

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2022-0026 – 708 E. 12<sup>th</sup> Street

DISTRICT: 9

ZONING FROM: GO; LR

TO: CBD

ADDRESS: 708 East 12<sup>th</sup> Street

SITE AREA: 0.996 acre (43,385 square feet)

OWNER / APPLICANT: Texas Municipal Retirement System (David Wescoe)

AGENT: Drenner Group, PC (Leah Bojo)

CASE MANAGER: Wendy Rhoades (512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov))

STAFF RECOMMENDATION:

**The Staff recommendation is to grant central business district (CBD) district zoning.**  
*For a summary of the basis of Staff's recommendation, please see case manager comments on page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

**May 10, 2022:**

CITY COUNCIL ACTION:

**June 9, 2022:**

ORDINANCE NUMBER:

ISSUES:

None at this time.

CASE MANAGER COMMENTS:

The subject rezoning area is comprised of four platted lots and forms the block of East 12<sup>th</sup> Street between the southbound IH 35 service road and Sabine Street. The eastern two-thirds of the property is zoned neighborhood commercial (LR) district and the western one-third is zoned general office (GO) district. The property is developed with an office building and parking garage, and access is taken from one driveway each to the IH-35 service road, East 12<sup>th</sup> Street and Sabine Street. There is a service driveway that extends along a portion of the north property line at its intersection with Sabine Street. As information, the property is not located within any Capitol View Corridors (CVCs). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).***

The subject rezoning area is adjacent to an electrical substation, the Sobering Center, and hospital services, medical offices and parking facilities associated with Central Health to the

north (P; PUD); financial services to the south (CBD); and an office and adjoining parking area to the west (CS; CS-1).

The Applicant is requesting a zoning change to the central business district (CBD) in order to construct a mixed use development comprised of approximately 35,000 square feet of retail uses and 350 multifamily units.

The subject tract is located in the Waller Creek District of the Downtown Austin Plan (DAP) which was adopted in 2011. The DAP identifies the tract as a Development Opportunity Site, one which is unconstrained. In addition, the East 12<sup>th</sup> Street and IH-35 intersection is identified as a Major Downtown Gateway and East 12<sup>th</sup> Street is identified as an Important Corridor. The DAP also recommends CBD zoning for the tract and others in the vicinity - properties between the IH-35 and Red River Street from just north of East 12<sup>th</sup> Street to just south of East 9<sup>th</sup> Street. Some of these properties have been rezoned to CBD, such as 705 East 12<sup>th</sup> Street, 1117 Red River Street, and 610 East 11<sup>th</sup> Street to the south, and 1209 Red River Street to the west.

The recommended CBD zoning classification is intended to expand entitlement rights to develop the property in a way that will encourage a mix of land uses while allowing the pursuit of district specific goals. For the Waller Creek Subdistrict, these include “Establish activities along the Creek that contribute to its safety and vitality and to the area’s economic revitalization” and “Encourage new development that promotes the area as a diverse, livable, and affordable mixed-use district with a distinctly local feel.” At minimum, the rezoning will allow for a site plan in accordance with these and other goals. At the time of site plan, the applicant will be required to coordinate with the Waller Creek District Design Review Board regarding the development of the tract. This board consists of members of the Waller Creek Conservancy and City of Austin Staff.

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 medium to high-rise residential and office buildings. For the reasons stated above, Staff believes the request is supported by the Downtown Austin Plan and the Imagine Austin Comprehensive Plan, and recommends CBD zoning.

#### BASIS OF RECOMMENDATION:

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

Central Business District (CBD) zoning is intended for the commercial core area of Austin, permitting a wide variety of office, commercial, residential, and civic activities commensurate with the regional and statewide significance of downtown Austin and the adjacent State Capitol. CBD zoning does not have a height limit and has a maximum FAR of 8 : 1.

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

The CBD 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 proposed for a zoning change to Central Business District-CBD zoning district. While there is no specific use or project planned for the subject property at this time, the zoning change to CBD will grant entitlement rights to develop the property in a way that will implement the following district-specific goals:

- **5.** Encourage new development that promotes the area as a diverse, livable, and affordable mixed-use district with a distinctly local feel.
- **6.** Establish activities along the Creek that contribute to its safety and vitality and to the area’s economic revitalization.

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.

