

ZONING CHANGE REVIEW SHEET

CASE: C14-2025-0046 - 1904 San Gabriel

DISTRICT: 9

ADDRESS: 1904 San Gabriel Street

SITE AREA: 0.1837 acres (8,002 sq. ft.)

ZONING FROM: MF-4-CO-ETOD-DBETOD-NP

ZONING TO: GO-CO-ETOD-DBETOD-NP

PROPERTY OWNER: Ayn Rand Museum and Archives Foundation

AGENT: Metcalfe Wolff Stuart and Williams (Michele Rogerson Lynch)

CASE MANAGER: Cynthia Hadri 512-974-7620, Cynthia.hadri@austintexas.gov

STAFF RECOMMENDATION:

The staff recommendation is to grant general office – conditional overlay - equitable transit-oriented development - density bonus equitable transit-oriented development – neighborhood plan (GO-CO-ETOD-DBETOD-NP) combined district zoning. The conditional overlay will:

- 1) limit the development to a maximum height of 45 feet**
- 2) prohibited the following uses:**
 - **Community Recreation (Private)**
 - **Club or Lodge**

PLANNING COMMISSION ACTION / RECOMMENDATION:

October 28, 2025:

September 23, 2025: *APPROVED THE STAFF’S REQUEST FOR A POSTPONEMENT TO OCTOBER 28, 2025*

[I. AHMED; F. MAXWELL - 2ND] (9-0) C. HANEY, A LAN, B. BEDROSIAN – ABSENT; ONE VACANCY

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES:

On March 9, 2023, City Council approved Resolution No. 20230309-016 accepting the Equitable Transit-Oriented Development Policy Plan and directing the City Manager regarding next steps for implementation of items intended to benefit the Project Connect Phase 1 Austin Light Rail project. This included development of code amendments to support transit in May of 2024 (Ordinance No. 20240516-005), including creation of the ETOD combining district (restrictions on non-transit supportive uses) and the DBETOD combining district (allowing residential use, and relaxing some development standards including increased height in exchange for income-restricted housing). Properties within one half-mile of the Phase 1 Austin Light Rail alignment and Priority Extensions were included within this overlay, and certain properties were rezoned through a City-initiated process to include the ETOD and DBETOD combining districts. Further, properties rezoned with DBETOD combining district were categorized into Subdistrict 1 (maximum allowable height of 120 feet) or Subdistrict 2 (maximum allowable height of 90 feet), generally based on property distance of ¼-mile or ½-mile from the Phase 1 alignment, respectively. However, that rezoning process did not modify any base district zoning or any combining district zoning, which is the subject of this request.

CASE MANAGER COMMENTS:

The property in question is 0.30 acres, developed with one vacant residential building, is on the intersection of San Gabriel Street (level 2) and is currently zoned multifamily residence (moderate-high density) – conditional overlay - equitable transit-oriented development - density bonus equitable transit-oriented development (MF-4-CO-ETOD-DBETOD) combined district zoning. The site is in the ETOD Overlay (subdistrict 2) which is designated as Include and Extend typologies, the case supports the potential for future development to provide more community members access to existing services and opportunities. This property is in the Central Austin Combined (West University) Neighborhood plan and is characterized as mixed use with single family residential, multifamily residential and various office uses nearby. (SF-3; MF-4-CO-ETOD-DBETOD; MF-3-ETOD-DBETOD; GO-ETOD-DBETOD GO-CO-ETOD-DBETOD). ***Please refer to Exhibits A (Zoning Map) and B (Aerial View).***

The applicant is requesting the rezoning for a unified development that will lead to the construction of the Ayn Rand Center for a cultural services use (museum). The conditional overlay will be for a maximum height of 45 feet as well as two prohibited uses (community recreation (private) and club and lodge), the additional prohibited use listed in the summary letter, group residential, can not be prohibited. ***Please refer to Exhibit C (Applicant's Request Letter).***

The applicant is requesting general office – conditional overlay - equitable transit-oriented development - density bonus equitable transit-oriented development – neighborhood plan (GO-CO-ETOD-DBETOD-NP) combining district zoning and to remain in Subdistrict 2 which would allow a development to include multi-family units requiring an affordable component in targeted areas to support future transit. A building constructed under ETOD

and DBETOD standards allows for a mix of residential uses and transit-supportive commercial uses, and the result is typically retail, restaurants and offices on the ground floor, and residential units on upper levels. Those uses deemed non-transit-supportive have been prohibited or made as conditional within the ETOD combining district.

