

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0033 – 8601 Ranch Road 2222

DISTRICT: 10

ZONING FROM: GO

TO: GR-CO

ADDRESS: 8601 FM 2222 Road

SITE AREA: 0.458 Acres

OWNER: KBS SOR Austin Suburban
Portfolio, LLC (Jeff Rader)

APPLICANT: Metcalfe, Wolff, Stuart &
Williams. LLP (Michele Lynch)

CASE MANAGER: Scott Grantham (512-974-3574, scott.grantham@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends community commercial - conditional overlay (GR-CO) combining district zoning. Conditional Overlay to prohibit a set of uses (see page 3); and to set the following development standards:

- **Minimum front yard setback: 15 feet**
- **Minimum street side yard setback: 15 feet**
- **Minimum interior yard setback: 5 feet**
- **Minimum rear yard setback: 5 feet**
- **Maximum building coverage: 60%**
- **Maximum impervious cover: 80%**

For a summary of the basis of staff's recommendation, see page 3.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

March 19, 2019 **Approved GR-CO combining district zoning as staff recommended. [A. Denkler, B. Evans – 2nd], Vote 6 – 0, Commissioners Barrera-Ramirez, Kiolbassa, Lavani, and Ray were off the dais. There is one vacancy on the commission.**

CITY COUNCIL ACTION:

April 11, 2019 **Scheduled for City Council**

ORDINANCE NUMBER:

ISSUES:

The applicant is representing a potential tenant of Building 3, of Park Centre, a 4-story office building. There is no new building construction proposed with this rezoning, only interior renovation to accommodate a new land use.

The tenant would like to lease office space and engineering laboratory space in the building. The engineering laboratory portion of the tenant's business is classified as Research Services. The Land Development Code defines research services as "research of an industrial or scientific nature. This use includes electronics research laboratories, space research or development firms, and pharmaceutical research labs, and excludes product testing." (§ 25-2-4).

Per the applicant, the tenant would be researching and developing integrated circuits (ICs). The facility would receive unfinished circuit boards, and engineers would work on the design and development of new ICs and supporting software. The ground floor space would have lab benches with computers and electrical clamps to interface with the ICs. Some of these benches would be equipped with compressed air. This would be a research facility, with no assembly, production, or shipping. Further, no hazardous materials or gasses would be used in the laboratory.

Research Services is not permitted in the general office (GO) zoning district; the lowest zoning category which permits research services is community commercial (GR). The applicant's sole reason for the request is to permit their desired use, therefore, they have offered a conditional overlay which would limit the property to GO uses with the exception of research services. Further, they have offered to limit development standards to GO, the current zoning category and the one that existed at the time the site plan was approved.

CASE MANAGER COMMENTS:

The subject property is the outline of building 3 in the Park Centre office complex. The complex includes three office buildings and three parking structures, which all take access to a private internal road, and then to FM 2222. The street address for the complex is 8601 FM 2222 Road.

Per the environmental reviewer, there is no floodplain within or adjacent to the project location, however the site is located entirely within the Water Quality Transition Zone and Critical Water Quality Zone. The subject property is within the Hill Country Roadway Overlay (HCRO), based on its proximity to FM 2222. However, since no construction is proposed with this project, there will be no site plan and no development that would be regulated by the HCRO. FM 2222 is also classified as a Scenic Roadway, which means that there are additional sign requirements.

North of Park Centre is FM 2222, and beyond that, a large SF-2 tract that is currently undeveloped and covered with trees and vegetation. To the east is another tract zoned SF-2 which is also undeveloped. To the southeast are tracts zoned RR with single family homes. To the south and southwest is a large tract zoned DR which is undeveloped, and south of that, large lot single family properties facing onto Cuesta Trail and Cuesta Court. To the west is a tract zoned SF-2 which is also undeveloped.

BASIS OF RECOMMENDATION:

Staff recommends community commercial - conditional overlay (GR-CO) combining district zoning.

