

ZONING REVIEW SHEET**CASE:** C14-2007-0095**P.C. DATE:** August 14, 2007
August 28, 2007**ADDRESS:** 7520 – 7530 North Lamar Boulevard**APPLICANT:** City of Austin -- Austin Energy (Lena Lund)**AGENT:** City of Austin -- Neighborhood Planning and Zoning Department (Jorge E. Rousselin)**REZONING FROM:** LI-PDA-NP (Limited industrial services – Planned development agreement– neighborhood plan)**TO:** P-NP (Public—neighborhood plan)**AREA:** 2.036 Acres**SUMMARY PLANNING COMMISSION RECOMMENDATION:***August 28, 2007:****APPROVED P-NP DISTRICT ZONING.******ENCOURAGED APPLICANT TO WORK WITH CITY STAFF (CITY ARBORIST)******REGARDING STREET TREES AND NEIGHBORHOOD ASSOCIATIONS ON LANDSCAPING AND PUBLIC ART ALONG SUBSTATION.******[S.KIRK, M.DEALEY 2ND] (8-0)*****SUMMARY STAFF RECOMMENDATION:**

Staff recommends the rezoning from LI-PDA-NP to P-NP. The recommendation is based on the following considerations:

- 1.) The rezoning is in conformance with the goals and objectives of the Crestview/Wooten Neighborhood Plan in that it promotes the redevelopment of the Huntsman Petrochemical site to encourage a diversification of land uses.
- 2.) The proposed change will allow the relocation of utility services to the area;
- 3.) The proposed rezoning will not infringe on the established surrounding land uses; and
- 4.) The proposed rezoning will result in the move of an existing electrical substation from an area near residences to a site with mixed uses more conducive to like uses; and

DEPARTMENT COMMENTS:

The subject property consists of a 2.036 acre site zoned LI-PDA fronting Lamar Boulevard. The property was rezoned on April 15, 2004 by Ordinance No. 040415-50 from LI, CS, CS-1, MF-4, MF-3, and SF-3 to LI-PDA and is subject to the conditions of such ordinance (Please see Attachment A). No conditions were placed on the subject property. The applicant seeks to rezone the property to P-NP to allow for the relocation of the existing electrical substation on Justin Lane. The relocation of the substation will allow for the redevelopment of the proposed commuter rail stop and associated uses. Access to the property is proposed off Lamar Boulevard. A change to the land use designation Major Planned Development to Utilities is in process under case NPA-07-0017.01.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LI-PDA-NP	Vacant buildings
<i>North</i>	CS-MU-CO-NP	Pawn shop
<i>South</i>	CS-NP / LI-PDA-NP	Vacant buildings (former Chemical Plant)
<i>East</i>	GR-MU-CO-NP	Commercial / Retail
<i>West</i>	LI-PDA-NP	Undeveloped land

NEIGHBORHOOD PLAN AREA:

Crestview Neighborhood Planning Area

WATERSHED: Waller Creek**TIA:** Waived (See Transportation comments)**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

793--Greater Northcross Area

93--Crestview Neighborhood Assn.

223--Highland Neighborhood Assn.

283--North Austin Neighborhood Alliance

511--Austin Neighborhoods Council

740--Brentwood/Highland Combined Neighborhood Planning Team - COA Liaison

741--Crestview/Wooten Combined Neighborhood Planning Team - COA Liaison

742--Austin Independent School District

786--Home Builders Association of Greater Austin

937--Taking Action Inc.

SCHOOLS:

Austin Independent School District

- Brentwood Elementary School
- Lamar Middle School
- McCallum High School

CASE HISTORIES: N/A**RELATED CASES:**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-04-0004.002	CRESTVIEW / WOOTEN NEIGHBORHOOD PLAN COMBINING DISTRICT (CITY INITIATED)	02/10/04: APVD STAFF REC OF NP (6-0) WITH REQUEST THAT THERE BE FURTHER DISCUSSION BETW THE NEIGH AND P/O'S FOR PROPERTIES W/DISPUTES.	03/04/04: APVD (6-0); 1ST RDG. 04/01/04: APVD AS GRANTED ON 1ST RDG (6-0) W/EXCEPTIONS
C8-56-028	NORTHERN INDUSTRIAL	10/17/56: APPROVAL	N/A

	SUBDIVISION SEC.1		
C14-03-0041	CS to CS-1	02/26/03: DISAPVD CS-1 (6-1 MM-NO).	04/10/03: APVD CS-1-CO FOR FOOTPRINT (6-1, RA-NO), PROHIBITED COCKTAIL LOUNGES/AOB; 1ST RDG 05/08/03: APVD CS-1-CO (7-1, RA-NO)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Lamar Blvd	90'	90'	Arterial	Yes	No	Rt. 1 North Lamar

CITY COUNCIL DATE:

September 27, 2007

ACTION:

This item was postponed to October 18, 2007 at Austin Energy's request.

