

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-20
AGENDA DATE: Thu 07/28/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0042 - 11601 North Lamar Blvd. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11601 North Lamar Blvd. (Walnut Creek Suburban Watershed) from interim rural residence (I-RR) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Applicant: Steven Tong. Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Thomas Bolt, 974-2755.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0042

Z.A.P. DATE: May 17, 2005
June 21, 2005

ADDRESS: 11601 North Lamar Boulevard

OWNER/APPLICANT: Steven Tong

AGENT: Shaw Hamilton Consultants
(Shaw Hamilton)

ZONING FROM: I-RR

TO: GR

AREA: .56 Acres

SUMMARY STAFF RECOMMENDATION:

To recommend rezoning from interim -- rural residence (I-RR) zoning district to limited office conditional overlay (LO-CO) zoning district. The conditional overlay would limit vehicle trips to less than 2000 per day.

ZONING & PLATTING COMMISSION RECOMMENDATION:

Rezoning: C14-05-0042 - 11601 No. Lamar Blvd
Location: 11601 North Lamar Blvd, Walnut Creek Watershed
Owner/Applicant: Steven H. Tong
Agent: Shaw Hamilton Consultants
Request: I-RR to GR
Staff Rec.: RECOMMENDATION OF LO-CO
Staff: Thomas Bolt, 974-2755, thomas.bolt@ci.austin.tx.us
Neighborhood Planning and Zoning Department

***APPROVED STAFF'S RECOMMENDATION FOR LO-CO ZONING WITH 2000
VEHICLE TRIP LIMIT.
[J.M; C.H 2ND](8-0) K.J - ABSENT***

ISSUES:

This property has been developed not all uses are allowed in the Limited Office zoning district category.

DEPARTMENT COMMENTS:

This property is situated between two properties of the same size all-fronting on No. Lamar Blvd. This area is part of the North Lamar Area Study which designates land along this section (east side) should be zoned for office use.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Computer sales, tile sales, real estate sales, bike shop, wedding planner
<i>North</i>	LO	Medical spa
<i>South</i>	LO	Single- family residence
<i>East</i>	SF-1	Residential
<i>West</i>	P & SF-2	Fire station and single family residential

AREA STUDY: North Lamar Area Study **TIA:** Vehicle trips limit of 2000 per day

WATERSHED: Walnut Creek (Suburban) **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

#064 River Oaks Lakes Estates Neighborhood
 #085 Walnut Creek Neighborhood Association
 #114 North Growth Corridor Alliance
 #511 Austin Neighborhoods Council
 #742 Austin Independent School District
 #937 Taking Action Inc.

SCHOOLS:

Walnut Creek Elementary School
 Dobie Middle School
 Lanier High School

CASE HISTORIES:

NUMBER	REQUEST	ZONING & PLATTING COMMISSION	CITY COUNCIL
C14-03-0162	LO to GR	Approved GR-CO 12/16/03	Approved GR-CO 1/29/04 – 3 Readings
C7A-00-003	Annexation		Approved 12/21/2000

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks
N. Lamar	114'	65'	Major Arterial	No

CITY COUNCIL DATE: July 28, 2005

ACTION:

ORDINANCE READINGS: 1st

2nd

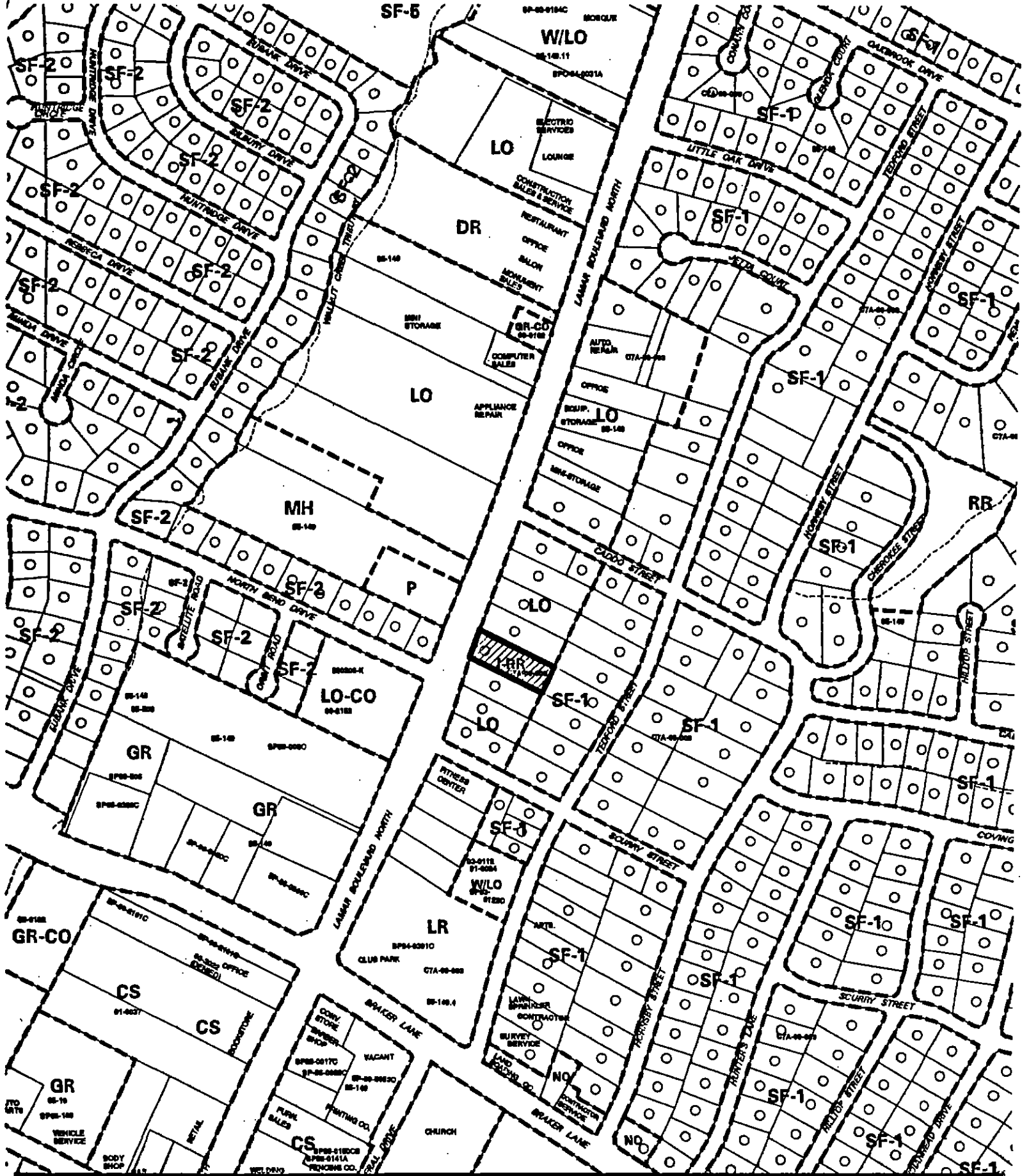
3rd

ORDINANCE NUMBER:

CASE MANAGER: Thomas Bolt

PHONE: 974-2755

e-mail address: Thomas.bolt@ci.austin.tx.us



<p>1" = 400'</p>	<p>SUBJECT TRACT</p> <p>PENDING CASE</p> <p>ZONING BOUNDARY</p> <p>CASE MGR: T. BOLT</p>	<p align="center">ZONING</p> <p>CASE #: C14-05-0042</p> <p>ADDRESS: 11601 N LAMAR BLVD</p> <p>SUBJECT AREA (acres): 0.880</p>	<p>CITY GRID REFERENCE NUMBER</p> <p align="center">M32</p>
------------------	----------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------

DATE: 05-03

INTLS: SM

WALNUT CREEK ELEM.



