

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2008-0116 – Radam Lane

**Z.A.P. DATE:** July 15, 2008  
August 5, 2008

**ADDRESS:** 608 and 610 Radam Lane

**OWNERS:** Susan Bushong and Tim O’Leary

**AGENT:** Jim Bennett Consulting  
(Jim Bennett)

**ZONING FROM:** SF-3

**TO:** GO

**AREA:** 0.913 acres  
(39,770 square feet)

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant general office (GO) district zoning.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

July 15, 2008: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO 8-5-08.*

*[K. JACKSON; T. RABAGO – 2<sup>ND</sup>] (7-0)*

August 5, 2008: *APPROVED GO DISTRICT ZONING.*

*[K. JACKSON; R. EVANS -2<sup>ND</sup>] (6-0)*

### **ISSUES:**

The Applicants and their representatives met with the Southwood Neighborhood Association to discuss the proposed rezoning.

### **DEPARTMENT COMMENTS:**

The subject rezoning area contains one platted lot and a portion of another platted lot, is developed with one single family residence on (zoned SF-3), and has access to Radam Lane. This rezoning area is situated between medical offices and a driveway to a medical office complex to the west (LO-V; GR-V), a shopping center oriented towards Ben White Boulevard to the north (GR-V) and a fire station to the east (CS). There are a few single family residences and undeveloped lots to the south (LR-CO; SF-3). Please refer to Exhibit A (Zoning Map), A-2 (Aerial) and B (Recorded Plats).

The property is located within the South Austin Hospital Area Zoning Study prepared in 1982 which recognized the Hospital construction and ancillary development, and the major impact it was having on the surrounding area. As shown in Exhibit C, properties along Radam Lane were recommended for limited office district zoning in order to avoid piecemeal zoning and minimize the impact on the surrounding neighborhoods.

The Applicant would like to develop the property with medical offices and has requested the general office (GO) district. Staff recommends the GO district zoning as proposed by the Applicant based on the recommendations of the Area Study and the addition of vertical mixed use building (V) district zoning on the adjacent properties to the west and north which allows more flexible development standards.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3	One single family residences and two outbuildings
<i>North</i>	GR-V; CS-1-V; CS-V	Medical offices; Shopping center; Service station with food sales
<i>South</i>	LR-CO; SF-3	Single family residences; Undeveloped; Uniform and embroidery company
<i>East</i>	CS	City of Austin fire station
<i>West</i>	GR-V; LO-V	Driveway to the medical offices to the north; Medical offices; Commercial shopping center

**AREA STUDY:** South Austin Hospital Area Zoning Study (1982)      **TIA:** Is not required

**WATERSHEDS:** West Bouldin Creek; Williamson Creek      **DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

26 – Far South Austin Community Association  
 300 – Terrell Lane Interceptor Association  
 428 – Barton Springs / Edwards Aquifer Conservation District  
 511 – Austin Neighborhoods Council      627 – Onion Creek Homeowners Association  
 742 – Austin Independent School District  
 786 – Home Builders Association of Greater Austin  
 950 – Southwood Neighborhood Association      1108 – Perry Grid 644  
 1113 – Austin Parks Foundation      1037 – Homeless Neighborhood Association

**SCHOOLS:**

St. Elmo Elementary School      Bedichek Middle School      Travis High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2007-0216 – South Manchaca NPA Vertical Mixed	To add V zoning to 20 tracts within the South	To Grant V zoning to 19 tracts, as the Neighborhood	Approved as Commission recommended (12-13-

Use Building (V) Zoning Opt-In/Opt-Out Process – Bounded by Ben White Boulevard on the north; South 1 <sup>st</sup> Street on the east; West Stassney Lane on the south; and Manchaca Road on the west	Manchaca NPA, as requested by the Neighborhood's application	recommended	07).
C14-04-0062 – Project Sharky – 615 Radam Lane	SF-3 to LR-CO	To Grant LR-CO with CO for prohibiting drive-in services, and a list of conditional and prohibited uses	Approved LR-CO as Commission recommended (8-26-04).

