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

**CASE NUMBER:** SP-98-0031C(XT4)    **ZAP COMMISSION DATE:** August 2, 2011

**PROJECT NAME:** Park Central

**ADDRESS:** 12345 N Lamar Blvd

**AREA:** 19.45 acres

**APPLICANT:** Koontz McCombs Construction/  
Cornerstone Austin Park Central I LP (Jerry Harris)    (512) 479-9710  
755 E. Mulberry Ave, Suite 100  
San Antonio, TX 78212

**AGENT:** Koontz McCombs Construction/  
Cornerstone Austin Park Central I LP (Jerry Harris)    (512) 479-9710  
755 E. Mulberry Ave, Suite 100  
San Antonio, TX 78212

**CASE MANAGER:** Sarah Graham    (512) 974-2826  
[sarah.graham@ci.austin.tx.us](mailto:sarah.graham@ci.austin.tx.us)

**PROPOSED DEVELOPMENT:** The proposed project is for two three-story buildings to be used for general office use. One building (phase 1) has been completed, and the remaining structure remains to be built. Water quality and detention ponds were required by plat and were built prior to the original site plan. The applicant is currently requesting an extension to their site plan permit for a duration of 3 years to March 24, 2014, whereas their site plan permit would have expired on March 24, 2011.

**SUMMARY STAFF RECOMMENDATION:** The applicant is requesting an extension to the previously approved site plan from March 24, 2011 to March 24, 2014. Recommended by staff, as the site plan meets the criteria of Section 25-5-62(C), and is not subject to Project Duration.

**PREVIOUS APPROVALS:**

3/24/1999: Administrative approval of site plan  
6/4/2002: Commission approved 3-year extension to 3/24/2005  
4/19/2005: Commission approved 3-year extension to 3/24/2008  
7/1/2008: Commission approved 3 year extension to 3/24/2011

**ZONING AND PLATTING COMMISSION ACTION:**

ZAP granted a three year extension on 6/4/2002 (8-0) to 3/24/2005  
ZAP granted a three year extension on 4/19/2005 (7-0) to 3/24/2008  
ZAP granted a three year extension on 7/1/2008 (6-0) to 3/24/3011

**SUMMARY COMMENTS ON SITE PLAN:**

The approved site plan permit includes one 3-story 117,861 sq ft office (phase 1), which has been built, and another 3-story 117,861 sq ft office (phase 2), which has not yet been constructed. The

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site plan also includes associated roadways, parking, drives, and related improvements; phase 1 on these improvements were constructed.

The permitted site plan – SP-98-0031C – was originally set to expire on March 24, 2002. The applicant has received three Commission-approved extensions to-date: a 3-year extension to 3/24/2005, a 3-year extension to 3/24/2008, and a 3-year extension to 3/24/2011.

During these extension reviews, the 1704/245 Committee has ruled that this site is not subject to Project Duration (Article 12, Section 25-1-531 through 25-1-542) which would otherwise limit the maximum lifespan of the permit. Please see the attached 'Exhibit D – Project Application H.B. 1704/Chapter 235 Determination' for further information. Under these circumstances, the applicant may ask for an extension under Section 25-5-63 – Extension of Released Site Plan by the Land Use Commission. The applicant applied for this allowed extension in 2002, 2005 and 2008, and staff determined each time that they met the necessary criteria per Section 25-2-62(C) to allow for an extension to the site plan.

On February 14, 2011, the applicant submitted an additional extension request, as is allowed under Section 25-5-63 – Extension of Released Site Plan by the Land Use Commission. The Land Use Commission may extend the expiration date of a released site plan beyond their expiration date if the Land Use Commission determines that the request complies with the requirements for extension by the director under Section 25-5-62 (Extension Of Released Site Plan By Director). Staff has determined that the applicant has met 3 of the 4 criteria in order to receive an extension of a released site plan, as per § 25-5-63 and §25-5-62(C), which is documented in the section below entitled Review and Evaluation Criteria. The applicant must be able to meet at least one of the criteria in 25-5-62(C), and therefore, staff supports the extension request.

