

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-9
AGENDA DATE: Thu 05/19/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0023 - Murphy Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5029 Southwest Parkway (Barton Creek Watershed-Barton Creek Zone) from development reserve (DR) district zoning to general office (GO) district zoning for Tract 1, limited office (LO) district zoning for Tract 2 and Rural Residence (RR) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning for Tract 1, limited office-conditional overlay (LO-CO) combining district zoning for Tract 2 and Rural Residence-conditional overlay (RR-CO) combining district zoning, with conditions. Applicant: Murphey Thomas Oran. Agent: Bury and Partners (Jim Gallegos). City Staff: Robert Heil, 974-2330.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0023 (Murphy Tract)

City Council Date: May 12, 2005
April 28, 2005

ZAP Date: April 5, 2005
April 19, 2005

ADDRESS: 5029 Southwest Parkway

OWNER/APPLICANT: Murphey Thomas Oran

AGENT: Bury & Partners (Jim Gallegos)

ZONING FROM: DR

TO: GO for tract 1 (1.024 acres)
LO for tract 2 (40.829 acres), and
RR for tract 3 (6.264 acres).
Total (48.117 acres)

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of GO-CO for tract 1 (1.024 acres), LO-CO for tract 2 (40.829 acres), and RR-CO for tract 3 (6.264 acres).

Additionally, staff recommends that the recommendations of the Traffic Impact Analysis be incorporated into a public restrictive covenant, specifically:

- Design of the median opening on Southwest Parkway at Driveway A shall be designed as a limited function media to allow left in or left out movements only.
- Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions and other traffic related characteristics.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

April 5, 2005: Postponed to April 19, 2005 at the request of the staff due to a notification error. (Approved 8-0).

April 19, 2005: Approved GO-CO for tract 1 (1.024 acres), LO-CO for tract 2 (40.829 acres), and RR-CO for tract 3 (6.264 acres).

The Conditional Overlay is as follows:

- Design of the median opening on Southwest Parkway at Driveway A shall be designed as a limited function media to allow left in or left out movements only.
- Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions and other traffic related characteristics.
- The height on tract 1 is limited to 4 stories

- A natural landscaped buffer will be provided in a radius of 750 feet from the southwest corner of the property. Irrigation will be permitted in this area as required for on-site water quality control.
- Lighting on the property will be shielded so that the lighting shall not shine upon adjacent properties
- At the time an application for approval of a site plan is submitted for the development of the property, or any portion of the Property, an Integrated Pest Management (IPM) Plan shall be submitted to the Watershed Protection and Development Review Department for review and approval. The IPM plan shall comply with the guidelines in Section 1.6.9.2 (D) and (F) of the Environmental Criteria Manual that are in effect on the date of this covenant.
- At the time an application for approval of a site plan is submitted for development of the Property, a landscape plan for the use of native and adapted plant materials according to the Grow Green Plan List shall be submitted to the Watershed Protection and Development Review Department for review and approval.
- The use of coal-tar based asphalt sealants for the construction or repair of paving on the Property is strictly prohibited.
- The project will otherwise comply with site development standards comparable to the S.O.S. Ordinance.

DEPARTMENT COMMENTS:

The Murphy Tract is a 48.117 acre development located on Southwest Parkway west of MoPac. The property is currently undeveloped and zoned Development Reserve (DR). The applicant has requested a zoning change to General Office (GO), Limited Office (LO), and Rural Residential (RR). The intended use is for 344,000 square feet of office use. The estimated completion of the project is in 2006.

There is a developed office use with Limited Office (LO) zoning largely surrounded by the subject tract. One single family house on otherwise vacant Development Reserve (DR) zoned land lies to the west. Across Southwest Parkway to the north lies undeveloped land (DR) and a developed single family subdivision (SF-6-CO). To the south and southeast are a mix of light industrial and commercial zoning with warehouse, construction storage and office uses.

The property is located in the proposed Galindo Neighborhood Planning Area, that is scheduled to begin in the October 2005. The tentative Planning Commission Public hearing dates should occur in the June 2006, and the City Council will consider the neighborhood plan and rezoning in the summer of 2006.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Undeveloped
<i>North</i>	LO and SF-6-CO	Office and Single Family Homes
<i>South</i>	DR and IP	Undeveloped and Construction Office
<i>East</i>	LI and LO-CO	Auto Repair and Office
<i>West</i>	DR	Undeveloped and Single Family

AREA STUDY: The property is within the proposed East Oak Hill Neighborhood Planning Area.

