

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0116 – Texas Health and Science University
Dormitory and Library

PC DATE: October 24, 2017
November 14, 2017

ADDRESS: 4004 Valley View Road

DISTRICT: 5

OWNER/APPLICANT: Lisa & Paul Lin

AGENT: Land Answers, Inc. Jim Wittliff

ZONING FROM: SF-3

TO: LO-MU

AREA: 0.491 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends the applicant's request to rezone the subject property to LO-MU (limited office – mixed-use) combining district zoning.

PLANNING COMMISSION RECOMMENDATION:

OCTOBER 24, 2017: POSTPONED BY THE PLANNING COMMISSION TO NOVEMBER 14, 2017, VOTE 12-0 [N. ZARAGOZA 1ST, P. SEEGER 2ND, ABSENT - G. ANDERSON].

NOVEMBER 14, 2017: APPROVED LO-MU-CO, VOTE 9-2 [G. ANDERSON 1ST, J. SCHISSLER 2ND, NO-T. NUCKOLS, K. MCGRAW]. CONDITIONAL OVERLAY LIMITS TO ONLY SF-3 USES. NOTE:

College/University is a conditional use in LO and more restrictive zoning districts.

CITY COUNCIL ACTION:

DECEMBER 7, 2017 – APPROVED POSTPONEMENT REQUEST BY CM KITCHEN (CM POOL 2ND) TO DECEMBER 14, 2017, VOTE 9-0 [ABSENT – CM GARZA, CM TROXCLAIR].

DECEMBER 14, 2017 – APPROVED POSTPONEMENT REQUEST BY THE APPLICANT TO FEBRUARY 15, 2018, VOTE 11-0.

FEBRUARY 15, 2018 – APPROVED POSTPONEMENT REQUEST BY THE APPLICANT TO APRIL 10, 2018, VOTE 10-0 [CM ALTER OFF THE DAIS].

**APRIL 12, 2018 – APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY THE APPLICANT
SEPTEMBER 20, 2018 –**

ISSUES:

Staff heard from a neighbor with concerns about the zoning change on a residential street with a number of young children. Zoning petition information was provided but a petition has not been submitted at this time.

25-2-831 of the LDC requires a college and university facility use to be located on a street that has a paved width of at least 40 feet from the site to where it connects with another street that has a paved width of at least 40 feet. Valley View does not have 40 feet of paved roadway and it doesn't connect to another street with 40 feet of pavement.

At the February 15, 2018 Council meeting, the applicant requested a postponement to work on alternative access to Manchaca Road.

On July 9, 2018, the Applicant requested and received approval from the Board of Adjustment for a variance from the additional requirements for certain uses described in Section 25-2-831(B) (*College or University*) to decrease the minimum paved width of a street that must be located on from at least 40 feet of paved width to 30 feet on Valley View Road in order to erect a new 7,400 square foot university dormitory for 20 students, an accessory use of the Texas Health Sciences University (zoned LO) located directly behind the subject

tract at 4005 Manchaca Road. The BOA's approval included a condition of providing 12 parking spaces and 1 handicap size parking space onsite (C15-2018-0022).

DEPARTMENT COMMENTS:

The 0.49-acre property located at 4004 Valley View Road is within the South Lamar Neighborhood which is part of the South Lamar Combined Neighborhood Planning Area (SLNA). Valley View Road is located between Manchaca and Clawson Roads. The property is approximately .25 miles north of W. Ben White Boulevard. The property is currently zoned SF-3 (family residence) district zoning and contains a single family structure. The SLNA neighborhood plan is suspended so this property is not part of a Future Land Use Map (FLUM).

Valley View Road is a mix of large lot single family residences, duplexes, flag-lot single family residences and a multifamily complex. The South Austin Senior Activity Center is adjacent to the property to the north and has access to Valley View Road in addition to Manchaca Road.

The applicant owns the adjacent property to the west which is occupied by the Texas Health and Science University (THSU) which specializes in teaching acupuncture, Oriental medicine and healthcare management with LO (limited office) zoning. The request to rezone the property to LO-MU (limited office– mixed-use) combining district is to develop a library and dormitory for THSU. The existing THSU site received a conditional use permit for College/University in 2010 because that use is conditional in the LO district. When the 4004 Valley View property is developed in conjunction with THSU, a conditional use permit will also be needed.

