

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



**AGENDA ITEM NO.: Z-6
AGENDA DATE: Thu 04/01/2004
PAGE: 1 of 1**

SUBJECT: C14-04-0014 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4601 Spicewood Springs Road (Bull Creek Watershed) from general office-conditional overlay (GO-CO) combining district zoning to general office-conditional overlay (GO-CO) combining district zoning in order to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Applicant: Stillhouse II Office (Eric Liljenwall II), Muskins/Cummins Partnership, LLP (Alan Muskin), Ivy Crews and Elliot Bldg., Ltd. (Frank Ivy). Agent: Jim Bennett. City Staff: Glenn Rhoades, 974-2775.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guemsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0014

Z.A.P. DATE: March 2, 2004

ADDRESS: 4601 Spicewood Springs Road

C.C. DATE: April 1, 2004

OWNERS: Eric Liljenwall
Munskins/Cummins Partnership Ltd. (Alan Muskins)
Ivy Crews and Elliot Bldg. Ltd. (Frank Ivy)

AGENT: Jim Bennett

ZONING FROM: GO-CO

TO: GO-CO

AREA: .08 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends the proposed change to GO-CO, General Office-Conditional Overlay district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

March 2, 2004 – To approve GO-CO, General Office-Conditional Overlay district zoning, in order to remove medical offices (less than 5,000 square feet) from the list of prohibited uses. In addition, the Commission limited the change to a 3,485 square foot footprint by consent (Vote: 8-0, J. Gohil – absent).

ISSUES:

The existing GO-CO zoning was approved was approved on March 9, 1998. The conditional overlay as it stands now prohibits the following uses (see attached ordinance):

Art and Craft Studio (limited)	Business or Trade School
Business Support Services	Medical Offices (less than 5,000 sq. ft.)
Medical Offices (exceeding 5,000 sq. ft.)	Off-Site Accessory Parking
Personal Services	Restaurant (limited)
College or University Facilities	Community Recreation (public and private)
Cultural Services	Guidance Services
Hospital Services (limited and general)	Private Secondary Educational Facilities
Residential Treatment	Communications Services
Club or Lodge	Convalescent Services

The applicant is requesting the change in order to remove the prohibition of Medical Offices (less than 5,000 sq. ft.). No other conditions will be changed. The property is developed with an office complex, consisting of four, two story buildings (see exhibit A). The owner intends to use one floor (3,485 sq. ft.) of a presently vacant building for a dentist's office.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-CO	Offices
<i>North</i>	GO LO SF-6	Veterinary Clinic Office Condominiums
<i>South</i>	PUD	Condominiums
<i>East</i>	LO	Offices
<i>West</i>	LO SF-6	Office Condominiums

AREA STUDY: N/A**TIA:** N/A**WATERSHED:** Bull Creek**DESIRED DEVELOPMENT ZONE:** No**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

- #005 – Balcones Civic Association
- #053 – Northwest Austin Civic Association
- #313 – Parmer/Avery Island Neighborhood Association
- #439 – Concerned Citizens for the P&B of FM 2222
- #475 – Bull Creek Foundation
- #511 – Austin Neighborhoods Council

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-97-0086	SF-3 and PUD to GO	Approved GO-CO. The CO prohibited the following uses: Art and craft studio limited, business or trade school, business or trade school, business support services, medical offices (over and under 5,000 square feet), off-site accessory parking, personal services, restaurant limited, college or university facilities, community recreation (public and private), cultural services, guidance services, hospital services (limited and general), private secondary education facilities, residential treatment, communication services, club or lodge and convalescent services (Vote:8-0). 11/25/97	Approved GO-CO (Vote: 7-0). 2/26/98
C14-99-0037	LO-CO to LO-CO	Approved LO-CO. The CO limits the following: Height shall be limited to 28.5 feet at the front of the building and 38.5 at the rear of the building. Property shall be limited to	Approved LO-CO (Vote: 7-0). 6/3/99.

