

ORDINANCE NO. _____

Item #50

AN ORDINANCE AMENDING ORDINANCE NO. 040401-32B AND REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON FOUR TRACTS OF LAND, BEING APPROXIMATELY 75.7 ACRES OF LAND IN THE CRESTVIEW NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON THESE FOUR TRACTS.

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

PART 1. Ordinance No. 0040401-32B is amended to include the property identified in this Part in the Crestview neighborhood plan combining district. 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 and to change the base zoning districts on four tracts of land described in File C14-04-0002.002, as follows:

7700-7720 N. Lamar Blvd, and
822 Taulbee Ln (Tract 123)

7100-7400 N Lamar Blvd (11.499 ac. Abs 679, Sur 7 GW Spear),
7414 N Lamar Blvd (31.887 ac Abs 789, Sur 57 GW Spear),
7500 N Lamar Blvd (Lot 2A Resub of
Lots 1-2 Northern Commercial Subd),
7520-7524 N Lamar Blvd (Lots 1-4 Blk A Northgate Addn),
7526-7530 N Lamar Blvd (Trt 1-2 Kivlin-Smith Subd),
810 Banyon St (Lot 3 Northern Commercial Subd),
904-910 Banyon St (Lots 1-4 Northern Industrial Subd),
1007-1019 Aggie Ln (Lots 7-12 Blk A Resub of
Lots 21-23 Northgate Addn), and
907 Morrow St (S 252 ft of Trt 3 Kivlin-Smith Subd) (Tract 160a)

1016 Aggie Ln, and
1001-1209 Morrow St (Tracts 160b-1 and 160b-2)

821-901 Morrow St,
907 Morrow St (N 149.84 ft of
Trt 3 Kivlin-Smith Subd), and
909-913 Morrow St (Tract 160c)
(the "Property") as shown on the attached Exhibit "A",

generally known as the Crestview neighborhood plan combining district, locally known as the area bounded by Anderson Lane on the north, Lamar Boulevard on the east, Justin Lane on the south, and Burnet Road on the west, 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 4 tracts of land are changed from family residence (SF-3) district, multifamily residence medium density (MF-3) district, multifamily residence moderate high density (MF-4) district, general commercial services (CS) district, commercial-liquor sales (CS-1) district, and limited industrial services (LI) district to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, and limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district, as more particularly described and identified in the chart below.

Tract No.	Property	From	To
123	7700-7720 N Lamar Blvd; 822 Taulbee Ln	CS	CS-MU-CO-NP
160a	7100-7400 N Lamar Blvd (11.499 AC OF ABS 679 SUR 7 SPEAR G W), 7414 N Lamar Blvd (31.887 AC OF ABS 789 SUR 57 SPEAR G W), 7500 N Lamar Blvd (LOT 2A RESUB OF LOTS 1-2 NORTHERN COMMERCIAL SUBD), 7520-7524 N Lamar Blvd (LOTS 1-2 BLK A NORTHGATE ADDN), 7526-7530 N Lamar Blvd (TRT 1-2 KIVLIN-SMITH SUBD), 810 Banyon St (LOT 3 NORTHERN COMMERCIAL SUBD), 907-910 Banyon St (LOTS 1-4 NORTHERN INDUSTRIAL SUBD), 1007-1019 Aggie Ln (LOTS 7-12 BLK A RESUB LOTS 21-23 NORTHGATE ADDN), 907 Morrow St (S 252 FT OF TRT 3 KIVLIN-SMITH SUBD)	LI, GS, CS-1, MF-4, MF-3, SF-3	LI-PDA-NP
160b-1 160b-2	1016 Aggie Ln, 1001-1209 Morrow St (as described in Exhibit "C") 1016 Aggie Ln, 1001-1209 Morrow St (as described in Exhibit "C")	LI, SF-3	LI-PDA-NP
160c	821-901 Morrow St, 907 Morrow St (N 149.84 ft of Trt 3, Kivlin-Smith Subd), 909-913 Morrow St	CS, MF-4, SF-3	LI-PDA-NP

PART 3. The Property is subject to Ordinance No. 040401-32B that established the Crestview neighborhood plan combining district.

