

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0023 – W 5th Street Bank DISTRICT: 9

ZONING FROM: LO-V-CO-NP TO: CS-MU-V-CO-NP

ADDRESS: 1508 West 5th Street SITE AREA: 0.49 acres (21,344 square feet)

PROPERTY OWNER: Griffith Partners AGENT: Thrower Design (Victoria Haase)

CASE MANAGER: Ricky Barba (512-974-7740, Ricky.Barba@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – mixed use – vertical mixed use building – conditional overlay – neighborhood plan (CS-MU-V-CO-NP) combining district zoning. The Conditional Overlay prohibits the following uses, as requested by the Applicant: adult-oriented businesses; agricultural sales and services, automotive repair services, automotive washing (of any type), bail bond services, building maintenance services, campground, commercial off-street parking, constructions sales and services, convenience storage, custom manufacturing, drive-through services as an accessory use, drop-off recycling collection facility, electronic prototype assembly, exterminating services, indoor crop production, kennels, limited warehousing and distribution, monument retail services, pawn shop services, research services, service station, and vehicle storage. For a summary of the basis of Staff's recommendation, see case manager comments on page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

July 11, 2023: Approved staff's recommendation for CS-MU-V-CO-NP combining district zoning by consent (12-0); J. Connolly-1st, C. Hempel-2nd.

CITY COUNCIL ACTION:

August 31, 2023

ORDINANCE NUMBER:

ISSUES:

On May 30, 2023, the Applicant amended the rezoning request to add a list of prohibited uses as discussed with the Old West Austin Neighborhood Association. Please refer to Applicant's correspondence at the back of this report.

CASE MANAGER COMMENTS:

The property has limited office – vertical mixed use building – conditional overlay – neighborhood plan (LO-V-CO-NP) combining district zoning. The request is to change the base district zoning from Limited Office (LO) district zoning to General Commercial Services (CS) district zoning and add a Conditional Overlay for a list of prohibited uses. The lot is currently developed with an office building that will be repurposed for financial services (self-serve bank) use. The CS zoning district is compatible and consistent with all other properties that front on West 5th Street. The rezoning will allow for the desired use and is conducive to providing a variety of neighborhood services uses, within walking distance and on an Imagine Austin Activity Corridor and the Project Connect “Cross Town Route.” Further, the request is in alignment with the Old West Austin Neighborhood Plan: The subject tract is located on West 5th Street, next to a car wash, and across the street from a car dealership. There are retail and various commercial services, auto-related uses and apartments along both sides of West 5th Street (CS-MU-NP; CS-MU-V-NP; CS-MU-CO-NP/MF-6-CO-NP). ***Please see Exhibits A and A-1 – Zoning Map and Aerial Exhibit.***

BASIS OF RECOMMENDATION:

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

The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The 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. The Conditional Overlay (CO) 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 neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

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

Staff recommends CS-MU-V-CO-NP zoning given its location on an Activity Corridor and adjacency to commercially zoned properties in all directions. The land use character of this segment of West 5th Street is predominantly commercial and the CS-MU-CO-NP zoning would permit a broad set of commercial uses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO-V-CO-NP	Bank/Retail services
<i>North</i>	LO-CO-NP	Offices

<i>South</i>	GR-MU-V-CO-NP	Car dealership
<i>East</i>	CS-MU-V-CO-NP	Environmental consultant
<i>West</i>	CS-MU-V-CO-NP	Auto Detail

NEIGHBORHOOD PLANNING AREA: Old West Austin

TIA: Is not required
Urban

WATERSHED: Lady Bird Lake –

CAPITOL VIEW CORRIDOR: Yes – Mopac Bridge

SCENIC ROADWAY: No

SCHOOLS:

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

Friends of Austin Neighborhoods

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

Old West Austin Neighborhood Association

Old West Austin Neighborhood Plan Contact

Team

Preservation Austin

SELTexas

Save Barton Creek Assn.

