

ZONING CHANGE REVIEW SHEETCASE: C14-2024-0024DISTRICT: 9ZONING FROM: GOZONING TO: DMU-COADDRESS: 1300 and 1304 Rio Grande StreetSITE AREA: 0.20 acres
(8,833 sq. ft.)PROPERTY OWNER: Austin Spirirt LLC & Ying McGuireAGENT: HD Brown Consulting (Amanda Brown)CASE MANAGER: Cynthia Hadri 512-974-7620, Cynthia.hadri@austintexas.govSTAFF RECOMMENDATION:

The staff recommendation is to recommend downtown mixed use – conditional overlay (DMU-CO) combined zoning district. The conditional overlay will limit the height on the property to a maximum of 60 feet.

PLANNING COMMISSION ACTION / RECOMMENDATION:**April 23, 2024:**CITY COUNCIL ACTION:ORDINANCE NUMBER:ISSUES: N/ACASE MANAGER COMMENTS:

The property in question is approximately 0.20 acres, is developed with a bed and breakfast, has access to West 13th Half Street (level 1), and is currently zoned general office (GO) zoning district. This site is in the Northwest District of the Downtown Area Plan and is located within the Capital View Corridor. The property has several office types around it (DMU-CO, GO, LR, LO, and GO-MU-H-CO) to the north, east, and west. There are multifamily residences zoned (MF-4) to the west, and an Autin Community College campus that is zoned (DMU-CO and DMU-H-CO) to the south. ***Please refer to Exhibits A (Zoning Map) and B (Aerial View).***

The staff is recommending the downtown mixed use – conditional overlay (DMU-CO) combined zoning district for a hotel use in the existing building. The proposed zoning is

compatible and consistent with surrounding land uses and zoning patterns in this area as there is existing DMU-CO zoning to the north, south, and east. The Downtown Area Plan calls for DMU 60 for these tracts (*please see attached Exhibit D- Downtown Austin Plan Exhibits*).

Per the comprehensive plan review comments this site meets nine (9) of the Imagine Austin Decision Guidelines. The site is in the Imagine Austin Growth Concept Map, more specifically it is within the Downtown Regional Center and 0.21 miles east of Lamar Boulevard, a core transit corridor. There is a bus route approximately 0.12 miles to the east on West 15th street. Within 0.5 miles there are goods and services and or an employment center, public schools and a university, a health facility, cultural resource, and neighborhood park. Pease Elementary and the Austin Community College: Rio Grande Campus are both south. In addition, there is a public park (Duncan Neighborhood Park), and the Austin Recreation Center are both to the west of the site.

BASIS OF RECOMMENDATION:

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

Downtown Mixed Use district is intended for areas on the periphery of CBD classifications in the central core area, permitting a variety of uses compatible with downtown Austin and allowing intermediate densities as a transition from the commercial core to surrounding districts. Site development regulations are intended to permit combinations of office, retail, commercial, and residential uses within a single development.

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

The proposed DMU zoning would be consistent with the DMU-CO zoning located to north, west and east of this site. The Austin Community College Rio Grande Campus is located to the northeast (in the DMU-H-CO zoned area), across West 13th Street.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO	Bed and Breakfast
<i>North</i>	DMU-CO & GO	Offices
<i>South</i>	DMU-CO & DMU-H-CO	College/University
<i>East</i>	GO, DMU-CO, LR	Offices
<i>West</i>	LO, GO-MU-H-CO, MF-4	Multifamily and Offices

NEIGHBORHOOD PLANNING AREA: Downtown Area Plan (Northwest District)

WATERSHED: Shoal Creek (Urban)

CAPITOL VIEW CORRIDOR: Yes

SCENIC ROADWAY: No

SCHOOLS: Austin Independent School District

Mathews Elementary School

O Henry Middle School

Austin High School

COMMUNITY REGISTRY LIST:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Central Austin Community Development Corporation
 City of Austin Downtown Commission
 Downtown Austin Alliance
 Downtown Austin Neighborhood Assn. (DANA)
 Friends of Austin Neighborhoods

Historic Austin Neighborhood Association
 Homeless Neighborhood Association
 Judges Hill Neighborhood Association
 Neighborhood Empowerment Foundation
 Old Austin Neighborhood Association
 Preservation Austin
 SELTexas
 Shoal Creek Conservancy
 Sierra Club, Austin Regional Group
 West Downtown Alliance, Inc.