**RELATED CASES:**

The property contains a 0.458 acre portion of Lot 1 of the Resubdivision of Part of Lot 8, Block D, James E. Bouldin Estate, recorded in September 1961 (C8s-61-116) and Lot 1 less the south 15 feet of Andrew Johnson's One-Half Acre, a subdivision recorded in January 1965 (C8s-64-004). There are no site plan applications approved or in process on the subject property.

**ABUTTING STREETS:**

Name	ROW	Pavement	Class	Sidewalk	Bus Route	Bike Route
Radam Lane	50 feet	40 feet	Collector	No	No	No

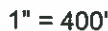
**CITY COUNCIL DATE:** September 25, 2008 **ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@ci.austin.tx.us

**PHONE:** 974-7719







WHITE BLVD  
W BEN WHITE YRS  
S CONGRESS TO BEN

WHITE BLVD

S 1ST TO BEN

Isaiah Isiah FILMS

CLIFFORD

CADAM LAKE

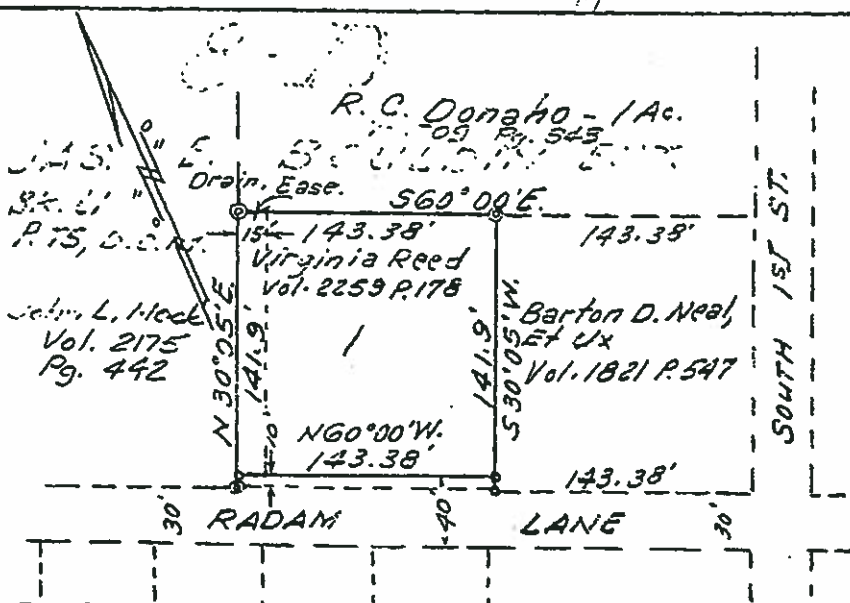
BADAM

CLIFFORD

JAMES CASEY

EXHIBIT A





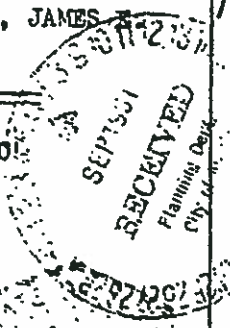
RESUBDIVISION OF  
PART OF LOT 8, BLOCK D, JAMES E.  
BOULDIN ESTATE

SCALE: 1" 100'

-LEGEND-

- ⊙ - Iron Stake Found
- - " " Set

By *Claude F. Bush, Jr.*  
Claude F. Bush, Jr.,  
Reg. Public Surveyor #202



THE STATE OF TEXAS

COUNTY OF TRAVIS KNOW ALL MEN BY THESE PRESENTS:

Clay Reed

That I, Virginia Reed, joined by my husband pro forma, owner of the hereon designated tract of land out of Lot 8, Block D, Jas. E. Bouldin Estate according to the map recorded in Book "U", Page 75 of the District Court Minutes of Travis County, Texas, being the same land conveyed to me by deed recorded in Volume 2259, Page 178 of the Deed Records of Travis County, Texas, do hereby adopt this plat as my subdivision subject to any easements or restrictions heretofore granted, said subdivision to be known as RESUBDIVISION OF PART OF LOT 8, BLOCK D, JAMES E. BOULDIN ESTATE, and do hereby dedicate to the public all streets shown hereon. WITNESS OUR HANDS this the 6th day of September, A.D. 1961

*Virginia Reed*  
Virginia Reed  
*Clay Reed*  
Clay Reed

THE STATE OF TEXAS

COUNTY OF TRAVIS

Before me the undersigned authority on this day personally appeared Virginia Reed and her husband pro forma, Clay Reed, known to me to be the persons whose names are subscribed to the foregoing instrument and they acknowledged to me that they executed the same for the purposes and consideration therein expressed and the said Virginia Reed, wife of the said Clay Reed, having been examined by me privily and apart from her husband and having the same fully explained to her, she the said Virginia Reed declared that she willingly signed the same for the purposes and consideration therein expressed and that she did not wish to retract it.

WITNESS MY HAND AND SEAL OF OFFICE this the 6th day of September, A.D. 1961

*Russell G. Ferguson*  
Notary Public in/for Travis County, Texas

APPROVED FOR ACCEPTANCE on the 15th day of September, A.D. 1961

By *Hoyle M. Osborne*  
Hoyle M. Osborne, Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD BY THE  
PLANNING COMMISSION OF THE CITY OF AUSTIN,  
TEXAS on the 15th day of September, A.D. 1961  
*W. Dale Lewis* *Dale B. Gann*  
Secretary Chairman

FILED FOR RECORD on the 15 day of Sept  
A.D. 1961 at 3:00 o'clock P.M.

THE STATE OF TEXAS

COUNTY OF TRAVIS

I, Miss Emilie Limberg, clerk of the county court within and for the County and State aforesaid, do hereby certify that the foregoing instrument with its certificate of authentication was filed for record in my office on the 15 day of Sept A.D. 1961 at 3:00 o'clock P.M. and duly recorded on the 15 day of Sept A.D. 1961 at 3:05 o'clock P.M. in the Plat Records of said County in Book 13 Page 93.

