

**ZONING CHANGE REVIEW SHEET**

C4/1

**CASE:** C14-2013-0151  
(Cedar Bend Ambulatory Surgery Center)

**Z.A.P. DATE:** January 21, 2014

**ADDRESS:** 2410 Cedar Bend Drive

**OWNER/APPLICANT:** Austin Diagnostic Clinic (John Ratcliff)

**AGENT:** Winstead, P.C. (Amanda Swor)

**ZONING FROM:** LR-CO      **TO:** GO-CO\*      **AREA:** 0.94 acres

\* The applicant proposes to maintain the existing conditional overlay on the property from zoning Ordinance No. 961121-P (Please see Zoning Request Letter- Attachment A) to:

- 1) Require a 25-foot landscape buffer along the northern property line and
- 2) Prohibit vehicular access to Tomanet Trail.

**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant GO-CO, General Office-Conditional Overlay District, zoning. The conditional overlay will require a 25-foot landscape buffer along the northern property line and will prohibit vehicular access to Tomanet Trail.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**DEPARTMENT COMMENTS:**

The property in question is currently developed with a medical supply structure. The applicant is requesting a rezoning/down zoning to the General Office District so that they can redevelop the site with a surgery center. The Medical Offices (exceeding 5,000 square feet) use is conditional in the current LR, Neighborhood Commercial District, zoning. However, it is a permitted use in the GO district.

The staff recommends the applicant's request for GO-CO district zoning because the property meets the intent of the GO, General Office District, as the applicant intends to develop the site with an office or commercial use that serves community and city-wide needs. The proposed GO-CO zoning will promote consistency and orderly planning as there is GO-CO zoning located to the east of this site, across Tomanet Trail. In addition, there is GR zoning to the northwest and PUD zoning to the south, across Cedar Bend Drive. The proposed GO-CO zoning would allow for a fair and reasonable use of this property because the site is adequate in size to be redeveloped to allow for a mixture of commercial and office uses across the street from a hospital facility.

The applicant agrees with the staff's recommendation.

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**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LR-CO	Medical Storage Facility
<i>North</i>	GR, SF-3	Undeveloped Parcel, Single Family Residences
<i>South</i>	PUD	St. David's North Austin Medical Center
<i>East</i>	GO-CO	Medical Office (Austin Diagnostic Clinic)
<i>West</i>	GR	Undeveloped Lot, Restaurant (P. Terry's)

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZATIONS:**

- Austin Heritage Tree Foundation
- Austin Independent School District
- Austin Monorail Project
- Austin Neighborhoods Council
- Austin Northwest Association
- Bike Austin
- Homeless Neighborhood Association
- North Growth Corridor Alliance
- Northstar Neighborhood Association
- SELTEXAS
- Sierra Club, Austin Regional Group
- Super Duper Neighborhood Objectors and Appealers Organization
- The Real Estate Council of Austin, Inc.
- Walnut Crossing Neighborhood Association

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C814-2008-0136.01 (North Austin Medical Centre Planned Unit Development Amendment #1: 12221 North Mo-Pac Expressway Northbound)	PUD to PUD: To allow the owner of the property the option to either provide eight parking spaces on the Park Bend site for use of the bike trail or to dedicate parkland to the City of Austin.	9/20/11: Approved staff's recommendation for PUD zoning by consent (6-0); P. Seager-1 <sup>st</sup> , G. Bourgeois-2 <sup>nd</sup> .	9/22/11: Approved PUD zoning on consent on all 3 readings (7-0); B. Spelman-1 <sup>st</sup> , L. Morrison-2 <sup>nd</sup> .

