

ZONING CHANGE REVIEW SHEET

CASE: C14-2025-0042 (9117 Northgate Rezone)

DISTRICT: 4

ADDRESS: 9117 Northgate Boulevard

ZONING FROM: GO-CO-NP

TO: GR-CO-NP

SITE AREA: 1.0662 acres

PROPERTY OWNER: Nuraminco Inc.(Abdul Patel)

APPLICANT/AGENT: Land Answers, Inc. (Tamara Mitchell)

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

STAFF RECOMMEDATION:

Staff recommends GR-CO-NP, Community Commercial-Conditional Overlay-Neighborhood Plan Combining District, zoning. The conditional overlay will prohibit Automotive Rentals, Automotive Sales, Automotive Washing (of any type) and Service Station uses on the property.

PLANNING COMMISSION ACTION / RECOMMENDATION:

May 13, 2025: Postponed to May 27, 2025 at the neighborhood's request by consent (10-0, P. Howard, C. Hempel and D. Skidmore-absent); F. Maxwell-1st, A. Woods-2nd.

May 27, 2025: Approved substitute motion for staff's recommendation for GR-CO-NP zoning, with conditions in listed in Exhibit E and the addition of General Retail Sales (Convenience) as a prohibited use and Food Sales as a conditional use on the property (10-0, F. Maxwell, C. Hempel - absent); G. Anderson-1st, A. Azhar-2nd.

CITY COUNCIL ACTION:

July 24, 2025

ORDINANCE NUMBER:

ISSUES:

On May 9, 2025, the applicant submitted a letter stating that they were amending their rezoning request to add a list of prohibited uses that they had agreed to with the neighborhood association (*please see Exhibit D*).

CASE MANAGER COMMENTS:

The property in question is a grassy, undeveloped tract of land that slopes steeply to the south. There is floodplain covering the southern boundary of the site with a natural detention/culvert (Little Walnut Creek). There are multifamily residential developments to the north, south and west zoned MF-3-NP. To the south, there is a retail center zoned GR-NP. The applicant is requesting a rezoning from GO-CO-NP to GR-CO-NP to develop a restaurant on this 1.07 acre parcel.

This property is located within the North Austin Civic Association (NACA) Neighborhood Plan. The current and use designation on the FLUM is Commercial land use. Therefore, a plan amendment is not required and the proposed zoning is consistent with the FLUM designation.

The staff is recommending GR-CO-NP, Community Commercial-Conditional Overlay-Neighborhood Plan Combining District zoning. The staff is proposing a conditional overlay to prohibit automotive and service station uses in this case because property contains floodplain and is located adjacent to existing residential developments. The proposed rezoning will allow for additional services within walking distance of higher density residential uses. There is Capital Metro bus service along Northgate Boulevard (Routes 324 & 481) and the site under consideration is located across from a Capital Metro bus stop (#3155 – 9120 Northgate/Rundberg). This property is within 0.07 miles of the Rundberg Lane/Ferguson Activity Corridor and 0.10 miles of the North Burnet/Gateway Station Regional Center.

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.

Conditional Overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

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

The proposed rezoning will create a transition in the intensity of permitted uses from the GR-NP zoning to the south to the MF-3-NP uses along Northgate Boulevard to the north. GR-CO-NP zoning will permit the applicant to develop the site with low intensity commercial uses that will provide services to the surrounding residential neighborhood.

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

The proposed rezoning will allow for reasonable use of a property with development constraints (floodplain), with a CO prohibiting more intensive commercial uses, while maintaining the character of the surrounding residential area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-CO-NP	Undeveloped
<i>North</i>	MF-3-NP	Multifamily (The Horseshoe Ventura Apartments)
<i>South</i>	GR-NP, LR-NP	Floodplain (Little Walnut Creek), Retail Center (Vigo, Bari Agent, MoneyGram, United Cerebral Palsy, Acima Salon, Luna de Plata Salon, Discoteca Latino, Caritas of Austin North, Las Cascadas Laundry Center, Cricket Wireless), Multifamily (Colony Creek Apartments)
<i>East</i>	MF-3-NP	Multifamily (The Berkley Apartments), Convenience Store (Sunrise Mini Mart)
<i>West</i>	MF-3-NP	Multifamily (Pathways at Northgate, Serena Park Apartments)

NEIGHBORHOOD PLANNING AREA: North Austin Civic Association Neighborhood Plan

WATERSHED: Little Walnut Creek

CAPITOL VIEW CORRIDOR: N/A

SCENIC ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District,
Austin Neighborhoods Council,
Friends of Austin Neighborhoods,
Go Austin Vamos Austin - North ,
Homeless Neighborhood Association,
North Austin Civic Association,
North Austin Civic Association Neighborhood Plan Contact Team (NACA NPCT),
Shoal Creek Conservancy

SCHOOLS: Austin I.S.D.

