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**ZONING AND PLATTING COMMISSION SITE PLAN
SITE PLAN EXTENSION REVIEW SHEET**

CASE NUMBER: SP-06-0548D(XT2) **ZAPC DATE:** June 21, 2011

PROJECT NAME: Seven Oaks Office Park

ADDRESS: 8701 RM 2244

WATERSHED: Barton Springs (Barton Springs Zone)

AREA: 27.21 Acres

APPLICANT: Bee Cave Oaks, Ltd. General Partner We Store, Inc.(PD Gully)
4264 Westlake Drive
Austin, Texas 78746
Phone: (512) 327-2914

AGENT: Land Strategies, Inc. (Paul Linehan)
1010 Land Creek Cove
Austin, Texas 78746
Phone: (512) 328-6050

CASE MANAGER: Sue Welch, 974-3294
Sue.Welch@ci.austin.tx.us

Lynda Courtney, 974-2810
Lynda.Courtney@ci.austin.tx.us

PROPOSED DEVELOPMENT: The project is proposing nine 2-story office buildings, with parking, detention ponds and other associated improvements. This site is located in the City's two-mile extra-territorial jurisdiction (ETJ).

EXISTING ZONING: None (2-mile ETJ)

AREA STUDY: N/A

WATERSHED: Barton Creek (Barton Springs Zone Contribution Zone)

APPLICABLE WATERSHED ORDINANCE: Barton Creek Watershed Ordinance

CAPITOL VIEW: Not in View Corridor

T.I.A.: Not Required (ETJ)

SUMMARY STAFF RECOMMENDATION: The applicant is requesting a seven-year extension to the previously approved site plan (from to July 11, 2011 to July 11, 2018). Although this tract is not subject to project duration, staff is recommending a three year extension.

C7/2

ZONING AND PLATTING COMMISSION ACTION:

PREVIOUS APPROVALS: The site plan was approved administratively on July 11, 2007 for three years. The applicant requested and staff granted an one year administrative extension to application until July 11, 2011.

PROJECT INFORMATION: 27.21 acres

EXIST. ZONING: N/A (2-mile ETJ); proposed office use

MAX. IMPERV. CVRG.: 35% per plat

PROP. IMP. CVRG.: 30%

HEIGHT ALLOWED: N/A

PROP. HEIGHT: 2-stories

REQUIRED PARKING: Not required

PROP. ACCESS: Driveway access to FM 2244

Legal Description: Seven Oaks Section 3 Phase 1 Amended Plat, lot 1-A, 200700229

A COMPARISON OF THE APPROVED PROJECT WITH CURRENT REGULATIONS:

Due grandfathering to an approved preliminary plan, this site is subject to the Barton Creek Ordinance (82-118N). The impervious cover is limited to 35% for the commercial tract per plat, and the plat requires a 40% downstream buffer; the plan is providing 30% impervious coverage. Current regulations would allow 20% impervious coverage in the Barton Creek Watershed, Barton Springs Contributing Zone.

SUMMARY COMMENTS ON SITE PLAN:

LAND USE: Site is outside the City limits, but within the 2-mile ETJ. Zoning is not required. The proposed development consists of nine two-story office buildings, with parking and other associated improvements. The site will be developed with 3 phases. Stormwater controls were required to be updated to meet current standards. The Austin Water Utility, Lower Colorado River Authority (water) and Travis County (wastewater permit) have signed off on the extension request. The applicant filed the original application for site plan approval with the good faith expectation that the site plan would be constructed. A one-year administrative extension was granted in 2010, extending the expiration date to July 11, 2011.

ENVIRONMENTAL: This site is within the Barton Creek Watershed, the Barton Springs Zone Contribution Zone. The impervious cover is limited to 35% for the commercial tract per plat. The approved plat also requires a 40% downstream buffer, which the plan is providing. There are no Critical Environmental Features on this site.

TRANSPORTATION: There is one driveway exit off of FM 2244. The Texas Department of Transportation and Travis County have signed off on the driveway access. A traffic impact analysis was not required to be submitted with the application for site plan (ETJ).

SURROUNDING CONDITIONS:

Zoning/ Land Use – 2 mile ETJ (No zoning)

North: FM 2244

South: Single family residence

East: Single family residence, then Grace Lane

West: Single family residence

C1
3

<u>STREET:</u>	<u>R.O.W.</u>	<u>SURFACING</u>	<u>CLASSIFICATION</u>
FM 2244	varies, 100'+	80'	Major Arterial

NEIGHBORHOOD ORGANIZATIONS:

Austin Monorail Project
 City of Rollingwood
 Barton Creek Association
 Save Our Springs Alliance
 Sierra Club, Austin Regional Group
 Super Duper Neighborhood Objectors and Appealers Organization
 The Real Estate Council of Austin, Inc.