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<p>C814-2008-0136 (North Austin Med Center PUD: 12221 North Mo-Pac Expressway Northbound, 2311-2511 Park Bend Drive)</p>	<p>GR, GR-CO, GO, LO to PUD</p>	<p>3/16/10: Approved staff's recommendation for PUD district zoning with a height limit of 120-feet (5-0; B. Baker and D. Tiemann-absent; P. Seegeer-1<sup>st</sup>, C. Banks-2<sup>nd</sup>).</p>	<p>4/22/10: Approved PUD zoning by consent (7-0); R. Shade-1<sup>st</sup>, B. Spelman-2<sup>nd</sup> on 1<sup>st</sup> reading  6/24/10: Approved PUD zoning, with conditions, by consent on 2<sup>nd</sup>/3<sup>rd</sup> readings (7-0)</p>
<p>C14-2007-0047 (Child Development Center: 2300 Cedar Bend Drive)</p>	<p>SF-3 to GO</p>	<p>5/15/07: Approved staff rec. of GO-CO (9-0)</p>	<p>6/08/07: Approved Ordinance No. 20070607-083 for GO-CO (7-0); all 3 readings</p>
<p>C14-07-0015 (Village at Walnut Creek Ph 2, Sec 15: 2217 Park Bend Dr.)</p>	<p>MF-2-CO to GO-MU-CO</p>	<p>4/3/07: Approved staff rec. of GO-MU-CO (6-0-1, JG-abstain)</p>	<p>5/3/07: Approved Ordinance No. 20070503-060 for GO-MU-CO (7-0); all 3 readings</p>
<p>C14-06-0092 12201-12301 Block of Tomanet Trl. at Cedar Bend Dr.</p>	<p>LO-CO to GO-CO</p>	<p>8/1/2006: Approved GO-CO w/conditions (6-1, JP-NO) – No TIA required.</p>	<p>8/10/2006: Approved GO-CO (7-0); all 3 readings</p>
<p>C14-03-0110 (Post Oak Centre North: 2200 Park Bend Dr)</p>	<p>GO-MU-CO to GO-MU-CO</p>	<p>9/23/03: Approved staff rec. of GO-MU-CO by consent (9-0) – the request deleted the 2000 vehicle trips &amp; changed the height limit from 3 stories or 40 ft. to a max height of 60 ft.</p>	<p>10/23/03: Approved GO-MU-CO (6-0); all 3 readings</p>
<p>C14-01-0086 (Park Bend Medical Professional Offices: 2200 Park Bend Dr.)</p>	<p>GO-MU-CO to GO-MU-CO</p>	<p>7/24/01: Approved staff rec. of GO-MU-CO (5-0), w/conditions of 10' vegetative buffer on north property line – The request deleted the 15 units per acre requirement from case C14-98-0136 and added a buffer of 10 ft along the northern property line. In addition it allowed lodging house, administrative business office and professional office, which had been prohibited previously.</p>	<p>8/28/01: Approved GO-MU-CO w/conditions (6-0); all 3 readings</p>
<p>C14-98-0136 (2200 Park Bend Drive)</p>	<p>MF-2-CO to GO-MU-CO</p>	<p>9/22/98: Approved staff rec. of GO-MU-CO with conditions (8-0): 1) Limit impervious cover to less than 65%; 2) Limit height to 40' or 3 stories – The CO also restricts the property to 15 units per acre, limits vehicle trips to 2000 per day and several uses were prohibited.</p>	<p>12/10/98: Approved PC rec. of GO-MU-CO zoning w/conditions (7-0); all 3 readings</p>

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C14-96-0114 (Austin Diagnostic Clinic: 12302 Tomanet Trail)	LR-CO to LR-CO	10/22/96: Approved staff rec. of LR-CO (9-0). The request deleted a condition from C14- 94-0173, to limit vehicle trips to 870 per day. All other conditions remain.	11/21/96: Approved LR-CO subject to conditions (6-0); all 3 readings
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**RELATED CASES:** C14-96-0114 (Previous Zoning Case)

**ABUTTING ROADWAYS:**

Name	ROW	Pavement	Classification	Daily Traffic
Cedar Bend Drive	74'	40'	Collector	6,916 ('10)
Toramet Trail	68'	40'	Collector	NA