C14-05-0042

11601 N LAMAR BLVD.

REQUEST: FROM I-RR TO GR

STAFF RECOMMENDED: LO

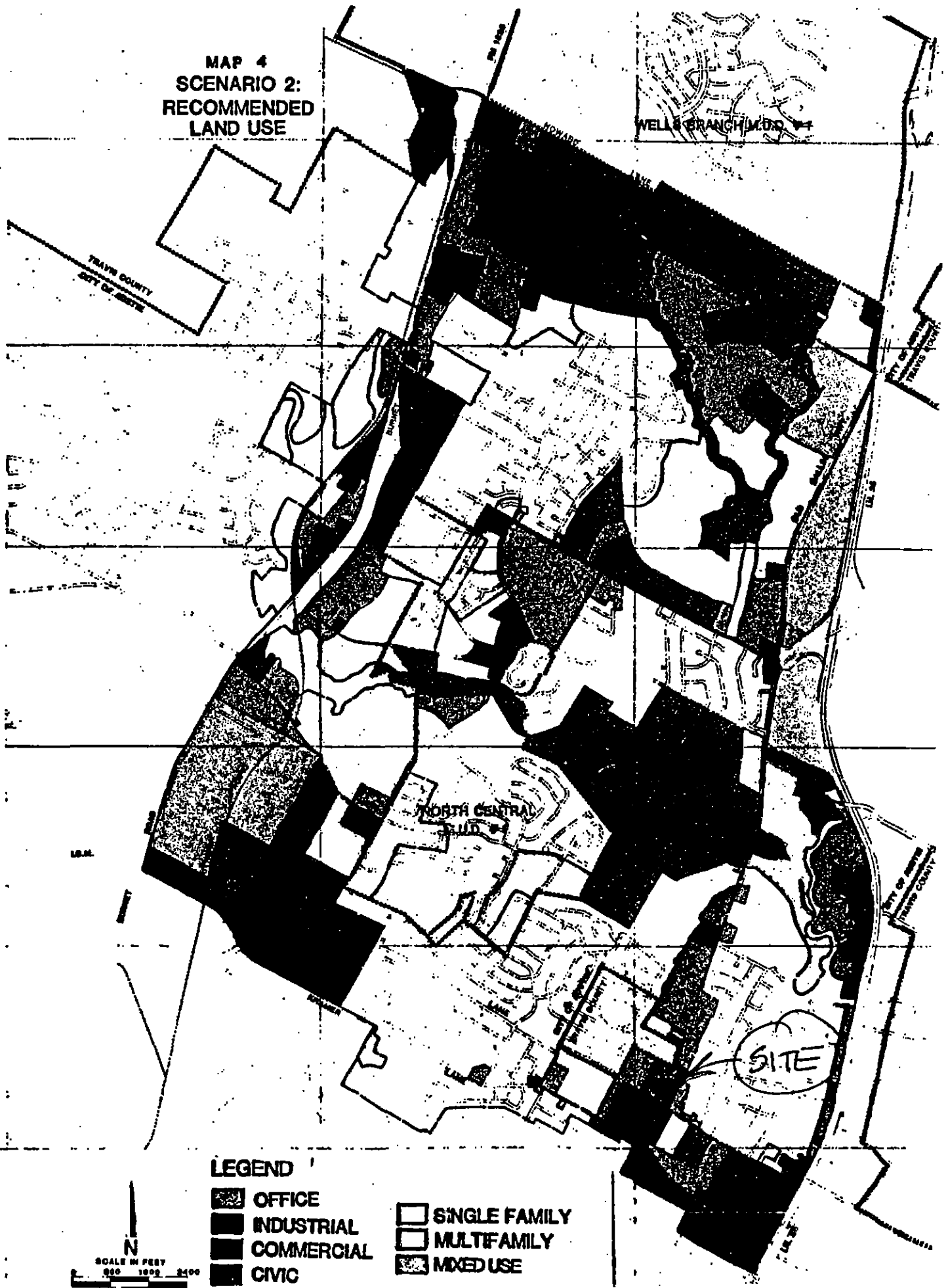
**OWNER: STEVEN TONG
AGENT: SHAW HAMILTON
CONSULTANTS**

Zoning
Subdivision
Base
Center Line



This map has been produced by the City of Austin as a working staff map and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness. Reproduction is not permitted without prior written permission from Watershed Protection & Development Review, City of Austin.

**MAP 4
SCENARIO 2:
RECOMMENDED
LAND USE**



4. **Rezoning:** C14-05-0042 - 11601 No. Lamar Blvd
Location: 11601 North Lamar Blvd, Walnut Creek Watershed
Owner/Applicant: Steven H. Tong
Agent: Shaw Hamilton Consultants
Request: I-RR to GR
Staff Rec.: RECOMMENDATION OF LO-CO
Staff: Thomas Bolt, 974-2755, thomas.bolt@ci.austin.tx.us
Neighborhood Planning and Zoning Department

SUMMARY

Tom Bolt, staff – “This is a request to rezone property located at 11601 North Lamar Blvd., from Interim RR to GR; staff is offering an alternate recommendation of LO with a conditional overlay limiting the trips to 2000. The reason that staff is offering a zoning other than what is being requested is that this particular property is the same size as to the property both to the north and south, each of those have LO zoning, behind it or to the east, we have SF-1 zoned property, we have the North Lamar Study, which has indicated a preference for office type zoning in this area; for that reason staff feels that the LO zoning is appropriate. The property has been developed with a number of shops, at my last visit; there was computer sales, tile sales, real estate sales, a bike shop and a wedding planner in there. I do not have records of permits that were issued, I’m not sure if there’s certificate of occupancies; but most of these tenant basis would not be allowed under the LO that we’re requesting, but would be allowed under the GR zoning”.

