

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: North Lamar Combined

CASE#: NPA-2024-0026.01 **DATE FILED:** April 2, 2024

PROJECT NAME: Auto Repair Shop with Sales

PC DATE:
June 25, 2024

ADDRESS/ES: 301 & 303 Ferguson Drive

DISTRICT AREA: 4

SITE AREA: 0.422 acres

OWNER/APPLICANT: DUR Aid AL AWE

AGENT: Development and Consulting Bridgeway (Marisa Kane)

CASE MANAGER: Maureen Meredith **PHONE:** (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Neighborhood Mixed Use **To:** Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2024-0008
From: CS-MU-CO-NP **To:** CS-MU-CO-NP

NEIGHBORHOOD PLAN ADOPTION DATE: June 24, 2010

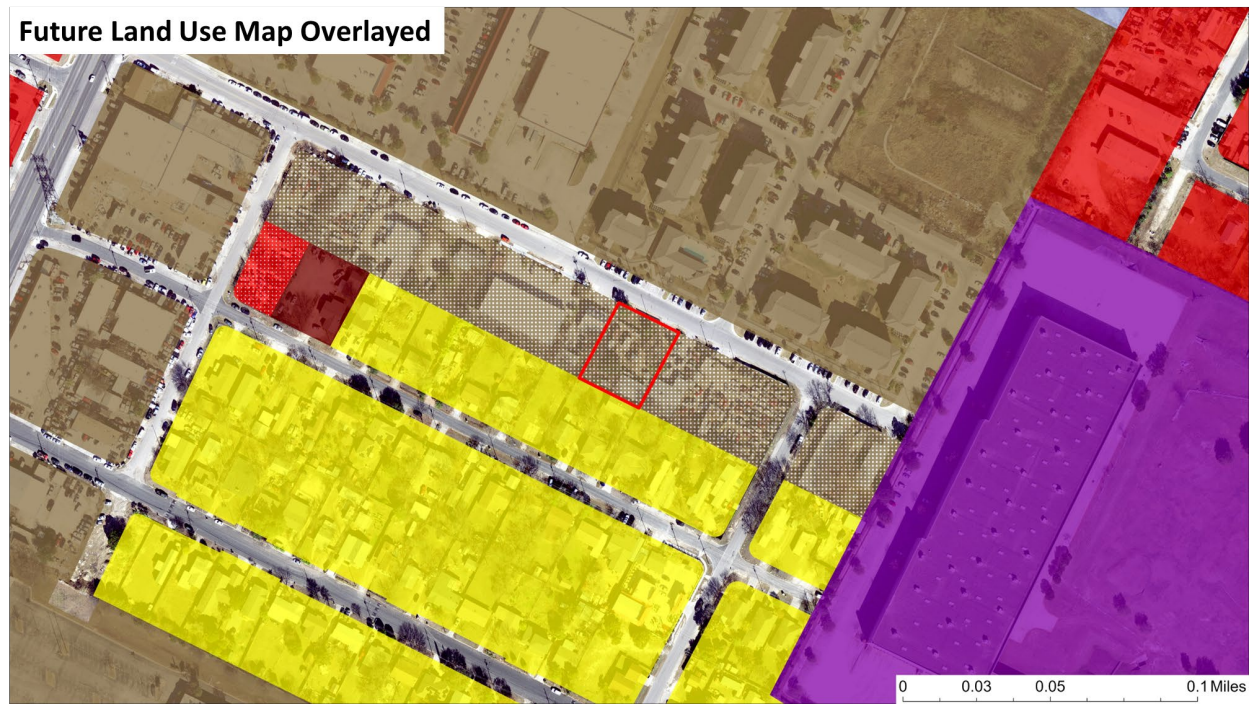
CITY COUNCIL DATE: August 29, 2024 **ACTION:**

PLANNING COMMISSION RECOMMENDATION:

June 25, 2024 – Denied for applicant’s request for Mixed Use land use. [R. Johnson – 1st; F. Maxwell – 2nd] Vote: 8-0 [G. Cox of the dias] [C. Hempel, A. Azhar, A. Haynes, and J. Mushtaler absent]

STAFF RECOMMENDATION: To reject the applicant’s request to change the future land use map from Neighborhood Mixed Use to Mixed Use.

