

C3
1

ZONING CHANGE REVIEW SHEET

CASE: C14-2010-0205 – 5501 La Crosse Avenue **Z.A.P. DATE:** February 15, 2011
March 1, 2011

ADDRESS: 5501 – 5617 La Crosse Avenue

OWNER: Circle C Land, LP
(Erin D. Pickens)

AGENT: Metcalfe Williams, LLP
(Michele Rogerson Lynch)

ZONING FROM: GR-MU-CO **TO:** GR-MU-CO, to modify the conditional overlay as it pertains to a college and university facilities use

AREA: 33.790 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning to modify the conditional overlay for a college and university facilities use, specifically to increase the square footage for a single occupant of a leasable space from 36,750 to 74,000 square feet on Lot 1 and to prohibit the use on Lot 2. All other portions of the Conditional Overlay that apply to Tract A will remain unchanged.

ZONING & PLATTING COMMISSION RECOMMENDATION:

February 15, 2011: *MEETING CANCELLED; CASE RE-NOTIFIED FOR MARCH 1, 2011*

March 1, 2011:

ISSUES:

On January 19th, 2011, the Applicant met with the Circle C Homeowners Association.

DEPARTMENT COMMENTS:

The subject undeveloped property is described as Lots 1 and 2 of Tract A and is a part of Tract 110 of the Stratus Property at Circle C. It is bounded by La Crosse Avenue on the north, MoPac Expressway to the east and Dahlgreen Avenue to the west. Zoning for this tract as well as several other Stratus properties in the vicinity was approved in August 2002. Tract A is zoned community commercial – mixed use – conditional overlay (GR-MU-CO) district with the conditional overlay establishing prohibited uses, square footage restrictions for a single occupant leasable space and development standards. Access is limited to La Crosse Avenue, and is prohibited to MoPac by a subdivision plat note and to Dahlgreen by the 2002 zoning case. There are single family residences within Circle C Ranch Phase C across La Crosse Avenue to the north (I-SF-2), a creek and undeveloped property to the south (GO-MU-CO; CS-MU-CO), and an elementary school, undeveloped property and single

C3
2

family residences to the west (I-RR; I-SF-2). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and C (2002 Zoning Ordinance).

The Applicant's requested zoning change is to modify the conditional overlay as it pertains to a college and university facilities use. On Lot 1, the square footage for single occupant leasable space for a college and university facilities use would be increased from its current limit of 36,750 to 74,000. The Applicant's intent is to develop a graduate level school specializing in physical and occupational therapy degrees on two buildings on Lot 1 for a total of 74,000 square feet. The college and university facilities use which is presently permitted on Lot 2 would become a prohibited use. All of the other conditional overlays associated with the subject property, as well as the Development Agreement between the City of Austin and the Circle C Land Corporation and the associated covenants, would remain unchanged.

Staff recommends the Applicant's request as it: 1) represents an incremental change in zoning on the property; 2) allows for a low traffic generating use that is compatible with the nearby uses including single family residences, an elementary school and child care facilities; and 3) balances the allowable density for the proposed use over one lot instead of spreading it across two lots.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-MU-CO	Undeveloped; Drainage and filtration pond; Stormwater and water quality pond
<i>North</i>	I-SF-2	Single family residences
<i>South</i>	GO-MU-CO; CS-MU-CO	Undeveloped
<i>East</i>	N/A	South MoPac Expressway
<i>West</i>	I-RR; RR; I-SF-2	Kiker Elementary School; Child care facility; Greenbelt; Single family residences

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek –
Barton Springs Zone – Recharge Zone

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes – MoPac

NEIGHBORHOOD ORGANIZATIONS:

217 – Tanglewood Forest Neighborhood Association

384 – Save Barton Creek Association

427 – Circle C Homeowners Association

627 – Onion Creek Homeowners Association

705 – OHAN 78735

742 – Austin Independent School District

786 – Home Builders Association of Greater Austin

C3
3

927 – Circle C Neighborhood Association
 1037 – Homeless Neighborhood Association
 1113 – Austin Parks Foundation
 1134 – Oak Parke / Brodie Wild Preservation Group, Inc.
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1224 – Austin Monorail Project
 1236 – The Real Estate Council of Austin, Inc.
 943 – Save Our Springs Alliance
 1075 – League of Bicycling Voters
 1228 – Sierra Club, Austin Regional Group

SCHOOLS:

Kiker Elementary School Gorzycki Middle School Bowie High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-02-0040.109 – Lot 109 – West of Dahlgreen Ave. and approx. 930' south of La Crosse Ave.	I-RR to RR	To Grant	Approved (8-1-02).
C14-02-0040.111 – Tract 111 – Southeast corner of MoPac and La Crosse Ave.	I-RR to RR	To Grant	Approved (8-1-02).
C14-00-2035, Tract 4 – City of Austin (Bradley Parties) – 5827 La Crosse Ave.	I-RR to LO	To Grant LO-CO with CO limiting building or structure height to 35 feet	Approved LO-CO as Commission recommended (3-23-00).

