

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-4
AGENDA DATE: Thu 01/26/2006
PAGE: 1 of 1**

SUBJECT: C14-05-0149 - Bradfield Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3400 Northland Drive and 5701 Highland Hills Drive (Shoal Creek Watershed) from family residence (SF-3) district zoning and neighborhood office (NO) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To deny community commercial (GR) district zoning. Applicant: Robert Heisman. Agent: William Faust. City Staff: Jorge E. Rousselin, 974-2975.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING REVIEW SHEET**CASE:** C14-05-0149**Z.A.P. DATE:** October 4, 2005
November 1, 2005**ADDRESS:** 3400 Northland Drive and 5701 Highland Hills Drive**OWNER:** Bradfield Family Partnership
(Robert Heisman)**AGENT:** The Faust Group
(William Faust)**REZONING FROM:** SF-3 (Family residence district) and NO (Neighborhood Office)**TO:** GR (Community commercial) **AREA:** 0.45 Acres (19,602 square feet)**SUMMARY ZAP RECOMMENDATION:**

November 1, 2005:

APPROVED STAFF'S RECOMMENDATION TO DENY GR DISTRICT ZONING.

[J.M; M.H 2ND] (9-0)**SUMMARY STAFF RECOMMENDATION:**

Staff does not recommend community commercial (GR) district zoning.

ISSUES:

The properties were the subject of a rezoning case in 1984 under case No. C14-84-169. The request was for LO and was recommended by the Staff and the Planning Commission subject to conditions. The City Council did not act on the case but instructed the applicant and the neighborhood to resolve their concerns. The case was subsequently withdrawn by the applicant. Concerns raised by the neighborhood related to the precedent of office zoning in the area, traffic congestion, and deed restrictions.

The property at 3400 Northland Drive was the subject of a rezoning case in 1987 under case No. C14-87-136 and was recommended by the Staff and the Planning Commission subject to conditions. The request was for SF-3 to NO. The City Council denied the rezoning request on a vote of 4-3 on October 29, 1987.

The subject subdivision is deed restricted to residential only. The deed restrictions were placed on the subdivision by the developer in 1955. A provision was placed in the deed for the use of one lot as a sales office for the subdivider, and the subject tract was originally used for that purpose. With the exception of the property currently zoned NO, the entire subdivision of Highland Hills Section 1 is developed as single-family residential.

DEPARTMENT COMMENTS:

The subject rezoning area is a 0.45 acre site fronting Balcones Drive and Northland Drive zoned SF-3 and NO. The applicant proposes to rezone the property to community commercial (GR) district to allow for a bank/office with 2 drive-through tellers and 1 walk-up teller. Staff does not recommend community commercial (GR) based on the following considerations:

- 1) The proposed land use is not compatible with the existing surrounding residential uses along the north property line of the subject property;
- 2) Vehicle circulation at this site may create an undue burden on existing traffic patterns which may increase congestion at the intersection of Balcones Drive and Northland Drive; and
- 3) Established office uses along the west portion of Balcones Drive create a use buffer from more intensive commercial development fronting Mo-Pac Expressway. Modification(s) to this established use buffer will have a detrimental impact on the residential properties fronting Trailridge Drive.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3 / NO	Undeveloped lot / Office
<i>North</i>	SF-3 / LO	Single family residence / Sales Office
<i>South</i>	GR	Savings & Loan / Coffee Shop
<i>East</i>	LR	Gas Station / Service Station
<i>West</i>	SF-3	Single family residences

AREA STUDY: N/A**TIA:** Waived; Applicant agrees to a limit of 2,000 vehicle trips per day.**WATERSHED:** Shoal Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** Yes (See attached aerial)**NEIGHBORHOOD ORGANIZATIONS:**

53--Northwest Austin Civic Association
 511--Austin Neighborhoods Council
 742--Austin Independent School District

SCHOOLS:

Austin Independent School District

- Highland Park Elementary School
- Lamar Middle School
- McCallum High School

RELATED CASES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14R-84-169	SF-3 to LO	01/08/85: PC Approved Staff recommendation of LO subject to conditions. Conditions: Dedication of 60' of ROW from centerline of Northland Drive. (5-3)	02/07/85: IF DIFFERENCES CANNOT BE RESOLVED IN 30 DAYS, APPLICANT WILL W/D ON 3-7-85. Application withdrawn.
C14-87-136	SF-3 to NO	10/13/87: PC Approved Staff recommendation of NO subject to a restrictive covenant, enforceable by the City of Austin and surrounding property owners within 1,000 feet, limiting uses to Business and Administrative offices only and limiting any redevelopment to one story. The restrictive covenant is to be incorporated into the "restrictive overlay" if that district is approved by the City Council. Also recommended that the City Council not waive the ROW dedication but require the owners to place the required ROW in an escrow deed as was done on another case across Northland Drive during site plan review. (8-1).	10/29/87: Denied request for SF-3 to NO on a vote of 4-3.
C14-91-0012	SF-3 to NO	08/13/91: ZAP Approved staff recommendation of NO subject to conditions. Conditions: Subject to reservation of	09/05/91: Approved NO on all 3 readings.

		up to 75 feet of ROW from the existing center line of Northland Drive. (7-1).	
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CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0089	GR-CO to CS-CO	07/20/04: ZAP Approved staff recommendation of CS-CO. (8-0)	08/26/04: Approved CS-CO on all 3 readings (7-0).
C14-04-0065	GO-CO to GO-CO	<p>06/01/04: ZAP Approved staff recommendation of (GR-CO) (8-0)</p> <p>Conditional Overlay:</p> <ul style="list-style-type: none"> - Maximum height of 60 feet; - Maximum impervious cover of 80%; - Maximum FAR of 0.5 to 1.0; - 2,000 trip limitation; <p>Prohibited uses:</p> <ul style="list-style-type: none"> - Administrative and business offices; - Art and craft studio (limited); - Business or trade school; - Communication services; - Medical offices (exceeding 5,000 sq. ft. gross floor area); - Local utility services; - Personal services; - Software development; - Safety services; - Communication service facilities; - Convalescent services; - Cultural services; - Hospital services (limited); 	<p>07/29/04: Approved recommendation of (GR-CO) (7-0)</p> <p>Conditional Overlay:</p> <ul style="list-style-type: none"> - Maximum height of 60 feet; - Maximum impervious cover of 80%; - Maximum FAR of 0.5 to 1.0; - 2,000 trip limitation; <p>Prohibited uses:</p> <ul style="list-style-type: none"> - Administrative and business offices; - Art and craft studio (limited); - Business or trade school; - Communication services; - Medical offices (exceeding 5,000 sq. ft. gross floor area); - Local utility services; - Personal services; - Software development; - Safety services; - Communication service facilities; - Convalescent services; - Cultural services; - Hospital services (limited); - Medical offices (not exceeding 5,000 sq. ft. gross floor area);

