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## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2014-0047 (Overlook at Spicewood Springs)

**Z.A.P. DATE:** May 20, 2014

**ADDRESS:** 4920 Spicewood Springs Road

**OWNER/APPLICANT:** Joseph Benford and Richard A. Haberman Trust (Danny Haberman)

**AGENT:** CIVILE, LLC (Lawrence M. Hanrahan)

**ZONING FROM:** SF-2

**TO:** GO

**AREA:** 4.283 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff recommends GO-CO, General Office-Conditional Overlay District, zoning. The conditional overlay will limit the development intensity to less than 2,000 vehicle trips per day, limit building height to a maximum of 40 feet, limit impervious cover on the site to a maximum of 70% and limit building coverage on the site to a maximum of 50%.

In addition, 70 feet of right-of-way should be dedicated from the centerline of Spicewood Springs through a street deed to the City of Austin in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

### **DEPARTMENT COMMENTS:**

The property in question is an undeveloped tract of land located adjacent to three office developments. The applicant is requesting GO, General Office District, zoning because they would like to develop the site with an office use.

The staff recommends GO-CO zoning because the site under consideration meets the intent and purpose statement of the General Office zoning district. GO-CO zoning will promote consistency and orderly planning because there is existing office zoning (LO, LO-CO) located to the south and west of the site under consideration. The property fronts onto and is accessible from Spicewood Springs Road, a major arterial roadway. The proposed zoning will permit the applicant to develop office uses adjacent to other office developments located to the north, south, east that will provide services to the nearby residential areas. The staff's recommendation is consistent with previous staff/ZAP Commission recommendations in this area on other GO, General Office District, zoning requests.

The applicant agrees with the staff's recommendation.

### **EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
Site	SF-2	Undeveloped
North	MF-3	Office
South	LO-CO, LO, SF-3	Office
East	SF-2	Undeveloped
West	I-SF-3, LO, LO-CO	Office

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**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Bull Creek

**DESIRED DEVELOPMENT ZONE:** No

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
 Austin Heritage Tree Foundation  
 Austin Monorail Project  
 Austin Neighborhoods Council  
 Bike Austin  
 Bull Creek Foundation  
 Bull Creek Homeowners Association  
 Homeless Neighborhood Association  
 Long Canyon Phase II & LLL Homeowners Association, Inc.  
 Northwest Austin Civic Association  
 SELTEXAS  
 Sierra Club, Austin Regional Group  
 Super Duper Neighborhood Objectors and Appeals Organization  
 The Real Estate Council of Austin, Inc.  
 2222 Coalition of Neighborhood Associations, Inc.

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0103 (4845 Spicewood Springs Rezone: 4845 Spicewood Springs Road)	1-SF-3, LO to LO	10/01/13: Approved staff's recommendation of LO zoning on consent (7-0); P. Seeger-1 <sup>st</sup> , S. Compton-2 <sup>nd</sup> .	10/24/13: Approved LO zoning on consent on all 3 readings (7-0); M. Morrison-1 <sup>st</sup> , B. Spelman-2 <sup>nd</sup> .
C14-2012-0153 (Spicewood Springs Office Rezoning: 4714 Spicewood Springs Road)	SF-3 to GO	1/15/13: Approved staff's recommendation of GO-CO zoning, with additional conditions to limit impervious cover on the site to a maximum of 70% and to limit building coverage on the site to a maximum of 50% (5-1, B. Baker-No, P. Seeger-absent); G. Rojas-1 <sup>st</sup> , C. Banks-2 <sup>nd</sup> .	2/14/13: Approved GO-CO zoning on consent on all 3 readings (7-0); S. Cole-1 <sup>st</sup> , B. Spelman-2 <sup>nd</sup> .
C14-2008-0128 (5005 Spicewood Springs Road)	SF-2 to LO-MU	9/16/08: Denied staff rec. of LO-MU (7-0)	9/25/08: Approved SF-6 zoning (7-0); 1 <sup>st</sup> reading only  10/16/08: Approved SF-6 zoning (7-0); 2 <sup>nd</sup> reading  2/12/09: Approved SF-6-CO zoning (6-0); 3 <sup>rd</sup> reading

