



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

**AGENDA ITEM NO.: Z-4**  
**AGENDA DATE: Thu 04/15/2004**  
**PAGE: 1 of 1**

**SUBJECT:** C14-03-0187 - Scarlet Ibis - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7411 Old Bee Caves Road (Williamson Creek Watershed-Barton Springs Zone) from rural residential (RR) district zoning to limited office-mixed use (LO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Applicant and Agent: Suzanne Rittenberry. City Staff: Annick Beaudet, 974-2975.

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

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

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

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**  
2 **PROPERTY LOCATED AT 7411 OLD BEE CAVES ROAD FROM RURAL**  
3 **RESIDENCE (RR) DISTRICT TO LIMITED OFFICE-MIXED USE-**  
4 **CONDITIONAL OVERLAY (LO-MU-CO) COMBINING DISTRICT.**

5  
6 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

7  
8 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
9 change the base district from rural residence (RR) district to limited office-mixed use-  
10 conditional overlay (LO-MU-CO) combining district on the property described in Zoning  
11 Case No.C14-03-0187, on file at the Neighborhood Planning and Zoning Department, as  
12 follows:

13  
14 Lot 2, A.P. Gardner Subdivision, a subdivision in the City of Austin, Travis  
15 County, Texas, according to the map or plat of record in Plat Book 49, Page 95, of  
16 the Plat Records of Travis County, Texas, (the "Property")

17  
18 locally known as 7411 Old Bee Caves Road, in the City of Austin, Travis County, Texas,  
19 and generally identified in the map attached as Exhibit "A".

20  
21 **PART 2.** The Property within the boundaries of the conditional overlay combining district  
22 established by this ordinance is subject to the following conditions:

23  
24 A site plan or building permit for the Property may not be approved, released, or  
25 issued, if the completed development or uses of the Property, considered cumulatively with  
26 all existing or previously authorized development and uses, generate traffic that exceeds  
27 2,000 trips per day.

28  
29 Except as specifically restricted under this ordinance, the Property may be developed and  
30 used in accordance with the regulations established for the limited office (LO) base district  
31 and other applicable requirements of the City Code.  
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33  
34  
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37

