

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-9
AGENDA DATE: Thu 09/01/2005
PAGE: 1 of 1**

SUBJECT: C14-05-0078 - Shelton Medical Office - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4615 Spicewood Springs Road (West Bull Creek Watershed) from family residence (SF-3) district zoning to limited office (LO) district zoning. Zoning and Platting Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Applicant: Edward Calogero. Agent: Steve and Deborah Shelton. City Staff: Jorge Rousselin, 974-2975..

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0078

Z.A.P. DATE: August 2, 2005

ADDRESS: 4615 Spicewood Springs Rd.

OWNER/APPLICANT: Edward Calogero

AGENT: Steve & Deborah Shelton

ZONING FROM: SF-3

TO: LO

AREA: .126 Acres

SUMMARY STAFF RECOMMENDATION:

Approve rezoning from family residence (SF-3) district to limited office (LO) district zoning

ZONING AND PLATTING COMMISSION RECOMMENDATION:

**APPROVED LO-CO ZONING WITH 50 VEHICLE TRIP LIMIT PER DAY.
[C.H; T.R 2ND] (8-0) J.M - ABSENT**

ISSUES: N/A

DEPARTMENT COMMENTS:

The subject property is less than an acre of land situated on Spicewood Springs Rd. This parcel along with a few others appears to be remnants of previous zoning districts when the area was more conducive to single family residential development. The area now has many office developments and higher density residential developments. Single-family residential uses along this section of Spicewood Springs Road may no longer be suitable or desirable.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Single Family home
<i>North</i>	SF-6 & SF-3	Condominiums and flag lots with residential (SF-3) properties in the canyon
<i>South</i>	PUD	Condominiums
<i>East</i>	GO-CO	Office buildings
<i>West</i>	PUD & SF-3 & LO	Entrance to PUD (residential), remnant SF-3 undeveloped and LO office building

AREA STUDY: No

TIA: No

WATERSHED: West Bull Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

#005 Balconies Civic Assn.
#053 Northwest Austin Civic Assn.
#157 Courtyard Homeowner Assn.
#439 Concerned Citizens for P&B of FM 2222
#475 Bull Creek Foundation
#511 Ausitn Neighborhoods Council
#742 Austin Independent School District
#965 Old Spicewood Springs Rd. Neighborhood Assn

SCHOOLS:

Doss Elementary School
Murchison Middle School
Anderson High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING/Z.A.P. COMMISSION	CITY COUNCIL
C14-97-0086	SF-3 & PUD to GO-CO	11/25/97 - Recommended GO-CO	02/26/98 - Approved GO-CO (prohibit uses)
C14-00-2049	SF-3 to LO-CO	04/18/00 - Recommended LO-CO	06/22/00 - Approved LO-CO (prohibit uses and limit height)
C14-03-0164	SF-3 to LO	01/06/04 - Recommended LO	01/29/04 - Approved LO
C14-04-0014	GO-CO to GO	03/02/04 - Recommended GO-CO	04/22/04 - Approved GO-CO (limit on medical office floor area)

RELATED CASES: N/A

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Spicewood Springs Road	120'	28'	Arterial

CITY COUNCIL DATE:

ACTION:

ORDINANCE READINGS:

1st

2nd

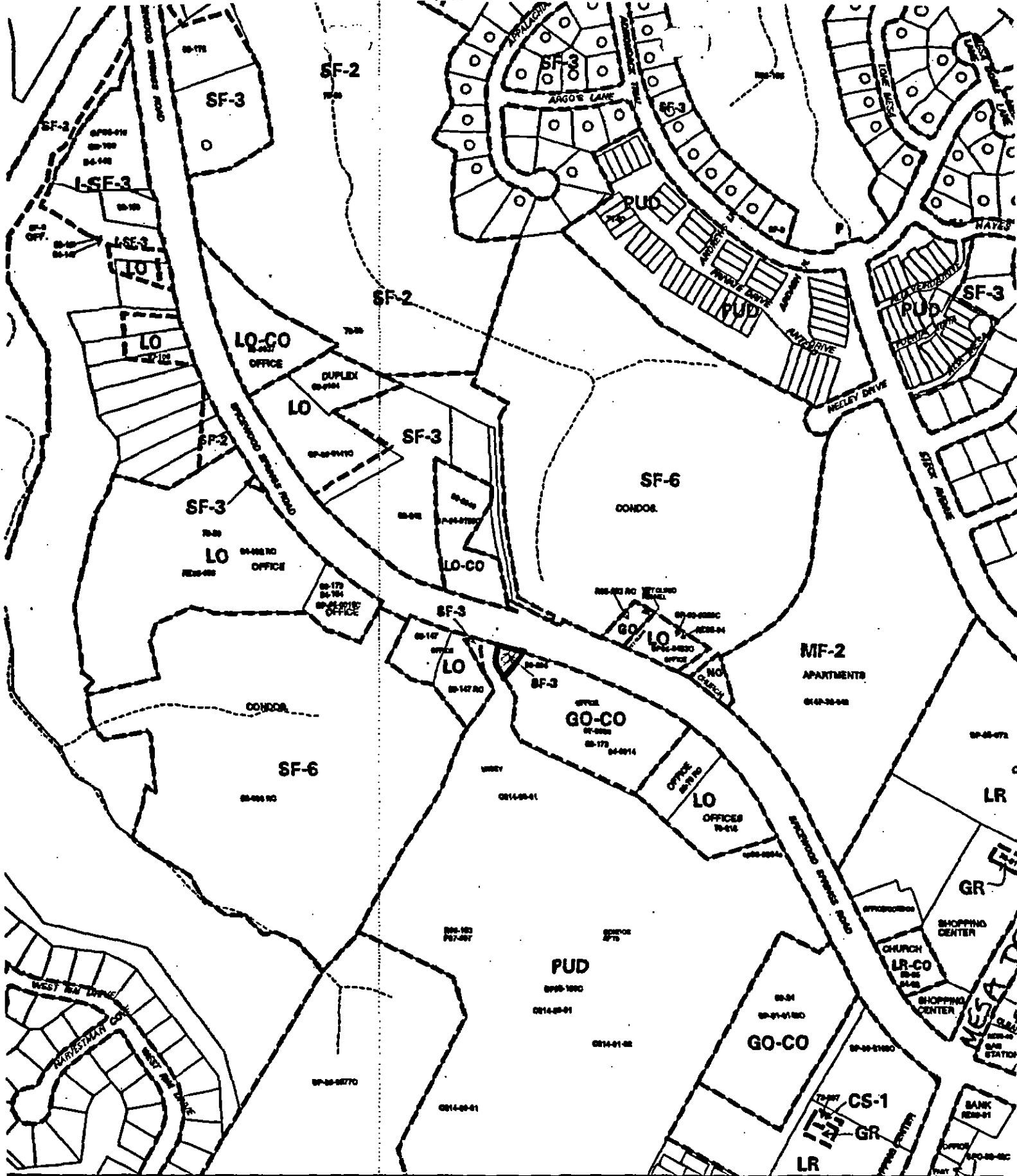
3rd





ORDINANCE NUMBER:

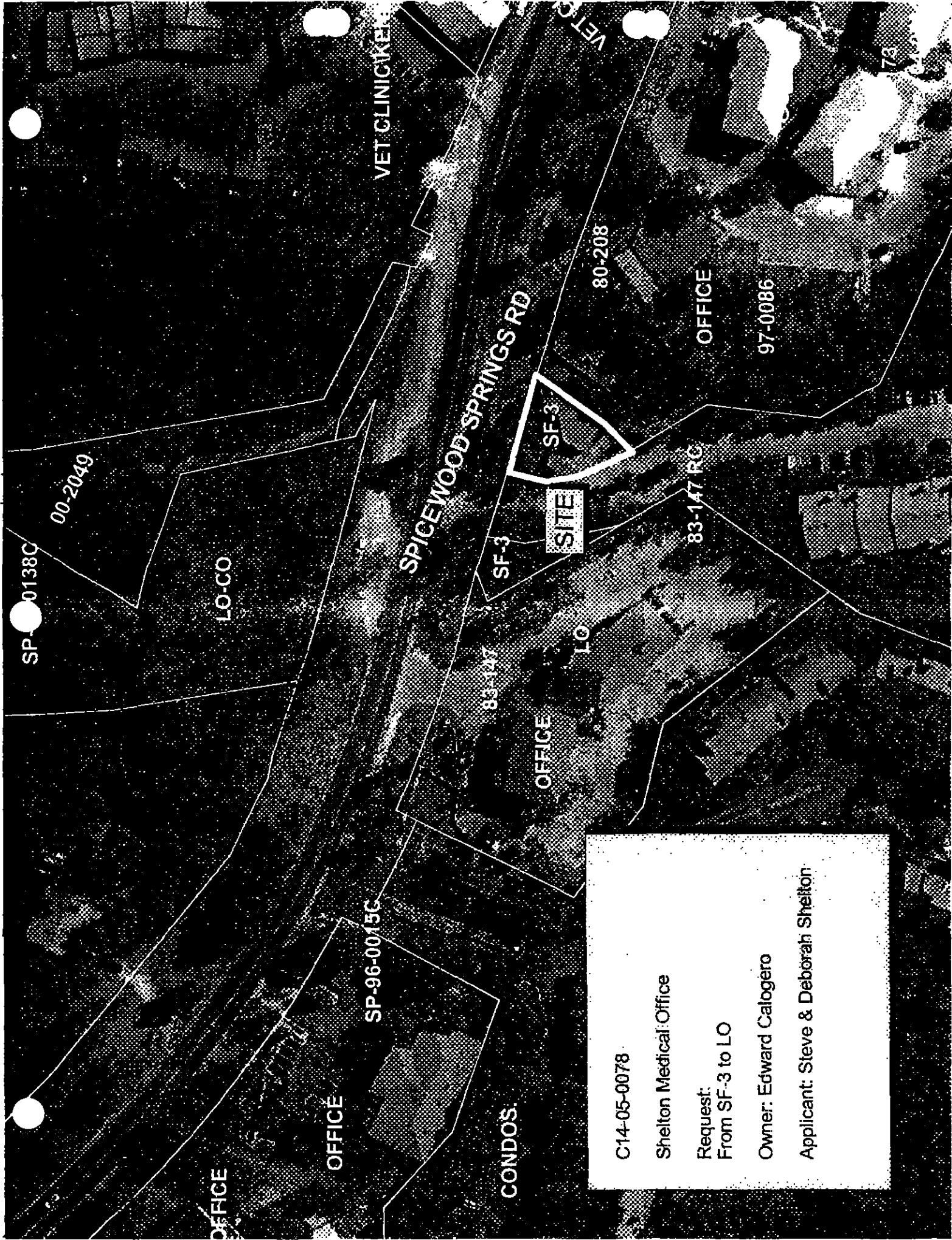
CASE MANAGER: Jorge E. Rousselin, NPZD

PHONE: 974-2975

E-MAIL: jorge.rousselin@ci.austin.tx.us



 1" = 400'	SUBJECT TRACT 	ZONING CASE #: C14-05-0078 ADDRESS: 4815 SPICEWOOD SPRINGS RD SUBJECT AREA (acres): 0.123		CITY GRID REFERENCE NUMBER H31
	PENDING CASE 			
	ZONING BOUNDARY 	INTLS: SM		
	CASE MGR: T. BOLT	SF-3		



C14-05-0078

Shelton Medical Office

Request:
From SF-3 to LO

Owner: Edward Calogero

Applicant: Steve & Deborah Shelton

STAFF RECOMMENDATION

Approve rezoning from family residence (SF-3) district to limited office (LO) district zoning

BASIS FOR RECOMMENDATION

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

Limited office (LO) district is the designation for an office use that serves neighborhood or community needs and that is located in or adjacent to residential neighborhoods. An office in an LO district may contain one or more different uses. Site development regulations and performance standards applicable to an LO district use are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment.

Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.

The land located on the south side of Spicewood Springs Road in this area has been rezoned to commercial base districts or Planned Unit Developments. The commercial base districts range from GR, GO, and LO in this area. The area on the north side of Spicewood Springs Rd has both commercial and residential base districts ranging from SF-6 to MF-2.

Zoning should allow for reasonable use of the property.

The subject parcel is located between an office development and the driveway access to a Condominium development, which may not be suitable for single-family residential use.

EXISTING CONDITIONS

Site Characteristics

Site is currently developed with a stone single-family residence

Impervious Cover

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

Environmental

According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.