October 18, 2007

ORDINANCE READINGS:1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Jorge E. Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** jorge.rousselin@ci.austin.tx.us

STAFF RECOMMENDATION

Staff recommends the rezoning from LI-PDA-NP to P-NP. The recommendation is based on the following considerations:

- 1.) The rezoning is in conformance with the goals and objectives of the Crestview/Wooten Neighborhood Plan in that it promotes the redevelopment of the Huntsman Petrochemical site to encourage a diversification of land uses.
- 2.) The proposed change will allow the relocation of utility services to the area;
- 3.) The proposed rezoning will not infringe on the established surrounding land uses; and
- 4.) The proposed rezoning will result in the move of an existing electrical substation from an area near residences to a site with mixed uses more conducive to like uses; and

BASIS FOR RECOMMENDATION

- 1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The proposed rezoning will encourage diversification of land uses abutting a major planned development area and will not be of detrimental impact to the surrounding established neighborhoods.

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

The proposed mixed-use overlay is compatible with the projected land uses for the redevelopment of the Crestview Station.

EXISTING CONDITIONS

Site Characteristics

The subject property consists of a 2.036 acre site zoned LI-PDA fronting Lamar Boulevard. The property was rezoned on April 15, 2004 by Ordinance No. 040415-50 from LI, CS, CS-1, MF-4, MF-3, and SF-3 to LI-PDA and is subject to the conditions of such ordinance (Please see Attachment A). No conditions were placed on the subject property. The relocation of the substation will allow for the redevelopment of the proposed commuter rail stop and associated uses. Access to the property is proposed off Lamar Boulevard.

Transportation

1. No additional right-of-way is needed at this time.
2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller 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. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Water and Wastewater

1. This is a City substation site. The landowner intends to serve the site with City of Austin water and wastewater utilities. If required, the landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and or abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. 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.

Site Plan and Compatibility Standards

1. Site plans will be required for any new development other than single-family or duplex residential.
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.
3. This site is subject to the Commercial Design Standards of Subchapter E.

ORDINANCE NO. 040415-50

AN ORDINANCE AMENDING ORDINANCE NO. 040401-32B, AND REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON THREE TRACTS OF LAND, BEING APPROXIMATELY 73.4 ACRES OF LAND IN THE CRESTVIEW NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON THESE TRACTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Ordinance No. 040401-32B is amended to include the property identified in this Part in the Crestview neighborhood plan combining district. The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district and to change the base zoning districts on three tracts of land described in File C14-04-0004.002, as follows:

7100-7400 N Lamar Blvd (11.499 ac. Abs 679, Sur 7 GW Spear),
7414 N Lamar Blvd (31.887 ac Abs 789 Sur 57 GW Spear),
7500 N Lamar Blvd (Lot 2A Resub of
 Lots 1-2 Northern Commercial Subd),
7520-7524 N Lamar Blvd (Lots 1-4 Blk A Northgate Addn),
7526-7530 N Lamar Blvd (Trt 1-2 Kivlin-Smith Subd),
810 Banyon St (Lot 3 Northern Commercial Subd),
904-910 Banyon St (Lots 1-4 Northern Industrial Subd),
1007-1019 Aggie Ln (Lots 7-12 Blk A Resub of
 Lots 21-23 Northgate Addn), and
907 Morrow St (S 252 ft of Trt 3 Kivlin-Smith Subd) (Tract 160a)

1016 Aggie Ln, and
1001-1209 Morrow St (Tracts 160b-1 and 160b-2)

821-901 Morrow St,
907 Morrow St (N 149.84 ft of
 Trt 3 Kivlin-Smith Subd), and
909-913 Morrow St (Tract 160c)
(the "Property") as shown on the attached Exhibit "A",

generally known as the Crestview neighborhood plan combining district, locally known as the area bounded by Anderson Lane on the north, Lamar Boulevard on the east, Justin

Lane on the south, and Burnet Road on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The base zoning districts for the 3 tracts of land are changed from family residence (SF-3) district, multifamily residence medium density (MF-3) district, multifamily residence moderate high density (MF-4) district, general commercial services (CS) district, commercial-liquor sales (CS-1) district, and limited industrial services (LI) district to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district, as more particularly described and identified in the chart below.

