

ZONING CHANGE REVIEW SHEETCASE: C14-2023-0013DISTRICT: 3ADDRESS: 501 Pedernales St; 2503 E.6th St;
2505 E. 6th St; 2507 E. 6th St and 2511 E. 6th StZONING FROM: CS-MU-CO-NPTO: CS-MU-V-NPSITE AREA: acres (sq. ft.) approximately 1.79 acres (77,972 sqft)PROPERTY OWNER: Pedernales Property Holdings LLCAGENT: Michele Haussmann, Land Use Solutions, LLCCASE MANAGER: Jonathan Tomko (512) 974-1057, jonathan.tomko@austintexas.gov)STAFF RECOMMENDATION:

The Staff recommendation is to grant the applicant's request to change the zoning from CS-MU-CO-NP to CS-MU-V-CO-NP zoning. The conditional overlay would be retained to **prohibit** the following uses: Adult Oriented Business, Campground, Convenience Storage, Exterminating Services, Kennels, and 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 or ZONING AND PLATTING COMMISSION ACTION /
RECOMMENDATION:

To be reviewed June 13, 2023

CITY COUNCIL ACTION:

TBD

ORDINANCE NUMBER:

N/A

ISSUES: None

CASE MANAGER COMMENTS:

The subject lot is currently zoned CS-MU-CO-NP and contains approximately 70,000 sqft of gross building area. The Pedernales Station Event Venue, and various workspaces, originally built in 1951, and renovated in 2008. To the north is MF-2-NP including multi-family and single-family residences, mostly newer structures with at least two units per lot. To the south are three different zoning categories across the railroad tracks CS-CO-MU-NP, CS-MU-V-CO-NP, and GR-CO-MU-NP. There is a coffee shop, telecommunications yard (being redeveloped), income tax services and some single-family residences. To the east is CS-MU-V-CO-NP, the East Poultry Company warehouse built 1950 (approximately 19,000 sqft) and 1974 (approximately 29,000 sqft) -recently rezoned. To the west is CS-CO-MU-NP (across Pedernales St.) this includes The Pedernales Lofts (3-story condominium with street level retail on E. 6th St.)

BASIS OF 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. and to the east through case C14-2022-0112 on 2615-2617 E. 6th St. *See the Area Case Histories section for more information on these cases.*

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>	CS-MU-CO-NP	Approximately 70,000 sqft of gross building area. Pedernales Station Event Venue, and various workspaces, built 1951, renovated 2008.
<i>North</i>	MF-2-NP	Multi-Family and Single-Family residences, mostly newer structures with at least two units per lot.
<i>South</i>	CS-CO-MU-NP CS-MU-V-CO-NP, and GR-CO-MU-NP (across railroad tracks)	Coffee Shop, telecommunications yard (being redeveloped), income tax services and some single-family residences
<i>East</i>	CS-MU-V-CO-NP	East Poultry Company warehouse built 1950 (approximately 19,000 sqft) and 1974 (approximately 29,000 sqft) -recently rezoned
<i>West</i>	CS-CO-MU-NP (across Pedernales St.)	The Pedernales Lofts built in 2005, (3-story condominium with street level retail on E. 6 th St.)

NEIGHBORHOOD PLANNING 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 Watershed

SCHOOLS: A.I.S.D.

Elementary: Govalle

Middle: Martin

High: Eastside Memorial

NEIGHBORHOOD ORGANIZATIONS:

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
C14-2022-0112	LI-CO-NP to CS-MU-V-CO-NP	3/14/2022: approved CS-MU-V-CO-NP as staff recommended on consent.	5/18/2022: To grant CS-MU-V-CO-NP

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 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	7/29/2021: To grant GR-MU-CO-NP

		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 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.	06/10/21: to grant

RELATED CASES:

None

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
East 5 th Street	Level 2	84'	57'	35'	Yes	Yes	Yes

Pedernales Street	Level 2	84'	59'	29'	Yes	Yes	Yes
East 6 th Street	Level 1	58'	60'	29'	Yes	No	No

OTHER STAFF COMMENTS:Comprehensive Planning

Several creative spaces occupy units located at 501 Pedernales Street. Please work with the Economic Development Department to address any development that will impact these spaces here. The Cultural Asset Mapping Project, which is an initiative of the Cultural Arts Division of the Economic Development Department, identified 3 spaces in the 501 Pedernales Street property in their [2016 Cultural Asset Mapping Project \(CAMP\) map](#).

Ordinance No. 20221201-055 describes the Residential Uses in Commercial Districts Incentive Program and provides incentivized direction around replacing existing creative spaces, providing current creative space operators with relocation benefits, and accommodating existing creative spaces. Other Urban Design comments include:

- This Property is located on a section of E 6th Street that is considered a Level 1 in the ASMP Plan. Pedernales Street is considered a Level 2 with a Bicycle Priority Network.
- Plaza Saltillo TOD boundary ends less than ½ mile west of the Property.
- This property is within the Holly Plan, which includes the following goals & objectives:
 - o Goal 7: Preserve the neighborhood's historical and cultural character.
 - o Objective 7.2: Preserve the Barrio's (neighborhood's) existing character and architectural style.
 - o Action Item 7.2.1: Create voluntary design guidelines for use by the neighborhood to encourage any development to be compatible with the history and character of the area. (See draft Holly Neighborhood Design Guidelines).
- From ETOD Policy Plan:
 - o The ETOD Policy Plan points out that the existing Plaza Saltillo TOD, whose boundary is less than ½ mile west of the Property, has experienced a demographic shift which illustrates the displacement of BIPOC residents, an ultimate indicator of continued racial disparity. The Median Family Income (MFI) has almost doubled and in some cases tripled and households without children now outweigh households with children. Transit ridership to work in this area has seen significant reductions since 2010 and the average percentage of households without cars has also decreased within this TOD area by 60%.
 - o Between 24-36% of the total housing units have been built since 2010, an indication that increased allowable density has generated more housing units in this area. Approximately 1,800 units, or 28% of all housing units that were built in the Plaza Saltillo TOD, MLK Station TOD, and Crestview Station TOD since 2010 are income-restricted affordable housing. While Austin TOD projects have increased access to housing near restaurants, retail, offices, and entertainment, they have not been as successful so far at incorporating services that provide daily needs like laundry, childcare, healthcare, and family support services. This indicates that despite the increased construction of affordable housing and market-rate housing, structural and systematic barriers remain because TODs have not been developed with the needs of families with children, BIPOC, or low-income populations in mind.

Environmental

1. 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.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.
5. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
6. 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.
7. 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.
8. 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

Parkland dedication will be required for the new applicable uses proposed by this development, multifamily and retail 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.

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.

The site is subject to compatibility standards. Along the North property line, 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.
- 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, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- 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. A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH. Additional design regulations will be enforced at the time a site plan is submitted

ATD Engineering Review

The Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for East 5th Street. It is recommended that 42 feet of right-of-way from the existing centerline should be dedicated for East 5th Street according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for Pedernales Street. It is recommended that 42 feet of right-of-way from the existing centerline should be dedicated for Pedernales Street according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

There are two proposed Urban Trails adjacent to this site (East Link Trail along Pedernales Street and Mogan Corridor Trail along East 5th Street), along the southern and western

property boundaries. The easement required is a minimum of 20 ft as this allows for a 12 ft trail (minimum trail width per the urban trails plan) and room for maintenance activity.

A Neighborhood Traffic Analysis is required and will be performed for this project by ATD staff. Results will be provided in a separate memo. LDC 25-6-114. NTA requires three (3) consecutive 24- hour tube counts, preferably on Tuesday, Wednesday, and Thursday, during a non-holiday week when school is in session. Staff will contact the applicant to discuss the location of the tube counts. Results will be provided in a separate memo. LDC 25-6-114. NTA fees will be added in AMANDA. This comment will be cleared once the Memo is approved, and the fees are paid.

Austin Water Utility

No comment on zoning change.

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. Applicant's Request Letter



Created: 2/10/2023

$$1'' = 400'$$



Created: 3/8/2023



Michele Haussmann
PRINCIPAL
Michele@LandUseSolutionsTX.com

January 26, 2023

Ms. Joi Harden, Division Manager
Housing and Planning Department
City of Austin
VIA Electronic Mail Joi.Harden@AustinTexas.gov

Re: Zoning Application for Project known as 501 Pedernales Street, approximately 1.79 acres located at 501 Pedernales Street and 2503, 2505, 2507, 2511 East 6th Street, in the City of Austin, Travis County, Texas ("Property")

Dear Ms. Harden:

As representatives of the owner of the above stated Property, Jesus Turullols ("Applicant"), we respectfully submit the enclosed zoning application and submittal package. The Property consists of approximately 1.79 acres and is in the Holly Neighborhood Plan area. The Applicant is requesting a rezoning of the Property to allow for the development of mixed use project including multifamily units and commercial uses ("Project"). The Project is known as 501 Pedernales Street. The request is to rezone the Property to CS-MU-V-NP. Please see the enclosed aerials, zoning, neighborhood plan, and other exhibits for your review.

The following are the details of the request:

Acreage:	1.79 acres
Proposed Use:	Mixed Use (Multifamily and Retail)
Existing Zoning:	CS-MU-CO-NP
Proposed Zoning:	CS-MU-V-NP

The 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. The Applicant is agreeable to a Conditional Overlay prohibiting these uses.

The Property is perfectly located to support individuals and families as it is within walking distance of a bus stop and Parque Zaragoza neighborhood park and is near Parque Zaragoza Recreation Center and Zavala elementary school.

AUSTIN OFFICE 5612 Parade Ridge | Austin, TX 78731 | 512.212.4114



The Property is surrounded by compatible land use designations including Mixed Use to the north, south, and west. The Property is surrounded by compatible zoning districts including CS-V-CO-NP to the north, CS-MU-V-CO-NP to the south, and CS-MU-CO-NP to the west. The requested Vertical Mixed Use combining district is consistent and compatible with the surrounding zoning and land uses.

The Property is located on a Core Transit Corridor, which supports the proposed Vertical Mixed Use combining district. Access is proposed to East 6th Street and Pedernales Street.

The proposed rezoning will comply with applicable regulations and standards established by Title 25, the objectives of Chapter 25-2 and the purpose statements of the Vertical Mixed Use combining district.

Please contact me if you or your team members have any questions or need additional information. Thank you for your time and assistance with the requests.

Respectfully,

A handwritten signature in blue ink that reads 'Michele Haussmann'.

Michele Haussmann

Enclosures

CC: Heather Chaffin, Housing and Planning Department, *via electronic mail*
Jesus Turullols, *via electronic mail*
Valerie Turullols, *via electronic mail*