

## ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0096 – 7501 N. Capital of Texas Highway – DISTRICT: 10  
Magellan International School

ZONING FROM: LO-CO

TO: GO-CO

ADDRESS: 7501 North Capital of Texas Highway Northbound (excluding Building A)

SITE AREA: 23.688 acres

PROPERTY OWNER: Reserve at Bull Creek, LLC (Federico Wilensk)

AGENT: Metcalfe Wolff Stuart and Williams, LLP (Michele Rogerson Lynch)

CASE MANAGER: Wendy Rhoades, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov); (512) 974-7719

STAFF RECOMMENDATION:

**The Staff recommendation is to grant general office – conditional overlay (GO-CO) combining district zoning. The proposed Conditional Overlay would limit building height to 35 feet. For a summary of the basis of Staff's recommendation, see page 3 of this report.**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**September 20, 2022:**

CITY COUNCIL ACTION:

**October 13, 2022:**

ORDINANCE NUMBER:

ISSUES:

A companion rezoning application from LO-CO to LR-CO in order to allow Building A to be occupied with a pet services use (a proposed hospital use for household pets) was recommended for approval by the Zoning and Platting Commission on August 16, 2022 and is scheduled for Council review on September 15th (C14-2022-0075 – 7501 N Capital of Texas Highway, Building A).

CASE MANAGER COMMENTS:

The subject rezoning area consists of the majority of one platted lot, which is located directly off of the northbound side of North Capital of Texas Highway. The portion of the property

proposed for rezoning is a 23.688 acre tract which excludes Building A. The subject site, like the remaining 0.527 acres of the property (Building A), is currently zoned as Limited Office – Conditional Overlay (LO-CO), representing an office use that serves neighborhood or community needs and is intended to coexist with residential uses in the immediate proximity of the zoning district. Significant portions of the property are located within a documented creek buffer. However, it should be noted that the existing buildings are not located within a creek buffer itself, despite being nearby.

The site is currently developed with two (2) two-story commercial office buildings and shared surface parking areas. The property is only accessible via North Capital of Texas Highway. There are office uses to the north (LO-CO) and west (LO) of the subject site, across the highway. A large tract zoned for single-family residential uses (SF-2) lies to the east, although the residences themselves are separated from the subject site by a large vegetated area that provides a buffer via both natural landscaping and elevation. The property to the south features a single-family residential Planned Unit Development (PUD), chiefly comprised of Valburn Drive and Vista Mountain Drive; these residences are also separated from the subject site by a vegetated hillside area. A topographic map and Google Maps aeriels have been included as attachments to this report to help illustrate the buffer areas.

***Please refer to Exhibits A (Zoning Map), A-1 (Aerial Exhibit), Google Maps Aeriels, and Topographic Map.***

The Applicant has requested general office – conditional overlay (GO-CO) district zoning in order to repurpose the two existing buildings with private primary (Building B) and secondary educational (Building C) facilities. The Applicant also indicated that they are requesting that the Conditional Overlay retain the existing 35-foot height limit. As information, a private secondary educational facility use is first allowed by right in the GO zoning district.

#### **BASIS OF RECOMMENDATION:**

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

The general office (GO) district is the designation for offices and selected commercial uses predominately serving community or citywide needs, such as medical or professional offices. The conditional overlay (CO) combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

The existing conditional overlay includes limitations on building height that the Applicant does not propose to alter, as outlined in the attached Summary Letter.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The requested GO-CO zoning allows for a range of office and a limited number of commercial uses to be conducted on-site. Staff recommends approval of the Applicant's request because the location is appropriate for private primary and secondary educational

facilities and the proposed conditional overlay would ensure the property retains the existing height limit. The companion rezoning application to LR-CO for Building A allows for pet services use, GO uses and development standards (except for the prescribed 35-foot height limit) ensures that the land use vision for the property remains cohesive. Given the existing land use pattern within the area, the proposal would be compatible with the adjacent and nearby uses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO-CO	Various office buildings
<i>South</i>	PUD	Single-family residences
<i>North</i>	LO-CO	Office building
<i>West</i>	LO	Various office buildings
<i>East</i>	SF-2	Single-family residences

NEIGHBORHOOD PLANNING AREA: Not Applicable

TIA: Not Required

WATERSHED: Bull Creek Watershed – Water Supply Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Loop 360  
(Capital of Texas Highway), south of  
U.S. Route 183

HILL COUNTRY ROADWAY: Yes – Moderate Intensity

SCHOOLS:

Doss Elementary School

Murchison Middle School

Anderson High School

COMMUNITY REGISTRY LIST:

53 – Northwest Austin Civic Association      98 – Lakewood Homeowners' Association  
184 – Bull Creek Homeowners' Association      269 – Long Canyon Homeowners' Association  
416 – Long Canyon Phase II & III Homeowners' Association, Inc.  
425 – 2222 Coalition of Neighborhood Associations, Inc.      475 – Bull Creek Foundation  
511 – Austin Neighborhoods Council      742 – Austin Independent School District  
1228 – Sierra Club, Austin Regional Group      1363 – SEL Texas  
1463 – River Place HOA      1507 – NW Austin Neighbors  
1530 – Friends of Austin Neighborhoods      1564 – Canyon Creek H.O.A.  
1596 – TNR BCP – Travis County Natural Resources  
1616 – Neighborhood Empowerment Foundation      1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-98-0029 – Carpenter Tract – 7801 N Capital of Texas Hwy	SF-2 to LO-CO	To Grant	Approved (12-10-1998).
C14-97-0064 – Continuum Tract – N Capital of Texas Hwy	SF-2 to LO-CO	To Grant	Approved (8-21-1997).