Save Historic Munny District

Shoal Creek Conservancy

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2022-0164 – 504 Oakland Avenue	LO-MU-NP to CS-MU-CO-NP	To Grant CS-MU-CO- NP w/CO for list of prohibited uses as Staff recommended	Apvd CS-MU-CO-NP as PC recommended (6-8-2023).

RELATED CASES: N/A

Existing Street Characteristics:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
W 5TH ST	Corridor Mobility - Level 3	80 feet	72 feet	43 feet	Existing 4 feet sidewalks	Buffered bike lane (on-street)	Yes
POWELL ST	Local Mobility - Level 1	58 feet	30 feet	15 feet	Incomplete 4 feet sidewalks	Shared lane (on-street)	Yes

Inclusive Planning

Project Name and Proposed Use: 1508 W 5TH ST. 0.49 acres from Office to Bank.

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
<u>Y</u>	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. Name(s) of Activity Center/Activity Corridor/Job Center: Adjacent to 5th Street Activity Corridor
<u>Y</u>	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
<u>Y</u>	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
<u>Y</u>	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.
	Connectivity and Education: Located within 0.50 miles from a public school or university.
<u>Y</u>	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	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 Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	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.
	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally

	<u>significant site.</u>
	<u>Creative Economy:</u> Expands Austin’s creative economy (ex: live music venue, art studio, film, digital, theater.)
Y	<u>Workforce Development, the Economy and Education:</u> 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.
	<u>Industrial Land:</u> Preserves or enhances industrial land.
6	<u>Total Number of “Yes’s”</u>

Environmental

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.

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.

Impervious Cover

The maximum impervious cover allowed by the *CS-MU-V-CO-NP* zoning district would be 95%, which is a consistent figure between the zoning and watershed regulations.

PARD – Planning & Design Review

Parkland dedication fees may apply to any future site or subdivision applications resulting from this rezoning, CS-MU-V-CO-NP for a proposed bank use. As of January 1, 2023, new commercial uses are subject to parkland dedication requirements at the time of site plan and subdivision.

Site Plan and Compatibility Standards

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.

TPW 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 W 5TH ST. It is recommended that 40 feet of right-of-way from the existing centerline should be dedicated for W 5TH 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 58 feet of right-of-way for POWELL ST. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for POWELL ST according to the Transportation Plan with the first subdivision or site plan application [LDC 25-6-51 and 25-6-55].

