

**ORDINANCE NO. 040415-50**

**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 THREE TRACTS OF LAND, BEING APPROXIMATELY 73.4 ACRES OF LAND IN THE CRESTVIEW NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON THESE TRACTS.**

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

**PART 1.** Ordinance No. 040401-32B 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 three tracts of land described in File C14-04-0004.002, as follows:

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 3 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 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
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 1-4 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 LOTS 21-23 NORTHGATE ADDN), 907 Morrow St (S 252 FT OF TRT 3 KIVLIN-SMITH SUBD)	LI, CS, 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.** Development of the Property identified as Tracts 160a, 160b-1, 160b-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	Park and recreation services (special)
Bed and breakfast residential (Group 1)	Research assembly services
Bed and breakfast residential (Group 2)	Research warehousing services
Consumer repair services	Retirement housing (large site)
Convalescent services	Retirement housing (small site)
Multifamily residential	Single family residential
Pet services	Townhouse residential
Park and recreation services (general)	Urban farm
Condominium residential	Two-family residential
Family home	

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

Agricultural sales and services	Kennels
Automotive repair services	Liquor sales
Automotive sales	Monument retail sales
Automotive washing (of any type)	Outdoor entertainment
Campground	Recycling center
Convenience storage	Resource extraction
Drop-off recycling collection facility	Scrap and salvage
Equipment repair services	Vehicle storage
Equipment sales	

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

Bed and breakfast residential (Group 1)	Bed and breakfast residential (Group 2)
Condominium residential	Park and recreation services (general)
Park and recreation services (special)	Retirement housing (small site)
Single family residential	Townhouse residential
Two-family residential	Urban farm
Family home	Community recreation (private)
Community recreation (public)	

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

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

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

Administrative and business offices	Art and craft studio (limited)
Art and craft studio (general)	Art and craft studio (industrial)
Automotive rentals	Bail bond services
Building maintenance services	Business or trade school
Business support services	Commercial off-street parking
Construction sales and services	Consumer convenience services
Electronic prototype assembly	Exterminating services
Financial services	Food sales
Funeral services	General retail sales (general)
General retail sales (limited)	Hotel-motel
Indoor entertainment	Indoor spots and recreation
Laundry services	Medical offices
Personal improvement services	Personal services
Plant nursery	Professional office
Research services	Restaurant (general)
Restaurant (limited)	Service station
Software development	Theater
Veterinary services	Basic industry
Custom manufacturing	General warehousing and distribution
Light manufacturing	Limited warehousing and distribution
Counseling services	Congregate living
Maintenance and service facilities	Railroad facilities
Residential treatment	Transitional housing
Transportation terminal	

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

Communications services	Off-site accessory parking
Outdoor sports and recreation	Club or lodge
Communication service facilities	Community events
Day care services (limited)	Employee recreation
Group home, Class I (general)	Group home, Class I (limited)
Group home, Class II	

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

College and university facilities	Cultural services
Day care services (commercial)	Day care services (general)
Local utility services	Safety services

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

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	Retirement housing (small site)
Convalescent services	Retirement housing (large site)
Multifamily residential	

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. An 80 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.

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

25. A site plan or building permit for development on Tract 160 may not be approved, released, or issued, if the completed development or uses of Tract 160, considered cumulatively with all existing or previously authorized development or uses, generate traffic onto Morrow Street that exceeds 1,000 trips per day.
26. 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.



**PART 7.** This ordinance takes effect on April 26, 2004.

**PASSED AND APPROVED**

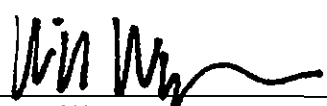
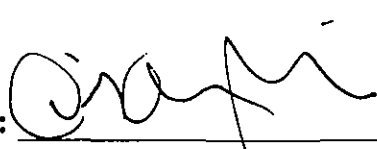

