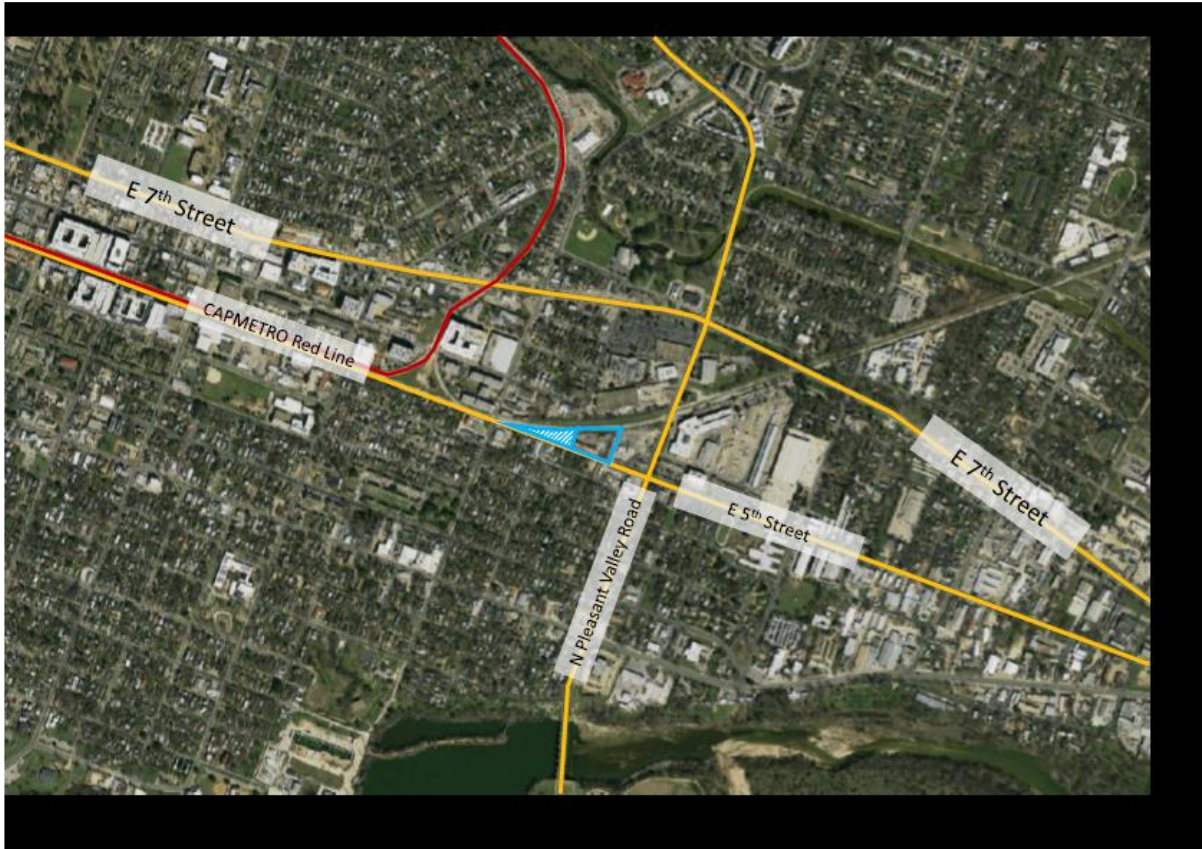
Presentation by Applicant at the Community Meeting on  
July 29, 2019