RELATED CASES:

The property was annexed into the City limits in September 1984 (C7A-80-006, Ord. 800925). The property is a portion of a platted lot identified as Lot 1, Block “A”, of the Re-Plat of Continuum Office Park subdivision recorded in July 2000 (C8-00-2095.0A).

C14-2022-0075 – 7501 N Capital of Texas Highway, Building A

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Capital of Texas Highway (Loop 360)	Regional Highway – Level 5	Defer to TxDOT	253 feet	82 feet	None – Defer to TxDOT	None	No stops – CMTA Route

FYI, Right-of-way needs to be coordinated with Texas Department of Transportation.

ADDITIONAL STAFF COMMENTS:Inclusive Planning

**Proposed Use:** 23.688 acres from LO-CO to GO-CO for Office to Private Secondary School.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
	<b>Imagine Austin Growth Concept Map:</b> Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. <b>Name(s) of Activity Center/Activity Corridor/Job Center:</b>



	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station.
	<b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane.
Y	<b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
	<b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
	<b>Connectivity and Education:</b> Located within 0.50 miles from a public school or university.
Y	<b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	<b>Connectivity and Health:</b> Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	<b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	<b>Housing Choice:</b> Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	<b>Mixed use:</b> Provides a mix of residential and non-industrial uses.
	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
Y	<b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
3	<b>Total Number of "Yes's"</b>

### Environmental

The site is located over the Edwards Aquifer Recharge Verification Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%

Commercial	40%	55%
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Development within a Water Quality Transition Zone is limited to 18%.

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Water Quality Transition Zone / Critical Water Quality Zone exist within the project location.

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

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

#### Parks & Recreation Department (PARC) – Planning & Design Review

There are currently no parkland requirements for uses other than residential and hotel. Given that the application is for a private secondary school, there would not be parkland dedication requirements or parkland impacts at the time of site plan or subdivision. The site is located next to Lower Bull Creek Greenbelt, and would present an opportunity to expand the Greenbelt.

#### Site Plan and Compatibility Standards

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

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

#### **Compatibility Standards**

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.

The site is subject to compatibility standards due to the abutting SF-2 lot on the east property line. The south property line also abuts a lot zoned as PUD with single family uses. Lastly, a lot zoned SF-2 is located roughly 520ft from the western property line.

### **Scenic Roadways**

This site is within the Scenic Roadway Sign District. All signs must comply with Scenic Roadway Sign District regulations. Contact Viktor Auzenne at 512-974-2941 for more information.

### **Hill Country Roadway**

The site is located within 1,000 feet of Loop 360 and within a Hill Country Roadway Corridor with a MODERATE Intensity Zone. The site may be developed with the following maximum floor-to-area ratios (FAR):

<i><u>Slope</u></i>	<i><u>Maximum FAR</u></i>
0-15%	0.25
15-25%	0.10
25-35%	0.05

Except for clearing necessary to provide utilities and access to the site, no clearing of vegetation shall be permitted within one hundred feet (100') of the dedicated right-of-way of Loop 360; however, in no case shall this vegetative buffer exceed twenty percent (20%) of the acreage of the applicant's property [Section 25-2-1023(b)].

At least forty percent (40%) of the site, excluding dedicated right-of-way, shall be left in a natural state [Section 25-2-1025].

Beyond two hundred feet (200') of the right-of-way of Loop 360, maximum height may increase but shall not exceed 40' in Moderate Intensity areas, except as provided in Section 25-2-1128, Performance Incentives [25-2-1124].

Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Land Use Commission.

### **Demolition and Historic Resources**

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

### **Wildland Urban Interface**

This site is located within 150 feet of a wildland area, in the Wildland Urban Interface (WUI). Please see this website for more information about construction in the WUI:

<http://www.austintexas.gov/departments/wildland-urban-interface-code>

### **Austin Transportation Department – Engineering Review**

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements,

will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Additional right-of-way may be required at the time of subdivision and/or site plan.

Based on the proposed land uses and intensities shown, the development is not triggering a TIA. At the time of a Site Plan application, the applicability of TIA requirements would be reviewed again.

#### Austin Water Utility

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 Austin Water for compliance with City criteria and suitability for operation and maintenance.

Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.

#### INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

A: Zoning Map

A-1: Aerial Map

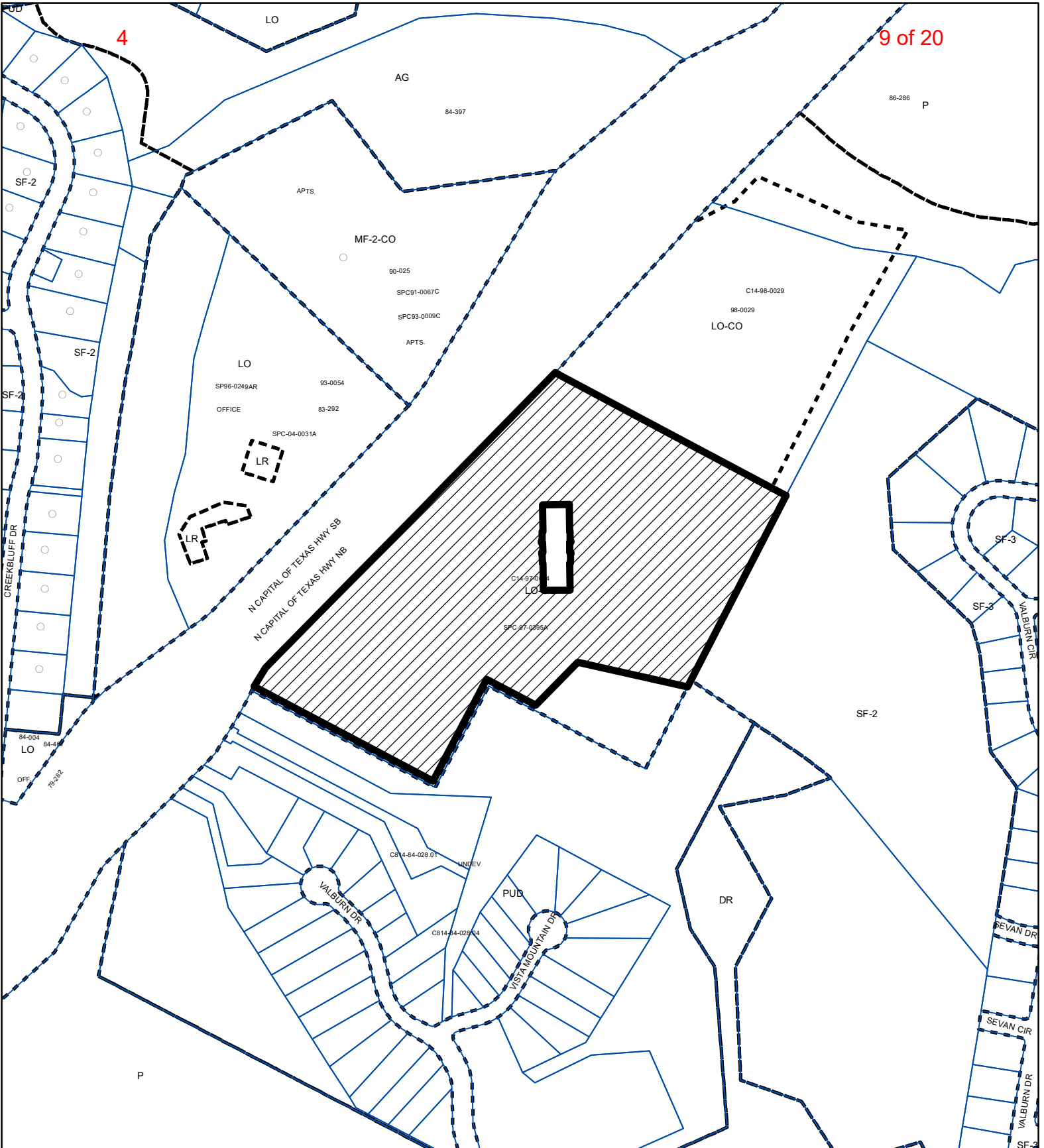
Google Maps Aerials

Topographic Map

1997 Rezoning Ordinance

Applicant's Summary Letter

Correspondence Received



## ZONING

## EXHIBIT A

ZONING CASE#: C14-2022-0096



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