**A COMPARISON OF THE APPROVED PROJECT WITH CURRENT REGULATIONS:**  
**COMPREHENSIVE WATERSHEDS ORDINANCE:** This site plan complies with all requirements of the Comprehensive Watersheds Ordinance.

**DETENTION:** The detention pond was constructed as part of the subdivision infrastructure (C8-96-0178.0B), which was to serve all commercial infrastructure in the subdivision. Staff would require an updated engineer's report to analyze the 24-hour storm. The engineer has already provided this documentation of calculations for staff during this review. As staff has received all required documentation for the constructed pond, no changes would be required at this time with a new site plan application.

**WATER QUALITY:** The pond has been observed and has been found to be in satisfactory condition. Any long term needs will be addressed through the maintenance process. If a new site plan were required, no changes would be anticipated.

**LAND USE:** Site is currently zoned LO, GR-CO and CH-CO. The conditional overlays with the zoning limit the floor-to-area ratio to .35 for the GR tract and .6 to the CH tract, as well as a height restriction to 60 ft for the CH tract. The site plan demonstrates compliance with the applicable zoning categories. One of the two structures shown on the original site plan and has been constructed and is suitable for permanent occupancy, and one building that has yet to be built. The Land Development Code has had updates since the site plan was originally submitted which may affect the development on the site, including but not limited to Subchapter E: Design Standards and Mixed Use Development. Current regulations would likely require minor changes of the project.

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Significant infrastructure required for development contemplated by the original site plan has been constructed; subdivision improvements have been constructed to support this development (water, wastewater, access drives and the water quality/detention pond). Staff recommends approval of the three-year Land Use Commission extension to March 24, 2013.

**ENVIRONMENTAL:** There are no Critical Environmental Features on this site. All environmental comments have been cleared.

**TRANSPORTATION:** The site will have driveway access from Lamar Blvd and Park Central Blvd. A traffic impact analysis (TIA) was not required to be submitted with this application. A TIA had been previously submitted with the original site plan, and the applicant has made all the improvements required by the TIA. All transportation comments have been cleared.

**PROJECT INFORMATION:** 19.445 acres      **EXIST. ZONING:** LO, GR-CO, and CH-CO  
**PROP USE:** Office      **T.I.A.:** Not Required due to Existing Valid TIA

	LO	GR-CO	CH-CO
<b>ALLOWED F.A.R.:</b>	.7:1	.35:1	.9:1
<b>PROP. F.A.R.:</b>	0	0.21	0.49
<b>MAX. IMPERV. CVRG.:</b>	70%	85%	90%
<b>PROP. IMP. CVRG.:</b>	68.9%	80.3%	51.7%
<b>HEIGHT ALLOWED:</b>	40 ft	60 ft	60 ft
<b>PROP. HEIGHT:</b>	0	48 ft	48 ft

**Proposed Access:** North Lamar Blvd and Indian Mound Dr (private roadway)

**SURROUNDING CONDITIONS:**

	ZONING	LAND USES
<i>North</i>	CH-CO	hotels
<i>South</i>	LO and CS-CO	charter school
<i>East</i>	CH-CO	water quality pond and hotel
<i>West</i>	SF-1	North Lamar Blvd., then SF-1 single family residences

**ABUTTING STREETS**

STREET:	R.O.W.	SURFACING	CLASSIFICATION
North Lamar	varies	4@70'	Major Arterial

**NEIGHBORHOOD ORGANIZATIONS:**

64 – River Oaks Lakes Estates Neighborhood  
114 – North Growth Corridor Alliance  
511 – Austin Neighborhoods Council  
786 – Home Builders Association of Greater Austin  
1012 – Pflugerville Independent School District  
1037 – Homeless Neighborhood Association  
1075 – League of Bicycling Voters  
1113 – Austin Parks Foundation  
1154 – Techridge Neighbors  
1200 – Super Duper Neighborhood Objectors and Appealers  
1224 – Austin Monorail Project  
1228 – Sierra Club, Austin Regional Group  
1236 – The Real Estate Council of Austin, Inc

