

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2016-0113 - 2509 Montopolis Drive      **P.C. DATE:** 12/13/2016  
01/10/2017  
02/14/2017  
04/11/2017

**ADDRESS:** 2507, 2509 & 2511 Montopolis Drive      **AREA:** 6.407 acres

**OWNER:** John Robert Stratton

**APPLICANT:** Graves, Dougherty, Hearon & Moody (Michael Whellan)

**ZONING FROM:** CS-NP; General commercial services-neighborhood plan

**ZONING TO:** CS-MU-NP; General commercial services – mixed use-neighborhood plan

**NEIGHBORHOOD PLAN AREA:** Montopolis Neighborhood Planning Area

**SUMMARY STAFF RECOMMENDATION**

Not Recommended.

Staff does not recommend a residential use adjacent to the industrial zoning to the south and across Montopolis to the west. The existing zoning creates a buffer between the industrial and mixed use properties to the north.

This is consistent with the associated Neighborhood Plan Amendment case NPA-2016-0005.03.

**PLANNING COMMISSION ACTION:**

*DECEMBER 13, 2016: POSTPONED BY STAFF TO JANUARY 10, 2017 ON CONSENT, VOTE 10-0 [P. SEEGER 1<sup>ST</sup>, T. WHITE 2<sup>ND</sup>, A. PINEYRO DE HOYOS, T. NUCKOLS AND J. SHIEH ABSENT].*

*JANUARY 10, 2017: POSTPONED BY STAFF TO FEBRUARY 14, 2017 ON CONSENT, VOTE 13-0 [N. ZARAGOZA 1<sup>ST</sup>, F. KAZI 2<sup>ND</sup>].*

*FEBRUARY 14, 2017: POSTONED BY STAFF TO APRIL 11, 2017 ON CONSENT, VOTE 11-0 [A. DE HOYOS HART 1<sup>ST</sup>, J. VELA 2<sup>ND</sup>, T. WHITE, N. ZARAGOSA ABSENT].*

**DEPARTMENTAL COMMENTS:**

This 6.4-acre parcel contains four tracts located on Montopolis Drive, between East Riverside Drive and East Ben White Boulevard in the Montopolis Neighborhood Planning Area. The site formerly had four single family structures but is now vacant. It is lightly wooded and slopes from the southeast to northwest. The surrounding area is a mixture of commercial/mixed-use zoned properties to the north, industrial zoned to the south, commercial zoning to the east and public and major industrial to the west. Montopolis is considered a major arterial roadway. This property was zoned commercial as part of the Montopolis Neighborhood Plan to serve as a transition to the industrial zoning and use to the south. Praxair is located to the south along Montopolis and has hazardous materials stored on site. Because of those materials, the Austin Fire Department (AFD) has recommended no residential development within 1000 feet of that site (see

attached exhibit). The AFD recommendation came from analysis done for an adjacent zoning request immediately to the south of the subject tract. Although AFD did not consider the request for the subject tract, the 1000 foot buffer impacts this property.

Recently, immediately to the east of this property zoning case C14-2016-0070 on Thrasher Lane was approved by the Planning Commission and Council. The request was the same as this one (CS-NP to CS-MU-NP). We recommended splitting the zoning into two tracts with a larger CS-NP tract providing a buffer to the industrial zoning and CS-MU to the north (see attached map). The CS-NP portion of that case is essentially equivalent to the subject property.

Imagine Austin has this property included in a Job Center (see attached Growth Concept Map). A job center is described as:

“Job centers accommodate those businesses not well-suited for residential or environmentally sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International Airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the Growth Concept Map offers transportation choices such as light rail and bus rapid transit to increase commuter options. ” Page 107.

The Montopolis Neighborhood Plan has this property designated as commercial in the Future Land Use Map (FLUM) which is also consistent with Imagine Austin. The Neighborhood Plan Amendment staff is not recommending a change to the FLUM to allow mixed use.