RELATED CASES:

The property was annexed into the full purpose jurisdiction of the City of Austin on December 19, 1997 and assigned I-RR district zoning. The rezoning area is a portion of Tract 110, known as Lots 1 and 2 of Tract A, was approved for GR-MU-CO district zoning on August 1, 2002 (C14-02-0040.110 – Tract 110). The Conditional Overlay for Lots 1 and 2 of Tract A prohibits vehicular access to Dahlgreen Avenue, establishes setbacks for a building or structure, limits height, establishes parking location, prohibits certain uses, and prohibits certain uses for a single occupant of any lease space over 36,750 square feet. The remainder of Tract 110 which is not part of this rezoning case is adjacent to the south.

The property is platted as Circle C Ranch, Phase B, Section Nineteen, a subdivision recorded on April 16, 1997 (C8-84-164.010.1A). The plat includes a note which prohibits access to MoPac. Please refer to Exhibit B.

C3
4

There are no related site plan cases on the subject property.

ABUTTING STREETS:

Street Name	ROW	Pavement	Classification	Daily Traffic
La Crosse Avenue	100 feet	2 @ 24 feet	Collector	3,468+
Dahlgreen Avenue	90 feet	2 @ 22 feet	Collector	2,611++
Loop 1 (MoPac)	Varies	Varies	Expressway	N/A

+5700 Block of La Crosse Avenue – West of Rhett Butler Drive (12/01/04)

++ 10400 Block of Dahlgreen Avenue – South of La Crosse Avenue (5/14/01)

- There are existing sidewalks along La Crosse Avenue and Dahlgreen Avenue.
- Capital Metro bus service is not available within 1/4 mile of this property.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
Dahlgreen Avenue (Route 303)	Wide Curb	Bike Lane
La Crosse Avenue (Route 90)	Wide Curb	Bike Lane

CITY COUNCIL DATE: March 10, 2011

ACTION:

ORDINANCE READINGS: 1st

2nd

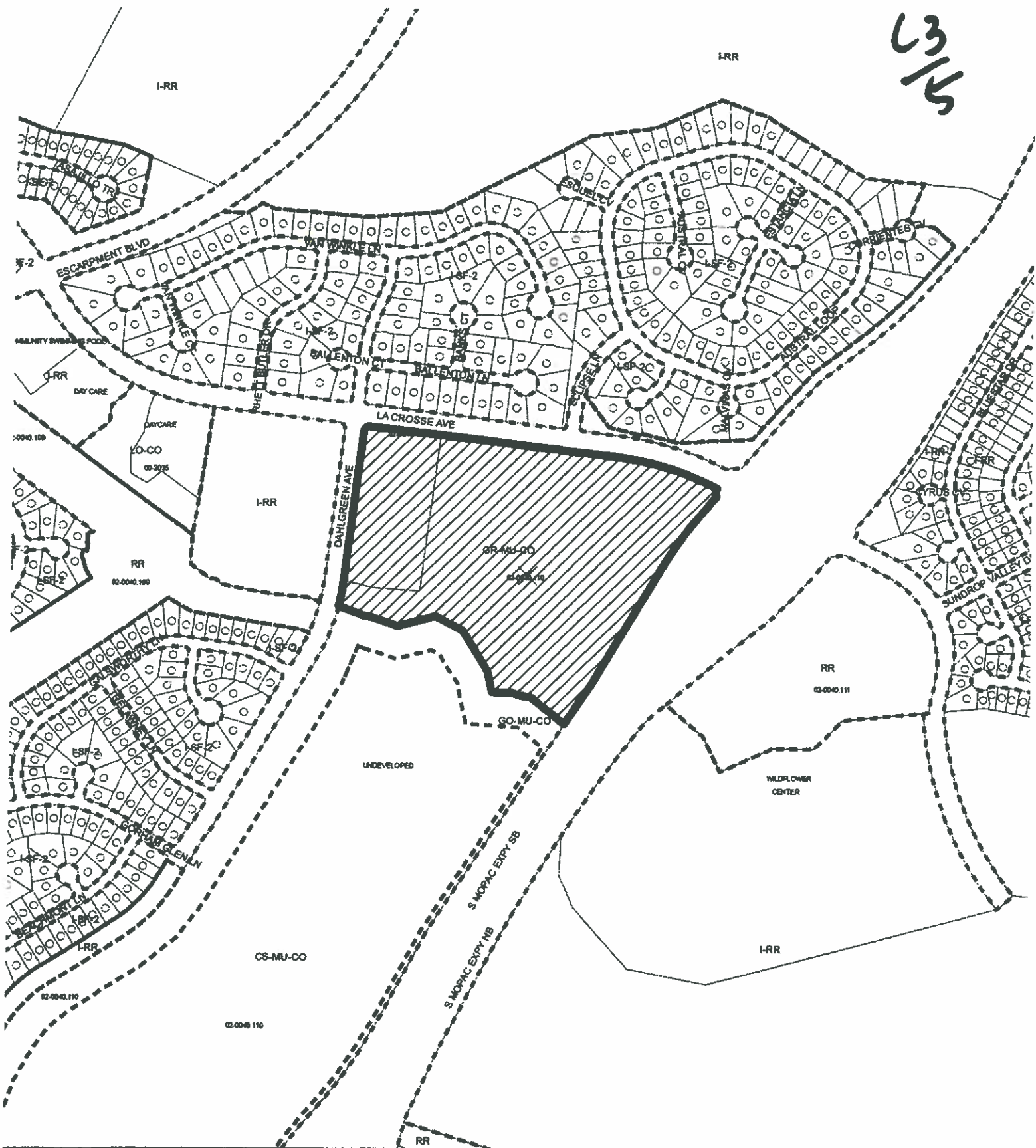
3rd

ORDINANCE NUMBER:

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

PHONE: 974-7719

13/5



ZONING

Exhibit A

ZONING CASE#: C14-2010-0205
 LOCATION: 5501-5617 LA CROSSE AVE
 SUBJECT AREA: 33.790 ACRES
 GRID: B15-16
 MANAGER: WENDY RHOADES

N

SUBJECT TRACT

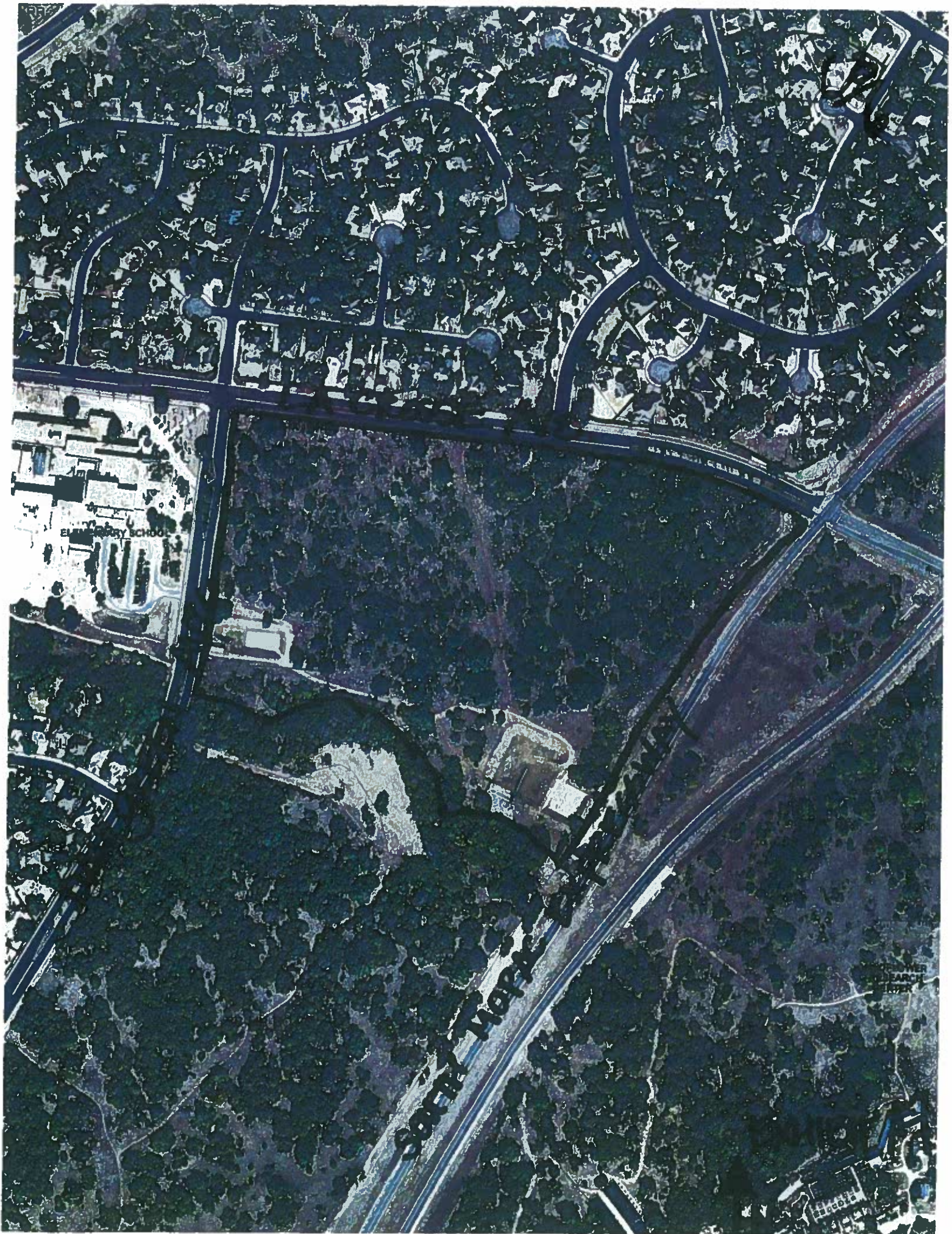
PENDING CASE

ZONING BOUNDARY

1' = 600'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept for the sole purpose of geographic reference. No warranty is made by