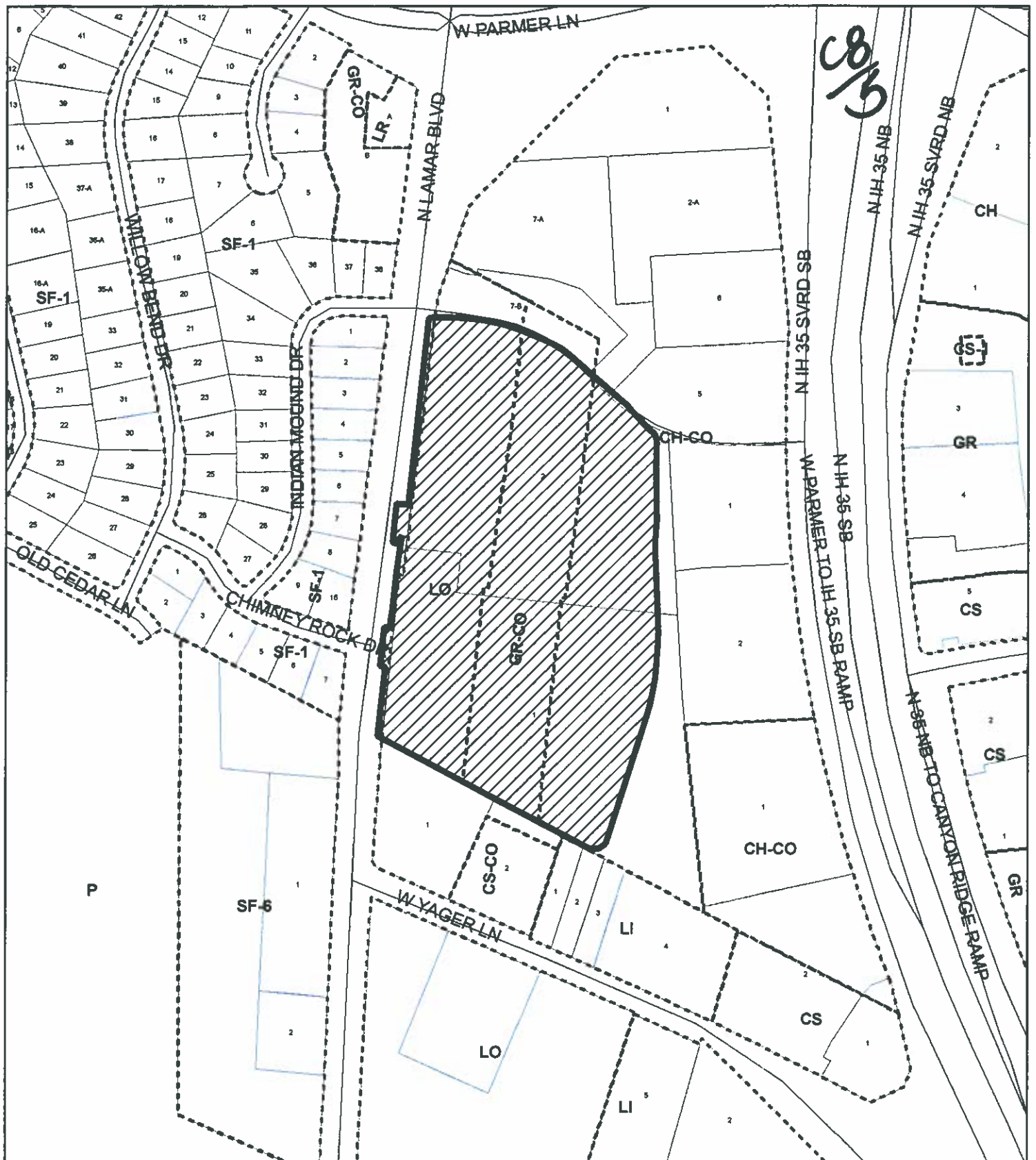
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### REVIEW AND EVALUATION CRITERIA