The applicant is proposing to market the property for a multifamily development. When the application was initially received, the agent for this case represented a multifamily developer. When they learned staff was not supportive of the change they withdrew their interest in the case. The property owner is now the applicant.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<b>Site</b>	CS-NP	Vacant
<b>North</b>	CS-NP & CS-MU-CO-NP	Martial Arts, Single family
<b>South</b>	LI-NP	Undeveloped
<b>East</b>	CS-NP	Undeveloped
<b>West</b>	MI-NP & P-CO-NP	Semiconductor Lab & Austin Energy Control Center

**WATERSHED:** Country Club East Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**TIA:** No

**CAPITOL VIEW CORRIDOR:** No**HILL COUNTRY ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
 Austin Independent School District  
 Austin Neighborhood Council  
 Bike Austin  
 Carson Ridge Neighborhood Association  
 Crossing Garden Home Owners Association  
 Del Valle Community Coalition  
 East Riverside/Oltorf Neighborhood Plan Contact Team  
 Friends of Austin Neighborhoods  
 Housing Authority of Austin  
 Homeless Neighborhood Association  
 Montopolis Area Neighborhood Alliance  
 Montopolis Community Alliance  
 Montopolis Neighborhood Association  
 Montopolis Neighborhood Planning Contact Team  
 Montopolis Tributary Trail Association  
 Pleasant Valley  
 Preservation Austin  
 Riverside Farms Road Neighborhood Association  
 Save Our Springs Alliance  
 SEL Texas  
 Sierra Club, Austin Regional Group  
 Southeast Austin Neighborhood Alliance

**SCHOOLS:**

Del Valle Independent School District

Smith Elementary School	Del Valle Middle School	Del Valle High School
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**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Side-walks	Bike Route	Bus
Montopolis	135'	44'	Arterial	Yes	No	Yes

**SITE ZONING CASE HISTORIES:**

NUMBER	REQUEST	LAND USE COMMISSION	CITY COUNCIL
C14-01-0060 Montopolis Neighborhood Plan	SF-2 to CS-NP	Recommended CS-NP	Approved CS-NP (9-27-01)

**RELEVANT ZONING CASE HISTORIES:**

NUMBER	REQUEST	LAND USE COMMISSION	CITY COUNCIL
C14-2016-0070 2519 Thrasher Lane	CS-NP to CS-MU-NP	CS-MU-CO-NP for Tract 1 and CS-CO-NP for Tract 2	Approved CS-MU-CO-NP for Tract 1 and CS-CO-NP for Tract 2 (3/23/17) with restricted uses and access.
C14-01-0060 Thrasher Lane Montopolis Neighborhood Plan	SF-2 to CS-NP	Recommended CS-NP	Approved CS-NP (9-27-01)
C14-2015-0099 2407-2409 Montopolis Drive	CS-NP to CS-MU-NP	Recommended CS-MU-CO-NP	Approved CS-MU-CO-NP (12-10-15) restricted uses
C14-2009-0092 6503 Carson Ridge	CS-NP to GR-MU-NP	Recommended GR-MU-CO-NP	Approved GR-MU-CO-NP (1-28-10) Trips limited to 1500.
C14-2011-0169 7016 E. Ben White Blvd	LI-NP & CS-NP to CS-MU-NP	Recommended CS-MU-NP	Approved CS-MU-NP (4-5-12)
C14-01-0060 2601 Montopolis Drive Montopolis Neighborhood Plan	LI to LI-NP	Recommended LI-NP	Approved CS-NP (9-27-01)

**CITY COUNCIL ACTION:****ORDINANCE READINGS:**1<sup>st</sup>2<sup>nd</sup> & 3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Andrew Moore**PHONE:** 512-974-7604

e-mail address: andrew.moore@austintexas.gov



**STAFF RECOMMENDATION**

C14-2016-0113

Not recommended

**BASIS FOR LAND USE RECOMMENDATION**

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

A residential use adjacent to industrial zoning and in close proximity to an industrial use is not compatible.

***Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.***

The existing general commercial services (CS) provides a transition between the light Industrial zoning to the south and the mixed use zoning to the north.

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

The existing general commercial services (CS) is the most intensive commercial zoning district.

***Zoning should be consistent with an adopted study, the Future Land Use Map (FLUM) or an adopted neighborhood plan; and***

The Montopolis Neighborhood plan designates this property as commercial.

***The rezoning should be consistent with the policies adopted by the City Council or Planning Commission/Zoning and Platting Commission.***

Imagine Austin designates this area as a Job Center. The existing zoning is consistent with this designation.

**ADDITIONAL DEPARTMENT REVIEW COMMENTS**

Transportation Review - Danielle Morin - 512-974-1605
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**ZONING COMMENTS**

- TR1. If the requested zoning is granted, it is recommended that joint access be provided for the 2 lots along the south.
- TR2. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]
- TR3. If the requested zoning is granted, it is recommended, as a condition of zoning, to provide sidewalks along both sides of the private drives, streets, and internal circulation routes connecting to the public right-of-way to

improve walkability and connectivity. The sidewalk dimensions shall comply with the Transportation Criteria Manual and shall be constructed in accordance with the latest ADA standards.

TR4. If the requested zoning is recommended for this site, it is recommended, as a condition of zoning, to stub out internal drives to the *north, east, and south* for future connectivity.

TR5. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Montopolis Dr.	133'	2 @ 22'	MAD4	Yes	No	Yes; 2421 Grove/Montopolis

NPZ Environmental Review - Mike McDougal 512-974-6380

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Country Club East 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.
2. 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%

3. According to floodplain maps there is no floodplain within or adjacent to the project location.

4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
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 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.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.
7. 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.

NPZ Site Plan Review - Katie Wettick 512-974-3529

- SP1. Site plans will be required for any new development other than single-family or duplex residential.
- SP2. 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.
- SP3. The site is subject to compatibility standards. Along the **north** property line, the following standards apply:
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of a property on which a use permitted in an SF-5 or more restrictive zoning district is located.

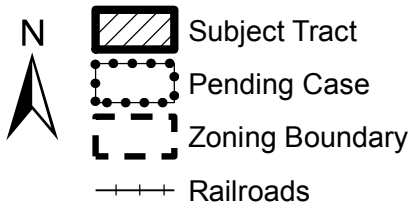
- SP4. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

NPZ Austin Water Utility Review - Bradley Barron 512-972-0078

WW1. 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 land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.

FYI. The tracts are in an area of capacity concern for wastewater flow, and as such will require Service Extension Requests and possible wastewater system upgrades to provide suitable service. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7<sup>th</sup> floor, phone 512-972-0211. Austin Water reserves the right to make additional comments and to establish other requirements with the Service Extension Request review.

