

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0051 (7938 Great Northern Rezoning) DISTRICT: 7

ADDRESS: 7934, 7938, 7940, 7942, 7944, 7946, 7948, and 7950 Great Northern Boulevard

ZONING FROM: GR, CS-1

TO: GR-MU-V

SITE AREA: 2.55 acres

PROPERTY OWNER: 7938 Great Northern, LP

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

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.

PLANNING COMMISSION ACTION / RECOMMENDATION:

September 12, 2023

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES:

During the Burnet Road, Anderson Lane and the North Shoal Creek Area neighborhood planning process, the long-range planning staff did not add the –NP combining district to the end of the zoning string for the properties in the planning area. Therefore, the rezoning request does not require the “NP” annotation.

CASE MANAGER COMMENTS:

The property in question is 2.55 acre tract of land that is currently developed with a private secondary educational facility (The Magellan International School, Neuron Garage Camp at Magellan International). The lot to the north contains a retail store (Lowe’s Home Improvement) that is zoned LI. To the south, there is a retail center (Shoal Creek Plaza) that is zoned CS-1-V, GR-V. Directly to the east, there is an office building with professional and medical office uses zoned GR. The land to the west is designated as I-SF-3 and there is a rail line and an undeveloped right-of-way area along the Mopac Expressway. The applicant is requesting GR-MU-V zoning for the site under consideration to redevelop the property with approximately 275 multifamily residential units.

The staff recommends Community Commercial-Mixed Use-Vertical Mixed Use Combining District zoning for this property because it meets the intent of the base district. The proposed GR-MU-V zoning fronts onto Great Northern Boulevard that connects to Shoal Creek Boulevard, a Level 3/minor arterial roadway, to the east. There is also driveway access through the CS-1-V and GR-V zoned property to W. Anderson Lane, a Level 4/major arterial roadway, to the south. The proposed zoning is consistent with surrounding zoning patterns and existing office and commercial land uses. This property is within the North Shoal Creek Neighborhood Planning Area and the current character district for this tract on the adopted Future Land Use Map (FLUM) is Mixed-use Activity HUB/Corridor. Therefore, the proposed zoning is consistent with the FLUM designation and a neighborhood plan amendment is not required. This tract of land is also located within the Anderson Lane Neighborhood Center as described on the Growth Concept Map in the Imagine Austin Comprehensive Plan.

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.*

Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations 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 zoning is consistent with the surrounding zoning patterns as there is CS-1-V, GR-V and GR zoning to the south and east. There are commercial and office uses adjacent to this lot fronting Shoal Creek Boulevard to the north and east and commercial uses fronting W. Anderson Lane to the south. The Future Land Use Map for the North Shoal Creek Neighborhood Plan designates area as a Mixed Use Activity Corridor/Hub.

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

This tract of land is located within the Anderson Lane Neighborhood Center, as described on the Growth Concept Map in the Imagine Austin Comprehensive Plan. The proposed Community Commercial-Mixed Use-Vertical Mixed Use Building Combining District zoning will permit the applicant to develop additional residential units at this location to provide more housing options in this area of the city where there is access public transportation to the south along W. Anderson Lane (Capital Metro Bus Route Nos. 30, 324, and 491) and one block to the east along Rockwood Lane (Capital Metro Bus Route Nos. 30 and 491).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR, CS-1	Private Secondary Educational Facility (The Magellan International School, Neuron Garage Camp at Magellan International), Personal Improvement Services (Former Yogagroove)
<i>North</i>	LI	Retail Sales (Lowes Home Improvement)
<i>South</i>	CS-1-V, GR-V	Retail Center (Shoal Creek Plaza: Eldorado Café, Water to Wine, Lions Krav Maga, Eye Institute of Austin, Salon Vela, Next Level Chiropractic, Exclusive Alterations, Central Texas Hearing Center, Waterloo Swim School)
<i>East</i>	GR	Medical Office/Professional Office (Child Neurology Consultants of Austin, Texas Liver Institute, Pediatric Infusion Center, Magellan International School)
<i>West</i>	Rail Line, I-SF-3	ROW

NEIGHBORHOOD PLANNING AREA: North Shoal Creek Neighborhood Plan

TIA: Deferred to the time of Site Plan

WATERSHED: Shoal Creek

SCHOOLS: Austin I.S.D.