PART 4. Tract 160a may be developed as a residential infill special use as set forth in Section 25-2-1532 through 25-2-1534 of the Code.

PART 5. Tract 160a may be developed as a neighborhood urban center special use as set forth in Sections 25-2-1521 through 25-2-1524 of the Code.

PART 6. The Property identified as Tract 123 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 of Tract 123:

Adult oriented businesses
Equipment repair

Commercial blood plasma center
Equipment sales

2. Pawn shop services use is a prohibited use of Tract 123.

3. Except as specifically provided in this part, Tract 123 may be developed and used in accordance with the regulations established for the general commercial services base district and other applicable requirements of the City Code.

PART 7. Development of the Property identified as Tracts 160a, 160b-1, 160-2, and 160c located within the boundaries of the planned development area (PDA) combining district established by this ordinance ("PDA Property") is subject to the use and site development regulations set forth in this part. Use and site development regulations expressly provided in this part supercede conflicting regulations in the City Code.

1. Development of the PDA Property shall comply with Section 25-2-648 (*Planned Development Area Performance Standards*) of the City Code.

2. Except as provided in Sections 3 to 7, all permitted and conditional limited industrial services (LI) uses are permitted and conditional uses of Tracts 160a, 160b-1, 160b-2, and 160c.

3. The following uses are additional permitted uses of Tract 160a:

Administrative services

Bed and breakfast residential (Group 1)

Park and recreation services (special)

Research assembly services

1 Bed and breakfast residential (Group 2)
2 Consumer repair services
3 Convalescent services
4 Multifamily residential
5 Pet services
6 Park and recreation services (general)
7 Condominium residential
8 Family home

Research warehousing services
Retirement housing (large site)
Retirement housing (small site)
Single family residential
Townhouse residential
Urban farm
Two-family residential

4. The following uses are prohibited uses of Tracts 160a, 160b-1, 160b-2, and 160c:

12 Agricultural sales and services
13 Automotive repair services
14 Automotive sales
15 Automotive washing (of any type)
16 Campground
17 Convenience storage
18 Drop-off recycling collection facility
19 Equipment repair services
20 Equipment sales

Kennels
Liquor sales
Monument retail sales
Outdoor entertainment
Recycling center
Resource extraction
Scrap and salvage
Vehicle storage

5. The following uses are additional permitted uses of Tracts 160b-1 and 160c:

24 Bed and breakfast residential (Group 1)
25 Condominium residential
26 Park and recreation services (special)
27 Single family residential
28 Two-family residential
29 Family home
30 Community recreation (public)

Bed and breakfast residential (Group 2)
Park and recreation services (general)
Retirement housing (small site)
Townhouse residential
Urban farm
Community recreation (private)

The following uses are permitted uses of Tract 160b-2:

34 Park and recreation services (special)
35 Community recreation (private)

Park and recreation services (general)
Community recreation (public)

6. The following uses are prohibited uses of Tracts 160b-1, 160b-2, and 160c:

39 Administrative and business offices
40 Art and craft studio (general)
41 Automotive rentals

Art and craft studio (limited)
Art and craft studio (industrial)
Bail bond services

1 Building maintenance services
2 Business support services
3 Construction sales and services
4 Electronic prototype assembly
5 Financial services
6 Funeral services
7 General retail sales (limited)
8 Indoor entertainment
9 Laundry services
10 Personal improvement services
11 Plant nursery
12 Research services
13 Restaurant (limited)
14 Software development
15 Veterinary services
16 Custom manufacturing
17 Light manufacturing
18 Counseling services
19 Maintenance and service facilities
20 Residential treatment
21 Transportation terminal