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0027 (9052 Galewood)	GR-NP to GR-MU-NP	7/14/09: Case Expired	N/A
C14-2009-0013 (Northgate Laudromat: 9117 Northgate Blvd.)	MF-3-NP to GO-CO-NP	5/12/09: Approved staff's recommendation for GO-CO-NP district zoning (6-0; S. Kirk, P. Hui and C. Ewen-absent); C. Small-1 st , J. Reddy-2 nd .	6/18/09: Approved GO-CO-NP zoning by consent on all 3 readings (7-0); L. Leffingwell-1 st , L. Morrison-2 nd .
C14-05-0030	MF-3-NP to LR-NP	6/14/05: Approve the LR-CO-NP zoning request and plan amendment with additional recommendation that hours be limited, a 2,000 vehicle trip limit per day, and that the City Council public hearing notice include the opportunity to add MU, Mixed Use Combining District. Vote: (7-0, C. Galindo- absent); J. Reddy-1 st , M. Moore-2 nd .	10/06/05: Denied request for LR-NP (7-0)
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, LI-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 st reading only); (6-0) 8/09/01: Approved CS-NP for Tract 9 (7-0); 2 nd /3 rd readings
C14-93-0151	GR to LI	1/04/94: Approved LI-CO with conditions and R.C. (8-1)	2/03/94: Approved LI-CO (5-0); 1 st reading 4/14/94: Approved LI-CO (6-0); 2 nd /3 rd readings
C14-93-0064	MF-3 to LI	6/15/93: Approved LI, prohibiting several uses agreed to by the neighborhood and the applicant	7/01/93: Approved LI-CO (7-0); all 3 readings
C14-92-0106	GR to LI	12/08/92: Approved LI-CO	12/17/92: Approved LI-CO with conditions, 1 st reading

			2/25/93: Approved LI-CO with conditions, 2 nd /3 rd readings
--	--	--	--

RELATED CASES:

C14-2009-27, C14-2009-0013, C14-05-0030 – Previous Zoning Cases

NPA-2009-0007.01, NPA-2008-0007.01, NPA-05-007.01 – Previous Neighborhood Plan Amendments

C14-01-0037 (North Austin Civic Association Neighborhood Plan Rezoning)

OTHER STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 9117 NORTHGATE BOULEVARD. C14-2025-0042.

Project: 9117 Northgate Rezone. 1.0662 acres from GO-CO-NP to GR-CO-NP. Existing; vacant. Proposed: restaurant.

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 *: <ul style="list-style-type: none"> • 0.07 miles to Rundberg Lane/Ferguson Activity Corridor; 0.10 miles to North Burnet/Gateway Station Regional Center
Y	Mobility and Public Transit *: Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> • Adjacent to bus stop along Northgate Blvd
Y	Mobility and Bike/Ped Access *: Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> • Sidewalk present along Northgate Blvd
Y	Connectivity, Good and Services, Employment *: Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> • Goods and Services present along Research Blvd; Employment opportunities located in the business center to the north-west
Y	Connectivity and Food Access *: Provides or is located within 0.50 miles of a grocery store/farmers market. <ul style="list-style-type: none"> • 0.5 miles to La Hacienda Market grocery store
Y	Connectivity and Education *: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> • 0.4 miles to Padron Elementary School
	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 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.
Y	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone
7	Number of "Yes's"

Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

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 a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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 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

Site plans will be required for any new development except for residential only projects with up to 4 units.

Any new development is subject to LDC 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 58 feet of right-of-way for Northgate Blvd. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Northgate Blvd according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

There is a proposed Urban Trail running the center of the property, loosely following Quail Creek.

