

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0033 (12151 Hunters Chase Rezoning) DISTRICT: 6

ADDRESS: 12151 Hunters Chase Drive

ZONING FROM: GR-MU

TO: GR-MU-V

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

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

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

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

STAFF RECOMMEDATION:

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

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

June 6, 2023

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is developed with a vacant assisted living use (Ashwood Retirement and Assisted Living). To the north, across Hunters Chase Drive, there is an automotive repair use and a multifamily development. The lots to the south fronting Research Boulevard/U.S. Highway 183 Service Road Northbound, consist of automotive sales businesses and a hotel/motel use. The applicant is requesting to add a “V” Vertical Mixed Use Building Combining, district to redevelop the site with approximately 300 multi-family units residential units (*please see Applicant’s Request Letter- Exhibit C*).

The staff recommends GR-MU-V, Community Commercial-Mixed Use-Vertical Mixed Use Building Combining District, zoning. The property meets the intent of the “V” combining district as it is located near the intersection of a major traffic ways, Hunters Chase Drive and Research Boulevard/U.S. Highway 183 and with access to Capital Metro bus service (bus route #383) on Pond Springs. The proposed zoning will be compatible and consistent with the surrounding uses because there is GR-CO and GR-MU-CO zoning to the north and GR and GR-CO zoning the south and east. The addition of V combining district on this lot will permit the applicant to develop additional residential units that will provide for more housing opportunities in this area of the city.

The applicant agrees with the staff’s recommendation.

BASIS OF RECOMMENDATION:

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

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

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

Vertical Mixed Use Building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building.

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

The proposed GR-MU-V zoning will be compatible and consistent with the surrounding land use patterns as there is GR-CO and GR-MU-CO zoning to the north and GR and GR-CO zoning the south and east. There are multifamily developments to the north and

west of the site. This tract of land is located on a Level 3 roadway (i.e. – Minor Arterial). There is a bus route on Pond Springs Road to the east (with ¼ mile).

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

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

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

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR	Former Assisted Living Facility (Ashwood Retirement and Assisted Living)
<i>North</i>	GR-CO, GR-MU-CO	Automotive Repair (Caliber Collision), Multifamily (Alister Balcones)
<i>East</i>	GO-CO, MF-3-CO, GR-MU-CO	Automotive Rental (Apple Leasing), Multifamily (Alister Balcones), Service Station (Valero)
<i>South</i>	GR	Automotive Sales (Audi of Austin), Automotive Sales (Aston Martin, Lotus), Hotel (In Town Suites Extended Stay)
<i>West</i>	GR, GR-CO	Automotive Sales (Nyle Maxwell Fiat of Austin)

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Deferred to the time of Site Plan

WATERSHED: Lake Creek

SCHOOLS: Round Rock I.S.D.

NEIGHBORHOOD ORGANIZATIONS:

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

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2022-0002 (12151 Hunters Chase Rezoning)	GR to GR-MU	2/15/22: Approved staff's recommendation of GR-MU zoning by consent (9-0); H. Smith, J. Kiolbassa-2nd.	3/24/22: Approved GR-MU zoning by consent on all 3 readings (11-0); P. Ellis-1st, A. Kitchen-2nd.
C14-2013-0155 (Pond Springs Challenger School: 13015 Pond Springs Road)	I-RR to GR	2/04/14: Approved GR-CO zoning, with CO to limit development on the site to less than 2,000 vehicle trips per day, adding condition to prohibit Pawn Shop Services, on consent (6-0, R. McDaniel-absent); P. Seeger-1 st , C. Banks-2 nd .	2/27/14: Approved GR-CO zoning on consent on all 3 readings (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2012-0132 (Kenneth L. Bishop: 13039 Pond Springs Road)	I-RR to CS-MU	12/04/12: Approved the staff's recommendation of GR-MU zoning by consent (6-0, S. Compton-absent); C. Banks-1 st , G. Rojas-2 nd .	12/13/12: Approved GR-MU zoning on 1 st reading (7-0); L. Morrison-1 st , B. Spelman-2 nd . 4/11/13: Approved GR-MU zoning on consent on 2 nd /3 rd readings (6-0, K. Tovo- absent); B. Spelman-1 st , L. Morrison-2 nd .
C14-2012-0017 (San Felipe Boulevard Re-Zoning)	GR to GR-MU	3/20/12: Approved staff's recommendation of GR-MU-CO zoning, with the following conditions: add Restaurant (Limited) and Urban Farm back as permitted uses and prohibit Drive-in Services (7-0); P. Seeger-1 st , C. Banks-2 nd .	4/26/12: Approved GR-MU-CO zoning on consent, with conditional overlay to limit the development intensity on the site to less than 2,000 vehicle trips per, prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type), Pawn Shop Services, Personal Improvement Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Adult Oriented Businesses, Drive-in Services, and require a 10-foot landscape buffer along the eastern property line, on all 3 readings (7-0); B. Spelman-1 st , C. Riley-2 nd .
C14-06-0236 (13201 Pond Springs Road)	I-SF-2 to Tract 1: GR, Tract 2: CS-1	4/17/07: Approved the staff's rec. of GR-CO zoning for Tract 1 and CS-1-CO for Tract 2, with a CO for the following: limit the development intensity on the site to less than 2,000 vehicle trips per, prohibit the following uses: Automotive Rentals, Automotive	5/17/07: Approved GR-CO zoning for Tract 1 and CS-1-CO for Tract 2, with a CO for the following: limit the development intensity on the site to less than 2,000 vehicle trips per, prohibit the following uses: Automotive Rentals, Automotive Repair Services,

