

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



**AGENDA ITEM NO.: Z-7
AGENDA DATE: Thu 07/29/2004
PAGE: 1 of 1**

SUBJECT: C14-04-0065 - Covenant Presbyterian Church - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3003 Northland Drive (Shoal 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: Covenant Presbyterian Church (Frederick Clement). Agent: Site Specifics (John Hussey). City Staff: Glenn Rhoades, 974-2775.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-04-0065

Z.A.P. DATE: June 1, 2004

C.C. DATE: July 29, 2004

ADDRESS: 3003 Northland Drive

OWNERS: Covenant Presbyterian Church
(Frederick Clement)

AGENT: Site Specifics
(John Hussey)

ZONING FROM: GO-CO

TO: GO-CO

AREA: 4.75 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends the proposed change to general office-conditional overlay (GO-CO) combining district zoning. The proposed change will modify the existing conditional overlay as outlined in the Department Comments.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

Approved general office-conditional overlay (GO-CO) combining district zoning (Vote: 8-0, J. Pinnelli – absent).

DEPARTMENT COMMENTS:

The current conditional overlay prohibits the following uses on the property (see attached ordinance):

Administrative and Business Offices	Communication Service Facility
Art and Craft Studio (limited)	Convalescent Services
Business or Trade School	Counseling Services
Business Support Services	Cultural Services
Communications Services	Hospital Services (limited)
Medical Offices (over and under 5000 sq. ft.)	Local Utility Services
Off-Site Accessory Parking	Private Secondary Educational Facilities
Personal Services	Professional Office
Software Development	Safety Services
College and University Facilities	

In addition, the property is subject to the following development standards:

1. Limited to 46 feet in height
2. Floor to Area Ratio is limited to .25:1
3. Impervious Cover limited to 80%
4. The property is limited to 2,000 vehicle trips per day.

The applicant is requesting the following amendments to the conditional overlay:

1. To remove Off-Site Accessory Parking as a prohibited use
2. To remove the height limit of 46 feet and allow the 60 feet permitted under GO zoning

3. To remove the .25:1 Floor to Area Ratio and replace it with an F.A.R. of .5:1 (GO zoning allows a 1:1 F.A.R.)

No other conditions will be changed.

ISSUES:

Staff has received letters of support from the Allandale Neighborhood Association and the Northwest Recreation Center Advisory Board (see attached).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	GO-CO	Covenant Presbyterian Church
North	SF-2	Single Family
South	P	Cemetery
East	LO	Austin Recreation Center
West	P	Substation

AREA STUDY: N/A

TIA: N/A

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

#283 – North Austin Neighborhood Alliance
#511 – Austin Neighborhoods Council

CASE HISTORIES:

There have been no recent zoning cases in the immediate vicinity.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Northland Drive	100'	Varies	Arterial	N/A
MoPac	350'	Varies	Arterial	N/A

CITY COUNCIL DATE: 7/29/04

ACTION:

ORDINANCE READINGS: 1st

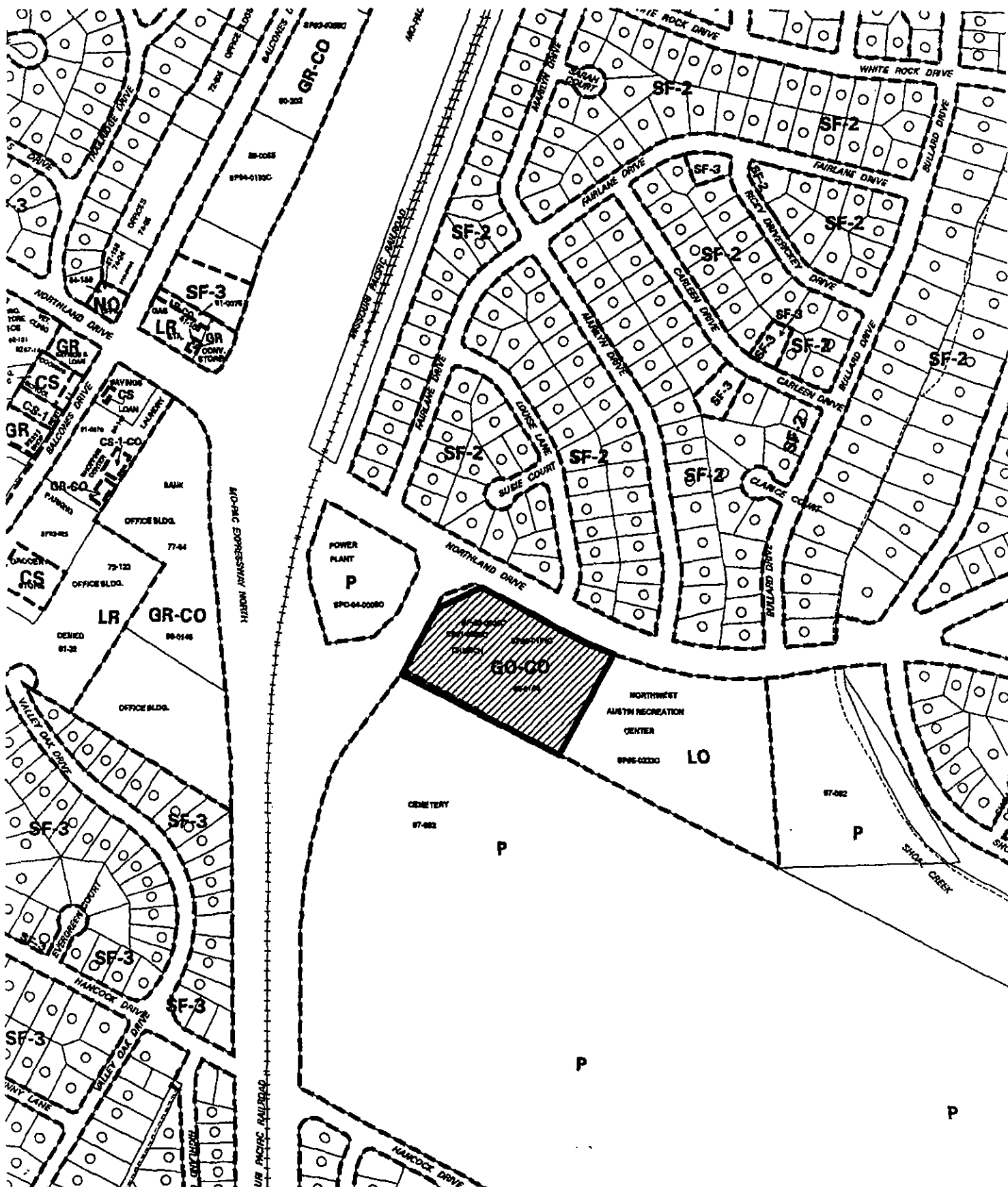
2nd


3rd

ORDINANCE NUMBER:

CASE MANAGER: Glenn Rhoades

PHONE: 974-2775



<p>  SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: G. RHOADES 1" = 400' </p>	<p align="center">ZONING</p> <p> CASE #: C14-04-0065 ADDRESS: 3003 NORTHLAND DR SUBJECT AREA (acres): 4.750 </p>	<p> CITY GRID REFERENCE NUMBER H28 </p>
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STAFF RECOMMENDATION

Staff recommends the proposed change to general office-conditional overlay (GO-CO) combining 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 citywide needs.

The proposed zoning should promote consistency, and orderly planning.

The proposed change is compatible with the surrounding area. The subject tract is adjacent to the Northwest Austin Recreation area to the east and a cemetery to the south. To the west is an electrical substation and Mopac Expressway. Across Northland Drive to the north is a single-family neighborhood that will be buffered by compatibility standards. A height of 60 feet could not be achieved at a distance of any less than 300 feet from the single-family neighborhood.

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

Due to the location of the site and the adjacent land uses, staff believes the proposed change will give the owner a fair and reasonable use of the site.

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 is accessible from Mopac Expressway and will take access onto Northland Drive, which classified as an arterial roadway.

EXISTING CONDITIONS

Site Characteristics

The site is currently developed with the Covenant Presbyterian Church.

Transportation

Right of way dedication may be required with any future site development.

The trip generation under the requested zoning is estimated to be 8,210 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 existing sidewalks along Northland Drive.

Capital Metro bus service is available along Northland Drive.

Impervious Cover

The maximum impervious cover allowed under GO zoning is 80%

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal 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.

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

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.

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

Water and Wastewater

The site is served with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or 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's utility design criteria and specifications.

Compatibility Standards

The site is subject to compatibility standards along the northern property line due to the existing single-family development across Northland Drive. Along that property line, the following regulations will apply to any new development on the site:

- For a structure more than 100 feet but not more than 300 feet from the single-family property, a structure may attain a height of 40 feet plus one foot for each 10 feet in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from the single-family property, a structure may attain a height of 60 feet plus one foot for each four feet in excess of 300 feet from the property zoned SF-5 or more restrictive.
- 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.

ORDINANCE NO. 960307- J

AN ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS: 4.715 ACRE TRACT OF LAND OUT OF THE JAMES P. DAVIS SURVEY NO. 14, FROM "SF-2" SINGLE-FAMILY RESIDENCE (STANDARD LOT) DISTRICT TO "GO-CO" GENERAL OFFICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 3003 NORTHLAND DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE REQUIREMENTS OF SECTIONS 2-2-3, 2-2-5, AND 2-2-7 OF THE AUSTIN CITY CODE OF 1992; AND PROVIDING AN EFFECTIVE DATE.

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

PART 1. That Chapter 13-2 of the Austin City Code of 1992 is amended to change the base zoning district from "SF-2" Single-Family Residence (Standard Lot) district to "GO-CO" General Office district-Conditional Overlay combining district on the property described in File C14-95-0140, as follows:

4.715 acre tract of land out of the James P. Davis Survey No. 14, said 4.715 acre tract of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes, *[hereinafter referred to as the "Property"]*

locally known as 3003 Northland Drive, in the City of Austin, Travis County, Texas.

PART 2. That 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 shall be prohibited on the Property:

- | | |
|--|---|
| (a) Administrative and business offices, | (l) Communication service facilities, |
| (b) Art and craft studio (limited), | (m) Convalescent services, |
| (c) Business or trade school, | (n) Counseling services, |
| (d) Business support services, | (o) Cultural services, |
| (e) Communications services, | (p) Hospital services (limited), |
| (f) Medical offices, | (q) Local utility services, |
| (g) Off-site accessory parking, | (r) Private secondary educational facilities, |
| (h) Personal services, | and, |
| (i) Professional office, | (s) Safety services. |
| (j) Software development, | |
| (k) College and university facilities, | |

2. Development of the Property shall conform to the site development regulations authorized in the "SF-2" Single-Family Residence (Standard Lot) district as set forth in Sec. 13-2-630 of the Austin City Code, except that development of the Property (i) shall not exceed a height greater than 46 feet above ground level on the Property; (ii) shall be restricted to a maximum floor to area ratio of .25 to 1 and a maximum impervious coverage of 80%.