The proposed conditional overlay would 1) limit development standards to those of GO; 2) prohibit uses that are allowed in GR but prohibited in GO, with the exception of Research Services; 3) make conditional the uses that are allowed in GR and conditional in GO.

1) Development standards would be as follows:

- Minimum front yard setback: 15 feet
- Minimum street side yard setback: 15 feet
- Minimum interior yard setback: 5 feet
- Minimum rear yard setback: 5 feet
- Maximum building coverage: 60%
- Maximum impervious cover: 80%

2) Prohibited Uses – allowed in GR, but prohibited in GO, with the exception of Research Services:

Short -Term Rental
 Alternative Financial Services
 Automotive Rentals
 Automotive Repair Services
 Automotive Sales
 Automotive Washing (of any type)
 Commercial Off-Street Parking
 Consumer Convenience Services
 Consumer Repair Services
 Drop-Off Recycling Collection Facility
 Exterminating Services
 Financial Services
 Food Sales
 Funeral Services

General Retail Sales (Convenience)
 General Retail Sales (General)
 Hotel-Motel
 Indoor Entertainment
 Indoor Sports and Recreation
 Outdoor Sports and Recreation
 Pawn Shop Services
 Pedicab Storage and Dispatch
 Personal Improvement Services
 Pet Services
 Restaurant (General)
 Service Station
 Theater

3) Conditional Uses – allowed in GR, but conditional in GO:

Restaurant (Limited)
 Community Recreation (Private)
 Community Recreation (Public)
 Residential Treatment

The first basis of the recommendation is that zoning should allow for reasonable use of the property. The tenant's business would include office spaces and an engineering lab (research services). Although the lab would not comprise the entire building, just one story, the only way to allow for the requested use is to rezone to GR, or a higher zoning category. Staff finds that the research services is this is a reasonable use on this specific property, especially when accompanied by a conditional overlay which limits other uses and development standards to those of the existing base district.

The second basis is that zoning should promote compatibility with adjacent and nearby uses. Staff finds that the proposed research services use, as defined in the Land Development Code, and described in the applicant's proposal, would be compatible with the existing office complex and nearby development, and would not produce the kinds of externalities associated with light or heavy industrial uses.

The third basis is that zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing. Allowing the additional research services use will expand employment opportunities at this location.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	GO	Office
North	GO, then FM 2222, then SF-2	Office, then FM 2222, then Undeveloped
South	DR	Undeveloped
East	GO, then SF-2	Office, then undeveloped
West	GO, then SF-2	Office, then undeveloped

NEIGHBORHOOD PLANNING AREA: None

TIA: Not Required

WATERSHED: West Bull Creek

OVERLAYS: Hill Country Roadways, Scenic Roadways

SCHOOLS: Highland Park Elementary, Lamar Middle School, McCallum High School

NEIGHBORHOOD ORGANIZATIONS:

2222 Coalition of Neighborhood Associations
Austin Independent School District
Bike Austin
Bull Creek Foundation
Canyon Creek H.O.A.
Friends of Austin Neighborhoods
Glenlake Neighborhood Association
Long Canyon Homeowners Assn
Long Canyon Phase II & III Homeowners Assn

Mountain Neighborhood Association (MNA)
Neighborhood Empowerment Foundation
Northwest Austin Coalition
River Place HOA
Seltexas
Sierra Club, Austin Regional Group
Steiner Ranch Community Association
TNR BCP - Travis County Natural Resources
Westminster Glen HOA

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2016-0096 7901 Ranch Road 2222	LO-CO to GO-MU-CO	11-15-16- CO to prohibit uses, building setbacks and vegetative buffer, required fence, height limit of 28 ft or 2 stories	11-9-17 - Apvd LO-MU-CO, CO to prohibit uses, building setbacks and vegetative buffer, required fence, height limit of 28 ft or 2 stories
C14-04-0010 E.M. Rowshan et al. Property (City Initiated)	I-RR to LO-MU-CO	02-17-04 - Apvd Staff Alt Rec of LO-MU-CO	05-06-04 – Apvd LO-MU-CO, CO for a limit of 1,000 vehicle trips per day, limit driveways to right-in, right-out

