

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2017-0125                      **P.C. DATE:** December 12, 2017  
2514 Thrasher

**ADDRESS:** 2514 Thrasher Lane                      **AREA:** 4.99 acres

**OWNER:** Larry and Elizabeth Petree

**APPLICANT:** Drenner Group (Leah Bojo)

**ZONING FROM:** General commercial services-conditional overlay-neighborhood plan; CS-CO-NP

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

**NEIGHBORHOOD PLAN AREA:** Montopolis Neighborhood Planning Area

### **SUMMARY STAFF RECOMMENDATION:**

Recommend Denial

### **CITY COUNCIL ACTION:**

***FEBRUARY 1, 2018 – APPROVED POSTPONEMENT REQUEST BY THE APPLICANT TO MARCH 8, 2018 ON CONSENT, VOTE 11-0 [CM HOUSTON 1<sup>ST</sup>, CM RENTERIA 2<sup>ND</sup>].***

### **PLANNING COMMISSION RECOMMENDATION:**

***DECEMBER 12, 2017 – Recommend general commercial services – mixed use – conditional overlay – neighborhood plan (CS-MU-CO-NP) on consent, vote 12-0 [J. Shieh 1<sup>st</sup>, P. Seeger 2<sup>nd</sup>, Absent - A. De Hoyos Hart]. The conditional overlay conditions are: A residential use is prohibited within the 1000 foot “Praxair Buffer”, Access to Thrasher lane is restricted to 300 trips and Right-of-Way dedication for the extension of Thrasher lane is required at the time of site plan.***

### **CASE HISTORY/BACKGROUND:**

This nearly 5-acre parcel was part of a recent zoning case (C14-2016-0070). The previous request was for CS-MU-NP. Both Neighborhood Planning staff and Zoning staff did not recommend the change to Mixed Use (MU) because of proximity to Industrial (LI-NP) zoned property and active hazardous material storage to the south. The remaining 3 acres of the property was recommended for CS-MU with limitations on uses, density and access to Thrasher Lane. The applicant was in agreement with the staff recommendation and the case as approved on consent at both the Planning Commission and City Council.

During previous zoning cases in this area (C14-2016-0070, C14-2016-0085, C14-2016-0113) the Austin Fire Department (AFD) was asked to provide an analysis of the hazardous materials stored at the Praxair (Industrial Gas Supply) facility located at 2801 Montopolis Drive and any recommendations related to land use in the area. AFD provided a recommendation against a residential use within 1000 feet of the Praxair property (Exhibit A). During the public hearing for

C14-2016-0113 the Planning Commission and City Council approved a restriction of no residential use within the 1000 ft Praxair buffer (Exhibit A).

After that case was approved, the applicant for the current case solicited the City Council to approve an ordinance (20170831-061) to allow a Neighborhood Plan Amendment and zoning case outside of the normal process timelines (Exhibit B).

Staff is not changing its recommendation from the previous zoning case (C14-2017-0070) to not allow a residential use on this tract. It is staff's recommendation to keep a transition from the LI-NP zoning to the south to the mixed use property to the north. The applicant has proposed in their application to prohibit a residential use within the 1000 foot Praxair buffer.

If the Planning Commission recommends a similar scenario as C14-2016-0113 to restrict the area inside the "Praxair buffer," staff would recommend that there is right of way dedication to extend Thrasher lane along the eastern boundary and a limitation of 300 trips to Thrasher lane.

**DEPARTMENTAL COMMENTS:**

The property is located 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 zoned commercial mixed use (CS-MU) to the north, east and west and industrially zoned to the south. To the east is a large multifamily development. Thrasher Lane is a local residential street with large-lot single family residences and without sidewalks.

This property was zoned commercial as part of the Montopolis Neighborhood Plan, in 2001, to serve as a transition to the industrial zoning and use to the south. The parcels with mixed use zoning have been added within the last six years. 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 applicant is proposing to combine this property with an adjacent tract to the north and west as a multifamily development. There is a site plan under review for this project (SP-2017-0204C). The zoning application contemplates an additional 300 multifamily units.