3. 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, shall be approved or released, and no building permit for construction of a building on the Property, shall 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.

CITY OF AUSTIN, TEXAS

Except as specifically restricted pursuant to 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. That it is ordered that the Zoning Map established by Section 13-2-22 of the Austin City Code of 1992 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

PART 4. That the requirements imposed by Sections 2-2-3, 2-2-5, and 2-2-7 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five members of the City Council.

PART 5. That this ordinance shall become effective upon the expiration of ten days following the date of its final passage, as provided by the Charter of the City of Austin.

PASSED AND APPROVED:

March 7, 1996

10/20/2018

Brown

**Bruce Todd
Mayor**

APPROVED:

Andrew Mathews

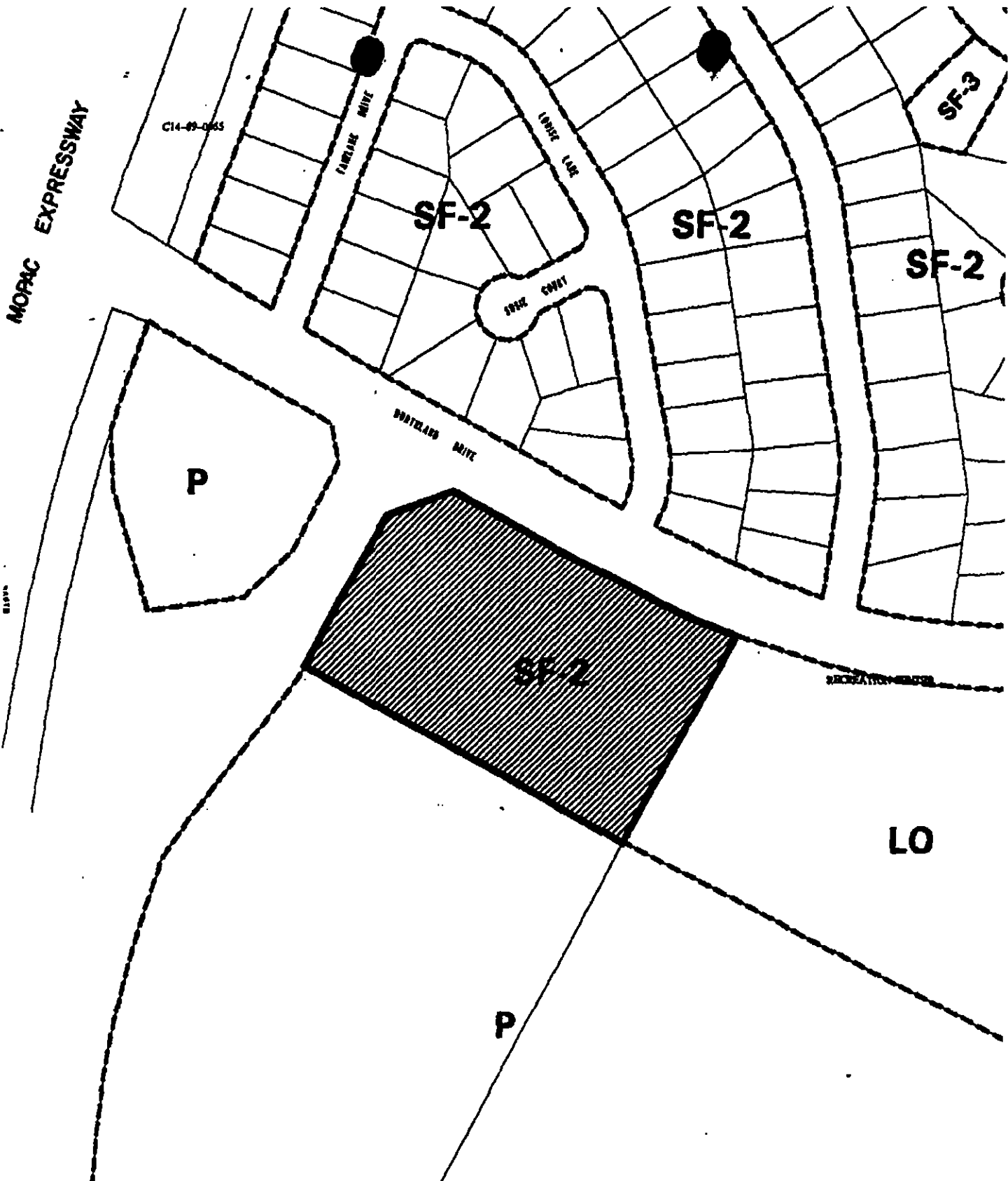
Andrew Martin
City Attorney





ATTEST

James E. Aldridge
James E. Aldridge

James E. Aldridge
City Clerk

7Mar96
MT/jj



 1"=200'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR. CYCLE: 95-09 INTS: TRG	   CASE #: C14-95-0140 SUBJECT AREA (acres): 4.730 ADDRESS: 3003 NORTHLAND DR.	CITY GRID REFERENCE NUMBER H28
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[SUMMARY]

25. C14-95-0140 - COVENANT PRESBYTERIAN CHURCH (George Cladis), By: Site Specifics (B.J. Cornelius), 3003 Northland Drive. (Shoal Creek). FROM SF-2 TO GO. ALTERNATE RECOMMENDATION: GO-CO. City Staff: Susan Villarreal, 499-6319, CONTINUED FROM 10-24 (PC) [PUBLIC HEARING CLOSED], 11-7 (NEIGHBORHOOD'S FIRST REQUEST)

STAFF'S PRESENTATION:

Ms. Susan Villarreal, Case Manager, Current Planning Section of the Development Services Department, offered staff presentation; this is a 4.7 acre tract owned by Covenant Presbyterian Church. It is currently zoned SF-2, Single Family Residential, zoning. The rezoning request is GO, General Office, zoning. The staff's alternate recommendation is GO-CO, General Office-Conditional Overlay, zoning, with the provisions of the overlay to limit the uses and intensities to a level generating less than 2,000 vehicle trips per day. The existing building is approximately 25 years old or more and was in compliance when it was built. Currently, it does not meet some of the SF-2 site development regulations.

