

ZONING CHANGE REVIEW SHEET

CASE: C14-2024-0127 (City Initiated – 3408 Hibbetts Road) DISTRICT: 1

ADDRESS: 3408 Hibbetts Road

ZONING FROM: I-RR-NP

TO: CS-NP

SITE AREA: approximately 0.71 acres (approximately 30,927 square feet)

PROPERTY OWNER: Willie Mae Wilson & Robbie S. Jones

AGENT: The Natalie Freeman & B.J. Freeman Real Estate Group, United Real Estate Austin
(Natalie Freeman)

CASE MANAGER: Jonathan Tomko (512) 974-1057, jonathan.tomko@austintexas.gov

STAFF RECOMMEDATION:

Staff recommends granting general commercial services-neighborhood plan (CS-NP) combining district zoning.

PLANNING COMMISSION ACTION / RECOMMENDATION:

November 12, 2024: Planning Commission approved staff recommendation on the consent agenda. [A. AZHAR; D. SKIDMORE - 2ND] (12-0) G. COX – ABSENT

CITY COUNCIL ACTION:

December 12, 2024: Case is scheduled to be heard by City Council.

ORDINANCE NUMBER:

N/A

ISSUES:

This is a city-initiated rezoning application.

CASE MANAGER COMMENTS:

The property in question is currently undeveloped land just to the east of the 183 Toll Road, approximately ½ mile north of the Colorado River. It is largely surrounded by LI-NP to the north, south and east. Across the 183 Toll Road is CS-NP zoning and there are pockets of CS- and GR-base zoning along and at interchanges along the tollway.

BASIS OF RECOMMENDATION:

Zoning should allow for reasonable use of the property.

Currently with an I-RR-NP the property does not have much reasonable use. The subject tract is less than 4 miles from Downtown Austin and hardly a rural residential area any longer. Granting a zoning more in line with the more intense zoning along the 183 Toll Road would allow for reasonable use of the property.

Change in conditions has occurred within the area indicating that there is a basis for changing the originally established zoning and/ or development restrictions for the property.

The subject tract was originally zoned I-RR-NP before the construction of the 183 Toll Road. There have been substantial changes in the immediate area because of this more intense freeway development. While the subject tract is a small triangle it is not intended to be used for a transportation purpose, as indicated in the FLUM, nor is there a reason to keep it zoned I-RR-NP. This rezoning request is appropriate for the tract given the recent redevelopment and the high concentration intense zoning in this immediate area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR-NP	Undeveloped Land
<i>North</i>	LI-NP	1-story Industrial Building, approximately 22,000 square feet constructed in approximately 1971.
<i>South</i>	LI-NP	Undeveloped Land
<i>East</i>	LI-NP	Undeveloped Land
<i>West (across Ed Bluestein Blvd.)</i>	CS-NP	Mini warehouses, approximately 53,000 square feet constructed in 1972 and 2024.

NEIGHBORHOOD PLANNING AREA: East MLK Combined (MLK-183) Neighborhood Planning Area

WATERSHED: Boggy Creek Watershed

SCHOOLS: A.I.S.D.

- Norman-Sims Elementary School
- Martin Middle School
- LBJ High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Del Valle Community Coalition, Dog’s Head Neighborhood Association , East MLK Combined Neighborhood Plan Contact Team, Friends of Austin Neighborhoods, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Overton Family Committee , SELTexas, Save Our Springs Alliance, Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2017-0148 (Zen Garden formerly Eightfold)	The Applicant proposes to rezone approximately 109.65 acres from LI-NP to LI-PDA-NP.	01.14.2020: To grant the Applicant’s request of LI-PDA with the added condition that impervious cover	11.12.2020: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP)

		shall not exceed 60%. (9-0-1) [P. Howard- 1st, C. Kenny- 2nd, J. Shieh- Abstain; A. Azar, C.	combining district zoning was approved on Council Member Pool's motion, Council Member Kitchen's second on a 10-0 vote. Mayor Adler was absent.
C14-2020-0150 (6705 and 6501 Regiene Road)	The Applicant is proposing to rezone approximately 15.69 Acres from SF-2-NP and LI-NP to LI-PDA-NP.	05.10.2022: Approved on the consent agenda for applicant's request for Major Planned Development land use. [A. Azhar – 1st; J. Mushtaler – 2nd] Vote: 13-0.	06.16.2022: Motion to grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning was approved on Council Member Vela's motion, Council Member Ellis, second on an 11-0 vote.
C14-2021-0134 (3101 Hibbetts Road)	The Applicant is proposing to rezone approximately 1.02 acres from SF-2-NP to SF-6-NP.	04.12.2022: To grant SF-6-NP as requested, on consent.	05.19.2022: Motion to grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on a 10-0-vote. Council Member Renteria was off the dais.

RELATED CASES:

NPA-2024-0015.04 (FLUM Change from Transportation to Commercial Land Use)

ADDITIONAL STAFF COMMENTS:

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy 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. 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.
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.

