

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0096 (Echelon I & II Office) DISTRICT: 10

ADDRESS: 9430 Research Boulevard

ZONING FROM: LO

TO: GO

SITE AREA: 4.37 acres

PROPERTY OWNER: 183 Echelon LP (Glenn Jackson)

AGENT: Rivera Engineering (Michael A. Rivera)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMENDATION:

The staff's recommendation is to grant GO, General Office District, zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**September 3, 2019: Approved staff's recommendation of GO zoning by consent (9-0);
A. Denkler-1st, E. Goff-2nd.**

CITY COUNCIL ACTION:

October 3, 2019

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently developed with office buildings that are part of a larger office complex (Echelon) fronting Research Boulevard/U.S. Highway 183 North Bound. There are office uses and GO-CO, and LO zoning to the north, south and west. The property to the west, across Research Boulevard/ U.S. 183, is developed with a commercial retail center and zoned NBG-NP. The applicant is requesting GO zoning to allow for additional uses on the property and to be consistent with the GO-CO zoning to the north and south of this site.

The staff recommends GO, General Office District, zoning. The property meets the intent of the GO district as it is located on a major arterial/highway and provides services to the surrounding community.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

General Office district is intended for offices and selected commercial uses predominately serving community and city-wide needs.

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

The proposed GO zoning is consistent with the surrounding commercial and office uses. There are office uses and GO-CO, and LO zoning to the north, south and west. The property to the west, across Research Boulevard/ U.S. 183, is developed with a commercial retail center and zoned NBG-NP.

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

GO zoning will permit the applicant to develop additional uses on the property and the proposed zoning will be consistent with the zoning/land use patterns in this area.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|-----------------|---|
| <i>Site</i> | LO | Office (Echelon) |
| <i>North</i> | GO-CO | Office (Echelon) |
| <i>South</i> | GO-CO | Office (Kaleido) |
| <i>East</i> | Highway, NBG-NP | U.S. Highway 183 NB, Commercial Retail Center |
| <i>West</i> | LO, MF-2 | Office (Executive Oaks), Multifamily |

NEIGHBORHOOD PLANNING AREA: N/ATIA: DeferredWATERSHED: Bull Creek WatershedNEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Neighborhoods Council
 Bike Austin
 Bull Creek Foundation
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Mesa Point Homeowners Association
 Neighborhood Empowerment Foundation
 North Burnet/Gateway Neighborhood Plan Staff Liaison
 Northwest Austin Civic Association
 Northwest Austin Coalition
 NW Austin Neighbors
 SELTEXAS
 Sierra Club, Austin Regional Group
 TNR BCP-Travis County Natural Resources

CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|---|--------------------|--|--|
| C14-06-0089 (Echelon Four: 9444 Block of Research Boulevard NB) | LO to GO-CO | 5/16/06: Approved rec. of GO-CO by consent, with a CO to limit the development intensity for the site to less than 2,000 vehicle trips per day (8-0). | 6/08/06: Approved GO-CO zoning by consent (7-0); all 3 readings |
| C14-06-0088 (Echelon Three: 9398 Block of Research Boulevard) | LO and LR to GO | 5/16/06: Approved staff's rec. for GO-CO zoning by consent with a CO to limit the development intensity for the site to less than 2,000 vehicle trips per day (8-0). | 6/08/06: Approved GO-CO zoning by consent (7-0); all 3 readings |
| C14-05-0073 (Grace Covenant Church: 9500 Research Boulevard) | MF-2 to GO | 6/21/05: Approved staff's rec. GO zoning by consent (8-0) | 7/28//05: Approved GO zoning by consent (7-0); on all 3 readings |

| | | | |
|--|----------------|--|--|
| C14-01-0092 (Grace Covenant Church: 9310 Jollyville Road) | GO-CO to GO-CO | 7/31/01: Approved staff rec. of GO-CO, with CO to limit the property to 1) LO site development regulations, 2) limit trips to 2,000 per day, 3) limit FAR to a max of 0.15 to 1, 4) prohibit all GO uses except those permitted in the LO district, off-site accessory parking and secondary educational facilities and 5) provide landscape buffer of 50' along southwest property line and 10' along western and southern property line (8-0). | 8/30/01: Approve GO-CO with conditions (7-0); all 3 readings |
|--|----------------|--|--|

RELATED CASES: C14-86-309 (Previous Zoning Case)

OTHER STAFF COMMENTS:

Comprehensive Planning

This property is located on the east side of Jollyville Road and west side of the Research Boulevard Service Road, on a 4.37-acre property, which contains two multi-story office buildings and a parking garage. Surrounding land uses to the north include several multi-story office buildings and a church; to the south are several multi-story office buildings; to the east is U.S. Highway 183 and office, medical and retail uses; and to the west is a condominium complex, an office building, single family housing and vacant land. The proposal is to obtain GO zoning to permit the College and University Facilities use on the property.