RELATED CASES:

None on the subject tract

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
FM 2222	135 feet	84 feet	Major Arterial (MAD4)	None	Wide shoulder	No

OTHER STAFF COMMENTS:Comprehensive Planning

This zoning case is located on the south side of FM 2222, on a 0.46 acre parcel, which is part of larger development called the Park Centre Office Complex. The office complex contains three multi story office buildings and three elevated parking garages. The property is not located within a neighborhood planning area. Surrounding land uses include vacant land to the north; a single family subdivision to the south; vacant land and an apartment complex to the east; and vacant land to the west. The request only concerns Building #3, where the property owner wants to rezone the property from Zone GO to GR-CO, to allow a tenant to conduct a Research Services business. The current zoning, GO, does not allow Research Services. The property owner also proposes a Conditional Overlay in their request, which would prohibit all GR commercial uses in Building #3 except Research Services.

Connectivity

There are no public sidewalks or public transit options available in the area. The Walkscore for this site is 3/100, Car Dependent, meaning all errands require a car. The berm on the FM 2222 is paved and appears wide enough to act as a bike lane, although the berm is not identified as a bike lane. The mobility and connectivity options in this area are below average.

Imagine Austin

The proposed project is not located along an Activity Corridor or Center according to the Imagine Austin Growth Concept Map. The following IACP policies are applicable to this case:

- LUT P7. Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

While this project area is not located along an Activity Corridor or within an Activity Center, FM 2222 is a heavily traveled arterial road that contains myriad of office parks, residential subdivisions and multi-family apartment complexes. The existing office complex also supplies much needed jobs in the area. Based on this office complex being a pre-existing use but not having a variety of mobility or connectivity options in the area, this proposal appears to be only partially supported by the policies of the Imagine Austin Comprehensive Plan because it does not further mobility in the area.

Environmental

The site is located over the Edwards Aquifer Recharge Zone. The site is in the West Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Development within a Water Quality Transition Zone is limited to 18%.

According to GIS maps there is no floodplain within or adjacent to the project location, however the site is located entirely within the Water Quality Transition Zone and Critical Water Quality Zone.

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

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

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

Case manager note – many of these comments refer to a site plan. In this case, there will be no site plan, and therefore those comments would not apply.

Site plans will be required for any new development other than single-family or duplex residential.

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.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

FYI: Additional design regulations will be enforced at the time a site plan is submitted.

COMPATIBILITY STANDARDS

The site is subject to compatibility standards due to SF-2 and DR zoning within 540'. 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.
- 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 zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less property in an SF-5 or more restrictive zoning district.

HILL COUNTRY ROADWAY

The site/A portion of the site is located within 1,000 feet of Loop 360/Southwest Parkway/RM 2222/RM 2244/ RM 620 and within a Hill Country Roadway Corridor. The site is located within the low intensity zone of RM2222. The site may be developed with the following maximum floor-to-area ratio (FAR):

<u>Slope</u>	<u>Maximum FAR</u>
0-15%	0.2
15-25%	0.08
25-35%	0.04

At least 40% of the site (excluding dedicated right-of-way) must be left in a natural state. The maximum building height is 28 feet.

Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Land Use Commission.

Transportation

Case manager note – many of these comments refer to a site plan. In this case, there will be no site plan, and therefore those comments would not apply.

