

**ZONING AND PLATTING COMMISSION-
SITE PLAN- EXTENSION REVIEW SHEET**

CASE NUMBER: SP-2007-0549B(XT3)

ZAP HEARING DATE: Jan. 4, 2022
ZAP Postponement on Dec. 21, 2021

PROJECT NAME: Kallestad Laboratories, Inc. - PRA Site Plan

ADDRESS OF SITE: 10010 FM 2222 Road

COUNCIL DISTRICT: 10

WATERSHED: Bull Creek
(Water supply suburban)

JURISDICTION: Full Purpose

**APPLICANT/
OWNER:** Tom Stacy, Austin Baptist Church
9003 Waterford Centre Blvd, Ste 100
Austin, TX 78717

AGENT: Richard Suttle, Armbrust & Brown
100 Congress Ave, Ste. 1300
Austin, TX 78701

(512) 435-2378

CASE MANAGER: Rosemary Avila
rosemary.avila@austintexas.gov

(512) 974-2784

PROPOSED DEVELOPMENT:

The applicant is requesting a fifteen year extension to a previously approved site plan. The proposed development is religious assembly.

SUMMARY STAFF RECOMMENDATION:

Staff does not recommend the 15 year extension. Staff does recommend a ten year extension to this site plan permit expiration.

25-5-63(C) Extension of released site plan by the Land Use Commission: “the Land Use Commission may extend the expiration date of a released site plan beyond the date established by this chapter if the Land Use Commission determines that the request complies with the requirements for extension by the director under 25-5-62 (*Extension of Released Site Plan by Director*).”

25-5-62(C) The director may extend the expiration date of a released administrative site plan one time for a period of one year if the director determines that there is good cause for the requested extension; and

“ (1) the director determines that:

- (a) the site plan substantially complies with the requirements that apply to a new application for site plan approval;
- (b) the applicant filed the original application for site plan approval with the good faith expectation that the site plan would be constructed;
- (c) the applicant constructed at least one structure shown on the original site plan that is suitable for permanent occupancy; or
- (d) the applicant has constructed a significant portion of the infrastructure required for development of the original site plan; and”

SUMMARY OF SITE PLAN:

LAND USE: The site is zoned R&D-PDA, all site calculations are within the allowed amount. The applicant filed the original application for site plan approval with the good faith expectation that the site plan would be constructed.

ENVIRONMENTAL: All environmental comments have been cleared.

AUSTIN TRANSPORTATION DEPT: All ATD comments have been cleared.

PREVIOUS APPROVALS

02/27/2008 Site Plan administrative approval, permit 3 year expiration 02/27/2011

12/20/2011 One year Site Plan Extension administrative approval, permit expiration 02/27/2012

06/19/2012 9 year 6 month extension granted by ZAP, permit expiration 08/31/2020

Mayor's Covid 19 orders extended all expirations to 12/31/2021

PROJECT INFORMATION

SITE AREA	393,151 sf	9.0255 acres
EXISTING ZONING	R&D-PDA	
	Allowed	Proposed
FLOOR-AREA RATIO	0.25:1	0.23:1
BUILDING COVERAGE	--	16.83%
IMPERVIOUS COVERAGE	45%	44.84%
PARKING	250 required*	247 provided

*This site has off-site parking with adjacent site The Offices at Ribelin Ranch- SPC-07-0497C.

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	R&D-PDA	Religious Assembly
<i>North</i>	PUD	Religious Assembly
<i>South</i>	ROW, then SF-2	FM 2222 Vacant
<i>East</i>	PUD	Vacant
<i>West</i>	ROW, then R&D	McNeil Drive, Office

ABUTTING STREETS

Street	Right-of-Way Width	Pavement Width	Classification
McNeil Drive	145'	46'-87'	Level 1 ASMP
FM 2222 Rd	110' Avg	82'-111'	Level 4 ASMP

NEIGHBORHOOD ORGANIZATIONS:

2222 Coalition of Neighborhood Associations, Inc.

Austin Lost and Found Pets

Bike Austin

Bull Creek Foundation

Canyon Creek HOA

Friends of Austin Neighborhoods

Glenlake Neighborhood Association

Lake Austin Collective

Leander ISD Population and Survey Analysts

Long Canyon Homeowners Association

Long Canyon Phase II & III HOA Inc.