Tract No.	Property	From	To
160a	7100-7400 N Lamar Blvd (11.499 AC OF ABS 679 SUR 7 SPEAR G W), 7414 N Lamar Blvd (31.887 AC OF ABS 789 SUR 57 SPEAR G W), 7500 N Lamar Blvd (LOT 2A RESUB OF LOTS 1-2 NORTHERN COMMERCIAL SUBD), 7520-7524 N Lamar Blvd (LOTS 1-4 BLK A NORTHGATE ADDN), 7526-7530 N Lamar Blvd (TRT 1-2 KIVLIN-SMITH SUBD), 810 Banyon St (LOT 3 NORTHERN COMMERCIAL SUBD), 904-910 Banyon St (LOTS 1-4 NORTHERN INDUSTRIAL SUBD), 1007-1019 Aggie Ln (LOTS 7-12 BLK A RESUB LOTS 21-23 NORTHGATE ADDN), 907 Morrow St (S 252 FT OF TRT 3 KIVLIN-SMITH SUBD)	LI, CS, CS-1, MF-4, MF-3, SF-3	LI-PDA-NP
160b-1 160b-2	1016 Aggie Ln, 1001-1209 Morrow St (as described in Exhibit "C") 1016 Aggie Ln, 1001-1209 Morrow St (as described in Exhibit "C")	LI, SF-3	LI-PDA-NP
160c	821-901 Morrow St, 907 Morrow St (N 149.84 ft of Trt 3, Kivlin-Smith Subd), 909-913 Morrow St	CS, MF-4, SF-3	LI-PDA-NP

PART 3. The Property is subject to Ordinance No. 040401-32B that established the Crestview neighborhood plan combining district.

PART 4. Tract 160a may be developed as a residential infill special use as set forth in Section 25-2-1532 through 25-2-1534 of the Code.

PART 5. Tract 160a may be developed as a neighborhood urban center special use as set forth in Sections 25-2-1521 through 25-2-1524 of the Code.

PART 6. Development of the Property identified as Tracts 160a, 160b-1, 160b-2, and 160c located within the boundaries of the planned development area (PDA) combining district established by this ordinance ("PDA Property") is subject to the use and site development regulations set forth in this part. Use and site development regulations expressly provided in this part supercede conflicting regulations in the City Code.

1. Development of the PDA Property shall comply with Section 25-2-648 (*Planned Development Area Performance Standards*) of the City Code.

2. Except as provided in Sections 3 to 7, all permitted and conditional limited industrial services (LI) uses are permitted and conditional uses of Tracts 160a, 160b-1, 160b-2, and 160c.

3. The following uses are additional permitted uses of Tract 160a:

Administrative services	Park and recreation services (special)
Bed and breakfast residential (Group 1)	Research assembly services
Bed and breakfast residential (Group 2)	Research warehousing services
Consumer repair services	Retirement housing (large site)
Convalescent services	Retirement housing (small site)
Multifamily residential	Single family residential
Pet services	Townhouse residential
Park and recreation services (general)	Urban farm
Condominium residential	Two-family residential
Family home	

4. The following uses are prohibited uses of Tracts 160a, 160b-1, 160b-2, and 160c:

Agricultural sales and services	Kennels
Automotive repair services	Liquor sales
Automotive sales	Monument retail sales
Automotive washing (of any type)	Outdoor entertainment
Campground	Recycling center
Convenience storage	Resource extraction
Drop-off recycling collection facility	Scrap and salvage
Equipment repair services	Vehicle storage
Equipment sales	

5. The following uses are additional permitted uses of Tracts 160b-1 and 160c:

Bed and breakfast residential (Group 1)	Bed and breakfast residential (Group 2)
Condominium residential	Park and recreation services (general)
Park and recreation services (special)	Retirement housing (small site)
Single family residential	Townhouse residential
Two-family residential	Urban farm
Family home	Community recreation (private)
Community recreation (public)	

The following uses are permitted uses of Tract 160b-2:

Park and recreation services (special)	Park and recreation services (general)
Community recreation (private)	Community recreation (public)

6. The following uses are prohibited uses of Tracts 160b-1, 160b-2, and 160c:

Administrative and business offices	Art and craft studio (limited)
Art and craft studio (general)	Art and craft studio (industrial)
Automotive rentals	Bail bond services
Building maintenance services	Business or trade school
Business support services	Commercial off-street parking
Construction sales and services	Consumer convenience services
Electronic prototype assembly	Exterminating services
Financial services	Food sales
Funeral services	General retail sales (general)
General retail sales (limited)	Hotel-motel
Indoor entertainment	Indoor spots and recreation
Laundry services	Medical offices
Personal improvement services	Personal services
Plant nursery	Professional office
Research services	Restaurant (general)
Restaurant (limited)	Service station
Software development	Theater
Veterinary services	Basic industry
Custom manufacturing	General warehousing and distribution
Light manufacturing	Limited warehousing and distribution
Counseling services	Congregate living
Maintenance and service facilities	Railroad facilities
Residential treatment	Transitional housing
Transportation terminal	

