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**ZONING AND PLATTING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT REVIEW SHEET**

CASE NUMBER: SPC-2011-0252A **ZAP COMMISSION DATE:** October 18, 2011

ADDRESS: 3107 Oak Creek Dr.

WATERSHED: Walnut Creek(Suburban)

AREA: 7.654 Acre site/ 8,059 sf change of use

EXISTING ZONING: LO- Limited Office

PROJECT NAME: Oak Creek CUP

PROPOSED USE: Change of use from Office to College-University Facilities

OWNER: Eastbourne Mopac LLC
300 International Drive, Suite 135
Williamsville, NY 14221-5781

AGENT: Metcalfe Williams, LLP (Michelle Lynch)
301 Congress Ave., Ste 1075
Austin, TX 78701

NEIGHBORHOOD ORGANIZATION:

511-Austin Neighborhoods Council
86- Walnut Crossing neighborhood Assn.
1037-Homeless Neighborhood Association
114- North Growth Corridor Alliance
407- Reserve at Northwood HOA, Inc.
52- Northwood Neighborhood Assn.
1200-Super Duper Neighborhood Objectors
and Appealers Organization

APPLICABLE WATERSHED ORDINANCE: Current/ Comprehensive watershed ordinance

CAPITOL VIEW: Not in View Corridor

SUMMARY STAFF RECOMMENDATION: Recommended.

ZAP COMMISSION ACTION: 10-18-2011

CASE MANAGER: Lynda Courtney, 974-2810

PROJECT INFORMATION:

EXIST. ZONING: LO, Limited Office

SITE AREA.: 7.654 Acres Overall, 8059 SF Change of Use LOC

EXIST. USE: Medical Office, Professional Office

PROP. USE: College-University Facilities, Medical Office, Professional Office

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SUMMARY COMMENTS ON SITE PLAN:

The applicant is requesting a conditional use permit for a change of use in LO zoning, Limited Office. A college and university facilities is a conditional use, permitted by conditional use permit only.

No site construction is proposed with this CUP. The 50, 502 square foot buildings and associated surface parking are constructed, as permitted and approved under the site plan, SP-06-0565B. The existing uses on this site are Medical and Professional Office use (50, 502 square feet existing). This proposal is to change 8,059 square feet of the existing office space into College and University Facility use, as classrooms and administrative offices. There is sufficient parking existing for this use change.

SURROUNDING CONDITIONS:

Zoning/ Land use

North: Oak Creek Drive, then CS-CO, Commercial Service, Conditional Overlay-Convenience Storage

South: LO, Limited Office-Vacant

East: LO, Limited Office, GR, Community Commercial-Office, Retail

West: RR, Rural Residential-Drainage, then SF-6, Townhome and Condominium-Approved multifamily project, vacant and unbuilt

Parking Required 178 spaces/ Provided 193 spaces

(Revision # 1 to the site plan, approved July 2010, showed the addition of a small parking garage that would add 55 spaces for a total of 248. It has not been reviewed or approved for building permit, and has not been built)

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: "The Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

A conditional use site plan must:

- 1. Comply with the requirements of this title; Staff response: This application complies with the requirements of this title.**
- 2. Comply with the objectives and purposes of the zoning district; Staff response: This application complies with the objectives and purposes of the zoning district.**

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3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site; **Staff response: This application falls within the regulations of the Land Development Code and is compatible with the uses of abutting sites. The existing building has 3 floors, 36 foot height and is permitted a maximum height of 40 feet.**

4. Provide adequate and convenient off-street parking and loading facilities; **Staff response: Adequate and convenient off-street parking and loading facilities are provided to meet the requirements of the medical office, as well as the requirements of the other office establishments in the development.**

5. Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects; **Staff response: The site does not contribute to any of these adverse effects.**

A Conditional Use Site Plan May Not:

1. More adversely affect an adjoining site than would a permitted use; **Staff response: This site plan conforms to all regulations and standards established by the Land Development Code for its proposed use and zoning. This site plan does not more adversely affect an adjoining site than would the existing use or a regularly permitted use.**

2. adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; **Staff response: This is not anticipated to any detriment of safety or convenience.**

3. adversely affects an adjacent property or traffic control through the location, lighting, or type of signs; **Staff response: No signage or lighting is proposed that would affect adjacent properties or traffic control.**



Metcalfe Williams LLP

ATTORNEYS AT LAW

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MICHELE ROGERSON LYNCH
Director of Land Use & Entitlements

(512) 961-8845
mlynch@metcalfewilliams.com

September 2, 2011

Mr. Greg Guernsey, Director
Planning and Development Review Department
505 Barton Springs Road, 4th Floor
Austin, Texas 78704

Via Hand Delivery

Re: 3107 Oak Creek Drive; 7.654 acres located at the southwest intersection of Oak Creek Drive and Loop 1 ("the Property"); Proposed Conditional Use Site Plan

Dear Mr. Guernsey:

As representatives of the owner of the above referenced Property, we respectfully submit this site plan application for a conditional use permit. The project is entitled Oak Creek CUP and the Property is located at the southwest intersection of Oak Creek Drive and Loop 1. The owner intends to lease 8,059 square feet of an existing office building on the Property to a College & University Facilities use.

The current zoning of the property is LO (Limited Office). The proposed use, College and University Facilities, is a conditional use within the LO zoning district. Therefore a conditional use permit is required. The attached conditional use site plan shows the existing 50,502 square foot commercial building with associated existing parking. There is no construction element involved with this request. A Traffic Impact Analysis (TIA) is not required as the existing and proposed uses do not exceed the thresholds established in the Land Development Code.

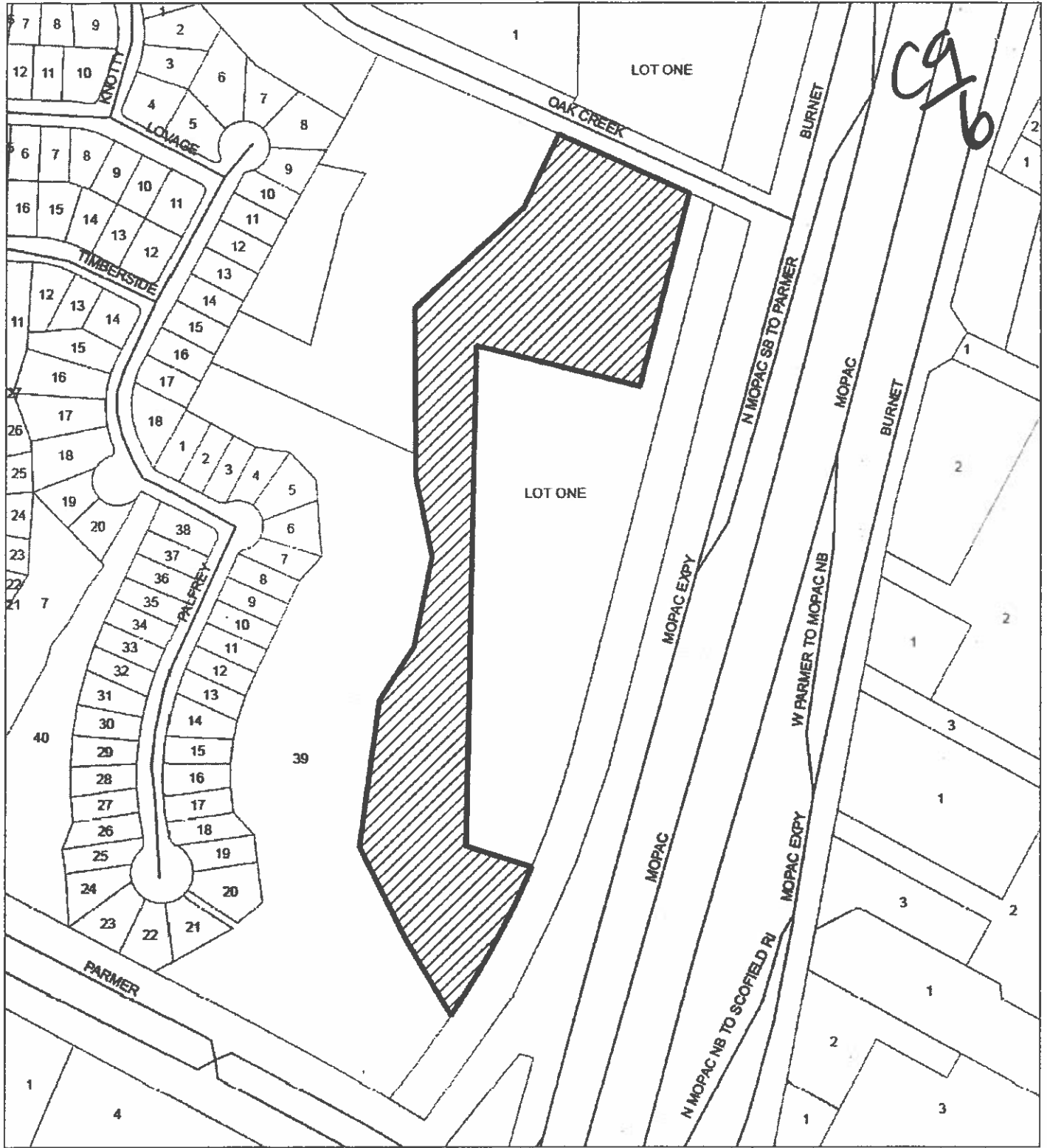
If you have any questions about the conditional use permit request or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,

