

## SECOND/THIRD READING SUMMARY SHEET

**ZONING CASE NUMBER:** C14-2015-0059 (8130 North Lamar)

**REQUEST:**

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 8130 North Lamar Boulevard from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district.

The ordinance reflects the conditions imposed by the City Council on 1<sup>st</sup> reading.

**DISTRICT AREA:** 4

**PROPERTY OWNER:** 8130 North Lamar, LLC (Paul Terrill)

**AGENT:** Holt Planners (David Holt)

**DEPARTMENT COMMENTS:**

The property in question is currently developed with an office structure. The applicant is requesting to add an MU, Mixed Use Combining District to the zoning designation because they would like to convert a portion of the existing structure to allow for residential use (Please see Application Letter –Attachment A).

The staff is recommending the applicant's request for CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining District, zoning for this site. The property in question meets the intent of the CS-MU district. The proposed CS-MU-NP zoning will promote consistency and orderly planning in this area because the property is surrounded by CS-NP zoning to the north, south, and west. There is CS-MU-V-NP zoning to the east of the site, across North Lamar Boulevard. This tract of land is located near the northwestern intersection of two arterial roadways, North Lamar Boulevard and Research Boulevard (U.S. Highway 183).

This property is located within the North Austin Civic Association Neighborhood Planning Area which was completed under the City of Austin's Neighborhood Planning Program and adopted as part of the Austin Tomorrow Comprehensive Plan on June 29, 2000. The boundaries of the planning area are: Kramer Lane to the north, Lamar Boulevard to the east, Highway 183 to the south and Metric Boulevard to the west. A neighborhood plan amendment is required in this case because the future land use map designates this tract for commercial and the applicant is now requesting a mixed use designation.

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

**DATE OF FIRST READING/VOTE:**

August 13, 2015/ Approved CS-MU-NP zoning on 1<sup>st</sup> reading (11-0); L. Pool-1<sup>st</sup>,  
D. Zimmerman-2<sup>nd</sup>.

**CITY COUNCIL DATE:** October 15, 2015

**CITY COUNCIL ACTION:**

**ASSIGNED STAFF:** Sherri Sirwaitis

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

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2015-0059 (8130 North Lamar)

**P.C. DATE:** July 14, 2015

**ADDRESS:** 8130 North Lamar Boulevard

**DISTRICT AREA:** 4

**OWNER/APPLICANT:** 8130 North Lamar, LLC (Paul Terrill)

**AGENT:** Holt Planners (David Holt)

**ZONING FROM:** CS-NP

**TO:** CS-MU-NP

**AREA:** 0.614 acres (5,487 sq. ft.)

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to General Commercial Services-Mixed Use-Neighborhood Plan Combining District, zoning.

### **PLANNING COMMISSION RECOMMENDATION:**

7/14/15: Approved staff recommendation of CS-MU-NP zoning on consent (12-0); J. Stevens-1<sup>st</sup>, J. Schissler-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is currently developed with an office structure. The applicant is requesting to add an MU, Mixed Use Combining District to the zoning designation because they would like to convert a portion of the existing structure to allow for residential use (Please see Application Letter – Attachment A).

The staff is recommending the applicant's request for CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining District, zoning for this site. The property in question meets the intent of the CS-MU district. The proposed CS-MU-NP zoning will promote consistency and orderly planning in this area because the property is surrounded by CS-NP zoning to the north, south, and west. There is CS-MU-V-NP zoning to the east of the site, across North Lamar Boulevard. This tract of land is located near the northwestern intersection of two arterial roadways, North Lamar Boulevard and Research Boulevard (U.S. Highway 183).

This property is located within the North Austin Civic Association Neighborhood Planning Area which was completed under the City of Austin's Neighborhood Planning Program and adopted as part of the Austin Tomorrow Comprehensive Plan on June 29, 2000. The boundaries of the planning area are: Kramer Lane to the north, Lamar Boulevard to the east, Highway 183 to the south and Metric Boulevard to the west. A neighborhood plan amendment is required in this case because the future land use map designates this tract for commercial and the applicant is now requesting a mixed use designation.

