

Item C-10

ZONING CHANGE REVIEW SHEET

CASE: C14-2018-0062 – University of
Texas Law School Foundation

DISTRICT: 9

ZONING FROM: LR-MU-CO-NP

TO: GR-MU-CO-NP

ADDRESS: 2902 Medical Arts Street, 2901 Hampton Road

SITE AREA: 0.989 acres (43,081 square feet)

OWNER: University of Texas Law School
Foundation (Susan Hartenstein)

APPLICANT: Jackson Walker L.L.P.
(Katherine Loayza)

CASE MANAGER: Scott Grantham (512-974-3574, scott.grantham@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends GR-MU-CO-NP combining district zoning. Recommended changes to existing CO: Remove prohibition on Medical Offices (exceeding 5,000 square feet gross floor area), and change status of Financial Services from conditional to allowed use. Recommended new provisions for CO: Limit height to 40 feet or 3 stories, prohibit the following uses: Alternative Financial Services, Automotive Repair Services, Automotive Sales, Bail Bond Services, Drop-off Recycling Collection Facility, Exterminating Services, Pawn Shop Services. For a summary of the basis of staff's recommendation, see case manager comments on page 3.

PLANNING COMMISSION ACTION / RECOMMENDATION:

October 23, 2018 Approved postponement request by neighborhood to November 27, 2018, [P. Seeger, C. Kenny -2nd], Vote 10-0

November 27, 2018 Scheduled for Planning Commission

CITY COUNCIL ACTION:

November 15, 2018 Approved postponement request by staff to December 13, 2018. Vote 10 – 0. Councilmember Troxclair off the dais.

December 13, 2018 Scheduled for City Council

ORDINANCE NUMBER:

Item C-10

ISSUES:

The applicant would like to allow Medical Office as a by right (permitted) land use on the subject tract. They have stated that there are no immediate plans to redevelop the site, however, that in the long term they would like to keep options for redevelopment open, for example by allowing for additional uses.

In the Land Development Code, a Medical Office use is classified by size – not exceeding 5,000 square feet, and exceeding 5,000 square feet. The existing building is greater than 5,000 square feet and a single unified space, thus the larger category is applicable. Medical Office exceeding 5,000 square feet is prohibited by the existing conditional overlay. Additionally, it is a conditional use in the LR base zoning district. The applicant would like this use to be allowed by right.

The most updated request is as follows (see Exhibit D, Applicant Request Memo).

1. Change base zoning from LR to GR
2. Change the existing Conditional Overlay (See Exhibit E, Highlighted Excerpts from Ordinance 040826-59) for the subject tract:
 - a. Remove Medical Office (exceeding 5,000 square feet of gross floor area) from the list of prohibited uses.
 - b. Remove the provision that lists Financial Services as a conditional use
 - c. Accept staff recommendation for prohibited uses

The one element that differs from the staff recommendation is that the applicant would like the basic height entitlement of GR zoning (60 feet), whereas staff is recommending a height limit of 40 feet or 3 stories, which is the existing height allowed by LR. Currently, the site must comply with compatibility for SF-3 properties to the west along Hampton Road. These requirements would allow 40 feet or 3 stories for the western portion (50 -100 feet from SF properties) and 1 foot in height per 10 feet of setback beyond 100 feet, thus allowing between 40 and approximately 52 feet in height for the eastern portion.

The applicant has spoken to and met with neighborhood groups including CANPAC (the Central Austin Neighborhood Planning Advisory Committee), the Hancock Neighborhood Association, and the Eastwoods Neighborhood Association. In general, the neighbors are supportive of the Medical Office use and have expressed some concerns with the full entitlements which are allowed in the GR base zoning.

Currently the site takes access to Medical Arts Street to the east, and to Hampton Road to the west. Because of its location on a local street and the additional trips that would be generated by the new development, a Neighborhood Traffic Analysis (NTA) was required. The NTA determined that no mitigation would be required. An NTA memo will be provided as part of late backup for this case. (See Exhibit F, to be included as late backup).

A portion of the subject property – approximately 40 to 50 feet from the eastern property line - is located in a Capitol View Corridor (CVC 22 – 38th Street at Red River). For this portion of property, the height of a building or permanent structure would be limited to

Item C-10

approximately 60 feet. Because the allowable height in GR is 60 feet, this CVC regulation would be considered redundant with the base zoning regulations.

CASE MANAGER COMMENTS:

The subject property is approximately 0.989 acres or 43,081 square feet, and consists of six lots on the north side of East Dean Keeton Street between Medical Arts Street to the east and Hampton Road to the west. The site is relatively flat and is not in the flood plain.

There is a single building currently located on the site, the former location of one of the Co-op stores for the University of Texas. Currently, the building appears vacant, and the applicant has stated that continuing education classes are still held there. There is a parking lot to the north of the building. There is also a walk-up ATM on the site external to the building.

North of the subject property and on the same block are a small office, a two- and three-story multifamily complex, and a restaurant. East of Medical Arts Street are small offices, medical offices, a café, and a restaurant. West of Hampton Road are single family homes and duplexes. In the neighborhood to the north are multifamily residential complexes mixed with single family and duplex residences.

BASIS OF RECOMMENDATION:

Staff recommends community commercial – mixed use – conditional overlay – neighborhood plan (GR-MU-CO-NP) combining district zoning.

Recommended changes to existing CO:

Remove prohibition on Medical Offices (exceeding 5,000 square feet gross floor area), and change status of Financial Services from conditional to allowed use. Other provisions of the existing conditional overlay would remain in place.

Recommended new provisions for CO: Limit height to 40 feet or 3 stories, prohibit the following uses: Alternative Financial Services, Automotive Repair Services, Automotive Sales, Bail Bond Services, Drop-off Recycling Collection Facility, Exterminating Services, Pawn Shop Services.

The first basis is that zoning should allow for reasonable use of the property. The property's size, location, and potential to repurpose existing building and site work, would make this location appropriate for medical office. There are many medical offices, such as dentists offices and other clinics immediately to the east, and the St. David's Medical complex is a little more than a block away to the northeast. In the hierarchy of zoning districts, the next one up from LR that allows Medical Office (exceeding 5,000 square feet) by right is GR.

Item C-10

The second basis is that a rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission. The Central Austin Combined Neighborhood Plan addresses this local area with a few recommendations:

Objective 1.10: Provide a transition from multi-family and commercial uses to the single-family core of the neighborhood. (p. 66)

Recommendation 18: Provide for a gradual reduction in maximum building height from IH-35 to Medical Arts Street to the residential uses on Hampton Road.