**CITY COUNCIL DATE:** February 13, 2014

**ACTION:**

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

2<sup>nd</sup>

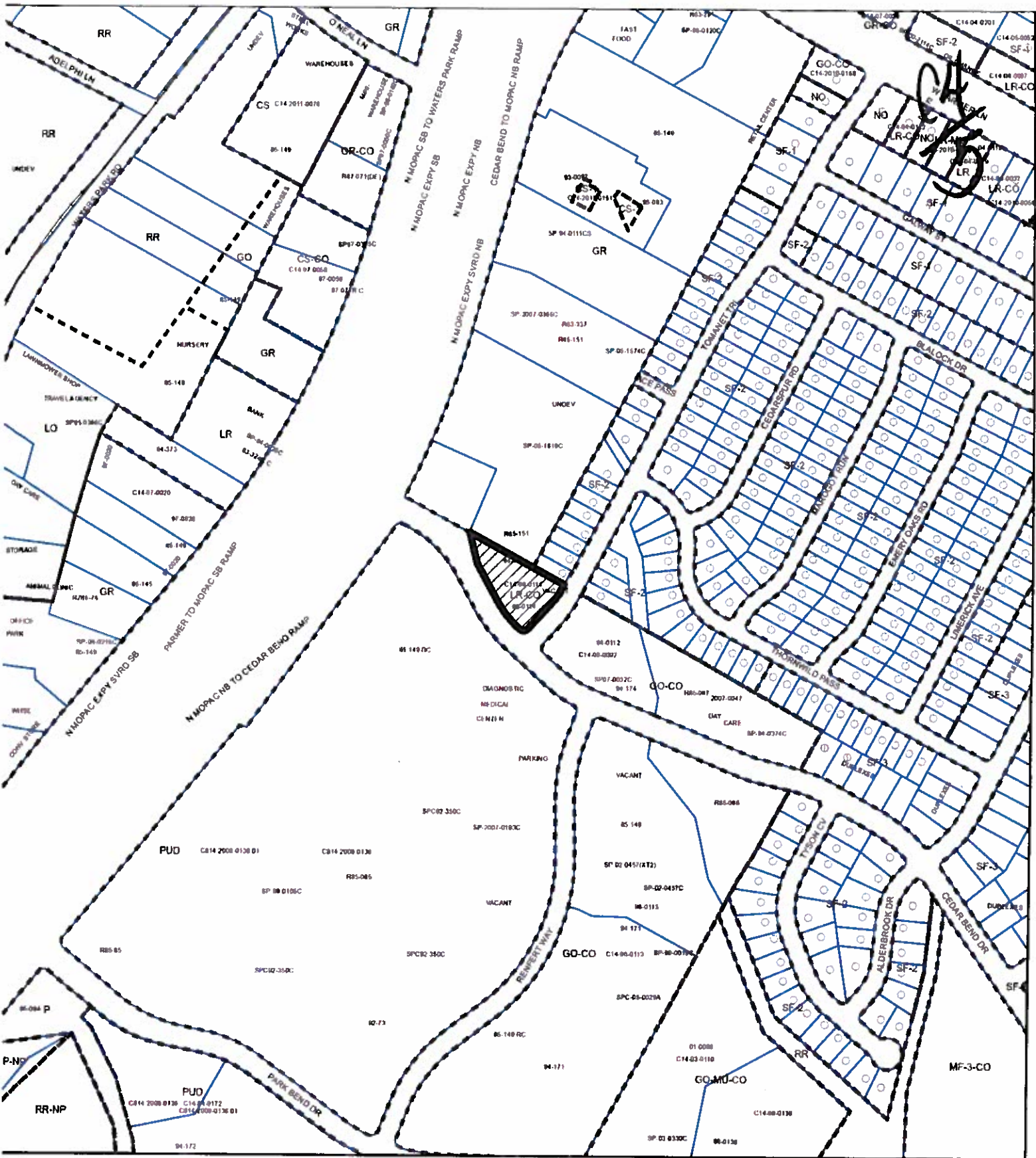
3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis




**PHONE:** 974-3057

**E-MAIL:** sherri.sirwaitis@ci.austin.tx.us



**ZONING**

**ZONING CASE#: C14-2013-0151**

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

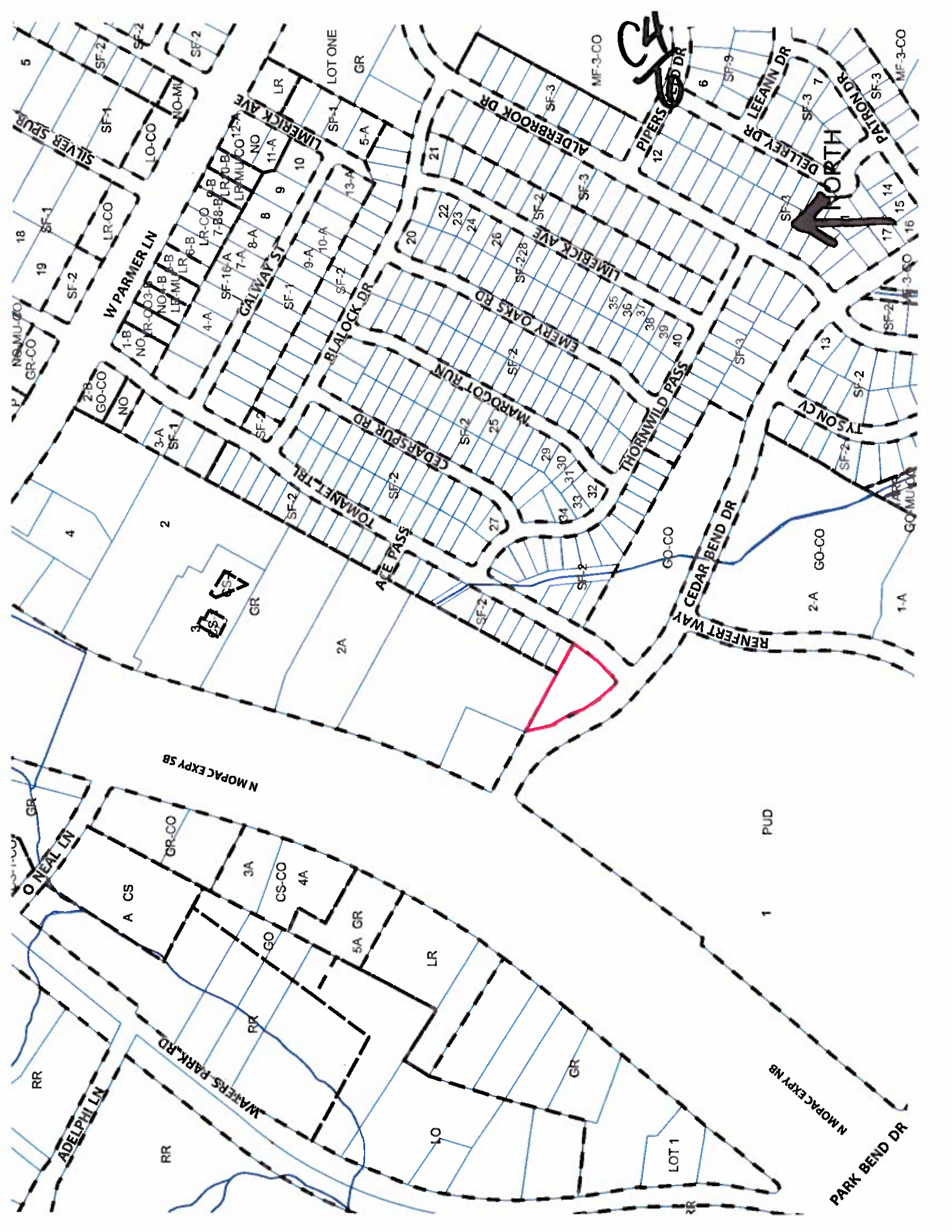
1" = 400'

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.







NORTH

Map labels include street names: W Parmer Ln, Limerick Ave, Cedar Bend Dr, Renfert Way, Park Bend Dr, N Mopac Expy SB, O Neal Ln, Adelpi Ln, Waters Park Rd, Blalock Dr, Marcot Run, Emery Oaks Rd, Thornwild Pass, Cedar Pur Rd, Tomant Trl, Ace Pass, Silver Spur, Alberbrook Dr, Leeann Dr, Delrey Dr, Patron Dr, and Pipers Dr. Zoning codes include SF-1, SF-2, SF-3, GO-CO, LR, RR, CS-CO, and PUD. Lot numbers range from 1 to 40. A red lot is highlighted near the intersection of Cedar Bend Dr and Limerick Ave.







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## STAFF RECOMMENDATION

The staff's recommendation is to grant GO-CO, General Office-Conditional Overlay District, zoning. The conditional overlay will require a 25-foot landscape buffer along the northern property line and will prohibit vehicular access to Tomanet Trail.

