

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2016-0070 – Thrasher Lane Lots

REQUEST:

Approve on second and third readings an ordinance amending City Code Title 25-2 by rezoning property locally known as 2500, 2508 & 2514 Thrasher Lane (West Country Club Creek and Carson Creek Watersheds) from general commercial services – neighborhood plan (CS-NP) district zoning to general commercial services - mixed use – neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: general commercial services – mixed used-conditional overlay – neighborhood plan (CS-MU-CO-NP) for Tract 1 and general commercial services – conditional overlay - neighborhood plan (CS-CO-NP) combining district zoning for Tract 2. City Council Action: Approved general commercial services – mixed used- conditional overlay – neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and general commercial services – conditional overlay - neighborhood plan (CS-CO-NP) combining district zoning for Tract 2 on first reading February 16, 2017. Agent: Permit Partners/David Cancialosi. Owner: Dalor Ltd. (David Suissa). City Staff: Andrew Moore, 512-974-7604.

This site is located on Thrasher lane in the Montopolis Neighborhood Planning Area. The applicant is requesting mixed use zoning to market the property for multifamily development and has proposed this property will take access to Montopolis Drive via an adjacent property rezoned in 2015 (C14-2015-0099). The Thrasher Lane Lot property has access to unimproved right of way which is Thrasher Lane. Thrasher is a local residential street. It is not suitable for a high density multifamily development as proposed. A portion of this property is within 1000 feet of the Praxair facility on Montopolis Drive. Austin Fire Department has recommended a 1000 foot non-residential buffer from the Praxair site because of the hazardous materials stored on that property. The staff proposed conditional overlay would prohibit residential use beyond the 1000 foot buffer to also provide a buffer from the adjacent industrial zoned property, restrict commercial uses and prohibit a multifamily use taking access to Thrasher lane. It would also limit access to Thrasher lane to 300 vehicle trips/day.

DISTRICT AREA: 3

PROPERTY OWNER: Dalor Ltd (David Suissa)

AGENT: Permit Partners (David Cancialosi)

ISSUES: None at this time.

DATE OF FIRST READING/VOTE: February 16, 2017/11-0

CITY COUNCIL DATE: March 23, 2017

CITY COUNCIL ACTION:

ASSIGNED STAFF: Andrew Moore

PHONE: 512-974-7604

EMAIL: andrew.moore@austintexas.gov

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0070 **P.C. DATE:** November 8, 2016
Thrasher Lane Lots December 13, 2016
January 24, 2017

ADDRESS: 2500, 2508 & 2514 Thrasher Lane **AREA:** 7.997 acres

OWNER: Dalor LTD (David Suissa)

APPLICANT: Permit Partners (David Cancialosi)

ZONING FROM: General commercial services-neighborhood plan; CS-NP

ZONING TO: General commercial services – mixed use-neighborhood plan
CS-MU-NP;

NEIGHBORHOOD PLAN AREA: Montopolis Neighborhood Planning Area

SUMMARY STAFF RECOMMENDATION:

Recommendation of General commercial services – mixed use- conditional overlay-neighborhood plan (CS-MU-CO-NP) for Tract 1 and General commercial services – conditional overlay - neighborhood plan (CS-CO-NP) for Tract 2.

Conditional overlay:

-SF-6 residential development standards for Tract 1 and vehicle trips limited to less than 300 per day for access to Thrasher Lane. Commercial services-mixed use residential (CS-MU) development standards is allowed if vehicle access is not to Thrasher Lane.