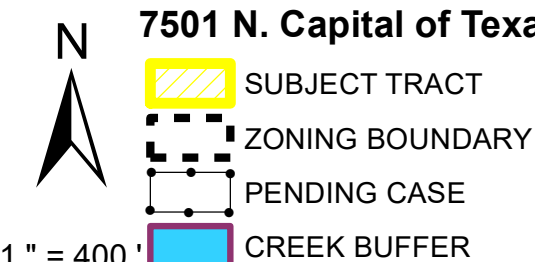
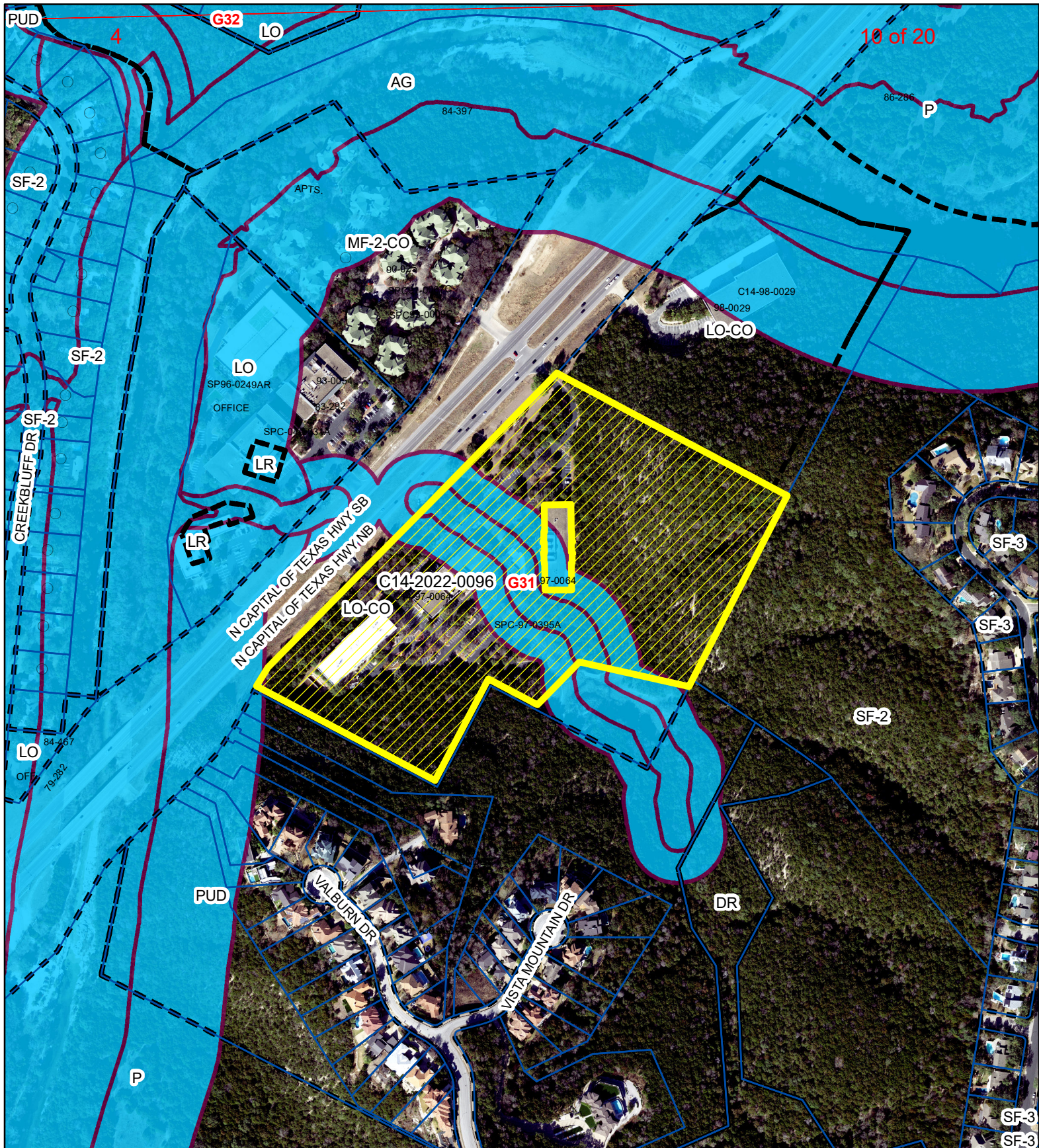
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



Created: 7/14/2022





**7501 N. Capital of Texas Highway – Magellan International School**

**ZONING CASE#:** C14-2022-0096  
**LOCATION:** 7501 N. Capital of Texas Highway  
**SUBJECT AREA:** 23.688 Acres  
**GRID:** G31  
**MANAGER:** Wendy Rhoades

