

## **PLANNING COMMISSION SUMMARY SHEET**

**ZONING CASE:** C14-2017-0134 – Gardens 3.01

**REQUEST:**

C14-2017-0134 - Gardens 3.01 - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4310 James Casey Street (West Bouldin Creek Watershed). Applicant Request: To rezone from limited office - vertical mixed use building - neighborhood plan (LO-V-NP) combining district zoning to general office - vertical mixed use building - neighborhood plan (GO-V-NP) combining district zoning. Staff Recommendation: To grant general office - vertical mixed use building - neighborhood plan (GO-V-NP) combining district zoning. Planning Commission Recommendation: To grant general office - vertical mixed use building - neighborhood plan (GO-V-NP) combining district zoning. Owner: 4310 Gardens Mob, LP. Applicant: Bennett Consulting (Rodney Bennett). City Staff: Scott Grantham, 512-974-3574.

**DISTRICT:** 3

**DATE:** December 9, 2018

**PLANNING COMMISSION ACTION:**

Motion by Commissioner Seeger, seconded by Commissioner De Hoyos-Hart to approve general office- vertical mixed use building- neighborhood plan (GO-V-NP) combining district zoning, on Consent.

**VOTE:** 11-0. Commissioners Kazi and Nuckols absent.

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2017-0134 – Gardens 3.01

**P.C. DATE:** January 9, 2018

**ADDRESS:** 4310 James Casey Street

**DISTRICT AREA:** 3

**OWNER/APPLICANT:** 4310 Gardens Mob, LP

**AGENT:** Bennett Consulting (Rodney Bennett)

**ZONING FROM:** LO-V-NP

**TO:** GO-V-NP

**TOTAL AREA:** 3.017 acres (131,421 sq. ft.)

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends general office- vertical mixed use building- neighborhood plan (GO-V-NP) combining district zoning.

### **PLANNING COMMISSION RECOMMENDATION:**

January 9, 2018     *APPROVED GO-V-NP COMBINING DISTRICT ZONING AS STAFF  
RECOMMENDED, BY CONSENT [P. SEEGER, A. DE HOYOS-HART – 2<sup>ND</sup>]  
(11-0) F. KAZI, T. NUCKOLS - ABSENT*

**ISSUES:** None at this time.

### **DEPARTMENT COMMENTS:**

The subject site is approximately 3 acres, located on the west side of James Casey Street, approximately 1,000 feet south of Ben White Boulevard. It is currently developed with a medical office complex with four buildings; three are one-story and one is two-story. The applicant is seeking a rezoning to gain more development entitlements, such as height, building coverage, impervious cover, and FAR. The applicant would like to retain the medical office use on the site.

The site is located directly south of St. David's South Austin Medical Center, and is part of a larger district of medical offices. The site has one driveway providing access to James Casey Street. To the west, the site is bordered by a railroad ROW approximately 100 feet in width, which separates the site from a single family neighborhood further to the west. There are 4-5 single family residences remaining on James Casey Street to the south; the nearest single family structure is approximately 225 feet from the lot line of the subject site.

Staff supports the requested rezoning to GO-V-NP, increasing the base zoning from LO to GO. The location of the site within a large, established hospital district, the applicant's stated intention to retain the medical office use, and the relatively large distance separating the site from single family neighborhoods are reasons supporting staff's recommendation to rezone the site to a slightly less restrictive zoning category.

The South Austin Combined Neighborhood Plan (SACNP) recognizes the importance of the St. David's district as a health care provider and major employer. The plan states: "The Hospital Special District recognizes the unique land use requirements of a major medical center and related medical offices and businesses..." Granting additional entitlement to develop a medical office within the existing hospital district is seen as in accord with the SACNP (See Comprehensive Planning, page 7).

