

ORDINANCE NO _____

Apr 15, 2007
#42

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY COMMONLY KNOWN AS THE ST DAVID'S MEDICAL CENTER
3 PUD LOCATED AT 919-1025 AND 918-1004 EAST 32ND STREET, 900 EAST 30TH
4 STREET, AND 3000-3018 NORTH IH-35 IN THE HANCOCK NEIGHBORHOOD
5 PLAN AREA FROM GENERAL OFFICE-MIXED USE-NEIGHBORHOOD PLAN
6 (GO-MU-NP) COMBINING DISTRICT, GENERAL COMMERCIAL SERVICES-
7 NEIGHBORHOOD PLAN (CS-NP) COMBINING DISTRICT, GENERAL
8 COMMERCIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD
9 PLAN (CS-CO-NP) COMBINING DISTRICT, AND COMMUNITY
10 COMMERCIAL-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-CO-
11 NP) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT-
12 NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT

13
14 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

15
16 **PART 1** The zoning map established by Section 25-2-191 of the City Code is amended to
17 change the base zoning district from general office mixed use-neighborhood plan (GO-
18 MU NP) combining district general commercial services-neighborhood plan (CS-NP)
19 combining district, general commercial services-conditional overlay-neighborhood plan
20 (CS CO NP) combining district, and community commercial-conditional overlay-
21 neighborhood plan (GR-CO NP) combining district to planned unit development-
22 neighborhood plan (PUD-NP) combining district on the property described in File C814-
23 06-0068 on record at the Neighborhood Planning and Zoning Department, as
24 approximately 14 acres of land, more or less being more particularly described in Exhibit
25 A (*Description of Property*) incorporated into this ordinance (the "Property") locally
26 known as the property located at 919-1025 and 918-1004 East 32nd Street, 900 East 30th
27 Street, and 3000-3018 North IH-35, in the City of Austin, Travis County, Texas, and
28 generally identified in the map attached as Exhibit B (*Zoning Map*)

29 **PART 2** This ordinance, together with the attached Exhibits A through D, are the land
30 use plan for the St David's Medical Center planned unit development district (the PUD)
31 created by this ordinance The PUD shall conform to the limitations and conditions set
32 forth in this ordinance and in the St David's Medical Center planned unit development
33 land use plan If this zoning ordinance and the attached exhibits conflict, the PUD
34 ordinance applies Except as otherwise specifically provided by this ordinance, all other
35 rules regulations and ordinances of the City in effect on the effective date of this ordinance
36 apply to the PUD

1 **PART 3** The attached exhibits are incorporated into this ordinance in their entirety as
2 though set forth fully in the text of this ordinance The exhibits are as follows

3 Exhibit A	Description of Property
4 Exhibit B	Zoning Map
5 Exhibit C	Land Use Plan
6 Exhibit D	Landscaping Plan

7
8 The Property is subject to Ordinance No 040826-59 that established the Hancock
9 neighborhood plan combining district

10
11 **PART 4** Definitions

12
13 A In this ordinance

14
15 ZONE means the area identified on Exhibit C for the purpose of showing where
16 a specific height or other condition is allowed There are 7 separate zones
17 shown on the Land Use Plan

18
19 B All other terms have the meaning provided in the Code

20
21 **PART 5** In accordance with Section 25-2-411 (A) (*Planned Unit Development District*
22 *Regulations*) of the City Code, the following regulations apply to the PUD instead of
23 otherwise applicable City regulations

24
25 A Section 25-2-243 (*Proposed District Boundaries Must Be Contiguous*) of the
26 City Code does not apply to the PUD

27
28 B Except as set forth in the ordinance, the Property is subject to general
29 commercial services (CS) uses and site development regulations

30
31 C The maximum impervious cover is 87 percent

32
33 D The floor to-area ratio is 3 0 to 1 0 over the entire site as shown on the Land
34 Use Plan