Mountain Neighborhood Association (MNA)

Neighborhood Empowerment Foundation

Riverplace HOA

SEL Texas

Sierra Club, Austin Regional Group

Steiner Ranch Community Association

Westminster Glen HOA

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

RICHARD T. SUTTLE
(512) 435-2310
rsuttle@abaustin.com

July 27, 2020

Denise Lucas, Director
City of Austin, Development Services Department
505 Barton Springs Road
Austin, Texas 78704

Re: Site Plan Extensions for The Offices At Ribelin Ranch Phase I (SPC-2007-0497C(XT2).MGA) and Kallestad Laboratories-PRA (SP-2007-0549B(XT2)) (the "Application")

Dear Mrs. Lucas:

Our firm represents Austin Baptist Church ("Church"), the owner of the above referenced properties. The Church has owned and occupied the properties since January 12, 2011. They have constructed buildings and infrastructure in furtherance of its project and respectfully requests to extend the approved site plans for The Offices At Ribelin Ranch Phase I and Kallestad Laboratories-PRA Site Plan referenced by City of Austin Case No. SPC-2007-0497C(XT2).MGA and SP-2007-0549B(XT2) (the "Project"). This request is made in accordance with Section 25-5-63 of the Land Development Code ("LDC").

Under Section 25-5-63(C), the Land Use Commission may extend the expiration date of a released site plan beyond the date established if the Land Use Commission determines that the request complies with the requirements for extension by the director under Section 25-5-62. According to Section 25-5-62(C), an applicant must satisfy provisions (C)(1) and (2), however, under provision (1), the applicant must comply with any, but not all, of subsections (a) through (d). For this project, the Applicant has satisfied subsection (b), (c), and (d). In accordance with subsection (b), the applicant filed the original site plan with a good faith expectation that the site plan would be constructed. However it has taken much longer than originally expected since fundraising is required to complete the Project and the COVID-19 pandemic has hindered these efforts. Since Austin Baptist Church must raise funds to be able to construct facilities, they would like the ability to extend the site plan for approximately fifteen years until August 31, 2036.

For background, the existing site plans were granted a Land Use Commission approved extension until August 31, 2021 through Austin Case No. SPC-2007-0497C(XT2).MGA and SP-2007-0549B(XT2). Furthermore, subsection (c) and (d) requires that an applicant must construct at least one structure shown on the original site plan that is suitable for permanent occupancy,

{W0972707.2}

ARMBRUST & BROWN, PLLC

Page 2

and that a significant portion of the required infrastructure is complete. A majority of the development has been constructed with the exception of a maintenance building and additional parking.

Similar to provision (1), provision (2) requires that an applicant satisfy either subsection (a) or subsection (b). Subsection (a) states, "the director determines that if a traffic impact analysis was submitted with the application for site plan approval, the assumptions and conclusions of the traffic impact analysis are valid." Under the original site plans submitted for the property the development assumptions of the originally approved TIA, that was submitted with the Planned Unit Development zoning case (C814-04-0061), are still valid as the land uses and densities that have been constructed to-date do not exceed what was originally contemplated. The original site plan (SPC-2007-0497C) assumed 124,000 square feet of general office as the land use. The proposed use, which has been mostly constructed as mentioned above, had a difference in daily trips between office and religious assembly use of 235 fewer trips than what was previously approved. This information was provided and approved with the previous site plan extension.

I'd like to have a call to discuss this unique situation. In the meantime if you have any questions, comments, or need additional information, please do not hesitate to contact me.