Business or trade school
Commercial off-street parking
Consumer convenience services
Exterminating services
Food sales
General retail sales (general)
Hotel-motel
Indoor sports and recreation
Medical offices
Personal services
Professional office
Restaurant (general)
Service station
Theater
Basic industry
General warehousing and distribution
Limited warehousing and distribution
Congregate living
Railroad facilities
Transitional housing

22
23 The following uses are additional prohibited uses of Tract 160b-2:

24
25 Communications services
26 Outdoor sports and recreation
27 Communication service facilities
28 Day care services (limited)
29 Group home, Class I (general)
30 Group home, Class II

Off-site accessory parking
Club or lodge
Community events
Employee recreation
Group home, Class I (limited)

31
32 7. The following uses are conditional uses of Tracts 160b-1 and 160c:

33
34 College and university facilities
35 Day care services (commercial)
36 Local utility services

Cultural services
Day care services (general)
Safety services

37
38 8. Calculations for zoning impervious cover, building coverage, floor to area ratios,
39 parking, landscaping, and required open space are based on the cumulative gross site
40 area of the PDA Property.
41

9. Except as provided in Sections 11 to 14, the CS site development standards apply to Tract 160a.

10. Except as provided in Sections 11 and 12, the SF-6 site development standards apply to Tracts 160b-1, 160b-2, and 160c.

11. The site development standards in Schedule 1, Column A set forth in Section 24, apply to a single family residential use.

12. The site development standards in Schedule 1, Column B set forth in Section 24, apply to a townhouse residential use or condominium residential use.

13. The uses identified in this section are subject to Section 14.

Congregate living
Convalescent services
Multifamily residential

Retirement housing (small site)
Retirement housing (large site)

14. Except as provided in Section 15, development of the uses in Section 13 shall comply with the site development standards in Schedule 1, Column C set forth in Section 24.

15. This section applies to a combination use building.

A. A combination use building is a building that contains both a commercial use and (1) a residential use, or (2) a congregate living use or a convalescent services use.

B. A combination use building must comply with the following criteria.

1. The building must contain residential units above the ground floor.

2. The square footage of the residential units on the ground floor may not exceed 50 percent of the gross floor area of the ground floor.

3. The square footage of the non-residential units in the above-ground floor area may not exceed 50 percent of the gross floor area of the above-ground floor area.

C. The CS site development standards apply to a combination use building.

16. The maximum density is 1,472 dwelling units for a residential use identified in this section.

Bed and breakfast residential (Group 1)
Condominium residential
Multifamily residential
Retirement housing (large site)
Single family residential
Townhouse residential

Bed and breakfast residential (Group 2)
Group residential
Retirement housing (small site)
Single family attached residential
Small lot single family residential
Two-family residential

17. The uses identified in this section are subject to Sections 18 to 21.

Basic industry
Light manufacturing

General warehousing and distribution

18. A building setback in Section 19 shall not apply to a use or zoning district identified in Section 19 that is located east of Lamar Boulevard or on Tracts 147, 148, and 149.

19. A 200-foot wide building setback shall be established between a use identified in Section 17 and:

A. A use identified in Section 13.

B. A residential use including a combination use building.

C. A multifamily residence highest density (MF-6) district or less restrictive zoning district.

20. Notwithstanding Sections 18 and 19, development of the Property is subject to Chapter 25-2, Subchapter C Article 10 (*Compatibility Standards*).

21. A use identified in Section 17 is a prohibited use of the property located in the vicinity of Banyon Street as shown in Exhibit "D".

22. A minimum 17.4 acres of the Property shall be open space. Open space may include a community recreation (private or public) use. Required setback areas may not be included as required open space except for the setback areas within a community recreation (private or public) use.

23. Open space required under Section 22 will be credited toward parkland dedication required for a residential subdivision within the Property, in accordance with Chapter 25-4, Article 3, Division 5 of the Code. A 50 percent credit will be allowed for privately owned and maintained park and recreational facilities and a 100 percent credit will be allowed for land dedicated as parkland to the City.