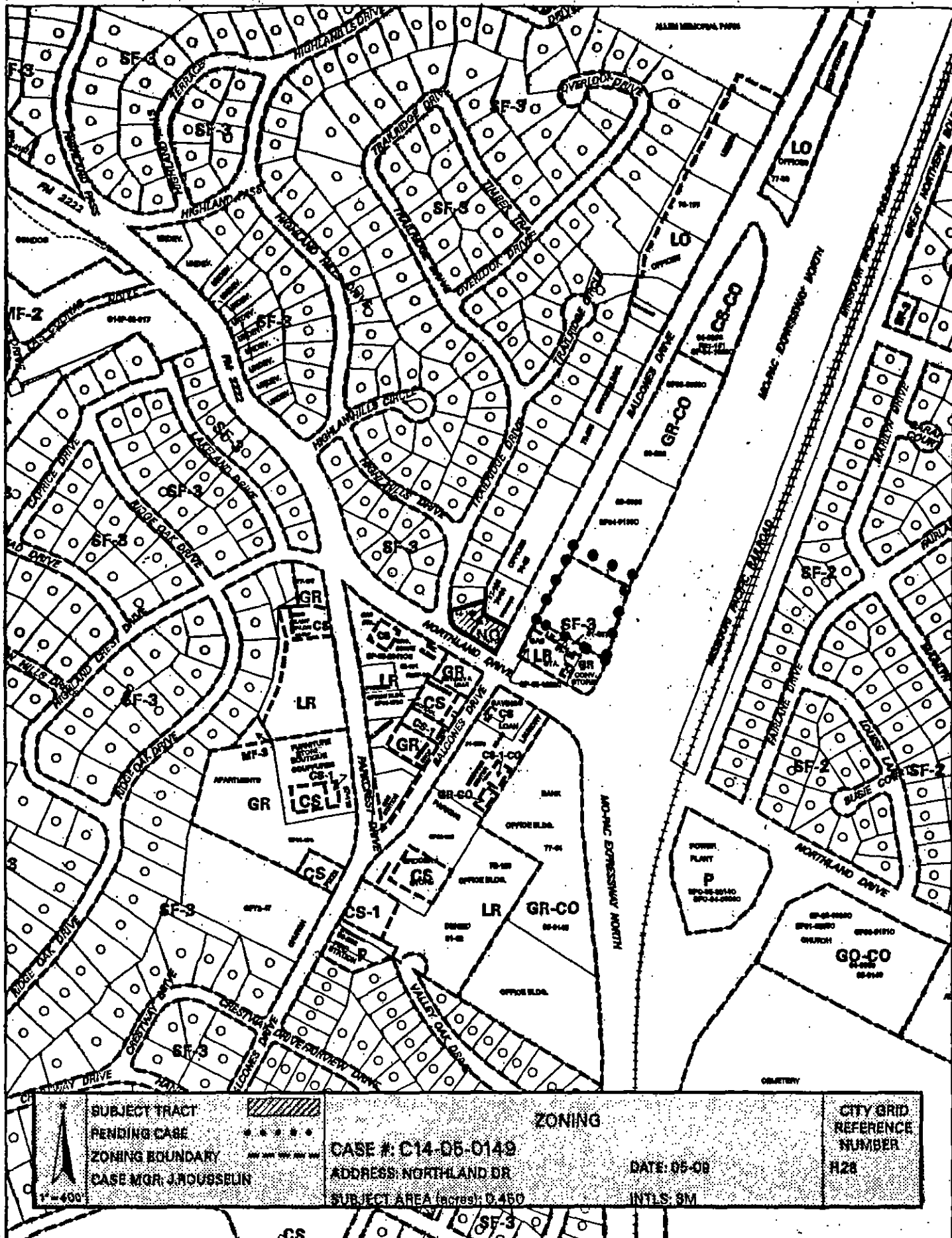
		<ul style="list-style-type: none"> - Medical offices (not exceeding 5,000 sq. ft. gross floor area); - Private secondary educational facilities; - Professional office; and - College and university facilities. 	<ul style="list-style-type: none"> - Private secondary educational facilities; - Professional office; and - College and university facilities.
C14-95-0140	SF-2 to GO-CO	<p>02/06/96: ZAP Approved staff recommendation of (GO-CO) (7-1)</p> <p>Conditional Overlay:</p> <ul style="list-style-type: none"> - Maximum height of 46 feet; - Maximum impervious cover of 80%; - Maximum FAR of 0.25 to 1.0; - 2,000 trip limitation; <p>Prohibited uses:</p> <ul style="list-style-type: none"> - Administrative and business offices; - Art and craft studio (limited); - Business or trade school; - Communication services; - Medical offices (exceeding 5,000 sq. ft. gross floor area); - Local utility services; - Personal services; - Software development; - Safety services; - Communication service facilities; - Convalescent services; - Cultural services; - Hospital services (limited); - Medical offices (not exceeding 5,000 sq. ft. gross floor area); - Private secondary educational facilities; 	<p>03/07/96: Approved recommendation of (GO-CO) (7-0)</p> <p>Conditional Overlay:</p> <ul style="list-style-type: none"> - Maximum height of 46 feet; - Maximum impervious cover of 80%; - Maximum FAR of 0.25 to 1.0; - 2,000 trip limitation; <p>Prohibited uses:</p> <ul style="list-style-type: none"> - Administrative and business offices; - Art and craft studio (limited); - Business or trade school; - Communication services; - Medical offices (exceeding 5,000 sq. ft. gross floor area); - Local utility services; - Personal services; - Software development; - Safety services; - Communication service facilities; - Convalescent services; - Cultural services; - Hospital services (limited); - Medical offices (not exceeding 5,000 sq. ft. gross floor area); - Private secondary educational facilities; - Professional office; and - College and university facilities.