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2020-0035 - 707 West 14th Street Apartments – 707 W 14th Street	GO to DMU-CO	To Grant DMU-CO w/CO for max 60' building height	Approved DMU-CO as Commission recommended, w/additional COs prohibiting bail bond services, cocktail lounge, liquor sales, outdoor entertainment, and pawn shops (7-30-2020).
C14-2013-0087 – 1402 West Ave.	LO-H to DMU-H	To Grant DMU-H w/CO for max 40' building height, limit the impervious cover to 70%, and establish the following setbacks - 25' in the front yard, 5' on the side yard and 5' in the rear yard and limit vehicle trips to less than 2,000 per day.	Approved DMU-H w/COs as Commission Recommended (12-12-2013)
C14-2007-0219 - 1306 West Avenue	SF-3 to MF-4	To Grant MF-4	Approved MF-4 as Commission Recommended (1-10-2008).
C14-2012-0081 - ACC Rio Grande Campus – Block 153 Zoning – 1212 Rio Grande Street	UNZ and UNZ-H to DMU-CO and DMU-CO-H	N/A – Case Expired	N/A – Case Expired

C14-2017-0076 - ACC Rio Grande Campus – Block 153 Zoning – 1212 Rio Grande Street	UNZ and UNZ-H to DMU-CO (Tract 1) and DMU-CO-H (Tract 2)	To Grant DMU-CO (Tract 1) and DMUH-CO (Tract 2) w/CO for max 60’ building height and 2,000 trip limit on Tracts 1 and 2, and list of prohibited uses on Tract 2	Approved DMU-CO (Tract 1) and DMU-H-CO (Tract 2) as Commission recommended, w/CO for max 60’ building height and 2,000 trip limit on Tracts 1 and 2, and lists of prohibited uses on Tracts 1 and 2 (10-05-2017).
C14-2022-0080 - 607 W 14th St	GO to DMU	To Grant DMU-CO w/CO for max 60’ building height	Approved DMU-CO as Commission recommended (10-13-2022).
C14-2021-0025 - 601 & 603 W 14th Street	GO to DMU	To Grant DMU-CO w/CO for max 60’ building height	Approved DMU-CO as Commission recommended, w/additional COs prohibiting bail bond services and pawn shops, and establishing cocktail lounge as a conditional use (6-21-2021).
C14-2022-0137 - 1304 Nueces DMU Zoning	GO to DMU-CO	To Grant DMU-CO w/CO for max 60’ building height	Approved as Commission recommended, w/additional COs prohibiting bail bond services, cocktail lounge, liquor sales, outdoor entertainment, and pawn shops (01-26-2023).
C14H-2009-0026 - Byrne-Reed House – 1410 Rio Grande St	GO to GO-H	To Grant GO-H	Approved GO-H as Commission Recommended (3-10-2011)
C14-2010-0197- 600 W 13th Street (directly south of the rezoning area)	GO to DMU-CO	To Grant DMU-CO w/CO for max 60’ building height	Approved as Commission recommended, w/additional COs prohibiting bail bond services, cocktail lounge, liquor sales, outdoor entertainment, and pawn shops (3-10-2011).)
C14-01-0052- Waterloo I, LTD – 605 W 13th Street	GO to LR-CO	To Grant LR-CO w/CO allowing general retail sales (convenience) and all GO uses, and restrict surface off street parking from locating within 10’ of the property line parallel to W 13th St	Approved LR-CO as Commission recommended (8-09-2001).

C14-2012-0082 - ACC Rio Grande Campus – Block 152 Rezoning 1209 Rio Grande Street	GO & LR to DMU	N/A – Case Expired	N/A – Case Expired
C14-2012-0079 - ACC Rio Grande Campus #1	SF-3 & P to DMU	To Grant DMU-CO w/COs for max 60’ building height and the following prohibited uses; Automotive sales, Automotive washing, Bail bond services, Cocktail lounge, Counseling services, Drop off recycling collection facility, Exterminating services, Funeral services, Financial services, Guidance services, Liquor sales, Local utility services, Outdoor entertainment, Residential treatment, Restaurant general, Restaurant limited, Service station and will limit total vehicle trips to less than 2,000 per day.	N/A – Case Expired
C14-2017-0077 - Austin Community College District	SF-3 & P to DMU	To Grant DMU-CO w/COs for max 60’ building height and the following prohibited uses; Automotive repair services, Automotive sales, Automotive washing (of any type), Bail bond services, Cocktail lounge, Exterminating services, Liquor sales, Outdoor entertainment, Residential treatment and Service station; and will limit total vehicle trips to less than 2,000 per day.	Approved DMU-CO as Commission Recommended (10-5-2017)

RELATED CASES: There are no related cases.