The applicant agrees with the staff 's recommendation to support the proposed neighborhood plan amendment and rezoning request.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS-NP	Office (Centex Personnel Services)
<i>North</i>	CS-NP	Automotive Sales (E & E Motors El Paisano)
<i>South</i>	CS-NP	Convenience Storage (Public Storage)
<i>East</i>	CS-MU-V-NP	Convenience Storage (Public Storage)
<i>West</i>	CS-NP	Automotive Repair (Quality Body Shop)

**AREA STUDY:** North Austin Civic Association Neighborhood Plan      **TIA:** Not Required

**WATERSHED:** Little 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 Northwest Association  
 Friends of the Emma Barrientos MACC  
 Georgian Acres Neighborhood Association  
 North Austin Civic Association  
 North Austin Civic Association Plan Contact Team  
 North Lamar Combined Neighborhood Plan Contact Team  
 North Growth Corridor Alliance  
 SELTEXAS  
 Shoal Creek Conservancy  
 Sierra Club, Austin Regional Group  
 The Real Estate Council of Austin, Inc.

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2009-0044 (The Fault: 8002 Research Boulevard South Bound)	CS-MU-NP to CS-1-MU-NP	7/14/09: Approved staff's recommendation of CS-1-MU-NP (7-0); J. Reddy-1 <sup>st</sup> , D. Anderson-2 <sup>nd</sup> .	7/23/09: Approved PC rec. of CS-1-MU-NP on first reading (4-3, Morrison, Riley, and Shade-Nay); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .  8/2009: Approved CS-1-MU-NP on 2 <sup>nd</sup> reading (4-3; Shay, Morrison, and Riley-Nay)  8/27/09: Approved CS-1-MU-NP on 3 <sup>rd</sup> reading (4-3; Shay, Morrison, and Riley-Nay)
C14-07-0007	CS-NP to CS-CO-NP (to allow a	3/13/07: Approved staff's rec. with added conditions (8-0)	4/12/07: Approved PC rec. of CS-CO-NP zoning (6-0); all 3 readings

	Neighborhood Center Special Use on this site and to apply a conditional overlay limiting the property to less than 2,000 vehicle trips per day)		
C14-04-0004	Crestview/Wooten Neighborhood Plan Combining District Rezonings	2/10/04: Approved staff's rec. of NP (6-0)	3/04/04: Approved on 1 <sup>st</sup> reading (6-0) 4/01/04: Approved as granted on 1 <sup>st</sup> reading, with noted exceptions (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-01-0012	SF-3 to CS	3/27/01: Approved staff's rec. of CS-CO, the conditional overlay will limit the site to less than 2,000 vehicle trips per day (9-0)	4/26/01: Approved CS-CO zoning with conditions (7-0); all 3 readings

**RELATED CASES:** C14-01-0037 (North Austin Civic Association Neighborhood Plan Combining District Rezonings)  
NPA-2015-0007.01 (Neighborhood Plan Amendment)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	ADT
N. Lamar Blvd. (Loop 275)	Varies	MAD-4	Arterial	35,000

**CITY COUNCIL DATE:** August 13, 2015

**ACTION:** Approved CS-MU-NP zoning on 1<sup>st</sup> reading (11-0); L. Pool-1<sup>st</sup>, D. Zimmerman-2<sup>nd</sup>.

