

**Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: 130
AGENDA DATE: Thu 06/23/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0023 - Murphey Tract - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5029 Southwest Parkway (Barton Creek Watershed - Barton Creek Zone) from development reserve (DR) district zoning to general office-conditional overlay (GO-CO) combining district zoning for Tract 1; limited office-conditional overlay (LO-CO) combining district zoning for Tract 2; and rural residence (RR) for the floodplain subject to conditions. First Reading on May 12, 2005. Vote: 6-0 (Thomas off the dais). Applicant: Murphey Thomas Oran. Agent: Bury and Partners (Jim Gallegos). City Staff: Robert Heil, 974-2330.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Alice Glasco

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-05-0023

REQUEST:

Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5029 Southwest Parkway (Barton Creek Watershed) (Barton Springs Contributing Zone) from development reserve (DR) district zoning to General Office- Conditional Overlay (GO-CO), Limited Office – Conditional Overlay (LO-CO), and Rural Residential – (RR) district zoning.

DEPARTMENT COMMENTS:

The Murphy Tract is a 48.117 acre development located on Southwest Parkway west of MoPac. The property is currently undeveloped and zoned Development Reserve (DR). The applicant has requested a zoning change to General Office (GO), Limited Office (LO), and Rural Residential (RR). The intended use is for 344,000 square feet of office use. The estimated completion of the project is in 2006.

There is a developed office use with Limited Office (LO) zoning largely surrounded by the subject tract. One single family house on otherwise vacant Development Reserve (DR) zoned land lies to the west. Across Southwest Parkway to the north lies undeveloped land (DR) and a developed single family subdivision (SF-6-CO). To the south and southeast are a mix of light industrial and commercial zoning with warehouse, construction storage and office uses.

The ordinance reflects the conditions imposed by the City Council on first reading.

APPLICANT/AGENT: Bury and Partners (Jim Gallegos)

OWNER: Thomas Oran Murphey

DATE OF FIRST READING: May, 12, 2005 (7-0 on consent).

CITY COUNCIL HEARING DATE: June 23, 2005.

CITY COUNCIL ACTION:

Granted GO-CO for Tract 1
LO-CO for Tract 2
RR for Floodplain – 1st reading
CO incorporates ZAP recommendations
Plus prohibiting 19 additional uses and making college and university facilities and public secondary educational facilities conditional uses that will be subject to site plan approval 6-0
(Thomas off the dais)

ORDINANCE NUMBER:

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

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0023 (Murphey Tract)

ZAP Date: April 5, 2005
April 19, 2005

ADDRESS: 5029 Southwest Parkway

OWNER/APPLICANT: Murphey Thomas Oran

AGENT: Bury & Partners
(Jim Gallegos)

ZONING FROM: DR

TO: GO for tract 1 (1.024 acres)
LO for tract 2 (40.829 acres), and
RR for tract 3 (6.264 acres).
Total (48.117 acres)

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of GO-CO for tract 1 (1.024 acres), LO-CO for tract 2 (40.829 acres), and RR-CO for tract 3 (6.264 acres).

Additionally, staff recommends that the recommendations of the Traffic Impact Analysis be incorporated into a public restrictive covenant, specifically:

- Design of the median opening on Southwest Parkway at Driveway A shall be designed as a limited function media to allow left in or left out movements only.
- Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions and other traffic related characteristics.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

April 5, 2005: Postponed to April 19, 2005 at the request of the staff due to a notification error. (Approved 8-0).

April 19, 2005: Approved GO-CO for tract 1 (1.024 acres), LO-CO for tract 2 (40.829 acres), and RR-CO for tract 3 (6.264 acres).