Connectivity

The Walkscore for this property is **52/100, Somewhat Walkable**, meaning some errands can be accomplished on foot. A public sidewalk is located on one side of Jollyville Road, where the subject property is located and intermittently on the west side of Jollyville Road. There is no access onto the Research Boulevard Service Road from this property. The property is located within a half a mile of two Cap Metro transit stops, located on Lake Creek Parkway.

Imagine Austin

The portion of Jollyville Road is not located along an Activity Center or Activity Corridor. The following policies apply to this request:

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

The mobility and connectivity options (retail and recreational uses) are limited in the area and a car is necessary to access land uses within a mile of this property. Based on the comparative scale of the existing multi-story office buildings relative to nearby multi-story office buildings, commercial and residential uses located within a quarter mile of this site, ***which is the predominant character of this area***, this project appears to support Imagine Austin policies.

Environmental

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

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.

At this time, site specific information is unavailable regarding 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 sq. ft. 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.

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

FYI: The subject property is included in an approved site plan (SP-2014-0414C).

Compatibility Standards

The site is subject to compatibility standards due to proximity of SF-4A-CO zoning to the southwest of the property. The following standards apply:

- 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.
- 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 zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

Demolition and Historic Resources

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Residential Design Standards Overlay

The site is subject to 25-2 Subchapter F. Residential Design and Compatibility Standards.

Transportation

Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

FYI: If the site plan exceeds 2,000 trips, then a traffic impact analysis will be required.

FYI: Jollyville Road has a right of way requirement of 104'. At time of site plan, right of way will be required to be dedicated equaling 52' from the existing centerline of Jollyville Road.

Staff does not recommend a conditional overlay trip limitation. A traffic impact analysis may be required at time of site plan.

Existing Street Characteristics:

| Name | ROW | Pavement | Classification | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|---------------------|------------|-----------------|-----------------------|------------------|----------------------|--------------------------------------|
| Jollyville Road | ~100' | 46' | Commercial Collector | One side | Yes | No |
| Research Blvd (183) | ~523' | | Highway | No | Yes | No |

Austin Water Utility

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fees once the landowner makes an application for Austin Water utility tap permits.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Applicant's Request Letter