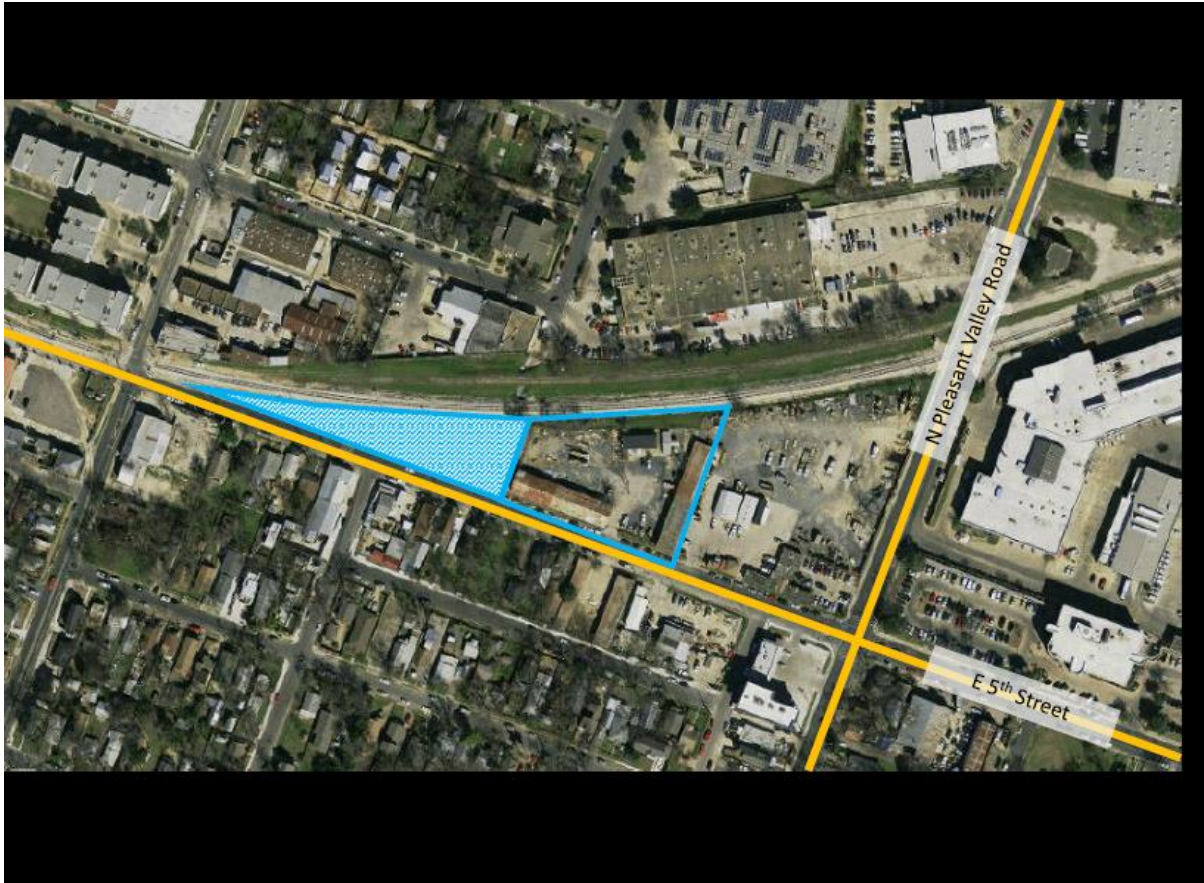
# 2700 E. 5<sup>th</sup> Street

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NPA-2019-0010.01 & C14-2019-0089

July 29, 2019





## Current Zoning Entitlements

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### CS – MU – CO – NP

- General Commercial Services –Mixed Use – Conditional Overlay – Neighborhood Plan
- Approximately 1.20 acres total
- Warehouse/Scrap Yard

&

### LI – NP

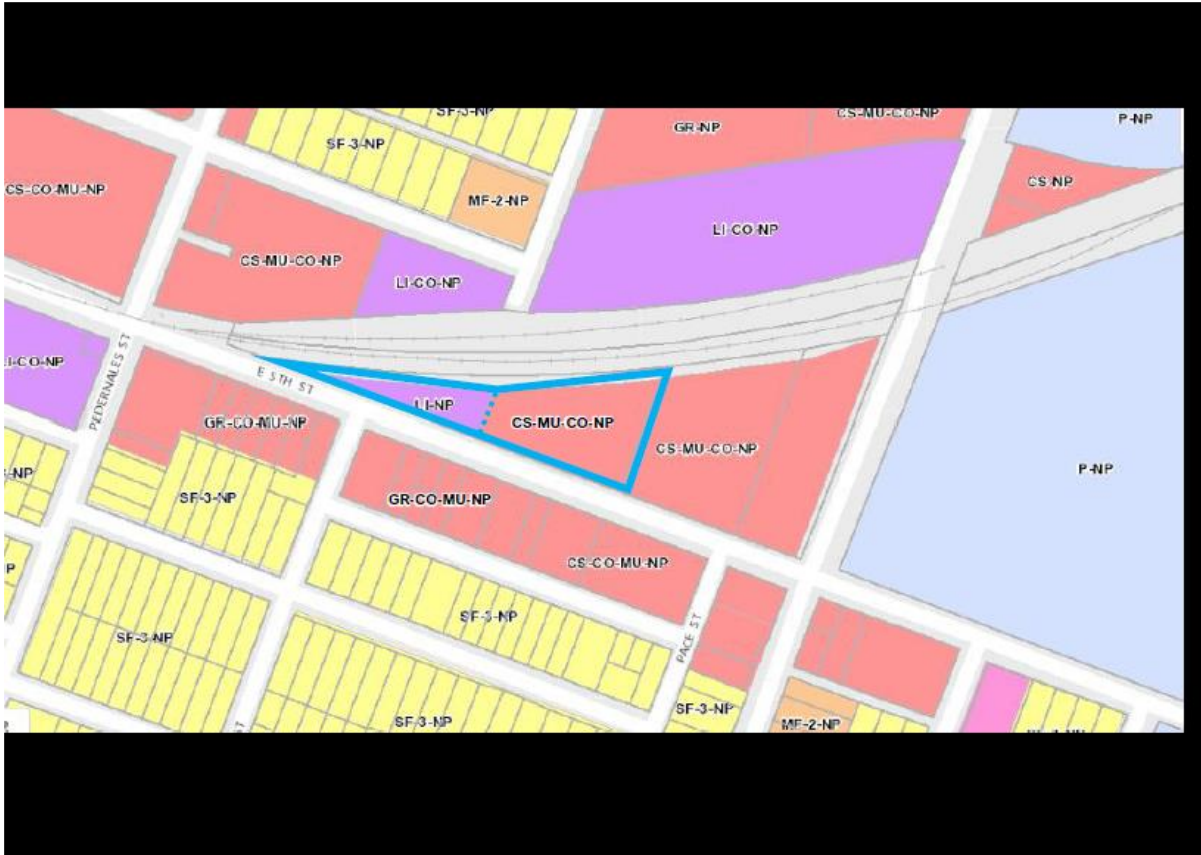
- Limited Industrial – Neighborhood Plan
- Approximately 0.54 acres
- Undeveloped

