



MEMORANDUM

TO: Planning Commission Members

FROM: Andrew Moore, Case Manager
Planning and Zoning Department

DATE: April 18, 2017

RE: 5201 E. Riverside Drive
District 3
Request to Initiate Rezoning

Planning and Zoning Staff is requesting that Planning Commission initiate rezoning for a portion of the property located at 5201 E. Riverside Drive. Attached are maps showing the location of the subject property.

The proposed rezoning tract is located on the southeast corner of E. Riverside Drive and Riverside Farms Road and is located in the East Riverside/Oltorf Combined Neighborhood Planning Area and within the East Riverside Corridor Plan (ERC). The property is currently designated Neighborhood Mixed Use under the ERC.

The property is owned and occupied by the Casey Family Foundation Foster Home facility. It is made up of two tracts. The first contains the facility the second is at the southwest corner and is the subject of the zoning case initiation.

The issue is a mapping versus ordinance language difference. Prior to the ERC adoption in 2013, the Casey Family Foundation property had two zoning districts; GO-MU-CO-NP and SF-2-NP. During the public input process residents on Riverside Farms Road expressed their desire to not include the SF-2-NP tract in the ERC. The Casey Family Foundation did not express any concerns at that time and City of Austin Planning Staff concurred to keep it out of the ERC.

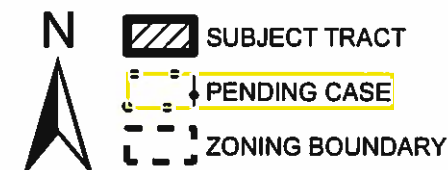
Attached is the ERC ordinance 20130509-043. The language in the ordinance includes changing both zoning districts for 5201 E. Riverside Drive to ERC. However, the map shows the SF-2-NP tract excluded from the ERC. Current Planning staff have found early maps used during the planning process which concur with excluding the SF-2-NP tract per the Riverside Farms Road residents request. Because of this we are requesting the Planning Commission direct Planning and Zoning staff to initiate an amendment to the ERC to exclude the second tract.

The Casey Family Foundation does not support the change (see attached letter).



EXHIBIT A - SF-2-NP

LOCATION: 5201 E. Riverside Drive
 SUBJECT AREA: 2.311 ACRES
 GRID: Z19
 MANAGER: Andrew Moore



1' = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

ORDINANCE NO. 990909-76

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING, REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE AS FOLLOWS:

TWO TRACTS OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT SURVEY, FROM INTERIM SINGLE FAMILY RESIDENCE STANDARD LOT (I-SF-2) DISTRICT AND FAMILY RESIDENCE (SF-3) DISTRICT TO GENERAL OFFICE-MIXED USE-CONDITIONAL OVERLAY (GO-MU-CO) COMBINING DISTRICT, AND SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT, LOCALLY KNOWN AS 5201-5305 EAST RIVERSIDE DRIVE, 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 25-2-191 of the City Code is amended to change the base zoning districts on the property described in File C14-99-0102, as follows:

Tract 1: From Family Residence (SF-3) district and Interim Single Family Residence Standard Lot (I-SF-2) district to General Office-Mixed Use-Conditional Overlay (GO-MU-CO) combining district.

6.186 acre tract of land out of the Santiago Del Valle Grant Survey in Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

Tract 2: From Interim Single Family Residence Standard Lot (I-SF-2) district to Single Family Residence Standard Lot (SF-2) district.

2.311 acre tract of land out of the Santiago Del Valle Grant Survey in Travis County, Texas, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance, (the "Property")

locally known as 5201-5305 East Riverside Drive, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "C".

Page 2 of 2

FIELD NOTES
"60"/"MU" ZONING

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT SURVEY, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING OUT OF THE REMAINING PORTIONS OF LOTS 1, 2 AND 3, RIVERSIDE FARMS, A SUBDIVISION AS RECORDED IN VOLUME 713, PAGE 93 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 60d nail found at the southeast corner of the above described Lot 1 for the southeast corner and POINT OF BEGINNING of the herein described tract;

THENCE, with the south line of the above described Lot 1, N58°38'14"W a distance of 150.00 feet to a point at the southwest corner of said Lot 1 for the most southerly southwest corner of this tract;

THENCE, with the west line of said Lot 1, N28°10'54"E a distance of 349.82 feet to a point for an inside corner of this tract;

THENCE N59°27'26"W a distance of 289.19 feet to a point on the east right-of-way line of Riverside Farms Road for the most westerly southwest corner of this tract;