TIA: N/A

WATERSHED: Barton Creek (Barton Springs Zone)

DESIRED DEVELOPMENT ZONE: No **CAPITOL VIEW CORRIDOR:** No

HILL COUNTRY ROADWAY: Yes – Low Intensity Zone

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Oak Hill Association of Neighborhoods
- Oak Hill Association of Neighborhoods (78735)
- Oak Hill Association of Neighborhoods (78736)
- Oak Hill Association of Neighborhoods (78737)
- Oak Hill Association of Neighborhoods (78738)
- Oak Hill Association of Neighborhoods (78739)
- Oak Hill Association of Neighborhoods (78749)
- Save Barton Creek Association
- Barton Springs Coalition
- Edwards Aquifer / Barton Springs Conservation District
- Save our Springs Alliance

SCHOOLS: (AISD)

Oak Hill Elementary School Small Middle School

Austin High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Southwest Parkway	160'	120'	Six Lane Divided Major Arterial

C14-05-0023

CITY COUNCIL DATE:

ACTION:

May 12, 2005:

April 28, 2005:

Postponed Until May 12, 2005

ORDINANCE READINGS:

1st

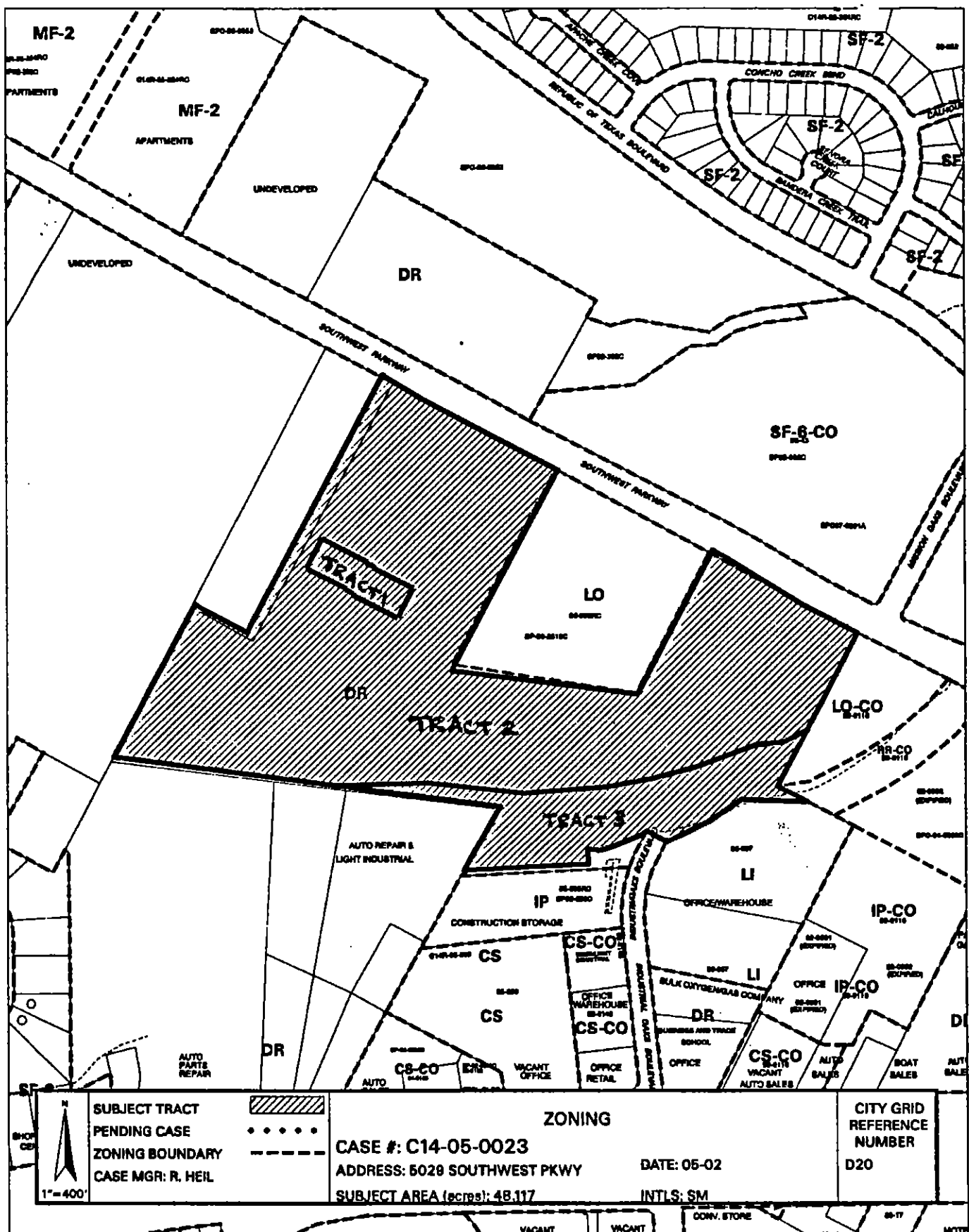
2nd

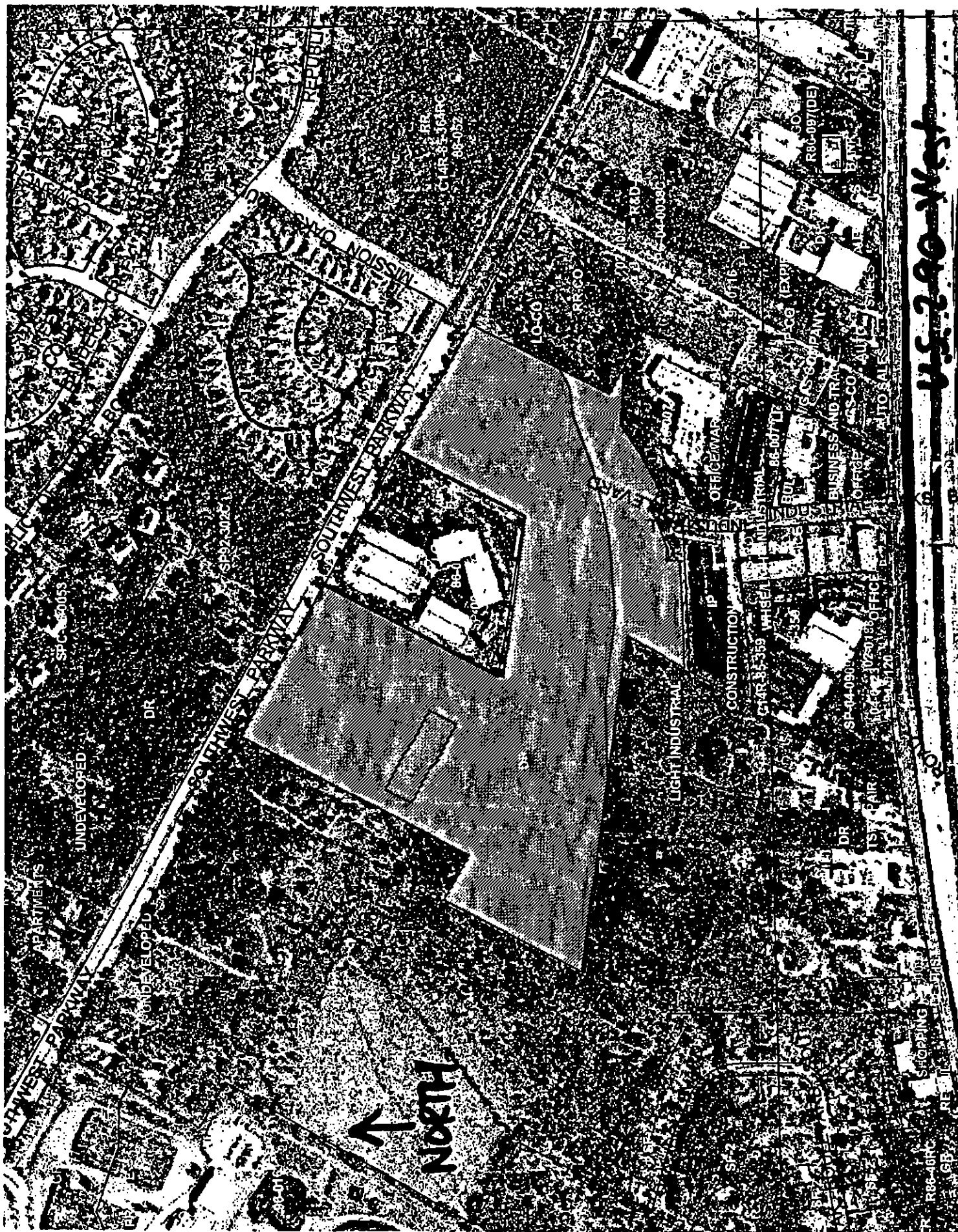
3rd

ORDINANCE NUMBER:

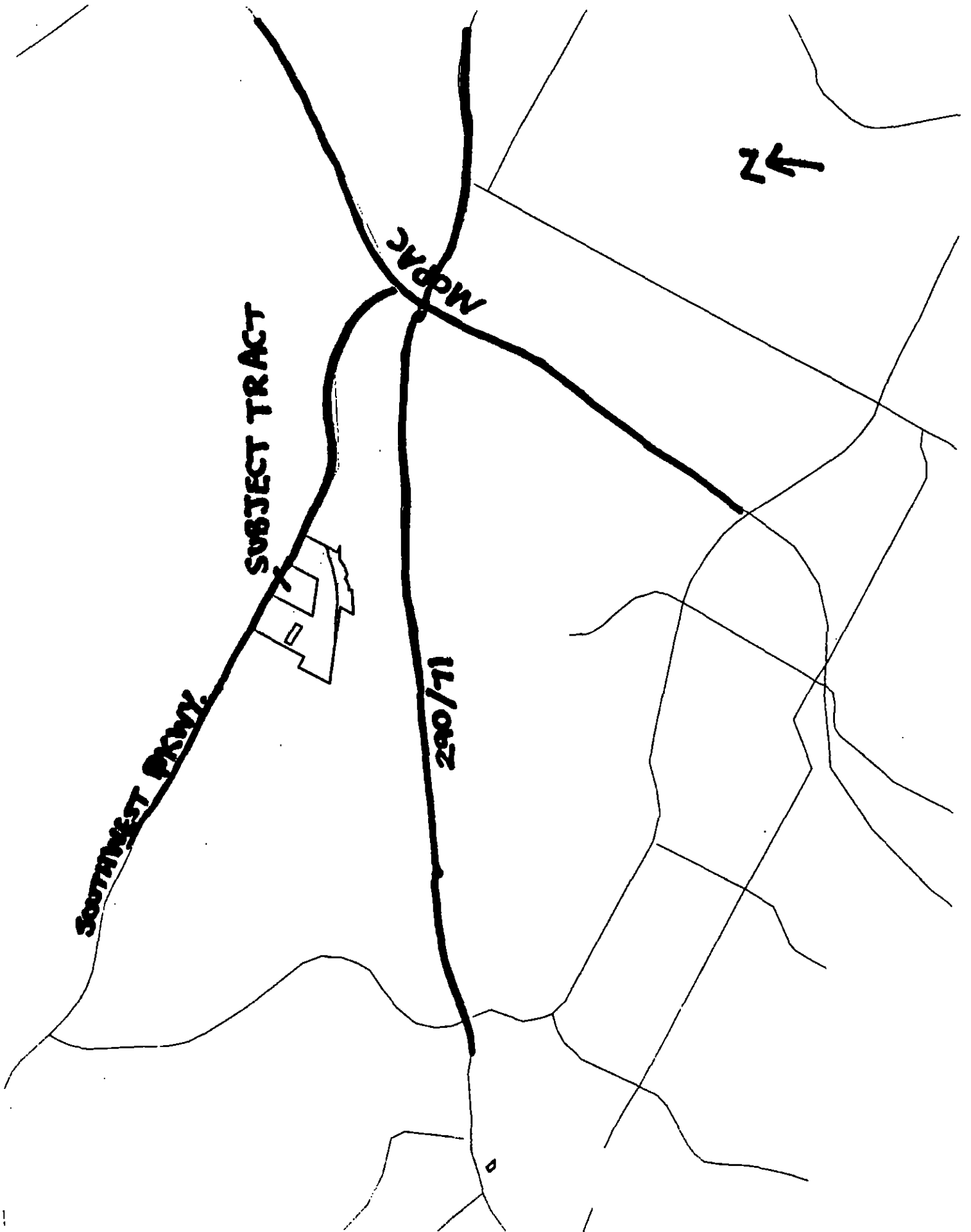
CASE MANAGER: Robert Heil
e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330





~~452N-06257~~



SUMMARY STAFF RECOMMENDATION

C14-05-0023

Staff recommends approval of GO-CO for tract 1 (1.024 acres), LO-CO for tract 2 (40.829 acres), and RR-CO for tract 3 (6.264 acres).