		Repair Services, Automotive Sales, and Automotive Washing (of any type); adding Pawn Shop Services as a prohibited use (7-0, Jackson and Hammond-absent)	Automotive Sales, and Automotive Washing (of any type), Pawn Shop Services (7-0); all 3 readings
C14-06-0157 (Pond Springs Plaza: 13233 Pond Springs Road)	I-SF-2 to Tract 1: CS, Tract 2: CS-1	<p>11/07/06: Approved staff's recommendation of GR-CO zoning for Tract 1 (shopping center), CS-1-CO zoning for Tract 2 (bar area), and GR-CO zoning for newly created Tract 3 (deck area). The conditional overlay would limit the site to uses that generate no more than 2,000 vehicle trips per day and prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing-of any type, and Service Station uses on the property. The Commission added the following conditions to Tract 2: 1) Prohibit Adult Oriented Businesses; 2) To require double door access to the deck from the bar (if allowable by Code and Building Permit regulations); 3) To place permanent signage on the property at the driveway entries to restrict motorcycle parking in the rear/alleyway. 4) To place permanent signage along the fence/property line between the residential site to the west and the property in question designating the parking spaces in the rear/alleyway as, "Employee Parking Only". 5) To construct an 8-foot masonry/or sound retardant fence around the deck to mitigate sound emanating from the deck.</p> <p>The Commission also placed the following conditions on Tract 3 (the deck area): 1) Place an 85 decibel limit (in accordance with LDC Sec. 9-2-4) on the deck to reduce noise emanating from the deck. 2) Restrict amplified sound on the deck. 3) Place permanent signage on the deck for noise</p>	<p>12/07/06: Approved the ZAP recommendation, striking the requirement for double door access from the bar (Tract 2) to the deck (Tract 3) and adding a condition for speakers be removed from the deck area (7-0).</p> <p>4/12/06: Approved GR-CO zoning for Tract 1, CS-1-CO zoning for Tract 2, and GR-CO zoning for Tract 3 (6-0); 2nd/3rd readings</p>

		mitigation. 4) Remove the pool table off of the deck. Vote: (7-2, B. Baker, J. Martinez- No); J. Shieh-1 st , S. Hale-2 nd .	
C14-04-0157 (Nouri Project: 186 Pond Springs Road)	I-RR to CS	11/2/04: Approved staff's recommendation of CS-CO zoning, the CO would limit the site to uses that generate no more than 2,000 vehicle trips per day by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	12/02/04: Approved CS-CO (7-0); all 3 readings
C14-04-0070 (12952 Pond Springs Road)	I-RR to GR-CO	7/20/04: Approved staff's recommendation of GR-CO zoning, with CO to impose the following conditions: 1) The only permitted GR uses are Auto Sales and Auto Repair; 2) Permit LR Uses, with the exception of the following LR uses: Service Station; Restaurant (General); Restaurant (Limited); 3) Limit the development intensity to less than 2,000 vehicle trips per day; 4) Require a 25' vegetative buffer along the northern property line; by consent (8-0, J. Pinnelli-absent)	8/26/04: Granted GR-CO (7-0); all 3 readings
C14-03-0080 (Goodson 4.4 acres: San Felipe Blvd)	MF-3-CO to GR	6/10/03: Approved staff's alternate recommendation of GR-CO zoning with the following conditions: 1) Limit the site to 2,000 vehicle trips per day; 2) Prohibit the following uses: Automotive related uses [Automotive Rentals, Automotive Repair Services, Automotive Sales, and Automotive Washing (of any type)], Pawn Shop Services, Restaurant (Drive-In, Fast Food), Personal Improvement Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Adult Oriented Businesses, Urban Farm, and 3) Require a 10-foot landscape buffer along the Eastern property line. Vote: (8-0, J. Martinez-absent); M. Whaley-1 st , K. Jackson-2 nd .	7/17/03: Approved ZAP rec. of GR-CO (7-0); with the following additional permitted uses: Personal Improvement Services use and permit Drive-In Facilities, only as an accessory use to a Bank (Financial Services use). 8/14/03: Approved (7-0); 2 nd /3 rd readings.
C14-02-0132 (Goodson 8 Acres: Pond)	MF-3-CO to GR	10/22/02: Approved GR-CO zoning with the following conditions:	11/21/02: Granted ZAP rec. of GR-CO zoning w/ conditions and a