1 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2004.  
2

3  
4 **PASSED AND APPROVED**

5  
6  
7  
8 \_\_\_\_\_, 2004

§  
§  
§

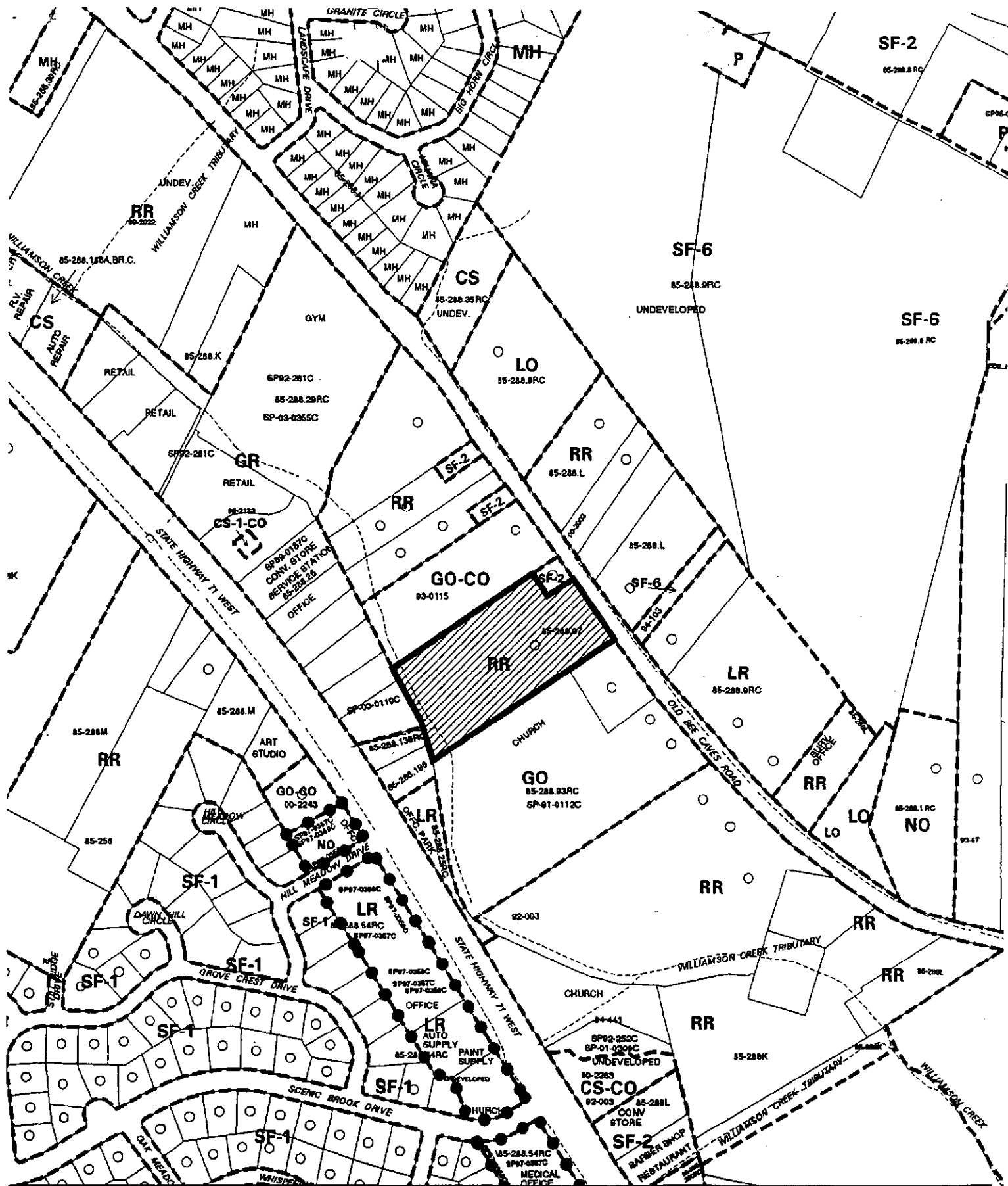
\_\_\_\_\_  
Will Wynn  
Mayor





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10  
11  
12 **APPROVED:**

13 \_\_\_\_\_  
14 David Allan Smith  
15 City Attorney

**ATTEST:**

\_\_\_\_\_  
Shirley A. Brown  
City Clerk



 1" = 400' SUBJECT TRACT  PENDING CASE  ZONING BOUNDARY  CASE MGR: A. BEAUDET	<h3 style="text-align: center;">ZONING EXHIBIT A</h3> <p><b>CASE #: C14-03-0187</b></p> <p><b>ADDRESS: 7411 OLD BEE CAVES ROAD</b></p> <p><b>SUBJECT AREA (acres): 4.750</b></p> <p><b>DATE: 03-12</b></p> <p><b>INTLS: SM</b></p>	<b>CITY GRID REFERENCE NUMBER</b> <b>B20</b>
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## ZONING CHANGE REVIEW SHEET

**CASE:** C14-03-0187

**ZPC DATE:** March 16, 2004

**ADDRESS:** 7411 Old Bee Caves Road

**OWNER/APPLICANT:** Suzanne Rittenberry **AGENT:** Suzanne Rittenberry

**ZONING FROM:** RR **TO:** LO **AREA:** 4.75 acres.

**AMENDED TO (January 23, 2004):** LO-MU

### **SUMMARY STAFF RECOMMENDATION:**

Staff's alternate recommendation is limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. The CO would limit motor vehicle trip generation to 2,000 per day.

