ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0189 (4833 Spicewood Springs) DISTRICT: 10

ADDRESS: 4833 Spicewood Springs Road

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

SITE AREA: Tract 1: 0.588 acres
Tract 2: 0.558 acres
Total: 1.146 acres (49,924 sq. ft.)

property t

please see Owner's Amendment Request Letter - Exhibit G).

*On March 8, 2022, the a submitted a letter to the staff requesting to amend the rezoning request to LO-MU-CO, with a conditional overlay (CO) to limit the residential units to a maximum of 14 units on the property (*please see Applicant's Amendment Request Letter - Exhibit F)*.

PROPERTY OWNER: Spicewood Canyon, LP (Juan Creixell)

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

STAFF RECOMMENDATION:
Staff recommends LO-MU, Limited Office-Mixed Use Combining District, zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:
February 1, 2022 o o e e e bor re e o ebr r , 2022 b o e 0 0, r o e m , ree ber 2

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e , 2022 rove e e o o eme b e o 0 0, N r er o o e er , e 2

November 3, 2022

ORDINANCE NUMBER:

ISSUES:

please see Owner's Amendment Request Letter - Exhibit G).

CASE MANAGER COMMENTS:

The property in question is consists of a 1.146 acre area fronting Spicewood Springs Road that contains undeveloped land and an office building. The applicant is requesting LO-MU zoning because they would like to maintain the existing office use on Tract 1 and to build a residential condominium with 20 units on Tract 2.

The staff recommends LO-MU zoning because the site under consideration meets the intent and purpose statement of the Limited Office-Mixed Use combining district. LO-MU zoning will promote consistency and orderly planning because there is existing office zoning (LO, LO-CO) located to the north and west and residential zoning (SF-6-CO, MF-3, SF-3, SF-6) located to the north, northwest and south of the site under consideration. The property fronts onto and is accessible from Spicewood Springs Road, a major arterial roadway. The proposed zoning will permit the applicant to develop a mixture of residential, civic and office uses adjacent to other office and residential uses.

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.*

   Limited Office district is intended for offices predominately serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods.

   Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

   The property under consideration is accessible from Spicewood Springs Road, a major arterial roadway. The proposed zoning will permit the applicant to construct additional residential units in this area of the city adjacent to other office and residential developments.

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

   The proposed zoning will promote consistency and orderly planning because there is existing office zoning (LO, LO-CO) and residential zoning (SF-6-CO, MF-3, SF-3, SF-6) located along this portion of Spicewood Springs Road.

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

The zoning district would allow for a fair and reasonable use of the site because it would allow the applicant to have additional permitted uses and to add new residential uses on a site that fronts onto a major arterial roadway.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-3, LO	Undeveloped Area, Office (Spicewood Canyon Office Condos)
North	SF-3, LO	Office (Mueller & Associates Certified Public Accountants)
South	SF-3	Single Family Residences
East	SF-3	Undeveloped
West	LO-CO	Undeveloped Tract, Office (Per Stirling Office Complex)

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Deferred to Site Plan

WATERSHED: Bull Creek

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Lost and Found Pets
Austin Neighborhoods Council
Bull Creek Foundation
Bull Creek Homeowners Association
Friends of Austin Neighborhoods
Neighborhood Empowerment Foundation
Northwest Austin Civic Association
NW Austin Neighbors
SELTEXAS
Sierra Club, Austin Regional Group
TNR BCP- Travis County Natural Resources
2222 Coalition of Neighborhood Associations, Inc.

