

**ZONING CHANGE REVIEW SHEET****CASE:** C14-2016-0060 – 2801 Hancock Drive**Z.A.P. DATE:** July 19, 2016**ADDRESS:** 2801 Hancock Drive**DISTRICT AREA:** 10**OWNER/APPLICANT:** Robert P. Stern Trust**AGENT:** Texas Design Interests, LLC (Jeff Shindler)**ZONING FROM:** CS**TO:** CS-MU**AREA:** 0.456 acres (19,863 sq. ft.)**SUMMARY STAFF RECOMMENDATION:**

Staff recommends granting general commercial services-mixed use (CS-MU) combining district zoning.

**ISSUES:** Transportation review continues on this case with additional information to be provided in late back-up.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

July 19, 2016;

**DEPARTMENT COMMENTS:**

The subject tract is located on the southwest corner of Hancock Drive and Bull Creek Road and is currently used for monument retail sales by Dietz - Stasswender Memorials. The tract is developed with a 1-story commercial building and an attached metal forecourt that was used by an auto repair/filling station in the past. A portion, almost half, of the property is undeveloped. The property has two driveways from Hancock Drive and one driveway from Bull Creek Road.

This rezoning request is for the addition of the mixed use (MU) combining district to the existing commercial services (CS) base zoning district.

The subject tract is within the boundaries of the Rosedale NPA, which does not have an adopted plan, and is at an intersection that serves as a node of non-residential activity in an area that is predominantly single-family residential. Uses at this intersection and along portions of Hancock Drive are neighborhood serving and include auto repair, plant nursery, primary education facilities and art studio.

A greater variety of uses could benefit the area and this location is appropriate for a true mixed-use development with residential and non-residential uses on the same

site and possibly in the same building and is appropriately scaled to the context of the surrounding residential uses. The tract would also be appropriate for higher intensity residential uses alone. Redevelopment under either scenario would provide a transition to less-intense, residential uses near-by. Furthermore, Hancock Drive and Bull Creek Road have Capitol Metro Bus Route service with 3 stops in the immediate area. Higher density residential use, with or without a retail use, on this tract would help to support the existing transit service in this area.

Staff supports the rezoning to CS-MU because it is congruent with the Imagine Austin Comprehensive Plan in that it would provide the opportunity for compact development that is connected by transit, would allow a mix of uses that would place residential, work, and retail land uses in proximity to each other and that serve as a destination to walk or bicycle to. The rezoning would encourage a variety in housing types in this area. Additionally, the zoning change to allow residential uses will promote compatibility with the near-by residential uses.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS	Monument Retail Sales
<i>North</i>	P	Cemetery
<i>South</i>	CS	Private Primary Educational Facility
<i>East</i>	CS	Auto Repair
<i>West</i>	CS	Art Workshop

**NEIGHBORHOOD PLANNING AREA:** Rosedale (NP process has not begun)

**TIA or NTA:** not required at this time.

**WATERSHED:** Shoal Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

<i>Community Registry Name</i>	<i>ID No.</i>
Allandale Neighborhood Association	3
lower district 7 Green	1504
Shoal Creek Conservancy	1497
Austin Neighborhoods Council	511
Highland Park West Balcones Area Neighborhood Assn	105
5702 Wynona Neighbors	769
Austin Independent School District	742
Homeless Neighborhood Association	1550
Friends of Austin Neighborhoods	1530

Sierra Club, Austin Regional Group	1228
North Austin Neighborhood Alliance	283
Preservation Austin	1424
Bike Austin	1528
SEL Texas	1363
Austin Heritage Tree Foundation	1340
AUSTINRAMP	1150
NW Austin Neighbors	1507
Sustainable Neighborhoods	1396

**SCHOOLS:** Austin Independent School District - Highland Park Elementary, Lamar Middle School, McCallum High School

**CASE HISTORIES:**

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2014-0078 – 2800 W Fresco Drive;	From SF-2 to SF-3	N/A – Case expired	N/A – Case expired
C14-96-0044 – Turnabout Terrace; 2710 Hancock Drive	From CS to SF-2	Apvd CS zoning – 4/23/1996	Apvd CS zoning – 5/23/1996

**RELATED CASES:**

SP-2014-0431C – Approved site plan for the addition of a 3,094 sq. ft. building and 350 sq. ft. covered patio for general retail and restaurant use (see Exhibit C).