The Conditional Overlay is as follows:

- Design of the median opening on Southwest Parkway at Driveway A shall be designed as a limited function media to allow left in or left out movements only.
- Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions and other traffic related characteristics.
- The height on tract 1 is limited to 4 stories

- A natural landscaped buffer will be provided in a radius of 750 feet from the southwest corner of the property. Irrigation will be permitted in this area as required for on-site water quality control.
- Lighting on the property will be shielded so that the lighting shall not shine upon adjacent properties
- At the time an application for approval of a site plan is submitted for the development of the property, or any portion of the Property, an Integrated Pest Management (IPM) Plan shall be submitted to the Watershed Protection and Development Review Department for review and approval. The IPM plan shall comply with the guidelines in Section 1.6.9.2 (D) and (F) of the Environmental Criteria Manual that are in effect on the date of this covenant.
- At the time an application for approval of a site plan is submitted for development of the Property, a landscape plan for the use of native and adapted plant materials according to the Grow Green Plan List shall be submitted to the Watershed Protection and Development Review Department for review and approval.
- The use of coal-tar based asphalt sealants for the construction or repair of paving on the Property is strictly prohibited.

DEPARTMENT COMMENTS:

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There is a developed office use with Limited Office (LO) zoning largely surrounded by the subject tract. One single family house on otherwise vacant Development Reserve (DR) zoned land lies to the west. Across Southwest Parkway to the north lies undeveloped land (DR) and a developed single family subdivision (SF-6-CO). To the south and southeast are a mix of light industrial and commercial zoning with warehouse, construction storage and office uses.

The property is located in the proposed East Oak Hill Neighborhood Planning Area, that is scheduled to begin in the October 2005. The tentative Planning Commission Public hearing dates should occur in the June 2006, and the City Council will consider the neighborhood plan and rezoning in the summer of 2006.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Undeveloped
<i>North</i>	LO and SF-6-CO	Office and Single Family Homes
<i>South</i>	DR and IP	Undeveloped and Construction Office
<i>East</i>	LI and LO-CO	Auto Repair and Office
<i>West</i>	DR	Undeveloped and Single Family

AREA STUDY: The property is within the proposed East Oak Hill Neighborhood Planning Area.

TIA: N/A

WATERSHED: Barton Creek (Barton Springs Zone)

DESIRED DEVELOPMENT ZONE: No **CAPITOL VIEW CORRIDOR:** No

HILL COUNTRY ROADWAY: Yes – Low Intensity Zone

REGISTERED NEIGHBORHOOD ORGANIZATIONS:

- Oak Hill Association of Neighborhoods
- Oak Hill Association of Neighborhoods (78735)
- Oak Hill Association of Neighborhoods (78736)
- Oak Hill Association of Neighborhoods (78737)
- Oak Hill Association of Neighborhoods (78738)
- Oak Hill Association of Neighborhoods (78739)
- Oak Hill Association of Neighborhoods (78749)
- Save Barton Creek Association
- Barton Springs Coalition
- Edwards Aquifer / Barton Springs Conservation District
- Save our Springs Alliance

SCHOOLS: (AISD)

Oak Hill Elementary School Small Middle School

Austin High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Southwest Parkway	160'	120'	Six Lane Divided Major Arterial

CITY COUNCIL DATE:**ACTION:****April 28, 2005:****Postponed Until May 12, 2005****May 12, 2005:****Granted GO-CO for Tract 1****LO-CO for Tract 2****RR for Floodplain – 1st reading****CO incorporates ZAP recommendations****Plus prohibiting 19 additional uses (listed below) and making college and university facilities and public secondary educational facilities conditional uses that will be subject to site plan approval 6-0 (Thomas off the dais)**

- **Communication Service Facilities (except roof-top telecommunication towers and antennae no higher than 20 feet above the building roof will be permitted)**
- **Community Events (except incidental events for building occupants and their guests and charitable purposes will be permitted)**
- **Community Recreation (Private)**
- **Community Recreation (Public)**
- **Congregate Living**
- **Family Home**
- **Food Preparation (except food preparation for onsite use will be permitted)**
- **Group Home, Class I (General)**
- **Group Home, Class I (Limited)**
- **Group Home, Class II**
- **Hospital Services (General)**
- **Hospital Services (Limited)**
- **Local Utility Services**
- **Off-Site Accessory Parking**
- **Personal Services**
- **Off-Site Accessory Parking**
- **Personal Services**
- **Printing and Publishing (except in-house publishing and printing for use by the building occupants will be permitted)**
- **Restaurant (Limited)**