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2012-0153 (Spicewood Springs Office Rezoning: 4714 Spicewood Springs Road)	SF-3 to GO	1/15/13: Approved staff's recommendation of GO-CO zoning, with a CO to limit the development intensity to less than 2,000 vehicle trips per day and	2/14/13: Approved GO-CO zoning on consent on all 3 readings (7-0); S. Cole-1st, B. Spelman-2nd.

		will limit medical office uses to a maximum of 4,000 sq ft, adding conditions to limit impervious cover on the site to a maximum of 70% and to limit building coverage on the site to a maximum of 50% (5-1, B. Baker-No, P. Seeger-absent); G. Rojas-1st, C. Banks-2nd.	
C14-2008-0128 (5005 Spicewood Springs Road)	SF-2 to LO-MU	9/16/08: Denied staff rec. of LO-MU (7-0)	9/25/08: Approved SF-6 zoning (7-0); 1st reading only 10/16/08: Approved SF-6 zoning (7-0); 2nd reading 2/12/09: Approved SF-6-CO zoning (6-0); 3rd reading
C14-05-0202 (Crown Castle Spicewood Springs: 4919 Block of Spicewood Springs)	I-SF-3 to SF-6-CO	1/17/06: Approved SF-6-CO, with only permitted non-residential uses a telecommunication tower and permitted SF uses (7-0)	3/23/06: Approved SF-6-CO (7-0); all 3 readings
C14-05-0078 (Shelton Medical Office: 4615 Spicewood Springs Road)	SF-3 to LO	8/02/05: Approved LO-CO, with 50 vtpd limit (8-0)	9/01/05: Approved LO-CO zoning (7-0); all 3 readings
C14-04-0014 (Peppard: 4601 Spicewood Springs Road)	GO-CO to GO	3/02/04: Approved staff rec. of GO-CO, limiting medical office to 3,485 sq. ft., by consent (8-0)	4/01/04: Approved GO-CO on approximately 4,000 sq. ft. (7-0); 1st reading only 4/22/04: Approved GO-CO zoning (6-0); 2nd/3rd readings
C14-03-0164 (4810 Spicewood B: 4810 Spicewood Springs Road)	SF-3 to LO	1/06/04: Approved staff rec. of LO by consent (9-0)	1/29/04: Approved LO (5-0); all 3 readings
C14-00-2049 (Spicewood Office: Spicewood Springs Road)	SF-3 to LO	4/18/00: Approved staff rec. of LO-CO w/conditions to include list of neighborhood prohibited uses except for Family Home, Group Home and Counseling Services (8-0)	5/18/00: Approved PC rec. of LO-CO zoning on 1st reading (6-0, Lewis-absent) 6/22/00: Approved LO-CO zoning on 2nd/3rd readings (7-0)

RELATED CASES:

C14-83-109: Previous Zoning Case

EXISTING STREET CHARACTERISTICS:

The adjacent street characteristics table is provided below:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Spicewood Springs Rd.	118' – 130'	29'	ASMP Level 3	No	Bicycle Lane - Climbing	No

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case is situated on a 1.146-acre lot, which has an office and vacant land, which is located on the west side of Spicewood Springs Road, a heavily travelled corridor in this part of Austin. This case is not located within the boundaries of a neighborhood planning area. Surrounding land uses include office building to the north; single family housing to the south; heavily wood land to the west; and an office and vacant land to the east.
Proposal per the agent: The owner wants to rezone Tract 1 from LO to LO-MU and Tract 2 from SF3 to LO-MU. The owner plans on building a residential condominium with 20 units on Tract 2. Tract 1 already has an office building on it, and the property owner does not plan on doing anything to what is currently there. The SF-3 zoning does not allow for the owner to build the condos on Tract 2.

Connectivity: There are no sidewalks located along this portion of Spicewood Springs Road, nor any CapMetro transit stops located within walking of this property. Mobility and connectivity options are below average in the area.

Imagine Austin
The property is not located along an Activity Corridor or near an Activity Center. The following Imagine Austin policies are appliable to this project:

- **HN P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based on the project providing additional missing middle residential units but below average mobility and connectivity options in the area, this request appears to only partially support the policies of the Imagine Austin Comprehensive Plan.

Environmental

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	*% of Net Site Area*	*% NSA with Transfers*
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Development within a Water Quality Transition Zone is limited to 18%.

