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## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2014-0023 – 1826 Oak Hill Med, LLC

**P.C. DATE:** May 27, 2014

**ADDRESS:** 8515 FM 1826 Road

**OWNER/APPLICANT:** Oak Hill Med, LLC  
(John Giries)

**AGENT:** Consort, Inc.  
(Ben Turner)

**ZONING FROM:** LO-CO-NP - Tract 1; SF-2-CO-NP -- Tract 2  
(3.17 acres) (0.27 acres)

**ZONING TO:** LO-CO-NP (Tracts 1 and 2)

**TOTAL AREA:** 3.444 acres

### **SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant limited office – mixed use – conditional overlay – neighborhood plan (LO-MU-CO-NP) combining district zoning for Tracts 1 and 2. The Conditional Overlay establishes that: 1) development is limited to 2,000 trips per day, 2) the number of driveway approaches for vehicular access from the Property to F.M. 1826 is limited to two, 3) the maximum height for a building or structure is 35 feet from ground level and a building may not exceed one level, 4) a 50-foot wide building setback along the north and south property lines, and 5) prohibits the following uses: art gallery, art workshop, bed and breakfast residential (group 1), bed and breakfast (group 2), club or lodge, college and university facilities, communication service facilities, communication services, community events, community recreation (private), community recreation (public), congregate living, convalescent services, counseling services, cultural services, family home, group home, class I (general), group home, class I (limited), group home, class II, hospital services (limited), public primary educational facilities, public secondary educational facilities, residential treatment, safety services, and special use historic.

The Austin Metropolitan Area Transportation Plan calls for a total of 200 feet of right-of-way for FM 1826. If the requested zoning is granted, then 75 feet of right-of-way should be dedicated and 25 feet of right-of-way reserved from the existing centerline of FM 1826 in accordance with the Transportation Plan [LDC, Sec. 25-6-51 and 25-6-55].

### **PLANNING COMMISSION RECOMMENDATION:**

May 27, 2014:

### **ISSUES:**

The Applicant has met with the Estates at Loma Vista Home Owners Association and both parties have agreed upon a Conditional Overlay that permits the following uses that are prohibited by the 2006 rezoning ordinance: administrative and business offices, day care services (commercial, general and limited), private primary and secondary educational

facilities, and software development. All other portions of the conditional overlay covering setbacks, structure height, permitted uses, number of driveways, lighting and signage would remain as is. Please refer to Attachment A.

Furthermore, the agreed upon Conditional Overlay has been incorporated into the Staff recommendation, as listed above.

**DEPARTMENT COMMENTS:**

The subject portions of two platted lots are undeveloped and consists of portions of limited office – conditional overlay – neighborhood plan (LO-CO-NP) and single family residence-standard lot – conditional overlay – neighborhood plan (SF-2-CO-NP) district zonings (C14-06-0010). Access is taken to FM 1826. The Estates of Loma Vista is adjacent to the north, east and south (SF-2-NP; RR-NP; SF-1-CO-NP). The west side of FM 1826 consists of Seton Southwest Hospital (GO-NP), a manufactured home park; lawn equipment sales and single family residences (County). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (2006 Rezoning Ordinance).

The Applicant proposes to rezone the property in two ways: 1) to change the southern 35 feet of a 50-foot wide strip in proximity to the north property line to the LO-CO-NP district (the remaining 15 feet that abuts the north property line will retain SF-2-CO-NP zoning), and 2) remove seven uses prohibited by the 2006 rezoning ordinance. The Applicant has worked with and gained the support of the Estates of Loma Vista HOA for these changes.

The Staff supports the Applicant's request with three exceptions that reflect current City Code and policy, and thus, are not included in the Staff recommendation. Specifically, from the 2006 ordinance:

- 1) Part 2, Item 4.D. identifies a requirement for hooding or shielding of exterior lighting. This requirement currently applies to all roadway types and all zoning types (*Land Development Code, Subchapter E, Article 2, Section 2.5 – Exterior Lighting*);
- 2) Part 2, Item 4.E. identifies requirements for a freestanding sign. Subsequent to the 2006 case, Staff received clarification from the Law Department that zoning ordinances are not intended to restrict signage, and also, the sign ordinance is codified in its own section of the *Land Development Code*; and
- 3) Part 2, Item 4.F. prohibits urban farm use. This use is now permitted in all zoning districts.

Staff support for LO-CO-NP zoning is based on the following considerations of the property: 1) office use is appropriate for an arterial roadway, is in close proximity to a hospital, and FM 1826 may be expanded in the future; and 2) the Conditional Overlay provides for enhanced compatibility with the adjacent single family residences to the north and south.