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LO-V-NP	Medical Office
<i>North</i>	PUD-NP	St. David's Hospital
<i>South</i>	LO-NP, LO-V-NP, SF-3-NP	Office, Single Family
<i>East</i>	James Casey St, then LO-V-NP	James Casey St, then Medical Office
<i>West</i>	Railroad track, then SF-3-NP	Railroad track, then Single Family

**NEIGHBORHOOD PLANNING AREA:** South Manchaca

**TIA:** No, however a TIA may be required at the time of site plan.

**WATERSHED:** West Bouldin Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

<i>Community Registry Name</i>	<i>ID</i>
Austin Independent School District	742
Austin Neighborhoods Council	511
Bike Austin	1528
Friends Of Austin Neighborhoods	1530
Go!Austin / Vamos!Austin (GAVA)	1429
Homeless Neighborhood Association	1550
Onion Creek Homeowners Assoc	627
Preservation Austin	1424
Seltexas	1363
Sierra Club Austin Regional Group	1228
South Manchaca Contact Team	1590
South Park Neighbors	1578
Southwood Neighborhood Assn	950
TNR BCP - Travis County Natural Resources	1596

**SCHOOLS:** St. Elmo Elementary, Bedichek Middle School, Travis High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2016-0063.SH NPA-2016-0030.01 4507 and 4511 Vinson Dr Villas at Vinson Oak Rezone	From SF-3-NP to MF-2-NP, amended to SF-6-NP	12-13-16- Apvd SF-6-CO-NP w/the CO for: 1) max. 16 units; 2) restriction that a building may not contain more than 2 units; 3) max. 50% impervious cover; 3) limit of one ingress/egress on Vinson Dr; 4) prohibit accessory dwelling units; and 5) require a solid 6-foot high fence along all common property lines	3-23-17- Apvd SF-6-CO-NP as on 1st Rdg, on 2nd Rdg (8-3, CMs Houston, Pool and Renteria-nay) – last action at Council, Withdrawn by Applicant
C14-2012-0040 Radam .38 605 Radam Lane	SF-3 to CS	06-05-12 - Apvd. GR-CO w/CO for medical offices >5K sf, all permitted LR uses except service station and all auto related uses which are prohibited	06-28-12 - Apvd. GR-CO as ZAP rec., on all 3 Rdgs
C14-2009-0028 & NPA-2009-0020.01 511 Normandy Street SoFi Plaza	SF-3-NP to CS-MU-NP / Neighborhood Plan Amendment	09-08-09 - Apvd staff rec to Deny request for Commercial	09-24-09 – Withdrawn by Applicant
C14-2008-0116 608 Radam Lane Radam Lane	SF-3 to GO	08-05-08 - Apvd staff rec of GO	Apvd Ord. 20081106-060 for GO-CO, CO added design standards for building
C14-06-0062 4315 Gillis Street Malicoat	SF-3 to GR-MU	05-16-06 - Apvd LO-MU-CO by consent	06-08-06 – Apvd LO-MU-CO, all 3 readings. CO prohibited medical office use

**RELATED CASES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2007-0216 South Manchaca Vertical Mixed Use (VMU) Zoning	Add VMU	11-13-07- Apvd application of VMU standards to tracts 1-5, 7-11, 13-20 (removing tract 6); Apvd application of VMU dimensional standards to tracts 10 and 12; Apvd modification of motion 3 to apply affordability level of 60% of the median family income (MFI) requirement for VMU rental developments.	12-13-07 - Apvd Ord. 20071213-087 for adding V to Tr 1-5, 7-11 and 13-20 (6-0)
C14-2014-0018 South Manchaca Neighborhood Plan	Add –NP, design tools, infill options, restricted parking	07-22-14 – Forward to Council with no recommendation	11-06-14 - Apvd rezonings that implement the land use recommendations of the South Manchaca NP

**ABUTTING STREETS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Capital Metro (within ¼ mile)</b>
James Casey Street	Varies	40'	Collector	Yes	Yes	Yes

***Transportation Ivan Naranjo – 512-974-7649***

TR1: No additional right-of-way is needed at this time.

TR2: 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]

TR3: According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a buffered bike lane is recommended for James Casey Street.

TR4: James Casey Street is classified in the Bicycle Plan as Bike Route No. 105

**CITY COUNCIL DATE:**

February 1, 2018

**ACTION:**

**ORDINANCE READINGS:** 1st

**2<sup>nd</sup>**

**3<sup>rd</sup>**

**ORDINANCE NUMBER:**

**CASE MANAGER:** Scott Grantham

**PHONE:** 512-974-3574

**EMAIL:** [scott.grantham@austintexas.gov](mailto:scott.grantham@austintexas.gov)

## **BASIS FOR RECOMMENDATION**

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

The purpose statement for General Office (GO) specifies offices and commercial uses predominantly serving community or citywide needs, such as medical or professional offices.