October 15, 2015

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup> 8/13/15

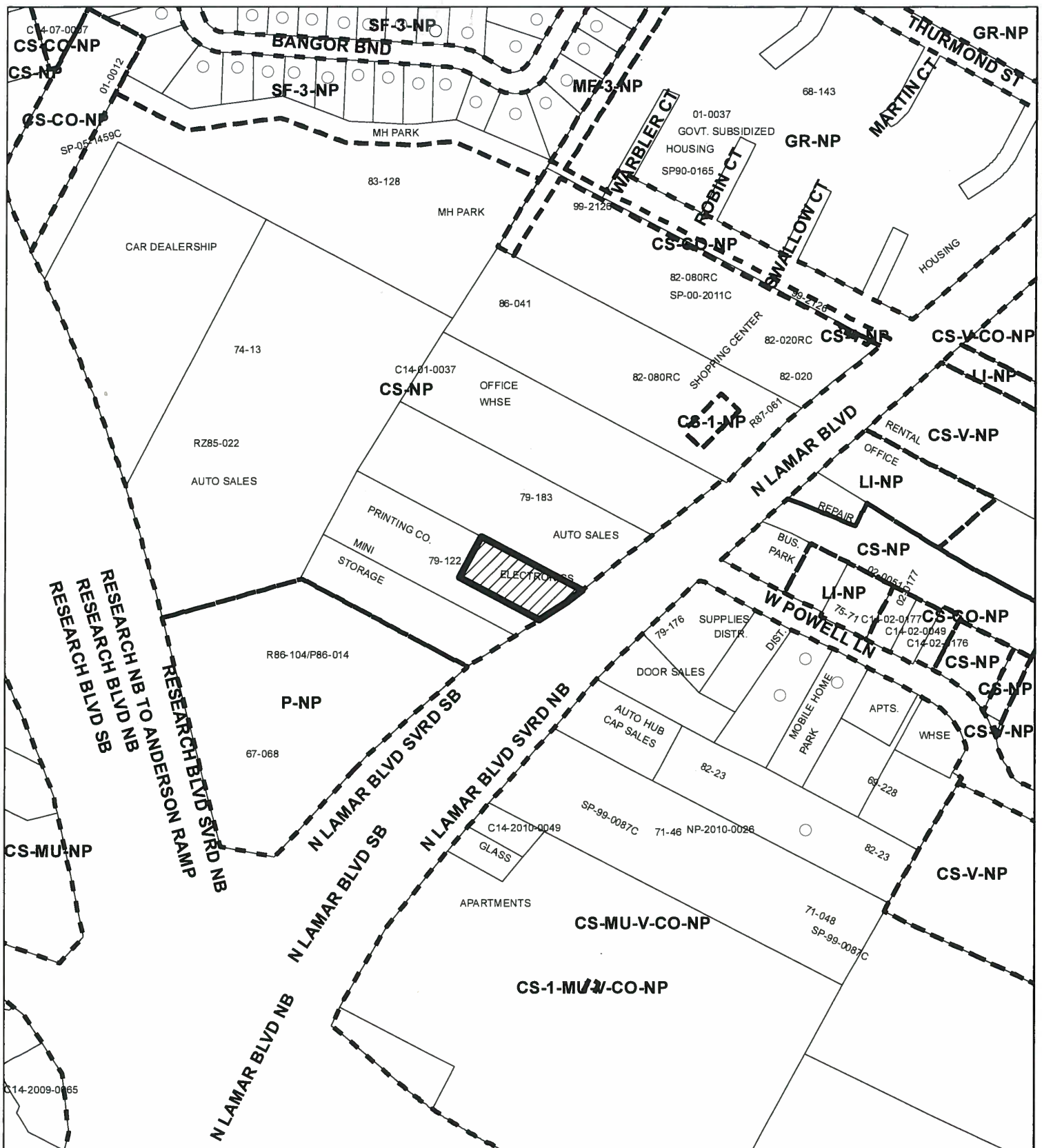
2<sup>nd</sup>




3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057,  
[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