A letter with signatures in opposition to the rezoning was distributed to the Commission and four of these signatures are within the 200 feet of the proposed site for a valid petition. However, the signatures on the petition totaled 11.41 percent which does not qualify it as a valid petition. The Allandale Neighborhood Association and the applicant have submitted letters regarding this case. The letter from the neighborhood supports the rezoning with conditions. Most of the conditions would restrict the uses and the site development provisions of the normal GO zoning district. Item 1 of the Allandale Neighborhood Association's conditions would restrict uses on the property to those permitted under SF-2 zoning. Staff noted that there is a day-care facility on the site and this use is not a permitted use under SF-2 zoning. Item 4 of the Allandale's Neighborhood Association's conditions references impervious cover shall be limited to 80 percent. Staff noted that this language is redundant since the maximum impervious cover is 80 percent under GO zoning. Commissioner Mather questioned staff on the impervious cover allowed under the current zoning. Staff replied that it was 65 percent. There was no impervious cover limit when the structure was built under the existing zoning.

Since the public hearing was closed at a previous meeting, the Commission decided to allow a speaker from the Allandale Neighborhood Association and an individual member of the Association to re-address their concerns. The applicant was allowed 1 speaker to restate their position. The public hearing was not officially opened.

ALLANDALE NEIGHBORHOOD ASSOCIATION'S PRESENTATION:

Mr. Tom Wood, president of the Allandale Neighborhood Association, understood that the rezoning request from the church was in order not to contribute more to an existing parking problem in the area. The church wanted to build a new building over existing parking spaces. The church's representatives indicated that they did not need "anybody's approval on this" and they could build the 10,000 square feet under the existing zoning because existing impervious cover was going to be replaced. Alternate parking solutions to solve the church's parking problem, the Northwest Recreation Center, and the neighborhoods were discussed. The feasibility of an expansion of a parking lot on the Northwest Recreation Center was then explored by the church. The neighborhood was in support of this proposal. Subsequently, the church held meetings with the Parks and Recreation Department to expand this parking lot. The neighborhood has come up with a set of restrictions that gives the church what they originally requested: 1) 10,000 square foot building; 2) two story height limitation; and 3) parking lot expansion over the Northwest Recreation Center. The items of contention by the applicant are Item 2) limit the additional building construction to 11,000 square feet and Item 6) the height limitation. He requested approval of the conditional overlay provisions as submitted by his neighborhood.

Ms. Phyllis Brinkley, speaking on behalf of herself, and not on behalf of any group, supports the stance of the Steering Committee of the Allandale Neighborhood Association on the GO-CO zoning. However, she disagreed with the neighborhood's stance with the height limitation. She prefers a height limitation of 35 feet rather than 46.5 feet. This neighborhood has tried to cap the height limitation to 2 stories or 35 feet. Anything over 2 stories in height would set a precedent in this area. At one point, there was a proposal for a 3-story granite building at the corner of Bull Creek Road and Hancock Road and the neighborhood was able to retain the 35 feet height limitation. She prefers that the existing buildings on the site be limited to the existing footprint. The impervious cover is 80 percent for GO zoning. She pointed out that a valid petition is difficult to obtain in this area due to the proximity of the site to Northwest Recreation Center, the City's cemetery, the Electric Substation, and Koenig Lane or Northland Drive.

APPLICANT'S PRESENTATION:

Ms. Bobbie Jo Cornelius, representing the Covenant Presbyterian Church, requested that the applicant be given two speakers so as to be equitable with the two parties who spoke from the neighborhood. The chair indicated that questions would be asked that would allow the applicant to expand their presentation. Ms. Cornelius referenced the letter from the Church offering a conditional overlay agreement which is a compromise. On October 24th, the case appeared before the Planning Commission and it was postponed by the Commission to allow the applicant additional time to obtain more information. The applicant met with the Allandale Steering Committee on November 6th. On November 7th, this case reappeared before the Commission and the neighborhood requested a postponement to February 6, 1995, to work out the parking issues with the Northwest Recreation Center. The applicant met with the Northwest Recreation's Advisory Board and staff from the Parks and Recreation Department, and the PARD Board. The City Council approved the joint parking lot to be built by the church on the Northwest Recreation Center's property. The subject site is located on the south side of Northland Drive which is 110 feet of right-of-way with a high traffic volume. The site is surrounded by a cemetery, a recreation center, a substation and MOPAC. The site is not situated in the middle of the Allandale Neighborhood. It is situated on the fringe. The church has no intentions of encroaching upon the neighborhood by going across and north. The church is confined to the 4.7 acre tract. She asked the City's support to continue supporting the church use which was the intention of the land from the beginning. The church never purchased homes to build a church. The structure has been a church since 1960 and will continue to be a church.