The following uses are prohibited:

Adult-Oriented Business	Exterminating Services
Alternative Financial Services	Indoor Sports and Recreation
Automotive – Washing/Sales	Kennels
Automotive Repair services	Laundry Services
Bail Bonds	Medical offices (exceeding 5000 sq ft gross floor area)
Building Maintenance Services	Pawn Shop Services
Campground	Outdoor Sports and Recreation
Commercial Blood Plasma Center	Service Station
Construction Sales/Services	Telecommunications Tower
Drop-off Recycling Collection Facility	Vehicle Storage
Equipment Repair Services	
Equipment Sales	

PLANNING COMMISSION ACTION:

OCTOBER 25, 2016: POSTPONED TO NOVEMBER 8, 2016 AT THE REQUEST OF THE MONTOPOLIS NEIGHBORHOOD ASSOCIATION ON CONSENT, VOTE 12-0 [J. SCHISSLER, P. SEEGER 2nd, J. SHEIH ABSENT].

NOVEMBER 8, 2016: POSTPONED TO DECEMBER 13, 2016 BY STAFF, VOTE 12-0 [P. SEEGER, F. KAZI 2ND, A. PINEYRO DEHOYOS ABSENT].

DECEMBER 13, 2016: POSTPONED TO JANUARY 24, 2016 BY THE APPLICANT ON CONSENT, VOTE 9-0 [P. SEEGER 1ST, T. WHITE 2ND, A. PINEROS-DEHOYS, T. NUCKOLS, J. SHIEH, ABSENT].

JANUARY 24, 2017: APPROVED STAFF RECOMMENDATION ON CONSENT, VOTE 10-0 [T. WHITE 1ST, P. SEEGER 2ND, F. KAZI, S. OLIVER, J. VELA ABSENT].

CITY COUNCIL ACTION:

JANUARY 26, 2017 – POSTPONED BY STAFF TO FEBRUARY 16, 2017, VOTE 11-0 [D. GARZA 1ST, P. RENTERIA 2ND].

FEBRUARY 16, 2017 – APPROVED PLANNING COMMISSION RECOMMENDATION ON 1ST READING ON CONSENT, VOTE 11-0.

DEPARTMENTAL COMMENTS:

This nearly 8-acre parcel contains two undeveloped tracts between Montopolis Drive, Thrasher Lane, East Riverside Drive and E. Ben White Boulevard in the Montopolis Neighborhood. Thrasher Lane, adjacent to the property, is unimproved right-of-way. The surrounding area is commercially zoned to the north, east and west and industrially zoned to the south. The commercial zoning occurred during the Montopolis Neighborhood Plan adoption. To the east is a large multifamily development. Thrasher Lane is a local residential street with single family residences, a mobile home park and without sidewalks.

This property was zoned commercial as part of the Montopolis Neighborhood Plan to serve as a transition to the industrial zoning and use to the south. Praxair is located to the south along Montopolis and has hazardous materials stored on site. Because of those materials the Austin Fire Department (AFD) has recommended no residential development within 1000 feet of that site. The AFD recommendation came from analysis done for an adjacent zoning request immediately to the south of the subject tract. Although AFD did not consider the request for the subject tract, the 1000 foot buffer impacts this property.

The applicant is proposing to combine this property with an adjacent tract to the west which was recently rezoned (C14-2015-0099) to general commercial service mixed use conditional overlay neighborhood plan (CS-MU-CO-NP) and fronts to Montopolis Drive. However, the properties have separate owners so at this time zoning staff cannot recommend the higher residential density level with uncertain access.

Because of the residential uses along Thrasher, the uncertain access to Montopolis and the industrial zoned property to the south, staff does not support a high density multifamily use for this property unless vehicle access is secured to Montopolis or Carson Ridge. Staff also does not support a residential use adjacent to the industrial zoned property and the Praxair hazardous materials to the south. Staff is recommending a reduced area for mixed use with Townhouse and Condominium development standards (SF-6). This is consistent with the Neighborhood Plan Amendment (NPA-2016-0005.01) recommendation.

The staff recommendation also limits the vehicle trips on Thrasher below the 300 trips per day which would require a Neighborhood Transportation Analysis.

