

## SECOND/THIRD READING SUMMARY SHEET

**ZONING CASE NUMBER:** C14-2014-0053 (Walnut Park Crossing)

**DISTRICT AREA:** 7

**REQUEST:**

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 12304 Walnut Park Crossing and 12101 North Lamar Boulevard from Limited Office (LO) District, zoning to Multi-family Residence-Low Density (MF-2) District, zoning.

The ordinance and street deed reflect the conditions imposed by the City Council on 1<sup>st</sup> reading.

**OWNER/APPLICANT:** WP Walnut Park GR, LLC a General Partner of Walnut Park, LTD.  
(Larry Peel)

**AGENT:** Civile, LLC (Lawrence M. Hanrahan)

**DEPARTMENT COMMENTS:**

The property in question is an undeveloped tract of land located along North Lamar Boulevard, a major divided arterial roadway. The applicant is requesting to down zone the site to the MF-2 district to construct approximately 239 residential units at this location. The staff recommends the applicant's request as the site under consideration meets the intent of the Multi-family Residence-Low Density District. The proposed MF-2 zoning is consistent with surrounding uses because there is currently a mixture of residential housing in this area. To the west of the subject tract, there is MF-2-CO zoning (Limestone Canyon Apartments) and to the south there is SF-6-CO zoning (On the Green Apartments). Directly to the north of this tract, there is a vacant single-family residential structure and there is parkland to the west, across N. Lamar Boulevard (Walnut Creek Metropolitan Park). The proposed multifamily zoning will provide for a mixture of housing opportunities along this identified Activity Corridor in north Austin. MF-2 zoning is consistent with the goals and policies for this area in the Imagine Austin Comprehensive Plan.

The applicant agrees with the City Council's recommendation at 1<sup>st</sup> reading.

**DATE OF FIRST READING/VOTE:** June 26, 2014      **ACTION:** Approved MF-2 zoning, with conditions, on consent on 1<sup>st</sup> reading (6-0, M. Martinez-off the dais); B. Spelman-1<sup>st</sup>, S. Cole-2<sup>nd</sup>.

**CITY COUNCIL DATE:** April 16, 2015

**CITY COUNCIL ACTION:**

**ASSIGNED STAFF:** Sherri Sirwaitis

**PHONE:** 512-974-3057  
sherri.sirwaitis@ austintexas.gov

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2014-0053 (Walnut Park Crossing)

**Z.A.P. DATE:** June 3, 2014

**ADDRESS:** 12304 Walnut Park Crossing and 12101 North Lamar Boulevard

**DISTRICT AREA:** 7

**OWNER/APPLICANT:** WP Walnut Park GR, LLC a General Partner of Walnut Park, LTD.  
(Larry Peel)

**AGENT:** Civile, LLC (Lawrence M. Hanrahan)

**ZONING FROM:** LO

**TO:** MF-2

**AREA:** 9.35 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is for MF-2, Multi-family Residence-Low Density District, zoning.

The staff's recommendation includes a condition that 55 feet of right-of-way from the existing centerline of North Lamar Boulevard should be dedicated through a street deed to the City of Austin prior to third reading of this zoning case at City Council in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55].

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

6/03/14: Approved staff's recommendation of MF-2 zoning, with ROW dedication condition, on consent (7-0); P. Seeger-1<sup>st</sup>, C. Banks-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is an undeveloped tract of land located along North Lamar Boulevard, a major divided arterial roadway. The applicant is requesting to down zone the site to the MF-2 district to construct approximately 239 residential units at this location. The staff recommends the applicant's request as the site under consideration meets the intent of the Multi-family Residence-Low Density District. The proposed MF-2 zoning is consistent with surrounding uses because there is currently a mixture of residential housing in this area. To the west of the subject tract, there is MF-2-CO zoning (Limestone Canyon Apartments) and to the south there is SF-6-CO zoning (On the Green Apartments). Directly to the north of this tract, there is a vacant single-family residential structure and there is parkland to the west, across N. Lamar Boulevard (Walnut Creek Metropolitan Park). The proposed multifamily zoning will provide for a mixture of housing opportunities along this identified Activity Corridor in north Austin. MF-2 zoning is consistent with the goals and policies for this area in the Imagine Austin Comprehensive Plan.

