

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C2A-06-0224 – Park at Aspen Lake

**ZAP DATE:** April 17, 2007

May 1, 2007

**ADDRESS:** 13700 – 13800 Research Boulevard

**COUNCIL DATE:** May 24, 2007

**OWNER/APPLICANT:** Aspen Properties, Inc. (Mark McAlister)

**AGENT:** Armbrust & Brown, LLP (Amanda Morrow)

**ZONING FROM:** GR & MF-2-CO (Community Commercial & Multifamily Residence Low Density Conditional Overlay Combining District)

**TO:** CH-PDA (Commercial Highway Services District – Planned Development Area Combining District)

(The applicant originally requested LI-PDA (Limited Industrial) but has since amended the request to CH-PDA.)

**AREA:**

|                            |
|----------------------------|
| Tract 1 – Approx. 18 acres |
| Tract 2 – Approx. 20 acres |
| Total 38.14 acres          |

### **SUMMARY STAFF RECOMMENDATION:**

CH-PDA (Commercial Highway Services - Planned Development Area) combining district zoning

### **ZONING AND PLATTING (ZAP) COMMISSION RECOMMENDATION:**

Postponed from April 17, 2007 to May 1, 2007 at the request of the applicant (7-0, Commissioners Clarke Hammond and Keith Jackson absent).

May 1, 2007: Approved Staff's recommendation of CH-PDA on consent [8-0; Keith Jackson, Clarke Hammond 2<sup>nd</sup> (Joseph Martinez absent)].

### **DEPARTMENT COMMENTS:**

**The applicant is in agreement with the Staff's recommendation of CH-PDA.**

**This 38-acre site is located on U.S. Highway 183, close to where it intersects with F.M. 620 North/State Highway 45.** In this area, 183 becomes a double-decker highway. On the upper deck, it soon takes you to the new 183A toll road if you continue north and it also ramps off to the east to connect with the upper deck of the new State Highway 45 toll road. At the 183 and FM 620/SH 45 intersection, there are up to five levels of highway criss-crossing one another. (A highway system map is attached.)

Tract 1, the western tract currently zoned GR, is developed with

- The existing Tower of the Hills ten-story office building (Chase Bank, approximately 136 feet in height),
- A two-story office building, and
- Associated surface parking;

(A retail store, Target, used to be located on Tract 1 but has since been demolished.)

Tract 2, the eastern tract zoned MF-2-CO, is undeveloped. The conditional overlay on Tract 2 requires onsite stormwater detention. The applicant has agreed to develop under current water quality and stormwater detention requirements.

**As part of the proposed development, the two existing office buildings on Tract 1 will remain. The applicant is currently considering an expansion of the existing development with additional office buildings and new parking structures. This will surround a proposed manmade lake, hence the project name, “Park at Aspen Lake.”**

**The staff recommends CH-PDA** because the property meets the intent of the CH-PDA district. The CH district is the designation for a use that has operating and traffic generation characteristics that require that the use be located at the intersection of state maintained highways (other than scenic arterial roadways). An office park of the size proposed, reported to be approximately 1.6 to 1.7 million square feet, would be best located at the intersection of two major roadways, particularly at roadways that can accommodate large volumes of traffic such as these two highways. Additionally, the CH district is a commercial district allowing a wide range of commercial uses which would not be unreasonable in this already-commercial area. The purpose of the PDA combining district is to provide for industrial and commercial uses in certain commercial and industrial base districts, or to incorporate the terms of a planned development area agreement into a zoning ordinance following annexation of a property that is subject to a planned development area agreement. The proposed office use is a commercial use and the CH district is a commercial district that may be combined with the PDA district. Additionally, other commercial uses would also be appropriate at this location.

The Land Development Code specifies that the CH designation may be applied along the following highway corridors: IH-35; US-183; US-290 (including Ben White Boulevard); SH-71; FM-1325 north of US-183; and Loop 1, at least 400 feet north of the northernmost right-of-way line of US 183. The PDA combining district can only be affixed to the following base districts: industrial park (IP), limited industrial services (LI), commercial highway services (CH), major industry (MI), and research and development (R&D).

In recommending CH-PDA zoning, staff also points to other properties at the intersection of Highway 183 and FM 620 in the northwestern corner of the intersection that are zoned CH and CH-PDA and in the southwestern corner that is zoned CH. (A zoning map of the larger area is attached.)

While this project is not at the exact intersection of Highways 183 and 620, Pecan Park Boulevard, the street that wraps around the property on the northern and eastern boundaries, functions almost only as a ring road surrounding the subject property. The property on the other side of Pecan Park across from this proposed development is almost entirely built out and has very minimal access to Pecan Park only near the intersection of Pecan Park and Highway 183. Lake Creek Parkway serves as more of a buffer to the more moderately developed properties that are found as you move away from the 183 and 620 intersection.

**CH-PDA zoning limits height to 200 feet and impervious cover to 55% if the full 200 feet of height is desired. (Under CH-PDA zoning, maximum height limits are specified but they vary. Height can be increased if impervious cover decreases.)**

Staff has spoken with a representative of the Neighborhood Association of Southwest Williamson County (NASWC) and various property owners in the area. These citizens are concerned about industrial uses but are generally comfortable with the proposed office project.

