

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0061 3635 North Hills Drive **Z. P. C. DATE:** 08/16/11, 9/20/11, 10/04/11

ADDRESS: 3635 North Hills Drive **AREA:** 0.682 Acres

APPLICANTS: TSI North Hills Pad. Ltd.
(Fred H. Thomas) **AGENT:** McLean & Howard, L.L.P.
(Jeff Howard)

NEIGHBORHOOD PLAN AREA: None **CAPITOL VIEW:** No

WATERSHED: Dry North Creek **T.I.A.:** No.

HILL COUNTRY ROADWAY: No **DESIRED DEVELOPMENT ZONE:** No

ZONING FROM: LR – Neighborhood Commercial.

ZONING TO: GR – Community Commercial

SUMMARY STAFF RECOMMENDATION:

Staff recommends GR-CO, Community Commercial, Conditional Overlay. The Conditional Overlay would limit vehicular trips to 2,000 per day, limit the height to 40', the maximum height of a building or structure is three stories and prohibit the following uses: Automotive sales, Pawn shop services and Exterminating services.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

The motion to approve staff's recommendation for GR-CO combining district zoning, was approved on the consent agenda by Commissioner Gregory Bourgeois's motion, Commissioner Sandra Baldrige second the motion on a vote of 7-0.

DEPARTMENT COMMENTS:

The site is currently developed with a Texaco service station that is not in operation. The property has not had a tenant in a couple of years. The applicant has indicated that they would like to change the zoning on the property from Neighborhood Commercial (LR) to Community Commercial (GR) in an effort to include more potential uses for the property so they can sell or lease the property. The property to the west is almost a mirror image of the subject tract. It is developed with a Shell service station, is almost identical in square footage, 0.68 acres and is also at the intersection of North Hills Drive and Hart Lane and it is currently zoned Community Commercial (GR). Granting a zone change to Community Commercial would be in keeping with the purpose statement for Community Commercial which is 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."

BASIS FOR RECOMMENDATION:

1. *Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.*

The requested zoning would be in keeping with the zoning to the west and north of this property and it is on the corner of a major intersection.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	LR	Service Station
NORTH	LR/GR	Office Building
SOUTH	MF-2	Apartments
EAST	LR	Restaurant
WEST	GR	Service Station

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-89-0017	From LO to GR-CO	Approved GR-CO [Vote: 7-0]	Approved GR-CO [Vote: 5-0]
C14-87-0110	From GR to LO	Approved LO [Vote: 7-0]	Approved LO [Vote: 5-0]

NEIGHBORHOOD ORGANIZATION:

- Austin Neighborhoods Council
- Northwest Austin Civic Assoc.
- N. Hills Condo Assoc.

SCHOOLS:

Doss Elementary School

Murchison Middle School

Anderson High School

SITE PLAN COMMENTS RECEIVED:

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. Compatibility standards apply to this site, based upon the property zoned SF-3 located approximately 400 feet to the south of the subject tract.

Any new commercial development on this site is subject to Subchapter E: Design Standards and Mixed Use (Urban Roadway). Additional comments will be made when the site plan is submitted.

ENVIRONMENTAL COMMENTS RECEIVED:

- 1) A portion of this site (approximately 50%) is located over the Edwards Aquifer Recharge Zone. The site is in the Dry North Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

- 2) According to flood plain maps, there is no flood plain in or within close proximity of the project location.
- 3) The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.
- 4) Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- 5) Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
- 6) Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.
- 7) At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

TRANSPORTATION COMMENTS RECEIVED:**Existing Street Characteristics:**

Name	ROW	Pavement	Classification	Daily Traffic
North Hills Drive	60'	38'	Collector	Not Available
Hart Lane	60'	37'	Collector	Not Available

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day [LDC, 25-6-117].

There are existing sidewalks along North Hills Drive and Hart Lane.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
North Hills Drive	Wide Curb	Bike Lane
Hart Lane	None	None

Capital Metro bus service (route nos. 320 - St. Johns and 661 - FW Far West) is available along North Hills Drive.