## BASIS FOR RECOMMENDATION

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

General office (GO) district is the designation for an office or commercial use that serves community and city-wide needs. A building in a GO district may contain one or more different uses.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed GO-CO zoning will promote consistency and orderly planning as there is GO-CO zoning located to the east of this site, across Tomanet Trail. In addition, there is GR zoning to the northwest and PUD zoning to the south, across Cedar Bend Drive.

3. *The proposed zoning should allow for a reasonable use of the property.*

GO-CO zoning would allow for a fair and reasonable use of this property because the site is adequate in size to be redeveloped to allow for a mixture of commercial and office uses across the street from a hospital facility.

## EXISTING CONDITIONS

### Site Characteristics

The site under consideration currently contains a storage structure. There is an undeveloped parcel and single family residential lots to the north. To the east, there is a medical office structure (Austin Diagnostic Clinic). The property to the south, across Cedar Bend Drive, is developed with a hospital use (St. David's North Austin Medical Center). The land to the west contains an undeveloped parcel and a restaurant use (P. Terry's).

### Comprehensive Planning

#### LR-CO to GO-CO

This zoning case is located on the northwest corner of Cedar Bend Drive and Tomanet Trail, 200 ft. east of the Mopac Service Road, and contains a small office building that is situated on a .94 acre parcel. The proposed use is a 15,000 square foot medical office building. This rezoning is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes a medical office building and single family houses to the north, St. David's North Austin Medical Center to the south, a fast food restaurant to the west, and medical office building to the east.

#### **Imagine Austin**

The property is located immediately adjacent to the boundaries of a 'Regional Center', as identified on the Imagine Austin's Growth Concept Map. A Regional Center is the most urban of the three activity centers outlined in the growth concept map. These centers are intended for retail, cultural,



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activity centers outlined in the growth concept map. These centers are intended for retail, cultural, recreational, and entertainment destinations for Central Texas. These are also the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Regional centers will range in size between approximately 25,000-45,000 people and 5,000- 25,000 jobs. The following Imagine Austin policies are applicable to this case:

- **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and **reduce health care**, housing and transportation costs.
- **IIN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.
- **S P2.** Attract and retain high-quality health service providers (including doctors, dentists, specialists, medical technicians, and nurses) and promote the development and expansion of medical education opportunities.

Based upon: (1) the property being located immediately adjacent to a Regional Center; (2) other medical office building and a hospital being located adjacent to this property; and (3) the Imagine Austin policies above that supports quality health care and compact centers, staff believes that the proposed medical office use is supported by the Imagine Austin Comprehensive Plan.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

According to floodplain maps there is no floodplain within or adjacent to 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.

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 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, 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.

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**Impervious Cover**

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

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

**Site Plan**

Any new development on the site is subject to Subchapter E: Design Standards and Mixed Use. Additional comments will be provided upon submittal of the site plan.

As per the conditional overlay established by Ordinance No. 961121-P, the property owner must provide and maintain a 25-foot wide landscape buffer along the northern property line adjacent to the existing SF-2 property.

No vehicular access is allowed from the site to Tomanet Trail.

All structures shall not exceed two stories or 30 feet in height between 25 feet and 50 feet of a property used or zoned as SF-5 or more restrictive. (Section 25-2-1062/1063).

**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 stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

**Transportation**

Per the conditional overlay associated with C14-96-0114, access from the site to Tomanet Trail is prohibited. If the requested zoning is granted, it is recommended that the conditional overlay to prohibit access be applied.

The traffic impact analysis for this site was waived because the applicant has agreed to comply with the TIA approved with C14-96-0114.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not recommended on Cedar Bend Drive or Tomanet Trail.

Eric Dusza in Neighborhood Connectivity Division may have additional comments regarding multi-modal enhancements and facilities.



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Existing Street Characteristics:

Name	ROW	Pavement	Classification	Daily Traffic
Cedar Bend Drive	74'	40'	Collector	6,916 ('10)
Toramet Trail	68'	40'	Collector	NA

Sidewalks exist on both sides of Tomanet Trail and Cedar Bend Drive.

Capital Metro bus route no. 240 serves both Cedar Bend Drive and Tomanet Trail.