**EXISTING ZONING AND LAND USES:**

|              | <b>ZONING</b>       | <b>LAND USES</b>   |
|--------------|---------------------|--|
| <i>Site</i>  | GR, MF-2-CO         | Tract 1: Office uses (existing Tower of the Hills ten-story office building (~136 feet tall), two-story office building, and associated surface parking). Tract 2: Undeveloped |
| <i>North</i> | DR, GR, CS-CO       | Across Pecan Park Blvd: Commercial/Retail center (inc. Pro-Med, IHOP, Lowe's, Office Depot, etc.). Immediately adjacent on the northwest: general restaurant (Luby's).         |
| <i>South</i> | I-RR, DR, GR-CO, GR | Immediately adjacent on the southwest: Service station (Chevron) and auto repair (Lamb's).   |
| <i>East</i>  | DR, GR, SF-2        | GR: General retail sales - general (Wal-Mart). DR & SF-2: Undeveloped.   |
| <i>West</i>  | I-RR, GR, CS-1-CO   | Retail Center  |

**AREA STUDY:** N/A**TIA:** Not Required**WATERSHED:** Lake Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

454 – Neighborhood Association of SW Williamson County

426 – River Place Residential Community Association, Inc.

281 – Anderson Mill Neighborhood Association

157 – Courtyard Homeowner Association

416 – Long Canyon Phase II Homeowners Assn Inc.

786 – Home Builders Association of Greater Austin

**CASE HISTORIES:**

| <b>NUMBER</b>                                       | <b>REQUEST</b>  | <b>COMMISSION</b>  | <b>CITY COUNCIL</b>  |
|---|---|--|--|
| C14-06-0006<br>- TRAINING<br>ROOM<br>SPORTS,<br>LLP | GR and I-RR to<br>GR-CO   | 02/21/06: APVD STAFF ALT<br>REC OF GR-CO BY CONSENT<br>(8-0)   | 03/23/06: APVD GR-CO (7-0);<br>ALL 3 RDGS  |
| C14-05-0170<br>– Pecan Park<br>Condominiu<br>ms     | GR and GO to<br>GR-MU   | 10/18/05: PP TO 11-1-05<br>(STAFF); (9-0)<br>11/01/05: APVD STAFF ALT<br>REC OF GO-MU BY<br>CONSENT (9-0)            | 12/01/05: APVD GR-MU (6-0);<br>1ST RDG<br>12/15/05: APVD GR-MU (7-0);<br>2ND/3RD RDGS  |
| C14-05-0100   | I-RR, SF-2, LO<br>and LO-CO to<br>LO-CO for<br>Tract 1, SF-6 for<br>Tract 2, SF-4A<br>for Tract 3 | 08/02/05: PP TO 8-16-05<br>(NEIGH); (8-0)<br>08/16/05: APVD STAFF REC<br>OF LO-CO, SF-6, & SF-4A BY<br>CONSENT (8-0) | 09/29/05: APVD LO-CO (TR 1),<br>SF-4A (TR 2), SF-6 (TR 3), (7-0);<br>1ST RDG<br>11/03/05: PP TO 11-17-05 (AP);<br>(7-0)<br>11/17/05: PP TO 12-1-05 (N/A);<br>(7-0) |

| NUMBER                            | REQUEST                     | COMMISSION   | CITY COUNCIL   |
|-----------------------------------|-----------------------------|--|--|
|                                   |                             |  | 12/01/05: PP TO 12-15-05 (NEIGH ASSN); (6-0)<br>12/15/05: PP TO 1-12-06 (AP); (7-0)<br>01/12/06: APVD LO-CO (TRT 1), SF-6 (TR 2) & SF-4A (TR 3); (6-0); 2ND/3RD RDGS |
| C14-04-0042                       | I-RR and LR to GR-CO        | 04/26/04: APVD STAFF REC OF GR-CO BY CONSENT (7-0)   | 04/15/04: APVD GR-CO (7-0); ALL 3 RDGS   |
| C14-03-0145                       | I-RR to GR                  | 10/28/03: Approved staff's recommendation of GR-CO zoning, by consent (8-0, J. Martinez-absent)  | 11/20/03: Granted GR-CO (6-0, Goodman- off the dias); all 3 readings   |
| C14-03-0104                       | I-RR, SF-2, GR, CS to GR-CO | 8/12/03: Approved staff's recommendation of GR-CO zoning by consent (9-0)  | 9/25/03: Granted GR-CO (7-0); all 3 readings   |
| C14-03-0046<br>– North Fork Plaza | DR to GR                    | 03/25/03: APVD STAFF REC OF GR BY CONSENT (7-0)  | 04/24/03: APVD GR (6-0); ALL 3 RDGS  |
| C14-02-0196                       | SF-2 to GR                  | 1/28/03: Approved GR-CO zoning, prohibit all Automotive uses [Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type)] (6-0, K. Jackson, J. Martinez -off dias, J. Donisi-absent) | 2/27/03: Granted GR-CO on all 3 readings (6-0, Goodman-out of room)  |

**RELATED CASES:**

There are no pending related zoning cases. A site plan was recently approved, SP-06-0471C, Tower of the Hills (The Park at Aspen Hills), which included an office building of approximately 50,000 square feet and a parking structure of approximately 65,000 square feet.

**ABUTTING STREETS:**

| NAME                 | ROW  | PAVEMENT | CLASSIFICATION | BICYCLE PLAN | CAPITAL METRO | SIDEWALKS |
|----------------------|------|----------|----------------|--------------|---------------|-----------|
| US Highway 183       | 400' | Varies   | Major Arterial | No           | Yes           | Yes       |
| Pecan Park Boulevard | 114' | Varies   | Collector      | No           | No            | Yes       |
| Lake Creek Parkway   | 114' | Varies   | Collector      | No           | Yes           | Yes       |

**CASE MANAGER:** Tina Bui**PHONE:** (512) 974.2755**EMAIL:** tina.bui@ci.austin.tx.us

## STAFF RECOMMENDATION

The staff's recommendation is to grant CH-PDA.