- **Safety Services**
- **Telecommunication Tower (except roof-top telecommunication towers and antennae no higher than 20 feet above the building roof will be permitted.)**

ORDINANCE READINGS:

1st 5/12/05

2nd

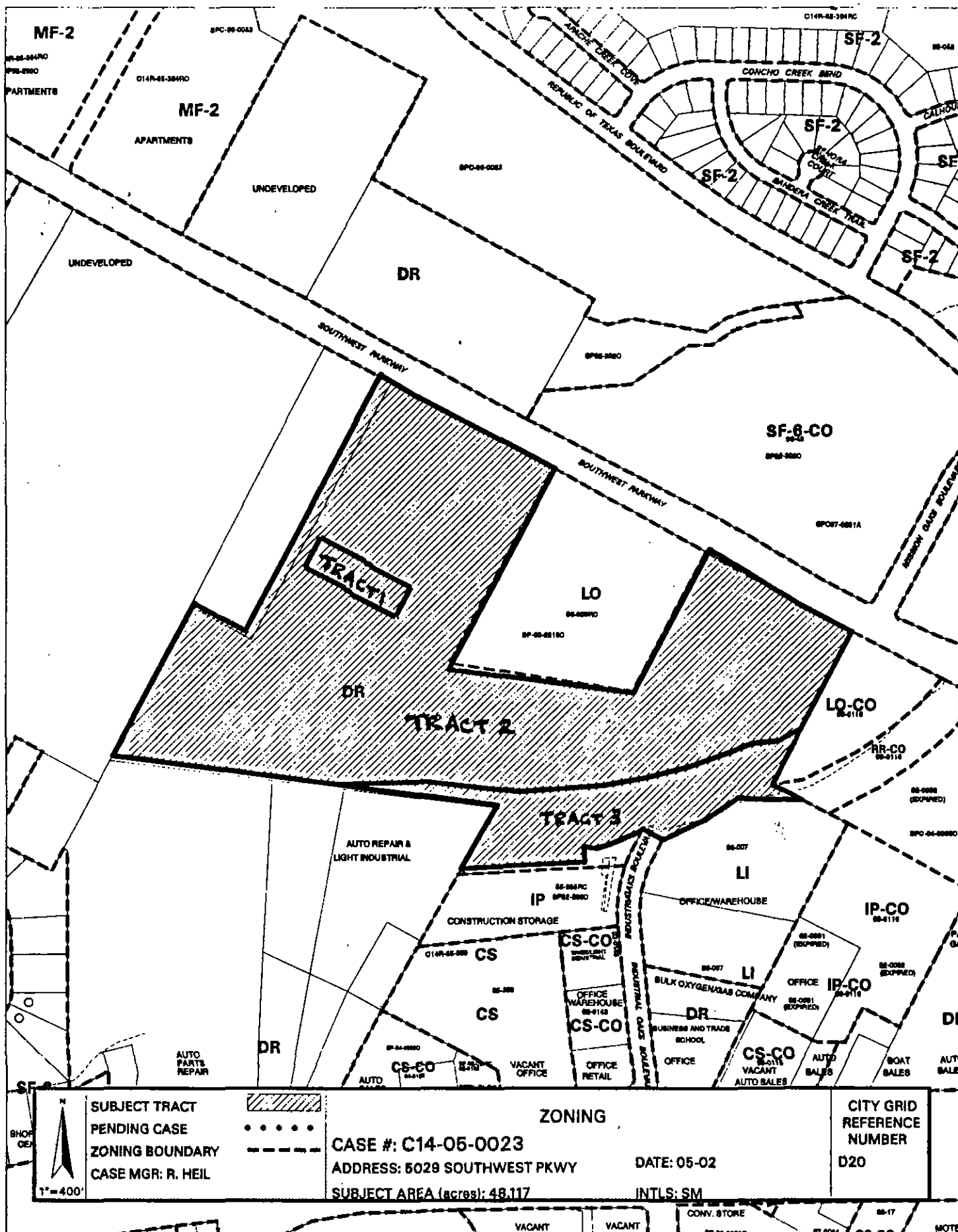