The church will agree to the following conditional overlay provisions: 1) The property shall be limited to SF-2 zoning uses permitted in the G0 district with the addition of private primary educational facilities and day care (General and Commercial); 2) The property be limited to SF-2 site development regulations with the following restrictions: a) 80 percent impervious cover; b) 50 feet height limitation (10 feet less than what G0 allows); the applicant intends to comply with all compatibility issues such as height limitations and setbacks) and c) maximum Floor-Area-Ratio (FAR) of .5:1 (which is one-half of the G0 zoning district); and 3) The parkland improvement agreement between the City of Austin and Covenant Presbyterian Church will be signed by both parties prior to third reading of the zoning case before City Council. The church will comply with the 40 percent building coverage under the SF-2 category.

GENERAL DISCUSSION:

Commissioner Sanders questioned the applicant on the current square footage of the property. Mr. Kim Williams, project architect for the church, said the current buildout is slightly less than 34,000 square feet (approximately 16 percent of the buildable area).

Commissioner Sullivan asked about left-hand turns in and out of the church site. Mr. Williams indicated there were two ways for ingress and egress out of the church. The principal site has two curb cuts (two entrances); the one closest to the campus can turn east or west onto Northland Drive; and the other one to the eastern end of the site can only make a right turn westbound. There is a connection between the church and the Northwest Recreation Center that allows access into the Recreation Center.

Mr. Williams met with the Allandale Neighborhood Association and showed them a copy of a plan which showed the feasibility of highest and best use and drawn intentionally to show the worst scenario. It was not even presented to the church. It is not a master plan. It was a feasibility study for a possible building plan upon which the church elected not to proceed. The church found that it was economically not feasible to pursue the structured parking. Staff has explained that this item could be listed as a restricted item in a conditional overlay. Ms. Villarreal explained that structured parking cannot be done in a conditional overlay. It is not a permitted use in any particular district. Parking is accessory. It is possible to restrict it in a restrictive covenant. Staff noted that a notice was mailed to the Allandale Neighborhood Association on October 27th for the November 7th meeting.

From the church's perspective, Commissioner Sanders clarified that the church did not want a parking garage. However, the church does prefer a 50 feet height limitation and a larger FAR ratio than the neighborhood's preference. With a 4.7 acre tract, a .5 FAR ratio would allow the church approximately 100,000 square feet. The neighborhood is willing to allow the applicant 45,000 square feet. Commissioner Sanders said the applicant would feasibly have to go towards structured parking if the .5 FAR ratio was reached. Mr. Williams noted that it was highly improbable when the neighborhood compatibility is looked at.

Commissioner Mather expressed concerns with the structured parking since it cannot be done in a conditional overlay. Commissioner Sanders explained that it was unlikely to get 3 stories with 35 feet height limitation in the event that structured parking was ever required.

Ms. Cornelius said the current church's plan is to add the office back on. The church is trying to address future expansion plans such as a day-care or a primary school. They need flexibility in the future to do what is needed and at the current time, it is difficult to predict what will be needed. The neighborhood's recommendation is to limit the church to 21 percent building coverage which is half of the building coverage for a single family home. The applicant deemed this situation inequitable and was not a middle of the road compromise.

The main points of disagreement were the height limitation (the applicant prefers 50 feet, the neighborhood prefers 46.5 feet, and Ms. Brinkley prefers 35 feet) and the building coverage (the applicant prefers approximately 100,000 square feet and the neighborhood prefers 45,000 square feet). Finally, the church wants some flexibility in the use. They want to maintain the ability to have General or Commercial day-care and private primary educational facilities.

Chair Rivera proposed a motion for GO-CO with the addition of private primary educational facilities and day care (General and Commercial), subject to the following conditions: 1) 80 percent impervious cover, 2) 46 feet height limitation, 3) .35:1 FAR, 4) the parkland improvement agreement between the City of Austin and Covenant Presbyterian Church to be signed by both parties prior to the third reading of the zoning ordinance. Commissioner McCormick provided a second to this motion. Commissioner Mather recommended a 35 feet height limitation rather than the 46 feet height limitation. Chair Rivera preferred a middle of the road compromise between the applicant and the neighborhood. Mr. Williams explained that the current height limitation of the existing sanctuary was 46.5 feet. If the building was to burn down, the applicant would be unable to re-build to the existing height. A sanctuary (1 story with a balcony) and a 8 X 12 pitch roof cannot be build with a height limitation of 35 feet.

Commissioner Vasquez-Revilla asked that the neighborhood reiterate their concerns on the height limitation of 46.5 feet. Mr. Wood said the neighborhood was willing to compromise with the height limitation of 46.5 feet because it fell between 35 feet and 50 feet. The 35 feet height limitation has been maintained throughout the neighborhood.

Commissioner Sullivan cautioned the Commission that a higher volume of traffic would be generated through the area if the use expanded to include a educational facility. The church is a business and as such will conceivably generate more traffic in the area of 2222 which is already over-burdened. He prefers a lower FAR ratio. On the other side of the coin, Commissioner Sanders noted that a day care facility and a primary educational facility offers the community the concept of a more diverse and integrated City.