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning:

Project Name and Proposed Use: 1304 RIO GRANDE STREET. C14-2024-0024. Project: 1304 Rio Grande Rezoning. Downtown Austin Plan. FLUM: N/A. 0.2028 acres from GO to DMU-CO. Existing: Bed and Breakfast with 7 rooms. Proposed: Hotel with 7 rooms in an existing building and a limit of 60 feet in height.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures *	
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Names of Activity Centers/Activity Corridors/Job Centers *: <ul style="list-style-type: none"> • Located within the Downtown Regional Center. • 0.21 miles east of Lamar Boulevard
Y	Mobility and Public Transit *: Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> • Approx. 0.12 miles from bus routes on W 15th St
Y	Mobility and Bike/Ped Access *: Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> • There are sidewalks located along Rio Grande St and W 13 ½ St
Y	Connectivity, Good and Services, Employment *: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access *: Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	Connectivity and Education *: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> • Pease Elementary is 0.2 miles south. • Austin Community College: Rio Grande Campus is approx. 400 ft south
Y	Connectivity and Healthy Living *: Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> • 0.5 miles from Duncan Neighborhood Park
Y	Connectivity and Health *: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	Housing Choice *: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Housing Affordability *: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Mixed use *: Provides a mix of residential and non-industrial uses.
Y	Culture and Creative Economy *: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center). <ul style="list-style-type: none"> • 0.2 miles from Austin Recreation Center
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
Y	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone
9	Number of "Yes's"

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 Shoal 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.

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.

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Fire: There are no comments at this time.

PARD – Planning & Design Review:

Parkland dedication will be required for any additional hotel use proposed by this development, DMU-CO, 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: There are no comments at this time.

Austin Transportation Department – Engineering Review:

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. The traffic impact analysis for this site is not required, the traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code. [LDC 25-6-113].

The Austin Strategic Mobility Plan (ASMP) calls for 80 feet of right-of-way for RIO GRANDE ST. It is recommended that 40 feet of right-of-way from the existing centerline should be dedicated for RIO GRANDE ST 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 80 feet of right-of-way for W 13TH HALF ST. It is recommended that 40 feet of right-of-way from the existing centerline should be dedicated for W 13TH HALF ST 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)
RIO GRANDE ST	Local Mobility - Level 1	80 feet	78 feet	39 feet	Existing 5 feet sidewalks	Neighborhood Bikeway (on-street)	Yes
W 13TH HALF ST	Local Mobility - Level 1	80 feet	60 feet	39 feet	Existing 5 feet sidewalks	No	Yes

TIA: Not required at this time.

Austin Water Utility:

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
- D. Downtown Area Plan Exhibits

ZONING CASE#: C14-2024-0024

 SUBJECT TRACT

PENDING CASE

 ZONING BOUNDARY

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



Created: 2/29/2024

$$1'' = 400'$$

Exhibit A



H D | B R O W N

Lauren Middleton-Pratt
City of Austin
Planning and Housing Department
1000 E 11th St.
Austin, TX 78702

Via Electronic Submittal

Re: Rezoning request for 1304 Rio Grande St; TCAD Parcel 199638 (the
“Property”)

Dear Mrs. Middleton-Pratt:

As representatives of the owner of the above stated Property, we respectfully submit an application for rezoning. The Property is located at 1304 Rio Grande St. and is currently being used as a Bed and Breakfast. We are requesting to rezone the Property from General Office (GO) to Downtown Mixed Use - Conditional Overlay (DMU-CO) with a limit of 60' in height. The purpose of the rezoning is to allow for a hotel use within the existing building.

The Property is within the Downtown Austin Neighborhood Plan and designates this site as “DMU 60” with a maximum height of 60'. As the proposed zoning is DMU-CO with a maximum height limit of 60', a Future Land Use Map amendment is not required.