CITY COUNCIL DATE: September 22nd

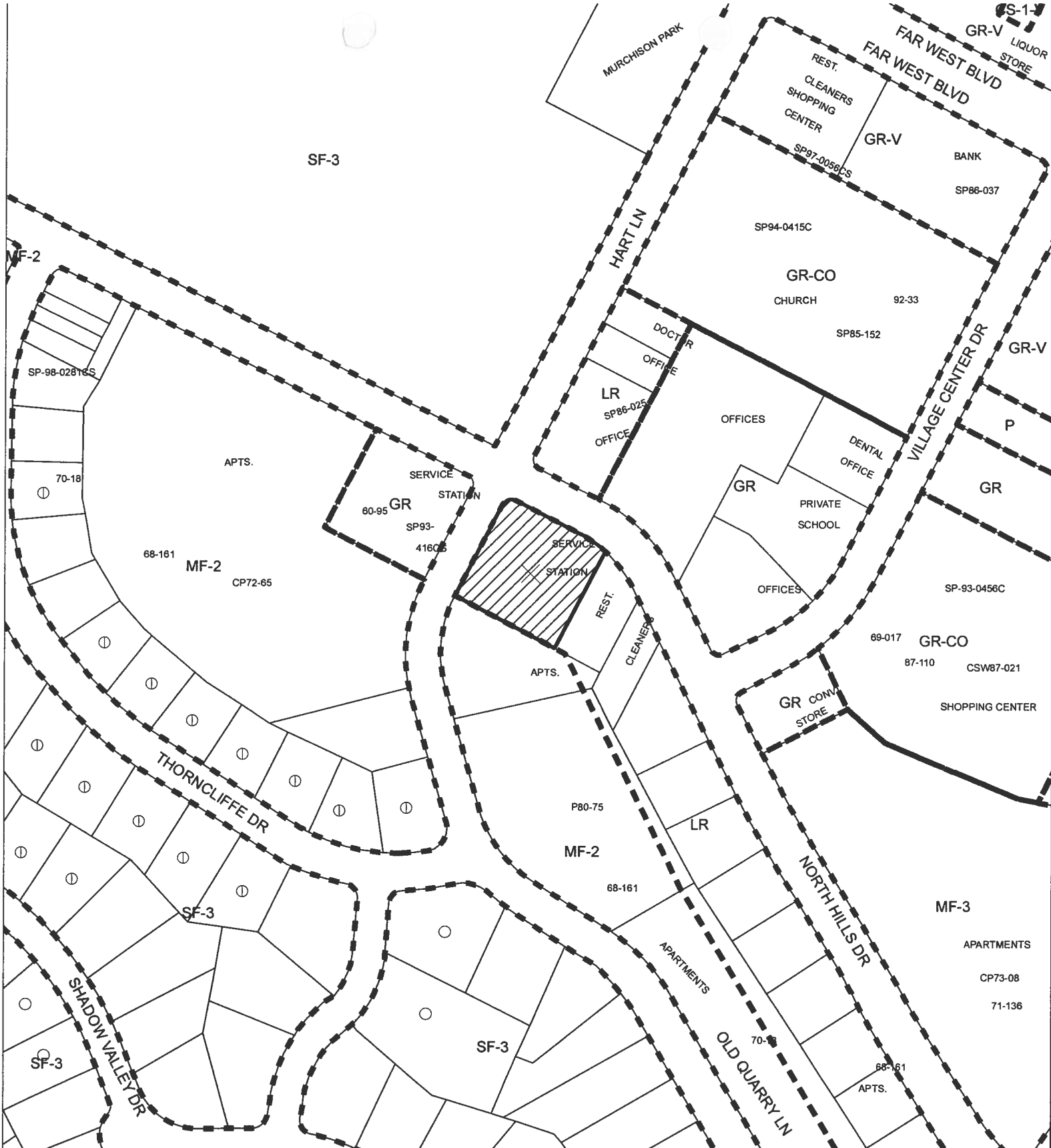
ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691