PRIMARY MOTION:

COMMISSION ACTION:
MOTION:

RIVERA, MCCORMICK
RECOMMEND GO-CO, GENERAL OFFICE-CONDITIONAL
OVERLAY, TO PERMIT ONLY THOSE USES PERMITTED IN
SF-2 ZONING WITH THE ADDITION OF PRIVATE PRIMARY
EDUCATIONAL FACILITIES AND DAY CARE (GENERAL AND
COMMERCIAL), AND SUBJECT TO THE FOLLOWING
PROVISIONS OF THE CONDITIONAL OVERLAY: 1) LIMIT
DEVELOPMENT TO THAT WHICH WILL GENERATE LESS THAN
2,000 VEHICLE TRIPS PER DAY; 2) DEVELOPMENT SUBJECT
TO SF-2 DEVELOPMENT STANDARDS WITH THE FOLLOWING
EXCEPTIONS: a) 46 FEET HEIGHT LIMITATION, b) .35:1
FAR, & c) 80% IMPERVIOUS COVER; AND 4) THE PARKLAND
IMPROVEMENT AGREEMENT BETWEEN THE CITY OF AUSTIN
AND COVENANT PRESBYTERIAN CHURCH TO BE SIGNED BY
BOTH PARTIES PRIOR TO THE THIRD READING OF THE
ZONING ORDINANCE.

AYES:

ROBERTS, RIVERA, SANDERS, MCCORMICK

NAYS:

THOMPSON, MATHER, SULLIVAN, VASQUEZ-REVILLA

ABSENT:

BROWN

MOTION FAILED WITH A VOTE OF 4-4

Commissioner Sullivan offered a Substitute Motion with the same language of
the Primary Motion with the exception of the .35 FAR; the only change being
.25:1 FAR ratio (approximately 50,000 buildable area).

SUBSTITUTE MOTION:

COMMISSION ACTION:
MOTION:

SULLIVAN, MCCORMICK
RECOMMEND GO-CO, GENERAL OFFICE-CONDITIONAL
OVERLAY, TO PERMIT ONLY THOSE USES PERMITTED IN
SF-2 ZONING WITH THE ADDITION OF PRIVATE PRIMARY
EDUCATIONAL FACILITIES AND DAY CARE (GENERAL AND
COMMERCIAL), AND SUBJECT TO THE FOLLOWING
PROVISIONS OF THE CONDITIONAL OVERLAY: 1) LIMIT
DEVELOPMENT TO THAT WHICH WILL GENERATE LESS THAN
2,000 VEHICLE TRIPS PER DAY; 2) DEVELOPMENT SUBJECT
TO SF-2 DEVELOPMENT STANDARDS WITH THE FOLLOWING
EXCEPTIONS: a) 46 FEET HEIGHT LIMITATION, b) .25:1
FAR, & c) 80% IMPERVIOUS COVER; AND 4) THE PARKLAND
IMPROVEMENT AGREEMENT BETWEEN THE CITY OF AUSTIN
AND COVENANT PRESBYTERIAN CHURCH TO BE SIGNED BY
BOTH PARTIES PRIOR TO THE THIRD READING OF THE
ZONING ORDINANCE.

AYES:

THOMPSON, MATHER, VASQUEZ-REVILLA, RIVERA, SANDERS,
SULLIVAN, MCCORMICK

NAY:

ROBERTS

ABSENT:

BROWN

MOTION CARRIED WITH A VOTE OF 7-1

NEW CASES

8. C14-04-0067 – P.W.C., By: Ed Padgett, Marty Williams and Mark Clemens, Jim Bennett Consulting (Jim Bennett), 5607, 5611 and 5701 Travis Cook Road. (Williamson Creek / Barton Creek – In Barton Springs Zone). **FROM RR TO SF-3. RECOMMENDED.** City Staff: Wendy Walsh, 974-7719.

APPROVED STAFF'S RECOMMENDATION FOR SF-3 ZONING; BY CONSENT.

[J.M; J.G 2ND] (8-0) J.P – ABSENT

9. C814-04-0024 – BRODIE 31 C/O WALTERS SOUTHWEST, By: 31 Deerfield, Ltd. c/o William S. Walters, III (William S. Walters), Land Strategies, Inc. (Paul W. Linehan), 9000-9600 Block of Brodie Lane. (Williamson Creek – In Barton Springs Zone). **FROM DR TO PUD. RECOMMENDED WITH CONDITIONS.** City Staff: Wendy Walsh, 974-7719.

APPROVED STAFF'S RECOMMENDATION FOR PUD ZONING; INCLUDING THE CONDITIONAL OVERLAY OF THE T.I.A.

[K.J; M.W 2ND] (5-3) J.M; B.B, J.D – NAY; J.P – ABSENT

10. C14-04-0060 – WALGREENS, By: Village Trailer Park, Inc. (Gene Charlesworth Payne), Drenner Stuart Wolff Metcalfe von Kreisler, LLP. (Michele Haussmann), 2409 South Lamar Blvd. & 0 Bluebonnet Lane. (West Bouldin Creek). **FROM CS; SF-3 TO LR (FOR TRACT 1) & SF-3 TO LO (FOR TRACT 2). ALTERNATE RECOMMENDATION: LR-CO (TRACT 1); LO-CO (TRACT 2).** City Staff: Wendy Walsh, 974-7719.

POSTPONED TO 06/15/04 (APPLICANT)

[J.M; J.D 2ND] (8-0) J.P – ABSENT

11. C14-04-0065 – COVENANT PRESBYTERIAN CHURCH (Frederick L. Clement), By: Site Specifics (John Hussey), 3003 Northland Drive. (watershed). **FROM GO-CO TO GO-CO. RECOMMENDED.** City Staff: Glenn Rhoades, 974-2775.

APPROVED STAFF'S RECOMMENDATION FOR GO-CO ZONING.

