

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2019-0002 – Avenue G Duplexes

DISTRICT: 4

ZONING FROM: LR-CO-NP

TO: LR-MU-CO-NP

ADDRESS: 5303 Avenue G

SITE AREA: 0.1501 Acres

OWNER: 5303 Avenue G Five Star LLC

APPLICANT: Luis Carillo

CASE MANAGER: Scott Grantham (512-974-3574, [scott.grantham@austintexas.gov](mailto:scott.grantham@austintexas.gov))

STAFF RECOMMENDATION:

**Staff recommends neighborhood commercial - mixed use - conditional overlay - neighborhood plan (LR-MU-CO-NP) combining district zoning. Conditional overlay to prohibit the following uses: medical office (exceeding 5,000 square feet), service station, residential treatment. For a summary of the basis of staff's recommendation, see page 3.**

PLANNING COMMISSION ACTION / RECOMMENDATION:

**March 12, 2019**

**Scheduled for Planning Commission**

CITY COUNCIL ACTION:

**April 11, 2019**

**Scheduled for City Council**

ORDINANCE NUMBER:

ISSUES:

The subject property is comprised of two narrow lots with one single family house spanning both lots. The house was built in 1941 and, as a residential use, is considered an existing non-complying use in the LR-CO-NP zoning district. The applicant's conceptual plan is to demolish the house and construct two residential structures with two units in each, for a total of four units. They have requested the addition of Mixed Use (-MU) to the zoning, which would allow these units to be built.

The existing conditional overlay (CO) was approved with the North Loop Neighborhood Plan ordinance in 2002 (See Exhibit C). The CO prohibited a set of uses - medical offices, service station, and residential treatment. In addition, it expressly allowed a Neighborhood Mixed Use Building (NMUB), and according to planning ideas at the time, did so in lieu of adding MU to the zoning.

The Neighborhood Mixed Use Building (NMUB) was intended to be a small-scaled mixed use building with both commercial and residential uses. It was one of the tools provided during the neighborhood planning process. The main differences between MU and NMUB are the requirement for a mix of commercial and residential uses and the design regulations. Since its adoption in 2000 the NMUB was never used; rather, developers used other tools to build traditional building forms. The NMUB is no longer seen as an important or useful tool, and MU is a preferred way to allow for a mix of uses.

The applicant met with the North Loop Contact Team and discussed their proposal. The group subsequently sent a letter of support for the rezoning (See Exhibit D).

CASE MANAGER COMMENTS:

The subject property is comprised of two lots - Lots 29 and 30, Block 42 of Highlands Subdivision. It is located in the North Loop Neighborhood on Avenue G, just north of the E 53<sup>rd</sup> Street. Access is taken from Avenue G, and from an alley that runs north and south behind the property. The property is relatively flat and not in a floodplain.

North of the property are tracts zoned SF-3 on which single family houses are located. To the east is an alleyway, and on the other side is a tract zoned GR-CO-NP with a single family house and a restaurant on the corner of E. 53<sup>rd</sup> and Avenue H. To the south are two narrow lots, zoned LR-CO-NP, on which a single family house and an accessory dwelling unit are located. Across Avenue G to the west are tracts zoned GR-CO-NP to the southwest, and SF-3-NP to the northwest, which have single family with accessory dwelling units, and duplex residential. In the surrounding blocks, there are several two-family dwellings and accessory dwelling units.

The proposed LR-MU district would be roughly equivalent to the MF-2 category in terms of allowable units. The minimum site area is 1,600 square feet per efficiency, 2,000 square feet per one bedroom unit, and 2,400 square feet per two or more bedroom unit (§ 4.2).

#### BASIS OF RECOMMENDATION:

Staff recommends neighborhood commercial - mixed use - conditional overlay - neighborhood plan (LR-MU-CO-NP) combining district zoning. Conditional overlay to prohibit the following uses: medical office (exceeding 5,000 square feet), service station, residential treatment.

The conditional overlay is already existing, and was approved with the North Loop Neighborhood Plan ordinance (See Exhibit C). The existing CO provision to expressly allow for a Neighborhood Mixed Use Building is not recommended to be extended as a new CO, for the reasons stated in the issues section above.

Regarding the addition of mixed use (-MU) to the zoning, the first basis of the recommendation is that zoning should allow for reasonable use of the property. The existing single family house has been on the property for decades, and the addition of MU will make the house into a complying use, and allow for residential development of the site within a primarily residential neighborhood.

The second basis is that the rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission. The North Loop Neighborhood Plan envisioned a mixed use building on the site, to include both residential and commercial uses. Further, the property is situated in an activity corridor, which also encourages mixed use. Although the conceptual plan does not include commercial, the proposed zoning would add Mixed Use (MU), and increase the long-term flexibility of the site to accommodate a mix of uses.

The third basis is that the proposed zoning should satisfy a real public need and not provide special privilege to the owner. There is an identified need for additional housing throughout the city. The addition of the MU simply allows the property owner to build housing on the site, within a neighborhood that is already primarily residential.

#### EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LR-CO-NP	Single Family Residential
North	SF-3-NP	Single Family Residential

	ZONING	LAND USES
South	LR-CO-NP, then E 53 <sup>rd</sup> Street	Single Family Residential, then E 53 <sup>rd</sup> Street
East	Alley, then GR-CO-NP, SF-3-NP	Alley, then Two Family Residential, Restaurant
West	Avenue G, then GR-CO-NP, SF-3-NP	Avenue G, then Single Family and Two Family Residential

NEIGHBORHOOD PLANNING AREA: North Loop

TIA: Not Required

WATERSHED: Waller Creek

OVERLAYS: None

SCHOOLS: Reilly Elementary, Lamar Middle School, McCallum High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District  
 Austin Neighborhoods Council  
 Bike Austin  
 Central Austin Community Development  
 Friends of Austin Neighborhoods  
 Homeless Neighborhood Association  
 Neighborhood Empowerment Foundation  
 North Austin Neighborhood Alliance

North Loop IBIZ District  
 North Loop Neighborhood Association  
 North Loop Neighborhood Plan Contact Team  
 Preservation Austin  
 Seltexas  
 Sierra Club, Austin Regional Group  
 The Midtown Alliance

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
<b>C14-02-0009 North Loop Neighborhood Plan</b>	<b>Neighborhood Plan</b>	<b>03-13-02 – Apvd</b>	<b>05-23-02 – Apvd on 2<sup>nd</sup> and 3<sup>rd</sup> Readings</b>

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2017-0071 5303 Rezoning 2017 5303 Avenue F	LR-CO-NP to SF-3-NP	07-11-17 – Apvd LR-MU-CO-NP	08-03-17 – Apvd LR-MU-CO-NP, CO limits impervious cover to 65%, allows Neighborhood Mixed Use Building, prohibits medical offices (exceeding 5,000 sf), service station, and residential treatment
C14-2012-0070 Drink. Well. Rezone 207 E 53 <sup>rd</sup> Street	LR-CO-NP to GR	08-28-12 - Apvd GR-CO-NP with the added condition of no outdoor amplified music	02-14-13 – Apvd GR-CO-NP, CO limit of 2,000 trips, prohibited uses
C14-2010-0139 Avenue H 5301 Avenue H	SF-3-NP to NO-NP	10-12-10 – Apvd NO-NP	11-18-10 – Apvd NO-NP

RELATED CASES:

The subject property is Lots 29 and 30, Block 42 of Highlands Subdivision, Travis County Plat, Volume 3, page 55.

The property is part of the North Loop Neighborhood Plan, and is designated as Tract 44 in the neighborhood plan ordinance (See Exhibit C), and was rezoned from LR to LR-CO-NP. The applicable provisions of the conditional overlay are as follows: A Neighborhood Mixed Use building is allowed; the following uses are prohibited: Medical Offices (exceeding 5,000 square feet), Service Station, and Residential Treatment.

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Avenue G	45	30	Local	None	None	Route 7

OTHER STAFF COMMENTS:Comprehensive Planning

This zoning case is located on the east side of Avenue G, on a 0.19 acre lot that contains a single family house. The property is located in the North Loop Neighborhood Planning Area. Surrounding land uses includes single family houses to the north; retail uses and single family houses to the south; single family houses, a used car lot, restaurants, shops, and a small grocery store to the west; and single family houses to the east. The proposed use is for two multifamily structures.

**Connectivity.** The Walkscore for this site is **65/100, Somewhat Walkable**, meaning some errands can be accomplished on foot. Public transportation is located within 300 ft. walking distance from property. There are no public sidewalks located along Avenue G but E 53<sup>rd</sup> Street is located 75 ft. due south of this property, and includes public sidewalks, bike lanes and public transit stop and retail uses, making the mobility and connectivity options in this area above average.

**North Loop Neighborhood Planning Area (NLNPA)**

The NLNP Future Land Use Map Designates (FLUM) this portion of the planning area as 'Mixed Use' and Zone LR-MU is permitted under this future land use designation. The following goals and objectives listed below that are applicable to this case.

**Goal 1:** Encourage compact and human-scale land use. (p. 17)

**Objective 1.1:** Create a vibrant, mixed use neighborhood that includes mixed use buildings with residential and office space above ground floor retail.

**Objective 1.2:** Promote commercial and residential infill that supports and enhances the character of the neighborhood.<sup>6</sup>

**Goal 2:** Encourage housing for a variety of income levels. (p. 17)

**Objective 2.1:** Provide additional opportunities for housing choice through secondary apartments, mixed use, and small scale multi-family.

**Goal 5:** Enhance the neighborhood's existing commercial corridors (Airport Boulevard, North Loop/53rd commercial center, Lamar Boulevard, and Koenig Lane). (p. 18)

**Objective 5.1:** Develop rezoning recommendations that would encourage mixed use and a greater diversity of land uses and businesses.

***North Loop Vision for Residential Areas (pg. 24)***

The residential character of the future North Loop Neighborhood Planning Area is characterized by single family as well as some smaller scale, but higher density development such as smaller apartment complexes, condominiums, and townhouses. The future North Loop Neighborhood Planning Area will be mixed use and mixed income, with a particular focus on affordable housing. Older homes will be preserved but additional opportunities for housing choice, through secondary apartments, mixed use and small-scale multi-family will be added. Housing choice and diversity were important themes of a North Loop Neighborhood Planning Area vision.

Analyzing the NLNP policies, text, and FLUM, it appears to support mixed use and a variety of housing choices in this area.

### **Imagine Austin**

The Imagine Austin Growth Concept Map identifies the subject property as being located by an **Activity Corridor (53<sup>rd</sup> Street)**. Activity Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following Imagine Austin Comprehensive Plan policies are applicable to this case:

- **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- **HN P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based upon: (1) *Imagine Austin* policies referenced above that supports mixed use and residential uses; (2) the property being located by an Activity Corridor, which supports Mixed Use; and (3) the mixed use and residential policies in the NLNP, which supports a variety of housing choice, this project appears to support the Imagine Austin Comprehensive Plan.

