

Thursday, November 16, 2006

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Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION

ITEM No.60

**Subject:** C14-06-0178 - TexMecs Research Ltd. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6012 West William Cannon Drive (Williamson Creek Watershed - Barton Springs Zone) from neighborhood commercial (LR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Planning Commission Recommendation: To grant community commercial (GR) district zoning. Applicant: TexMecs Research Ltd (E. David Pampe, M.D.) Agent: Lopez-Phelps & Associates (Amelia Lopez-Phelps). City Staff: Wendy Walsh, 974-7719

**Additional Backup Material** 

(click to open)

☐ Staff Report

D Ordinance

For More Information:

#### ZONING CHANGE REVIEW SHEET

<u>CASE</u>: C14-06-0178 <u>P.C. DATE</u>: October 10, 2006

October 24, 2006

ADDRESS: 6012 West William Cannon Drive

OWNER: TexMecs Research Ltd. AGENT Lopez-Phelps & Associates

(E. David Pampe, M.D.) (Amelia Lopez-Phelps)

**ZONING FROM:** LR **TO:** GR **AREA:** 0.032 acres

(1,412 square feet)

#### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant community commercial (GR) district zoning.

#### PLANNING COMMISSION RECOMMENDATION:

October 10, 2006: DUE TO AN AGENDA POSTING ERROR, THIS MEETING WAS NOT HELD.

October 24, 2006: APPROVED GR DISTRICT ZONING; BY CONSENT. [J. REDDY, C. GALINDO – 2<sup>ND</sup>] (8-0) M. MOORE – ABSENT

#### **ISSUES:**

The Owner has provided a letter of support from the adjacent tenants. Please refer to the letter attached at the back of the report.

#### **DEPARTMENT COMMENTS:**

The subject rezoning area consists of vacant office space within a medical office building that accesses West William Cannon Drive and is zoned neighborhood commercial (LR) by a 1987 case. The property is surrounded to the east, west and south by other medical offices (LR) and to the north by a cemetery (P-CO). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View), B (Recorded Plat) and C (Approved Site Plan).

The Applicant proposes to rezone the office space to the community commercial (GR) district for a research services use in order to conduct overnight medical studies with limited stays. The research services use is first permitted in the GR district. In consideration of this rezoning application, the Staff examined rezoning case histories within the surrounding area and finds three examples of less restrictive zoning of limited size (i.e., a footprint) occurring within larger office and commercial developments. In this context, GR zoning of limited size is appropriate for property that has access to an arterial roadway and is compatible with other uses in this medical office development

C14-06-0178 Page 2 of 6

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

	ZONING	LAND USES
Site	LR	Vacant medical office space
North	P-CO	Cemetery
South	LR	Medical offices; Financial services
East	LR	Medical offices
West	LR; GR; P-CO	Medical offices; Financial services; Pharmacy; Cemetery

NEIGHBORHOOD PLANNING AREA: Oak Hill NPA TIA: Is not required (East Oak Hill)

WATERSHED: Williamson Creek - DESIRED DEVELOPMENT ZONE: No

Barton Springs Zone - Recharge Zone

CAPITOL VIEW CORRIDOR: No SCENIC ROADWAY: Yes, William Cannon

Drive

### **NEIGHBORHOOD ORGANIZATIONS:**

298 - Oak Hill Association of Neighborhoods

384 - Save Barton Spring Association 385 - Barton Springs Coalition

428 - Barton Springs / Edwards Aquifer Conservation District

511 – Austin Neighborhoods Council 705 – OHAN 78735

706 – OHAN 78736 707 – OHAN 78737 708 – 78738

709 – OHAN 78739 710 – OHAN 78749

742 - Austin Independent School District 943 - Save Our Springs Alliance

967 - Circle C Neighborhood Association

#### **SCHOOLS:**

Patton Elementary School Small Middle School Austin High School

#### **CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0186 (Giss	LR to GR	To Grant GR-CO with	Approved GR-CO as
Café)		COs for list of	ZAP recommended
		prohibited uses and LR	with Restrictive
		development standards	Covenant for hours of
			operation, rollback to
			LR if restaurant
			(general) use ceases,
			IPM Plan, landscaping
			plan and use of native
			and adapted plant