A development utilizing the “density bonus ETOD” incentives is permitted with a base GO district, and must include an affordability component for residential use in order to obtain incentives, including height maximum of up to 90 feet in the GO district (60 feet base district plus up to 30 feet height incentive) and relaxation of development and compatibility standards, such as floor to area ratio (FAR), setbacks and building coverage.

There are several methods of satisfying DBETOD development affordability requirements, based on whether the proposed units will be offered as rental or for ownership.

For rental units, the options are based on a tiered system tied to achievable maximum height or modified development standards.

- i. To achieve 60 feet in height or to utilize a development standard under DBETOD that is not height-related, a development must provide:
 - a minimum of 10% of the residential units as affordable for lease and occupancy by households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI;
- ii. To achieve 90 feet in height, a development must provide:
 - a minimum of 12% of the residential units as affordable for lease and occupancy by households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
 - a minimum of 10% of the residential units as affordable for lease and occupancy by households earning 50% or less MFI.

There are two options of satisfying DBETOD development affordability requirements which include ownership units:

- 1) a minimum of 12% of the units as affordable for ownership and occupancy by households earning 80% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) an in-lieu-fee payment to the Housing Trust Fund, equivalent to 125% of the required percentage of the total residential units, including the mix of bedrooms required, at the rate set in the fee schedule at the time of site plan submittal.

BASIS OF RECOMMENDATION:

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

The general office district is intended for offices and selected commercial uses predominately serving community and city-wide needs.

The conditional overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

The equitable transit-oriented development combining district promotes transit-supportive uses, increases bicycle, pedestrian, transit connectivity, and housing options, near public transit, and prohibits certain commercial, industrial, and agricultural uses.

The density bonus equitable transit-oriented development combining district allows for residential uses, modifies compatibility standards and site development regulations, and grants additional building height in exchange for income-restricted housing.

The neighborhood plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

This rezoning would allow for a unified development with the adjacent property already zoned GO-CO-ETOD-EDBETOD for the Ayn Rand Center for a cultural services use. The associated neighborhood plan amendment (NPA) would allow for a future land use map (FLUM) change to Mixed Use/Office land use which is also the existing designation for the adjacent property.

3. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

This rezoning authorizes a property to participate in a voluntary density bonus or incentive program that provides modifications to development regulations or other regulatory-related benefits in exchange for community benefits. In exchange for increased development potential, the development is required comply with affordable housing requirements as per the DBETOD combining district regulations. This request continues to align with City objectives to increase density and affordability in exchange for relaxed development standards.

4. *The rezoning should be consistent with the policies and principles adopted by the City Council.*

City Council has provided policy and direction for having more residential density and increased affordability and equitable transit-oriented development, as well as incentivizing vertical mixed use buildings throughout the City.

5. *The proposed zoning should satisfy a real public need and not provide special privilege to the owner.*

Part of the ETOD policy implementation included mitigation measures to help reduce displacement pressures during redevelopment. The implementation measures require

development utilizing the DBETOD program to comply with residential redevelopment requirements to preserve existing affordable and/or attainable housing opportunities for low- and middle-income households. Further, implementation measures require new development utilizing the DBETOD program to provide the right to return to certain qualifying businesses (certain non-residential uses) in the new development with right to return to affordable, comparably sized spaces. The ETOD policies seek to balance the need for increased density and activity surrounding transit with displacement pressures associated with said redevelopment.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-4-CO-ETOD-DBETOD-NP	Multifamily Residential/Vacant
<i>North</i>	MF-4-CO-ETOD-DBETOD-NP	Multifamily Residential
<i>South</i>	GO-CO-ETOD-DBETOD-NP SF-3	Office Use Singel Family Residential
<i>East</i>	GO-CO-NP	Office Use
<i>West</i>	MF-3-ETOD-DBETOD-NP GO-CO-ETOD-DBETOD-NP	Multifamily Residential Office Use

NEIGHBORHOOD PLANNING AREA: Central Austin Combined (West University)

WATERSHED: Shoal Creek (Urban)

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Austin Independent School District

Bryker Elementary School

O Henry Middle School

Austin High School

COMMUNITY REGISTRY LIST:

Austin Independent School District
 Austin Neighborhoods Council
 CANPAC (Central Austin Neigh Plan Area Committee)
 Caswell Heights Neighborhood Association
 City of Austin Downtown Commission
 Downtown Austin Neighborhood Association
 Friends of Austin Neighborhoods
 Historic Austin Neighborhood Association
 Homeless Neighborhood Association

Judges Hill Neighborhood Association
 Original West University Neigh Assoc. (The)
 Preservation Austin
 Save Our Springs Alliance
 Shoal Creek Conservancy
 The GFWC Texas Federation of Women’s Clubs
 University Area Partners
 West Campus Neighborhood Association

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0235 – Judges' Hill Neighborhood-Downtown Vertical Mixed use (VMU) Zoning	LO;GO to LO-V-GO-V	To Grant the -V (vertical -mixed-use-building-combining district) (01-15-2008)	Approved LO-V and GO-V as Planning Commission Recommended (03-20-2008)

RELATED CASES:

NPA-2025-0019.04 – 1904 San Gabriel: Associated Neighborhood Plan Amendment. Request to go from Multifamily to Mixed Use/Office for a museum.

C14-04-0021 - Central Austin Combined NP (West University):

C14H-2013-0005 - Judge's Hill Historic District

ADDITIONAL 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:

1. 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.
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.

PARD – Planning & Design Review:

Parkland dedication fees may apply to any future site or subdivision applications resulting from this rezoning. As of January 1, 2024, new commercial non-residential uses are not subject to parkland dedication requirements at the time of site plan and subdivision.

Site Plan:

Site plans will be required for any new development except for residential only projects with up to 4 units.

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

There is a site plan currently under review for this property (SP-2025-0043C), which provides 19,032 SF of museum, along with associated parking and drainage facilities.

Austin Transportation Department – Engineering Review:

It is unlikely a transportation assessment/traffic Impact analysis will be required, however one shall be required at the time of site plan **if triggered**, when land uses and intensities will be known per LDC 25-6-113 and TCM 10.2.1.

The Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for San Gabriel ST. It is recommended that 42 feet of right-of-way from the existing centerline should be dedicated for San Gabriel 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)
San Gabriel ST	Level 2	84'	68'	29'	Yes	No	Yes

Austin Water Utility:

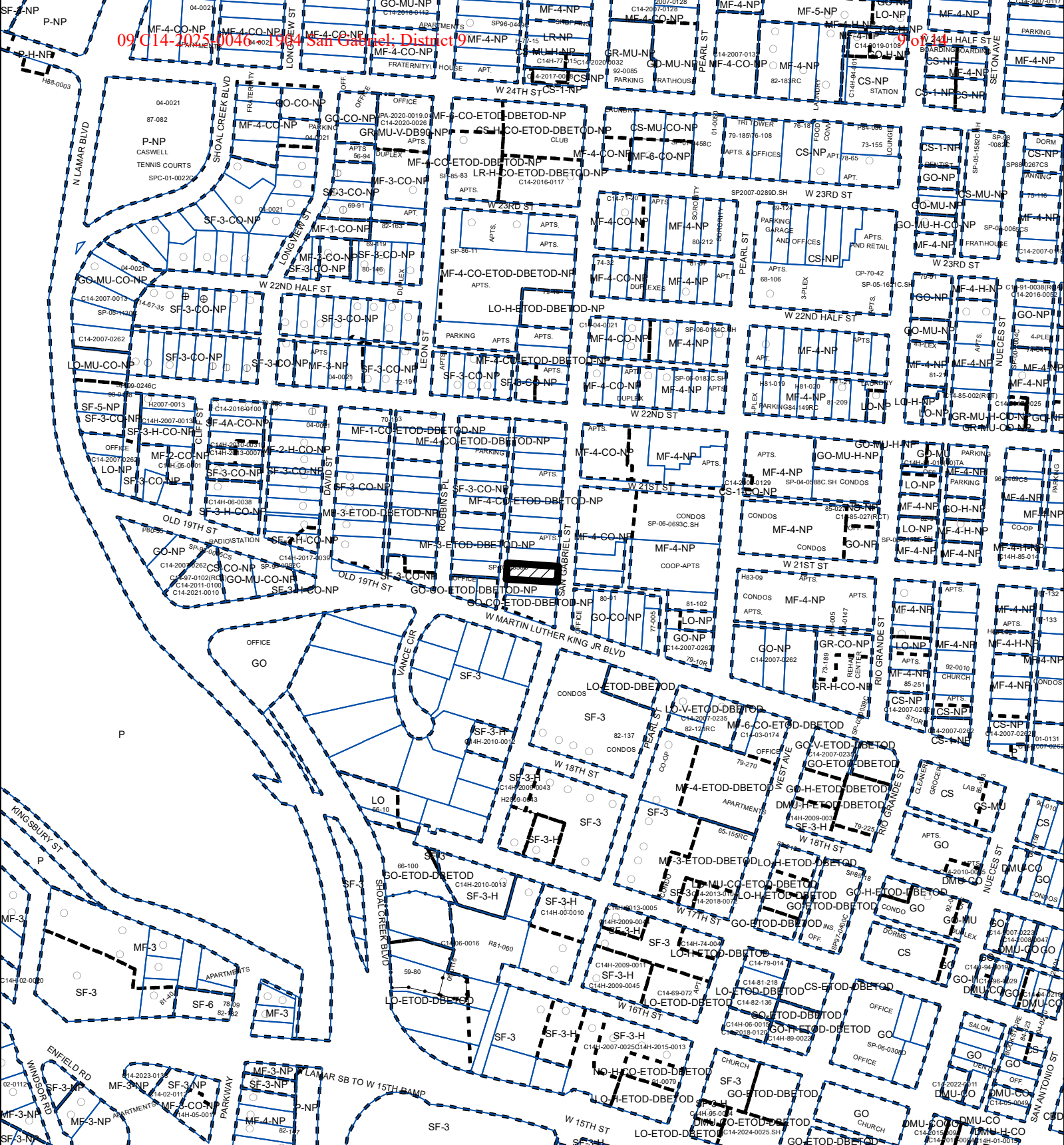
No comments on zoning change.