A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

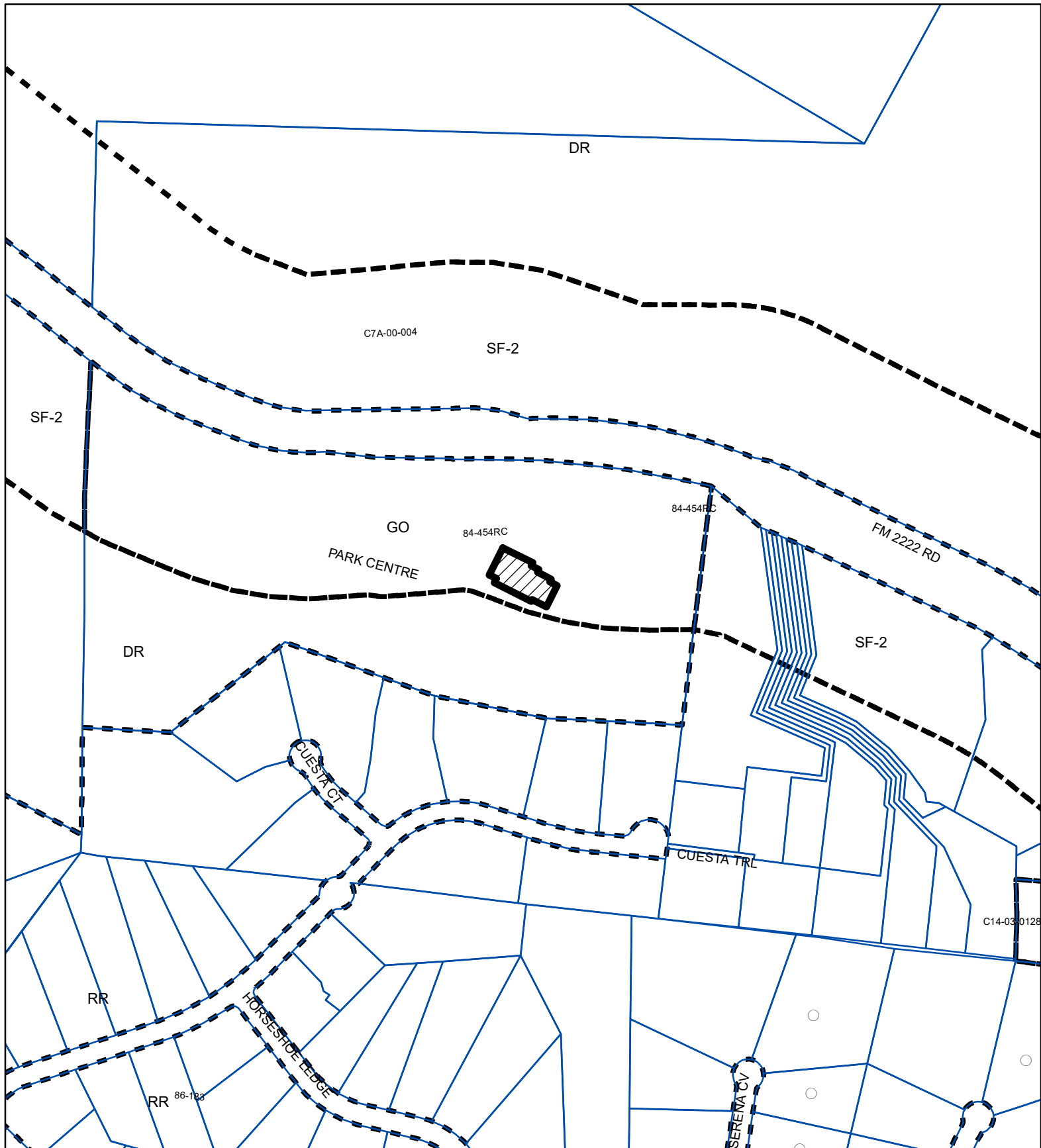
The Urban Trails Master Plan recommends a trail along FM 2222. Please review the Urban Trails Master Plan for more information. Aleksina Chapman, Urban Trails, Public Works Department may provide additional comments and requirements for right-of-way dedication and trail construction in accordance with LDC 25-6-55 and LDC 25-6-101.