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:

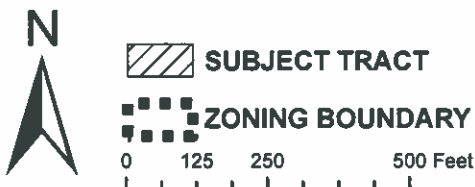
- 1)
  - (a) the site plan substantially complies with the requirements that apply to a new application for site plan approval (*staff has determined this site plan does **not** meet this criteria*);
  - (b) the applicant filed the original application for site plan approval with the good faith expectation that the site plan would be constructed (*per the submittal material, staff has determined this site plan **has met** this criteria*);
  - (c) the applicant constructed at least one structure shown on the original site plan that is suitable for permanent occupancy (*during a site visit, staff has determined that the site **has met** this criteria*); or
  - (d) the applicant has constructed a significant portion of the infrastructure required for development of the original site plan (*during a site visit, staff has determined that the site **has met** this criteria*).
- 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. (*A TIA had been previously submitted with the original site plan, and the applicant has made all the improvements required by the TIA*).
- 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].



# SITE PLAN

CASE#: SP-98-0031C(XT4)  
 ADDRESS: 12345 N LAMAR BLVD  
 MANAGER: SARAH GRAHAM

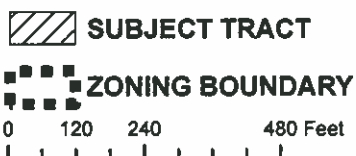


This map has been produced by site plan review for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





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 MANAGER: SARAH GRAHAM



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**Exhibit D**  
**PROJECT APPLICATION H.B. 1704/Chapter 245 DETERMINATION**  
**(Chapter 245, Texas Local Government Code)**

(This completed form must accompany all subdivision and site plan applications.)

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File # Assigned: <u>SP-98-0031C (XT4)</u>	FOR DEPARTMENTAL USE ONLY	Date Filed: <u>2/14/2011</u>
Original Application Date: <u>8/26/1996</u>	Signature: <u>[Signature]</u>	Date: <u>2/15/2011</u>
Comments: <u>Project duration does not apply</u>		
<u>Insufficient Information to establish Chapter 245 rights.</u>		

Proposed Project Name: Park Central

Address / Location: 12345 N. Lamar Boulevard, Austin, TX

Legal Description: Lots 1 and 2, Block A, Park Central Section 2, Doc. #200100220

A. ☐ The proposed application is for a New Project and is submitted under regulations currently in effect.

**NOTE: If A is checked above, proceed to signature block below.**

B. ☐ The proposed application is for an ongoing project not requesting House Bill 1704 consideration. The choice of this option does not constitute a waiver of any rights under Chapter 245.

C. ☐ The proposed application is for a project requesting review under regulations other than those currently in effect, but not on the basis of House Bill 1704. All appropriate supporting documentation must be attached to this request. Provide a brief description of the basis for this request here: \_\_\_\_\_

D. ☐ The proposed application is for a project requesting review under a specific agreement, not on the basis of House Bill 1704. All appropriate supporting documentation must be attached to this request. Provide a brief description of the basis for this request here: \_\_\_\_\_

E. ☒ Original Application Filing Date: Aug. 26, 1996 File #: C8-96-0178.0A

The proposed application is submitted as a **Project in Progress** under Chapter 245 (HB 1704) and should be reviewed under the applicable regulations pursuant to state law. **The determination will be based on information submitted on and with this form.**

**The following information is required for Chapter 245 Review:**

**Attach supporting documentation, including a summary letter with a complete project history from the Original Application to the present, with a copy of the original subdivision or site plan approval by the City and subsequent application approvals. Specify project information for date claiming 1704 grandfathering; include a copy of the relevant permit upon which Chapter 245 vesting is claimed.**