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

March 16, 2004: Approved staff's recommendation for LO-MU-CO zoning; by consent.  
Vote: (8-0); KJ-- absent

### **ISSUES:**

None at this time; the applicant is in agreement with the staff's alternate recommendation.

### **DEPARTMENT COMMENTS:**

The applicant is in agreement with the staff's alternate recommendation of LO-MU-CO. The applicant has told staff that they intend to open an acupuncture clinic in an existing structure. The applicant currently resides on the property, which is why the MU was requested.

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

	ZONING	LAND USES
<i>Site</i>	RR	Two single family structures
<i>North</i>	GO, RR	Single family homes
<i>South</i>	GO	Church, single family homes
<i>East</i>	RR, SF-6	Single family homes
<i>West</i>	GO, GR	Auto related retail, undeveloped

**AREA STUDY:** Oakhill Area Study **TIA:** Waived.

**WATERSHED:** Williamson Creek **DESIRED DEVELOPMENT ZONE:** No.

**CAPITOL VIEW CORRIDOR:** No. **HILL COUNTRY ROADWAY:** No.

**NEIGHBORHOOD ORGANIZATIONS:**

Scenic Brook Neighborhood Association  
 Save Barton Creek Association  
 Barton Springs Coalition  
 Wynnrock Area Neighborhood Assn  
 City of Rollingwood  
 Save Our Springs Alliance

**CASE HISTORIES:****On site**

NUMBER	REQUEST	ZONING AND PLATTING COMMISSION	CITY COUNCIL
C14-85-288.97	Oak Hill Area Study Rezoning- Establish permanent zoning of SF-2 and RR.	N/A	1/2/88: Approved SF-2 and RR on 2 <sup>nd</sup> /3 <sup>rd</sup> readings.
<b><u>Adjacent to site (south)</u></b>			
C14-85-288.93	Oak Hill Area Study Rezoning- Establish permanent zoning of GO.	N/A	5/5/88: Approved GO on 3 <sup>rd</sup> reading.
<b><u>Adjacent to site (north)</u></b>			
C14-93-0015	I-RR to LI	10/26/93: Recommended staff's alternate recommendation of GO-CO and RR for floodplain area.	4/7/94: Approve GO-CO subject to SOS ordinance and restricting a medical office use to .4 to 1 FAR.

**RELATED CASES:**

Exhibit A is the recorded subdivision plat for the property. It was approved on April 15, 1970.

There are no active subdivision or site plan applications currently under review by the City of Austin.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Daily Traffic
Old Bee Caves Road	55'	22'	Collector	N/A