		10,500 square feet of gross floor area. Signs shall be restricted to one and shall not exceed 3 feet by 8 feet and shall not rotate. Access is limited to 2 driveways along Spicewood Springs. The following uses shall be prohibited: Bread and breakfast, communication services, cultural services, counseling services, special use historic, club or lodge, college or university facilities, communication service facilities, community recreation (public and private), congregate living, convalescent services, day care (all types), hospital services limited, local utility services, all education facilities, residential treatment, safety services and telecommunications tower. In addition, the property is limited to 2,000 trips per day (Vote: 5-0). 4/27/99.	
C14-00-0049	SF-3 to LO	Approved LO-CO. The CO limits the height to 30 feet and prohibits the following uses: Day care (all types), all education facilities, bed and breakfast, hospital services limited, art and craft studio, special use historic and club or lodge, college and university facilities, community recreation (public and private), congregate living, convalescent services, residential treatment, safety services, local utility services and medical offices (over 7,000 square feet (Vote:8-0). 4/18/00	Approved LO-CO (Vote: 7-0). 6/22/00.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Spicewood Springs Road	Varies	Varies	Arterial	N/A

CITY COUNCIL DATE: April 1, 2004

ACTION:

ORDINANCE READINGS: 1st

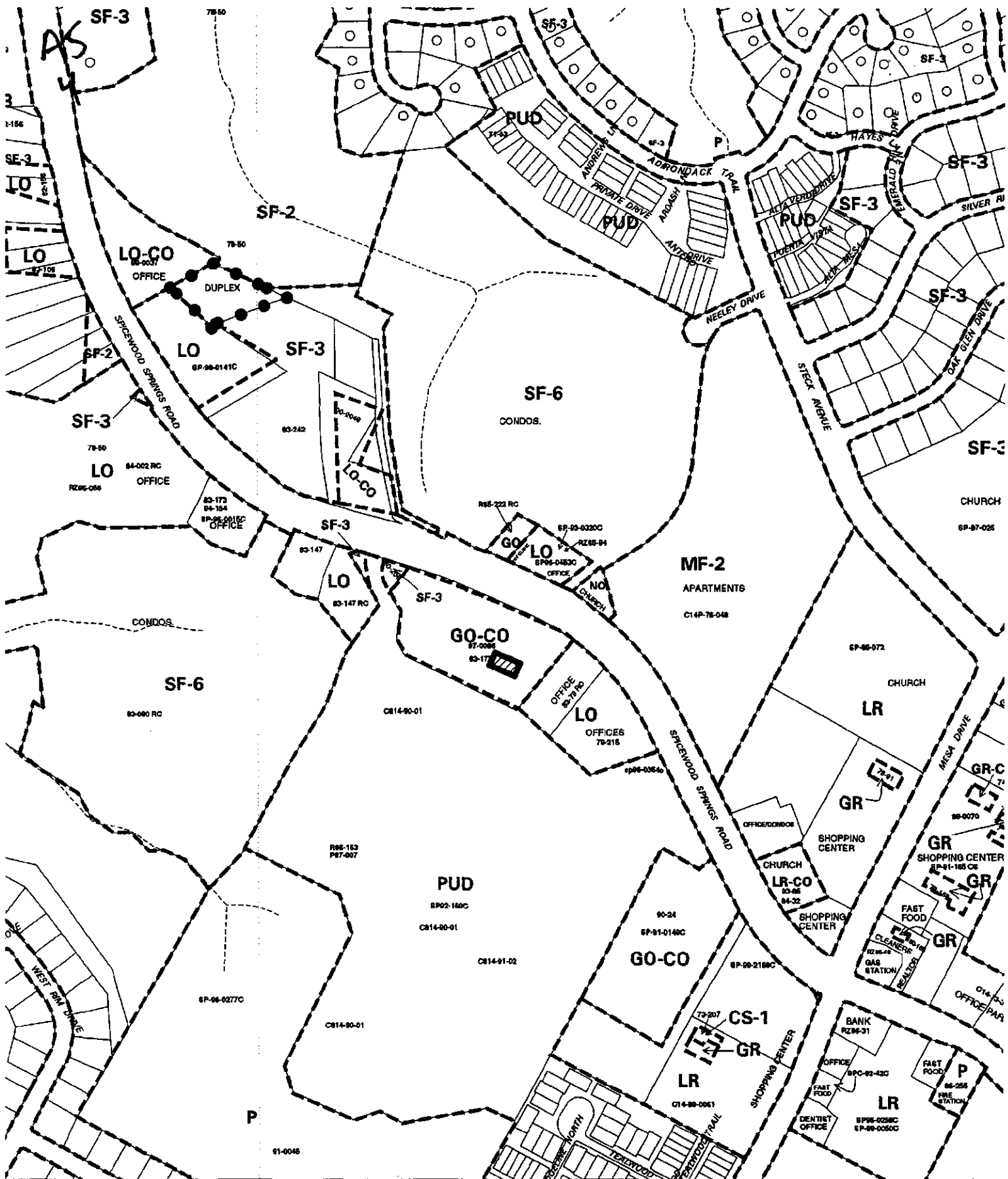
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3rd