The following uses are additional prohibited uses of Tract 160b-2:

Communications services	Off-site accessory parking
Outdoor sports and recreation	Club or lodge
Communication service facilities	Community events
Day care services (limited)	Employee recreation
Group home, Class I (general)	Group home, Class I (limited)
Group home, Class II	

7. The following uses are conditional uses of Tracts 160b-1 and 160c:

College and university facilities	Cultural services
Day care services (commercial)	Day care services (general)
Local utility services	Safety services

8. Calculations for zoning impervious cover, building coverage, floor to area ratios, parking, landscaping, and required open space are based on the cumulative gross site area of the PDA Property.

9. Except as provided in Sections 11 to 14, the CS site development standards apply to Tract 160a.

10. Except as provided in Sections 11 and 12, the SF-6 site development standards apply to Tracts 160b-1, 160b-2, and 160c.

11. The site development standards in Schedule 1, Column A, set forth in Section 24, apply to a single family residential use.

12. The site development standards in Schedule 1, Column B, set forth in Section 24, apply to a townhouse residential use or condominium residential use.

13. The uses identified in this section are subject to Section 14.

Congregate living	Retirement housing (small site)
Convalescent services	Retirement housing (large site)
Multifamily residential	

14. Except as provided in Section 15, development of the uses in Section 13 shall comply with the site development standards in Schedule 1, Column C set forth in Section 24.

15. This section applies to a combination use building.

A. A combination use building is a building that contains both a commercial use and (1) a residential use, or (2) a congregate living use or a convalescent services use.

B. A combination use building must comply with the following criteria.

1. The building must contain residential units above the ground floor.

2. The square footage of the residential units on the ground floor may not exceed 50 percent of the gross floor area of the ground floor.

3. The square footage of the non-residential units in the above-ground floor area may not exceed 50 percent of the gross floor area of the above-ground floor area.

C. The CS site development standards apply to a combination use building.

16. The maximum density is 1,472 dwelling units for a residential use identified in this section.

Bed and breakfast residential (Group 1)
Condominium residential
Multifamily residential
Retirement housing (large site)
Single family residential
Townhouse residential

Bed and breakfast residential (Group 2)
Group residential
Retirement housing (small site)
Single family attached residential
Small lot single family residential
Two-family residential

17. The uses identified in this section are subject to Sections 18 to 21.

Basic industry
Light manufacturing

General warehousing and distribution

18. A building setback in Section 19 shall not apply to a use or zoning district identified in Section 19 that is located east of Lamar Boulevard or on Tracts 147, 148, and 149.

19. A 200-foot wide building setback shall be established between a use identified in Section 17 and:
 - A. A use identified in Section 13.
 - B. A residential use including a combination use building.
 - C. A multifamily residence highest density (MF-6) district or less restrictive zoning district.
20. Notwithstanding Sections 18 and 19, development of the Property is subject to Chapter 25-2, Subchapter C, Article 10 (*Compatibility Standards*).
21. A use identified in Section 17 is a prohibited use of the property located in the vicinity of Banyon Street as shown in Exhibit "D".
22. A minimum 17.4 acres of the Property shall be open space. Open space may include a community recreation (private or public) use. Required setback areas may not be included as required open space except for the setback areas within a community recreation (private or public) use.
23. Open space required under Section 22 will be credited toward parkland dedication required for a residential subdivision within the Property, in accordance with Chapter 25-4, Article 3, Division 5 of the Code. An 80 percent credit will be allowed for privately owned and maintained park and recreational facilities, and a 100 percent credit will be allowed for land dedicated as parkland to the City.

24. Schedule 1 Site Development Chart.

Regulation	COLUMN A SINGLE FAMILY RESIDENTIAL	COLUMN B TOWNHOUSE & CONDOMINIUM	COLUMN C ALL OTHER RESIDENTIAL USES
Minimum Lot Size	3,500 SF	2,000 SF	5,750 SF
<i>Minimum Lot Width</i>	30 FT	20 FT	50 FT
<i>Maximum Height</i>	35 FT	35 FT	60 FT
<i>Minimum Front Yard Setback</i>	10 FT	5 FT	5 FT
<i>Minimum Front Garage Setback</i>	20 FT	20 FT	--
<i>Minimum Street Side Yard Setback</i>	10 FT	10 FT	10 FT
<i>Minimum Interior Side Yard Setback</i>	5 FT	0 FT	5 FT
<i>Minimum Rear Yard Setback</i>	5 FT	5 FT	10 FT
<i>Maximum Building Coverage</i>	55%	70%	75%
<i>Maximum Impervious Cover</i>	65%	75%	80%

25. A site plan or building permit for development on Tract 160 may not be approved, released, or issued, if the completed development or uses of Tract 160, considered cumulatively with all existing or previously authorized development or uses, generate traffic onto Morrow Street that exceeds 1,000 trips per day.
26. Except as specifically provided under this ordinance, the PDA Property shall be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 7. This ordinance takes effect on April 26, 2004.