		<ul style="list-style-type: none"> - Professional office; and - College and university facilities. 	
C14-96-0145	LR to GR-CO	02/04/97: PC Approved Staff recommendation of GR-CO. (5-0) Prohibited uses: <ul style="list-style-type: none"> - Automotive sales; - Automotive repair services; and - Automotive rentals 	03/06/97: Approved recommendation of GR-CO. (7-0) Prohibited uses: <ul style="list-style-type: none"> - Automotive sales; - Automotive repair services; and - Automotive rentals

ABUTTING STREETS:

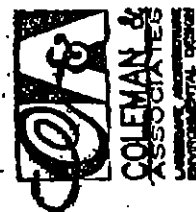
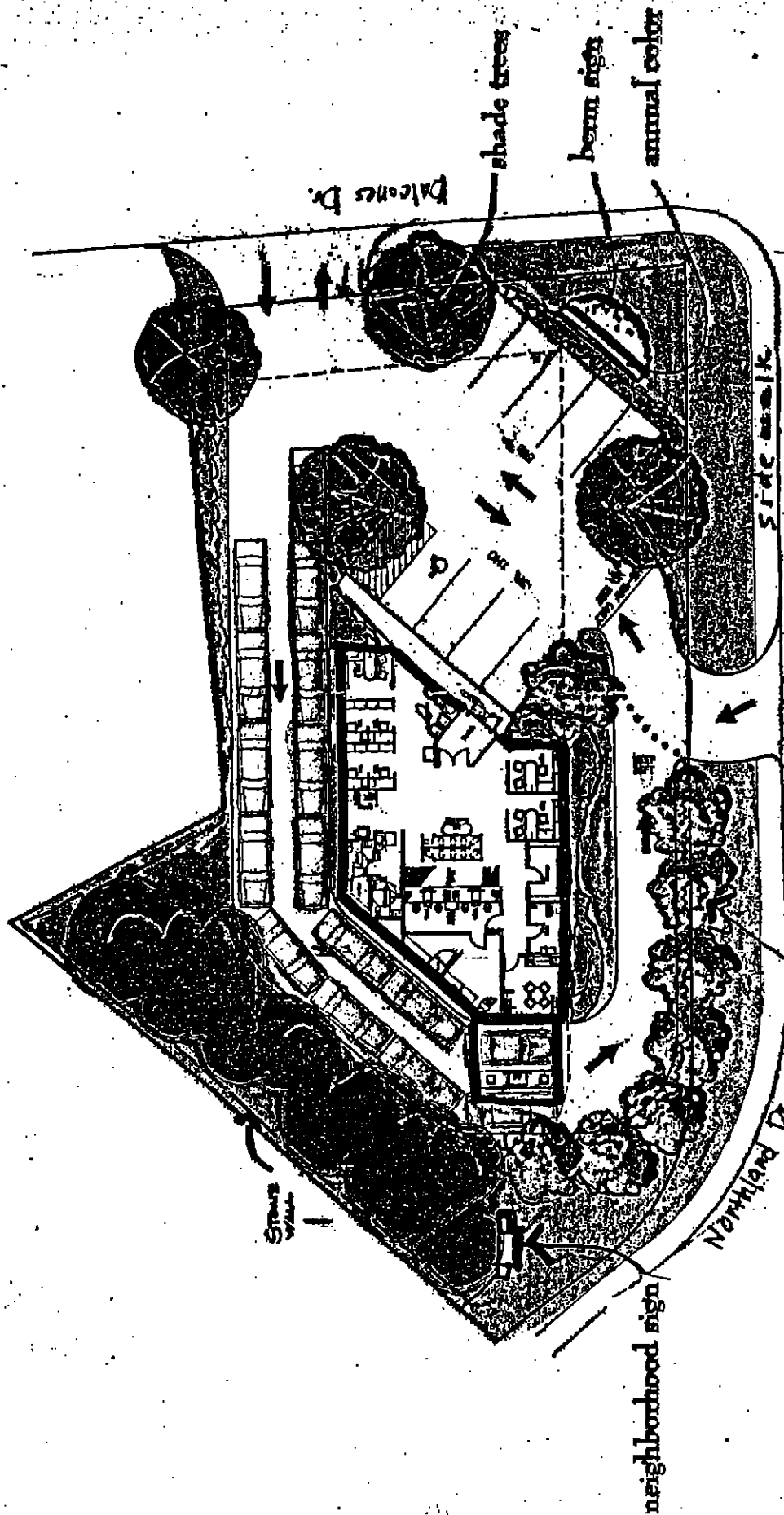
NAME	ROW	PAVEMENT	CLASSIFICATION
Northland Drive	90'	60'	Arterial
Balcones Drive	80'	60'	Collector

CITY COUNCIL DATE: January 26, 2006**ACTION:****ORDINANCE READINGS:** 1st 2nd 3rd**ORDINANCE NUMBER:****CASE MANAGER:** Jorge E. Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** jorge.rousselin@ci.austin.tx.us



<p>  SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: J. ROUSSEAU 1" = 400' </p>	<p> CASE #: C14-05-0149 ADDRESS: NORTHLAND DR SUBJECT AREA (acres): 0.450 </p>	<p> ZONING DATE: 05-09 INTLS: 3M </p>	<p> CITY GRID REFERENCE NUMBER H28 </p>
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Proposed Site Plan

(not to scale)

C14-05-0149

STAFF RECOMMENDATION

Staff does not recommend community commercial (GR) district zoning.

BASIS FOR RECOMMENDATION

1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

The proposed rezoning will have a detrimental land use impact on the adjacent residential properties to the north and the intensity of land use requested at the subject property is incompatible with existing residential uses.

2. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

The proposed zoning change does not provide a transition between more intensive commercial uses fronting Mo-Pac Expressway and the existing residential uses north of Balcones Drive.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area is a 19,602 square feet set of parcels with a sales office zoned NO and a vacant lot zoned SF-3. The property has access from Balcones Drive.

Impervious Cover

The applicant seeks impervious cover at 90% as allowed under the GR zoning classification.