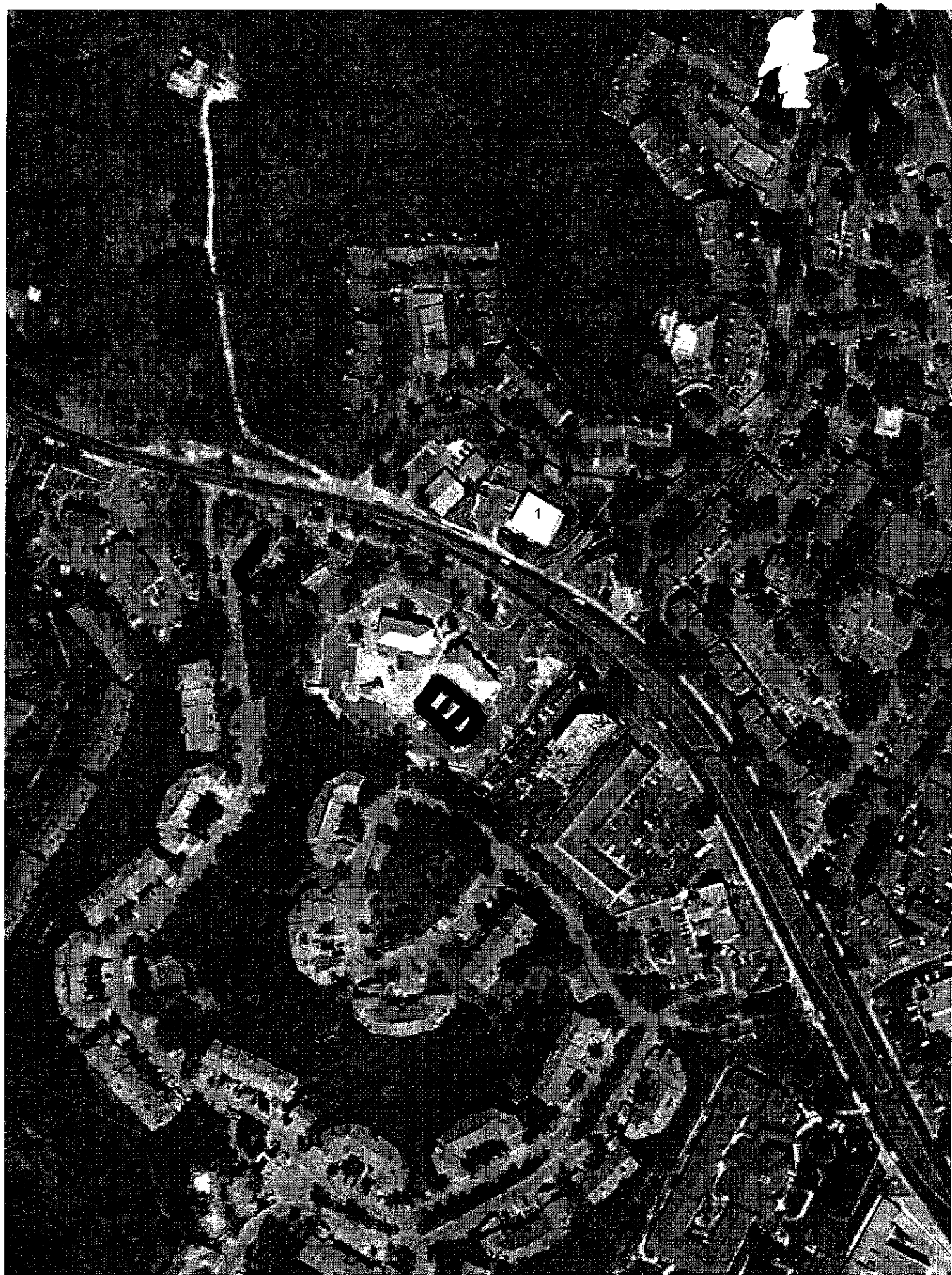
ORDINANCE NUMBER:

CASE MANAGER: Glenn Rhoades

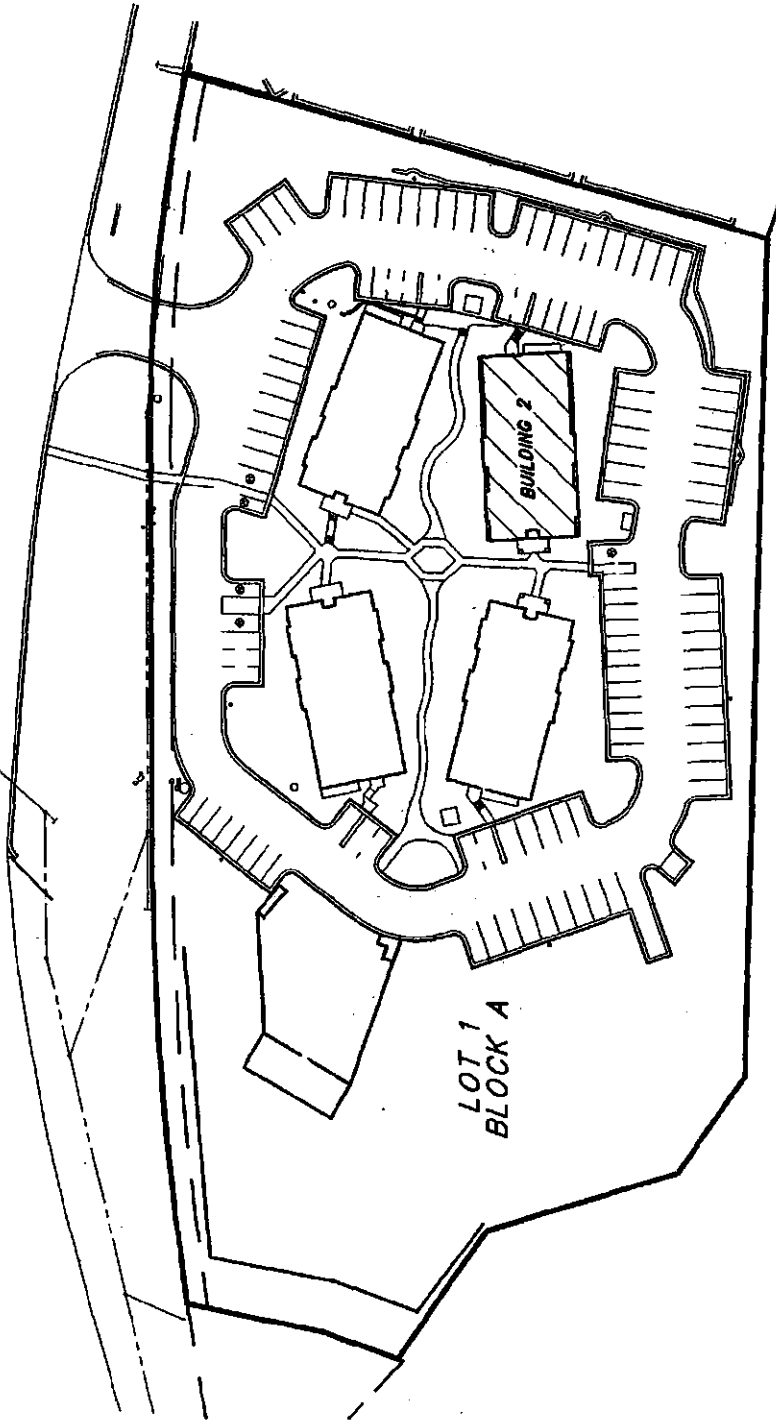
PHONE: 974-2775



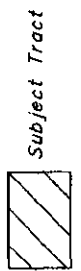
 <p>1" = 400'</p> <p>SUBJECT TRACT</p> <p>PENDING CASE</p> <p>ZONING BOUNDARY</p> <p>CASE MGR: G. RHOADES</p>	<p>ZONING</p> <p>CASE #: C14-04-0014</p> <p>ADDRESS: 4601 SPICEWOOD SPRINGS ROAD</p> <p>SUBJECT AREA (acres): 0.080</p> <p>DATE: 04-01</p> <p>INTLS: SM</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>H31</p>
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SPICEWOOD SPRINGS ROAD



