

ZONING CHANGE REVIEW SHEETCASE: C14-2022-0112 – 2615-2617 E. 6th St.DISTRICT: 3ZONING FROM: LI-CO-NPTO: CS-MU-V-NPADDRESS: 2615-2617 E. 6th St.SITE AREA: 0.7056 acresPROPERTY OWNER: Kenneth J Aune & Dorothy E AuneAGENT: Michele Haussmann, Land Use SolutionsCASE MANAGER: Jonathan Tomko (512) 974-1057; jonathan.tomko@austintexas.govSTAFF RECOMMENDATION:

The Staff recommendation is to deny the Applicant's request to change the zoning from LI-CO-NP to CS-MU-V-NP zoning; Staff recommends instead CS-MU-V-CO-NP. The Conditional Overlay, similar to adjacent properties, **prohibits** the following uses: Adult Oriented Business, Campground, Convenience Storage, Exterminating Services, Kennels, Pawn Shop Services. The Conditional Overlay established Automotive Washing (of any type) and Commercial Off-Street Parking as **conditional uses**. *For a summary of the basis of Staff's recommendation, see pages 2 - 3.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

To be reviewed March 14, 2023

CITY COUNCIL ACTION:

TBD

ORDINANCE NUMBERS:ISSUES:

None

CASE MANAGER COMMENTS:

The subject lot is currently zoned LI-CO-NP and contains an industrial building. The lots to the north, across East 6th St. are zoned SF-3-NP and MF-2-NP. To the south, there is a railroad track that services the Capital Metro Red Line. Across the railroad tracks is the MasTec warehouse zoned CS-MU-V-CO-NP. To the east is Calles Street, which dead ends at on the north side of the railroad tracks. Just south of East 6th St. and across Calles Street is the East Austin Creative Office Space. To the west is the East Poultry Co., which is zoned LI-CO-NP. The East Poultry Co. at 501 Perdarnales has a case under review C14-2023-0013 that seeks to remove the conditional overlay and add a V for Vertical Mixed Use. That case has not been scheduled at this time.

BASIS FOR RECOMMENDATION

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

This district is in a highly walkable and bikeable location, with grocery stores, restaurants, parks and educational facilities all within a short walk. A wide variety of daily needs can be reached within a 15-minute walk. The area is also rich in public transit assets which will be upgraded in the near future through Project Connect which anticipates the addition of Metro Rapid high frequency bus line along Pleasant Valley Road, and a Green Line rail stop at Pleasant Valley. It is important to permit a variety of uses compatible with the context of this location and allow intermediate densities as a transition from the commercial corridors, such as North Pleasant Valley Rd. and the Capital Metro Red line, to surrounding neighborhoods. Site development regulations are intended to permit combinations of office, retail, commercial, and residential uses within a single development.

Vertical Mixed-Use Building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed-use building.

2. The proposed zoning should promote consistency and orderly planning.

The proposed CS-MU-V-CO-NP zoning would be consistent with the CS-MU-V-CO-NP zoning recently granted immediately to the southeast through case C14-2020-0145 on 2700, 2716, 2726 E 5th St.

The property immediately to the west of the subject property 501 Perdernales has zoning of CS-MU-CO-NP. That property was rezoned in 2003 from LI to CS-MU-CO-NP as part of the Holly Neighborhood Plan process, Ordinance 030612-Z-13. The Conditional Overlay prohibited the following uses: Adult Oriented Business, Campground, Convenience Storage, Exterminating Services, Kennels, Pawn Shop Services. The Conditional Overlay established Automotive Washing (of any type) and Commercial Off-Street Parking as conditional uses. That property is currently under review to be rezoned CS-MU-V-NP as a part of case C14-2023-0013.