The applicant agrees with the staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LO	Undeveloped
<i>North</i>	LO	Billboard, Vacant Single-Family Residence and Out Buildings
<i>South</i>	I-RR, RR, SF-6-CO	Floodplain (Walnut Creek), Multifamily (On the Green Apartments)
<i>East</i>	MF-2-CO	Multifamily (Limestone Canyon Apartments)
<i>West</i>	P	Walnut Creek Memorial Park

**AREA STUDY:** N/A**TIA:** Not Required**WATERSHED:** Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
Austin Independent School District  
Austin Neighborhoods Council  
Austin Monorail Project  
Austin Northwest Association  
Bike Austin  
Friends of the Emma Barrientos MACC  
Gracywoods Neighborhood Association  
Homeless Neighborhood Association  
North Growth Corridor Alliance  
Pflugerville Independent School District  
River Oaks Lakes Estates Neighborhood  
SELTEXAS  
Sierra Club, Austin Regional Group  
Super Duper Neighborhood Objectors and Appealers Organization  
The Real Estate Council of Austin, Inc.  
Walnut Creek Neighborhood Association, Inc.  
Yager Planning Area

**SCHOOLS:** Pflugerville I.S.D

River Oaks Elementary  
Westview Middle School  
Connally High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2011-0111 (Naser Rezoning: 12030 North Lamar Boulevard)	LR-CO to LR-CO	11/15/11: Approved staff's recommendation of LR-CO zoning, with CO to prohibit Consumer Convenience Services, Offsite Parking, Guidance Services, and Service Station uses and TIA conditions in a public restrictive covenant, on consent (6-0, G. Bourgeios-absent); P. Seeger-1 <sup>st</sup> , C. Banks-2 <sup>nd</sup> .	12/08/11: Approved LR-CO district zoning, to change a condition of zoning, on consent on 1 <sup>st</sup> reading (6-0, S. Cole-off dais); B. Spelman-1 <sup>st</sup> L. Morrison-2 <sup>nd</sup> .  4/ 26/12: Approved LR-CO zoning with conditions, on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0); L. Morrison-1 <sup>st</sup> , B. Spelman-2 <sup>nd</sup> .
C14-2010-0154 (La Palma Plaza Rezoning: 12030 North Lamar Blvd.)	LR-CO to GR	4/05/11: Approved staff's recommendation for denial (5-0, S. Baldrige-absent); P. Seeger-1 <sup>st</sup> , B. Baker-2 <sup>nd</sup> .	5/12/11: Denied the rezoning request(7-0); S. Cole-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup>
C14-2010-0021 (12104 N. Lamar Blvd.)	NO to LR	4/06/10: Approved the staff's recommendation of LR-CO zoning, with additional conditions to prohibit Consumer Convenience Services, Off-Site Accessory Parking, Guidance Services, and 24-hour uses (6-0, S. Baldrige-No); D. Tiemann-1 <sup>st</sup> , T. Rabago-2 <sup>nd</sup> .	5/13/10: Approved ZAP rec. of LR-CO zoning on consent on all 3 readings (7-0); Morrison-1 <sup>st</sup> , Spellman-2 <sup>nd</sup> .
C14-2010-0020 (12108 N Lamar Blvd)	NO to LR	4/06/10: Approved the staff's recommendation of LR-CO zoning, with additional conditions to prohibit Consumer Convenience Services, Off-Site Accessory Parking, Guidance Services, and 24-hour uses (6-0, S. Baldrige-No); D. Tiemann-1 <sup>st</sup> , T. Rabago-2 <sup>nd</sup> .  5/04/10: The case was re-heard by the Commission due to a notification error. The Commission re-approved their previous motion of LR-CO zoning, with additional conditions to prohibit Consumer Convenience Services, Off-Site Accessory Parking, Guidance Services and 24-hour uses, on consent (7-0); P. Seeger-1 <sup>st</sup> , D. Tiemann-2 <sup>nd</sup> .	5/13/10: Approved ZAP rec. of LR-CO zoning on consent on all 3 readings (7-0); Morrison-1 <sup>st</sup> , Spellman-2 <sup>nd</sup> .

