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

REQUEST:

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
Thrasher Lane Lots

P.C. DATE: November 8, 2016
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
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
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

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].

City Council – March 23, 2017
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:

<table>
<thead>
<tr>
<th>Site</th>
<th>ZONING</th>
<th>LAND USES</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CS-NP &amp; GR-MU-CO-NP</td>
<td>Single family &amp; Undeveloped</td>
</tr>
<tr>
<td>South</td>
<td>LI-NP</td>
<td>Undeveloped</td>
</tr>
<tr>
<td>East</td>
<td>CS-MU-NP</td>
<td>Multi family</td>
</tr>
<tr>
<td>West</td>
<td>CS-MU-CO-NP &amp; CS-NP</td>
<td>Single family &amp; Personal services and vacant single family</td>
</tr>
</tbody>
</table>

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
- Del Valle Independent School District
- Smith Elementary School
- Del Valle Middle School
- Del Valle High School

ABUTTING STREETS:

<table>
<thead>
<tr>
<th>Name</th>
<th>ROW</th>
<th>Pavement</th>
<th>Classification</th>
<th>Side-walks</th>
<th>Bike Route</th>
<th>Bus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thrasher Lane</td>
<td>50-60'</td>
<td>00'</td>
<td>Local</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

SITE ZONING CASE HISTORIES:

City Council – March 23, 2017
### RELEVANT ZONING CASE HISTORIES:

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

**CASE MANAGER:** Andrew Moore  
**PHONE:** 512-974-7604  
e-mail address: andrew.moore@austintexas.gov

**STAFF RECOMMENDATION**

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

City Council – March 23, 2017
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 and 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.

City Council – March 23, 2017
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:

<table>
<thead>
<tr>
<th>Name</th>
<th>ROW</th>
<th>Pavement</th>
<th>Classification</th>
<th>Sidewalks</th>
<th>Bike Route</th>
<th>Capital Metro (within ¼ mile)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thrasher Lane</td>
<td>55 feet</td>
<td>None</td>
<td>Collector</td>
<td>None</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>Development Classification</th>
<th>% of Gross Site Area</th>
<th>% of Gross Site Area with Transfers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family</td>
<td>50%</td>
<td>60%</td>
</tr>
</tbody>
</table>

City Council – March 23, 2017
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.

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.
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.
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. 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.

ZONING
ZONING CASE#: C14-2016-0070
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)
  - 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
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.
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
P.O. Box 6237
Austin, TX 78762-6237
www.poder-texas.org