Because of the mix of housing uses and density on Valley View Road and the location of the South Austin Senior Activity Center immediately to the north of the property, staff supports the request for LO-MU. Limited office is intended to be located within or adjacent to residential neighborhoods. The existing college/university use provides a community/neighborhood function as would the expansion for a library and dormitory. LO-MU equates to MF-2 development standards which would allow 9 efficiency units if solely developed as multifamily. If similar flag lot SF-3 development occurred, 6 duplex units would be allowed. The site is impacted by compatibility on the south and east.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Currently vacant
<i>North</i>	P	Parks and Recreation (General) - Senior Activity Center
<i>South</i>	SF-3	Single family residential
<i>East</i>	SF-3	Single family & Duplex residential
<i>West</i>	LO	College/University & Multifamily residential

NEIGHBORHOOD PLANNING AREA: South Lamar Combined (Suspended)

TIA: Waived

WATERSHED: West Bouldin Creek – Urban

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
 Austin Neighborhoods Council
 Austin Independent School District
 Bike Austin
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association

Preservation Austin
 Save Our Springs Alliance
 Sierra Club, Austin Regional Group
 South Central Coalition
 South Lamar Neighborhood Association

SCHOOLS:

Joslin Elementary School

Covington Middle School

Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-93-0118 3911 Manchaca Rd	SF-3 & LO to P	Recommended P (11/9/1993)	Approved P (11/18/1993)
3900 Valley View Rd	A to BB 1 st H&A	Recommended BB 1 st H&A limited to 12 units	Approved MF-2 (2/7/1985) RC limited to 9 units
C14-82-169 3800-3804 Clawson Rd at Valley View Rd	A to BB 1 st H&A	Recommended BB 1 st H&A (12/14/1982)	Approved BB 1 st H&A (9/29/1983) RC prohibited access to Clawson Rd
C14-83-028 3810-3906 Clawson Rd at Valley View Rd	A to BB 1 st H&A	Recommended A-2, 1 st H&A (4/5/1983)	Approved BB (5/12/1983) RC limited to 32 units
C14-78-069 4018-4020 Valley View Rd	O, 1 st H&A and I-A, 1 st H&A to A, 1 st H&A	Recommended A, 1 st H&A	Approved A, 1 st H&A (6/22/1978)

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Valley View Road	45'	22'	Local	Yes	No	3 – Manchaca 103 – Manchaca Flyer 484 Night Owl On Manchaca Road

ORDINANCE READINGS: 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Rhoades
wendy.rhoades@austintexas.gov**PHONE:** 512-974-7719

ADDITIONAL DEPARTMENT COMMENTS

Transportation Review – Jaron Hogenson – 512-974-2253

TR1. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

TR2. If the requested zoning is recommended for this site, 28 feet of right-of-way should be dedicated from the centerline of Valley View Road in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.

TR3. A Neighborhood Traffic Analysis shall be required at the time of site plan if triggered per LDC 25-6-114. LDC, Sec. 25-6-114. If the projected number of vehicle trips generated by the project exceeds the vehicle trips per day generated by existing uses by at least 300 vehicle trips per day; or the application is for a public primary or secondary educational facility.

TR4. 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]

Comprehensive Planning Review – Kathleen Fox – 512-974-7877

This zoning case is located on the west side of Valley View Road, on a 0.49 acre tract of land, which has a house on it. This property is located within the boundaries of the South Lamar Neighborhood Planning area, which does not have an adopted neighborhood plan. Surrounding land uses includes senior center to the north; residential to the south and east; and a Montessori School to the west. The proposed use is dorm and library (approximately 14,931 sq. ft. for the building) as part of the Texas Health & Science University, which offers undergraduate and graduate degrees in business, acupuncture and traditional Chinese medicine.

Connectivity

Public sidewalks are located intermittently along Valley View Road. A public transit stop is located within a brief walking distance from this location. The Walkscore for this site is 58/100, Somewhat Walkable, meaning some errands can be accomplished on foot.

Imagine Austin

The property is located just by an 'Activity Centers for Redevelopment in Sensitive Environmental Areas' as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan (IACP). Page 106 of the Imagine Austin Comprehensive Plan states, "*Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context. One of the Land Use and Transportation policies, LUT P21 (p. 102), clarifies the intent, "Ensure that redevelopment in the Edwards Aquifer's recharge and contributing zones maintains the quantity and quality of recharge of the aquifer."* The plan states that these centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and

environmental context.

The following are key policies taken from Chapter 4 of the Imagine Austin Comprehensive Plan, and are applicable to this case:

☐ **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

☐ **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites. Although this case is located by an 'Activity Center for Redevelopment in Sensitive Environmental Areas', based on the comparative scale of the site relative to adjoining civic and residential uses, this case falls below the scope of Imagine Austin, which is broad in scope and consequently the plan is neutral on the proposed rezoning.