### Environmental

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.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

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.

### Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

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 north and south interior property lines, the following standards apply:

- No structure may be built within 15 feet of these property lines.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.

### Transportation

Additional right-of-way maybe required at the time of subdivision and/or site plan.

### Austin Water Utility

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, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.

## INDEX OF EXHIBITS TO FOLLOW

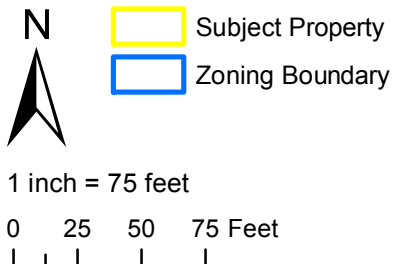
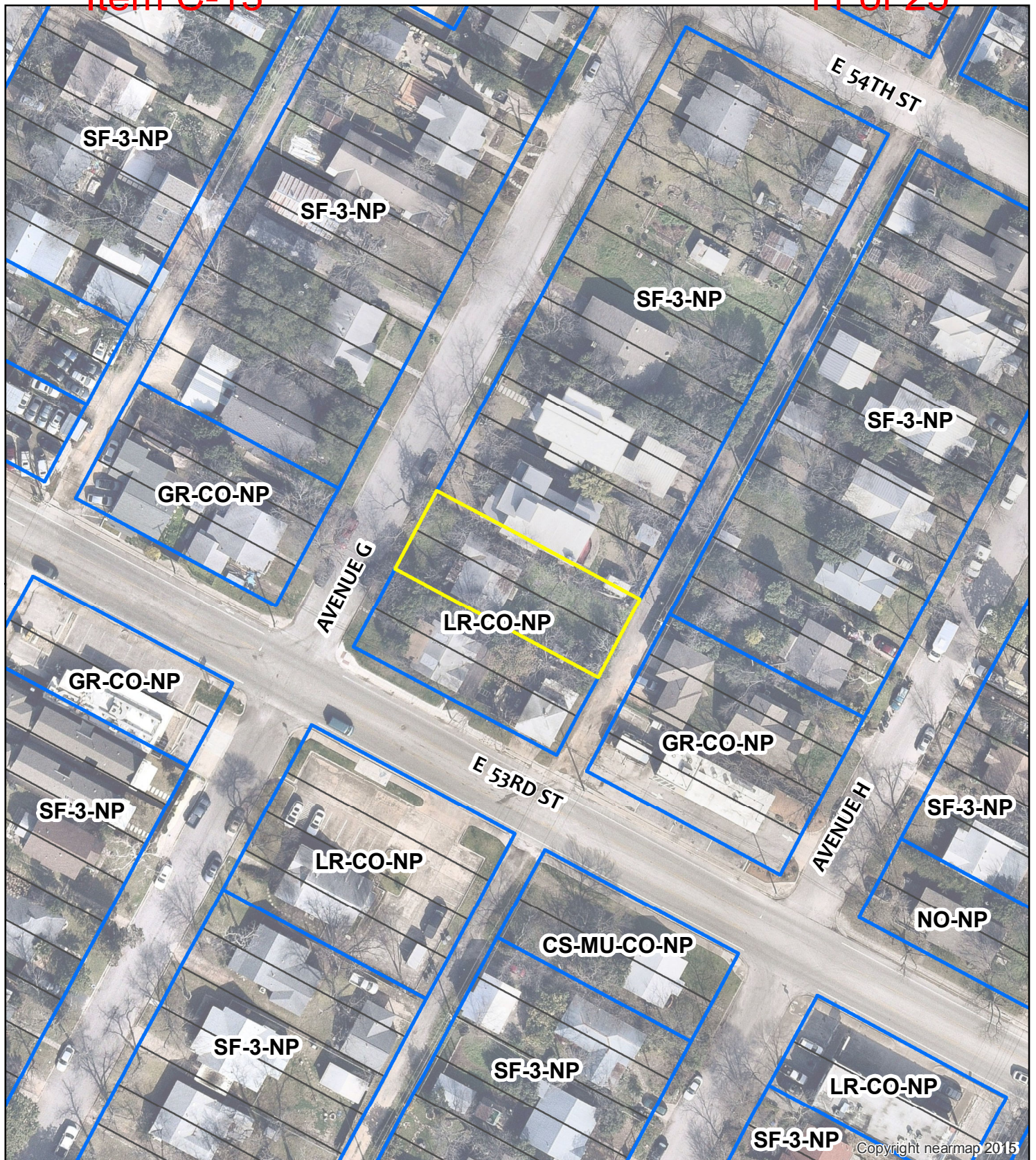
- A: Zoning Map
- B. Aerial Map
- C. North Loop Neighborhood Plan Ordinance, Excerpt
- D. Letter from North Loop Neighborhood Association
- E. Correspondence from Interested Parties

The logo of the City of Austin, featuring a circular seal with the text "CITY OF AUSTIN" at the top and "FOUNDED 1839" at the bottom. The center of the seal depicts a shield with a red and white design, topped by a blue eagle with spread wings.

