

**Zoning Ordinance Approval**  
**CITY OF AUSTIN**  
**RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: 43**  
**AGENDA DATE: Thu 02/17/2005**  
**PAGE: 1 of 1**

**SUBJECT:** C14-04-0188 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 205 East Rundberg Lane (Little Walnut Creek Watershed) from family residence (SF-3) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. First reading on January 27, 2005. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant and Agent: Duc Nguyen. City Staff: Glenn Rhoades, 974-2775.

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

## **SECOND/THIRD READING SUMMARY SHEET**

**ZONING CASE NUMBER:** C14-04-0188

**REQUEST:**

Approve second and third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 205 East Rundberg Lane from family residence (SF-3) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. First reading on January 27, 2005. Vote: 7-0. This case was approved by the Zoning and Platting Commission on January 4, 2005, for limited office-conditional overlay (LO-CO) combining district zoning. The conditional overlay limits the property to NO uses, with LO development regulations (Vote: 9-0).

**DEPARTMENT COMMENTS:**

This case was approved by the Zoning and Platting Commission on January 4, 2005, for limited office-conditional overlay (LO-CO) combining district zoning. The conditional overlay limits the property to NO uses, with LO development regulations (Vote: 9-0).

**APPLICANT/AGENT:** Duc Nguyen

**DATE OF FIRST READING/VOTE:**

January 27, 2005 -- Approved LO-CO on first ordinance reading (Vote: 7-0).

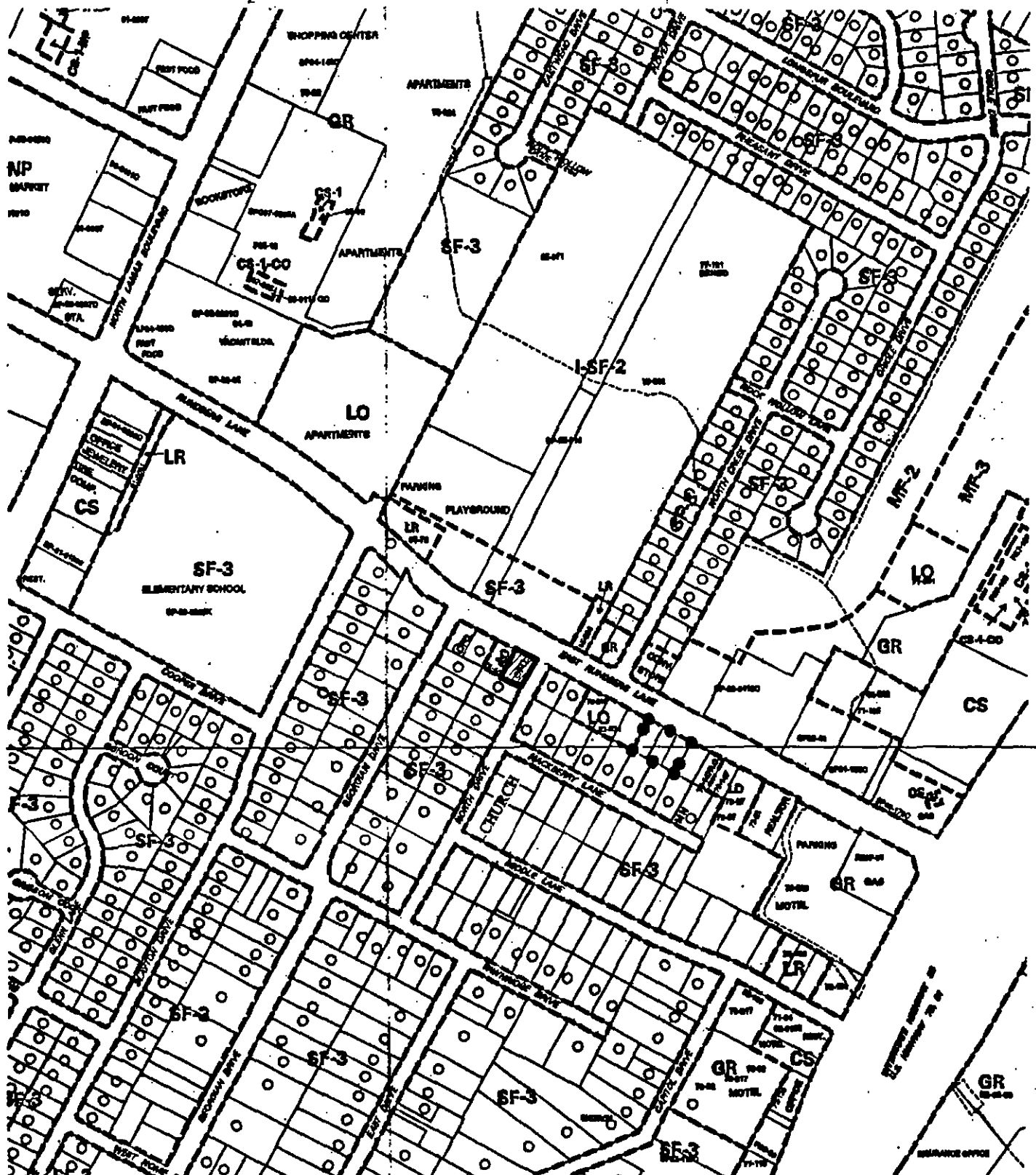
**CITY COUNCIL DATE:**

January 27, 2005 -- Approved LO-CO

February 17, 2005 -

**ASSIGNED STAFF:** Glenn Rhoades

**PHONE:** 974-2775  
glenn.rhoades@ci.austin.tx.us



 1" = 400'	<b>SUBJECT TRACT</b> PENDING CASE ZONING BOUNDARY CASE MGR: G. RHOADES	<b>ZONING</b> CASE #: C14-04-0188 ADDRESS: 205 E RUNDBERG LANE SUBJECT AREA (acres): 0.167	DATE: 04-11 INTLS: 8M	CITY GRID REFERENCE NUMBER L30

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 205 EAST RUNDBERG LANE FROM FAMILY RESIDENCE (SF-3) DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT.**

**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 district from family residence (SF-3) district to limited office-conditional overlay (LO-CO) combining district on the property described in Zoning Case No. C14-04-0188, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 3, Block 8B, Georgian Acres Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 4, Page 341, of the Plat Records of Travis County, Texas, (the "Property")

locally known as 205 East Rundberg Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as "Exhibit A".