## BASIS FOR RECOMMENDATION

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

Staff's recommended CH district is the designation for a use that has operating and traffic generation characteristics that require that the use be located at the intersection of state maintained highways (other than scenic arterial roadways). An office park of the size proposed, reported to be approximately 1.6 to 1.7 million square feet, would be best located at the intersection of two major roadways, particularly at roadways that can accommodate large volumes of traffic such as these two highways. Additionally, the CH district is a commercial district allowing a wide range of commercial uses which would not be unreasonable in this already-commercial area. The purpose of the PDA combining district is to provide for industrial and commercial uses in certain commercial and industrial base districts, or to incorporate the terms of a planned development area agreement into a zoning ordinance following annexation of a property that is subject to a planned development area agreement. The proposed office use is a commercial use and the CH district is a commercial district that may be combined with the PDA district. Additionally, other commercial uses would also be appropriate at this location.

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

Much of the area is already zoned for and developed with high levels of commercial development. The CH-PDA zoning is also consistent with the other CH and CH-PDA zonings around this intersection.

3. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

Intensive CH-PDA zoning would allow this very large office park to be located at this multi-level highway intersection. A development of this size should be located at a major intersection.

### Site Characteristics

This property is located on U.S. Highway 183, close to where it intersects with F.M. 620 North/State Highway 45. In this area, 183 becomes a double-decker highway. On the upper deck, it soon takes you to the new 183A toll road if you continue north and it also ramps off to the east to connect with the upper deck of the new State Highway 45 toll road. At the 183 and FM 620/SH 45 intersection, there are up to five levels of highway criss-crossing one another. (A highway system map is attached.)

Tract 1, the western tract currently zoned GR, is developed with

- The existing Tower of the Hills ten-story office building (Chase Bank, approximately 136 feet in height),
- A two-story office building, and
- Associated surface parking.

(A retail store, Target, used to be located on Tract 1 but has since been demolished.)

Tract 2, the eastern tract zoned MF-2-CO, is undeveloped.

The property takes access to the northbound service road for U.S. Highway 183.

The DR-zoned property adjacent on the northwest side is developed with a general restaurant (Luby's) and the properties adjacent on the southwest are developed with a gas station (Chevron) and a tire and auto service business (Lamb's).

**Environmental**

- 1) At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.
- 2) The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8: Endangered Species in conjunction with subdivision and/or site plan process.
- 3) The site is located over the North Edward's Aquifer Recharge Zone. It is in the Desired Development Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

The maximum impervious cover allowed by the GR zoning district would be 90%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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

| <i>Development Classification</i>                          | <i>% of Net Site Area</i> | <i>% NSA with Transfers</i> |
|--|---------------------------|-----------------------------|
| Single-Family Residential<br>(min. lot size 5750 sq. ft.)  | 45%                       | 50%                         |
| One or Two Family Residential<br>(lot size < 5750 sq. ft.) | 55%                       | 60%                         |
| Multifamily Residential                                    | 60%                       | 65%                         |
| Commercial   | 65%                       | 70%                         |

- 4) In the Water Quality Transition Zones, impervious cover is limited to 30%. No development is allowed in the Critical Water Quality Zone.
- 5) Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:
  - Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.
- 6) According to flood plain maps, there is a floodplain adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the boundaries of the Water Quality Transition Zone within the project location.
- 7) Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

### **Site Plan**

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.

A site plan was recently approved, SP-06-0471C, Tower of the Hills (The Park at Aspen Hills), which included an office building of approximately 50,000 square feet and a parking structure of approximately 65,000 square feet.

### **Transportation**

No additional right-of-way is needed at this time.

This site is within the area covered by State legislation (S.B. 1396), which went into effect September 1, 1995. Under this legislation, the City may not "deny, limit, delay, or condition the use of development of land...because of traffic or traffic operations that would result from the proposed use or development of the land." A traffic impact analysis is not required for any development within this area, and traffic issues may not be considered in the approval of the application. Right-of-way dedication, however, may still be required.

Existing Street Characteristics:

| NAME                 | ROW  | PAVEMENT | CLASSIFICATION | BICYCLE PLAN | CAPITAL METRO | SIDEWALKS |
|----------------------|------|----------|----------------|--------------|---------------|-----------|
| US Highway 183       | 400' | Varies   | Major Arterial | No           | Yes           | Yes       |
| Pecan Park Boulevard | 114' | Varies   | Collector      | No           | No            | Yes       |
| Lake Creek Parkway   | 114' | Varies   | Collector      | No           | Yes           | Yes       |

In response to the proposed site development standards regarding transportation, Staff recommends all of the requests with the modification that the off street parking may be provided at any location on the Property, regardless of proximity to a particular building with the exception of accessible parking spaces which must be located within a reasonable distance to the entrance(s).