C14-06-0178 Page 3 of 6

			materials (2-3-05).
C14-02-0106 (William Cannon Office Park)	SF-3 to GO	To Grant GO-CO	Approved GO-CO with CO for 2,000 trips; Restrictive Covenant for IPM / Landscape Plan (10-24-02).
C14-98-0208 (Legend Oaks Office Park)	LO to GO	To Grant GO with conditions	Approved GO-CO with conditions; CO is to prohibit art & craft studio (limited); business or trade school; business support services; offsite accessory parking; guidance services; restaurant (limited); special use historic and hospital services (general) (3-25-99).
C14-98-0107 (Convenience Store)	LR to GR	To Grant GR-CO with conditions	Approved GR-CO with conditions. CO is for LR site development regulations; many prohibited uses. Private Restrictive Covenant with Legend Oaks HOA for screening (including vegetative plantings) and hours of operation for car wash (10-24-02).

#### **RELATED CASES:**

The subject rezoning area was zoned neighborhood commercial on April 2, 1987 along with adjacent properties to the west (GR) and east (LR) (C14r-85-375CR) There is a public Restrictive Covenant which states that 1) vehicular access to Ridge Oak Road is limited to emergency vehicle use only and 2) that Ridge Oak Road shall not connect to William Cannon Drive.

The rezoning area represents a portion of the Resubdivision of Lot 5, Block A, of the Resubdivision of Lot 3A, Block A of the Amended Plat of Lots 2 & 3, Block 1 of High Mesa Plaza Section II, recorded in October 2003 (C8-03-0092.0A). Please refer to Exhibit B.

Page 4 of 6 C14-06-0178

The rezoning area represents a portion of Oakwood Commons, an administrative Replacement Site Plan for medical offices approved on February 18, 2004 (SP-04-0193CR). Please refer to Exhibit C.

## **ABUTTING STREETS:**

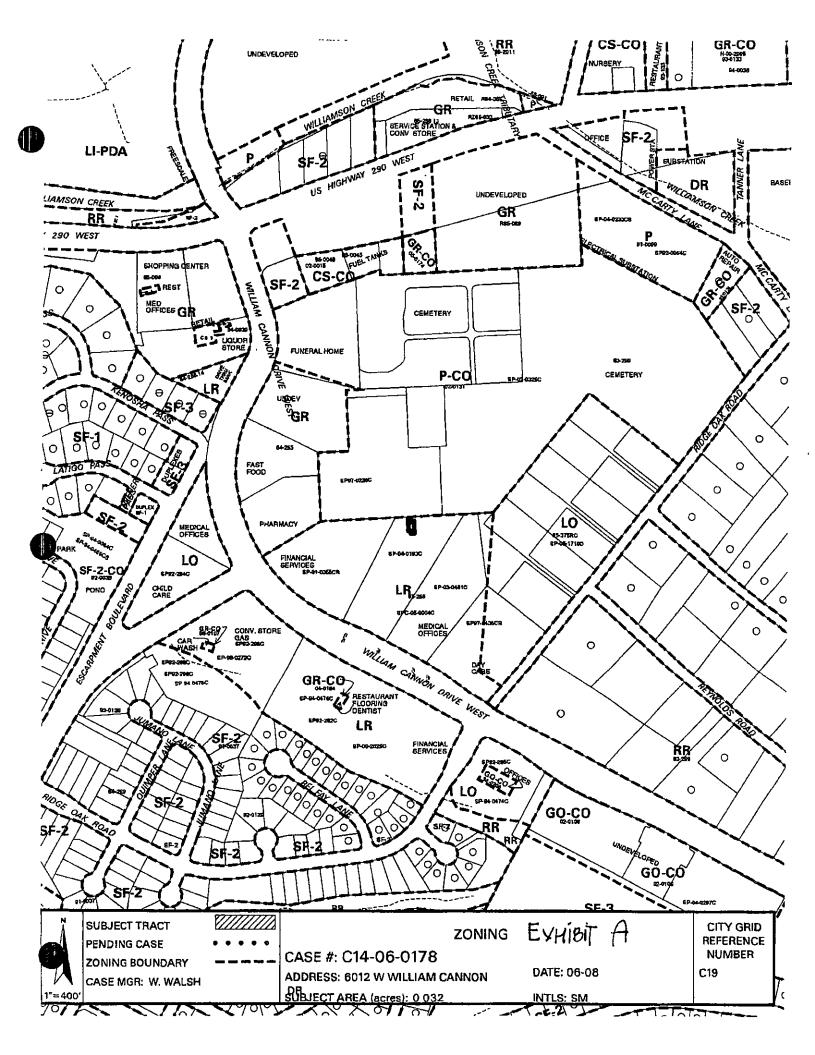
NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
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Drive						

