

SECOND/THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2011-0117 Crestview Station Residential

REQUEST: Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning the property locally known as 950 Banyon Street (Waller Creek Watershed) from Transit Oriented Development - Neighborhood Plan (TOD-NP) combining district zoning to Transit Oriented Development - Neighborhood Plan (TOD-NP) combining district zoning to change a condition of zoning.

DEPARTMENT COMMENTS:

The conditions imposed by City Council on 1st reading have been incorporated into the ordinance and attachments.

APPLICANT: Continental Homes (Richard Maier)

AGENT: Alice Glasco Consulting (Alice Glasco)

DATE OF FIRST READING: November 10th, 2011

There was a main motion made by Mayor Pro Tem Cole and seconded by Council Member Morrison to close the public hearing and adopt the first reading of the ordinance for transit oriented development-neighborhood plan (TOD-NP) combining district zoning to change a condition of zoning with the following conditions and friendly amendments. The conditions were to allow 10 feet height for fence, emergency, bike and pedestrian access to Morrow.

The friendly amendments from Council Member Morrison were to add a stipulation that the front door of the properties face Morrow and no auto access and limit driveway with emergency access to the minimum required feet. The amendment was accepted by the maker of the motion.

There was an amendment made by Council Member Spelman and seconded by Mayor Leffingwell to have the access on Mauro be offered on a right-in, right-out basis in the beginning for all vehicular traffic not just emergency traffic but restricted to emergency traffic if a traffic assessment of the actual amount of traffic coming in and going out of the entire development exceeds a 1,000 trips per day. Direction was given to the developer to offer a private restrictive covenant with the neighborhood as an enforcement mechanism. The amendment failed on a vote of 3-4. Those voting aye were: Mayor Leffingwell and Council Members Riley and Spelman. Those voting nay were: Mayor Pro Tem Cole and Council Members Martinez, Morrison and Tovo.

The friendly amendment from Council Member Riley was to allow bicycle pedestrian access parallel to the train tracks on the north and south ends. The amendment was accepted by the maker of the motion and by Council Member Morrison, who made the second.

The main motion made by Mayor Pro Tem Cole and seconded by Council Member Morrison to close the public hearing and adopt the first reading of the ordinance for transit oriented development-neighborhood plan (TOD-NP) combining district zoning to change a condition of zoning with the conditions and the friendly amendments stated above was approved on a 7-0 vote.

CITY COUNCIL HEARING DATE: December 8th, 2011

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Clark Patterson

ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0117 Crestview Station Residential **P. C. DATE:** 10-25-2011

ADDRESS: 950 Banyon Street

AREA: 32.63 acres

APPLICANT: Continental Homes
(Richard Maier)

AGENT: Alice Glasco Consulting
(Alice Glasco)

NEIGHBORHOOD PLAN AREA: Lamar Blvd./Justin Lane Transit Oriented Development

CAPITOL VIEW: No

T.I.A.: Yes (update)

HILL COUNTRY ROADWAY: No

WATERSHED: Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

ZONING FROM: TOD-NP, Transit Oriented Development - Neighborhood Plan.

ZONING TO: TOD-NP, Transit Oriented Development - Neighborhood Plan to change a condition of zoning.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of items 1, 2 & 4 and Conditional approval of items 3 & 5. The Conditional approval of item 3 would be that the street connection to Morrow Street be for emergency access only, closed with a gate only accessible to first responders and not open to general vehicular ingress and egress and Conditional approval of item 5 would be that the fence be limited to height of eight feet (8') and not ten feet (10').

PLANNING COMMISSION RECOMMENDATION:

The motion to approve staff's recommendation for TOD-NP zoning with the applicant's request for the 10-foot fence and pedestrian and bike access on Morrow Street, was approved by Commissioner Danette Chimenti's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 6-0; Commissioners Jean Stevens, Richard Hatfield and Dave Anderson were absent.

DEPARTMENT COMMENTS:

The Crestview Station property is located in the northern portion of the Lamar Blvd/Justin Lane Transit Oriented Development, (TOD). The Crestview Station property is approximately seventy three acres of land of which the southern portion is developed with low rise multifamily and retail/office space and the northern portion is developed with five baseball fields and the associated parking. The Crestview Station property was zoned Light Industrial-Planned Development Area-Neighborhood Plan (LI-PDA-NP) by Ordinance #040415-50 (see attached) which was the Crestview Neighborhood Plan. In 2008 the City completed the Lamar Blvd/Justin Lane TOD and the City Council adopted the plan with Ordinance #20081211-086 (see attached). When the TOD was adopted, it incorporated the existing PDA for Crestview Station into the TOD. Within the TOD there is a provision in "Section 1.2.5. Conflicting Provisions" that states "The Planned Development Area (PDA) regulations in Ordinance 040415-50 continue to apply to property formerly known as the "Huntsman Tract", currently referred to as the

“Crestview Station” or “Midtown Commons” development”. So the PDA is controlling over the TOD on this property. The applicant would like to modify the PDA to allow for duplex residential, change some site development regulations, allow for unlimited access to Morrow Street, waive Compatibility Standards internal to the development and allow for a ten foot (10') fence along the western property line adjacent to the railroad tracks.

The City recommends approval of the modification of the existing site development regulations, adding “duplex residential” as a permitted use and waiving Compatibility Standards internal to the development. The City recommends conditional approval of access to Morrow Street and a fence along the western property line. ~~The~~ Conditional approval for access to Morrow Street would be that the street connection be for emergency access only, closed with a gate only accessible to first responders and not open to general vehicular ingress and egress. The City’s justification for this is due to the fact that even though the PDA allows for one thousand vehicle trips per day to Morrow Street, there is no way of ensuring that that limit is not exceeded. And finally, the City would support an eight foot (8') fence along the western property line for noise abatement. Cited below is the applicant’s request.

1. Amend Part 6, paragraph 24 of the PDA ordinance (Schedule1 – Site Development Chart) as follows:

Regulation	Column A	Column B	Column C
	Single Family Residential	Townhouse & Condominium	All Other Residential Uses
Minimum Lot Size	2,500 SF (NEW)	1,500 SF (NEW)	2,500 (NEW)
Minimum Lot Width	20 FT (NEW)	20FT	20 FT
Maximum Height	40 FT (NEW)	40 FT (NEW)	60 FT
Minimum Front Yard Setback	5 FT (NEW)	5 FT	5 FT
Minimum Front Garage Setback	20 Ft	20 FT	N/A
Minimum Street Side Yard Setback	5 FT (NEW)	5 FT (NEW)	10 FT
Minimum Interior Side Yard Setback	0 FT (NEW)*	0 FT	5 FT
Minimum Rear Yard Setback	5 FT	5 FT	10 FT
Maximum Building Coverage	85% (NEW)	85% (NEW)	85% (NEW)
Maximum Impervious Cover	85% (NEW)	85% (NEW)	85% (NEW)

Note: Minimum lot size and width, building coverage and impervious cover, except for column B, lot size, are consistent with the TOD Regulating Plan - sections 4.2.2-4.2.5

* A 10-foot separation shall be maintained between buildings.

2. Amend Part 6, paragraph 5 of the PDA ordinance to allow duplex residential, which is a permitted use in the Lamar Blvd. /Justin Lane TOD Regulating Plan.

3. **Amend or delete paragraph 25 of the PDA ordinance:** currently, paragraph 25 of the PDA limits traffic to 1,000 trips onto Morrow Street. The justification for deleting or amending the trip limit is to enhance connectivity to and from the site and for fire safety and protection. Additionally, the trip limit was imposed prior to the site being designated as a TOD. A TIA update has been submitted, which proposes limited ingress and egress - a right in and right out onto Morrow Street.

4. **Amend paragraph 20 of the PDA as follows:** "Notwithstanding Sections 18 and 19, development of the property is NOT subject to Chapter 25-2, Subchapter C, Article 10 (Compatibility Standards)."

This would waive internal trigger of compatibility standards. Basically, the proposed single family development within the Crestview Station TOD would not trigger compatibility standards against the proposed Midtown Commons multifamily development. The justification is that the property formerly known as the Huntsman Tract is limited 1,472 residential units, which is less than what the TOD regulating plan calls for. Compliance with compatibility standards, due to an internal trigger, will reduce the density of the multifamily project. A reduction in density is inconsistent with the goal of promoting high density in TODs. It is important to note that external triggers of compatibility standards will continue to be applicable to the TOD.