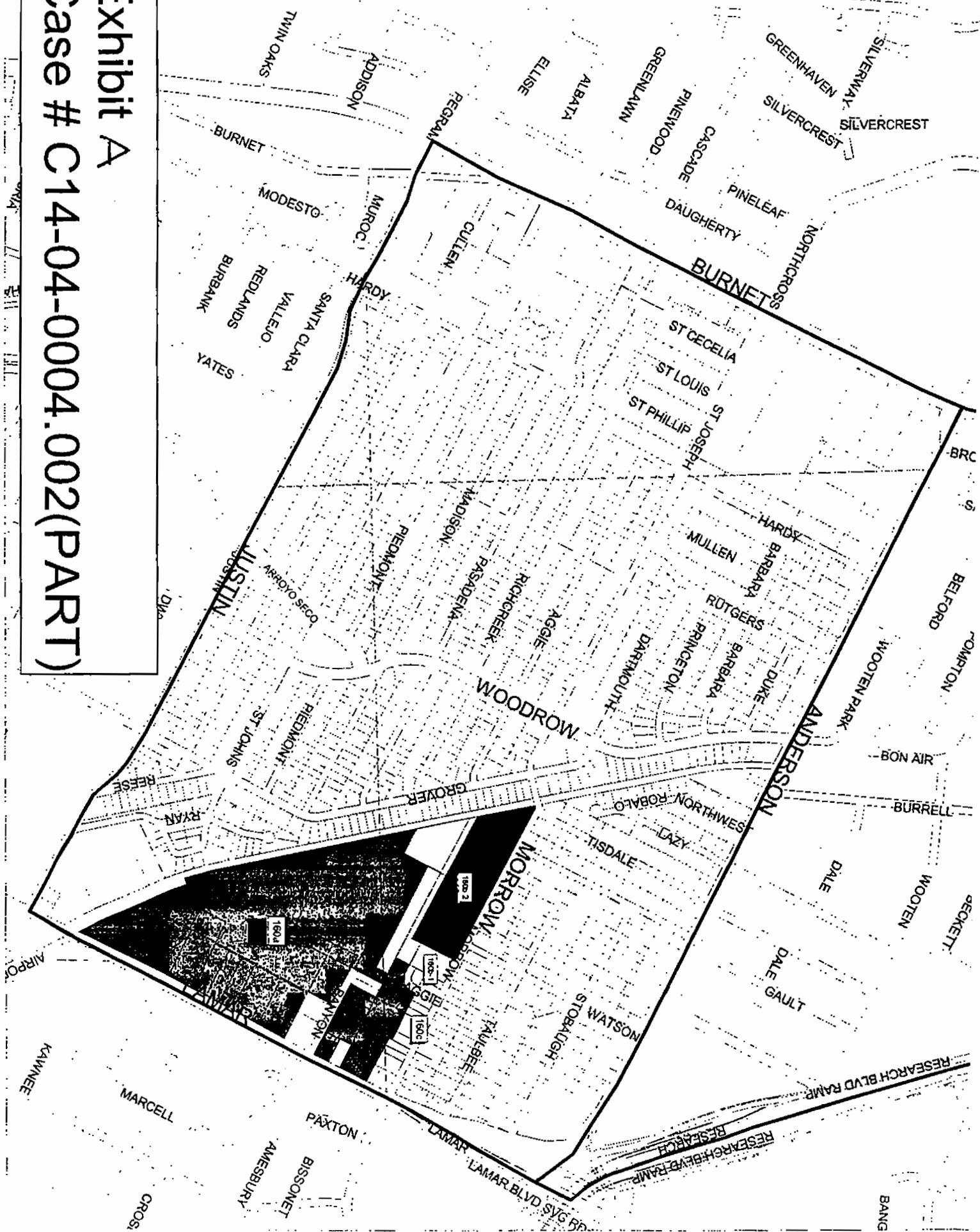
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