Recommendation 19: On the commercially-zoned properties on Medical Arts Street, restrict uses that are not compatible with single-family.

These recommendations provide Council-approved policy direction for the subject tract. Recommendation 18 addresses height in a transition zone, therefore, staff's recommendation is to restrict the height to 40 feet or 3 stories. Recommendation 19 addresses restriction of land uses, therefore, staff's recommendation includes new provisions of the conditional overlay to prohibit uses which would not be compatible to the single family areas to the west.

The third basis is that zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities. A rezoning to GR would allow for a medical office and a handful of other appropriate land uses, while the provisions of the proposed conditional overlay would ensure that the development is compatible with the neighborhood.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LR-MU-CO-NP	College facility (continuing education classes)
North	LR-MU-CO-NP, LR-CO-NP, MF-3-CO-NP	Apartment/Condo, Commercial, Office
South	E. Dean Keaton St, then CS, Unzoned	E. Dean Keaton St, then Educational (UT)
East	Medical Arts St, then GR-MU-CO-NP	Medical Arts St, then Office, Commercial, Medical Office
West	Hampton Rd, then SF-3-CO-NP	Hampton Rd, then Single Family and Duplex

NEIGHBORHOOD PLANNING AREA: Hancock

TIA: Not required

WATERSHED: Waller Creek

Item C-10

OVERLAYS: Capitol View Corridor (CVC 22 – 38th Street at Red River)

SCHOOLS: Lee Elementary, Kealing Middle School, McCallum High School

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District	Homeless Neighborhood Association
Austin Neighborhoods Council	Neighborhood Empowerment Foundation
Bike Austin	Preservation Austin
CANPAC (Central Austin Neigh Plan Area Committee)	Seltexas
Central Austin Community Development Corporation	Sierra Club Austin Regional Group
Eastwoods Neighborhood Association	University Area Partners
Friends of Austin Neighborhoods	

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0023 CENTRAL AUSTIN COMBINED NP (HANCOCK NP)	Neighborhood Plan	04-27-04 – Apvd Neighborhood Plan with amendments	08-26-04 – Apvd all except 2 tracts 10-21-04 – Apvd remaining tracts
C14-04-0159 Blackstone Apts (City initiated) 2910 Medical Arts Street	From MF-3-NP to LR-MU-CO-NP	11-09-04 – Apvd LR-MU-CO-NP	01-13-05 – Apvd LR-MU-CO-NP
C14-07-0025 Riverfield 1 924 E Dean Keeton Street	From GR-MU-CO- NP and MF-6-CO- NP to LI-PDA-NP; Converted to PUD (See below)	06-26-07 - Apvd GR-MU-CO-NP & MF-6-CO-NP	09-27-07 – Postponed Indefinitely
C14-07-0024 Riverfield 2 926 E Dean Keeton Street	From GR-MU-CO- NP and MF-6-CO- NP to LI-PDA-NP; Converted to PUD (See below)	06-26-07 - Apvd GR-MU-CO-NP & MF-6-CO-NP	09-27-07 – Postponed Indefinitely

Item C-10

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-2008-0113 Riverfield 2 (PUD – combines 2 Riverfield projects) 924 & 926 Riverfield	From GR-MU-CO-NP and MF-6-CO-NP to PUD	Case Expired	Case Expired
C814-06-0068 St. David's Planned Unit Development 919 E 32 nd Street	Planned Unit Development	11-14-06 – Apvd PUD-NP w/ stipulations	04-05-07 – Apvd PUD-NP

RELATED CASES:

The subject property is part of Hancock Neighborhood Plan Area; the accompanying zoning ordinance rezoned the subject property from LR to LR-MU-CO-NP.

The existing Conditional Overlay was established as part of the Hancock Neighborhood Plan ordinance, and has the following provisions that relate to the subject property:

- Allows for a neighborhood mixed use building
- Financial services is a conditional use
- Prohibited uses are: Residential treatment, Medical offices (exceeding 5,000 sq. ft), Service station
- Drive-in service is prohibited as an accessory use

The subject property consists of portions of Lots 1, 2, 3, 13, 14, and 15 of the Weise Resubdivision, Outlot 5 Division C, recorded in Volume 459, Page 75 of the Deed Records of Travis County Texas.

Item C-10

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Dean Keeton Street	130 feet	68 feet*	Arterial	Yes	Yes, bike lane	Yes
Hampton Road	44 feet	25 feet	Local	Yes	No	Yes
Medical Arts Street	70 feet	35-57 feet	Collector	Yes	No	Yes

**bicycle lane to bicycle lane, excludes on-street parking*

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case is located on the northwest corner of Medical Arts Street and E. Dean Keeton Street, on a 0.99 acre parcel that contains a two story building, which is 11,789 sf in size. The property is located within the Central Austin Combined Neighborhood Plan, in the Hancock NP. The property is also immediately adjacent to the Downtown District. Surrounding land uses includes retail, single family housing, an apartment complex, restaurants, and YMCA offices to the north; the main campus of the University of Texas, Bass Concert Hall, and the LBJ Presidential Library to the south; medical offices, restaurants, St. David's Hospital, commercial parking lots, and several apartment buildings to the east; and single family housing, Eastwoods Neighborhood Park, fraternity and sorority houses, retail uses, and the Seminary of the Southwest to the west. The proposal is to rezone the property to expand the allowed medical office use in the existing building, which is currently restricted to less than 5,000 sf. The property currently has an 11,789 sf two story building on it, which was originally occupied by the University of Texas Co-Op bookstore. There are no plans to redevelop the site at this time.

Connectivity: Public sidewalks and bike lanes are located along Medical Arts Street and E. Dean Keeton Street. A public transit stop is located less than 150 ft. from this property. The Walkscore for this is **77/100, Very Walkable**, meaning most errands can be accomplished on foot. No existing urban trails are located within a mile of this site.

Item C-10

Central Austin Combined Neighborhood Plan (CACNP)

The CACNP Future Land Use Map identifies this property as Mixed Use. Mixed Use is meant to encourage more retail and commercial services within walking distance of residents. Zone GR-MU is permitted in this zone. Below are goals, objectives and recommendations relating to commercial and mixed use development in this portion of the CACNP.

Goal 1: Preserve the integrity and character of the single-family neighborhoods (p. 52)

Objective 1.1: Rezone property as needed to ensure that new development is compatible with the desired residential character of each neighborhood.

Recommendation 2: Identify areas where mixed use would enhance the livability of the neighborhoods and rezone accordingly.

Objective 1.10: Provide a transition from multi-family and commercial uses to the single-family core of the neighborhood. (p. 66)

Recommendation 18: Provide for a gradual reduction in maximum building height from IH-35 to Medical Arts Street to the residential uses on Hampton Road.