Project Application History	File #	Application Date	Approval Date
Annexation/zoning (if applicable to history)	_____	_____	_____
Preliminary Subdivision	_____	_____	_____
Final Subdivision Plat	<u>C8-96-1078.0A</u>	<u>8/26/1996</u>	<u>2/12/1997</u>
Site Plan / Devel. Permit	<u>C8-01-0048.0A (RESUB. of Lot 1 for Bank Financing Purposes Only)</u>	<u>2/13/2001</u>	<u>7/10/2001</u>
	<u>SP-98-0031C</u>	<u>1/30/1998</u>	<u>3/24/1999</u>
Proposed Project Application (check one):	<u>Preliminary Subdivision</u>	<u>Final Plat</u>	<u>Site Plan Extension X</u>

Proposed Project Land Use: Specify acreage in each of the following land use categories:

Single Family / Duplex \_\_\_\_\_ Townhouse / Condo / Multi-family \_\_\_\_\_ Office 19.445 Acres

Commercial \_\_\_\_\_ Industrial / R&D \_\_\_\_\_ Other (Specify) \_\_\_\_\_

Total acreage: 19.445 Watershed Walnut Creek Watershed Classification Suburban

*This proposed project application will still be reviewed under those rules and regulations that are not subject to Chapter 245, such as those to prevent imminent destruction of property or injury to persons, including regulations dealing with stormwater detention, temporary erosion and sedimentation controls, and regulations to protect critical/significant recharge features.*

Signature - Property Owner or Agent [Signature] Date: 2-14-11

Printed Name Jerry L. Harris Phone / Fax 512/479-9710; 512/479-1101

February 14, 2011

Planning and Development Review Department  
City of Austin  
PO Box 1088  
Austin, TX 78767

Re: **SP-98-0031C-PARK CENTRAL-12345 NORTH LAMAR BLVD.**  
Summary Letter for Application for Site Plan Extension by Land Use  
Commission

Planning and Development Review Department:

On behalf of the owners, Koontz/McCombs I, Ltd. and Cornerstone Austin Park Central I, LP, I am requesting a three-year extension of the above-referenced site plan which currently has an expiration date of March 24, 2011. The new expiration date would be March 24, 2014. This extension request is being made pursuant to the provisions of Section 25-5-63(c) of the Land Development Code of the City of Austin.

Park Central is located in the City of Austin's Desired Development Zone. It is located in the Walnut Creek Watershed which is a Suburban Watershed. No portion of the Park Central project is located within the Northern Edwards Aquifer Recharge Zone. No portion of this project is located within a 100-year flood plain as shown on the Flood Insurance Rate Maps for Travis County, Texas and Incorporated Areas (Map Number 48453CO115E, dated June 16, 1993). There is a location map and a location aerial photo enclosed with this letter.

Austin

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Dallas

• • • •

Houston

Park Central consists of a Phase I office building and a Phase II office building. These buildings are identical three-story office buildings with each building containing approximately 114,000 square feet. The Phase I office building has been completed and the drainage and utility infrastructure for the entire project has been completed. A copy of the overall site plan is enclosed with this letter. Also enclosed is a picture of the Phase I office building.

Therefore, (1) at least one structure shown on the original site plan and suitable for permanent occupancy has been constructed and (2) significant infrastructure required for development contemplated by the original site plan has been constructed. In addition, I believe that the owner has demonstrated that the original site plan application was filed with the good faith expectation by the owner that the development shown on the site plan would be constructed. The owner has labored long and hard to complete the Phase I



CO/a

office building, associated parking and the drainage and utility infrastructure for the entire project and intends to construct the Phase II office building as soon as market conditions permit the financing of same.

Park Central complies with current rules and regulations except for Subchapter E: Design Standards and Mixed Use. As can be seen from the site plan, the Phase I and Phase II office building are set back from North Lamar Boulevard and given the construction of Phase I building and the infrastructure construction that has been completed, it would not make sense to re-do the project in order to try to gain compliance with Subchapter E.

There are no Heritage Trees on the site.

A Traffic Impact Analysis was submitted and approved with the original Park Central site plan application. Since the original application, no substantial traffic improvements are known to have been made in the vicinity of the project and the original assumptions regarding trip generations have not been modified. Therefore, the conclusions of the original Traffic Impact Analysis can be assumed to be valid.