Issues

The applicant prefers mixed use be allowed to the 1000 foot Praxair buffer. The Montopolis Neighborhood Contact Team has concerns with downstream flooding from this property, traffic on Thrasher and the proximity to Praxair (see attached email).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	CS-NP	Undeveloped
North	CS-NP & GR-MU-CO-NP	Single family & Undeveloped
South	LI-NP	Undeveloped
East	CS-MU-NP	Multi family
West	CS-MU-CO-NP & CS-NP	Single family & Personal services and vacant single family

WATERSHED: West Country Club Creek and Carson Creek Watersheds**DESIRED DEVELOPMENT ZONE:** Yes**TIA:** No**CAPITOL VIEW CORRIDOR:** No**HILL COUNTRY ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation
 Austin Independent School District
 Austin Neighborhoods Council
 Bike Austin
 Carson Ridge Neighborhood Association
 Crossing Garden Home Owners Association
 Del Valle Community Coalition
 Friends of Austin Neighborhoods
 Housing Authority of Austin
 Homeless Neighborhood Association
 Montopolis Area Neighborhood Alliance
 Montopolis Community Alliance
 Montopolis Neighborhood Association
 Montopolis Neighborhood Planning Contact Team
 Montopolis Tributary Trail Association
 Preservation Austin
 Save Our Springs Alliance
 SEL Texas
 Sierra Club, Austin Regional Group

SCHOOLS:

Austin Independent School District

Allison Elementary School	Martin Middle School	Eastside Memorial High School
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Del Valle Independent School District

Smith Elementary School	Del Valle Middle School	Del Valle High School
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ABUTTING STREETS:

Name	ROW	Pavement	Classification	Side-walks	Bike Route	Bus
Thrasher Lane	50-60'	00'	Local	No	No	No

SITE ZONING CASE HISTORIES:

NUMBER	REQUEST	LAND USE COMMISSION	CITY COUNCIL
C14-01-0060 Thrasher Lane Montopolis Neighborhood Plan	SF-2 to CS-NP	Recommended CS-NP	Approved CS-NP (9-27-01)

RELEVANT ZONING CASE HISTORIES:

NUMBER	REQUEST	LAND USE COMMISSION	CITY COUNCIL
C14-01-0060 Thrasher Lane Montopolis Neighborhood Plan	SF-2 to CS-NP	Recommended CS-NP	Approved CS-NP (9-27-01)
C14-2015-0099 2407-2409 Montopolis Drive	CS-NP to CS-MU-NP	Recommended CS-MU-CO-NP	Approved CS-MU-CO-NP (12-10-15) restricted uses
C14-2009-0092 6503 Carson Ridge	CS-NP to GR-MU-NP	Recommended GR-MU-CO-NP	Approved GR-MU-CO-NP (1-28-10) Trips limited to 1500.
C14-2011-0169 7016 E. Ben White Blvd	LI-NP & CS-NP to CS-MU-NP	Recommended CS-MU-NP	Approved CS-MU-NP (4-5-12)

CASE MANAGER: Andrew Moore
e-mail address: andrew.moore@austintexas.gov

PHONE: 512-974-7604

STAFF RECOMMENDATION

C14-2016-0070

To grant CS-MU-CO-NP for Tract 1 and CS-CO-NP for Tract 2.

Conditions of the CO include:

-SF-6 residential development standards for Tract 1 and vehicle trips limited to less than 300 per day for access to Thrasher Lane. Commercial services-mixed use residential (CS-MU) development standards is allowed if vehicle access is not to Thrasher Lane

The following uses are prohibited:

Adult-Oriented Business
Alternative Financial Services
Automotive – Washing/Sales
Automotive Repair services
Bail Bonds
Building Maintenance Services
Campground
Commercial Blood Plasma Center

Construction Sales/Services
Drop-off Recycling Collection Facility
Equipment Repair Services
Equipment Sales
Exterminating Services
Hotel-Motel
Indoor Sports and Recreation
Kennels