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**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-2-CO-NP; LO-MU-CO-NP	Undeveloped
<i>North</i>	SF-2-NP	Single family residences
<i>South</i>	SF-1-CO-NP	Single family residences
<i>East</i>	SF-2-CO-NP	One single family residence
<i>West</i>	N/A (County)	Seton Southwest Hospital; Lawn equipment sales; Manufactured home park; Single family residences

**NEIGHBORHOOD PLANNING AREA:** Oak Hill Combined **TIA:** Is not required  
(West Oak Hill)

**WATERSHED:** Williamson Creek – **DESIRED DEVELOPMENT ZONE:** No  
Barton Springs Zone – Contributing Zone

**CAPITOL VIEW CORRIDOR:** N/A **SCENIC/HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

298 – Oak Hill Association of Neighborhoods (OHAN)  
 459 – Wynnrock Area Neighborhood Association 641 – Granada Homeowners Association  
 742 – Austin Independent School District  
 779 – Oak Hill Neighborhood Plan – COA Liaison 780 – Estates of Loma Vista HOA  
 943 – Save Our Springs Alliance 967 – Circle C Neighborhood Association  
 1037 – Homeless Neighborhood Association 1075 – Bike Austin  
 1166 – Oak Hill Neighborhood Planning Contact Team  
 1200 – Super Duper Neighborhood Objectors and Appealers Organization  
 1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group  
 1340 – Austin Heritage Tree Foundation 1343 – Oak Hill Trails Association  
 1363 – SEL Texas

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-86-004 – Sections of Shadow Ridge Crossing, including Section 12-north	I-RR to RR; SF-2; SF-3	To Grant RR; SF-2; SF-3 as requested.	Apvd RR; SF-2; SF-3 (3-24-1988).
C14-93-0135 – Shadow Ridge Crossing, Section 11-south	DR to SF-1	To Grant SF-1-CO. The CO limits density to 205 units	Apvd PC rec (12/2/1993).

C14-99-0125 – Nassour Tract-HEB #10	SF-2 and DR to GR	To Grant GR without conditions	Apvd PC rec (4/20/2000).
C14-02-0089 – HEB Austin No. 10	RR to GR	To Grant GR without conditions	Apvd PC rec (7-11-2002).
C14-05-0219 – Seton Southwest	I-RR to GO	To Grant GO w/conditions of the TIA	Apvd GO with RC for TIA and Phasing Agreement (7-27-2006).
C14-2007-0088 – Winkley Loma Vista – 7213 Twilight Mesa Dr	I-RR to SF-1 for Tract 1 and SF-2 for Tract 2	To Grant SF-1-CO for Tract 1 and SF-2-CO for Tract 2, with CO for 300 trips per day	Apvd as PC rec (5-22-2008).

**RELATED CASES:**

The rezoning area was approved for SF-2-CO and LO-MU-CO zoning on June 22, 2006 (C14-06-0010 – 8515 FM 1626). The rezoning consists of portions of Lots 1 and 2 of the Final Plat of Blackbeard Subdivision recorded on September 12, 2008 (C8-2007-0229.0A).

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
FM 1826	88 feet	28 feet	Major Arterial	No	Yes	No

**CITY COUNCIL DATE:** June 26, 2014**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@austintexas.gov

**PHONE:** 512-974-7719







GO-NP

SF-2-NP

FM 1826 RD

DARK RIDGE CV

TWILIGHT MESA DR

DUSK TERRACE CV

ACCESS EASEMENT

SF-2-NP

LO-CO-NP

SF-2-CO-NP

RR-NP

06-0010

SF-1-CO-NP

DARK SHADOW CV

SF-1-CO-NP

EXHIBIT A

North



C3/X

**ORDINANCE NO. 20060622-099**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 8515 F.M. 1826 ROAD FROM DEVELOPMENT RESERVE (DR) DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT FOR TRACT ONE AND SINGLE FAMILY RESIDENCE STANDARD LOT-CONDITIONAL OVERLAY (SF-2-CO) COMBINING DISTRICT FOR TRACT TWO.**

**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 on the property described in Zoning Case No. C14-06-0010, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From development reserve (DR) district to limited office-conditional overlay (LO-CO) combining district.

A 3.17 acre tract of land, more or less, out of the Jesse Williams Survey No. 62, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, and

Tract Two: From development reserve (DR) district to single family residence standard lot-conditional overlay (SF-2-CO) combining district.

A 6.84 acre tract of land, more or less, out of the Jesse Williams Survey No. 62, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 8515 F.M. 1826 Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

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

1. 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 2,000 trips per day.