Transportation

1. No additional right-of-way is needed at this time.
2. The trip generation under the requested zoning is estimated to be 2,355 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).
3. 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]
4. There are existing sidewalks along Northland Drive.

5. Capital Metro bus service is available along Northland Drive and Balcones Drive.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal 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.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

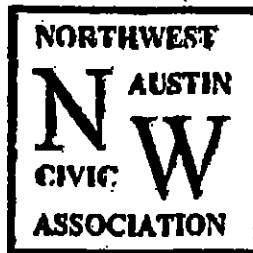
Water and Wastewater

1. The site is served with City of Austin water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility adjustments, or relocation are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

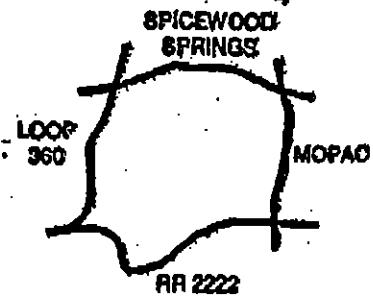
Site Plan and Compatibility Standards

1. The site is subject to compatibility standards. Along the north property line, the following standards apply:
 - No structure may be built within 25 feet of the property line.

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - No parking or driveways are allowed within 25 feet of the property line.
2. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection. Additional design regulations will be enforced at the time a site plan is submitted.
3. A portion of the west side is within 1,000 feet of RM 2222 and within a Hill Country Roadway Corridor. The site is located within the low intensity zone of the Hill Country Roadway. Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Planning Commission. This is also a Scenic Roadway Corridor.



P.O. BOX 26654 • AUSTIN, TEXAS 78765



Zoning and Planning Commission,

Re: C14-05-0149 / 3400 Northland

10/4/2005

We request a postponement of this case for one month.

Thank you for your attention to this matter. I may be reached at 728.9048.

Regards,
Bill BradleyPresident
North West Austin Civic Association (NWACA)**RECEIVED****OCT 04 2005**

Neighborhood Planning & Zoning

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.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: C14-05-0149

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

October 4, 2005 Zoning and Platting Commission

NASIB ATWAL

Your Name (please print)

5750 balcones DR #107 - 78736

Your address(es) affected by this application

Nazib Atwal 9/26/05

Signature

Date

Comments:

Almost impossible to prevent
traffic problems during
rush hour traffic.
It affects present and
in the area significantly.

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

City of Austin

Neighborhood Planning and Zoning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-8810

October 2, 2005

Ms. Betty Baker, chair, and Members of the Zoning and Platting Commission
c/o Jorge Rousselin
Neighborhood Planning and Zoning Department,
PO Box 1088
Austin, TX, 78767

Re: Zoning Case C14-05-0149

Dear Ms. Baker and Members of the Commission

I am writing to express my opposition to the proposed rezoning of 5701 Highland Hills Dr. (the corner of Highland Hills Dr and Northland Dr) from SF-3 to GR and the proposed rezoning of the adjacent lot, 3400 Northland Dr. (the corner of Northland and Balcones) from NO to GR.

The lot at 5701 Highland Dr. serves as a wooded buffer protecting the houses on Highland Hills Dr. from the traffic and noise on Northland Dr. From all appearances this lot was intended to serve as a buffer and is deed restricted against commercial use. SF-3 zoning may appear odd on the map but given the long-term use of the lot as a buffer and its deed restrictions, it is the appropriate zoning.

3400 Northland Dr. was likewise deed restricted against commercial use. Following a law suite filed by the owners to remove the deed restrictions on both lots, the owners agreed to only remove the deed restrictions on 3400 Highland Hills Dr. and the neighbors agreed to not oppose a zoning change to NO for 3400 Highland Hills. The lot is currently occupied by a small office building. Given the purpose statement of the NO district (see § 25-2-93 of the Land Development Code) and the existing use, NO is the appropriate zoning for 3400 Northland Dr.

Rezoning of either of these tracts to GR will negatively impact adjacent homeowners on Highland Hill Dr. by encouraging further commercial intrusion into the Highland Hills neighborhood and by creating additional congestion at the Northland Dr./Highland Hills Dr. intersection.

The proposed rezoning will also generate additional traffic onto the already heavily congested Northland Dr./Balcones Dr. intersection negatively impacting everyone who drives through that busy intersection.

My opposition to the proposed rezoning is not a matter of opposing density, which I generally support, but rather opposition to increasing density at an inappropriate location. I live in Northwest Hills and drive through the Northland Dr./Balcones Dr. intersection on a daily basis and am well acquainted with the traffic congestion at that intersection.

I will be unable to attend the hearing on October 4, because of a Jewish holiday but I do want to register my opposition to the proposed rezoning.

Sincerely,



Ben Luckens, AICP

cc: Bill Bradley, President, Northwest Austin Civic Association

DAVIS & WILKERSON, P.C.
ATTORNEYS AT LAW

J. Mark Holbrook
Board Certified, Personal Injury Trial Law
Texas Board of Legal Specialization
mhholbrook@dwlaw.com

1801 E. McFar, Suite 300, Austin, TX 78746
Mailing: P.O. Box 2283, Austin, TX 78768-2283
512.482.0614 • Facsimile 512.482.0342
www.dwlaw.com

October 3, 2005

Via Facsimile (512) 974-2269

Ms. Betty Baker, Chair
P.O. Box 1088
Austin, Texas 78767

Attn: Jorge Roussein, Planning and Zoning Department

Re: Claim No: C14-05-0149
Site Address: Lot 2; 5701 Highland Hills Drive @ Northland

Dear Ms Baker:

I received notice regarding the proposed zoning change for Lot 2; 5701 Highland Hills Drive. I am unable to attend the public hearing before the Zoning and Planning Commission scheduled for Tuesday, October 4, 2005. Therefore, I wanted to write you a letter to express my objection to the proposed zoning change.

