



Thursday, September 28, 2006

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**Zoning Ordinances / Restrictive Covenants  
(HEARINGS CLOSED)  
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. **87**

**Subject:** C14-06-0132 - Rathgeber Village - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4800 Manor Road (Tannehill Branch Watershed) from family residence (SF-3) district zoning and planned unit development (PUD) district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. First reading approved on August 24, 2006. Vote: 7-0. Applicant: Catellus Austin L.L.C. (Greg Weaver). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Robert Heil, 974-2330.

**Additional Backup  
Material**

(click to open)

- ☐ Staff Report
- ☐ Ordinance

**For More Information:**

## SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-06-0132 Rathegeber Village

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4800 Manor Road (Tannehill Branch Watershed) from family residence (SF-3) district and planned unit development (PUD) district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning.

DEPARTMENT COMMENTS:

The proposed zoning is general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. The conditional overlay would limit total daily vehicle trips to no more than 2000. The site is planned to be developed with a mix of needed community support facilities.

APPLICANT/AGENT: Alice Glasco Consulting (Alice Glasco)

OWNER: Catellus Austin LLC (Greg Weaver) & Charitable Holdings (Richard Slaughter)

DATE OF FIRST READING: 8/24/06 Approved staff's recommendation of GO-MU-CO (Vote: 7-0)

PLANNING COMMISSION ACTION: 7/25/06: Approved staff's recommendation of GO-MU-CO by consent (7-0-1) M.DEALEY – ABSTAINED; P.CAVAZOS – NOT YET ARRIVED

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Robert Heil, e-mail: robert.heil@ci.austin.tx.us

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-06-0132 Rathgeber Village

**P.C. Date:** July 25, 2006

**ADDRESS:** 4800 Manor Road

**OWNERS/APPLICANTS:** Catellus Austin LLC (Greg Weaver) &  
Charitable Holdings (Richard Slaughter)

**AGENT:** Alice Glasco Consulting (Alice Glasco)

**ZONING FROM:** SF-3 and PUD

**TO:** GO-MU-CO

**AREA:** 17.550 acres

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the request for GO-MU-CO. The conditional overlay would limit total daily vehicle trips to no more than 2000.

**PLANNING COMMISSION RECOMMENDATION:**

**July 25, 2006:** APPROVED STAFF'S RECOMMENDATION OF GO-MU ZONING;  
BY CONSENT. [J.REDDY, K.JACKSON 2<sup>ND</sup>] (7-0-1) M.DEALEY – ABSTAINED;  
P.CAVAZOS – NOT YET ARRIVED

**DEPARTMENT COMMENTS:**

The site is currently undeveloped and zoned family residence (SF-3) and planned unit development (PUD). It is surrounded by a mix of residential and commercial zoning. Not all of the land around the subject tract has been developed.

Significantly, to the south and west is the Robert Mueller Municipal Airport site, being developed with a range of mixed uses. The proposed rezoning supports the redevelopment plans for the RMMA site.

The proposed zoning is general office-mixed use conditional overlay (GO-MU-CO) combining district zoning. The conditional overlay would limit total daily vehicle trips to no more than 2000. The site is planned to be developed with a mix of needed community support facilities.

Staff recommends approval of the request for GO-MU-CO. Rezoning of the property is compatible with existing neighborhoods and the RMMA redevelopment plans.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3 and PUD	Undeveloped
<i>North</i>	MF-2, MF-3 and GR	Apartments and undeveloped
<i>South</i>	PUD	Developing Mueller Airport site
<i>East</i>	SF-3-NP, MF-3, PUD-NP	Single Family Homes, Apartments & undeveloped
<i>West</i>	SF-3	Undeveloped