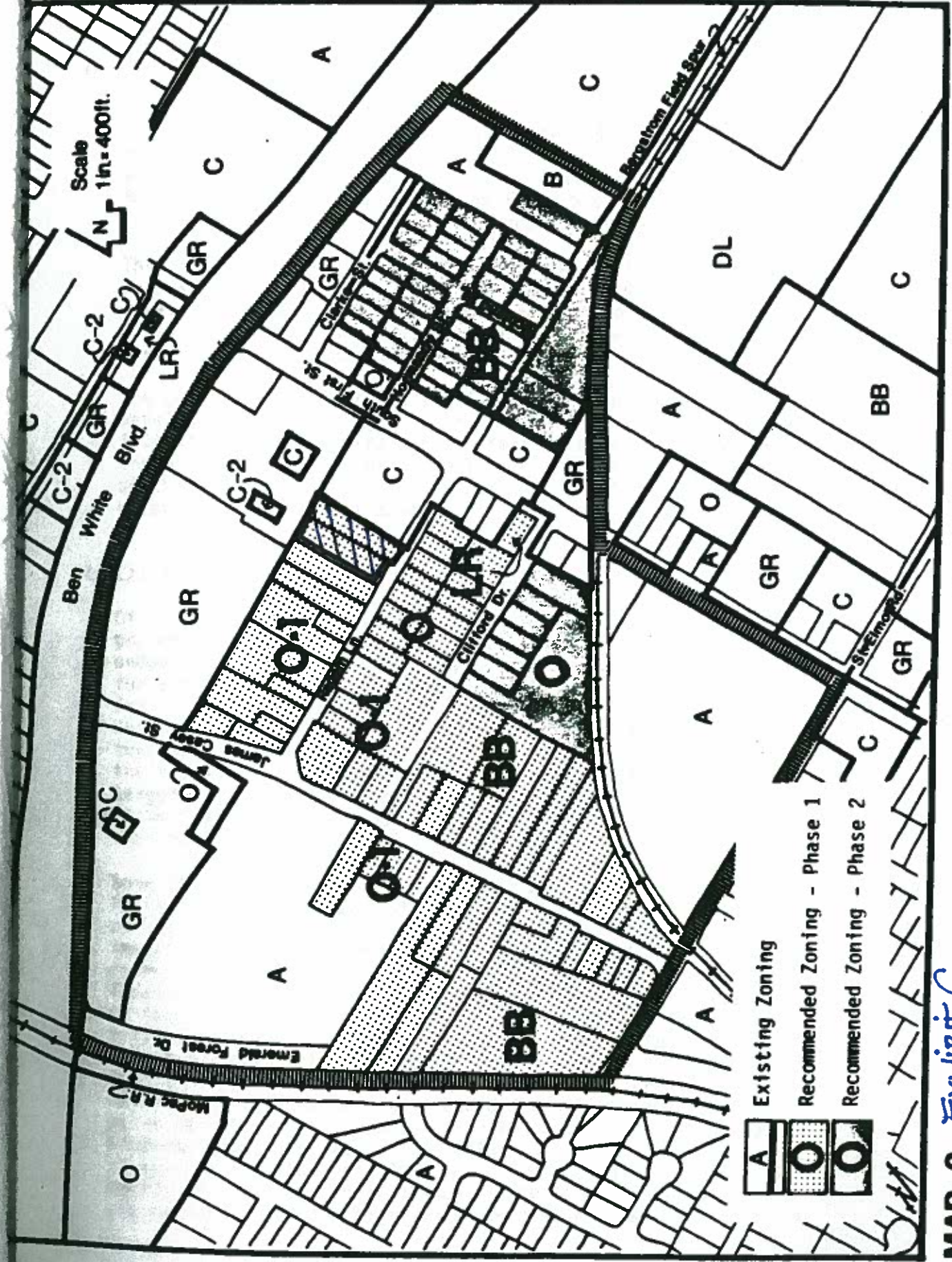
WITNESS MY HAND AND SEAL OF OFFICE the date last written above.

Miss Emilie Limberg, County Clerk, Travis County, Texas  
By *Elise Priett*  
Deputy

EXHIBIT B  
RECORDED PLAT  
C85-61-116







**PHASE 2 - RECOMMENDED ZONING**



**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant general office (GO) district zoning.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

The general office (GO) district is intended for offices and selected commercial uses predominantly serving community or City-wide needs, such as medical or professional offices. A building in a GO district may contain more than one use.

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

Staff recommends the GO district zoning as proposed by the Applicant based on the recommendations of the Area Study and the addition of vertical mixed use building (V) district zoning on the adjacent properties to the west and north which allows more flexible development standards.

**EXISTING CONDITIONS****Site Characteristics**

The subject lots are developed with one single family residence and two outbuildings. There appear to be no significant topographical constraints on the site.

**Impervious Cover**

The maximum impervious cover allowed by the GO zoning district would be 80%. In the West Bouldin Creek portion of the site, this is the more restrictive figure, and in the Williamson Creek portion, this is a consistent figure between the watershed and zoning regulations.

**Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. According to current maps, this site lies on, or very close to, the divide between the Williamson Creek (Suburban) and the West Bouldin Creek (Urban) watersheds. Both of these fall within the desired development zone. A geological and / or topographical analysis of the site may be needed to determine the exact boundaries of the aforementioned watersheds.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

Following are the comments for each watershed classification:

#### Urban Watershed

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

#### Suburban Watershed

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.