**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 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 the Austin Water Utility for compliance with City criteria. 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.

Attachment A

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**WINSTEAD**

Austin Charlotte Dallas Fort Worth Houston New Orleans San Antonio The Woodlands Washington, D.C.

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November 25, 2013

Mr. Greg Guernsey  
Planning and Development Review Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

Via Electronic Delivery

Re: Cedar Bend Ambulatory Surgery Center - Rezoning Application for a 0.94 acre piece of property located at 2410 Cedar Bend Drive (the "Property"); Proposed Rezoning from LR-CO Zoning to GO-CO Zoning

Dear Mr. Guernsey:

As representatives of the owner of the above stated Property, we respectfully submit the enclosed zoning application package. The project is titled Cedar Bend Ambulatory Surgery Center and is located at the northwest corner of Cedar Bend Drive and Tomanent Trail. The requested rezoning is from LR-CO, Neighborhood Commercial – Conditional Overlay district zoning, to GO-CO, General Office – Conditional Overlay district zoning. The property is currently used as the purchasing office and distribution center for Austin Diagnostic Clinic. The owner intends to redevelop the property with a hospital services limited use to allow for the construction of an outpatient surgery center. The requested rezoning is consistent with zoning in the surrounding area.

The existing conditional overlay established by City of Austin zoning case C14-96-0114, ordinance 961121-P, requires a 25-foot landscape buffer along the northern property line and prohibits vehicular access to Tomanent Trail. The applicant is not requesting to amend or remove the conditional overlays as part of the rezoning application.



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A Traffic Impact Analysis (TIA) has been waived as the proposed redevelopment has agreed to comply with the TIA that was approved with zoning case CI4-96-0114. In addition, the Property will comply with the existing restrictive covenant, recorded as Document No. 5725098 with the Travis County Office of Public Records, restricting the property to the conditions of the TIA.

The Property is not located within a Neighborhood Planning Area and is subject to review by the Zoning and Platting Commission.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,



Amanda Swor  
Winstead, P.C.

- cc: Jerry Rusthoven, Planning and Development Review Department *(via electronic delivery)*  
Sherri Sirwaitis, Planning and Development Review Department *(via electronic delivery)*  
John Ratcliff, Austin Diagnostic Clinic *(via electronic delivery)*  
Bob Presley, Austin Diagnostic Clinic *(via electronic delivery)*  
Steve Drenner, Firm  
Katie Ogden, Firm

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**ORDINANCE NO. 961121-P**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE AS FOLLOWS:**

**LOT 1, BLOCK "C", THE CENTRUM SUBDIVISION, FROM "LR-CO" NEIGHBORHOOD COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, TO "LR-CO" NEIGHBORHOOD COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 12302 TOMANET TRAIL, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.**

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

**PART 1.** The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the base zoning district from "LR-CO" Neighborhood Commercial district-Conditional Overlay combining district to "LR-CO" Neighborhood Commercial district-Conditional Overlay combining district on the property (the "Property") described in File C14-96-0114, as follows:

Lot 1, Block "C", The Centrum Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 86, Page 115A-D, of the Plat Records of Travis County, Texas,