24. Schedule 1 Site Development Chart.

Regulation	COLUMN A SINGLE FAMILY RESIDENTIAL	COLUMN B TOWNHOUSE & CONDOMINIUM	COLUMN C ALL OTHER RESIDENTIAL USES
Minimum Lot Size	3,500 SF	2,000 SF	5,750 SF
Minimum Lot Width	30 FT	20 FT	50 FT
Maximum Height	35 FT	35 FT	60 FT
Minimum Front Yard Setback	10 FT	5 FT	5 FT
Minimum Front Garage Setback	20 FT	20 FT	--
Minimum Street Side Yard Setback	10 FT	10 FT	10 FT
Minimum Interior Side Yard Setback	5 FT	0 FT	5 FT
Minimum Rear Yard Setback	5 FT	5 FT	10 FT
Maximum Building Coverage	55%	70%	75%
Maximum Impervious Cover	65%	75%	80%

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

1 **PART 8.** This ordinance takes effect on _____, 2004.

2
3 **PASSED AND APPROVED**

4
5
6 _____, 2004

7 §
8 §
9 §

10 Will Wynn
11 Mayor

12 **APPROVED:**

13 David Allan Smith
14 City Attorney

15 **ATTEST:**

Shirley A. Brown
City Clerk

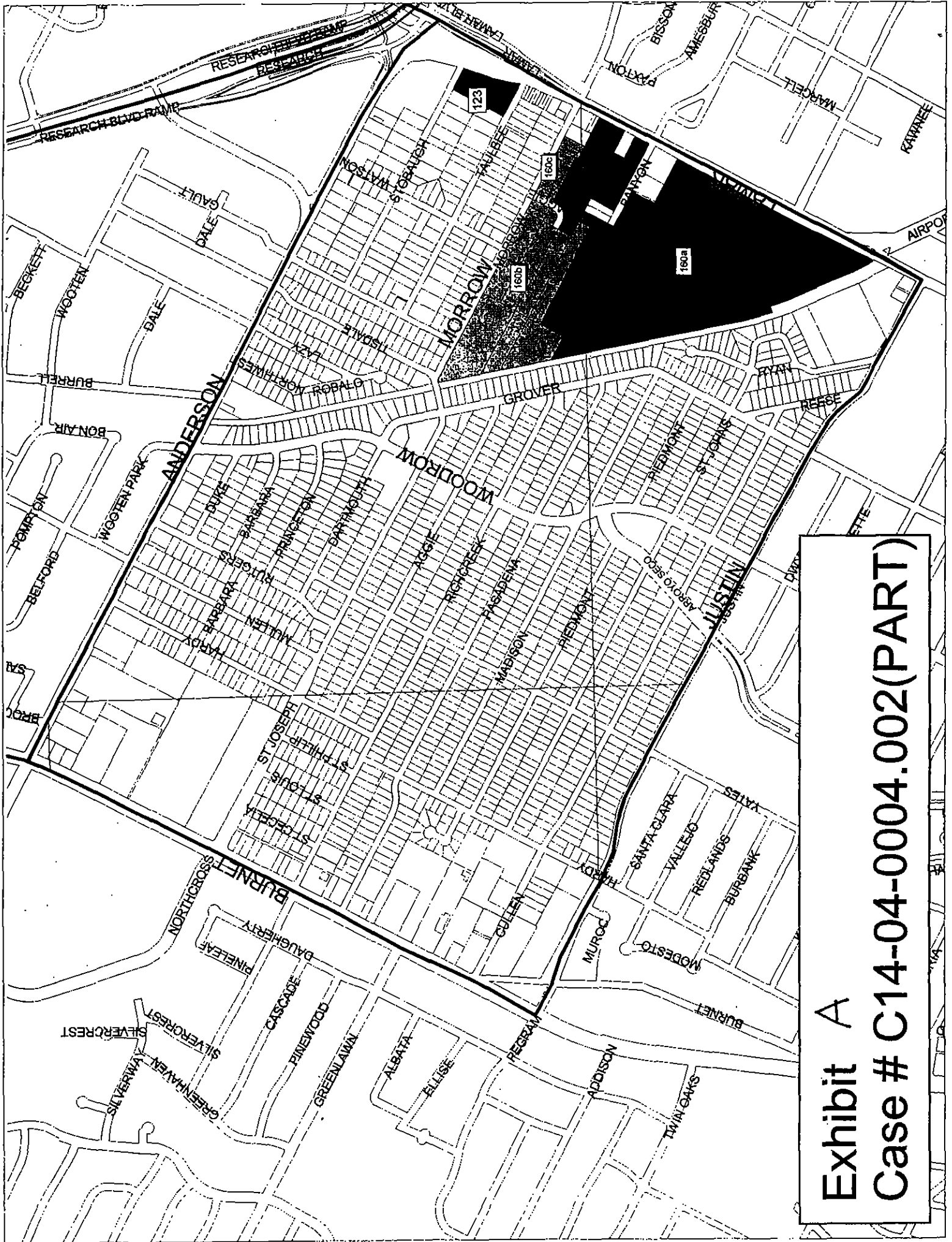
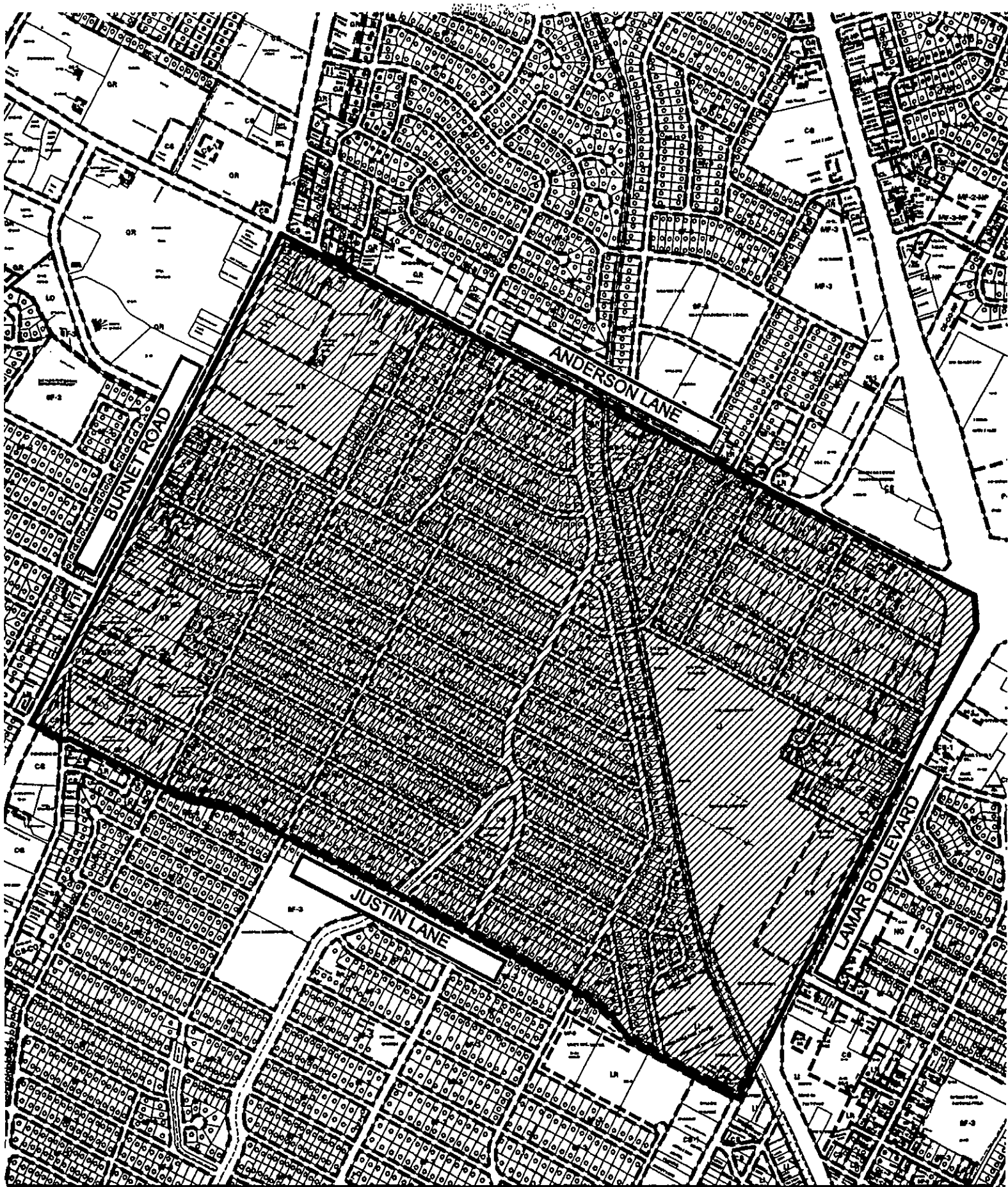