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2. A maximum of two driveway approaches for vehicular access from the Property to F.M. 1826 is permitted.
3. The maximum number of residential units on Tract Two is one dwelling unit.
4. The following applies to Tract One.
  - A. The maximum height for a building or structure is 35 feet from ground level.
  - B. A building or structure may not exceed one story.
  - C. A 50-foot wide building setback shall be established along the north and south property lines.
  - D. Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent properties.
  - E. One freestanding sign constructed on a berm is permitted on the Property. The maximum sign area is 24 square feet and may not exceed six feet above grade.
  - F. The following uses are prohibited uses:
    - Administrative and business offices
    - Art gallery
    - Art workshop
    - Bed and breakfast residential (Group 1)
    - Bed and breakfast residential (Group 2)
    - Club or lodge
    - College and university facilities
    - Communication service facilities
    - Communications services
    - Community events
    - Community recreation (private)
    - Community recreation (public)
    - Congregate living
    - Convalescent services
    - Counseling services
    - Cultural services
    - Day care services (commercial)



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Day care services (general)  
Day care services (limited)  
Family home  
Group home, Class I (general)  
Group home, Class I (limited)  
Group home, Class II  
Hospital services (limited)  
Private primary educational facilities  
Private secondary educational facilities  
Public primary educational facilities  
Public secondary educational facilities  
Residential treatment  
Safety services  
Software development  
Special use historic  
Urban farm

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on July 3, 2006.