THENCE, with the east right-of-way line of Riverside Farms Road, N28°19'27"E a distance of 480.93 feet to a ½" iron rod found at the intersection with the south right-of-way line of East Riverside Drive for the northwest corner of this tract;

THENCE, with the south right-of-way line of East Riverside Drive, the following two (2) courses:

- 1) S62°59'40"E a distance of 287.81 feet to a 5/8" iron rod found at an angle point; and
- 2) S59°53'50"E a distance of 149.66 feet to a ¾" iron rod found on the east line of said Lot 1, from which a 1" square bolt found at the northwest corner of Tract 1, Fire Station No. 22 Subdivision, as recorded in Book 68, Page 64 of the Plat Records of Travis County, Texas, bears S62°54'08"E a distance of 1.81 feet, for the northeast corner of this tract;

THENCE, with the east line of said Lot 1, the following two (2) courses:

EXHIBIT A

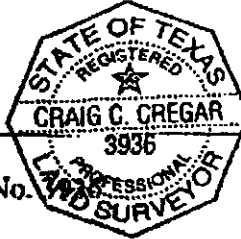
990909-76

- 1) S27°54'19"W a distance of 500.01 feet to a 3/8" iron pipe found at the southwest corner of Tract 1 of Fire Station No. 22 Subdivision; and
- 2) S28°32'34"W a distance of 351.89 feet to the POINT OF BEGINNING, and containing 6.186 acres of land, more or less.

I HEREBY CERTIFY that these notes were prepared by Terra Firma from a survey made on the ground on March 25, 1999 under my supervision and are true and correct to the best of my knowledge.



Craig C. Gregar
Registered Professional Land Surveyor No. _____



7/29/99
Date

Client: The Casey Family Program
Date: July 29, 1999
WO No.: 1177-01-04
FB: 301
Disk: AUS9\11770101.CRD

**FIELD NOTES
"SF-2" ZONING**

ALL THAT CERTAIN PARCEL OR TRACT OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT SURVEY, CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; BEING OUT OF THE REMAINING PORTIONS OF LOTS 2 AND 3, RIVERSIDE FARMS, A SUBDIVISION AS RECORDED IN VOLUME 713, PAGE 93 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for POINT OF REFERENCE at a 60d nail found at the southeast corner of Lot 1 of the above described Riverside Farms; Thence, with the south line of said Lot 1, N58°38'14"W a distance of 150.00 feet to a point at the southeast corner of the above described Lot 2 for the southeast corner and POINT OF BEGINNING of the herein described tract;

THENCE, with the south line of the above described Lots 2 and 3, N58°38'14"W a distance of 290.26 feet to a ½" iron rod found on the east right-of-way line of Riverside Farms Road at the southeast corner of a ten (10)-foot tract as conveyed to Travis County, Texas by right-of-way deed recorded in Volume 3644, Page 1460 of the Deed Records of Travis County, Texas for the southwest corner of this tract;

THENCE N28°19'27"E a distance of 345.63 feet to a point for the northwest corner of this tract;

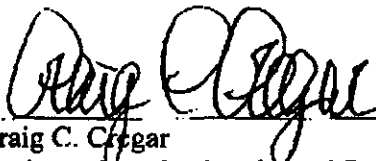
THENCE S59°27'26"E a distance of 289.19 feet to a point on the east line of said Lot 2 for the northeast corner of this tract;

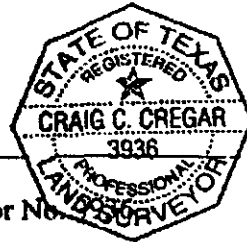
THENCE, with the east line of said Lot 2, S28°10'54"W a distance of 349.82 feet

EXHIBIT B

to the POINT OF BEGINNING, and containing 2.311 acres of land, more or less.

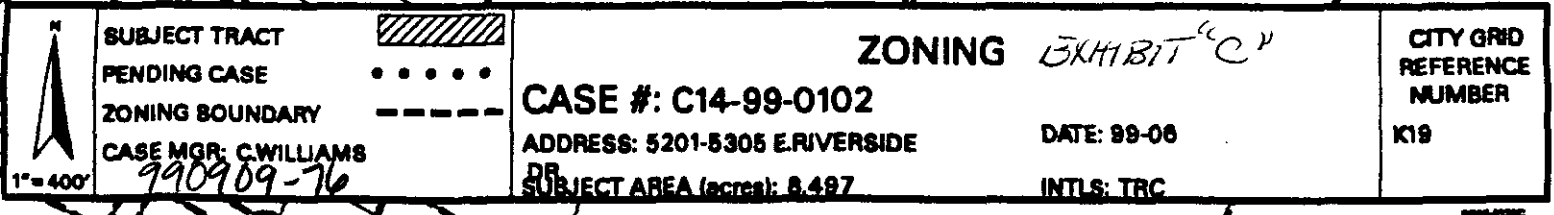
I HEREBY CERTIFY that these notes were prepared by Terra Firma from a survey made on the ground on March 25, 1999 under my supervision and are true and correct to the best of my knowledge.