CIRCLE C RANCH PHASE B SECTION NINETEEN

BENCHMARKS

BM-180
RAILROAD SPIKE IN
APPROXIMATELY 80' WEST OF LINE
STATION 8+70 OF DALLAS
ELEV. = 841.48' F.S. 643 P. 38

BM-183
BOLT IN BACK OF CURB @ EAST SIDE
SOUTHWEST CORNER ON SOUTH SIDE
LA CROSSE AVENUE
ELEV. = 847.79' F.S. 825 P. 30

AREAS

BLOCK "Y"
LOT 1 = 27.7412 ACRES
LOT 2 = 6.0530 ACRES
LA CROSSE AVE. = 3.8312 ACRES
TOTAL = 37.6254 ACRES
LINEAR FEET STREET = 1670 LF.

SCALE: 1" = 100'

LEGEND

1/4 P.A. TRAVIS COUNTY PLAT RECORD
1/4 S.R. TRAVIS COUNTY DEED RECORD
R.O.W. RIGHT OF WAY
P.U.E. PUBLIC UTILITY EASEMENT
S.W.E. STORM SEWER EASEMENT
W.L.E. WATER LINE EASEMENT
C.C. CONCRETE MONUMENT SET
R.F.P. IRON ROD FOUND
R.R.S. IRON ROD SET
C.P. CALCULATED POINT
A.I.R. IRON ROD WITH ALUMINUM CAP FOUND
B.L. BUILDING LINE
S.D. SIDEWALK
C.E.P. CONC. ELEC. P.O.

LINE	BEARING	DISTANCE
1	N83°42'28"W	34.52
2	S33°37'37"E	22.10
3	S88°10'17"E	67.63
4	S70°24'43"E	319.17
5	S30°28'20"E	221.78
6	S08°57'25"E	198.80
7	S81°02'33"W	15.00
8	N08°37'25"W	184.08
9	N10°28'20"W	213.48
10	N70°24'43"W	311.80
11	N48°10'17"E	102.78
12	N33°37'37"E	42.53
13	N83°42'28"W	112.37
14	N73°45'54"W	23.40

LINE	BEARING	DISTANCE
1	S73°45'54"E	134.24
2	S83°10'17"E	81.81
3	S82°35'41"E	247.63
4	S28°18'27"E	263.47
5	S07°12'29"E	348.81

NOTE: THE UNFINISHED FLOOR ELEVATION MUST BE AT LEAST 1 (ONE) FOOT ABOVE THE DRAINAGE EASEMENT.

I, JERRY FULTS, AN AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLETES WITH TITLE 13 OF THE AUSTIN CITY CODE OF 1981 AS AMENDED, IS TRUE AND CORRECT, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

Jerry Fults
REGISTERED PROFESSIONAL LAND
SURVEYOR NO. 1799
CAPITAL SURVEYING COMPANY
1101 CAPITAL OF TEXAS HIGHWAY SOUTH
BUILDING D, SUITE 110
AUSTIN, TEXAS 78746

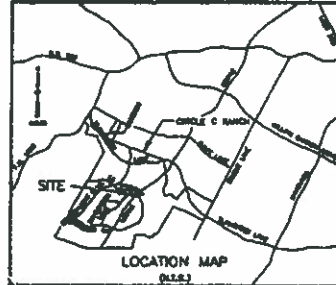
3-13-97
DATE

EXHIBIT B
RECORDED PLAT
CIRCLE C RANCH
PHASE B SECTION NINETEEN

CREATED BY:	WAL	SCALE:	1" = 100'	T.S.
JOB NO.:	63306.10	DATE:	MARCH, 1997	SHEET NO.:
DRAWING NO.:	63306P2	DISC:	PLAT	2 OF 3

ORDINANCE NO. 020801-31

C3/4

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING AND CHANGING THE ZONING MAP FOR A 246.389 ACRE TRACT OF LAND BORDERED GENERALLY BY SOUTH MOPAC EXPRESSWAY (LOOP 1) ON THE EAST, STATE HIGHWAY 45 ON THE SOUTH, LA CROSSE AVENUE ON THE NORTH AND DAHLGREEN AVENUE ON THE WEST, GENERALLY KNOWN AS TRACT 110 OF THE STRATUS PROPERTY AT CIRCLE C, FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT FOR TRACT A AND TRACT C, GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-CO) COMBINING DISTRICT FOR TRACT B AND GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY (GO-MU-CO) COMBINING DISTRICT FOR TRACT B-1.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in Zoning Case No.C14-02-0040.110, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract 110: A 246.389 acre tract of land, more or less, out of the Samuel Hamilton Survey No. 16, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property") and being comprised of three separate tracts of land generally described as follows:

Tract A: From interim rural residence (I-RR) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district.