5. **Add a new paragraph 28 to part 6 of the PDA ordinance by modifying City Code section 25-2-899 (F)- Fences As Accessory Uses** - to allow a 10-foot fence along the backyards/property lines of lots that are along the rail road tracks. The purpose of this request is: (1) to mitigate noise from commuter and freight trains, and (2) to screen the trains, especially freight trains with visible cargo, from the view of residents. Without this type of screening, the residential lots that abut the railroad tracts will be difficult to market.

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.*

Incorporating the applicants request and the City's recommendation will not adversely affect the intention of the Transit Oriented Development.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	TOD-NP	Undeveloped
NORTH	LI-PDA	Ball fields
SOUTH	TOP-NP	Multifamily
EAST	TOD-NP	Commercial
WEST	SF-3-NP	Single family residential

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2007-0095	From LI-PDA-NP to P	Approved P [Vote: 9-0]	Approved P [Vote: 7-0]
C14-03-0041	From CS to CS-1-CO	Approved CS-1-CO [Vote: 6-1]	Approved CS-1-CO [Vote: 7-0]

NEIGHBORHOOD ORGANIZATION:

- Greater Northcross Area
- Crestview Neighborhood Assn.
- Highland Neighborhood Assn.
- Responsible Growth for Northcross
- North Austin Neighborhood Alliance
-

SCHOOLS:

Brown Elementary School, Webb Middle School, Lanier High School

SITE PLAN:

- SP 1. This site will be subject to the development requirements of the Lamar Blvd./Justin Lane TOD Regulating Plan, which supersedes all standards and regulations in Chapter 25-2 Document E: Design Standards and Mixed Use.

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. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding 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.

TRANSPORTATION:

TR1: Anderson Lane, Burnet Road, Justin Lane, and Lamar Boulevard are classified arterials in the Austin Metropolitan Area Transportation Plan (AMATP). Additional right-of-way may be required in accordance with the AMATP during the Site Plan application process. The adopted AMATP is available online at <http://www.ci.austin.tx.us/transplan/>.

TR2: Subchapter E of Section 25-2 of the City's Land Development Code, Design Standards and Mixed Use, may apply during the site plan application process.

TR3: Along the zoning tracts:

- Burnet Road is classified as a Core Transit Corridor;
- Lamar Boulevard classified as a Urban roadway and identified as a Future Core Transit Corridor; and
- Unless identified above, streets are classified as Urban Roadways.

CITY COUNCIL DATE: December 10th, 2011

December 15th, 2011

ACTION: Postponed to December 15th, 2011 by the Council

ORDINANCE READINGS: 1ST 2ND 3RD **ORDINANCE NUMBER:**

CASE MANAGER: Clark Patterson

PHONE: 974-7691

Clark.patterson@ci.austin.tx.us



Date: October 18, 2011
To: Clark Patterson, Case Manager
CC: Karan Khosla, P.E., PTOE
HDR Engineering, Inc.
Reference: Crestview Station Residential, C14-2011-0117

The Transportation Review Section has reviewed the Traffic Impact Analysis (TIA) addendum for the Crestview Station Development dated September 14, 2011 by Karan Khosla, P.E. of HDR Engineering, Inc. This TIA update was provided in support of a rezoning application to revise the proposed land uses and to add a limited access (right-in, right-out) connection to Morrow Street.

Staff recommends that access to Morrow Street should be limited to emergency, pedestrian and bicycle access because:

1. The existing traffic on Morrow Street exceeds the desirable operating levels specified in the Land Development Code §25-6-116;
2. There are existing traffic calming devices on Morrow Street to address existing operational issues;
3. Austin Transportation Department and the neighborhood are discussing additional traffic calming measures in conjunction with the Crestview Neighborhood Traffic Calming Plan; and
4. The additional connection may increase traffic on Morrow Street and be contrary to existing and proposed traffic calming efforts.

BACKGROUND

The studied site is identified as Tract 160 in Zoning Ordinance No. 040415-50. Tract 160 is bounded by Morrow Street, North Lamar Boulevard and the Capital Metro commuter rail right-of-way. The site includes the existing Optimist Club baseball fields along Morrow Street, the commercial and multi-family development along Lamar Boulevard, and the residential uses proposed in this rezoning tract. The ordinance limits the traffic generated by Tract 160 onto Morrow to 1,000 trips per day.

The TIA was originally prepared in support of a site plan application for Crestview Station site in 2005. In 2005, the proposed mixed-use development generated an estimated 21,186 unadjusted trips per day and 13,022 trips per day after adjusting for pass-by, internal capture and transit trip reductions. The TIA was amended in 2007 in support of a site plan application that revise the land uses assumed in the 2005 TIA. The 2007 development proposal generated an estimated 13,940 unadjusted trips per day and 9,612 trips per day after adjusting for pass-by, internal capture and transit trip reductions. No new site access to Morrow Street was proposed in either of the previous development plans.

In 2004, the site was rezoned to Limited Industrial, Planned Development Area, Neighborhood Plan Combining District (LI-PDA-NP). In 2008, except for the 14.448-acre property for the baseball fields, the property was rezoned to Transit Oriented Development-Neighborhood Plan Combining District

(TOD-NP). The 14.448-acre property, consisting of the baseball fields, continues to be zoned LI-PDA-NP.

TRIP GENERATION

The Crestview Station Residential site is a 32.631-acres tract of land in the Crestview Station site. The TIA addendum for the project was prepared by Karan Khosla, P.E., HDR Engineering, Inc. in September of 2011.

The proposed development consists of the following land uses:

- 104 dwelling units Single Family Residential
- 200 dwelling units Condominium/Town Homes
- 1,059 dwelling units Multifamily Apartments
- 22,200 square feet Shopping Center
- 31,200 square feet General Office
- 9,000 square feet High Turnover Restaurant
- 1 dwelling unit Heritage Home
- 5 Baseball Fields

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 13,457 unadjusted average daily trips (ADT). Peak hour trip generation rates were established in 2008 base on the average of the peak hour trips and the square footages of the individual uses.

Tables 1 and 2, below, show the unadjusted and adjusted trip generation by land use for the proposed development:

Table 1. Average Weekday Trip Generation				
LAND USE	ITE Land Use Code	Size	ADT	
			Unadjusted	Adjusted
Single Family Residential	210	104 DU	1,162	930
Condos/Town Homes	230	200 DU	1,021	814
Multifamily Apartments	220	1,059 DU	6,528	5,222
Shopping Center	820	22,200 SF	2,686	1,276
General Office	710	31,200 SF	544	392
High Turnover Restaurant	932	9,000 SF	1,144	469
Heritage Home	210	1 DU	15	12
Baseball Fields	488	5 Fields	357	286
TOTAL			13,457	9,404

Table 2. Adjusted Peak Hour Trip Generation						
LAND USE	ITE Land Use Code	Size	AM Peak		PM Peak	
			Trip Generation Rate	Peak Hour Trips	Trip Generation Rate	Peak Hour Trips
Single Family Residential	210	104 DU	0.76/DU	79	0.93/DU	97
Condos/Town Homes	230	200 DU	0.31/DU	61	0.37/DU	74
Multifamily Apartments	220	1,059 DU	0.40/DU	418	0.45/DU	477
Shopping Center	820	22,200 SF	1.46/KSF	32	5.21/KSF	116
General Office	710	31,200 SF	1.70/KSF	53	1.09/KSF	34
High Turnover Restaurant	932	9,000 SF	4.73/KSF	43	4.47/KSF	40
Heritage Home	210	1 DU	8/DU	8	2/DU	2
Baseball Fields	488	5 Fields	1.20/Field	6	16.60/Field	83
TOTAL				700		923

EXISTING AND PLANNED TRANSPORTATION SYSTEM

US 183 – US 183 is a six-lane freeway with frontage roads in each direction.. According to the 2025 Austin Metropolitan Area Transportation Plan (AMATP), a FWY 6 (6 lane, freeway) cross section is proposed on US 183 by 2025. The Austin Metropolitan Area Transportation Plan calls for 400 feet of right-of-way to accommodate the proposed roadway section. According to annual average daily traffic counts (AADT) collected by the Texas Department of Transportation (TxDOT) in 2010, US 183 carries approximately 152,000 vehicles per day (vpd). The AADT count indicates the typical traffic on the roadway during a normal workday of a given week. According to the Austin 2009 Bicycle Plan, no bicycle facilities are existing or recommended on US 183.