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Approximately 1.74 acres total









# Zoning Request

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## CS-MU-NP

- General Commercial Services – Mixed Use – Neighborhood Plan
- Consistent with the eastern portion of the Property
- Proposed office project with ground floor restaurant/retail and structured parking
  - 100,000 SF
  - 380 parking spaces

# FLUM Designation

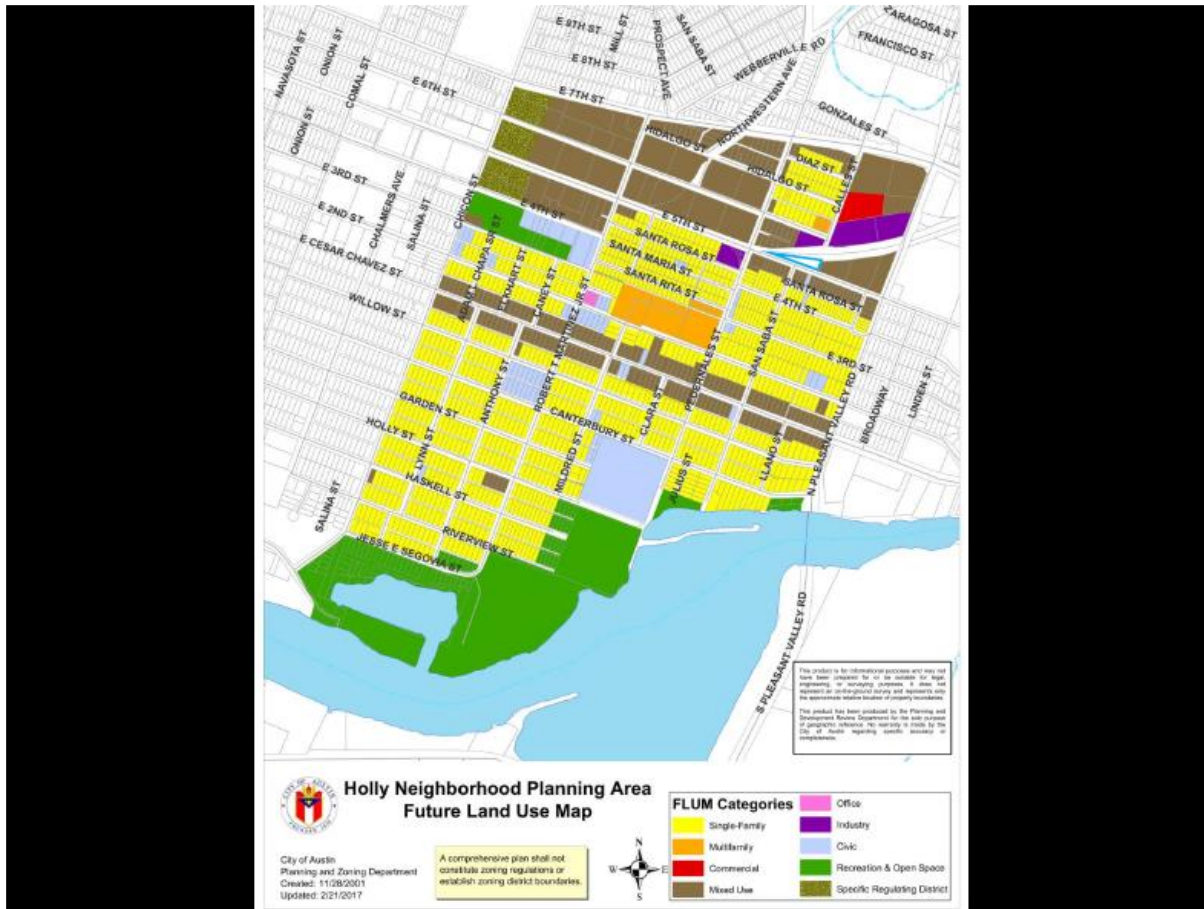
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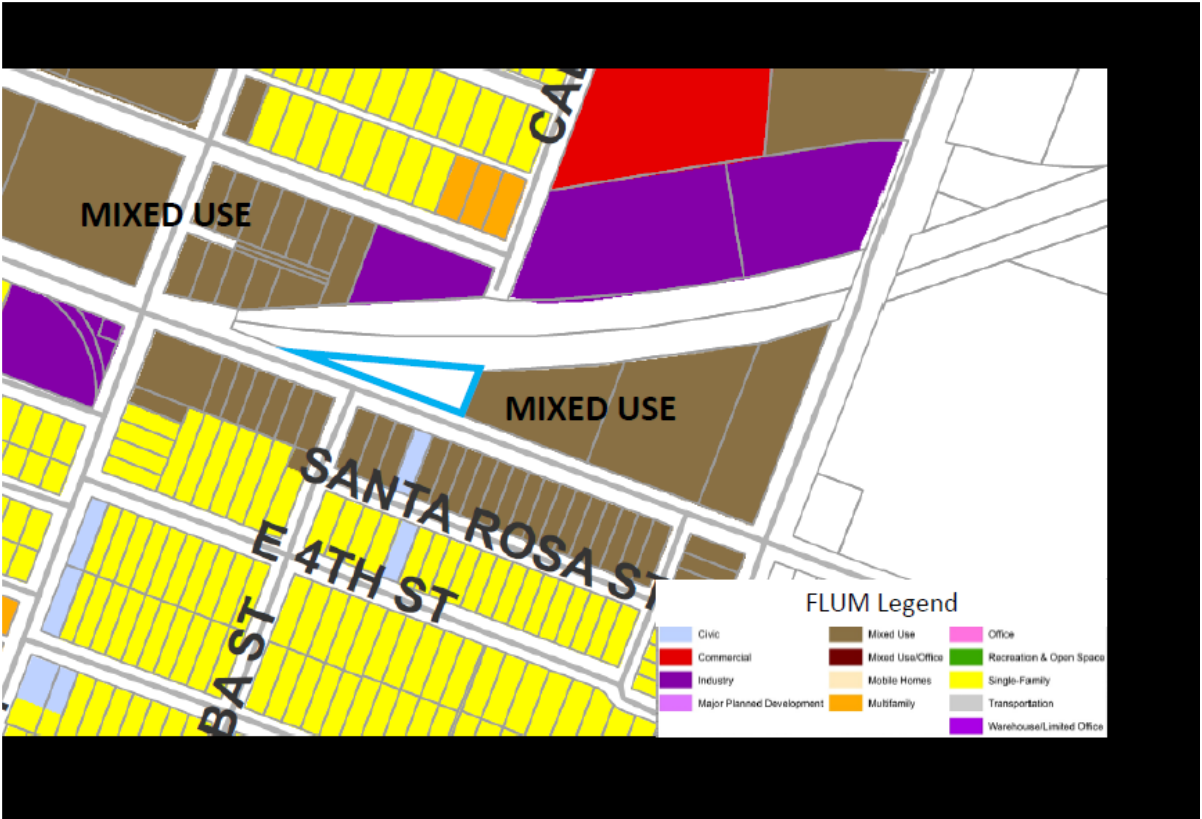
## Current: No Designation

- Approximately 0.54 acres
- Left out of the Neighborhood Plan because it was thought to be railroad ROW

## City's Request: Mixed Use

- Consistent with eastern portion of the Property





## Next Steps

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- Planning Commission
- City Council