BASIS FOR STAFF’S RECOMMENDATION: This property falls in a transitional area with Mixed Use developments to the North and Single Family immediately adjacent to the southern boundary of the subject property. Allowing this property to change to the Mixed Use land use would allow for higher intensity use immediately adjacent to single family homes. Without changing the land use or zoning, the property can apply for a conditional use permit for automotive repair. It should also be noted that though there are several automotive repair businesses in the same general area with the same land use, these uses are mostly legal nonconforming uses.



It was not determined that the proposed project significantly supports any of the land use or other goals/objectives identified in the North Lamar Combined Neighborhood Plan.

LAND USE DESCRIPTIONS:

EXISTING LAND USE:

Neighborhood Mixed Use

An area that is appropriate for a mix of neighborhood commercial (small-scale retail or offices, professional services, convenience retail, and shopfront retail that serve a market at a neighborhood scale) and small to medium-density residential uses.

Purpose

1. Accommodate mixed use development in areas appropriate for a mix of residential uses and neighborhood commercial uses that serve surrounding neighborhoods; and
2. Provide transition from residential use to high intensity commercial or mixed use.

Application

1. Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single-family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and
2. May be used as a transition from high intensity commercial and residential uses to single-family residential uses.

PROPOSED LAND USE:

Mixed Use

An area that is appropriate for a mix of residential and non-residential uses.

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and

8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

Application

1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

Imagine Austin Decision Guidelines	
Complete Community Measures	
No	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: <ul style="list-style-type: none"> Not within Activity Center/Activity Corridor/Job Center
No	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
No	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Yes	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> There are a variety of restaurants, commercial locations, and a grocery store within 1/4 mi of the site.
Yes	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
No	Connectivity and Education: Located within 0.50 miles from a public school or university.
No	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> Brownie Neighborhood park is 1.1mi away
No	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.) <ul style="list-style-type: none"> Clinica Hispana is 0.7mi away
No	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
No	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.
No	Mixed use: Provides a mix of residential and non-industrial uses. <ul style="list-style-type: none"> Proposal includes only commercial use.
No	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center). <ul style="list-style-type: none"> Austin Public Library is 1.5mi away
No	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
No	Creative Economy: Expands Austin’s creative economy (ex: live music venue, art studio, film, digital, theater.)
Yes	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. <ul style="list-style-type: none"> This would create permanent jobs at this location.
No	Industrial Land: Preserves or enhances industrial land.
3	Number of “Yes’s”
Imagine Austin Priority Program PUD Specific Bonus Features	
n/a	Public Space Features and Public Art: Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
n/a	Integrates and/or Expands Green Infrastructure: Preserves or expands Austin’s green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.
n/a	Protects the Environment: Reduces greenhouse gas emissions, water, energy usage, and/or increases waste diversion.
n/a	Protects Environmentally Sensitive Lands: Protects Austin’s natural resources and environmental systems by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources more than

	ordinance requirements.
n/a	Water/Wastewater Infrastructure: Sustainably manages Austin’s water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques more than ordinance requirements.
PUD Development is not proposed	Total Number of “Yes’s”





IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee

bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

Regional Centers - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

Activity Centers for Redevelopment in Sensitive Environmental Areas - Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

Job Centers - 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.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided

into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The plan amendment application was filed on April 2, 2024.