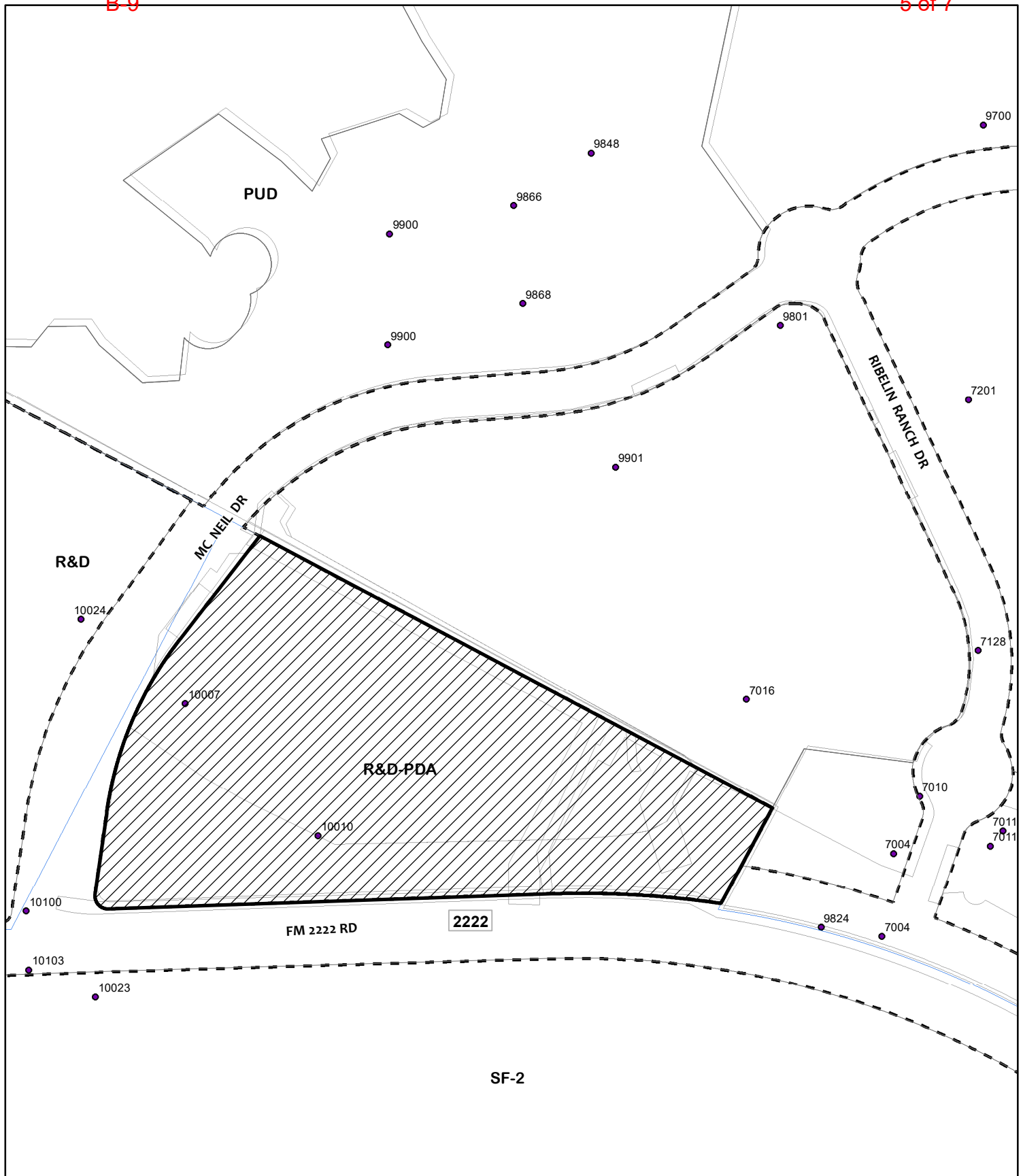
Thank you in advance,

Respectfully,



Richard T. Suttle

cc: Tom Stacy; Austin Baptist Church
Jonathan McKee; Garza EMC
Jewels Cain; Armbrust & Brown, PLLC



0 100 200 400 Feet

CASE#: SP-2007-0549B(XT3)
 ADDRESS: 10010 FM 2222 RD
 CASE NAME: Kallestad Laboratories, Inc. - PRA Site Plan
 MANAGER: Rosemary Avila



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 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.

OPERATOR: R. Avila