Laundry Services
Medical offices (exceeding 5000 sq ft gross
floor area)
Pawn Shop Services

Outdoor Sports and Recreation
Service Station
Telecommunications Tower
Vehicle Storage

BASIS FOR LAND USE RECOMMENDATION

Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character; and

Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

The subject property is adjacent to light-industrial (LI) zoned property to the south and has access to a local residential street. The property was zoned commercial as part of the Montopolis Neighborhood Plan to serve as a transition between the LI property to the south and the residential uses to the north. There also exists an active industrial use to the south (Praxair) which stores hazardous materials. The Austin Fire Department recommends a 1000 foot buffer without residential use. The staff recommendation attempts to address this buffer and maintain a transition between the incompatible uses.

Zoning should allow for a reasonable use of the property.

The property has limited access to local residential street. It is reasonable to reduce the residential density for this property to be consistent with adjacent uses.

Without a site plan for a project at this and the adjacent property, access to Montopolis is not guaranteed so staff cannot assume this will be the case in the future. Properties adjacent to public right of way are allowed to access it however a higher density multifamily use is not suitable. If access to Montopolis is available after re-platting or through a unified development agreement, a higher multifamily density would be allowed within the proposed conditional overlay.

Zoning should be consistent with an adopted study, the Future Land Use Map (FLUM) or an adopted neighborhood plan; and

A Neighborhood Plan Amendment (NPA) application accompanies this rezoning request (NPA-2013-0025.02). Staff and the Neighborhood Plan Contact Team do not recommend the requested changes because of the proximity to industrial uses and zoning as well as access. Staff believes the alternative recommendation is better suited for this location and to serve as a transition between the industrial zoned properties and residential zoned properties.

EXISTING CONDITIONS & REVIEW COMMENTS

Site Characteristics

The site is currently undeveloped. Topographically, the parcel slopes from south to north and the property as a whole sits above its adjacent boundary right of way. The right of way is currently unimproved. The site is heavily treed, but it is unknown at this time whether any trees are protected. Similarly, there are no known environmental features, and no known constraints to development.

DSD Transportation Review - Danielle Morin 512-974-1605

- TR1. If the requested zoning is recommended for this site, 35 feet of right-of-way should be dedicated from the centerline of Thrasher Lane in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.
- TR2. If the requested zoning is recommended for this site, 45 feet of pavement will be required along Thrasher Lane in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.
- TR3. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]
- TR4. If the requested zoning is recommended for this site, it is recommended, as a condition of zoning, to stub out internal drives to the west for future connectivity.
- TR5. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Thrasher Lane	55 feet	None	Collector	None	N/A	N/A

NPZ Environmental Review - Mike McDougal 512-974-6380

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Carson Creek Watershed and the Country Club East Watershed, both of the Colorado River Basin, and are classified as Suburban Watersheds by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.
2. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family	50%	60%

(minimum lot size 5750 sq. ft.)		
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Numerous 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 512-974-1876. 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. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