**PASSED AND APPROVED**

\_\_\_\_\_, June 22, 2006

§  
§  
§

\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:**

\_\_\_\_\_  
David Allan Smith  
City Attorney

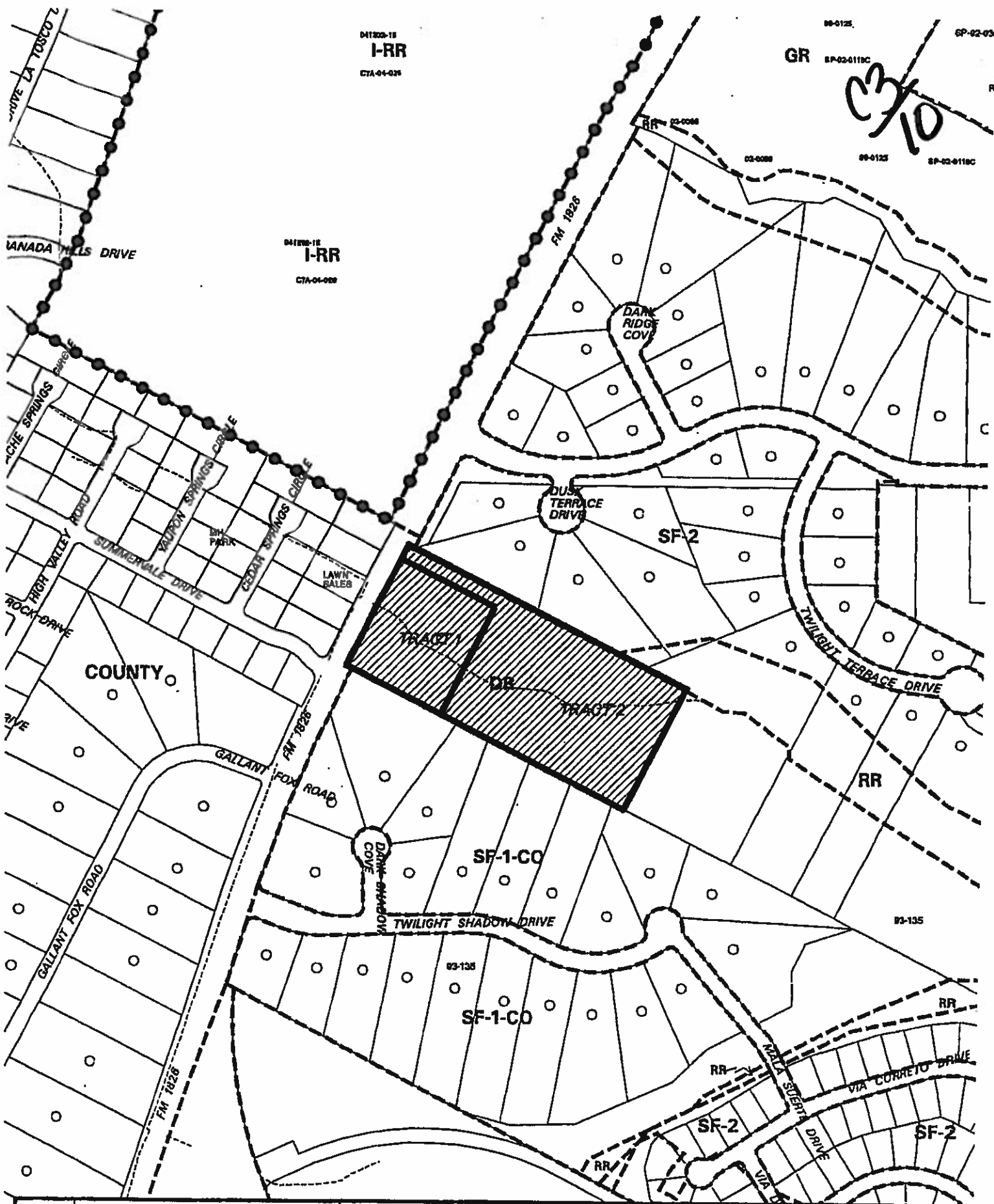
**ATTEST:**

\_\_\_\_\_  
Shirley A. Gentry  
City Clerk

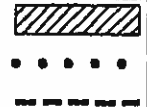
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SF-02-0118C

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SUBJECT TRACT  
PENDING CASE  
ZONING BOUNDARY  
CASE MGR: W.WALSH



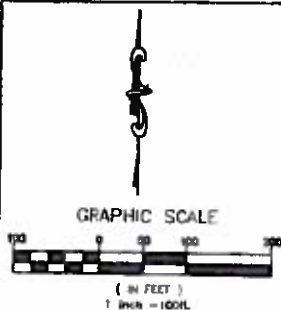
CASE #: C14-06-0010  
ADDRESS: 8515 FM 1826 RD  
SUBJECT AREA (acres): 10

ZONING EXHIBIT C

DATE: 06-05  
INTLS: SM

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REFEREI  
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1. SURVEYED BY:  
ALL STAR LAND SURVEYING  
9020 ANDERSON HILL ROAD  
AUSTIN, TEXAS 78759  
PHONE: (512) 249-8149  
FAX: (512) 331-5217
2. TOTAL ACRES: 10.0
3. TOTAL NUMBER OF LOTS: 2
4. 0 LF OF NEW STREET

**LEGEND**

- NAIL FOUND
- I.R.F. = IRON ROD SET
- I.R.F. = IRON ROD FOUND
- I.P.F. = IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- ( ) VOL. 12260, PG. 418
- DOC. NO. 200000133
- DOC. NO. 200000134
- B.L. = BUILDING LINE
- P.U.E. = PUBLIC UTILITY EASEMENT
- PROPOSED SIDEWALK
- WATER QUALITY TRANSITION ZONE (WQTZ)
- CRITICAL WATER QUALITY ZONE (CWQZ)
- FLOODPLAIN

### PROJECT LOCATION



VICINITY MAP  
N.T.S.

