

## SECOND/THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2011-0109 Lamar Development

REQUEST: Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning the property locally known as 4527 N. Lamar Street (Waller Creek Watershed) from Unzoned (UNZ) district zoning to Multifamily Residence, Highest Density, Conditional Overlay (MF-6-CO) combining district zoning.

DEPARTMENT COMMENTS:

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

APPLICANT: State of Texas (Hal Croft)

AGENT: Brown McCarroll, L.L.P. (Nikelle Meade)

DATE OF FIRST READING: November 10th, 2011

The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for Multifamily Residence, Highest Density, Conditional Overlay (MF-6-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Martinez' second on a 7-0 vote.

CITY COUNCIL HEARING DATE:

May 24th, 2012

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Clark Patterson

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2011-0109 Lamar Development

**Z. P. C. DATE:** 10-18-2011

**ADDRESS:** 4527 N. Lamar

**AREA:** 1.71 Acres

**APPLICANT:** State of Texas  
(Hal Croft)

**AGENT:** Brown McCarroll, L.L.P.  
(Nikelle Meade)

**NEIGHBORHOOD PLAN AREA:** None

**CAPITOL VIEW:** No

**WATERSHED:** Waller Creek

**T.I.A.:** No.

**HILL COUNTRY ROADWAY:** No

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** Unzoned – State of Texas property.

**ZONING TO:** MF-6 – Multifamily Residence Highest Density

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends MF-6-CO – Multifamily Residence, Highest Density, Conditional Overlay.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

The motion to approve staff's recommendation for MF-6-CO combining district zoning, was approved on the consent agenda by Commissioner Sandra Baldrige's motion, Commissioner Gabriel Rojas seconded the motion on a vote of 6-0, 1 vacancy on the commission.

### **DEPARTMENT COMMENTS:**

This tract of land is located on the property known as "The Triangle", which is owned by the State of Texas. The State of Texas entered into a lease agreement in 1997 with Triangle Retail, Inc. in order to develop the land to benefit the Texas Department of Mental Health and Mental Retardation. The Triangle is currently developed with various low to mid rise mixed use buildings to the north, with retail/commercial uses on the ground floor with residential dwelling units on the upper floors. The property to the East is currently developed with the State Children's hospital and the property to the south is also developed with a State hospital. The proposed use for the subject tract is mid-rise multifamily structure with the possibility of first floor retail. The property to the South was zoned General Office with case number C14-87-091 and the property to the south east was recently zoned CS-CO with case number C14-2010-0132. This use is fair and reasonable, compatible and consistent with the other uses that currently surround the subject tract and make up the Triangle tract and is in keeping with the vision for the development of the land. Most of the other buildings are on a long term lease with the State and thus do not have zoning. However, the applicant is going to purchase this property from the State, fee simple, so the land needs to have zoning.

**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.*

Granting the zone change request would be in keeping with the surrounding uses to the south and west, which are in keeping with the planned development for the Triangle tract.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	UNZ	Undeveloped
<b>NORTH</b>	UNZ	Multi-Family Residential
<b>SOUTH</b>	GO	Austin Child Guidance Center
<b>EAST</b>	UNZ	Office building
<b>WEST</b>	UNZ	State Hospital

**CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-97-0132 Walgreens	From MF-4 & CS to GR-CO	Approved GR-CO [Vote: 7-0]	Approved GR-CO [Vote: 7-0]
C14-87-091	From Unzoned to GO	Approved GO [Vote: 6-0]	Approved GO [Vote: 7-0]
C14-2010-0132	From Unzoned to CS-CO	Approved CS-CO [Vote: 7-0]	Approved CS-CO [Vote: 7-0]

**NEIGHBORHOOD ORGANIZATION:**

- Homeless Neighborhood Assoc.
- Austin Neighborhoods Council
- League of Bicycling Voters
- North Austin Neighborhood Alliance
- 45<sup>th</sup> Street Concerned Citizens

**SCHOOLS:**

Bryker Woods Elementary School  
OHenry Middle School  
Austin High School

**SITE PLAN COMMENTS RECEIVED:**

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Lamar Blvd is a Core Transit Corridor. Additional comments will be made when a site plan is submitted.