Springs Road at San Felipe Boulevard)		<ol style="list-style-type: none"> 1) The only permitted GR uses are Automotive Sales and Automotive Repair Services; 2) Permit LR uses, with the exception of the following uses: <ol style="list-style-type: none"> a) Service Station b) Food Sales c) Accessory Off-Site Parking d) Restaurant (Drive-In, Fast Food) e) Restaurant (Limited); 3) 2,000 vehicle trip per day limit; 4) Require that protected trees shall remain undisturbed; 5) Require that Compatibility Standards be applied along the eastern property line; 6) Require a 25' vegetative buffer along the eastern property line; 7) Limit structures to 40' in height, with an increase in height according to Compatibility Standards; 8) Require that all Automotive Maintenance and Repair be contained within a structure; 9) Restrict access to San Felipe Boulevard to emergency access only; 10) Allow no inoperable vehicle storage on the site; 11) Parking lot not allowed adjacent to the proposed vegetative buffer along the eastern property line. 	<p>public restrictive covenant (6-0, Goodman-absent); 1st reading 12/5/02: Granted GR-CO zoning (7-0); 2nd reading, with the following conditions:</p> <ol style="list-style-type: none"> 1) No structural detention or water quality facility shall be allowed within the proposed 25' vegetative buffer; 2) Grow green standards shall be utilized; 3) Structural parking shall be prohibited <p>12/12/02: Granted GR-CO zoning (7-0); 3rd reading [valid petition withdrawn]</p>
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RELATED CASES:

C14-2022-0002, C14-98-0090 - Previous Rezoning Cases
C8-84-0129.01.1 - Subdivision Case

EXISTING STREET CHARACTERISTICS:

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

OTHER STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 12151 HUNTERS CHASE DR. C14-2023-0033. 4.15 acre tract from GR-MU to GR-MU-V. 80 unit assisted living and memory care facility to 300 unit apartments

Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: adjacent to 183 & McNeil Neighborhood Center
Y	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
Y	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Y	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	Connectivity and Education: Located within 0.50 miles from a public school or university.
	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
6	Total Number of "Yes's"

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Lake Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

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

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

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

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

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

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

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

Fire

No comments.

Parks and Recreation

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

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

Site Plan

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

Any 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.

Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 116 feet of right-of-way for Hunters Chase Drive. It is recommended that 58 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Existing Required	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Cap Metro (within 1/4 metro)
Hunters Chase Drive	Level 3	116 feet	~112 feet	61 feet	Both sides of road	None	Yes