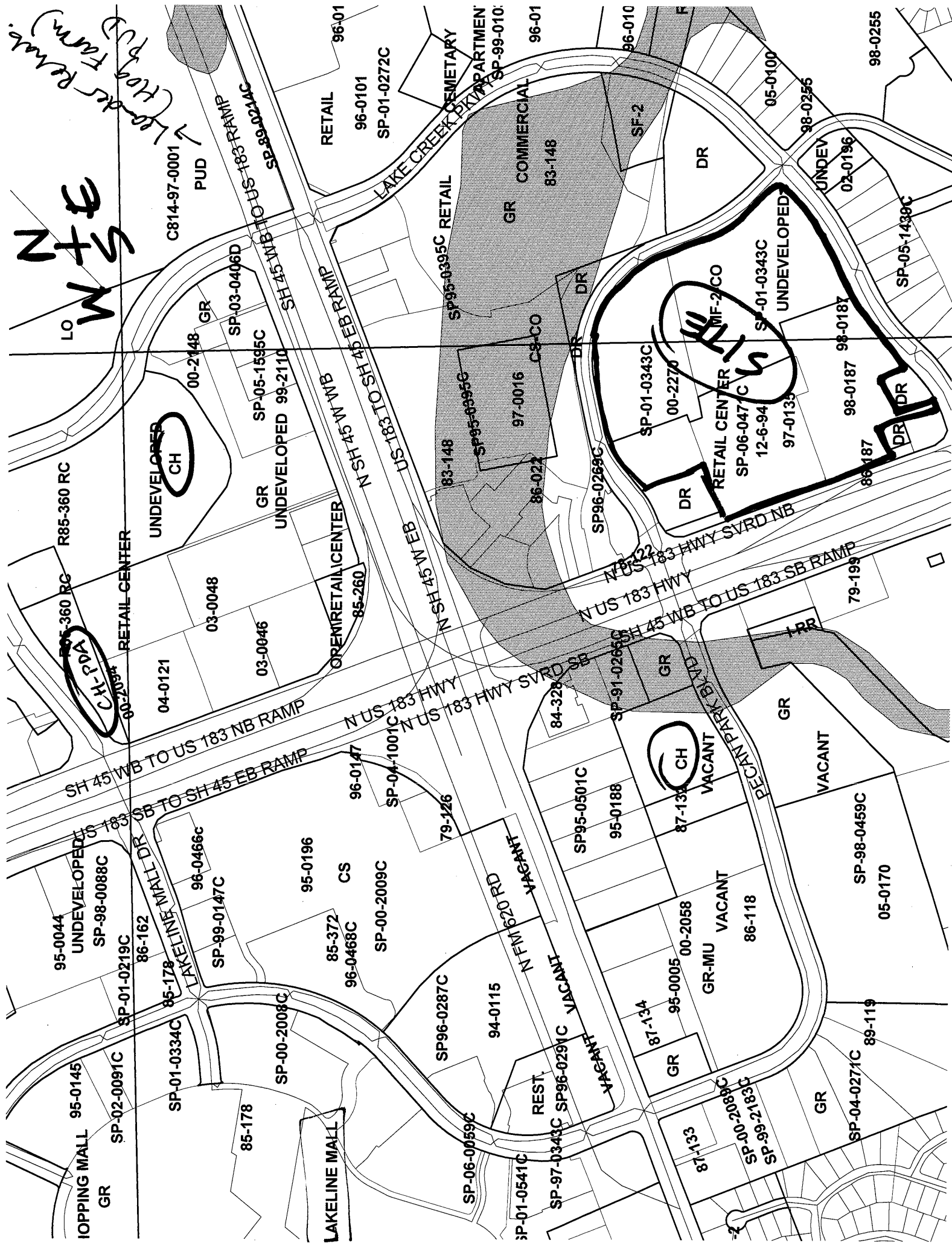
### **Water and Wastewater**

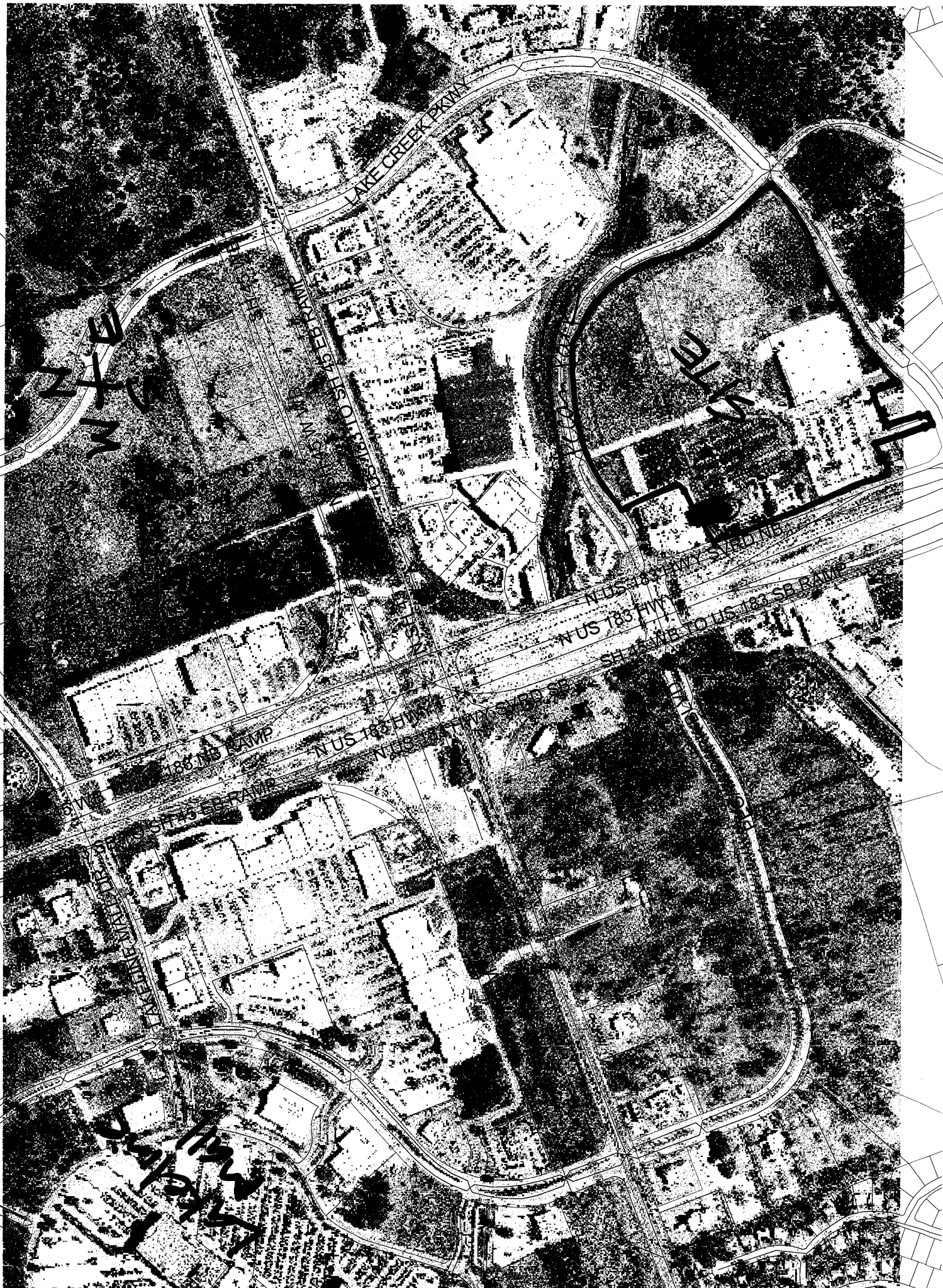
The landowner intends to serve the site with water and wastewater utility service. The landowner, at own expense will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and utility relocation. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin Utility design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay all associated and applicable City fees.