Based on the above, the Park Central site plan meets the criteria for extension set forth in Section 25-5-63(c) of the Land Development Code.

The Park Central site plan was first approved on March 24, 1999. The site plan was administratively extended to March 24, 2005. Then, the site plan was extended to March 24, 2008 by the Zoning and Platting Commission. On July 1, 2008, the Zoning and Platting Commission extended the site plan expiration date to March 24, 2011. Unfortunately, the market has not cooperated during these years and the owner had to struggle to get financing for the construction of the Phase I office building and related infrastructure. At the time of the 2008 extension application, the owner knew that the economy was in trouble and headed for deeper trouble. Therefore, the owner, in 2008, requested a five-year extension so that the site plan would expire on March 24, 2013. However, only a three-year extension was granted and here in 2011, the economy is only beginning a long slow recovery. Therefore, this three-year extension request to March 24, 2014 is being submitted.

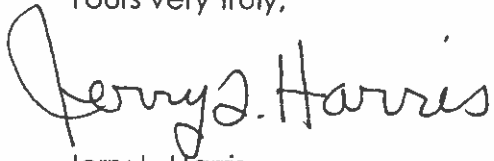
I should mention one other matter. In connection with the 2008 extension request, the 1704 committee grandfathered the Park Central project back to 1996 and concluded that the Park Central site plan is not subject to Project Duration. A copy of the e-mail to me from Susan Scallon indicating this is enclosed with this letter.

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If you should have any questions or need any additional information, please let me know.

Yours very truly,

  
Jerry L. Harris

Enclosures

RECEIVED



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 City of Austin  
 City of Austin