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

The CBD zoning district would be compatible and consistent with the properties that have CBD zoning in neighboring blocks.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO; LR	Office and parking garage
<i>North</i>	P; PUD	Treatment center; Electrical substation; Hospital services (general); Medical offices; Associated parking facilities
<i>South</i>	CBD	Financial services
<i>East</i>	Not Applicable	IH 35 southbound frontage road and main lanes
<i>West</i>	CS; CS-1; CBD; P	Office; Under construction for a 32-story hotel (CBD zoning w/approved Density Bonus); City park

NEIGHBORHOOD PLANNING AREA: Downtown Austin Plan (Waller Creek District)

TIA: Is not required

WATERSHED: Waller Creek – Urban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Mathews Elementary School

O Henry Middle School

Austin High School

NEIGHBORHOOD ORGANIZATIONS:

- 372 – Swede Hill Neighborhood Association
- 438 – Downtown Austin Alliance
- 623 – City of Austin Downtown Commission
- 742 – Austin Independent School District
- 966 – Organization of Central East Austin Neighborhoods
- 1007 – Urban Renewal Board of the City of Austin
- 1228 – Sierra Club, Austin Regional Group
- 1363 – SEL Texas
- 1393 – Waterloo Greenway
- 1444 – East Austin Conservancy
- 1530 – Friends of Austin Neighborhoods
- 1595 – Neighbors United for Progress
- 1616 – Neighborhood Empowerment Foundation
- 402 – City of Austin
- 511 – Austin Neighborhoods Council
- 960 – Lower Waller Creek
- 1258 – Del Valle Community Coalition
- 1391 – Central Austin Community Development Corporation
- 1424 – Preservation Austin
- 1475 – Waller Creek Staff Liaison
- 1550 – Homeless Neighborhood Association
- 1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-2020-0132 – Central Health PUD – 601 E 15 <sup>th</sup> St	P to PUD on 14.343 acres	To Grant PUD as Staff rec, with add'l conds to: 1) adopt the Environmental Commission's recommendations, and 2) exclude Chapter 25-2, Subchapter B, Article 2, Division 5, Subpart b, Section 2.3.2.d (Additional Requirements): (A PUD must contain pedestrian-oriented uses as defined in Section 25-2-691(c) (Waterfront Overlay district uses) on the first floor of a multi-story commercial or mixed use building.).	Apvd PUD as Staff rec, w/conds: 1) Reserve 100 units of affordable housing for the City if multifamily residential or condominium residential is proposed; 2) Require a 3-star Green Building rating; 3) Require pedestrian-oriented uses along the new and vacated Red River St r-o-w, and 4) the Property is subject to an Interlocal Agreement between the City and Travis County Healthcare District d/b/a Central Health for the realignment of municipal r-o-w and redevelopment of the former University Medical Center at Brackenridge Hospital

			campus, and requirements for alternative water sources (6-10-2021).
C14-2019-0004 – Austin Symphony Orchestra Society Inc. – 1117 Red River St	CS-1 to CBD	To Grant	Apvd (4-11-2019).
C14-2017-0062 – Velocity – E 11th Street – 610 E 11 <sup>th</sup> St	CS; CS-1 to CBD	To Grant	Apvd (8-31-2017).
C14-2017-0061 – Velocity – E 12th Street – 705 E 12 <sup>th</sup> St	CS to CBD	To Grant	Apvd (8-31-2017).
C14-2017-0027 – Texas Motor Transportation & Oil Field Haulers, Inc. – 700 E 11 <sup>th</sup> St	CS to CBD	To Grant	Apvd (9-28-2017).
C14-2012-0087 – Waterloo Park Tower – 1209 Red River St	From CS-1 to CBD	To Grant	Apvd (9-27-2012).
C14H-86-028 – Jeremiah Hamilton House – 1105 Red River St	From CS-1 to CS-1-H	To Grant	Apvd (1-29-1987).

RELATED CASES:

The subject rezoning area is described as Lots 1-4, Block 142 of the Original City of Austin.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
East 12 <sup>th</sup> Street	126'	50'	Level 3	Yes	Wide Curb Lane	Yes
Sabine Street	80'	40'	Level 1	Yes	None	Yes
N IH 35 SVRD SB (TxDOT)	100' +	48'	Level 4	Yes	Shared Lane	Yes

OTHER STAFF COMMENTS:Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller 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.

At this time, site specific information is unavailable regarding 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.

Impervious Cover

The maximum impervious cover allowed by the CBD zoning district is 100% based on the zoning district regulations.

