

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0119

DISTRICT: 9

ZONING FROM: CS-CO-V-NP
LR-MU-V-NP
LO-MU-V-NP
MF-3-NP

TO: CS-CO-V-NP

ADDRESS: 5225 N. Lamar Boulevard

SITE AREA: 0.815 acres
(3,550.14 square feet)

PROPERTY OWNERS: Austin Travis County Mental Health and Mental Retardation Center

AGENT: Drenner Group (Leah Bojo)

CASE MANAGER: Joi Harden (512-974-1617); joi.harden@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant General Commercial Mixed Use (CS-CO-V-NP) district zoning. *For a summary of the basis of Staff's recommendation, see case manager comments.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

March 28, 2023: Approved on Consent

CITY COUNCIL ACTION:

May 4, 2023:

ORDINANCE NUMBER:

ISSUES:

None at this time.

CASE MANAGER COMMENTS:

The subject lot is within the Murray Place subdivision. The property is currently zoned CS-CO-V-NP (General Commercial Services – Conditional Overlay – Vertical Mixed Use – Neighborhood Plan), LR-MU-V-NP (Neighborhood Commercial – Vertical Mixed Use – Neighborhood Plan), LO-MU-V-NP (Limited Office – Vertical Mixed Use – Neighborhood Plan), and MF-3-NP (Multifamily – Medium Density – Neighborhood Plan). Edgefield Addition, the adjacent subdivision, is zoned CS-V-CO-NP, CS-31D-NP (General Commercial Services – Conditional Overlay – Neighborhood Plan), and MF-2-NP (Multi-Family Residence Low Density – Neighborhood Plan) per Ordinances 20080320-047 and 020523-

The applicant has requested a rezoning from CS-CO-V-NP, LR-MU-V-NP, LO-MU-V-NP, and MF-3-NP to CS-CO-V-NP to CS-CO-V-NP. The Conditional Overlay allows the Property to be developed as a neighborhood mixed use building special use and establishes the following uses as conditional uses:

- Adult oriented businesses
- Automotive sales
- Commercial blood plasma center
- Convenience storage
- Equipment sales
- Vehicle storage
- Agricultural sales and services
- Campground
- Construction sales and services
- Equipment repair services
- Kennels

The property is currently developed with a medical office use. The proposed rezoning will create a consistent zoning district across the Property. Due to this property's location on a Core Transit Corridor, the rezoning anticipates right-of-way acquisition associated with the Project Connect Orange Line by moving existing parking fronting N. Lamar to the eastern portion of the property on Huisache Street. The request is consistent with existing uses in the area. The proposed rezoning does not contemplate removing an existing restrictive covenant, which requires a 25-foot setback from the Property's front property line. An additional public restrictive covenant requiring the property owner to construct and maintain an opaque, evergreen vegetative buffer for privacy along the eastern property line and will also remain.

The property is in the North Loop Planning Area. A neighborhood plan amendment application is required. The TIA has been waived until site plan, per the attached TIA waiver dated August 18, 2022.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO-V-NP LR-MU-V-NP LO-MU-V-NP MF-3-NP	Medical Offices
<i>North</i>	CS-CO-V-NP	Personal Services
<i>South</i>	CS-CO-V-NP	Medical Offices
<i>East</i>	SF-3-NP	Single-Family Residential
<i>West</i>	CS-MU-V-CO-NP	Under Construction

NEIGHBORHOOD PLANNING AREA: North Loop

TIA: Not required

WATERSHED: Waller Creek

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Ridgetop Elementary School Lamar Middle School McCallum High School

NEIGHBORHOOD ORGANIZATIONS:

283 North Austin Neighborhood Alliance
941 North Loop Neighborhood Association

1378 North Loop Neighborhood Plan Contact Team
 1228 Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2008-0002 – North Loop Neighborhood Plan Area Vertical Mixed Use Building (V) Zoning Opt-In/Out	Rezoning selected tracts with V combining district	1/29/2008 – Recmnd to approve V zoning to 40 identified tracts	03/31/2008: Apvd V combining district on 40 identified tracts
C14-2009-0055 – Brentwood Neighborhood Planning Area Vertical Mixed Use Bldg (V) Zoning Opt-in	Rezoning selected tracts with V combining district	08/11/2009 – Rcmd to approve V district zoning for 20 identified tracts	08/27/2009 – Approve V district zoning for 20 identified tracts
C14-02-0009 – North Loop Neighborhood Plan Combining District--Rezoning	Creation of Brentwood and Highland Neighborhood Plan Combining Districts and adding a -NP designation to identified tracts	02/24/2004 – Rcmd approval of adding -NP designation to identified tracts with exceptions for zoning on identified tracts	05/13/2004 – Apvd -NP designation to identified tracts with conditions
C14-04-0012 – Brentwood / Highland Neighborhood Plan	CS to CS-V	8/12/2008 – Rcmd CS-V with conditions; exemptions from parking requirements.	10/16/2008 - Apvd CS-V with exemptions from parking requirements.

C14-04-0161 – 703 Zennia Street	LO-NP and CS-CO-NP to CS-MU-CO-NP	03/22/2005 – Grant CS-MU-CO-NP zoning	06/09/2005 – Grant CS-MU-CO-NP zoning with identified prohibited uses and 1,400 vehicle trip count limit
C14-2012-0041 – Uptown Apartments	LO-NP to CS-CO-NP and CS-MU-CO-NP	05/22/2012 – Rcmnd CS-MU-V-CO-NP with a conditional overlay establishing consitional uses	06/14/2012 – Apvd CS-MU-V-CO-NP limiting trips to 2,000/day and establishing conditional uses.

RELATED CASES:

In 1971, City of Austin zoning Ordinance No. 710701-A, rezoned a portion of the Property from “A” Residence District to “B” Residence District and “O” Office District via Case No. C14-71-007.

In 1976, City of Austin zoning Ordinance No. 76 1230-D, rezoned a portion of the Property from “O” Office District to “LR” Local Retail District via Case No. C14-76-103.

The portions of the Property zoned C, B, and O, were respectively converted to CS, MF-3, and LO with the adoption of the 1984 conversion ordinance.

In 2002, City of Austin zoning Ordinance No. 020523-31, rezoned the Property from CS, LR, LO, and MF-3 to CS-CO-NP, LR-MU-NP, LO-MU-NP, and MF-3-NP via Case No. C14-02-0009.

In 2008, portions of the Property were incorporated into the neighborhood’s vertical mixed use overlay combining district (CS-CO-V-NP, LR-MU-V-NP, LO-MU-V-NP), implemented with City of Austin rezoning Ordinance No. 20080320-047 (as Tract 3), via case no. C14-2008-0002.

The Property is platted as Lot 10, Block B of Murray Place, a subdivision recorded on June 17, 1932 in Volume 3, Page 197 of the Plat Records of Travis County, Texas, via City of Austin case no. C8-1932-1441.

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
HUISACHE ST	Local Mobility - Level 1	58 feet	49 feet	28 feet	No	No	Yes
N LAMAR BLVD	Corridor Mobility - Level 3	155 feet	90 feet	61 feet	Existing 5 feet sidewalks	Shared lane (on-street)	Yes

OTHER STAFF COMMENTS

Site Plan Comments

Site plans will be required for any new development other than single-family, two-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. The site is subject to compatibility standards due to the adjacent SF-3-NP districts to the north and south.

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

This tract is already developed and the proposed zoning change is a footprint within the existing development. The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Environmental Review Comments

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

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.

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 s.f. 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.

Parks and Recreation Department Review

Parkland dedication may be required for the new applicable uses proposed by this development, office with CS-CO-V-NP zoning, at the time of subdivision or site plan, per recent amendments to 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.

Austin Water Utility Review

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.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

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.