NPZ Site Plan Review - Elsa Garza 512-974-2308

SP 1) Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

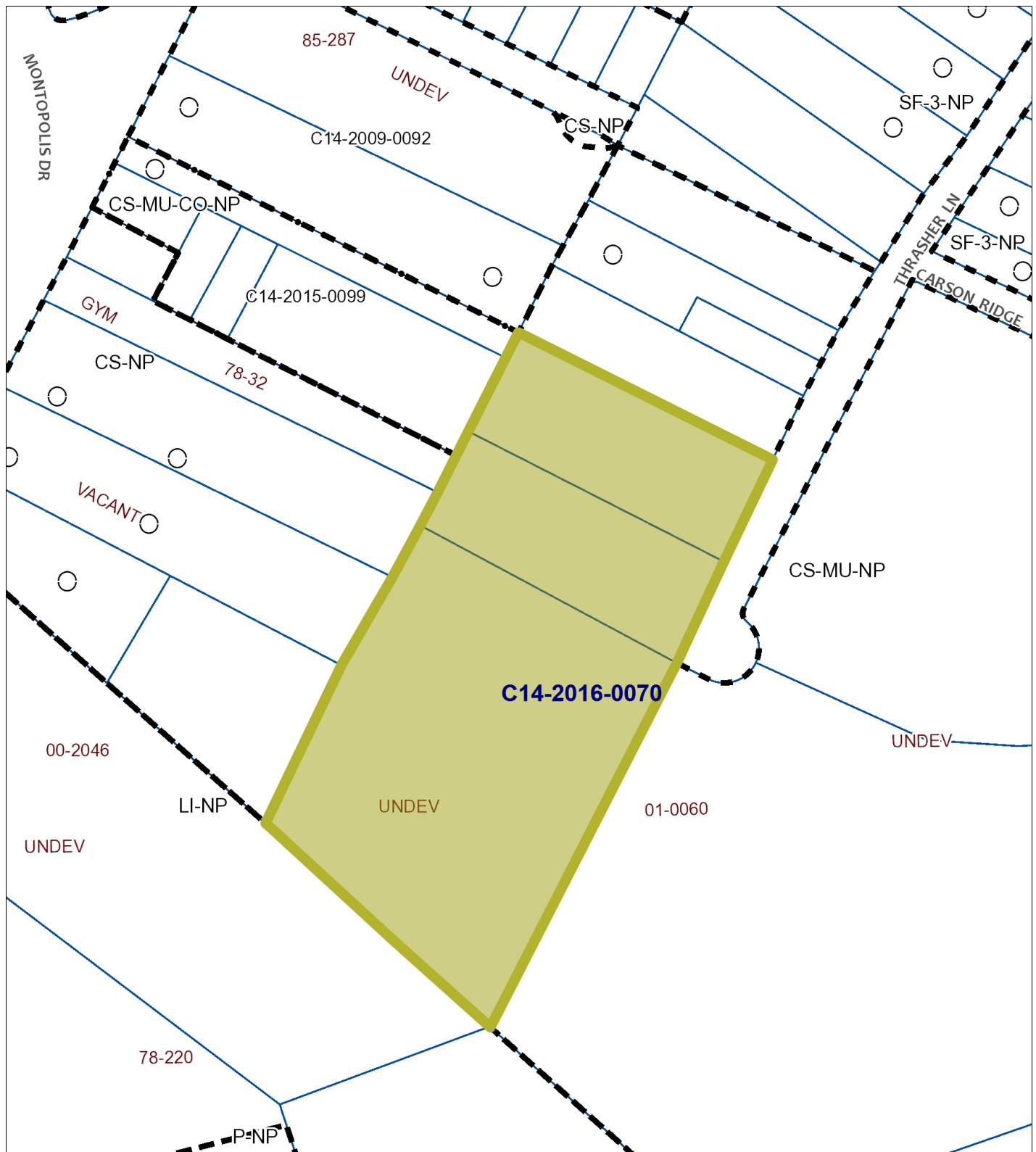
The site is subject to compatibility standards. Along the **east** property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

NPZ Austin Water Utility Review - Neil Kepple 512-972-0077

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



- Subject Tract
- Pending Case
- Zoning Boundary
- Railroads

100 200
Feet

1" = 200'

ZONING

ZONING CASE#: C14-2016-0070



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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Created 07/14/16



ZONING & VICINITY

ZONING CASE#: C14-2016-0070
 LOCATION: 2500, 2508, 2514 THRASHER LANE
 SUBJECT AREA: 7.997 ACRES
 MANAGER: ANDREW MOORE



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- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1" = 400'

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From: [Vires, Rob](#)
To: [Moore, Andrew](#)
Cc: [Urgena, Cora](#); [White, Joe](#)
Subject: Zoning Change - 6700 & 6800 E Ben White and 2601 Montopolis
Date: Thursday, November 03, 2016 2:31:56 PM