Additionally, staff recommends that the recommendations of the Traffic Impact Analysis be incorporated into a public restrictive covenant, specifically:

- Design of the median opening on Southwest Parkway at Driveway A shall be designed as a limited function media to allow left in or left out movements only.
- Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions and other traffic related characteristics.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

General Office (GO) is the designation for an office or commercial use that serves community and city-wide needs. Limited Office is the designation for an office use that serves neighborhoods or community needs and that is located in or adjacent to residential neighborhoods. Rural Residential is the designation for a low density residential use on a lot that is a minimum of one acre. The proposed zoning is consistent with the purposes of these districts.

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

General Office is appropriate adjacent to existing Limited Office (LO) zoning to the east and the Townhouse and Condominium Residence (SF-6) zoning across Southwest Parkway to the north.

EXISTING CONDITIONS

The Murphy Tract is a 48.117 acre development located on Southwest Parkway west of MoPac. The property is currently undeveloped and zoned Development Reserve (DR). The applicant has requested a zoning change to General Office (GO), Limited Office (LO), and Rural Residential (RR).

There is a developed office use with Limited Office (LO) zoning largely surrounded by the subject tract. One single family house on otherwise vacant Development Reserve (DR) zoned land lies to the west. Across Southwest Parkway to the north lies undeveloped land (DR) and a developed single family subdivision (SF-6-CO). To the south and southeast are a mix of light industrial and commercial zoning with warehouse, construction storage and office uses.

Site Plan

This site is located within the Hill Country Roadway Corridor, LOW Intensity Zone. The floor-to-area ratio of a non-residential building may not exceed

- .20 for a building on property with a slope gradient of 15 percent or less.
- .25 for a building on property with a slope gradient of 15 percent or less if the Land Use Commission grants a development bonus under Section 25-2-1128
- .08 for a building on property with a slope gradient of more than 15 percent but not more than 25 percent.
- .04 for a building on property with a slope gradient of more than 25 percent but not more than 35 percent.

A commission approved site plan that may be appealed to City Council will be required prior to the issuance of a building permit for this site.

This site is located in the Barton Springs Zone, no individual retail use may exceed 50,000 square feet and no food sales use may exceed 100,000 square feet. [Sec. 25-2-651]

As the property to the west is used as residential, the site is subject to compatibility standards. Along the west property line, the following standards apply:

- No structure may be built within 25 feet of the residential property line to the west.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the residential property line to the west.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the residential property line to the west.
- No parking or driveways are allowed within 25 feet of the residential property line to the west.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Transportation

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments are provided in an attached memo dated March 28, 2005 (Attachment A).

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustments are required, the landowner, at own expense, will

be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The landowner must pay the associate City fees.

The landowner must pay the tap and impact fee once the landowner makes an application for a City water and wastewater utility tap permit.

Environmental

This site is located over the Southern Edward's Aquifer Recharge Zone. The site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed . It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing zone. This tract lies in the recharge zone.

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

The site is located within the endangered species survey area.

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 existing trees and other 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 on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention. Runoff from the site is required to comply with pollutant load restrictions as specified in LDC Section 25-8-514.



Date: March 28, 2005
To: Robert Heil, Case Manager
CC: Kathy Hornaday, P.E. WHM Transportation Engineering
Reference: Murphy Tract TIA, C14-05-0023

The Transportation Review Section has reviewed the Traffic Impact Analysis for the Murphy Tract, dated February 2005, prepared by Lynn Ann Carley, P.E., WHM Transportation Engineering, and offers the following comments:

TRIP GENERATION

The Murphy Tract is a 48.117-acre development located in southwest Austin on Southwest Parkway west of MoPac.

The property is currently undeveloped and zoned Development Reserve (DR). The applicant has requested a zoning change to General Office (GO), Limited Office (LO) and Rural Residence (RR). The estimated completion of the project is expected in the year 2006.

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 3,454 unadjusted average daily trips (ADT).