Case#: C14-2016-0113



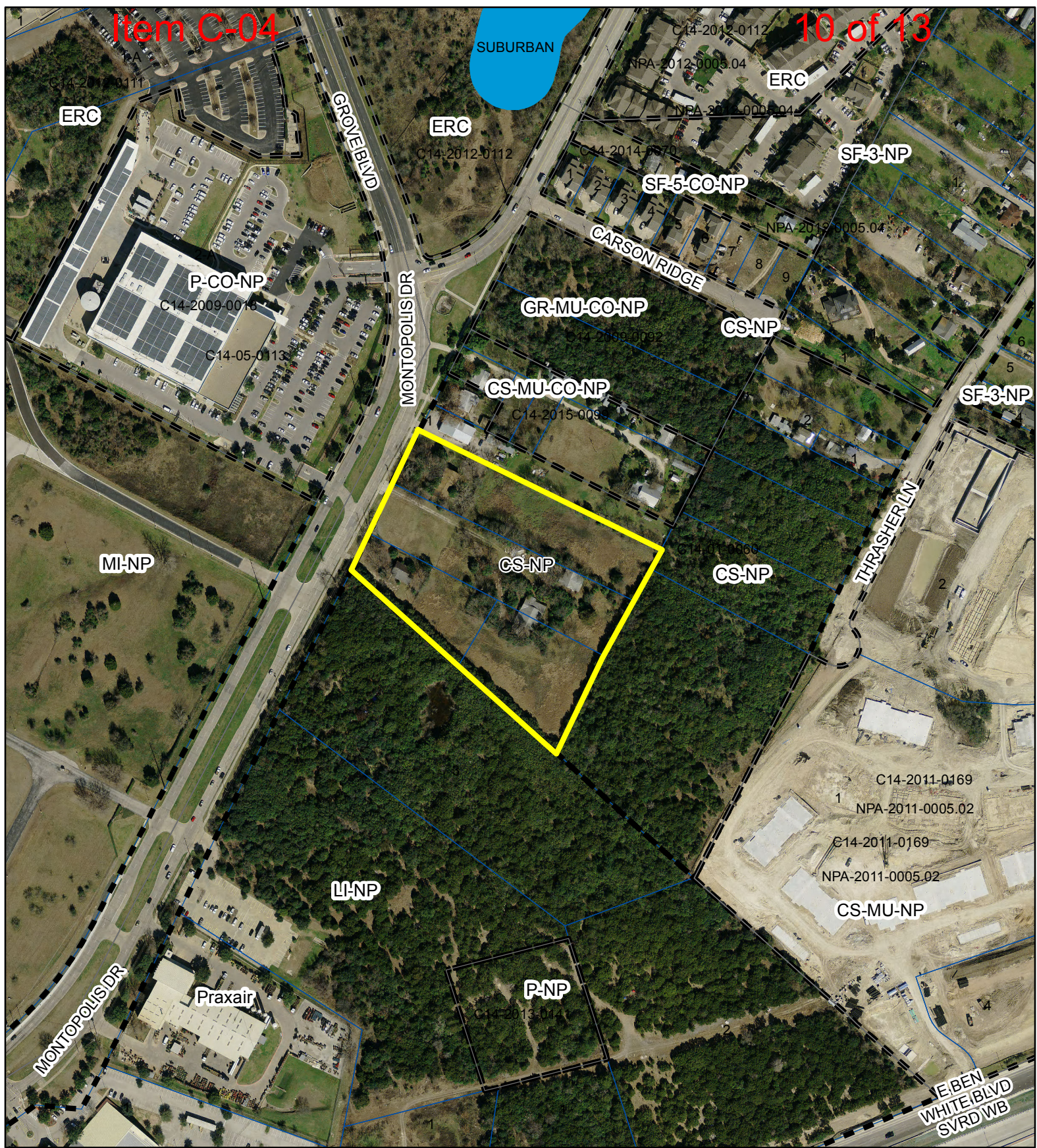
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**Created: 3/22/2017**





### ZONING

ZONING CASE#: C14-2016-0113  
 LOCATION: 2509 Montopolis Drive  
 SUBJECT AREA: 6.4 ACRES  
 GRID: L18  
 MANAGER: ANDREW MOORE

