

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0002 (12151 Hunters Chase Rezoning) DISTRICT: 6

ADDRESS: 12151 Hunters Chase Drive

ZONING FROM: GR

TO: GR-MU

SITE AREA: 4.148990 acres (180,730 sq. ft.)

PROPERTY OWNER: 12151 Hunters Chase Drive, LP (Josh Rosen)

AGENT: Armbrust & Brown, PLLC (Richard T. Suttle)

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

STAFF RECOMMENDATION:

Staff recommends GR-MU, Community Commercial-Mixed Use Combining District, zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

February 15, 2022: Approved staff's recommendation of GR-MU zoning by consent (9-0); H. Smith, J. Kiolbassa-2nd.

CITY COUNCIL ACTION:

March 24, 2022

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is developed with an assisted living use (The Heritage at Hunters Chase). To the north, across Hunters Chase Drive, there is an automotive repair use and a multifamily development. The lots to the south fronting Research Boulevard/U.S. Highway 183 Service Road Northbound, consist of a vacant tract, automotive sales and a hotel/motel use. The applicant is requesting to add the MU, Mixed Use Combining, district to redevelop the site with 180 multifamily residential units (*please see Applicant's Request Letter- Exhibit C*).

The staff recommends GR-MU, Community Commercial-Mixed Use Combining District, zoning. The property meets the intent of the GR-MU district as it is located near the intersection of a major traffic ways, Hunters Chase Drive and Research Boulevard/U.S. Highway 183. The proposed zoning will be compatible and consistent with the surrounding uses because there is GR-CO and GR-MU-CO zoning to the north and GR and GR-CO zoning the south and east. The addition of MU combining district on this lot will permit the applicant to develop additional residential units that will provide for more housing opportunities in this area of the city.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

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

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

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

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed GR-MU zoning will be compatible and consistent with the surrounding uses because there is GR-CO and GR-MU-CO zoning to the north and GR and GR-CO zoning the south and east. There are multifamily developments to the north and west of the site.

This property located adjacent to the 183 & McNeil Neighborhood Center as designated in the Imagine Austin Comprehensive Plan.

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

The proposed MU combining district will permit the residential uses to this tract of land and will give the applicant the ability to provide for more housing opportunities in this area of the city.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR	Assisted Living Facility (The Heritage at Hunters Chase)
<i>North</i>	GR-CO, GR-MU-CO	Automotive Repair (Pavilion Collision Repair and Service Center), Multifamily (Alister Balcones)
<i>East</i>	GO-CO, MF-3-CO, GR-MU-CO	Automotive Rental (Apple Leasing), Multifamily (Alister Balcones), Service Station (Valero)
<i>South</i>	GR	Vacant Lot (Former Tracker Boat Sales), Automotive Sales (Aston Martin, Lotus), Hotel (In Town Suites Extended Stay)
<i>West</i>	GR, GR-CO	Automotive Sales (Nyle Maxwell Fiat of Austin)

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Deferred to the time of Site Plan

WATERSHED: Lake Creek

SCHOOLS: Round Rock I.S.D.

NEIGHBORHOOD ORGANIZATIONS:

Bull Creek Foundation
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 SELTEXAS
 Sierra Club, Austin Regional Group
 2222 Coalition of Neighborhood Associations, Inc.

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0155 (Pond Springs Challenger School: 13015 Pond Springs Road)	I-RR to GR	2/04/14: Approved GR-CO zoning, with CO to limit development on the site to less than 2,000 vehicle trips per day, adding condition to prohibit Pawn Shop Services, on consent (6-0, R.	2/27/14: Approved GR-CO zoning on consent on all 3 readings (7-0); B. Spelman-1 st , S. Cole-2 nd .

		McDaniel-absent); P. Seeger-1 st , C. Banks-2 nd .	
C14-2012-0132 (Kenneth L. Bishop: 13039 Pond Springs Road)	I-RR to CS-MU	12/04/12: Approved the staff's recommendation of GR-MU zoning by consent (6-0, S. Compton-absent); C. Banks-1 st , G. Rojas-2 nd .	12/13/12: Approved GR-MU zoning on 1 st reading (7-0); L. Morrison-1 st , B. Spelman-2 nd . 4/11/13: Approved GR-MU zoning on consent on 2 nd /3 rd readings (6-0, K. Tovo- absent); B. Spelman-1 st , L. Morrison-2 nd .
C14-2012-0017 (San Felipe Boulevard Re-Zoning)	GR to GR-MU	3/20/12: Approved staff's recommendation of GR-MU-CO zoning, with the following conditions: add Restaurant (Limited) and Urban Farm back as permitted uses and prohibit Drive-in Services (7-0); P. Seeger-1 st , C. Banks-2 nd .	4/26/12: Approved GR-MU-CO zoning on consent, with conditional overlay to limit the development intensity on the site to less than 2,000 vehicle trips per, prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type), Pawn Shop Services, Personal Improvement Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Adult Oriented Businesses, Drive-in Services, and require a 10-foot landscape buffer along the eastern property line, on all 3 readings (7-0); B. Spelman-1 st , C. Riley-2 nd .
C14-06-0236 (13201 Pond Springs Road)	I-SF-2 to Tract 1: GR, Tract 2: CS-1	4/17/07: Approved the staff's rec. of GR-CO zoning for Tract 1 and CS-1-CO for Tract 2, with a CO for the following: limit the development intensity on the site to less than 2,000 vehicle trips per, prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type); adding Pawn Shop Services as a prohibited use (7-0, Jackson and Hammond-absent)	5/17/07: Approved GR-CO zoning for Tract 1 and CS-1-CO for Tract 2, with a CO for the following: limit the development intensity on the site to less than 2,000 vehicle trips per, prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type), Pawn Shop Services (7-0); all 3 readings
C14-06-0157 (Pond Springs Plaza: 13233 Pond Springs Road)	I-SF-2 to Tract 1: CS, Tract 2: CS-1	11/07/06: Approved staff's recommendation of GR-CO zoning for Tract 1 (shopping center), CS-1-CO zoning for Tract 2 (bar area), and GR-CO zoning for newly created Tract 3 (deck area). The conditional overlay would limit the site to uses that generate	12/07/06: Approved the ZAP recommendation, striking the requirement for double door access from the bar (Tract 2) to the deck (Tract 3) and adding a condition for speakers be removed from the deck area (7-0).

		<p>no more than 2,000 vehicle trips per day and prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing-of any type, and Service Station uses on the property. The Commission added the following conditions to Tract 2: 1) Prohibit Adult Oriented Businesses; 2) To require double door access to the deck from the bar (if allowable by Code and Building Permit regulations); 3) To place permanent signage on the property at the driveway entries to restrict motorcycle parking in the rear/alleyway. 4) To place permanent signage along the fence/property line between the residential site to the west and the property in question designating the parking spaces in the rear/alleyway as, "Employee Parking Only". 5) To construct an 8-foot masonry/or sound retardant fence around the deck to mitigate sound emanating from the deck.</p> <p>The Commission also placed the following conditions on Tract 3 (the deck area): 1) Place an 85 decibel limit (in accordance with LDC Sec. 9-2-4) on the deck to reduce noise emanating from the deck. 2) Restrict amplified sound on the deck. 3) Place permanent signage on the deck for noise mitigation. 4) Remove the pool table off of the deck. Vote: (7-2, B. Baker, J. Martinez- No); J. Shieh-1st, S. Hale-2nd.</p>	4/12/06: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2, and GR-CO zoning for Tract 3 (6-0); 2 nd /3 rd readings
C14-04-0157 (Nouri Project: 186 Pond Springs Road)	I-RR to CS	11/2/04: Approved staff's recommendation of CS-CO zoning, the CO would limit the site to uses that generate no more than 2,000 vehicle trips per day by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	12/02/04: Approved CS-CO (7-0); all 3 readings
C14-04-0070 (12952 Pond Springs Road)	I-RR to GR-CO	7/20/04: Approved staff's recommendation of GR-CO zoning, with CO to impose the	8/26/04: Granted GR-CO (7-0); all 3 readings

		<p>following conditions: 1) The only permitted GR uses are Auto Sales and Auto Repair;</p> <p>2) Permit LR Uses, with the exception of the following LR uses: Service Station; Restaurant (General); Restaurant (Limited); 3) Limit the development intensity to less than 2,000 vehicle trips per day; 4) Require a 25' vegetative buffer along the northern property line; by consent (8-0, J. Pinnelli-absent)</p>	
C14-03-0080 (Goodson 4.4 acres: San Felipe Blvd)	MF-3-CO to GR	<p>6/10/03: Approved staff's alternate recommendation of GR-CO zoning with the following conditions: 1) Limit the site to 2,000 vehicle trips per day; 2) Prohibit the following uses: Automotive related uses [Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type)], Pawn Shop Services, Restaurant (Drive-In, Fast Food), Personal Improvement Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Adult Oriented Businesses, Urban Farm, and 3) Require a 10-foot landscape buffer along the Eastern property line. Vote: (8-0, J. Martinez-absent); M. Whaley-1st, K. Jackson-2nd.</p>	<p>7/17/03: Approved ZAP rec. of GR-CO (7-0); with the following additional permitted uses: Personal Improvement Services use and permit Drive-In Facilities, only as an accessory use to a Bank (Financial Services use). 8/14/03: Approved (7-0); 2nd/3rd readings.</p>
C14-02-0132 (Goodson 8 Acres: Pond Springs Road at San Felipe Boulevard)	MF-3-CO to GR	<p>10/22/02: Approved GR-CO zoning with the following conditions:</p> <p>1) The only permitted GR uses are Automotive Sales and Automotive Repair Services;</p> <p>2) Permit LR uses, with the exception of the following uses:</p> <ul style="list-style-type: none"> a) Service Station b) Food Sales c) Accessory Off-Site Parking d) Restaurant (Drive-In, Fast Food) e) Restaurant (Limited); <p>3) 2,000 vehicle trip per day limit;</p> <p>4) Require that protected trees</p>	<p>11/21/02: Granted ZAP rec. of GR-CO zoning w/ conditions and a public restrictive covenant (6-0, Goodman-absent); 1st reading 12/5/02: Granted GR-CO zoning (7-0); 2nd reading, with the following conditions:</p> <ul style="list-style-type: none"> 1) No structural detention or water quality facility shall be allowed within the proposed 25' vegetative buffer; 2) Grow green standards shall be utilized; 3) Structural parking shall be prohibited

		shall remain undisturbed; 5) Require that Compatibility Standards be applied along the eastern property line; 6) Require a 25' vegetative buffer along the eastern property line; 7) Limit structures to 40' in height, with an increase in height according to Compatibility Standards; 8) Require that all Automotive Maintenance and Repair be contained within a structure; 9) Restrict access to San Felipe Boulevard to emergency access only; 10) Allow no inoperable vehicle storage on the site; 11) Parking lot not allowed adjacent to the proposed vegetative buffer along the eastern property line.	12/12/02: Granted GR-CO zoning (7-0); 3 rd reading [valid petition withdrawn]
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RELATED CASES:

C14-98-0090 - Previous Rezoning Case
 C8-84-0129.01.1 - Subdivision Case

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Hunters Chase Dr.	106'	60'	ASMP Level 3	Yes	None	Yes

OTHER STAFF COMMENTS:Comprehensive Planning

Project Name and Proposed Use: 12151 HUNTERS CHASE DR. C14-2022-0002. 4.15 acres from GR to GR-MU. CONGREGATE LIVING TO MULTIFAMILY APTS (180 UNITS).

Yes	Imagine Austin Decision Guidelines
Compact and Connected Measures	
Y	Imagine Austin Growth Concept Map: Located close to, within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified on the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: Next to 183 & McNeil Neighborhood Center
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.
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	Connectivity and Education: Is 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 recreational area, park and/or walking trail.
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, 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 house.
Y	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 mixed use development (minimum 10% residential and 10% non-residential floor area).
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
7	Total Number of "Yes's"
Imagine Austin Priority Program Bonus Features (Extra Points)	
	Small Area Plan Policies: Supports applicable Small Area Plans, including the Future Land Use Map, goals, objectives, actions and text. List three small area plan policies that relate to this project. Name of Small Area Plan
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Culture and 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 an industry that is currently not represented in particular area or that promotes a new technology.
	Workforce Development, the Economy and Education: Promotes educational opportunities or workforce development training.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Lake Creek Watershed of the Colorado River Basin, which is classified as a Suburban

Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

At this time, no information has been provided as to whether this property has any ls that preempt current water quality or Code requirements.

Fire

No comments.

Parks and Recreation

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

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

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

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

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.

Transportation

ASMP Assessment:

The Austin Strategic Mobility Plan (ASMP) calls for 116 feet of right-of-way for Hunters Chase Dr. It is recommended that 58 feet of right-of-way from the existing centerline should be dedicated for Hunters Chase Dr. according to the Transportation Plan prior to 3rd reading of City Council. [LDC 25-6-51 and 25-6-55].*

* On February 2, 2022, the Transportation reviewer for this case e-mailed the staff and stated that the ROW dedication will be deferred to Site Plan or Subdivision (if it occurs) rather than at zoning.

Transportation Assessment:

Assessment of required transportation mitigation, including the potential dedication of easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

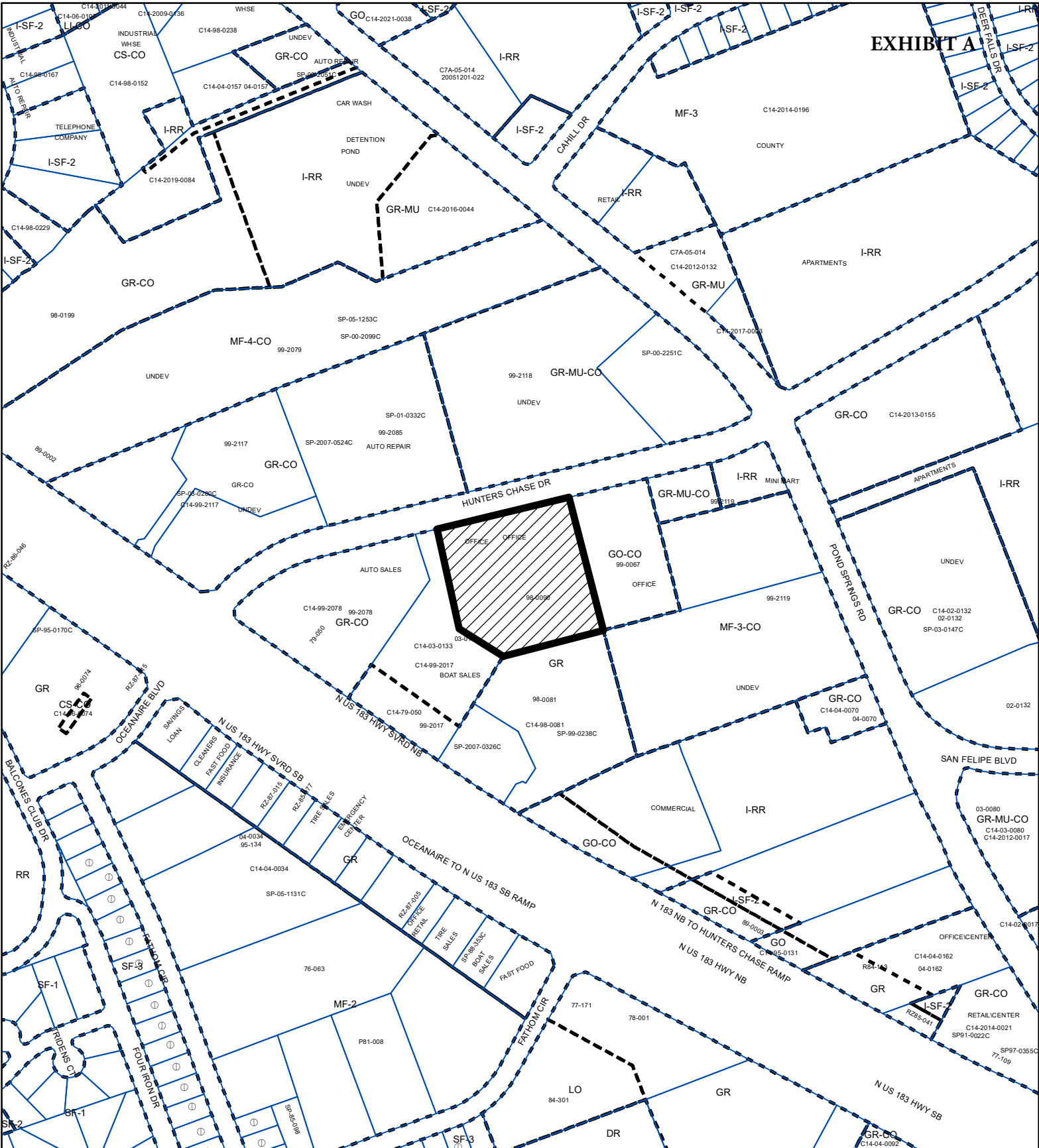
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