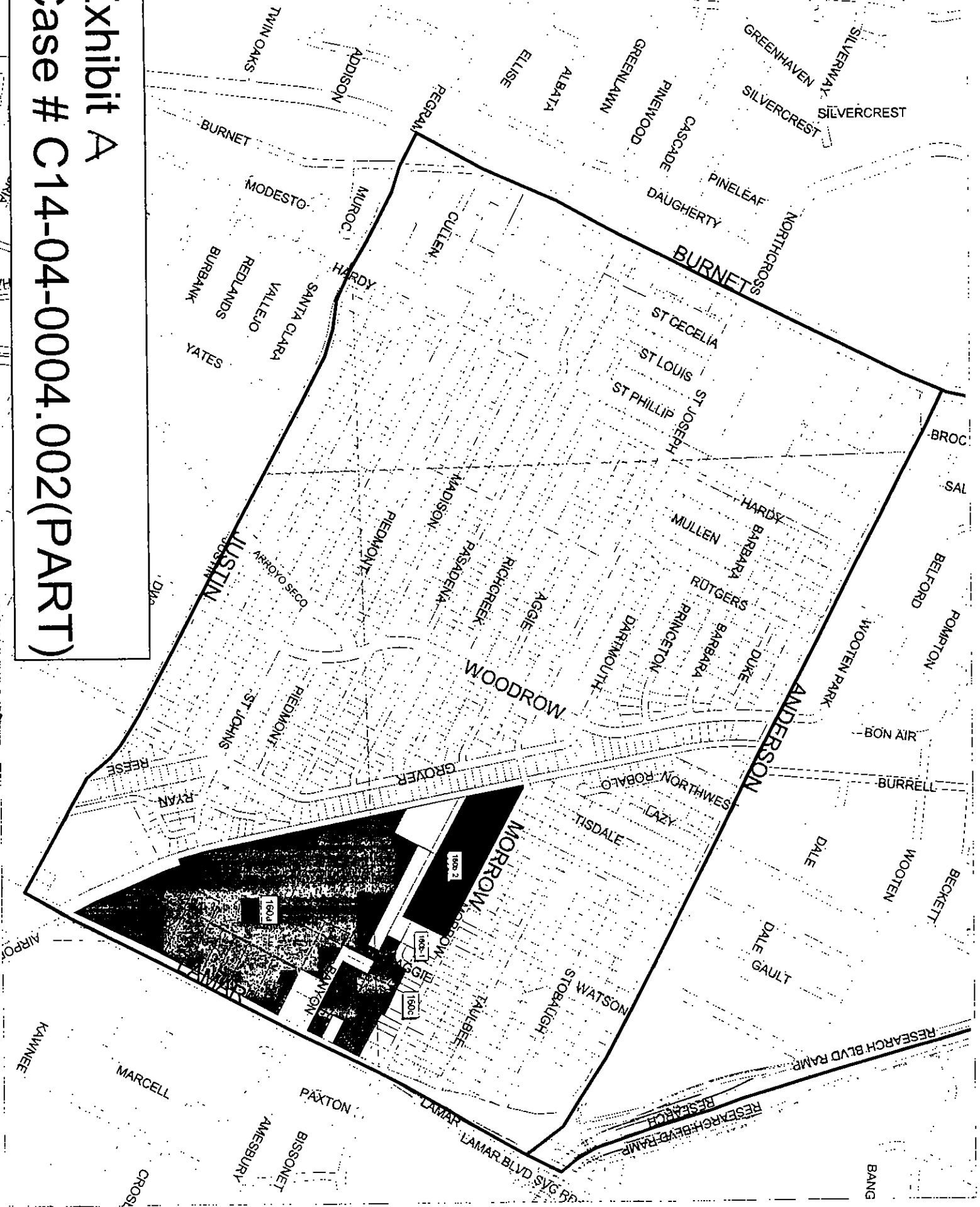