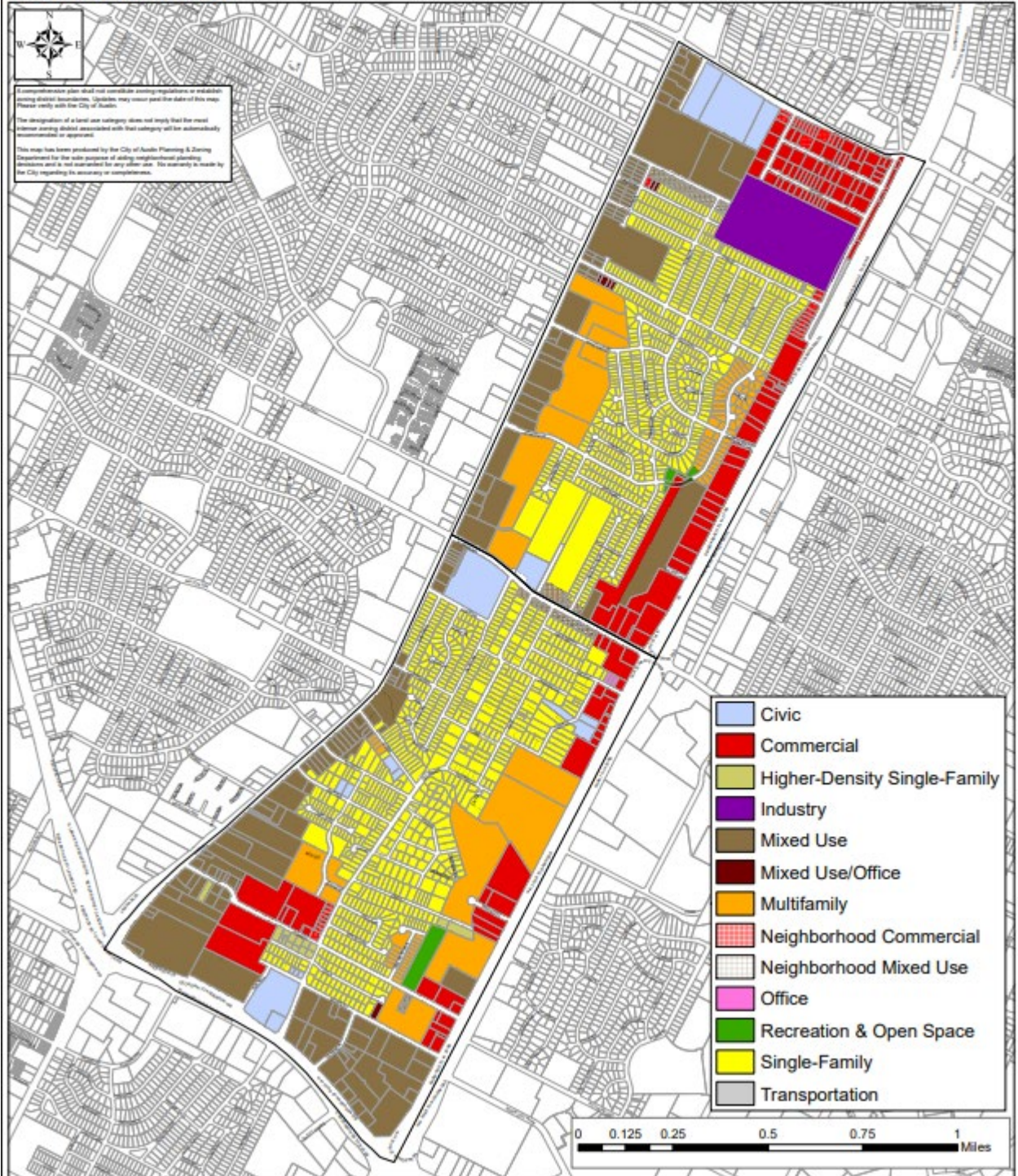
The applicant proposes to change the North Lamar Combined Neighborhood Plan Base Future Land Use Map from Neighborhood Mixed Use to Mixed Use.