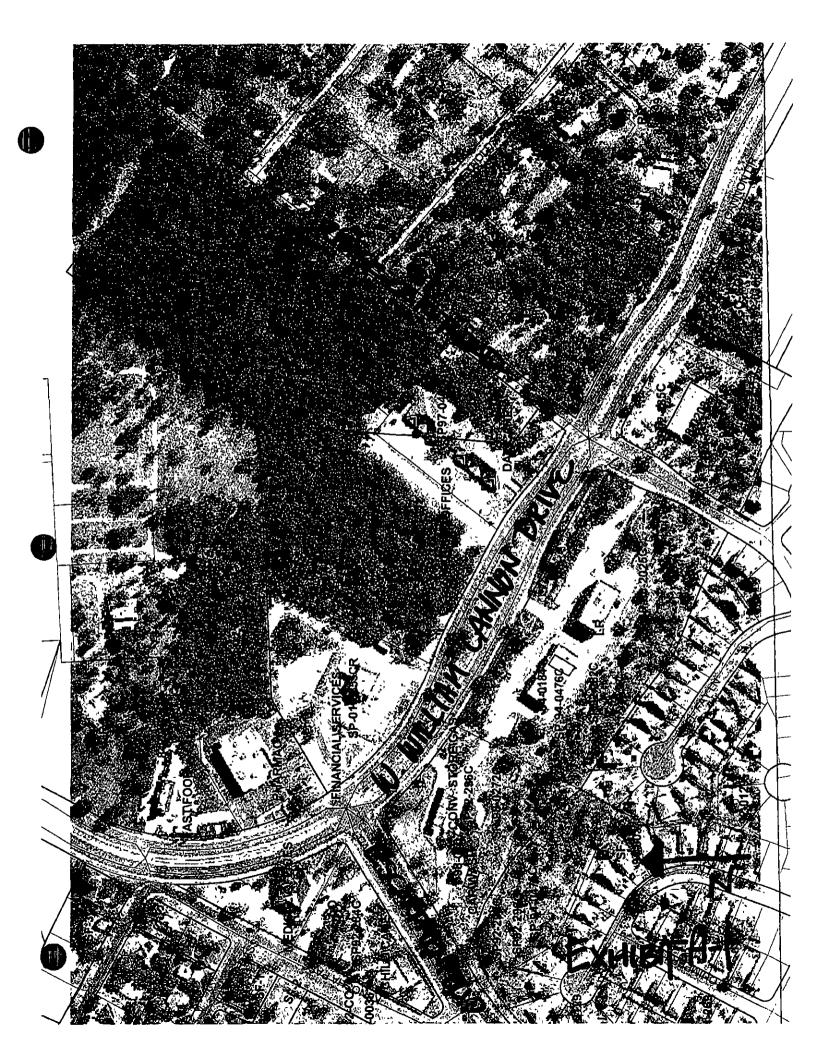
CITY COUNCIL DATE: November 16, 2006 ACTION:

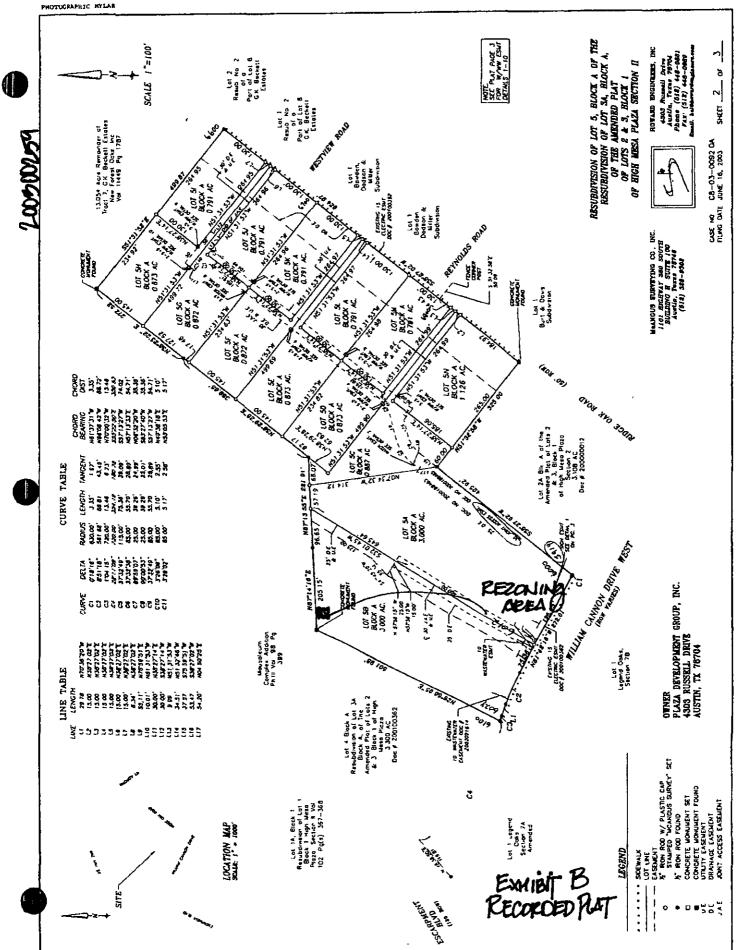
2<sup>nd</sup>  $3^{rd}$ **ORDINANCE READINGS: 1st** 

**ORDINANCE NUMBER:** 

<u>CASE MANAGER:</u> Wendy Walsh e-mail: wendy.walsh@ci.austin.tx.us **PHONE:** 974-7719



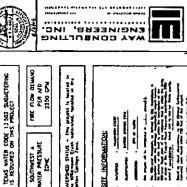






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6012 W. William Cannon Drive Austin, Texas

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LANDSCAPE ARCHITECT



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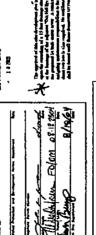
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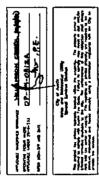
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Austin, Texas SUBMETERING IS REQUIRED ON THIS PROJECT





