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## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2011-0155

Harmony Science Academy-Austin

**P.C. DATE:** January 10, 2012

**ADDRESS:** 930 E. Rundberg Lane

**AREA:** 2.66 acres

**OWNER:** Cosmos Foundation, Inc.  
(Erdal Caglar)

**AGENT:** MWM Design Group, Inc.  
(Frank Del Castillo, Jr.)

**ZONING FROM:** SF-3-NP

**TO:** GO-NP

**AREA STUDY:** N/A

**TIA:** Is not required

**WATERSHEDS:** Little Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD PLAN AREA:** Windsor Hills

### **SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant general office-conditional overlay-neighborhood plan (GO-CO-NP) district zoning. Conditions of the overlay would limit vehicular trip generation to less than 2,000 vehicle trips per day.

### **PLANNING COMMISSION RECOMMENDATION:**

January 10, 2012:

### **DEPARTMENT COMMENTS:**

The subject property is currently zoned family residence-neighborhood plan (SF-3-NP), and is used as a K-8 school. The subject property and school are owned and operated by Cosmos Foundation, Inc., as a charter school, so zoning treats the land use as a public school.

The property was used for church/religious services since before the area was annexed in 1969, until the use changed to public school in 2002, when it changed for Harmony Science Academy. Both uses are considered civic land uses, and comply with the Windsor Hills Neighborhood Plan.

To the north, south, and west of the subject property is a mix of commercial land uses, with some multifamily also nearby. Immediately to the east is a single family residential neighborhood. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

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The Applicant proposes general office-neighborhood plan (GO-NP) district zoning. This classification would allow the current use, and allow future expansion of school facilities.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP	Public Primary / Secondary Educational Facilities
<i>North</i>	CS-MU-V-CO-NP	Convenience Storage, Multifamily
<i>South</i>	GR-NP, CS-1-NP, MF-3-NP	Medical Office, Personal Services, General Retail, Liquor Sales, Service Station, Multifamily
<i>East</i>	SF-3-NP	Residential
<i>West</i>	CS-CO-MU-NP	General Retail, Restaurant Limited, Business Office, Food Sales

**RELATED CASES:**

A church building and associated parking were already built on the subject property when the area was annexed by the City in 1969. In 1982, the subject tract was platted under City file C8s-82-145. In 1985, some modifications to the property were processed under SP-85-087. Please refer to Exhibits A-2 (Plat) and A-3 (Existing Site Plan).

**ABUTTING STREETS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Capital Metro</b>
Rundberg Lane	90'	Divided with median	Arterial	Yes	No	Yes

**NEIGHBORHOOD ORGANIZATIONS:**

North Growth Corridor Alliance  
Windsor Hills Neighborhood Association  
Heritage Hills/Windsor Hills Combined Neighborhood Contact Team

**SCHOOLS:**

Hart Elementary School

Dobie Middle School

Reagan High School

**CITY COUNCIL DATE:** February 9, 2012

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Heather Chaffin  
e-mail: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

**PHONE:** 974-2122

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**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant general office-conditional overlay-neighborhood plan (GO-CO-NP) district zoning. The subject property is located in the Windsor Hills Neighborhood Plan area and the rezoning will not require a neighborhood plan amendment.

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

1. *Zoning should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The subject property is surrounded by more intensely zoned commercial properties on three sides, but is adjacent to residential zoned property to the east. General office provides a transition from the more intensive retail-oriented land uses, while still allowing a community-focused use. Since the property is located on an arterial roadway and will not access residential streets, GO is an appropriate development intensity.

**Comprehensive Plan:**

1. This zoning case is within the boundaries of the Heritage Hills/Windsor Hills Combined Neighborhood Plan. The requested change of SF-3-NP to GO-NP is in accordance with the civic land use category on the Future Land Use Map because the proposed use is a school.

The subject property is identified and referred to as the Harmony Science Academy in the neighborhood plan. On page 20, the neighborhood plan mentions that the school is planning to expand its K through 12 student body in 2011. On page 50, the Harmony Science Academy is identified as part of the mix of uses in the E. Rundberg Lane area. For this section of Rundberg Lane, the plan states, "Neighborhood stakeholders like the existing mix of commercial, civic and multifamily land uses but support redevelopment of some of the commercial and multifamily properties to transform E. Rundberg Lane into a more aesthetically attractive commercial and mixed use area."

**Site Plan:**

1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
2. The site is subject to compatibility standards (LDC, Article 10). Along the east property lines, the following standards apply:
  - No structure may be built within 25 feet of the east property lines.
  - 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.
  - An intensive recreational use, including a ball court, or playground, may not be constructed 50 feet of the east property line.
  - No parking or driveways are allowed within 25 feet of the east property line.
  - In addition, a fence, berm, or dense vegetation must be provided to screen adjoining single family properties from views of parking, mechanical equipment, storage, and refuse collection.
  - The noise level of mechanical equipment may not exceed 70 db at the property line.

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

**Environmental:**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut 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. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

4. According to flood plain maps, there is no flood plain within the project area.

5. 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, caves, sinkholes, wetlands, etc.

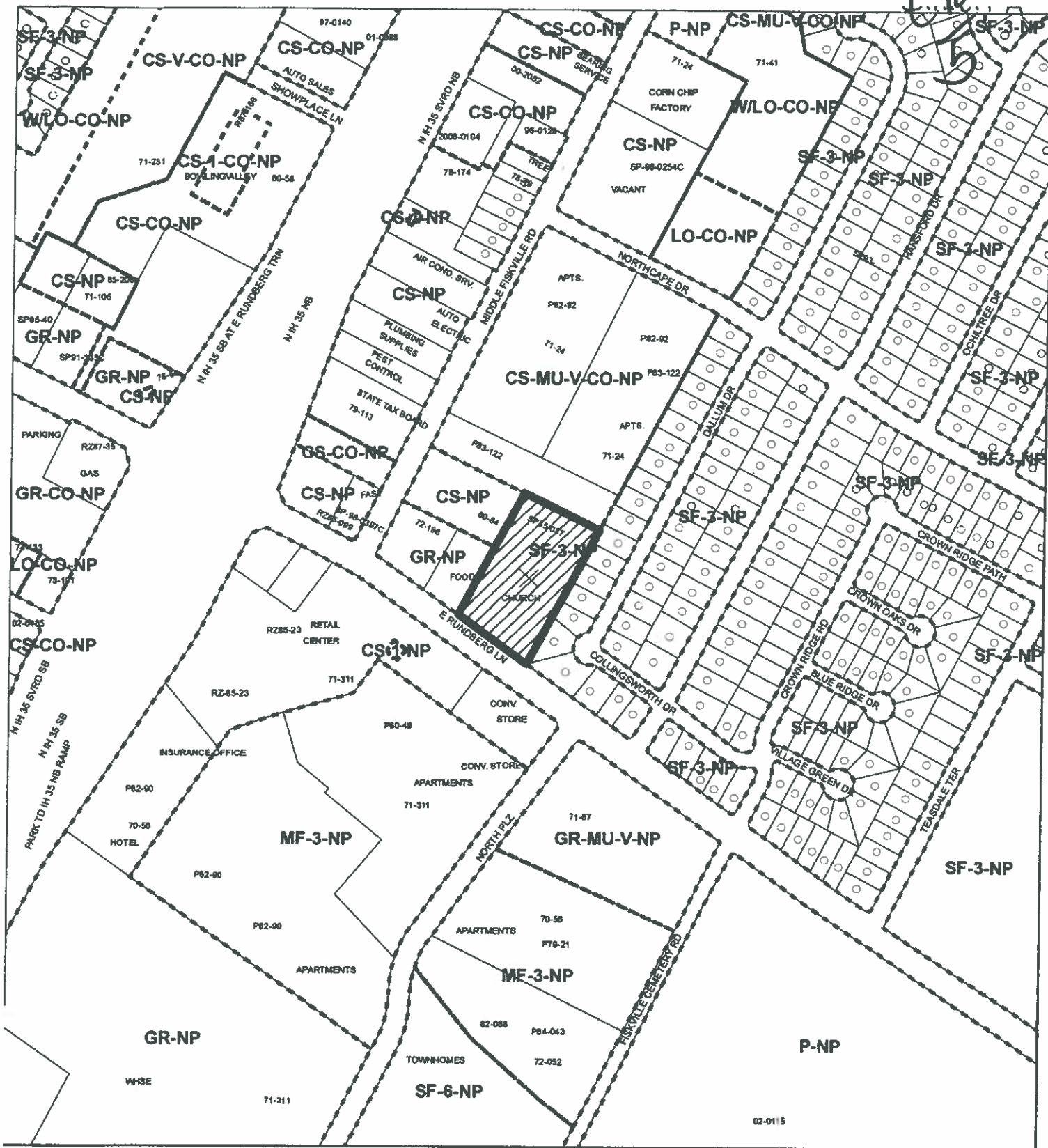
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**Transportation:**

1. The Austin Metropolitan Area Transportation Plan calls for a total of 114 feet of right-of-way for Rundberg Lane. If the requested zoning is granted, then 57 feet of right-of-way should be dedicated from the existing centerline of Rundberg Lane in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55). Right of way dedication may be deferred to subdivision or site plan application.

**Water/Wastewater:**

1. The site is currently served 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 proposed land use. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.



1" = 400'



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## ZONING

ZONING CASE#: C14-2011-0155

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.



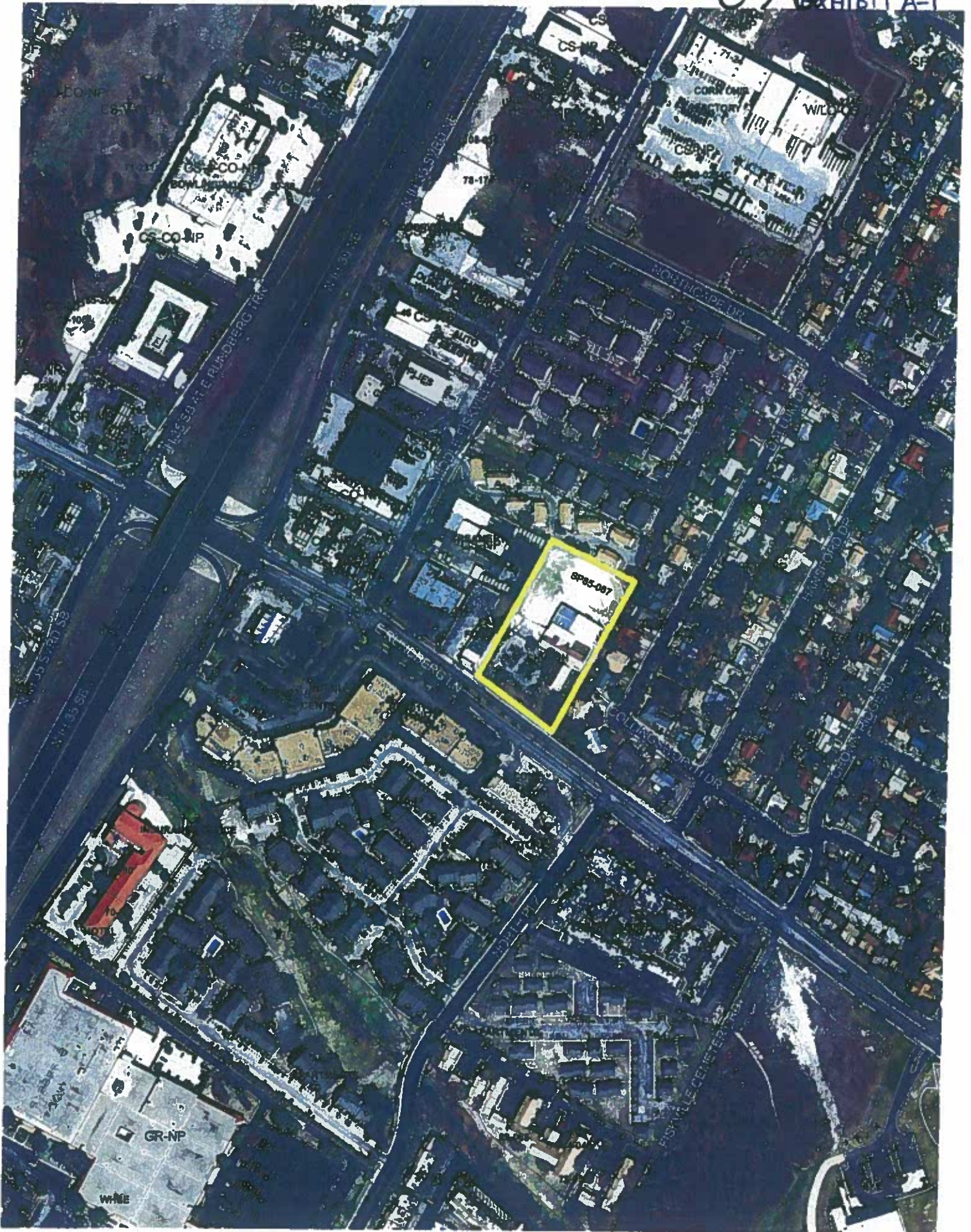


EXHIBIT A-2

Vol 12 Page 357  
of 60 pages, 11 pages, 11 pages

Oct-15-82. PCCHA 2184 \* 20.8

Vol. 82, Page 357

**MIDDLE FISKVILLE ROAD**

**SCALE 1" = 100'**

**LEGEND**  
• 100' P.D. BEY  
• 100' P.D. BEY

**T.S.A. ADDITION**

**LOCATION MAP**

STATE OF TEXAS  
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:

THAT, TEXAS SURVEYORS ASSOCIATION, INC., A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, HAVING ITS HOME OFFICE IN AUSTIN, TEXAS, OWNER OF A 1.70 ACRE PORTION OF LOT 15 OF NORTHCAPE SECTION FOUR, REVISED, A SUBDIVISION IN THE CITY OF AUSTIN AS RECORDED IN PLAT BOOK 53, PAGE 11 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED TO IT BY DEED RECORDED IN VOLUME 4059, PAGE 1990 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, ACTING HEREIN BY AND THROUGH ITS PRESIDENT, R. L. REAGAN, AND THAT TRINITY EVANGELICAL FREE CHURCH, INC., A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF TEXAS, AND HAVING ITS HOME OFFICE IN AUSTIN, TEXAS, OWNER OF 2.30 ACRES OF LAND OUT OF THE JOHN APPLEGATE SURVEY NO. 28, S.W. 1/4, TRAVIS COUNTY, TEXAS AS CONVEYED TO IT BY DEED RECORDED IN VOLUME 3177, PAGE 1639 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND A 2.76 ACRE PORTION OF LOT 25, NORTHCAPE SECTION FOUR, REVISED, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS AS RECORDED IN PLAT BOOK 53, PAGE 51 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS AS CONVEYED TO IT BY DEED RECORDED IN VOLUME 6640, PAGE 1765 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, ACTING HEREIN BY AND THROUGH ITS TRUSTEE-CHAIRMAN, EDWARD BROWNFORD, SAID TRACTS OF LAND, COMPRISING A TOTAL OF 6.46 ACRES, IS ACCORDANCE WITH THE PLAN SHOWING HEREBY SUBJECT TO ANY EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT VACATED OR RELEASED, TO BE KNOWN AS THE "T. S. A. ADDITION", AND WE DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS AS SHOWN HEREON.

WITNESS MY HAND THIS 26<sup>th</sup> DAY OF May, 1982, A.O.

WITNESS MY HAND THIS THE 6<sup>th</sup> DAY OF October, 1982, A.O.