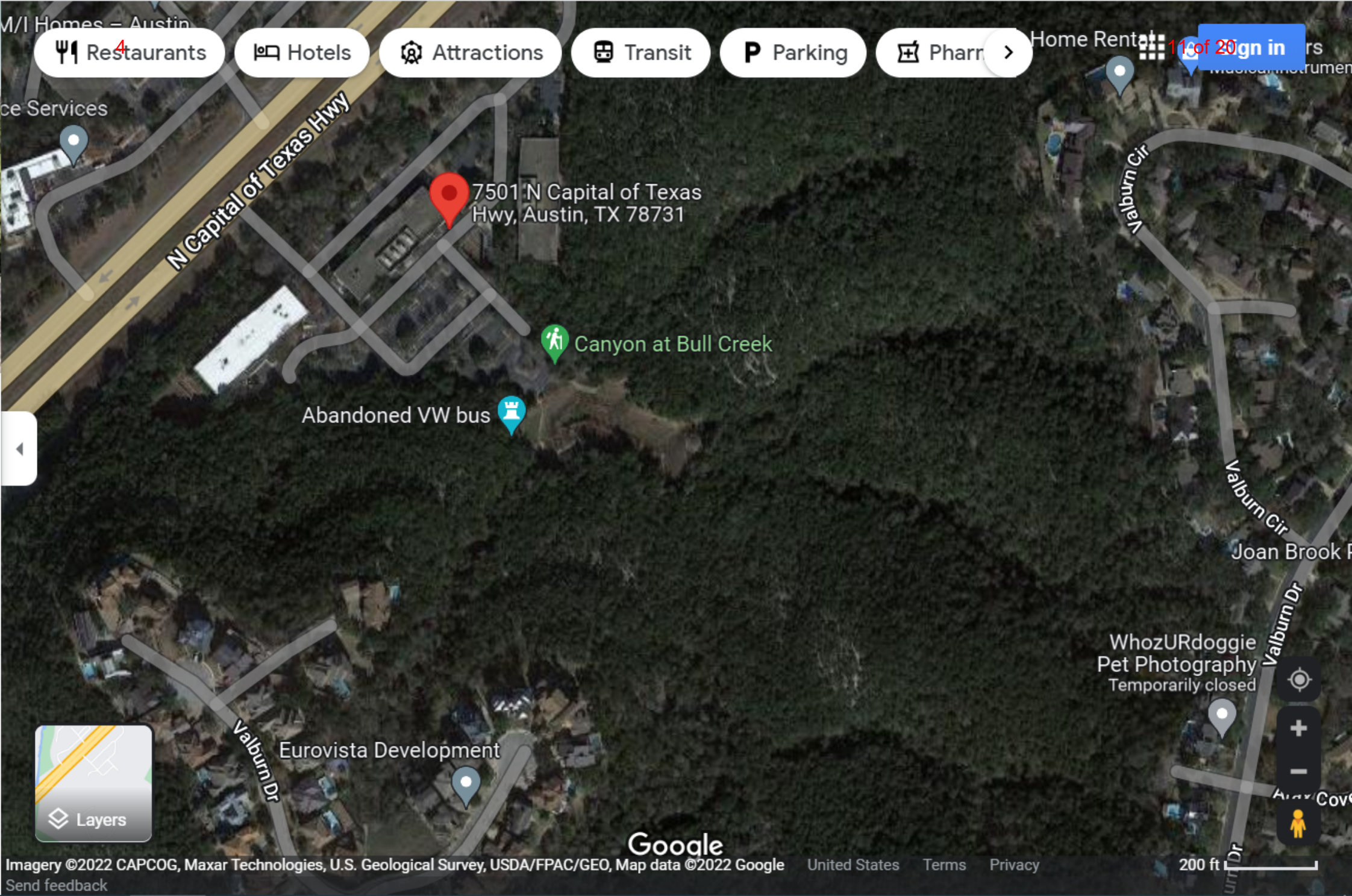
**Exhibit A - 1**



**Created: 8/3/2022**  
**by: MeekSS**

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Restaurants

Hotels

Attractions

Transit

Parking

Pharmacy

Home Rentals 11 of 20 [Sign in](#)