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 captures volume and 2 year detention.

At this time, no information has been provided as to whether this property has any preexisting approvals, which would preempt current water quality or Code requirements.

Water Quality Control Requirements

Development within a Water Quality Transition Zone may not exceed 18% impervious cover.

Transportation

The trip generation under the requested zoning is estimated to be 100 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]

Capital Metro bus service is not available within 1/4 mile of this property.

Spicewood Springs Road is classified in the Bicycle Plan as a Priority 1 bike route.

Water and Wastewater

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 extension, system upgrades, utility adjustment, and utility relocation to serve the site and land use. 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 water and wastewater utility construction must be inspected by the City. The landowner must pay the associated City fees.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

Compatibility Standards

This tract is already developed and the proposed zoning change is a footprint within the existing development. A change of use within the existing structure would not trigger compatibility development regulations. However, any new construction on this site would be subject to compatibility development regulations due to the existing SF-3 zoned property to the north would be subject to the following requirements:

The site is subject to compatibility standards. Along the north 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.**
- **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.**

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

The site falls under a Scenic Roadway Overlay.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.cl.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-05-0078

Contact: Thomas Bolt, (512) 974-2755

Public Hearing:

August 2, 2005 Zoning and Platting Commission

ALAN MUSKIN

Your Name (please print)

4705 SPLENDOR SPRINGS
4601 SPLENDOR SPRINGS #4

Your address(es) affected by this application

OR MA

Signature

Date

7/25/05

Comments: REZONING REQUEST IS

AN APPROPRIATE USE FOR THE AREA.
OUR OFFICE BUILDINGS ARE ON EITHER
SIDE OF SUBJECT PROPERTY

If you use this form to comment, it may be returned to:

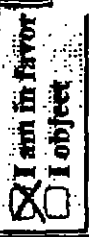
City of Austin

Neighborhood Planning and Zoning Department

Thomas Bolt

P. O. Box 1088

Austin, TX 78767-8810



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Contact: Thomas Bolt, (512) 974-2755

Public Hearing:

August 2, 2005 Zoning and Platting Commission

DAVID GREENE

Your Name (please print)

4711 Spicewood Springs Rd #243

Your address(es) affected by this application

David Greene

Signature

Aug 2 2005

Date

☐ I am in favor
☒ I object

Comments:

Traffic congestion and
property density is already
too high in this area
and we're getting new
construction every week along
Spicewood.

If you use this form to comment, it may be returned to:

City of Austin

Neighborhood Planning and Zoning Department

Thomas Bolt

P. O. Box 1088

Austin, TX 78767-8810

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4615 SPICEWOOD SPRINGS ROAD FROM FAMILY RESIDENCE (SF-3) DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence (SF-3) district to limited office-conditional overlay (LO-CO) combining district on the property described in Zoning Case No. C14-05-0078, on file at the Neighborhood Planning and Zoning Department, as follows:

A 0.126 (5485 square feet) acre tract of land, more or less, out of the James M. Mitchell Survey No. 17, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 4615 Spicewood Springs Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 50 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the limited office (LO) base district and other applicable requirements of the City Code.

1 **PART 3.** This ordinance takes effect on _____, 2005.
2
3

4 **PASSED AND APPROVED**
5
6

7
8 _____, 2005

§
§
§

Will Wynn
Mayor

9
10
11
12 **APPROVED:** _____

David Allan Smith
City Attorney

ATTEST: _____

Shirley A. Brown
City Clerk

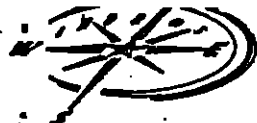


EXHIBIT A
LEGAL DESCRIPTION

BEING A TRACT OR PARCEL OF LAND CONTAINING 0.126 ACRE (5,485 SQ. FT.) OUT OF THE JAMES M. MITCHELL SURVEY NO. 17 IN TRAVIS COUNTY, TEXAS. SAID 0.126 ACRE TRACT BEING THAT SAME TRACT OF LAND DESCRIBED IN VOLUME 8325, PAGE 403, T.C.D.R., AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A MAG NAIL FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF SPICEWOOD SPRINGS ROAD (VARYING R.O.W.), MARKING THE NORTHWEST CORNER OF LOT 1, BLOCK 'A', SPICEWOOD SPRINGS ALP RECORDED IN DOCUMENT NO. 200000231, T.C.O.P.R., FOR THE MOST WESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE WITH THE COMMON LINE OF SAID LOT 1 AND THE HEREIN DESCRIBED TRACT, SOUTH 37 DEGREES 45 MINUTES 20 SECONDS WEST, A DISTANCE OF 87.99 FEET TO A 1/2" IRON ROD FOUND AT AN ANGLE POINT IN THE NORTHEAST LINE OF SAID LOT 1, SAME BEING THE SOUTHWEST LINE OF THE HEREIN DESCRIBED TRACT;

