

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0155 (Lyndhurst Rezoning)

DISTRICT: 6

ADDRESS: 13424 Lyndhurst Street, 13443 N FM 620 Road North Bound

ZONING FROM: GR-CO, **I-SF-2***

TO: CS-MU **GR-MU*** *(Please see Issues Section)*

SITE AREA: 1.73 acres **1.117 acres***

PROPERTY OWNER: Naiser Holdings, LLC

AGENT: Thrower Design LLC (A. Ron Thrower)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay Combining District, zoning. The conditional overlay will prohibit the following uses on the property: Automotive Sales, Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Off-Site Accessory Parking, Pawn Shop Services and Personal Improvement Services.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

November 16, 2021: Postponed to January 4, 2022 at the applicant's request by consent (9-0, C. Acosta-absent); H. Smith-1st, N. Barrera-Ramirez-2nd.

January 4, 2022: Postponed to January 18, 2022 at the applicant's request (10-0, T. Bray – Off the Dais); A. Denkler-1st; H. Smith – 2nd.

January 18, 2022: Postponed to February 15, 2022 at the applicant's request by consent (10-0, R. Woody-off the dais); H. Smith-1st, C. Acosta-2nd.

February 15, 2022

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES:

*On January 14, 2022, the applicant amended their request reducing the proposed zoning area from 1.73 acres to 1.117 acres and revising the zoning request from GR-CO and I-SF-2 to CS-MU zoning to I-SF-2 to GR-MU zoning (*Please see Exhibit E*).

CASE MANAGER COMMENTS:

The 1.73 acre property under consideration consists of two undeveloped lots that front onto Lyndhurst Street and North FM 620 Road. Across the street at the northeast corner of Lyndhurst Street and N. FM 620 Road, there is a former service station that is now being utilized for a lawn care company (Grassworks) and an elementary school (Forest North Elementary School). To the south, there is a multifamily development (Lakeline Square Townhomes) and a religious assembly use (Kingdom Hall of Jehovah's Witnesses). The property the west is zoned LO and is developed with an office (State Farm Insurance). In this case, the applicant is requesting CS-MU zoning to develop an undetermined use at this location.

The staff is recommending GR-MU-CO, Community Commercial-Mixed Use-Conditional Overlay Combining District zoning. The property meets the intent of the zoning district and is consistent with surrounding land use patterns. GR-MU-CO zoning is appropriate for this site as the property is located on a local collector roadway at the entrance to a residential neighborhood across Lyndhurst Street from an elementary school.

BASIS OF RECOMMENDATION:

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

The Community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

Conditional Overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

2. *The proposed zoning promotes consistency and orderly planning.*

The proposed zoning is consistent with surrounding land use patterns as there is existing GR-CO zoning to the east and LO, MF-3-CO and GR zoning to west of this site. The tracts of land to the south are zoned MF-3-CO and SF-6-CO and provide for a transition in the intensity of uses along North FM 620 Road down to the single-family residential neighborhood to the south.

GR-MU-CO zoning is appropriate for this site as the property is located on a local collector roadway at the entrance to a residential neighborhood across Lyndhurst Street from an elementary school. The proposed CO is consistent with

the conditional overlay for the property to the east, across Lyndhurst Street, in case C14-2009-0110 (American Adventures). The staff recommends prohibiting the more intensive commercial uses of Automotive Sales, Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Off-Site Accessory Parking, Pawn Shop Services and Personal Improvement Services on this property as these uses are not compatible with residential uses and adjacent to a public school.

This site does not meet the intent of the CS district as it is not located at a major intersection. The staff supports the addition of the MU, Mixed Use Combining district, as this would allow for additional residential development in this area. The property is within the Lakeline Station Regional Center, as identified in the Image Austin Comprehensive Plan.

3. *The proposed zoning should allow for a reasonable use of the property.*

The proposed GR-MU-CO zoning will permit the applicant to redevelop the property with residential, office, civic and low intensity commercial uses that will provide services to the surrounding community. The proposed zoning will be consistent with the zoning/land use patterns in this area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO, I-SF-2	Undeveloped Land, Billboard
<i>North</i>	PUD (Leander Rehabilitation PUD)	Designated for CRE uses which allow for a variety of residential, civic, and commercial uses
<i>South</i>	MF-3-CO, SF-6-CO	Multifamily (Lakeline Square Townhomes), Religious Assembly (Kingdom Hall of Jehovah's Witnesses)
<i>East</i>	GR-CO, NO-CO, I-RR	Grass Works Lawn Care, Vacant Services Station, Forest North Elementary School
<i>West</i>	LR, LO, MF-3-CO	Office (State Farm), Multifamily (Griffis Lakeline Station)

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Not Required

WATERSHED: Lake Creek

NEIGHBORHOOD ORGANIZATIONS:

Davis Spring HOA
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Association of SW Williamson County
 Neighborhood Empowerment Foundation

SELTEXAS

Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0110 (American Adventures: 13505 North F.M. 620 Road)	GR-CO to GR	01/19/10: Approved GR-CO zoning, with following conditions: 1) No 24-hour uses; 2) Prohibit the following uses – Automotive Sales, Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Off-Site Accessory Parking, Pawn Shop Services, Personal Improvement Services, Congregate Living, Group Home, Class I (General), Group Home, Class I (Limited), Group Home (Class II), Residential Treatment and encourage the neighborhood and the applicant to enter into a private restrictive covenant before 3 rd reading of the case at City Council that will limit the type of Automotive Rental and Automotive Repair uses allowed on the site (Vote: 5-2, D. Tiemann. T. Rabago-No; S. Baldrige-1 st , P. Seeger-2 nd).	2/25/10: Approved GR-CO zoning on consent (7-0); B. Spelman-1 st , C. Riley-2 nd . 11/18/10: Approved GR-CO zoning with conditions on 2 nd /3 rd readings on consent (7-0); Cole-1 st , Spelman-2 nd .
C14-2008-0077	I-RR to MF-3* *On May 14, 2008, the staff received a letter from the applicant asking to amend their zoning request from MF-3 to SF-6.	5/20/08: Recommended SF-6-CO zoning, with conditions (7-0, J. Martinez-absent): Limit the site to a maximum of thirty (30) residential units; Prohibit the following non-residential and non-civic uses: Special Use Historic, Urban Farm; Require a fifteen (15) wide vegetative buffer along the southern property line to create a visual screen between the property in question and the residential uses to the south.	6/18/08: Re-noticed for the July 24, 2008 City Council meeting to comply with Ordinance No. 20080515-033 7/24/08: Approved SF-6-CO zoning was approved by consent (5-0, Code and Shade- off the dais); all 3 readings
C14-2008-0010	GR-CO to GR	2/05/08: Postponed to February 19, 2008 by the neighborhood (8-0); J. Martinez-1 st , T. Rabago-2 nd .	N/A