Exhibit A
Case # C14-04-0004.002(PART)



SUBJECT TRACT 
 PENDING CASE 
 ZONING BOUNDARY 
 CASE MGR: W. WALSH

CASE #: C14-04-0004.002
 ADDRESS: CRESTVIEW COMBINED
 NEIGHBORHOOD PLAN AREA
 SUBJECT AREA (acres): 650.510

ZONING

EXHIBIT B

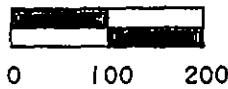
DATE: 04-02

INTLS: SM

CITY GRID
 REFERENCE
 NUMBER
 J28-30 K28-3
 1

A=35.08
D=39°01'07"
CB=S79°31'05"E

TISDALE DR.



LEGEND

- = 1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED
- = CONCRETE MONUMENT FOUND
- = 5/8" IRON ROD SET WITH PLASTIC CAP STAMPED "L/JA INC. RPLS 4532"

MORROW ST.

1458.45
S60°00'32"E 1568.73

WATSON ST.

17.444 ACRES

TEXACO CHEMICAL COMPANY
VOL. 10701, PG. 256

LEAGUE

W SPEAR

GEORGE

THE RESUBDIVISION OF
LOTS 21, 22, AND 23
BLOCK "A" NORTH GATE ADDITION
BK. 4, PG. 292

POINT OF BEGINNING

AGGIE LN.