Recommendation 19: On the commercially-zoned properties on Medical Arts Street, restrict uses that are not compatible with single-family.

Goal 3: Allow mixed-used development along the existing commercial corridors that is pedestrian oriented, neighborhood friendly, neighborhood scaled and serves neighborhood needs (p. 74)

Text: Throughout the neighborhood planning process, stakeholders from the different neighborhoods in CACNP expressed interest in seeing new development and redevelopment along the area's commercial corridors be mixed use. However, stakeholders in the Hancock Neighborhood Planning Area also chose the Mixed-Use Combining District, which allows either commercial, residential (single-or multi-family), a commercial and a residential use on the same lot, or a building similar to the Neighborhood Mixed-Use Building.

Medical Arts Street/Red River Street

Objective 3.6: Allow mixed use development in the Eastwoods Neighborhood along Medical Arts Street, on the triangle of land between Medical Arts Street and Red River Street, and east of Red River Street. (p. 80)

Recommendation 16: Allow the neighborhood mixed-use building and mixed-use combining district on commercially zoned properties along Medical Arts Street, on the triangular tract of land between Medical Arts Street and Red River Street, and on all tracts east of Red River Street and south of 30th Street. The Hancock Shopping Center is typical of automobile-oriented development with most buildings separated from adjacent streets by large expanses of surface parking. Although the recent redevelopment of the shopping center has revitalized it as a retail center, its design is not particularly pedestrian friendly. Low-rise strip retail and offices on the west side and aging apartment complexes on the east side

Item C-10

dominate the majority of the area between Medical Arts Street, 26th/Dean Keeton Street, and Red River. Redevelopment of this area should place an emphasis on creating a pedestrian-friendly streetscape and a small mixed use district just north of the University of Texas Campus.

Objective 5.10: Medical Arts Street and Red River Street, from 26th/Dean Keeton to 32nd Street, serve as major pedestrian bicycle routes to the University of Texas and should become more pedestrian-oriented. (p. 104)

Recommendation 21: Street trees should be planted, where possible and practical, along Red River and Medical Arts Streets to provide shaded sidewalks.

Recommendation 22: As new redevelopment projects arise along these corridors, overly wide curb cuts should be reduced in size or eliminated if possible. New curb cuts should be kept to a minimum.

The CACNP appears to support mixed use development along Medical Arts Street and Dean Keeton, as long as it is neighborhood and pedestrian friendly; and both these characteristics currently exist in this area.

Imagine Austin

The Imagine Austin Growth Concept Map identifies the subject property as being by a Regional Center. A Regional Center as the most urban of the three activity centers, which are or will be centers for retail, cultural, recreational, and entertainment destinations in Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. The densities, buildings heights, and overall character of a center will vary depending on location.

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

- **LUT P3** Promote development in compact centers, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- **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.

Based on Imagine Austin policies and the Growth Concept Map, and CACNP policies and text listed above, this mixed use project appears to support both plans.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller 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.

Item C-10

Zoning district impervious cover limits apply in the Urban Watershed classification.

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 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.

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.

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.

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.

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 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.

Item C-10

- 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.

Transportation

Per LDC 25-6-101 (Ordinance No. 20170302-077), this site is required to provide mitigation for traffic impact with the zoning application. Please contact Scott James (Scott.James@austintexas.gov) to discuss the required mitigation for this site. A traffic impact analysis or traffic study may be required after further review.

A Neighborhood Traffic Analysis is required for this project (access to Hampton Road). The NTA requires three (3) consecutive 24 hour tube counts, preferably on Tuesday, Wednesday, and Thursday, during a non-holiday week when school is in session. Please contact Scott James (Scott.James@austintexas.gov) or myself to discuss the location of the tube counts. Results will be provided in a separate memo. LDC 25-6-114. Please pay the NTA fees with the Intake staff on the 4th floor. This comment will be cleared once the Memo is approved and the fees are paid.

Hampton Road requires 50 feet of right-of-way in accordance with the TCM. If the requested zoning is recommended for this site, 25 feet of right-of-way should be dedicated from the centerline of Hampton Road in accordance with the TCM. LDC 25-6-55; TCM, Tables 1-7, 1-12. – Per Senior Transportation Staff, this comment is deferred to the time of site plan or subdivision – SG.

Additional right-of-way maybe required at the time of subdivision and/or site plan. If the requested zoning is granted, it is recommended that joint access be provided for the 6 tracts to Hampton Road and Medical Arts Street.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane for all ages and abilities is recommended for Dean Keeton Street. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

FYI – access to Dean Keeton is not recommended and may be prohibited at the time of the site plan application.

Item C-10

FYI – existing driveways and sidewalks may be required to be removed and/or reconstructed in accordance with the Land Development Code at the time of the site plan application. The existing sidewalks, driveways, and curb ramps do not meet current LDC, TCM, and ADA requirements.