N Capital of Texas Hwy

7501 N Capital of Texas Hwy, Austin, TX 78731

Canyon at Bull Creek

Abandoned VW bus

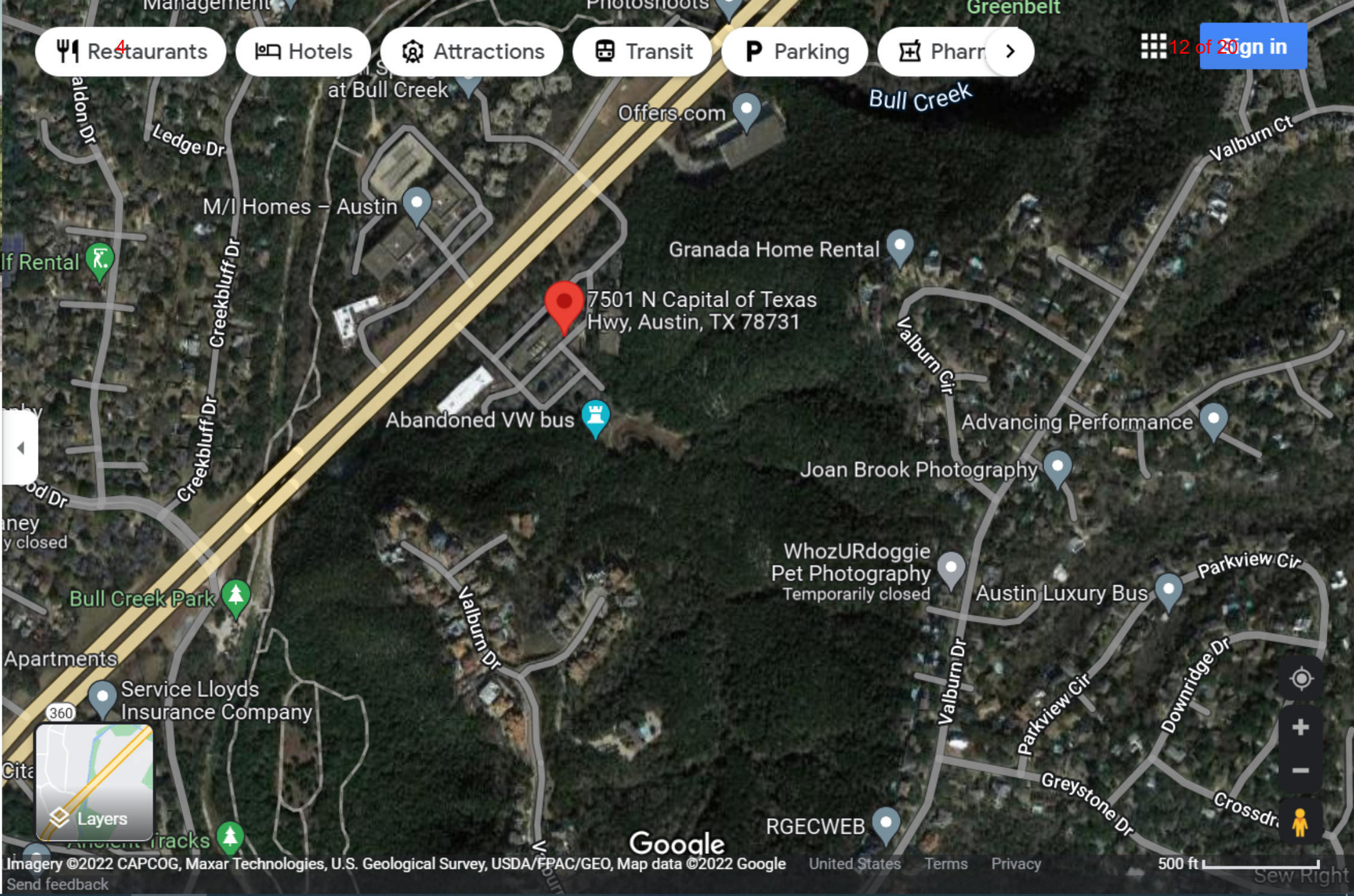
Eurovista Development

WhozURdoggie  
Pet Photography  
Temporarily closed

Layers

Google





7501 N Capital of Texas Hwy, Austin, TX 78731

Abandoned VW bus

Granada Home Rental

Joan Brook Photography

Advancing Performance

WhozURdoggie Pet Photography  
Temporarily closed

Austin Luxury Bus

Service Lloyds Insurance Company

Bull Creek Park

Google







# 4 Property Profile

## Topographic Map



### Legend

#### Property

Jurisdictions (No Fill)

FULL PURPOSE

Jurisdictions Fill

Jurisdiction

FULL PURPOSE

Planimetrics Survey 2

Contours Year- 2017

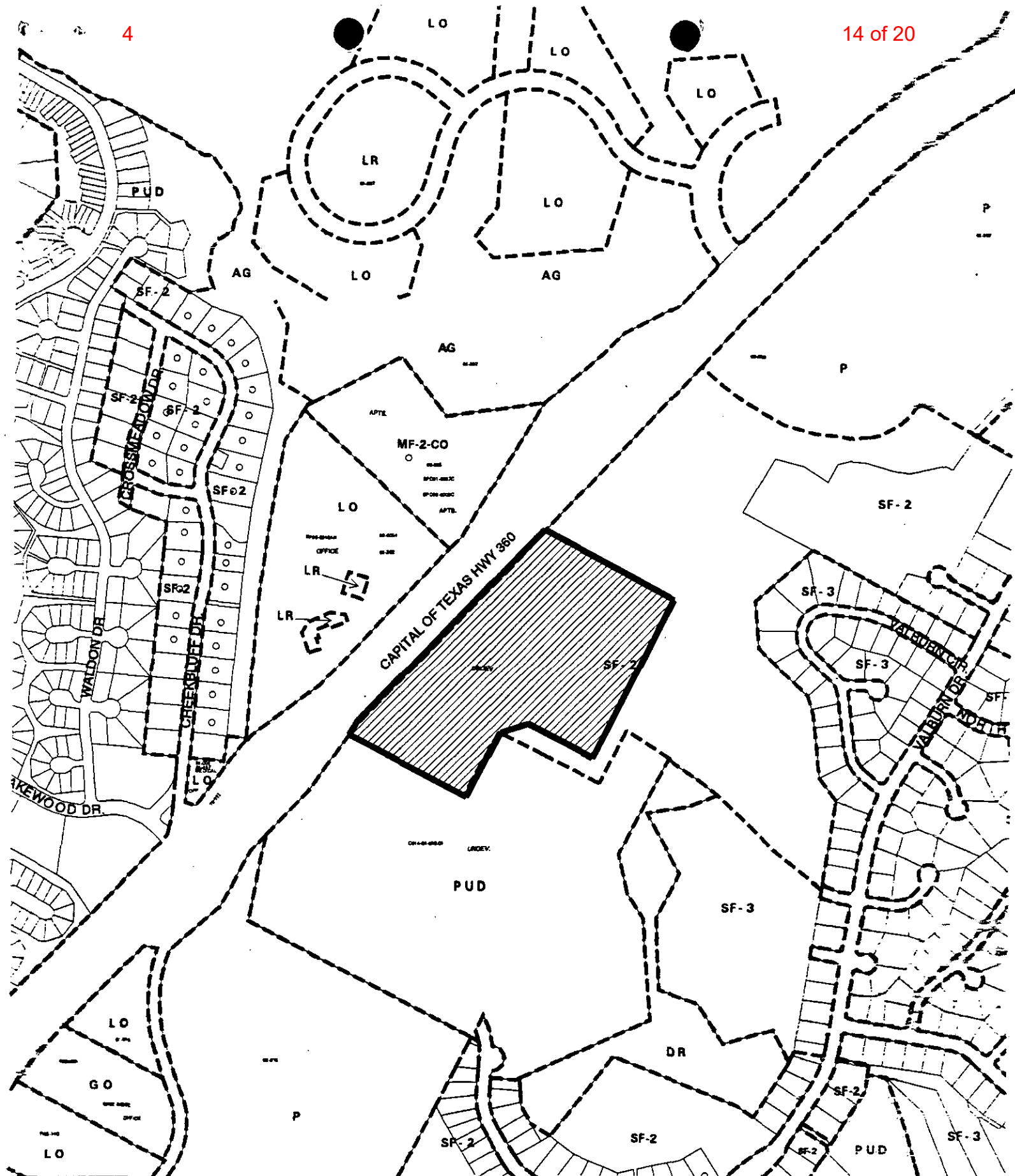
- 2 Ft Contours
- 10 Ft Contours
- 10 Ft Contours