CASE#: C14-2015-0059

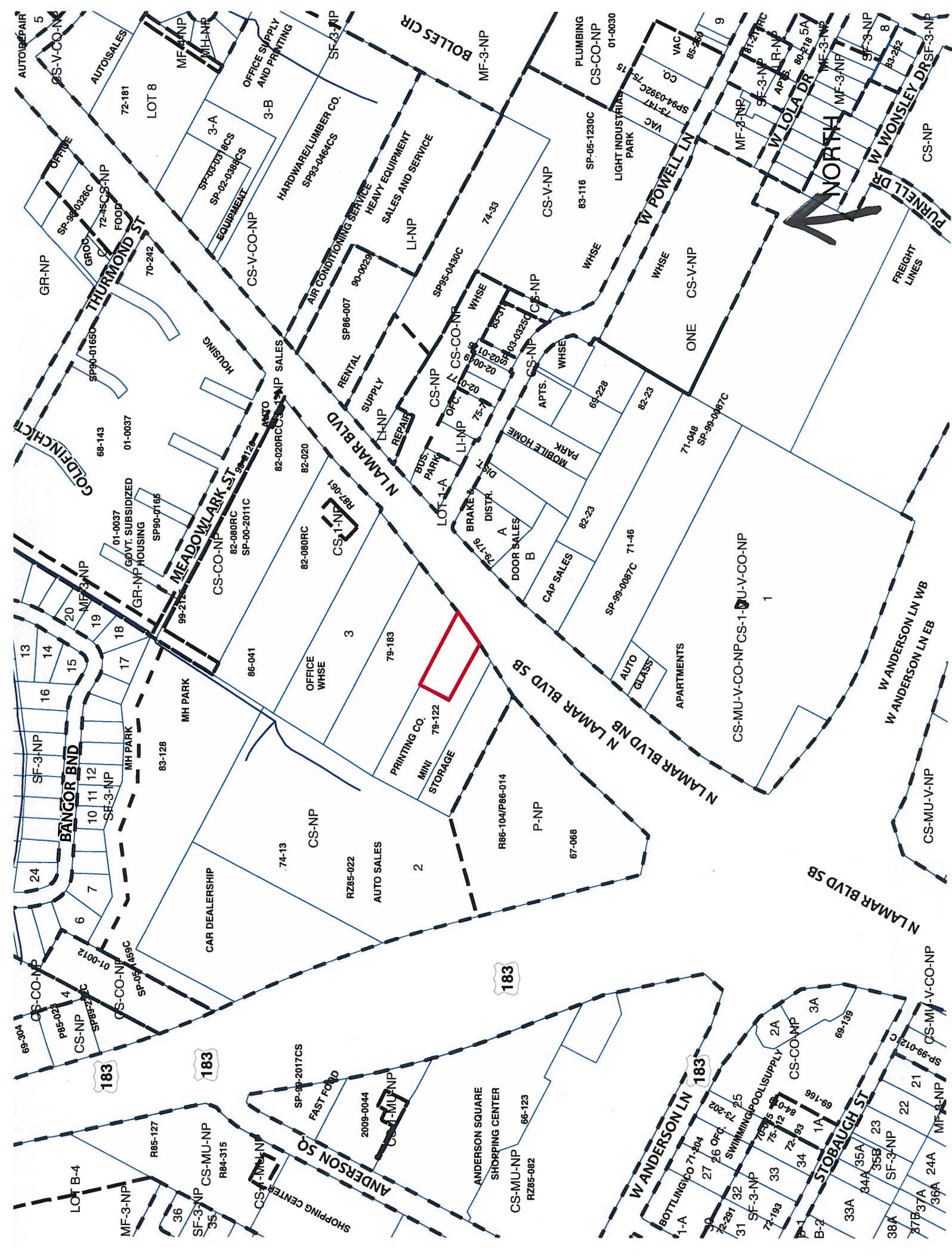


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1" = 300'

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.











## **STAFF RECOMMENDATION**

The staff's recommendation is to General Commercial Services-Mixed Use-Neighborhood Plan Combining District, zoning.

## **BASIS FOR RECOMMENDATION**

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

General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed CS-MU-NP zoning will promote consistency and orderly planning in this area because the property is surrounded by CS-NP zoning to the north, south, and west. There is CS-MU-V-NP zoning to the east of the site, across North Lamar Boulevard.

3. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

This tract of land is located near the northwestern intersection of two arterial roadways, North Lamar Boulevard and Research Boulevard (U.S. Highway 183).

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration is an office structure (Centex Personnel Services). The property to the north is developed with an automotive sales use (E & E Motors El Paisano). To the south and east is a convenience storage use (Public Storage). The tract of land to the west, across North Lamar Boulevard, is developed with an automotive repair business (Quality Body Shop).

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut 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.

According to floodplain maps there is no floodplain within or adjacent to 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.

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.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 sq. ft. cumulative is exceeded, and on site control for the two-year storm.

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 CS-MU zoning district would be 95%. 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.

The site is located in the Little Walnut 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.

Zoning district impervious cover limits apply in the Urban Watershed classification.

### **Site Plan**

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

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**

No additional right-of-way is needed at this time.

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 over the existing zoning. [LDC, 25-6-113]

N. Lamar Blvd. (Loop 275) is classified in the Bicycle Plan as Bike Route No. 43.



Capital Metro bus service (Route No. 001) is available along N. Lamar Blvd. (Loop 275).

There are existing sidewalks along N. Lamar Blvd. (Loop 275).

Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
N. Lamar Blvd. (Loop 275)	Varies	MAD-4	Arterial	35,000

**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, water or wastewater easements, 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.

H O L T P L A N N E R S

P.O. Box 10903

Austin, Texas 78766  
holtplan@att.net

512-327-4660

May 12, 2015

Ms. Sherri Sirwaitis  
City of Austin,  
Planning & Zoning Department  
505 Barton Springs Road  
One Texas Center - 5th Floor  
Austin, TX. 78704

REF: 8130 North Lamar Blvd  
Austin, TX. 78753  
Council District 4  
Rezoning Application

Dear Ms. Sirwaitis,

8130 North Lamar LLC is filing a City of Austin Zoning application, to rezone the property located at 8130 North Lamar Boulevard, Austin 78753, from General Commercial Services Neighborhood Plan (CS-NP) to General Commercial Services Mixed Use Neighborhood Plan (CS-MU-NP). The 0.61 acre property is legally described as Lot 1, Justin Subdivision, as recorded in Book 78 Page 359, Travis County Plat Records, Travis County, TX.