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Water Quality Transition Zone / Critical Water Quality Zone exist within 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.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

At this time, no existing information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments.

Parks and Recreation

Parkland dedication will be required for the new residential units proposed by this development, condominiums with LO-MU zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Parkland dedication fees shall be used toward park investments in the form of land

acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

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.

Compatibility Standards

The site is subject to compatibility standards due to the SF-3 lots on three sides (north, south, and west property lines).

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.

Wildland Urban Interface

This site is located within 150 feet of a wildland area, in the Wildland Urban Interface (WUI). Please see this website for more information about construction in the WUI: http://www.austintexas.gov/department/wildland-urban-interface-code

Scenic Roadways

This site is within the Scenic Roadway Sign District .All signs must comply with Scenic Roadway Sign District regulations. Contact Viktor Auzenne at 512-974-2941 for more information.

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

Transportation

Transportation Assessment:

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Additional right-of-way or easement may be required at the time of subdivision and/or site plan. The Austin Strategic Mobility Plan (ASMP) calls for 120 feet of right-of-way for Spicewood Springs Rd.

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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, off site 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.

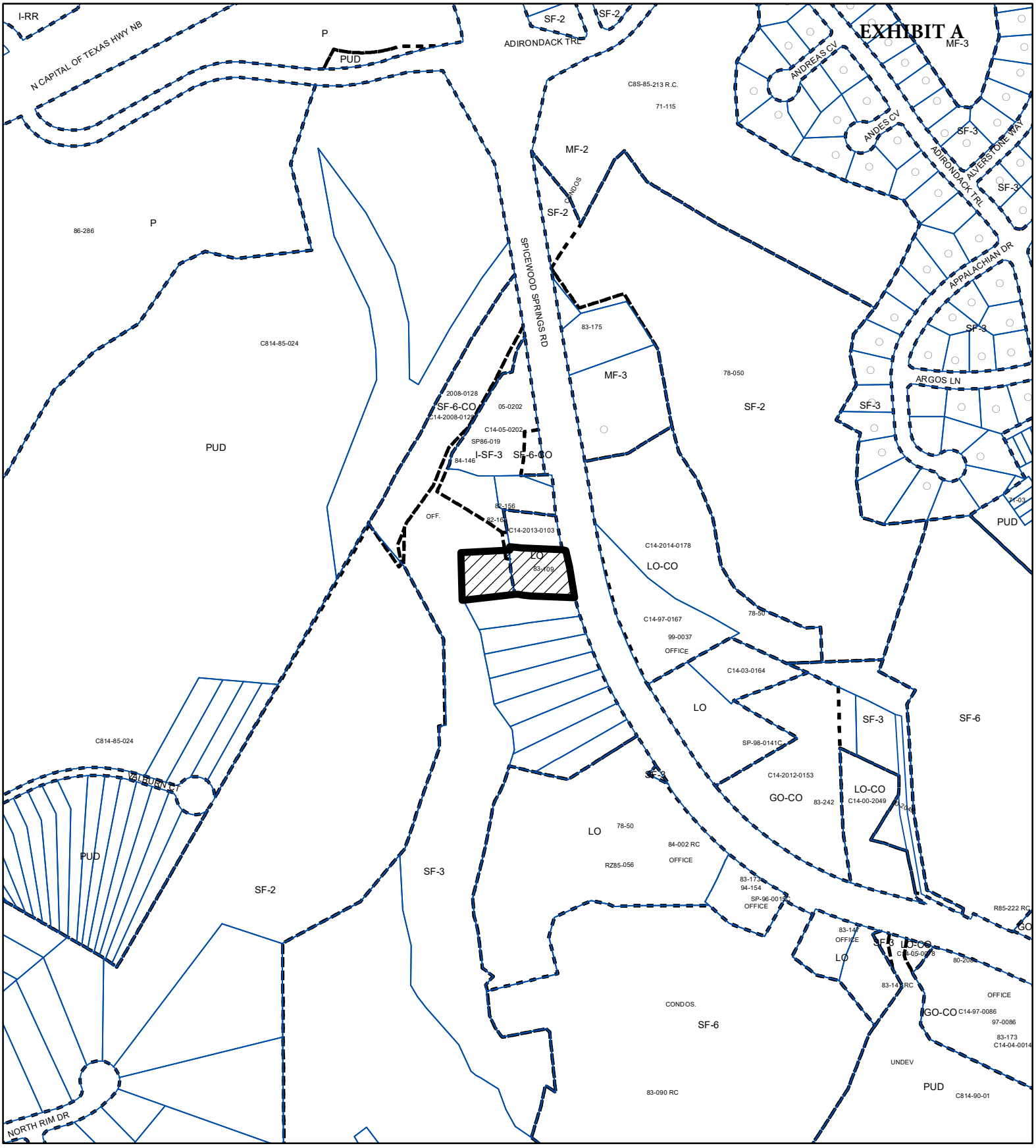
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

