

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0111

DISTRICT: 3

ADDRESS: 518 North Pleasant Valley Road and 507 Calles Street

ZONING FROM: LI-CO-NP

TO: CS-MU-V-NP

SITE AREA: approximately 3.811 acres (approximately 165,963 square feet)

PROPERTY OWNER: 507 Calles St. (Austin) Owner, LLC

AGENT: Armbrust & Brown PLLC (Richard T. Suttle, Jr.)

CASE MANAGER: Jonathan Tomko (512) 974-1057, jonathan.tomko@austintexas.gov

STAFF RECOMMEDATION:

Staff recommends granting general commercial services-mixed use-vertical mixed use-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district 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 the *basis of recommendation* section below.

PLANNING COMMISSION or ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

December 12, 2023: Planning Commission approved staff recommendation CS-MU-V-CO-NP on the consent agenda. Motion by Commissioner Maxwell, 2nd by Commissioner Azhar, Vote 11-0.

CITY COUNCIL ACTION: February 1, 2024: Case is scheduled to be heard by City Council

ORDINANCE NUMBER: N/A

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently a 51,000 square foot industrial building built in approximately 1947 with approximately 21,000 square feet of paved area. To the north, is the Govalle HEB, an approximately 53,000 square foot grocery store built in 1999 with approximately 94,000 square feet of paved area. There is also a 2-story Capital Metro office building of approximately 26,000 square feet built in approximately 2004, which fronts Pleasant Valley Road. To the south, across the railroad tracks is undeveloped land, rezoned by case C14-2020-0145, as CS-MU-V-CO-NP. To the east, is undeveloped land zoned CS-NP. To the west, is a fourplex and the East Poultry Company warehouses built in 1950 and 1974, rezoned CS-MU-V-CO-NP by case C14-2022-0112.

The property fronts North Pleasant Valley Road to the east, which is an ASMP level 3 and Calles Street to the west which is an ASMP level 1. To the south are railroad tracks and a station for the Capital Metro Green Line is proposed at Pleasant Valley Road and those railroad tracks which means the area should see additional density to support transit within the station area.

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 Road. 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 Road and the Capital Metro Red line, to surrounding neighborhoods. 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 to the south through case C14-2020-0145 on 2700, 2716, 2726 E 5th St. and to the west through case C14-2022-0112 on 2615-2617 E. 6th St. See the *area case histories* section below for more information on these cases.

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

A conditional overlay is recommended for this property due to the proximity of SF-3-NP to the northwest of the site. It is important to note that the property 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. C14-2022-0112 on 2615-2617 E. 6th St. also retained its conditional overlay and was approved without objection.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|-----------------------|---|
| <i>Site</i> | LI-CO-NP | Approximately 51,000 square foot industrial building built in approximately 1947 with approximately 21,000 square feet of paved area. |
| <i>North</i> | GR-NP and CS-MU-CO-NP | Govalle HEB an approximately 53,000 square foot grocery store built in 1999 with approximately 94,000 square feet of paved area. 2 story Capital Metro office building of approximately 26,000 square feet built in approximately 2004. |

| | | |
|--------------|---|---|
| <i>South</i> | CS-MU-V-CO-NP (across railroad tracks) | Undeveloped land (rezoned by case C14-2020-0145 – see <i>area case histories</i> section below for more information) |
| <i>East</i> | CS-NP | Undeveloped land |
| <i>West</i> | MF-2-NP and CS-MU-V-CO-NP | A fourplex, and two warehouses, one approximately 8,600 square feet and another approximately 5,000 square feet built in 1950 and 1974 respectively (rezoned by case C14-2022-0112 – see <i>area case histories</i> section below for more information) |

NEIGHBORHOOD PLANNING AREA: Holly Neighborhood Planning Area

WATERSHED: Boggy Creek and Lady Bird Lake Watersheds

SCHOOLS: A.I.S.D.

Govalle Elementary School

Martin Middle School

Eastside Memorial High School

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 |
|--|---|---|---|
| C14-2020-0145 (2700, 2716, 2726 E. 5 th Street Zoning) | The Applicant proposes to rezone 3 contiguous lots totaling 4.55 acres from CS-MU-CO-NP to CS-MU-V-CO-NP. | 03.09.2021: Apvd CS-MU-V-CO-NP w/CO prohibiting campground, convenience storage, exterminating svcs, kennels, pawn shop svcs and adult-oriented businesses, and establishing the following as conditional: auto washing (of any type) and commercial off-street parking, as Staff recommended | 06.10.2021: Affirmed, approved CS-MU-V-CO-NP as PC recommended on all 3 readings. |