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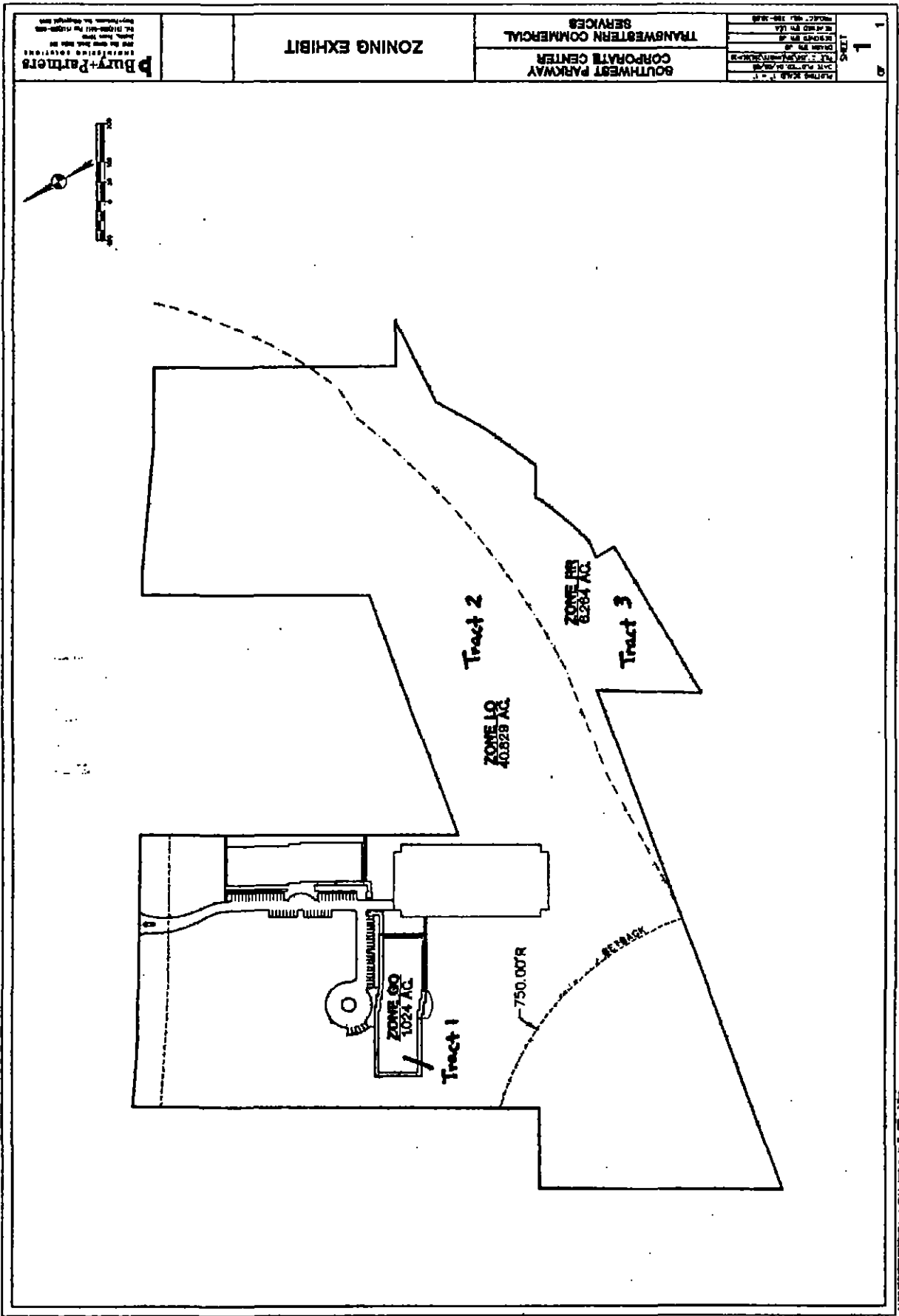
ORDINANCE NUMBER:

CASE MANAGER: Robert Heil

e-mail address: robert.heil@ci.austin.tx.us

PHONE: 974-2330







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MOBAC

SUBJECT TRACT

SOUTHWEST PKWY.