**N**

SUBJECT TRACT

ZONING BOUNDARY

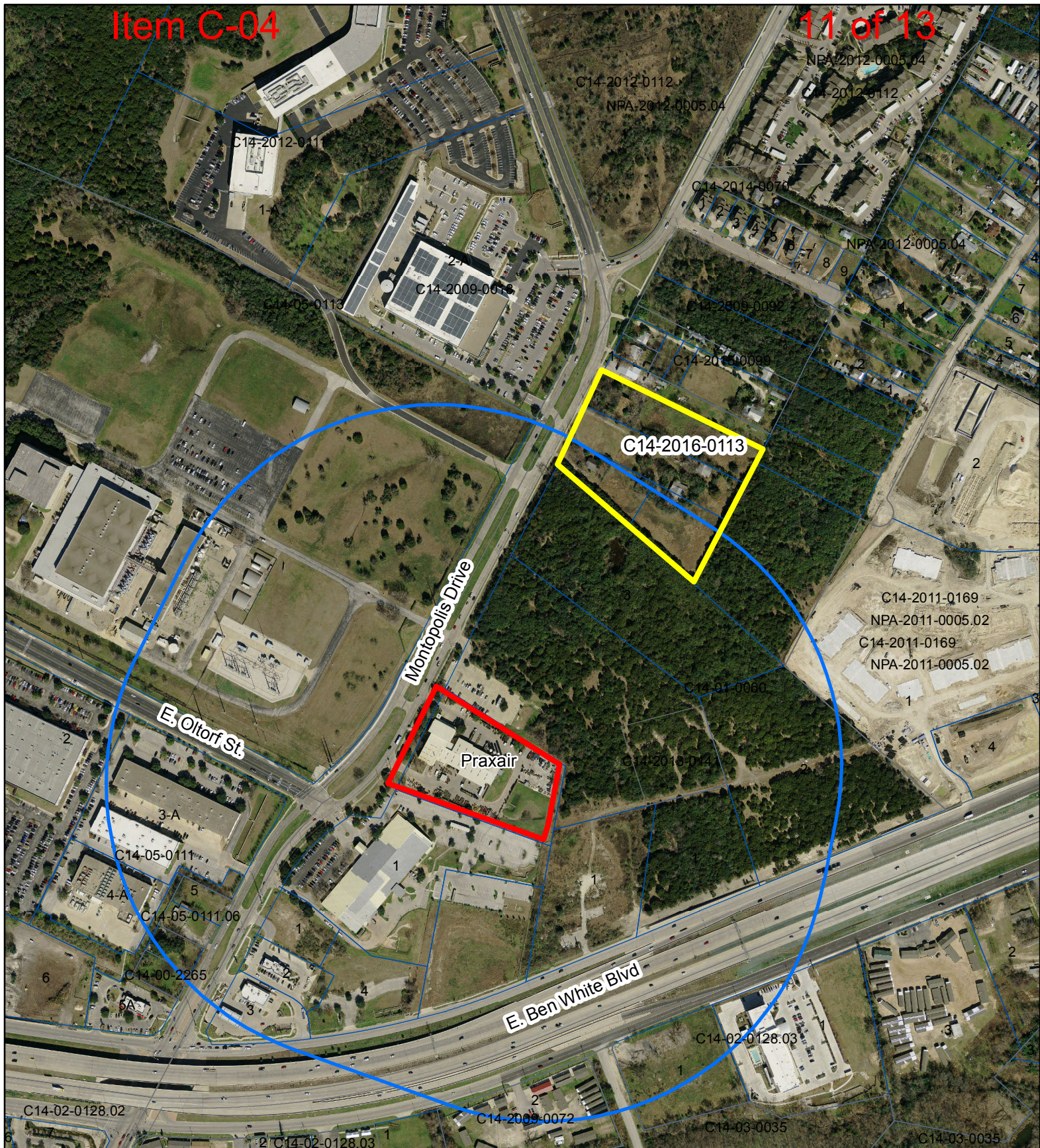
CREEK BUFFER

1' = 400'