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

. Zoning Map
. Aerial Map
. Topography Map
. Applicant’s Request Letter
. Correspondence from Interested Parties
. A 's Amendment Request Letter

G.



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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1 " = 400 '

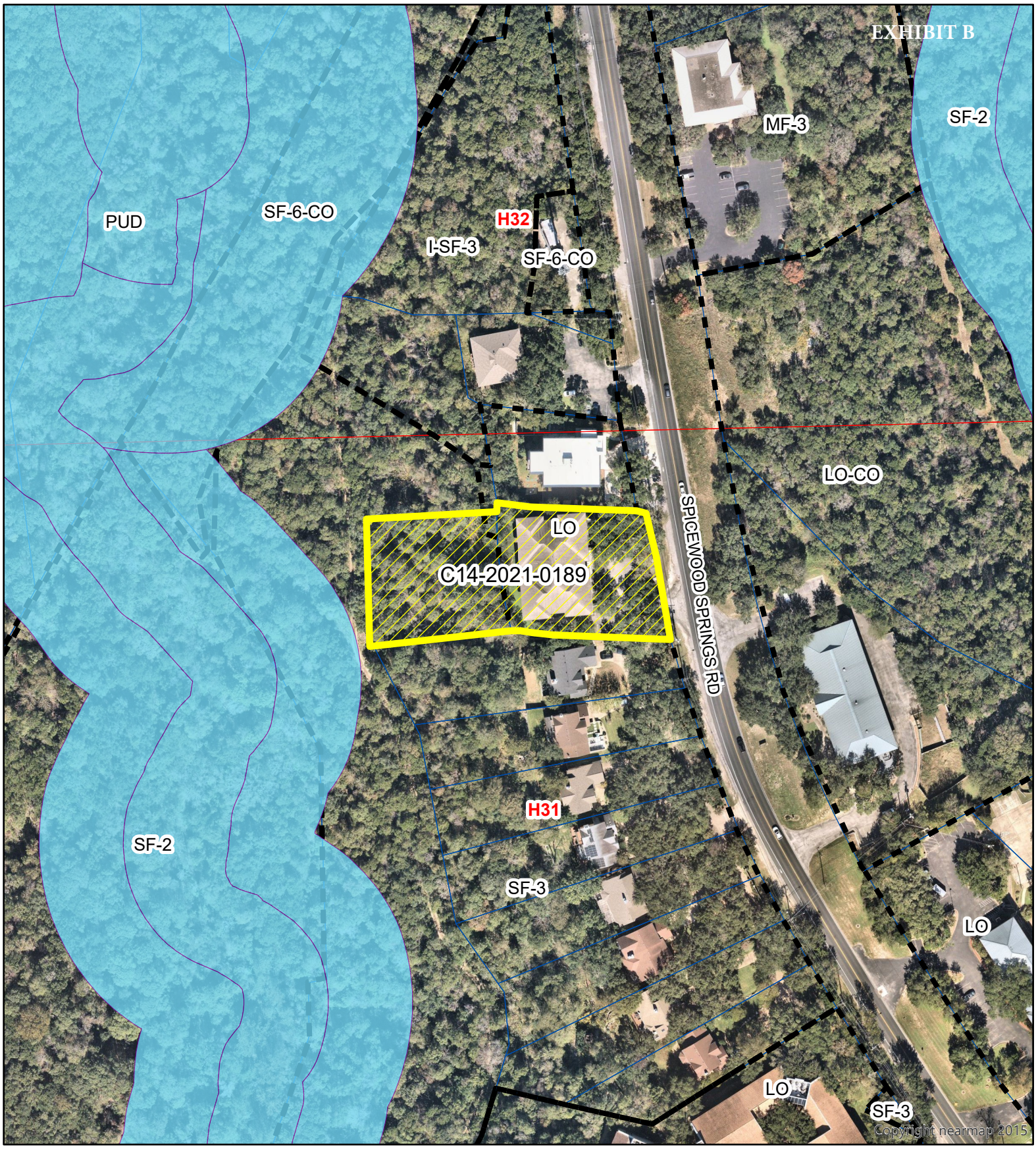
ZONING

ZONING CASE#: C14-2021-0189

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 Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or

Created: 12/15/2021



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SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