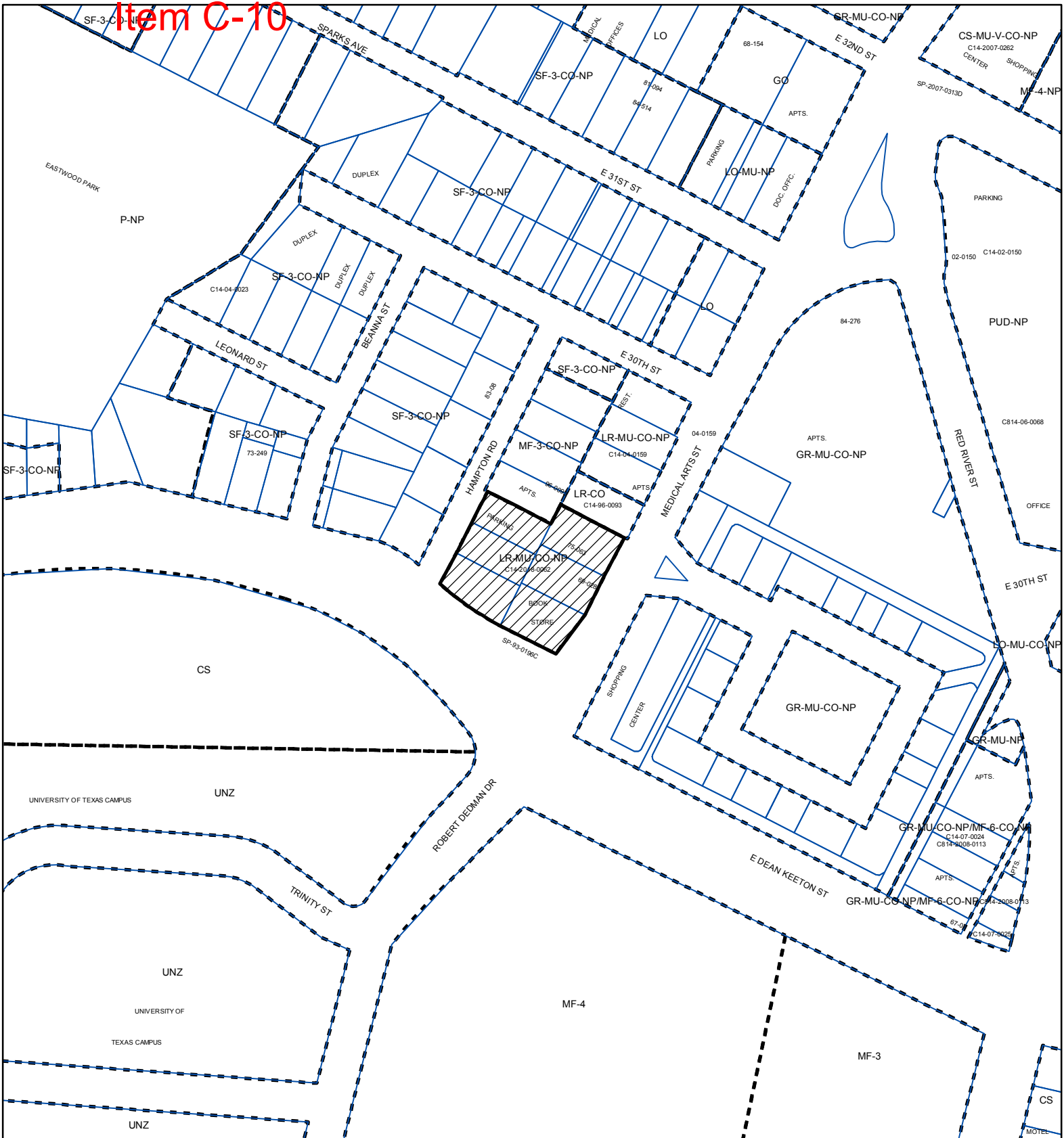
Austin Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water 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 must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Survey and Field Notes
- D. Amended Applicant Request Letter
- E. Highlighted Excerpts from Ordinance 040826-59
- F. Neighborhood Traffic Analysis Memorandum

Item C-10






Zoning

Zoning Case: C14-2018-0062

EXHIBIT A



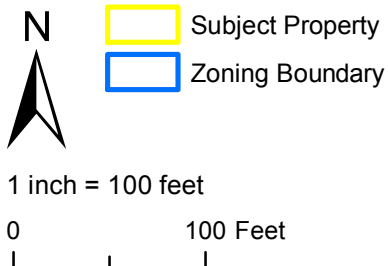
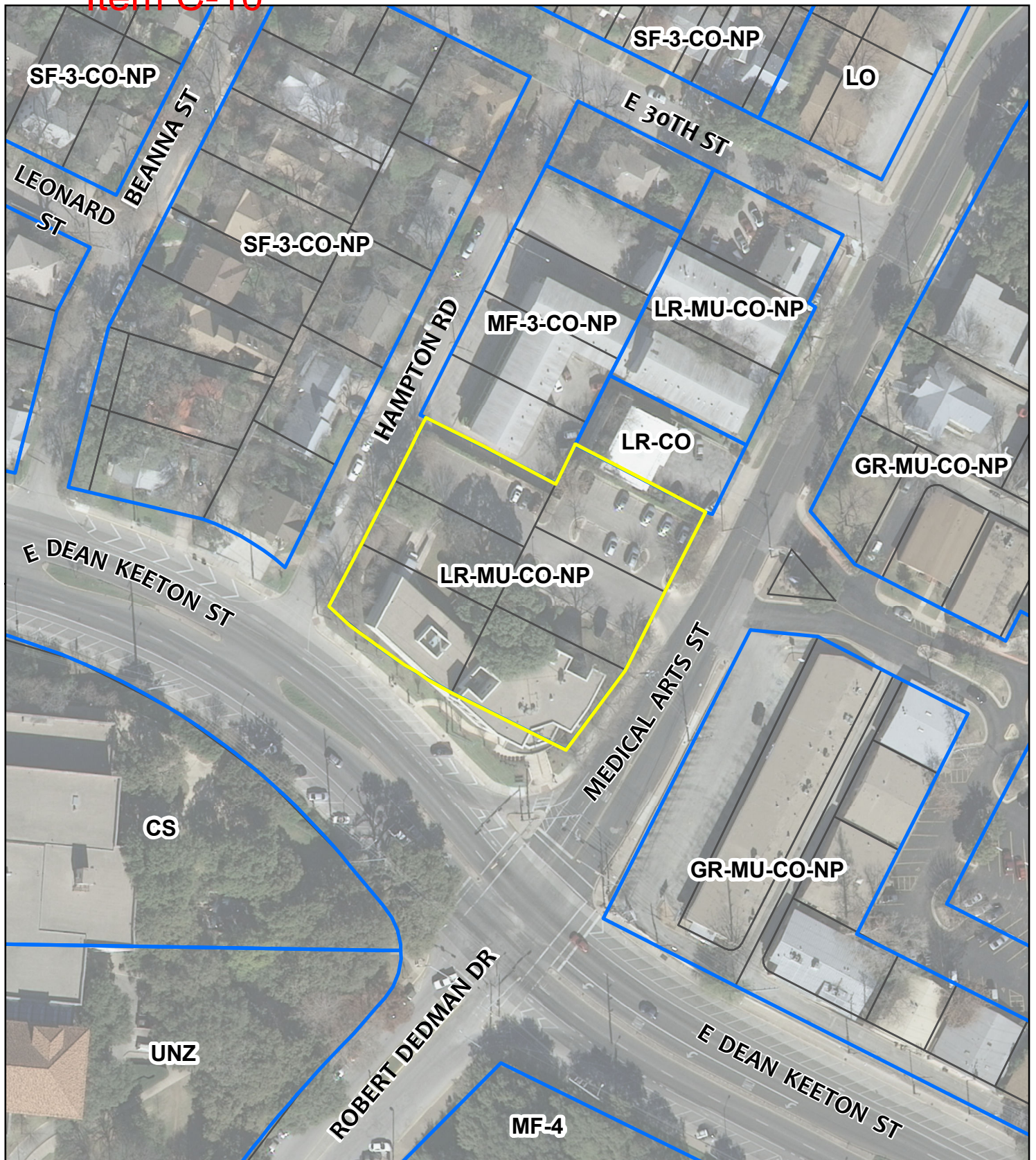
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