3. The proposed zoning should allow for a reasonable use of the property.

That Conditional Overlay is recommended for this property due to the proximity of SF-3-NP across the street to the north. It is important to note that the property immediately to the south of the railroad tracks. 2700, 2716, 2726 E. 5th Street, case C14-2020-0145 obtained CS-MU-V-CO-NP, on consent and is retaining its conditional overlay in addition to obtaining a V for vertical mixed use.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--|--------|-----------|
|--|--------|-----------|

| | | |
|--------------|---------------|---|
| <i>Site</i> | LI-CO-NP | One industrial building |
| <i>North</i> | MF-2-NP | Multi Family and Single-Family residences |
| <i>South</i> | CS-MU-V-CO-NP | Railroad tracks; MasTec warehouse |
| <i>East</i> | LI-CO-NP | East Austin Creative Office Space |
| <i>West</i> | LI-CO-NP | East Poultry Company |

NEIGHBORHOOD PLAN AREA: Holly

TIA: A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-11

WATERSHED: Lady Bird Lake

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Elementary: Govalle

Middle: Martin

High: Eastside Memorial

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Barrio Unido Neighborhood Assn., Capital Metro, Del Valle Community Coalition, East Austin Conservancy, El Concilio Mexican-American Neighborhoods, Friends of Austin Neighborhoods, Greater East Austin Neighborhood Association, Guadalupe Neighborhood Development Corporation, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Preservation Austin, SELTexas, Sierra Club, Austin Regional Group, Tejano Town

AREA CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|--|------------------------------|---|------------------------------------|
| C14-2023-0013 501 Pedernales | CS-MU-CO-NP to CS-MU-V-NP | TBD | TBD |
| C14-2021-0179 Govalle Twin Liquors | GR-NP to CS-1- NP | To grant CS-1-NP with the added condition that Cocktail Lounge land use be prohibited | 6/9/2022: To grant CS- 1-CO-NP |
| C14-2021-0011 712 & 714 Pedernales St. and 2409 Coronado St. | SF-3-NP to CS- MU-NP | To grant GR-MU-CO- NP with the following conditions: 1. The property will be limited to LR land uses. The following land uses shall be prohibited: Short-term rental, Automotive repair | 7/29/2021: To grant GR-MU-CO-NP |

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| | | services, Automotive rentals, Automotive sales, Automotive washing (of any kind), Bail bond services, Business or trade school, Business support services, Commercial off-street parking, Drop off recycling center, Exterminating services, Food preparation, Funeral services, Outdoor entertainment, Outdoor sports and recreation, Pawnshop services, Research services, Theater, and Hospital services (general). 2. The following land uses shall be conditional: Alternative financial services, Medical offices (exceeding 5,000 s.f.), Restaurant (General), Restaurant (limited), Community recreation (private), Community recreation (public), Congregate living, Group home-Class II, Hospital services (limited), and Residential treatment. | |
| C14-2020-0145 2700, 2716, 2726 E 5th St | CS-MU-CO-NP to CS-MU-V- CO-NP | To grant CS-MU-V-CO-NP with the following conditions: 1. The following uses are prohibited uses of the Property: Campground, Convenience storage, Exterminating services, Kennels, Pawn shop | 06/10/21: to grant |

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| | | services and Adult oriented businesses. 2. The following uses are conditional uses of the Property: Automotive washing (of any type) and Commercial of-street parking. | |
| C14-2018-0034 | CS-MU-CO-NP & CS-1-MU-CO-NP to CS-MU-NP (Tract 1) & CS-1-MU-CO-NP (Tract 2) | To grant CS-MU-NP (Tract 1) and CS-1-MU-CO-NP (Tract 2) as rec. by Staff: Staff supports the Applicant's request for rezoning to CS-MU-NP (Tract 1) and CS-1-MU-CO-NP (Tract 2). The conditional overlay on Tract 2 would prohibit Cocktail lounge land use. | 08/09/2018: to grant |
| C14-2016-0041 East Sixth Village South | LI-CO-NP to CS-V-CO-NP | 07/26/2016: To grant CS-V-CO-NP as rec. by Staff with the additional condition that outdoor amplified sound be prohibited. The following conditions: 1.The following land uses would be prohibited: Campground, Kennels, Convenience storage, Vehicle storage, Service station, Exterminating services, Pawn shop services, Alternative financial services, Bail bond services, and Commercial blood plasma center. 2.The following land use would be conditional: Automotive washing (of any type). 3.No | 09/22/2016; 12/15/2016 approved Ordinance No. 20170126-055 |