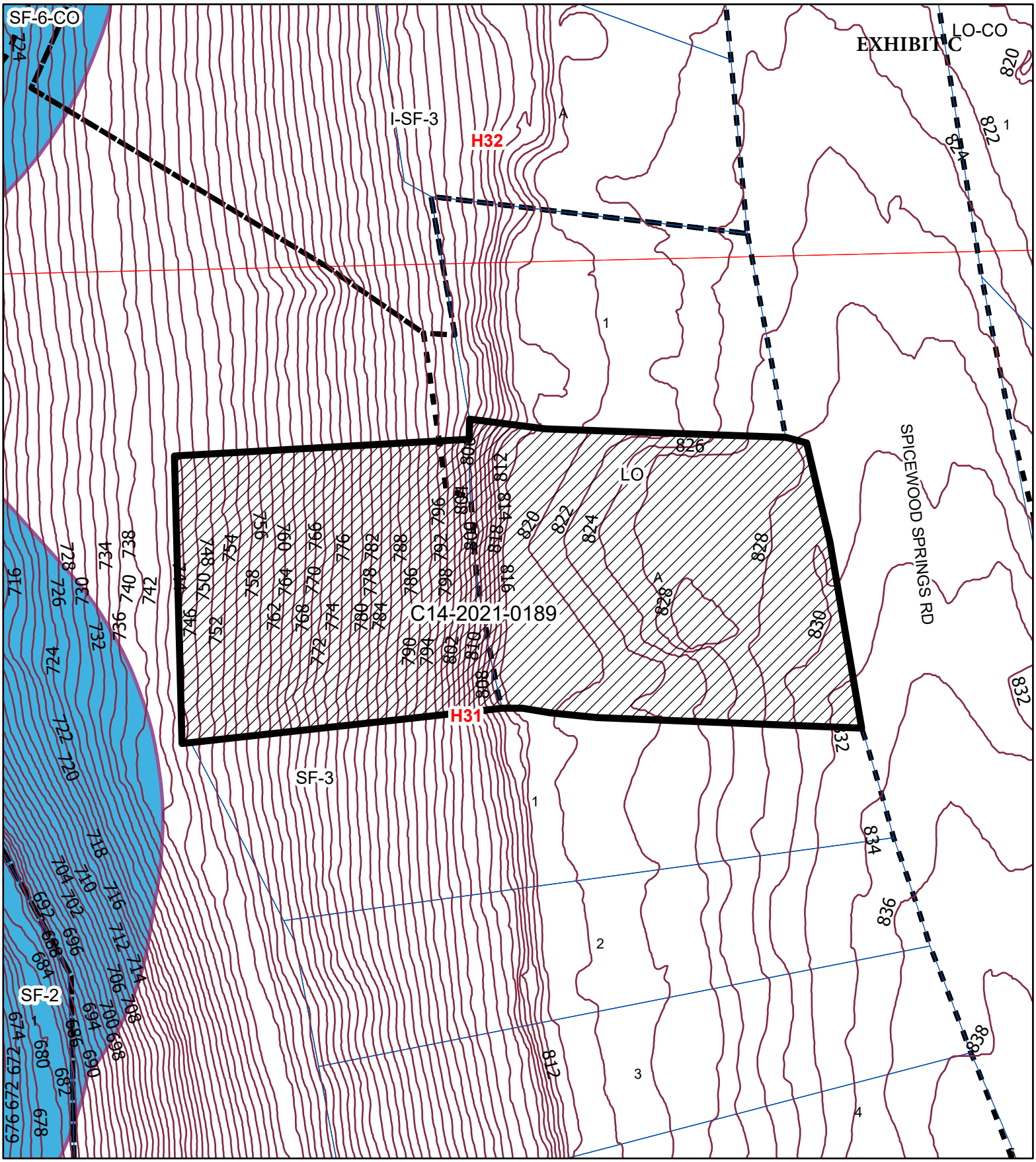
CREEK BUFFER

1=150'

4833 Spicewood Springs

ZONING CASE#:	C14-2021-0189
LOCATION:	4833 Spicewood Springs Rd
SUBJECT AREA:	1.146 Acres
GRID:	H32
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 by the City of Austin regarding specific accuracy or completeness.



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SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

4833 Spicewood Springs

ZONING CASE#: C14-2021-0189
LOCATION: 4833 Spicewood Springs
SUBJECT AREA: 1.146 Acres
GRID: H31
MANAGER: SHERRI SIRWAITIS

1" = 75

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EXHIBIT D

KEEPERS
LAND PLANNING

November 16, 2021

Letter of Intent
Rezone

4833 Spicewood Springs Rd., Tract 1&2, Austin, TX

Dear Land Management,
This letter is to provide you with the necessary information about this property for a rezone we are submitting for with the city.

We are requesting a rezone for the property with the above address. The owner is wanting to rezone tract 1 from LO to LO-MU and tract 2 from SF3 to LO-MU. The owner plans on building a residential condominium with 20 units on tract 2. Tract 1 already has an office building on it, and he does not plan on doing anything to what is currently there. The SF3 zoning does not allow for the owner to build the condos on tract 2, which is why we are wanting to rezone it.