Lamar Boulevard – Lamar Boulevard is a City of Austin maintained roadway and is classified as an arterial. Currently, Lamar is a six-lane divided arterial between US 183 and Airport Boulevard. According to the 2025 Austin Metropolitan Area Transportation Plan (AMATP), a MAD 6 (6 lane, major arterial divided) cross section is proposed on Lamar Boulevard by 2025. The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way to accommodate the proposed roadway section. According to saturation traffic counts collected by the Texas Department of Transportation (TxDOT) in 2010, Lamar Boulevard carries approximately 40,240 vpd. Lamar Boulevard is an existing and proposed bicycle route (Route # 43) according to the Austin 2009 Bicycle Plan. Shared lanes are the existing bicycle facility and bike lanes are the recommended bicycle facility on Lamar Boulevard.

Airport Boulevard – Airport Boulevard is a City of Austin maintained roadway and is classified as an arterial. Currently, Airport is a four-lane divided arterial between Lamar Boulevard and RM 2222. According to the 2025 Austin Metropolitan Area Transportation Plan (AMATP), a MAD 6 (6 lane, major arterial divided) cross section is proposed on Airport Boulevard by 2025. The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way to accommodate the proposed roadway section. According to saturation traffic counts collected by the Texas Department of Transportation (TxDOT) in 2010, Airport Boulevard carries approximately 19,180 vpd. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and proposed on Airport Boulevard. The existing and recommend facility are bike lanes and identified as route #39.

St. John's Avenue – St. John's Avenue is a City of Austin maintained roadway and is classified as an arterial. Currently, St. John's is a four-lane minor arterial between Lamar Boulevard and IH 35.

According to the 2025 Austin Metropolitan Area Transportation Plan (AMATP), a MNR 4 (4 lane, minor arterial) cross section is proposed on St. John's Avenue by 2025. According to saturation traffic counts collected by the Texas Department of Transportation (TxDOT) in 2010, Airport Boulevard carries approximately 6,600 vpd. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and proposed on Airport Boulevard. The existing bicycle facility is shared lanes, identified as route #18. The recommend facility is bike lanes in each direction.

Morrow Street – Morrow Street is a two-lane roadway with a 28-foot pavement width and a 50-foot wide right-of way in the vicinity of the site. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and proposed on Morrow Street. The existing bicycle facility is a shared lane, identified as route #20. The recommend facility is a bike lane in each direction.

Capital Metro/City of Austin Railroad Right-of-Way – The Capital Metro/City of Austin railroad right of way forms the wester boundary of the site. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities proposed along the rail right-of-way. The recommend facility is a multi-use path.

NEIGHBORHOOD TRAFFIC ANALYSIS

Sec. 25-6-114 of the Land Development Code defines a residential street as any street along which 50 percent or more of the frontage within 1,500 feet is zoned for SF-5 or more restrictive uses. Based on current zoning, Morrow Street is defined as a residential street. A neighborhood traffic analysis is required if the project has access to a residential street and is projected to generate more than 300 vehicles per day. In order to determine the impact on these residential streets and the neighborhood, 24-hour traffic counts were conducted in August 2011 for Morrow Street. The following is the result of the neighborhood traffic analysis.

Morrow Street is a two-lane roadway with a 28-foot pavement width and a 50-foot wide right-of way in the vicinity of the site. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and proposed on Morrow Street. The existing bicycle facility is a shared lane, identified as route #20. The recommend facility is a bike lane in each direction.

The Land Development Code specifies desirable operating levels for residential streets in section 25-6-116. A residential local or collector street with a pavement width less than 30' should carry 1,200 vehicles per day or less. According to traffic counts collected on August 25th, 2011, the existing traffic volume is 1,611 vehicles per day (vpd) on Morrow Street, west of Lamar Boulevard.

The expected project build out is 2014. For the project build-out, the forecasted traffic volume with site traffic will be 2,478 vpd or 1,278 vpd greater than the undesirable operating level. Site traffic (excluding ball fields) will comprise 456 vpd or 18.4% of the total daily traffic on Morrow Street for 2014 traffic conditions.

ZONING ORDINANCE CONDITION

Zoning Ordinance No. 040415-50 limits the traffic generated by Tract 160 onto Morrow to 1,000 trips per day. Tract 160 includes the existing Optimist Club baseball fields along Morrow Street, the commercial and multi-family development along Lamar Boulevard, and the residential uses proposed in this rezoning tract. Assuming the limited access (right-in, right-out) driveway, and the proposed land uses, Tract 160 will generate 742 trips per day on Morrow Street.

RECOMMENDATIONS




- 1) Recommendation: Access to Morrow Street should be limited to emergency, pedestrian and bicycle access.
- 2) Recommendation: A public access easement should be dedicated for the proposed multi-use path along the Capital Metro/City of Austin rail right-of-way. The applicant should coordinate with the City of Austin Neighborhood Connectivity Department for easement details.
- 3) For Information: Three copies of the final version of the TIA Update incorporating all corrections and additions must be submitted prior to final reading of the zoning case.
- 4) For Information: According to the Land Development Code, the City Council may approve a zoning application if the council determines that the applicant has satisfactorily mitigated adverse traffic effects or the additional traffic from the project results in an insignificant impact on the residential street.
- 5) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA Update, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2788.



Candace Craig
Sr. Planner ~ Transportation Review Staff
Planning and Development Review Department