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Hancock Drive	62 ft.	36 ft.	Arterial	Yes	Yes	Yes
Bull Creek Road	63 ft.	39 ft.	Collector	No	Yes	Yes

CITY COUNCIL DATE:

ACTION:

August 11, 2016;

ORDINANCE READINGS: 1st

2<sup>nd</sup>

3<sup>rd</sup>

ORDINANCE NUMBER:

CASE MANAGER: Victoria Haase

PHONE: 512-974-7691

EMAIL: [tori.haase@austintexas.gov](mailto:tori.haase@austintexas.gov)

**EXISTING CONDITIONS*****Site Characteristics***

The subject tract is developed with a 1-story commercial building and an attached metal forecourt. About half of the property is developed with impermeable surface (concrete) and the other half is undeveloped, green space. There are a number of trees on the undeveloped portion of tract that vary in size. There does not appear to be any topographic constraints since data shows very little change in elevation across the site.

***Impervious Cover***

In this location, zoning district impervious cover limits apply. The CS zoning district allows up to 95% impervious cover. If the property is developed with a residential use under the MU combining district, site development regulations, including impervious cover, could be more restrictive than what is allowed by the CS base zoning district. Note: The most restrictive impervious cover limit applies.

***P&Z Comprehensive Planning - Kathleen Fox, 512-974-7877*****Connectivity**

A CapMetro stop is located within a quarter mile of this property, while public sidewalks on the two streets abutting this property are sparse and intermittent. The Walkscore for this site is 47/100, labeled as 'Car Dependent' meaning most errands require a car.

**Imagine Austin**

Based on the comparative scale of this site relative to other commercial uses in this area, as well as the site not being located along an Activity Corridor or within an Activity Center, this case falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on this proposed rezoning.

***DSD Environmental – Mike McDougal, 512-974-6380***

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. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.

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. 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.
7. 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.

***DSD Transportation – Natalia Rodriguez, 512-974-3099***

- TR1. Additional right-of-way maybe required at the time of subdivision and/or site plan.
- TR2. Staff is still determining if a NTA is required at this time, however, if existing and proposed trips cumulatively exceed 300 trips per day, a NTA shall be required per LDC 25-6-114 at the time of site plan application. Additional comments may be provided after further review.
- TR3. Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a buffered bike lane is recommended for Bull Creek Road. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for Hancock