Shaw Hamilton, applicant – “I realize that there is SF-1 zoning behind the existing uses, they have no impact to lighting, to traffic, to noise; and he’s willing to restrict the uses, to the existing uses that are there now”.

Commissioner Baker – “Which are?”

Mr. Hamilton – “Wedding Planner, real estate, tiles sales, bicycle shop, computer sales & services”.

Commissioner Baker – “Wouldn’t tile sales be construction sales and service? Isn’t that a CS use?”

Mr. Bolt – “It’s a very small shop; it’s more of a retail type of operation. I’m not sure if you can contract out of this specific shop or not; my understanding was that it was sales”.

Commissioner Baker – “What kind of tiles are we selling?”

Mr. Hamilton – “Floor tiles; the total square footage of the building is 4500 square feet, total”.

Commissioner Baker – “But that requires CS zoning, Mr. Hamilton”.

Mr. Hamilton – “Okay, then take that one out, I don’t have a problem with that”.

FAVOR

No Speakers.

OPPOSITION

Wayne Tobias, representing Walnut Creek Neighborhood – Spoke in opposition. “After we received notification for the proposed change in the zoning, my neighborhood board met with the owner’s representative to gain an understanding of the plans for the property. After listening to the representative the board discussed the pros and cons; allowing GR in this property is inappropriate against SF-1 zoning property and will open doors to other zoning cases along other sections of Lamar. The board respectfully request that you support staff recommendation to deny GR zoning”.

REBUTAL

Mr. Hamilton – “I do not have any comment, except for the fact that I don’t believe a domino effect will occur; the city has changed a bunch”.

Commissioner Baker – “Has your client been red tagged?”

Mr. Hamilton – “Yes”.

Commissioner Martinez and Gohil moved to close the public hearing”.

Commissioner Martinez – “I’ll make a motion that we approve staff’s recommendation for LO-CO zoning; with the 2000 vehicle trip limit per day”.

Commissioner Hammond – “I’ll second”.

Motion carried.

**COMMISSION ACTION:
MOTION:**

AYES:

ABSENT:

**MARTINEZ, HAMMOND
APPROVED STAFF’S
RECOMMENDATION FOR LO-CO
ZONING WITH 2000 VEHICLE TRIP
LIMIT.
GOHIL, BAKER, DONISI, PINNELLI,
RABAGO, HAMMOND, MARTINEZ,
WHALEY
JACKSON**

MOTION CARRIED WITH VOTE: 8-0.

ORDINANCE NO. _____

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE
2 PROPERTY LOCATED AT 11601 NORTH LAMAR BOULEVARD AND
3 CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR)
4 DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO)
5 COMBINING DISTRICT.
6

7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
8

9 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from interim rural residence (I-RR) district to limited office-
11 conditional overlay (LO-CO) combining district on the property described in Zoning Case
12 No. C14-05-0042, on file at the Neighborhood Planning and Zoning Department, as
13 follows:
14

15 Lot 5A, Resubdivision of Lot 5, Block B, Eubank Acres Section 1 Subdivision, a
16 subdivision in the City of Austin, Travis County, Texas, according to the map or
17 plat of record in Plat Book 48, Page 4, of the Plat Records of Travis County, Texas
18 (the "Property"),
19

20 locally known as 11601 North Lamar Boulevard, in the City of Austin, Travis County,
21 Texas, and generally identified in the map attached as Exhibit "A".
22

23 PART 2. The Property within the boundaries of the conditional overlay combining district
24 established by this ordinance is subject to the following conditions:
25

26 A site plan or building permit for the Property may not be approved, released, or
27 issued, if the completed development or uses of the Property, considered cumulatively with
28 all existing or previously authorized development and uses, generate traffic that exceeds
29 2,000 trips per day.
30

31 Except as specifically restricted under this ordinance, the Property may be developed and
32 used in accordance with the regulations established for the limited office (LO) base district
33 and other applicable requirements of the City Code.
34
35
36
37