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## ZONING

ZONING CASE#: C14-2016-0113

LOCATION: 2509 Montopolis

SUBJECT AREA: 6.4 ACRES

GRID: J19

MANAGER: ANDREW MOORE



N



SUBJECT TRACT



1000 FT BUFFER

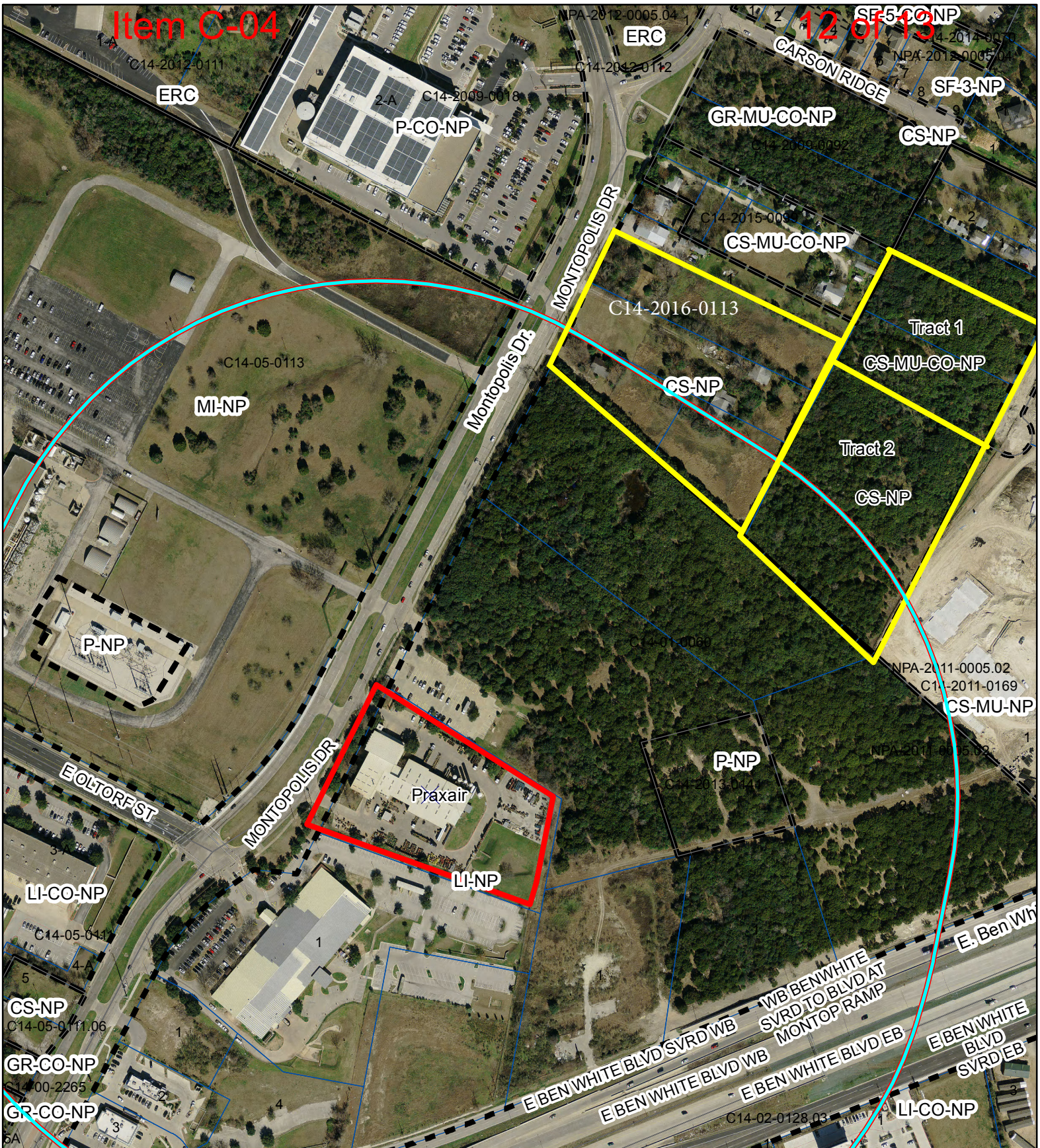


ZONING BOUNDARY

1' = 400'

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### STAFF RECOMMENDATION

ZONING CASE#: C14-2016-070  
 LOCATION: Thrasher Lane Lots  
 SUBJECT AREA: 7.997 ACRES  
 GRID: J19  
 MANAGER: ANDREW MOORE



N



1' = 400'