My house is located 5913 Overlook Drive which is directly up the street from the property in question. The predominate access route to my home and to the Highland Hills Neighborhood is off of Northland, turning onto to Highland Hills Drive. Lot 2; 5701 Highland Hills Drive is at the corner of Northland Drive and Highland Hills Drive. I strenuously object to the proposed zoning change from SF-3 to GR-CO. The change from single family to a community commercial district is not compatible with the existing neighborhood and the existing single family structures within the neighborhood. The proposed commercial zoning allows up to 90% of the site to be used for buildings, parking lots and other impervious cover. In addition, it allows buildings up to three stories in height. These types of structures would generate high traffic volume and would seriously impact the flow of traffic on Northland Drive as well as in and out of the Highland Hills Neighborhood. The access from Highland Hills Drive onto Northland Drive is already difficult and congested at all hours of the day. To add additional traffic with a commercial business at the corner of Highland Hills Drive and Northland Drive would make a left turn off of Highland Hills onto Northland virtually impossible. In addition, a commercial activity at that location would increase the traffic down Highland Hills Drive and through the Highland Hills Neighborhood. Also, a commercial business located at the corner of Highland Hills Drive and Northland Drive would slow down and further impede the traffic heading west on Northland and down FM2222. A zoning change such as the one proposed

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OCT 04 2005
Neighborhood Planning & Zoning

EXX

October 3, 2005

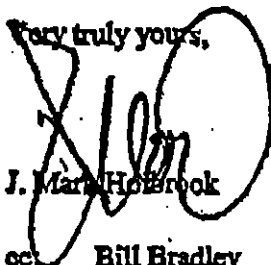
Page 2

would set a precedent for intense commercial zoning of the other lots on Northland which would further slow down westbound and eastbound traffic on Northland Drive and FM2222.

My understanding is that Lot 2 was to be an undeveloped wooded entry into the Highland Hills Neighborhood. Apparently there was a lawsuit filed in 1988 challenging the single family zoning of Lot 2. Part of the resolution of that case was the developers abandonment of an attempt to remove the single family zoning of Lot 2. I do not object to the present zoning restriction as single family use or the use of this property as intended as an entrance to the Highland Hills Neighborhood.

If you have any questions, please feel free to give me a call at (512) 453-3632.

Very truly yours,



J. Mark Hotbrook

cc: Bill Bradley
President NW Austin Civic Association
nwaca@austin.tx.com

James and Claudia Tracy
6906 Overlook Drive
Austin, Texas 78731

RECEIVED

OCT 04 2005

Neighborhood Planning & Zoning

October 3, 2005

VIA mail w/ copy by FAX (974-2269)

Betty Baker, Chair
c/o Jorge Rousselin
Planning and Zoning Department
P.O. Box 1088
Austin, Texas 78767

RE: Case No. C14-05-0148
Site Address: 5701 Highland Hills

Dear Sirs:

We are writing to register our objection to the proposed zoning change for the above-referenced property at 5701 Highland Hills (Highland Hills Drive at Northland).

We must enter and cross Northland from Highland Hills and it is already a very congested and difficult intersection, being so close to the Balcones Drive/Northland intersection. Any additional traffic which would surely result from changing the zoning of the referenced property from single family to commercial would be completely unacceptable and cause utter traffic chaos for people living in the Highland Hills area. The only way it would work would be to install a traffic light at the Highland Hills/Northland intersection, but this would be only a matter of 50 meters or so from the existing traffic light at the Balcones Drive/Northland intersection so I understand that this is probably not feasible.

Please register our objection as neighborhood property owners to the proposed zoning change of the referenced site.

Thanks,

Jim and Claudia Tracy



Cc: Bill Bradley, President, Northwest Austin Civic Association, P.O. Box 26654,
Austin, TX 78765

From: Julian G Martin <jomar7@juno.com>
To: mwaca@austin.tx.com
Date: Mon, 3 Oct 2005 17:33:40 -0500
Subject: Copy of memo to Zoning and Platting Commission

October 3, 2005

TO: Zoning and Platting Commission
Betty Baker, Chair
c/o Jorge Rousselin, Planning and Zoning Department
P. O. Box 1088
Austin, TX 78767

CASE NUMBER: C 14-05-0149
Applicant: Bradfield Family Partnership
Site: Lots 1 and 2 of Highland Section One Subdivision
Lot 1 3400 Northland
Lot 2 5901 Highland Hills Drive

Julian and I (Lois Martin) are apposed to the proposed zoning for the above property to GR.

5902 Highland Hills TRAIL 78731-4025 Phone: 453-5796

We have lived in the Highland Hills Subdivision since 1965 when our property at 5902 Highland Hills TRAIL was dead-end. Later Westside Drive was developed by another developer.

Then, our only access to the Highland Hills area was Highland Hills Drive right past the intersection of Northland (2222) and Balcones Dr., Highland Hills Circle onto 2222, and winding around to Sierra Dr. and turn left down to Dry Creek and out to 2222.

Unless you wish to turn right onto 2222 from H.H. Circle it is impossible to turn LEFT with the huge amount of traffic. It was not a busy intersection 40 years ago.

Using Sierra is out of the way and again dangerous at Dry Creek and 2222.

Westside Dr past our house is open to Hart Lane (not built in '65), turn right onto Hart down to Balcones Dr. where there is no light. The cars coming from Farhills are going 50 or more miles an hour. With the three buildings being built at the corner it will soon be very dangerous to turn either way.

2222 - Northland is so congested we take our lives in our hands turning out onto Northland to go to Balcones Dr. This brings us to the above case.

This quiet neighborhood needs SAFE ACCESS. Austin has not stopped growing and the traffic is immense going out toward the lake!!! OR, going to MoPac.

A drive in bank, or if zoned GR a buisness could be put on these two lots to further complicate our access in and out of the Highland Hills neighborhood. From Highland Hills Dr if you want to make a left hand turn onto Northland to go to MoPac there is little lead time with all the traffic. If wanting to enter Highland Hills Drive from Balcones Dr (from Randall's store) there is a left hand signal, but so few cars can go through before the light changes. IF SOMEONE WANTS TO IMMEDIATELY TURN RIGHT into the above property in question there will be many accidents!!!

A no way turn on RED at Balcones to Northland would help, but again how will cars turn into the above property from Balcones with three lanes of traffic in front of the proposed driveway off Balcones?

PLEASE DO NOT CONSIDER THIS HIGH DENSITY ZONING FOR THIS CONGESTED LOT(S).