**Created: 1/9/2019**

$$1'' = 200'$$





## ZONING & VICINITY

Zoning Case: C14-2019-0002  
 Address: 5303 Avenue G  
 Subject Area: 0.1501 Acres  
 Case Manager: Scott Grantham

This map has been produced for the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**EXHIBIT B**



## EXHIBIT C

ORDINANCE NO. 020523-31

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 614.97 ACRES OF LAND GENERALLY KNOWN AS THE NORTH LOOP NEIGHBORHOOD PLAN AREA ("NORTH LOOP") AND TO CHANGE THE BASE ZONING DISTRICTS ON 101 TRACTS OF LAND IN NORTH LOOP.**

**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 add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 101 tracts of land within the property described in File C14-02-0009, as follows:

Approximately 614.97 acres of land, in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A", (the "Property"),

generally known as the North Loop Neighborhood Plan (NP) combining district, locally known as the property bounded by Koenig Lane on the north, IH-35 on the east, Lamar Boulevard on the west and 45<sup>th</sup> Street, Red River Street and 51<sup>st</sup> Street on the south, 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 101 tracts of land are changed from family residence (SF-3) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, limited office (LO) district, general office (GO) district, neighborhood commercial (LR) district, community commercial (GR) district, community commercial-conditional overly (GR-CO) combining district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, commercial-liquor sales (CS-1) district, and commercial-liquor sales-conditional overlay (CS-1-CO) combining district to family residence-neighborhood plan (SF-3-NP) combining district, multifamily residence low density-neighborhood plan (MF-2-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district, multifamily residence moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district, neighborhood office-neighborhood plan (NO-NP) combining district, limited office-neighborhood plan (LO-

NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district, neighborhood commercial-conditional overlay neighborhood plan (LR-CO-NP) combining district, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-mixed used-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-conditional overlay neighborhood plan (CS-1-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below.

TRACT	ADDRESS	FROM	TO
1a	5607 LAMAR BV N	CS	CS-CO-NP
1a	5501 LAMAR BV N	CS & GR	CS-CO-NP
1b	600 NELRAY BV	CS	CS-CO-NP
1c	5555 LAMAR BV N	CS, CS-1, & LO	CS-CO-NP, CS-1-CO-NP
1d	700 NELRAY BV	LO	LO-MU-NP
2	707, 709 NELRAY BV; 0 LAMAR BV N (LOT 38 NORTHFIELD ADDITION); 5403, 5409, 5415, 5417 LAMAR BV N	CS	CS-CO-NP
3	5301, 5319 LAMAR BV N	CS	CS-CO-NP
4a	701 NORTH LOOP BV E	CS	CS-MU-CO-NP
4a	5237, 5241 LAMAR BV N; 5253 LAMAR BV N (LOT 18-19, 20-21 LOT 22 *LESS 987 SF INTO ROW BLK B MURRAY PLACE)	CS	CS-CO-NP
4b	5225 LAMAR BV N	CS, LR, LO, MF-3	CS-CO-NP, LR-MU-NP, LO-MU-NP, MF-3-NP
4c	0 LAMAR BV N (LOT 6-7 BLK B MURRAY PLACE); 0 LAMAR BV N (LOT 8-9 BLK B MURRAY PLACE); 5201 & 5209 LAMAR BV N; 702 ZENNIA ST	CS	CS-CO-NP
5a	5101, 5115, 5117 LAMAR BV N; 620 51 ST W	CS	CS-CO-NP
5b	703 ZENNIA ST	LO	LO-NP
6	703, 705 NELRAY BV ; 702, 704, 710, 712 FRANKLIN BV	SF-3	MF-3-NP

31	808 51 ST E	CS-CO	CS-CO-NP
32	5009, 5011 AIRPORT BV	CS	CS-CO-NP
33	5001, 5003 AIRPORT BV	CS & CS-1	CS-CO-NP & CS-1-CO-NP
34	4917 AIRPORT BV	CS	CS-CO-NP
35	4909, 4915 AIRPORT BV; 908 49 1/2 ST E	GR	GR-CO-NP
35	0 49 1/2 ST E (LOT 3 *RESUB OF LT A NORTH HARMON TERRACE)	LR & GR	GR-CO-NP
36a	4905 AIRPORT BV; 907 49 1/2 ST E	GR	GR-CO-NP
36b	4901 AIRPORT BV	CS	CS-CO-NP
36c	902, 904 49 ST E	CS & CS-1	CS-CO-NP & CS-1-CO-NP
37	903 49 ST E	LR & CS	CS-CO-NP
38	4801, 4803 AIRPORT BV; 909 48 1/2 ST E	CS	CS-CO-NP
39a	4715, 4721, 0 AIRPORT BV (LOT 2 DYESS SUBD). 908 48 ST E	CS	CS-CO-NP
39b	4712 HARMON AV	GR	GR-CO-NP
39c	4608 HARMON AV	CS & CS-1	CS-CO-NP & CS-1-CO-NP
40	108, 110 A, 112, 114 A NORTH LOOP BV E	SF-3	GR-CO-NP
41a	100, 104, 106 NORTH LOOP BV W	GR, LO	GR-CO-NP
41b	100, 102, 0 NORTH LOOP BV W (W 85FT OF LOT 30-32 BLK 44 HIGHLANDS THE)	CS	CS-CO-NP
41b	110 NORTH LOOP BV E	LR, CS	CS-CO-NP
41b	120 NORTH LOOP BV W	LR	CS-CO-NP
42	200 53 ST E; 5303 AVENUE F	LR	LR-CO-NP
43	204 53 ST E	GR	GR-CO-NP
43	5300 AVENUE G	LR	GR-CO-NP
44	5301, 5303 AVENUE G	LR	LR-CO-NP
45	5302 AVENUE H	LR	GR-CO-NP
45	5300 AVENUE H	CS	GR-CO-NP
46	5303 DUVAL ST	LO	LO-CO-NP
47	5300, 5302 EVANS AV	CS	CS-CO-NP
48	600 54 ST E; 600 53 ST E (LOT 1-8, LOT 9-16, LOT 25-32 BLK 26 HIGHLANDS THE)	CS	CS-MU-CO-NP
49	704, 706, 708 53 ST E; 5301 MARTIN AV; 0 53 ST E (LOT 17-18 *& 10 FT ADJ ALLEY BLK 27 HIGHLANDS THE); 0 53 ST E (LOT 19-20 *& 10FT ADJ ALLEY BLK 27 HIGHLANDS THE)	CS	CS-CO-NP
50	225 NORTH LOOP BV W; 5219 LERALLYNN ST	LO	LO-MU-CO-NP
51	209 NORTH LOOP BV W	CS	CS-CO-NP
52	101, 103, 109, 111 NORTH LOOP BV E; 117 NORTH LOOP BV W; 5208, 5210, 5212 AVENUE F	CS	CS-CO-NP
53	201 53 ST E	CS	CS-CO-NP