2. *The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.*

The South Manchaca Neighborhood Plan, Future Land Use Map includes this site as part of a Special District connected to the adjacent St. David's Hospital. The medical office is a part of the greater Hospital District. Retaining and expanding the use through a higher zoning category (GO) is acceptable in this context.

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

The rezoning allows for compatibility and an orderly pattern of land uses to be retained in the area. The nearby single family area is separated from the site by a wide (approximately 100 ft) railroad ROW.

## **EXISTING CONDITIONS**

### ***Site Characteristics***

The site is currently developed with a medical office complex. There are four buildings; three are one-story and one is two-story. There is one driveway providing access to James Casey Street. There are several large trees in planting strips in the parking lot. The site is relatively flat and the western 1/3 of the property has a slight depression, sloping down from east to west.

### ***Impervious Cover***

The tracts are located in an Urban Watershed and therefore the zoning district will determine the impervious cover limits. The existing LO zoning district allows 70% impervious cover. The proposed GO zoning district allows up to 80% impervious cover.

### ***Comprehensive Planning – Kathleen Fox – 512-974-7877***

The zoning case is located on the west side of James Casey Street, and is located within the boundaries of the South Austin Combined Neighborhood Planning Area, in the South Manchaca NP. The property is approximately 3.02 acres in size and contains a medical office complex. Surrounding land uses includes St. David's Medical Center to the north; a medical office complex to the south; a medical office to the east; and rail road tracks to the west. The applicant wants to zone the property from LO-V to GO-V, for the medical complex.

## Connectivity

There are public sidewalks located intermittently along James Casey Street. A Capital Metro transit stop is located within walking distance to this site. The Walkscore is 36/100, Car Dependent, meaning most errands require a car.

## South Austin Combined Neighborhood Plan (SACNP)

The SACNP identifies this property as being within the ‘Hospital District’ on the Future Land Use Map. Mixed use, including zone GO-MU, is permitted within the Hospital District.

*Text and Actions Related to the Hospital District: (p. 73-74)*

### Hospital Special District

St. David’s South Austin is an asset to the community, providing medical care and employment. Surrounded medical offices and related businesses, and separated from adjacent character districts by the railroad tracks, the Hospital Special District is distinct from other character districts. Located along Ben White Blvd., access to the hospital is primarily from the freeway. However, walking connections to the hospital, associated offices, and surrounding area should be developed where appropriate.

**Vision:** The Hospital Special District recognizes the unique land use requirements of a major medical center and related medical offices and businesses.

The following actions, located in other sections of the plan, relate directly to the Hospital Special District:

**T A5:** Create walkable connections to the neighborhood along the railroad tracks (exploring the possibility of a hike and bike trail along the unused railroad spur in the South Manchaca neighborhood).

**T A20:** Complete the sidewalk network, prioritizing these segments:

- Radam Lane (James Casey to S 1st)
- James Casey (missing segment north of St. Elmo)

**T A24:** Improve safety for all users at the following unsignalized intersections (e.g., by installing elements such as crosswalks, signage, roundabouts, curb bulb-outs, stop signs):

- St. Elmo Rd. and James Casey St.
- James Casey St. and Ben White Blvd.

**CL A22:** Develop a strategy for increasing collaboration between the neighborhood and businesses and private organizations within the community, including St. David’s Hospital.

**T P4:** Promote walking and improving the sidewalk network.

**T A15.15:** James Casey Street (missing segment north of St. Elmo)

**T A15.33** Radam Lane (James Casey to S. 1<sup>st</sup> Street)

**T A19.** Improve safety for all uses at the following unsignalized intersections (e.g. by installing elements such as crosswalks, signage, roundabouts, curb bulb-outs, stop signs):

**T A19.2.** St. Elmo Road and James Casey Street.

**T A19.10:** St Elmo Road and James Casey St./3<sup>rd</sup> St.

**T A19.14:** James Casey St. and Ben White Blvd.

The existing medical office complex, with an existing public sidewalk in front of the building, appears to be supported by actions and policies of the SACNP *and promote the vision for the Hospital District.*

## Imagine Austin

The comparative scale of the site relative to the medical uses abutting this property, as well as the site not being located along an Activity Corridor or within an Activity Center, falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.