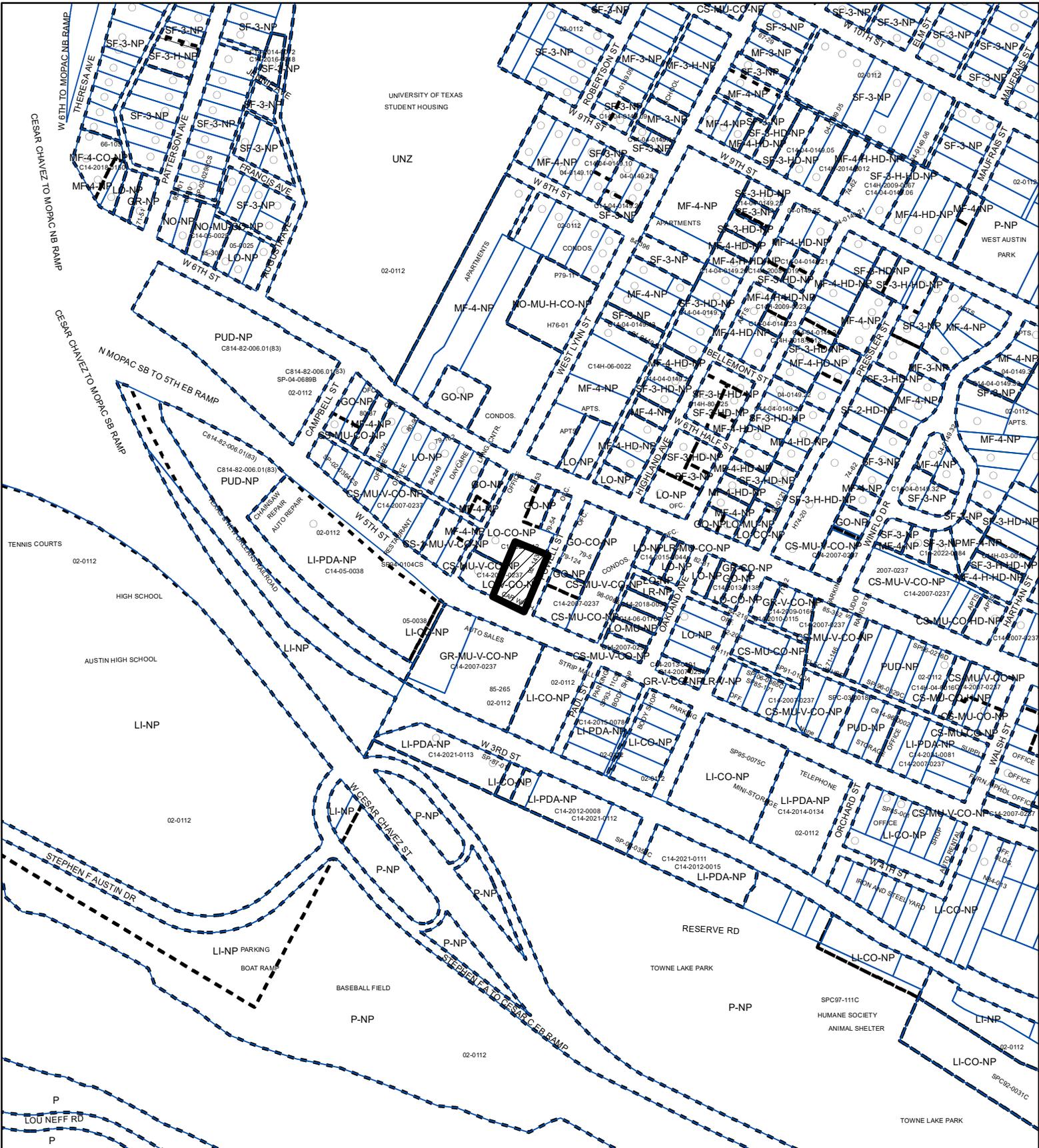
Austin Water Utility

No comments on the zoning change.

FYI: 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, ATTACHMENT AND CORRESPONDENCE TO FOLLOW:

Exhibit A: Zoning Map
Exhibit A-1: Aerial Map
Applicant's correspondence



ZONING

ZONING CASE#: C14-2023-0023



 SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY

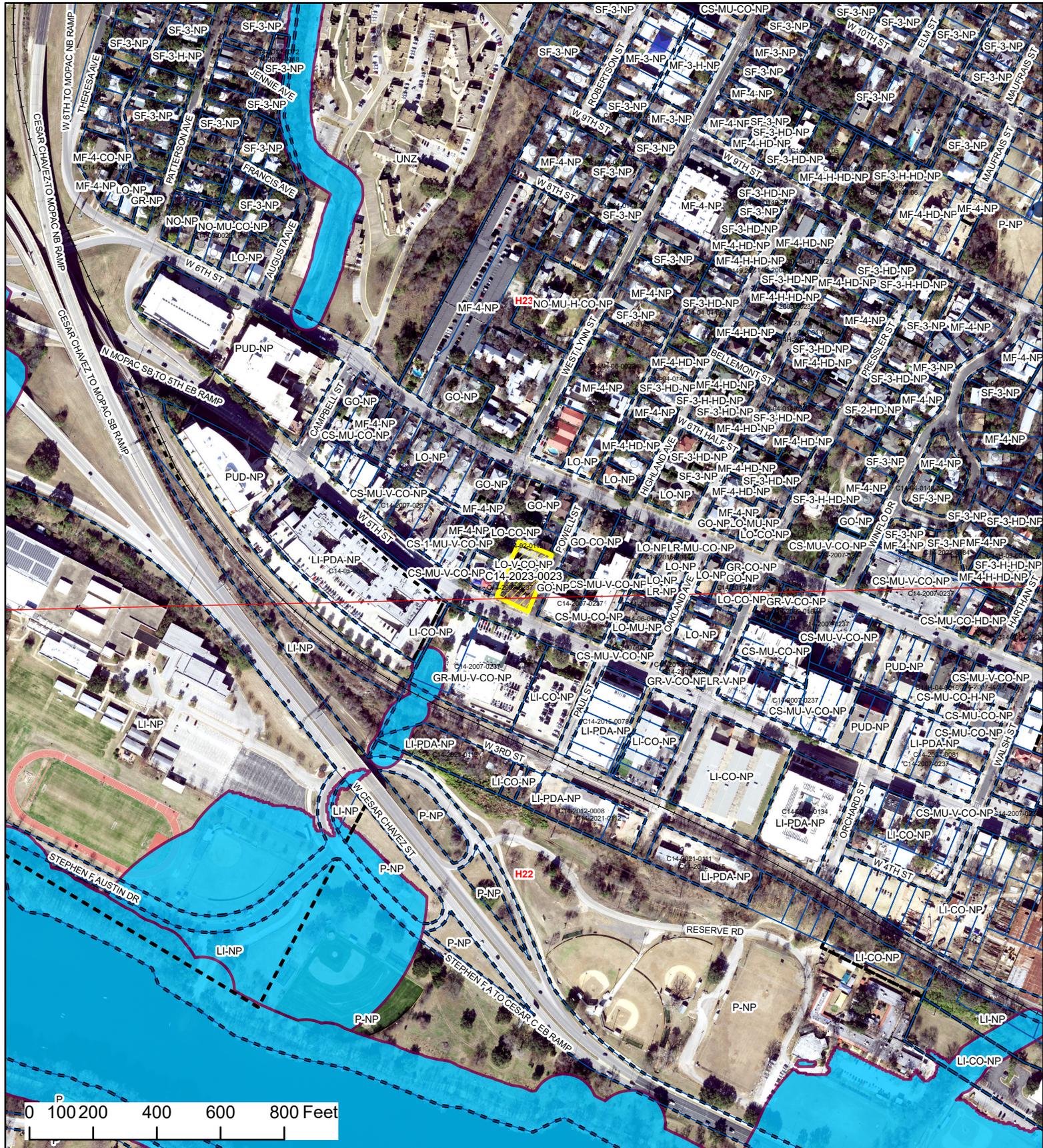


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1" = 400'

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Created: 3/8/2023



W 5th Street Bank

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

ZONING CASE#: C14-2023-0023
 LOCATION: 1508 West 5th St
 SUBJECT AREA: 0.49 Acres
 GRID: H22
 MANAGER: Ricky Barba



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Created: 3/14/2023

May 30, 2023

Mrs. Joi Harden
Interim Zoning Officer
City of Austin, Planning Department

RE: Rezoning – 1508 W. 5th Street, C14-2023-0023 – application amendment

Dear Ms. Harden,

On behalf of the property owner of 1508 W. 5th Street, we submit the following amendment to the rezoning request – CS-V-MU-CO-NP.

The property has a conditional overlay (CO) that prohibits Medial Office uses. As a result of conversations with the Old West Austin Neighborhood Association, we request that the following list of uses to be added to the uses prohibited by the CO:

Adult-Oriented Business
Agricultural Sales and Services
Automotive Repair Services
Automotive Washing—of any type
Bail Bond Services
Building Maintenance Services
Campground
Commercial Off-Street Parking
Construction Sales and Services
Convenience storage
Drop-Off Recycling Collection Facilities
Electronic Prototype Assembly

Exterminating Services
Indoor Crop Production
Kennels
Monument Retail Services
Pawn Shop Services
Research Services
Service Station
Vehicle Storage
Custom Manufacturing
Limited Warehousing and Distribution
Drive-thru as an accessory use

Thrower Design respectfully requests a favorable recommendation, and we are available for questions or discussion as needed.

Sincerely,



Victoria Haase