Mr. Moore,

Our AFD Engineering Services performed an analysis for the area which included:

- a records search of all the AFD Aboveground Hazmat Permitted (HMP) sites within 1000 feet (There are six sites)
 - o Included in the 6 sites are Praxair and a Semiconductor Facility, each of which have a significant amount of hazardous materials.
- a site visit of the general area
- a site inspection at Praxair

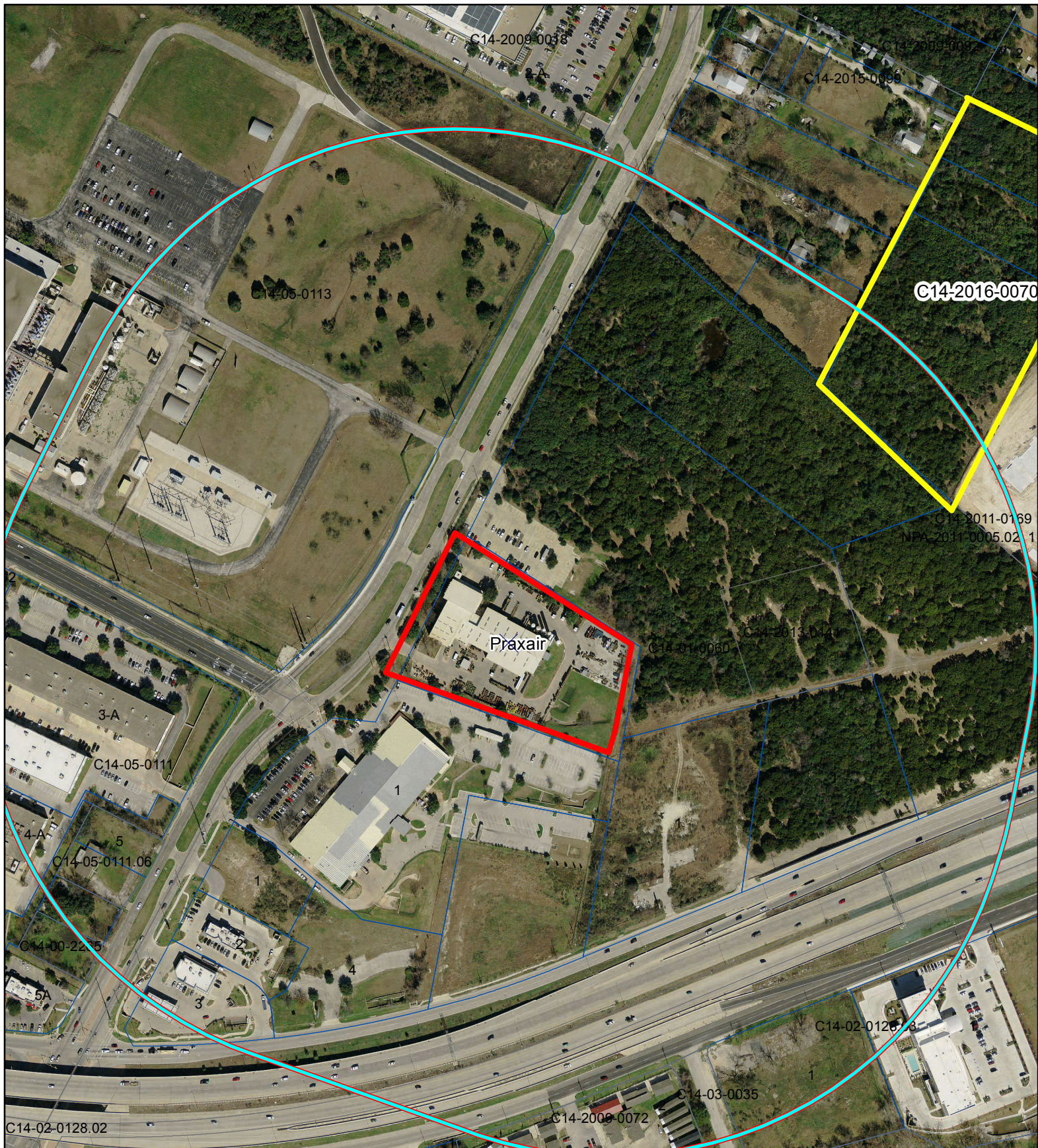
The recent site inspection at Praxair confirmed that a variety of toxic, corrosive, flammable, pyrophoric and oxidizing gases are currently stored at this facility. Per the 2016 Emergency Response Guidebook, the protective action distance for several of these gases is approximately 1000 feet for either a day or night release. Based on the available information, we recommend a 1000 foot setback between Praxair's property line and any properties zoned for residential use. This distance appears to be consistent with the setbacks currently provided from existing residential occupancies.