**LAND USE COMMISSION PHASING OR EXTENSION
REVIEW AND EVALUATION CRITERIA**

The Land Use Commission may extend the expiration date of this site plan if it finds that the site plan satisfies the criteria set forth in subsection (c) of Section 25-5-62. The Director shall make any one of the following findings:

- 1) A) The site plan substantially meets the standards that apply to new applications for site plan approval filed on the same day the request for extension is filed under this section.
 B) The original application for site plan approval was filed with the good faith expectation by the applicant that the development shown on the site plan would be constructed.
 C) At least one structure shown on the original site plan and suitable for permanent occupancy has been constructed, or
 D) Significant infrastructure required for development contemplated by the original site plan has been constructed.
- 2) If a TIA was required to be submitted with the application for the original site plan, the assumptions and conclusions of that TIA are valid for the revised site plan; or, if those assumptions and conclusions are not now valid, the applicant has submitted an addendum to the TIA that demonstrates traffic impacts will be adequately mitigated. *Not required.*
- 3) If the TIA was not previously required, the applicant has demonstrated that traffic impacts will be adequately mitigated.
- 4) The Director has determined there is good cause for the requested extension.

If any interested parties register before the public hearing or speak at the public hearing, there will be a 14 day appeal period following the decision made by the Land Use Commission on the site plan [Section 25-1-182, 25-5-62].



-  Subject Tract
-  Base Map

SEVEN OAKS OFFICE PARK

CASE#: SP-06-0548D(XT2)
ADDRESS: 8701 FM 2244 RD
MANAGER: SUE WELCH

OPERATOR: R.CERVANTES

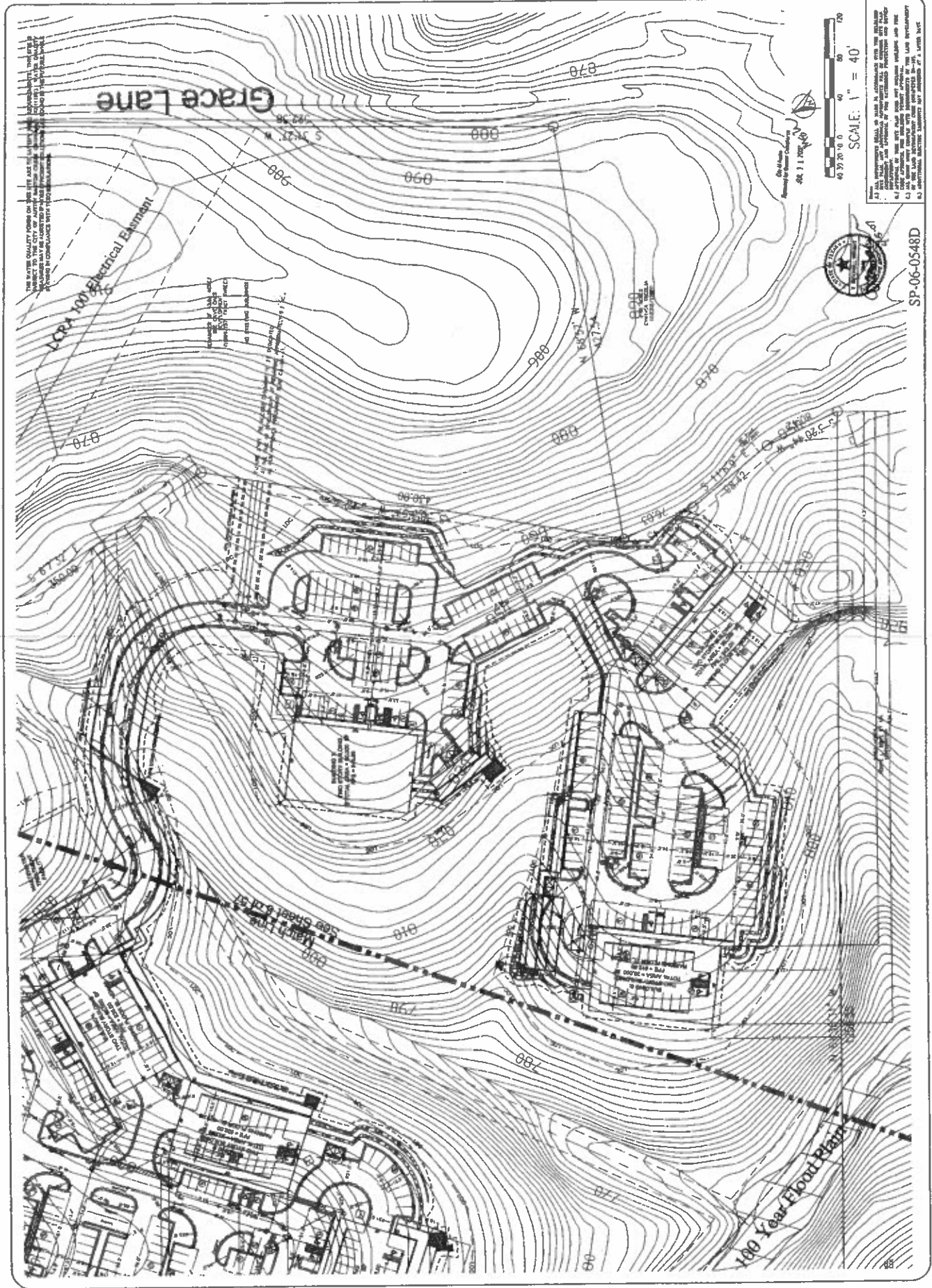
This map has been produced by Notification Services for the sole purpose of geographic reference.
No warranty is made by the City of Austin regarding specific accuracy or completeness.