THENCE CONTINUING WITH THE COMMON LINE OF SAID LOT 1 AND THE HEREIN DESCRIBED TRACT, SOUTH 45 DEGREES 57 MINUTES 41 SECONDS WEST, A DISTANCE OF 38.51 FEET TO A 1/2" IRON ROD FOUND MARKING THE SOUTHWEST CORNER OF SAID LOT 1, SAME BEING AN ELL CORNER IN THE NORTHEAST LINE OF THE CWS CAPROCK BRIDGE, L.P. TRACT AS DESCRIBED IN DOCUMENT NO. 2000002898, T.C.O.P.R., FOR AN ANGLE POINT IN THE SOUTHEAST LINE OF THE HEREIN DESCRIBED TRACT;

THENCE WITH THE COMMON LINE OF SAID CAPROCK TRACT AND THE HEREIN DESCRIBED TRACT, SOUTH 49 DEGREES 26 MINUTES 08 SECONDS WEST, A DISTANCE OF 2.65 FEET TO A CAPPED 1/2" IRON ROD SET MARKING AN ELL CORNER IN THE NORTHEAST LINE OF SAID CAPROCK TRACT, FOR THE MOST SOUTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE WITH THE COMMON LINE OF SAID CAPROCK TRACT AND THE HEREIN DESCRIBED TRACT THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

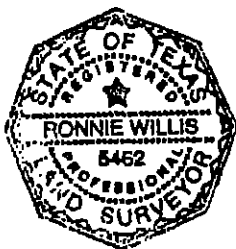
- 1) NORTH 18 DEGREES 34 MINUTES 01 SECONDS WEST, A DISTANCE OF 13.85 FEET TO A COTTON GIN SPINDLE SET;
- 2) NORTH 28 DEGREES 27 MINUTES 44 SECONDS WEST, A DISTANCE OF 27.13 FEET TO A COTTON GIN SPINDLE SET AT THE BEGINNING OF A CURVE TO THE RIGHT;
- 3) AROUND SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 40 DEGREES 13 MINUTES 59 SECONDS, AN ARC DISTANCE OF 26.35 FEET, A RADIUS OF 37.52 FEET AND WHOSE CHORD BEARS NORTH 8 DEGREES 14 MINUTES 28 SECONDS WEST, A DISTANCE OF 25.81 FEET TO A 1/2" IRON ROD FOUND;
- 4) NORTH 11 DEGREES 52 MINUTES 33 SECONDS EAST, A DISTANCE OF 43.88 FEET TO A 1/2" IRON ROD FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF SAID SPICEWOOD SPRINGS ROAD, MARKING THE NORTHEAST CORNER OF SAID CAPROCK TRACT, FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

