

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2019-0141 (Settlement Home)

**P.C. DATE:** December 10, 2019

**DISTRICT AREA:** 4

**ADDRESS:** 8900 Hunters Trace

**OWNER:** Settlement Club

**AGENT:** City of Austin-Planning and Zoning Department (Sherri Sirwaitis)

**ZONING FROM:** SF-3-NP    **TO:** NO-MU-NP

**AREA:** 0.2320 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant Neighborhood Office-Mixed Use-Neighborhood Plan Combining District, zoning.

### **PLANNING COMMISSION RECOMMENDATION:**

**12/10/19: Approved staff's rec. of NO-MU-NP zoning (11-0); J. Shieh-1st, C. Kenny-2nd.**

### **DEPARTMENT COMMENTS:**

The property in question is a vacant single-family residential lot located at the north west corner of Payton Gin Road and Hunters Trace. On September 19, 2019, the City Council passed a resolution to initiate a rezoning and FLUM amendment for this property (Attachment A - Resolution No. 20190919-150). The owner of this property, The Settlement Club, would like to use this property as an administrative office for the Settlement Home for Children, which is located adjacent to this lot to the west at 1600 Payton Gin Road.

The staff recommends NO-MU-NP zoning at this location as the lot meets the intent of the Neighborhood Office District as it is located within or adjacent to residential neighborhoods. The NO district is intended to all for small office uses that are compatible with existing residential neighborhoods. The addition of the Mixed Use Combining District will permit any combination of office and residential uses within a single development on this site.

This lot is located within the North Austin Civic Association (NACA) Neighborhood Plan. The North Austin Civic Association Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on June 29, 2000. The boundaries of the planning area are: Kramer Lane to the north, Lamar Boulevard to the east, Highway 183 to the south and Metric Boulevard to the west. The future land use map in the NACA plan calls for this tract to be Single Family Residential. An associated Neighborhood Plan Amendment case, NPA-2019-0007.01, to request a FLUM change from Single Family to Mixed Use/Office has been filed and reviewed by the staff. These NPA and rezoning cases will be heard in conjunction at Planning Commission and at City Council.

The owner agrees with the staff recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP	Vacant Lot
<i>North</i>	SF-3-NP	Single-Family Residence
<i>South</i>	SF-3-NP	Single-Family Residence
<i>East</i>	SF-3-NP	Single-Family Residence
<i>West</i>	PUD-NP	Group Home (Settlement Home Foster Care)

**AREA STUDY:** North Austin Civic Association NP      **TIA:** Waived

**WATERSHED:** Little Walnut Creek

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
Austin Neighborhoods Council  
Bike Austin  
Friends of Austin Neighborhoods  
Homeless Neighborhood Association  
Neighborhood Empowerment Foundation  
North Austin Civic Association  
North Austin Civic Association Neighborhood Plan Contact Team  
North Growth Corridor Alliance  
SELTEXAS  
Shoal Creek Conservancy  
Sierra Club, Austin Regional Group

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2009-0163 (Lot 1 Leon A Schmidt Addition: 8565 Research Boulevard)	GR-NP to CS-1-NP	2/09/10: Approved staff's recommendation of CS-1-CO-NP zoning, with a CO to limit the site to less than 2,000 vehicle trips per day, by consent (8-0, J. Reddy-absent); C. Small-1 <sup>st</sup> , D. Sullivan-2 <sup>nd</sup> .	3/11/10: Approved CS-1-CO-NP zoning on consent on all 3 readings (7-0); Spelman-1 <sup>st</sup> , Cole-2 <sup>nd</sup> .
C14-01-0037	SF-2, SF-3, MF-2, MF-3, LO, LR, GR, CS, CS-1, LI, LI-CO to MF-2-NP, NO-NP, LO-NP, GR-NP, CS-NP, P-NP,	4/17/01: Approved staff rec. of NO-NP, CS-NP, MF-2-NP, LO-NP, GR-NP, P-NP, LI-NP (9-0)	5/24/01: Approved PC rec. on all 3 readings (except Tract 9-on 1 <sup>st</sup> reading only); (6-0)  8/09/01: Approved CS-NP for Tract 9 (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

	LI-NP		
C14-00-2167	SF-3 to LR	9/12/00: Approved staff rec. by consent (6-0)	10/12/00: Approved LR with conditions (7-0); all 3 readings
C14-00-2151	SF-3 to GR	8/22/00: Approved staff rec. of GR-CO (8-0, SA-absent)	9/28/00: Approved GR-CO with conditions (7-0); all 3 readings