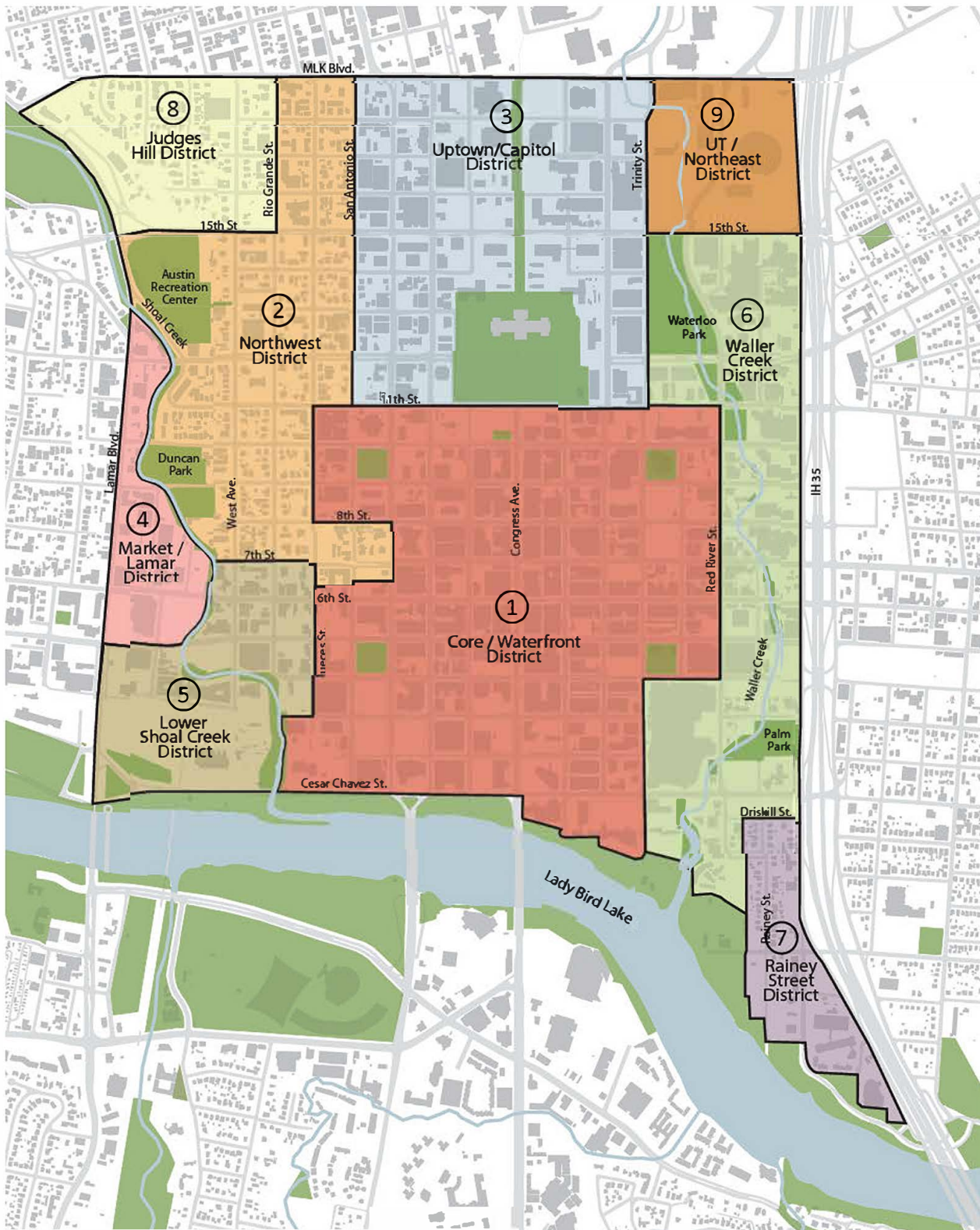
The surrounding zoning is DMU-CO to the south, LO to the west, and GO and DMU-CO to the north and GO to the east. The surrounding uses are offices and multifamily to the north, residential to the west, and educational centers to the south and office to the east.

If you have any questions regarding this request or need additional information, please do not hesitate to contact me at your convenience.