E Uses

1 The following uses are the only permitted principal uses of the PUD

Medical offices (not exceeding 5000 sq ft of gross floor area)	
Medical offices (exceeding 5000 sq ft of gross floor area)	
Hospital services (general)	
Hospital services (limited)	
Administrative and business offices	Building maintenance services
Business support services	Commercial blood plasma center
Commercial off-street parking	Food sales
General retail sales (convenience)	Hotel-motel
Indoor entertainment	Laundry services
Off-site accessory parking	Personal improvement services
Personal services	Professional office
Recreational equipment maintenance	Research services
and storage	Research testing services
Research warehousing services	Restaurant (limited)
Camp	Club or lodge
College and university facilities	Community events
Community recreation (public)	Convalescent services
Counseling services	Daycare services (general)
Employee recreation	Guidance services
Residential treatment	Safety services
Telecommunications tower	

2 A new or relocated facility for helicopters and other nonfixed wing aircraft must comply with Section 25-2-861 (*Facilities for Helicopters and Other Nonfixed Wing Aircraft*)

F The following maximum height regulations apply to each Zone as follows

Zone 1 - 90 feet,
Zone 2 - 60 feet
Zone 3 - 90 feet,
Zone 4 - 125 feet on 40 percent of the gross area, and
90 feet on 60 percent of the gross area,
Zone 5 - 175 feet on 50 percent of the gross area and
90 feet on 50 percent of the gross area,
Zone 7 - 80 feet

1
2 G Zone 6 shall be maintained as a landscaped area

3
4 H Except as provided in Subsection I, landscaping shall be accomplished
5 according to criteria set forth in the City Code

6
7 I At the time of approved site plan in Zones 1, 2, and 3, improvements shall
8 be made to the Red River right-of-way along with landscaping
9 improvements to the areas shown in Exhibit D

10
11 J A tree located in Zone 5 and Zone 6 as depicted on the Land Use Plan is a
12 protected tree as set forth in Section 25-8, Subchapter B, Article 1 (*Tree and*
13 *Natural Area Protection*) of the Code

14
15 K A minimum 10,000 square feet shall be provided and maintained for an
16 interior courtyard in Zone 4

17
18 **PART 6** This ordinance takes effect on _____ 2007

19
20
21 **PASSED AND APPROVED**

22 §
23 §
24 _____, 2007 § _____
25 Will Wynn
26 Mayor

27
28 **APPROVED** _____ **ATTEST** _____
29 David Allan Smith Shirley A Gentry
30 City Attorney City Clerk

LEGAL DESCRIPTION

Main Campus

12.65 acres of land more or less as more particularly described below

Lot 1 Saint David's Community Hospital Addition a subdivision in the City of Austin Travis County Texas according to the map or plat of record in Plat Book 81 Page 366 of the Plat Records of Travis County Texas

Greusen Resubdivision of a portion of Lot 6 Outlot 23 Division C recorded in Volume 10 Page 77 of the Official Plat Records of Travis County Texas

Joe Manor Trustee Subdivision recorded in Volume 16 Page 43 of the Official Plat Records of Travis County Texas

1.54 acres of land out of Outlot 23 Division C of the Government Tract adjoining the Original City of Austin Travis County Texas in a Deed recorded in Volume 12725 Page 1436 Travis County Deed Records

North 32nd St

1.72 acres of land more or less as more particularly described below

9,570 s f out of Outlot 22 Division C of the Government Outlots adjoining the Original City of Austin

10,500 s f out of Outlot 22 Division C of the Government Outlots adjoining the Original City of Austin

11,551 s f out of Outlot 22 Division C of the Government Outlots adjoining the Original City of Austin


21,000 s f out of Outlot 22 Division C of the Government Outlots adjoining the Original City of Austin

Lot 2 of the C P L M A Subdivision II recorded in Volume 100 Page 93 of the Official Plat Records of Travis County Texas

EXHIBIT A



Protected Tree


GRIFFIN
ENGINEERING GROUP INC

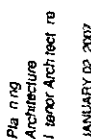
DAVID S MEDICAL CENTER
PUD GENERAL DEVELOPMENT
PLAN

EXHIBIT C

[illegible][illegible][illegible]



7



A

EXHIBIT

April 5, 2007
#42

Zoning Case No C814-06-0068

RESTRICTIVE COVENANT

OWNER St David s Healthcare Partnership L P , L I P a Texas limited liability partnership

ADDRESS P O Box 1788 Austin Texas 78767 1788

CONSIDERATION Ten and No/100 Dollars (\$10 00) and other good and valuable consideration paid by the City of Austin to the Owner the receipt and sufficiency of which is acknowledged