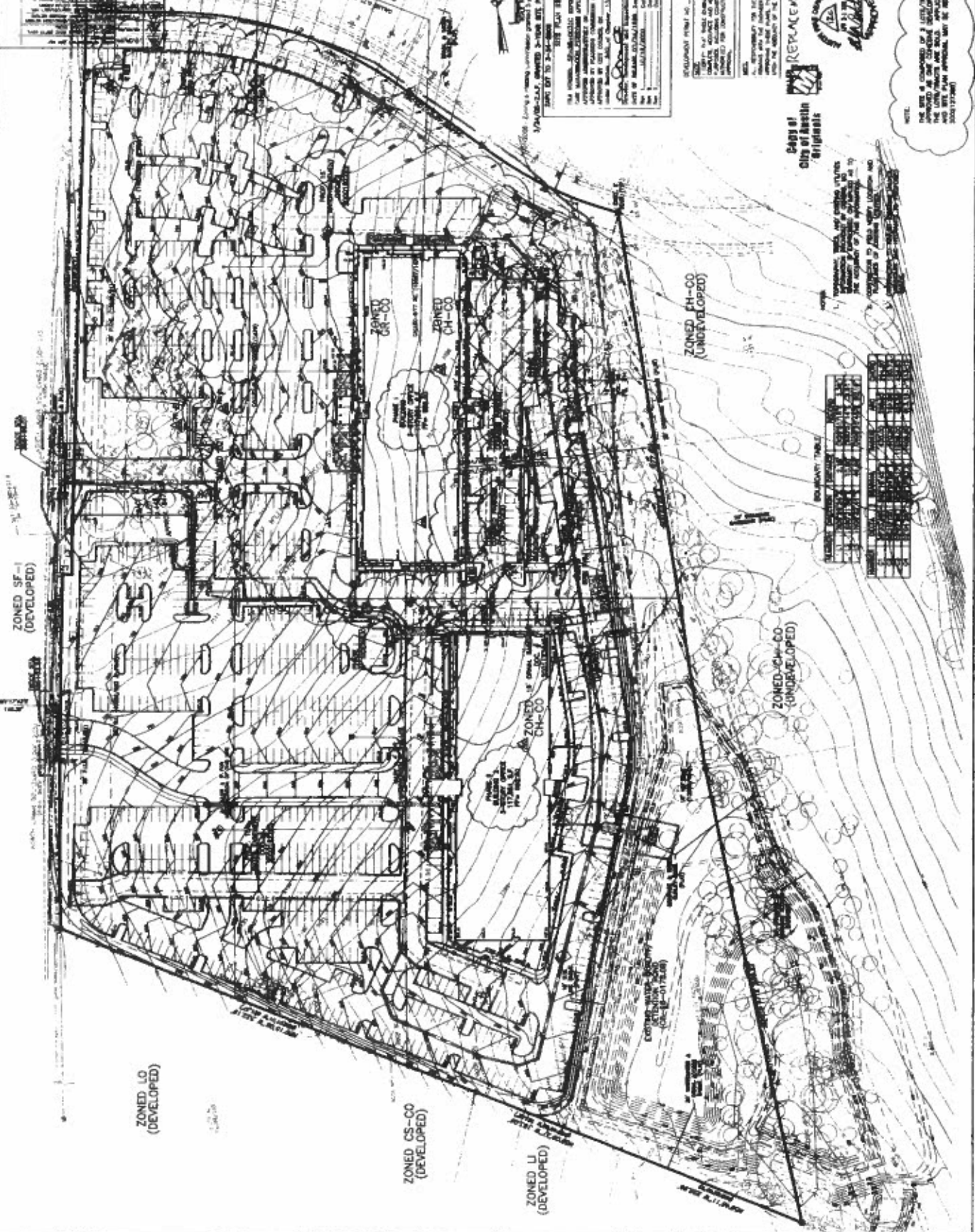


11/18/03

NOTE:  
 THIS SITE IS COMPOSED OF 2 LOTS/TRACTS. IT WAS RECD  
 APPROVED BY THE CITY OF AUSTIN IN 1998. THE SITE  
 WAS RECD APPROVED BY THE CITY OF AUSTIN IN 1998.  
 AND SITE PLAN APPROVAL WAS RECD IN 1998.  
 3001772867

THE PLAN RELEASE FROM 3.1.03  
 THE PLAN RELEASE FROM 3.1.03  
 THE PLAN RELEASE FROM 3.1.03

REPLACEMENT SHEET  
 City of Austin  
 City of Austin  
 City of Austin



## PUBLIC HEARING INFORMATION

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 a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. 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.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern *(it may be delivered to the contact listed on a notice);* or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [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 name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SP-98-0031C(XT4)

Contact: Sarah Graham, (512) 974-2826 or

Michelle Casillas, (512) 974-2024

Public Hearing: Zoning and Platting Commission, Aug 2, 2011

Park Central Owners Assoc.

Your Name (please print)

☒ I am in favor  
☐ I object

12045 N Lamar Blvd Ste 145

Austin, TX 78753

Your address(es) affected by this application

[Signature]

Signature

7/20/11

Date

Daytime Telephone: 210-841-9220

Comments:

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Sarah Graham

P. O. Box 1088

Austin, TX 78767-1088

08/12



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Michelle Casillas, (512) 974-2024

Public Hearing: Zoning and Planning Commission, Aug 2, 2011

Cornerstone Austin Park Central

Your Name (please print)

☒ I am in favor  
☐ I object

12345 N Lamar Blvd Ste 111

Your address(es) affected by this application

Cynthia M. B.

Nice President

Date

Daytime Telephone: 210-841-9299

Comments:

10/13

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

City of Austin

Planning and Development Review - 4<sup>th</sup> floor

Sarah Graham

P. O. Box 1088

Austin, TX 78767-1088

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Park Central Owners Assoc  
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☐ I object

12345 N Lamar Blvd Austin Tx 78753  
Your address(es) affected by this application

Sarah A. Hall  
Signature

7/20/11  
Date

Daytime Telephone: 210-841-9220

Comments:

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City of Austin  
Planning and Development Review - 4<sup>th</sup> floor  
Sarah Graham  
P. O. Box 1088  
Austin, TX 78767-1088

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