Water Utility

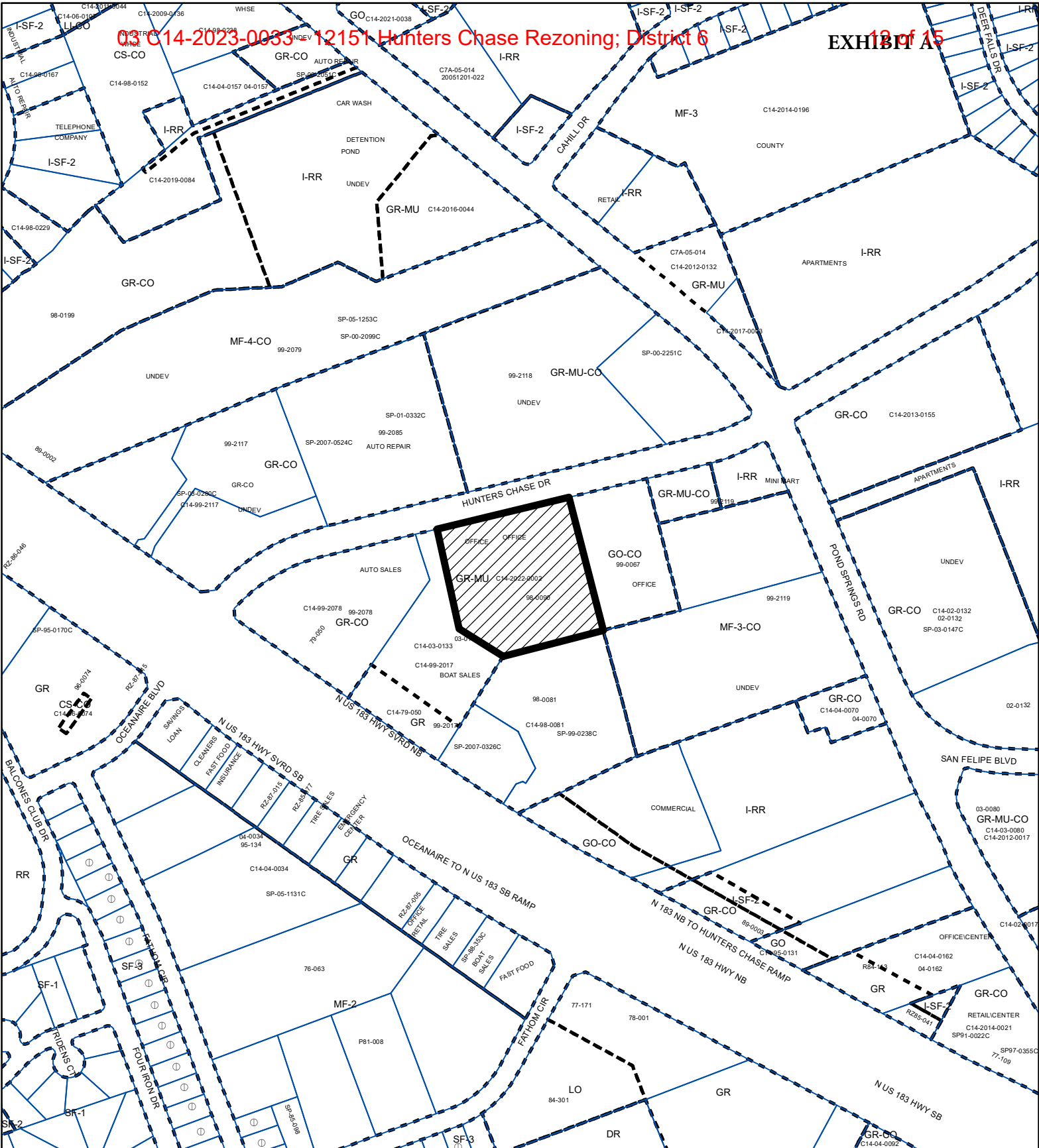
No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

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. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS TO FOLLOW




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



ZONING

ZONING CASE#: C14-2023-0033



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

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

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



Created: 3/20/2023



Created: 4/27/2023

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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Richard T. Suttle, Jr.
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February 22, 2023

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

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

Dear Ms. Truelove:

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

The Property is zoned Community Commercial – Mixed Use Combining District (GR-MU) district and is currently developed with a vacant assisted living and memory care facility with surface parking. Currently the proposed redevelopment is for the construction of approximately 300 multi-family units to be located on the Property (the "Project").

In order to obtain the ability to construct the proposed multi-family units on the Property and facilitate development of the Project, this Application seeks to rezone the Property from Community Commercial – Mixed Use Combining District (GR-MU) to Community Commercial – Mixed Use Combining District – Vertical Mixed Use Overlay District (GR-MU-V).

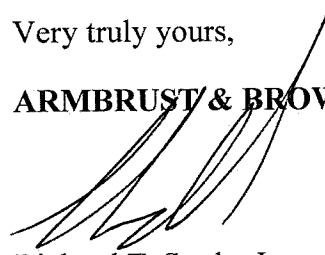
Thank you in advance for your time and consideration of this matter. If you have any questions or need additional information, please do not hesitate to contact me or Kelly Wright at (512) 435-2364.

ARMBRUST & BROWN, PLLC

Page 2

Very truly yours,

ARMBRUST & BROWN, PLLC

A handwritten signature in black ink, appearing to read 'Richard T. Suttle, Jr.', written over the company name.

Richard T. Suttle, Jr.

cc: Sherri Sirwaitis, City of Austin
Andrew Dolling
Josh Rosen
Kelly Wright