[J.M; M.W 2ND] (8-0) J.P – ABSENT

12. C814-04-0061 – RIBELIN RANCH, By: Ribelin Ranch Partners (Frank Ribelin), Charles & Martha Ribelin, Tom & Lucia Francis, Thrower Design (Ron Thrower), RM 2222 Road. (Bull Creek, West Bull Creek). **FROM Not Zoned TO PUD. RECOMMENDED WITH CONDITIONS.** City Staff: Sherri Gager, 974-3057.

MOTION MADE TO CONTINUED TO 06/07/04 (ZAP); SPECIAL CALLED MEETING; AT 5:30 P.M.

[M.W; J.M 2ND] (8-0)

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 3003 NORTHLAND DRIVE FROM GENERAL
3 OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT TO
4 GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING
5 DISTRICT.
6

7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
8

9 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from general office-conditional overlay (GO-CO) combining
11 district to general office-conditional overlay (GO-CO) combining district on the property
12 described in Zoning Case No.C14-04-0065, on file at the Neighborhood Planning and
13 Zoning Department, as follows:
14

15 A 4.75 acre tract of land, more or less, out of the James P. Davis Survey No. 14,
16 Travis County, the tract of land being more particularly described by metes and
17 bounds in Exhibit "A" incorporated into this ordinance, (the "Property")
18

19 locally known as 3003 Northland Drive, in the City of Austin, Travis County, Texas, and
20 generally identified in the map attached as Exhibit "B".
21

22 PART 2. The Property within the boundaries of the conditional overlay combining district
23 established by this ordinance is subject to the following conditions:
24

- 25 1. Except as provided in subsections a, b, and c, the Property shall comply with the SF-2
26 district site development regulations set forth in Section 25-2-492 of the Code.
27
- 28 a. The maximum height of a building or structure is 60 feet from ground level.
29
- 30 b. The maximum impervious cover is 80 percent.
31
- 32 c. The maximum floor area ratio is 0.5 to 1.0.
33
- 34 2. A site plan or building permit for the Property may not be approved, released, or
35 issued, if the completed development or uses of the Property, considered cumulatively
36 with all existing or previously authorized development and uses, generate traffic that
37 exceeds 2,000 trips per day.

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

Administrative and business offices

Art and craft studio (limited)

Business or trade school

Business support services

Communications services

Medical offices (exceeding 5000 sq. ft.
gross floor area)

Local utility services

Personal services

Software development

Safety services

Communication service facilities

Convalescent services

Counseling services

Cultural services

Hospital services (limited)

Medical offices (not exceeding
5000 sq. ft. gross floor area)

Private secondary educational facilities

Professional office

College and university facilities

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

PART 3. This ordinance takes effect on _____, 2004.

PASSED AND APPROVED

_____, 2004

§
§
§

Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Brown
City Clerk

METES AND BOUNDS DESCRIPTION

BEING 4.75 ACRES OF LAND LOCATED IN THE JAMES P. DAVIS SURVEY No. 14, TRAVIS COUNTY, TEXAS; SAME ALSO BEING ALL OF THE REMAINDER OF THAT CERTAIN CALLED 3.00 ACRE TRACT OF LAND CONVEYED TO COVENANT PRESBYTERIAN CHURCH RECORDED IN VOLUME 2686, PAGE 331 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND ALL OF THAT CERTAIN CALLED 2.00 ACRE TRACT CONVEYED TO COVENANT PRESBYTERIAN CHURCH BY DEED RECORDED IN VOLUME 3769, PAGE 1191 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 4.75 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½-inch iron pipe found for the southeast corner of said 2.00 acre tract, same being the southwest corner of Lot 1, Northwest Recreation Center recorded in Volume 76, Page 171 of the Plat Records of Travis County, Texas, said iron pipe also being in the north line of that certain tract of land conveyed to Austin Memorial Park by deed recorded in Volume 407, Page 16 of the Deed Records of Travis County, Texas;

THENCE N 60°39'00" W along the common line between said 2.00 acre tract and said Austin Memorial Park tract a distance of 237.32 feet to a ½-inch iron rod found for the southwest corner of said 2.00 acre tract, same being the southeast corner of said remainder of a 3.00 acre tract;

THENCE N 60°40'01" W along the common line between said remainder of a 3.00 acre tract and said Austin Memorial Park tract a distance of 342.52 feet to a ½-inch iron rod found for the southwest corner of said remainder of a 3.00 acre tract in the east line of MoPac Boulevard (Loop 1) (ROW Varies);

THENCE northerly along said east line of MoPac Boulevard, same being the west line of said remainder of a 3.00 acre tract the following two (2) courses:

1. N 30°52'57" E a distance of 240.44 feet to a ½-inch iron rod found for corner;
3. N 67°06'18" E a distance of 163.16 feet to a ½-inch iron rod found for corner in the south line of Northland Drive (100' ROW);

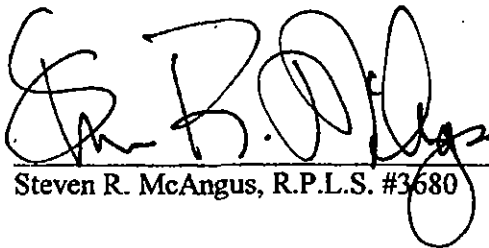
THENCE S 59°43'00" E along said south line of Northland Drive, same being the north line of said remainder of a 3.00 acre tract a distance of 245.50 feet to a nail in asphalt found for the northeast corner of said remainder of a 3.00 acre tract, same being the northwest corner of the aforementioned 2.00 acre tract;