| | | | |
|--|---|---|---|
| C14-2022-0112 (2615 and 2617 E. 6 th St.) | The Applicant is proposing to rezone approximately 0.71 acres from LI-CO-NP to CS-MU-V-NP. | 03.14.2023: Motion to grant Staff's recommendation of CS-MU-V-CO-NP was approved on the consent agenda on the motion by Commissioner Schneider, seconded by Vice-Chair Hempel on a vote of 9-0. Commissioners Flores, Mushtaler, Shieh and Thompson absent. | 05.18.2023: CS-MU-V-CO-NP approved without objection. |
| C14-2023-0013 (501 Pedernales) | The Applicant is proposing to rezone approximately 1.79 acres from CS-MU-CO-NP to CS-MU-V-NP. | 09.12.2023: Case approved on consent motion by Vice Chair Hempel, seconded by Commissioner Azhar, unanimous. | 10.19.2023: CS-MU-V-CO-NP approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent. |

RELATED CASES:

NPA-2023-0010.01 – FLUM change request from Industrial to Mixed-Use

C14-01-0166.005 – Holly Neighborhood Plan Amendment #5 (this case included the subject tract) to add a conditional overlay prohibiting the following uses: campground, convenient storage, exterminating services, kennels, pawn shop services, adult oriented business, and would make the following uses conditional: automotive washing (of any type), and commercial off street parking.

ADDITIONAL STAFF COMMENTS:

Environmental

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

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. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

5. 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.

6. 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.

7. 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.

Fire

No comments on rezoning

PARD – Planning & Design Review

PR1: Parkland dedication may be required at the time of subdivision or site plan application for new residential units, per City Code § 25-1-601, as amended. The proposed development meets the criteria for land dedication in City Code Title 25, Article 14. As such, a partial land dedication may be required, as well as any remaining fees in-lieu.

The Parks and Recreation Department (PARD) would consider a connection along the Red Line, from Calles Street to Pleasant Valley Road, toward satisfying the requirement at time of permitting (whether subdivision or site plan). Such a connection would improve neighborhood connectivity, and satisfy an acquisition need for the Red Line Trail, a recommendation identified in the Parks and Recreation Department's Long Range Plan.

Should there be any remaining fees in-lieu, 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).

Should the applicant wish 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 letter of the requirements as stated in this review.

Site Plan

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

SP 2. 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.

SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP 4. FYI- This is within the Holly NP.

Transportation and Public Works Department – Engineering Review

ATD 1. The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Calles Street. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Calles Street according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

ATD 2. The Austin Strategic Mobility Plan (ASMP) calls for 100 feet of right-of-way for N. Pleasant Valley Rd. It is recommended that 50 feet of right-of-way from the existing centerline should be dedicated for N. Pleasant Valley Rd. according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

EXISTING STREET CHARACTERISTICS:

| Name | ASMP Classification | ASMP Required ROW | Existing ROW | Existing Pavement | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|----------------------------|---------------------|-------------------|--------------|-------------------|-----------|---------------|-------------------------------|
| Calles Street | Level 1 | 58' | 48' | 40' | Yes | No | Yes |
| North Pleasant Valley Road | Level 3 | 100' | 80' | 45' | Yes | Yes | Yes |

