

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0096 (Walnut Park II)

Z.A.P. DATE: October 3, 2017
December 5, 2017

ADDRESS: 12139-12205 North Lamar Boulevard

DISTRICT AREA: 7

OWNER/APPLICANT: Crestmont Office Center, Ltd. (Jeffrey Schwartz, Vice President)

AGENT: Civile, LLC (Lawrence M. Hanrahan)

ZONING FROM: LO

TO: MF-2

AREA: 17.75 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is for MF-2-CO, Multi-family Residence-Low Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit development on the property to less than 2,000 vehicle trips per day.

In addition, if the requested zoning is granted then 70 feet of right-of-way should be dedicated from the existing centerline of North Lamar Boulevard in accordance with the Transportation Plan by the applicant to the City through a street deed prior to 3rd reading of the case at City Council, in accordance with the Transportation Criteria Manual.

ZONING & PLATTING COMMISSION RECOMMENDATION:

10/17/17: Approved indefinite postponement request by the staff on consent (9-0, S. Lavani and S. Trinh-absent); B. Greenberg-1st, A. Aguirre-2nd.

12/05/17: Approved staff's recommendation of MF-2-CO zoning, with conditions, by consent (9-0, S. Lavani-absent); B. Evans-1st, A. Aguirre-2nd.

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 298 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 south of the subject tract, there is MF-2 zoning (undeveloped), MF-2-CO zoning (Limestone Canyon Apartments) and SF-6-CO zoning (On the Green Apartments). To the north of this tract, there is a vacant single-family residential structure and a Construction Sales and Services use (AAA Food Equipment) fronting W. Yager Lane. 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:

	ZONING	LAND USES
<i>Site</i>	LO	Vacant, Billboards, Undeveloped
<i>North</i>	LO, LI	Single Family Home, Construction Sales and Services (AAA Food Equipment)
<i>South</i>	LO, MF-2	Trailer, Undeveloped
<i>East</i>	LI, IP, P	Undeveloped
<i>West</i>	P	Walnut Creek Memorial Park

AREA STUDY: North Lamar Area Study**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 Neighborhoods Council
 Bike Austin
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 North Growth Corridor Alliance
 Pflugerville Independent School District
 River Oaks Lakes Estates Neighborhood
 SELTEXAS
 Sierra Club, Austin Regional Group
 Yager Planning Area

SCHOOLS: Pflugerville I.S.D

River Oaks Elementary
 Westview Middle School
 Connally High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0053 (Walnut Park Crossing: 12304 Walnut Park Crossing and 12101 North Lamar Blvd.)	LO to MF-2	6/03/14: Approved staff's recommendation of MF-2 zoning, with ROW dedication condition, on consent (7-0); P. Seeger-1 st , C. Banks-2 nd .	6/26/14: Approved MF-2 zoning, with conditions, on consent on 1 st reading (6-0, M. Martinez-off the dais); B. Spelman-1 st , S. Cole-2 nd . 4/16/15: Approved MF-2 zoning, with conditions, on consent on

			2 nd /3 rd readings (10-0, A. Kitchen-off the dais); D. Zimmerman-1 st , S. Gallo-2 nd .
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. Bourgeois-absent); P. Seeger-1 st , C. Banks-2 nd .	12/08/11: Approved LR-CO district zoning, to change a condition of zoning, on consent on 1 st reading (6-0, S. Cole-off dais); B. Spelman-1 st L. Morrison-2 nd . 4/ 26/12: Approved LR-CO zoning with conditions, on 2 nd /3 rd readings (7-0); L. Morrison-1 st , B. Spelman-2 nd .
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 st , B. Baker-2 nd .	5/12/11: Denied the rezoning request(7-0); S. Cole-1 st , M. Martinez-2 nd
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 st , T. Rabago-2 nd .	5/13/10: Approved ZAP rec. of LR-CO zoning on consent on all 3 readings (7-0); Morrison-1 st , Spellman-2 nd .
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 st , T. Rabago-2 nd . 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 st , D. Tiemann-2 nd .	5/13/10: Approved ZAP rec. of LR-CO zoning on consent on all 3 readings (7-0); Morrison-1 st , Spellman-2 nd .