1/5



SP-06-0948D

9/5



SP-06-0548D

9 of 63

PAUL LINEHAN & ASSOCIATES

February 7, 2011

City of Austin
Watershed Protection & Development Review
505 Barton Springs Road, 4th Floor
Austin, Texas 78704

Re: Seven Oaks Office Park
Site Plan Extension Request (SP-06-0548D)

Dear Review Team:

Land Strategies, Inc. (LSI), on behalf of the landowner, respectfully submit this request for a seven-year site plan extension to the approved Seven Oaks Office Park site development permit, located at 8619 Bee Cave Road, in the extra-territorial jurisdiction of the City of Austin, Travis County, Texas. The following information is provided to justify the request for this seven-year extension.

The property has been under the same primary ownership since 1972, when it was purchased by Bee Cave Oak Development, Ltd. Beth Robertson (owner) is the developer who, over the last many years, has developed the Davenport Ranch, as well as the residential portion of Seven Oaks. These developments are of an extremely high quality, and the Seven Oaks Office Park will mirror that quality in its construction. The development process on the property began in 1984 with the filing of a Preliminary Plan (C8-84-47, Seven Oaks, Section 3), followed in 1989 by the approval of a Final Plat for Lot 1 (called Lot 3 on the approved Preliminary Plan). In 2007, we processed and obtained administrative approval of an Amended Plat for Seven Oaks Section 3 Phase I, in order to adjust the downstream buffer zone. Please note that the Amended Plat contains the same plat notes as the originally approved Final Plat. The approximately ±27.21-acre Seven Oaks Office Park site plan was approved in 2007 as a three-phase development. Each phase includes three (3) buildings, with each building comprised of 20,000 square feet of office use, for a total of 60,000 square feet of office use per phase. The total proposed development of the office park is 180,000 square feet. In 2010, we processed and obtained approval for a site plan correction associated with the one-year administrative site plan extension. This site plan correction updated the approved site plan only pertaining to stormwater controls, in order to comply with current City of Austin stormwater rules. Note that if the current approved site plan (which includes the 2010 correction) were to be submitted as a new site plan, it would be reviewed and approved under these same rules and regulations.

It is anticipated that the current economic recession will not turn around for approximately two years, at which time development is slated to begin on the Seven Oaks Office Park. Additionally, each of the three phases is expected to require an approximately two-year development timeline. We are requesting this seven-year extension to the approved site plan due to the overall economic conditions and reasonable development schedule, and the fact that this extension is a more expeditious path than requiring additional time and cost to process a new site plan, which would be identical to the current approved plan.