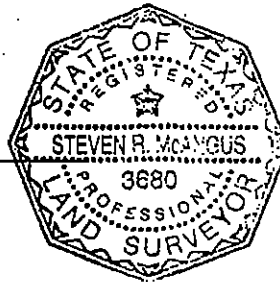
THENCE easterly continuing along said south line of Northland Drive, same being the north line of said 2.00 acre tract the following three (3) courses:

1. S 59°43'00" E a distance of 70.59 feet to the beginning of a curve to the left;
2. a distance of 165.72 feet along the arc of said curve to the left having a central angle of 07°46'30", a radius of 1,221.23 feet and a chord which bears S 64°02'28" E a distance of 165.60 feet to a ½-inch iron rod found for the end of said curve;
3. S 70°18'16" E a distance of 1.89 feet to a ½-inch iron rod set for the northeast corner of said 2.00 acre tract, same being the northwest corner of the aforementioned Lot 1, Northwest Recreation Center;

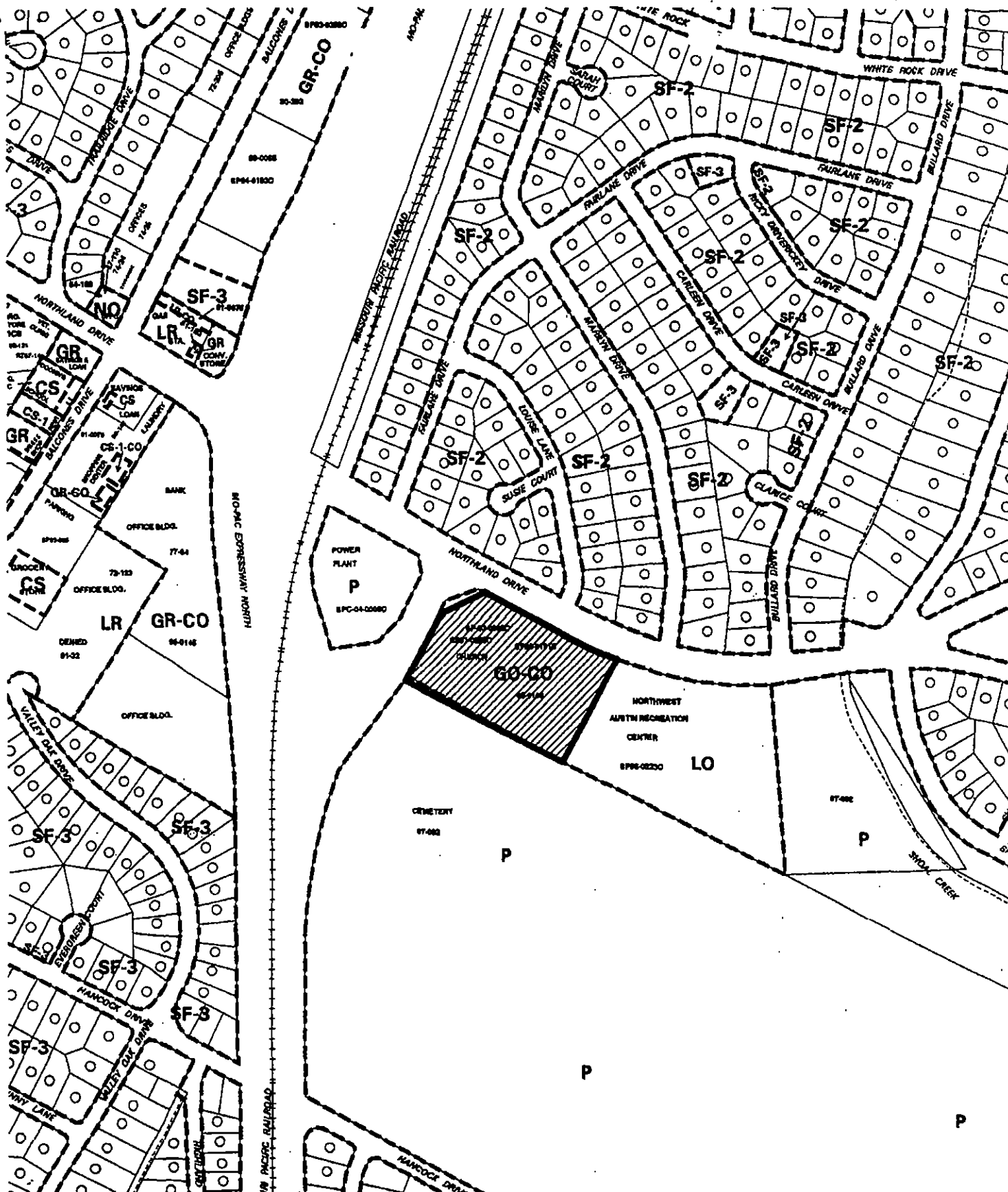
THENCE S 30°50'14" W along the common line between said 2.00 acre tract and Lot 1 a distance of 374.34 feet to the POINT OF BEGINNING of the herein described tract and containing 4.75 acres, more or less.

I HEREBY CERTIFY THAT THIS METES AND BOUNDS DESCRIPTION WAS PREPARED FROM A SURVEY PERFORMED ON THE GROUND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.


Steven R. McAngus, R.P.L.S. #3680



(The bearings shown hereon are referenced to the deed recorded in Volume 2686, Page 331 of the Deed Records of Travis County, Texas.)



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER H28
	PENDING CASE			
	ZONING BOUNDARY -----	CASE #: C14-04-0065	DATE: 04-05	
	CASE MGR: G. RHOADES	ADDRESS: 3003 NORTHLAND DR	INTLS: SM	
SUBJECT AREA (acres): 4.750				