		<p>2/19/08: Postponed to March 18, 2008 by the applicant (5-0, K. Jackson-not arrived yet, T. Rabago/ J. Martinez-absent); J. Gohil-1st, J. Shieh-2nd.</p> <p>3/18/08: Case withdrawn by the applicant at the meeting. No action required by the Commission.</p>	
C14-06-0003	MF-3-CO to GR	<p>3/07/06: Motion to approve GR-CO district zoning with conditions of a 2,000 vehicle trip limit, limit GR district uses to Personal Improvement Services & Medical Office (not exceeding 5,000 sq. ft. of gross floor area); allow Neighborhood Office uses with the exception of the following: Counseling Services, Group Home I & II, & Residential Treatment. *With the recommendation that before Council action, the applicant will have a private restrictive covenant restricting the Personal Improvement Services use to cheerleading, ballet and gymnastics activities. Vote: (4-5, S. Hale, B. Baker, J. Martinez, M. Hawthorne, and J. Pinnelli-Nay); K. Jackson-1st, C. Hammond-2nd.</p> <p>Therefore, the staff's recommendation to deny the applicant's requests for GR-CO zoning is carried forward to the City Council.</p>	4/06/06: The case was withdrawn by the applicant
C14-02-0160	I-SF-2 to GR	<p>12/11/01: Approved NO-CO zoning (8-0, A. Adams-off dais), with conditions of:</p> <p>1) Limited site to driveway and drainage use, no habitable structures on the site. 2) Require chain link fencing along the southern property line with 15' vegetative buffer strip behind it. (Chain link fence would be all the way across the south property line, vegetative buffer</p>	<p>12/12/02: Granted GR-CO – Subject to dedication of 75 feet of ROW and resolution of the 200 feet of ROW reservation from the future center line of FM-620 (7-0); 1st reading.</p> <p>12/12/03: Administrative- Case expired per Section 25-2-249(B), no 3rd reading occurred.</p>

		would go along the southern property line from the existing pond west, across the entire property line, except where the existing pond is). 3) Include the conditions set out in Mike Lyday's Environmental Memorandum dated December 10, 2001.	
C14-01-0161	SF-2 to GR	12/11/01: Approved NO-CO w/ conditions (8-0)	2/7/02: Approved GR-CO w/ conditions agreed to between Neighborhood & Applicant (5-0); 1 st reading 4/25/02: Approved ZAP rec. of NO-CO w/ changes in conditions (7-0); 2 nd reading only 5/23/02: Approved NO-CO (7-0); 3 rd reading
C14-98-0237	I-RR to MF-3	Approved staff's rec. of MF-3-CO, ROW dedication required (9-0)	Approved PC rec. of MF-3-CO w/ conditions (7-0); 1 st reading Approved MF-3-CO w/ conditions (6-0); deleted parkland dedication requirement; 2 nd /3 rd readings
C14-96-0101	TR1: GO, LR to GR TR2: LR-LO to MF-3-CO TR3: DR to GR	Approved staff's alternate rec. of GR (TR 1&3), MF-3-CO (TR2), RR (9-0)	Approved PC rec. of GR (1&3); MF-3-CO (portion of TR2); RR (balance of TR2) w/conditions (6-0); all 3 readings
C14-95-0164	LR to CS-1	1/16/96: Approved GR-CO for entire tract, excluding recommended CS-1-CO, and resolve with property owner a voluntary set of development standards for area not within City limits (5-2-1)	3/07/96: Approved GR-CO subject to conditions (4-0); 1 st reading 4/25/96: Approved GR-CO (TR1) and CS-1-CO (TR2) subject to conditions (5-0); 2 nd /3 rd readings
C14-95-0163	GR-CO to CS-1	12/12/95: Approved GR-CO & RR w/ conditions (8-0)	3/07/96: Approved GR-CO subject to conditions (4-0); 1 st reading 4/25/96: Approved GR-CO (TR1); RR (TR2) w/ additional conditions (5-0); 2 nd / 3 rd readings
C14-93-0145 (First National Bank of Canton, TX: 13441 N FM 620 Rd)	SF-2 to GR	1/04/94: Approved staff rec. of GR-CO zoning by consent (7-0)	2/03/94: Approved GR-CO zoning, with conditions.

RELATED CASES:

C14-93-0145, C14-96-0101 - Previous Zoning Cases

CB-95-011 0.0A – Subdivision Case

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
LYNDHURST ST	60'	24'	Level 1	No	No	No
N FM 620 RD/ SH 45	450' (includes W SH 45)	Multilane divided highway	Level 4	Yes	No	No

OTHER STAFF COMMENTS:Comprehensive Planning

The undeveloped subject property is approximately 1.73 acres in size and is located on the southwest corner of Lyndhurst Street and N FM 620, which also abuts TX-45. The parcel is located near the epicenter of the **Lakeline Station Regional Center** and is not located within a small planning area. Surrounding land uses include FM 620 and TX-45 to the north; to the south is a large townhouse complex; to the east is a lawn care business, Forest North Elementary School, and a church; and to the west is an office, an apartment complex and a charter school.

Request: I-SF-2 and GR-CO to CS-MU; from undeveloped to an undetermined use.

Connectivity

The property is located approximately a half a mile from a public transit stop on Lake Creek Parkway. A public sidewalk is located along one side of FM N 620 to Lake Creek Parkway. The only public sidewalk on Lyndhurst Street is located partially in front of the commercial property across the street. There are no bike lanes within a quarter mile radius of this property. Housing (multifamily, townhouses), shopping, civic uses (schools and churches) and office uses are all located within a half of a mile walking distance from the subject property. Mobility options are fair while connectivity options are average in the area.