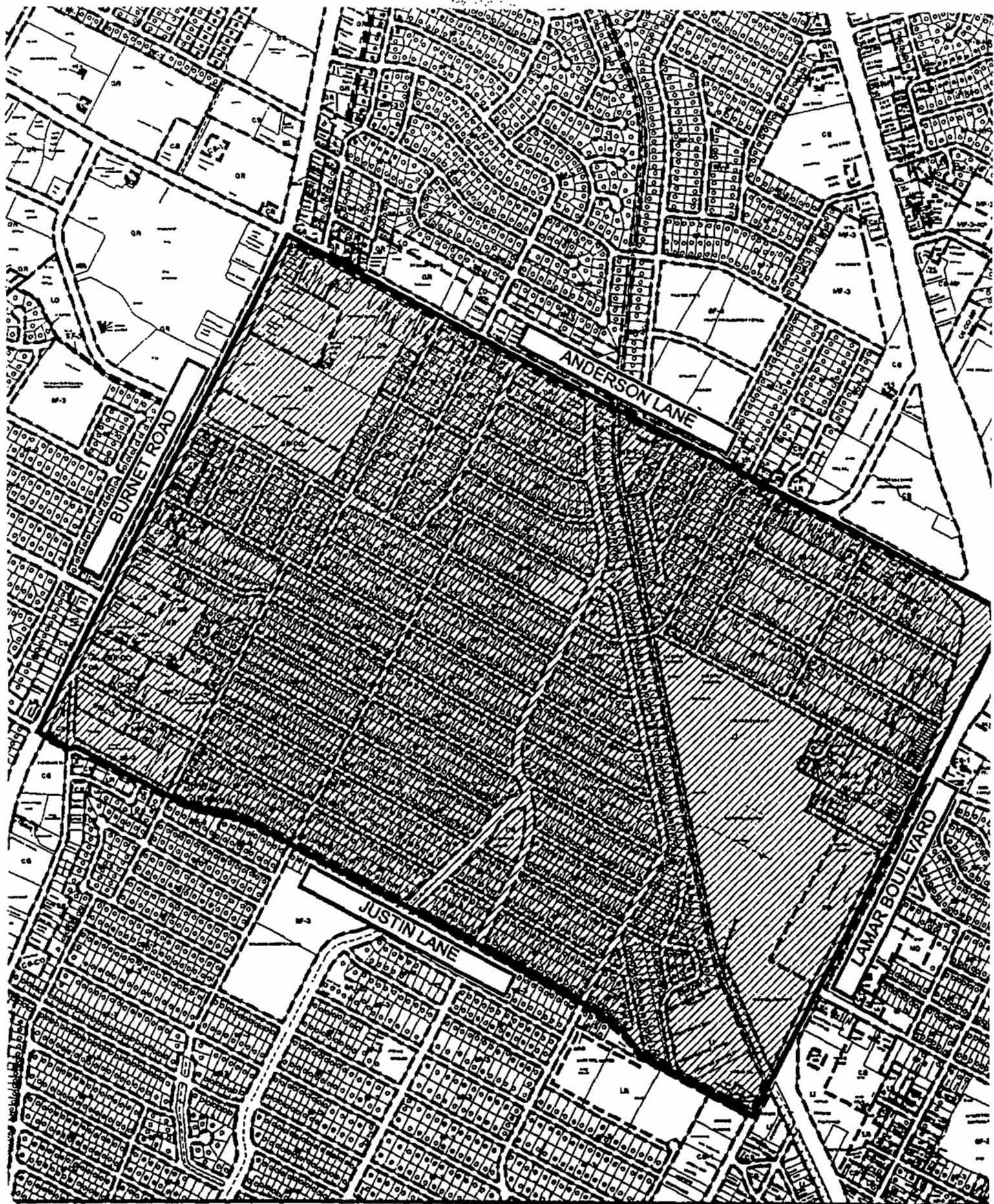
_____, April 15 _____, 2004 §
§
§

Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith Shirley A. Brown
City Attorney City Clerk

Case # C14-04-0004.002(PART)





SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: W. WALSH

CASE #: C14-04-0004.002
 ADDRESS: CRESTVIEW COMBINED
 NEIGHBORHOOD PLAN AREA

ZONING EXHIBIT D

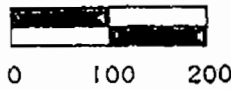
DATE: 04-02

CITY GRID
 REFERENCE
 NUMBER

J28-30 K28

A=35.08
D=39°01'07"
CB=S79°31'05"E

TISDALE DR.



LEGEND

- = 1/2" IRON ROD FOUND
UNLESS OTHERWISE NOTED
- = CONCRETE MONUMENT FOUND
- = 5/8" IRON ROD SET
WITH PLASTIC CAP STAMP
"L/JA INC. RPLS 4532"

TRACT
160b

17.444 ACRES

TEXACO CHEMICAL COMPANY
VOL. 10701, PG. 256

LEAGUE

WATSON ST.

GEORGE

N60°31'20"W 847.63

S29°36'03"W
167.30

5/8"

N60°02'12"W
59.76

LOT 1
LOT 2
LOT 3

AGGIE LN.

S28°55'44"W
100.00

S60°31'20"E
130.80

R=50.00
C=70.71
A=78.54
D=90°00'00"
CB=S74°57'48"W

THE RESUBDIVISION OF
LOTS 21, 22, AND 23
BLOCK "A" NORTH GATE ADDITI
BK. 4, PG. 292

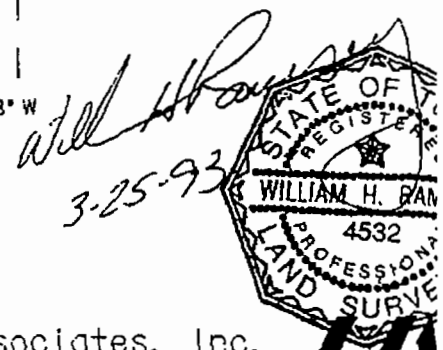
POINT OF BEGINNING

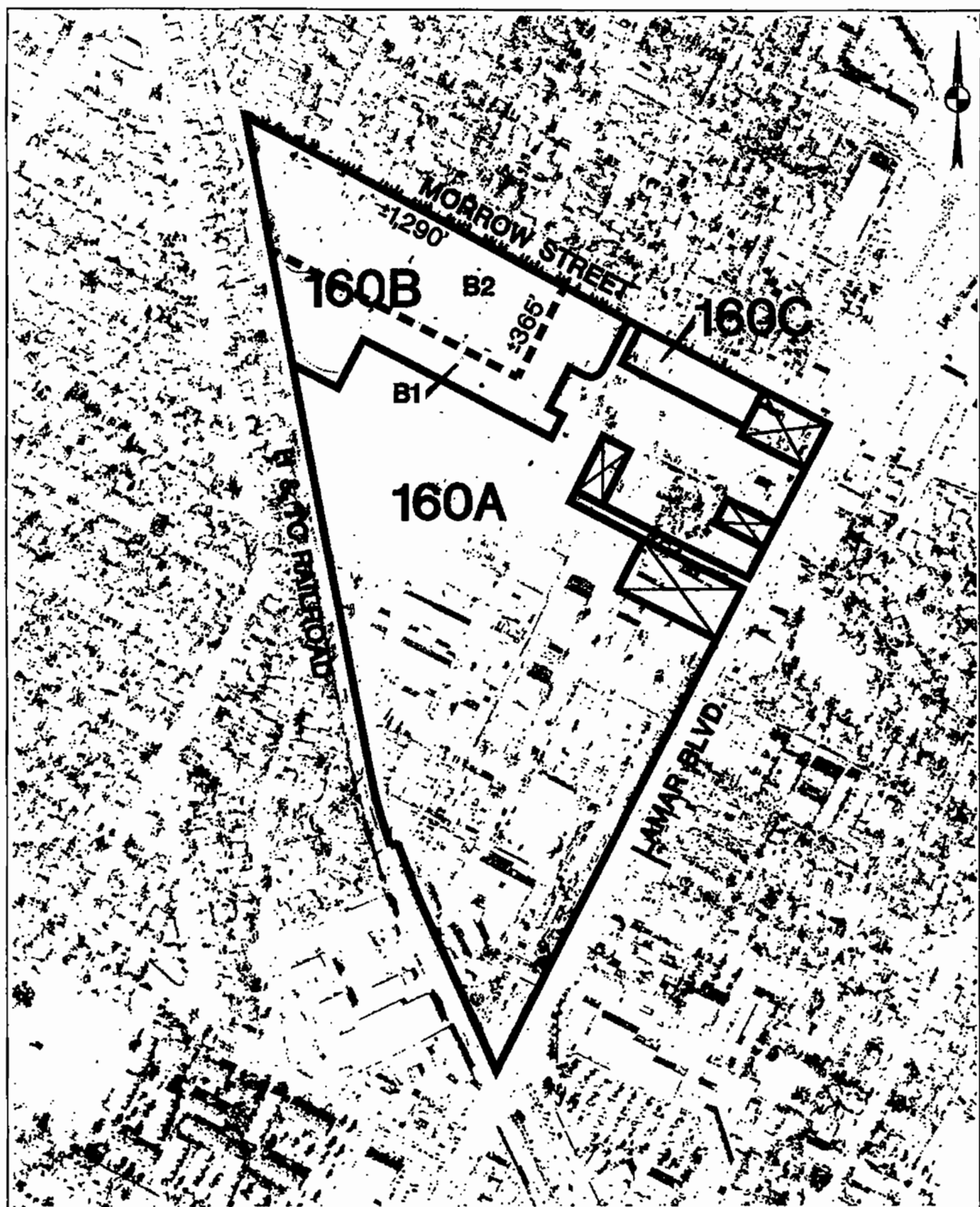
S29°57'48"W
190.17

EXHIBIT C - pg 1 of 2

DATE: MARCH 22, 1993

Lichtliter/Jameson & Associates, Inc.





