

ZONING CHANGE REVIEW SHEET

*C7a
Caddendum*

CASE: C14-2011-0109 Lamar Development

Z. P. C. DATE: 10-18-2011

ADDRESS: 4527 N. Lamar

AREA: 1.71 Acres

APPLICANT: State of Texas
(Hal Croft)

AGENT: Brown McCarroll, L.L.P.
(Nikelle Meade)

NEIGHBORHOOD PLAN AREA: None

CAPITOL VIEW: No

WATERSHED: Waller Creek

T.I.A.: No.

HILL COUNTRY ROADWAY: No

DESIRED DEVELOPMENT ZONE: Yes

ZONING FROM: Unzoned – State of Texas property.

ZONING TO: MF-6 – Multifamily Residence Highest Density

SUMMARY STAFF RECOMMENDATION:

Staff recommends MF-6 – Multifamily Residence Highest Density.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

This tract of land is located on the property known as “The Triangle”, which is owned by the State of Texas. The State of Texas entered into a lease agreement in 1997 with Triangle Retail, Inc. in order to develop the land to benefit the Texas Department of Mental Health and Mental Retardation. The Triangle is currently developed with various low to mid rise mixed use buildings to the north, with retail/commercial uses on the ground floor with residential dwelling units on the upper floors. The property to the East is currently developed with the State Children’s hospital and the property to the south is also developed with a State hospital. The proposed use for the subject tract is mid-rise multifamily structure with the possibility of first floor retail. The property to the South was zoned General Office with case number C14-87-091 and the property to the south east was recently zoned CS-CO with case number C14-2010-0132. This use is fair and reasonable, compatible and consistent with the other uses that currently surround the subject tract and make up the Triangle tract and is in keeping with the vision for the development of the land. Most of the other buildings are on a long term lease with the State and thus do not have zoning. However, the applicant is going to purchase this property from the State, fee simple, so the land needs to have zoning.

CMA/2²

BASIS FOR RECOMMENDATION:

- Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

Granting the zone change request would be in keeping with the surrounding uses to the south and west, which are in keeping with the planned development for the Triangle tract.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	UNZ	Undeveloped
NORTH	UNZ	Multi-Family Residential
SOUTH	GO	Austin Child Guidance Center
EAST	UNZ	Office building
WEST	UNZ	State Hospital

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-97-0132 Walgreens	From MF-4 & CS to GR-CO	Approved GR-CO [Vote: 7-0]	Approved GR-CO [Vote: 7-0]
C14-87-091	From Unzoned to GO	Approved GO [Vote: 6-0]	Approved GO [Vote: 7-0]
C14-2010-0132	From Unzoned to CS-CO	Approved CS-CO [Vote: 7-0]	Approved CS-CO [Vote: 7-0]

NEIGHBORHOOD ORGANIZATION:

- Homeless Neighborhood Assoc.
- Austin Neighborhoods Council
- League of Bicycling Voters
- North Austin Neighborhood Alliance
- 45th Street Concerned Citizens

SCHOOLS:

Bryker Woods Elementary School
OHenry Middle School
Austin High School

SITE PLAN COMMENTS RECEIVED:

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Lamar Blvd is a Core Transit Corridor. Additional comments will be made when a site plan is submitted.

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TRANSPORTATION COMMENTS RECEIVED:

- TR1. Additional right-of-way maybe required with the site plan or subdivision application.
- TR2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]
- TR3. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
N Lamar Blvd	130-180'	Divided roadway with multiple lanes	Arterial	Yes	Yes	Yes
46 th Street	56'	22'	Local	No	No	Within ¼ mile

ENVIRONMENTAL COMMENTS RECEIVED:

1. 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.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

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CITY COUNCIL DATE: November 10th, 2011

ACTION:

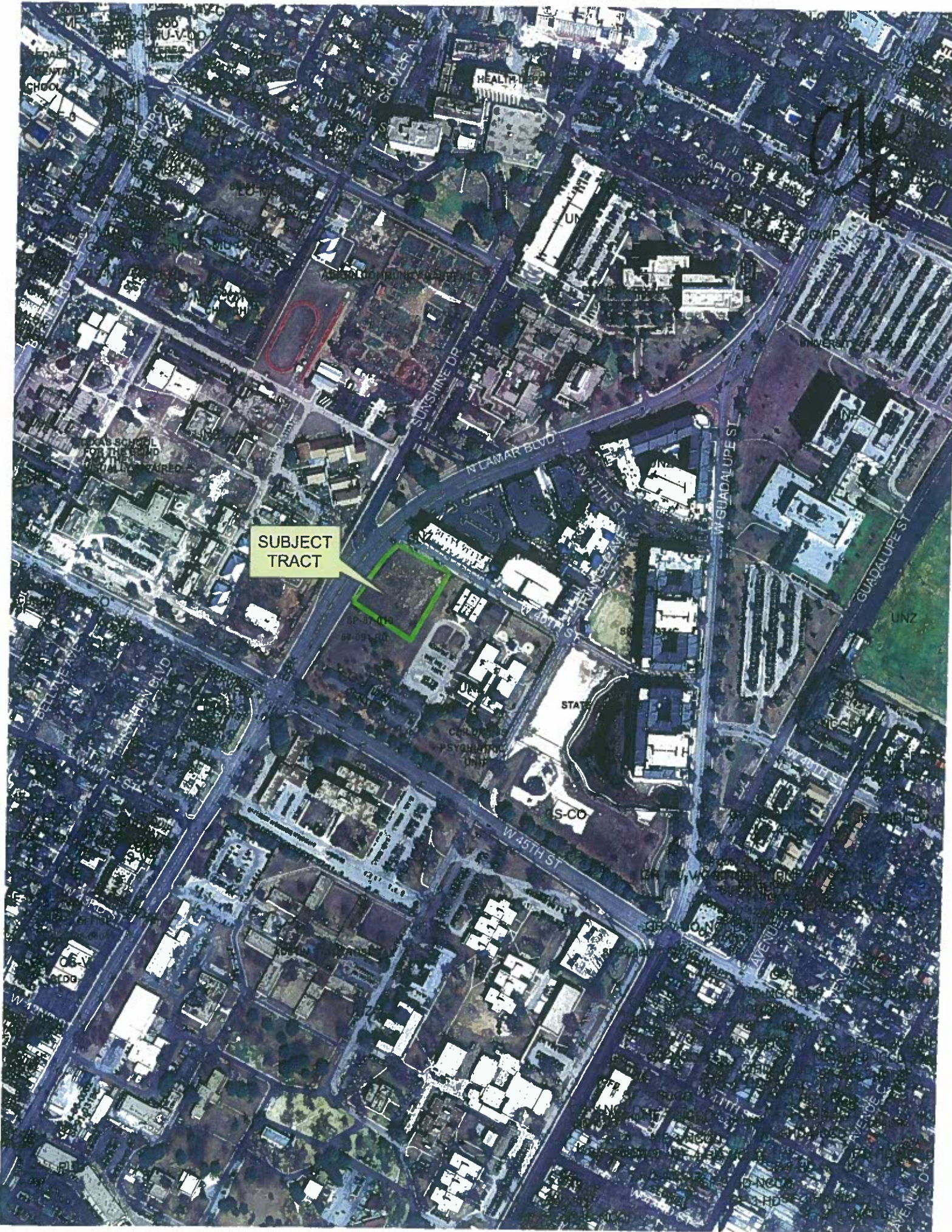
ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691

SUBJECT TRACT



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ORDINANCE NO. 871105-B

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2A OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS: A 3.112 ACRE (135,551 SQUARE FEET) TRACT OF LAND IN THE JAMES ROGERS SURVEY, LOCALLY KNOWN AS 810 WEST 45TH STREET, FROM "UNZ" UNZONED TO "GO" GENERAL OFFICE, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE REQUIREMENT THAT ORDINANCES BE READ ON THREE (3) SEPARATE DAYS; AND DECLARING AN EMERGENCY.