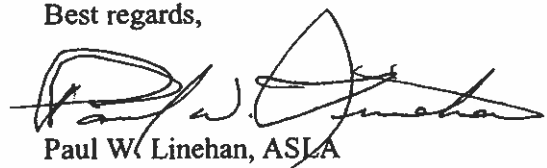
DEVELOPMENT / PLANNING CONSULTANTS & LANDSCAPE ARCHITECTURE

1010 LAND CREEK COVE, SUITE 100 • AUSTIN, TEXAS 78746 • (512) 328-6050 • FAX: (512) 328-6172

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9

Please feel free to contact me should you have any questions or need additional information. We appreciate your understanding of the economic slow-down, development schedule, and timely review and approval process as primary reasons for this extension request. We believe this request is extremely reasonable given today's economic conditions and the time already dedicated to development of the property. We hope that you agree with our assessment, and provide a positive recommendation to the Zoning & Platting Commission for approval of this site plan extension.

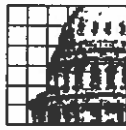
Best regards,



Paul W. Linehan, ASLA
President

PWL:enw

cc: Beth Robertson; Philip Gully (Bee Cave Oaks Development, Ltd.)
cc: James Huffcut, P.E.; Shelly Mitchell, P.E. (Pape Dawson)



**CAPITOL
MARKET
RESEARCH**

C1
10

Real Estate Research, Land Development Economics & Market Analysis

June 13, 2011

Mr. Paul Linehan
President
Land Strategies, Inc.
1010 Land Creek Cove
Suite 100
Austin, Texas 78746

Re: Seven Oaks Office Report

Dear Mr. Linehan:

As you requested, I have prepared an overview of the office market conditions in Southwest Austin, to provide support for your request to the City of Austin for extension of the site development permit for approximately 180,000 square feet of office space.

In December 2006, the office market conditions in Southwest Austin looked very strong, the overall occupancy rate was 95.7% and rents were \$23.76 (gross) and appeared to be on the rise. In June 2007, the market area occupancy was beginning to drop, to 90.6%, but the "quoted" rents had risen to \$26.15. Over the course of the next three years, the occupancy rates continued to drop as the inventory of available space increased while tenant expansions decreased. During that three year period, ten new buildings with 1.42 million square feet were added in the market, but only 450,000 square feet were absorbed. Rental rates peaked in June 2008 and have steadily decreased to a low of \$23.10 in December 2010.

No new buildings were started in the Southwest market area after September 2007. The combination of slow leasing activity, the national economic recession and the lack of construction financing made it virtually impossible to start a new office building. As a result, it appears that the market may finally be gaining some strength. The positive absorption at the end of 2010, and the increase in leasing activity in 2011, suggest that the market may be firming up, which eventually will lead to new construction opportunities.

Given the declines in occupancy and anemic levels of absorption over the last four years, it is fortunate that the subject office building did not start. If it had, it most probably would now be sitting vacant along with many of the other buildings completed in 2007 and 2008.

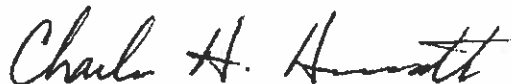
Capitol Market Research, Inc.
901 Rio Grande, Suite 201
Austin, Texas 78701, (512) 476-5000
cheimsath@cmraustin.com

C7
11

I trust that this brief overview will help you to explain why the Seven Oaks Office building was not built during the recent market downturn, and why it is appropriate to extend the building permit expiration date to allow the owner to build the office when market conditions justify new construction.

Respectfully submitted,

CAPITOL MARKET RESEARCH



Charles H. Heimsath, AICP
President

CHH/lf

C7
12

Table (1)
Office Occupancy and Average Rent
Southwest Austin: December 2006 - December 2010

	Total NRA	Occupied SF	% Occ.	SF added	SF absorbed	Avg. Rent
Dec-06	6,392,667	6,117,528	95.7%	\$23.76
Jun-07	6,630,318	6,007,648	90.6%	237,651	(109,880)	\$26.15
Dec-07	6,880,933	6,015,381	87.4%	250,615	7,733	\$28.88
Jun-08	7,643,490	6,392,731	83.6%	762,557	377,350	\$29.57
Dec-08	8,037,048	6,582,138	81.9%	393,558	189,407	\$29.37
Jun-09	7,985,545	6,615,639	82.8%	(51,503)	33,501	\$26.97
Dec-09	8,023,815	6,518,974	81.2%	38,270	(96,665)	\$26.82
Jun-10	8,101,589	6,567,969	81.1%	77,774	48,995	\$26.63
Dec-10	8,013,152	6,670,266	83.2%	(88,437)	102,297	\$23.10

Capitol Market Research, May 2011

Seven Oaks/sw_office.xls

Office Occupancy and Average Rent