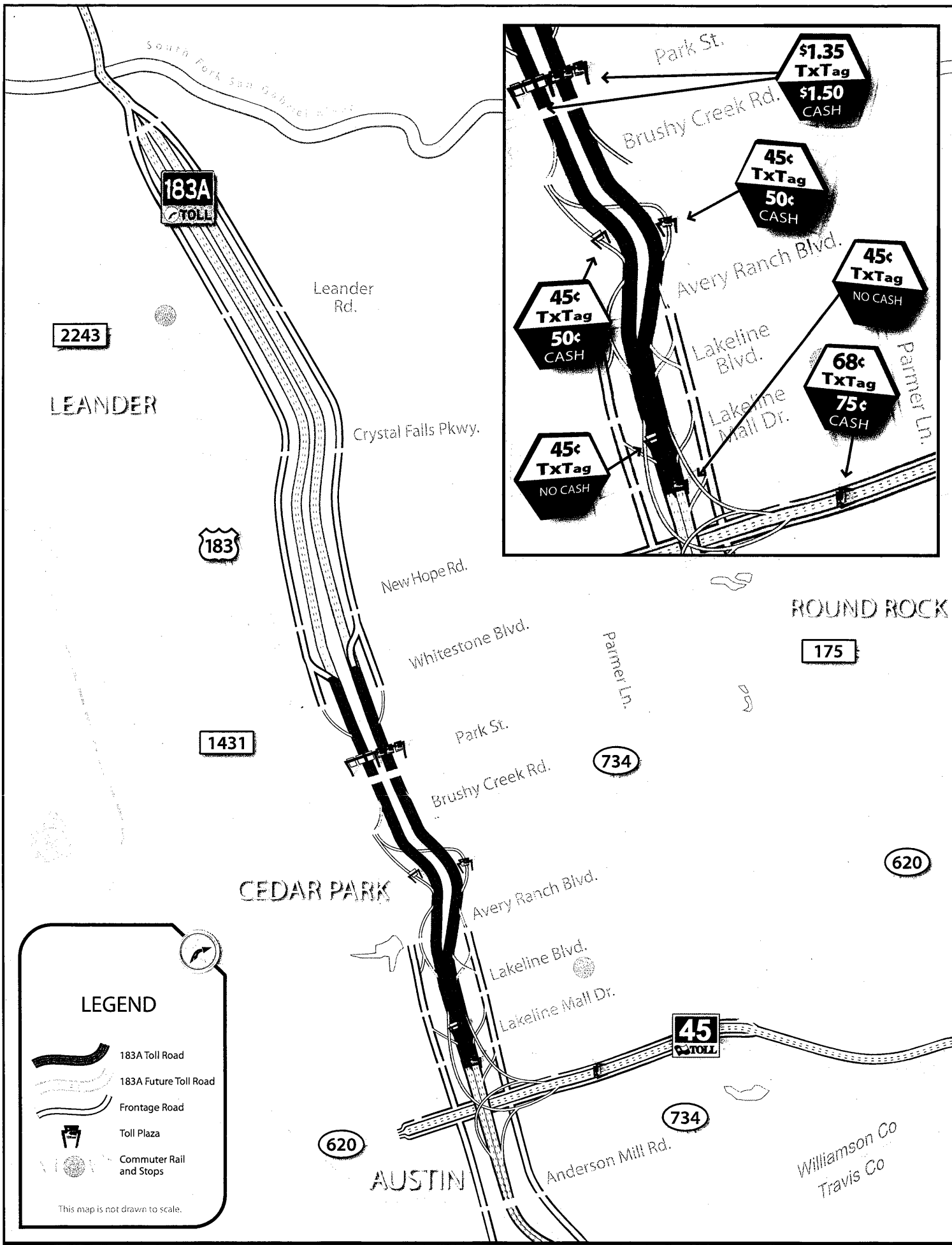


|               |                  |          |   |  |  |
|---------------|------------------|----------|---|--|--|
| <br>1" = 400' | SUBJECT TRACT    | <br><br> | <b>CASE #:</b> C2A-06-0224<br><b>ADDRESS:</b> 13700 - 13800 BLOCK OF RESEARCH BLVD<br><b>SUBJECT AREA (acres):</b> 38.140 | <b>DATE:</b> 06-12<br><b>INTLS:</b> SM | <b>CITY GRID REFERENCE NUMBER</b><br>F39 |
|               | PENDING CASE     |          |   |  |  |
|               | ZONING BOUNDARY  |          |   |  |  |
|               | CASE MGR: T. BUI |          |   |  |  |



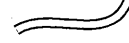










### LEGEND

-  183A Toll Road
-  183A Future Toll Road
-  Frontage Road
-  Toll Plaza
-  Commuter Rail and Stops

This map is not drawn to scale.

# Park at Aspen Lake - Site Development Standards Comparison

38.14 acres proposed for rezoning from MF-2-CO and GR to CH-PDA

Measurements in feet, unless noted

|                                | Existing Zoning |       |   | Staff Recommendation   |
|--------------------------------|-----------------|-------|---|--|
|                                | MF-2            | GR    | CH  | CH-PDA (LDC 25-2-582)  |
| Minimum Lot Size (Square Feet) | 8,000           | 5,750 | 20,000  | 10 acres   |
| Minimum Lot Width              | 50              | 50    | 100   | 100  |
| Maximum Dwelling Units Per Lot | *               | --    | --  | --   |
| Maximum Height                 | 40 or 3 stories | 60    | Varies: 60 - 120 feet<br><br>Height can increase if impervious cover (IC) decreases.<br><br><ul style="list-style-type: none"> <li>• 60 feet, if IC is more than 80 % and less than 85 %</li> <li>• 80 feet, if IC is more than 75 % and less than 80 %</li> <li>• 100 feet, if IC is more than 70 % and less than 75 %</li> <li>• 110 feet, if IC is more than 65 % and less than 70 %</li> <li>• 120 feet, if IC is less than 65 %</li> </ul> | 200  |
| <u>Minimum Setbacks</u>        |                 |       |   |  |
| Front Yard                     | 25              | 10    | 50  | 50   |
| Street Side Yard               | 15              | 10    | 50, or<br><br>Council may also designate a location within a CH district where the min. street yard requirement does not apply if certain criteria are met (LDC 25-2-533).**  | 50, or<br><br>Council may also designate a location within a CH district where the min. street yard requirement does not apply if certain criteria are met (LDC 25-2-533).** |
