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**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.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**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
<b>SITE</b>	LR	Service Station
<b>NORTH</b>	LR/GR	Office Building
<b>SOUTH</b>	MF-2	Apartments
<b>EAST</b>	LR	Restaurant
<b>WEST</b>	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.

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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.

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**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

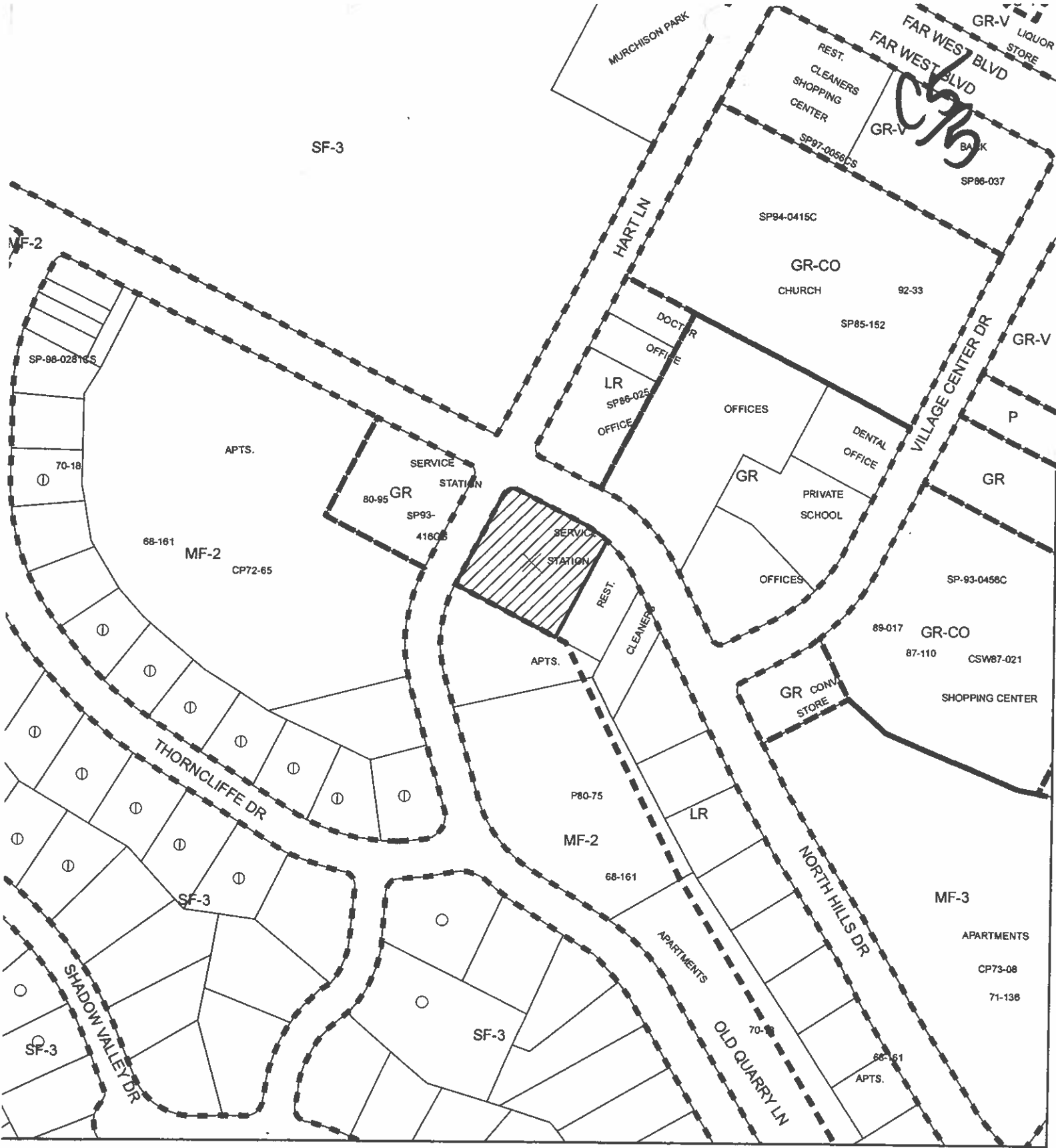
**ACTION:**

**ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)





**PHONE:** 974-7691



**ZONING**

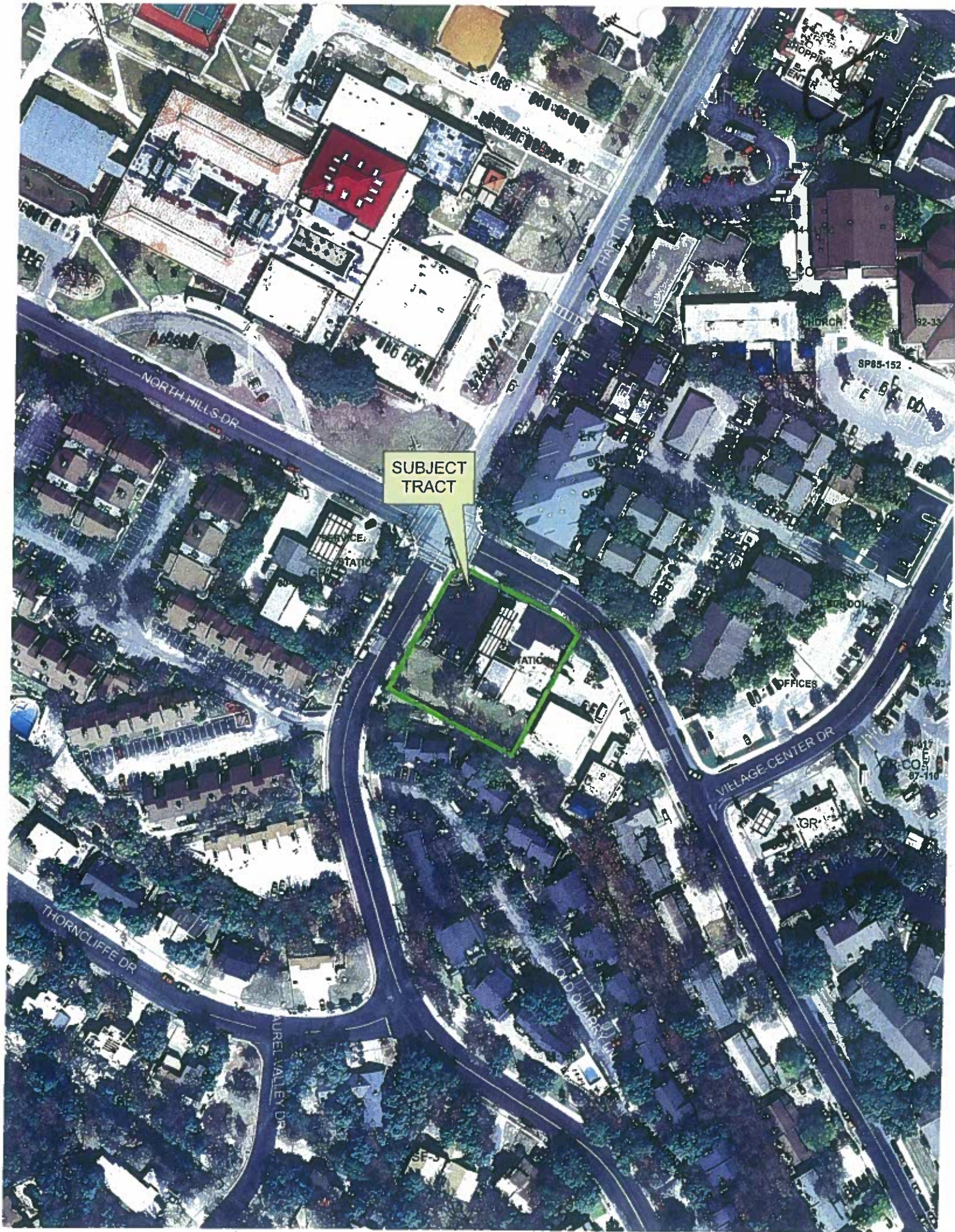
ZONING CASE#: C14-2011-0061  
 LOCATION: 3635 NORTH HILLS DR  
 SUBJECT AREA: 0.682 AC.  
 GRID: H29  
 MANAGER: C. PATTERSON



-  N
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

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

MARTIN LN

VILLAGE CENTER DR

THORNCLIFFE DR

AUREL VALLEY DR

STATION

STATION

OFFICES

TR

CHURCH

SP85-152

SP-417

OR CO

87-110

SP-83

92-35

085 085-0500

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3635 N Hills Dr, Austin, TX 78731



© 2011 Google  
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30°21'06.97" N 97°45'28.16" W elev 785 ft

Eye all 794 ft

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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.

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[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

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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

John E. H. Street

Your Name (please print)

6805 A-B Thackeriff 78731

Your address(es) affected by this application

 8/8/2011  
Signature Date

Daytime Telephone 512-577-5646

Comments:

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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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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

Theresa Gerst  
Your Name (please print)

6915 Old Quarry Lane  
Your address(es) affected by this application

M. Gerst  
Signature

8/13/11  
Date