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

PART 1. Chapter 13-2A of the Austin City Code of 1981 is hereby amended to change the base zoning district from "UNZ" Unzoned to "GO" General Office on the property described in File C14-87-091, as follows:

A 3.112 acre (135,551 square feet) tract of land in the James Rogers Survey situated in the City of Austin, Travis County, Texas, and being a portion of that certain 88.8 acre tract of land conveyed to the State of Texas by deed recorded in Volume 55, Page 246 of the Deed Records of Travis County, Texas, said 3.112 acre tract of land being more particularly described by metes and bounds in Exhibit "A," attached hereto and incorporated herein for all purposes; and

locally known as 810 West 45th Street in the City of Austin, Travis County, Texas.

PART 2. It is hereby ordered that the Zoning Map accompanying Chapter 13-2A of the Austin City Code of 1981 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 3. The requirement imposed by Section 2-2-3 of the Austin City Code of 1981 that this ordinance be read on three (3) separate days shall be waived by the affirmative vote of five (5) members of the City Council to pass this ordinance through more than one reading on a single vote.

PART 4. The City Council declares that an emergency exists concerning the safe, orderly, and healthful growth and development of the City in order to assure the immediate preservation of the public peace, health and safety; therefore, this ordinance shall become effective immediately upon its passage as required by this emergency and as provided by the City Charter of the City of Austin.

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PASSED AND APPROVED

November 5, 1988

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Frank C. Cooksey
Frank C. Cooksey
Mayor

APPROVED:

[Signature]

Barney L. Knight
City Attorney

ATTEST:

James E. Aldridge
James E. Aldridge
City Clerk

05NOV87
Exhibits
SJH/gv
ORD87091

ORDINANCE NO. 20101014-045

C14/9

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 4500-1/2 TRIANGLE AVENUE AND CHANGING THE ZONING MAP FROM UNZONED TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT.

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 change the base district from unzoned to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-2010-0132, on file at the Planning and Development Review Department, as follows:

A 3.681 acre tract of land, more or less, out of the Thomas Gray Survey Abstract No. 310 and the James Rogers Survey, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 4500-1/2 Triangle Avenue, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

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

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

B. The following uses are conditional uses of the Property:

Indoor entertainment

Day care services (commercial)

C. The following uses are prohibited uses of the Property:

1) Agricultural sales & services
Automotive repair services
Automotive sales

Automotive rentals
Automotive washing (of any kind)
Building maintenance services

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- Campground
- Drop-off recycling collection facility
- Electronic prototype assembly
- Equipment repair services
- Exterminating services
- Kennels
- Monument retail sales
- Plant nursery
- Software development
- Bail bond services
- Custom manufacturing
- Congregate living
- Guidance services
- Residential treatment
- Transitional housing
- Telecommunication tower
- Construction sales & services
- Convenience storage
- Electronic testing
- Equipment sales
- Funeral services
- Laundry services
- Pawn shop services
- Service station
- Vehicle storage
- Outdoor entertainment
- Limited warehousing & distribution
- Counseling services
- Maintenance & services facilities
- Club or lodge
- Transportation terminal

2) Except as specifically related to a hospital services (general) use and its accessory uses, a drive-in service use is prohibited.

Except as otherwise specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on October 25, 2010.