LOT INFORMATION		
	SF	AC
LOT 1	180032.47	4.15
	COMB	AC
LOT 2	245851.99	5.62

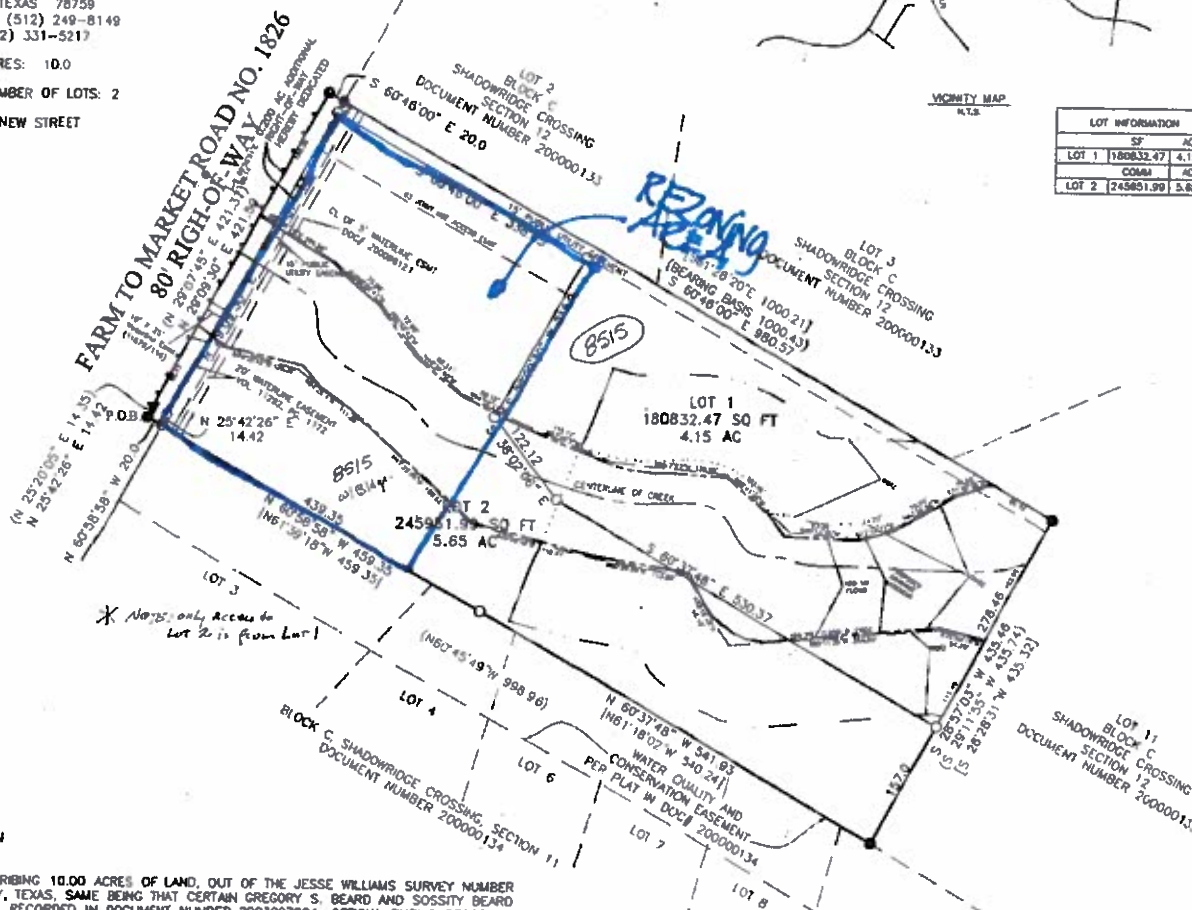


EXHIBIT "A"	LEGAL DESCRIPTION
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FIELD NOTES DESCRIBING 10.00 ACRES OF LAND, OUT OF THE JESSE WILLIAMS SURVEY NUMBER 67, TRAVIS COUNTY, TEXAS, SAME BEING THAT CERTAIN GREGORY S. BEARD AND SOSSITY BEARD 10.00 ACRE TRACT, RECORDED IN DOCUMENT NUMBER 2003097824, OFFICIAL PUBLIC RECORDS, SAID COUNTY, SAID 10.00 ACRES OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN IRON ROD FOUND IN THE EASTERLY RIGHT-OF-WAY LINE OF FM 1826, AT THE SOUTHWEST CORNER OF SAID 10.00 ACRE TRACT, FOR THE SOUTHWEST CORNER HEREOF, FROM WHICH AN IRON PIPE FOUND THE NORTHWEST CORNER SHADOWRIDGE CROSSING, SECTION 11, A SUBDIVISION RECORDED IN DOCUMENT NUMBER 200000134, OFFICIAL PUBLIC RECORDS, SAID COUNTY, BEARS SOUTH 60 DEGREES 58 MINUTES 58 SECONDS EAST, 20.00 FEET:

THENCE ALONG SAID RIGHT-OF-WAY LINE AND THE WESTERLY LINE OF SAID 10.00 ACRE TRACT, NORTH 25 DEGREES 42 MINUTES 28 SECONDS EAST 14.42 FEET TO A 800 NAIL FOUND AND NORTH 29 DEGREES 09 MINUTES 30 SECONDS EAST 421.50 FEET TO AN IRON PIPE IN SAID LINE, AT THE NORTHWEST CORNER OF SAID 10.00 ACRE TRACT, FOR THE NORTHWEST CORNER HEREOF.

THENCE SOUTH 80 DEGREES 46 MINUTES 00 SECONDS EAST, ALONG THE NORTHERLY LINE OF SAID 10.00 ACRE TRACT, 20.00 FEET TO AN IRON ROD FOUND AT THE SOUTHWEST CORNER OF SHADOWHEDGE CROSSING SECTION 12 A SUBDIVISION RECORDED IN DOCUMENT NUMBER 200000133, OFFICIAL PUBLIC RECORDS, SAID COUNTY, IN THE NORTHERLY LINE OF SAID 10.00 ACRE TRACT, FOR A POINT IN THE NORTHERLY LINE HEREOF:

THENCE NORTH 80 DEGREES 46 MINUTES 00 SECONDS EAST, CONTINUING ALONG THE NORTHERLY LINE OF SAID 10.00 ACRE TRACT, ALONG THE SOUTHERLY LINE OF SAID SHADOWRIDGE CROSSING SECTION 12, 880.57 FEET TO AN ANGLE CORNER IN THE SOUTHERLY LINE OF SAID SHADOWRIDGE CROSSING SECTION 12, AT THE NORTHEAST CORNER OF SAID 10.00 ACRE TRACT, FOR THE SOUTHEAST CORNER HEREOF.