The table below summarizes the trip generation by land use for the proposed development:

Table 1. Trip Generation						
			AM Peak		PM Peak	
LAND USE	Size	ADT	Enter	Exit	Enter	Exit
Office	344,000	3,454	443	60	79	385

ASSUMPTIONS

1. Traffic growth rates provided by the City of Austin were as follows:

Table 2. Growth Rates per Year	
Roadway Segment	%
All Roads	5 %

2. In addition to the growth rate, background traffic volumes for 2005 included estimated traffic volumes for the following projects:

Bryam Tract/Extended Stay America	SP-00-2516C
Foster Ranch	SPC-01-0004C
Plaza at Southwest Parkway	SP-01-0094C
Oakhill Technology Park	SPC-04-0038C

3. No reductions were taken for pass-by, internal capture, or transit use.

EXISTING AND PLANNED ROADWAYS

Loop 1/MoPac – Located west of the proposed development, MoPac is classified as a six-lane parkway between Loop 360 and US 290 West. This roadway provides a primary route to the proposed development. The 2002 traffic volumes north of US 290 West were 106,000 vehicle trips per day. The Bicycle Plan recommends priority one route 434 from Loop 360 to US 290 West.

Southwest Parkway – This roadway is classified as a six-lane divided major arterial between William Cannon Drive and US 290 West. Southwest Parkway forms the northern boundary of the site and provides its primary access. Year 2004 traffic volumes for Southwest Parkway east of Foster Ranch Road were 20,427 vehicle trips per day. This roadway is in the Bicycle Plan as a priority one route.

William Cannon Drive – The Austin Metropolitan Area Transportation Plan classifies this roadway as a six-lane divided major arterial between Southwest Parkway and US 290 West. Year 1997 traffic volumes on William Cannon Drive north of the US 290 West were 11,560 vehicle trips per day. This roadway is in the Bicycle Plan as a priority one route.

Republic of Texas Boulevard – This roadway is located east of the proposed development and is classified as a collector. North of Southwest Parkway, traffic volumes for year 1997 were 6,770 vehicle trips per day. The Bicycle Plan proposes a priority one route along Republic of Texas Boulevard from Southwest Parkway to Travis Country Circle.

Foster Ranch Road – Foster Ranch Road is located west of the proposed development and is currently a two lane collector roadway. North of Southwest Parkway, 2003 traffic volumes were 2,500 vehicle trips per day.

Mission Oaks Boulevard – Mission Oaks Boulevard is classified as a two-lane collector roadway and is located east of the proposed development.

INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 8 intersections, 5 of which are signalized. Existing and projected levels of service are as follows, assuming that all improvements recommended in the TIA are built:

Table 3. Level of Service				
Intersection	2005 Existing		2006 Site + Forecasted	
	AM	PM	AM	PM
Loop 1 EFR and Southwest Parkway*	B	D	C	D
Loop 1 WFR and Southwest Parkway*	B	C	B	C
Republic of Texas Blvd. and Southwest Parkway*	D	B	D	B
Foster Ranch Road and Southwest Parkway*	B	B	B	B
William Cannon Dr. and Southwest Parkway*	A	B	A	B
Mission Oaks Blvd. and Southwest Parkway	A	A	A	A
Driveway A and Southwest Parkway			A	A
Driveway B and Southwest Parkway			A	A

*= SIGNALIZED

RECOMMENDATIONS

- 1) Design of the median opening on Southwest Parkway at Driveway A shall be designed as a limited function median to allow left in or left out movements only (see Figure 1-14 or 1-15 of the TCM). Final design will be approved with the site plan application.
- 2) Prior to 3rd Reading at City Council, three copies of the final TIA shall be submitted.
- 3) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2628.



Amy Link
Sr. Planner - Transportation Review Staff
Watershed Protection and Development Review

**CITY ZONING AND PLATTING
COMMISSION**

April 19, 2005 [ANNOTATED]

**CITY COUNCIL CHAMBERS AT CITY HALL
301 W. 2ND Street
1st Floor**

CALL TO ORDER – 6:00 P.M.

COMMENCED: 6:00 P.M.

ADJOURNED: 10:15 P.M.