Imagine Austin

The property is located within the **Lakeline Station Regional Center** as identified in the Image Austin Comprehensive Plan. A Regional Center is the most urban of the three activity centers and where the greatest density of people and jobs and the tallest buildings in the region will be located. Like many Imagine Austin Centers, this center is represented by a circle that reflects the general location where the center should be located in the future. The center's actual boundaries would need to be clarified through a small area planning process.

Regional, Town, and Neighborhood Centers are supposed to be walkable, bikeable, and supported by transit.

The following Imagine Austin policies are applicable to this case:

- ☐ **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- ☐ **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- ☐ **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.

When analyzing this specific site, there are a growing number of goods, services, residential and civic uses in the area, while mobility options are slowly being added to the area (public sidewalks and public transit). Based on a mix of uses in the area, average connectivity options, improving mobility options, and the property being located within a Regional Center that supports mixed use, this project supports the Imagine Austin Comprehensive Plan.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

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 Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

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.

At this time, site specific information is unavailable regarding 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 ls that preempt current water quality or Code requirements.

Fire

No comments.

Parks and Recreation

Parkland dedication will be required for any new residential units proposed by this development, use unknown with CS-MU zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

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 height compatibility standards due to the church located to the southeast of the site. The following standards apply:

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the triggering property.

Transportation

This site is within the area covered by State legislation (S.B. 1396), which went into effect September 1, 1995. Under this legislation, the City may not "deny, limit, delay, or condition the use of development of land...because of traffic or traffic operations that would result from the proposed use or development of the land." A traffic impact analysis is not required for any development within this area, and traffic issues may not be considered in the approval of the application. Right-of-way dedication, however, may still be required.

ROW and access of N FM 620 RD must be referred to TxDOT.

Water Utility

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.

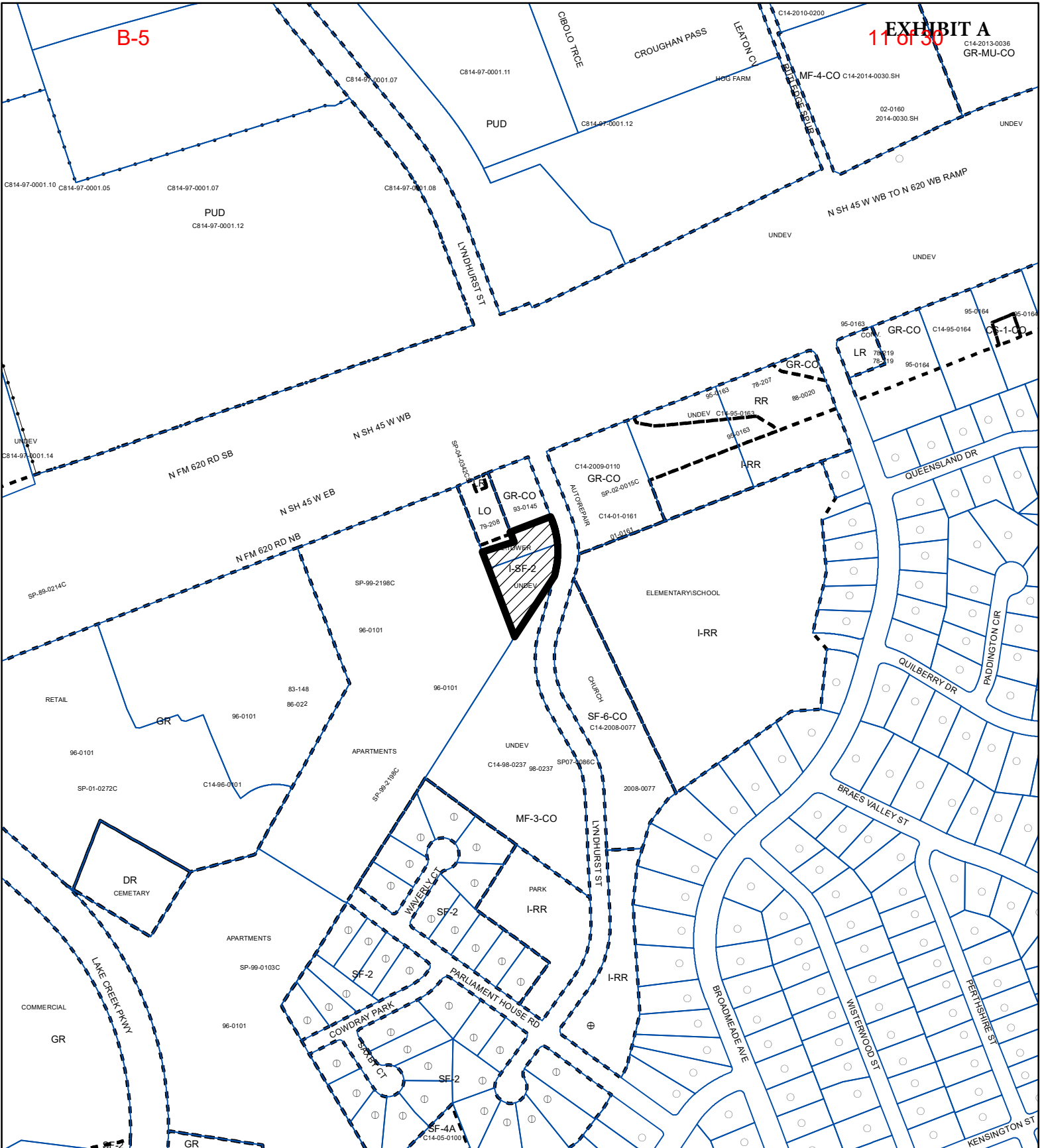
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Original Zoning Application
- D. Amended Zoning Request
- E. Correspondence from Interested Parties

B-5




EXHIBIT A
11 of 30
C14-2013-0036
GR-MU-CO



ZONING

ZONING CASE#: C14-2021-0155 (Revised)