THENCE SOUTH 28 DEGREES 57 MINUTES 03 SECONDS WEST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID SHADOWRIDGE CROSSING SECTION 12 AND ALONG THE EASTERLY LINE OF SAID 10.00 ACRE TRACT, 435.48 FEET TO AN IRON ROD FOUND IN THE NORTHERLY LINE OF SAID SHADOWRIDGE CROSSING SECTION 11, AT THE SOUTHEAST CORNER OF SAID 10.00 ACRES OF LAND, MORE OR LESS.

THENCE ALONG THE NORTHERLY LINE OF SAID SHADOWRIDGE CROSSING SECTION 11 AND THE SOUTHERLY LINE OF SAID 10.00 ACRE TRACT, NORTH 80 DEGREES 37 MINUTES 48 SECONDS WEST, 541.93 FEET TO AN IRON ROD FOUND AND NORTH 60 DEGREES 58 MINUTES 58 SECONDS WEST, 459.35 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.00 ACRES OF LAND, MORE OR LESS.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ATTACHED SURVEY PLAT ONLY.

EXHIBIT C  
RECORDED PLAT



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## Estates of Loma Vista Home Owners Association

### Rezoning of the 5.65 acre tract on FM 1826 owned by J & B Interests LLC

The Estates of Loma Vista HOA supports an amendment to the existing zoning ordinance number 20060622-099 (C14-06-0010) for this property to allow for the additional uses shown below in addition to those previously allowed:

- Administration and business offices
- Day care services (Commercial)
- Day care services (General)
- Day care services (Limited)
- Private primary educational facilities
- Private secondary educational facilities
- Software development

Additionally, The Estates of Loma Vista HOA support the rezoning of a 35' wide strip portion of land from SF-2 to LO.

In recognition of this support from the Estates of Loma Vista HOA, J & B Interests LLC and the Goddard School agree to install noise abatement fencing materials as part of the planned school in order to reduce the Lmax playground noise levels by at least 7 dBA.

Agreed:   
John Gries (J & B Interests)

4-3-14  
Date

Agreed:   
David Rastelli (Goddard School)

4-3-14  
Date

Agreed:   
Randy Clarke (ELV HOA)

4/11/2014  
Date

Agreed:   
Gordon Gorychka (ELV HOA)

04/11/14  
Date

Agreed:   
Dick Armitage (ELV HOA)

4/11/14  
Date

Agreed:   
Jane Schwartz (ELV HOA)

4/11/14  
Date

Agreed:   
Robbie Bennett (ELV HOA)

4/11/14  
Date

ATTACHMENT A

DATE: 03/11/14  
SCALE: NTS

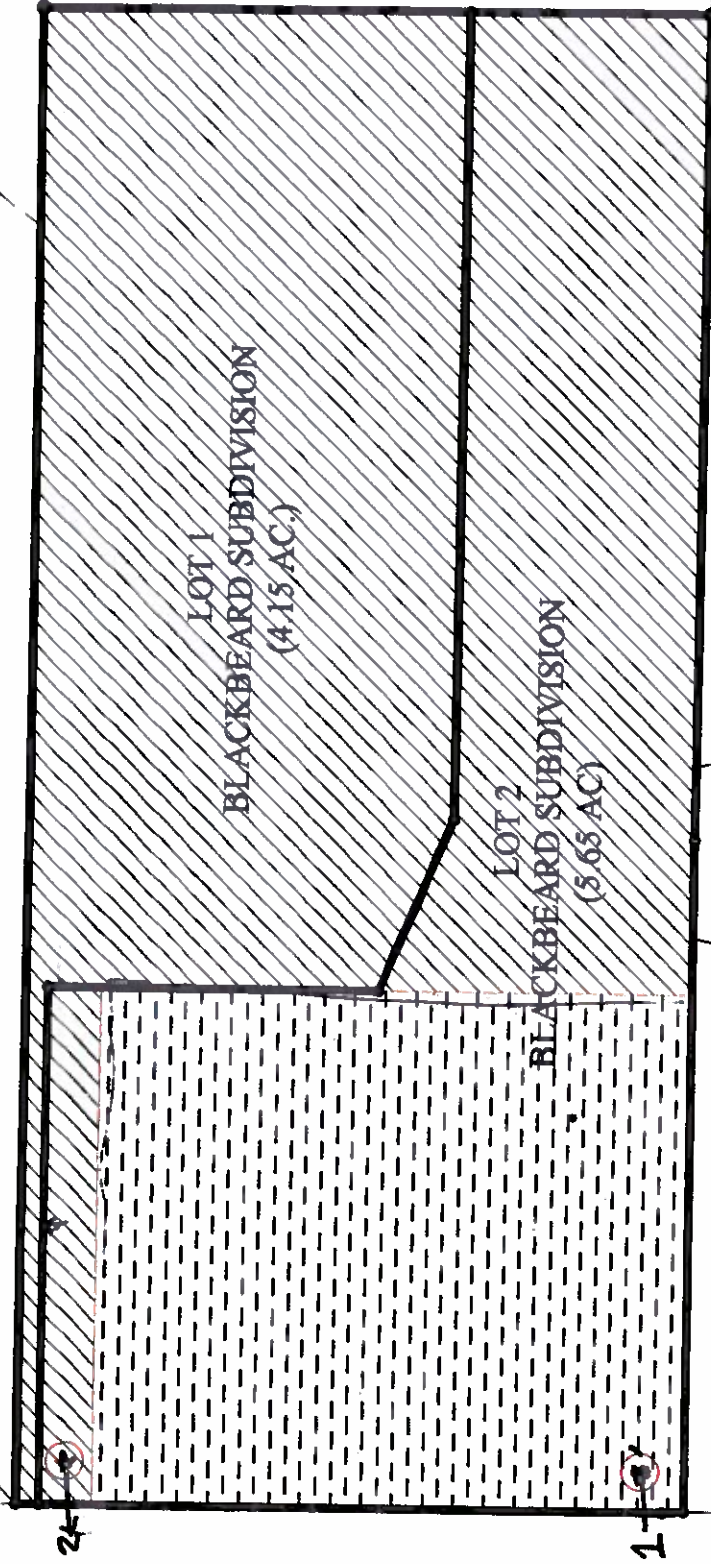
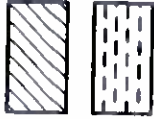
EXISTING ZONING EXHIBIT  
8517 F.M. 1826 AUSTIN, TEXAS