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|-------------------------------|-------------------------|---|----------------------------------|
| | | additional driveways may be constructed along the East 6th Street frontage. [The subject property shares a joint access driveway easement that accesses East 6th with the property to the west. | |
| C14-2016-0003 2406 Hidalgo | LI-CO-NP to CS-MU-NP | 05/10/2016: To grant CS-MU-CO-NP as rec. by Staff. CO conditions: 1.The following land uses would be prohibited: Campground, Kennels, Convenience storage, Vehicle storage, Service station, Exterminating services, Pawn shop services, Scrap and salvage, Alternative financial services, Bail bond services, and Commercial blood plasma center. 2. The following land use would be conditional: Automotive washing (of any type), Indoor entertainment, Indoor sports and recreation, and Commercial off-street parking | 06/16/2016: To grant CS-MU-CO-NP |

RELATED CASES:

NPA-2022-0010.01 – the applicant is proposing to amend the Holly NPA

C14-2023-0113 – the applicant seeks zoning of CS-MU-V-NP from CS-MU-CO-NP

EXISTING STREET CHARACTERISTICS:

| Name | ASMP Classification | ASMP Required ROW | Existing ROW | Existing Pavement | Sidewalks | Bicycle Route | Capital Metro |
|------|---------------------|-------------------|--------------|-------------------|-----------|---------------|---------------|
|------|---------------------|-------------------|--------------|-------------------|-----------|---------------|---------------|

| | | | | | | | |
|---------------------------|---|-----|-----|-----|-----|----|--------------------|
| | | | | | | | (within ¼ mile) |
| E. 6 th St. | 1 | 64' | 60' | 29' | Yes | No | Yes |

ADDITIONAL STAFF COMMENTS:**Site Plan Comments:**

A site plan will be required for any new development other than single-family, two-family or duplex residential.

Any new development is subject to the design standards in Subchapter E of the Land Development Code. Additional comments will be made when the site plan is submitted.

This site will be subject to the multifamily density provisions and vertical mixed-use requirements in Subchapter E.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 ft. or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Compatibility Standards:

The site is subject to compatibility height standards, due to the presence of SF-3-NP zoning to the north and south within 540 ft. Along the north and south property line, the following standards apply:

- No structure in excess of two stories and 30 feet in height may be constructed within 50 feet of the property line of the compatibility-triggering property.
- No structure in excess of three stories and 40 feet in height may be constructed within 100 feet of the property line of the compatibility-triggering property.
- For a structure more than 100 feet but not more than 300 feet from SF-3-NP zoned property, the height is limited to 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the SF-3-NP property.
- For a structure more than 300 feet but not more than 540 feet from SF-3-NP zoned property, the height is limited to 60 feet plus one foot for each four feet of distance in excess of 300 feet from the SF-3-NP property.
- Additional design regulations will be enforced at the time a site plan is submitted.

Demolition:

If demolition or relocation of existing buildings is proposed, the applicant will be responsible for requesting demolition or relocation permits upon site plan approval. The City Historic Preservation Office will review all proposed building demolitions or relocations. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Neighborhood Planning Area:

This site is located in the Holly Neighborhood Plan. Please see the City's Neighborhood Plans and Resources webpage for a copy of the recommended design guidelines.

Environmental Review:

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Lady Bird Lake 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.

Currently, 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.

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.

Parks and Recreation Review:

Parkland dedication will be required for the new applicable uses proposed by this development, mixed-used with CS-MU-V-NP 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. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Austin Water Utility Review:

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.