Comprehensive Plan Review

Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: Along North Lamar Boulevard Activity Corridor
Y	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
Y	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Y	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
Y	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education: Located within 0.50 miles from a public school or university.
Y	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
Y	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
7	Total Number of "Yes's"

ATD Engineering Review

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. The traffic impact analysis for this site is not required, the traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code. [LDC 25-6-113].

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for HUISACHE ST. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for HUISACHE ST according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

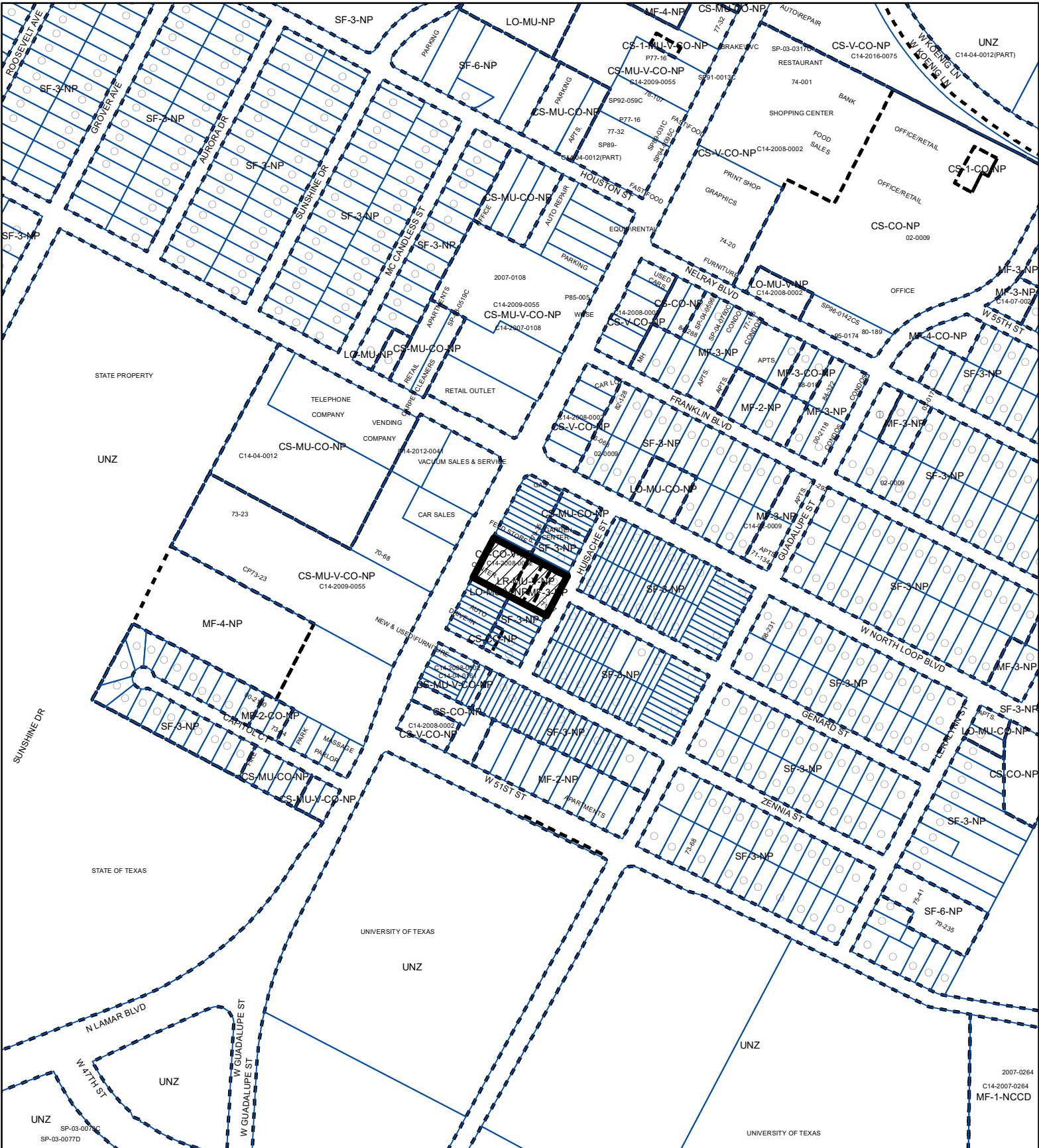
The Austin Strategic Mobility Plan (ASMP) calls for 155 feet of right-of-way for N LAMAR BLVD. It is recommended that 77.5 feet of right-of-way from the existing centerline should be dedicated for N LAMAR BLVD according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