Lots 1 and 2, Block Y, Circle C Ranch, Phase B, Section Nineteen Subdivision, a subdivision in the City of Austin, Travis County according to the map or plat of record in Book 98, Pages 371-373 of the Plat records of Travis County, Texas, and

Tract B: From interim rural residence (I-RR) district to general commercial service-mixed use-conditional overlay (CS-MU-CO) combining district.

All of that land lying between Tracts A and Tract C, SAVE AND EXCEPT, the area described as Tract B-1, and

EXHIBIT C

2002 ORDINANCE

C3
4

Tract B-1: From interim rural residence (I-RR) district to general office-mixed use-conditional overlay (GO-MU-CO) combining district.

A 150 foot wide area beginning at Dahlgreen Lane and extending south from the southwest corner of Lot 2, Block "Y", Circle C Ranch Phase B, Section Nineteen (V. 98, P.371-373, T.C.D.R.) and continuing east and parallel to the north property line of Tract "B" to South Mopac Expressway.

A 25 foot wide area abutting the South Mopac Expressway and extending west from the southeast corner of Lot 1, Block "Y", Circle C Ranch Phase B, Section Nineteen and continuing south and parallel to the east property line (abutting South Mopac Expressway) of Tract "B" to the northern boundary of a 2.1985 ac. wastewater line easement further described in V. 11230, P. 1232, Travis County Deed Records.

The area of Tract "B" lying south of a line between the northwest corner of a 2.1985 ac. wastewater line easement further described in V. 11230, P. 1232, Travis County Deed Records (abutting the South Mopac Expressway) and a point 458.74 south (378.74 south of South Bay Lane) of the northeast corner of Lot 64, Block "X", Circle C Ranch Phase B, Section 15 (V. 94, P.223-225).

A 250 foot wide area and extending east from a point 458.74 south of the northeast corner of Lot 64, Block "X", Circle C Ranch Phase B, Section 15 (V. 94, P.223-225) and continuing north and parallel of said lot to South Bay Lane.

A 170 foot wide area beginning at the east boundary of Lot 64, Block "X", Circle C Ranch Phase B, Section 15 (V. 94, P.223-225) and south of South Bay Lane and extending east (N 81 degrees, 56 minutes, 15 seconds E) approximately 1,224 linear feet east, parallel to the existing and future extension of South Bay Lane.

A 160 foot wide area beginning at a point 1,054 feet east (N 81 degrees, 56 minutes, 15 seconds E) of the east property line of Lot 64, Block "X", Circle C Ranch Phase B, Section 15 (V. 94, P.223-225) at its intersection with South Bay Lane and continuing north and parallel to the west property line of Tract "B" to southwest corner of Lot 2, Block "Y", Circle C Ranch Phase B, Section Nineteen.

Tract C: From interim rural residence (I-RR) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district.

An area of land north of State Highway 45 and east of Escarpment Boulevard continuing 2000 feet east from and parallel to Escarpment Boulevard,

C3
10

locally known as the area located generally in the area west of South Mopac Expressway, the north side of State Highway 45, east of Dahlgreen Avenue, generally east of Beachmont Lane, Bexley Lane and the future extension of Escarpment Boulevard north of State Highway 45, and south of La Crosse Avenue, and south of Mordred Lane in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions for each tract:

1. Vehicular access from the Property to Dahlgreen Avenue is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
2. The following conditions apply to Lot 1 of Tract A:
 - A. A building or structure may not be constructed within 25 feet of La Crosse Avenue.
 - B. A building or structure occupied by a commercial use may not be constructed within 50 feet of La Crosse Avenue.
 - C. Improvements permitted within these buffer zones are limited to nature trails, landscaping, picnic tables, benches, solid fences, small trash receptacles, i.e. 55 gallons or less, access to La Crosse Avenue, surface parking facilities unless otherwise provided in this section, detention and water quality re-irrigation facilities, utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
 - D. The maximum height of a building or structure is 40 feet from ground level.
3. The following conditions apply to Lot 2 of Tract A:
 - A. A building or structure may not be constructed within 75 feet of La Crosse Avenue.
 - B. A building or structure may not be constructed within 50 feet of Dahlgreen Avenue.

