

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2017-0116 – Texas Health and Science University  
Library & Dormitory

**PC DATE:** October 24, 2017  
November 14, 2017

**ADDRESS:** 4004 Valley View Road

**OWNER/APPLICANT:** Lisa & Paul Lin

**AGENT:** LandAnswers, Jim Whitliff

**ZONING FROM:** SF-3                      **TO:** LO-MU

**AREA:** 0.49 acres

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends the applicant's request to rezone the subject property to LO-MU (Limited Office – mixed-use) combining district zoning.

### **PLANNING COMMISSION RECOMMENDATION:**

***OCTOBER 24, 2017: POSTPONED BY THE PLANNING COMMISSION TO NOVEMBER 14, 2017, VOTE 12-0 [N. ZARAGOZA 1<sup>ST</sup>, P. SEEGER 2<sup>ND</sup>, ABSENT - G. ANDERSON].***

***NOVEMBER 14, 2017: APPROVED LO-MU-CO, VOTE 9-2 [G. ANDERSON 1<sup>ST</sup>, J. SCHISSLER 2<sup>ND</sup>, NO-T. NUCKOLS, K. MCGRAW]. CONDITIONAL OVERLAY LIMITS TO ONLY SF-3 USES. NOTE: College/University is a conditional use in LO and more restrictive zoning districts.***

### **CITY COUNCIL ACTION:**

***DECEMBER 7, 2017 – APPROVED POSTPONEMENT REQUEST BY CM KITCHEN 9 (CM POOL 2<sup>ND</sup>) TO DECEMBER 14, 2017, VOTE 9-0 [ABSENT – CM GARZA, CM TROXCLAIR].***

### **DEPARTMENT COMMENTS:**

The 0.49-acre property located at 4004 Valley View Road is within the South Lamar Neighborhood which is part of the South Lamar Combined Neighborhood Planning Area (SLNA). Valley View Road is located between Manchaca and Clawson Roads. The property is approximately .25 miles north of W. Ben White Boulevard. The property is currently zoned SF-3 (single-family residence) district zoning and contains a single family structure. The SLNA neighborhood plan is suspended so this property is not part of a Future Land Use Map (FLUM).

Valley View Road is a mix of large lot single family residences, duplexes, flag-lot single family residences and a multifamily complex. The South Austin Senior Activity Center is adjacent to the property to the north and has access to Valley View Road in addition to Manchaca Road.

The applicant owns the adjacent property to the west which is occupied by the Texas Health and Science University (THSU) which specializes in teaching acupuncture, oriental medicine and healthcare management with LO (Limited Office) zoning. The request to rezone the property to LO-MU (Limited Office– mixed-use) combining district is to develop a library and dormitory for THSU. The existing THSU site received a conditional use permit for College/University in 2010 because that use is conditional in the LO district. When the 4004 Valley View property is developed in conjunction with THSU, a conditional use permit will also be needed.

Because of the mix of housing uses and density on Valley View Road and the location of the South Austin Senior Activity Center immediately to the north of the property, staff supports the request for LO-MU. Limited office is

intended to be located within or adjacent to residential neighborhoods. The existing college/university use provides a community/neighborhood function as would the expansion for a library and dormitory. LO-MU equates to MF-2 development standards which would allow 9 efficiency units if solely developed as multifamily. If similar flag lot SF-3 development occurred, 6 duplex units would be allowed. The site is impacted by compatibility on the south and east.

**Issues:**

Staff heard from a neighbor with concerns about the zoning change on a residential street with a number of young children. Zoning petition information was provided but a petition has not been submitted at this time.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3	Currently vacant
<i>North</i>	P	Parks and Recreation (General) - Senior Activity Center
<i>South</i>	SF-3	Single family residential
<i>East</i>	SF-3	Single family & Duplex residential
<i>West</i>	LO	College/University & Multifamily residential

**PLANNING AREA:** South Lamar Combined (Suspended)      **TIA:** Waived

**WATERSHED:** West Bouldin Creek

**DESIRED DEVELOPMENT ZONE:** YES

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
Austin Neighborhoods Council  
Austin Independent School District  
Bike Austin  
Friends of Austin Neighborhoods  
Homeless Neighborhood Association

Preservation Austin  
Save Our Springs Alliance  
Sierra Club, Austin Regional Group  
South Central Coalition  
South Lamar Neighborhood Association