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

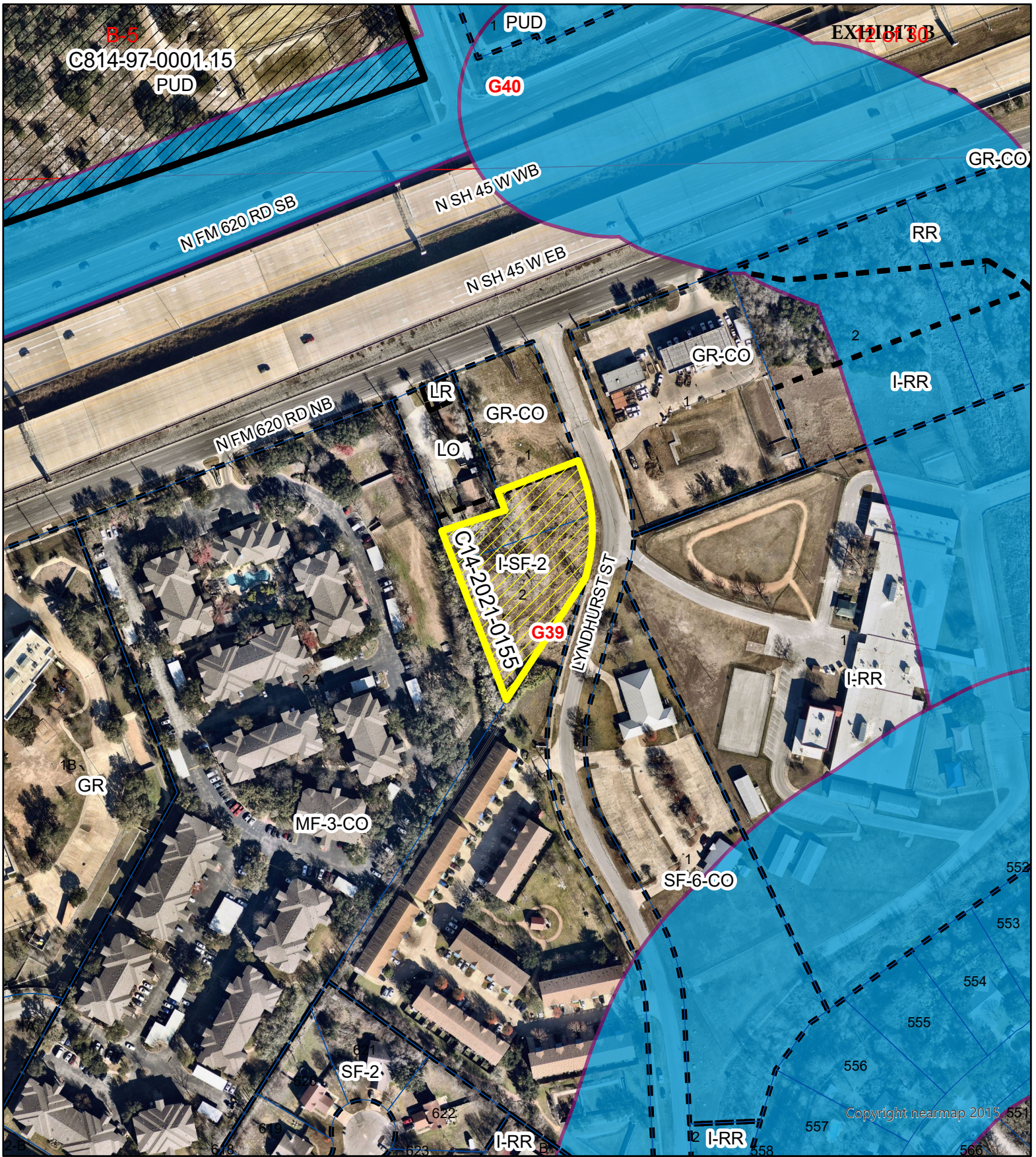
1" = 400'

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.





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Created: 1/18/2022



Lyndhurst Rezoning

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2021-0155 (Revised)
 LOCATION: 13424 Lyndhurst Street;
 13443 North FM 620 Northbound
 SUBJECT AREA: 1.117 Acres
 GRID: G39
 MANAGER: SHERRI SIRWAITIS



1" = 200'

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

APPLICATION FOR ZONING

DEPARTMENT USE ONLY

APPLICATION DATE _____	FILE NUMBER(S) _____		
TENTATIVE ZAP/PC DATE _____	TENTATIVE CC DATE _____		
CASE MANAGER _____		CITY INITIATED	YES NO
APPLICATION ACCEPTED BY _____		ROLLBACK	YES NO

PROJECT DATA

OWNER'S NAME: <u>Naiser Holdings, LLC</u>
PROJECT NAME: <u>Lyndhurst Rezoning</u>
PROJECT STREET ADDRESS (or Range): <u>13424 Lyndhurst Street, 13443 N FM 620 NB</u>
<u>Round Rock, Texas</u> ZIP <u>78664</u> COUNTY: <u>Travis</u>

If project address cannot be defined, provide the following information:

_____	ALONG THE _____	SIDE OF _____	APPROXIMATELY _____
<i>Frontage ft.</i>		<i>(N,S,E,W)</i>	<i>Frontage road</i>
_____	FROM ITS INTERSECTION WITH _____		
<i>Distance</i>	<i>Direction</i>		<i>Cross street</i>

TAX PARCEL NUMBER(S): R-16-4431-000A-0001, R-16-4431-000A-0002,Is Demolition proposed? noIf Yes, how many residential units will be demolished? 0 Unknown _____

Number of these residential units currently occupied**: _____

Is this zoning request to rezone a parcel that contains an existing mobile home park with five or more occupied units?** _____ If Yes, how many? _____

Type of Residential Unit: SF, duplex, triplex, townhouse/condo, multi-family, manufactured home: _____

Number of Proposed Residential units (if applicable): _____ If Yes, how many of the following:

_____ 1 Bedroom _____ Affordable	_____ 2 Bedroom _____ Affordable
_____ 3 Bedroom _____ Affordable	_____ 4 or more Bedroom _____ Affordable _____ Unknown

** If 5 or more, tenant notification may be required and a certified form may be required with your application (LDC 25-1-712).

Tenants must receive notification at least 270 days before the application is eligible for final ordinance readings by City Council.