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C14-05-0202 (Crown Castle Spicewood Springs: 4919 Block of Spicewood Springs)	I-SF-3 to SF-6-CO	1/17/06: Approved SF-6-CO, with only permitted non- residential uses a telecommunication tower and permitted SF uses (7-0)	3/23/06: Approved SF-6-CO (7-0); all 3 readings
C14-05-0078 (Shelton Medical Office: 4615 Spicewood Springs Road)	SF-3 to LO	8/02/05: Approved LO-CO, with 50 vtpd limit (8-0)	9/01/05: Approved LO-CO zoning (7-0); all 3 readings
C14-04-0014 (Peppard: 4601 Spicewood Springs Road)	GO-CO to GO	3/02/04: Approved staff rec. of GO-CO, limiting medical office to 3,485 sq. ft., by consent (8-0)	4/01/04: Approved GO-CO on approximately 4,000 sq. ft. (7-0); 1 <sup>st</sup> reading only  4/22/04: Approved GO-CO zoning (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-03-0164 (4810 Spicewood B: 4810 Spicewood Springs Road)	SF-3 to LO	1/06/04: Approved staff rec. of LO by consent (9-0)	1/29/04: Approved LO (5-0); all 3 readings
C14-00-2049 (Spicewood Office: Spicewood Springs Road)	SF-3 to LO	4/18/00: Approved staff rec. of LO-CO w/conditions to include list of neighborhood prohibited uses except for Family Home, Group Home and Counseling Services (8-0)	5/18/00: Approved PC rec. of LO- CO zoning on 1 <sup>st</sup> reading (6-0, Lewis-absent)  6/22/00: Approved LO-CO zoning on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0)

**RELATED CASES:** N/A

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	ADT
Spicewood Springs Rd.	120'	MAU-2	Major Arterial	22,207