Since 6700/6800 E Ben White and 2601 Montopolis are less than 1000 feet from Praxair's property line, a zoning change from LI to CS-MU is not recommended.

Please let me know if we can provide any more assistance on this issue.



Division Chief Rob Vires
Fire Marshal
Austin Fire Department
505 Barton Springs Rd
Austin, TX 78704
512-974-0266



ZONING

ZONING CASE#: C14-2016-070
 LOCATION: Thrasher Lane Lots
 SUBJECT AREA: 7.997 ACRES
 GRID: J19
 MANAGER: ANDREW MOORE



N



1" = 400'



SUBJECT TRACT



1000 FT BUFFER



ZONING BOUNDARY

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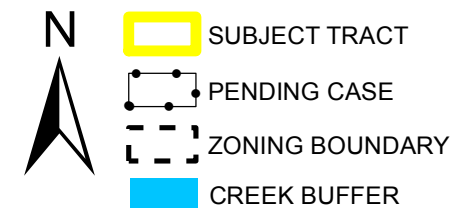


THRASHER LANE LOTS

ZONING CASE#: C14-2016-0070
 LOCATION: 2514 Thrasher Lane
 SUBJECT AREA: 7.997 ACRES
 GRID: L18
 MANAGER: Andrew Moore



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1" = 200'

From: [Susana Almanza](#)
To: [Oliver, Stephen - BC](#)
Cc: [Moore, Andrew](#)
Subject: MNPCT - 2500, 2508, & 2514 Thrasher Lane C14-2016-0070
Date: Monday, November 07, 2016 3:58:16 PM

Re: C14-2016-0070 Zoning Change from Commercial to Mixed Use-NP
NPA-2016-0005.-01

Dear Planning Commission Chair Stephen Oliver and Planning Commissioners:

The Montopolis Neighborhood Plan Contact Team (MNPCT) has reviewed the above zoning Change request and Neighborhood Plan Amendment for 2500, 2508, & 2514 Thrasher Lane. The MNPCT has the following concerns: 1) How this additional development might negatively impact residents living down stream from this development and other planned developments, due to past flooding of the Montopolis community, 2) No one has been able to tell us what size water line is in the area that will take in the overflow due to possible flooding, and 3) the impact of traffic on Thrasher.

If approved, the MNPCT request that all traffic for the above property, have their entrance off of Montopolis Drive and not Thrasher.

The MNPCT doesn't have a recommendation for this specific case, due to the fact that there is no site plan, and so we don't know what will actually be built. We do request that no housing be allowed to develop on the portion of the property adjacent to the industrially zoned property to the south for safety concerns for people. The MNPCT also request that if the zoning is approved that we be notified when the site plan for this property is submitted. We want to review and have input. The MNPCT presently has three separate zoning request but they are all in the general area (see attached map) and raise flooding and drainage concerns. Thank you, Susana Almanza, President Montopolis Neighborhood Contact Team

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PODER
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