C14-2008-0191	NO to GR	8/21/08: Approved LR-CO on consent, with CO for 2,000 vtpd limit and added the following conditions: Prohibit Consumer Convenience Services, Offsite Parking, Guidance Services, and Service Station uses (4-0, B. Baker, J. Gohil, and K. Jackson-absent)	11/21/08: Approved LR-CO by consent on all 3 readings (6-0, B. McCracken-absent); L. Morrison-1 <sup>st</sup> , L. Leffingwell-2 <sup>nd</sup> .
C14-06-0217	NO to GO	12/19/06: Approved staff rec. of GO by consent (9-0)	1/25/07: Approved GO zoning (6-0); all 3 readings
C14-05-0104	NO to GO	8/16/05: Approved staff's recommendation for GO-CO zoning with the following additional conditions: 1) The property shall have a 10-foot vegetative buffer along North Lamar Boulevard; 2) Detention for the site should be addressed at the time of site plan review; 3) Create a restrictive covenant (public or private as determined by the Law department) to prohibit Modeling Services in a Personal Services use. The restrictive covenant shall be filed prior to 3 <sup>rd</sup> reading of the case at City Council. Vote: 8-0, K. Jackson-absent; C. Hammond-1 <sup>st</sup> , J. Martinez-2 <sup>nd</sup> .	9/29/05: Approved GO-CO zoning by consent (7-0); all 3 readings
C14-05-0066	LO to GR	7/05/05: Approved GR-CO zoning for Tract 1. The conditional overlay for Tract 1 will prohibit the uses set out by staff, except to allow Food Sales as a permitted use. Approved LO-CO zoning for Tract 2. The conditional overlay will limit Tract 2 to NO (Neighborhood Office) development regulations, prohibit Medical uses, prohibit parking for uses developed on Tract 1, and require a minimum 100-foot development setback from the centerline of Walnut Creek (7-1, C. Hammond-Nay; M. Hawthorne-Absent)	8/04/05: Approved ZAP recommendation for GR-CO zoning (7-0); 1 <sup>st</sup> reading only  9/01/05: Approved GR-CO zoning on consent (7-0-); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

C14-04-0133	DR, LO to GR	10/5/04: Approved staff's recommendation of GR-CO district zoning for Tract 1 and LO-CO district zoning for Tract 2. Additional condition for Tract 1 is LR development standards. The following uses are removed from the prohibited use list: Business or Trade School; General Retail Sales (General); Business Support Services; Consumer Repair Services; Financial Services, and Pet Services (9-0); K. Jackson-1 <sup>st</sup> , J. Martinez-2 <sup>nd</sup> .	10/21/04: Approved staff's recommendation of GR-CO zoning for Tract 1 and LO-CO zoning for Tract 2, with additional condition of 'LR' district development standards for Tract 1 (7-0); 1 <sup>st</sup> reading  11/4/04: Approved GR-CO zoning for Tract 1 and LO-CO for Tract 2 (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-03-0162	LO to GR-CO	12/2/03 – Postponed at the request of staff, due to a notice error (9-0)  12/16/03 – Approved GR-CO, with added condition (8-0)	1/29/04: Approved GR-CO (5-0); all 3 readings
C14-00-2020	RR to GO-CO	4/18/00: Denied (6-0)	8/30/00: Withdrawn
C14-00-2152	DR to LO-CO	8/22/00: Approved LO-CO. The CO prohibits access to North Bend Dr. and limits trips to 2,000 per day (8-0)	10/5/00: Approved LO-CO (5-0); all 3 readings
C14-99-2142 (Limestone Canyon Apartments Phase II: Walnut Park Crossing)	LO to MF-2	2/29/00: Approved MF-2 with ROW dedication and RR for floodplain area (7-0)	3/30/00: Approved MF-2-CO, with conditions (6-0); 1 <sup>st</sup> reading  5/11/00: Approved MF-2-CO zoning on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0)

**RELATED CASES:** N/A

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Lamar Blvd.	98'	66'	Major Arterial Divided	No	Yes	Yes
Walnut Park Crossing	80'	65'	Local City	No	No	No

**CITY COUNCIL DATE:** June 26, 2014

**ACTION:** Approved MF-2 zoning, with conditions, on consent on 1<sup>st</sup> reading (6-0, M. Martinez-off the dais); B. Spelman-1<sup>st</sup>, S. Cole-2<sup>nd</sup>.