INDEX OF EXHIBITS TO FOLLOW

Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Applicant Letter



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2022-0119



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.

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

Created: 8/30/2022

Created: 3/14/2023

August 22, 2022

Ms. Rosie Truelove
Housing and Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: 5225 N. Lamar Boulevard – Zoning application package for the approximately 0.8152-acre property located at 5225 N. Lamar Boulevard in Austin, Travis County, Texas (the “Property”)

Dear Ms. Truelove:

As representatives of the owner of the Property, we respectfully submit the enclosed rezoning application package. The project is titled ‘5225 N. Lamar Boulevard’ and is approximately 0.8152 acres of land, located on the east side of N. Lamar Boulevard between Zennia Street and North Loop Boulevard. The Property is in the full purpose jurisdiction of the City of Austin.

The Property is currently zoned CS-CO-V-NP (General Commercial Services – Conditional Overlay – Vertical Mixed Use – Neighborhood Plan), LR-MU-V-NP (Neighborhood Commercial – Vertical Mixed Use – Neighborhood Plan), LO-MU-V-NP (Limited Office – Vertical Mixed Use – Neighborhood Plan), and MF-3-NP (Multifamily – Medium Density – Neighborhood Plan). The requested rezoning is from CS-CO-V-NP, LR-MU-V-NP, LO-MU-V-NP, and MF-3-NP to CS-CO-V-NP (General Commercial Services – Conditional Overlay – Vertical Mixed Use - Neighborhood Plan). Currently, the Property is developed with a medical office use. The Conditional Overlay allows the Property to be developed as a neighborhood mixed use building special use and establishes the following uses as conditional uses:

- Adult oriented businesses
- Automotive sales
- Commercial blood plasma center
- Convenience storage
- Equipment sales
- Vehicle storage
- Agricultural sales and services
- Campground
- Construction sales and services
- Equipment repair services
- Kennels

The Property is home to Integral Care, Travis County’s local mental health and intellectual and developmental disability authority, which provides critical services to low-income individuals and families. The purpose of this rezoning is to create a consistent zoning district across the Property. Due to future right-of-way acquisition along N. Lamar Boulevard for Project Connect’s Orange Line, it is crucial to reconfigure and improve parking on the eastern portion of the Property. This rezoning and relocated parking to the rear of the site will allow Integral Care to continue to provide services at this centrally-located site.

The Orange Line will greatly increase the frequency of transit service on this corridor. Today, Routes 1 and 801 serve the Property and consistently generate the highest ridership within Capital Metro’s system. The addition of light rail will only expand equitable, multi-modal access to Integral Care’s services, especially for transit-dependent clients. Integral Care is therefore supportive of the improvements and is working

August 22, 2022

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cooperatively with Capital Metro so that the right of way acquisition has as little impact as possible on each party.

This request does not contemplate removing an existing restrictive covenant, which requires a 25-foot setback from the Property's front property line. If rezoned as proposed, the Property can maintain this setback and simultaneously provide additional parking for staff and clients. Additionally, conditional uses designated by the current conditional overlay will remain in effect on the Property.

The Traffic Impact Analysis ("TIA") is not required, per the attached TIA determination waiver dated August 18, 2022, and executed by Justin Good.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very Truly Yours,



Leah Bojo

cc: Joi Harden, Housing and Planning Department (*via electronic delivery*)
Jerry Rusthoven, Housing and Planning Department (*via electronic delivery*)