**Issues**

Staff does not support the request. The Montopolis Neighborhood Plan Contact Team has submitted a letter in support of the request (see attached). They would like to prevent access to Thrasher Lane.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>Site</b>	CS-CO-NP	Undeveloped
<b>North</b>	CS-MU-CO-NP & GR-MU-CO-NP	Undeveloped, site plan under review (SP-2017-0204C)
<b>South</b>	LI-NP	Undeveloped
<b>East</b>	CS-MU-NP	Multi family
<b>West</b>	CS-MU-CO-NP	vacant

**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:**

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
C14-2016-0070 2514 Thrasher Lane	CS-NP to CS-MU-NP	Recommended CS-CO-NP (1-24-2017)	Approved CS-CO-NP (3-23-2017)
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	CS-NP to CS-MU-NP	Recommended CS-MU-CO-NP	Approved CS-MU-CO-NP (12-10-15)

Drive			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)

**CITY COUNCIL ACTION:** Scheduled for March 8, 2018.

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup> & 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Andrew Moore

**PHONE:** 512-974-7604

e-mail address: andrew.moore@austintexas.gov

**STAFF RECOMMENDATION**

**C14-2017-0125**

To Deny

## **BASIS FOR LAND USE RECOMMENDATION**

***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. 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 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-2017-0005.04). Staff and the Neighborhood Plan Contact Team do not recommend the requested change because of the proximity to industrial uses and zoning. Staff believes this location should 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

- 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.
- 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 (minimum lot size 5750 sq. ft.)	50%	60%
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.

<p><b>NPZ Site Plan Review - Elsa Garza 512-974-2308</b></p>
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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:

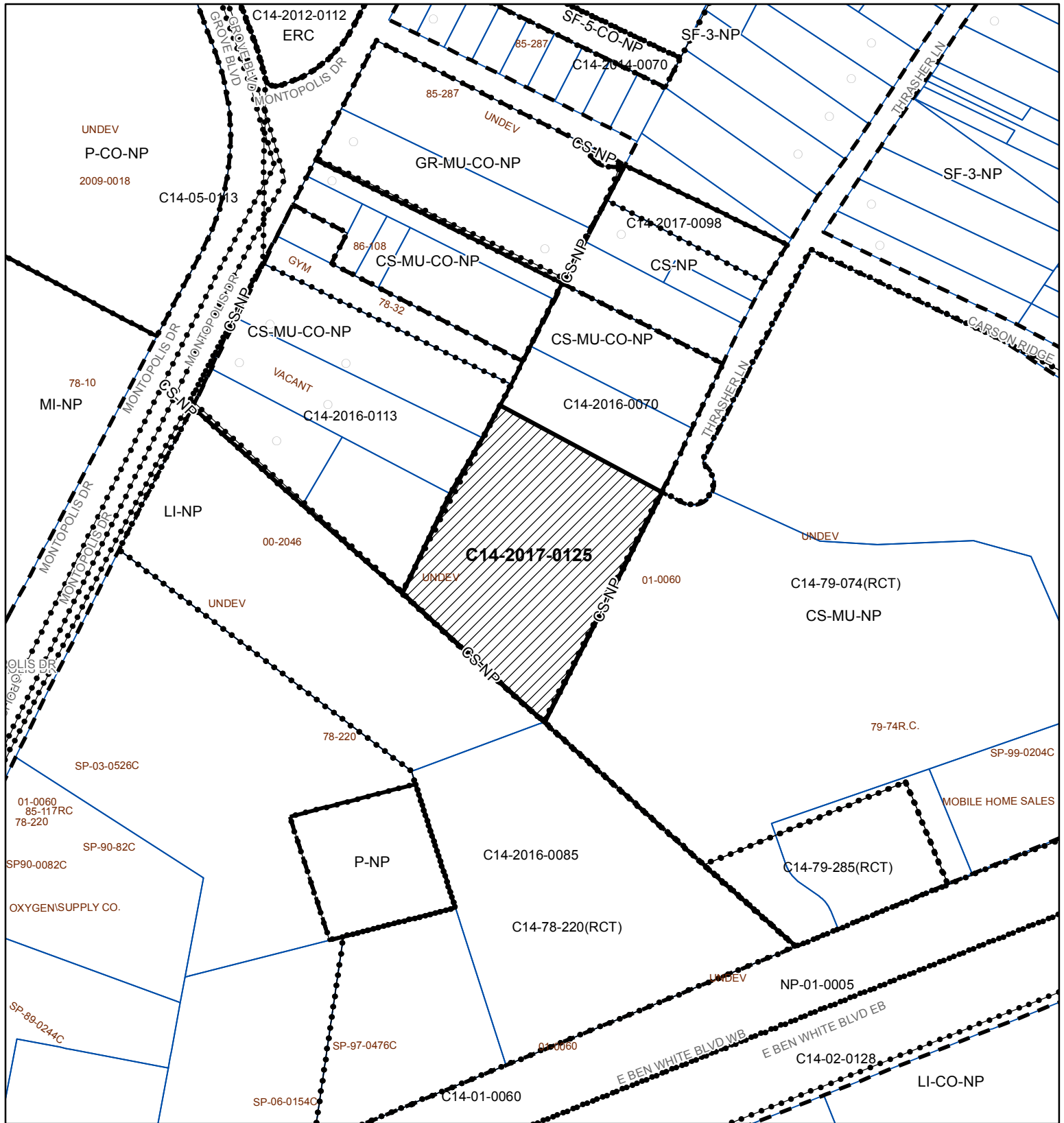
- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- 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.