ZONING & VICINITY

Zoning Case: C14-2018-0062
 Address: 2902 Medical Arts Street
 2901 Hampton Road
 Subject Area: 0.989 Acres
 Case Manager: Scott Grantham

This map has been produced for the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



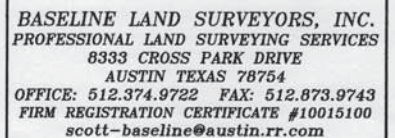
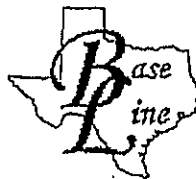


EXHIBIT "A"
LEGAL DESCRIPTION



Land Surveyors, Inc.
8333 Cross Park Drive
Austin, Texas 78754
Office 512.374.9722
Fax 512.873-9743

Page 1 of 2

METES AND BOUNDS DESCRIPTION

BEING 0.989 OF ONE ACRE OF LAND, BEING PORTIONS OF LOTS 1, 2, 3, 13, 14 AND 15, WEISE RESUBDIVISION OF OUTLOTS 5, DIVISION C OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 459, PAGE 75 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND THAT 2,375 SQUARE FEET OF PARK PLACE AS VACATED IN VOLUME 4077, PAGE 838 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND BEING THAT SAME TRACT OF LAND CONVEYED TO UNIVERSITY COOPERATIVE SOCIETY BY INSTRUMENT OF RECORD IN VOLUME 11987, PAGE 1298 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS:

COMMENCING at a 1/2" rebar found for the northwest corner of Lot 13, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, a subdivision of record in Volume 459, Page 75 of the Deed Records of Travis County, Texas, the southwest corner of Lot 12, of said Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, as conveyed to the Steve C. Moore Insurance Trust by instrument of record in Doc. No. 2008133233 of the Official Public Records of Travis County, Texas, and being in the east right-of-way line of Hampton Road (R.O.W. varies), from which an iron pipe found for the northwest corner of Lot 8, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, and being the point of intersection of the east right-of-way line of said Hampton Road and the south right-of-way line of East 30th Street (R.O.W. varies), bears North 27°05'32" East (record - North 30°00' East) a distance of 265.16 feet [Point of Commencing Coordinates: Northing=10,078,597.08; Easting= 3,118,382.21];

THENCE South 62°51'29" East (record - South 60°00' East), along the north line of said Lot 13, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C and the south line of said Lot 12, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, a distance of 5.00 feet (record - 5.00 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline Inc." for the northwest corner of said 0.989 of one acre tract, and being the POINT OF BEGINNING [Point of Beginning Coordinates: Northing=10,078,594.80; Easting= 3,118,386.66];

THENCE along the north line of the 0.989 of one acre tract and the south and east lines of Lot 12, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, the following two (2) courses:

1. South 62°51'29" East a distance of 109.94 feet (record - South 60°00' East a distance of 109.85 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline Inc." for the southeast corner of Lot 12, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C;
2. North 27°21'56" East a distance of 32.80 feet (record - North 30°13' East a distance of 32.80 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline Inc." for the southwest corner of Lot 4, Weise ReSubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, as conveyed to RJ 2906 Properties, LLC by instrument of record in Doc. No. 2010009634 of the Official Public Records of Travis County, Texas;

Exhibit "A"
Land
Page 1

REAL ESTATE CONTRACT
13505027v.5

2902 Medical Arts Street, Austin, Texas

THENCE South 62°53'04" East (record - South 60°02' East), along the north line of the 0.989 of one acre tract and the south line of said Lot 4, Weise Resubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, a distance of 110.00 feet (record - 110.00 feet) to an iron bolt found for the northeast corner of the 0.989 of one acre tract, the southeast corner of Lot 4, Weise Resubdivision of Lots 1, 2, 3, and 4, Weise Subdivision of Outlot 5, Division C, and being in the west right-of-way line of Medical Arts Street (R.O.W. varies);

THENCE along the east line of the 0.989 of one acre tract and the west right-of-way line of said Medical Arts Street the following three (3) courses:

1. South 28°34'17" West a distance of 132.91 feet (record - South 31°26' West a distance of 132.91 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline, Inc.;"
2. South 34°38'17" West a distance of 75.61 feet (record - South 37°30' West a distance of 75.61 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline, Inc." for a point of curvature;
3. Along a tangential curve to the right having a radius of 42.00 feet (record - 42.00 feet), an arc length of 21.85 feet, a delta angle of 29°48'04", and a chord which bears South 49°21'17" West a distance of 21.60 feet (record - South 52°15' West a distance of 21.60 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline, Inc." for the southeast corner of the 0.989 of one acre tract and being the point of intersection of the west right-of-way line of Medical Arts Street and the north right-of-way line of East Dean Keeton Street (R.O.W. varies);

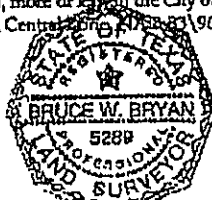
THENCE along the south line of the 0.989 of one acre tract and the north right-of-way line of said East Dean Keeton Street the following two (2) courses:

1. North 62°50'43" West a distance of 76.17 feet (record - North 59°59' West a distance of 76.17 feet) to a 1/2" rebar set with plastic cap, stamped "Baseline, Inc." for a point of curvature;
2. Along a non-tangential curve to the left having a radius of 632.96 feet (record - 632.96 feet), an arc length of 126.77 feet, a delta angle of 11°28'31", and having a chord which bears North 48°09'17" West a distance of 126.56 feet (record - North 45°20' West a distance of 126.57 feet) to a 1/2" rebar set with plastic cap which reads "Baseline Inc." for the southwest corner of the 0.989 of one acre tract, and being the point of intersection of the north right-of-way line of East Dean Keeton Street and the east right-of-way line of Hampton Road;

THENCE North 27°05'32" East (record - North 30°00' East) along the west line of the 0.989 of one acre tract and the east right-of-way line of Hampton Road, a distance of 162.84 feet (record - 162.84 feet) to the POINT OF BEGINNING.

This parcel contains 0.989 of one acre of land, more or less in the City of Austin, Travis County, Texas. Bearing Basis: Texas State Plane Coordinates, Central Zone, NAD 83, 96CORS.