KEY MAP



STAFF RECOMMENDATION

Staff recommends the proposed change to GO-CO, General Office-Conditional Overlay district zoning.

BASIS FOR RECOMMENDATION

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

GO – General Office district zoning is intended for offices and selected commercial uses predominantly serving community and city-wide needs.

The proposed zoning should promote consistency, and orderly planning.

The proposed change is consistent and compatible with other properties in the immediate vicinity. There is GO zoning to the north and east of the subject tract and office uses all along this portion of Spicewood Springs Road. In addition, staff could not find a similar prohibition of medical offices for recent zoning cases in the area.

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

The GO zoning district would allow for a fair and reasonable use of the site. GO zoning is appropriate for this site because of the location of the property and the commercial character of this portion of Spicewood Springs.

Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.

The property in question is located on and will take access to Spicewood Springs Road, which is classified as an arterial roadway.

EXISTING CONDITIONS

Site Characteristics

The property is currently occupied with an office complex comprised of four 2-story buildings.

Transportation

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

The trip generation under the requested zoning is estimated to be 75 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).

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]

There are existing sidewalks along Spicewood Springs Road.

Spicewood Springs is classified in the Bicycle Plan as a Priority 1 bike route. (Route #18)

Capital Metro bus service is not available within 1/4 mile of this property.

Impervious Cover

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

Environmental

According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.

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.

At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

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.

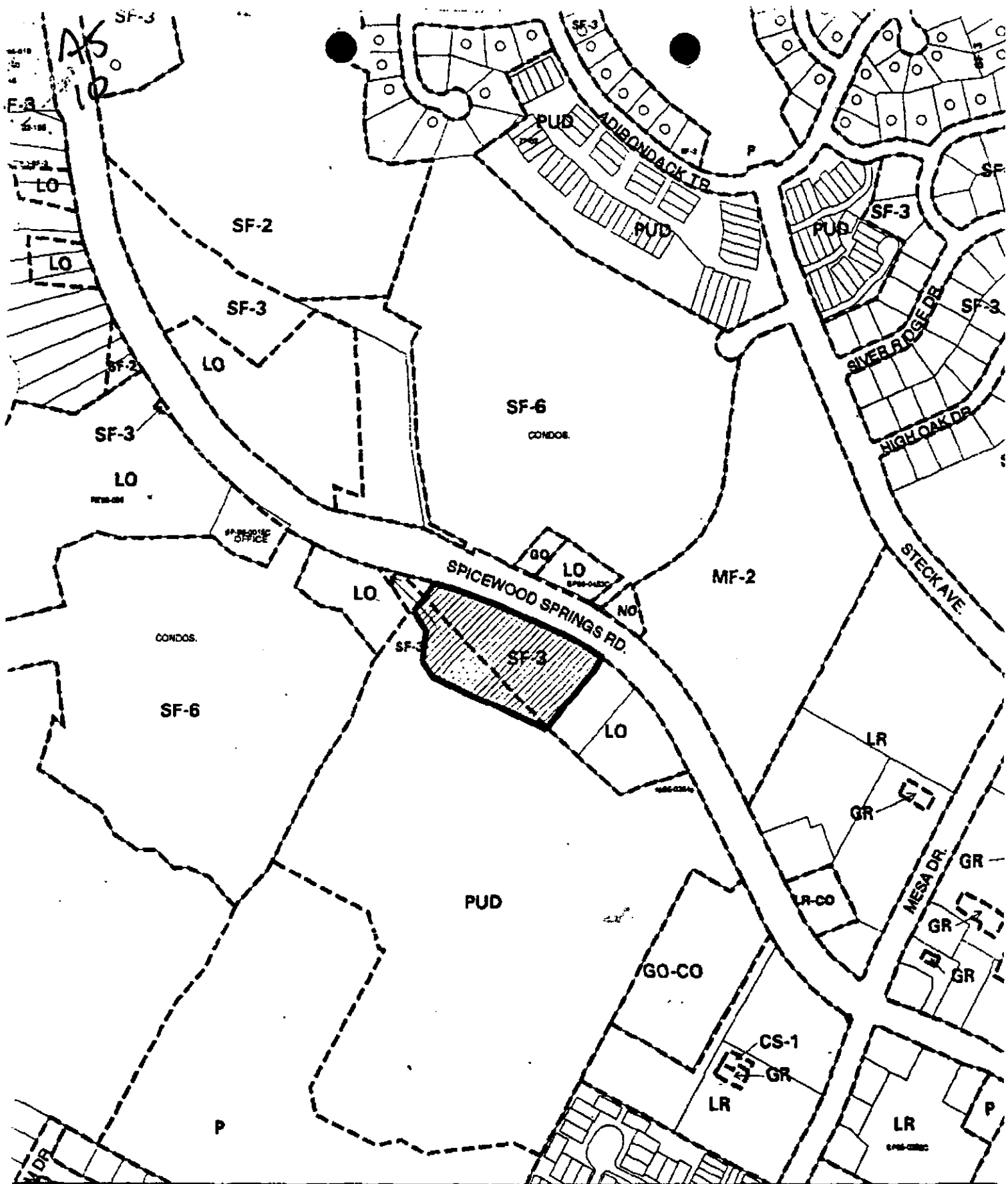
Richard Kroger – Transportation Division – Transportation Planning and Sustainability Department – 974-7219