Please, do not hesitate to reach out to us with any questions or concerns. Thank you in advance for your time.

Sincerely,

Ricca Keepers, MUP

Ricca Keepers, MUP

Keepers Land Planning
Land Planner
512-550-6508
KeepersLandPlanning.com

EXHIBIT E

From: Ben Luckens <>
Sent: Tuesday, February 1, 2022 10:02:37 AM
To: Denkler, Ann - BC <bc-Ann.Denkler@austintexas.gov>
Subject: C14-2021-0189

*** External Email - Exercise Caution ***

Good morning Ann

As you know, I'm a strong advocate for mixed-use development. In this case, however, I believe there are significant issues that need to be addressed before the MU zoning is granted,

The case itself is significant; the rezoning of 4833 Spicewood Springs Rd to LO MU is for an initial 20 units of residential on a half acre of vacant land with the potential for 20 more on the remaining half acre currently the site of a small office building.

I have three major concerns regarding the case none of which were fully addressed in the staff report

Water Quality/Environment- multifamily housing use allows for 40% impervious cover. According to floodplain maps there is a floodplain adjacent to the condo portion of proposed rezoning. Development within a Water Quality Transition Zone is limited to 18%. A determination of whether the site is in a Water Quality Transition Zone should be made before the City grants additional entitlements.