C3/11

- C. Improvements permitted within these buffer zones are limited to nature trails, landscaping, access to La Crosse Avenue, picnic tables, benches, solid fences, small trash receptacles, i.e. 55 gallons or less, a surface parking facility unless otherwise provided in this section, detention and water quality re-irrigation facilities, utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
 - D. Parking on Lot 2 of Tract A shall be located at the rear or south of a building.
 - E. Not more than 20 percent of the required parking, including handicap parking, may be located within a street yard.
 - F. The maximum height for a building or structure is 35 feet from ground level.
4. The following conditions apply to Tract B and B-1:
- A. A building or structure may not be constructed within 250 feet of platted single family lots.
 - B. Surface parking is prohibited within 200 feet of platted single family lots.
 - C. Improvements permitted within these buffer zones are limited to nature trails, picnic tables, benches, solid fences, small trash receptacles, i.e. 55 gallons or less, parking facilities unless otherwise provided in this section, detention and water quality re-irrigation facilities, utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
 - D. The maximum height of a building or structure is 45 feet from ground level within the area beginning 250 feet to a point 375 feet from platted single family lots.
 - E. The maximum height of a building or structure is 60 feet from ground level within the area beginning 375 feet from platted single family lots.
5. The following conditions apply to Tract C:
- A. A building or structure may not be constructed within 100 feet of platted single family lots.

13/12

B. A parking facility may not be constructed within 100 feet of platted single family lots.

C. Improvements permitted within these buffer zones are limited to nature trails, landscaping, picnic tables, benches, solid fences, small trash receptacles, i.e. 55 gallons or less, detention and water quality re-irrigation facilities, utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

D. Tract C shall be developed according to the neighborhood commercial (LR) site development regulations and performance standards of the Code.

6. The following uses of the property are prohibited uses on Lot 2 of Tract A:

Group residential
Automotive sales
Automotive washing (of any type)
Commercial off-street parking
Consumer repair services
Exterminating services
Food sales
General retail sales (convenience)
Hotel-motel
Indoor sports and recreation
Outdoor sports and recreation
Personal improvement services
Plant nursery
Restaurant (drive in, fast food)
Service station
Custom manufacturing
Transitional housing

Multifamily residential
Automotive rentals
Automotive repair services
Consumer convenience services
Drop-off recycling collection facility
Financial services
Funeral services
General retail sales (general)
Indoor entertainment
Outdoor entertainment
Pawn shop services
Pet services
Research services
Restaurant (general)
Theater
Residential treatment
Transportation terminal

7. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet on Lot 2 of Tract A:

Bed & breakfast residential (groups 1&2)
Business or trade school
Communications services
Personal services
Restaurant (limited)
Club or lodge

Arts & craft studio (limited)
Business support services
Off-site accessory parking
Guidance services
Special use historic
College and university facilities

C3
13

Communication service facilities
Community recreation (public)
Cultural services
Day care services (general)
Group home class I (general)
Hospital services (general)
Local utility services
Private secondary education facilities
Public secondary education facilities
Safety services
Urban farm

Community recreation (private)
Counseling services
Day care services (commercial)
Day care services (limited)
Group home class I (limited)
Hospital services (limited)
Private primary educational facilities
Public primary educational facilities
Religious assembly
Telecommunication tower
Medical offices (exceeding 5000 sf)

8. A restaurant (drive-in, fast food) use is a prohibited use on Lot 1 of Tract A.
9. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet on Lot 1 of Tract A:

Bed & breakfast residential (groups 1&2)
Business or trade school
Commercial off-street parking
Consumer convenience services
Financial services
Funeral services
General retail sales (general)
Indoor entertainment
Off-site accessory parking
Outdoor sports and recreation
Personal services
Pet services
Restaurant (general)
Special use historic
Custom manufacturing
Communication service facilities
Community recreation (public)
Cultural services
Day care services (general)
Group home class I (general)
Guidance services
Local utility services
Private secondary education facilities
Public secondary education facilities

Arts & craft studio (limited)
Business support services
Communications services
Exterminating services
Food sales
General retail sales (convenience)
Hotel-motel
Indoor sports and recreation
Outdoor entertainment
Plant nursery
Personal improvement services
Theater
Restaurant (limited)
Hospital services (general)
College and university facilities
Community recreation (private)
Counseling services
Day care services (commercial)
Day care services (limited)
Group home class I (limited)
Hospital services (limited)
Private primary educational facilities
Public primary educational facilities
Club or lodge

Religious assembly
Telecommunication tower
Medical offices (exceeding 5000 sf)

Safety services
Urban farm

C3
14

10. The following uses of the property are prohibited uses on Tract B:

Group residential
Automotive sales
Automotive washing (of any type)
Commercial off-street parking
Consumer repair services
Exterminating services
Food sales
General retail sales (convenience)
Hotel-motel
Indoor sports and recreation
Outdoor sports and recreation
Personal improvement services
Plant nursery
Restaurant (drive in, fast food)
Service station
Custom manufacturing
Transitional housing
Agricultural sales and services
Campground
Commercial blood plasma center
Art and craft studio (general)
Electronic prototype assembly
Equipment sales
Laundry service
Vehicle storage