The 8130 N. Lamar property is located approximately 830-feet Northwest of the US 183/Research Blvd @ Lamar Boulevard intersection, along the western Right of Way (ROW) of North Lamar Blvd. The US183 @ N. Lamar highway intersection is considered as a major transportation node within the City of Austin. The major transportation node designation is further reinforced by the presence of a Capitol Metro Park and Ride facility, which is sited at the Northwest corner of the intersection. The Capitol Metro Bus Facility is located approximately 200-feet from the 8130 N. Lamar property. The subject property is in a City of Austin designated Desired Development Zone and within the designated boundaries of City of Austin, Council District 4.

The 8130 N. Lamar Blvd. property is developed with a 5,487 square foot one-story commercial building and associated parking. 8130 N. Lamar LLC is requesting a Mixed Use Combining District rezoning for the property, which would allow residential use of the CS zoned commercial Base District. The owners wish to convert a portion of the existing building to allow residential use within the existing commercial building. Approval of the Mixed Use Combining District request would permit employees to live and work at the 8130 North Lamar facility.



The MU rezoning application is being filed in conjunction with a previously submitted City of Austin, Neighborhood Plan Amendment application (#NPA-2015-0007.01). The NPA application was submitted to the City of Austin in February 2015 in order to request a change in the Future Land Use Map (FLUM) designation for the 8130 N. Lamar site from Commercial to Mixed Use. A meeting was conducted in April 2015 with the North Austin Civic Association (NACA) Plan Contact Team and City of Austin, Senior Planner, Plan Amendment, Planning and Zoning Department, Ms. Maureen Meredith to discuss the mixed use FLUM map change. Both the NACA Plan Contact Team and City of Austin, Planning Staff have recommended approval of the FLUM change at the 8130 N. Lamar Blvd. site to Mixed Use.

Please contact me should you have any questions regarding this zoning application for the 8130 N. Lamar Blvd. property.

Sincerely,  
HOLT PLANNERS

A handwritten signature in black ink, appearing to read "David Holt", written over the printed name.

David Holt

cc: Paul Terrill  
Vince Hazen  
Maureen Meredith

## 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/planning](http://www.austintexas.gov/planning).

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: C14-2015-0059**

**Contact: Sherri Sirwaitis, 512-974-3057**

**Public Hearing: Jul 14, 2015, Planning Commission**

**Aug 13, 2015, City Council**

PEGGY GERSTENBERG

*Your Name (please print)*

8204 N. Lamar Blvd C-20

*Your address(es) affected by this application*

C-22, C-23 + C-24

Peggy Gerstenberg

*Signature*

7-14-15

*Date*

Daytime Telephone: 512-832-6602

Comments: \_\_\_\_\_

If you use this form to comment, it may be returned to:

City of Austin  
 Planning & Zoning Department  
 Sherri Sirwaitis  
 P. O. Box 1088  
 Austin, TX 78767-8810



## PUBLIC HEARING INFORMATION

The proposed amendment will be reviewed and acted upon at two public hearings: first, before the Planning Commission and then before 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 amendment. You may also contact a registered neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a 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 plan amendment request, or approve an alternative to the amendment requested.

If you have any questions concerning this notice, please contact the City of Austin, Planning and Zoning Department at the number shown on the first page. If you would like to express your support or opposition to this request, you may do so in several ways:

- by attending the Public Hearing and conveying your concerns at that meeting
- by submitting the Public Hearing Comment Form
- by writing to the city contact listed on the previous page

For additional information on Neighborhood Plans, visit the website:

<http://www.austintexas.gov/departments/neighborhood-planning>.

## PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

City of Austin  
Planning & Zoning Department  
Maureen Meredith (Ph: 512-974-2695)  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2015-0007.01  
Contact: Maureen Meredith  
Public Hearing: Jul 14, 2015, Planning Commission  
Aug 13, 2015, City Council

☐ I am in favor  
☒ I object

RW GERSTENBERG

Your Name (please print)

8204 N. Lamar Blvd C-21

Your address(es) affected by this application

*RW Gerstenberg*

Signature

Date

7-14-15

Comments: