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## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2014-0157  
(8528 Burnet Road)

**P.C. DATE:** December 9, 2014  
January 13, 2015

**ADDRESS:** 8528-8600 Burnet Road/8647 Rockwood Lane

**OWNER/APPLICANT:** Robert L. Crump and Gordon Automotive (Charles M. Gordon)

**AGENT:** Bowman Consulting Group (R. Dave Irish, P.E.)

**ZONING FROM:** CS      **TO:** MF-6-CO\*      **AREA:** 2.79 acres

\*On October 29, 2014, the applicants amended the rezoning application to add the following conditions to their request: 1) To limit the height on the property to 60 feet, 2) to state that 15% of the multi-family dwelling units shall be reserved for SMART Housing (Please see SMART Housing Certification Letter – Attachment B) and 3) to limit the number of units to 300 residential units on the site (Please see Amendment Request Letters – Attachment A).

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is for MF-6-CO, Multi-family Residence-Highest Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit the height on the property to 60 feet, limit the number of units to 300 residential units and limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

### **PLANNING COMMISSION RECOMMENDATION:**

12/09/14: Postponed to January 13, 2015 at the applicant's request by consent (5-0, B. Roark, J. Nortey and A. Hernandez-absent, R. Oliver-arrived late); R. Hattfield-1<sup>st</sup>, J. Stevens-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is currently developed with an automotive dealership and a plumbing supply company. The applicants are requesting MF-6 zoning at this location because they would like to redevelop the site with approximately 300 multifamily residential units. They are offering a conditional overlay to limit the height on the property to 60 feet (current height allowed under the existing CS district zoning), to state that 15% of the multi-family dwelling units shall be reserved for SMART Housing and to limit the number of residential units on the site to a maximum of 300 units.

The staff recommends MF-6-CO district zoning at this location because the property meets the intent of the Multi-family Residence-Highest Density district as this tract of land fronts onto Burnet Road, an arterial roadway and a designated Core Transit Corridor. MF-6 zoning is consistent with the adjacent uses as there are multifamily residential developments to the west (Rockwood Apartments). The property is surrounded commercial zoning, with CS district zoning to the north, south and west. This applicant's request is a down zoning of the property to a less intensive zoning district. The proposed MF-6 zoning will permit the applicant to redevelop this site with a multifamily uses that will provide for a mixture of housing opportunities in this area of the city.

The applicant agrees with the staff's recommendation.

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**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS	Automotive Sales (Gordon Automotive), Construction Sales and Services (Crump Plumbing Supply)
<i>North</i>	CS	Restaurant (Waterloo Ice House), Retail Center (Adventure Five Institute, Taco Cabana Restaurant, Austin Access Care, etc.)
<i>South</i>	CS	Driveway, Indoor Entertainment (Slick Willy's Family Pool Hall)
<i>East</i>	CS, CS-NP	General Retail Sales Convenience (Gas Pipe), Restaurant (P. Terry's)
<i>West</i>	MF-4	Multifamily (Rockwood Apartments)

**AREA STUDY:** Burnet Road, Anderson Lane and the North Shoal Creek Neighborhood Planning Area

**TIA:** Waived

**WATERSHED:** Shoal Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
 Austin Independent School District  
 Austin Neighborhoods Council  
 Bike Austin  
 Friends of the Emma Barrientos MACC  
 Friends of North Shoal Creek  
 Homeless Neighborhood Association  
 North Austin Neighborhood Alliance  
 North Shoal Creek Neighborhood Association  
 SELTEXAS  
 Sierra Club, Austin Regional Group  
 Super Duper Neighborhood Objectors and Appealers Organization  
 Sustainable Neighborhoods  
 The Real Estate Council of Austin, Inc.  
 Wooten Neighborhood Association  
 Wooten Neighborhood Plan Contact Team

**SCHOOLS:**

Pillow Elementary School  
 Burnet Middle School  
 Anderson High School

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**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0167 (8100 Burnet)	CS to MF-6	3/06/12: Approved the staff's recommendation for MF-6-CO zoning, with CO to limit the height on the property to 60 feet and restrict the site to a maximum of 300 residential units, (5-1, J. Meeker-No, B. Baker-absent); G. Bourgeois-1 <sup>st</sup> , C. Banks-2 <sup>nd</sup> .	4/05/12 : Approved MF-6-CO on first reading (7-0); B. Spelman-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup> .  4/01/13: Case expired per LDC Sec. 25-2-246.
C14-2008-0032 (North Shoal Creek Planning Area Vertical Mixed Use)	Add V (Vertical Mixed Use Building Combining District) to Certain Tracts	5/13/08: Approved neighborhood's rec. to implement V regulations on selected tracts (9-0)	7/10/08: Approved V (7-0); 1 <sup>st</sup> reading  8/28/08: Approved V by Ordinance No. 20080828-104 (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings
C14-02-0086 (Tara's Beauty Salon: 2204 W. Anderson Lane)	SF-3 to GR-MU	7/23/02: Approved staff rec. of GR-MU by consent (7-0)	8/08/02: Approved GR-MU (6-0); 1 <sup>st</sup> reading  8/22/02: Approved GR-MU (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

**RELATED CASES:** N/A

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	ADT
Burnet Road	Varies	MAD-4	Major Arterial	30,269
Rockwood Lane	60'	37'	Collector	3,483

**CITY COUNCIL DATE:** January 29, 2015

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

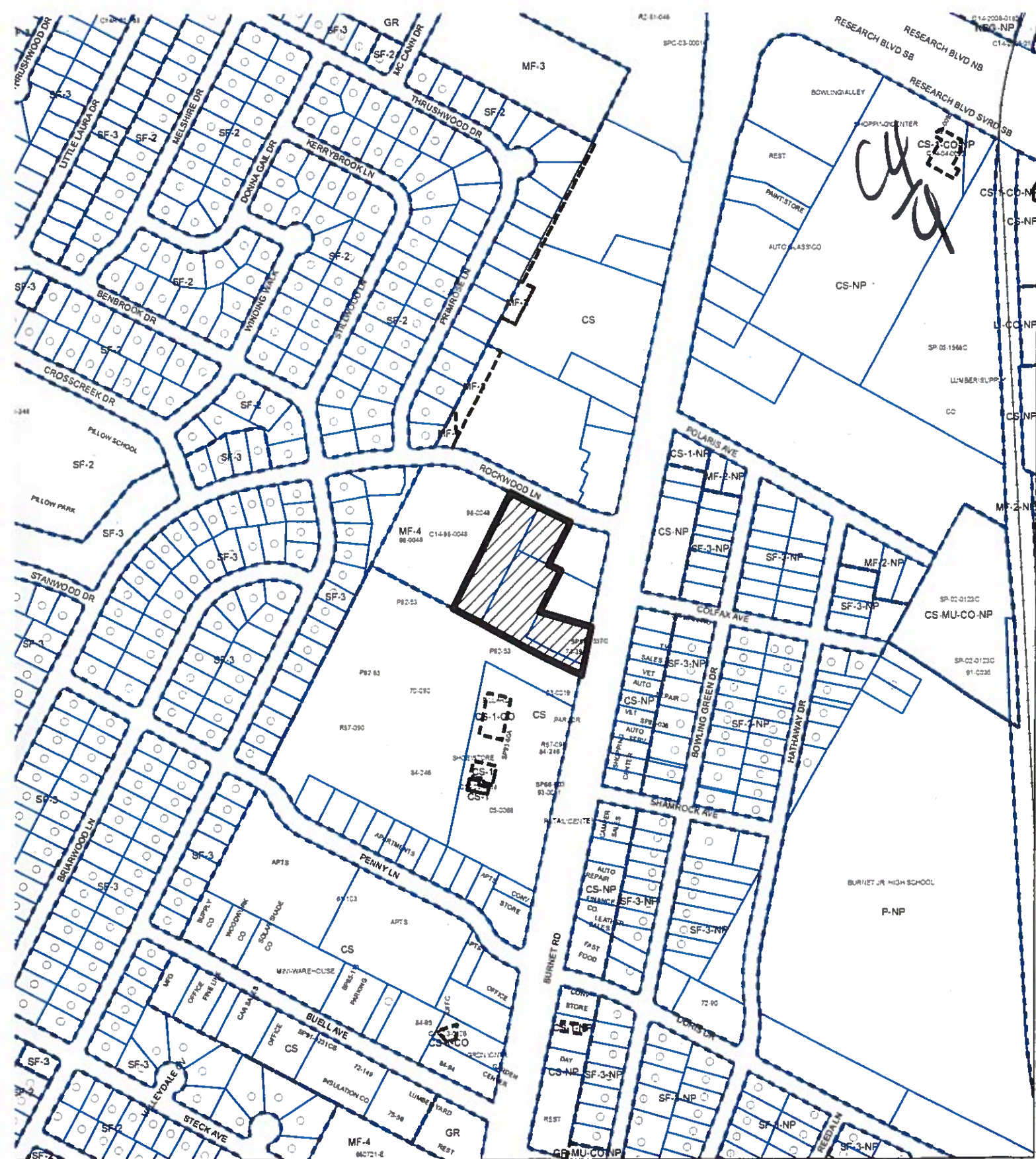
3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057

**E-mail:** [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)



## ZONING

ZONING CASE#: C14-2014-0157



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.

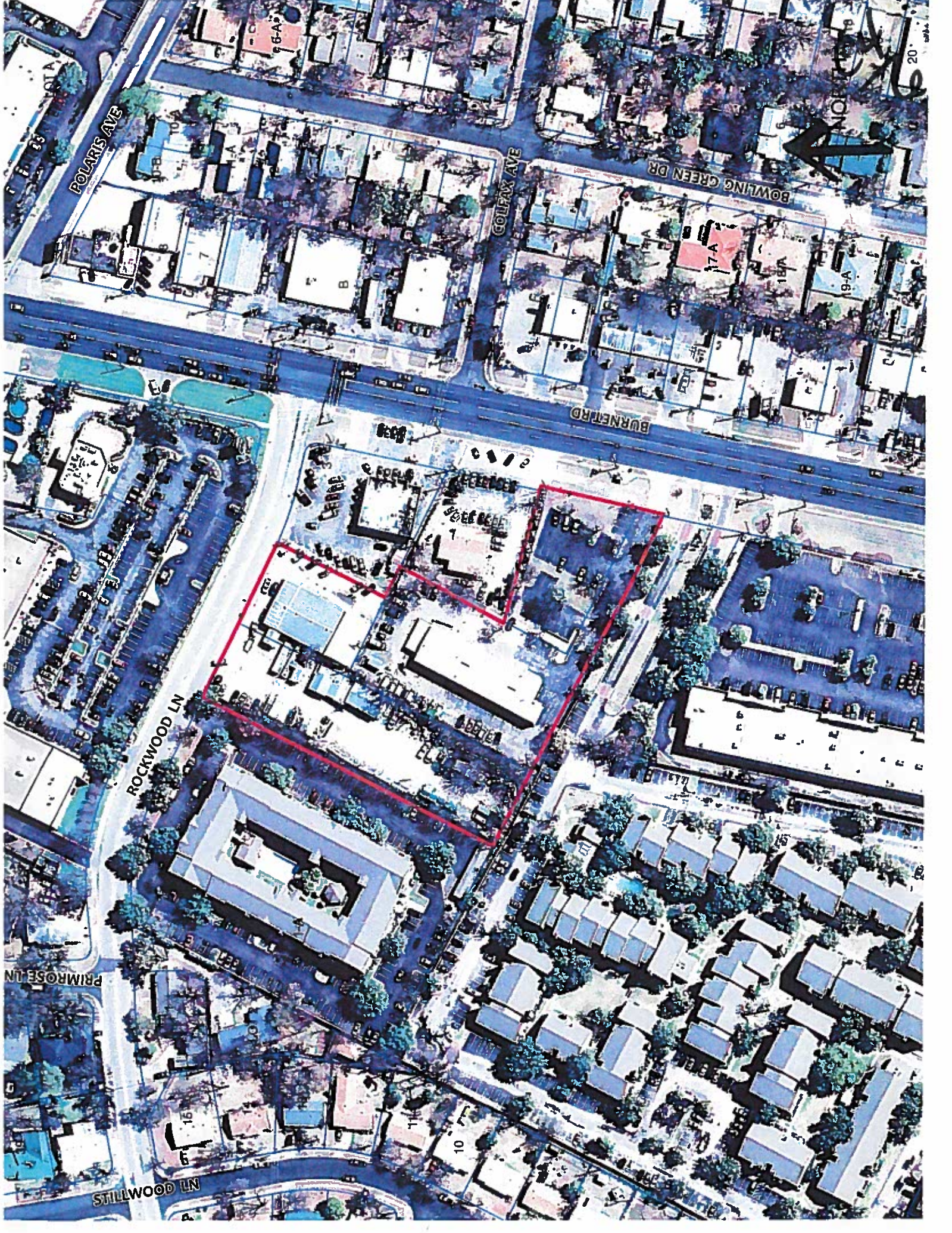
This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.













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## STAFF RECOMMENDATION

The staff's recommendation is for MF-6-CO, Multi-family Residence-Highest Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit the height on the property to 60 feet, limit the number of units to 300 residential units and limit the development intensity for the entire site to less than 2,000 vehicle trips per day.

## BASIS FOR RECOMMENDATION (ZONING PRINCIPLES):

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

Multifamily residence highest density (MF-6) district is the designation for multifamily and group residential use. An MF-6 district designation may be applied to a use in a centrally located area near supporting transportation and commercial facilities, an area adjacent to the central business district or a major institutional or employment center, or an area for which the high density multifamily use is desired.

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

The proposed zoning is consistent with the adjacent uses as there is a multifamily residential development to the west (Rockwood Apartments). The property is surrounded by commercial zoning, with CS district zoning to the north and south and CS-NP zoning, across Burnet Road to the east.

3. *Zoning should allow for reasonable use of the property.*

MF-6-CO zoning will permit the applicant to redevelop this site with a multifamily uses that will provide for a mixture of housing opportunities in this area of the city. The case is consistent with the goals of the Imagine Austin Comprehensive Plan as it is located on Burnet Road, a designated Activity Corridor.

## EXISTING CONDITIONS

### Site Characteristics

The site under consideration currently developed with an automotive sales use (Gordon Automotive) and a construction sales and services business (Crump Plumbing Supply).

### Comprehensive Planning

CS to MF-6

This zoning case is located on the south side of Rockwood Lane, approximately 225 ft. west of Burnet Road. The property is approximately 2.79 acres in size and contains a plumbing supply business. It is also located within the boundaries of a planning area without an adopted neighborhood plan (the North Shoal Creek NPA.) Surrounding land uses include a shopping center to the north, apartments and a shopping center to the south, a brewpub and catering business to the east, and apartments to the west. The proposed use is 300 unit multi-story apartment building.

C4/8

### **Imagine Austin**

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located just to the west of an **Activity Corridor (Burnet Road)**. Activity Corridors are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, **apartments**, public buildings, houses of worship, mixed-use buildings, and offices. Based on this project providing additional multi-family apartments to the area and being adjacent to an Activity Corridor, this case is appears to be consistent with Imagine Austin.