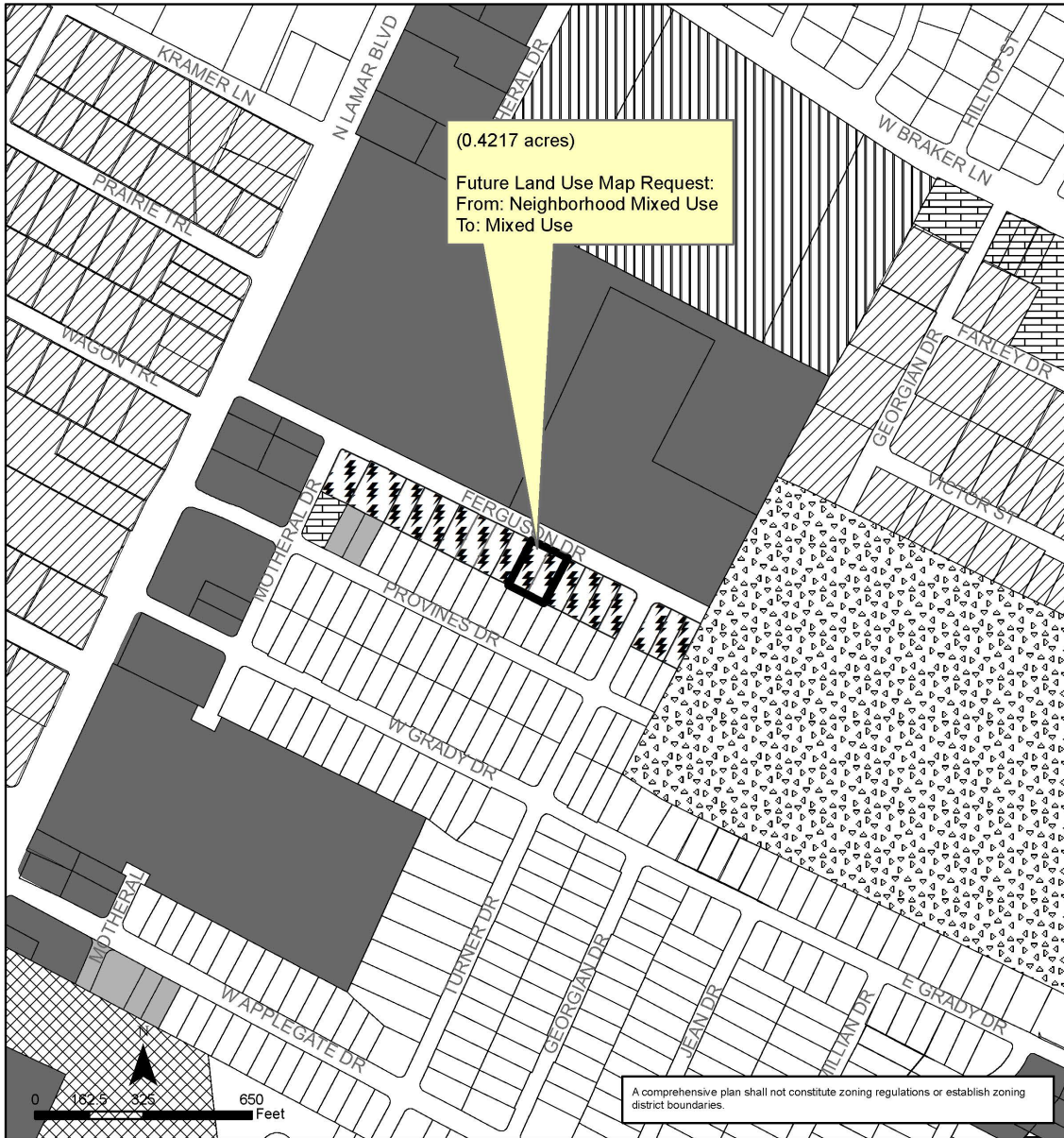
PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on May 9, 2024. The recorded meeting can be found here: <https://speakupaustin.org/x6351>. Approximately 357 community meeting notices were mailed to people who have utility accounts or own property within 500 feet of the property, in addition to neighborhood and environmental groups who requested notification for the area in the Community Registry. Two city staff members attended, Tyler Tripp and Maureen Meredith from the Planning Department, in addition to Marisa Kane from Development & Consulting Bridgeway, LLC, the applicant's agents. No one from the neighborhood attended.