87	1011, 1015 53 ½ ST E	CS	CS-CO-NP
88a	1014 53 ST E (LOT 2 * 2022 SF LOT 3 HASTER F SUBD LOT 1 *107X170FT AV *RESUB PT HILL LOU H MRS SUBD)	CS	CS-CO-NP
88b	1014 53 ST E (LOT 1 HASTER F SUBD E 50'LT 1 BLK O RIDGETOP SUBD)	GR-CO	GR-CO-NP
89a	1000 52 ST E ; 1009 53 ST E	GR	GR-CO-NP
89b	5210 INTERSTATE HY 35 N	GR & CS	GR-CO-NP & CS-CO-NP
90	1000 51 ST E; 1003 52 ST E	GR	GR-CO-NP
91	1000 50 ST E	LR & GR	CS-CO-NP
91	1006 50 ST E	LO	CS-CO-NP
91	1008 50 ST E ; 0 INTERSTATE HWY 35 N (LOT 2 * 272 SQ FT OF BLK B RIDGETOP)	LR	CS-CO-NP
92a	4911 HARMON AV	LO	LO-CO-NP
92b	4920 INTERSTATE HY 35 N	LO & CS	LO-CO-NP & CS-CO-NP
93	4916 INTERSTATE HY 35 N	CS	CS-CO-NP
94	4900, 4904, 4908, 4912 INTERSTATE HY 35 N	CS	CS-CO-NP
95a	4834 INTERSTATE HY 35 N	LR	CS-CO-NP
95b	4812 INTERSTATE HY 35 N	GR-CO, GR, CS, LO	GR-CO-NP, CS-CO-NP, LO-CO-NP
95c	4806 INTERSTATE HY 35 N	GR	GR-CO-NP
96	4800 INTERSTATE HY 35 N	CS & CS-1	CS-CO-NP & CS-1-CO-NP
97	4600, 4704, 4706 INTERSTATE HY 35 N	CS	CS-CO-NP
98	1001 46 ST E	CS, CS-1	CS-CO-NP, CS-1-CO-NP
98	1003, 1007, 1011, 1019 46 ST E ; 4507, 4511 AIRPORT BV ; 4512 INTERSTATE HY 35 N	CS	CS-CO-NP
99	901, 903 51 <sup>ST</sup> E	SF-3	GR-CO-NP
100	O BRUNING AVE (BLK 17 HIGHLANDS THE)	SF-3	P-NP
101	5413 GUADALUPE	MF-3	MF-4-CO-NP

**PART 3.** The following applies to an existing legal lot with single-family residential use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 3,500 square feet or less, the impervious coverage may not exceed 65 percent.

**PART 4.** Secondary apartment special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1462 and 25-2-1463 of the Code

**PART 5.** Corner store special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1482 through 25-2-1485 of the Code.

**PART 6.** Tracts 2, 3, 4a, 4b, 4c, 5a, 5b, 9 through 22, 24, 25a, 25b, 26a, 26b, 26c, 27a, 27b, 28 through 35, 36a, 36b, 36c, 37, 38, 39a, 39b, 39c, 40, 41a, 41b, 42 through 49, 51 through 58, 59a, 59b, 60, 61, 66 through 69, 84, and 99 may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code:

**PART 7.** Tracts 1a, 1b, 1c, 11 through 22, 24, 25a and 25b may be developed as neighborhood urban center special use as set forth in Sections 25-2-1521 through Section 25-2-1524 of the Code.

**PART 8.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions.

1. The following uses are conditional uses on Tracts 1a, 1b, 1c, 2, 3, 4a, 4b, 4c, 5a, 8, 9, and 10:

Adult oriented businesses  
Automotive sales  
Commercial blood plasma center  
Convenience storage  
Equipment sales  
Vehicle storage

Agricultural sales and services  
Campground  
Construction sales and services  
Equipment repair services  
Kennels

2. The following uses are prohibited uses on Tracts 11 through 22, 23a, 23b, 23c, 23d, 24, 25a, 25b, 26a, 26c, 27a, 28, 29, 30, 32, 33, 34, 36b, 36c, 37, 38, 39a, 39c, 80a, 85, 86a, 86b, 86c, 86d, 87, 88a, 89b, 91, 92b, 93, 94, 95a, 95b, 96, 97, and 98:

Adult oriented businesses  
Residential treatment

Pawn shop services  
Transitional housing



3. The following uses are conditional uses on Tracts 16 through 22, 23c, 23d, 24, 25a, 25b, 26a, 26c, 27a, 28, 29, 30, and 31:

Agricultural sales and services	Automotive sales
Campground	Commercial blood plasma center
Construction sales and services	Convenience storage
Equipment repair services	Equipment sales
Kennels	Vehicle storage

4. The following uses are conditional uses on Tracts 11 through 15, 23a, 23b, 32, 33, 34, 36b, 36c, 37, 38, 39a, and 39c:

Agricultural sales and services	Campground
Commercial blood plasma center	Construction sales and services
Convenience storage	Equipment repair services
Equipment sales	Kennels
Vehicle storage	

5. A site plan or building permit for the Tract 31 may not be approved, released, or issued, if the completed development or uses of Tract 31, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 300 trips per day.

6. Vehicular access from Tract 31 to 51<sup>st</sup> Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

7. The following uses are prohibited uses on Tract 31:

Adult oriented businesses	Pawn shop services
Residential treatment	Restaurant (drive-in, fast food)
Transitional housing	

8. The following uses are prohibited uses on Tract 23b:

Cocktail lounge	Liquor sales
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9. The following uses are prohibited uses on Tracts 35, 36a, 39b, 89a, 90, 95c, and 99:

Pawn shop services	Residential treatment
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10. The following uses are prohibited uses on Tracts 41b, 47, 48, 49, 51, 52, 53, 56, 63, 64, and 66 through 75:

Adult oriented businesses  
Automotive rentals  
Automotive sales  
Commercial blood plasma center  
Equipment repair services  
Exterminating services  
Hospital services (general)  
Laundry services  
Medical offices (exceeding 5,000 s.f.)  
Residential treatment  
Transitional housing  
Transportation terminal

Agricultural sales and services  
Automotive repair services  
Campground  
Convenience storage  
Equipment sales  
Funeral services  
Kennels  
Limited warehousing and distribution  
Pawn shop services  
Service station  
Vehicle storage

11. Construction sales and services use is a prohibited use on a site exceeding 8,000 square feet of gross floor area on Tracts 41b, 47, 48, 49, 51, 52, 53, 56, 63, 64, and 66 through 75.
12. The following uses are conditional uses on Tracts 40, 41a, 41b, 43, 45, 47, 48, 49, 51, 52, 53, 56, 58, 61, 63, 64, and 66 through 75.

Congregate living  
Drive-in service as an accessory use to a commercial use.

13. The following uses are prohibited uses on Tracts 40, 41a, 43, 45, 58, and 61:

Automotive rentals  
Automotive sales  
Funeral services  
Medical offices (exceeding 5,000 s.f.)  
Residential treatment

Automotive repair services  
Exterminating services  
Hospital services (general)  
Pawn shop services  
Service station

14. The following uses are prohibited uses on Tracts 7, 42, 44, 46, 50, 54, 55, 57, 59a, 59b, 60, 62, and 65:

Medical offices (exceeding 5,000 s.f.)  
Service station

Residential treatment

15. The following uses are conditional uses on Tracts 80a, 85, 86a, 86b, 86c, 86d, 87, 88a, 89b, 91, 92b, 93, 94, 95a, 95b, 96, 97, and 98:

Campground

Convenience storage

Kennels

Commercial blood plasma center

Equipment sales

Vehicle storage

16. Residential treatment use is a prohibited use on Tracts 26b, 27b, 76, 80b, and 81 through 84.

17. The followings uses are prohibited uses on Tract 88b:

Automotive repair services

Pawn shop services

Restaurant (drive-in, fast food)

Exterminating services

Residential treatment

Service station

18. The following conditions apply to Tract 88b:

- a. The floor area ratio (F.A.R.) may not exceed 1 to 1 for general retail sales (general) use, general retail sales (convenience) use, and financial services use.
- b. The floor area ratio (F.A.R.) may not exceed 0.45 to 1 for restaurant (general) use and restaurant (limited) use.
- c. The floor area ratio (F.A.R.) may not exceed 0.38 to 1 for food sales use.
- d. Vehicular access from the Property to 53<sup>rd</sup> Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

19. The following conditions apply to Tract 101:

- a. Hospital services (limited) use is a prohibited use.
- b. The maximum height of a building is 40 feet from ground level.
- c. The minimum front yard setback is 25 feet.

- d. The maximum building coverage is 55 percent.
  - e. The maximum impervious cover is 65 percent.
20. The following conditions apply to a 0.510 acre tract of land out of Tract 95b, the tract of land described by metes and bounds in Exhibit "C" incorporated into this ordinance:
- a. General retail sales (general) and general retail sales (convenience) use may not exceed 13,260 square feet of gross floor area.
  - b. Restaurant (general) use may not exceed 9,730 square feet of gross floor area.
  - c. Restaurant (drive-in, fast food) use may not exceed 3,160 square feet of gross floor area.
  - d. Financial services use may not exceed 12,500 square feet of gross floor area.
  - e. Food sales use may not exceed 2,730 square feet of gross floor area.
  - f. Vehicular access is prohibited from the property to Harmon Avenue. All vehicular access to the property shall be from other adjacent public streets or through other adjacent property.
21. The following condition applies to a 1.26 acre tract of land out of Tract 95b, the tract of land described by metes and bounds in Exhibits "D" and "E" incorporated into this ordinance:

Vehicular access is prohibited from the property to Harmon Avenue. All vehicular access to the property shall be from other adjacent public streets or through other adjacent property.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