#### Transportation

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

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

#### Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



**Compatibility Standards**

This site is located in the Desired Development Zone. Expiration for any site plan will be three years from the date of approval however; under Project Duration [25-1-535(C)(3)] the site plan can only be extended to a maximum of five years from initial submittal date. No other extensions will be allowed under Project Duration for projects in the DDZ. For questions concerning Project Duration please contact Susan Scallon at 974-2659.

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is across the street from, adjoining or located 540-feet or less from property zoned SF-5 or more restrictive, or on which a use permitted in an SF-5 or more restrictive zoning district is located will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the south property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- No parking or driveways are allowed within 25 feet of the property line
- A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

This site will be subject to commercial design standards; Radam Lane is the principal street and classified as Suburban.

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:** C14-2008-0116

**Contact:** Wendy Rhoades, (512) 974-7719

**Public Hearing:**

July 15, 2008 Zoning and Platting Commission

Betty Gail Williams  
Your Name (please print)

☒ I am in favor  
☐ I object

700 Clifford

Your address(es) affected by this application

Betty Gail Williams 7-5-08  
Signature Date

Comments:

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



July 14, 2008

To: Wendy Rhoades, City of Austin  
From: David Foster and Deborah Bean, Co-chairs, Southwood Neighborhood  
Association Land Use Committee  
Cc: Christopher Ewen, President, Southwood NA

Dear Ms. Rhoades:

We are writing on behalf of the Southwood Neighborhood Association to request a postponement of Item 3 on the Zoning and Platting Commission's July 15 2008 agenda, ("Rezoning: C14-2008-0116") until the August 5<sup>th</sup> 2008 meeting of the Zoning and Platting Commission.

Item 3 involves properties located at 608 and 610 Radam Lane, Austin TX 78745. Both properties are within the boundaries of the Southwood NA.

The Southwood NA voted unanimously at its regular meeting of July 9 2008 to request this postponement. The reason is to give the Southwood NA sufficient time to meet with interested parties, including representative(s) of the applicant and residents in the near vicinity of these properties, to determine what is in the best overall interest of our neighborhood so that we may take an informed position on the proposed zoning change.

Representatives of the Southwood NA have already contacted Jim Bennett, the agent for the owner of these properties, to arrange a meeting at our mutual convenience.

Thank you for your consideration and for forwarding this request to ZAP.

Respectfully,

David Foster  
1902 Forestglade Drive  
Austin TX 78745

Deborah Bean  
5132 Meadow Creek Dr  
Austin TX 78745

**Portnoy, Steve**

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**From:** Steve Portnoy [sportnoy@sbcglobal.net]  
**Sent:** Thursday, July 31, 2008 3:04 PM  
**To:** 'jimmy@jimmynassour.com'  
**Subject:** FW: Wednesday's Meeting - Summary

*Steve Portnoy*

**Carlson Commercial**  
1715 Capital of TX Hwy. South  
Suite 200-B  
Austin, TX 78746

MBL 512 415.5890

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**From:** Dawn Leach [mailto:dleach4@sbcglobal.net]  
**Sent:** Thursday, July 31, 2008 12:49 AM  
**To:** david-k1971-foster@austin.rr.com  
**Cc:** Deborah Bean; Christopher Ewen; sportnoy@sbcglobal.net; Dawn Leach; Lupe Sosa  
**Subject:** Re: Wednesday's Meeting - Summary

Tonight's meeting was attended by David Foster and Dawn Leach representing SNA and Jimmy Nassour (who is contracting to buy the property, would build and then co-own with group of doctors), Jim Bennett (who is handling zoning request) and Tim O'Leary (owner who lives? and practices psychotherapy on property - arrived late).