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Friends of Austin Neighborhoods
 Friends of North Shoal Creek
 Homeless Neighborhood Association
 NW Austin Neighbors
 Neighborhood Empowerment Foundation
 North Austin Neighborhood Alliance
 North Shoal Creek Neighborhood Assn.
 North Shoal Creek Neighborhood Plan Contact Team
 SELTexas
 Shoal Creek Conservancy
 Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2022-0171 (7960 Shoal Creek Rezoning)	LO to LR	2/28/23: Approved staff's recommendation of LR zoning by consent (11-0, Y. Flores-absent); R. Schneider-1st, P. Howard-2nd.	4/13/23: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No.20230413-070 for LR district zoning was approved on Council Member Alison Alter's motion, Council Member Harper-Madison's second without objection.
C14-2008-0032	Apply vertical mixed use building "V" to selected tracts in the North Shoal Creek NP area	5/13/08: Approved "V" zoning with parking reductions and additional uses in the office districts for Tracts 1, 4-6 and 8 (Vote: 9-0) Amended the boundaries of the VMU overlay district to exclude Tracts 2, 3 and 7 (Vote: 9-0). Approved ab affordability level of 80% of the median family income for 10% of rental units in a vertical mixed use building for Tracts 1, 4-6 and 8 (Vote 9-0).	6/18/08: The public hearing was closed and the first reading of the ordinance was approved by consent (7-0) 8/28/08: Ordinance No. 20080828-104 for vertical mixed use building (V) district was approved.

C14-05-0178 (Caplin Veterinary Clinic: 7958 Shoal Creek Boulevard)	LO to LR	11/15/05: Approved staff's rec. of LR zoning by consent (Vote: 7-0, J.G. and J. M.-absent)	12/15/05: Ordinance No. 20051215-Z011 for neighborhood commercial (LR) district zoning was approved.
C14-05-0047 (Water-2-Wine: 3300 West Anderson Lane)	GR to CS-1	5/17/05: Approved staff's recommendation of CS-1 zoning by consent (Vote: 9-0)	6/23/05: Ordinance No. 20050623-Z008 for commercial-liquor sales (CS-1) district zoning was approved.

RELATED CASES:

C8-74-032 – Subdivision Case

OTHER STAFF COMMENTS:Comprehensive Planning

Project Name and Proposed Use: 7938 GREAT NORTHERN BOULEVARD. C14-2023-0047. 2.55 acres from GR & CS-1 to GR-MU-V. North Shoal Creek NP. Mixed Use Activity Hub/Corridor. Private school to 275-unit multifamily apartments. No affordable units or mixed use indicated on the zoning application or associated documents.

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. Names of Activity Centers/Activity Corridors/Job Centers: Anderson Lane Station Neighborhood Center
	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
	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.
Y	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.)
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.
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	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.
5	Total Number of "Yes's"

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.

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.

Fire

No comments.

Parks and Recreation

Parkland dedication will be required for the new applicable uses proposed by this development, multifamily with GR-MU-MU 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 new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Overlay Districts

This site is located in a Scenic Roadway Sign District. Please refer to the following link for information:

https://library.municode.com/tx/austin/codes/land_development_code?nodeId=TIT25LADE_CH25-10SIRE_ART6REAPCESIDI_S25-10-124SCROSIDIRE .

Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Great Northern Blvd. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Great Northern Blvd. with the site plan application. [LDC 25-6-51 and 25-6-55].

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Great Northern Blvd.	Level 1	58	61	44	No	No	Yes

Water Utility

No comments on zoning change.

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

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. 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