***Site Plan – Thomas Sievers – 512-974-1237***

- SP 1. Site plans will be required for any new development other than single-family or duplex residential.
- SP 2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
- SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

**Compatibility Standards**

- SP 4. The site is subject to compatibility standards. Along the south property line, the following standards apply:
- 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.
  - A landscape area at least 25 feet wide is required along 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.
  - For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
  - An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
  - A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

***Environmental - Mike Mcdougal - 512-974-6380***

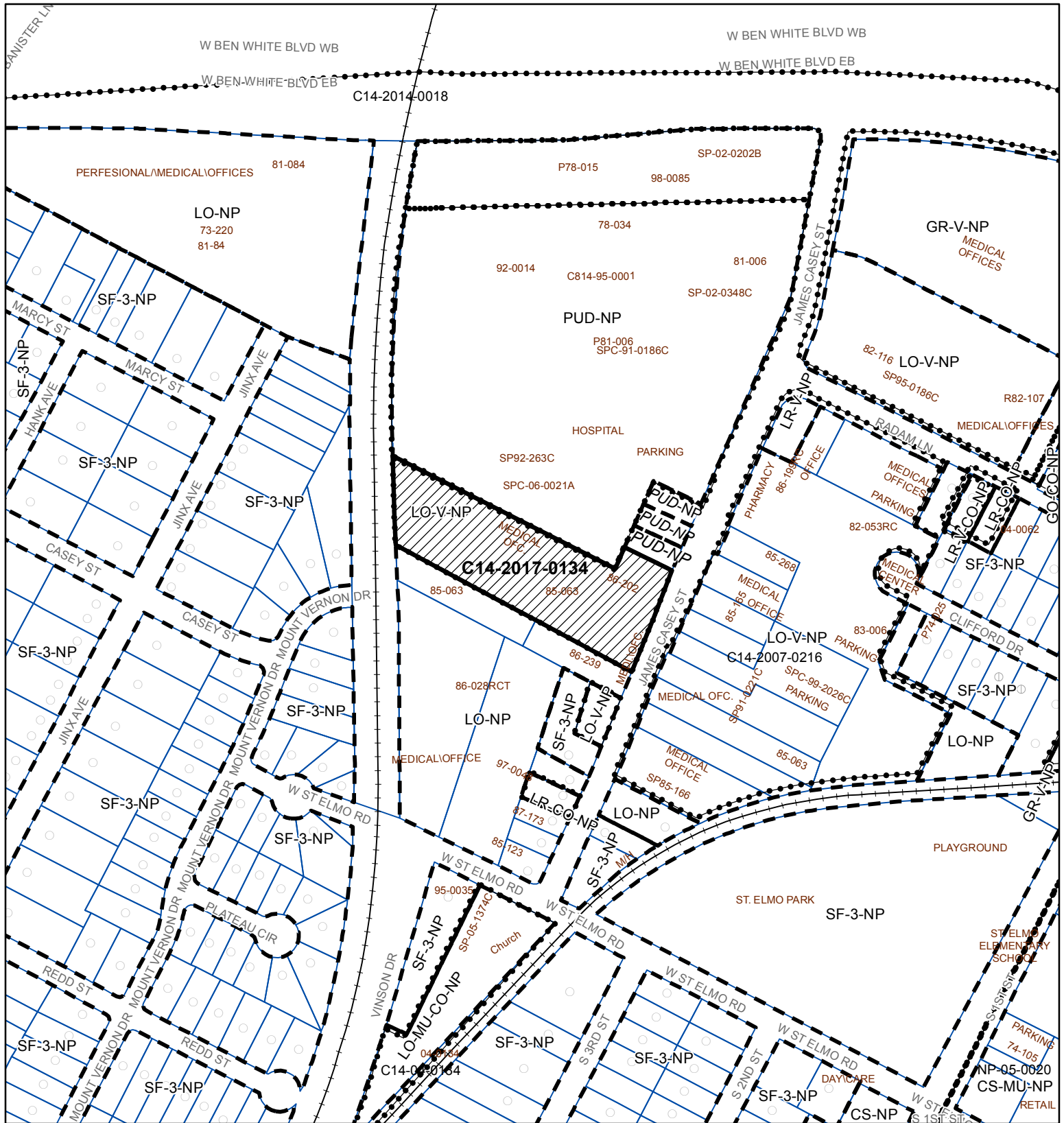
1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation

or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

***Water Utility - Bradley Barron – 512-972-0078***

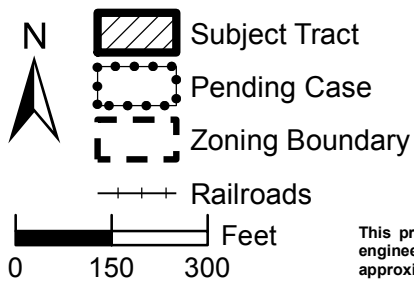
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