**AREA STUDY:** The site lies within the Windsor Park Planning area which held its first workshop November 5, 2005.

**TIA:** 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]

**WATERSHED:** Tannehill Branch Creek

**DESIRED DEVELOPMENT ZONE:** Yes

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

**REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS**

- Pecan Springs – Springdale Neighborhood Association
- Austin Neighborhood Council
- Mueller Neighborhood Coalition
- Keep the Land
- PODER (People in Defense of Earth and her Resources)
- East MLK NPCT
- Anberly Airport Association

**SCHOOLS: (AISD)**

Jordan Elementary School      Dobie Middle School      LBJ High School

**ABUTTING STREETS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bus Route</b>	<b>Bike Route</b>
Manor Road	98'	45'	Arterial	No	Yes	No

**CITY COUNCIL DATE:****ACTION:**

**August 24, 2006:**

Approved staff's recommendation of GO-MU-CO  
(Vote: 7-0)

C14-06-0132

**September 28, 2006:**

**ORDINANCE READINGS:**      1<sup>st</sup>      8/24/06      2<sup>nd</sup>      3<sup>rd</sup>

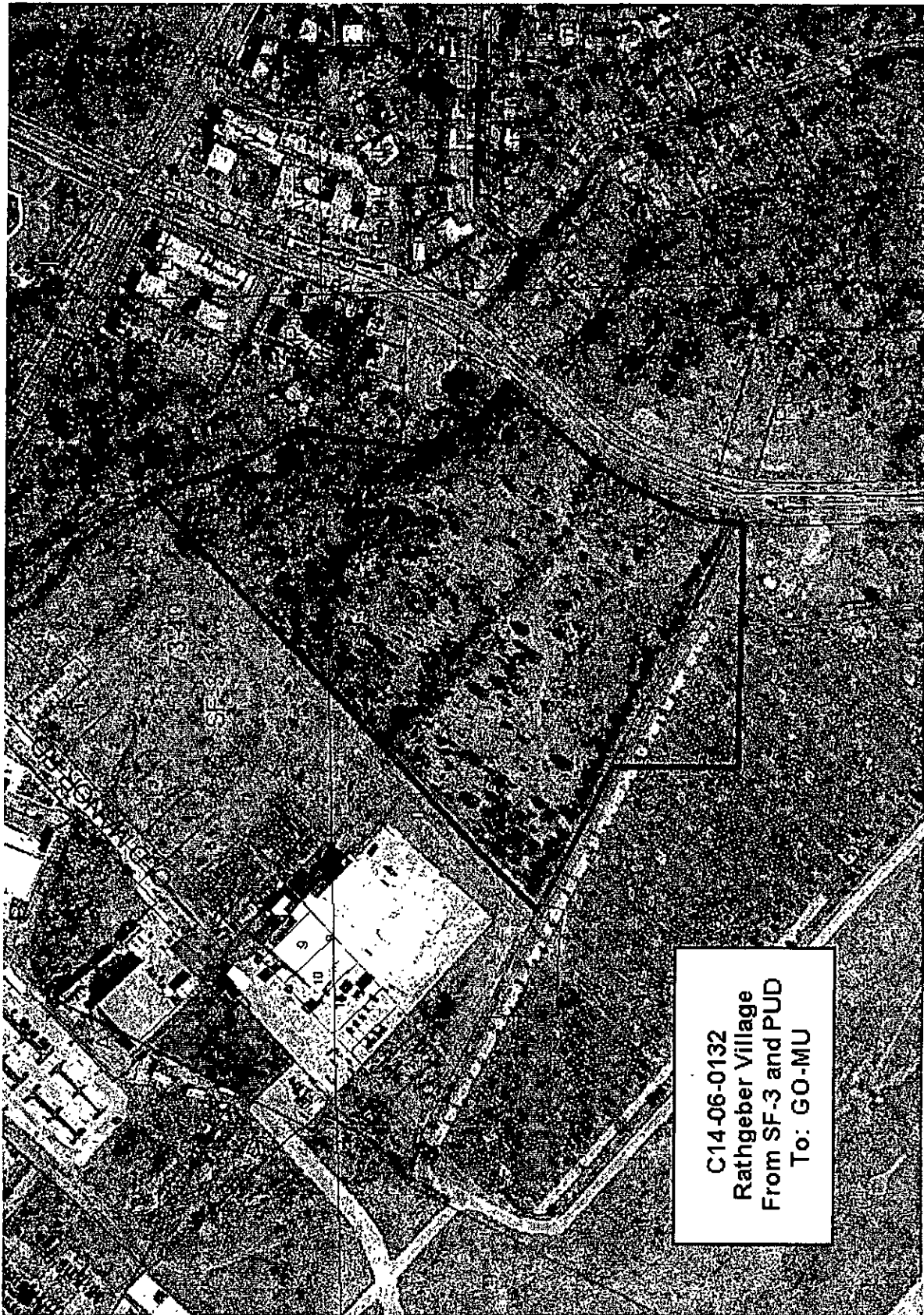
**ORDINANCE NUMBER:**

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

**PHONE:** 974-2330



C14-06-0132



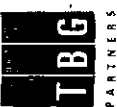
C14-06-0132  
Rathgeber Village  
From SF-3 and PUD  
To: GO-MU







The information above is based on the best information available and is subject to change without notice. All users indicated in Hungarobank Village are proposed.



# Rathgeber Village

## **SUMMARY OF STAFF RECOMMENDATION**

Staff recommends approval of the request for GO-MU-CO. The conditional overlay would limit total daily vehicle trips to no more than 2000.

Rezoning of the property is compatible with existing neighborhoods and the RMMA redevelopment plans. The site is planned to be developed with a mix of needed community support facilities.

## **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) district is the designation for an office or commercial use that serves neighborhood and community needs. A building in a GO district may contain one or more different uses. The purpose of the mixed use (MU) combining district is to allow office, retail, commercial and residential uses to be combined on a single development.

2. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

General Office-mixed use zoning (GO-MU) is appropriate adjacent to the existing zoning and land uses, and would be compatible with the redevelopment plan of the Robert Mueller Airport site.

3. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