North Lamar Combined Neighborhood Planning Area Future Land Use Map



Plan Adopted: June 24, 2010
Last Amended: Mar 26, 2020





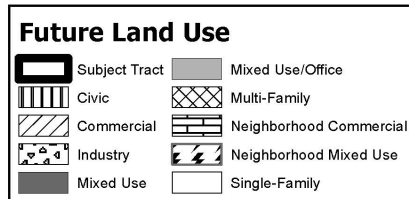
**North Lamar Combined (North Lamar) Neighborhood Planning Area
NPA-2024-0026.01**

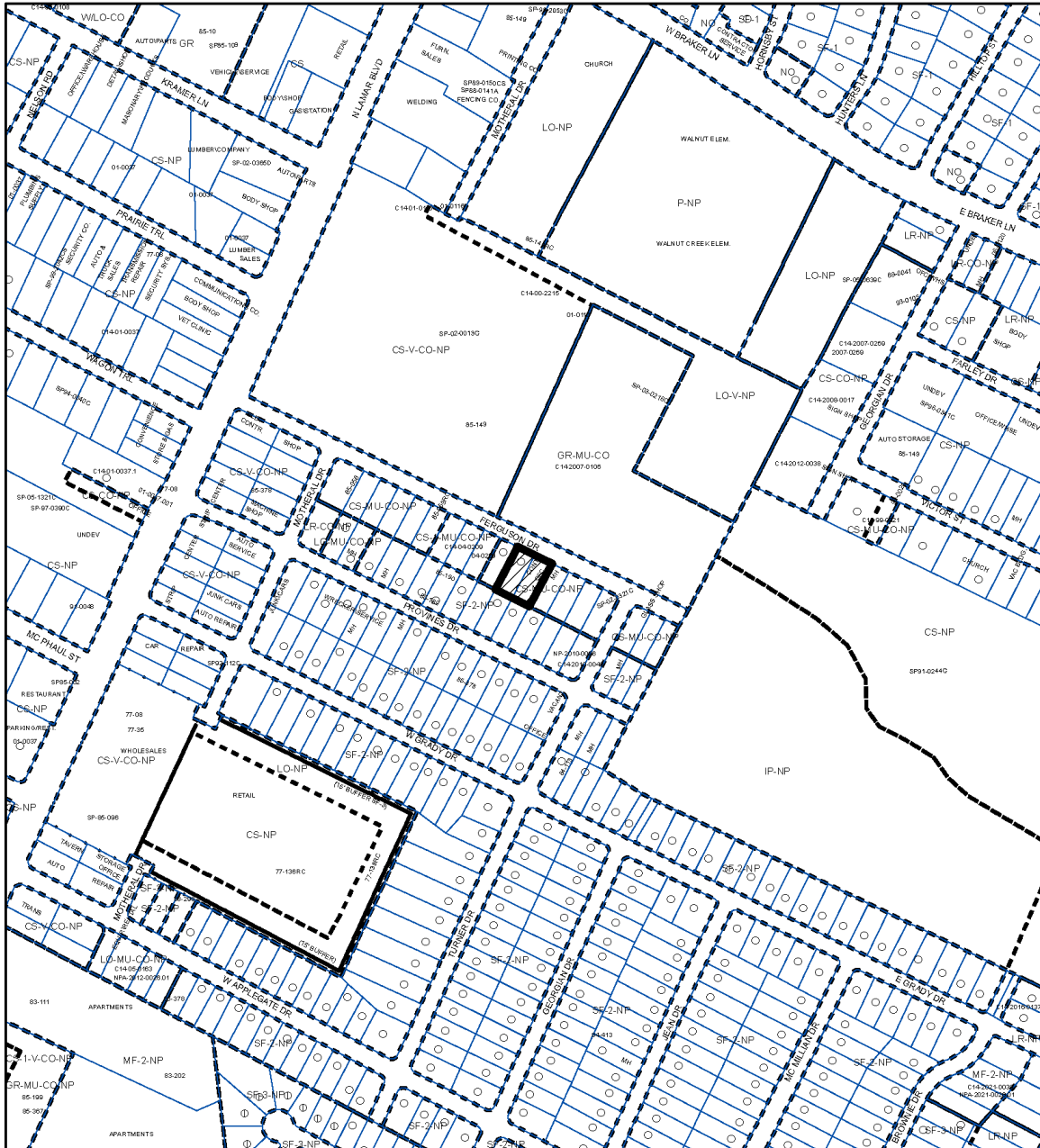
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City of Austin
Planning Department
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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING
ZONING CASE#: C14-2024-0008