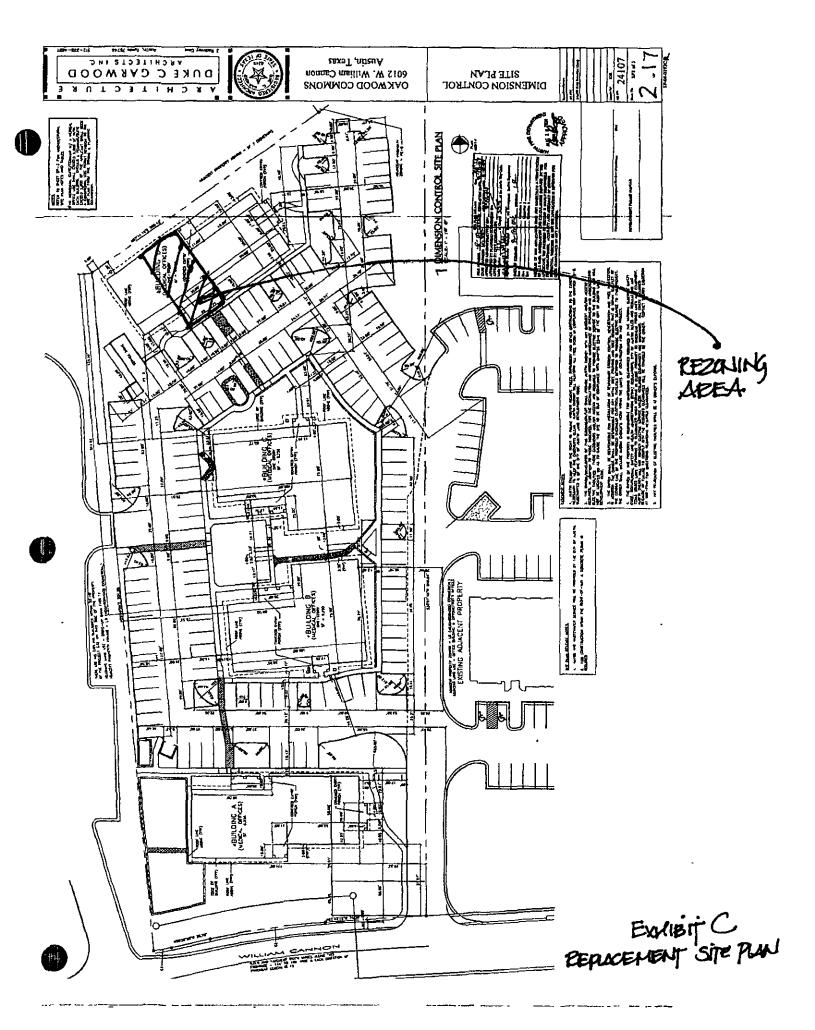


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Telephone (312) 328-1638 Fax (312) 322-0414

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C14-06-0178 Page 5 of 6

#### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant community commercial (GR) district zoning.

#### BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed GR, Community Commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The property has access to West William Cannon Drive, an improved, 6-lane major arterial roadway.

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

GR zoning of limited size is appropriate for property that has access to an arterial roadway and is compatible with other uses in this medical office development.

#### **EXISTING CONDITIONS**

#### Site Characteristics

The rezoning area consists of vacant medical office space.

#### Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 64% based on the approved site plan.

#### Environmental

This site is located over the Edward's Aquifer Recharge Zone, in the 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. It is in the Drinking Water Protection Zone.

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

The site is located within the endangered species survey area.

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

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture

C14-06-0178 Page 6 of 6

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

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

The trip generation under the requested zoning is estimated to be 422 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]

#### Water and Wastewater

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

#### Compatibility Standards

The proposed rezoning does not trigger the application of compatibility standards.



#### E. DAVID PAMPE, M.D.

Diplomate American Board of Family Practice

6012 W. Wm. Cannon, #D-101 Austin, TX 78749 Telephone: (512) 892-6441

September 5, 2006

Dear Colleagues.

As you may recall from our first owners' meeting of Oakwood Commons, I am in the process of rezoning the research facility next to my office ie: Unit D-102 to allow for the possibility of actual overnight stays. This would in turn add security for the entire complex as the "headquarters" of the research facility is in a totally glassed-in room where there would be a physical presence 24/7 during said times. The number of patients would be small and the added security, I believe, would be beneficial.

Nancy Costs, Project Manager for Lopez-Phelps & Associates LLC, is the person in charge of the rezoning process. She has indicated a favorable letter from condo neighbors would be helpful. If amenable to the letter of support from the condo association, please indicate by your signature.

If I can answer any questions, please do not hesitate to contact me.

Sincerely,

E. David Pampe, M.D.

OUT OF TOWN -

SAYS WILL SIGN WHEN RE TURNS

Tim Stanley

Ronald Pinckard

Dr. Mai Ferrara

william Buchener

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Page 1 of 1

COA Law Department

Draft: 10/31/2006

ORDINANCE NO.

0.032 Acre 1,696 Square Feet Travis County, Texas

EXHIBIT A

FN No. 06-0075 August 16, 2006 D&A Job No. Condo

DESCRIPTION OF A 0.032 ACRE (1,412 SQUARE FEET) TRACT OF LAND OUT OF LOT 5B, BLOCK A OF THE RESUBDIVISION OF LOT 5, BLOCK A OF THE RESUBDIVISION OF LOT 3A, BLOCK A OF THE AMENDED PLAT OF LOTS 2 & 3, BLOCK 1 OF HIGH MESA PLAZA, SECTION 11, A SUBDIVISION OF RECORD, IN DOCUMENT NO. 200300259 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 0.032 ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod with cap stamped "McAngus" found at the northwest corner of said Lot 5B, Block A, and being a point in the south line of Mausoleum Complex Addition Phase III, recorded in Volume 98, Page 399, Travis county plat records;

THENCE, along the north line of said Lot 5B and the south line of said Mausoleum, N87°14'16'E, a distance of 54.00 feet to a calculated point for an angle point hereof,

THENCE, over and across said Lot 5B, S02°45'44"E, a distance of 8.11 feet to a calculated point being the northwest corner and POINT OF BEGINNING hereof,

THENCE, continuing over and across said Lot 5B the following eight (8) courses;

