

THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-04-0012

REQUEST:

Approve third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning the property locally known as The Brentwood/Highland Neighborhood Planning area, bounded on the north by Justin Lane and Anderson Lane, on the east by Middle Fiskville Road and Twin Crest Drive, on the south by 45th Street and Koenig Lane, and on the west by Burnet Road.

The proposed zoning change will create two Neighborhood Plan Combining Districts (NP) covering the entire area. Under the proposed Brentwood NP, "Small Lot Amnesty," "Secondary Apartment," "Garage Placement," "Front Porch Setback" and "Impervious Cover and Parking Placement Restrictions" are proposed for the entire area. The Urban Home special use is proposed for the Romeria Gateway subdistrict, which includes all lots adjacent to Romeria between Lamar Blvd. and the Grover Drainage Channel. The Neighborhood Urban Center (NUC) special use is proposed for Tracts 1 and 2.

Under the proposed Highland NP, "Small Lot Amnesty" and "Secondary Apartment" are proposed for the entire area. "Garage Placement," "Front Porch Setback" and "Impervious Cover and Parking Placement Restrictions" are proposed for the entire area with the exception of all lots adjacent to St. Johns Avenue. The Cottage Lot special use is proposed for the North and South Highland subdistricts. The North Highland subdistrict is bounded on the north by Crestland Drive, on the east by Twin Crest Drive, on the south by St. Johns Avenue, and on the west by Lamar Blvd. The South Highland subdistrict is bounded on the north and east by Airport Blvd., on the south by Denson Drive, and on the west by Lamar Blvd. The Neighborhood Mixed Use Building (MUB) special use is proposed for Tract 221 and the Neighborhood Urban Center special use is proposed for Tracts 200, 201, 202, 222a, 222b, 222c, 223, 241, 242, 243a, 243b, 243c, 275, 276, and 277.

The proposed zoning change also implements the land use recommendations of the Brentwood/Highland Neighborhood Plan for a total of 233 tracts shown on the attached zoning tract map. For each of the 233 tracts, the attached chart (Exhibit A) lists the existing zoning, proposed zoning, property owner, street address and whether or not the NUC and MUB are permitted.

The City Council may approve a zoning change to any of the following: Rural Residential (RR); Single-Family Residence - Large Lot (SF-1); Single-Family Residence—Standard Lot (SF-2); Family Residence (SF-3); Single-Family - Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-family Residence - Low Density (MF-2); Multi-family Residence - Medium Density (MF-3); Multi-family Residence - Moderate-High Density (MF-4); Multi-family Residence - High Density (MF-5); Multi-family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Mixed Use Combining District Overlay (MU) or Neighborhood Plan Special Use (NP) may also be added to these zoning base districts.

DEPARTMENT COMMENTS:

For information regarding the petitions filed Exhibit 1. As of May 6, 2004, 19 valid petitions have been filed.

We expect two additional petitions to be validated by May 13, 2004 (6200 N. Lamar & 5700 Grover).

APPLICANT: City of Austin

AGENT: Neighborhood Planning & Zoning Department

DATE OF FIRST READING: March 25, 2004

DATE OF SECOND READING: April 15, 2004

CITY COUNCIL ACTION:

1st Reading: To approve the Planning Commission Recommendation to recommend staff recommendation with the following changes: Tract 16- to recommend NO-MU-NP, Tract 213b- to recommend NO-MU-NP, a portion of Tract 222b (6900 & 6902 Guadalupe Street)- to recommend CS-CO-MU-NP for the rear 54 feet of both lots. Vote: 6-0.

2nd Reading: Approved on second reading with changes (7-0, 6-1, 5-2, 4-3, 6-0).

CITY COUNCIL HEARING DATE: May 13, 2004 ASSIGNED STAFF: Brian Block, 974-7687, Annick Beaudet, 974-2975

Petition Information and 2nd Reading Actions on properties w/Petitions:

6200 N Lamar. . A letter of protest to a rezoning has been received, however not validated. We expect the petition to be valid at 100%. The property owner is opposed to any zoning classification other than CS-1-MU-NP. Staff is recommending CS-MU-CO-NP (See Exhibit B, CO-A).

Approved owner's request of CS-1-MU-CO-NP with the addition of CO-B.

5508 Clay Avenue. This petition was filed by the property owner and is valid at 100%. The property owner is opposed to any zoning classification other than CS-MU-CO-NP. Conditional Overlay as described by property owner letter. Staff is recommending GR-MU-CO (See Exhibit B, CO-C).

Approved property owner request of CS-MU-CO-NP maintaining any applicable prohibited uses per CO-C plus the addition of the following prohibited uses: construction sales & services, funeral services, hotel-motel, indoor entertainment, indoor sports and recreation, restaurant (general and limited), theater. Petition still valid.

5510 & 5600 Clay Avenue. This petition was filed by the property owner and is valid at 100%. The property owner is opposed to any zoning classification other than CS-MU-CO-NP, Conditional Overlay "A". Staff is recommending GR-MU-CO (CO-C).