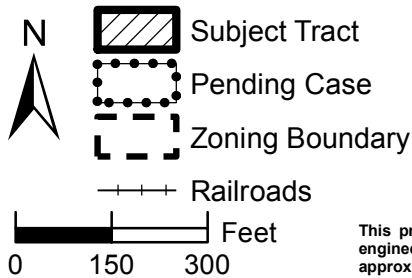
<b>NPZ Austin Water Utility Review - Neil Kepple 512-972-0077</b>
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FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater 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.



# ZONING

Case#: C14-2017-0125



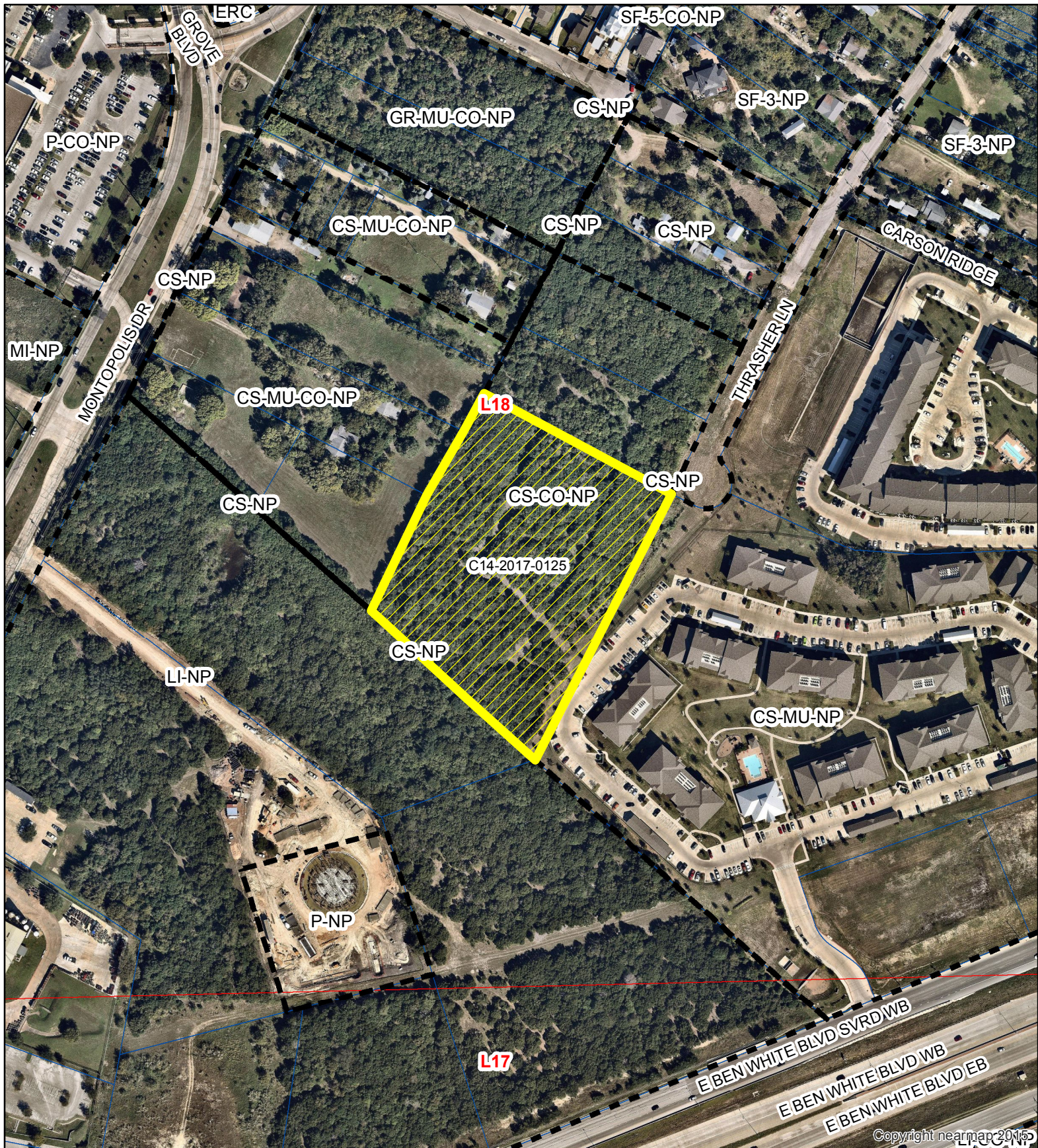
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Created: 10/6/2017