Michele Rogerson Lynch

Enclosure

cc: Lynda Courtney, Case Manager, via hand delivery
Sangeeta Jain, via hand delivery
Frank Egan, Eastbourne Mopac, LLC
Steven C. Metcalfe, Firm



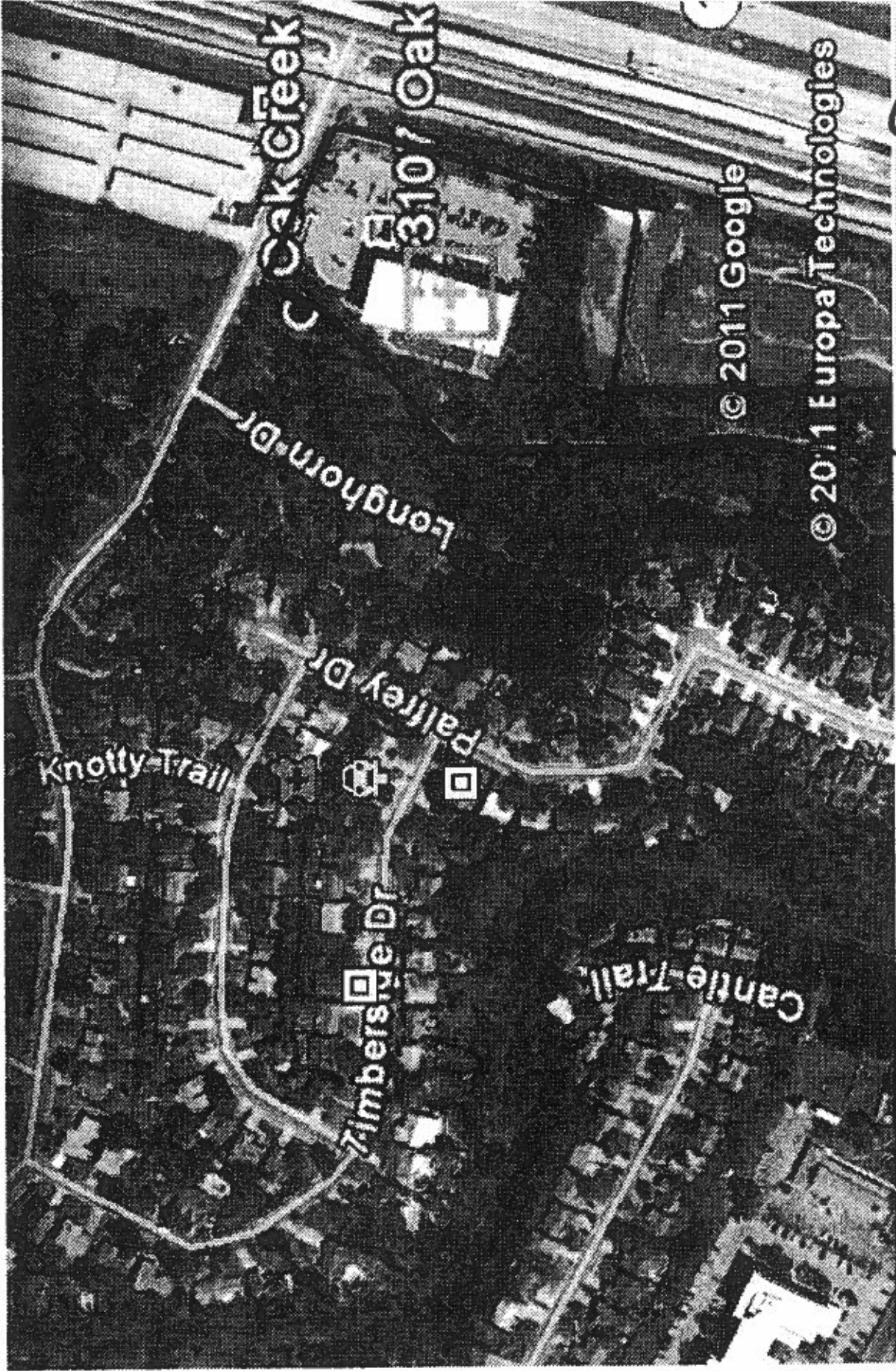
- Subject Tract
- Base Map

Oak Creek Plaza CUP
 CASE#: SPC-2011-0252A
 ADDRESS: 3107 Oak Creek Drive
 MANAGER: Lynda Courtney



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



3107 Oak Creek Dr, Austin, TX 78727

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