PARD – Planning & Design Review

Parkland dedication will be required for the new residential units proposed by this development, multifamily with CBD zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the Applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov). At the Applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

### Site Plan and Compatibility Standards

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

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

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Because the site is within the Downtown area, it is recommended the applicant contact the Design Commission to discuss the project. For more information regarding the Design Commission see <https://www.austintexas.gov/content/design-commission>.

### Transportation

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

### Austin Water Utility

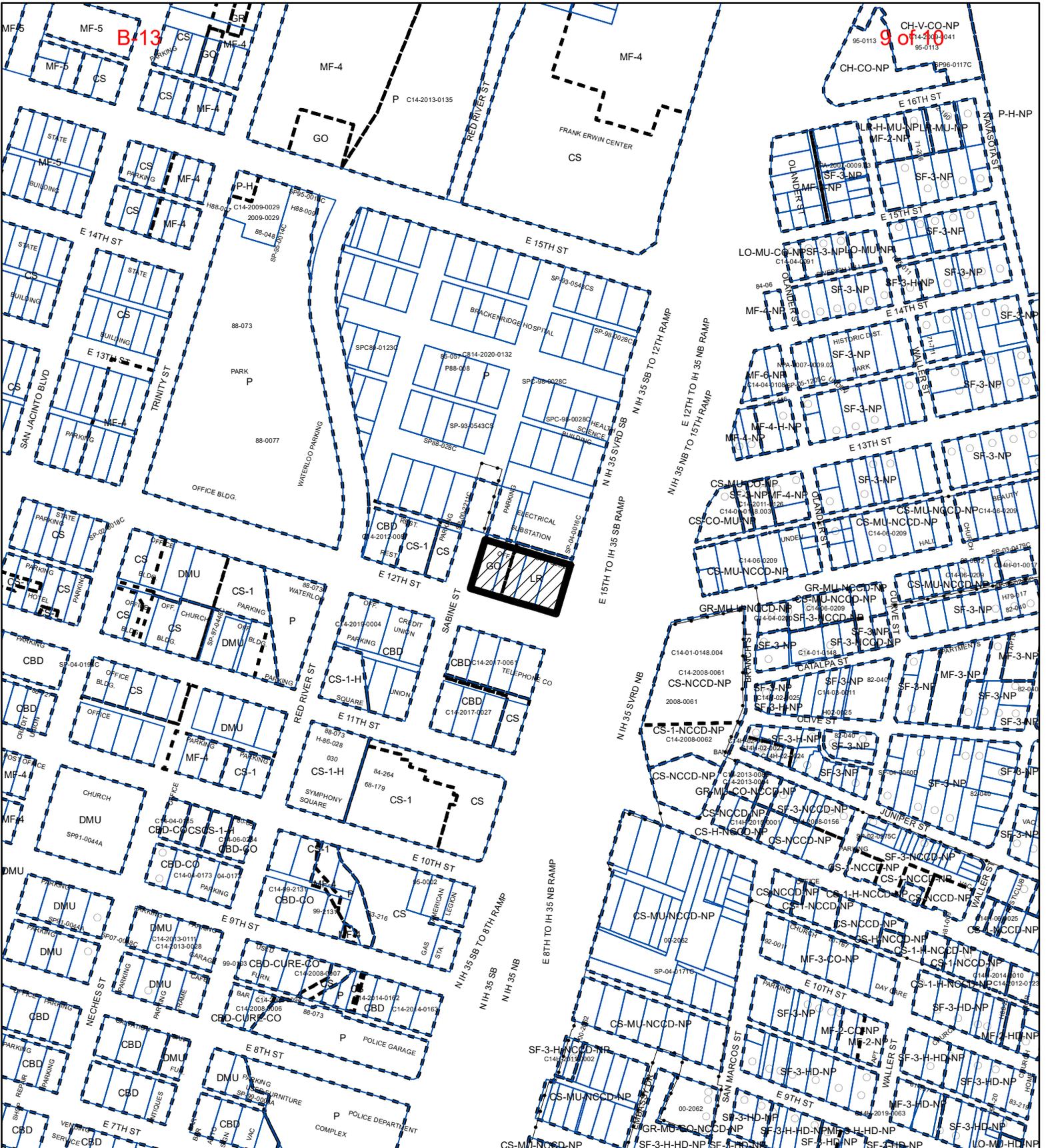
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water 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
- A-1: Aerial Map