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SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY



CREEK BUFFERS

## 2514 THRASHER

ZONING CASE#: C14-2017-0125

LOCATION: 2514 THRASHER LANE

SUBJECT AREA: 4.99 ACRES

GRID: L18

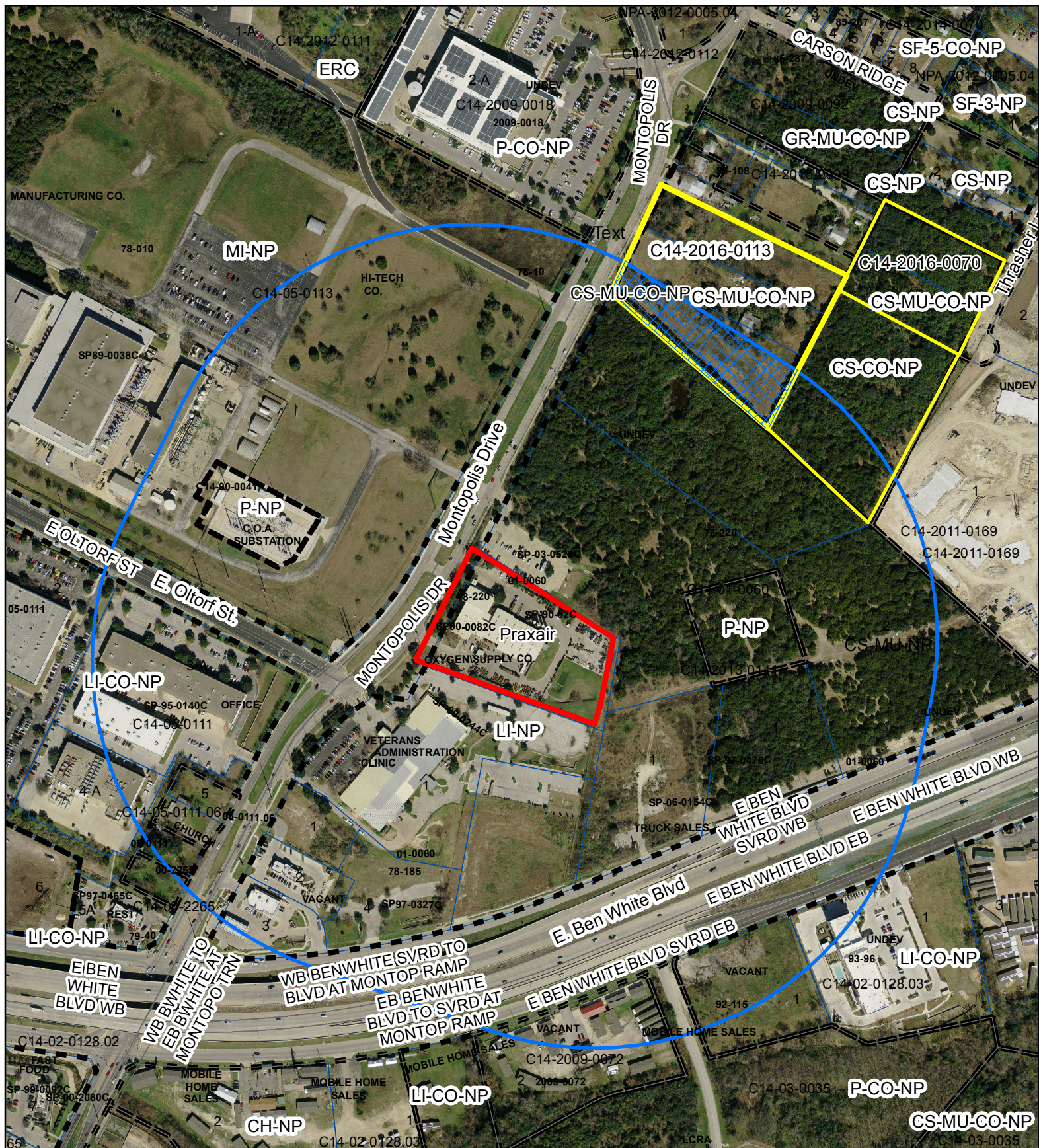
MANAGER: ANDREW MOORE



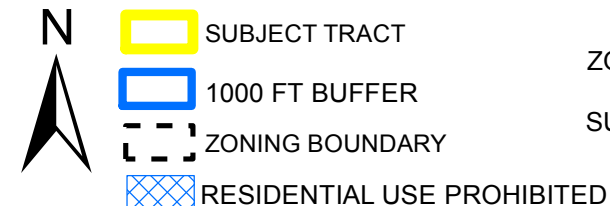
1" = 250'

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## ZONING - EXHIBIT A



ZONING CASE#: C14-2017-0125  
 LOCATION: 2514 Thrasher  
 SUBJECT AREA: 4.99 ACRES  
 GRID: J19  
 MANAGER: ANDREW MOORE



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**ORDINANCE NO. 20170831-061**

**AN ORDINANCE WAIVING CERTAIN CITY CODE SECTIONS IN TITLE 25 TO ALLOW REZONING AND NEIGHBORHOOD PLAN AMENDMENT APPLICATIONS TO BE PROCESSED FOR PROPERTY LOCATED AT 2514 THRASHER LANE.**

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