The development of the civic and medically related uses on the site promotes clearly identified goals of providing medical and social support to the citizens of Austin.

## **EXISTING CONDITIONS**

The site is currently undeveloped and zoned family residence (SF-3) and planned unit development (PUD). It is surrounded by a mix of residential and commercially zoning. Not all of the land around the subject tract has been developed.

Significantly, to the south and west is the Robert Mueller Municipal Airport site, being developed with a range of mixed uses. The proposed rezoning supports the redevelopment plans for the RMMA site.

### **Transportation**

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

The trip generation under the requested zoning is estimated to be 31,045 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]

#### **Existing Street Characteristics:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bus Route</b>	<b>Bike Route</b>
Manor Road	98'	45'	Arterial	No	Yes	No

#### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill Branch 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 Desired Development Zone.

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

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

According to flood plain maps, there is 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.

#### **Site Plan**

A portion of this tract is within the RMMA PUD, Section OS-4. The RMMA PUD may need to be amended to reflect the new totals if this section is removed

The site is subject to compatibility standards. Along the west property line is zoned SF-3, the following standards apply:

- No structure may be built within 25 feet of the property line.
- 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.

### **Water and Wastewater**

The landowner intends to serve the site and each lot with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension system upgrades, utility adjustments, and utility relocation. 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 water and wastewater utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

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

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 4800 MANOR ROAD FROM FAMILY RESIDENCE  
3 (SF-3) DISTRICT AND PLANNED UNIT DEVELOPMENT (PUD) DISTRICT TO  
4 GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY (GO-MU-CO)  
5 COMBINING 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 family residence (SF-3) district and planned unit  
11 development (PUD) district to general office-mixed use-conditional overlay (GO-MU-CO)  
12 combining district on the property described in Zoning Case No. C14-06-0132, on file at  
13 the Neighborhood Planning and Zoning Department, as follows:  
14