PASSED AND APPROVED

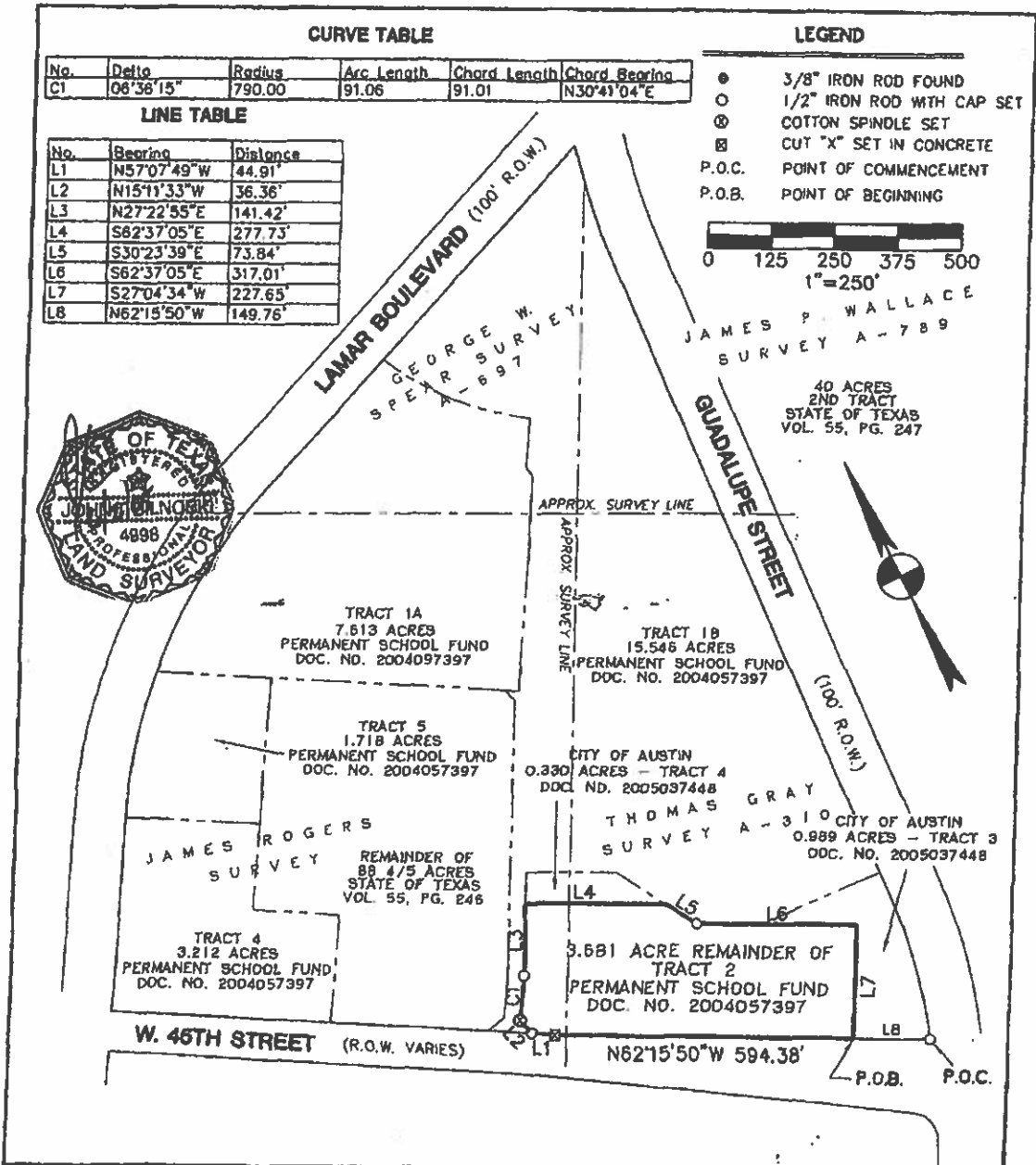
_____ October 14 _____, 2010 §
 § Lee Leffingwell
 §