| Interior Side Yard             | 5               | --    | 25  | 25   |
| Rear Yard                      | 10              | --    | 25  | 25   |

# Park at Aspen Lake - Site Development Standards Comparison

38.14 acres proposed for rezoning from MF-2-CO and GR to CH-PDA

|   | Existing Zoning |     |   | Staff Recommendation     |
|---|-----------------|-----|---|--------------------------|
|   | MF-2            | GR  | CH  | CH-PDA<br>(LDC 25-2-582) |
| <i>Measurements in feet, unless noted</i> |                 |     |   |                          |
| Maximum Building Coverage                 | 50%             | 75% | 85%   | 55%                      |
| Maximum Impervious Cover                  | 60%             | 90% | Varies: 65 - 85%<br><br>Impervious cover can increase if height decreases.<br><br><ul style="list-style-type: none"> <li>• 65% if height limited to 120 feet</li> <li>• 65 to 70% if height limited to 110 feet</li> <li>• 70 to 75% if height limited to 100 feet</li> <li>• 75 to 80% if height limited to 80 feet</li> <li>• 80 to 85% if height limited to 60 feet</li> </ul> | 55%                      |
| Maximum Floor Area Ratio                  | --              | 1:1 | 3:1   | 4:1                      |
| Maximum Units Per Acre                    | 23              | --  | --  | --                       |

\* See Austin City Code Volume III (Land Development Code)

\*\* § 25-2-533 STREET YARD EXCEPTIONS IN CERTAIN COMMERCIAL AREAS.

(A) The council may, by ordinance, designate a location in a LR, GR, CS, CS-1, or CH district where the minimum street yard requirement does not apply. To make a designation under this section, the council must determine that:

- (1) the location contains at least two nonresidential uses that were developed as a neighborhood shopping or business center under previous regulations;
- (2) the construction of a new building in compliance with current street yard requirements would be incompatible with the existing buildings;
- (3) at least half of the total lot area that is developed is used for nonresidential uses; and
- (4) at least half of the total street frontage that is developed with structures does not comply with the current street yard requirements.