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

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. 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
- Correspondence from Interested Parties



ZONING

ZONING CASE#: C14-2025-0046




-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

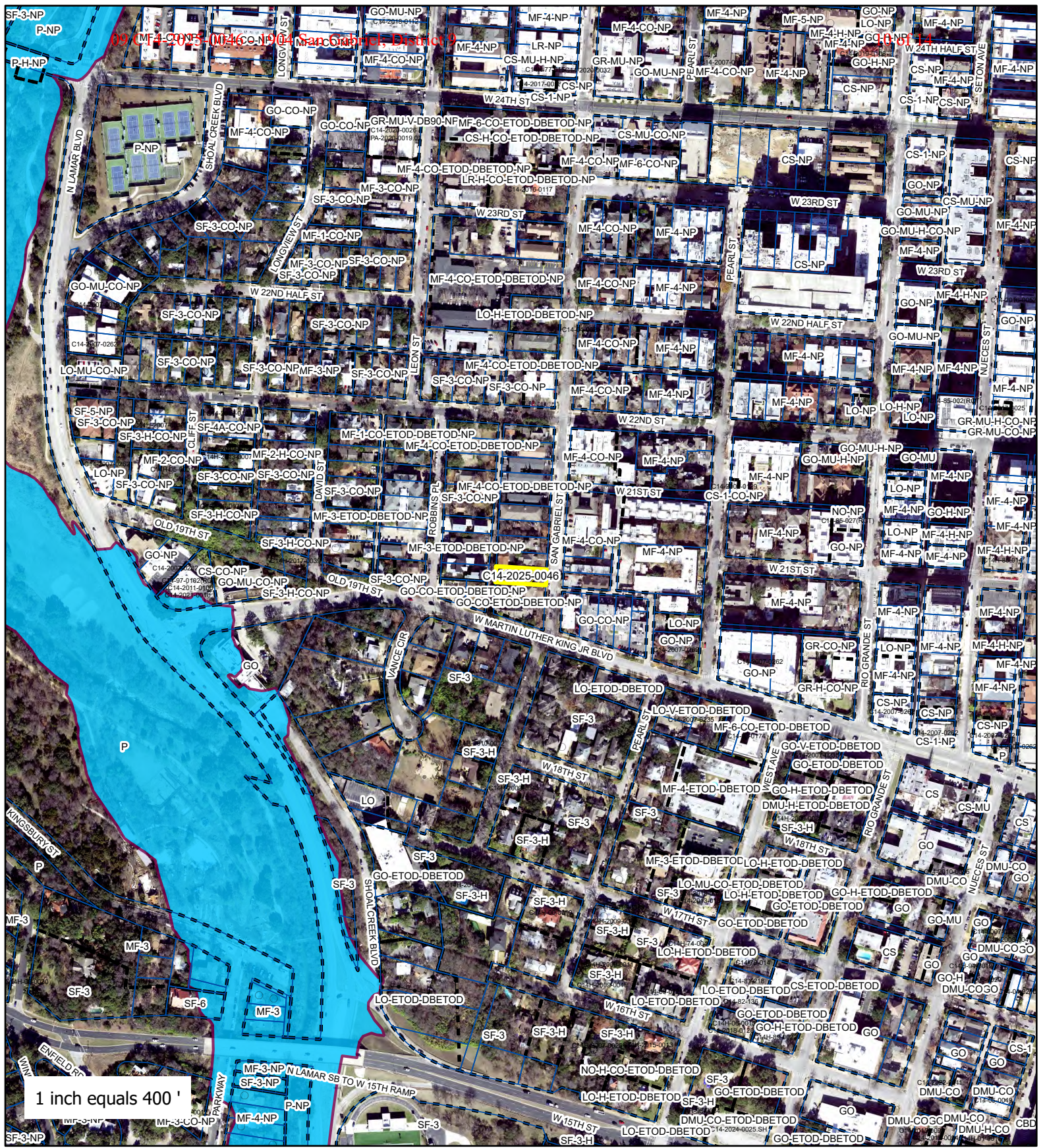
Exhibit A
1" = 400'