***Water and Wastewater – Neal Kepple, 512-972-0077***

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

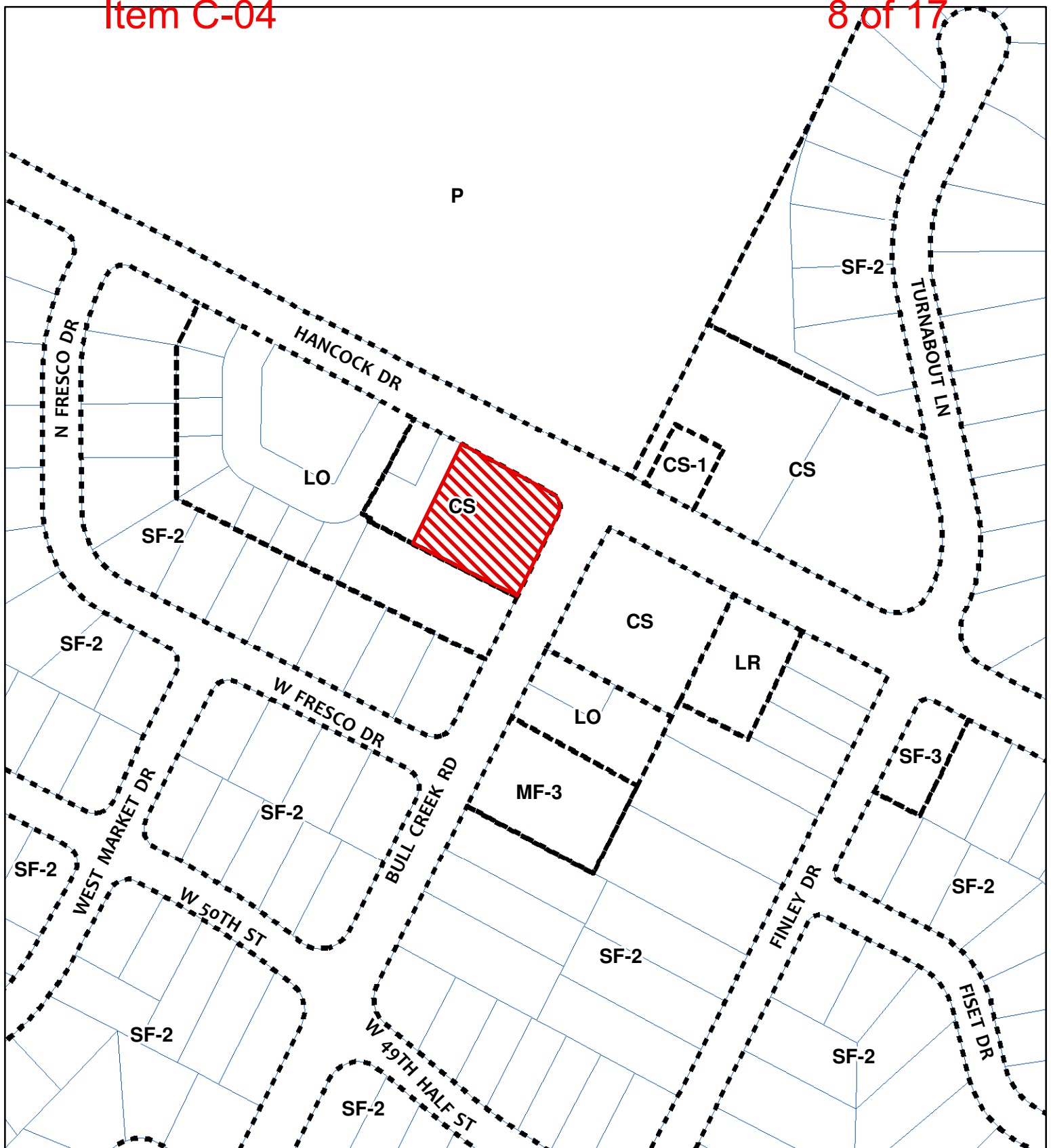
service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The 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.

***Storm Water 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 storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

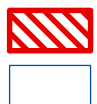
***DSD Site Plan Review – Michael Simmons-Smith, 512-974-1225***

- SP 1. Development on this site will be subject to *Subchapter E: Design Standards and Mixed Use*, including Section 4.2 (*Mixed Use Zoning Districts*). Hancock Drive, the Principal Street, is considered an Urban Roadway for design purposes.
- SP 2. Additional Site Plan Review comments will be provided upon submittal of site plans to accompany an application for site development permit.



### ZONING MAP - EXHIBIT A

ZONING CASE#: C14-2016-0060  
 ZONING CHANGE: CS to CS-MU  
 LOCATION: 2801 Hancock Drive  
 SUBJECT AREA: 0.456 ACRES



Subject Property

Base Map

1' = 400'

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.









### AERIAL MAP - EXHIBIT B

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 Subject Property  
 Base Map

1' = 400'

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**CITY OF AUSTIN**  
**One Texas Center-505 Barton Springs Road**  
**Site Plan Permit**