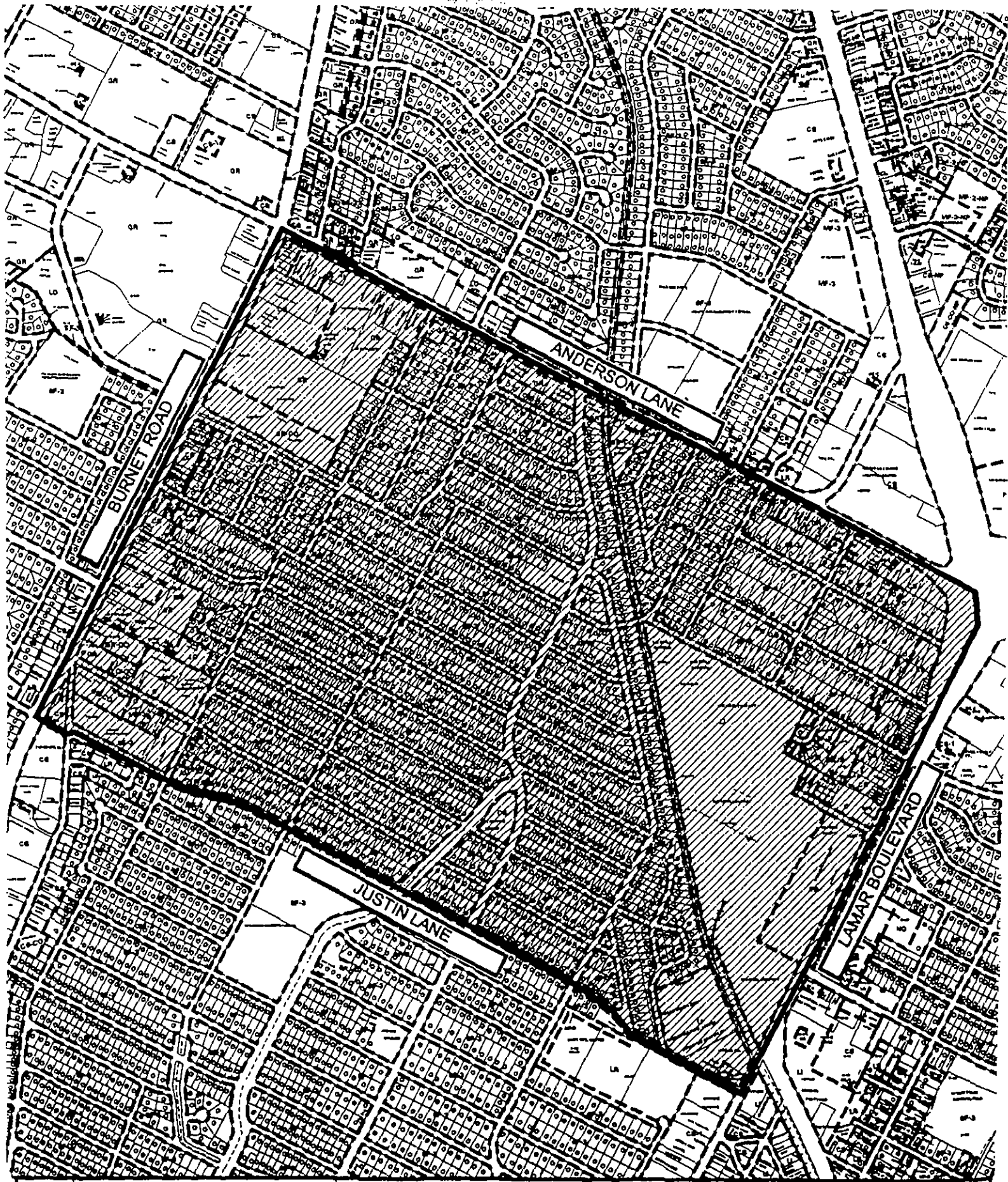