### Notes

0 500 1000  
ft

8/9/2022

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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: JARRIAGA



## EXHIBIT "B" ZONING

CASE #: C14-97-0064

ADDRESS: N. CAPITAL OF TEXAS HWY

AND LAKEWOOD DR

SUBJECT AREA (acres): 23.410

DATE: 97-06

INTLS: TRC

CITY GRID  
REFERENCE  
NUMBER

G37

1" = 600'

SP-2



**ORDINANCE NO. 970821-F**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE AS FOLLOWS:**

**26.606 ACRE TRACT OF LAND OUT OF THE WILLIAM BELL SURVEY, THE ROBERT FOSTER SURVEY, AND THE LANDY LINSEY SURVEY, TRAVIS COUNTY, FROM "SF-2" SINGLE FAMILY RESIDENCE (STANDARD LOT) DISTRICT TO "LO-CO" LIMITED OFFICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN THE PROPERTY LOCATED NEAR LAKEWOOD DRIVE AND NORTH LOOP 360 HIGHWAY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.**

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

**PART 1.** The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the base zoning district from "SF-2" Single Family Residence (Standard Lot) district to "LO-CO" Limited Office district-Conditional Overlay combining district on the property (the "Property") described in File C14-97-0064, as follows:

26.606 acre tract of land out of the William Bell Survey No. 44, Abstract No. 117, the Robert Foster Survey No. 43, Abstract No. 284, and the Landy Linsey Survey No. 287, Abstract No. 505, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as the property located near Lakewood Drive and North Loop 360 Highway, in the City of Austin, Travis County, Texas, and as more particularly 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:

1. No structure of any kind may be built to a height greater than 35 feet above ground level on the Property.

2. Notwithstanding any other provision of the Land Development Code applicable to the Property on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of the Property, or any portion of the Property, may be approved or released, and no building permit for construction of a building on the Property, may be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or previously authorized development and uses of the Property, generates traffic exceeding the total traffic generation of 2,000 vehicle trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the "LO" Limited Office base district and other applicable requirements of the Land Development Code.

**PART 3.** The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

**PART 4.** This ordinance takes effect on September 1, 1997.

### PASSED AND APPROVED

August 21, 1997.

§  
§  
§

*Kirk Watson*

Kirk Watson  
Mayor

APPROVED:

*Andrew Martin*

Andrew Martin  
City Attorney

ATTEST:

*James E. Aldridge*

James E. Aldridge  
City Clerk



METCALFE WOLFF  
STUART & WILLIAMS, LLP

MICHELE ROGERSON LYNCH  
Director of Land Use &  
Entitlements

512-404-2251

June 29, 2022

Mr. Jerry Rusthoven, Zoning Officer  
Housing and Planning Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704

**Via Online Submittal**

Re: Application for Rezoning; 24.22 acres located at 7501 N. Capital of Texas Highway, Austin, TX 78731, save and except 0.527 acres (Building A) for 23.69 acres (the "Property").

Dear Mr. Rusthoven:

As representatives of the owner of the above stated Property we respectfully submit the attached Application for Rezoning. The Property is located at 7501 N. Capital of Texas Highway, (see Location Map attached) and is currently zoned Limited Office Conditional Overlay Combining District (LO-CO). The Application for Rezoning requests to rezone the Property to General Office Conditional Overlay Combining District (GO-CO) to allow for a Private Secondary School use within Buildings B & C. A Rezoning Application for Building A has been submitted under a separate case number (C14-2022-0075); this request is to rezone Building A from LO-CO to CS-CO to allow for a Veterinary Services use.

The Property is not within a designated neighborhood plan and currently has a Conditional Overlay that establishes the following conditions: 1) A height limit of 35 feet above ground level on the Property; and 2) Traffic limitation of the use to not exceed the total traffic generation of 2,000 vehicle trips per day.