Approved neighborhood's request of LR-MU-CO-NP, CO-D.

5611 Clay Avenue. One petition filed by the property owner and valid at 100%. One petition filed by adjacent property owners and is valid at 25.60%. The property owner is opposed to any zoning classification other than LO-MU-CO-NP. The adjacent property owners are opposed to any zoning classification other than SF-3. Planning Commission Recommendation is NO-MU, Original Neighborhood Plan Recommendation is SF-3.

Approved staff recommendation of SF-3-NP. Petitions still valid.

5006 Grover. This petition was filed by the property owner and is valid at 100%. The property owner is opposed to any zoning classification other than NO-MU-NP. The Planning Commission recommendation is SF-3.

Approved PC recommendation of SF-3-NP. Petition still valid

200 W. Huntland Drive and 104 E. Huntland Drive. These petitions were filed by the property owner and are valid at 100%. The property owner is opposed to any zoning classification other than CS-MU-CO-NP. Conditional Overlay is "H". In addition all commercial uses not allowed in GR base zoning are prohibited except vehicle storage and limited warehousing and distribution uses. Staff Recommendation is GR-MU-CO-NP, Conditional Overlay "H".

Approved CS-MU-CO-NP, CO-H and permitting only GR uses with the exception of permitting vehicle storage and limited warehousing and distribution.

6757 Airport Blvd. This petition was filed by the property owner and is valid at 100%. The property owner is opposed to any zoning classification other than CS-MU-CO-NP. Conditional Overlay is "B" except vehicle storage is removed from the CO. The staff recommendation is CS-MU-CO-NP, Conditional Overlay "B".

Approved PC recommendation of CS-MU-CO-NP, CO-B, but permitted vehicle storage.

108 Denson Drive and 0 Denson Drive. These petitions were filed by the property owner and are valid at 100%. The property owner is opposed to any zoning classification other than CS-MU-CO-NP. Conditional Overlay as per attached document. The staff recommendation is CS-MU-CO-NP, Conditional Overlay "G".

108-Approved CS-MU-CO-NP, CO-G, with the following uses removed from the CO- auto rental, commercial off street parking, convenience storage, exterminating services, general retail of any type greater than 20, 000 sq.ft., laundry services, maintenance and service facilities, off site accessory parking.

0-Approved CS-MU-CO-NP w/CO-G, except that the following are removed from the CO: auto rental, auto sales, auto washing, commercial off street parking, convenience storage, drive in as an accessory use, exterminating services, general retail of any type greater than 20,000 sq.ft, laundry services, maintenance and service facilities, monument retail sales, off site accessory parking, outdoor entertainment and service station.

6015, 6016, and 6020 Dillard Circle. These petitions were filed by the property owner and are valid at 100%. The property owner is opposed to any zoning classification other CS-MU-CO-NP. Conditional Overlay is "CO-G" except the following uses are removed from the CO: Convenience Storage, Maintenance and Service Facility, and Monument Retail Sales. General Retail Sales would be changed to allow a maximum of 35,000 sq. ft. The staff recommendation is CS-MU-CO-NP, Conditional Overlay "G".

6015, 6016, and 6020 Dillard Circle- Approved CS-MU-CO-NP, CO-G. except that convenience storage, maintenance and service facility, monument retail sales are removed from CO and General Retail Sales (General) over 35,000 sq. ft. is prohibited.

6709 Burnet Lane and 608 Kenniston Drive. Both petitions were filed by the property owner and are valid at 100%. The property owner is opposed to any zoning classification other than CS for both properties. For 6709 Burnet Lane staff is recommending CS-MU-CO-NP (See Exhibit B, CO-G). For 608 Kenniston the staff is recommending CS-MU-CO (See Exhibit B, CO-B) and NUC.

6709- approved PC recommendation- petition still valid for no conditions to apply.

608- approved PC recommendation- petition still valid.

5607 - 5615 Burnet Road. This petition was filed by the property owner and is valid at 100%. The property owner is opposed to any zoning classification other than CS-MU-CO-NP. Conditional Overlay is "CO-B" except the following uses are removed from the CO: Construction Sales & Services, Commercial Blood Plasma Center, Kennels, and Vehicle Storage. Staff is recommending CS-MU-CO-NP (See Exhibit B, CO-B)

Owner compromised request of "No Conditions (CO)" with the following adjustments to CO-B: construction sales & services, commercial blood plasma, kennels, and vehicle storage would be permitted. Petition still valid.

5701-5715 Burnet Road. This petition was filed by the property owner and is valid at 100%. The property owner is opposed to any zoning classification other than CS-MU-CO-NP. Conditional Overlay is "CO-B" except the following uses are removed from the CO: Construction Sales & Services, Commercial Blood Plasma Center, Kennels, and Vehicle Storage. Staff is recommending CS-MU-CO-NP (See Exhibit B, CO-B)