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 st , L. Leffingwell-2 nd .
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 rd reading of the case at City Council. Vote: 8-0, K. Jackson-absent; C. Hammond-1 st , J. Martinez-2 nd .	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	8/04/05: Approved ZAP recommendation for GR-CO zoning (7-0); 1 st reading only 9/01/05: Approved GR-CO zoning on consent (7-0-); 2 nd /3 rd readings

		from the centerline of Walnut Creek (7-1, C. Hammond-Nay; M. Hawthorne-Absent)	
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 st , J. Martinez-2 nd .	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 st reading 11/4/04: Approved GR-CO zoning for Tract 1 and LO-CO for Tract 2 (7-0); 2 nd /3 rd 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 st reading 5/11/00: Approved MF-2-CO zoning on 2 nd /3 rd readings (7-0)

RELATED CASES: SP-2017-0253C (Site Plan)

C14-89-149 (North Lamar Area Study Rezoning)

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: November 2, 2017

ACTION: Postponed indefinitely at the request of staff on Council Member Pool's motion, Council Member Flannigan's second on a 9-0 vote. Council Members Casar and Garza were off the dais.

February 1, 2018

ACTION:

ORDINANCE READINGS: 1st

2nd

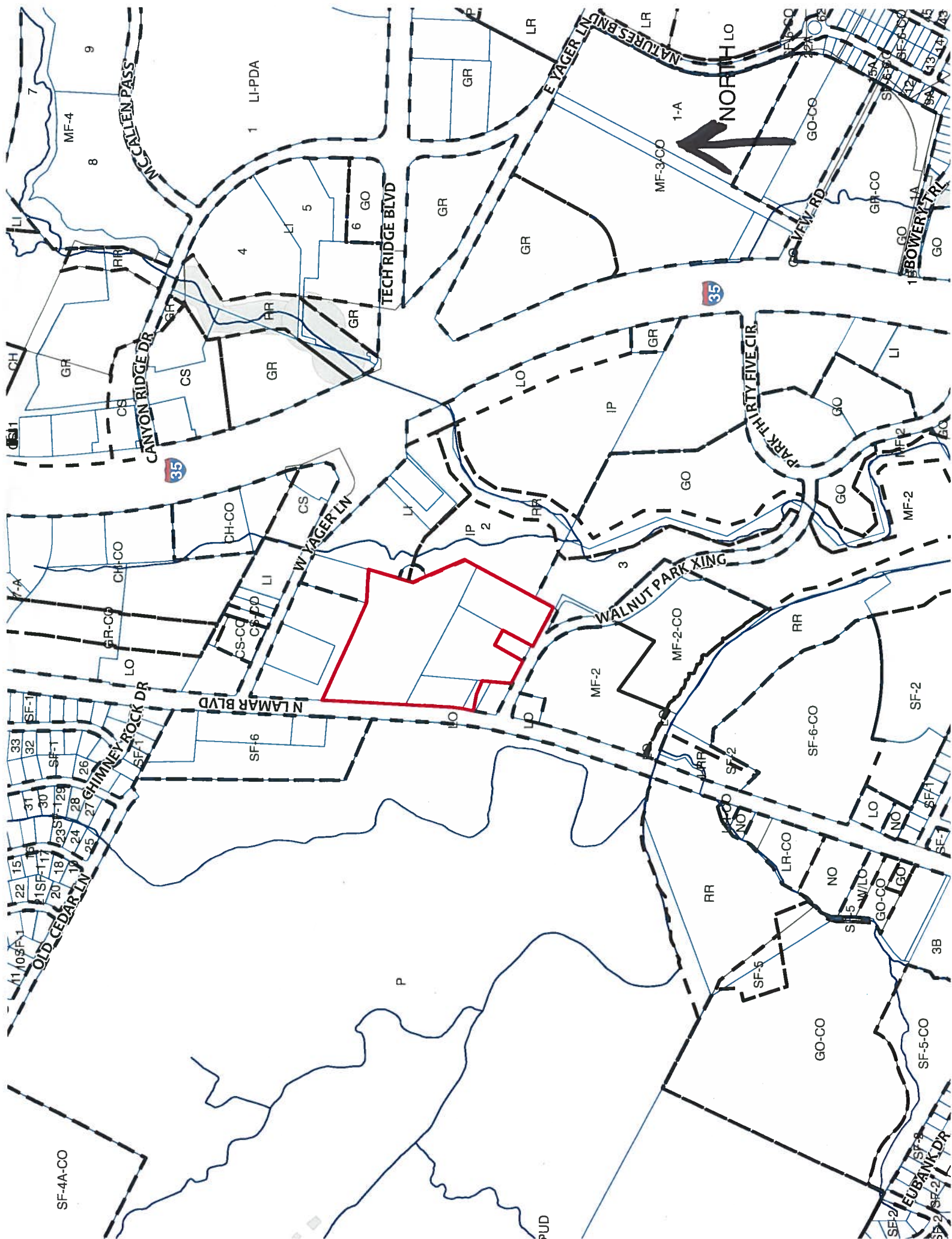
3rd

ORDINANCE NUMBER:

ZONING CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057

E-mail: sherri.sirwaitis@austintexas.gov





STAFF RECOMMENDATION

The staff's recommendation is for MF-2-CO, Multi-family Residence-Low Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit development on the property to less than 2,000 vehicle trips per day.

In addition, if the requested zoning is granted then 70 feet of right-of-way should be dedicated from the existing centerline of North Lamar Boulevard in accordance with the Transportation Plan by the applicant to the City through a street deed prior to 3rd reading of the case at City Council, in accordance with the Transportation Criteria Manual.

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 south of the subject tract, there is MF-2 zoning, MF-2-CO zoning and SF-6-CO zoning.

- 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

This 17.75 acre property is undeveloped and is located on the northeast corner of N. Lamar Boulevard and W. Yager Lane; and is not located within the boundaries of a neighborhood planning area. Surrounding land uses include retail uses, warehouse/offices, and a charter school to the north; vacant land to the south; a worship center, a single family house, and Walnut Creek Park to the west; and a food equipment retailer and vacant land to the east. The proposed use is a 298 unit (approximately 16 units an acre) multi-family apartment project.

Connectivity

The Walkscore for this site is **18/100, 'Car Dependent'** meaning almost all errands require a car. There is a CapMetro transit stop located across the street from the site but there are no cross walks or sidewalks along this section of N. Lamar Blvd., nor on W. Yager Lane.

Imagine Austin

This project is located along the N. Lamar Blvd. **Activity Corridor**. Activity Corridors 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 above, which supports growth along Activity Corridors, including a variety of housing types such as this proposed multi-family apartments, this project appears to be 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 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%

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.

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

Compatibility Standards

The site is subject to compatibility standards. Along the east property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.

- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.

Additional design regulations will be enforced at the time a site plan is submitted.

FYI – There is a site plan currently under review for this property (SP-2017-0253C) for a Commercial Multi Family use, along with associated parking and drainage facilities.

Transportation

A traffic impact analysis was waived for this case because the applicant has 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]

At the time of site plan application, the minimum shall be required with the approval of the Texas Department of Transportation and Austin Transportation Department:

- a. The vehicular point of access along N. Lamar Blvd (Loop 275) must align with Walnut Creek Park Road to allow for future traffic controls at this location.
- b. Texas Department of Transportation and Austin Transportation Department request that 12 hour turning movement counts be conducted during a non-holiday week when public schools are in session at the intersection of Walnut Creek Park Road and Lamar Blvd to allow for a signal warrant study.
- c. Texas Department of Transportation reserves the right to require acceleration/deceleration lane(s) to access the site, if the intensities justify their installation.

Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for North Lamar Boulevard. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from the existing centerline of North Lamar Boulevard in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

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

If the requested zoning is granted, it is recommended that joint access be provided for all tracts to access North Lamar Boulevard and Walnut Park Crossing.

Janae Ryan, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for North Lamar Boulevard.

FYI – Access to Walnut Park Crossing cannot be approved for this site until the road has been constructed and accepted by the City of Austin.

FYI – Driveways and sidewalks constructed with the Walnut Park Crossing subdivision construction plans (C8-85-024.01.1B) shall comply with current City of Austin code and criteria. Sidewalk and driveway reconstruction or driveway removals may be required.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
North Lamar Blvd.	95 ft.	52 ft.	Arterial	No	Yes, shared lane	Yes
Walnut Park Crossing	64 ft.	44 ft. (under construction)	Collector	Yes (under construction)	No	Yes

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 Austin Water 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 fees once the landowner makes an application for Austin Water utility tap permits.

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.

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: C14-2017-0096

Contact: Sherri Sirwaitis, 512-974-3057

**Public Hearing: October 3, 2017, Zoning and Platting Commission
November 2, 2017, City Council**

RET BOSE

Your Name (please print)

525 W Yager

Your address(es) affected by this application

[Signature]

Signature

361-548-1606

Daytime Telephone:

9/29/17

Date

☒ I am in favor
☐ I object

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