**PART 1.** This ordinance waives applicable procedures in Chapter 25-1 (*General Requirements and Procedures*) and Chapter 25-2 (*Zoning*) in order to facilitate potential action on a zoning case for property at 2514 Thrasher Lane (hereafter "The Property"), which was previously considered on March 23, 2017, thereby facilitating reconsideration of the case outside of generally applicable timelines.

**PART 2.** City Code Sections 25-2-247 (*Restrictions on New Applications*), 25-1-502 (*Amendment; Review*), and 25-1-804 (*Application to Amend Neighborhood Plan*) are waived, to the minimum extent necessary, to permit the applicant to file applications to rezone and amend the neighborhood plan for the Property prior to expiration of this ordinance.

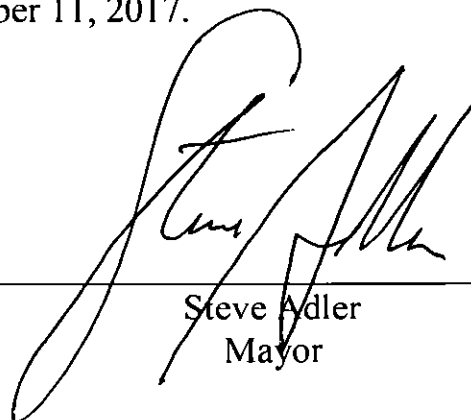
**PART 3.** This ordinance expires on October 1, 2017.

**PART 4.** This ordinance takes effect on September 11, 2017.

**PASSED AND APPROVED**

\_\_\_\_\_, August 31, 2017

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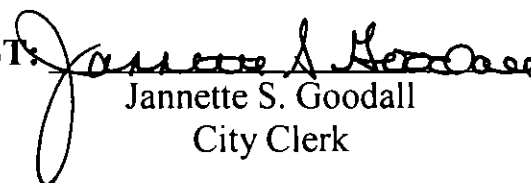
Steve Adler  
Mayor