## ZONING

Case#: C14-2017-0134

## EXHIBIT A



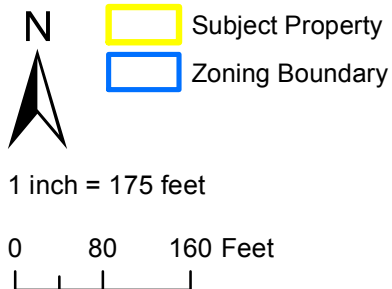
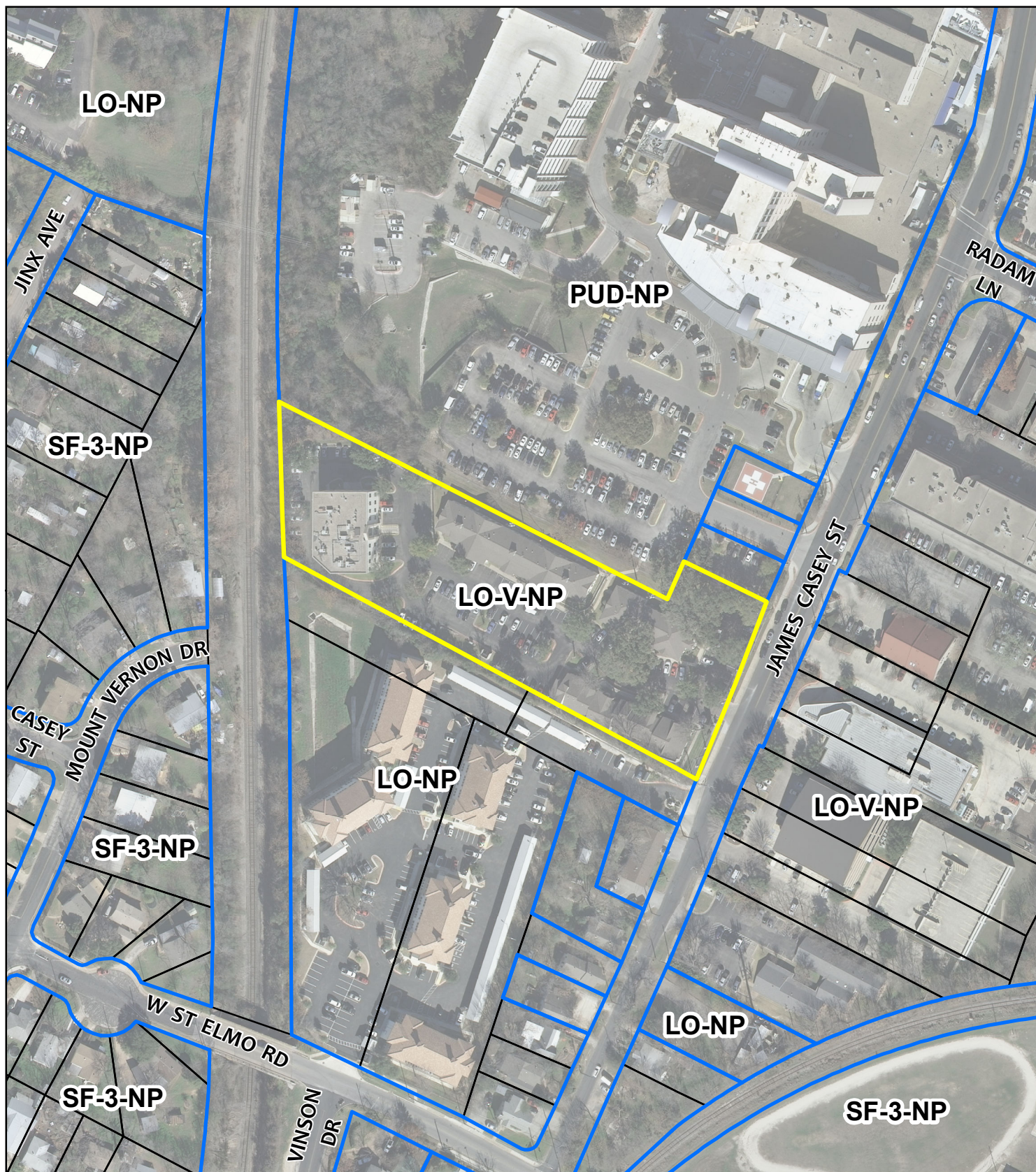
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 10/30/2017