AREA TO BE REZONED: ACRES 1.73 OR SQ FT 75,359.0

Existing Zoning	Existing Use	Tract #	# of Acres/SF	Max # of Res Units Per Acre	
<u>GR-CO</u>	<u>undeveloped</u>	<u>1</u>	<u>0.62</u>	<u> </u>	
<u>I-SF-2</u>	<u>undeveloped</u>	<u>1</u>	<u>0.37</u>	<u> </u>	
<u>I-SF-2</u>	<u>undeveloped</u>	<u>2</u>	<u>0.73</u>	<u> </u>	
Proposed Zoning	Proposed Use	Tract #	Proposed # of Acres/SF	Max # of Res Units Per Acre	Proposed Total # of Units Per Acre
<u>CS-MU</u>	<u>undetermined</u>	<u>1&2</u>	<u>1.73</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Name of Neighborhood Plan: N/A

NEIGHBORHOOD PLAN AMENDMENT (YES / NO)	FILE NUMBER: <u>n/a</u>
ACTIVE ZONING CASE (YES <input checked="" type="radio"/> NO)	FILE NUMBER: <u>C14-93-0145, C14-96-0101</u>
RESTRICTIVE COVENANT (YES / NO)	FILE NUMBER: <u>none</u>
SUBDIVISION (YES <input checked="" type="radio"/> NO)	FILE NUMBER: <u>C8-95-0110.0A</u>
SITE PLAN (YES / NO)	FILE NUMBER: <u>n/a</u>

PROPERTY DESCRIPTION

(For the portion affected by this application) Provide either subdivision reference OR metes & bounds description.

1. **SUBDIVISION REFERENCE:** Name: Mayline, Lots 1 & 2 Block(s) A
2. **METES AND BOUNDS** (Attach two copies of certified field notes) **FILE NUMBER:** n/a

DEED REFERENCE OF DEED CONVEYING PROPERTY TO THE PRESENT OWNER:

VOLUME: _____ PAGE: _____ OR DOCUMENT # 2021122369

SQ. FT: _____ or ACRES _____

Is this a SMART Housing Project? Yes ☐ No ☒If residential, is there other Tax Credits or Local/State/Federal funding? Yes ☐ No ☒**OTHER PROVISIONS**IS A VARIANCE TO THE SIGN ORDINANCE BEING REQUESTED? Yes ☐ No ☒IS PROPERTY IN A COMBINING DISTRICT / OVERLAY ZONE? Yes ☐ No ☒TYPE OF COMBINING DIST/OVERLAY ZONE (NP, NCC, CVC, WO, etc) SB1396NATIONAL REGISTER DISTRICT? Yes ☐ No ☒URBAN RENEWAL ZONE? Yes ☐ No ☒IS A TIA REQUIRED? Yes ☐ No ☒ TRIPS PER DAY: _____GRID NUMBER (S) MG39

WATERSHED: <u>Lake Creek</u>	WS CLASS: <u>Suburban</u>
WATER UTILITY PROVIDER: <u>Austin Water Utility</u>	
WASTEWATER UTILITY PROVIDER: <u>AWU</u>	
ELECTRIC UTILITY PROVIDER: <u>Austin Engergy</u>	
SCHOOL DISTRICT: <u>Round Rock ISD</u>	

OWNERSHIP INFORMATION

TYPE OF OWNERSHIP ☐ SOLE ☐ COMMUNITY PROPERTY ☐ PARTNERSHIP ☒ CORPORATION ☐ TRUST

If ownership is other than sole or community property, list the individuals, partners, principals, etc. below or attach a separate sheet.

OWNER INFORMATION

SIGNATURE: _____

NAME: Gerald NaiserFIRM NAME: Naiser Holdings, LLC

TELEPHONE NUMBER: _____

STREET ADDRESS: _____

CITY/STATE/ZIP: _____

AGENT / PRINCIPAL CONTACT (If applicable)SIGNATURE: A. Ron ThrowerNAME: A. Ron ThrowerFIRM NAME: Thrower Design, LLCTELEPHONE NUMBER: (512) 477-6341STREET ADDRESS: P.O. Box 41957CITY/STATE/ZIP Austin, Texas 78704CONTACT PERSON: Victoria Haase / Thrower DesignTELEPHONE NUMBER: (512) 477-6341

CITY OF AUSTIN
TRAFFIC IMPACT ANALYSIS (TIA) DETERMINATION WORKSHEET

APPLICANT MUST FILL IN WORKSHEET PRIOR TO SUBMITTING FOR TIA DETERMINATION

PROJECT NAME: Lyndhurst Rezoning

LOCATION: 13443 N FM 620 RD NB, 13424 Lyndhurst Street

APPLICANT: Thrower Design, LLC

TELEPHONE NO: (512) 476-4456

APPLICATION STATUS: DEVELOPMENT ASSESSMENT: _____ ZONING: ■ SITE PLAN: _____

EXISTING:**FOR OFFICE USE ONLY**

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY
1	0.99		GR-CO & I-SF-2	undeveloped			
2	0.73		I-SF-2	undeveloped			

PROPOSED**FOR OFFICE USE ONLY**

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY
1	0.99		CS-MU	undetermined			
2	0.73		CS-MU	undetermined			

ABUTTING ROADWAYS**FOR OFFICE USE ONLY**

STREET NAME	PROPOSED ACCESS?	PAVEMENT WIDTH	CLASSIFICATION
Lyndhurst Street	Y		
FM 620 RD, NB	Y		

FOR OFFICE USE ONLY

A traffic impact analysis is required. The consultant preparing the study must meet with a transportation planner to discuss the scope and requirements of the study before beginning the study.

A traffic impact analysis is NOT required. The traffic generated by the proposal does not exceed the thresholds established in the Land Development Code.

The traffic impact analysis has been waived for the following reason: _____

A neighborhood traffic analysis will be performed by the City for this project. The applicant may have to collect existing traffic counts. See a transportation planner for information.

REVIEWED BY: _____ DATE: _____

DISTRIBUTION: _____
 _____ FILE _____ CAP. METRO _____ TXDOT _____ TRANS. REV. _____ TRAVIS CO. _____ TRANS. DEPT.

TOTAL COPIES: _____

NOTE: A TIA determination must be made prior to submittal of any zoning or site plan application, therefore, this completed and reviewed form MUST ACCOMPANY any subsequent application for the IDENTICAL project. CHANGES to the proposed project will REQUIRE a new TIA determination to be made.

SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the review of this application.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND INDICATE FIRM REPRESENTED, IF APPLICABLE.

A. Ron Thrower 08/27/2021
Signature Date

A. Ron Thrower
Name (Typed or Printed)

Thrower Design, LLC
Firm

INSPECTION AUTHORIZATION

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND INDICATE FIRM REPRESENTED, IF APPLICABLE.