P = Permitted Use

C = Conditional Use Permit

-- = Not Permitted

**RESIDENTIAL USES****P  
C**

|                                     |    |
|-------------------------------------|----|
| Bed & Breakfast (Group 1)           | P  |
| Bed & Breakfast (Group 2)           | P  |
| Condominium Residential             | P  |
| Duplex Residential                  | -- |
| Group Residential                   | P  |
| Mobile Home Residential             | -- |
| Multifamily Residential             | P  |
| Retirement Housing (Small Site)     | -- |
| Retirement Housing (Large Site)     | -- |
| Single-Family Attached Residential  | -- |
| Single-Family Residential           | -- |
| Small Lot Single-Family Residential | -- |
| Townhouse Residential               | P  |
| Two-Family Residential              | -- |

**COMMERCIAL USES****P  
C**

|  |    |
|--|----|
| Administrative and Business Offices    | P  |
| Agricultural Sales and Services        | P  |
| Art Gallery                            | P  |
| Art Workshop                           | P  |
| Automotive Rentals                     | P  |
| Automotive Repair Services             | P  |
| Automotive Sales                       | P  |
| Automotive Washing (of any type)       | P  |
| Bail Bond Services <sup>10</sup>       | PC |
| Building Maintenance Services          | P  |
| Business or Trade School               | P  |
| Business Support Services              | P  |
| Campground                             | P  |
| Carriage Stable                        | -- |
| Cocktail Lounge                        | C  |
| Commercial Blood Plasma Center         | P5 |
| Commercial Off-Street Parking          | P  |
| Communications Services                | P  |
| Construction Sales and Services        | P  |
| Consumer Convenience Services          | P  |
| Consumer Repair Services               | P  |
| Convenience Storage                    | P  |
| Drop-Off Recycling Collection Facility | P  |
| Electronic Prototype Assembly          | P  |
| Electronic Testing                     | P  |
| Equipment Repair Services              | P  |
| Equipment Sales                        | P  |
| Exterminating Services                 | P  |
| Financial Services                     | P  |
| Food Preparation                       | P  |
| Food Sales                             | P  |
| Funeral Services                       | P  |
| General Retail Sales (Convenience)     | P  |
| General Retail Sales (General)         | P  |
| Hotel-Motel                            | P  |

**COMMERCIAL USES****P  
C**

|   |    |
|---|----|
| Indoor Entertainment                              | P  |
| Indoor Sports and Recreation                      | P  |
| Kennels   | P  |
| Laundry Services                                  | P  |
| Liquor Sales                                      | P  |
| Marina  | -- |
| Medical Offices -- exceeding 5000 sq. ft. GFA     | P  |
| Medical Offices -- not exceeding 5000 sq. ft. GFA | P  |
| Monument Retail Sales                             | -- |
| Off-Site Accessory Parking                        | P  |
| Outdoor Entertainment                             | C  |
| Outdoor Sports and Recreation                     | P  |
| Pawn Shop Services                                | P  |
| Personal Improvement Services                     | P  |
| Personal Services                                 | P  |
| Pet Services                                      | P  |
| Plant Nursery                                     | P  |
| Printing and Publishing                           | P  |
| Professional Office                               | P  |
| Recreational Equipment Maint. & Stor.             | -- |
| Recreational Equipment Sales                      | -- |
| Research Assembly Services                        | -- |
| Research Services                                 | P  |
| Research Testing Services                         | -- |
| Research Warehousing Services                     | -- |
| Restaurant (General)                              | P  |
| Restaurant (Limited)                              | P  |
| Scrap and Salvage                                 | -- |
| Service Station                                   | P  |
| Software Development                              | P  |
| Special Use Historic                              | -- |
| Stables   | -- |
| Theater   | P  |
| Vehicle Storage                                   | P  |
| Veterinary Services                               | P  |

**C2A-06-0224 - PARK AT ASPEN LAKE REZONING****USES PERMITTED IN CH DISTRICT**

P = Permitted Use

C = Conditional Use Permit

-- = Not Permitted

**INDUSTRIAL USES**

|                                      |    |
|--------------------------------------|----|
| Basic Industry                       | -- |
| Custom Manufacturing                 | P  |
| General Warehousing and Distribution | -- |
| Light Manufacturing                  | -- |
| Limited Warehousing and Distribution | P  |
| Recycling Center                     | -- |
| Resource Extraction                  | -- |

**CIVIC USES**

|                                   |    |
|-----------------------------------|----|
| Administrative Services           | -- |
| Aviation Facilities               | -- |
| Camp                              | -- |
| Cemetery                          | -- |
| Club or Lodge                     | C  |
| College and University Facilities | P  |
| Communication Service Facilities  | P  |
| Community Events                  | 8  |
| Community Recreation (Private)    | P  |
| Community Recreation (Public)     | P  |
| Congregate Living                 | P  |
| Convalescent Services             | -- |
| Convention Center                 | -- |
| Counseling Services               | P  |
| Cultural Services                 | P  |
| Day Care Services (Commercial)    | P  |
| Day Care Services (General)       | P  |
| Day Care Services (Limited)       | P  |
| Detention Facilities              | -- |
| Employee Recreation               | -- |
| Family Home                       | P  |
| Group Home, Class I (General)     | P  |
| Group Home, Class I (Limited)     | P  |
| Group Home, Class II              | P  |

**AGRICULTURAL USES**

|                             |    |
|-----------------------------|----|
| Urban Farm                  | -- |
| All Other Agricultural Uses | -- |