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)

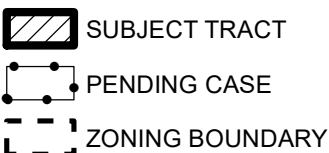
Northgate Blvd	Level 1	58 feet	73 feet	43 feet	Yes	No	Yes
----------------	---------	---------	---------	---------	-----	----	-----

Water Utility

No comments.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Applicant's Request Letter
- D. Applicant's Amendment Request Letter
- E. Comments from Interested Parties



ZONING CASE#: C14-2025-0042

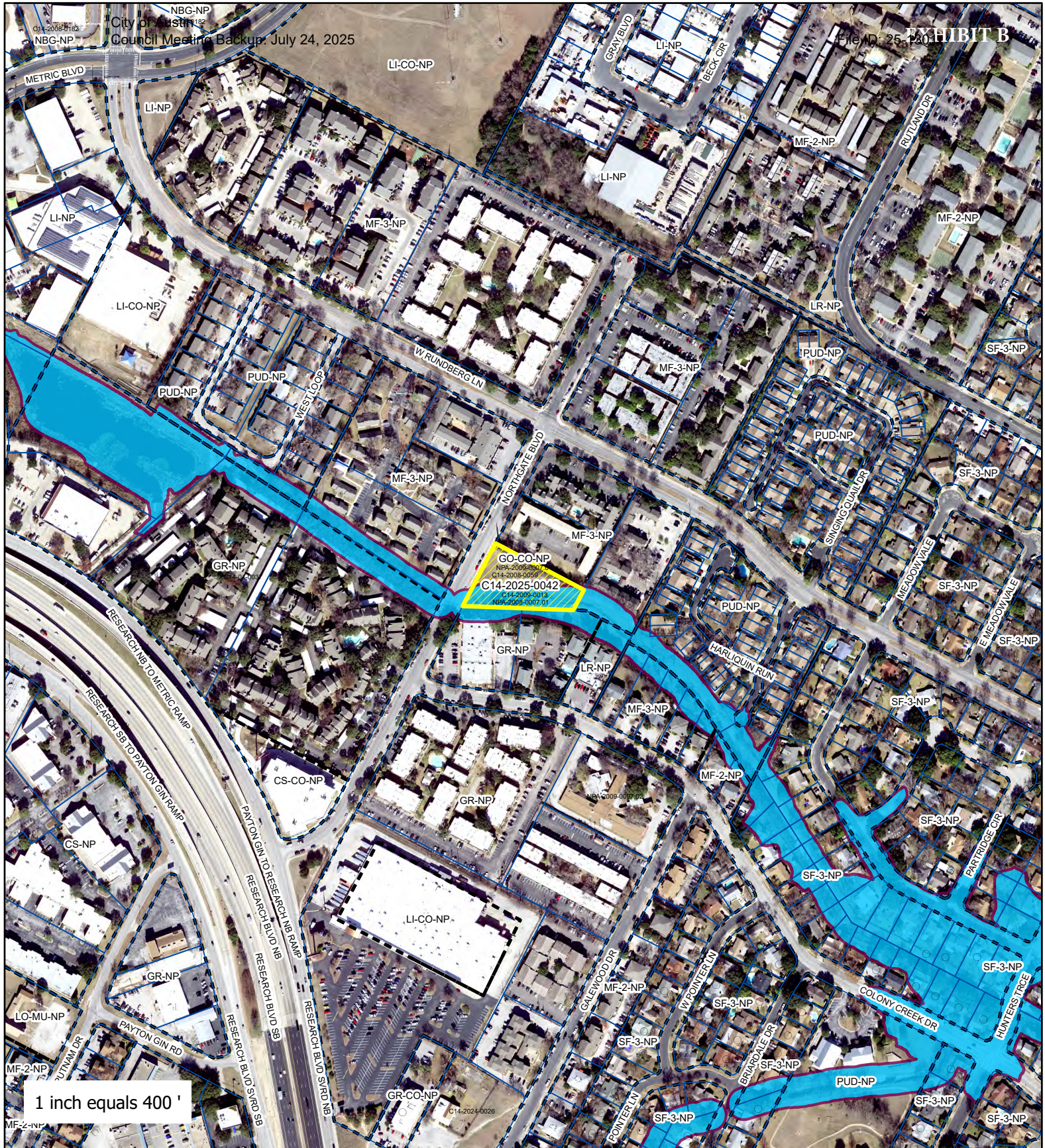


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

Page 9 of 14

Created: 3/28/2025



9117 Northgate Rezone



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

ZONING CASE#: C14-2025-0042
LOCATION: 9117 Northgate Blvd
SUBJECT AREA: 1.0662 Acres
MANAGER: Sherri Sirwaitis



landanswersinc@gmail.com

Sherri Sirwaitis
Case Manager
City of Austin
P.O. Box 1088
Austin, TX 78767

Re: Rezoning Application for 2025-032997 ZC/ 9117 Northgate Blvd.