Fire

No comments on rezoning.

PARD – Planning & Design Review

Parkland dedication fees may apply to any future site or subdivision applications resulting from this rezoning. As of January 1, 2024, new commercial non-residential uses are not subject to parkland dedication requirements at the time of site plan and subdivision.

Site Plan

- SP 1. Site plans will be required for any new development other than single-family or duplex residential.
- SP 2. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Airport Overlay

- SP 3. The site is located within Austin-Bergstrom Overlay {CCLUA, or AO-1,2,3}. No use will be allowed that creates electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and

incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance.

SP 4. FYI this tract is within the MLK-183 Neighborhood Planning area.

Austin Transportation Department – Engineering Review

TPW 1. TIA determination has been deferred to the site plan stage considering the size of the site and uncertainty about the proposed land use intensity. Applicant shall obtain a TIA determination at the time of site plan when more information is available. [LDC 25-6-113].

TPW 2. The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for HIBBETTS RD. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for HIBBETTS RD according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

TPW 3. The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for HUDSON ST. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for HUDSON ST according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
HIBBETTS RD	Local Mobility - Level 1	58 feet	44 feet	27 feet	No	No	No
HUDSON ST	Local Mobility - Level 1	58 feet	48 feet	42 feet	No	No	No

TIA: TIA determination has been deferred to the site plan stage considering the size of the site and uncertainty about the proposed land use intensity.

Austin Water Utility

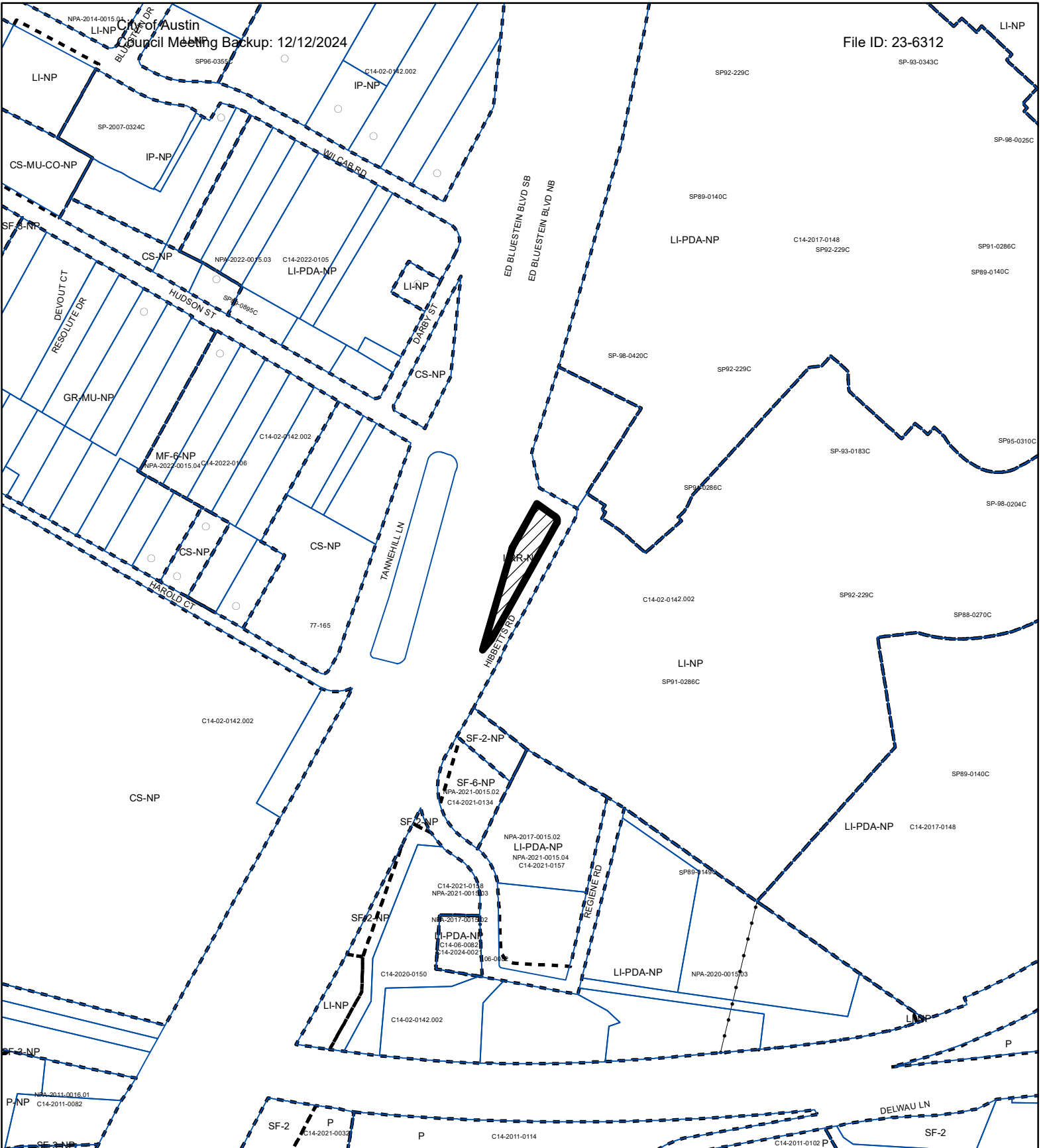
AW1. No comments on zoning change.