**RELATED CASES:** C14-01-0037 (North Austin Civic Association Neighborhood Plan Rezoning)

**CITY COUNCIL DATE:** January 23, 2020

**ACTION:**

**ORDINANCE READINGS:** 1st

**2<sup>nd</sup>**

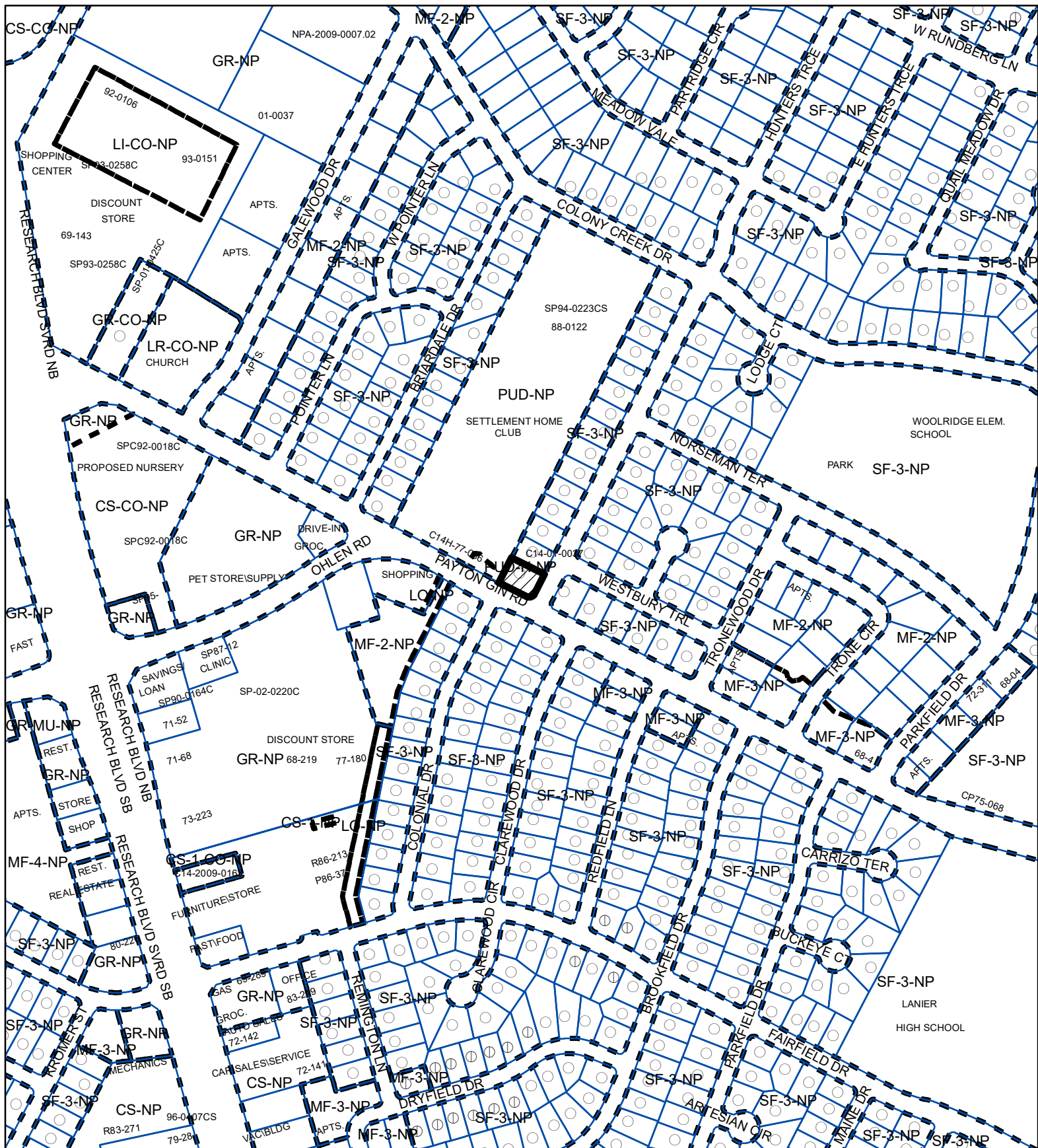
**3<sup>rd</sup>**

**ORDINANCE NUMBER:**

**ZONING CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057