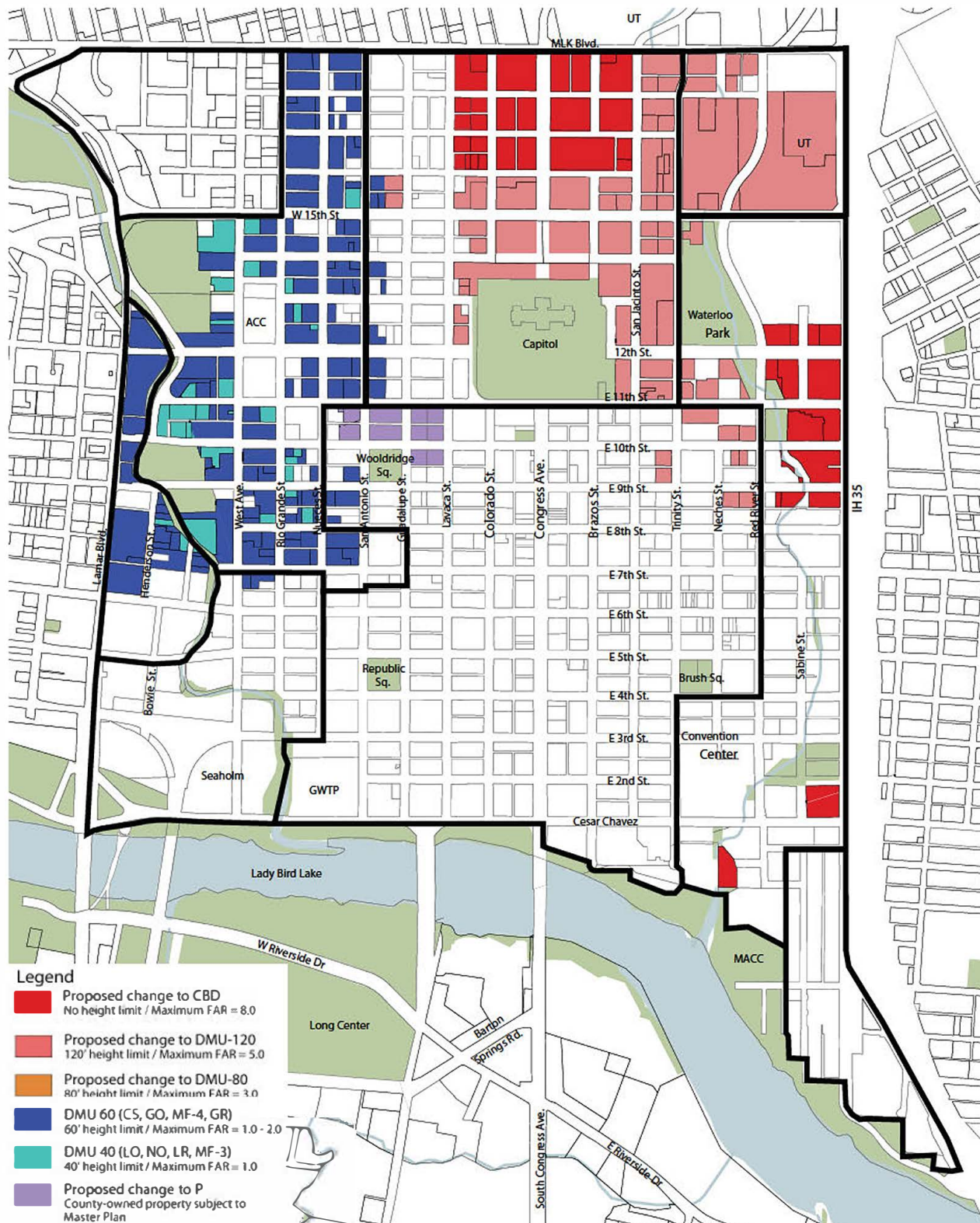
Very truly yours,



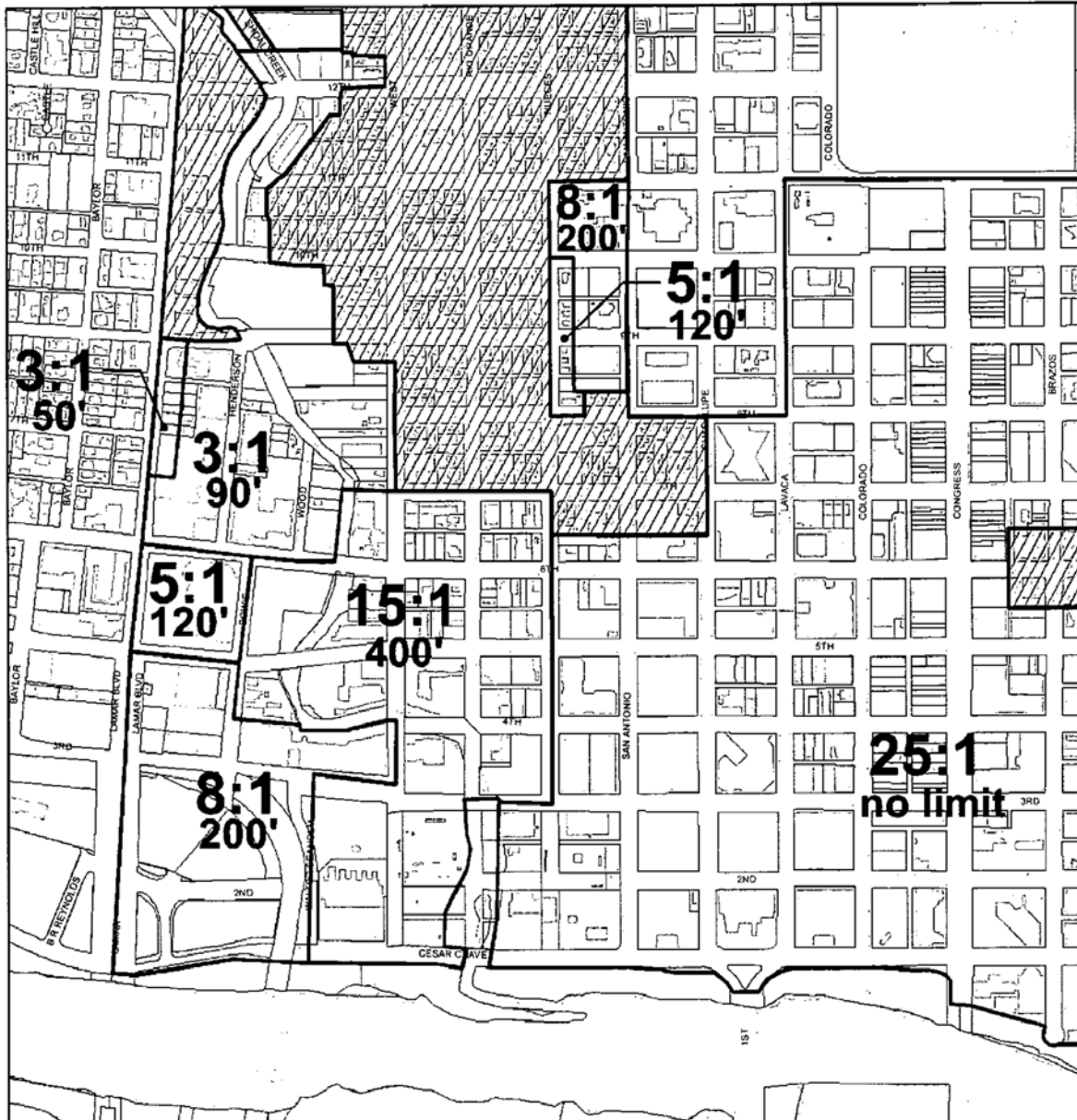
Amanda Couch Brown



Downtown Districts Map



Proposed Downtown Zoning Changes



Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map
Figure 2: Page 6

- Maximum Floor Area Ratio (FAR)
- Maximum Height (Feet)
- Areas Ineligible for Density Bonus Program (Height and density may not exceed underlying zoning)
- Public Parks/ Open Space (ineligible)
- TCAD Parcels

NOTE: Properties in the Rainey Street Subdistrict of the Waterfront overlay must obtain a floor-to-area ratio (FAR) of up to 8:1 by meeting the requirements of Section 25-2-739 of the City Code. FAR exceeding 8:1 may be obtained through the Downtown Density Bonus Program, as described in Section 25-2-586 of the City Code.

NOTE: Maximum heights shown do not reflect restrictions imposed by Capital View Corridors (CVC) or special districts.

0 0.05 0.1 0.2 Miles



PLANNING AND
DEVELOPMENT REVIEW
DEPARTMENT

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1/27/2014

- (4) The maximum heights and maximum floor-to-area ratios on Figure 2 do not modify a site's primary entitlement. If the maximum height or maximum floor-to-area ratio allowed under a