Craig C. Cregar



7/29/99
Date

Client: The Casey Family Program
Date: July 29, 1999
WO No.: 1177-01-04
FB: 301
Disk: AUS9\11770101.CRD



Austin American-Statesman

PO#: 99090976
Ad ID#: 9UK100200
Acct#: 5124992499
Account Name: CITY CLERKS OFFICE

CITY CLERKS OFFICE
PO BOX 1088
AUSTIN, TX 78767

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis,
State of Texas, on this day personally appeared:

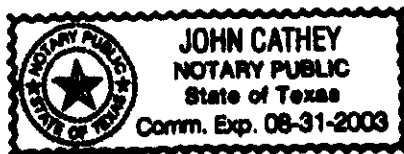
SHARON THOMAS

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper
published in said County and State that is generally circulated in Travis, Hays, Burnet
and Williamson Counties, who being duly sworn by me, states that the attached
advertisement was published in said newspaper on the following dates, to wit:

First Published:	10/2/99	Last Published:	10/2/99
Times Published:	1	Classification:	9980
Lines:	23	Cost:	\$76.82

and that the attached is a true copy of said advertisement.

SWORN AND SUBSCRIBED TO BEFORE ME, this the 4th day of October 1999



John Cathey
Notary Public in and for
TRAVIS COUNTY, TEXAS

305 South Congress Ave., P.O. Box 670, Austin, Texas 78767-0670 512-445-3541

ORDINANCE NO. 990909-76
AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING, REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25.2 OF THE CITY CODE AS FOLLOWS:
TWO TRACTS OF LAND OUT OF THE SANTIAGO DEL VALLE GRANT SURVEY FROM MISSEM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT AND FAMILY RESIDENCE (F-2) DISTRICT TO GENERAL OFFICE, MODIFIED CONDITIONAL OVERLAY (GO-MCO), COMBINING DISTRICT AND SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT LOCALLY KNOWN AS TRACT 3036 EAST RIVERSIDE DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.
Mayor: Rick Worshy
City of Austin

ORDINANCE NO. 20130509-043

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO CHANGE THE BASE ZONING DISTRICTS FROM THE CURRENT DESIGNATIONS TO EAST RIVERSIDE CORRIDOR (ERC) DISTRICT, ON APPROXIMATELY 365 ACRES OF LAND GENERALLY KNOWN AS THE PLEASANT VALLEY NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 14 TRACTS OF LAND.

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 each base zoning district within the property described in Zoning Case No. C14-2012-0111b, on file at the Planning and Development Review Department, being approximately 365 acres of land (the "Property") within the area generally known as the East Riverside Corridor (ERC) district, locally known as the area located along or in proximity to East Riverside Drive between Pleasant Valley Road on the west and Grove Boulevard on the east, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A" (*the Zoning Map*) from the current base district designation to East Riverside Corridor (ERC) district.

PART 2. The base zoning districts for the 14 tracts of land are changed from rural residence (RR) district, rural residence-neighborhood plan (RR-NP) combining district, single family residence-large lot-neighborhood plan (SF-1-NP) combining district, single family residence-standard lot-neighborhood plan (SF-2-NP) combining district, family residence-neighborhood plan (SF-3-NP) combining district, multi-family residence-low density (MF-2) district, multi-family residence-low density-conditional overlay (MF-2-CO) combining district, multi-family residence-low density-neighborhood plan (MF-2-NP) combining district, multi-family residence-medium density-conditional overlay (MF-3-CO) combining district, multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district, multi-family residence-moderate-high density (MF-4) district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, general office-mixed-use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district, neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district, neighborhood commercial-neighborhood plan (LR-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial (GR) district, community commercial-conditional overlay (GR-CO) combining district, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district, community commercial-neighborhood plan (GR-NP) combining district, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district,

warehouse/limited office-conditional overlay-neighborhood plan (W/LO-CO-NP) combining district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, general commercial services-mixed-use-neighborhood plan (CS-MU-NP) combining district, commercial-liquor sales (CS-1) district, commercial-liquor sales-neighborhood plan (CS-1-NP) combining district, industrial park-neighborhood plan (IP-NP) combining district, and limited industrial service-neighborhood plan (LI-NP) combining district to East Riverside Corridor (ERC) district, as more particularly described and identified in the chart below:

Tract #	PROP ID	Property Address	Current Zoning	Proposed Zoning	Neighborhood Planning Area
4	785944	4400 ELMONT DR	GR-CO	ERC	EROC
4	785945	1401 S PLEASANT VALLEY RD	GR-CO	ERC	EROC
4	285047	1109 S PLEASANT VALLEY RD	MF-2-CO; RR	ERC	EROC
4	483166	1225 S PLEASANT VALLEY RD	MF-2-CO; RR	ERC	EROC
4	287925	1401 WICKERSHAM LN	MF-3-NP; RR-NP	ERC	EROC
4	287926	LOT 1 BLK C PARKE GREEN SUBD	MF-3-CO; MF-3-NP; RR-NP; GR; GR-NP; CS-1; CS-1-NP	ERC	EROC
4	507739	7014SQ FT LOT 1 PLEASANT VALLEY SPORTSPLEX	RR	ERC	EROC
6	287990	1600 WICKERSHAM LN	MF-3-CO	ERC	EROC
7	287441	1810 WICKERSHAM LN	CS-1-NP; GR-NP	ERC	EROC
7	287993	1717 S PLEASANT VALLEY RD	CS-1; GR	ERC	EROC
7	287442	1919 S PLEASANT VALLEY RD	GR	ERC	EROC
7	287443	1819 S PLEASANT VALLEY RD	GR	ERC	EROC
7	287445	1912 WICKERSHAM LN	GR-NP	ERC	EROC
8	287932	4711 E RIVERSIDE DR	GO-MU-CO-NP	ERC	EROC

8	287934	LOT 1 BLK A CHEVY CHASE SOUTH PHS 4 SEC A	GR-MU-NP	ERC	EROC
8	287922	4700 E RIVERSIDE DR	RR-NP; MF-3-NP	ERC	EROC
9	701585	1901 CROSSING PL	LR-MU-CO	ERC	EROC
9	287939	1705 113 CROSSING PL	MF-2	ERC	EROC
9	380088	1500 FARO DR	MF-2-NP	ERC	EROC
9	287920	1400 CROSSING PL	MF-3-NP	ERC	EROC
10	286722	5602 PENICK DR	SF-3-NP	ERC	EROC
10	759245	5600 E RIVERSIDE DR	SF-3-NP; SF-1-NP	ERC	EROC
11	759250	5700 E RIVERSIDE DR	LR-MU-CO-NP	ERC	EROC
11	287995	ABS 24 DELVALLE S ACR .581	LR-MU-CO-NP; LR-NP	ERC	EROC
11	483168	ABS 24 DELVALLE S ACR 2.413	LR-MU-CO-NP; SF-1-NP; LR-NP	ERC	EROC
23	445742	4405 E RIVERSIDE DR	GR-CO	ERC	EROC
25	286715	2201 S PLEASANT VALLEY RD	CS-CO	ERC	EROC
26	287933	2207 WICKERSHAM LN	GR; MF-2	ERC	EROC
26	551508	4825 E RIVERSIDE DR	LO-MU-CO-NP	ERC	EROC
26	287438	2310 WICKERSHAM LN	MF-2	ERC	EROC
26	551506	4821 E RIVERSIDE DR	MF-2	ERC	EROC
26	287935	2239 CROMWELL CIR	MF-2-NP	ERC	EROC
26	445755	4600 SHERINGHAM DR	MF-2-NP	ERC	EROC
26	445757	4400 SHERINGHAM DR	MF-2-NP	ERC	EROC
26	551507	4823 E RIVERSIDE DR	MF-2-NP	ERC	EROC
26	551509	2004 KIRKSEY DR	MF-2-NP	ERC	EROC
26	551510	2006 KIRKSEY DR	MF-2-NP	ERC	EROC
26	551511	2008 KIRKSEY DR	MF-2-NP	ERC	EROC
26	551512	2010 KIRKSEY DR	MF-2-NP	ERC	EROC
26	551514	2100 KIRKSEY DR	MF-2-NP	ERC	EROC
26	551516	2102 KIRKSEY DR	MF-2-NP	ERC	EROC
26	551517	2104 KIRKSEY DR	MF-2-NP	ERC	EROC
26	551518	2106 KIRKSEY DR	MF-2-NP	ERC	EROC
26	287440	4501 E RIVERSIDE DR	MF-2-NP; RR-NP	ERC	EROC