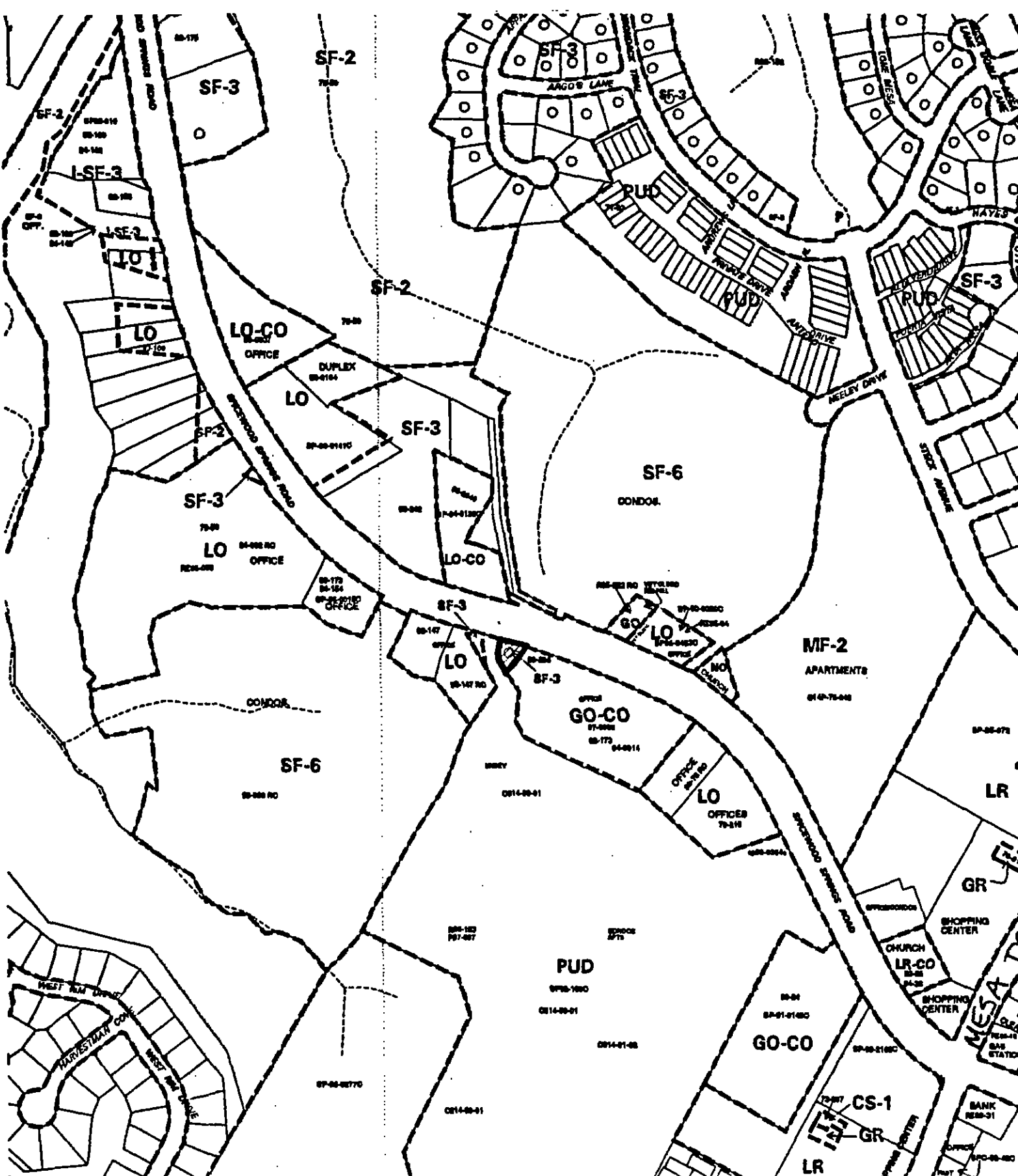
THENCE WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID SPICEWOOD SPRINGS ROAD AND THE NORTH LINE OF THE HEREIN DESCRIBED TRACT SOUTH 73 DEGREES 34 MINUTES 15 SECONDS EAST, A DISTANCE OF 57.85 FEET TO A MAG NAIL FOUND AT THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE AROUND SAID CURVE TO THE RIGHT HAVING A DELTA ANGLE OF 01 DEGREES 08 MINUTES 29 SECONDS, AN ARC DISTANCE OF 29.80 FEET, A RADIUS OF 1495.82 FEET AND WHOSE CHORD BEARS SOUTH 72 DEGREES 57 MINUTES 01 SECONDS EAST, A DISTANCE OF 29.80 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.126 ACRES (5,485 SQ. FT.) OF LAND.



RONNIE WILLIS, RPLS #5462
APRIL 12, 2005
JOB # 11623 W
GF # 03087900





 1" = 400'	SUBJECT TRACT	CASE #: C14-05-0078 ADDRESS: 4015 SPICEWOOD SPRINGS RD SUBJECT AREA (acres): 0.129	ZONING EXHIBIT B DATE: 05-05 INTLS: SM	CITY GRID REFERENCE NUMBER H31
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: T. BOLT			

SF-3