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

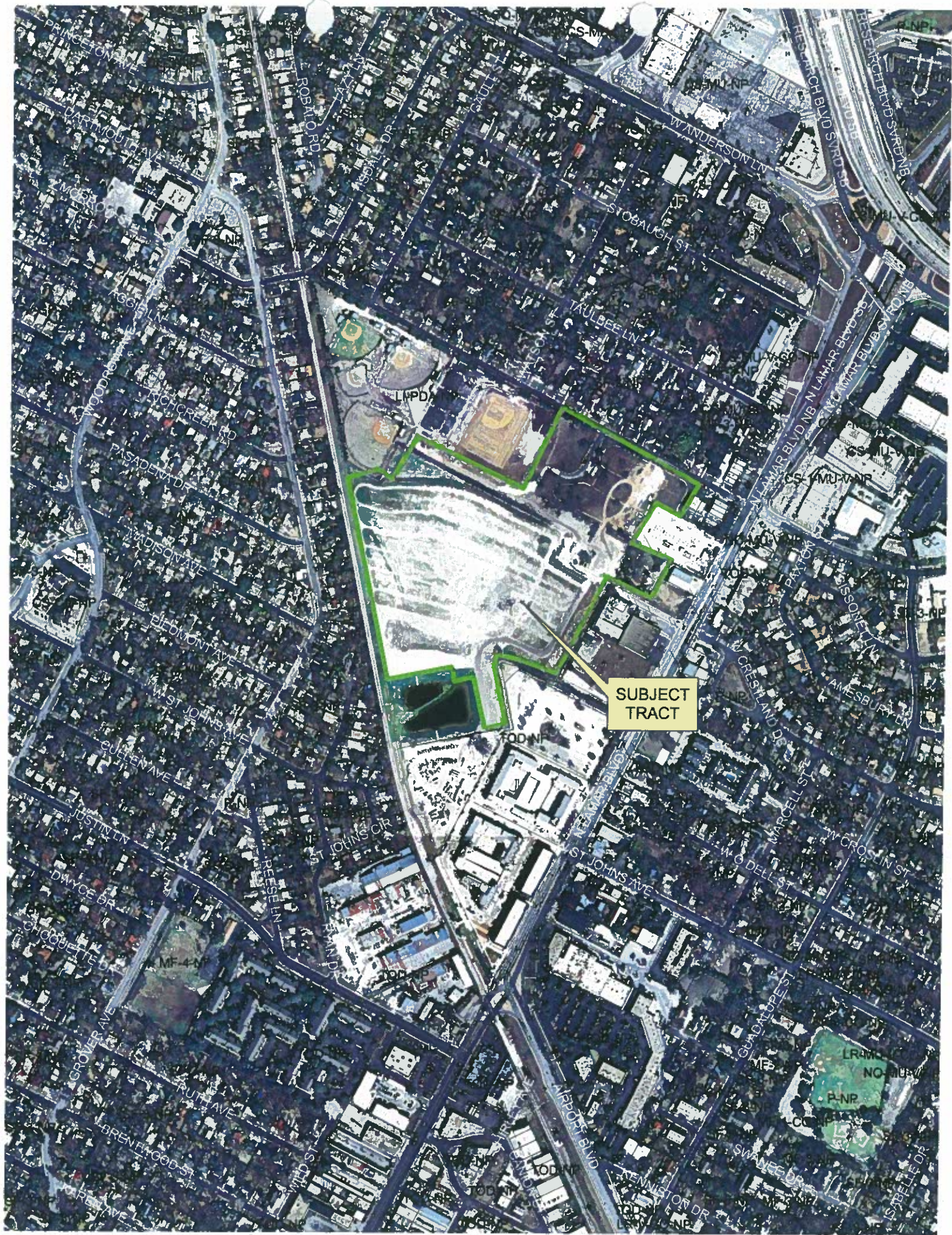
ZONING

ZONING CASE#: C14-2011-0117



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



SUBJECT
TRACT

LR-MU
NO-MU
P-NR
COMP

+/- 105 SINGLE FAMILY DETACHED LOTS

+/- 210 TOWNHOME LOTS

+/- 315 TOTAL LOTS



EXISTING PARK/
BALL FIELDS

COMPUTER RAILLINE

EXISTING
DETENTION/WQ

FUTURE
MULTI-FAMILY

EXISTING MULTI-
FAMILY AND RETAIL

FUTURE
MULTI-FAMILY

FUTURE
MULTI-FAMILY

EXISTING
POWER
SUB
STATION

NORTH LAMAR BOULEVARD

RETAIL OUT PARCEL

CRESTVIEW STATION
MIDTOWN COMMONS

September 5, 2011

The information shown is based on the best information available and is subject to change without notice.

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, 160-2, 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)
Condominium residential
Park and recreation services (special)
Single family residential
Two-family residential
Family home
Community recreation (public)

Bed and breakfast residential (Group 2)
Park and recreation services (general)
Retirement housing (small site)
Townhouse residential
Urban farm
Community recreation (private)

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

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

Park and recreation services (general)
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 (general)
Automotive rentals
Building maintenance services
Business support services
Construction sales and services
Electronic prototype assembly
Financial services
Funeral services
General retail sales (limited)
Indoor entertainment
Laundry services
Personal improvement services
Plant nursery
Research services
Restaurant (limited)
Software development
Veterinary services
Custom manufacturing
Light manufacturing
Counseling services
Maintenance and service facilities
Residential treatment
Transportation terminal

Art and craft studio (limited)
Art and craft studio (industrial)
Bail bond services
Business or trade school
Commercial off-street parking
Consumer convenience services
Exterminating services
Food sales
General retail sales (general)
Hotel-motel
Indoor spots and recreation
Medical offices
Personal services
Professional office
Restaurant (general)
Service station
Theater
Basic industry
General warehousing and distribution
Limited warehousing and distribution
Congregate living
Railroad facilities
Transitional housing

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 I 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.

PASSED AND APPROVED

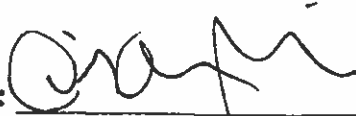
April 15, 2004

§
§
§



Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

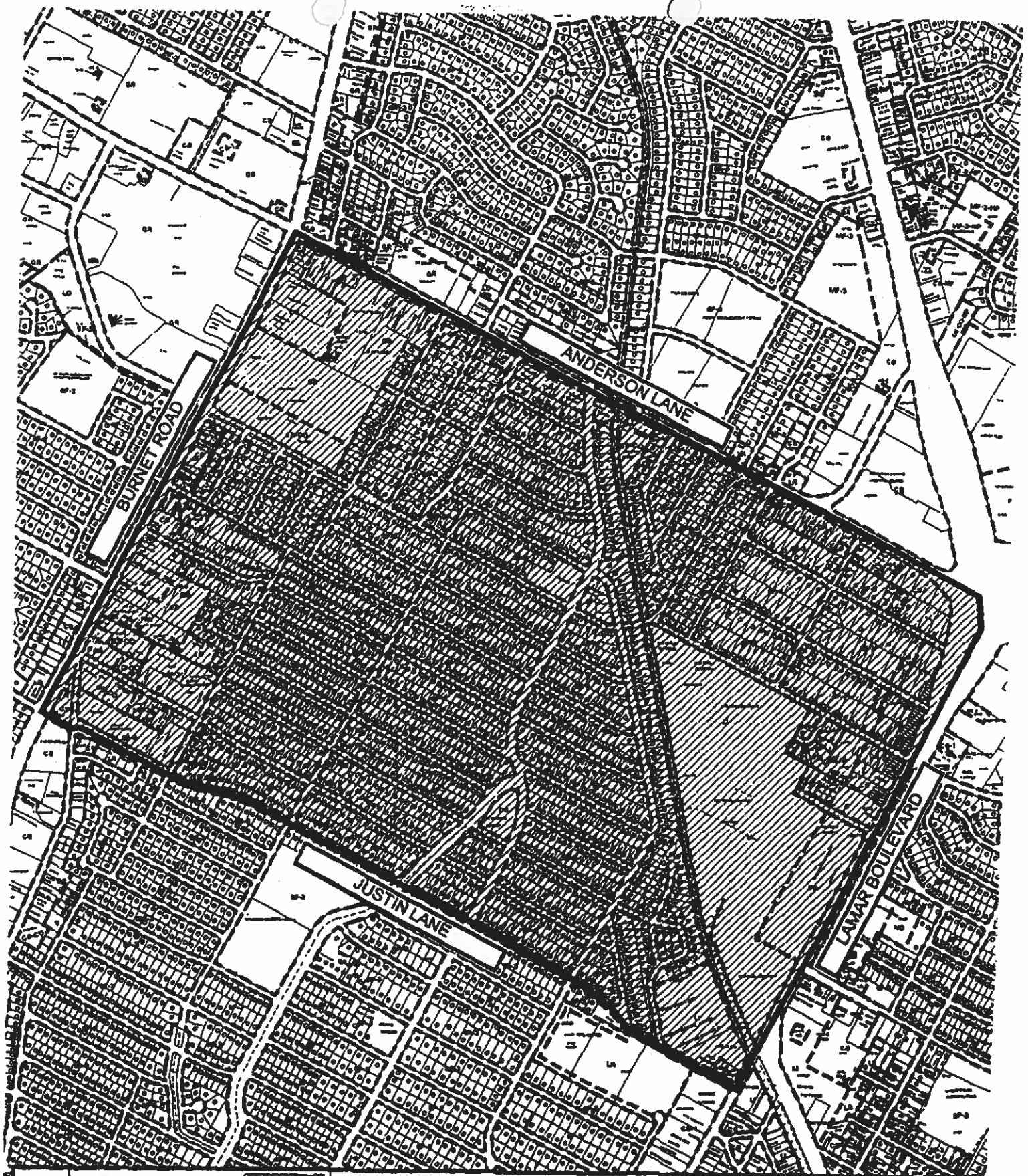
ATTEST:





Shirley A. Brown
City Clerk

Exhibit A
Case # C14-04-0004.002(PART)

The map displays a grid of streets in a residential neighborhood. Key streets include Addison, Burnet, Anderson, and Woodrow. A large area in the lower-left quadrant is shaded black, representing a crime scene. This area is bounded by Addison, Burnet, and Anderson. Within this shaded area, several lot numbers are visible, including 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658



 1" = 1000'	SUBJECT TRACT		ZONING <i>EXHIBIT D</i>		CITY GRID REFERENCE NUMBER J28-30 K28-3 1
	PENDING CASE			
	ZONING BOUNDARY	-----	CASE #: C14-04-0004.002	DATE: 04-02	
	CASE MGR: W. WALSH		ADDRESS: CRESTVIEW COMBINED NEIGHBORHOOD PLAN AREA SUBJECT AREA (acres): 650.510	INTLS: SM	

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 STAMPED
"L/JA INC. RPLS 4532"

TRACT
160b

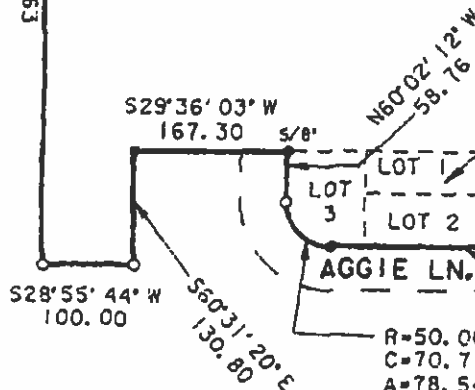
17.444 ACRES

TEXACO CHEMICAL COMPANY
VOL. 10701, PG. 256

LEAGUE

WATSON ST.