**E-mail:** sherri.sirwaitis@austintexas.gov



## ZONING

ZONING CASE#: C14-2019-0141



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

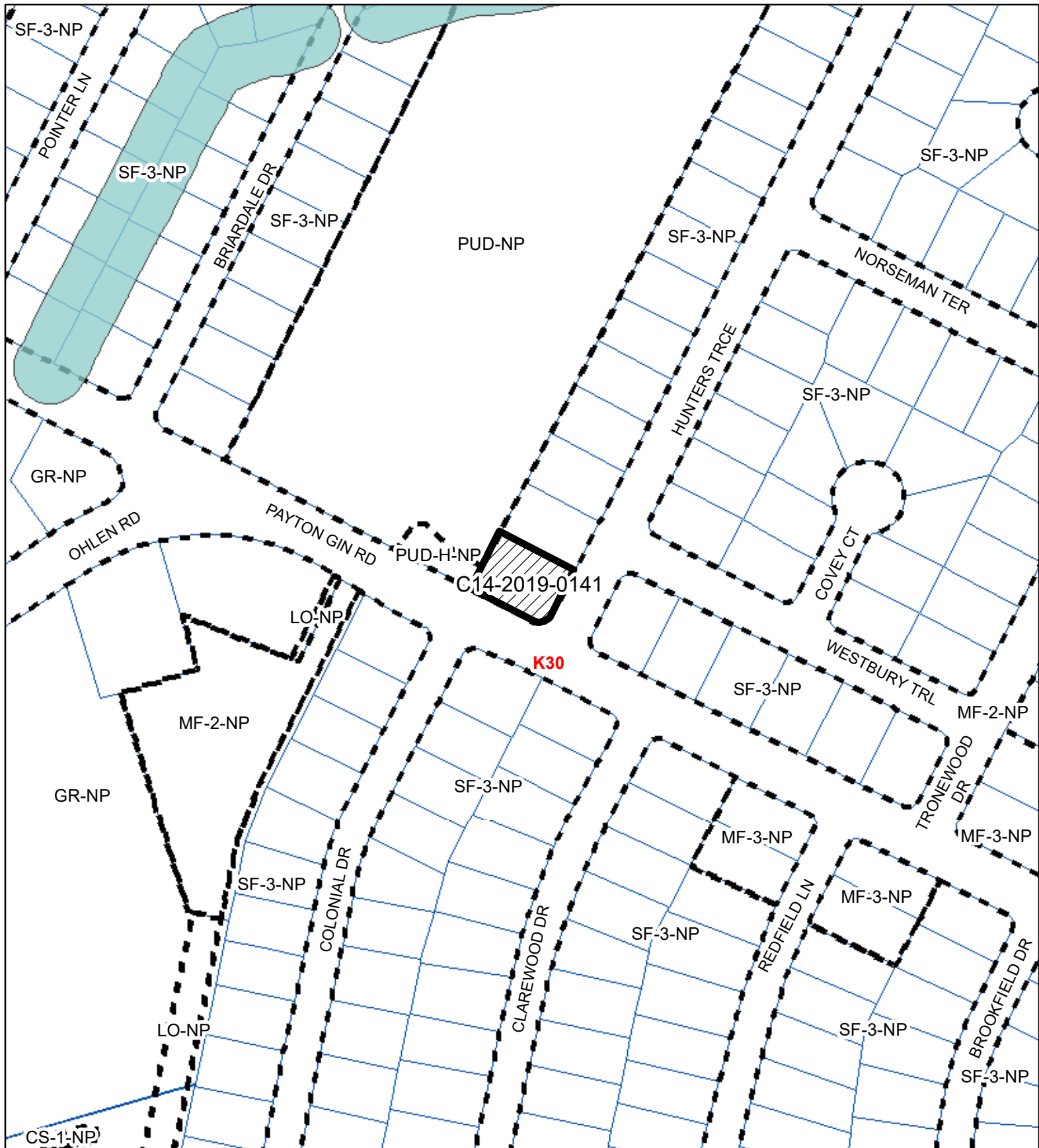
1" = 400'

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



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Created: 10/10/2019



1" = 175'