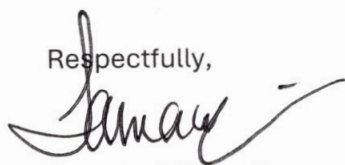
April 3, 2025

Dear Sherri,

We are writing to you today concerning our zoning application 2025-032997 ZC at 9117 Northgate Boulevard, to respectfully request a zoning change from the current GO-CO-NP zoning (General Office) to GR-CO-NP zoning (Community Commercial). We are requesting this rezoning to accommodate a Restaurant (General) land use.

Please do not hesitate to reach out if you or your staff have any questions or need additional information concerning this application.

Respectfully,



Tamara Mitchell
Project Manager
Land Answers, Inc.
3809 S Congress, Ste 123
Austin, TX 78704
512-920-7791

landanswersinc@gmail.com

Ms. Lauren Middleton-Pratt
Housing and Planning Department
City of Austin
6310 Wilhelmina Delco Dr.
Austin, TX 78752

Re: Rezoning Application for 2025-032997 ZC/ 9117 Northgate Blvd.

May 9, 2025

Dear Ms. Middleton-Pratt,

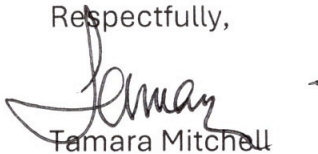
We are writing to you today concerning our zoning application 2025-032997 ZC at 9117 Northgate Boulevard, to respectfully request a zoning change from the current GO-CO-NP zoning (General Office) to GR-CO-NP zoning (Community Commercial). We have an agreement with North Austin Civic Association (NACA) to prohibit the following land uses on this site as a Conditional Overlay:

- Club or Lodge
- College and University Facilities
- Communication Service Facilities
- Community Events
- Community Recreation – Private
- Community Recreation – Public
- Hospital Services – General
- Hospital Services - Limited
- Automotive Rentals
- Automotive Repair Services
- Automotive Sales

- Automotive Washing of any type
- Bail Bond Services
- Commercial Off-Street Parking
- Drop-Off Recycling Collection Facility
- Exterminating Services
- Funeral Services
- General Retail Sales – General
- Hotel Motel
- Indoor Entertainment
- Indoor Sports and Recreation
- Off-Site Accessory Parking
- Outdoor Entertainment
- Outdoor Sports and Recreation
- Pawn Shop Services
- Plant Nursery
- Service Station
- Custom Manufacturing

Please do not hesitate to reach out if you or your team have any questions or need additional information concerning this application.

Respectfully,



Tamara Mitchell

Project Manager

Land Answers, Inc.

3809 S Congress, Ste 123

Austin, TX 78704

512-920-7791

From: [Monica G](#)
To: [Sirwaitis, Sherri](#)
Cc: ; [Land Answers; Azhar, Awaiz - BC](#)
Subject: Re: [NACA NPCT] RE: 9117 Northgate
Date: Monday, May 12, 2025 8:00:34 AM
Attachments: [image001.png](#)

External Email - Exercise Caution

North Austin Civic Association (NACA) Contact Team

May 12, 2025

TO: Sherri Sirwaitis, Planner Principal, Planning Dept
CC: Joi Harden, Zoning Officer & Ella Garcia, Business Process Specialist, - Planning Dept, City of Austin
RE: Request for postponement Planning Commission 5/13/2025 Public Hearings for 9117 Northgate Blvd

Sherri Sirwaitis:

It was only last Monday, May 5, 2025, that we received the notice for the May 13th public hearing. We met with Jim Wittliff, President, Land Answers, representing the applicant on Wednesday, May 7, 2025. We discussed our concerns about possible uses, as well as uses we did not support. We asked if he would support our request for a postponement, allowing us time to discuss with the NACA neighborhood association on Thurs, May 15th; Mr Wittliff agreed.

We are hereby requesting postponement of the May 13th Planning Commission public hearings for 9117 Northgate Blvd from 5/13/2025 to 5/27/2025, to allow us time to review the by-right uses under the proposed zoning of **GR-CO-NP** [*Community Commercial - Conditional Overlay - Neighborhood Plan*] and discuss with NACA (neighborhood association) members on Thurs, May 15th.

Please contact me if you have any questions or need additional information. Thank you for your time and assistance with the postponement request.

Respectfully,
Monica Guzmán, Chair
NACA Contact Team

Thank you,
Monica Guzmán, MA
[Co-Vice President](#)/Co-vicepresidenta, North Austin Civic Assn (NACA)
Chair, [NACA Contact Team](#)/Equipo de contacto del plan del vecindario

Cell: 512.585.5832
www.linkedin.com/in/maguzman