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

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Applicant's Request Letter




EXHIBIT A



ZONING

ZONING CASE#: C14-2022-0002



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

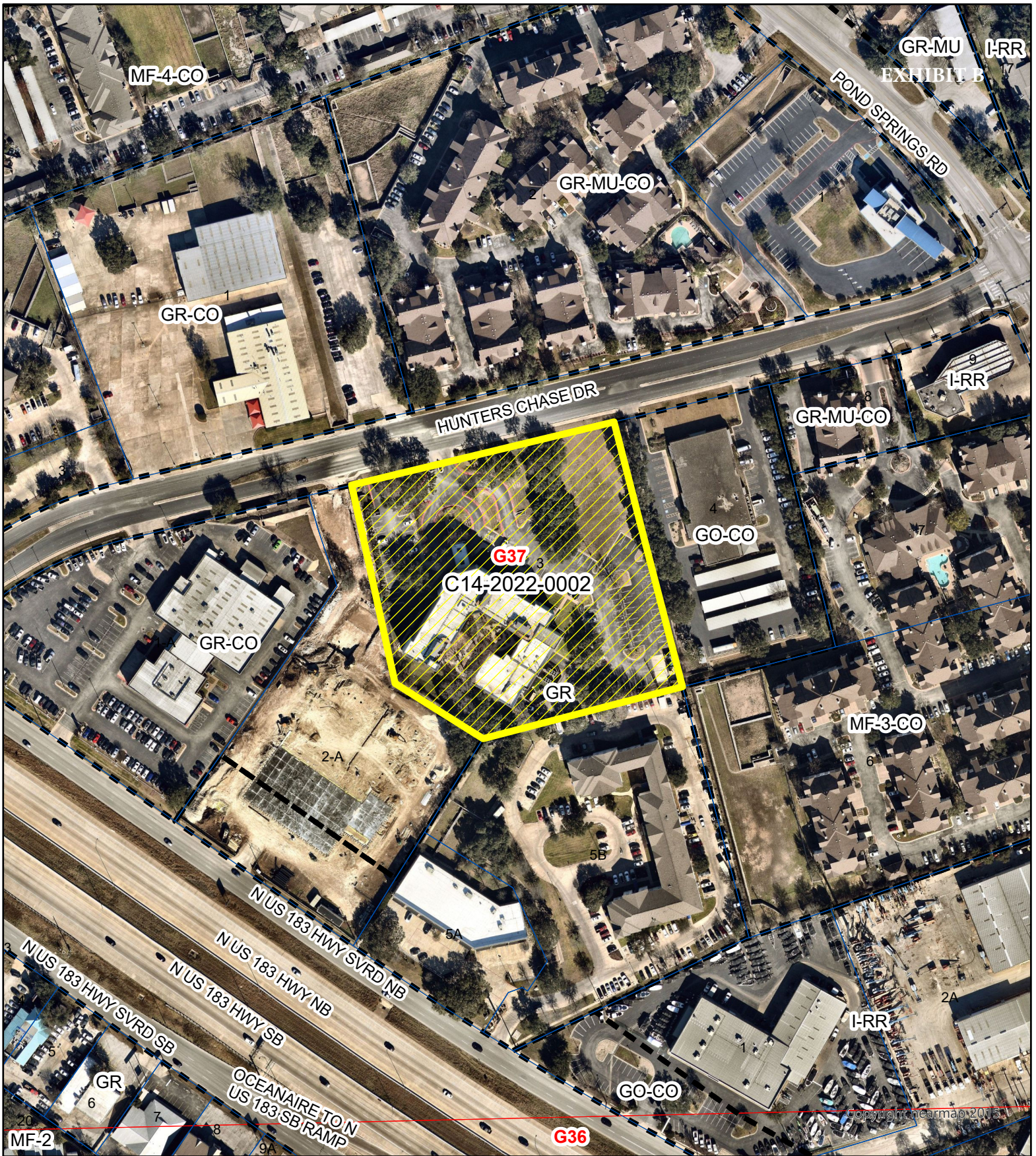
1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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: 1/5/2022