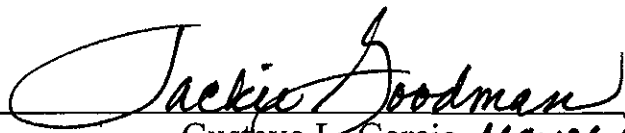
**PART 9.** The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

**PART 10.** This ordinance takes effect on June 3, 2002.

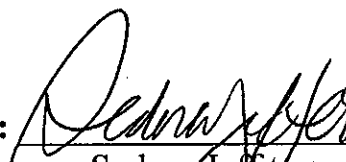
**PASSED AND APPROVED**

\_\_\_\_\_, May 23, 2002

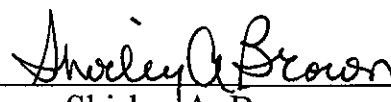
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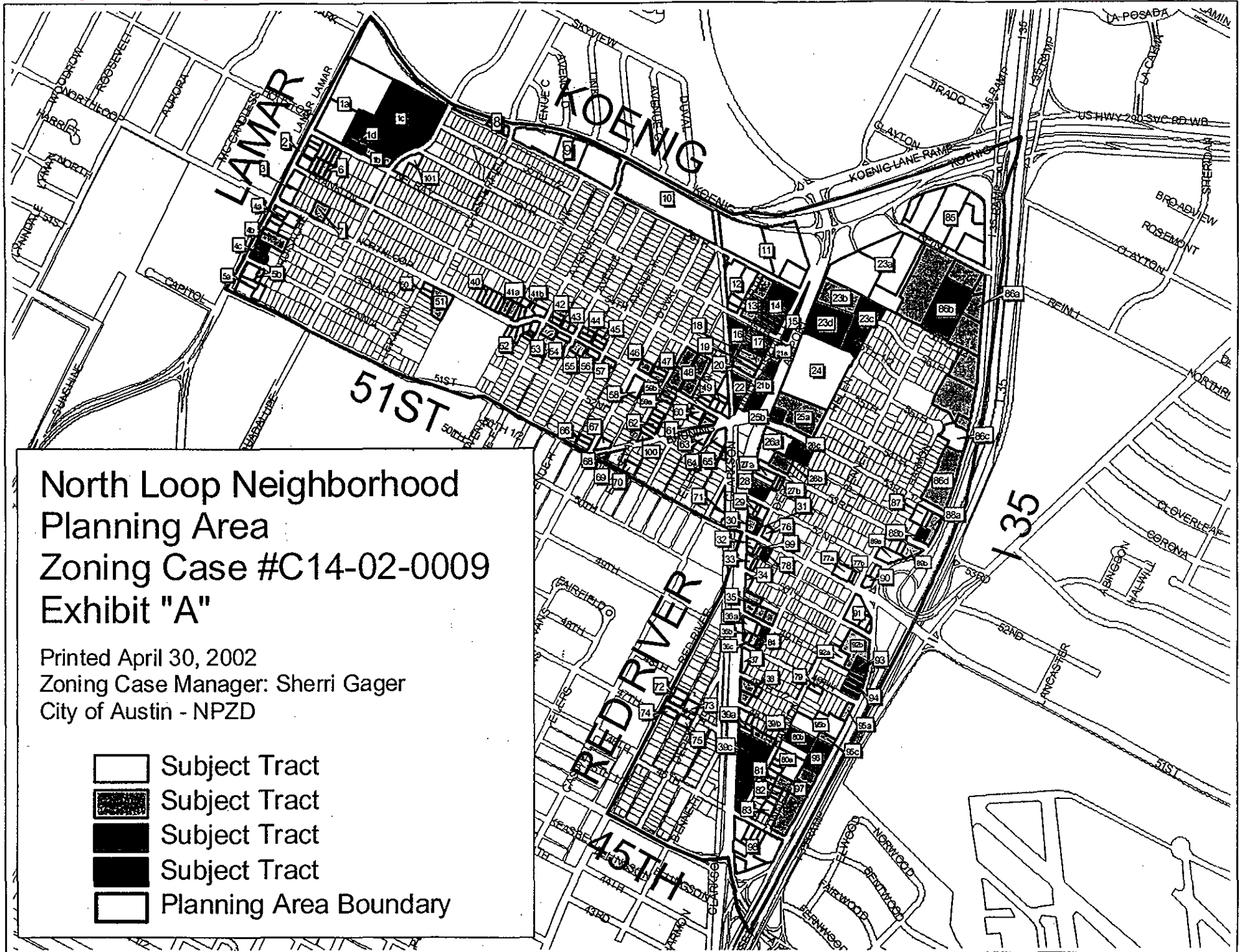
  