Lee Leffingwell
Mayor

APPROVED: Karen M. Kennard
Karen M. Kennard
Acting City Attorney

ATTEST: Shirley A. Gentry
Shirley A. Gentry
City Clerk

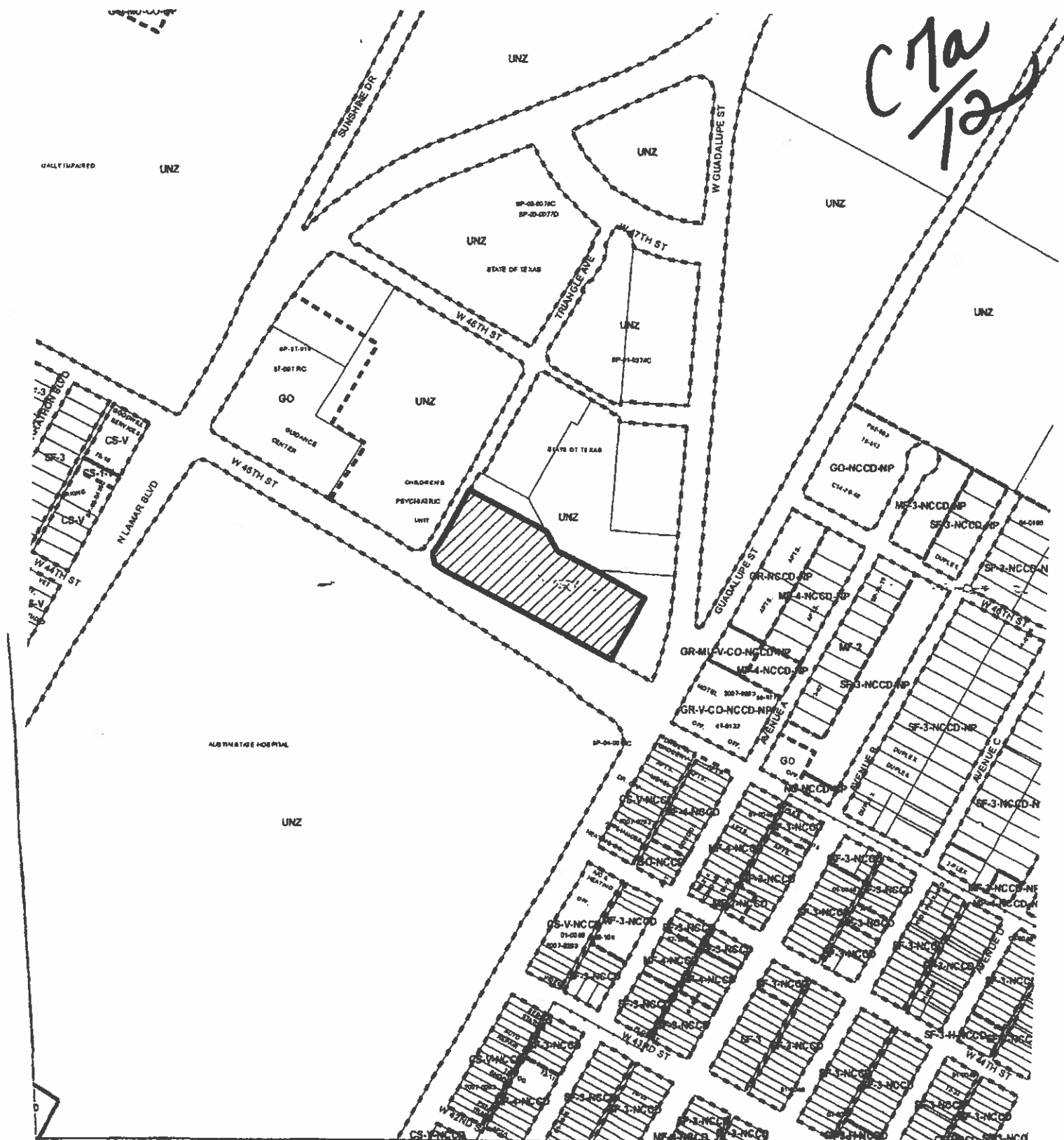
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<p>Bury+Partners ENGINEERING SOLUTIONS 2346 Bee Creek Road, Suite 200 Austin, Texas 78714 Tel: (512)228-2011 Fax: (512)228-4325 Bury+Partners, Inc. © Copyright 2005</p>	<p>SKETCH TO ACCOMPANY DESCRIPTION OF 3.681 ACRES OF LAND BEING A PORTION OF THAT CERTAIN 5.000 ACRE TRACT OF LAND CALLED "TRACT 2" OF RECORD IN DOCUMENT NO. 2004057397 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.</p>	<p>SIMMONS VEDDER</p>
		<p>TRIANGLE</p>
<p>DATE: 06/02/05 FILE: H:\368\31\36831EX65.dwg FN No.: FND5-299(MJJ) DRAWN BY: M.J.J. PROJ. No: 368-31</p>		

SCANNED




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ZONING EXHIBIT B

ZONING CASE#: C14-2010-0132
 LOCATION: 4500 1/2 TRIANGLE AVE
 SUBJECT AREA: 3.681 ACRES
 GRID: J26
 MANAGER: CLARK PATTERSON



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.