Julian G. Martin

October 4, 2005

Zoning and Platting Commission
Betty Baker, Chair
c/o Jorge Rousselin
Platting and Zoning Department
PO Box 1088
Austin, TX 78767

RECEIVED

OCT 04 2005

Neighborhood Planning & Zoning

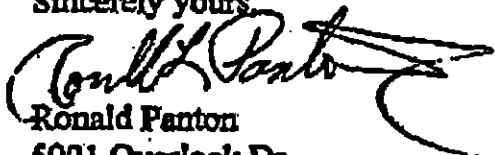
Dear Commission:

This letter is in reference to
CASE NUMBER: C14-05-0149

SITE: Lots 1 and 2 of Highland Hills, Section One Subdivision, Lot 1 is 3400
Northland, Lot 2 is 5701 Highland Hills.

This case is to change the zoning to GR. I am opposed to this change. The
traffic situation in this area is very difficult; especially access from Highland Hills Dr.
onto 2222. The proposed uses and possible future uses will cause further traffic
problems.

Sincerely yours,


Ronald Pantan
5901 Overlook Dr
Austin TX, 78731

Zoning and Planning Commission

Oct. 13, 2005

Betty Baker, chair
c/o Jorge Roussellin

Regarding Case Number: C14-05-0149

Lots 1 and 2 of Highland Hills, Section One Subdivision

RECEIVED
OCT 17 2005
Neighborhood Planning & Zoning

Dear Ms. Baker,

I highly oppose granting a GR zone change for this address. The access to and from Highland Hills Drive and the adjoining neighborhoods from 2222 is already congested. The turn from Highland Hills Drive onto 2222 heading east is dangerous right now, with no commercial property on that corner. The right turn onto 2222 from Highland Hills Dr. is only a fraction easier but is made perilous by the fact that at this intersection the traffic only allows one lane for vehicles continuing west down the hill on 2222. Either way, it's a terrible intersection. There are 4 new buildings being built on Balcones, which will only make this intersection more congested.

If a commercial driveway is added on Highland Hills Drive, residents of the neighborhood will have no access to 2222. Right now you must inch your way out into the street to monitor oncoming traffic in order to cross or to merge onto 2222. With a driveway this would be... well, I can't even picture its feasibility.

And the block between Balcones (that fronts the Bradfield Family Partnership) and Highland Hills Drive is only about 10 yards, leaving no room for multiple driveways. Can you imagine the back up in traffic just one block from Mopac waiting for customers to turn in and out of a driveway while vehicles are trying to enter and exit Highland Hills Drive? Or for that matter to quickly change lanes so that they can travel west on 2222.

I urge you to drive to our neighborhood. Try entering 2222 from Highland Hills Drive turning left across traffic to travel west on 2222. Then, try exiting Mopac at 2222, travel west and turn left at Highland Hills Drive. You will be convinced that a zoning change is a bad decision.

Thank you for your consideration of my opinion.

Sincerely,

Anne McKinnon



323-2431

5804 Highland Hills Drive

78731

3605 Highland View
Austin, Texas 78731
October 24, 2005

Re: Case Number C14-05-0149

Zoning and Platting Commission
Hon. Betty Baker, Chair

c/o Jorge Rousselin, Case Manager
Planning and Zoning Department
P.O. Box 1088
Austin, Texas 78767

Ladies and Gentlemen:

I am writing to oppose the proposed zoning change of Lots 1 and 2 of Highland Hills, Section 1 Subdivision.

Having lived in this neighborhood for about 22 years, we have watched the congestion at the Balcones and RM2222 intersection grow steadily worse. Traffic is typically backed up for a block or more in all directions, making entry practically impossible from the present driveways and impossible from Highland Hills Dr. onto 2222. Since traffic is usually backed up west on 2222, down the hill from the traffic signal at Parkcrest, it is not feasible to enter 2222 from Highland Hills Cir., either. Also, since cars headed west on 2222 are driving about 60 mph when they pass Dry Creek, this entry is too dangerous to risk. As can be seen, the Balcones and 2222 area is practically paralyzed from traffic congestion now, and it will only get worse with more development out west on 2222.

Another high-volume business, in addition to the number already present at this location, will further clog this intersection by adding even more entries and exits, and will add more directions from which collisions can occur. The northwest corner of this intersection (which is the entrance to our neighborhood and which, according to assurances from the original Mr. Bradfield was meant to retain a residential look) has so far escaped destruction by commercial interests. Permitting the bulldozing of trees for construction of a stark building surrounded by asphalt would surely de-value our neighborhood.

Although we do not oppose a small commercial office, such as the one there now, we ask you to put to rest, once and for all, the pressure for intense development on this corner.

Respectfully submitted,



Robert W. Hanks

James F. O'Leary

3510 Hillbrook Drive
Austin, Texas
78731-4062
512.451.3925

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OCT 28 2005

October 22, 2005

Ms. Betty Baker
C/o Zoning and Platting Commission
The City of Austin, Texas

Neighborhood Planning & Zoning

Dear Commission Members:

I am writing to you to voice strong opposition to the matter of re-zoning in the case of C-14-05-0149, referring to the local address of 3400 Northland Drive.

I have lived at my current address since April, 1977. During these past 28 years, I have witnessed the traffic volume along Northland Drive (RM2222) grow significantly due in large part to the growth along the 2222 and 360 corridors.

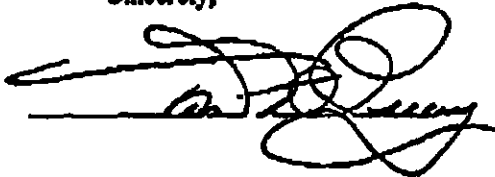
I oppose this request on two primary issues. Firstly, this re-zoning request is not consistent with residential integrity. Secondly, the adverse impact on the already existing dangerous traffic conditions should be sufficient on its face to deny this request.

The impacted intersection of this re-zoning request (Northland Dr at Balcones Dr.) has been a hub of commercial growth over the past two decades; much to the detriment of this neighborhood. I implore you not to compound poor past zoning decisions, by approving this current request.

RM2222 (aka, Northland Drive) is without a doubt a major arterial roadway to the lake area. The parcel in question has a narrow 199 foot frontage onto Northland Drive. In short, we have Balcones Dr. and Highland Hills Drive dumping major amounts traffic onto Northland Dr. Adding an active commercial driveway into this existing Northland traffic maze would be, in my opinion, absolutely irresponsible. As residents of this city, I know your understand that it does not take a traffic expert to understand the increasingly dangerous nature of such existing multiple intersections.