ZONING

N

SUBJECT TRACT

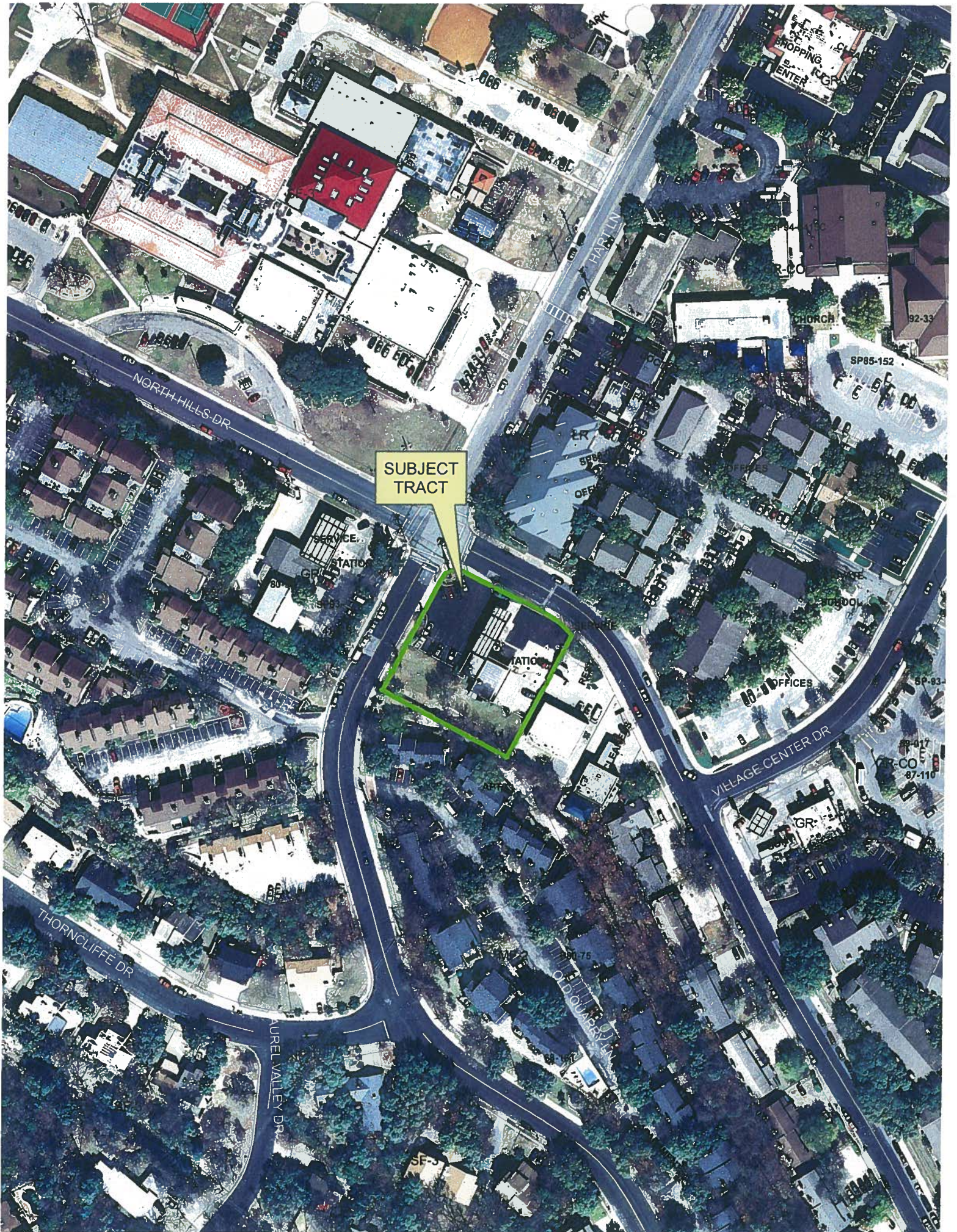
PENDING CASE

ZONING BOUNDARY

ZONING CASE#: C14-2011-0061
 LOCATION: 3635 NORTH HILLS DR
 SUBJECT AREA: 0.682 AC.
 GRID: H29
 MANAGER: C. PATTERSON



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.