**CITY COUNCIL DATE:** April 15, 2004

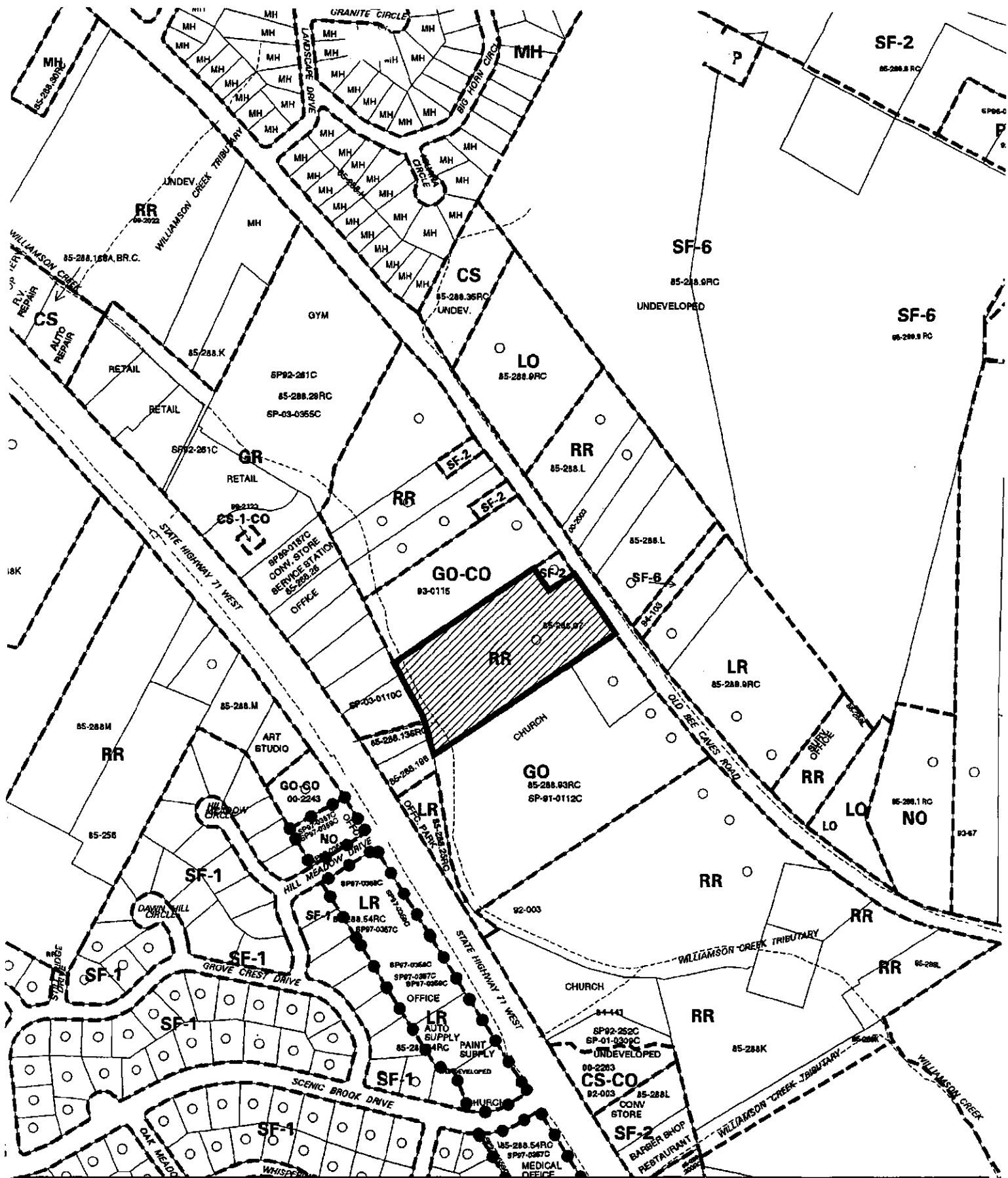
**ACTION:**





**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

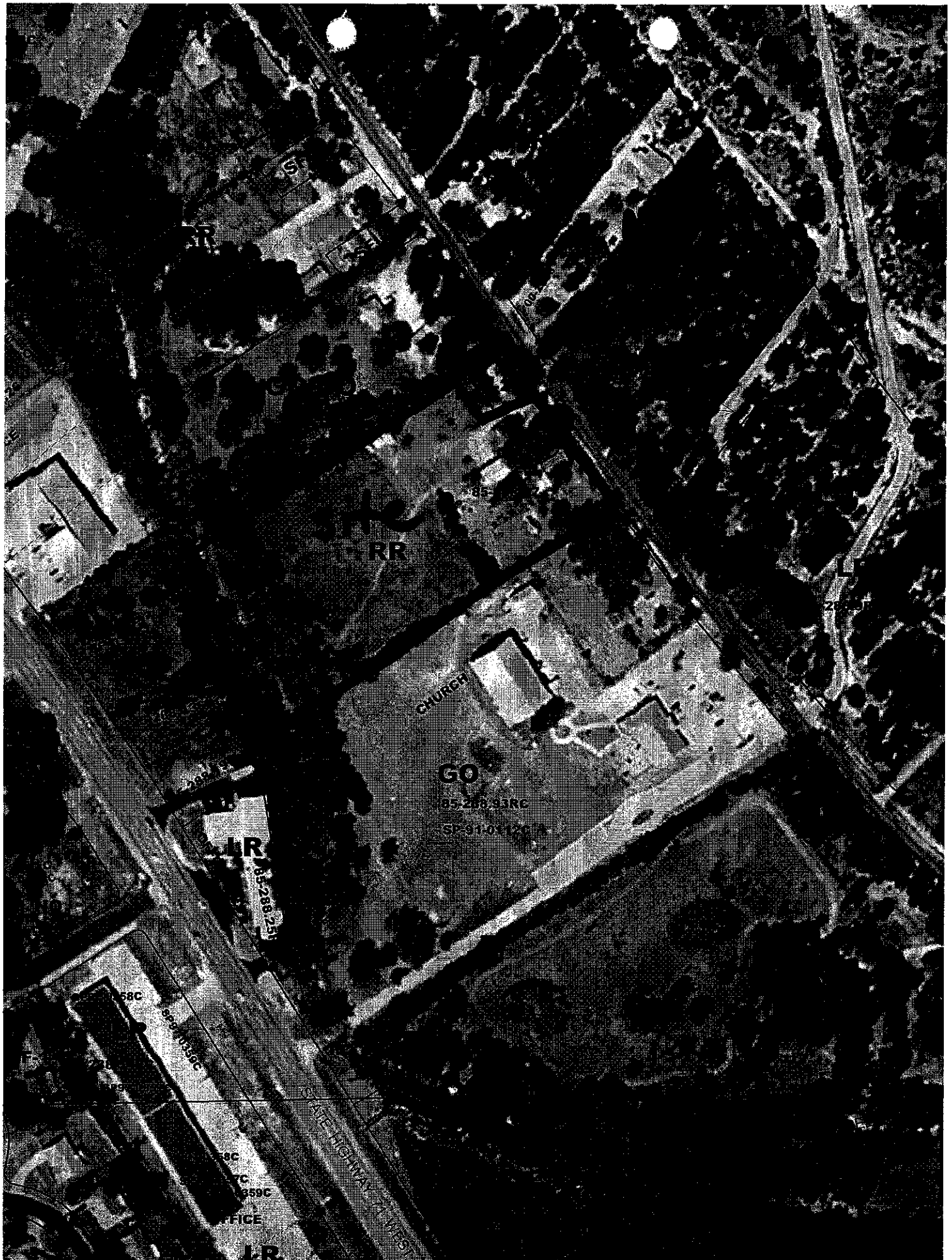
**ORDINANCE NUMBER:**

**CASE MANAGER:** Annick Beaudet

**PHONE:** 974-2975



<p>    <b>SUBJECT TRACT</b>    <b>PENDING CASE</b>    <b>ZONING BOUNDARY</b>    <b>CASE MGR: A. BEAUDET</b> </p>	<p align="center"> <b>ZONING</b> </p> <p> <b>CASE #:</b> C14-03-0187  <b>ADDRESS:</b> 7411 OLD BEE CAVES ROAD  <b>SUBJECT AREA (acres):</b> 4.750         </p> <p> <b>DATE:</b> 03-12  <b>INTLS:</b> SM         </p>	<p align="center"> <b>CITY GRID REFERENCE NUMBER</b>  <b>B20</b> </p>
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## **STAFF RECOMMENDATION**

**C14-03-0187**

Staff's alternate recommendation is limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. The CO would limit motor vehicle trip generation to 2,000 per day.