Bruce W. Bryan 06/10/2015
 Bruce W. Bryan Date
 Registered Professional Land Surveyor
 State of Texas No. 5289



File: S:\Projects\Weise Subdivision\Docs\Field Notes\TDS Survey M&B.doc
 Drawing: S:\Projects\Weise Subdivision\Dwg\Title Survey.dwg

EXHIBIT D

Katherine P. Loayza
(512) 236-2259 (Direct Dial)
(512) 691-4412 (Direct Fax)
kloayza@jw.com

October 12, 2018

Scott Grantham
Planning and Zoning Department
505 Barton Springs Road
Austin, Texas 78704

Re: Proposed amendments to the Hancock Neighborhood Plan Area Zoning Ordinance No. 040826-59 regarding the zoning application C14-2018-0062 - University of Texas Law School Foundation – 2902 Medical Arts Street, Austin, Texas (*the “Property”*).

Dear Scott:

As requested this letter outlines the proposed amendments to the existing conditional overlay for the Property referenced above from “LR-MU-CO-NP” Neighborhood Commercial-Mixed Use-Conditional Overlay-Neighborhood Plan zoning district described in Ordinance No. 040826-59 which references the Property as Tract 507 to “GR-MU-CO-NP” Community Commercial Mixed Use-Conditional Overlay-Neighborhood Plan zoning.

The existing use regulations in Ordinance No. 040826-59 are to remain as described in Part 5. Part 7 is proposed to be amended as follows:

1. Amend item #16 under Part 7, to remove Tract 507 from the prohibited use restriction for medical office use to less than 5,000 square feet and allow medical office use regardless of size by right as allowed in the “GR” zoning district; maintain the prohibition of residential treatment and service station uses for Tract 507.
2. Amend item #15 to remove Tract 507 from the tracts where financial services use is a conditional use to allow it by right.
3. Add additional prohibited uses as recommended by staff.

Please let me know if you have any questions regarding the proposed amendments to the Hancock Neighborhood Plan zoning ordinance to reflect the proposed rezoning of the Property.

Sincerely,


Katherine P. Loayza
Land Use Consultant

EXHIBIT E

ORDINANCE NO. 040826-59

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 541.38 ACRES OF LAND GENERALLY KNOWN AS THE HANCOCK NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 184 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 add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 184 tracts of land within the property described in Zoning Case No.C14-04-0023, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 541.38 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A" incorporated into this ordinance, Save and Except the following tracts, (the "Property")

Tract 563A 4427 and 4429 Duval Street; and

Tract 2104A 3403, 3405, and 3407 Hampton Rd., and
3406 Red River Street,

generally known as the Hancock neighborhood plan combining district, locally known as the area bounded by Duval Street on the west, 45th Street on the north, IH-35 on the east, and Dean Keeton Street on the south, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

Except as provided in this ordinance, the existing base zoning districts and conditions remain in effect.

PART 2. The base zoning districts for the 184 tracts of land are changed from family residence (SF-3) district, family residence-historic (SF-3-H) combining district, single family residence small lot (SF-4A) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, multifamily residence moderate high density (MF-4) district, multifamily residence high density (MF-5) district,

TRACT	ADDRESS	FROM	TO
505	716 E DEAN KEETON ST; 3013 HARRIS PARK AVE	SF-3	P-NP
506	706 E DEAN KEETON ST	SF-3	MF-3-NP
507	2900, 2902 MEDICAL ARTS ST	LR	LR-MU-CO-NP
507A	2912 MEDICAL ARTS ST	LR	LR-MU-CO-NP
508	2915 HAMPTON RD	LO	SF-3-CO-NP
508A	WEST 115' OF 2910 MEDICAL ARTS ST	MF-3	MF-3-CO-NP
509	3000, 3004 MEDICAL ARTS	LO	LO-MU-CO-NP
510	814 E 31ST ST; 3100 RED RIVER ST	LO	LO-MU-CO-NP
511	3110 MEDICAL ARTS ST	GO	GO-MU-CO-NP
512	805, 811 E 32ND ST	LO	LO-MU-CO-NP
513	2901, 2911, 2915, 3001 MEDICAL ARTS ST	MF-3, MF-5, LO, CS	GR-MU-CO-NP
514	0 RED RIVER ST (COMMON AREA LESS 11 SQ FT MEDICAL ARTS SQUARE PLUS 1/2 VAC STREET)	MF-5	GR-MU-CO-NP
514A	920 E DEAN KEETON ST	GO	GR-MU-NP
515	926 E DEAN KEETON ST	GO	GR-MU-CO-NP/MF-6-CO-NP
516	924 E DEAN KEETON ST	GO	GR-MU-CO-NP/MF-6-CO-NP
517	2900 SWISHER ST	LO	GR-MU-NP
518	0 COMANCHE ST (N .255 ACR OF TRT 1 OLT 23 DIVISION C)	GO	GR-MU-NP
519	2703, 2901 SWISHER ST	SF-3, MF-5, GO	GR-MU-NP
520	2706, 2800, 2900, 2908 COLE ST	SF-3, GO	GR-MU-NP
520A	2804, 2900, 2908 N I-35 SV RD SB; 0 DEAN KEETON ST E (LOT 10 * LESS SE TRI PLUS PT OF ADJ VAC ALLEY & NW TRI OF LOT 11 BLK 1 OLT 23 DIV C FELLMAN HEIGHTS)	CS	CS-MU-NP
521	918, 924, 926, 1000, 1004 E 32ND ST	GO	GO-MU-NP
522	3203, 3205, 3211 RED RIVER ST	CS	CS-MU-CO-NP
523	812 E 32ND ST	LO	LO-MU-CO-NP
524	3200 RED RIVER ST	GR-CO	GR-MU-CO-NP
525	3208 RED RIVER ST	GO	GO-MU-CO-NP
526	3212 RED RIVER ST	GO	GO-MU-CO-NP
526A	3304 RED RIVER ST	MF-2	MF-3-NP
527	3310 RED RIVER ST	LO	LO-MU-CO-NP
527A	3308 HAMPTON RD; 0 HARRIS AVE (LOT 17 * & 1.06ACR OF LOT 18 OLT 6-9 DIV C BEAU SITE)	SF-3	P-NP
528	906 KEITH LN	GO	GO-MU-NP
529	3501 RED RIVER ST	MF-4	MF-4-CO-NP
530	1000, 1002, 1004 CONCORDIA AVE	LO	LO-MU-NP

PART 4. The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the NP:

1. Impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.
2. Garage placement restrictions apply as set forth in Section 25-2-1604 of the Code.
3. Front or side yard parking restrictions apply as set forth in Section 25-2-1406 of the Code.