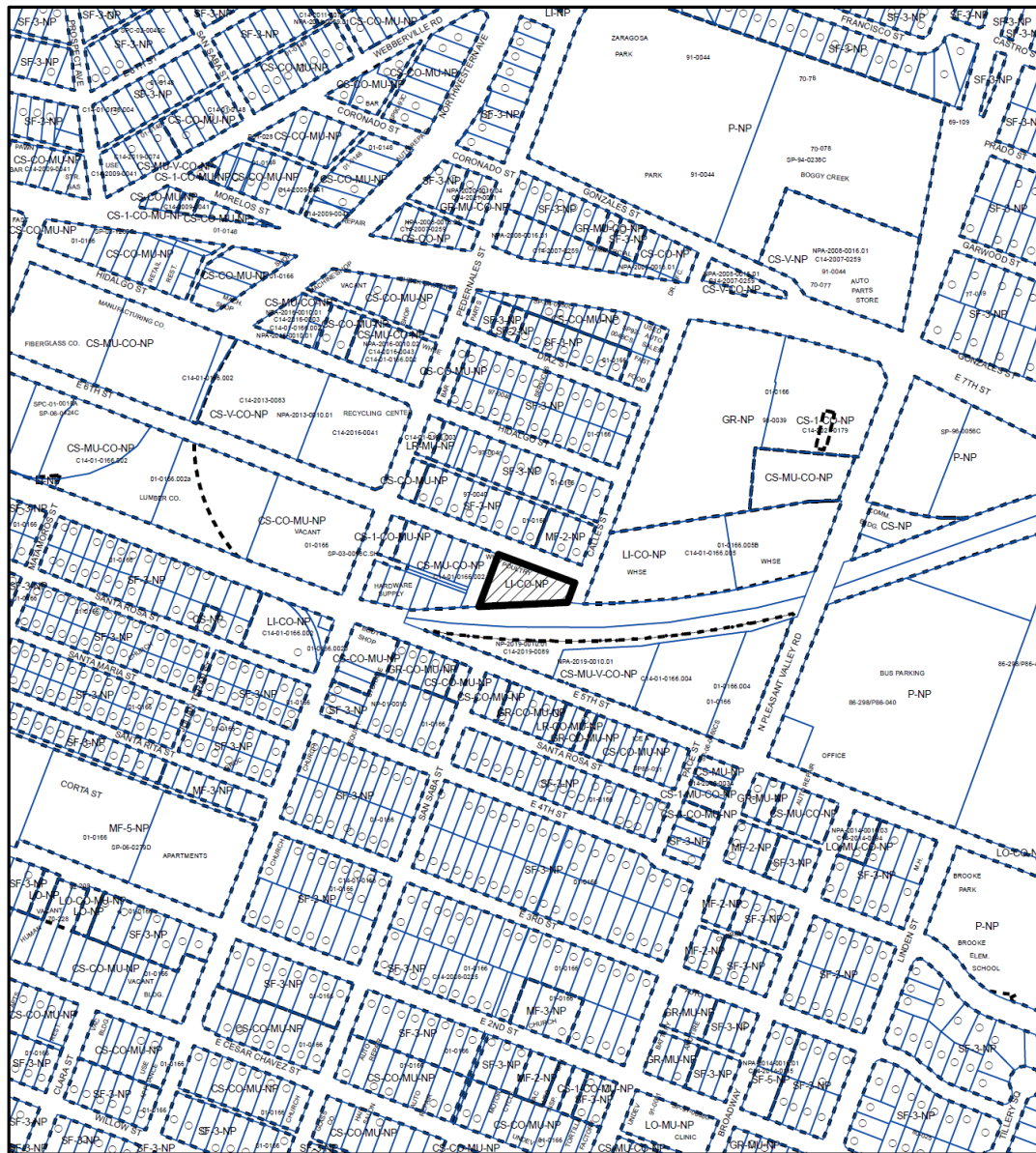
Austin Transportation Department Engineering Review:

The Austin Strategic Mobility Plan (ASMP) calls for 64 feet of right-of-way for East 6th Street. It is recommended that 32 feet of right-of-way from the existing centerline should be dedicated for East 6th Street according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

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.

INDEX OF EXHIBITS AND CORRESPONDENCE TO FOLLOW

Exhibit A: Zoning Map
Exhibit B: Aerial Map
Exhibit C: Recorded Plat



1" = 400'

- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2022-0112

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







Created: 8/26/2022

Exhibit A: Zoning Map



2615- 2617 East 6th Street



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

ZONING CASE#: C14-2022-0112
LOCATION: 2615 E 6th St and 2617 E 6th St
SUBJECT AREA: 0.7056 Acres
GRID: K21
MANAGER: Sophia Benner



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Created: 2/21/2023

Exhibit B: Aerial Map



Exhibit C: Recorded Plat



Exhibit D: Future Land Use Map: Holly Neighborhood Plan