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: 4/16/2025



1904 San Gabriel

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

ZONING CASE#: C14-2025-0046
 LOCATION: 1904 San Gabriel St
 SUBJECT AREA: 0.1837 Acres
 MANAGER: Cynthia Hadri





METCALFE WOLFF
STUART & WILLIAMS, LLP

MICHELE ROGERSON LYNCH
Director of Land Use &
Entitlements

mlynch@mwswtexas.com
512-404-2251

April 9, 2025

Mrs. Lauren Middleton-Pratt, Director of Planning
City of Austin Planning Department
6310 Wilhelmina Delco Drive
Austin, Texas 78752

Via Online Submittal

Re: Application for Rezoning; 0.1837 acres, located at 1904 San Gabriel Street (the
“Property”)

Dear Mrs. Pratt:

As representatives of the owner of the above stated Property we respectfully submit the attached Application for Rezoning. The Property consists of a vacant, 10-unit building constructed in 1963 that was most recently used as an AirBnB. The current zoning on the Property is Multifamily Residence Moderate - High Density-Conditional Overlay-ETOD-DBETOD-Neighborhood Plan (MF-4-CO-ETOD-DBETOD-NP). The Application for Rezoning requests to rezone this Property to General Office -Conditional Overlay-ETOD-DBETOD-Neighborhood Plan (GO-CO-ETOD-DBETOD-NP) to allow for Cultural Services as a permitted use.

The City of Austin is currently processing a neighborhood plan amendment for the West University Neighborhood Plan Area of the Central Austin Combined Neighborhood Plan that includes this Property (NPA-2025-0019.02). The proposed amendment for this Property is High Density Mixed Use, which allows for the proposed rezoning change to GO-CO-ETOD-DBETOD-NP. As such, we will not be filing a separate neighborhood plan amendment with the Rezoning application.

This Property is being combined in a site plan with the adjacent property at 1900 San Gabriel for the overall development of a museum (Cultural Services) use across both properties. The rezoning is needed in order to blend the site development regulations and allow for a more cohesive development.

The current CO on the Property limits height to 45 feet and we proposed keeping that restriction. Additionally, the CO on the adjacent property of 1900 San Gabriel has prohibited uses that we propose keeping. Therefore, the proposed CO is as follows:

PROHIBITED USES:

Group Residential	Club or Lodge
Community Recreation (Private)	

Exhibit C



HEIGHT:

The maximum height of a building or structure is 45 feet from ground level.

A Traffic Impact Analysis (TIA) is not required pursuant to the TIA Determination Form included with the Application.