Environmental Review – Mike McDougal – 512-974-6380

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Boulder 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. Several 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.

Site Plan Review – Thomas Sievers – 512-974-1237
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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 northeast property line, 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.
- 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.




Austin Water Utility Review – Neil Kepple – 512-972-0077
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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 the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. 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

Zoning Case: C14-2017-0116


$$1'' = 125'$$

-  SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





**Texas Health & Science
University Dormitory and Library**

ZONING CASE#: C14-2017-0116

LOCATION: 4004 VALLEY VIEW RD.

SUBJECT AREA: 0.49 ACRES

GRID: G19

MANAGER: ANDREW MOORE



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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CREEK BUFFER

1" = 150'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday July 9, 2018

CASE NUMBER: C15-2018-0022

<input checked="" type="checkbox"/>	Brooke Bailey
<input checked="" type="checkbox"/>	William Burkhardt
<input checked="" type="checkbox"/>	Christopher Covo
<input checked="" type="checkbox"/>	Eric Golf
<input type="checkbox"/>	Melissa Hawthorne
<input checked="" type="checkbox"/>	Bryan King (ABSTAINED)
<input checked="" type="checkbox"/>	Don Leighton-Burwell
<input type="checkbox"/>	Rahm McDaniel (OUT)
<input checked="" type="checkbox"/>	Martha Gonzalez (Alternate)
<input checked="" type="checkbox"/>	Veronica Rivera
<input checked="" type="checkbox"/>	James Valdez
<input checked="" type="checkbox"/>	Michael Von Ohlen
<input checked="" type="checkbox"/>	Kelly Blume (Alternate)
<input type="checkbox"/>	Pim Mayo (Alternate)

APPLICANT: Jim Wittliff

OWNER: Paul C & Lisa P H Lin

ADDRESS: 4004 VALLEY VIEW RD

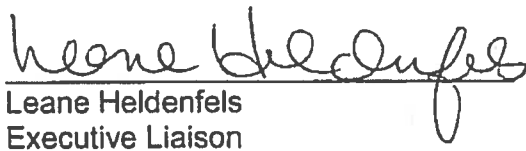
VARIANCE REQUESTED: The applicant has requested a variance(s) from Section 25-2-831 (College or University) (B) of Article 4 – Additional Requirements for Certain Uses, Division 3 – Civic Uses to decrease the minimum paved width of a street that this use must be located on from at least a 40 feet of paved width (required) to 30 feet of paved width (requested/existing on Valley View) in order to erect a new 7,400 square foot university dormitory for 20 students, an accessory use of the Texas Health Sciences University located directly behind the subject tract at 4005 Manchaca Road (located in an "LO", Limited Office zoning district) that is located in a "SF-3", Family Residence zoning district (subject tract).

BOARD'S DECISION: BOA meeting June 11, 2018 POSTPONED TO JULY 9, 2018 BY NEIGHBORHOOD ASSOCIATION AND ADJACENT NEIGHBORS; July 9, 2018 The public hearing was closed on Board Member Brooke Bailey motion to Grant with a condition to provide 12 onsite parking spaces plus 1 handicap size onsite parking space, Board Member Don Leighton-Burwell second on an 10-0-1 vote (Board member Bryan King abstained); **GRANTED WITH A CONDITION TO PROVIDE 12 ONSITE PARKING SPACES PLUS 1 HANDICAP SIZE ONSITE PARKING SPACE.**

EXPIRATION DATE: JULY 9, 2019

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: there is no minimum sized dormitory presumed in LDC 25-2-831 (B), proposing small ten-room dormitory for only 20 students, most of whom will not own cars
2. (a) The hardship for which the variance is requested is unique to the property in that: due to narrow property that is adjacent to the Texas health Sciences University's classroom facilities, due to the narrow width of the THSU site, there is no room to direct traffic from 4004 Valley View to Manchaca Road because only five feet exists on each side of the existing classroom building.
(b) The hardship is not general to the area in which the property is located because: there are no other proposed college or university facilities in the area
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because: this is a very small dormitory that will be primarily occupied by foreign students who do not own cars, the dormitory will provide a 25 foot compatibility setback from adjacent residences and will only be 30 feet tall, twelve parking spaces plus one handicap parking for the dormitory will be provided but will not be used by the dorm's residence.


Leane Heldenfels
Executive Liaison


William Burkhardt
Chairman