A. Ron Thrower 08/27/2021
Signature Date

A. Ron Thrower
Name (Typed or Printed)

Thrower Design, LLC
Firm

ACKNOWLEDGMENT FORM

concerning
Subdivision Plat Notes, Deed Restrictions
Restrictive Covenants

I, A. Ron Throver
(Print name of applicant)

have checked the subdivision plat notes, deed restrictions, and/or restrictive covenants prohibiting certain uses and/or requiring certain development restrictions i.e. height, access, screening etc. on this property, located at:

Lot 1 & Lot 2, Block A, Mayline Subdivision

(Address or Legal Description)

If a conflict should result with the request I am submitting to the City of Austin due to subdivision plat notes, deed restrictions, and/or restrictive covenants, it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of a subdivision plat notes, deed restrictions, and/or restrictive covenants.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, and/or restrictive covenants as information which may apply to this property.

A. Ron Throver

(Applicant's signature)

08/27/2021

(Date)

POSTPONEMENT POLICY ON ZONING HEARINGS

- | Sets a postponement date and time at the City Council hearing so that renotification of residents and property owners is not necessary.
- | Limits the time a hearing can be postponed to two months for both proponents and opponents, unless otherwise approved by Council so that renotification of residents and property owners is not necessary.
- | Allows only one postponement for either side, unless otherwise approved by Council.
- | Requires that all requests for postponements be submitted in writing to the director of the Planning and Zoning Department at least one week prior to the scheduled Council meeting. The written request must specify reasons for the postponement.
- | The Director of the Planning and Zoning Department shall provide a recommendation regarding the validity of the postponement request as the Director deems appropriate.
- | Eliminates the automatic granting of a postponement of the first request.
- | Authorizes Council to consider requests that are not submitted timely.

Council action December 12, 1996



EXHIBIT VIII

EDUCATIONAL IMPACT STATEMENT (EIS) DETERMINATION

PART A

If your project is **located in one or more of the following school districts, and requires Land Use Commission review; and meets one of the requirements listed below**, an Educational Impact Statement is required.

<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	100 or more single family units are proposed
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	200 or more multifamily units are proposed
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	100 or more multifamily units are proposed and a tax credit is requested
<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	project will demolish more than 50 residential existing units in a structure more than 20 years old

Please check the appropriate school district(s).

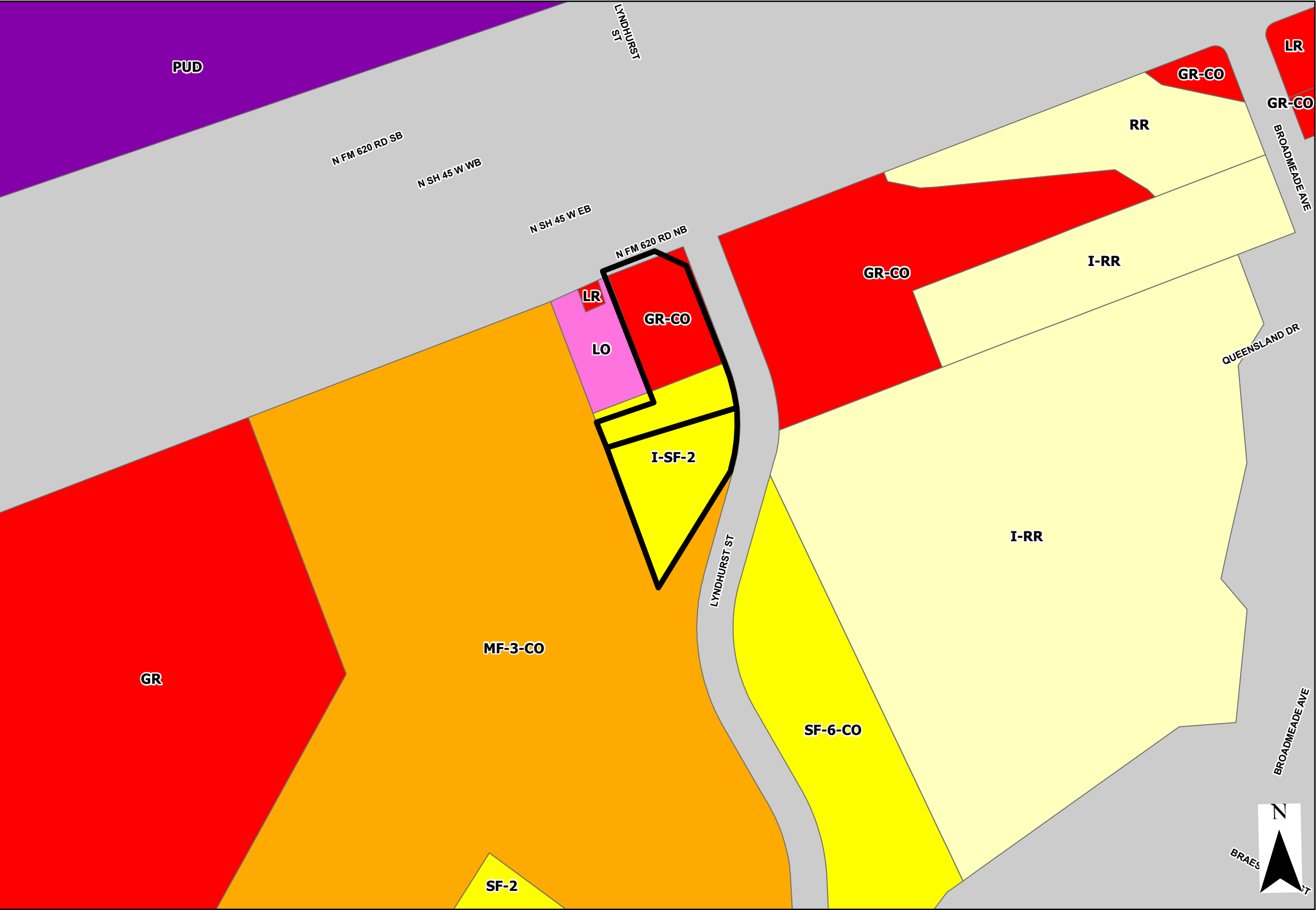
- ☐ Austin Independent School District
- ☐ Leander Independent School District
- ☐ Pflugerville Independent School District
- ☐ Hays County Independent School District
- ☐ Del Valle Independent School District
- ☒ Round Rock Independent School District
- ☐ Manor Independent School District

If an Educational Impact Statement (EIS) is required, please complete the Educational Impact Analysis (EIA) Part B.