GEORGE



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

POINT OF BEGINNING

AGGIE LN.

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

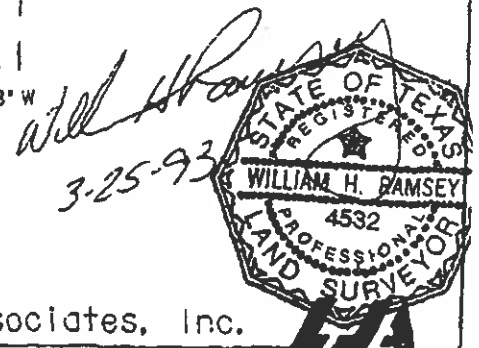
EXHIBIT C - pg 1 of 2

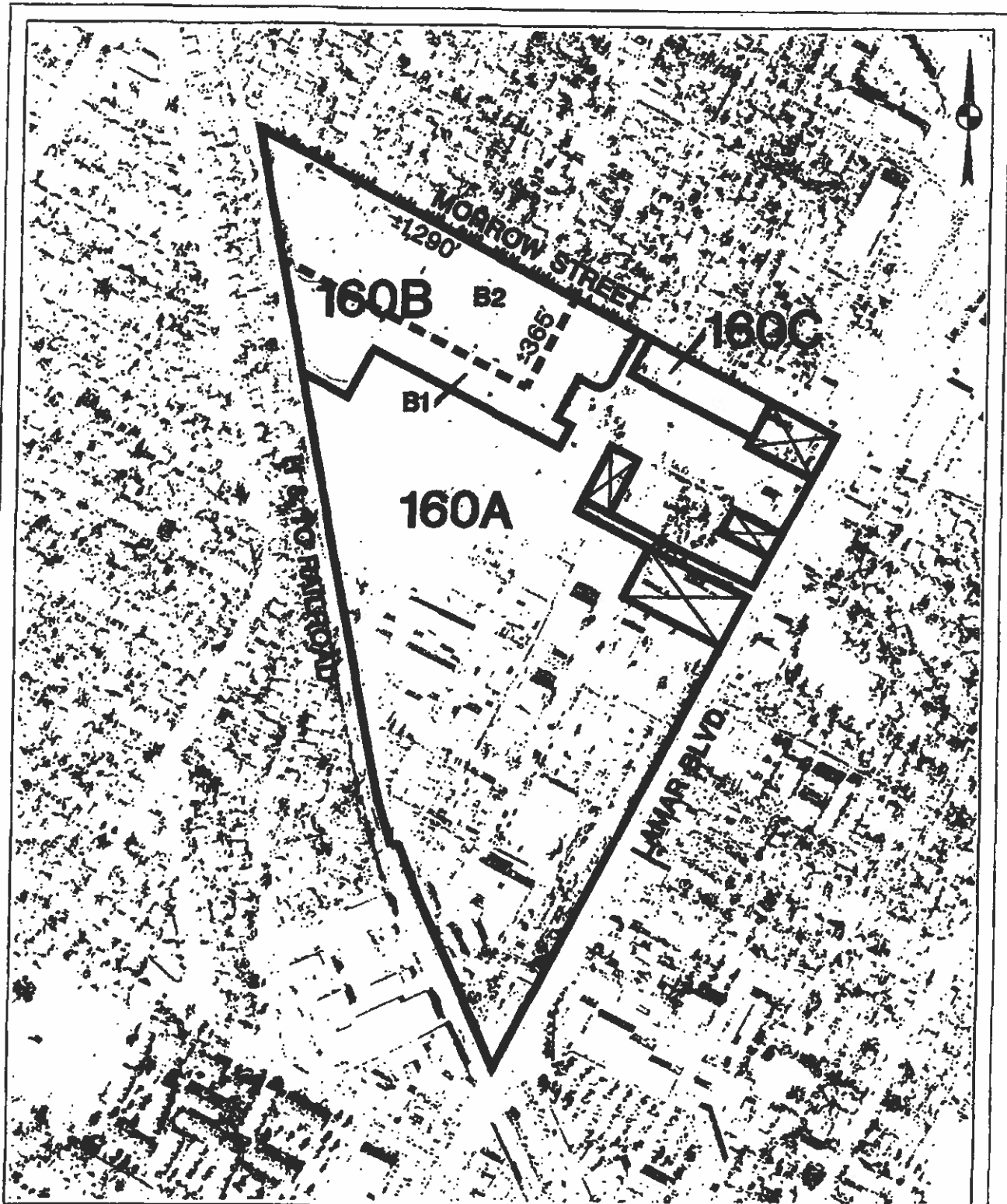
DATE: MARCH 22, 1993

JOB NO.: 21-0886-0001-0005

Lichtliter/Jameson & Associates, Inc.

CONSULTING ENGINEERS AND PLANNERS





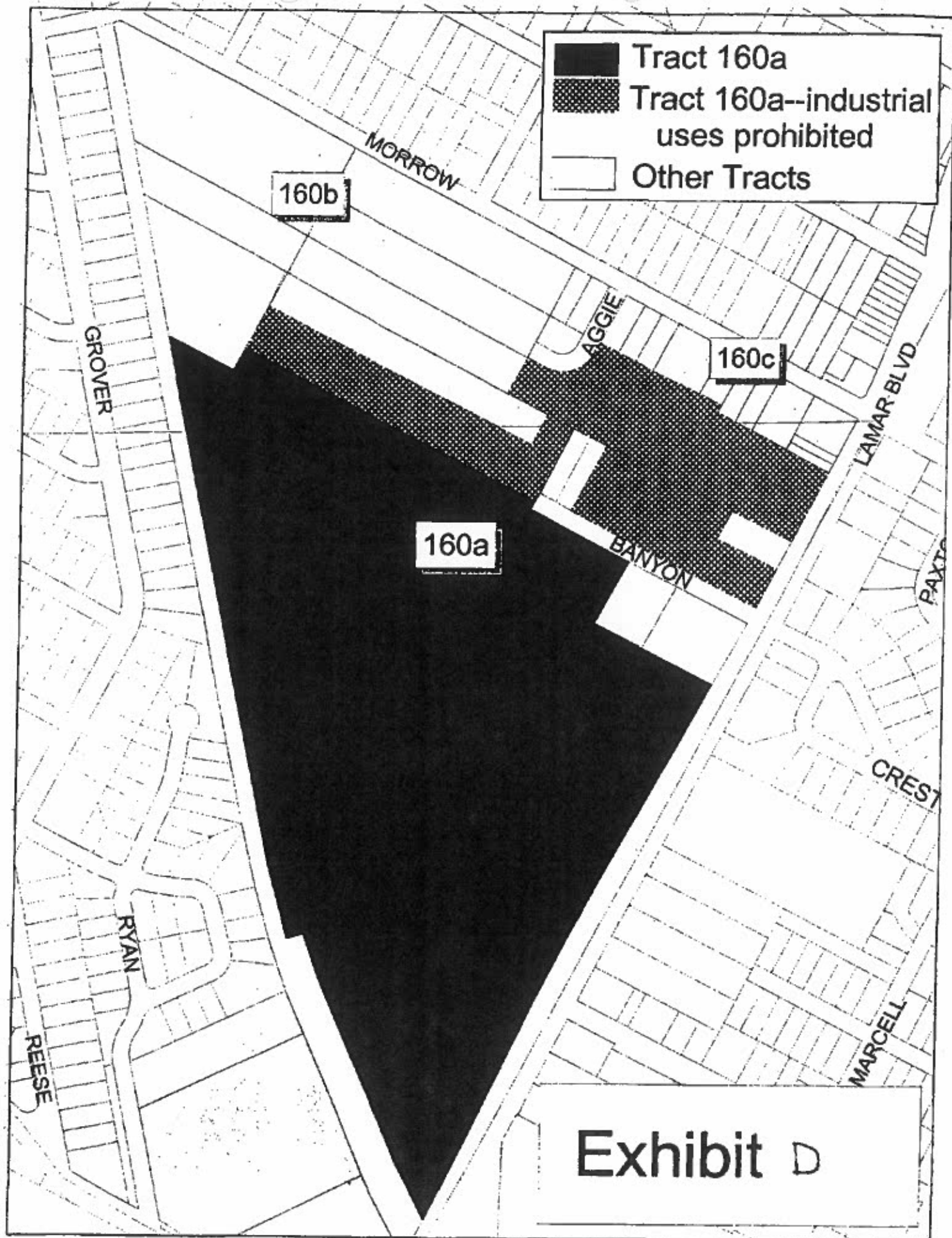
HUNTSMAN TRACTS
FACILITY 160A, 160B, & 160C
EXHIBIT C pg 2 of 2

b Bury+ Partners
 Consulting Engineers and Surveyors
 Austin, Texas Tel 512/328-0011 Fax 512/328-0325
 Bury+Partners, Inc. ©Copyright 2004

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

PROJECT No.: 1425-01.00

SCALE: N.T.S.