Austin Water Utility

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.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Field Notes and Survey
- D. Applicant Request Letter






ZONING

ZONING CASE#: C14-2019-0033

EXHIBIT A



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

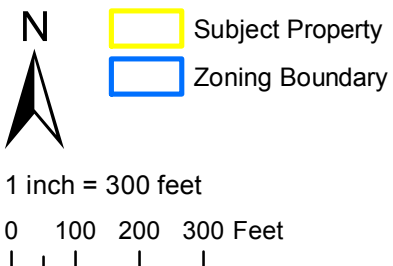
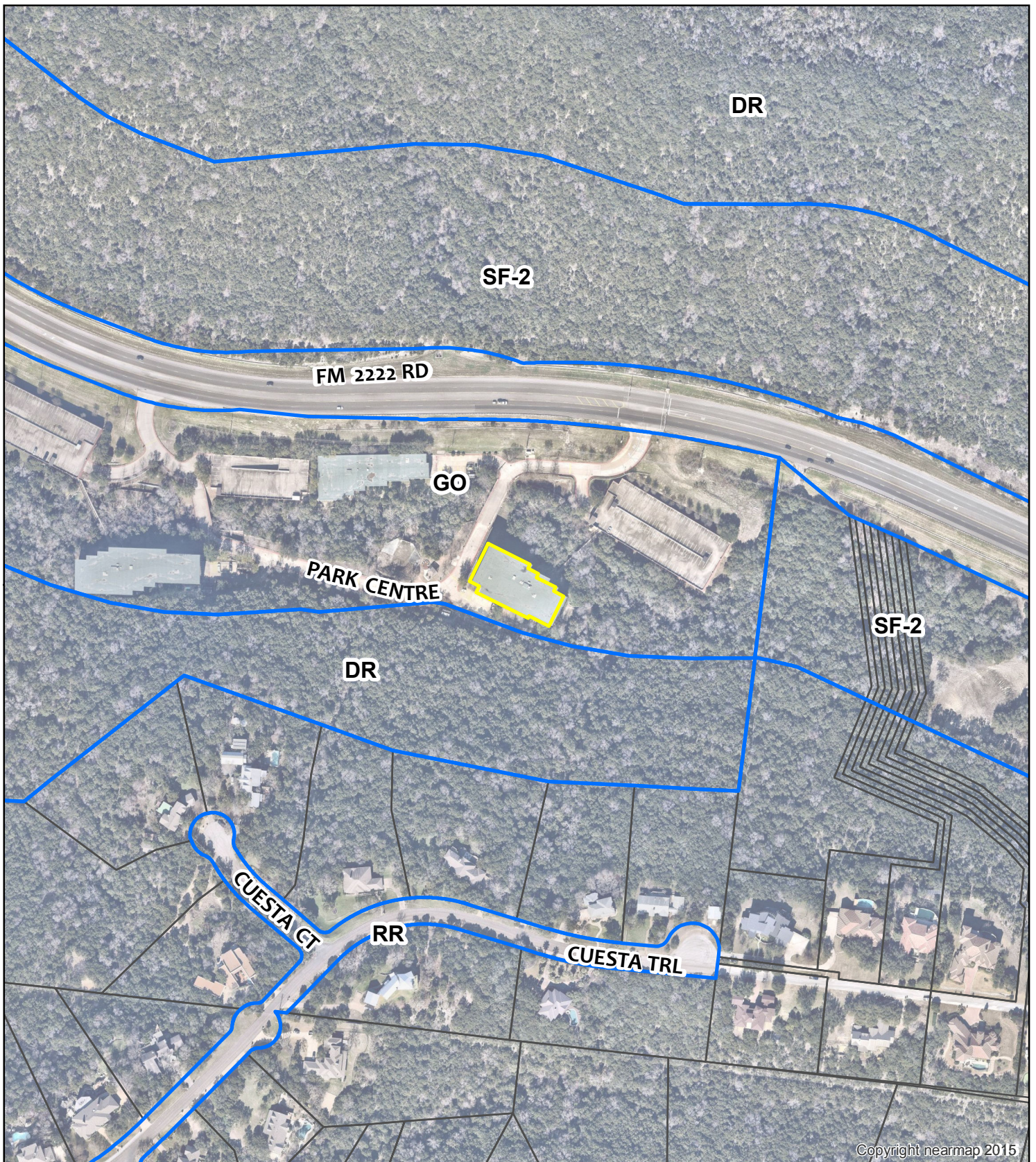
1" = 400'

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.