**Application Date: 10/24/2014**

**Site Plan Expiration Date: 11/18/2018**

**Permit No.: SP-2014-0431C**

**Project Name (or description): Hancock Site**

**Address or Location Description: 2801 Hancock Dr.**

**Watershed: Shoal Creek**

**Owner of Property: Rob Stern, Rob P. Stern Trust (512) 502-1300**

**Address: 4131 Spicewood Springs Rd. Suite N-1, Austin TX 78759**

**Owner's Representative: David B. Holt, Holt Planners, (512) 327-4660**

**Address: P.O. Box 10903 Austin, TX 78766**

**Legal Description: Lot 1, Newton and Luckey Addition, Block 7**

**PERMIT IS HEREBY ISSUED FOR:**

The project is composed of an existing 1,275 SF 1-story retail building and the new construction of a 3,094 SF 1-Story building with two units consisting of general retail and restaurant with an attached 350 s.q. covered patio totaling 4,369 (GFA) on a 0.448-acre site with associated parking, detention and other improvements. The total impervious cover is 89%. The project is located within the Shoal Creek watershed and is subject to all watershed protection regulations as set forth in Chapter 25 of the City of Austin Code of Ordinances. This project is located within the City's Full-Purpose jurisdiction.

**CONDITIONS OF PERMIT**

It is agreed that the proposed development shall be performed and completed in accordance with the plans and specifications approved by the City of Austin Standard Specifications and Code requirements and State of Texas construction safety statutes. All development approved by this permit is subject to the inspection and control of the City of Austin.

It is the responsibility of the permit holder to identify all utilities in the work area and to notify each utility of the scope of work in the immediate area of the utilities.

**ENGINEER'S CERTIFICATION:** Inspection and a "Certification of Completion" by a Texas Licensed Engineer are required for the development approved by this permit. No Certificate of Occupancy may be approved until the Engineer's Certification is filed. The engineer is responsible for the adequacy of the plans submitted with this application.

*David B. Holt*  
Signature of Applicant

For

*Rob Stern*

Owner

*11/18/2015*

Date

*M. Simmons Smith*

Permit Approved by City of Austin

*11.18.2015*

Date





# **PUBLIC HEARING INFORMATION**

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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.

For additional information on the City of Austin's land development process, visit our website: [www.austintexas.gov/planning](http://www.austintexas.gov/planning).

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: C14-2016-0060**  
**Contact: Victoria Haase, 512-974-7691**  
**Public Hearing: Jul 19, 2016, Zoning and Platting Commission**  
**Aug 11, 2016, City Council**

KATHY HOINSEI  
 Your Name (please print)

2803 W. FRESCO DR

Your address(es) affected by this application

[Signature]

Signature

7/11/16

Date

Daytime Telephone: N/A

Comments:

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

City of Austin  
 Planning & Zoning Department  
 Victoria Haase  
 P. O. Box 1088  
 Austin, TX 78767-8810

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**Contact: Victoria Haase, 512-974-7691**  
**Public Hearing: Jul 19, 2016, Zoning and Platting Commission**  
**Aug 11, 2016, City Council**

Michael Hainsky  
 Your Name (please print)

2803 West Fresco Drive  
 Your address(es) affected by this application

[Signature]  
 Signature

7/11/16  
 Date

Daytime Telephone: \_\_\_\_\_

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

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**Haase, Victoria [Tori]**

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**Subject:** FW: 2801 Hancock, rezoning case # C14-2016-0060**From:** Caroline Reynolds**Sent:** Wednesday, July 13, 2016 4:17 PM**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC**Cc:** Rivera, Andrew; Haase, Victoria [Tori]**Subject:** 2801 Hancock, rezoning case # C14-2016-0060

Dear Ladies and Gentlemen,

The Allandale Neighborhood Association Board reviewed plans for the 2801 Hancock Drive property last Wednesday evening. Serious concern was expressed regarding the **large number of General Retail/Commercial uses that may currently occur** on this property. Current zoning has been in place since this property was near the edge of town, in the 1950s. Some uses, including:

- sale of liquor,
- adult-oriented businesses,
- kennels,
- carriage stables,
- pedicab storage,
- scrap and salvage business,
- recycling drop-off center,
- payday and auto loan offices,
- pawn shops, bail bonds office, and
- blood plasma center.

are not appropriate or desired near residences, pre-schools or cemeteries.

**General Commercial Services district** is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally ***incompatible with residential environments***. Despite Ms. Carbone's belief that some of these uses would be constrained by lot size, I see that the 22,000 SF of this half-acre lot are more than adequate for the required 5750 SF and 50 FT lot width for all uses in CS zoning.

