

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

CASE NUMBER: SP-98-0031C(XT6) **ZONING AND PLATTING COMMISSION**
HEARING DATE: March 6, 2018
2018

PROJECT NAME: Park Central Section One

ADDRESS: 12345 N. Lamar Blvd.

APPLICANT: NYOS Charter School Inc.
12301 N. Lamar Blvd.
Austin TX 78753

Vista Park Central LTD, ETAL
1117 Eldridge Pkwy
Houston, TX 77077

AGENT: Kimley Horn and Associates (Joel Wixton)
10814 Jollyville Rd. Suite 300
Austin, TX 78759

CASE MANAGER: Nikki Hoelter Phone: 974-2863
nikki.hoelter@austintexas.gov

PROPOSED DEVELOPMENT:

The applicant is requesting a sixth extension of an approved site plan to extend the permit for an additional 3 years. The site plan was originally approved on March 24, 1999. The overall plan consist of 2, three story office buildings, surface parking, utilities, drainage and water quality improvements on 19.445 acres. One of the buildings was recently purchased by a new owner, who recently hired contractors to begin the process of commencing construction. Phase 1 has been constructed, which includes a 3 story office building, surface parking, utilities and drainage and a water quality pond.

SUMMARY STAFF RECOMMENDATION:

Staff does not recommend approval of the 3 year extension. Given the amount of time the project has been approved, and has obtained five previous extensions. The applicant has had a total of 17 years to complete the development. The lengthy extension requests are typically for a church or private school where capital campaigns are necessary to fund the project. In addition, staff cannot find the project meets any of the extension criteria for this request.

The Zoning and Platting Commission has the discretion to approve the extension based on *LDC Section 25-5-63(C)The Land Use Commission may extend the expiration date of a released site plan beyond the date established by this chapter 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).*

The requirements in Section 25-5-62(C)The director may extend the expiration date of a released administrative site plan one time for a period of one year if the director determines that there is good cause for

the requested extension; **AND**

(1) the director determines that:

- (a) the site plan substantially complies with the requirements that apply to a new application for site plan approval;
- (b) the applicant filed the original application for site plan approval with the good faith expectation that the site plan would be constructed;
- (c) the applicant constructed at least one structure shown on the original site plan that is suitable for permanent occupancy; or
- (d) the applicant has constructed a significant portion of the infrastructure required for development of the original site plan; and

(2) the director determines that:

- (a) if a traffic impact analysis was submitted with the application for site plan approval:
 - (i) the assumptions and conclusions of the traffic impact analysis are valid; or
 - (ii) if the assumptions and conclusions are not valid, the applicant has submitted an addendum to the traffic impact analysis that demonstrates that traffic impacts will be adequately mitigated; or
- (b) if a traffic impact analysis was not submitted with the application for site plan approval, the applicant demonstrates that traffic impacts will be adequately mitigated.

A TIA, traffic impact analysis was not required, therefore section two would not apply.

If approved, the 3 year extension will extend the site development permit from March 24, 2017 to March 24, 2020. This is the sixth extension request for this project. Improvements or progress on the plan have not taken place since the last extension was approved, however a new owner has been obtained.

The commission may approve, deny or grant a different amount of time for the extension request.

The site plan complies with all requirements of the Land Development Code in effect when the site plan was originally approved.

PREVIOUS APPROVALS

March 24, 2002 - Administratively extended for 3 years from March 24, 2002 to March 24, 2005

March 24, 2005 – Zoning and Platting Commission approved a 3 year extension March 24, 2005 to March 24, 2008

July 1, 2008 – Zoning and Platting Commission approved a 3 year extension from March 24, 2008 to March 2011

August 2, 2011 – Zoning and Platting Commission approved a 3 year extension from March 24, 2011 to March 24, 2014

August 5, 2014 – Zoning and Platting Commission approved a 3 year extension from March 24, 2014 to March 24, 2017

PROJECT INFORMATION

SITE AREA	847,024 square feet	19.44 acres
EXISTING ZONING	CH-CO; GR-CO; LO	
WATERSHED	Walnut Creek (Suburban)	
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance	
TRAFFIC IMPACT ANALYSIS	Not required	
CAPITOL VIEW CORRIDOR	N/A	
PROPOSED ACCESS	N. Lamar Blvd. and Park Central Blvd. (private drive)	
	Allowed/Required	Existing
GROSS FLOOR AREA	-----	119,366 SF
BUILDING COVERAGE - LO	50%	0%
GR-CO	75%	16.9%
CH-CO	85%	10.4%
IMPERVIOUS COVERAGE - LO	70%	63.7%
GR-CO	90%	83.8%
CH-CO	85%	51.1%
IMPERVIOUS COVER TOTAL	-----	63.6%
PARKING	796 spaces	1062 spaces