- SUBJECT TRACT
- 1000 FT BUFFER
- PRAXAIR FACILITY
- ZONING BOUNDARY

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# Growth Concept Map

## Legend

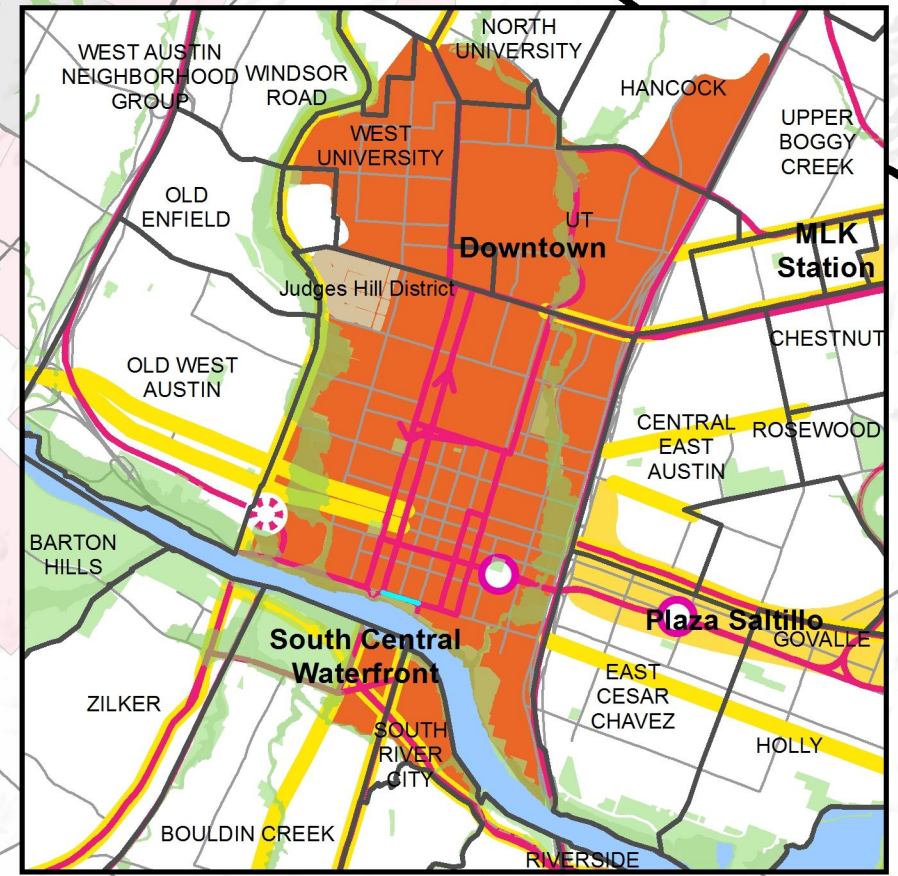
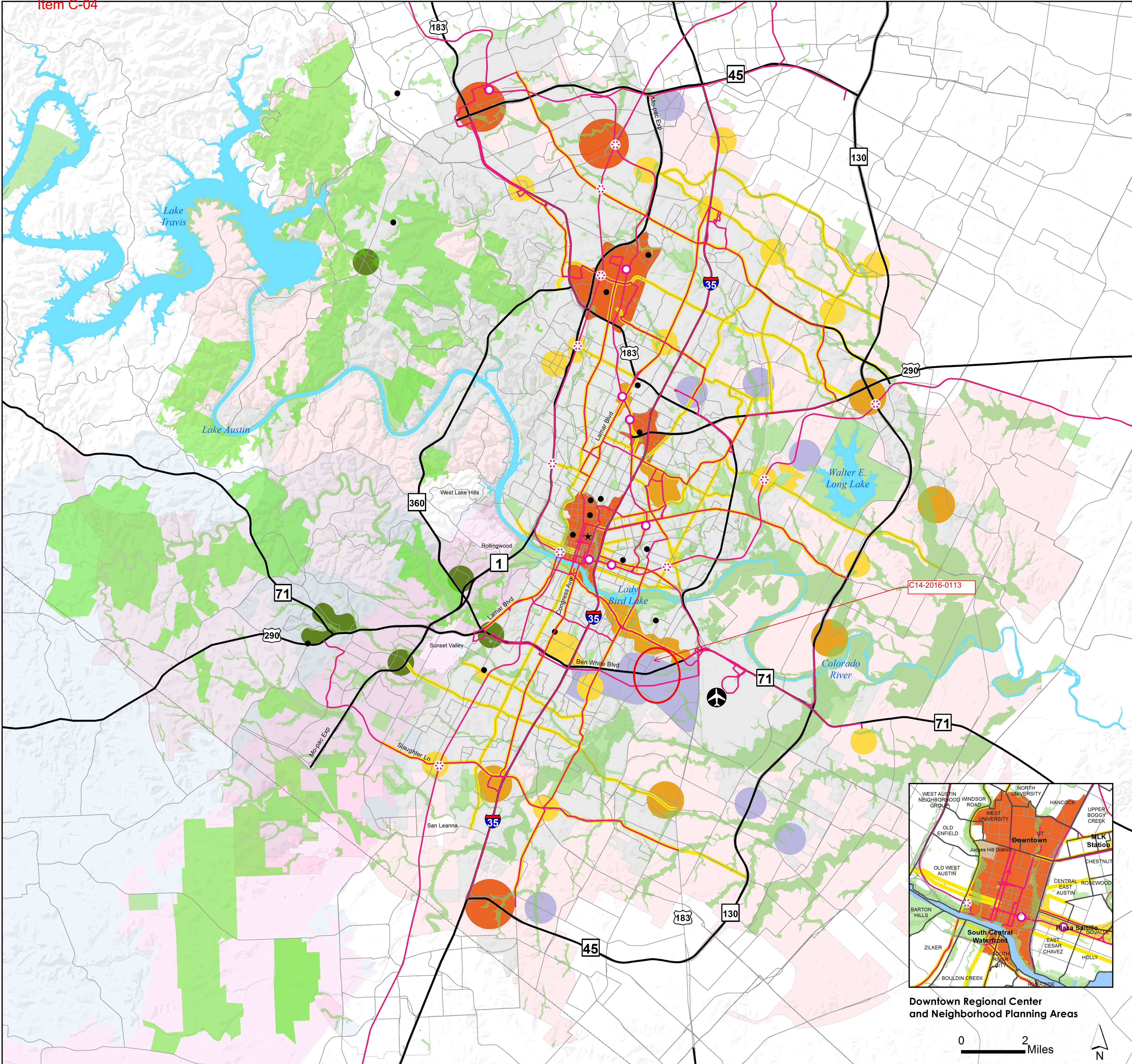
- Regional Center
- Town Center
- Neighborhood Center
- Activity Corridor
- Activity Centers for Redevelopment in Sensitive Environmental Areas
- Job Center
- Current Open Space
- Future Open Space
- Barton Springs Contributing Zone
- Barton Springs Recharge Zone
- College/University

## Transportation

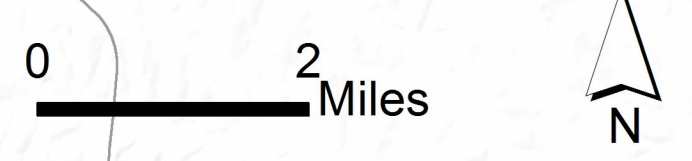
- High Capacity Transit Stop
- Proposed High Capacity Transit Stop
- High Capacity Transit
- Highway
- Other Streets

## Boundaries

- City Limits
- ETJ
- County Boundaries



Downtown Regional Center and Neighborhood Planning Areas



The Growth Concept Map applies the Imagine Austin vision statement to the city's physical development. Generated through a public scenario-building process, it defines how we plan to accomodate new residents, jobs, mixed use areas, open space, and transportation infrastructure over the next 30 years.

Map Disclaimers: A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. 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. This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Adopted June 15, 2012