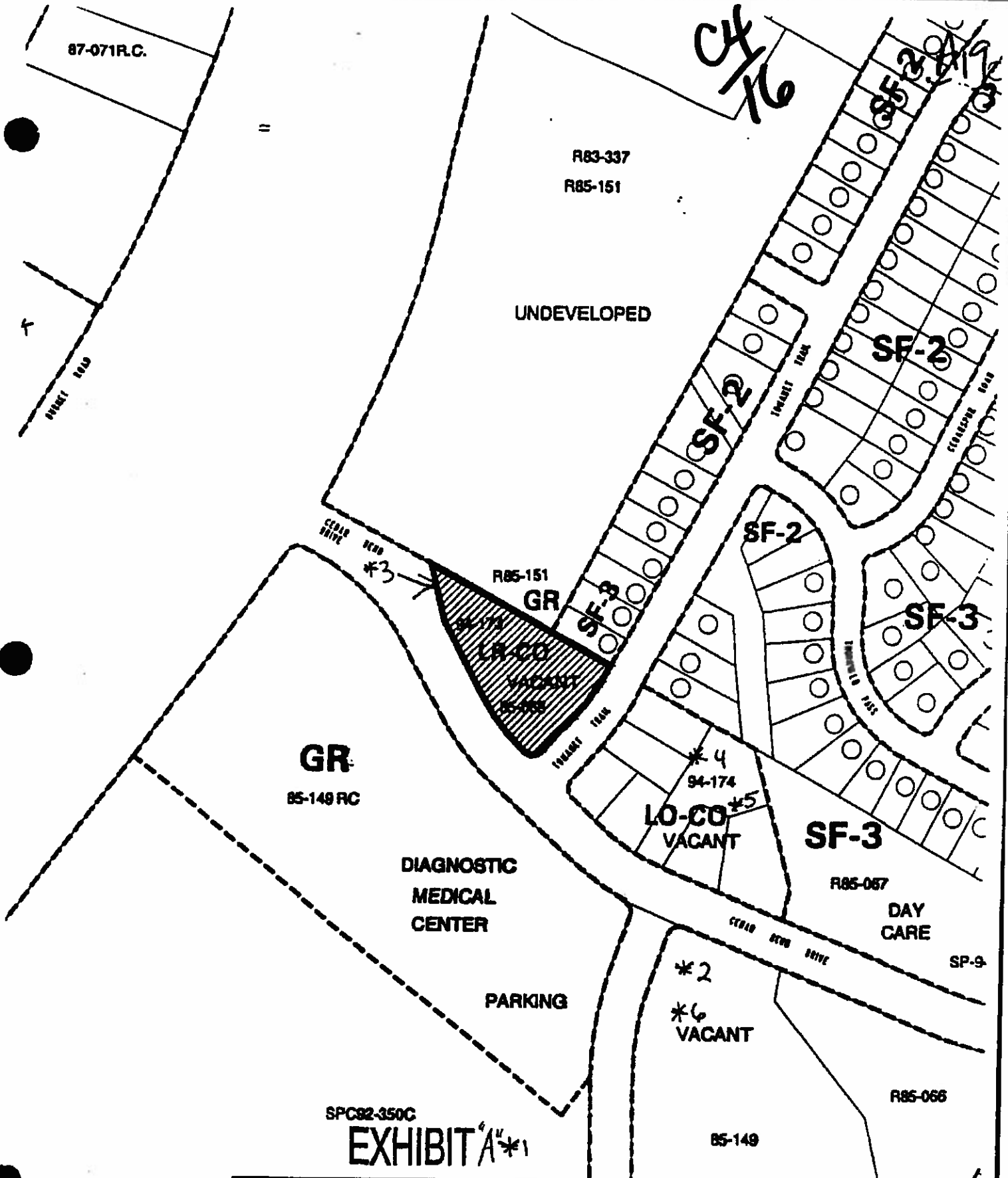
locally known as 12302 Tomanet Trail, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "A".

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

1. Owner shall maintain a landscape buffer 25 feet wide along that portion of the northern property line adjacent to the existing single-family development to insure privacy between the Property and the adjacent single-family development.
2. There shall be no vehicular access from the Property to Tomanet Trail. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.







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SF-3  
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87-071R.C.

R83-337  
R85-151

UNDEVELOPED

SF-2

SF-2

SF-2

SF-3

R85-151  
GR

GR  
85-149 RC

\*4  
94-174  
\*5  
LO-CO  
VACANT

SF-3

DIAGNOSTIC  
MEDICAL  
CENTER

R85-067

DAY  
CARE

SP-9

PARKING

\*2  
\*6  
VACANT

R85-066

85-149

SPC92-350C

EXHIBIT A \*1

R85-06

 1"=200'	<b>SUBJECT TRACT</b>	<b>CASE #:</b> C14-96-0114	<b>CITY GRID REFERENCE NUMBER</b> L34
	<b>PENDING CASE</b>	<b>SUBJECT AREA (acres):</b> 0.940	
	<b>ZONING BOUNDARY</b>	<b>ADDRESS:</b> 12302 TOMANET TR.	
	<b>CASE MGR:</b> M. JOHNSON		
	<b>CYCLE:</b> 96-10 INTLS: TRC		

961121-P