1" = 400'

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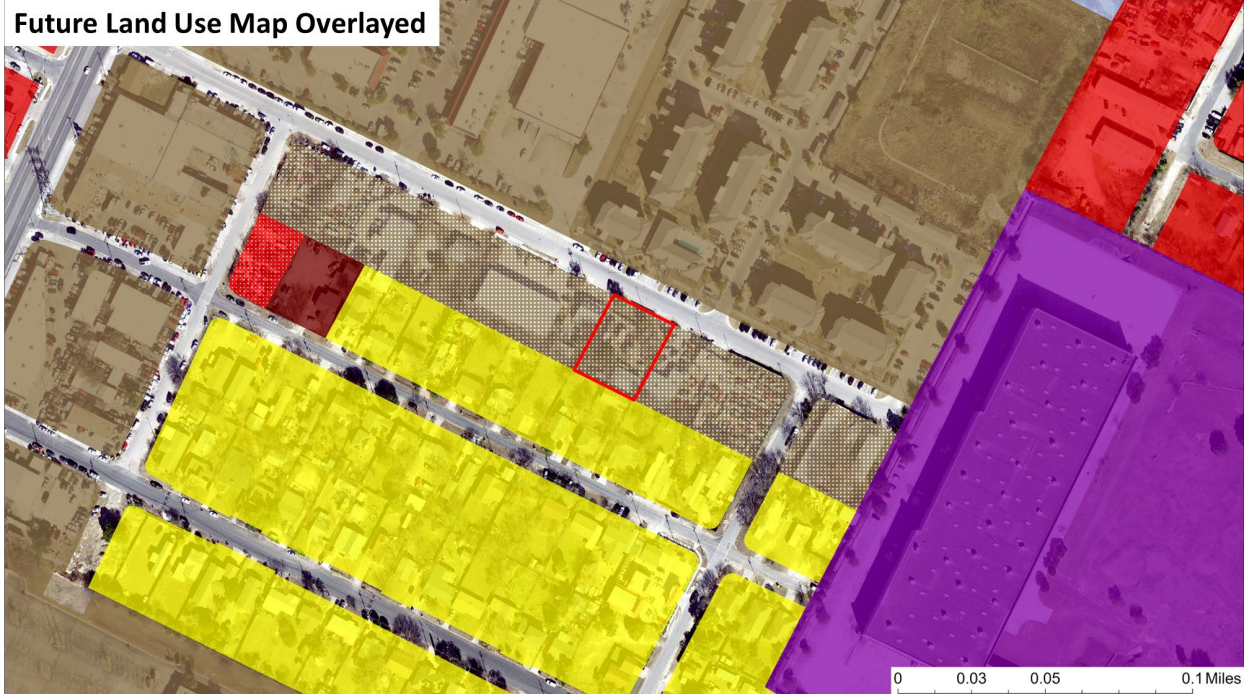