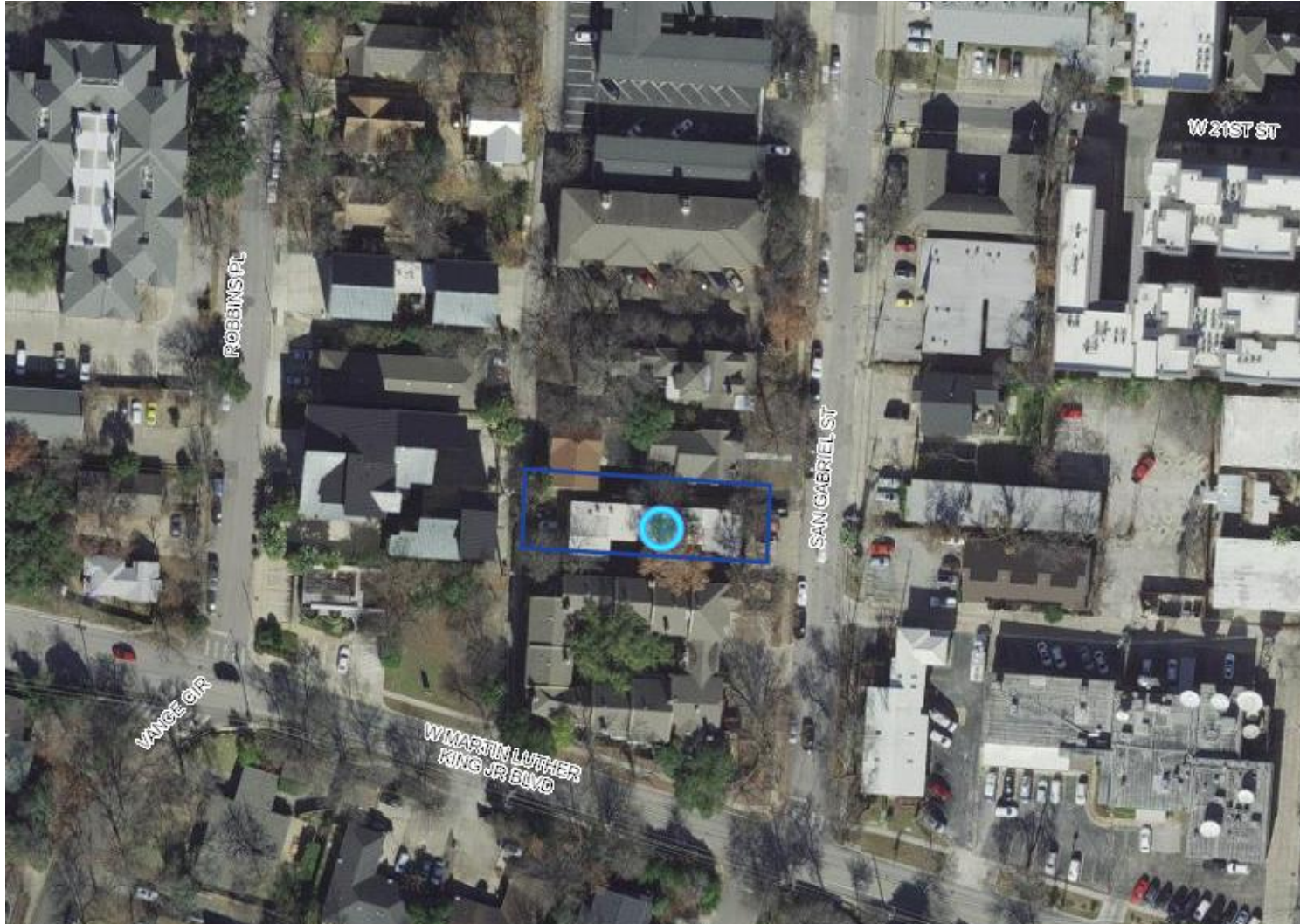
If you have any questions about this Application for Rezoning or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,

A handwritten signature in black ink that reads "Michele Rogerson Lynch". The signature is written in a cursive, flowing style.

Michele Rogerson Lynch

AERIAL EXHIBIT



PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code: <https://bit.ly/ATXZoningComment>.



During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2025-0046
Contact: Cynthia Hadri, 512-974-7620
Public Hearing: September 23, 2025, Planning Commission

Vijay Nelayi
Your Name (please print)
 I am in favor
 I object
1903, 1905, 1909 Robbins Pl. Austin, TX
Your address(es) affected by this application (optional)
[Signature] 9/18/25
Signature Date

Daytime Telephone (Optional): 512-350-3353

Comments: The proposed use is not consistent with "UNO" zoning for this property. This is removing lower cost rental units from West Campus and not being replaced with any affordable housing. Traffic impact to San Gabriel and the alley are another reason this request should be denied.

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Cynthia Hadri
P. O. Box 1088, Austin, TX 78767
Or email to:
cynthia.hadri@austintexas.gov