B-5

Lyndhurst Rezoning

13443 N FM 620 Rd NB
13424 Lyndhurst Street
Austin, Travis County, 78664



- Subject Tracts

Zoning Boundary

Agriculture; Development Reserve

Lake Austin Residential; Residential Low Density

Single Family Residence

Mobile Home Residence

Multifamily Residence

Office

Commercial

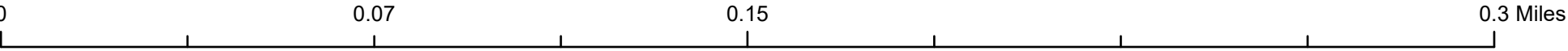
CBD; Downtown Mixed Use

Industrial

Planned Unit Development

Special Districts

Aviation; Unzoned; Public



B-5

ZONING

Amended 1/14/2022 - YGH
21 of 30

APPLICATION FOR ZONING

DEPARTMENT USE ONLY

APPLICATION DATE _____	FILE NUMBER(S) _____		
TENTATIVE ZAP/PC DATE _____	TENTATIVE CC DATE _____		
CASE MANAGER _____		CITY INITIATED	YES NO
APPLICATION ACCEPTED BY _____		ROLLBACK	YES NO

PROJECT DATA

OWNER'S NAME: <u>Naiser Holdings, LLC</u>
PROJECT NAME: <u>Lyndhurst Rezoning</u>
PROJECT STREET ADDRESS (or Range): <u>13424 Lyndhurst Street, 13443 N FM 620 NB</u>
<u>Round Rock, Texas</u> ZIP <u>78664</u> COUNTY: <u>Travis</u>

If project address cannot be defined, provide the following information:

_____	ALONG THE _____	SIDE OF _____	APPROXIMATELY
<i>Frontage ft.</i>		<i>(N,S,E,W)</i>	<i>Frontage road</i>
_____	FROM ITS INTERSECTION WITH _____		
<i>Distance</i>	<i>Direction</i>		<i>Cross street</i>

TAX PARCEL NUMBER(S): R-16-4431-000A-0001, R-16-4431-000A-0002,Is Demolition proposed? noIf Yes, how many residential units will be demolished? 0 Unknown _____

Number of these residential units currently occupied**: _____

Is this zoning request to rezone a parcel that contains an existing mobile home park with five or more occupied units?** _____ If Yes, how many? _____

Type of Residential Unit: SF, duplex, triplex, townhouse/condo, multi-family, manufactured home: _____

Number of Proposed Residential units (if applicable): _____ If Yes, how many of the following:

_____ 1 Bedroom _____ Affordable	_____ 2 Bedroom _____ Affordable
_____ 3 Bedroom _____ Affordable	_____ 4 or more Bedroom _____ Affordable _____ Unknown

** If 5 or more, tenant notification may be required and a certified form may be required with your application (LDC 25-1-712).

Tenants must receive notification at least 270 days before the application is eligible for final ordinance readings by City Council.

AREA TO BE REZONED: ACRES 1.73 OR SQ FT 75,359.0

Existing Zoning	Existing Use	Tract #	# of Acres/SF	Max # of Res Units Per Acre
GR-CO	undeveloped	1	0.62	
I-SF-2	undeveloped	1	0.37 <u>0.387</u>	
I-SF-2	undeveloped	2	0.73	
Proposed Zoning	Proposed Use	Tract #	Proposed # of Acres/SF	Max # of Res Units Per Acre
CS-MU	undetermined	1&2	1.73	
<u>GR-MU</u>	<u>Pest Control Services</u>	<u>1&2</u>	<u>1.117</u>	

Name of Neighborhood Plan: N/A

NEIGHBORHOOD PLAN AMENDMENT (YES / NO)	FILE NUMBER: <u>n/a</u>
ACTIVE ZONING CASE (YES <input checked="" type="radio"/> NO)	FILE NUMBER: <u>C14-93-0145, C14-96-0101</u>
RESTRICTIVE COVENANT (YES / NO)	FILE NUMBER: <u>none</u>
SUBDIVISION (YES <input checked="" type="radio"/> NO)	FILE NUMBER: <u>C8-95-0110.0A</u>
SITE PLAN (YES / NO)	FILE NUMBER: <u>n/a</u>

PROPERTY DESCRIPTION

(For the portion affected by this application) Provide either subdivision reference OR metes & bounds description.

1. **SUBDIVISION REFERENCE:** Name: Mayline, Lots 1 & 2 Block(s) A
2. **METES AND BOUNDS** (Attach two copies of certified field notes) FILE NUMBER: n/a

DEED REFERENCE OF DEED CONVEYING PROPERTY TO THE PRESENT OWNER:

VOLUME: _____ PAGE: _____ OR DOCUMENT # 2021122369

SQ. FT: _____ or ACRES _____

Is this a SMART Housing Project? Yes ☒ No

If residential, is there other Tax Credits or Local/State/Federal funding? Yes ☒ No

OTHER PROVISIONS

IS A VARIANCE TO THE SIGN ORDINANCE BEING REQUESTED? Yes ☒ No

IS PROPERTY IN A COMBINING DISTRICT / OVERLAY ZONE? Yes ☒ No

TYPE OF COMBINING DIST/OVERLAY ZONE (NP, NCC, CVC, WO, etc) SB1396

NATIONAL REGISTER DISTRICT? Yes ☒ No

URBAN RENEWAL ZONE? Yes ☒ No

IS A TIA REQUIRED? Yes ☒ No TRIPS PER DAY: _____

GRID NUMBER (S) MG39

WATERSHED: Lake Creek WS CLASS: Suburban

WATER UTILITY PROVIDER: Austin Water Utility

WASTEWATER UTILITY PROVIDER: AWU

ELECTRIC UTILITY PROVIDER: Austin Energy

SCHOOL DISTRICT: Round Rock ISD

OWNERSHIP INFORMATION

TYPE OF OWNERSHIP ☐ SOLE ☐ COMMUNITY PROPERTY ☐ PARTNERSHIP ☒ CORPORATION ☐ TRUST

If ownership is other than sole or community property, list the individuals, partners, principals, etc. below or attach a separate sheet.