____ Betty Baker - Chair

____ John Philip Donisi

____ Jay Gohil

A Clarke Hammond - Secretary

____ Melissa Whaley Hawthorne- Assist. Sec.

A Keith Jackson - Parliamentarian

____ Joseph Martinez – Vice-Chair

____ Janis Pinnelli

____ Teresa Rabago

CONDUCT OF PUBLIC HEARINGS

1. Chair announces request.
2. Staff presents a summary of the case.
3. Chair calls on those FAVORING the request.
4. Applicant's presentation (5 minutes).
5. Others favoring the request (3 minutes).
6. Chair calls on those OPPOSING the request.
7. Primary presentation (5 minutes).
8. Others opposing the request (3 minutes).
9. Applicant is given opportunity to answer objections stated. (3 minutes)
10. Staff summation and questions from the Commission.
11. The public hearing on a zoning case may be closed and no further testimony is taken from the public.
12. If the public hearing is closed, the Commission shall make a recommendation to the City Council within 14 days or the case will be forwarded to the City Council without a recommendation. (Section 25-2-282).

All of the following items may be acted upon by one motion. The Commission does not consider items earlier than the time stated on the agenda; "Other Business" items can be taken at any time. After the posted time, the Commission Chairperson may announce the item and, if there is no opposition, the item may be taken "by consent" for approval without discussion.

CITIZENS WISHING TO SPEAK BEFORE THE COMMISSION MUST REGISTER BY SIGNING A LIST AT THE ENTRANCE (RED BOOK).

Any interested party aggrieved by a decision of the Zoning & Platting Commission on a Hill Country Site Plan, Conditional Use Permit, Replacement Site Plan, or a Preliminary Subdivision Plan with an environmental variance may only appeal the Commission's decision to the City Council. The notice of appeal must be submitted in writing on a form provided by the Director of Neighborhood Planning & Zoning Department within fourteen (14) days following the decision of the Zoning & Platting Commission.

- 10. Rezoning:** C14-05-0023 - Murphy Tract
Location: 5029 Southwest Parkweay, Barton Creek Watershed
Owner/Applicant: Murphey Thomas Oran
Agent: Byry & Pittman (Jim Gallegos)
Prev. Postponed on 4/5/05 (staff)
Postponements
Request: DR to GO, LO and RR-CO
Staff Rec.: RECOMMENDED
Staff: Robert Heil, 974-2330, Robert.Heil@ci.austin.tx.us
 Neighborhood Planning and Zoning Department

APPROVED STAFF'S RECOMMENDATION FOR GO ZONING FOR TRACT 1; LO ZONING FOR TRACT 2; AND RR ZONING FOR TRACT 3. CONDITIONAL OVERLAY OF: HEIGHT LIMITED TO 4-STORIES FOR TRACT 1; INTEGRATED PEST MANAGEMENT; COMPLY WITH SOS ORDINANCE; HAVE LANDSCAPE BUFFER FROM THE SOUTHWEST CORNER IN A RADIUS OF 750; SHIELDED LIGHTING FOR THE PROPERTY.

[B.B; M.W 2ND] (6-1) J.M - NAY; K.J; C.H - ABSENT

- 11. Rezoning:** C14-05-0024 - Cardinal Lane
Location: Cardinal Lane and South 2nd St, East Bouldin Creek Watershed
Owner/Applicant: T.E. Kolenda
Agent: Faust Group (Bill Faust)
Prev. Postponed on 4/5/05 (staff)
Postponements
Request: SF-2 to SF-6
Staff Rec.: ALTERNATE RECOMMENDATION: SF-6-CO
Staff: Robert Heil, 974-2330, Robert.Heil@ci.austin.tx.us
 Neighborhood Planning and Zoning Department

CONDITIONAL OVERLAY: LIMIT DEVELOPMENT TO 30 UNITS.

POSTPONED TO 05/03/05 (ZAP)

[J.M; T.R 2ND] (7-0) K.J; C.H - ABSENT

- 12. Rezoning:** C14-05-0033 - 2525 South Lamar
Location: Cardinal Lane and South 2nd St, West Bouldin Creek Watershed
Owner/Applicant: Gene Payne
Agent: Bennett Consulting (Jim Bennett)
Request: SF-3 to LR-CO-MU
Staff Rec.: NOT RECOMMENDED
Staff: Robert Heil, 974-2330, Robert.Heil@ci.austin.tx.us
 Neighborhood Planning and Zoning Department

POSTPONED TO 05/03/05 (STAFF)

[J.M; M.W 2ND] (7-0) K.J; C.H - ABSENT