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 adjustment, or relocation 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's utility design criteria.

Compatibility Standards

This site will not be subject to compatibility regulations.



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: D.PERRYMAN



ZONING EXHIBIT "C"

CASE #: C14-97-0086

ADDRESS: 4700 BLK. SPICEWOOD

SPRINGS RD
SUBJECT AREA (acres): 3.530

DATE: 97-07

INTLS: TRC

CITY GRID
REFERENCE
NUMBER

H31

1" = 400'

AS
11

ORDINANCE NO. 980226-B

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

TWO TRACTS OF LAND CONSISTING OF A 2.559 ACRE TRACT OF LAND AND A 1.0104 ACRE TRACT OF LAND OUT OF THE JAMES MITCHELL SURVEY NO. 17, TRAVIS COUNTY, FROM "SF-3" FAMILY RESIDENCE DISTRICT AND "PUD" PLANNED UNIT DEVELOPMENT DISTRICT, RESPECTIVELY, TO "GO-CO" GENERAL OFFICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 4700 SPICEWOOD SPRINGS ROAD, 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 districts and to establish a Conditional Overlay combining district on the property (the "Property") described in File C14-97-0086, as follows:

Tract 1: From "SF-3" Family Residence district to "GO-CO" General Office district-Conditional Overlay combining district.

2.559 acre tract of land out of the James Mitchell Survey No. 17, in the City of Austin, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

Tract 2: From "PUD" Planned Unit Development district to "GO-CO" General Office district-Conditional Overlay combining district.

1.0104 acre tract of land out of the James Mitchell Survey No. 17, in the City of Austin, Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance,

locally known as 4700 Spicewood Springs Road, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "C".

AS
12 **PART 2.** The Property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following conditions:

1. The following uses of the Property are prohibited:
 - (a) Art and Craft Studio (Limited).
 - (b) Business or Trade School.
 - (c) Business Support Services.
 - (d) Medical Offices - Less than 5,000 square feet.
 - (e) Medical Offices - Greater than 5,000 square feet.
 - (f) Off Site Accessory Parking.
 - (g) Personal Services.
 - (h) Restaurant (Limited).
 - (i) College or University Facilities.
 - (j) Community Recreation (Private and Public).
 - (k) Cultural Services.
 - (l) Guidance Services.
 - (m) Hospital Services (Limited and General).
 - (n) Private Secondary Education Facilities.
 - (o) Residential Treatment.
 - (p) Communications Services.
 - (q) Club or Lodge.
 - (r) Convalescent Services.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the "GO" General 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 March 9, 1998.