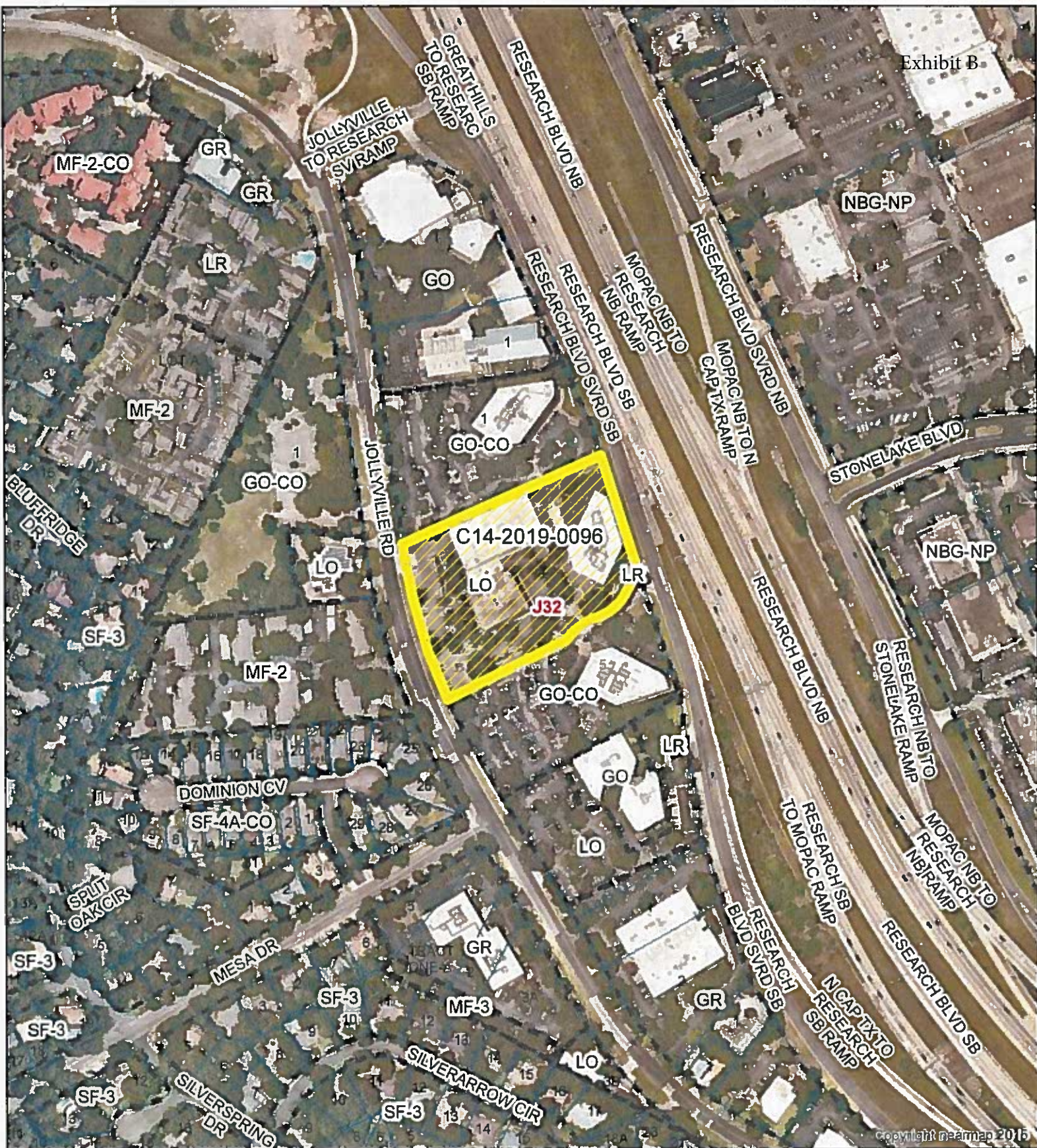






Exhibit B



1" = 300'

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

183 ECHELON LP

ZONING CASE#: C14-2019-0096
 LOCATION: 9430 1/2 RESEARCH BLVD. RD. SB
 SUBJECT AREA: 4.372 ACRES
 GRID: J32
 MANAGER: Sherri Sirwaitis



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.

RIVERA ENGINEERING TX PE FIRM REGISTRATION NO. F-11492

P.O. Box 90485 – Austin, Texas 78709-0485 – Telephone (512) 899-3310 – Email: michaelriveraengineering@gmail.com

July 22, 2019

Ms. Sherri Sirwaitis
Planning and Zoning Dept.
City of Austin
505 Barton Springs Road
Austin, Texas 78704

via Hand Delivery

**Re: Echelon I & II Office Site – 9430 Research Boulevard
Rezoning Application for Change from LO to GO**

Dear Sherri:

Attached please find the rezoning application and support documents for the Echelon I & II Office site. The subject property address is 9430 Research Boulevard, and contains 4.372 acres. As indicated on the enclosed application, the property owner is requesting a zoning change from LO to GO zoning.

As communicated via email, this request is consistent with the current zoning of the adjacent properties of either side of the site (Echelon III & IV). The subject property is the one that a man flew his plane into back in 2010. The IRS was occupying the space in the building at the time of the crash. The building was very seriously damaged by the plane, and required extensive repairs. The plans for repairs first started with addressing and resolving the complicated issues resulting from the crash. Next extensive repairs were required to complete the building shell. After that, the limited parking on the site and Great Recession made it difficult to lease the property. To help resolve the problem, in 2014 we submitted a site plan application for a parking garage. The garage was to be built on the existing parking lot to increase the parking on the site (site plan case number SP-2014-0414B). That site plan was approved on August 25, 2015. However, the city approval was subsequently temporarily revoked due to issues with the existing wastewater service to the adjacent Echelon IV property. An official revocation notification letter was issued by the city on February 22, 2016. A site plan correction was then processed addressing the adjacent wastewater service, and the city approval was granted March 31, 2016 (correction 1). Construction of the parking garage was then able to proceed. Construction was completed in 2018, and a certificate of occupancy issued in May 2018.

Ms. Sherri Sirwaitis
July 22, 2019
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With the plane crash, along with the limited parking on the original site (1980s site plan), the owner has been struggling to get the buildings occupied. The request for the zoning change would allow for additional uses in the buildings, and would provide more flexibility. The change in zoning could provide more options for the property to be fully occupied. One potential tenant that has shown interest in leasing a portion of the buildings is Concordia University. That use would be permitted under GO zoning, and the ADT could be kept below 2,000 trips per day. A CO to that effect would be acceptable to the property owner (limiting the ADT to less than 2000 trips per day).

As noted previously, the adjacent sites on either side of the property were granted a change to GO zoning. The owner would like to ask for that same consideration.

Enclosed please find a copy of the email from Glenn Rhoades with the city Development Assistance Center confirming that the city staff did give their preliminary positive recommendation to our request. We look forward to the city staff's formal consideration of our request for the zoning change. Should you have any questions about our request, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M.A.R.', is positioned above the printed name.

Michael A. Rivera, P.E.
President
Rivera Engineering
TX PE Firm Registration No. F-11492

Attachments

Rhoades, Glenn <Glenn.Rhoades@austintexas.gov>
To: Michael Rivera <michaelriveraengineering@gmail.com>

Fri, Jul 19, 2019 at 1:36 PM

Mr. Rivera,

Staff's PRELIMINARY recommendation would be to rezone to GO. If you have questions let me know.

Glenn Rhoades

Planning Officer

City of Austin Development Services Department

Development Assistance Center

One Texas Center – 1st Floor