I strongly urge each of you to continue to support neighborhood integrity by intently scrutinizing this and all future re-zoning requests, and I thank each of you for your service to our city.

Sincerely,



W.O.S. Sutherland
4610 Highland View
Austin, Texas 78731

Re: Case Number C14-05-0149

Zoning and Platting Commission
Hon. Betty Baker, Chair

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OCT 31 2005

c/o Jorge Rousselin, Case Manager
Neighborhood Planning and Zoning Department
P.O. Box 1088 (FAX 974 2269)
Austin, Texas 78767

Neighborhood Planning & Zoning

Dear Members of the Commission,

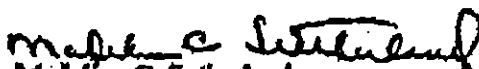
We wish to enter a strong protest to the zoning change for Lots 1 and 2 of Highland Hills, Section One Subdivision One, proposed by the Bradfield Family Partnership, successors to Bradfield and Cummings.

These lots are located at Balcones and 2222 and Highland Hills and 2222, intersections with so much traffic and congestion that that entry from Highland Hills onto 2222 is difficult and dangerous and at high traffic times virtually impossible. It is impossible at such times to go east on Northland Drive, and to reach Mo Pac southbound one has to go round by Parkcrest and Perry Lane to the 45th Street entrance to Mo Pac.

Present construction on Balcones will add another 5,230 trips per day to Balcones on top of the present congestion. The danger of permitting up to another 2000 trips per day seems patent. It would seem to us very hard on the residents of Highland Hills to trap them in their subdivision, allowing escape only through the roundabout backdoor exit of Far West Boulevard or an adjacent street.

In addition, we feel that the Bradfield Family Partnership has a moral obligation to fulfill the agreement made by Bradfield Cummings not to pursue the removal of deed restrictions and to accept the NO zoning for Lot 1.

Sincerely,


Madeline C. Sutherland


W.O.S. Sutherland

October 31, 20005

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OCT 31 2005

Ms. Betty Baker, Chair
c/o Jorge Rousselin, Case Manager
Zoning and Platting Commission
P.O. Box 1088
Austin, Texas 78767

Neighborhood Planning & Zoning

RE: Case # C14-05-0149, Proposed zoning change at 3400 Northland Dr. and 5701 Highland Hills Dr.

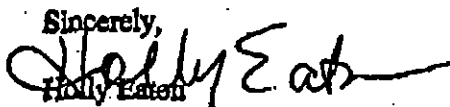
Via fax to :974-2269 and regular mail

Dear Ms. Baker:

I am writing to urge the Commission to vote against the proposed zoning change referenced above. I am a homeowner in the Highland Hills neighborhood and am greatly concerned that the proposed zoning change will exacerbate the already dangerous traffic conditions at the intersection in question. Northland Dr./2222 is already at or over capacity for traffic in my estimation, and adding commercial property to this already dangerous traffic situation would seem irresponsible. This intersection is one of the few access points to our neighborhood, and a main entry/egress for most of the occupants of the area. If anything, consideration should be given to finding ways to reduce traffic on Northland/2222, as it is used as a main entrance/exit to the city by commuters but at the intersection at issue, passes through a congested and residential/commercial area.

Many thanks for your consideration of my input.

Sincerely,


Holly Eaton
3512 Hillbrook Dr.
Austin, Texas 78731

Edward & Kathy Summers
4608 Highland View Drive
Austin, Texas 78731-4033

October 19, 2005

Ms. Betty Baker, Chair
Zoning and Planning Commission
C/o Jorge Roussell, Case Manager
Planning & Zoning Department
P.O. Box 1088
Austin Texas 78767

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OCT 31 2005

Neighborhood Planning & Zoning

RE: CASE NUMBER C14-05-0149

SITE Lots 1 and 3 of Highland Hills, Section One Subdivision (3400 Northland & 3701 Highland Hills)

Dear Ms. Baker:

We write to express our opposition to the proposed zoning change on the site above from NO and SF to QR.

Our opposition is based on two factors:

First, the change would betray and degrade a high quality tranquil neighborhood by introducing intense commercial activity right next to and across the street from existing homes.

Second, the change would increase traffic and congestion at an already-problematic confluence of streets. This increase cannot be mitigated by a traffic light, and would be accompanied by much greater likelihood of accidents, injury, and death for those using these streets. This greater likelihood would apply to ALL cars and pedestrians at this location, not just to the residents of the neighborhood and the users of the developed property.

We urge you, the Zoning Commission, and the City Council to NOT allow any change in the zoning of this site. With the current zoning, the site's two lots have considerable value and marketability. There is just no reason, other than greed, for a change. Please leave the zoning as it is.

Thank you for your attention and support.

Very truly yours,


Edward Summers


Kathy Summers

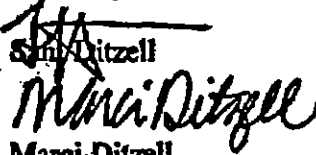
To the Zoning and Planning Commission:

A request has been made by the Bradfield-Heiser group to change the zoning of Lots 1 and 2 of Highland Hills, Section One Subdivision.

We would like to formally express our desire as residents of Highland Hills Subdivision to keep the zoning of these lots as-is. We do not wish to add any additional vehicle trips to the intersection of Highland Hills Dr. and Northland.

Also, we do not wish to see property values on the street Highland Hills Dr. to be malevolently affected by additional encroachment of commercial development.