**CITY COUNCIL DATE:** June 12, 2014

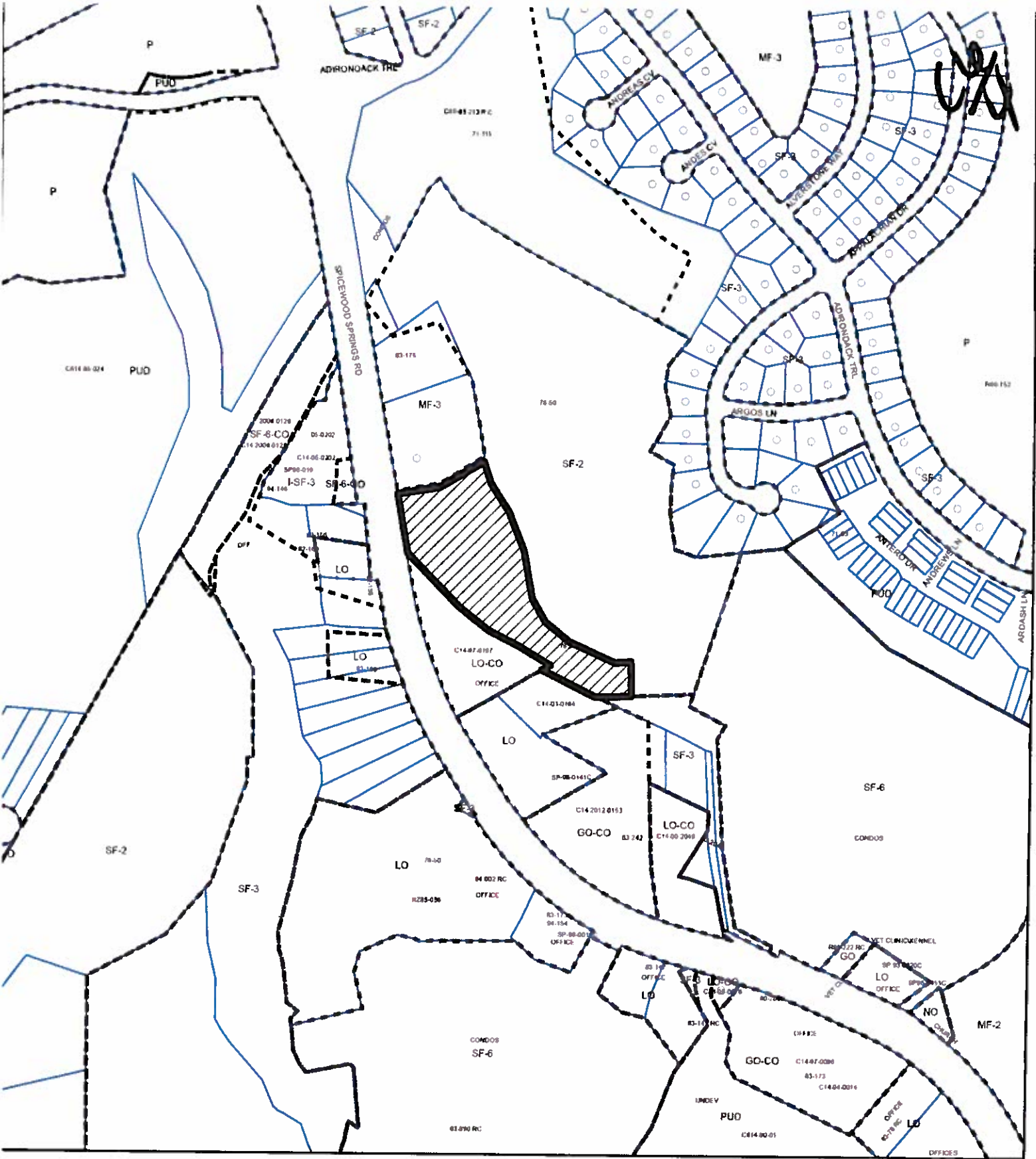
**ACTION:**




**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057,  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

### ZONING

ZONING CASE#: C14-2014-0047

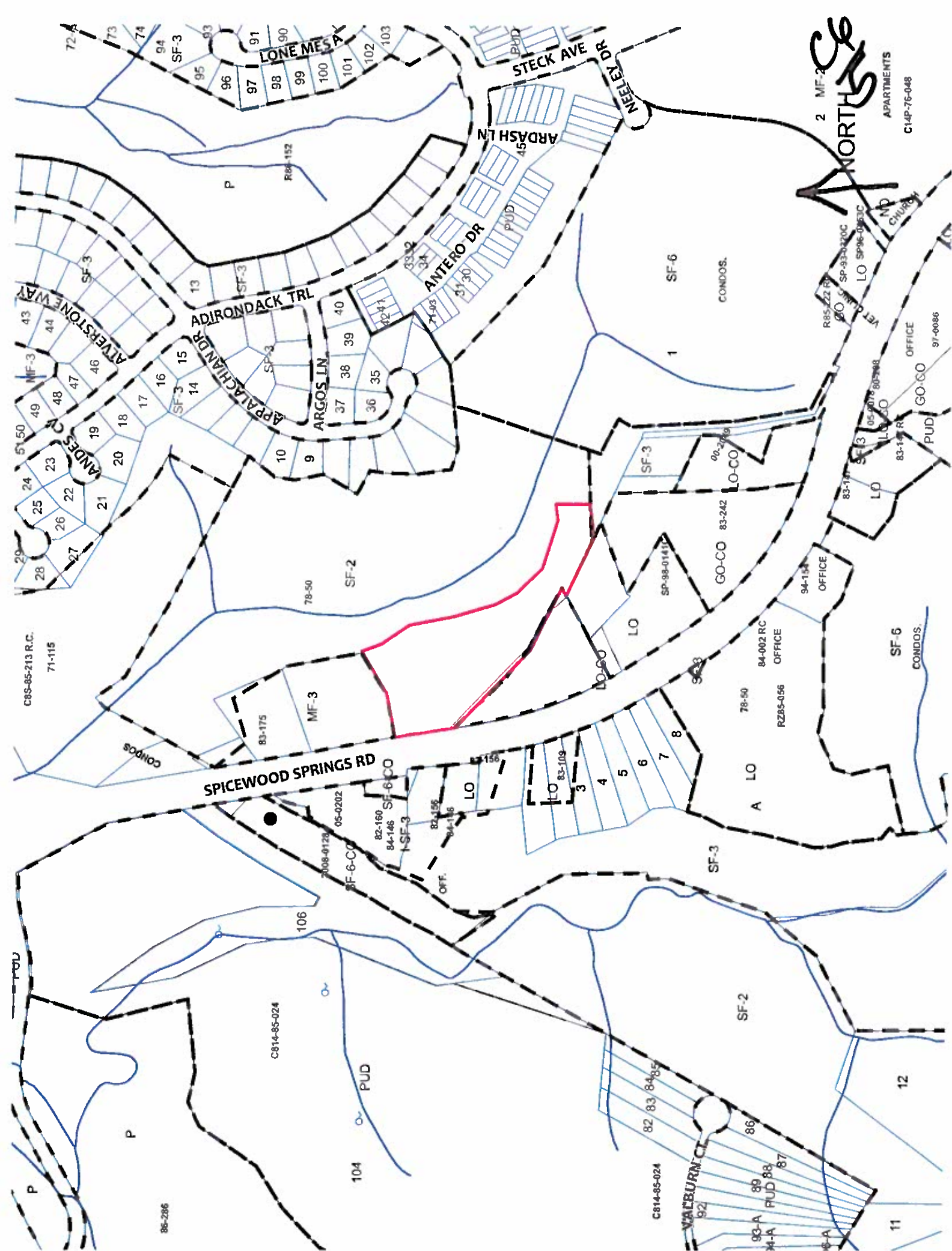
1" = 400'

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.

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## STAFF RECOMMENDATION

The staff recommends GO-CO, General Office-Conditional Overlay District, zoning. The conditional overlay will limit the development intensity to less than 2,000 vehicle trips per day, limit building height to a maximum of 40 feet, limit impervious cover on the site to a maximum of 70% and limit building coverage on the site to a maximum of 50%.

In addition, 70 feet of right-of-way should be dedicated from the centerline of Spicewood Springs through a street deed to the City of Austin in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

## 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.

The property under consideration is accessible from Spicewood Springs Road, a major arterial roadway. The proposed zoning will permit the applicant to develop office uses adjacent to other office developments located to the north, south and west that will provide services to the nearby residential areas.

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

The proposed zoning will promote consistency and orderly planning because there is existing office zoning (LO, LO-CO) located to the south and west of the site under consideration.

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

The zoning district would allow for a fair and reasonable use of the site because it would allow the applicant to have additional permitted uses to redevelop a site that fronts onto a major arterial roadway.

## EXISTING CONDITIONS

### Site Characteristics

The site under consideration consists of a vacant tract of land that is located adjacent to two existing office developments fronting onto Spicewood Springs Road.

### Comprehensive Planning

SF-2 to GO (General Office)

This zoning case is located on the east side of Spicewood Springs Road and is not located within the boundaries of a neighborhood planning area. This vacant 4.2 acre parcel is surrounded by vacant land to the north, east and west, and a small office building to the south. The proposed use is an office building.

CU/A

## **Imagine Austin**

The comparative scale of the site relative to nearby residential and commercial uses along Spicewood Spring Road, as well as the site not being located along an Activity Corridor or within an Activity Center, falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning. However, due to the site's location over the Edwards Aquifer, an environmentally sensitive area, there will be during the site planning stage an environmental review to determine if any critical environmental features are located on the site. If any are located on the site, mitigation and setbacks necessitated by the land development code will be required.