R=50.00
C=70.71
A=78.54
D=90°00'00"
CB=S74°57'48"W

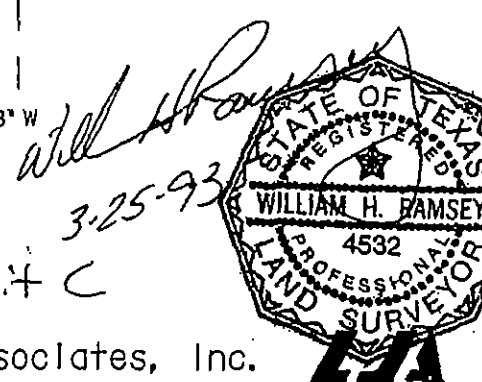
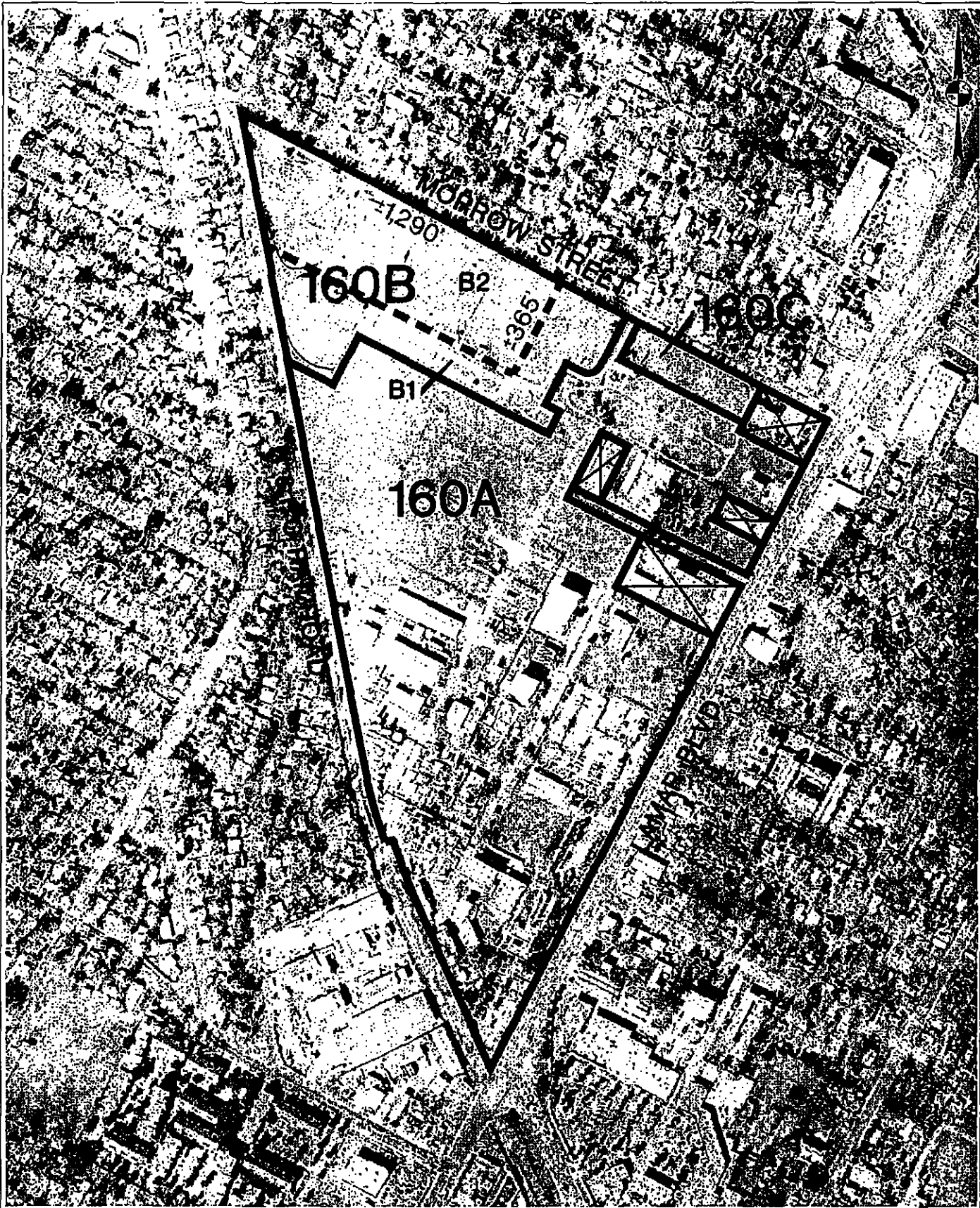


Exhibit C

DATE • MARCH 22, 1993

JOB NO. • 21-0886-0001-0005

Lichtliter/Jameson & Associates, Inc.



**HUNTSMAN TRACTS
FACILITY 160A, 160B, & 160C**

EXHIBIT C-1
Bury Partners
 Consulting Engineers and Surveyors
 Austin, Texas Tel: 512/218-0011 Fax: 512/218-6025
 BuryPartners, Inc. Copyright 2004

FILE: G:\1425\01\EXH\142501EXH01

PROJECT No.: 1425-01.00

SCALE: N.T.S.