The proposed Conditional Overlay with the GO Rezoning will have a height limit of 35 feet above ground level on the Property. A Traffic Impact Analysis is not required pursuant to the TIA Determination form attached to the Application for Rezoning

If you have any questions about this Application for Rezoning or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

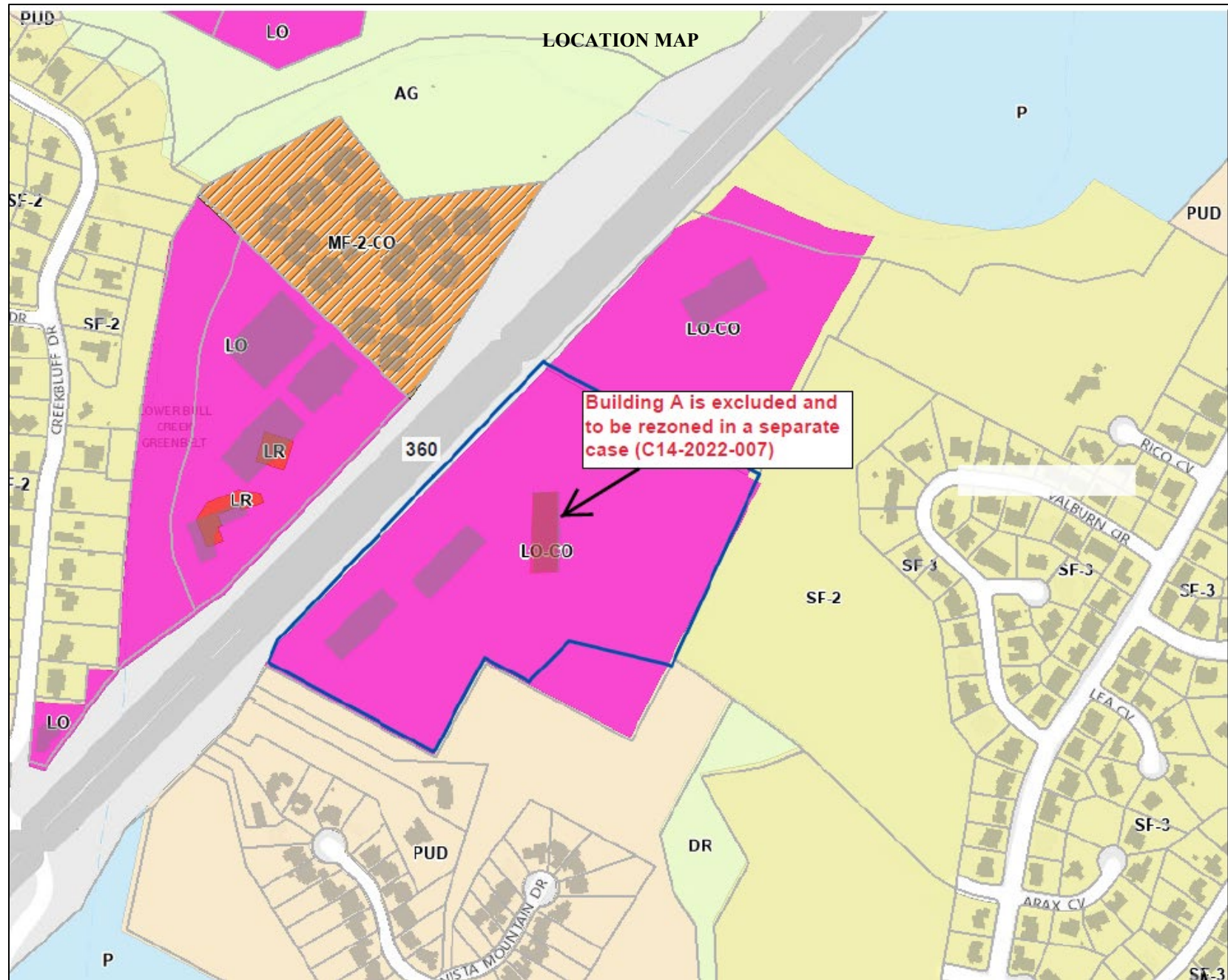


Page 2

Very truly yours,

*Michele Rogerson Lynch*

Michele Rogerson Lynch



**Dietz, Michael**

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**From:** Jennifer Brasher  
**Sent:** Saturday, August 13, 2022 8:40 AM  
**To:** Dietz, Michael  
**Subject:** Permit 2022-102347 ZC

\*\*\* External Email - Exercise Caution \*\*\*

Hi.

I put a note in via the city website and didn't hear back but noticed you are the case manager for the rezoning application 2022-102347.

I noticed this application say no traffic study is needed because it's less than 2000 trips per day. That is a growing school and the trips will exceed that quickly if they have more space to grow into. Currently at 400+ students that is 1600+ trips / impacts to 360 and that doesn't include staff/visitors.

In addition, it is not spaced trips. Half is in the morning during rush hour on an already very busy road. They want parents to turn in from 360 and back out all between 7:45-8:15 am. Recent conversations were to improve traffic on 360, hence the approved changes at the courtyard light to keep traffic moving.

A school will have a major traffic impact on 360.

The city should look at the current location and how that impacts Shoal Creek.

I strongly suggest a review on traffic is needed and it is inaccurate for the applicant to say less than 2000 trips a day when the intent of a new/bigger space is to expand, including a high school which they do not currently have.

Jennifer Brasher

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