**APPROVED:**



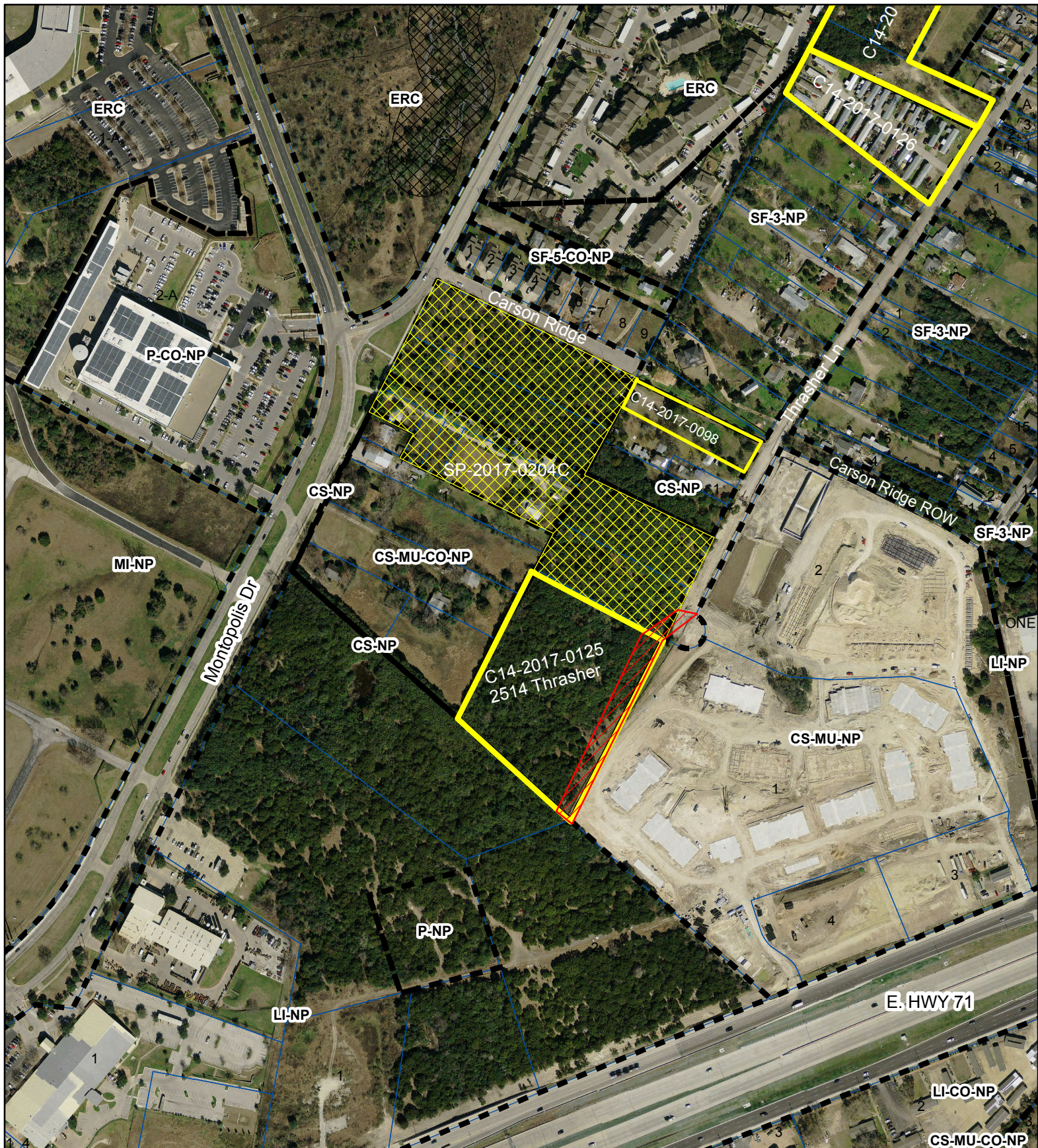
Anne L. Morgan  
City Attorney

**ATTEST:**



Jannette S. Goodall  
City Clerk





## Thrasher Lane Projects

- N
- 1" = 400'
- CURRENT ZONING CASES
  - ZONING BOUNDARY
  - SITE PLAN UNDER REVIEW
  - POTENTIAL THRASHER ROW



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To: Planning Commission

From: Montopolis Neighborhood Contact Team, Susana Almanza-President

Date: November 6<sup>th</sup>, 2017

RE: Zoning Change: Case C-14-2017-0125 & NPA-2017-0005.04 – 2514 Thrasher Lane.

The Montopolis Neighborhood Plan Contact Team met on October 30<sup>th</sup>, to discuss the above case and voted to approve the zoning change and Neighborhood Plan Amendment for 2514 Thrasher Lane. This approval is based solely with the understanding that this property will **not** have access through Thrasher Lane. The Montopolis Neighborhood Contact Team (MNPCT) is also requesting that drainage occurs through Montopolis Drive.