1 **PART 3.** This ordinance takes effect on _____, 2005.
2
3

4 **PASSED AND APPROVED**
5

6 _____, 2005
7
8

§
§
§

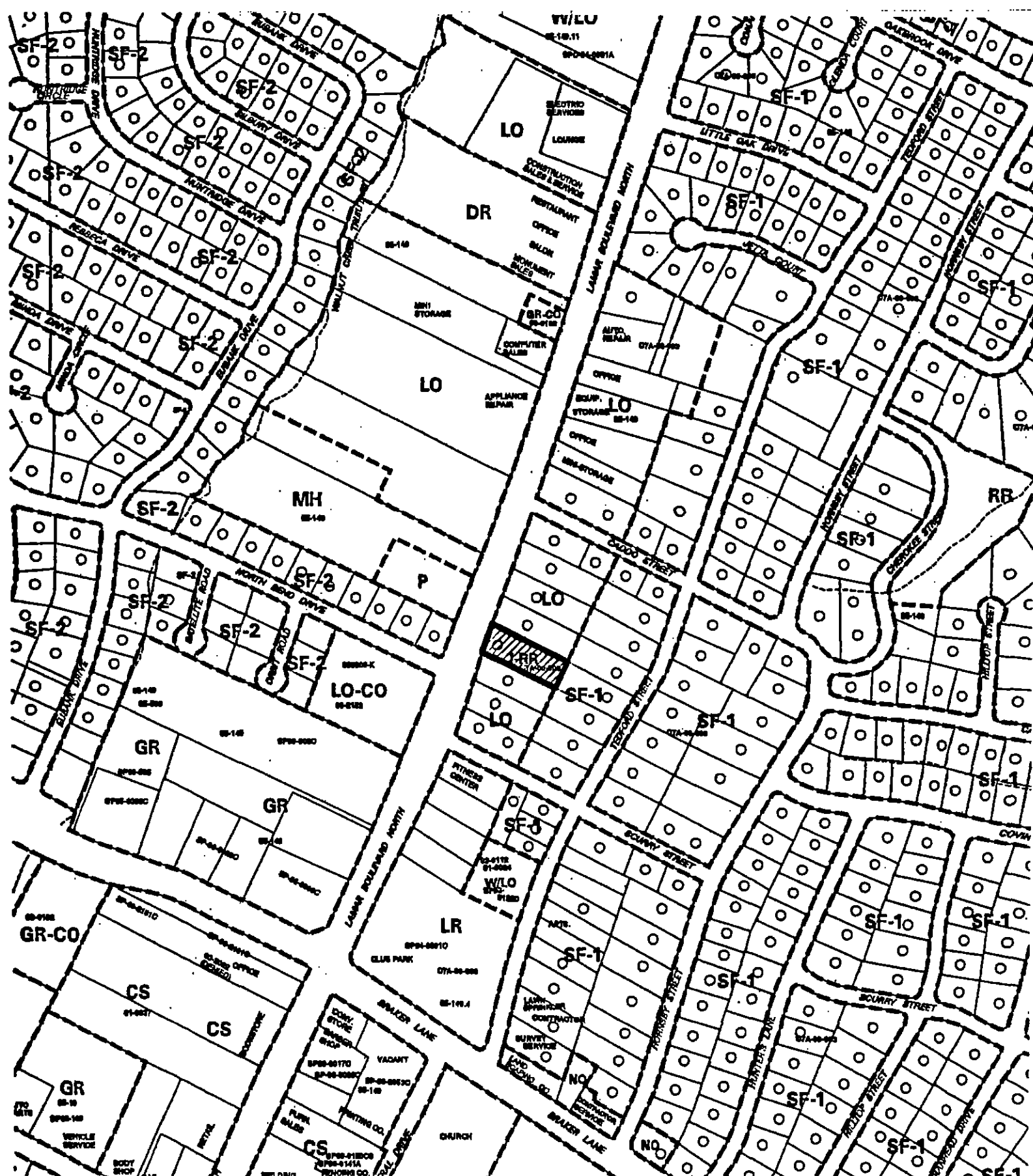
Will Wynn
Mayor





9
10
11
12
13 **APPROVED:** _____

David Allan Smith
City Attorney

ATTEST: _____

Shirley A. Brown
City Clerk



 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: T. BOLT	  	ZONING EXHIBIT A CASE #: C14-05-0042 ADDRESS: 11601 N LAMAR BLVD SUBJECT AREA (acres): 0.560 WALNUT CREEK ELEM.	DATE: 05-03 INTLS: SM	CITY GRID REFERENCE NUMBER M32
-------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------	-----------------------------------------------------