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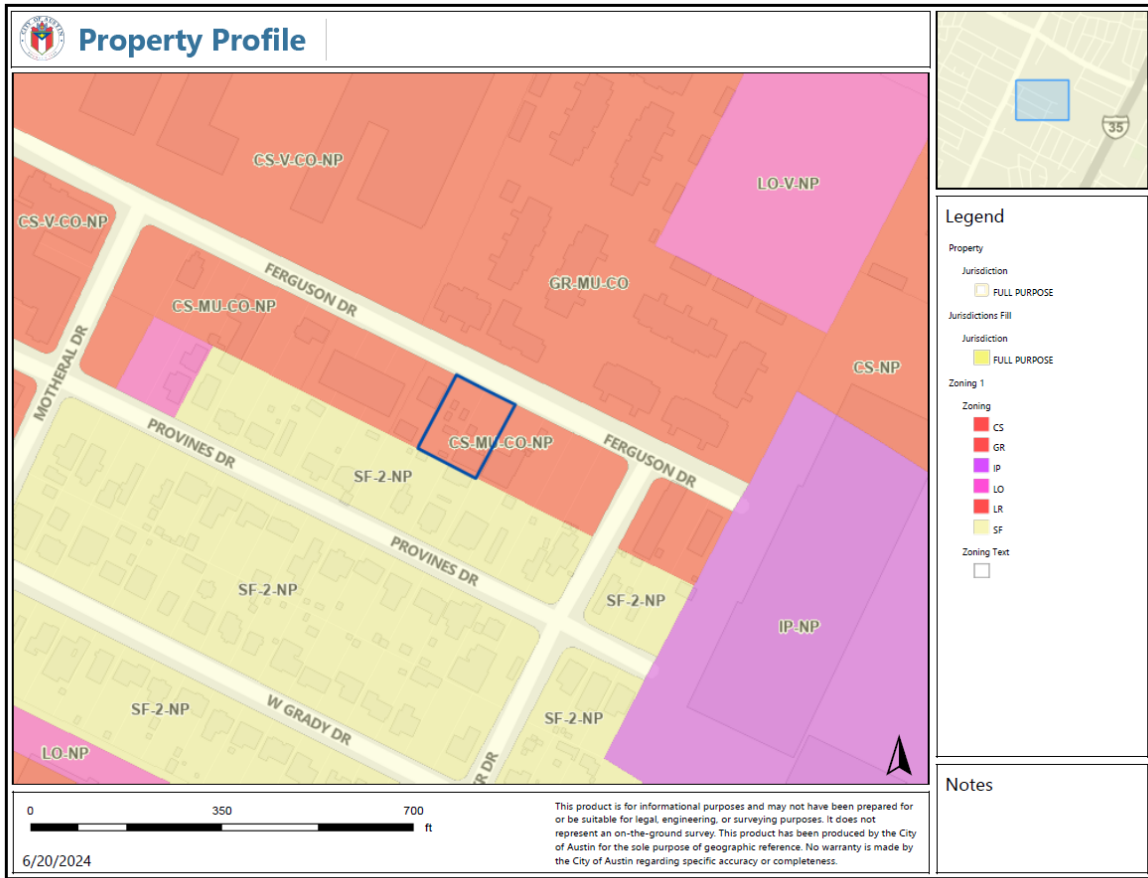
Aerial Image



Future Land Use Map Overlaid



Zoning



Postponement Request

Marisa Kane, the agent for the applicant, and I have exchanged phone messages. What I'm hearing from her is that their concern is the interest cost if there's a delay. However, what I'm seeing on the city website is that the earliest Council meeting back would be July 18, which should mean there wouldn't be any difference between June 25 and July 9 at Planning Commission.
<https://services.austintexas.gov/edims/document.cfm?id=419404>
<https://www.austintexas.gov/content/planning-commission>

As far as assuring that all affected stakeholders, including the applicant, are able to see and feel confident that City processes are fair, our experience is that it's much better to notice the appropriate date, vs to notice one thing, some neighboring stakeholders show up thinking that's real, and then somehow the Planning Commission reschedules it, because of what they call "the neighborhood".

Be aware that I don't know anything about Mockingbird Hill NA's dates. Their president is out of pocket travelling. I'm not clear at what point she's reachable again. (She's a big girl scout leader, and may be back in the woods somewhere.) I did hear from her before she left that they had not already heard from the applicant nor the agent.

Marisa, btw, the City of Austin has recently adjusted some of its policies around SBA funding, both to increase the amounts and to reduce access barriers. One thing those are intended to cover is expenses for moving a business, including meeting regulatory requirements, so there be some possibilities there as far as costs between when the applicant plonking down money for a piece of property, and when the business is open with cash flowing in. It sounds like right now he is pretty thinly capitalized, and even best case there will probably be more weeks of delays in site planning and permitting, supplies of construction materials and labor, weather, etc. Another thing the economic development department staff offer is some business plan consulting. That could include thinking through has he identified risks, and are the ways to be proactive in mitigating them (such as yall having already reached out to affected stakeholders would have been on these land use cases) to keep closer to his ideal schedule.

Lisa Hinely
North Lamar/Georgian Acres neighborhood team
<http://nlct.wordpress.com>