Multifamily residential
Automotive rentals
Automotive repair services
Consumer convenience services
Drop-off recycling collection facility
Financial services
Funeral services
General retail sales (general)
Indoor entertainment
Outdoor entertainment
Pawn shop services
Pet services
Research services
Restaurant (general)
Theater
Maintenance and service facilities
Transportation terminal
Building maintenance services
Monument retail sales
Construction sales and services
Convenience storage
Equipment repair services
Kennels
Veterinary services
Limited warehousing and distribution

11. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet on Tract B and Tract B-1:

Bed & breakfast residential (groups 1&2)
Business or trade school
Communications services
Restaurant (limited)
Club or lodge
Communication service facilities

Arts & craft studio (limited)
Business support services
Off-site accessory parking
Special use historic
College and university facilities
Community recreation (private)

C3
15

Community recreation (public)
Cultural services
Day care services (general)
Group home class I (general)
Hospital services (general)
Local utility services
Private secondary education facilities
Public secondary education facilities
Residential treatment
Urban farm
Guidance services
Medical offices (exceeding 5000 sf)

Counseling services
Day care services (commercial)
Day care services (limited)
Group home class I (limited)
Hospital services (limited)
Private primary educational facilities
Public primary educational facilities
Religious assembly
Telecommunication tower
Personal services
Safety services

12. The following uses are prohibited uses on Tract B-1:

Group residential

Multifamily residential

13. The following uses of the property are prohibited uses on Lot 1 of Tract A and Tract C:

Group residential
Automotive sales
Automotive washing (of any type)
Service station
Drop-off recycling collection facility
Transportation terminal

Multifamily residential
Automotive rentals
Automotive repair services
Pawn shop services
Transitional housing
Residential treatment

14. The following uses are prohibited uses for a single occupant of any lease space over 36,750 square feet on Tract C:

Bed & breakfast residential (groups 1&2)
Business or trade school
Commercial off-street parking
Consumer convenience services
Financial services
Funeral services
General retail sales (general)
Indoor entertainment
Off-site accessory parking
Outdoor sports and recreation
Personal services

Arts & craft studio (limited)
Business support services
Communications services
Exterminating services
Food sales
General retail sales (convenience)
Hotel-motel
Indoor sports and recreation
Outdoor entertainment
Plant nursery
Personal improvement services

Pet services
 Restaurant (general)
 Restaurant (drive-in, fast food)
 Custom manufacturing
 Communication service facilities
 Community recreation (public)
 Cultural services
 Day care services (general)
 Group home class I (general)
 Guidance services
 Local utility services
 Private secondary education facilities
 Public secondary education facilities
 Religious assembly
 Telecommunication tower
 Medical offices (exceeding 5000 sf)

Theater
 Restaurant (limited)
 Special use historic
 College and university facilities
 Community recreation (private)
 Counseling services
 Day care services (commercial)
 Day care services (limited)
 Group home class I (limited)
 Hospital services (limited)
 Private primary educational facilities
 Public primary educational facilities
 Club or lodge
 Hospital services (general)
 Urban farm

C3
 16

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on August 15, 2002.