Gustavo L. Garcia *Mayor Pro Tem*  
Mayor

**APPROVED:**

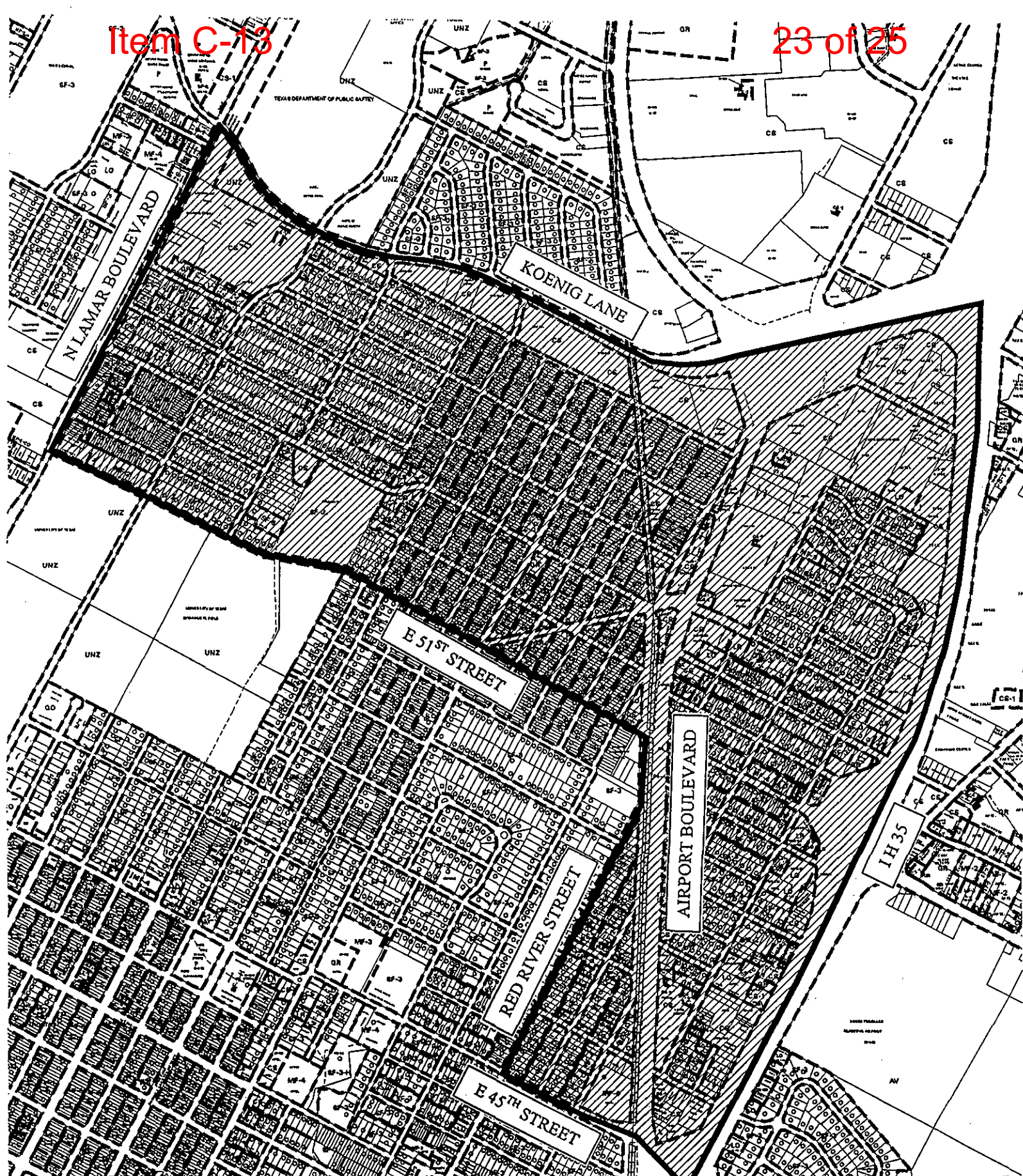
  
Sedora Jefferson  
City Attorney


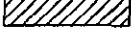
**ATTEST:**

  
Shirley A. Brown  
City Clerk







 1" = 1000'	SUBJECT TRACT		<b>ZONING EXHIBIT B</b>	CITY GRID REFERENCE NUMBER K25-27
	PENDING CASE	• • • • •		
	ZONING BOUNDARY	-----		
	CASE MGR: S. GAGER			
	CASE #: C14-02-0009		DATE: 02-05	
	ADDRESS: W KOENIG LANE			
	SUBJECT AREA (acres): 614.970		INTLS: SM	

## EXHIBIT E

**Grantham, Scott**

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**From:** Sebastian Wren <>  
**Sent:** Sunday, March 03, 2019 4:52 PM  
**To:** Grantham, Scott  
**Subject:** Zoning for 5303 Avenue G

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello,

I'm Sebastian Wren with the North Loop Contact Team. I'm writing on behalf of the North Loop Contact Team (a.k.a. the North Loop Planning Team) in reference to Case Number C14-2019-0002.

Representatives of the property owner at 5303 Avenue G met with the North Loop Contact Team and discussed their plans for development for that property, and explained the reasons why they are seeking a zoning change for that property. At that meeting, which took place on February 13th, the voting members of the Contact Team in attendance voted unanimously to support the zoning change that the property owners are seeking. Furthermore, in discussion on the North Loop Discussion List, nobody who was not in attendance at the February 13 meeting objected to the zoning change proposed.

We feel this change in zoning is consistent with other properties located close to 53rd Street, and development under that zoning would be consistent with the ideals expressed in the North Loop Neighborhood Plan.

Thank you very much.

--

Sebastian Wren, Ph.D.



## 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.austintexas.gov/planning](http://www.austintexas.gov/planning).

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: C14-2019-0002

Contact: Scott Grantham, 512-974-3574

Public Hearing: March 12, 2019, Planning Commission

April 11, 2019, City Council

Your Name (please print)

BOB GRACE

Your address(es) affected by this application

5210 AVE, F

Signature

Date

Daytime Telephone:

512 940-7973

Comments:

☒ I am in favor  
☐ I object

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

City of Austin  
Planning & Zoning Department  
Scott Grantham  
P. O. Box 1088  
Austin, TX 78767-8810