## **BASIS FOR RECOMMENDATION**

1. The requested rezoning is compatible with the existing general office (GO) zoning to the east and west of the property. While there is some small areas of SF-2 zoning adjacent to and close to the property, the majority of the immediate area is zoned GO and RR. There is also some LR and SF-6 in the immediate area, all fronting on Old Bee Caves Road. There is also GR zoning abutting the rear of this property; the land zoned GR takes access to State Highway 71. Uses permitted within the LO office district would be compatible with area uses and zonings.
2. The staff recommendation per the Oak Hill Area Study is SF-6 for the front portion of the property and RR for the rear (the area within identified flood plain). The LO-MU requested would allow for SF-6 type development. While the Oak Hill Area Study did not recommend office use for this site, the area has developed over the last 20 years to accommodate a mixture of zoning and uses, many being more intensive than the requested LO zoning base district. Therefore, staff recommends the LO-MU zoning.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site is currently developed with an approximately 2,000 square foot single-family residence towards the front of the property (near Old Bee Caves Road). There is a large single-family structure towards the rear of the property (closer to Highway 71). The remainder of the property is undeveloped and in a natural state. The owner has indicated to the staff that it is the rear property that will be used for a medical office (under 5,000 square feet) use.

### **Impervious Cover**

The maximum impervious cover allowed by the LO zoning district would be 70%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations. This site is not located over the Edward's Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) watershed. Project applications at the time of this report are subject to the SOS Ordinance which allows 25% impervious cover in the contributing zone. This site is within the Contributing Zone therefore impervious cover is 25%.

### **Environmental**

According to flood plain maps, there is flood plain (and critical water quality zone) within the project location. There will also be water quality transition zone 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 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.

### **Transportation**

Additional right-of-way is not required at this time; however, it will be at the time of subdivision or site plan.

The trip generation under the requested zoning is estimated to be 4,950 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 waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

There are no sidewalks along Old Bee Caves Road.

There is no bus service or bicycle routes within ¼-mile of the subject tract.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
Old Bee Caves Road	55'	22'	Collector	N/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 adjustments, 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.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

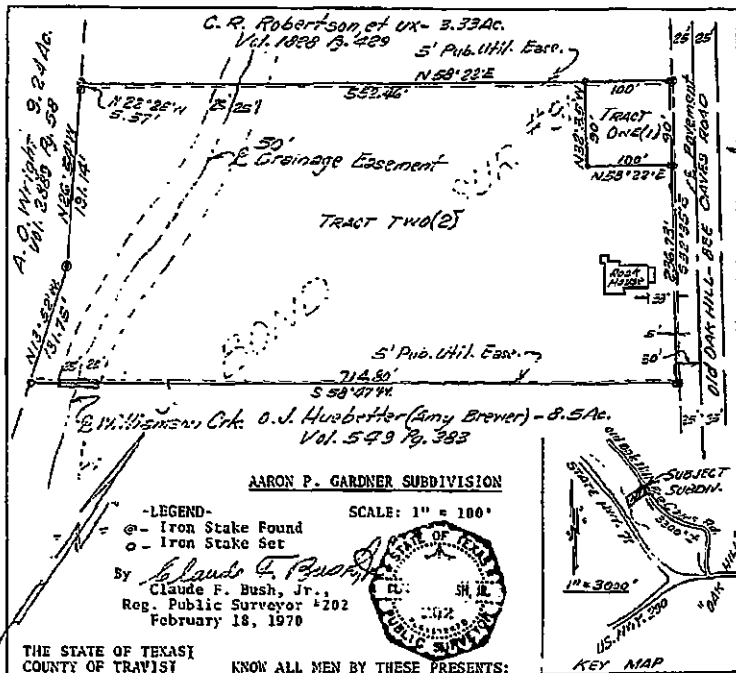
### **Compatibility Standards**

The site is subject to compatibility standards. Along the northwest corner property line, the following standards apply:

- No structure may be built within 25 feet of the property line of the SF-2 property.
- 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.
- 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. Additional design regulations will be enforced at the time a site plan is submitted.

### **DEPARTMENT COMMENTS**

The applicant is in agreement with the staff's alternate recommendation of LO-MU-CO. The applicant has told staff that they intend to open an acupuncture clinic in an existing structure. The applicant currently resides on the property, which is why the MU was requested.