**TRANSPORTATION COMMENTS RECEIVED:**

- TR1. Additional right-of-way maybe required with the site plan or subdivision application.
- TR2. 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]
- TR3. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
N Lamar Blvd	130-180'	Divided roadway with multiple lanes	Arterial	Yes	Yes	Yes
46 <sup>th</sup> Street	56'	22'	Local	No	No	Within ¼ mile

**ENVIRONMENTAL COMMENTS RECEIVED:**

- 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.
- Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
- 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.
- According to flood plain maps, there is no flood plain within the project area.
- 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.
- Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**CITY COUNCIL DATE:** November 10<sup>th</sup>, 2011

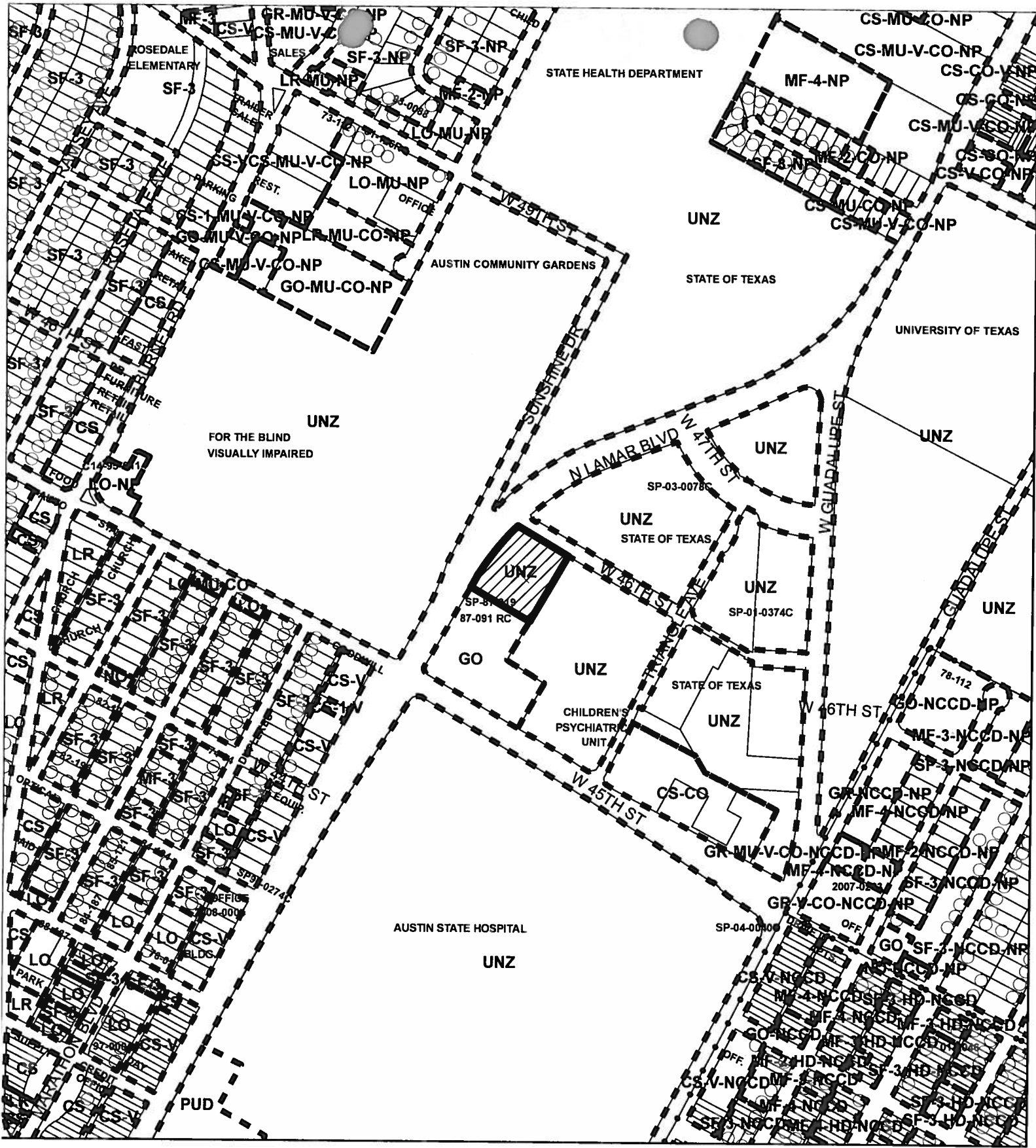
**ACTION:**




**ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)

**PHONE:** 974-7691



- ZONING**
- ZONING CASE#: C14-2011-0109**
-  SUBJECT TRACT
  -  PENDING CASE
  -  ZONING BOUNDARY

**ZONING**

**ZONING CASE#: C14-2011-0109**



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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.

1" = 400'







## 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](http://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: C14-2011-0109

Contact: Clark Patterson, 512-974-7691

Public Hearing: October 18, 2011, Zoning and Platting Commission  
November 10, 2011, City Council

**CHRIS ALLEN**

Your Name (please print)

**ROSEDALE N.A.**

Your address(es) affected by this application

**10/14/11**

Date

Signature

Daytime Telephone: **467-2888**

Comments:

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