**SCHOOLS:**

Joslin Elementary School  
Covington Middle School  
Crockett High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-93-0118 3911 Manchaca Rd	SF-3 & LO to P	Recommended P (11/9/1993)	Approved P (11/18/1993)
3900 Valley View Rd	A to BB 1 <sup>st</sup> H&A	Recommended BB 1 <sup>st</sup> H&A limited to 12 units	Approved MF-2 (2/7/1985) RC limited to 9 units
C14-82-169 3800-3804 Clawson Rd at Valley View Rd	A to BB 1 <sup>st</sup> H&A	Recommended BB 1 <sup>st</sup> H&A (12/14/1982)	Approved BB 1 <sup>st</sup> H&A (9/29/1983) RC prohibited access to Clawson Rd
C14-83-028 3810-3906	A to BB 1 <sup>st</sup> H&A	Recommended A-2, 1 <sup>st</sup> H&A (4/5/1983)	Approved BB (5/12/1983) RC limited to 32 units



This zoning case is located on the west side of Valley View Road, on a 0.49 acre tract of land, which has a house on it. This property is located within the boundaries of the South Lamar Neighborhood Planning area, which does not have an adopted neighborhood plan. Surrounding land uses includes senior center to the north; residential to the south and east; and a Montessori School to the west. The proposed use is dorm and library (approximately 14,931 sq. ft. for the building) as part of the Texas Health & Science University, which offers undergraduate and graduate degrees in business, acupuncture and traditional Chinese medicine.

### **Connectivity**

Public sidewalks are located intermittently along Valley View Road. A public transit stop is located within a brief walking distance from this location. The Walkscore for this site is 58/100, Somewhat Walkable, meaning some errands can be accomplished on foot.

### **Imagine Austin**

The property is located just by an ‘Activity Centers for Redevelopment in Sensitive Environmental Areas’ as identified on the Imagine Austin’s Growth Concept Map, found in the Image Austin Comprehensive Plan (IACP). Page 106 of the Imagine Austin Comprehensive Plan states, *“Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context. One of the Land Use and Transportation policies, LUT P21 (p. 102), clarifies the intent, “Ensure that redevelopment in the Edwards Aquifer’s recharge and contributing zones maintains the quantity and quality of recharge of the aquifer.”* The plan states that these centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

The following are key policies taken from Chapter 4 of the Imagine Austin Comprehensive Plan, and are applicable to this case:

☐ **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

☐ **HN 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. Although this case is located by an ‘Activity Center for Redevelopment in Sensitive Environmental Areas’, based on the comparative scale of the site relative to adjoining civic and residential uses, this case falls below the scope of Imagine Austin, which is broad in scope and consequently the plan is neutral on the proposed rezoning.

NPZ Environmental Review - Mike McDougal 512-974-6380

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Several trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
7. 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.

NPZ Site Plan Review - Thomas Sievers 512-974-1237

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

SP 2. 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.

SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

**Compatibility Standards**

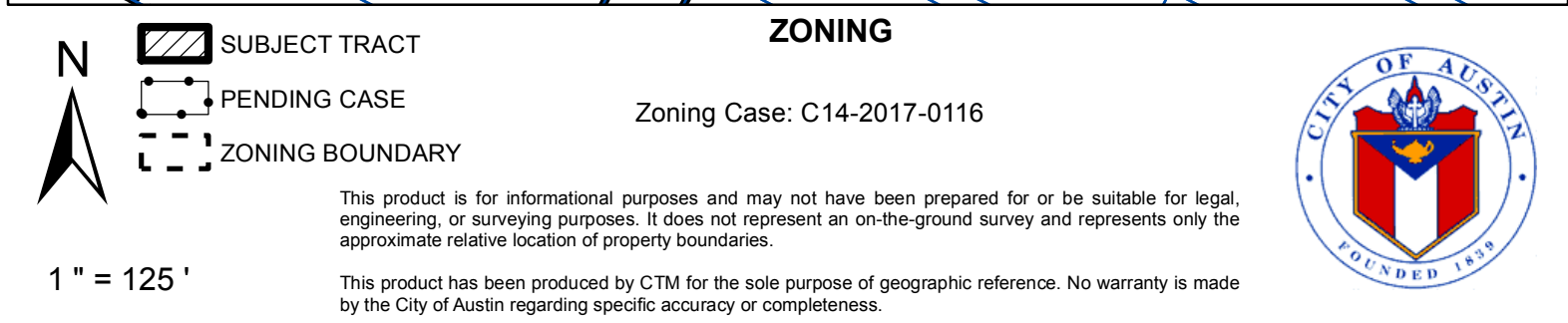
SP 4. The site is subject to compatibility standards. Along the northeast property line, the following standards apply:

- 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

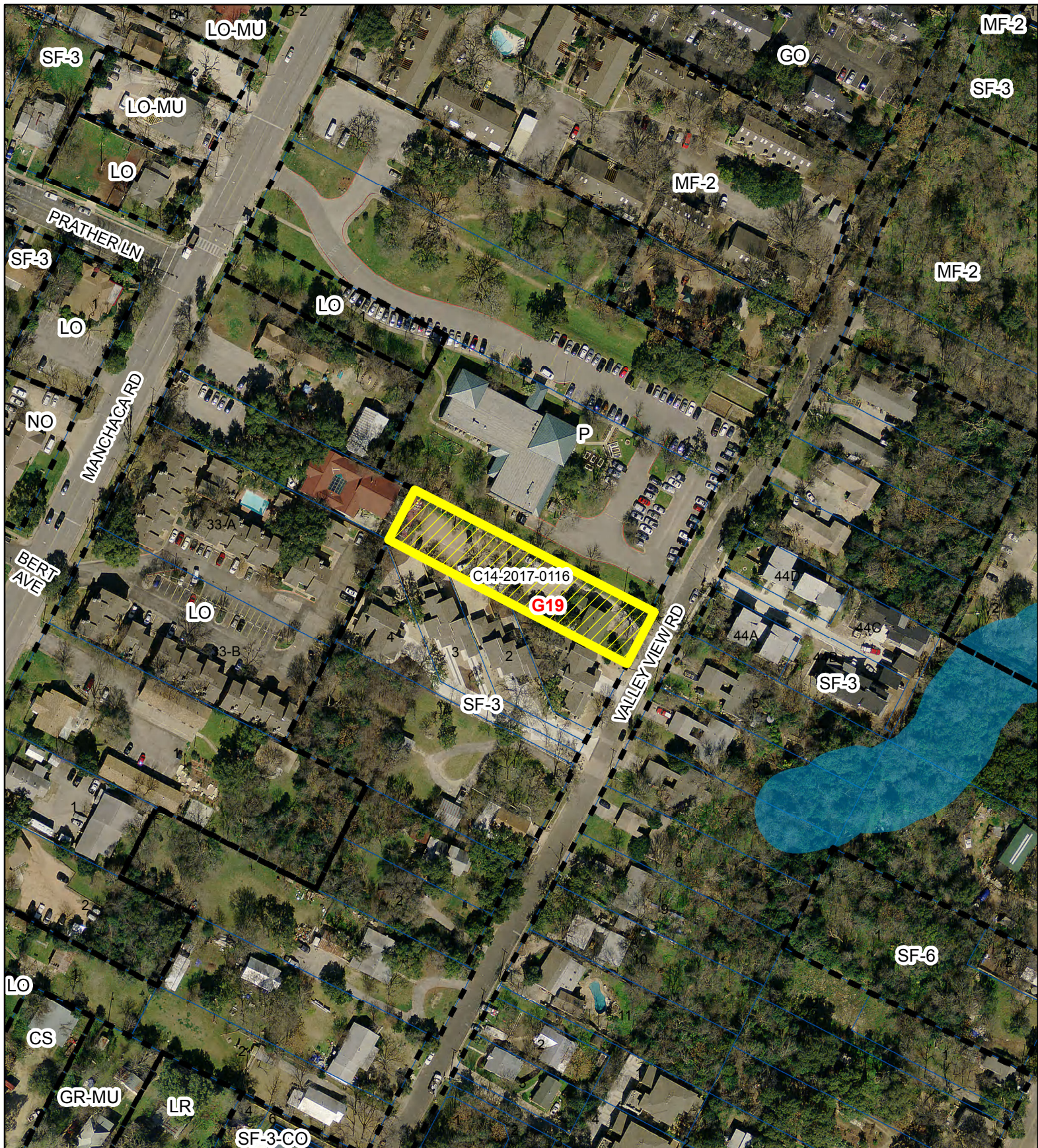
- views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
  - 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.
  - A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

NPZ Austin Water Utility Review - Neil Kepple 512-972-0077
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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 the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. 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.