290/71



SUMMARY STAFF RECOMMENDATION

C14-05-0023

Staff recommends approval of GO-CO for tract 1 (1.024 acres), LO-CO for tract 2 (40.829 acres), and RR-CO for tract 3 (6.264 acres).

Additionally, staff recommends that the recommendations of the Traffic Impact Analysis be incorporated into a public restrictive covenant, specifically:

- Design of the median opening on Southwest Parkway at Driveway A shall be designed as a limited function media to allow left in or left out movements only.
- Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions and other traffic related characteristics.

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) is the designation for an office or commercial use that serves community and city-wide needs. Limited Office is the designation for an office use that serves neighborhoods or community needs and that is located in or adjacent to residential neighborhoods. Rural Residential is the designation for a low density residential use on a lot that is a minimum of one acre. The proposed zoning is consistent with the purposes of these districts.

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

General Office is appropriate adjacent to existing Limited Office (LO) zoning to the east and the Townhouse and Condominium Residence (SF-6) zoning across Southwest Parkway to the north.

EXISTING CONDITIONS

The Murphy Tract is a 48.117 acre development located on Southwest Parkway west of MoPac. The property is currently undeveloped and zoned Development Reserve (DR). The applicant has requested a zoning change to General Office (GO), Limited Office (LO), and Rural Residential (RR).

There is a developed office use with Limited Office (LO) zoning largely surrounded by the subject tract. One single family house on otherwise vacant Development Reserve (DR) zoned land lies to the west. Across Southwest Parkway to the north lies undeveloped land (DR) and a developed single family subdivision (SF-6-CO). To the south and southeast are a mix of light industrial and commercial zoning with warehouse, construction storage and office uses.

Site Plan

This site is located within the Hill Country Roadway Corridor, LOW Intensity Zone. The floor-to-area ratio of a non-residential building may not exceed

- .20 for a building on property with a slope gradient of 15 percent or less.
- .25 for a building on property with a slope gradient of 15 percent or less if the Land Use Commission grants a development bonus under Section 25-2-1128
- .08 for a building on property with a slope gradient of more than 15 percent but not more than 25 percent.
- .04 for a building on property with a slope gradient of more than 25 percent but not more than 35 percent.

A commission approved site plan that may be appealed to City Council will be required prior to the issuance of a building permit for this site.

This site is located in the Barton Springs Zone, no individual retail use may exceed 50,000 square feet and no food sales use may exceed 100,000 square feet. [Sec. 25-2-651]

As the property to the west is used as residential, the site is subject to compatibility standards. Along the west property line, the following standards apply:

- No structure may be built within 25 feet of the residential property line to the west.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the residential property line to the west.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the residential property line to the west.
- No parking or driveways are allowed within 25 feet of the residential property line to the west.
- 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.

Transportation

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments are provided in an attached memo dated March 28, 2005 (Attachment A).

Water and Wastewater

The landowner intends to serve the site with City water and wastewater utilities. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility relocation, or utility adjustments are required, the landowner, at own expense, will

be responsible for providing. 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 landowner must pay the associate City fees.

The landowner must pay the tap and impact fee once the landowner makes an application for a City water and wastewater utility tap permit.

Environmental

This site is located over the Southern Edward's Aquifer Recharge Zone. The site is in the Barton 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.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek watershed and 25% impervious cover in the Contributing zone. This tract lies in the recharge 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.

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.

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