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 AND ATTACHMENTS TO FOLLOW:




- A. Zoning Map
- B. Aerial Map



ZONING

ZONING CASE#: C14-2024-0127



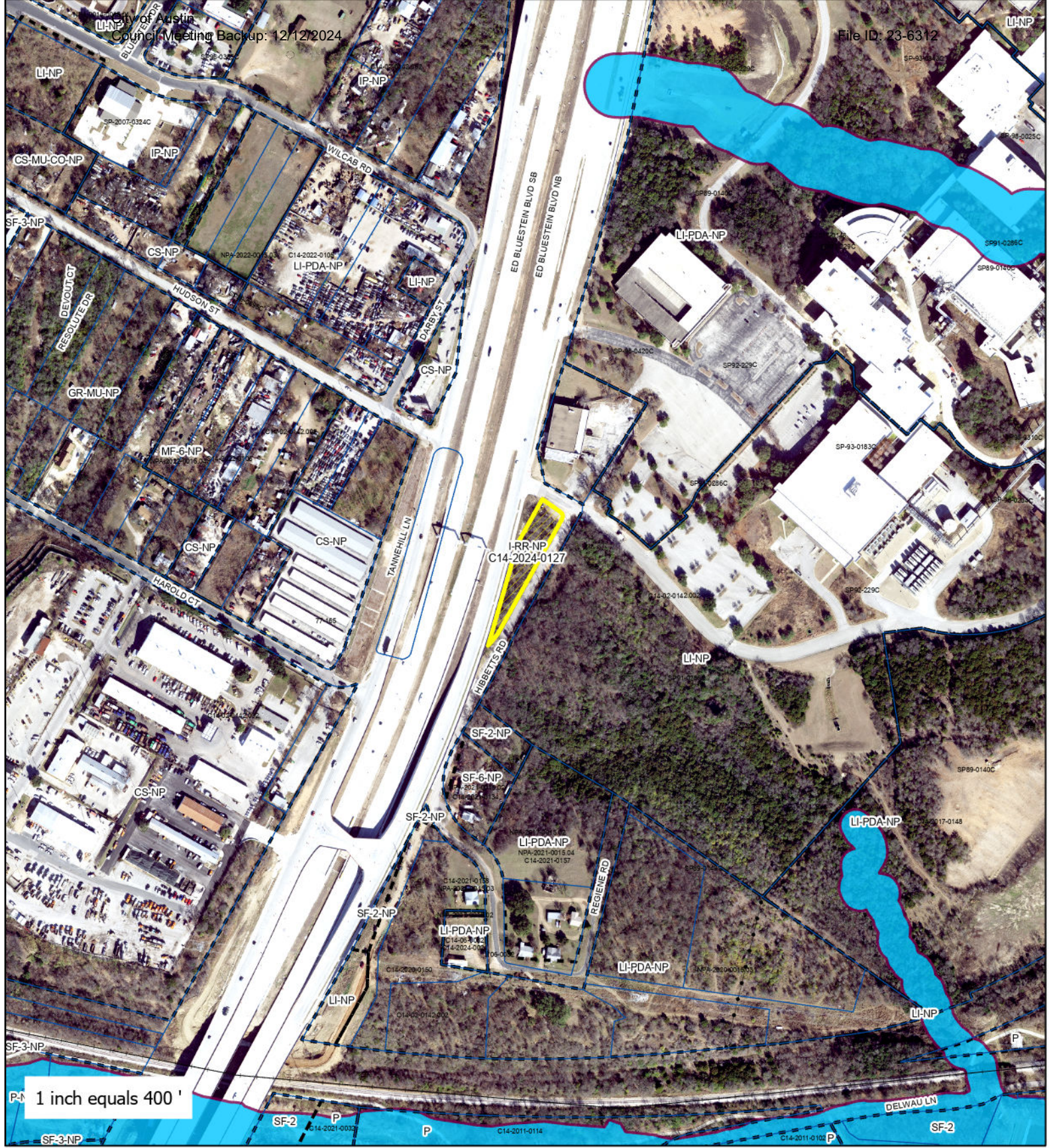
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'





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City Initiated - 3408 Hibbetts Road

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

ZONING CASE#: C14-2024-0127
 LOCATION: 3408 Hibbetts Rd.
 SUBJECT AREA: 0.71 Acres
 MANAGER: Jonathan Tomko



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