12151 Hunters Chase Rezoning

ZONING CASE#: C14-2022-0002
 LOCATION: 12151 Hunters Chase Drive
 SUBJECT AREA: 4.15 Acres
 GRID: G37
 MANAGER: SHERRI SIRWAITIS



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.

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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Richard T. Suttle, Jr.
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January 4, 2022

Rosie Truelove
Director, Housing & Planning Department
City of Austin
1100 E. 11th Street, Suite 200
Austin, Texas 78702

Re: Zoning Application for property located at 12151 Hunters Chase Drive, Austin,
Texas 78729, also known as WCAD Parcel No. R081224 (the “Application”)

Dear Ms. Truelove:

This letter is submitted on behalf of the owner in the above referenced Application. The area to be rezoned is comprised of a ±4.15 acre tract of land located at 12151 Hunters Chase Drive in Austin, Williamson County, Texas (the “Property”).

The Property is zoned Community Commercial (GR) district and is currently developed with an assisted living and memory care facility with surface parking. Currently the proposed redevelopment is for the construction of approximately 180 multi-family units to be located on the Property (the “Project”).

In order to obtain the ability to construct residential uses on the Property and facilitate development of the Project, this Application seeks to rezone the Property from GR to Community Commercial – Mixed Use Combining District (GR-MU).

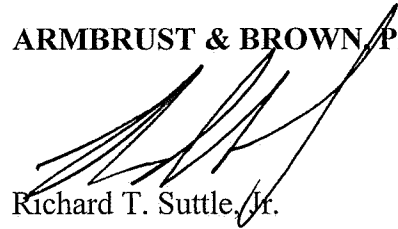
Thank you in advance for your time and consideration of this matter. If you have any questions or need additional information, please do not hesitate to contact me or Amanda Surman at (512) 435-2328.

ARMBRUST & BROWN, PLLC

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Very truly yours,

ARMBRUST & BROWN, PLLC

A handwritten signature in black ink, appearing to read "Richard T. Suttle, Jr.", is written over the printed name.

Richard T. Suttle, Jr.

cc: Sherri Sirwaitis, City of Austin
Jerry Rusthoven, City of Austin
Andrew Dolling
Josh Rosen
Amanda Surman