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

### SETTLEMENT HOME

ZONING CASE#: C14-2019-0141

LOCATION: 8900 HUNTERS TRACE

SUBJECT AREA: 0.2320 ACRES

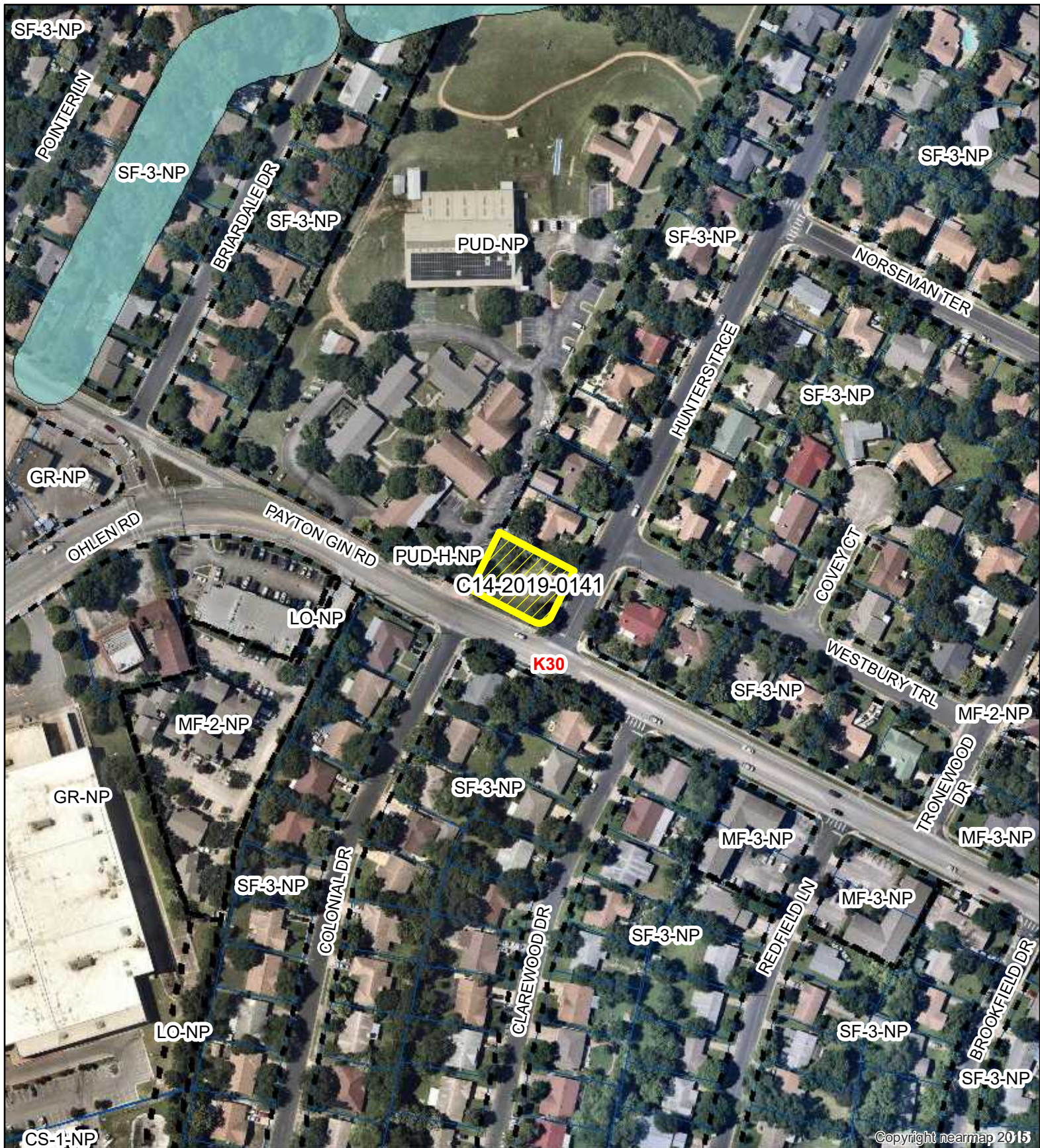
GRID: K30

MANAGER: Sherri Sirwaitis



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1" = 175'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

## SETTLEMENT HOME

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LOCATION: 8900 HUNTERS TRACE

SUBJECT AREA: 0.2320 ACRES

GRID: K30

MANAGER: Sherri Sirwaitis



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## STAFF RECOMMENDATION

The staff's recommendation is to grant Neighborhood Office-Mixed Use-Neighborhood Plan Combining District, zoning.

### **BASIS FOR RECOMMENDATION (ZONING PRINCIPLES):**

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

**Neighborhood Office district** is intended for offices predominately serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods. Offices in the NO district would typically locate on collector streets with a minimum of 40 feet of pavement width and would not unduly affect traffic in the area. The NO district is designed to accommodate small, single-use offices and to encourage and preserve compatibility with existing neighborhoods through renovation and modernization of existing structures.

**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. *Zoning changes should promote an orderly and compatible relationship among land uses.*

The proposed NO-MU-NP zoning will permit low intensity office and residential uses that are compatible with the surrounding residential uses to the north, south and east and with the civic use to the west.