**ZONING**

**Exhibit A**

ZONING CASE#: C14-2022-0026

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



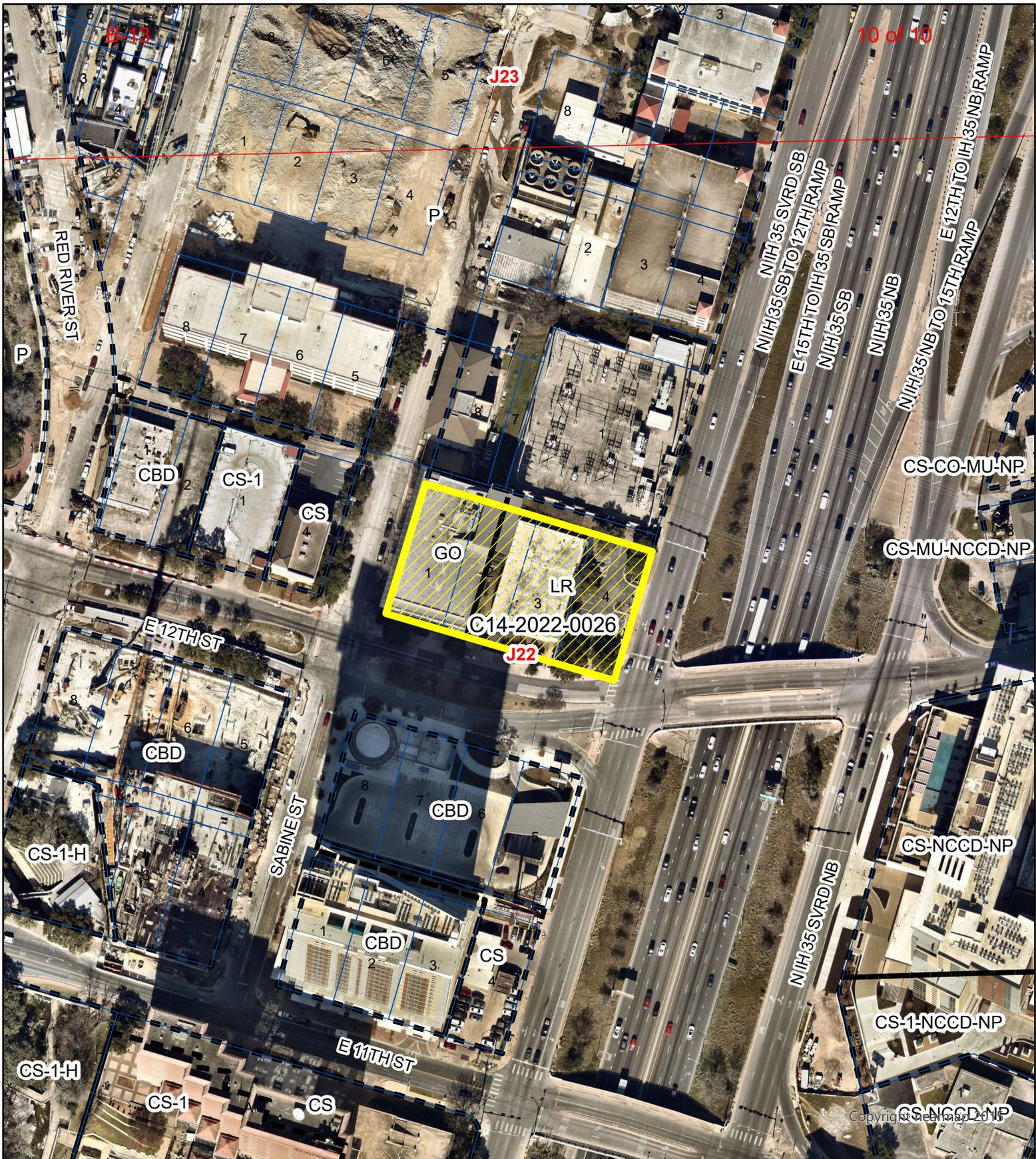
1" = 400'

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**Created: 3/10/2022**



**708 E 12th Street**      **Exhibit A - 1**

ZONING CASE#: C14-2022-0025  
 LOCATION: 708 East 12th Street  
 SUBJECT AREA: 0.996 Acres  
 GRID: J22  
 MANAGER: WENDY RHOAD

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER



1" = 150'



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