PROPERTY A 14 37 acre tract of land more or less, comprised of certain parcels of land in the City of Austin Travis County the tract of land being more particularly described in Exhibit A attached and incorporated into this covenant

WHEREAS the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions

NOW THEREFORE it is declared that the Owner of the Property for the consideration shall hold sell and convey the Property subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant These covenants and restrictions shall run with the land and shall be binding on the Owner of the Property its heirs successors and assigns

- 1 A site plan or building permit for the Property may not be approved released or issued if the completed development or uses of the Property considered cumulatively with all existing or previously authorized development and uses generate traffic that exceeds the total traffic generation for the Property specified in that certain Traffic Impact Analysis (the TIA) prepared by John F Hickman and Associates dated February 2006 or as amended and approved by the Director of the Watershed Protection and Development Review Department or its successor department of the City of Austin All development on the Property is subject to the recommendations contained in the memorandum from the Transportation Review Section of the Watershed Protection and Development Review Department dated August 22 2006 and shall not exceed 1 242 042 gross square feet unless an undated TIA is prepared and submitted and any necessary mitigation is addressed The TIA shall be kept on file at the Watershed Protection and Development Review Department or its successor department of the City of Austin
- 2 All new development shall comply with Austin Energy Green Building Program in effect on March 8 2007 to achieve a minimum one star rating
- 3 At the time construction and completion of traffic improvements to 32nd Street Owner shall provide its pro rata share for the following improvements

- a) A westbound left turn lane and related traffic signal modification at Red River Street
 - b) A center turn lane along the portion of 32nd Street between Red River Street and the IH 35 west frontage road and
 - c) Re striping of 32nd Street at the west frontage road for a dual lane approach across the 32nd Street bridge
- 4 If any person or entity shall violate or attempt to violate this agreement and covenant it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant to prevent the person or entity from such actions and to collect damages for such actions
- 5 If any part of this agreement or covenant is declared invalid by judgment or court order the same shall in no way affect any of the other provisions of this agreement and such remaining portion of this agreement shall remain in full effect
- 6 If at any time the City of Austin fails to enforce this agreement whether or not any violations of it are known such failure shall not constitute a waiver or estoppel of the right to enforce it
- 7 This agreement may be modified amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin and (b) by the owner(s) of the Property subject to the modification amendment or termination at the time of such modification amendment or termination

EXECUTED this the _____ day of _____ 2007

OWNER

**St David's Healthcare Partnership L P LLP,
a Texas limited liability partnership**

By _____
Jon M Foster
President and CEO

APPROVED AS TO FORM

Assistant City Attorney
City of Austin

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the ____ day of _____
2007 by Jon M Foster President and CEO of St David s Healthcare Partnership I P L P a
Texas limited liability partnership on behalf of the limited liability partnership

Notary Public State of Texas

After Recording Please Return to
City of Austin
Department of Law
P O Box 1088
Austin Texas 78767
Attention Diana Minter Paralegal

LEGAL DESCRIPTION

Main Campus

12.65 acres of land more or less as more particularly described below

Lot 1 Saint David's Community Hospital Addition a subdivision in the City of Austin Travis County Texas according to the map or plat of record in Plat Book 81 Page 366 of the Plat Records of Travis County Texas

Greusen Resubdivision of a portion of Lot 6 Outlot 23 Division C recorded in Volume 10 Page 77 of the Official Plat Records of Travis County Texas

Joe Manor Trustee Subdivision recorded in Volume 16 Page 43 of the Official Plat Records of Travis County Texas

1.54 acres of land out of Outlot 23 Division C of the Government Tract adjoining the Original City of Austin Travis County Texas in a Deed recorded in Volume 12725 Page 1436 Travis County Deed Records

North 32nd St

1.72 acres of land more or less as more particularly described below

9,570 s f out of Outlot 22 Division C of the Government Outlots adjoining the Original City of Austin

10,500 s f out of Outlot 22 Division C of the Government Outlots adjoining the Original City of Austin

11,551 s f out of Outlot 22 Division C of the Government Outlots adjoining the Original City of Austin

21,000 s f out of Outlot 22 Division C of the Government Outlots adjoining the Original City of Austin

Lot 2 of the C P L M A Subdivision II recorded in Volume 100 Page 93 of the Official Plat Records of Travis County Texas

EXHIBIT A