15 17.55 acres of land, more or less, consisting of a 15.919 acre tract of land and a  
16 1.631 acre tract of land, out of the Henry Warnell Survey No. 20, Abstract No 793,  
17 Travis County, the tracts of land being more particularly described by metes and  
18 bounds in Exhibit "A" incorporated into this ordinance (the "Property"),  
19

20 locally known as 4800 Manor Road, in the City of Austin, Travis County, Texas, and  
21 generally identified in the map attached as Exhibit "B".  
22

23 **PART 2.** The Property within the boundaries of the conditional overlay combining district  
24 established by this ordinance is subject to the following conditions:  
25

26 A site plan or building permit for the Property may not be approved, released, or  
27 issued, if the completed development or uses of the Property, considered cumulatively with  
28 all existing or previously authorized development and uses, generate traffic that exceeds  
29 2,000 trips per day.  
30

31 Except as specifically restricted under this ordinance, the Property may be developed and  
32 used in accordance with the regulations established for the general office (GO) base district  
33 and other applicable requirements of the City Code.  
34  
35  
36  
37

1 **PART 3.** This ordinance takes effect on \_\_\_\_\_, 2006.

2  
3  
4 **PASSED AND APPROVED**

5  
6  
7  
8 \_\_\_\_\_, 2006

§  
§  
§

9 Will Wynn  
10 Mayor

11  
12  
13 **APPROVED:** \_\_\_\_\_

14 David Allan Smith  
15 City Attorney

**ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk

FIELD NOTES  
FOR

17.55 ACRES OF LAND

ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND OUT OF THE HENRY WARNELL SURVEY NO. 20, ABSTRACT NO. 793 IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN 15.919 ACRE TRACT OF LAND CONVEYED TO CHARITABLE HOLDINGS BY INSTRUMENT RECORDED IN DOCUMENT NO. 2004229618 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN 1.631 ACRE TRACT OF LAND CONVEYED TO CATELLAS AUSTIN, L.L.C. BY INSTRUMENT RECORDED IN DOCUMENT NO. 2006107316 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, THE HEREIN DESCRIBED TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch capped iron pin set at the most Easterly corner of said 15.919 acre tract, being at the most Southerly corner of Lot 9, Manor Hills Section 10-A, a subdivision recorded in Volume 12, Page 35 of the Plat Records of Travis County, Texas, being in the Northwest r.o.w. line of Manor road, an 80 foot wide public right-of-way, being in the approximate centerline of Tannehill Branch, for the most Easterly corner and PLACE OF BEGINNING hereof;

THENCE along the Southeast line of said 15.919 acre tract, being along the Northwest r.o.w. line of Manor Road for the following courses:

S 44°09'00" W for a distance of 170.92 feet to a ½ inch capped iron pin set at a point of curve

Along a curve to the left whose radius is 761.34 feet, whose arc is 433.63 feet and whose chord bears S 27°50'00" W for a distance of 427.79 feet to a ½ inch capped iron pin set at the most Southerly corner of said 15.919 acre tract, being at that most Easterly corner of said 1.631 acre tract, for the Southeast corner hereof;

THENCE along the South line of said 1.631 acre tract, N 87°22'46" W for a distance of 520.82 feet to a ½ inch capped iron pin set at the Southwest corner of said 1.631 acre tract for the Southwest corner hereof;

THENCE along the West line of said 1.631 acre tract, N 02°35'02" E for a distance of 272.90 feet to a ½ inch capped iron pin set at the Northwest corner of said 1.631 acre tract, being in the Southwest line of said 15.919 acre tract;

THENCE along the Southwest line of said 15.919 acre tract, N 59°44'00" W for a distance of 352.63 feet to a ½ inch iron pin found in concrete at the most Westerly corner of said 15.919 acre tract for the most Westerly corner hereof;

THENCE along the Northwest line of said 15.919 acre tract, N 48°22'00" E for a distance of 1227.89 feet to a ½ inch iron pin found at the most Northerly corner of said 15.919 acre tract, being the approximate centerline of Tannehill Branch, for the most Northerly corner hereof;