SUMMARY COMMENTS ON SITE PLAN:

The applicant mentioned that the new owner plans to change the land use of the building from administrative office to a charter school. This change would occur for phase 2, which is the 3 story building which has not been constructed. This change of use hasn't occurred. The applicant states it would benefit the school to obtain an extension to reduce cost for review fees and other associated cost that come with submittal of a new site plan application. Code amendments have been adopted since the approval of the site plan in 1999. One of those changes include the adoption of Subchapter E development regulations. Another change is the adoption of the charter school code amendment, Ordinance No. 20160623-090 which allows charter schools to benefit from very similar regulations as set forth in the interlocal agreement between the City of Austin and Austin Independent School District.

Currently the site plan for office use complies with the impervious cover maximum of each zoning district, however if the land use were to change to charter school (public primary/secondary school), it would have an impervious cover limit of 50% of the net site area. The impervious cover would be calculated based on net site area, and not by zoning district category.

The site plan received a 1704 determination, with its last extension in 2014, which stated the site plan could comply with regulations in effect on August 26, 2006. The determination was made based on with the existing site plan as approved in 1999, it does not take in to consideration a land use change. If the applicant decided to move forward with a change of use for a charter school, a fair notice, 1704 determination submittal would be required to establish the regulations for the site to determine if grandfathering would be permitted.

The review process currently before the commission was only for a 3 year extension to the previously approved site plan, of the two, 3 story office buildings; other situations were not reviewed for the development.

ENVIRONMENTAL:

This site is located in the Walnut Creek watershed, and does not affect development of the project.

TRANSPORTATION:

Access will be from Indian Mound Drive to the north and North Lamar Boulevard to the west. Adequate parking is provided on site for the office use.

COMPATIBILITY

Single family, SF-1, zoning district is located to the west of the property. Approximately 110 feet of right of way separate the development from the SF-1 properties. The site complies with compatibility standard regulations.

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	LO, GR-CO, CH-CO	Office building, undeveloped
<i>North</i>	CH-CO, GR-CO	Commercial
<i>South</i>	CS-CO, LO, LI	Existing NYOS School
<i>East</i>	CH-CO	Commercial strip center
<i>West</i>	SF-1, SF-6	Right of way, single family residences

SITE SUMMARY	
TOTAL SITE AREA: 19.445 AC., 847024 SF	
BUILDING SUMMARY (OFFICE - ADMINISTRATIVE)	
OFFICE (1ST FLOOR)	39795 SF
OFFICE (2ND FLOOR)	39795 SF
OFFICE (3RD FLOOR)	39795 SF
TOTAL BUILDING SF	119385 SF
* 2 BUILDINGS	238772 SF
FAR	0.282
NUMBER OF STORIES	3
MAXIMUM HEIGHT	48 FT
BUILDING COVERAGE	
BUILDING	79590 SF
COVERED SIDEWALK	0 SF
TOTAL BUILDING COVERAGE	79590 SF
TOTAL BLDG COVERAGE (%)	9.4%
IMPERVIOUS COVER*	
BUILDING	79590 SF
SIDEWALK	21769 SF
PAVING	437404 SF
TOTAL IMPERVIOUS COVER	538763 SF
TOTAL IMPERVIOUS COVER (%)	63.6%
* (ALL ON-SITE SLOPE ARE UPLANDS, < 15% AND NO DEDUCTIONS WERE REQUIRED FOR NORTH LAMAR BOULEVARD, I.C. = 68.9% < I.C. ALLOWED 70%)	
PARKING SUMMARY*	
BUILDING SF	238772 SF
PARKING RATIO	1:300
REQUIRED SPACES	796 SPACES
REQUIRED HANDICAP	21 SPACES
REQUIRED BICYCLE	54 SPACES
SPACE (530")	
PROVIDED REGULAR	905 SPACES
PROVIDED COMPACT	138 SPACES
PROVIDED HANDICAP	21 SPACES
PROVIDED BICYCLE	54 SPACES
TOTAL PROVIDED	1062 SPACES
REQUIRED LOADING SPACES	3 SPACES
PROVIDED LOADING SPACES	4 SPACES
* (SEE PHASING PLAN FOR PARKING SUMMARY PER PHASE)	
* (SEE CIVIL DETAIL SHEET #18 FOR TYPE II BIKE RACK DETAIL)	