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

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

2. The following uses are prohibited uses of the Property:

Communications services  
Cultural services  
Medical offices (exceeding 5,000 s.f.  
gross floor area)

Convalescent services  
Medical offices (not exceeding 5000 s.f.  
gross floor area)

Except as specifically restricted under this ordinance, the Property may be developed in accordance with the regulations established for the limited office (LO) base district and other applicable requirements of the City Code.

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3 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2005.

4  
5 **PASSED AND APPROVED**

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7  
8 \_\_\_\_\_, 2005

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§  
§

9  
10  
11 **APPROVED:** \_\_\_\_\_

12  
13 **ATTEST:** \_\_\_\_\_

14  
15 David Allan Smith  
16 City Attorney

Shirley A. Brown  
City Clerk



## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-04-0188

**Z.A.P. DATE:** January 4, 2005

**C.C. DATE:** January 27, 2005  
February 17, 2005

**ADDRESS:** 205 East Rundberg Lane

**OWNER/AGENT:** Duc Nguyen

**ZONING FROM:** SF-3

**TO:** LO  
Amended to LO-CO

**AREA:** .167 acres

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

January 4, 2004 – Approved LO-CO. The conditional overlay limits the property to NO uses, with LO development regulations by consent (Vote: 9-0).

### **DEPARTMENT COMMENTS:**

The applicant is requesting the proposed change in order to use the site for an office use.

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends the proposed change to LO, Limited Office district zoning. The applicant agrees with the Commissions alternate recommendation.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3	Single Family
<i>North</i>	SF-3 LR	Undeveloped, Parking Office
<i>South</i>	SF-3	Single Family
<i>East</i>	SF-3 LO	Single Family Office
<i>West</i>	LO, SF-3	Office

**AREA STUDY:** N/A

**TIA:** N/A

**WATERSHED:** Little Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

### **NEIGHBORHOOD ORGANIZATIONS:**

#028 – Georgian Acres  
#144 – North Growth Corridor Alliance  
#511 – Austin Neighborhood Alliance  
#837 – Taking Action Inc.

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-04-0143	SF-3 to GR	Approved GO-CO. The CO limits the site to personal services as the only allowed GO use and all NO uses (Vote: 9-0). 10/19/04.	Approved ZAP recommendation (Vote: 7-0). 12/2/04.

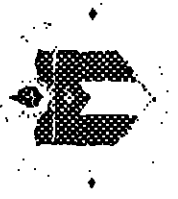
**ABUTTING STREETS:**

<b>NAME</b>	<b>ROW</b>	<b>PAVEMENT</b>	<b>CLASSIFICATION</b>
North Drive	50'	30'	Local
Rundberg Lane	90'	2@24'	Arterial

**CITY COUNCIL DATE:** January 27, 2004**ACTION:** Approved LO-CO. Vote: 7-0.  
The CO limits the site to NO uses.**ORDINANCE READINGS:** 1st 1/27/05 2<sup>nd</sup> 3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Glenn Rhoades**PHONE:** 974-2775







# City of Austin Infrastructure Support Services

Case # C14-04-0188

Base  
Subdivision



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## **STAFF RECOMMENDATION**

Staff recommends the proposed change to LO, Limited Office district zoning.

## **BASIS FOR RECOMMENDATION**

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

LO, Limited Office district is intended for offices predominantly serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods.

The proposed change meets the purpose statement set forth in the Land Development Code. It is adjacent to a single-family neighborhood and will potentially service the nearby residents. In addition, the site will take access to Rundberg Lane, which is classified as an arterial roadway.

*The proposed zoning should promote consistency, and orderly planning.*

The proposed change is consistent and compatible with the existing uses and zonings on this portion of Rundberg Lane. The property to the west is zoned LO, as well as the property further to the east. This is the second application for office zoning along this stretch of Rundberg in the last few months. The dotted area on the attached map received GO-CO zoning on December 12, 2004

*The proposed zoning should allow for a reasonable use of the property.*

Due to the commercial nature of this part of Rundberg Lane, staff believes the proposed change to be a fair and reasonable use of the property.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is currently developed with a single-family dwelling.

### **Transportation**

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

The trip generation under the requested zoning is estimated to be 1,413 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

Capital Metro bus service is available along Rundberg Lane.

There are sidewalks along Rundberg Lane.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

### **Impervious Cover**

The maximum impervious cover allowed under LO is 70%.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone/Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

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

### **Right of Way**

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

### **Water and Wastewater**

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or system upgrades, or offsite main extension, or utility relocation, or utility adjustment are required, the landowner will be responsible for all costs and providing. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria and specifications.

### **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. Along the east and south property line, the following standards apply:

- No structure may be built within 25 feet of the property line. Additionally, a 25 foot front setback from a right-of-way is required, since the subject tract adjoins property in an urban family residence (SF-5) or more restrictive zoning district.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.