ORDINANCE NO. 20081211-086

AN ORDINANCE REZONING AND AMENDING THE ZONING MAP TO CHANGE THE ZONING DISTRICTS FROM THEIR CURRENT DESIGNATIONS TO TRANSIT ORIENTED DEVELOPMENT (TOD) DISTRICT ON CERTAIN PROPERTY IN THE CRESTVIEW/WOOTEN AND BRENTWOOD/HIGHLAND NEIGHBORHOOD PLAN COMBINING DISTRICTS; AND ADOPTING THE LAMAR BLVD./JUSTIN LANE TOD DISTRICT STATION AREA PLAN AND REGULATING PLAN, INCLUDING MODIFICATIONS TO TITLE 25 OF THE CITY CODE.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base zoning districts to transit oriented development (TOD) district on all those certain tracts of land (*the "Property"*) described in Zoning Case No. C14-2008-0030, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 195 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the tract map attached as Exhibit "A",

located in portions of the Crestwood/Wooten and Brentwood/highland neighborhood planning areas, locally known as the area generally bounded by Morrow St. on the north; Guadalupe St., Burns St., and the back property line of properties along Lamar Blvd. on the east; Denson Dr. and just north of Romeria Dr. on the south; and Wild St., the Northwest and Austin Railroad, and Ryan Dr. on the west, in the City of Austin, Travis County, Texas, and identified in the tract table attached as Exhibit "B" and the map attached as Exhibit "C" (*the "Zoning Map"*).

PART 2. The zoning districts for the Property are changed:

- (A) from the current base districts to transit oriented development (TOD) district; and
- (B) to remove all current combining district designations, except that each district shall retain its current neighborhood plan (NP) combining district designation.

PART 3. The "Lamar/Justin TOD Station Area Plan" attached as Exhibit "D" and incorporated into this ordinance is adopted as the station area plan for the Property under

Section 25-2-766.22(A) (*Adoption of Station Area Plan*) of the City Code, including the "Regulating Plan for the Lamar Blvd./Justin Lane TOD Station Area Plan" attached as Exhibit "E" (the "*Regulating Plan*") and incorporated into this ordinance.

PART 4. Under Section 25-2-766.22 (*Adoption of Station Area Plan*) of the City Code:

- (A) the Regulating Plan establishes the zoning, site development, and design regulations applicable to the Property;
- (B) the boundaries of the Lamar Blvd./Justin Lane TOD shown in Chapter 25-2 (*Zoning*), Appendix D, Exhibit 4, of the City Code are modified to be the boundaries shown in Exhibit "B;"
- (C) amendments to the Regulating Plan are subject to the requirements of Section 25-1-502 (*Amendment; Review*) of the City for amendments of Title 25 of the City Code instead of the requirements for notice of rezoning under Section 25-2-261 (*Notice of Application Filing*) of the City Code; and
- (D) the density standards in Article 2 (*Land Use and Building Density*) and the site development standards in Section 4.2 (*General Development Standards*) of the Regulating Plan are the only parts of the Regulating Plan that are requirements of Chapter 25-2 for purposes of Section 25-2-472 (*Board of Adjustment Variance Authority*) of the City Code.

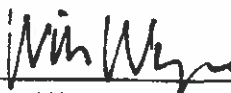
PART 5. The changes made by this ordinance take effect on March 1, 2009.

PART 6. This ordinance takes effect on December 22, 2008.

PASSED AND APPROVED

December 11, 2008

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Will Wynn
Mayor

APPROVED:



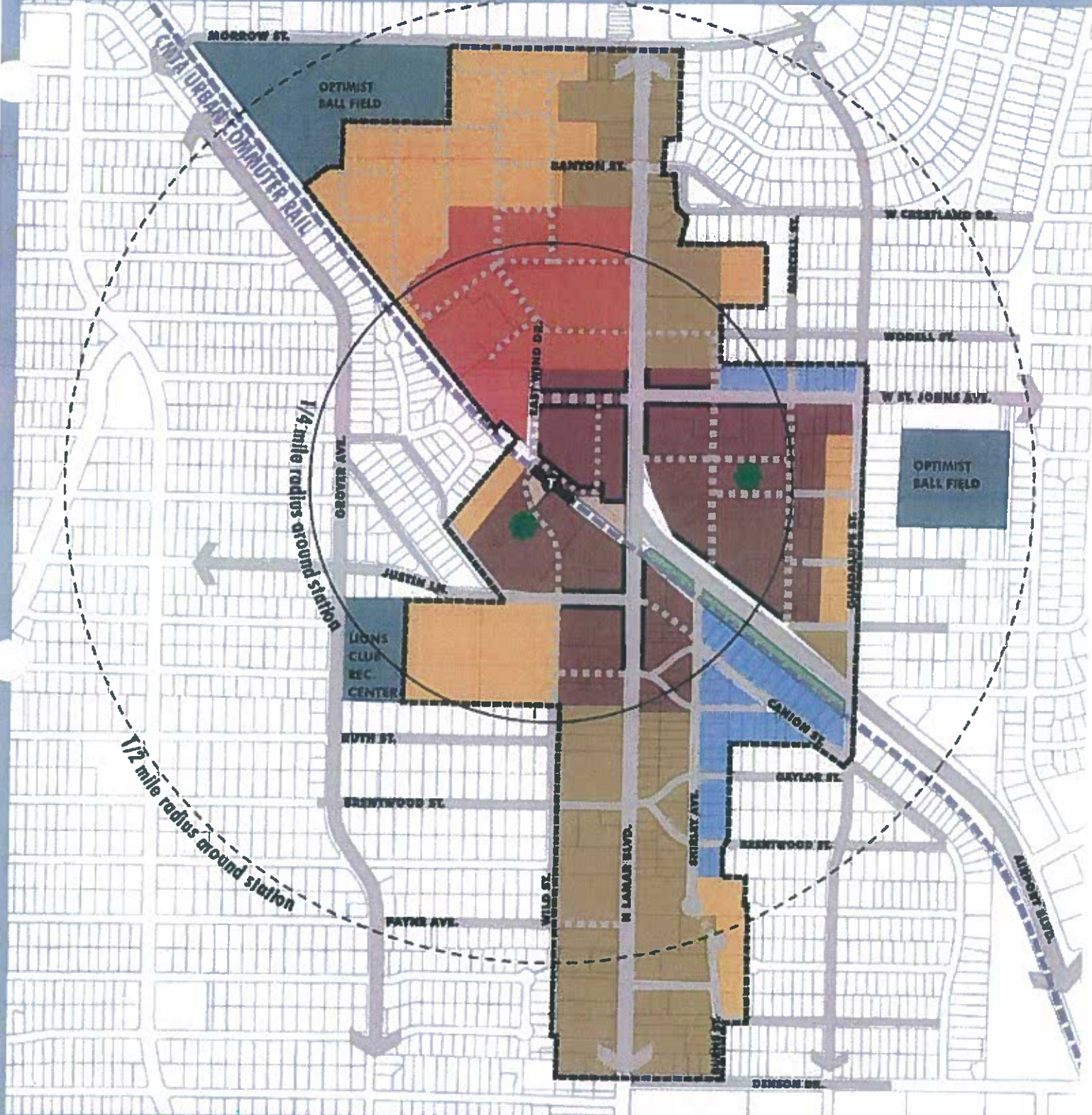
David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

LAND USE AND DESIGN CONCEPT PLAN



LEGEND

- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- TOD MIXED USE (showing active frontages)
- CORRIDOR MIXED USE
- LIVE/WORK FLEX
- PRIVATE OPEN SPACE

- POTENTIAL PARKLAND
- EXISTING STREETS
- POTENTIAL STREETS / BIKE-PED CONNECTION
- TOD DISTRICT BOUNDARY
- T METRORAIL STATION
- TRANSIT PLAZA