Created: 2/7/2019



ZONING & VICINITY

Zoning Case: C14-2019-0033
 Address: 8601 FM 2222 Rd
 Subject Area: 0.458 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



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EXHIBIT C

Exhibit " " "
0.458 Acres

FIELD NOTE DESCRIPTION

DESCRIPTION OF A 0.458 OF ONE ACRE TRACT OF LAND LOCATED IN THE WILLIAM L. SWAIN SURVEY, ABSTRACT NO. 727, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF LOT 1, BLOCK A, PARK 22-PHASE "B", ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 86, PAGE 64C-64D, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A 32.412 ACRE TRACT OF LAND CONVEYED TO KBS SOR AUSTIN SUBURBAN PORTFOLIO, LLC, IN A SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2013055804, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a TxDOT Type II brass disk concrete monument found in the south right-of-way line of R.M. No. 2222 (240' right-of-way), being the south line of that tract of land conveyed to the State of Texas in a deed recorded in Volume 11634, Page 2376, of the Real Property Records of Travis County, Texas, same being the north line of said 32.412 acre tract, from which a 5/8 inch iron rod found in said south right-of-way line for the northwest corner of said 32.412 acre tract bears, South 88°58'41" West (bearing basis), a distance of 306.28 feet to the beginning of a curve to the right, and a chord bearing and distance of North 72°32'15" West, a distance of 982.67 feet;

THENCE, South 13°03'12" East, departing said south right-of-way line and the north line of said 32.412 acre tract, over and across said 32.412 acre tract and remainder of said Lot 1, Block A, a distance of 220.42 feet, to the northwest corner of the exterior footprint of Office Building No. 3;

THENCE, with the exterior footprint of said Office Building No. 3, the following fourteen (14) courses and distances:

1. South 63°32'02" East, a distance of 105.00 feet to a corner of the exterior footprint of said Office Building No. 3;
2. South 26°30'08" West, a distance of 10.00 feet to a corner of the exterior footprint of said Office Building No. 3;
3. South 63°32'02" East, a distance of 26.20 feet to a corner of the exterior footprint of said Office Building No. 3;
4. South 26°30'08" West, a distance of 10.00 feet to a corner of the exterior footprint of said Office Building No. 3;
5. South 63°32'02" East, a distance of 48.70 feet to a corner of the exterior footprint of said Office Building No. 3;
6. South 26°03'39" West, a distance of 10.00 feet to a corner of the exterior footprint of said Office Building No. 3;
7. South 63°32'02" East, a distance of 25.00 feet to a corner of the exterior footprint of said Office Building No. 3;

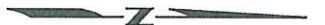
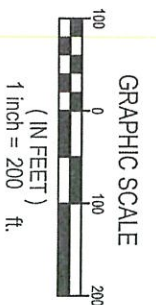
Cunningham | Allen, Inc. • Engineers • Surveyors

3103 Bee Cave Road, Suite 202 • Austin, Texas 78746-6819 Tel: (512) 327-2946 • Fax: (512) 327-2973 •

TBPE FIRM #: F-284 / TBPLS FIRM #: 10000900

SKETCH TO ACCOMPANY DESCRIPTION

0.458 ACRE
SHEET 3 OF 3



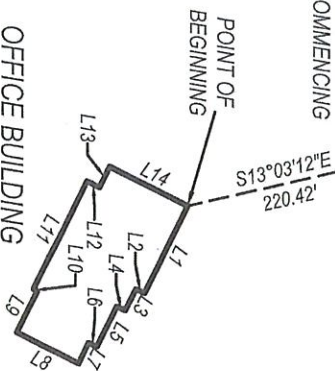
BULL CREEK ROAD
R.M. HIGHWAY NO. 2222
(240' R.O.W.)
STATE OF TEXAS
VOL. 11634, PG. 2376, RPR
BEARING BASIS
S88°58'41"W 306.28'