<u>April 15</u> , 2004	§ § §	 _____ Will Wynn Mayor
<b>APPROVED:</b>  _____ David Allan Smith City Attorney	<b>ATTEST:</b>	 _____ Shirley A. Brown City Clerk

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





 1" = 1000'	SUBJECT TRACT 	ZONING EXHIBIT D		CITY GRID REFERENCE NUMBER J28-30 K28-3 1
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-04-0004.002	DATE: 04-02	
	CASE MGR: W. WALSH	ADDRESS: CRESTVIEW COMBINED NEIGHBORHOOD PLAN AREA SUBJECT AREA (acres): 650.310	INTLS: SM	

TISDALE DR.

- = 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"

TEXACO CHEMICAL COMPANY  
VOL. 10701, PG. 256

LEAGUE

WATSON ST.

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=574°57'48"W

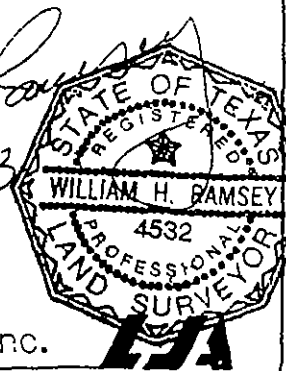
EXHIBIT C - pg 1 of 2

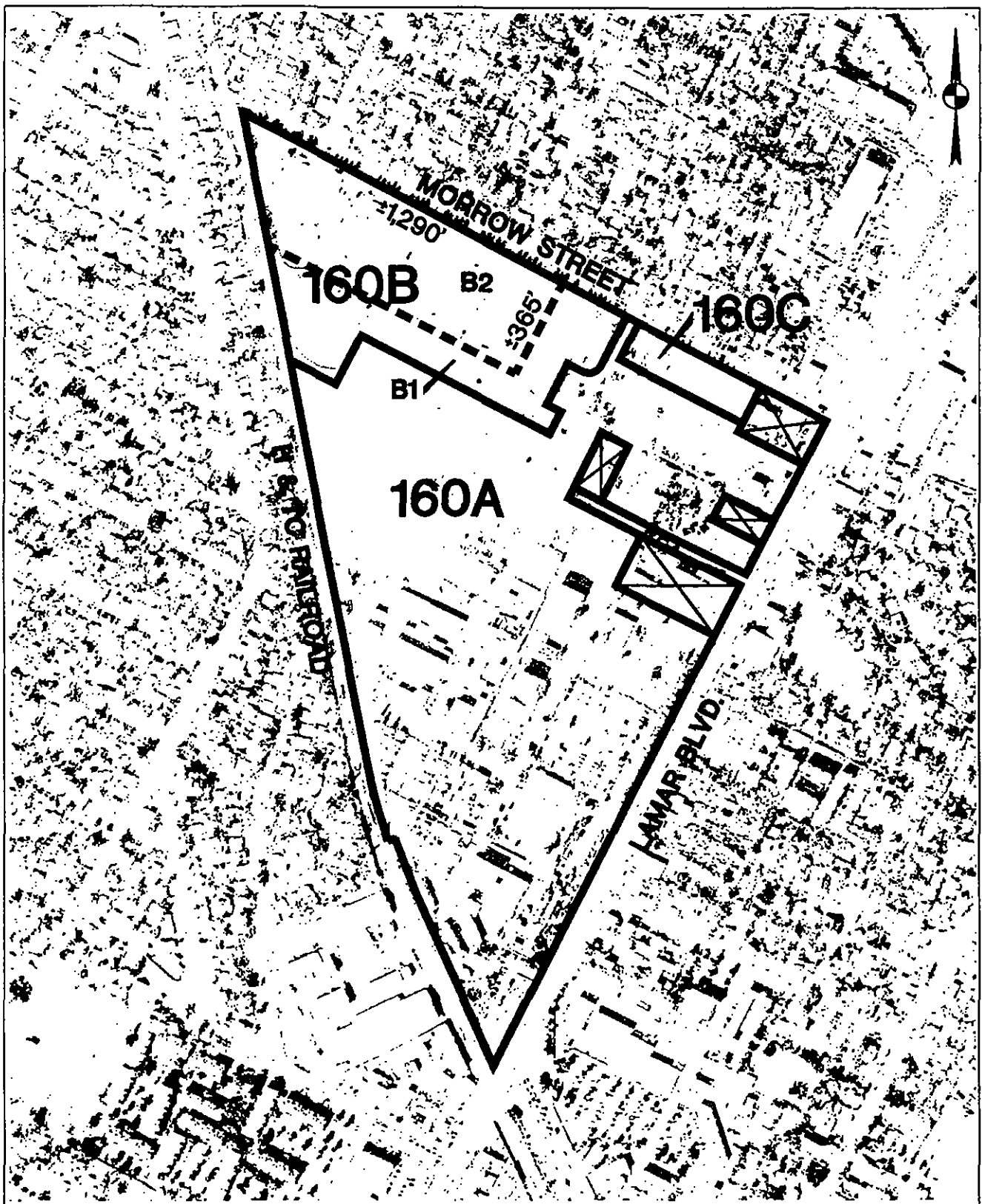
DATE : MARCH 22, 1993

JOB NO. : 21-0886-0001-0005

Lichter/Jameson & Associates, Inc.

CONSULTING ENGINEERS AND ARCHITECTS





**HUNTSMAN TRACTS  
FACILITY 160A, 160B, & 160C**  
EXHIBIT C pg 2 of 2

**b** Bury+ Partners  
Consulting Engineers and Surveyors  
Austin, Texas Tel 512/328-0611 Fax 512/328-0325  
Bury+Partners, Inc. ©Copyright 2004

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

PROJECT No.: 1425-01.00

SCALE: N.T.S.