N

0 200 400 800 FEET



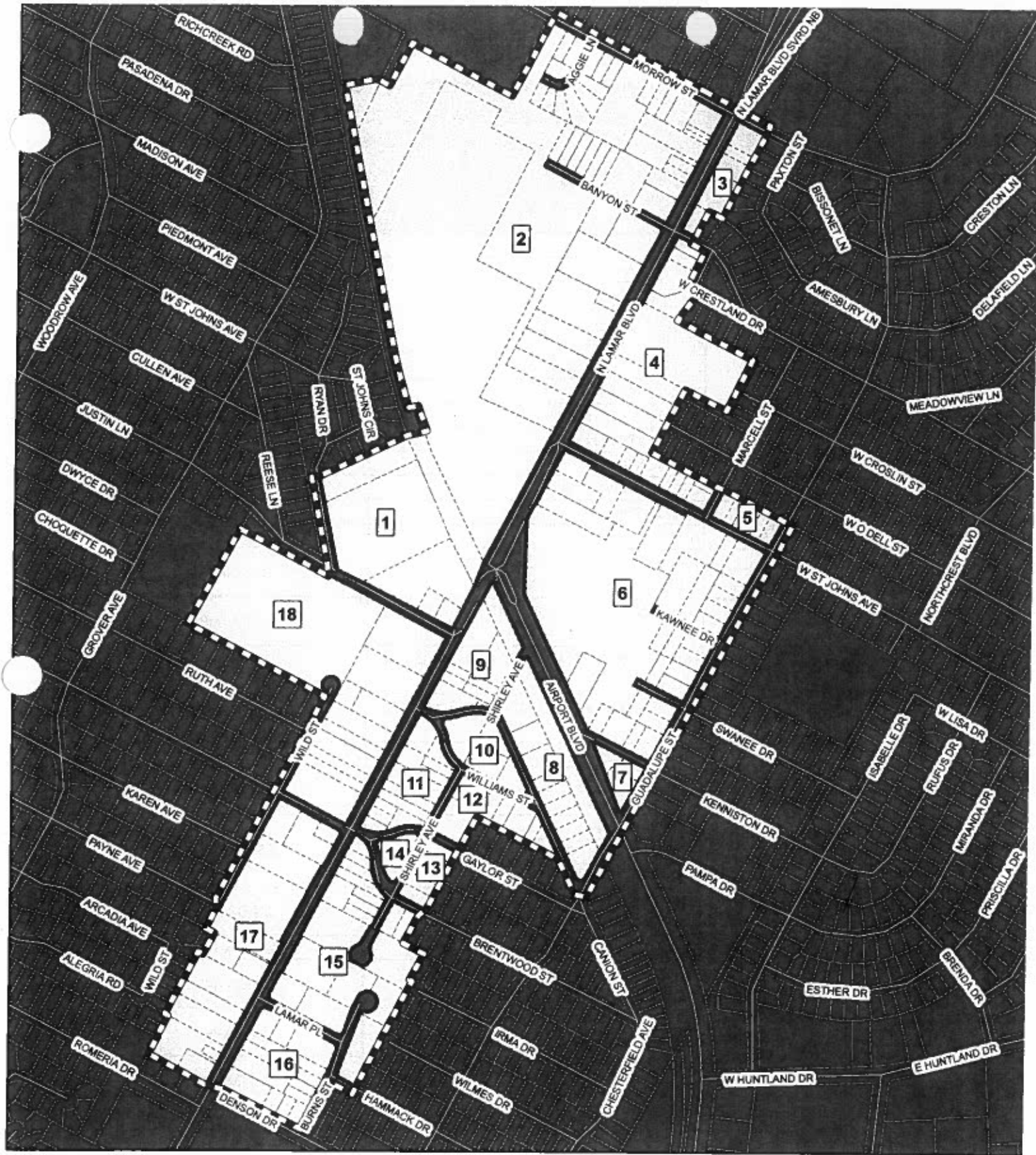


Exhibit A: Lamar Blvd/Justin Lane Station Area Plan
Planning Tract Map
C14-2008-0030

500 250 0 500 Feet



Produced by City of Austin
 Neighborhood Planning & Zoning Dept.
 March 21, 2008

This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.

Lamar Blvd/Justin Lane Station Area Plan
C14-2008-0030
Properties to be Rezoned to "TOD-NP"

Tract #	TGAD Property ID	GOA Address	Existing Zoning
1	232150	6909 RYAN DR	P-NP
		6915 RYAN DR	
		6917 RYAN DR	
		910 JUSTIN LN	
	232208	6926 N LAMAR BLVD	CS-NP
		6928 N LAMAR BLVD	
		810 JUSTIN LN	
		812 1/2 JUSTIN LN	
		812 JUSTIN LN	
		906 JUSTIN LN	
	232209	6916 N LAMAR BLVD	CS-NP
	232210	808 JUSTIN LN	CS-NP
	235029	6927 RYAN DR	CS-MU-CO-NP
	Portion of 374454	Portion of ACR .05 * OF LOT 12-21 BLK 14 OLT 2 DIVISION O	Unzoned
2	235068	LOT 1 NORTHERN INDUSTRIAL SUBD SEC 1	LI-PDA-NP
	235069	LOT 2 NORTHERN INDUSTRIAL SUBD SEC 1	LI-PDA-NP
	235070	LOT 3 NORTHERN INDUSTRIAL SUBD SEC 1	LI-PDA-NP
	235071	910 BANYON ST	LI-PDA-NP
	235072	912 BANYON ST	CS-MU-NP
		916 BANYON ST	
	235073	914 BANYON ST	CS-MU-NP
		918 BANYON ST	
		920 BANYON ST	
	235074	221 X 373 FT AV OF ABS 697 SUR 7 SPEAR G W	LI-PDA-NP
	235075	7312 1/2 N LAMAR BLVD	LI-PDA-NP
	235076	111.11X369.64 FT OF ABS 697 SUR 7 SPEAR G W	LI-PDA-NP
	235077	ABS 697 SUR 7 SPEAR G W ACR .867	LI-PDA-NP
	Portion of 235078	Portion of 7432 1/2 N LAMAR BLVD	LI-PDA-NP
	235079	60X125 ABS 697 SUR 7 SPEAR G W	LI-PDA-NP
	235080	ABS 697 SUR 7 SPEAR G W ACR 1.73	LI-PDA-NP
	235081	817 BANYON ST	CS-NP
	235082	7434 N LAMAR BLVD	CS-NP
		7436 N LAMAR BLVD	

Tract #	TGAD Property ID	COA Address	Existing Zoning
2 (Cont.)	235083	810 BANYON ST	LI-PDA-NP
	235084	7512 N LAMAR BLVD	CS-NP
	235085	804 1/2 BANYON ST	LI-PDA-NP
	236420	7526 N LAMAR BLVD	P-NP
	236421	7544 1/2 N LAMAR BLVD	CS-MU-CO-NP
	236422	LOT 10 BLK A NORTHGATE ADDN	CS-MU-CO-NP
	236423	825 MORROW ST	LI-PDA-NP
	236424	LOT 2 ARNETT CLEO M	LI-PDA-NP
	236425	813 MORROW ST	CS-MU-CO-NP
	236426	7524 N LAMAR BLVD	P-NP
	236427	7520 N LAMAR BLVD	P-NP
	236428	7530 N LAMAR BLVD	P-NP
	236429	7544 N LAMAR BLVD	CS-MU-CO-NP
	Portion of 237531	Portion of ABS 697 SUR 7 SPEAR G W ACR 2.898	LI-PDA-NP
	237764	1003 MORROW ST	LI-PDA-NP
	237765	1001 MORROW ST	LI-PDA-NP
	237766	1016 AGGIE LN	LI-PDA-NP
	237767	1017 AGGIE LN 1019 AGGIE LN	LI-PDA-NP
	237768	1015 AGGIE LN	LI-PDA-NP
	237769	1013 AGGIE LN	LI-PDA-NP
	237770	LOT 9 BLK A *RESUB LOT 21-23 NORTHGATE ADDN	LI-PDA-NP
	237771	1009 AGGIE LN	LI-PDA-NP
	237772	1007 AGGIE LN	LI-PDA-NP
	237773	913 MORROW ST	LI-PDA-NP
	237774	911 MORROW ST	LI-PDA-NP
	237775	909 MORROW ST	LI-PDA-NP
	237776	827 MORROW ST 901 MORROW ST	LI-PDA-NP
	237777	907 MORROW ST	LI-PDA-NP
	725281	6932 N LAMAR BLVD	LI-PDA-NP
		7000 1/2 N LAMAR BLVD	
		7002 1/2 N LAMAR BLVD	
		7114 1/2 N LAMAR BLVD	
		7114 N LAMAR BLVD 950 BANYON ST	
3	235160	7501 N LAMAR BLVD	GR-MU-CO-NP
	236474	7541 N LAMAR BLVD 7545 N LAMAR BLVD	GR-MU-CO-NP
	236475	LOT A3 *RESUB OF LT A1 RESUB OF LT A TEMPO NORTH	GR-MU-CO-NP