**HUNTSMAN TRACTS
FACILITY 160A, 160B, & 160C**
EXHIBIT C pg 2 of 2

b Bury+ Partners
Consulting Engineers and Surveyors
Austin, Texas Tel 512/328-0811 Fax 512/328-0325
Bury+Partners, Inc. ©Copyright 2004

FILE: G:\1425\01\EXH\142501EXH01

PROJECT No.: 1425-01.00

SCALE: N.T.S.

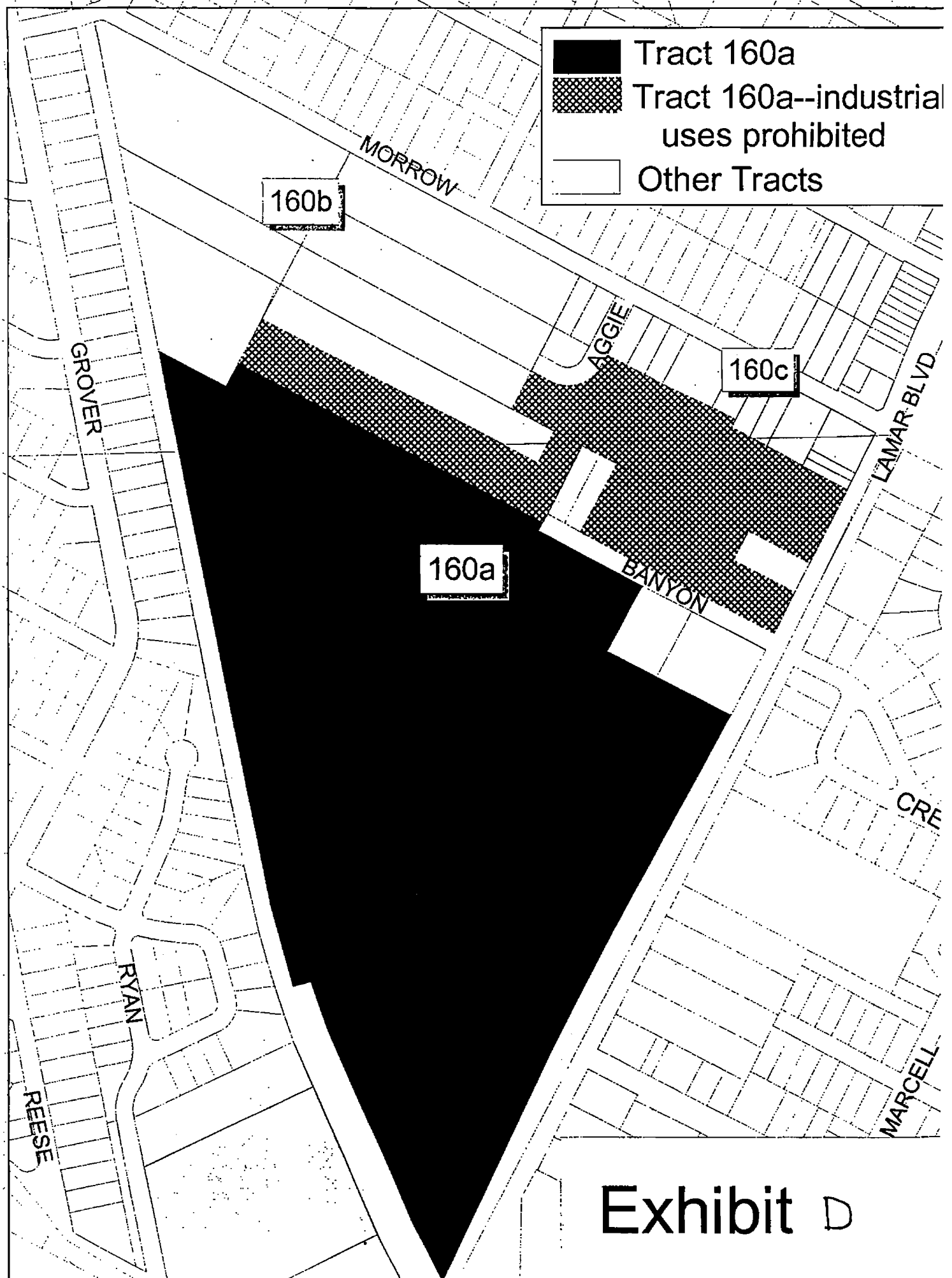


Exhibit D