STATE OF TEXAS  
COUNTY OF

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON 6<sup>th</sup> DAY PERSONALLY APPEARED S. L. REAGAN, KNOWN TO ME TO BE THE JERSON BROWN, IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AS PRESIDENT OF TEXAS SURVEYORS ASSOCIATION, INC., AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN SUCH CAPACITY, ACT AND DEED OF SAID CORPORATION FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 6<sup>th</sup> DAY OF October, 1982, A.O.

STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED EDWARD BROWNFORD, KNOWN TO ME TO BE THE TRUSTEE-CHAIRMAN OF TRINITY EVANGELICAL FREE CHURCH, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN SUCH CAPACITY, AS THE ACT AND DEED OF SAID CORPORATION FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE 15<sup>th</sup> DAY OF October, 1982, A.O.

APPROVED FOR ACCEPTANCE OCTOBER 12, 1982, A.O.

ACCEPTED AND AUTHORIZED FOR REVIEW BY THE CITY PLANNING COMMISSION, CITY OF AUSTIN, TEXAS  
VICE CHAIRMAN  
FILED FOR RECORD AT 11:30 O'CLOCK A.M. THE 14<sup>th</sup> DAY OF October, 1982, A.O.

DONALD SHERROFF, CLERK COUNTY COURT, TRAVIS COUNTY, TEXAS  
STATE OF TEXAS  
COUNTY OF TRAVIS

I, DONALD SHERROFF, CLERK COUNTY COURT, WITHIN AND FOR THE COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING INSTRUMENT OF GIVING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 14<sup>th</sup> DAY OF October, 1982, A.O. AT 11:30 O'CLOCK A.M. AND DELAY RECORDED ON THE 15<sup>th</sup> DAY OF October, 1982, A.O. AT 11:30 O'CLOCK A.M. IN THE PLAT BOOK 53 OF SAID COUNTY, IN PLAT BOOK 53, PAGE 51.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF SAID COUNTY, THIS THE 14<sup>th</sup> DAY OF October, 1982, A.O.

DONALD SHERROFF, CLERK COUNTY COURT, TRAVIS COUNTY, TEXAS  
BOOK PLAIN NOTE: NO PART OF THIS SUBDIVISION LIES WITHIN THE 100-YEAR FLOOD PLAIN, ACCORDING TO THE T.I.A. 3-DIGIT STUDY FOR THE CITY OF AUSTIN, EFFECTIVE DATE OF SEPT. 1, 1981, SHOWN ON PANEL 18 OF 105.  
CERTIFIED BY:  
RALPH W. HARRIS, SUPERVISOR, INC.  
JUDITH E. POWELL, SECRETARY  
L. JONES, DEPUTY  
L. JONES, DEPUTY

2. RALPH W. HARRIS, AN AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH CHAPTER 13-1 OF THE AUSTIN CITY CODE: IS TRUE AND CORRECT; AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER HIS SUPERVISION ON THE GROUNDS.

SIDEWALK NOTE: SIDEWALKS SHALL BE INSTALLED ON THE SOUTHEAST SIDE OF MIDDLE FISKVILLE ROAD. SOME SIDEWALKS SHALL BE COMPLETED PRIOR TO ACCEPTANCE OF ANY TYPE I AND TYPE II DRIVEWAY APPROACH AND/OR CERTIFICATE OF OCCUPANCY. SIDEWALKS ARE EXISTING ON THE SOUTHWEST SIDE OF MIDDLE FISKVILLE ROAD.

PRIOR TO CONSTRUCTION OF LOTS A AND B, DRAINAGE PLANS SHALL BE SUBMITTED TO THE CITY ENGINEERING DEPARTMENT FOR REVIEW. RAINFALL RUNOFF SHALL BE HELD TO THE ACCOUNT EXISTING AT UNDEVELOPED STATUS BY USE OF FORMING OR OTHER APPROVED METHODS.

RECEIVED  
SEP 15 1982  
CITY PLANNING  
CITY OF AUSTIN

CBs-82-145