1. The portion of the project where new buildings are constructed or existing buildings are expanded must comply with Section 4.6 (Exterior Lighting), Section 4.7 (Screening of Equipment and Utilities), and the applicable sidewalk requirements in Section 3.3 (Sidewalk Standards).
2. The portion of the project where new buildings, exterior additions to existing buildings, and remodeled facades are constructed must comply with the requirements of Article 5 (Building Design Standards).
3. Subject to the requirements in Paragraphs a-c of this subsection, all new buildings and additions to existing buildings must comply with the applicable building placement requirements in Section 4.4:
 - a. Full compliance with building placement requirements is required unless the Director determines that it cannot be achieved due to:
 - (i) The location of existing buildings or other improvements to be retained on the site;
 - (ii) The size or magnitude of the proposed addition;
 - (iii) The nature of a use to be included in a proposed addition to an existing building that limits placement of that use on the site;
 - (iv) Topography, protected trees, or critical environmental features; or
 - (v) The location of water quality or detention facilities.
 - b. An applicant must carry the burden of establishing that full compliance with building placement requirements cannot be achieved under the criteria in Paragraph a. and must provide all information requested by the Director.
 - c. If the Director determines that full compliance cannot be achieved based on the criteria in Paragraph a, an applicant must comply with the building placement requirements to the extent possible.

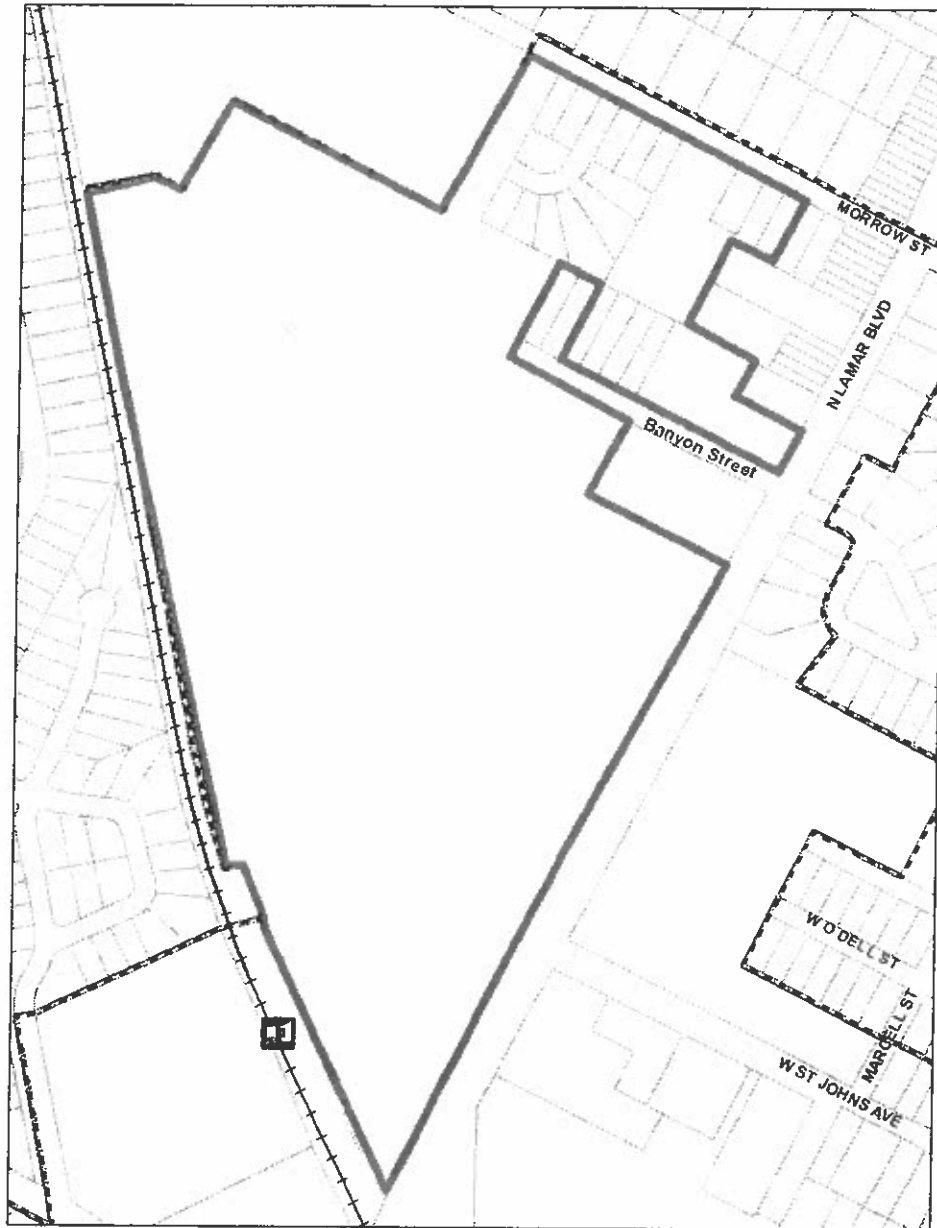
1.2.4. Exemption from Subchapter E of the Land Development Code

For the area within the Lamar/Justin TOD District (Figure 1-1), this Document shall control and supersedes all standards and regulations in Chapter 25-2 Document E: Design Standards and Mixed Use.

1.2.5. Conflicting Provisions

- A. If the provisions of this Document are inconsistent with provisions found in other adopted codes, ordinances, or regulations of the City of Austin not listed in Subsection B below, this Document shall control unless otherwise expressly provided.
- B. The following provisions supersede the requirement of this Document to the extent of conflict:
 1. The Planned Development Area (PDA) regulations in Ordinance 040415-50 continue to apply to property formerly known as "The Huntsman Tract", currently referred to as the "Crestview Station" or "Midtown Commons" development, and as identified in Figure 1.4.

Figure 1-4: The area subject to PDA regulations per Ordinance #040415-50.



1.2.6. Accessibility

Accessibility, integration and inclusion of people with disabilities are fundamental components of our vision for the future of the City of Austin. This Document shall not supersede any applicable state or federal accessibility statutes and regulations. Administration and enforcement of this Document shall comply with all such statutes and regulations.

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 attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a 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.

Case Number: C14-2011-0117

Contact: Clark Patterson, 974-7691

Public Hearing: Oct 25, 2011, Planning Commission

Nov 10, 2011, City Council

Mary Couvent Couvent Nicklitz

Your Name (please print)

7521 N. Lamar

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: 512-345-5025

10-17-11

Comments:

I see no problem
with this zoning rezoning
and hope it is approved
promptly.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor
☐ I object

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Case Number: C14-2011-0117

Contact: Clark Patterson, 974-7691

Public Hearing: Oct 25, 2011, Planning Commission

Nov 10, 2011, City Council

Sarah Graham Patterson

Your Name (please print)

904 Taulbee Ln

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: 705-1238

Date

10-21-2011

☐ I am in favor
☐ I object

☒ I have an alternate

Comments: Since Morrow Street isn't able to handle an increase in vehicular traffic, I recommend that this development be required to have a pedestrian and bicycle connection to Morrow St. Connectivity is a priority for the City of Austin. Morrow St. is an official bicycle route for the City of Austin. Neighborhood access to the TOD and rail is important. Just because vehicles increase is an issue doesn't mean that all access should be denied.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-2011-0117

Contact: Clark Patterson, 974-7691

Public Hearing: Oct 25, 2011, Planning Commission

Nov 10, 2011, City Council

MIKE O'DELL

Your Name (please print)

7427 N. LAMAR

Your address(es) affected by this application

MO'DELL

Signature

Daytime Telephone: 512-459-6677

Date

10/16/11

Comments: GREAT DEVELOPMENT FOR

THE AREA.

☒ I am in favor
☐ I object

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810