## **Environmental**

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection 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.

Numerous 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.

## **Impervious Cover**

The maximum impervious cover allowed by the GO zoning district would be 80%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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%



che/a

### **Site Plan**

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

### **Compatibility Standards**

The site is subject to compatibility standards. Along the property line adjacent to SF-2 or single-family use, 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.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along 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.
- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

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

### **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 Stormwater Management Program, if available.

### **Transportation**

The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for Spicewood Springs. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from the centerline of Spicewood Springs in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

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Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Spicewood Springs	118'	28'	Arterial	No	No	No

**Water and Wastewater**

FYI: 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 proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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.



Sirwaitis, Sherri

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Ue/1

**From:** D Bailey [redacted]  
**Sent:** Sunday, April 27, 2014 4:32 PM  
**To:** Sirwaitis, Sherri  
**Subject:** Case Number C14-2014-0047

Sherri,

I am writing to you to ask you not to approve the zoning change requested for case number C14-2014-0047 at 4920 Spicewood Springs Road. As the acting President of the Balcones Civic Association I request the zoning be left as is, SF2-Single Family Residence.

Please let me know when there will be a hearing before zoning committee as I would like to attend.

Thank you,

Debra Bailey  
(512) 751-6157

[redacted]  
[www.baileysolutions.com](http://www.baileysolutions.com)

Sirwaitis, Sherri

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up

**From:** Karen Sironi [mailto:kesironi@aol.com]  
**Sent:** Wednesday, April 30, 2014 8:58 PM  
**To:** Sirwaitis, Sherri  
**Subject:** Spicewood Springs Road

Having been on the NWACA for years we fought to retain all restrictions on the properties on this road. One of the taller buildings actual got an approval by lying to City Staff that we had agreed which we had not to their site plans. I am against rezoning anything on Spicewood Springs Road.

Former NWACA Board member and former President of the North Cat Neighborhood Association.  
Karen Sironi

Sent from my iPhone



**Sirwaitis, Sherri**

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**From:** Jay Sands <jaysands2@gmail.com>  
**Sent:** Friday, May 02, 2014 9:17 AM  
**To:** Sirwaitis, Sherri  
**Subject:** case # C14-2014-0047

u/3

Sherri,

I'm contacting you about the proposed zoning change for 4920 Spicewood Springs Road. I live at 8306 Appalachian Drive, backing up to the subject property.

I purchased my house last year, with the knowledge that the raw property between my house and Spicewood Springs Road could ultimately be developed (although, I would hope, with care as it's full of wildlife, including deer and coyote, hawks, etc.). However, I relied on the fact that it was zoned for single family. Now, I'm faced with the possibility of having an office building directly facing the deck of my house, which would clearly have a significant impact on my property value.

I fail to understand how an Austin resident can purchase a property under one set of rules, and then, because a developer believes they can make more money by simply changing the rules, can end up in a position where they suffer because of the developer's greed.

This zoning request is unfair to all of those owning property adjoining the subject property. Additionally, it's unfair to all living in this area who rely on Spicewood Springs Road for access between 360 and Mopac. This is a one-lane street and cannot handle the traffic of an office building. Additionally, the left-turn from 360 South onto Spicewood Springs cannot handle the current traffic load. At times, today, you have to sit through 2-3 lights backed up onto 360 in order to make the turn. This development will make it impossible for the residents to get back to their homes during rush hours.

I sincerely hope that the Commission takes into account the explicit cost to neighboring properties both in terms of property value and quality of life when ruling on this request. The owner of this property purchased it knowing the zoning status. They should not be allowed to change this status in order to maximize their profit at the expense of the homeowner.

Thank you for your consideration.

Sincerely,

Jay Sands

8306 Appalachian Drive  
Austin, Tx. 78759  
512-519-9090