April 16, 2015

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup> 6/26/14

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**




**ZONING CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057

**E-mail:** [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)





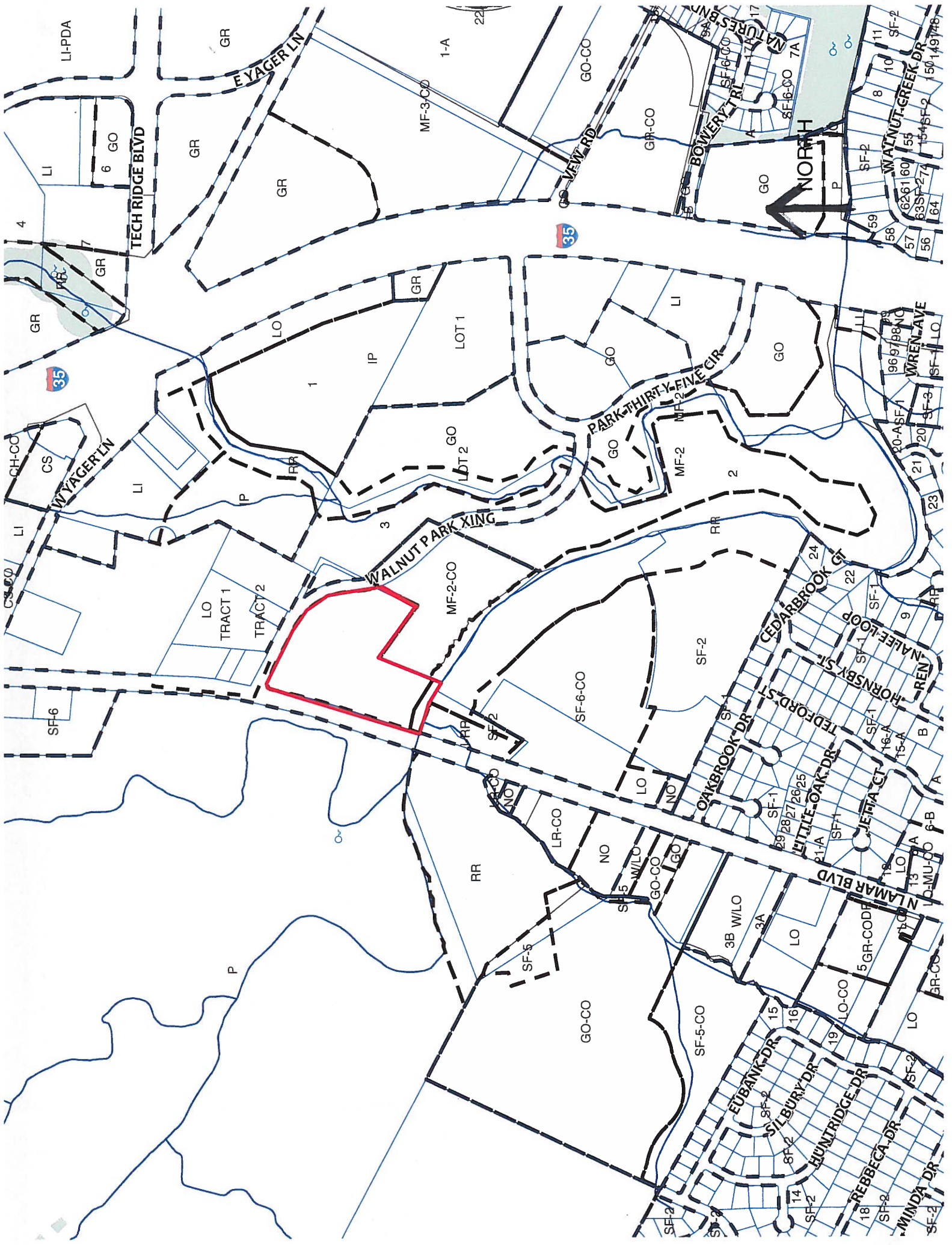
 SUBJECT TRACT  
 PENDING CASE  
 ZONING BOUNDARY

**ZONING CASE#: C14-2014-0053**

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## STAFF RECOMMENDATION

The staff's recommendation is for MF-2, Multi-family Residence-Low Density District, zoning.