### **Environmental**

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.

Zoning district impervious cover limits apply in the Urban Watershed classification.

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.

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 512-974-1876. 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.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

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

### **Hill Country Roadway**

The site is not within a Hill Country Roadway Corridor.

### **Impervious Cover**

The maximum impervious cover allowed by the MF-6 zoning district would be 80%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Zoning district impervious cover limits apply in the Urban Watershed classification.



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### **Site Plan**

FYI--This area is located in the North Shoal Creek Neighborhood Planning area, which is in process but has not yet been adopted. Existing zoning controls.

No apparent compatibility conflicts. There is residential zoning within 540 feet of this property but it is far enough away that the maximum building height under MF-6 (90') will not be in conflict with compatibility requirements.

At the time of site plan, Commercial Design Standards will be required as part of compliance. Burnet Road is an Urban Roadway at this location.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

### **Transportation**

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]

Burnet Road is classified in the Bicycle Plan as Bike Route No. 437. Rockwood Lane is classified in the Bicycle Plan as Bike Route No. 316.

Capital Metro bus service (Rapid Route No. 803) is available along Burnet Road.

There are existing sidewalks along Burnet Road and the north side of Rockwood Lane.

The Neighborhood Connectivity Division of Public Works may provide additional comments regarding mobility enhancement and pedestrian facilities.

This case is being evaluated by the Bike Program Division with the Austin Transportation Dept. Additional comments may be generated.

#### **Existing Street Characteristics:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>ADT</b>
Burnet Road	Varies	MAD-4	Major Arterial	30,269
Rockwood Lane	60'	37'	Collector	3,483

C4/10

### Water and Wastewater

FYI: 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, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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.



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October 29, 2014

Delivered via e-mail

Sherri Sirwaitis, Case Manager  
City of Austin – Planning and Development Review Department  
One Texas Center  
505 Barton Springs Rd.  
Austin, TX 78704

RE: Amendment Request for Zoning Case Number C14-2014-0157  
8647 Rockwood Lane & 8528 Burnet Road

Ms. Sirwaitis,

On behalf of the applicants, Mr. Robert Lee Crump and Mr. Charles Mitchell Gordon, we hereby request that the subject zoning application be amended to include the following qualifications:

1. Height is limited to 60 feet
2. 15% of the multi-family dwelling units shall be reserved for SMART Housing

Please call me at 512.327.1180 if you have any questions or require additional information.

Regards,



Bill Gabler, P.E.  
Senior Project Manager

C4  
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October 30, 2014

Delivered via e-mail

Sherri Sirwaitis, Case Manager  
City of Austin – Planning and Development Review Department  
One Texas Center  
505 Barton Springs Rd.  
Austin, TX 78704

RE: Amendment Request for Zoning Case Number C14-2014-0157  
8647 Rockwood Lane & 8528 Burnet Road

Ms. Sirwaitis,

On behalf of the applicants, Mr. Robert Lee Crump and Mr. Charles Mitchell Gordon, we hereby request that the subject zoning application be amended to include a conditional overlay limiting the number of units to 300 residential units.

Please call me at 512.327.1180 if you have any questions or require additional information.

Regards,



Bill Gabler, P.E.  
Senior Project Manager





## City of Austin

P.O. Box 1088, Austin, TX 78767  
[www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

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### Neighborhood Housing and Community Development Department

November 4, 2014

#### S.M.A.R.T. Housing Certification

Fremont Holdings, LLC- Burnet Road Development (project id #65770)

#### TO WHOM IT MAY CONCERN:

Fremont Holdings, LLC (development contact Carter Sackman, (561-789-6915 (o); [cj.sackman@sackman.com](mailto:cj.sackman@sackman.com)) is planning to develop a 300 unit multi-family development near the intersection of Rockwood Lane & Burnet Road. The property is located in the North Shoal Creek neighborhood planning area at this time.

NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Because 15% of the units in this development will serve households with incomes at or below 80% of Austin's Median Family Income level (MFI), the development is eligible for a waiver of 25% of the fees listed in the S.M.A.R.T. Housing Ordinance adopted by the City Council. Expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees	Site Plan Review	Zoning Verification
Building Permit	Misc. Site Plan Fee	Parkland Dedication (b)
Concrete Permit	Building Plan Review	separate ordinance)
Electrical Permit	Construction Inspection	Land Status Determination
Mechanical Permit	Misc. Subdivision Fee	Plumbing Permit

#### Prior to issuance of building permits and starting construction, the developer must:

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Austin Energy: Katherine Murray at 512-482-5351).
- ◆ Submit plans demonstrating compliance with accessibility standards.

#### Before a Certificate of Occupancy will be granted, the development must:

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ◆ Pass a final inspection to certify that accessibility standards have been met.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the completion of the units, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Please contact me at 974-3154 if you need additional information.

*Javier V. Delgado*

Javier V. Delgado  
 Neighborhood Housing and Community Development

Cc: Larne Shaw, Cap Metro  
 Maureen Meredith, PDRD  
 M. Summons-Smith, PDRD  
 Steve Castiberry, PDRD

Jose Roug, PDRD  
 A. Janssen, PDRD  
 A. Moliere, PDRD  
 R. Jenkins, WWW Tap

S. Sirwanis, PDRD  
 John McDonald, PDRD  
 Kath. Murray, AEGB  
 Chris Yanez, PARD

## 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:  
<http://www.austintexas.gov/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: C14-2014-0157

Contact: Sherri Sirvaitis, 512-974-3057

Public Hearing: Dec 9, 2014, Planning Commission

Jan 29, 2015, City Council

John Key  
Your Name (please print)

☐ I am in favor  
☒ I object

8505 Stillwood Ln

Your address(es) affected by this application

[Signature]  
Signature

11-17-14  
Date

Daytime Telephone: 512-393-4770

Comments: IF it is low income affordable housing  
then absolutely NOT!

IF it will be high dollar, nice,  
carefully maintained, mix use housing  
with nice restaurants and shops on  
bottom, then Maybe!

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

City of Austin  
Planning & Development Review Department  
Sherri Sirvaitis  
P. O. Box 1088  
Austin, TX 78767-8810

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## 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.

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Case Number: C14-2014-0157

Contact: Sherri Sirvaitis, 512-974-3057

Public Hearing: Dec 9, 2014, Planning Commission  
Jan 29, 2015, City Council

*IMOGENE HARPER*

Your Name (please print)

*8716 THURWOOD AUSTIN TX 78759*

Your address(es) affected by this application

*Sherri Sirvaitis*

Signature

*11-20-14*

Date

Daytime Telephone: *512-452-9535*

Comments:

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

City of Austin  
Planning & Development Review Department  
Sherri Sirvaitis  
P. O. Box 1088  
Austin, TX 78767-8810

*C4*  
*15*

Sirwaitis, Sherri

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**From:** Steven Zettner [REDACTED]  
**Sent:** Sunday, December 07, 2014 9:45 PM  
**To:** Chimenti, Danette - BC; Hernandez, Alfonso - BC; Stevens, Jean - BC; Oliver, Stephen - BC; Hatfield, Richard - BC; Jack, Jeff - BC; Nortey, James - BC; Roark, Brian - BC; Varghese, Lesley - BC; Zaragoza, Nuria - BC  
**Cc:** Kevin Wier; Sirwaitis, Sherri  
**Subject:** C14-2014-0157 8528 Burnet Rd - MF6 needs to be near a BRT station

C4  
116

December 7, 2014

Case Number C14-2014-0157

8528-8600 Burnet Rd/8647 Rockwood Lane

Item #6 on 12/9 Planning Commission Agenda

Dear Commissioner,

I am writing to oppose MF6 zoning on the property at 8528 Burnet Rd because it is not near rapid transit. Multi-family or mixed use zoning of some intensity less than MF6 would be appropriate.