THENCE along the Northeast line of said 15.919 acre tract, being the approximate centerline of Tannehill Branch for the following courses:

FIELD NOTES  
FOR

17.55 ACRES OF LAND – Page Two

S 15°52'28" E for a distance of 195.90 feet to a ½ inch capped iron pin set

S 25°45'28" E for a distance of 81.82 feet to a ½ inch capped iron pin set

S 31°01'28" E for a distance of 57.27 feet to a ½ inch capped iron pin set

S 08°39'30" W for a distance of 278.72 feet to a ½ inch capped iron pin set

S 22°24'00" E for a distance of 129.67 feet to a ½ inch capped iron pin set

S 46°43'00" E for a distance of 120.15 feet to the PLACE OF BEGINNING and  
containing 17.55 acres of land, more or less.

SURVEYED BY:

Roy D. Smith Surveyors, P.C.

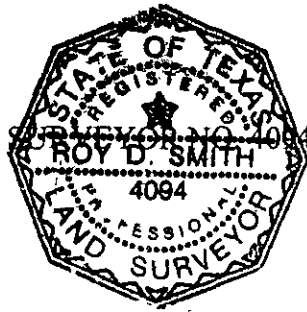
*Roy D. Smith*

ROY D. SMITH

REGISTERED PROFESSIONAL SURVEYOR NO. 4094

March 10, 2006

Rathgeber Village





**SURVEY OF A PORTION OF THE HENRY WARNELL  
SURVEY NO. 20, ABSTRACT NO. 793 IN THE CITY  
OF AUSTIN, TRAVIS COUNTY, TEXAS**

CITY OF AUSTIN  
2.00 ACRES  
DOC. NO. 2002016770

SCALE 1" = 200'

N

STATE OF TEXAS  
11.36 ACRES  
CAUSE NO. 1334

S25°45'28"E  
81.82'

S31°01'28"E  
57.27'

**LEGEND**

- 1/2" PIN FOUND
- ◻ 1/2" PIN FOUND IN CONCRETE
- 1/2" PIN SET

APPROX.  $\frac{1}{2}$   
TANNEHILL CREEK

CHARITABLE HOLDINGS

DOC. NO. 2004229618

( 15.919 AC )

17.55 AC TOTAL

S46°43'00"E  
120.15'

P.O.B.

S27°50'00"W  
C = 427.79'  
L = 433.63  
T = 222.87  
Δ = 32°38'00"  
R = 761.34

CITY OF AUSTIN  
VOL. 2539, PG. 103

N02°35'02"E  
272.90'

( 1.631 AC )

N87°22'46"W

520.82'

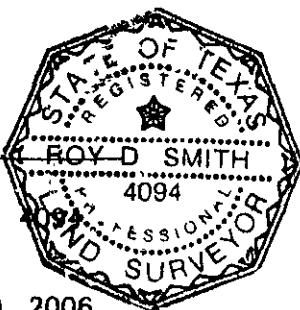
CATELLAS AUSTIN, L.L.C.  
DOC. NO. 2006107316