SUBJECT TRACT

NORTH HILLS DR

THORNCLIFFE DR

AUREL VALLEY DR

VILLAGE CENTER DR

SERVICE STATION

STATION

CHURCH

SP85-152

OFFICES

SP-83

SP-017

GR-CO

87-110

SF-3

SP-75

92-33



PUBLIC HEARING INFORMATION

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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.ci.austin.tx.us/development

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: C14-2011-0061

Contact: Clark Patterson, (512) 974-7691

**Public Hearing: August 16, 2011, Zoning and Platting Commission
September 22, 2011, City Council**

John E.H. Street

Your Name (please print)

6805 A-B Thackeriffe 78731

Your address(es) affected by this application

8/8/2011

Signature

512-577-5646

Daytime Telephone

Comments:

☒ I am in favor
☐ I object

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

City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

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Contact: Clark Patterson, (512) 974-7691

Public Hearing: August 16, 2011, Zoning and Platting Commission
September 22, 2011, City Council

Theresa Gerst

Your Name (please print)

6915 Old Quarry Lane

Your address(es) affected by this application

Marcus Best

Signature

8/13/11

Date

Daytime Telephone: 512

Comments: Concerned with increase in

traffic esp. with the middle school across

the street and the high volume of

walkers in the neighborhood. Other concerns

include noise, littering, potential for rodents,

and light pollution.

would love to see the lot used for zip cars or

smart cars (cars to go) which would benefit the

neighborhood and city. Or, it would be great for a park.

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INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / rezonificación será repasada y acción será tomada de acuerdo a dos audiencias públicas: ante la Comisión de Usos Urbanos y el cabildo municipal. Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al propuesto desarrollo urbano o cambio de zonificación. Usted también puede contactar a una organización de protección al medio ambiente u organización de vecinos que haya expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rézonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la *Internet*:

www.ci.austin.tx.us/development

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Numero de caso: C14-2011-0061

Persona designada: Clark Patterson, (512) 974-7691

**Audiencia Publica: August 16, 2011, Zoning and Platting Comisión
September 22, 2011, City Council**

☐ I am in favor
☒ I object

Su nombre (en letra de molde)

Su domicilio(s) afectado(s) por esta solicitud

Firma

Fecha

Daytime Telephone: 512-554-8031

Comments: _____

Si usted usa esta forma para proveer comentarios, puede retornarlos :
City of Austin

Planning & Development Review Department

Clark Patterson

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2011-0061

Contact: Clark Patterson, (512) 974-7691

Public Hearing: August 16, 2011, Zoning and Platting Commission
September 22, 2011, City Council

BARNET, WILLIAM & DIANE

Your Name (please print)

6910 HART LANE, #910

AUSTIN TX 78731

Your address(es) affected by this application

William & Diane Barnett

Signature

Date

Daytime Telephone: (512) 340-0717

Comments: WE WISH TO EXPRESS STRONG OBJECTIONS TO THE REQUESTED ZONING CHANGE FOR THE ABOVE PROPERTY. THIS INTERSECTION ALREADY HAS CONSIDERABLE PEDESTRIAN & VEHICULAR TRAFFIC. POOR VISIBILITY OF NORTH-HILLS IS ON HART LANE JUST SOUTH OF NORTH-HILLS IS ALREADY A SAFETY ISSUE. TWO SCHOOLS IN THE IMMEDIATE AREA MEANS THERE ARE SCHOOL BUSES AND MAXIMUM CONGESTION SEVERAL TIMES A DAY. THIS IS A HIGH-DENSITY RESIDENTIAL NEIGHBORHOOD AND THERE IS ALREADY EXTENSIVE COMMERCIAL ACTIVITY ALONG PARKWAY DRIVE. REZONING THIS PROPERTY WOULD NEGATIVELY IMPACT QUALITY OF LIFE AND PROPERTY VALUES.

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Contact: Clark Patterson, (512) 974-7691

Public Hearing: August 16, 2011, Zoning and Platting Commission
September 22, 2011, City Council

Norman Allen
Your Name (please print)

☐ I am in favor
☒ I object

6810 Thoncliffe Dr
Your address(es) affected by this application

[Signature] 8/8/11
Signature Date

Daytime Telephone: 921.4944 cel.

Comments: 1. Make sure there is adequate parking
so streets are open to traffic!

2. No significant increase in traffic!

3. Does not attract criminals! Vandalism!

Should have included

Self-addressed envelope
or just folded this note as

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return mail

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Contact: Clark Patterson, (512) 974-7691

**Public Hearing: August 16, 2011, Zoning and Platting Commission
September 22, 2011, City Council**

RONALD B. CASS

Your Name (please print)

7011 HART LN

Your address(es) affected by this application

Ronald B. Cass

Signature

Date

Daytime Telephone: 512 345 2655

Comments: _____

☒ I am in favor ☐ I object
--

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