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FARM TO MARKET ROAD NO. 1826  
(NEW ROAD 07-2007)

SF-2-CO ZONING  
LO-CO-NP ZONING



**REZONING AREAS**

- 2. 1 REZONE FROM SF-2-CO TO LO-CO-NP
- 1. 1 LO-CO-NP ZONING TO REMAIN.
- 1. 1 REMOVE PROHIBITED USES FROM ORD. 20060622-099.

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## STAFF RECOMMENDATION

The Staff's recommendation is to grant limited office – mixed use – conditional overlay – neighborhood plan (LO-MU-CO-NP) combining district zoning for Tracts 1 and 2. The Conditional Overlay establishes that: 1) development is limited to 2,000 trips per day, 2) the number of driveway approaches for vehicular access from the Property to F.M. 1826 is limited to two, 3) the maximum height for a building or structure is 35 feet from ground level and a building may not exceed one level, 4) a 50-foot wide building setback along the north and south property lines, and 5) prohibits the following uses: art gallery, art workshop, bed and breakfast residential (group 1), bed and breakfast (group 2), club or lodge, college and university facilities, communication service facilities, communication services, community events, community recreation (private), community recreation (public), congregate living, convalescent services, counseling services, cultural services, family home, group home, class I (general), group home, class I (limited), group home, class II, hospital services (limited), public primary educational facilities, public secondary educational facilities, residential treatment, safety services, and special use historic.

The Austin Metropolitan Area Transportation Plan calls for a total of 200 feet of right-of-way for FM 1826. If the requested zoning is granted, then 75 feet of right-of-way should be dedicated and 25 feet of right-of-way reserved from the existing centerline of FM 1826 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.*

Limited office (LO) zoning is intended for office use predominantly serving the neighborhood or community needs, such as professional, semi-professional and medical offices, which may be located within or adjacent to residential neighborhoods.

2. *Zoning changes should allow for reasonable use of the property.*

Staff support for LO-CO-NP zoning is based on the following considerations of the property: 1) office use is appropriate for an arterial roadway, is in close proximity to a hospital, and FM 1826 may be expanded in the future; and 2) the Conditional Overlay provides for enhanced compatibility with the adjacent single family residences to the north and south.

## EXISTING CONDITIONS

### Site Characteristics

The site consists of undeveloped land. The property slopes towards the east.



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**Impervious Cover**

The maximum impervious cover allowed by the LO zoning district is 25%, which is based on the more restrictive watershed regulations described below.

**Comprehensive Planning**

The zoning case is located on the east side of FM 1826, and is located within the boundaries of the West Oak Hill Combined Neighborhood Planning Area. The property is approximately 3.44 acres in size and is vacant. Surrounding land uses includes single family houses to the north and south, a barn like structure to the east, and single family houses and a tree service business to the west on FM 1826. The proposed use is a medical office. The majority of the property is already zoned LO. The applicant wants to rezone the remaining SF-2 strip of property abutting the LO zoned property and amend the existing conditional overlay on the LO zoned portion of the property.