PASSED AND APPROVED

145
13

February 26, 1998.

§
§
§

Kirk Watson

Kirk Watson
Mayor

APPROVED:

Andrew Martin

Andrew Martin
City Attorney

ATTEST:

James E. Aldridge

James E. Aldridge
City Clerk

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-03-0049-GR

PLANNING COMMISSION HEARING DATE: April 9, 2003

Name (please print)

Charles S. Loring

☐ I am in favor
(Estoy de acuerdo)

Address

806 West 24th St, Unit 103
Austin TX 78703

☒ I object
(No estoy de acuerdo)

1

If you have any questions concerning this notice, please contact Glenn Rhoades at the City of Austin, Neighborhood Planning & Zoning Department, (512) 974-2775. Office hours are 7:45 a.m. to 4:45 p.m. Please be sure to refer to the File Number at the top of the page when you call. See enclosed sheet for more information on public hearings.

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14-04-0014-GR

Zoning & Platting Commission Hearing Date: March 2, 2004

Name (please print)

Ronald Jew Pros

☒ I am in favor
(Estoy de acuerdo)

Address

4600 Greenwood Square
Cameron Plaza, Inc.

☐ I object
(No estoy de acuerdo)

1



City of Austin, Neighborhood Planning & Zoning Department
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

NOTICE OF ZONING & PLATTING COMMISSION PUBLIC HEARING FOR A PROPOSED ZONING CHANGE

Este aviso es para informarles de una junta pública tocante a un cambio en el uso de la propiedad indicada así abajo. Si quiere una copia de este aviso en español, hable al teléfono (512) 974-2680.

Mailing Date of this Notice: February 20, 2004

File Number: C14-04-0014

Mailing Date of First Notice: February 6, 2004

ADDRESS AND/OR LEGAL DESCRIPTION OF PROPOSED ZONING CHANGE (See Map) 4601 Spicewood Springs

PROPOSED ZONING CHANGE:

FROM: GO-CO General Office district is intended for offices and selected commercial uses predominately serving community and city-wide needs. CO--Conditional Overlay 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.

TO: GO-CO General Office district is intended for offices and selected commercial uses predominately serving community and city-wide needs. CO--Conditional Overlay 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.

OWNER: Stillhouse II Office (Eric G. Liljenwall II)

PHONE: (512) 789-3654

OWNER: Muskins/Cummins Partnership, LLP (Alan Muskin)

PHONE: (512) 371-0037

OWNER: Ivy Crews & Elliot Bldg., LTD (Frank Ivy)

AGENT: Jim Bennett Consulting (Jim Bennett)

PHONE: (512) 784-4961

ZONING & PLATTING COMMISSION HEARING DATE: March 2, 2004

TIME: 6:00 PM

LOCATION: 505 Barton Springs Road, One Texas Center 3rd Floor, Training Room #325, Austin

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File # C14-04-0014-GR

Zoning & Platting Commission Hearing Date: March 2, 2004

Name (please print) KAC INVARIANTS

KEN GARENCE

☒ I am in favor
(Estoy de acuerdo)

Address 4705 SPICEWOOD SPRINGS RD #200

☐ I object
(No estoy de acuerdo)

AUSTIN, TX 78751 (OWNER & TENANT)



City of Austin, Neighborhood Planning & Zoning Department
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

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File # C14-04-0014-GR

Zoning & Platting Commission Hearing Date: March 2, 2004

Name (please print) Nelda C. Griffith

☐ I am in favor
(Estoy de acuerdo)

Address 8200 Neely Dr. #213

☒ I object
(No estoy de acuerdo)

Austin, TX. 78759

Phone 512-34

There is too much traffic on Spicewood Springs Rd. & it is a main
arterial to 3601 Capital of Tx. highway & also the main route to the Ashland
They may need to eventually widen the road.



City of Austin, Neighborhood Planning & Zoning Department
505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835

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File # C14-04-0014-GR

Zoning & Platting Commission Hearing Date: March 2, 2004

Name (please print)

Glenn Rhoades

Address

4159 Mark Ave #194 Austin TX 78759

- ☐ I am in favor
(Estoy de acuerdo)
☒ I object
(No estoy de acuerdo)