- 1) THENCE, S03°05'55"E, a distance of 52.10 feet to a calculated point for an exterior ell corner hereof;
- 2) THENCE, N86°54'05"E, a distance of 10.30 feet to a calculated point for an interior ell hereof:
- 3) THENCE, S03°05'55"E, a distance of 11.90 feet to a calculated point for the southwest corner hereof;
- 4) THENCE, N86°54'05"E, a distance of 16.20 feet to a calculated point for the southeast corner hereof:
- 5) THENCE, N03°05'55"W, a distance of 52.10 feet to a calculated point for an exterior ell corner hereof hereof:
- 6) THENCE, S86°54'05"W, a distance of 13.60 feet to a calculated point for an interior ell corner hereof.
- 7) THENCE, N03°05'55"W, a distance of 11.90 feet to a calculated point for the northeast corner hereof:

# 8) THENCE, S86°54'05"W, a distance of 12.90 feet to the POINT OF BEGINNING and containing an area of 0.032 Acre more or less

Bearing Basis. Bearings recited hereon are based the east boundary of said Lot 5B.

Jason Ward, R.P.L.S.

Texas Registration No. 5811 Doucet & Associates Inc.,

7401 B Hwy. 71 West Suite 160

Austin, Texas 78735

8-16-00

Date

MAUSOLEUM COMPLEX ADDITION PHASE III (VOL. 98, PG. 399) 13.054 AC REMAINDER LOT 7 G.K. BECKETT ESTATE NEW FOREST OAKS INC. VOL. 11449 PG. 1787 (N87'13'55"E 96.65')

1/2"IRF WITH

CAP "McANGUS"

S02'45'44"E (N87'14'16"E 205.15')

P.O.C. 8 11 COVERED 54.00 CONCRETE 1/2"IRF WITH CAP "MCANGUS P.O.B. 55 LOT 5B BLDG BLDG. **BLOCK A** D D AN ANTA 0.032 ACRE 16.20 *SUITE 102* 1,412 SQUARE FEET NB6'54'05"E BLDG. D

RESUBDIVISION OF LOT 5, BLOCK "A"

OF THE RESUBDIVISION OF LOT 3A,
BLOCK "A" OF THE AMENDED PLAT

OF LOTS 2 & 3, BLOCK 1 OF

HIGH MESA PLAZA SEC. II

DOC. NO. 200300259

BLK

COTTON SPINDLE FOUND

DRIVE CANNON

(R.O.W. VARIES)

3/8"IRF

0 50 100 25 75 GRAPHIC SCALE. 1" = 50'

	LINE TABLE	<b>:</b>
NO.	BEARING_	DISTANCE
L1	N86'54'05"E	10.30'
L2	S03'05'55"E	11,90'
_L3	S86*54'05"W	13.60'
L4	NO3'05'55"W	11.90'
L5	S86°54'05"W	12,90'

#### LECEND

• 1/2" IRON ROD FOUND (UNLESS NOTED)

△ CALCULATED POINT
P.O.C POINT OF COMMENCEMENT
P.O.B POINT OF BEGINNING

(....) RECORD INFORMATION



# SKETCH TO ACCOMPANY DESCRIPTION

Doucet & Associates, Inc. 7401 B Hwy. 71 West, Suite 160 Auxtin, TX 78735, Phone: (512) 583-2600 Fac. (512) 583-2601

ALSTIN, TEXAS - EASTHAMPTON, MASSACHURETTS - ROSEVELE, CALIFORNIA

WWW.doucetandassociates.com

1,412 SQUARE FOOT TRACT, BEING A PART
OF LOT 5B, BLOCK A OF THE RESUBDIVISION
OF LOT 5, BLK A OF THE RESUBDIVISION OF
LOT 3A, BLOCK A OF THE AMENDED PLAT OF
LOTS 2 & 3, BLOCK 1 OF HIGH MESA PLAZA,
SEC II RECORDED IN DOCUMENT NO.
200300259 OF THE OFFICIAL PUBLIC
RECORDS OF TRAVIS COUNTY, TEXAS.

Scole: AS SHOWN
Drawn by SHR
Reviewer JW
Project. CONDO
Sheet, 1 QF 1
Field Book N/A
Party Chief: N/A
Survey Date. N/A

15 AUG 05