26	551574	5007 E RIVERSIDE DR	SF-2-NP; SF-3-NP	ERC	EROC
26	551575	5021 E RIVERSIDE DR	SF-2-NP; SF-3-NP	ERC	EROC
26	551576	5107 E RIVERSIDE DR	SF-3-NP	ERC	EROC
26	729666	2011 KIRKSEY DR	SF-3-NP	ERC	EROC
27	289266	5201 E RIVERSIDE DR	GO-MU-CO-NP; SF-2-NP	ERC	EROC
29	507766	5401 E RIVERSIDE DR	LO-MU-CO-NP	ERC	EROC
30	289265	5601 E RIVERSIDE DR	IP-NP	ERC	EROC
30	292085	2400 GROVE BLVD	LI-NP	ERC	EROC
30	445977	2410 GROVE BLVD	LI-NP	ERC	EROC
30	445978	LOT 2-A BLK A LESS 12.3433AC MARSHALL HILLS SEC 1-C RESUB OF LOT 1	LI-NP	ERC	EROC
31	380242	5707 E RIVERSIDE DR	LI-NP	ERC	EROC
31	507767	5701 E RIVERSIDE DR	LO-MU-CO-NP	ERC	EROC

The Property is subject to the regulating plan adopted under Section 25-2-149 (*East Riverside Corridor (ERC) district*) of the City Code.

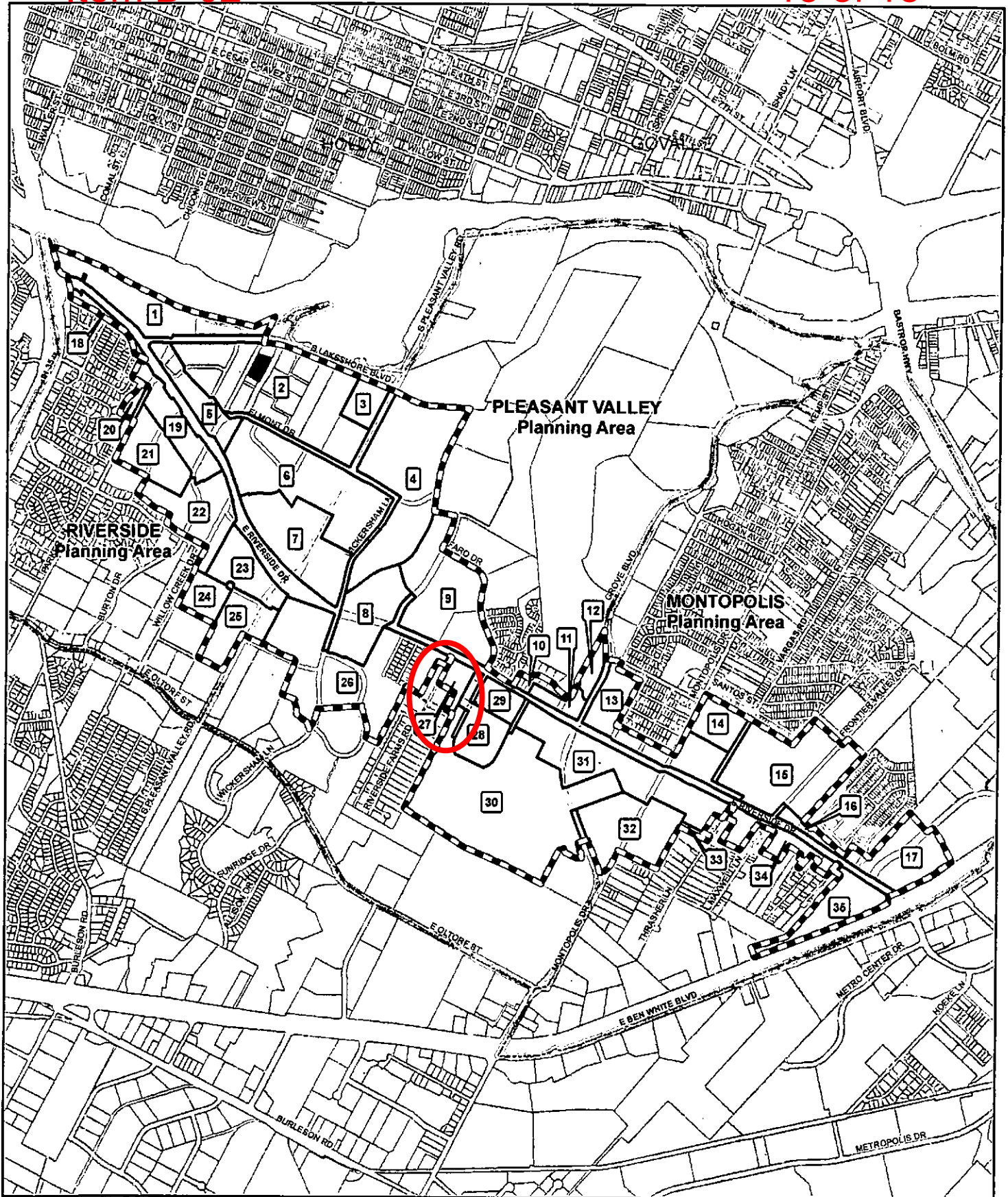
PART 3. This ordinance takes effect on May 20, 2013.

PASSED AND APPROVED

May 9, 2013 §
 Lee Jeffingwell
 Mayor

APPROVED: Karen M. Kennard
 City Attorney

ATTEST: Jannette S. Goodall
 City Clerk



East Riverside Corridor Zoning Map (with Tract Numbers)

Exhibit A



PLANNING AND
DEVELOPMENT REVIEW
DEPARTMENT

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. It 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.



Neighborhood Planning Areas
East Riverside Corridor Boundary
ERC Tract Boundary
Parcel boundary
Parcels/areas to be rezoned

0 0.125 0.25 0.5 Miles

ERC_Tract_Zones_1tr_20121105 3/19/2013



September 8, 2015

Andrew Moore
Senior Planner
City of Austin-Planning and Zoning Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

**Re: Potential Rezone for Casey Family Programs
5201 East Riverside Road, Austin Texas
Casey Family Programs
Tax Number 03081101130000**

Dear Andrew:

Thank you for talking to me concerning the potential rezone of a portion of property owned by Casey Family Programs at 5201 East Riverside Road, in Austin Texas identified above.

Casey Family Programs is a non-profit corporation servicing foster Youth throughout the United States since 1966. We have owned and developed the above property commencing in 1999 (including the current zoning) and since that time, substantial growth and expansion to the East Riverside area has taken place.

We would hope that the current zoning of the East Riverside Corridor shall remain for the three parcels comprising of our original purchase, and we would oppose rezoning of the "Tract 2" parcel we currently own which would bifurcate the zoning on Lots 2 of 3 impeding future development of the back portion of the Casey parcel which remains undeveloped to SF-2-NP from East Riverside Corridor.

The very purpose of the East Riverside Corridor rezone was to address the rapid development in this corridor for more orderly and uniform development, and to rezone this back portion of our parcel is inconsistent with that goal for the following reasons.

First, the front half of the property currently supports our foster youth programs, and Casey Family Programs invested substantial sums in developing this commercial office building and related infrastructure. As such, the front half of the property is in all likelihood will remain an office building, surface parking and related landscaping. The additional land would be used for other foster care programs which would not even be allowed by this proposed SF-2-NP zoning.

Second, the adjacent property to the south still remains zoned "Office" and the Fire Station, School and other developments in the immediate vicinity are not zoned or being used as Single Family.

Third, if the property is rezoned to SF-2-NP/, there will be conflicting requirements from Building Coverage, Impervious Coverage, Front, and Rear Setbacks from the ERC to the SF-2-NP zone. It is not even clear how this would be determined as this "Tract 2" only abuts Riverside Farms Road which is the side yard for the existing structure for the Casey Family Programs building on Tract 1.

Casey Family Programs-2001 Eighth Avenue, Suite 2700, Seattle, WA. 98121

Eventually, if the property was to be redeveloped or sold by Casey Family Programs, it would not be for Single Family purposes. The property should not be rezoned, and we do not believe that the purpose of the code would be furthered by rezoning this Tract.

If the City intends on continuing this process, please view this letter as our objection, and please provide us notice of any pending changes and corresponding times to our zoning to my attention at

Tim W. Dore, Esq.
Sr. Director of Facilities
Casey Family Programs
2001 8th Avenue, Suite 2700
Seattle, WA. 98121
(206) 378-4621

Very truly yours,



Tim W. Dore, Esq.
Sr. Director of Facilities
Casey Family Programs

TWD;ms

Enclosures:

Cc: David Danielson, CFO and Executive Vice-President