**Oakhill Combined Neighborhood Plan (OHCNP)**

The Oak Hill Combined Neighborhood Plan Future Land Use Map (FLUM) designates this portion of FM 1826 as 'Mixed Use/Office' which is intended for a mix of residential and office uses and is supposed to provide a transition from residential uses to non-residential or mixed uses. LO zoning is permitted under this FLUM category. The property is also located within the boundaries of the Barton Springs Contributing Zone, as identified on the Imagine Austin's Growth Concept Map.

The following text, goals, objectives and recommendations are taken from the OHCNP:

**Goal 4.A:** Preserve and enhance environmental resources including watersheds, air quality, and wildlife corridors. (p 36)

**Objective: 4.A.1** Preserve the water quality of area aquifers, streams, rivers, and springs and protect endangered species dependent on the quality of those water resources.

**Goal 4.B.** Provide opportunities for high-quality new development and redevelopment. (p 37)

**Objective 4.B.1:** Minimize the ecological footprint of development in the Oak Hill planning area to help achieve environmental goals, particularly the preservation of water quality.

**Goal 6.A.** Provide opportunities for high-quality new development and redevelopment.

**Objective 6A.1:** Ensure quality of new construction and renovations. (p 66)

**Goal 6.B.** Balance development and environmental protection by maintaining a vibrant residential and commercial community that demonstrates caring stewardship of the environment. (p 66)

**Objective 6.B.1:** Encourage zoning to be compatible with existing and neighboring land uses and seek optimal and most appropriate use of land activity areas) at strategic locations. (p 66)

**Goal 6.C:** Create a mix of uses in existing corridors of commercial development that will provide a diversity of local services convenient to neighborhoods and establish commercial "nodes" (concentrated) (p 67)

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**Goal 6.E:** Encourage locally-owned businesses to locate in the Oak Hill area and find ways for local businesses and employers to prosper. (p 67)

**Objective 6.E.1:** Oak Hill stakeholders desire more small-scale businesses with less strip commercial establishments

**Objective 7.B.1a**—Community members want to see FM 1826 from U.S. Highway 290 to Slaughter widened from a two lane to a four lane divided with sidewalks and bicycle lanes. They feel that this improvement would accommodate the increasing pedestrian and vehicular traffic caused by the school, hospital and many residential communities located along FM 1826 (pg 109)

The Oak Hill Combined Neighborhood Plan Future Land Use Map designates this portion of FM 1826 as 'Mixed Use/Office' and the goals and objectives taken from this plan appear to support office mixed use in this portion of the planning area as long as environmental considerations are enforced.

### **Imagine Austin**

The property is also located within the boundaries of the Barton Springs Contributing Zone, as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan (IACP). An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and "contribute" water to the aquifer.

### **Conclusion:**

While the Oak Hill Combined Neighborhood Plan is supportive of this proposed use, the comparative scale of this site falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning, just as long as environmental ordinances are enforced.

### **Environmental**

This site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 25% impervious cover (net site area) in the contributing zone.

According to floodplain maps there is no floodplain within or adjacent to the project location. However, City of Austin GIS shows a Water Quality Transition Zone and a Critical Water Quality Zone within the project location. Development is not permitted in the Critical Water Quality Zone and the Water Quality Transition Zone of this watershed except as listed in LDC 25-8 Article 7, Division 1 and LDC 25-8 Article 12.

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

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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. Runoff from the site is required to comply with pollutant load restrictions as specified in Land Development Code.

### **Transportation**

The Austin Metropolitan Area Transportation Plan calls for a total of 200 feet of right-of-way for FM 1826. If the requested zoning is granted, then 75 feet of right-of-way should be dedicated and 25 feet of right-of-way reserved from the existing centerline of FM 1826 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].

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities are existing and/or recommended along the adjoining streets as follows: FM 1826 serves route no. 426 with an existing Shared Lane and recommended Wide Curb.

Eric Dusza with Public Works Department may have additional comments regarding multi-modal enhancements and facilities.

### **Water and Wastewater**

The landowner intends to serve the site with City of Austin water utilities and an On-Site Sewage Facility approved by the City of Austin. 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 and suitability for operation and maintenance. 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



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must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Wastewater service is not currently available to the subject tract, and a Service Extension Request will be required if service is desired. Please contact Phillip Jaeger at 512-972-0232 for more information pertaining to the Service Extension Request process and submittal requirements.

### **Compatibility Standards**

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the north and south property line, the following standards apply:

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. 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.

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

FYI - This site is located in the Oak Hill Combined Neighborhood Planning Area. Please see the City's website <http://www.austintexas.gov/departments/neighborhood-planning> for a copy of the recommended design guidelines.