Daytime Telephone: 512

I am in favor  
 I object

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, traffic, potential for residents 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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C5  
9/9

## 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 proposito 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 especifica 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](http://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

I am in favor  
 I am object

BARNET, WILLIAM & DIANE  
 Your Name (please print)

6910 HART LANE, #910

AUSTIN, TX 78731  
 Your address(es) affected by this application

William & Diane Barnett 8/7/11  
 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 NORTHBOUND TRAFFIC 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 PARK WEST & VILLAGE CENTER DRIVE. REZONING THIS PROPERTY WOULD NEGATIVELY IMPACT QUALITY OF LIFE AND PROPERTY VALUES

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 Clark Patterson  
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 Austin, TX 78767-8810

*[Handwritten signature]*

LIFE AND PROPERTY VALUES

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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

Norman Allen  
 Your Name (please print)

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

[Signature]  
 Signature

8/8/11  
 Date

Daytime Telephone: 921.4944 cel.

Comments: 1. Make sure there is adequate parking  
streets are open to traffic!  
2. No significant increase in traffic!  
3. Does not attract criminals! Vandal!

Should have included  
Self-addressed envelope  
or just folder this note as

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 Planning & Development Review Department  
 Clark Patterson  
 P. O. Box 1088  
 Austin, TX 78767-8810

return mail  
12/15

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 Contact: Clark Patterson, (512) 974-7691  
 Public Hearing: August 16, 2011, Zoning and Platting Commission  
 September 22, 2011, City Council

I am in favor  
 I object

RONALD B CASS  
 Your Name (please print)

7011 HART LN

Your address(es) affected by this application

[Signature]  
 Signature

Date

Daytime Telephone: 512 345 2655

Comments: \_\_\_\_\_  
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