OWNER INFORMATION

SIGNATURE: _____

NAME: _____

FIRM NAME: Naiser Holdings, LLC

TELEPHONE NUMBER: _____

STREET ADDRESS: _____

CITY/STATE/ZIP: _____

AGENT / PRINCIPAL CONTACT (If applicable)

SIGNATURE: _____

NAME: A. Ron ThrowerFIRM NAME: Thrower Design, LLCTELEPHONE NUMBER: (512) 477-6341STREET ADDRESS: P.O. Box 41957CITY/STATE/ZIP Austin, Texas 78704CONTACT PERSON: Victoria Haase / Thrower Design TELEPHONE NUMBER: (512) 477-6341

CITY OF AUSTIN
TRAFFIC IMPACT ANALYSIS (TIA) DETERMINATION WORKSHEET

APPLICANT MUST FILL IN WORKSHEET PRIOR TO SUBMITTING FOR TIA DETERMINATION

PROJECT NAME: Lyndhurst Rezoning

LOCATION: 13443 N FM 620 RD NB, 13424 Lyndhurst Street

APPLICANT: Thrower Design, LLC

TELEPHONE NO: (512) 476-4456

APPLICATION STATUS: DEVELOPMENT ASSESSMENT: _____ ZONING: ■ SITE PLAN: _____

EXISTING:**FOR OFFICE USE ONLY**

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PROPOSED**FOR OFFICE USE ONLY**

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ABUTTING ROADWAYS**FOR OFFICE USE ONLY**

STREET NAME	PROPOSED ACCESS?	PAVEMENT WIDTH	CLASSIFICATION
Lyndhurst Street	Y		
FM 620 RD, NB	Y		

FOR OFFICE USE ONLY

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REVIEWED BY: _____ DATE: _____

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**PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND
INDICATE FIRM REPRESENTED, IF APPLICABLE.**

_____ <i>Signature</i>	08/27/2021 <i>Date</i>
A. Ron Thrower _____ <i>Name (Typed or Printed)</i>	
Thrower Design, LLC _____ <i>Firm</i>	

INSPECTION AUTHORIZATION

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

**PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND
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_____ <i>Signature</i>	08/27/2021 <i>Date</i>
A. Ron Thrower _____ <i>Name (Typed or Printed)</i>	
Thrower Design, LLC _____ <i>Firm</i>	

ACKNOWLEDGMENT FORM

concerning Subdivision Plat Notes, Deed Restrictions Restrictive Covenants

I, _____ have checked the subdivision plat notes,
(Print name of applicant)

deed restrictions, and/or restrictive covenants prohibiting certain uses and/or requiring certain development restrictions i.e. height, access, screening etc. on this property, located at:

Lot 1 & Lot 2, Block A, Mayline Subdivision

(Address or Legal Description)

If a conflict should result with the request I am submitting to the City of Austin due to subdivision plat notes, deed restrictions, and/or restrictive covenants, it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of a subdivision plat notes, deed restrictions, and/or restrictive covenants.

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08/27/2021

(Applicant's signature)

(Date)

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Council action December 12, 1996



EXHIBIT VIII

EDUCATIONAL IMPACT STATEMENT (EIS) DETERMINATION

PART A

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- ☐ Austin Independent School District
- ☐ Leander Independent School District
- ☐ Pflugerville Independent School District
- ☐ Hays County Independent School District
- ☐ Del Valle Independent School District
- ☒ Round Rock Independent School District
- ☐ Manor Independent School District

If an Educational Impact Statement (EIS) is required, please complete the Educational Impact Analysis (EIA) Part B.

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 the 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. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and may be published online.

Case Number: C14-2021-0155

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: November 16, 2021, Zoning and Platting Commission

Linda Chan

Your Name (please print)

13420 Lyndhurst St., Unit 706

Your address(es) affected by this application (optional)

[Signature]

Signature

Nov. 9, 2021

Date

☐ I am in favor
☒ I object

Daytime Telephone (Optional): _____

Comments: _____

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

City of Austin, Housing & Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

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Case Number: C14-2021-0155

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: November 16, 2021, Zoning and Platting Commission

Mark T. Coughtan
Your Name (please print)

☐ I am in favor
☒ I object

13420 Lyndhurst Street #104
Your address(es) affected by this application (optional)

Mark Coughtan
Signature

15 Nov 2021
Date

Daytime Telephone (Optional): 512-299-0019

Comments: I am the owner and 11-year resident of
#104 in Lakeline Square Townhomes, in the condominium
building closest to Tract 2 subject of the Case. This is
to point out that we are a residential area, whereas
the proposed new zoning CS-MU is "incompatible with
residential environments" per your statement!
I do not want increased noise and night lighting
next to my home.

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

City of Austin, Housing & Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov

From: Anne Douglas
 To: [Sherri Sirwaitis](#)
 C: [Dwayne Austin](#)
 Subject: Comment/objection on Case C14-2021-0155
 Date: Wednesday, February 9, 2022 11:22:28 AM

*** External Email - Exercise Caution ***

Dear Ms. Sirwaitis,

Attached is our objection dated 2-9-22 to Case C14-2021-0155 scheduled for public hearing on Feb 15, 2022.

Text of our objection is as follows:

"We object on the grounds that we cannot obtain confirmation that the applicant will not ever store chemicals on this property across from an elementary school, adjacent to residential units, and near a creek which sustains a wildlife population. Requesting site overlay or other mechanism to ensure future chemical storage is prohibited."

Please confirm you have received this email.

Sincerely,
 Anne Douglas
 Dwayne Austin
 13420 Lyndhurst Apt 106
 512-618-3120
 512-965-9102

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@ustintexas.gov.

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Case Number: C14-2021-0155
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: February 15, 2022, Zoning and Platting Commission

Anne Douglas / Dwayne Austin
 Your Name (please print)

13420 Lyndhurst Apt 106, Austin
 Your address(es) affected by this application (optional)

Anne Douglas / Dwayne Austin **2-9-22 / 2-9-22**
 Signature Date

Daytime Telephone (Optional): **512-618-3120 / 512-965-9102**

Comments: **We object on the grounds that we cannot obtain confirmation that the applicant will not ever store chemicals on this property across from an elementary school, adjacent to residential units, and near a creek which sustains a wildlife population. Requesting site overlay or other mechanism to ensure future chemical storage is prohibited.**

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