## ZONING & VICINITY

Zoning Case: C14-2017-0134  
 Address: 4310 James Casey St  
 Subject Area: 3.02 Acres  
 Case Manager: Scott Grantham

This map has been produced for the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



**EXHIBIT B**



KNOW ALL MEN BY THESE PRESENTS:

We, James Casey Garden Medical Center, Limited, a Texas Limited Partnership, acting by and through Victor A. Botrie, President and Donna Botrie, Secretary, being officers of Southern United Developments, Inc., a General Partner, Owners of 3.0439 acres of land in the Isaac Decker League, a portion of which is part of Lot 7, Casey Estates, Section One, as recorded in Plat Book 43, Page 23 of the Travis County, Texas Plat Book Records, Part of Lot 1, "the Constancio Subdivision, as recorded in Plat Book 76, Page 114 of the Travis County, Texas Plat Book Records, said Lot 1, Constancio Subdivision vacated by instrument recorded in Volume 1835, Page 31, Travis County Deed Records, and as conveyed to us by deed recorded in Volume 09630, Page 0056-58 Deed records of Travis County, Texas, do hereby resubdivide the said tract of land, said Casey Estates, Section One having been approved for resubdivision pursuant to the Public Notification and Hearing Provision of Section 5, Article 974a, as amended, Texas Civil Statutes, to be known as James Casey Garden Medical Center, as we do hereby dedicate to the public the use of the streets and easements as shown hereon.

In testimony whereof, Southern United Developments, Inc. has caused these presents to be signed by Victor A. Botrie, its President, thereunto authorized, attested by its Secretary, Donna Botrie, and its common seal hereunto affixed this 25 day of June, 1986.

SOUTHERN UNITED DEVELOPMENTS, INC.  
3050 S. Post Oak Rd., Suite 1770  
Houston, Texas 77056

BY: Victor A. Botrie  
Victor A. Botrie, President

ATTEST: Donna Botrie  
Donna Botrie, Secretary

STATE OF TEXAS:  
COUNTY OF ~~TRAVIS~~: HARRIS

This instrument was acknowledged before me on June 25, 1986, by Victor A. Botrie, President and Donna Botrie, Secretary of Southern United Developments, Inc., a Texas Corporation, on behalf of said corporation and partnership.

Given under my hand and seal of office this 25 day of June, 1986.



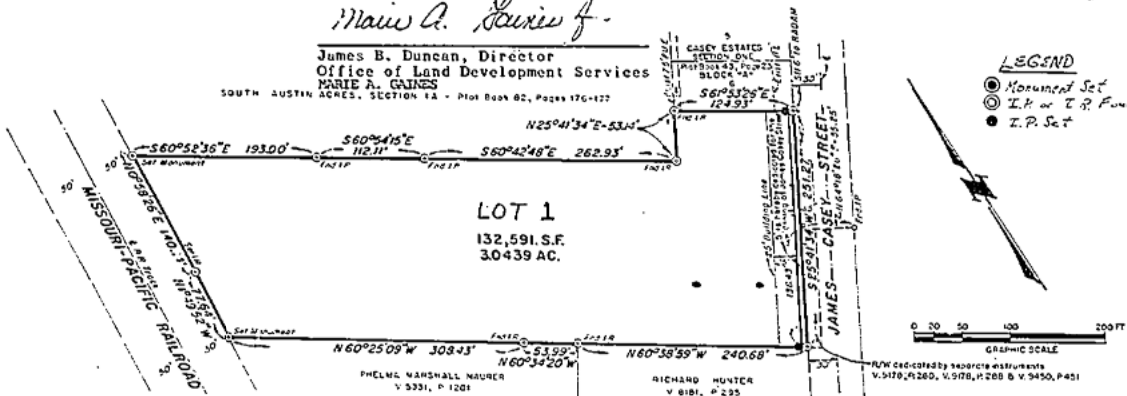
Beverly L. Robinson  
Notary Public in and for Harris County, Texas  
My Commission expires 9/2/89

Approved for Acceptance this the 8TH day of JULY, 1986, A.D.