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2023-0051

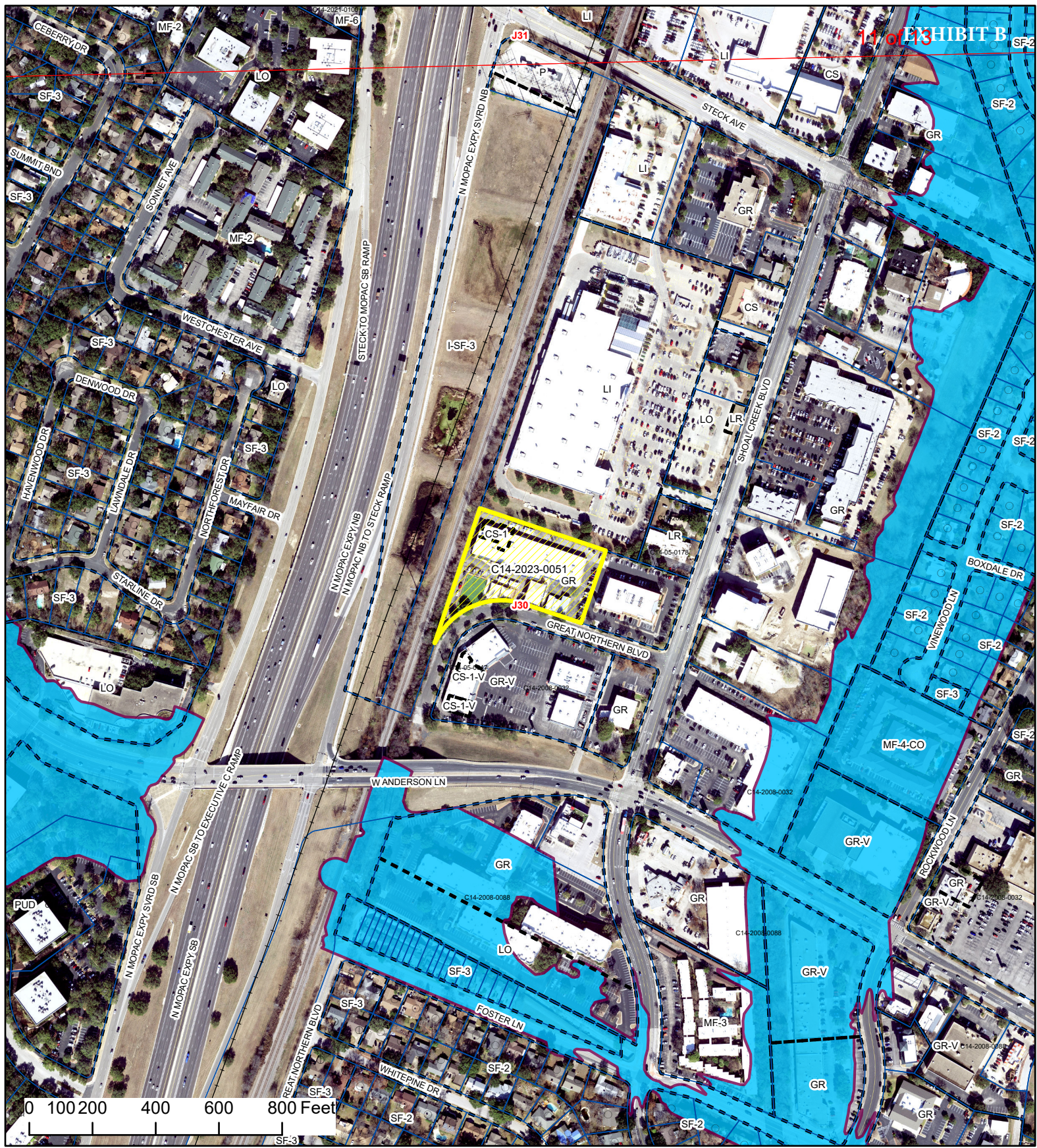
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This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or







Created: 4/12/2023

$$1'' = 400'$$



7838 Great Northern Blvd. Rezoning

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

ZONING CASE#: C14-2023-0051
LOCATION: 7934, 7938, 7940, 7942, 7944, 7946, 7948, 7950 Great Northern Blvd
SUBJECT AREA: 2.55 Acres
GRID: J30
MANAGER: Sherri Sirwaitis



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Created: 5/30/2023

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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Richard T. Suttle, Jr.
(512) 435-2310
rsuttle@abaustin.com

March 30, 2023

David Gray
Interim Director, Planning Department
City of Austin
1100 E. 11th Street, Suite 200
Austin, Texas 78702

Re: Zoning Application for property located at 7934, 7938, 7940, 7942, 7944, 7946, 7948, and 7950 Great Northern Boulevard, Austin, Texas 78757, also known as TCAD Parcel No. 0241040619 (the "Application")

Dear Mr. Gray:

This letter is submitted on behalf of the owner in the above referenced Application. The area to be rezoned is comprised of a ± 2.5 acre tract of land located at 7934, 7938, 7940, 7942, 7944, 7946, 7948, and 7950 Great Northern Boulevard in Austin, Travis County, Texas (the "Property").

The Property is currently zoned Community Commercial (GR) district and Commercial-Liquor Sales (CS-1) and is currently developed with a private secondary educational facility with surface parking. Currently the proposed redevelopment is for the construction of approximately 275 multi-family units to be located on the Property (the "Project").

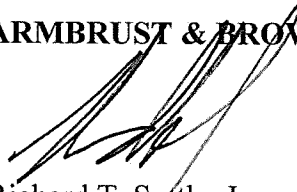
In order to obtain the ability to construct the proposed multi-family units on the Property and facilitate development of the Project, this Application seeks to rezone the Property from Community Commercial (GR) and Commercial-Liquor Sales (CS-1) to Community Commercial – Mixed Use Combining District – 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 'R. Suttle, Jr.', written over the printed name.

Richard T. Suttle, Jr.

cc: Sherri Sirwaitis, City of Austin
Joi Harden, City of Austin
Kelly Wright