Sincerely,


Marci Ditzell

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OCT 31 2005

Neighborhood Planning & Zoning

**5708 Trailridge Dr.
Austin, Tx 78731**

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.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: C14-05-0149

Contact: Jorge Rousselin, (512) 974-2975

Public Hearing:

November 1, 2005 Zoning and Planning Commission

Your Name (please print)

FRANK KUMS

Your address(es) affected by this application

5750 Balcones Dr Suite 102 Austin TX 78731

Frank Kums

Signature

Oct. 24, 2005

Date

Comments:

Strongly against zoning change

Balcones Dr. & Northland Dr. already

over loaded by traffic. Need to

stay the way it is now please

do NOT change zoning

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

City of Austin

Neighborhood Planning and Zoning

Jorge Rousselin

P.O. Box 1088

Austin, TX 78767-8810

OCT 31 2005



Rousselln, Jorge

From: lawmanace@aol.com
Sent: Sunday, October 30, 2005 8:10 AM
To: Rousselln, Jorge
Cc: jettplane@aol.com
Subject: Case Number C14-05-0149

RECEIVED

OCT 31-2005

**Betty Baker, Chair
 Planning and Zoning Dept.
 City of Austin
 PO Box 1088
 Austin, Texas. 78767**

Neighborhood Planning & Zoning

ATTENTION: Jorge Rousselln, Case Manager

Dear Ms. Baker,

I write as a concerned resident of the Highland Hills neighborhood. I have raised a family in our home at 5813 Highland Pass the past 15 years and I have witnessed much growth and change. I apologize for my ignorance as to the details of the City's processes. I write to you at the direction of our local neighborhood association, the Northwest Austin Civil Association, and in connection with a proposed zoning change to property at the gateway to our neighborhood, the northwest corner of Highland Hills Drive and RR 2222.

You may already be well acquainted with this intersection and the increasing problems brought by growth to our immediate area, as well as neighbors to the west. This intersection has grown more congested and has reached the point where it is extremely difficult, often dangerous, to enter the flow of traffic onto 2222 from our main road, Highland Hills Drive. I fear for my children's safety-as drivers who are not savvy to the ways of Austin's more aggressive urban experience. I also fear for my wife and me. Both of us have had minor fender benders exiting the neighborhood onto 2222, directly as a result of the traffic congestion through the area. Most every day our entry into the flow is something of an adventure.

It is my understanding that the City has been asked to remove neighborhood deed restrictions on one tract and to rezone an adjacent property to community commercial status. I am opposed to this proposal. I firmly believe that this change will not only increase traffic at this very troubled intersection, I believe it will exacerbate a safety problem for which the City has yet to find a solution.

Highland Hills is one of the Austin's older and more established neighborhoods, serving as something of a gateway, itself, to the City's newer residents in the hills to the west. I believe it is considered one of Austin's genuine articles, as a neighborhood with a character that may be found in few, if any, other parts of the City. Austin and those who govern her, have taken great pains to not only protect, but enhance, the quality of life that we afford our citizens and its guests.

Please help us preserve and protect Highland Hills and its residents.

Very Sincerely,

David G. Halpern

5813 Highland Pass, 78731

10/31/2005

AUSTIN NEUROLOGICAL CLINIC FOUNDED 1970

OFFICE: 711 WEST 38TH STREET, BLDG. II, AUSTIN, TEXAS 78705 (512) 452-6121
MAILING: PO, BOX 300669, AUSTIN, TEXAS 78703
FAX: (512) 452-6567 BUSINESS
MOX: (512) 452-4171 HEALTH CARE

NEUROLOGY

ALBERT B. HORN, II, MD
MICHAEL A. DOUGLAS, MD
MICHAEL G. HUMMER, MD
DAVID W. MORLEDGE, MD
KENT T. BLINGTON, MD
JOHN A. BERTELSON, MD
BOB M. ALING, MD

ASSOCIATES

J. DOUGLAS HUDSON, MD
NANCY CHILDS, MD

NEUROPSYCHOLOGY

DAVID R. BERNMAN, PhD
NANCY L. NUSSBAUM, PhD
DAVID M. TUCKER, PhD
MEISSA R. BUNNER, PhD

ADMINISTRATOR

MARCENA BORRELS, CMA

November 21, 2005

Jorge Roussellin
Case Manager
Planning and Zoning Department
P.O. Box 1088
Austin, Texas 78767

Re: Case # C14050149
Site Lot I, 3500 Northland
Site Lot II, 5701 Highland Hills Drive

Dear Sir:

I live in the Highland Hills neighborhood. I am specifically recommending that lots I and II of Highland Hills be kept residential for lot number I and single family for lot number II.

This is in reference to case number C14050149.

I have lived on Highland Hills Drive for 25 years. Changing the zoning of lots I and II will dramatically affect and destroy the ambience of my neighborhood. Changing the zoning of these two lots would alter forever the appearance and noise pollution of my neighborhood. I specifically recommend that lots I and II be kept as currently zoned.

Lot number I's site address is 3500 Northland, and lot number II's site address is 5701 Highland Hills Drive.

Sincerely,

Albert B. Horn, II, M.D.
ABH:jw

December 14, 2005

RECEIVED

DEC 15 2005

City Council
c/o Jorge Rousselin, Case Manager
Planning and Zoning Department
City of Austin
P.O. Box 1088
Austin, Texas 78767
Fax No.: 974-2269

Neighborhood Planning & Zoning

Re: Case #C14-05-0149
Sites 3400 Northland Drive and 5701 Highland Hills Drive

I am against the proposed zoning change for 3400 Northland Drive and 5701 Highland Hills Drive.

I live at 5953 Highland Hills Drive. The traffic is already dangerous getting in or out of the Highland Hills neighborhood area, especially with that part of Northland Drive being heavily used as a commuter route right before it turns into 2222. This problem does not need to be compounded. GR Zoning does not belong adjacent to a neighborhood, nor is it intended to be.

The City Council should all vote against rezoning.

Sincerely,

Dee Andra Crier

Dee Andra Crier

(original letter sent by mail)

Rousselin, Jorge

From: Rusthoven, Jerry
Sent: Wednesday, January 18, 2006 2:09 PM
To: Rousselin, Jorge
Subject: FW: postponement Northland Drive case

Jerry Rusthoven, AICP
Manager
Zoning, Historic Preservation and Annexation Divisions
Neighborhood Planning and Zoning Dept, OTC 5th Floor
City of Austin
P.O. Box 1088
Austin, TX 78767
974-3207
974-6054 fax

From: Bill Faust [mailto:faustgroup@direcway.com]
Sent: Tuesday, January 17, 2006 6:13 PM
To: Rusthoven, Jerry
Cc: ann.dinkler@co.travis.tx.us
Subject: postponement Northland Drive case

Mr. Rusthoven, would you please consider this our request for a postponement from January 26, 2006 until April 6, 2006. This is our first and only request for postponement.

Your consideration is greatly appreciated.....Bill Faust, Partner, The Faust Group, Agent for Mr. Heiser.

1/19/2006