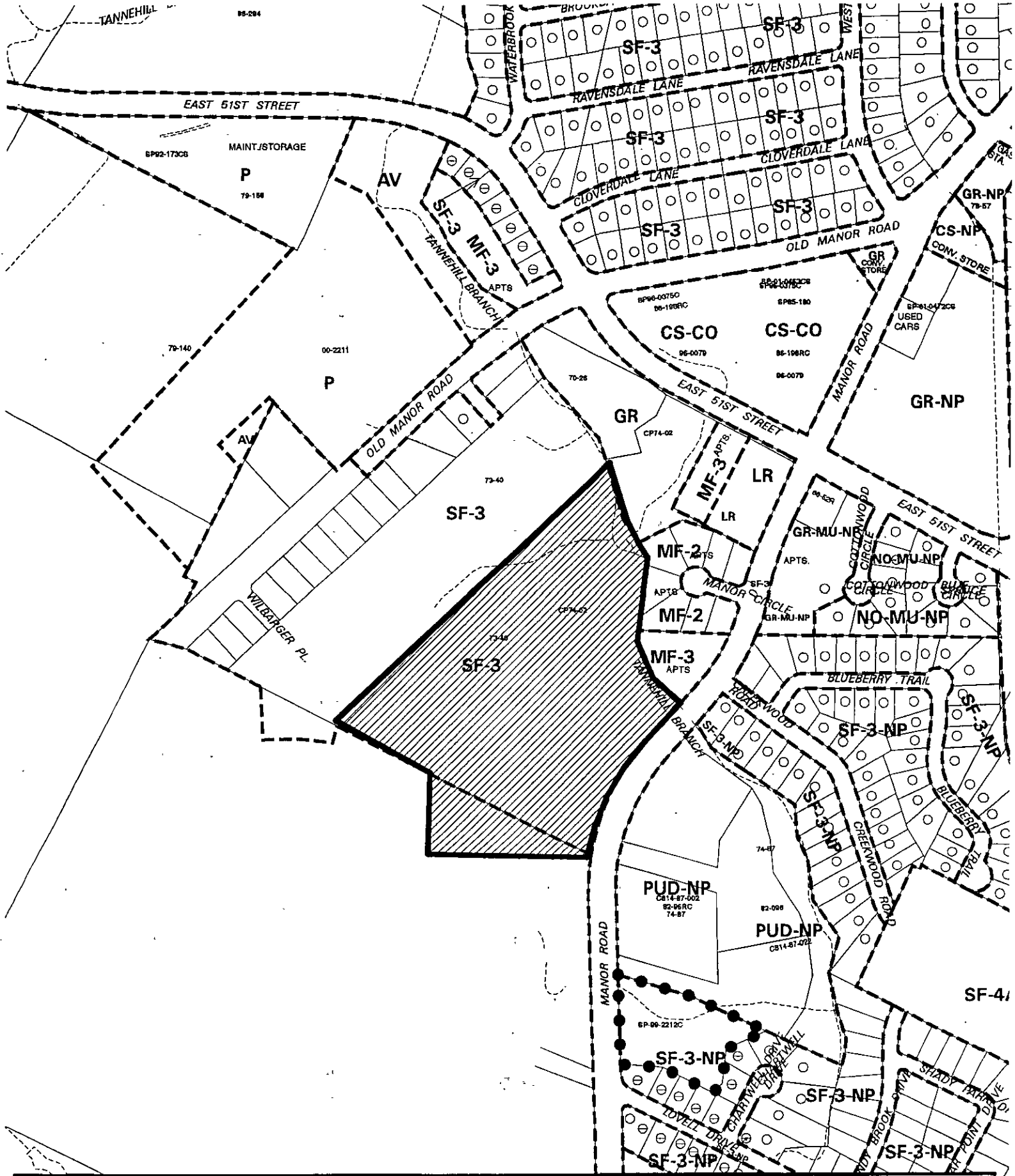
MANOR ROAD


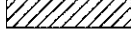

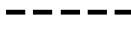
SURVEYED BY  
ROY D. SMITH SURVEYORS, P.C.

*Roy D. Smith*

ROY D. SMITH  
REGISTERED PROFESSIONAL SURVEYOR NO. 4094  
1214 WEST 5th STREET - SUITE A  
AUSTIN, TEXAS 78703  
PHONE (512) 478 - 9821 MARCH 10, 2006





 1" = 400'	SUBJECT TRACT		<b>ZONING</b> Exhibit B CASE #: C14-06-0132 ADDRESS: MANOR RD SUBJECT AREA (acres): 17.550	DATE: 06-06 INTLS: SM	CITY GRID REFERENCE NUMBER L24
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: R. HEIL				