Marie A. Davis

James B. Duncan, Director  
Office of Land Development Services  
MARIE A. DAVIS

SOUTH AUSTIN ACRES, SECTION 1A - Plat Book 82, Pages 176-177



Accepted and authorized for record by the City Planning Commission, City of Austin, Texas, JULY 8, 1986, A.D.

Mary M. Arnold J.M. Goodman  
Chairman MARY M. ARNOLD Secretary J. M. GOODMAN

Filed for record this the 19TH day of August, 1986, A.D.  
At 11:45 o'clock A.M.  
Doris Shropshire, Clerk County Court  
Travis County, Texas

By: K. Terrell  
Deputy K. TERRELL

STATE OF TEXAS:  
COUNTY OF TRAVIS:

I, Doris Shropshire, Clerk of the County Court, within and for the County and State aforesaid, do hereby certify that the within and foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 19th day of August, 1986, A.D. at 11:45 o'clock A. M. and duly recorded on the 19th day of August, 1986 A.D., at 11:50 o'clock A. M., in the Plat Records of said County in Plat Book 86 at Page 192A.

Witness my hand and seal of the Court of said County, the date last written above.

Doris Shropshire, Clerk County Court  
Travis County, Texas

By: K. Terrell  
Deputy K. TERRELL

According to Map Panel 480624 5080-B of the Flood Insurance Rate Map for Travis County, Texas, the property described herein is not located in a designated Flood Hazard Area.

I, Robert M. Atkinson, Jr. am authorized under the laws of the State of Texas to practice the profession of Surveying and hereby certify that this plat is true and correct; and was prepared from an actual survey of the property under my supervision on the ground.

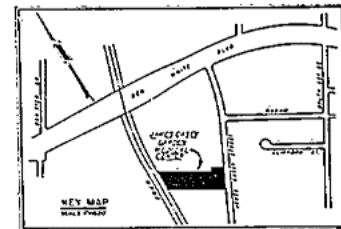


Robert M. Atkinson, Jr.  
Registered Public Surveyor No. 1622  
15425 North Freeway, Suite 144  
Houston, Texas 77090

LEGEND

- Monument Set
- I.P. or T.P. Found
- T.P. Set

GRAPHIC SCALE  
0 20 50 100 200 FT  
R/W dedicated by separate instruments  
V. 9170, R. 260, V. 9178, R. 260 & V. 9450, P. 451



# JAMES CASEY GARDEN MEDICAL CENTER

3.0439 ACRES OF LAND BEING

PART OF LOT 7, CASEY ESTATES, SECTION ONE,  
PART OF LOT 1, THE CONSTANCIO SUBDIVISION  
AND ADJOINING ACREAGE IN THE ISAAC DECKER LEAGUE  
TRAVIS COUNTY, TEXAS

OWNER:

JAMES CASEY GARDEN MEDICAL CENTER, LIMITED,  
A TEXAS LIMITED PARTNERSHIP

GENERAL PARTNER:

SOUTHERN UNITED DEVELOPMENTS, INC.  
VICTOR A. BOTRIE, PRESIDENT - DONNA BOTRIE, SECRETARY

ENGINEER: R. M. ATKINSON, JR., ENGINEERS, INC.

JUNE, 1986

SCALE: 1"=100'

NOTES:

- Prior to construction on lots in this subdivision, Drainage plans will be submitted to the City of Austin for review. Rainfall run-off shall be held to the amount existing at undeveloped status by ponding or other approved methods.
- Sidewalks are required along the subdivision side of this tract. Such sidewalks shall be completed prior to the acceptance and issuance of any Type I or II Driveway Approach and/or Certificate of Occupancy.

Sidewalks which have not been installed within two years from the date of acceptance for maintenance of the streets may, upon approval of the City Council, be constructed by the City of Austin and Assessment shall be made against the affected properties for all engineering, administration, and construction costs.

2. For restrictions see Vol. 2835, p. 31, Travis County Deed Records

EXHIBIT C

Vol. 86 Page 192A  
PLAT RECORD, TRAVIS COUNTY, TEXAS  
86 19898

CBS-86-075