IMPERVIOUS COVER SUMMARY									
AREA: 19.445 ACRES (847024 SF)									
ZONING	AREA (SF)	BUILDING I.C. (SF)	SIDEWALK I.C. (SF)	PAVING I.C. (SF)	TOTAL I.C. (SF)	ZONING I.C. (%)	ALLOWABLE I.C. (%)		
LO	229926	0	5033	141406	146439	63.7%	70.0%		
GR-CO	235064	39795	7948	149292	197035	83.8%	90.0%		
CH-CO	382034	39795	8788	146706	198289	51.1%	85.0%		
TOTAL BUILDOUT	847024	79590	21769	437404	538763	63.6%			

BUILDING SUMMARY (PER ZONING DISTRICT)						
ZONING	AREA (SF)	TOTAL BUILDING COVERAGE (SF)	FAR	BUILDING COVERAGE (SF)	COVERED SIDEWALK COVERAGE (SF)	BUILDING COVERAGE (%)
LO	229926	0	0.000	0	0	0.0%
GR-CO	235064	119386	0.508	39795	0	39795 16.9%
CH-CO	382034	119386	0.313	39795	0	39795 10.4%

Net Site Area Calculations			
Total Site Area:	19.445 Ac.	847024 SF	
Site Deductions:			
Grass:	0.000 Ac.	0 SF	(0.0%)
Wetland:	0.000 Ac.	0 SF	(0.0%)
Wetland:	0.000 Ac.	0 SF	(0.0%)
Deduction Subtotal:	0.000 Ac.	0 SF	(0.0%)
Total Upland Area:	19.445 Ac.	847024 SF	(100.0%)
Net Site Area Calculations:			
Gross Area:	19.445 Ac.	X 100%	19.445 Ac.
Area of Upland with Slopes 0-15%:	19.445 Ac.	X 40%	0.000 Ac.
Area of Upland with Slopes 15-25%:	0.000 Ac.	X 20%	0.000 Ac.
Area of Upland with Slopes 25-35%:	0.000 Ac.	X 20%	0.000 Ac.
TOTAL NET SITE AREA:			19.445 Ac.

BOUNDARY COURSES				
NUMBER	DIRECTION	DISTANCE	RECORD	
L1	N09°26'24"E	2.15'	(N09°31'18"E 2.36')	
L2	S80°31'56"E	10.80'	(S80°07'14"E 8.91')	
L3	N06°32'41"E	49.90'	(N06°10'49"E 50.19')	

EASEMENT COURSES				
NUMBER	DELTA	CHORD BEARING	RADIUS	ARC
C1	28°15'43"	S06°59'41"E	3969.72	1819.56
C2	02°07'55"	N07°25'11"E	11409.00	424.55
C3	01°56'32"	S21°05'09"E	3969.72	134.57
C4	02°32'06"	S06°05'11"W	11409.00	504.78

EASEMENT COURSES				
NUMBER	DELTA	CHORD BEARING	RADIUS	ARC
C19	02°25'31"	S89°46'10"E	505.00	21.38
C20	01°56'35"	S62°10'12"E	505.00	17.13
C21	04°48'10"	S65°32'35"E	505.00	42.33
C22	00°36'45"	S69°15'02"E	505.00	3.40
C23	19°11'06"	S07°10'03"W	500.00	132.51
C24	19°51'54"	S09°30'27"W	150.00	52.01
C25	19°51'54"	N09°30'27"E	135.00	46.81
C26	14°57'06"	N07°03'04"E	515.00	134.39
C36	30°00'00"	S34°26'24"W	25.00	39.27
C39	11°43'08"	S49°51'22"E	505.00	103.11

EASEMENT COURSES				
NUMBER	DELTA	CHORD BEARING	RADIUS	ARC
C5	36°33'48"	S62°18'42"E	470.00	298.83
C6	44°17'30"	S66°08'33"E	470.00	353.33
C7	22°07'17"	S77°13'40"E	470.00	181.46
C8	22°07'17"	S55°04'55"E	470.00	181.46
C9	26°33'30"	S69°51'28"W	3969.72	39.69
C10	03°51'59"	S03°38'41"W	3969.72	287.89
C11	03°39'14"	S00°04'55"E	3969.72	253.15
C12	02°28'43"	S04°38'54"E	3969.72	377.28
C13	12°44'17"	S13°48'24"E	3969.72	682.59

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