Jim and Jimmy presented a visual that showed a rendering of the properties in that area, including 508-510 Radam Lane, but was not a real site plan. They pointed out that there are three protected trees (one quite large) that would impact the site plan. They also said that there were 8 others that they would make an extended effort to keep. (I went by the site after the meeting and could only really see the 3 that are probably protected- all live oaks I believe. I didn't go onto the property, but did ride around behind it and beside it. David, you looked at it the other day - did you see the additional trees to which they were referring? Do you think they were referring to the ligustrums...?). The envisioned plan had minimum height listed as 50 feet.

David described the VMU process that the neighborhood has gone through and presented the vision discussed by the committee: that we were willing to support GO if they were willing to make the project mixed use. They pretty quickly gave reasons as to why they didn't think that was viable (ranging from "residential may not be compatible because of noise from ambulances and fire trucks to medical offices might have gases that would be dangerous for residential to the expense of doing mixed use would probably make it unaffordable for nurses to if allowed to develop this area as medical offices, mixed use would naturally follow"). They were not opposed to mixed use per se but felt that it was more appropriate for surrounding property already zoned commercial and liked the idea of a cafe or coffee shop, but didn't necessarily want to provide that themselves.

Jim described a hospital study done by the CoA at some point as part of St. David's planning that

08/04/08



indicated office zoning for this area. He said the study could be accessed by contacting Wendy. They also said that Dr. Kavoussi (I doubt I spelled that right) and his wife owned three lots east of the medical building on the north side of Radam. Many of you will remember that name from the proposed coffee shop a couple of years ago. Jim indicated that these tracts were already zoned LR or GR and showed us a map. David wonders if we opted these properties into our VMU plan since we looked at all the commercial property in the neighborhood during that process.

David asked "Why GO?" Answer "Site development requires GO to make it work." They then described a plan (not yet on paper) that includes 1/2 floor underground parking with another floor of parking and three stories of offices. [This was a little unclear because when David asked how tall the building would be, they said three stories but then when pressed, said three stories plus a story of parking in addition to the half floor of underground parking. Square feet for the building was estimated to be in the range of 19,000-25,000 (requiring about 100 parking places). Trees and drainage (property slopes to back of property) create building site challenges. Other items: Driveways - hope to "share" driveway with complex next door. Access to shopping center - didn't seem that agreeable because "it wasn't their property that led back there. David suggested that they could address access when they were discussing shared driveway with complex next door. Aside: Discussed importance of having St. David's as a stakeholder in neighborhood planning because in addition to hospital they own other property in that area.

We left the meeting saying that the neighborhood wanted mixed use and that we would have to go back to the committee and talk more. They huddled and we huddled. Options: 1) Stick to original plan of opposing, if won't accept GO with mixed use. 2) Agree to LO only, which doesn't allow the height they want; might give us more bargaining power; and if their theory is correct, if they build it, mixed use will follow on perimeter. 3) Something else?

Note: When I rode my bike over later, I spoke with a property owner at 619 Radam who I know. I filled her in a little regarding the status of the negotiations and asked her what her property was zoned. She was uncertain, and between the City of Austin zoning website and TCAD I cannot figure it out. If anyone can tell me how to find this information I would appreciate it. I am curious because she is on one of the properties that was on the map showing LR. She also stated that she is not bothered by the sirens from the hospital or the fire station. In her words they don't go off that often.

The ZAP approved a postponement until Tuesday, August 5th which is next week so we have a short timeline to decide what to do. We need your feedback as to next steps and your help on a couple of things if you can volunteer to help. Someone needs to:

- 1) Contact Wendy regarding hospital study
- 2) Look at VMU application to see if any properties along Radam were zoned commercial and opted in for VMU.

David is out of town until Monday. We propose talking by e-mail and then trying to meet again Monday night. We can meet at CM South or if my kitchen floor is finished, and I think it will be, I am happy to host a meeting again.

Sorry this is so long. Hope to hear from you all. (Lupe, can you pass this info onto Betty?)

Dawn

08/04/08