The property in question is located at the entrance to a residential neighborhood at the corner of Payton Gin Road, a minor arterial roadway, and Hunters Trace, a collector roadway.

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

The proposed re-zoning of the site to the NO-MU-NP district would allow the applicant to redevelop the property with a small office use that will provide administrative services for the Settlement Home for Children directly to the west.

## EXISTING CONDITIONS

### **Site Characteristics**

The site is developed with a vacant single-family residential lot located at the north west corner of Payton Gin Road and Hunters Trace. There are single-family residences to the north, south and east. The property to the west is developed with a Group Home use (Settlement Home Foster Care).

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut 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.

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.

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 sq. ft. 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.

### **Site Plan**

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.

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

FYI: Additional design regulations will be enforced at the time a site plan is submitted.

### **COMPATIBILITY STANDARDS**

The site is subject to compatibility standards due to proximity of SF-3 to the north, east, south and west and adjacency of SF-3 to the north, east, and south and a PUD that acts as SF-3 to the west. The following standards apply:

- No structure may be built within 25 feet of the property lines to the north, east, south or west.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property lines to north, east, south or west.
- No parking or driveways are allowed within 25 feet of the property line. Landscaping or screening is required along the north, south and west property lines in accordance with the screening requirements (Section 25-2-1006 and ECM 2.9.1.), Parking Design Standards (Section 25-6-563) and/or Screening Standards (Section 25.2.1066) to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.
- The side and rear setback requirements are 22'.



## **DEMOLITION AND HISTORIC RESOURCES**

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**

Additional right-of-way maybe required at the time of subdivision and/or site plan. Site did not require a traffic impact analysis as it was a City initiated zoning case. The adjacent street characteristics table is provided below:

Existing Street Conditions:

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bicycle Route</b>	<b>Capital Metro (within ¼ mile)</b>
Payton Gin Rd	66'	42'	ASMP Level 3 (Minor Arterial)	Yes	Yes	Yes
Hunters Trace	60'	38'	ASMP Level 2 (Collector)	Yes	No	Yes

## **Water and Wastewater**

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.

**RESOLUTION NO. 20190919-150**

**WHEREAS**, the Settlement Home for Children (“the Home”) is a licensed nonprofit organization that provides 24-hour care to help children in foster care, including children experiencing homelessness, access the materials and support they need to restore and preserve a permanent sense of well-being; and

**WHEREAS**, the Home provides a residential treatment center, a group home program, and a transitional living program, which include on-site housing and services for children in foster care; and

**WHEREAS**, homelessness, housing, accessibility to quality health care services, both physical and mental, are three of Austin City Council’s top 10 indicators from Austin Strategic Direction 2023 where they would like to see significant improvement over the next two to three years; and

**WHEREAS**, the Home is located at 1600 Payton Gin Road and requires an office expansion to accommodate the growing needs of the organization; and

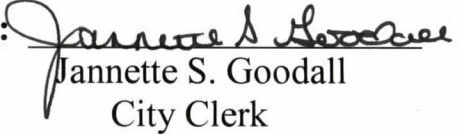
**WHEREAS**, the Home has acquired an adjacent property located at 8900 Hunters Trace that requires a rezoning from single family residence to neighborhood office to allow for office use and a Future Land Use Map (FLUM) amendment; and

**WHEREAS**, the Home will build a structure that is consistent with the rest of the neighborhood and will use the existing parking lot at the main office; and

**WHEREAS**, the Home has reached out to neighboring properties and the North Austin Civic Association (NACA) Neighborhood Planning Contact Team and has received substantial support for rezoning to neighborhood office; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council initiates the rezoning and FLUM amendments of the property located at 8900 Hunters Trace, Austin, Texas from family residence-neighborhood plan (SF-3-NP) combining district to neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district, and FLUM change from single family to office land use.

**ADOPTED:** September 19, 2019 **ATTEST:**   
Jannette S. Goodall  
City Clerk



## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:  
[www.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: C14-2019-0141

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 10, 2019, Planning Commission

Jan 23, 2020 City Council

Robbin Bell

Your Name (please print)

8800 Clarewood DR.

Your address(es) affected by this application

Robbin Bell

Signature

11-20-19

Date

Daytime Telephone: 512-633-3122

Comments: Have several concerns about the rezoning proposed by the Settlement Home:

- Size of the building
- Projected long-term plans of the Settlement Home with the other properties that are owned already.
- Future appraisal of our properties
- Constant flow of traffic which is already becoming a problem.

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

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor  
☒ I object