PASSED AND APPROVED

August 1, 2002

§
§
§

Gustavo L. Garcia

Gustavo L. Garcia
 Mayor

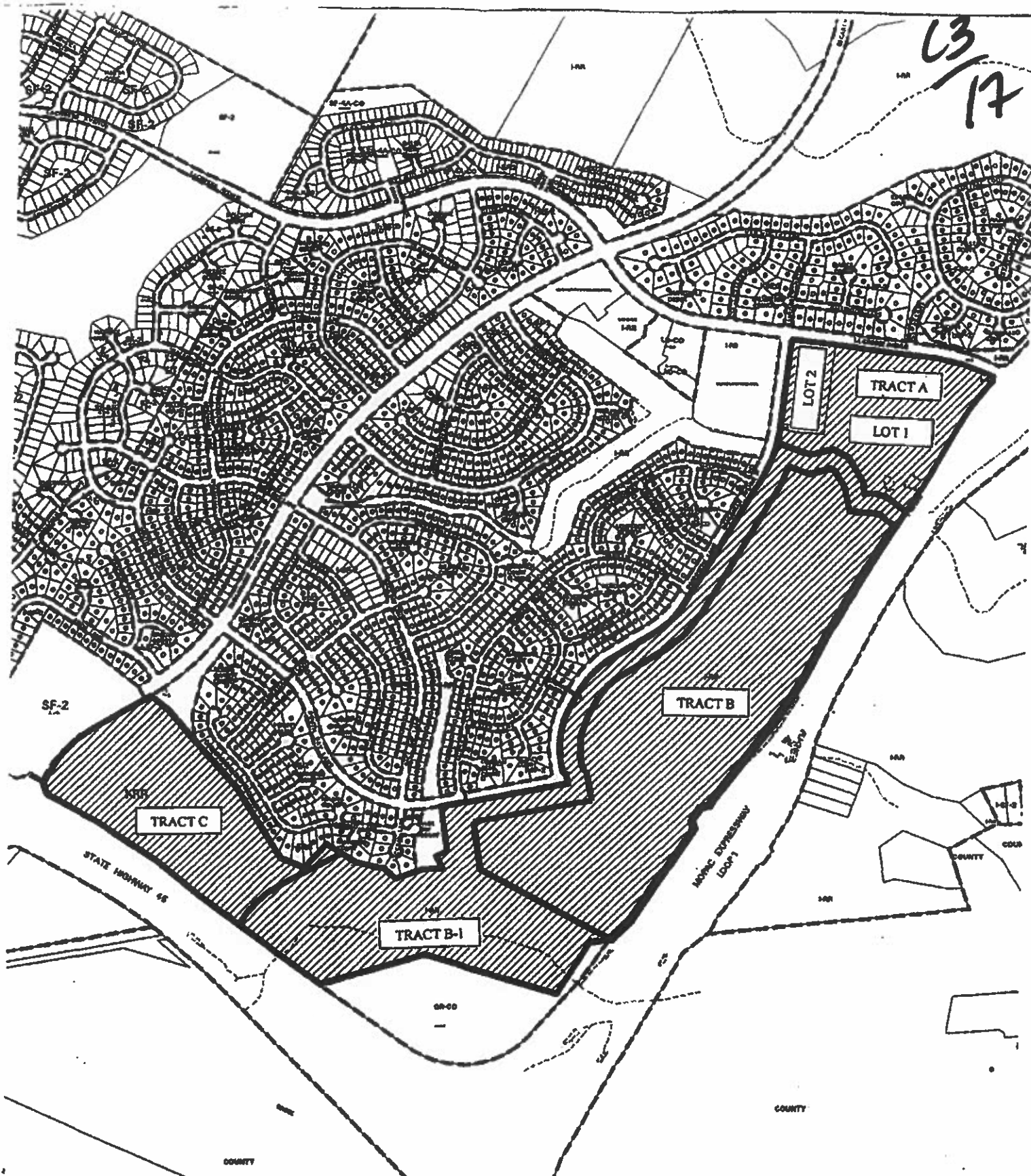
APPROVED:





Sedra Jefferson
 Sedra Jefferson
 City Attorney

ATTEST:

Shirley A. Brown
 Shirley A. Brown
 City Clerk

C3
17



 1" = 1000'	<p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: G. GUERNSEY</p>	<p>ZONING EXHIBIT B</p> <p>CASE #: C14-02-0040.110</p> <p>ADDRESS:</p> <p>SUBJECT AREA (acres): N/A</p> <p>DATE: 02-07</p> <p>INTLS: SM</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>C15</p>
---	--	--	--

C3
18**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning to modify the conditional overlay for a college and university facilities use, specifically to increase the square footage for a single occupant of a leasable space from 36,750 to 74,000 square feet on Lot 1 and to prohibit the use on Lot 2. All other portions of the Conditional Overlay that apply to Tract A will remain unchanged.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed community commercial (GR) 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 trafficways. The MU – Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

2. Zoning changes should promote compatibility with adjacent and nearby uses, and should not result in detrimental impacts to the neighborhood character.

Staff recommends the Applicant's request as it: 1) represents an incremental change in zoning on the property; 2) allows for a low traffic generating use that is compatible with the nearby uses including single family residences, an elementary school and child care facilities; and 3) balances the allowable density for the proposed use over one lot instead of spreading it across two lots.

EXISTING CONDITIONS**Site Characteristics**

The tract is undeveloped and slopes to the south. The recorded plat shows a drainage easement that generally follows the south property line, which contains the critical water quality zone and the water quality buffer zone.

Impervious Cover

The maximum impervious cover allocated to Tract 110 is 15% of 246.389 acres, as established by the Development Agreement between the City of Austin and Circle C Land Corp, effective as of August 15, 2002. Lot 1 is allocated 155,000 square feet of impervious cover. No changes to the allocated impervious cover are contemplated with the rezoning application.

C3
19**Environmental**

This site is located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) Watershed. It is in the Drinking Water Protection Zone.

The site is located within the endangered species survey area.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current Circle C Agreement, development or redevelopment on this site will be subject to providing structural sedimentation, filtration and/or re-irrigation basins per Section 7 of the Agreement.

Transportation

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

The traffic impact analysis for this site was waived because this property is subject to the Development Agreement between the City of Austin and Circle C Land Corporation referenced and recorded in Document No. 2002151984 with Zoning Case C14-02-0040.110.

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 any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.

C3
20

Compatibility Standards

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

This site is in the Scenic Roadway sign district. All signs must comply with Scenic Roadway sign district regulations.

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.