REMAINDER OF
LOT 1, BLOCK A,
PARK 22-PHASE "B"
BK. 86, PG. 64C-64D, RPR

LINE	BEARING	DISTANCE
L1	S63°32'02"E	105.00'
L2	S26°30'08"W	10.00'
L3	S63°32'02"E	26.20'
L4	S26°30'08"W	10.00'
L5	S63°32'02"E	48.70'
L6	S26°03'39"W	10.00'
L7	S63°32'02"E	25.00'
L8	S26°30'08"W	75.00'
L9	N63°32'58"W	50.00'
L10	S26°30'08"W	5.00'
L11	N63°32'58"W	129.98'
L12	N26°30'08"E	15.00'
L13	N63°32'58"W	25.00'
L14	N26°30'08"E	95.06'

- LEGEND**
- TxDOT TYPE II MONUMENT FOUND
 - 5/8" IRON ROD FOUND
 - PR PLAT RECORDS
 - RPR REAL PROPERTY RECORDS
 - OPR OFFICIAL PUBLIC RECORDS
 - BK. / PG. BOOK / PAGE
 - VOL. / PG. VOLUME / PAGE

OFFICE BUILDING
NO. 3



32.415 ACRES
KBS SOR AUSTIN
SUBURBAN PORTFOLIO, LLC
DOC. NO. 2013055804, OPR

REFERENCE IS HEREBY MADE TO THE METES AND BOUNDS
DESCRIPTION OF THIS TRACT ACCOMPANYING THIS SKETCH.

NO MONUMENTATION SET FOR CORNERS.

BEARING BASIS: NORTH LINE OF 32.415 ACRE TRACT, DOC. NO.
2013055804, OPR. (S 88°58'41" W)



CunninghamAllen

Engineers • Surveyors

FIRM REG. TBRE F-294, TBPLS 10009300

3103 Bee Cave Road

Suite 202

Austin, Texas 78746

Tel.: (512) 327-2946

Fax: (512) 327-2973

EXHIBIT D

MICHELE ROGERSON LYNCH
512.404.2251
mlynch@mwswtexas.com

February 4, 2019

Mr. Greg Guernsey, Director
Planning and Zoning Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Via Hand Delivery

Re: Application for Rezoning; 0.458 acres located at 8601 FM Ranch Road 2222 (the
"Property")

Dear Mr. Guernsey:

As representatives of the owner of the above stated Property we respectfully submit the attached application for rezoning. The Property is Building 3 in the Park Centre office complex located at 8601 FM Ranch Road 2222 (see Location Map attached), and is currently zoned General Office (GO). The proposed zoning will be Community Commercial - Conditional Overlay (GR-CO). The rezoning is needed to allow for a Research Services use, which is not allowed in GO. The Research Services use is for a laboratory component of an office tenant who will occupy all of Building 3 (79,567 square feet). The Research Services use will be the first floor (19,542 square feet) and the remainder of the building will be office use (60,025 square feet). The proposed conditional overlay proposes to restrict all GR uses that are not also permitted in GO with the exception of Research Services. Additionally, the CO will restrict the Property to GO site development regulations.

The Property is not within a neighborhood plan, therefore a plan amendment is not required. Surrounding zoning includes General Office (GO) and Single-Family Residence Standard Lot (SF-2) to the immediate north and east, and Development Reserve (DR) and Rural Residence (RR) to the south and west. Surrounding land uses include office and residential uses.

The existing and proposed uses in the building do not generate more than 2,000 trips per day; therefore a Traffic Impact Analysis (TIA) is not required at this time. If you have any questions about this Application for rezoning or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,



Michele Rogerson Lynch