I believe that the ZAP should take a hard look at the current zoning on this property now that the owner is asking for even MORE — MU (Mixed Use). The property owner's freedom is beginning to infringe on long-time usage and expectations of both his commercial neighbors and the nearby residential neighborhood. Now is the time to place limits on commercial uses in return for up-zoning for additional residential or office uses.

We are concerned that zoning runs with the land and the current owner who already has pawn shop tenants, may see the land at any time he sees fit, leaving the nursery school, culinary institute, art gallery and cemetery and home owners to live with the **noise, traffic and other disruptions to family life** and quite, low impact businesses.

This is also a time to **look at non-street set backs**. CS zoning has no set back from either the back or side property lines. While the owner is not currently proposing to build up to the lot line at this time, his plans seem to change and expand every six months. Moreover, he may flip the property at any time.

I was shocked, appalled and dismayed when the **Traffic Impact Analysis reported that the proposed businesses and residences will produce 3727 trips per day.** Assuming that the businesses do not open until 9 am, and close at about 9 pm, the majority of the traffic will arrive and depart over a 12 hour period. Thus, there will be over 300 trips per hour, or **FIVE CARS per MINUTE.** It boggles the mind to think how this many cars will park and depart in the small parking lot shown for this property. I am thankful that there is already a traffic light at that location.

**The TIA results raise the question of whether there is even adequate on-site parking** for the expected residential, commercial and restaurant uses proposed. The nearby school parking lot is used for parent pick-up, in order to avoid dangerous traffic backups on Hancock Drive during rush hours.

**How will this property traffic impact Grove traffic?**

This property is just a short way from the Grove, which is expecting 19,000 trips per day. What portion of the Grove traffic will be coming north on Bull Creek Road? What portion of the 2801 Hancock traffic will be headed for MoPac via the 45th Street intersection? What will we do if a funeral procession arrives, as they do several times each day? What will the busy customers do while they wait for the mourners to get out of their way? Will they be patient with the parents delivering and picking up the children from the school nearby?

If you would like to view the conditions around this property, it is easily accessible all day long. Rush hours might be a good time to evaluate the impact of the additional 5 cars/ minute entering / leaving the parking lot.

Please feel free to call if you have any questions.

Caroline Reynolds  
CR Solutions  
2611 West 49th St  
Austin, Texas 78731  
512-454-8880



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**Contact: Victoria Haase, 512-974-7691**

**Public Hearing: Jul 19, 2016, Zoning and Platting Commission  
Aug 11, 2016, City Council**

KATHERINE & ANTONIO TORRIN  
Your Name (please print)

2802 W. FRESCO DR.

Your address(es) affected by this application

*[Signature]*  
Signature

7/12/16  
Date

Daytime Telephone: \_\_\_\_\_

Comments: We support adding MU residential uses with the condition that these 22 (of 93 currently entitled) CS uses be prohibited as incompatible:

### Civic

Hospital Services-Limited  
Hospital Services-General  
Residential Treatment  
Telecommunication Tower  
Transitional Housing  
Transportation Terminal

### Commercial

Adult-Oriented Business  
Automotive Rentals  
Automotive Repair Services  
Automotive Sales  
Automotive Washing  
Bail Bond Services  
Business or Trade School  
Commercial Blood Plasma Center  
Drop-Off Recycling Collection Facilities  
Hotel/Motel  
Kennels  
Outdoor Entertainment  
Outdoor Sports & Recreation  
Pawn Shop Services  
Service Station  
Vehicle Storage

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

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**Aug 11, 2016, City Council**

*Tony Gregg*  
Your Name (please print)

☐ I am in favor  
☐ I object

*8712 W 49 1/2 st*

Your address(es) affected by this application

Signature

Date

Daytime Telephone: *512 547-8216*

Comments:

*We are opposed to any  
Zoning change that would increase  
traffic flow on Bull Creek or Hancock  
Dr. or that would allow any business  
to be opened that is inconsistent with  
a single-family residential area.*

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