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SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY



CREEK BUFFER

1" = 150'

## Texas Health & Science University Dormitory and Library

ZONING CASE#: C14-2017-0116

LOCATION: 4004 VALLEY VIEW RD.

SUBJECT AREA: 0.49 ACRES

GRID: G19

MANAGER: ANDREW MOORE



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.



**From:** [Adam Raley](#)  
**To:** [Moore, Andrew](#)  
**Cc:** [Leah Fuerst](#)  
**Subject:** C14-2017-0116 - 4004 Valley View Road  
**Date:** Friday, September 15, 2017 2:42:10 PM

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Hi Andrew,

My name is Adam Raley and I live at 3915 Valley View Road. I was recently made aware of the proposed zoning change for 4004 Valley View Road (C14-2017-0116) and I'd like your assistance in answering the following questions so I (along with my neighbors) can formally protest/petition the zoning change as we don't believe a library/dormitory for a university is appropriate to be placed on a residential street with a number of young children:

- (1) When/where/what time will the hearing(s) for this change be held so we can be there to formally voice our concerns as a community?
- (2) I called the Planning & Zoning board earlier and was told a petition could be considered a majority if 20% of the homes within 500 feet sign off on it. Can you confirm what I was told is correct and if there is a specific template the petition and signatures would need to adhere to? Also, when would we need the petition filed or provided by to be given full consideration?

I appreciate your help and can be reached at 337-274-6768 or at this email address. Thanks!

Best,  
Adam

Andrew Moore  
Senior Planner  
City of Austin – Planning & Zoning Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, TX 78704

Dear Members of the Planning Commission and City Council,

I write this letter in protest of the re-zoning of 4004 Valley View Rd, case number C14-2017-0116 from SF-3 to the proposed LO-MU designation. We are homeowners of the 4006 (Unit B) and 4008 (Unit A) Valley View Road properties which share a lot line with the property in question. I believe the re-zoning of 4004 Valley View Rd for the proposed purposes would directly and adversely affect our properties as well as our neighbors and the surrounding homeowners. The basis for this claim is as follows:

**Property Value** – Purchasing a home is the single largest financial decision most people will ever make. Due to the significance of this purchase, great due diligence is typically involved in this process. Part of this is assessing the location and surrounding properties. It is extremely unfair to the homeowners who have bought into a home assuming it will remain surrounded by similar SF-3 properties, to upend this zoning plan to allow for alternative development. This re-zoning may adversely impact property values of the surrounding area which I believe is unacceptable to benefit one lot.

**Traffic Impact** – The property in question shares frontage on Valley View Rd, which is a small two lane dead end street that provides access to approximately 60 dwellings. Valley View also allows on street parking which at times creates a narrow corridor of about one lane for traffic to flow. Re-zoning a lot on this street to a higher density than originally planned for, such as in this case, would only exacerbate the problems we have with the capacity of Valley View Road.

**Privacy** - The property in question directly shares a side lot line with 6 of the dwellings within the 4006 and 4008 Valley View HOA. If the re-zoning were to be approved, a building of approximately 14,000 sq ft would be allowed along with a parking lot to meet the demands of the proposed dormitory. As it stands now, our homes remain surrounded by single family properties. Altering this to allow for a concentrated parking lot and higher density dwellings brings up great concern for privacy and noise. With no proposed site plan, it is impossible to determine how future development would look at this time which creates uncertainty for how this issue will truly affect us.

**Development Uncertainty** – The property in question, if re-zoned would not be conditional to the proposed development. If the re-zoning is allowed, the property may be sold and developed as something completely different than what has been presented. Zoning classifications give us a way to have confidence in what our neighborhoods will allow, with this change, there will be nothing to prevent a developer to utilize the full capability of the LO-MU classification which is something we do not wish to see happen.

Thank you for considering our opinion before making your determination. In summation, the re-zoning of 4004 Valley View Rd has the potential to adversely affect more of the surrounding property owners than it does to benefit. We do not believe the fabric of the neighborhood should be altered without overwhelming support of its residents, and in this case, we don't believe you would find any such support.

Best Regards,



11/14/2017

Benjamin Green  
4008 Valley View Rd, Unit A  
[REDACTED]



Dan Blair  
4006 Valley View Rd #b  
[REDACTED]