TIA: Deferred to the time of Site Plan

Austin Water Utility

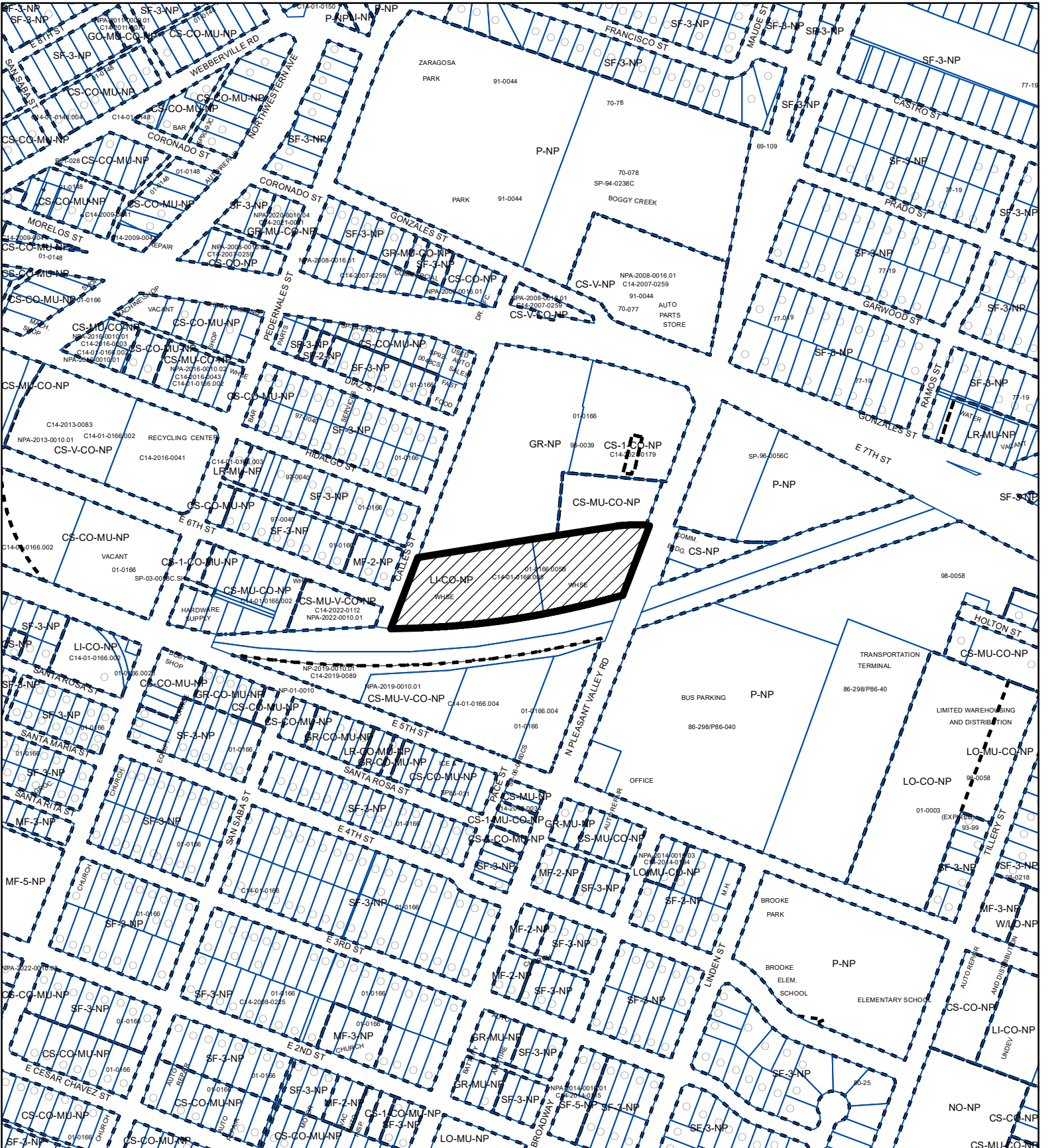
AW1. No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

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. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:




- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter



ZONING

ZONING CASE#: C14-2023-0111



-  **SUBJECT TRACT**
-  **PENDING CASE**
-  **ZONING BOUNDARY**

1" = 400'

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.





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Created: 9/19/2023



518 N. Pleasant Valley

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

ZONING CASE#: C14-2023-0111
 LOCATION: 518 N Pleasant Valley Rd,
 507 Calles St
 SUBJECT AREA: 3.81 Acres
 GRID: K21
 MANAGER: Jonathan Tomko



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September 7, 2023

Lauren Middleton-Pratt, Director
Planning Department
City of Austin
1000 E. 11th Street, Suite 200
Austin, Texas 78702

Re: Zoning Application for property located at 518 N. Pleasant Valley Road and 507 Calles Street, Austin, Texas, 78702, also known as TCAD Parcel No. 0203110801 (the "Application")

Dear Ms. Middleton-Pratt:

This letter is submitted on behalf of the owner in the above referenced Application. The area to be rezoned is comprised of a ± 3.81 acre tract of land located at 518 N. Pleasant Valley Road and 507 Calles Street in Austin, Travis County, Texas (the "Property").

The Property is zoned Limited Industrial Services – Conditional Overlay – Neighborhood Plan Combining District Transit ("LI-CO-NP") and is currently developed with offices, art gallery, personal improvement services, warehouse, brewery, restaurant, and a surface parking lot. The proposed project will consist of a mixed-use development including multi-family residential and retail (the "Project").


This Application seeks to rezone the Property from LI-CO-NP to General Commercial Services – Mixed Use – Vertical Mixed Use Building – Neighborhood Plan Combining District ("CS-MU-V-NP"). A Neighborhood Plan Amendment Application was recently submitted to change the FLUM on the Property from Industry to Mixed-Use in order for the FLUM to be consistent with the future rezoning.

Thank you in advance for your time and consideration of this Application. If you have any questions, comments, or need additional information, please do not hesitate to contact me at (512) 435-2310 or Kelly Wright at (512) 435-2364.

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Very truly yours,

ARMBRUST & BROWN, PLLC



Richard T. Suttle, Jr.

cc: Joi Harden
Maureen Meredith