PART 5. The following tracts may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code:

501, 504, 507, 507A, 509, 510, 512, 513, 514, 514A, 515, 516, 517, 518, 519, 520, 522, 523, 524, 525, 526, 527, 536, 536A, 536B, 541, 541A, 543, 543A, 546-548, 550, 557, 559, 561, 562A, and 563.

PART 6. Tracts 543 and 543A may be developed as a neighborhood urban center special use as set forth in Section 25-2-1422 through 1424.

PART 7. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following conditions apply to Tracts 536, 536B, 551, 2001 through 2098, 2100, 2100A, 2104, and 2105.
 - A. The maximum height of a building or structure is 30 feet from ground level.
 - B. A building or structure may not exceed a height of two stories.
2. The following conditions apply to Tracts 2099, 2101, 2102 and 2103.
 - A. Except as provided in Subsection C, the maximum height of a building or structure is 30 feet from ground level.
 - B. A building or structure subject to Subsection A may not exceed a height of two stories.

15. Financial services use is a conditional use of Tracts 501, 507, 507A and 546.
16. The following uses are prohibited uses of Tracts 501, 507, 507A, 546, 550 and 557:

Residential treatment	Service station
Medical offices (exceeding 5000 sq.ft. gross floor area)	
17. Drive-in service is prohibited as an accessory use to commercial uses of Tracts 501, 507, 507A, 513, 514, 541, 541A, 546, 550, 557, 559, 561, 562A, and 563.
18. Drive-in service is a conditional use as an accessory use to commercial uses of Tracts 522, 532, 535, 540A, 543, and 543A.
19. The following uses are conditional uses of Tract 513 and 514:

Commercial off-street parking	Indoor entertainment
Hotel-motel	
20. The following uses are prohibited uses of Tract 513 and 514:

Automotive rentals	Exterminating services
Automotive repair services	Funeral services
Automotive sales	Indoor sports and recreation
Automotive washing (of any type)	Outdoor entertainment
Bed & breakfast residential (Group 1)	Outdoor sports and recreation
Bed & breakfast residential (Group 2)	Pawn shop services
Drop-off recycling collection facility	Service station
Research services	Residential treatment
21. The following uses are conditional uses of Tract 522:

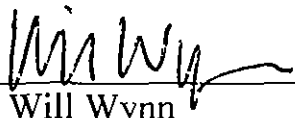
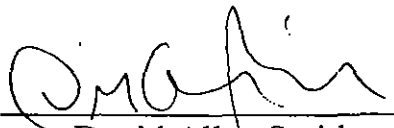
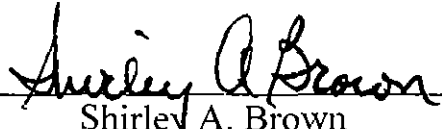
Commercial blood plasma center	Laundry services
Commercial off-street parking	Monument retail sales
Hotel-motel	Off-site accessory parking
Indoor entertainment	Research services
Plant nursery	

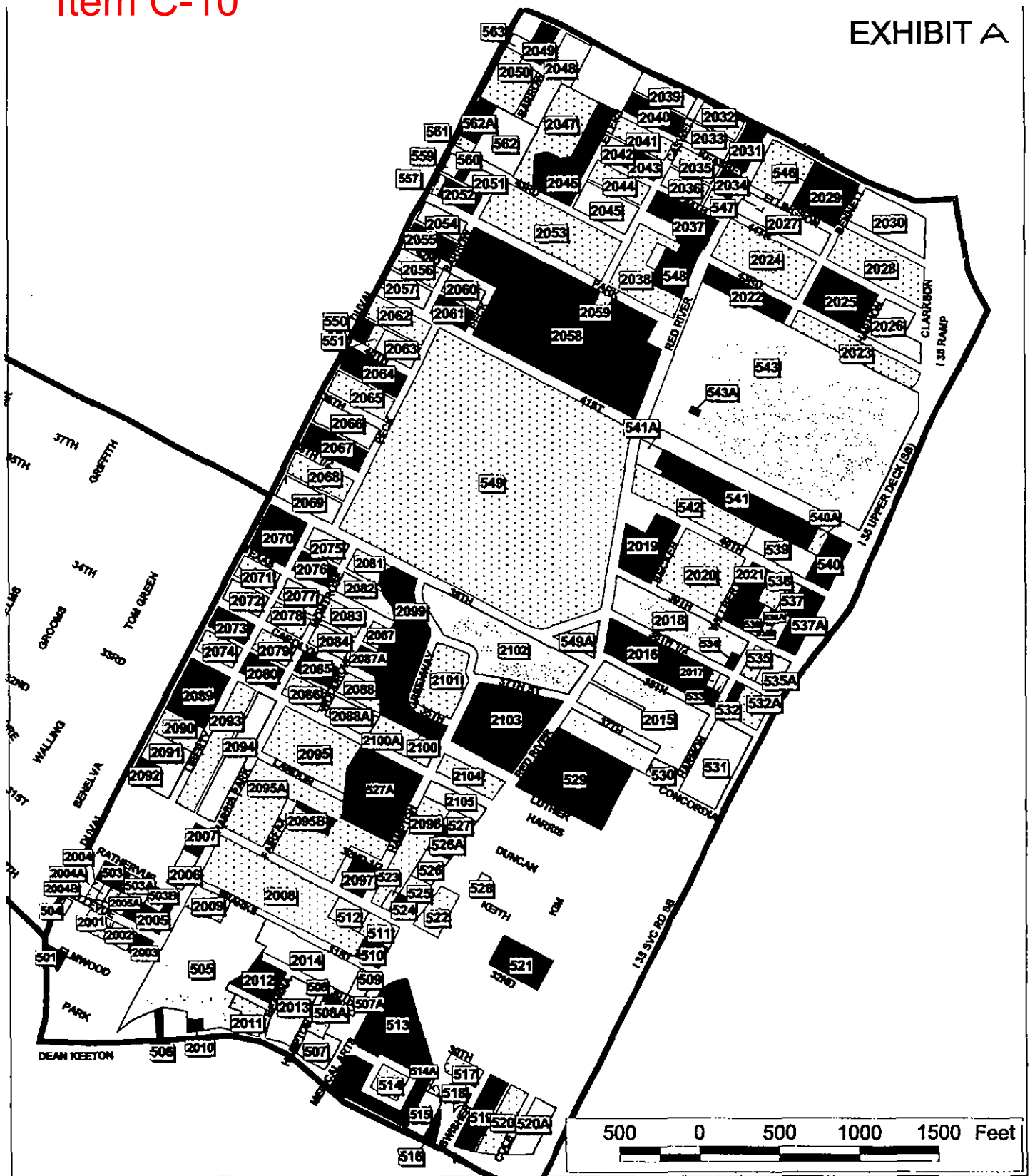
- C. The maximum impervious cover is 80 percent.
- D. Vehicular access from the tracts to Red River Street and Dean Keeton Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

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 8. This ordinance takes effect on September 6, 2004.