The staff's recommendation includes a condition that 55 feet of right-of-way from the existing centerline of North Lamar Boulevard should be dedicated through a street deed to the City of Austin prior to third reading of this zoning case at City Council in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55].

## BASIS FOR RECOMMENDATION (ZONING PRINCIPLES):

1. *The proposed zoning should be is consistent with the purpose statement of the district sought.*

Multifamily residence low density (MF-2) district is the designation for a multifamily use with a maximum density of up to 23 units per acre, depending on unit size. An MF-2 district designation may be applied to a use in a multifamily residential area located near single family neighborhoods or in an area for which low density multifamily use is desired.

2. *Granting of the request should result in an equal treatment of similarly situated properties.*

The proposed MF-2 zoning is consistent with surrounding uses because there is currently a mixture of residential housing in this area. To the west of the subject tract, there is MF-2-CO zoning (Limestone Canyon Apartments) and to the south there is SF-6-CO zoning (On the Green Apartments).

3. *Zoning should allow for reasonable use of the property.*

The proposed multifamily zoning will provide for a mixture of housing opportunities along this identified Activity Corridor in north Austin. MF-2 zoning is consistent with the goals and policies for this area in the Imagine Austin Comprehensive Plan.

## EXISTING CONDITIONS

### Site Characteristics

The site under consideration is a large undeveloped tract of land with moderately heavy tree coverage.

### Comprehensive Planning

LO to MF-2

This undeveloped property is approximately 10.4 acres in size; is located on the northeast corner of N. Lamar Boulevard and Dillingham Lane; and is not located within the boundaries of a neighborhood planning area. Surrounding land uses include a house and vacant land to the north, vacant land to the south and east, and the Walnut Creek Metro Park to the west. The proposed use is multi-family.

### **Imagine Austin**

The *Imagine Austin Growth Concept Map* identifies the subject property as being located along an **Activity Corridor**. Activity corridors identify locations for additional people and jobs above what currently exists on the ground. They are characterized by a variety of activities and types of buildings located along the roadway, and **are intended to allow people to reside**, work, shop, access services, people watch, recreate, and hang out without traveling far distances.

The following Imagine Austin Comprehensive Plan policies are applicable to this case:

- **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- **HN P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based upon *Imagine Austin* policies referenced above and the Growth Concept Map, which supports growth along Activity Corridors, including a variety of housing types, staff believes that the proposed residential use is supported by Imagine Austin.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous 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 512-974-1876. 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.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

### **Hill Country Roadway**

The site is not within a Hill Country Roadway Corridor.

### **Impervious Cover**

The maximum impervious cover allowed by the MF-2 zoning district would be 60%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Note: The most restrictive impervious cover limit applies.

### **Site Plan**

Site plans will be required for any new development other than single-family or duplex residential.

This site is over 2 acres, and consists of more than 9 units. Therefore, compliance with Subchapter E, section 2.7 is required. 5% of the gross site area must be devoted to open space and pedestrian amenities.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

### **Transportation**

The Austin Metropolitan Area Transportation Plan calls for 110 feet of right-of-way for Lamar Blvd. If the requested zoning is granted for this site, then 55 feet of right-of-way from the existing centerline should be dedicated for Lamar Blvd. according to the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55].

Additional right-of-way may be required at the time of subdivision and/or site plan.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows: Lamar Blvd.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Walnut Park Crossing.

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]

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Lamar Blvd.	98'	66'	Major Arterial Divided	No	Yes	Yes
Walnut Park Crossing	80'	65'	Local City	No	No	No

#### **Water and Wastewater**

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.austintexas.gov](http://www.austintexas.gov)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2014-0053

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Jun 3, 2014, Zoning and Planning Commission

Jun 26, 2014, City Council

Leonardo Flores

Your Name (please print)

12007 NCAMAR BLVD Apt #144

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: 512 576 8853

Comments: I object because building at this location is going to generate damage to the Walnut Creek Metropolitan Park due to it's construction and machinery it will generate a disastrous and horrible destruction to our park and it's just a point sand wild life. please construct somewhere else and don't kill our little deers and rabbits. If you use this form to comment, it may be returned to: that live in the park

City of Austin

Planning & Development Review Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810