My organization, Sustainable Neighborhoods, for many years has championed a vision for the Burnet Rd corridor that arranges higher intensity development into village centers around the rapid bus stations, followed by transitional housing. The appropriate locations for MF6-level development on this part of Burnet are at Burnet south of 183, or at Burnet-Ohlen.

This vision is consistent with both Imagine Austin's depiction of activity corridors, and the CodeNext team's analysis of corridor development:

Imagine Austin, Activity Corridors, pg 106: **"Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations."**

CodeNext, Land Development Code Diagnosis, pg. 48: **"The application of the MU and VMU designations was a missed opportunity to focus development on designated nodes, rather than be applied scatter-shot or to the full length of various major commercial corridors. This broad application has created a lot of uncertainty about the size and scale of development, created large, isolated urban buildings in suburban or rural places within the city, and exacerbated the lack of hierarchy along the corridors."**

The 8528 Burnet site is a full quarter mile from the nearest rapid bus station at Burnet-183. As such, residents and visitors will use transit less frequently. There is a high risk of such developments scattered along the corridor contributing to vehicle congestion. The logical place for the City of Austin (and developers) to invest in real pedestrian amenities that create successful alternatives to vehicle trips is near the BRT stations. That's where development of this intensity should go.

Thank you for your service on behalf of our city!

Steven  
512-344-1672

--  
  
Steven Zettner  
Sustainable Neighborhoods of North Central Austin  
[REDACTED]



North Shoal Creek Neighborhood Association (NSCNA)

PO Box 66443

Austin, Texas 78766

C4/17

December 5, 2014

Regarding:

Case Number: C14-2014-0157 (8528 - 8600 Burnet Road/8647 Rockwood Lane, the Crump and Gordon properties)

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearings: December 9, 2014, Planning Commission, 6:00 p.m.

January 29, 2015, City Council, beginning at 2:00 p.m.

Dear Ms. Sirwaitis:

This letter is to inform you, the Planning Commission, and the City Council that the North Shoal Creek Neighborhood Association voted to object to this proposed rezoning case at our regular meeting held on November 4<sup>th</sup>. We do not want this rezoning request to be approved.

We listened to the developer present his case for the project and the rezoning and, after his presentation, had a discussion with him and his representatives.

We concluded that this proposed rezoning, if approved, will harm our neighborhood's quality of life and will be incompatible with our existing neighborhood character. North Shoal Creek is already densely populated (twice Austin's average density according to the U.S. Census), and our neighborhood streets are already overrun with cut-through traffic (as documented by our requests over the years for the City's help). Especially worrisome is that much of this increased cut-through traffic will occur on the street running in front of our neighborhood elementary school, Pillow Elementary. We are also concerned that this rezoning worsens another problem: our area's growing lack of affordability. Rising property values and property taxes are already pricing out residents. Now, if this rezoning is approved, this problem grows to include neighborhood businesses as well—in this case, Gordon Automotive, which moved to its North Shoal Creek location in 1968.

We also believe this rezoning request violates several of the principles listed in the City of Austin's June 2014 *Neighborhood Planning Guide to Zoning*. This city document lists 12 principles which, it says, should be used "to evaluate all zoning requests." Among the principles that this rezoning request conflicts with are these:

**1. "Zoning should be consistent with the Future Land Use Map (FLUM) or adopted neighborhood plan."**

- According to *Imagine Austin*, a regional center is planned for the North Burnet/Gateway area. The MF-6 zoning requested for this project should be in the North Burnet/Gateway regional center, near its regional transit hub. In *Imagine Austin*, North Shoal Creek is a neighborhood center, not a regional center. High density zoning belongs in the regional center north of Highway 183 and is not compatible with North Shoal Creek's neighborhood center character.