PASSED AND APPROVED

_____ August 26, 2004	§ § §	_____  Will Wynn Mayor
APPROVED:  David Allan Smith City Attorney	ATTEST:  Shirley A. Brown City Clerk	



Hancock Neighborhood Plan Combining District: Rezonings Approved 8-26-04


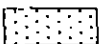
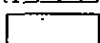

Case C14-04-0023



City of Austin
Neighborhood Planning and Zoning Department



Legend

-  Properties with proposed zoning changes
-  Properties with proposed zoning changes
-  Properties with proposed zoning changes
-  Tract Number



Building a Better and Safer Austin Together

MEMORANDUM

TO: Scott Grantham, Case Manager

CC: Natalia Rodriguez, CNU-A
Scott A. James, P.E., PTOE

DATE: October 19, 2018

SUBJECT: Neighborhood Traffic Analysis for University of Texas Law School Foundation
Zoning Case # C14-2018-0062

The Land Use Review/Transportation staff has performed a Neighborhood Traffic Impact Analysis for the above referenced case and offers the following comments.

The 0.99 acre tract is located in central Austin along Dean Keeton Street between Hampton Road and Medical Arts Street. The site is currently zoned Neighborhood Commercial-Mixed Use (LR-MU-CO-NP) and has an existing 11,789 square foot building used as a college facility. The site is surrounded by single family uses to the west, neighborhood commercial uses to the north, community commercial to the east, and the University of Texas campus to the south (across Dean Keeton Street). The zoning request is for Community Commercial-Mixed Use (GR-MU).

Roadways

Dean Keeton Street is classified as a major, divided six lane arterial roadway and measures 68 feet in pavement width. Dean Keeton Street has 130 feet of right-of-way and access is not proposed from the roadway. The speed limit of Dean Keeton, adjacent to the subject property, is 30 miles per hour (MPH). There are back-of-curb sidewalks along the property frontage and the roadway is classified as a "medium-comfort" bikeway.

Hampton Road is classified as a residential local roadway under Section 25-6-114(C) of the Land Development Code and measures 25 feet in pavement width. Hampton Road has 44 feet of right-of-way and currently provides access to the site. The speed limit of Hampton Road, adjacent to the subject property, is 25 miles per hour (MPH) and there are back-of-curb sidewalks along the property frontage.

Medical Arts Street is classified a neighborhood collector roadway and measures 35-57 feet in pavement width. Medical Arts Street has 70 feet of right-of-way and currently provides access to the site. The speed limit of Hampton Road, adjacent to the subject property, is 30 miles per hour (MPH) and there are back-of-curb sidewalks along the property frontage.

Item C-10

Trip Generation and Traffic Analysis

The City Council may deny a rezoning application if the neighborhood traffic analysis demonstrates that the traffic generated by a project combined with existing traffic, exceeds the desirable operating level established on a residential local or collector street in the study area.

Based on the Institute of Transportation Engineers Trip Generation Manual, 10th Edition, the proposed mixed use development would generate approximately 365 daily trips based on the proposed land uses and intensities (summarized in Table 1).

Table 1 – Estimated Daily Trip Generation*					
TRACT NUMBER	TRACT ACRES	ZONING	INTENSITY	LAND USE (ITE Code)	TRIPS PER DAY
1	0.99	GR-MU	11,789 SF	Medical Office (Code 720) (EQ)	365

* This is the total trips for the proposed land uses and intensities.

Driveway locations for this development are existing on Hampton Road and Medical Arts Street. Therefore, this analysis assumes an even distribution of trips to Hampton Road and Medical Arts Street. Table 2 presents the expected distribution of the 365 daily trips:

Table 2 – Trip Distribution	
Street	Vehicle Trips
Hampton Road	182 (50%)
Medical Arts Street	183 (50%)

According to the traffic data collected during the days of September 11 to September 13, 2018, the current average daily traffic volume on Hampton Road is 637 vehicles. As shown in Table 3 below, the projected daily trips from the site would increase the observed volumes on Hampton Road by up to 28.5%, if developed for the proposed land uses and intensities.

Table 3 – Estimated increase in daily traffic volumes				
Street	Existing Traffic (VPD)	Site Traffic	Total Traffic	Percentage Increase
Hampton Road	637	182	819	28.5%

Desirable Operating Level

According to Section 25-6-116 of the Land Development Code, residential local or collector streets are operating at a desirable level if the daily volumes do not exceed the following thresholds:

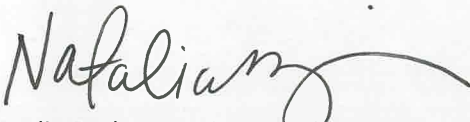
Pavement Width	Vehicles Per Day
Less than 30'	1,200
30' to less than 40'	1,800
40' or wider	4,000

Item C-10

Conclusion and Recommendations

1. This NTA memorandum findings are based upon an assumed intensity of 11,789 square feet of medical office. Development of this property should not vary from the approved uses, nor exceed the intensities and assumptions within this staff memorandum, including land uses, trip generation estimates, trip distribution, or other identified conditions. If the proposed uses, intensities, or traffic operations differ from this neighborhood traffic analysis, a revised Neighborhood Traffic Analysis or Traffic Impact Analysis shall be required at the time of site plan application and further mitigation may be required.
2. The potential trips generated by this site based on the proposed land use intensities, in combination with the existing traffic of Hampton Road, are estimated to be 819 total vehicle trips per day. The total combined vehicle trips per day does not exceed the threshold set forth in the LDC 25-6-116. Therefore, no mitigation is required for the development of this site.
3. Hampton Road requires 50 feet of right-of-way in accordance with the TCM. 25 feet of right-of-way shall be dedicated from the centerline of Hampton Road at the time of the subdivision or site plan application, whichever comes first, in accordance with the TCM. LDC 25-6-55; TCM, Tables 1-7, 1-12. Additional right-of-way maybe required at the time of subdivision and/or site plan.
4. Proposed driveways and sidewalks shall comply with the criteria as set forth in the City of Austin Land Development Code and Transportation Criteria Manual. Vehicular access to Dean Keeton Street is not recommended.
5. The findings and recommendations of this NTA memorandum remain valid until October 19, 2023, after which a revised NTA or traffic impact analysis may be required.

If you have any questions or require additional information, please contact me at 974 - 3309.



Natalia Rodriguez, CNU-A, Planner III
Development Services Department