THE STATE OF TEXAS  
 COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:  
 That we, Aaron P. Gardner and wife Stella Gardner, owners of the hereon designated tract out of the A. J. Bond Survey #91 in Travis County, Texas, being all that certain 5 acres conveyed to us by deed recorded in Volume 2929, Page 147 of the Deed Records of Travis County, Texas, do hereby adopt this plat as our subdivision to be known as AARON P. GARDNER SUBDIVISION, subject to any easements or restrictions heretofore granted and do hereby dedicate to the public all streets and easements shown hereon.

WITNESS OUR HANDS this the 26th day of February, A.D. 1970

*Aaron P. Gardner*  
 Aaron P. Gardner

*Stella Gardner*  
 Stella Gardner

THE STATE OF TEXAS  
 COUNTY OF TRAVIS

Before me the undersigned authority on this day personally appeared Aaron P. Gardner and wife, Stella Gardner, known to me to be the persons whose names are subscribed to the foregoing instrument and they acknowledged to me that they executed the same as their act and deed for the purposes and consideration therein expressed.

WITNESS MY HAND AND SEAL OF OFFICE this is the 26th day of February, A.D. 1970

*Claude F. Bush, Jr.*  
 Notary Public in/for Travis County, Texas

**SEPTIC TANK NOTE:** Each house constructed in this subdivision shall be connected to a septic tank with a capacity of not less than 500 gallons and with a drain field of not less than 150 ft., and shall be installed in accordance with the regulations of the city-county health officer and shall be inspected and approved by such officer. This restriction is enforceable by the City of Austin-Travis County Health Unit and/or the developer.

APPROVED FOR ACCEPTANCE on the 15th day of April, A.D. 1970

By *Joel W. Osborne*  
 Joel W. Osborne, Director of Planning

ACCEPTED AND AUTHORIZED FOR FILING BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, TEXAS, on the 15th day of April, A.D. 1970

*James V. Linder*  
 Secretary

*Ed Spenser*  
 Chairman

In approving this plat by the Commissioners Court of Travis County, Texas, it is understood that the building of all streets, roads or other public thoroughfares or any bridges or culverts necessary to be placed in such streets, roads, or other public thoroughfares, shall be the responsibility of the owner and/or developer of the tract of land covered by this plat in accordance with the plans and specifications prescribed by the Commissioners Court of Travis County, Texas, and said court assumes no obligation to build any of the streets, roads or other public thoroughfares or any bridges or culverts in connection therewith.

THE STATE OF TEXAS  
 COUNTY OF TRAVIS

I, Miss Emilie Limberg, County Clerk, Travis County, Texas, do hereby certify that on the 2 day of April, A.D. 1970, the Commissioners Court of Travis County, Texas, passed an order authorizing the filing of this plat, and that said order has been duly entered in the minutes of said court in Book 3 Page 375.

WITNESS MY HAND AND SEAL OF OFFICE this the 20 day of April, 1970.  
 Miss Emilie Limberg, County Clerk, Travis County, Texas  
 By *Shirley Harris* Deputy

FILED FOR RECORD on the 20 day of April, A.D. 1970 at 10:30 o'clock AM  
 Miss Emilie Limberg, County Clerk, Travis County, Texas  
 By *Shirley Harris* Deputy

THE STATE OF TEXAS  
 COUNTY OF TRAVIS

I, Miss Emilie Limberg, clerk of the County Court within and for the County and State aforesaid, do hereby certify that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 20 day of April, A.D. 1970 at 10:30 o'clock AM and duly recorded on the 20 day of April, A.D. 1970 at 10:30 o'clock AM in the Plat Records of said county in Book 49 Page 95.

WITNESS MY HAND AND SEAL OF OFFICE the date last written above.

Miss Emilie Limberg, County Clerk, Travis County, Texas  
 By *Shirley Harris* Deputy

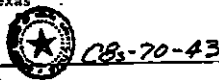


Exhibit A