**CIVIC USES**

|  |    |
|--|----|
| Guidance Services                        | P  |
| Hospital Services (General)              | C  |
| Hospital Services (Limited)              | P  |
| Local Utility Services                   | P  |
| Maintenance and Service Facilities       | P  |
| Major Public Facilities                  | -- |
| Major Utility Facilities                 | -- |
| Military Installations                   | -- |
| Park and Recreation Services (General)   | -- |
| Park and Recreation Services (Special)   | -- |
| Postal Facilities                        | -- |
| Private Primary Educational Facilities   | P  |
| Private Secondary Educational Facilities | P  |
| Public Primary Educational Facilities    | P  |
| Public Secondary Educational Facilities  | P  |
| Railroad Facilities                      | -- |
| Religious Assembly                       | P  |
| Residential Treatment                    | P  |
| Safety Services                          | P  |
| Telecommunication Tower <sup>7</sup>     | PC |
| Transitional Housing                     | C  |
| Transportation Terminal                  | C  |
| All other Civic Uses                     | -- |

1 Refers to SS 25-2-602 (13-2-225)

2 Refers to SS 25-2-622 (13-2-226)

3 Refers to Subchapter B, Art. 2, Div 5

4 Refers to SS 25-2-624 (13-2-227)

5 Refers to 25-2-803 (13-2-233)

6 Subject to 25-2-805 (13-2-224)

7 Subject to 25-2-839 (13-2-235 &amp; 13-2-273)

8 Refers to SS 25-2-842

9 Refers to 25-2-863

10 Subject to 25-2-177 &amp; 25-

2-650

PC Permitted in the district, but under some circumstances may be conditional





April 25, 2007

Ms. Tina Bui  
City of Austin - Neighborhood Planning & Zoning Department  
P.O. Box 1088  
Austin, TX 78767-1088

Re: Case # C2A-06-0224, 13700-13800 Block of Research Blvd.

Dear Ms. Bui,

Members of the NASWC Zoning Committee have met on several occasions with the Owner and Agent for the property to review and discuss their plans for developing this property as an upscale office-type campus in a park-like setting.

We are currently in the process of drafting Restrictive Covenants to address the allowable uses on the property to be compatible with the nearby residential neighborhoods.

While a zoning of LI-PDA implies an industrial use for the property, we understand that this zoning is requested to allow for the building heights and setbacks needed to implement the design and scope of the proposed project. Additionally, the list of prohibited uses in both the Restrictive Covenant and in the documentation submitted to the City by the Agent reflects much more of a business and professional office-oriented use.

It is the opinion of our committee that the Owner's design for offices and related amenities would be an attractive and appropriate project for this location. The park aspect with the lake and trails would be appealing for both tenants of the buildings and the neighborhood residents.

Based on the design and concept for the Park at Aspen Lake presented to our committee, and contingent upon the Restrictive Covenants being signed and implemented, the NASWC Zoning Committee is in support of the proposed development of this property.

Sincerely yours,

Cathy F. Mandell  
Chair, NASWC Zoning Committee

Cc Amanda Morrow, Armbrust & Brown



Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C2A-06-0224

Contact: Tina Bui, (512) 974-2755

Public Hearing:

April 17, 2007 Zoning and Platting Commission

Van's Real Estate Partnership  
Glenn Van Shetterbeck

Your Name (please print)

☒ I am in favor  
☐ I object

10313 Lake Creek Parkway  
Your address(es) affected by this application

Glenn Van Shetterbeck  
Signature

4/9/07  
Date

Comments:

If you use this form to comment, it may be returned to:  
City of Austin  
Neighborhood Planning and Zoning Department  
Tina Bui  
P. O. Box 1088  
Austin, TX 78767-8810

**Bui, Tina**

---

**From:** Robert Y Ferguson [drbobf@sbcglobal.net]  
**Sent:** Monday, April 30, 2007 2:30 PM  
**To:** Bui, Tina  
**Subject:** zoning case C2A-06-0224

Tina,

I am writing this email to you regarding zoning case number C2A-06-0224. I have spoken with Amanda Morrow in some detail and now that I understand the nature of the proposed project for the Park at Aspen Lake I no longer stand in opposition to the zoning request. Please add this narrative to my previous correspondence. If you have any questions or require additional information, please do not hesitate to contact me.

Regards,

Robert Y. Ferguson, DDS

~~~~~  
Robert Y. Ferguson, D.D.S.  
512-250-8101

two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:  
[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

COMMENTS SHOULD INCLUDE THE BOARD OR COMMISSION'S NAME, THE SCHEDULED date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: CZA-06-0224

Contact: Tina Bui, (512) 974-2755

Public Hearing:

April 17, 2007 Zoning and Platting Commission

☐ I am in favor  
☒ I object

DR ROBERT Y. FERGUSON

Your Name (please print)

10123 LAKE CREEK PKWY

Your address(es) affected by this application

*[Signature]*  
Signature

11 April 07  
Date

Comments:

As my child this is directly across the street I strongly oppose "Industrial or Manufacturing".

There are no other industrial/manufact. in area if I fear property value to decrease or such.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Tina Bui

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

**Case Number:** C2A-06-0224

**Contact:** Tina Bui, (512) 974-2755

**Public Hearing:**

April 17, 2007 Zoning and Platting Commission

DR Don R Davis

Your Name (please print)

10125 Lake Creek Parkway

Your address(es) affected by this application

Don R Davis 4-10-2007

Signature

Date

Comments: For what reason does

Developer want "limited manufacturing  
uses". This is not suitable area to  
"manufacture products" because of  
proximity to school/child care offices  
as well as shopping areas.  
Why is zoning change requested?  
Is not CR suitable for office/  
retail?

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Tina Bui

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor  
☒ I object