- North Shoal Creek first requested a neighborhood planning process 7 years ago. For various reasons, the City of Austin has delayed that process for 7 years. The Austin City Council approved North Shoal Creek for a neighborhood planning process to begin this fall. That did not happen. This rezoning request falls within the area covered by the Burnet Corridor Plan, which was also supposed to begin this fall. It didn't. Despite promises over the years about residents playing a meaningful role in neighborhood planning, none of these promises have been fulfilled in our case. Now, North Shoal Creek residents feel frustrated and angry because, as a result of delay after delay, North Shoal Creek is now disadvantaged, through no fault of its own, by not having a neighborhood plan.

**2. "Zoning should satisfy a public need and not constitute a grant of special privilege to an individual owner; the request should not result in spot zoning."**

RECIEVED

DEC 08 2014

Planning & Development Review

• North Shoal Creek contains thirteen apartment and condo complexes, built largely in the 1970s and 80s, and zoned a mix of CS, MF-3 and MF-4. North Shoal Creek's rental rates are below median Austin rental rates and are below the rates projected for this proposed apartment complex. As a result, we feel this proposal doesn't satisfy the need for rental affordability. Also, because there is no existing MF-5 or 6 zoning in North Shoal Creek, we believe that agreeing to this rezoning request would result in spot zoning and would constitute a grant of special privilege to an individual owner.

**3. "Granting the zoning should not in any way set an undesirable precedent for other properties in the neighborhood or within other areas of the city."**

• Given that no high density zoning currently exists in North Shoal Creek and that the area north of 183 is a regional center with a transit hub in the Domain area, we believe granting MF-6 zoning in the North Shoal Creek neighborhood will set an undesirable precedent for other properties in our neighborhood.

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

• Existing multi-family housing in North Shoal Creek is MF-3 and MF-4 (medium and moderate), and none exceed three stories. High density MF-6 zoning and a 5-story complex is not compatible with our neighborhood's existing multi-family ~~zoning~~ housing. *the*

• The residential area of the North Shoal Creek consists largely of 60s and 70s subdivisions containing mostly single-story ranch style homes, shaded by mature trees. The single-family core of the neighborhood is ringed by medium and moderate multi-family housing. MF-6 high density zoning is not compatible with adjacent and nearby uses, which are medium density multi-family and single-family residences. Neither is it compatible with the established 60s/70s suburban Austin character of the neighborhood.

• Residents believe that the addition of 300 apartments at the corner of Rockwood and Burnet will result in increased traffic on neighborhood streets. The street running past Pillow Elementary School presents a special concern. There is already a safety issue there when parents arrive to drop off and pick up children. As Burnet traffic increases, this street (Crosscreek) will be used increasingly to access Shoal Creek Boulevard and, from there, Mo-Pac and 183. This will only worsen the traffic/safety issue at Pillow Elementary School.

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

• Rezoning for MF-6 in a moderate and medium density neighborhood adjacent to, but not part of, the Burnet/Gateway regional center violates this guideline.

**6. The rezoning should be consistent with the policies adopted by the City Council or Planning Commission/Zoning and Platting Commission."**

• *Imagine Austin* having been adopted by the Austin City Council and North Burnet/Gateway having been identified as a regional center with a transit hub, permitting MF-6 zoning in North Shoal Creek rather than near the North Burnet/Gateway transit hub is inconsistent with the policies adopted by the Austin City Council.

As a nonprofit organization whose purpose includes promoting and protecting the quality of life, safety, and residential characteristics of our neighborhood, the North Shoal Creek Neighborhood Association urges the Planning Commission and the City Council to vote against rezoning Case C14-2014-0157 from CS to MF-6.

Please contact me with any questions you may have regarding our position on this project.

Best regards,



Michael Blood, President  
North Shoal Creek Neighborhood Association  
president@nscna.org

C4/18