The staff report notes that, "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". A determination of whether the site contains critical environmental features should be made before the City grants additional entitlements.

Transportation- The staff report notes that "mobility and connectivity options are below average in the area" and that no "CapMetro transit stops are located within walking distance". There don't seem to be any transportation-related benefits from granting mixed-use zoning to the site. Given the one way in/one way out nature of the site adding multiple-family units on the site will likely increase congestion.

Precedent- Like sites are typically treated in a like manner by staff. Approving this zoning sets the stage for up-zoning the length of Spicewood Springs Road. Spicewood Springs Road is currently scheduled to be widened in the near term. This zoning case and those that will follow it seem poised to take advantage of the additional capacity provided from the widening project. That of course, will put us back where we started.

I really think it's time for the City to address environmental and transportation questions during the zoning phase of things rather than defer them until site plan phase. At that point, it's been determined that the development is appropriate for the site and all that's left is mitigation.

Ben Luckens
707-616-0608

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Ann Denkler
Boards and Commissions

Scheduled Meeting Disclosure Information: Written disclosure is required by visitors when attending a scheduled meeting with a City Official regarding a municipal question for compensation on behalf of another person. Anyone scheduling or accepting a meeting invitation with a City Official must either acknowledge that the disclosure requirement does not apply or respond to the following survey: https://www.surveymonkey.com/r/BCVisitorLog

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Northwest Austin Civic Association Board Resolution 2022-1

On February16, 2022 the Board of Directors of the Northwest Austin Civic Association (NWACA) voted 11-2-1 to object to the proposed rezoning of 4833 Spicewood Springs Road (C14-2021-0189) from LO and SF-3 to LO-MU.

The Board's primary concern was the environmental issues associated with the extreme slope of Tract 2 of the area proposed for rezoning.

In general, the Board supports mixed-use development and in-fill development at appropriate locations. In this case the proposed zoning is not appropriate for the site.

EXHIBIT F

KEEPERS
LAND PLANNING

March 1, 2022

Letter of Amendment
Rezone

4833 Spicewood Springs Rd., Tract 1&2, Austin, TX

Dear City Council,

In case the market and economics lead to the convenience of building residential units, the owner and Keepers Land Planning is amending the rezoning request to LO-MU-CO, with a conditional overlay (CO) to limit the residential units to a maximum of 14 units on the property.

We did originally request a rezone for the property, tracts 1 & 2, with the above address to LO-MU, but the Zoning Commission had some concerns about the topography of part of the lot. We will be submitting some additional documentation showing where the developments will be on the property and what the condos will look like. We want to paint a clear picture of the clients' intentions for the development, so that City Council can make the most educated decision.

Please, do not hesitate to reach out to us with any questions or concerns. Thank you in advance for your time.

Sincerely,

Ricca Keepers, MUP
Owner and Founder of Keepers Land Planning

Ricca Keepers, MUP

Keepers Land Planning
Land Planner
512-550-6508
KeepersLandPlanning.com

C S A
Realty Group

October 7, 2022

Ms. Sherri Sirwaitis
Case Manager
City of Austin

RE: Case Number: C14-2021-0189,
4833 Spicewood Springs Rd., Tract # 2
Austin, TX.

Dear Case Manager.

Let this letter serve as a request to amend the above referenced rezone case submitted to the city.

I'm currently the authorized applicant for this rezoning case to act on behalf of the owner during processing and presentation of this request. I shall be the principal contact with the City in processing this application instead of Keepers Land Planning.

I am requesting a rezone for the property's Tract # 2, at 4833 Spicewood Springs Rd., (see attached Land Status Determination) from **"SF3"** to **"LO".** The owner is requesting the rezone to be able to build a professional office within the allowable impervious cover instead of a single family. Tract # 1 currently has an office building on it and will not be changed.

I hope this case can be submitted to the City Council approval at the very next opportunity since this case has already been postpone.

Please do not hesitate to let me know if you have any questions or if you need additional information.

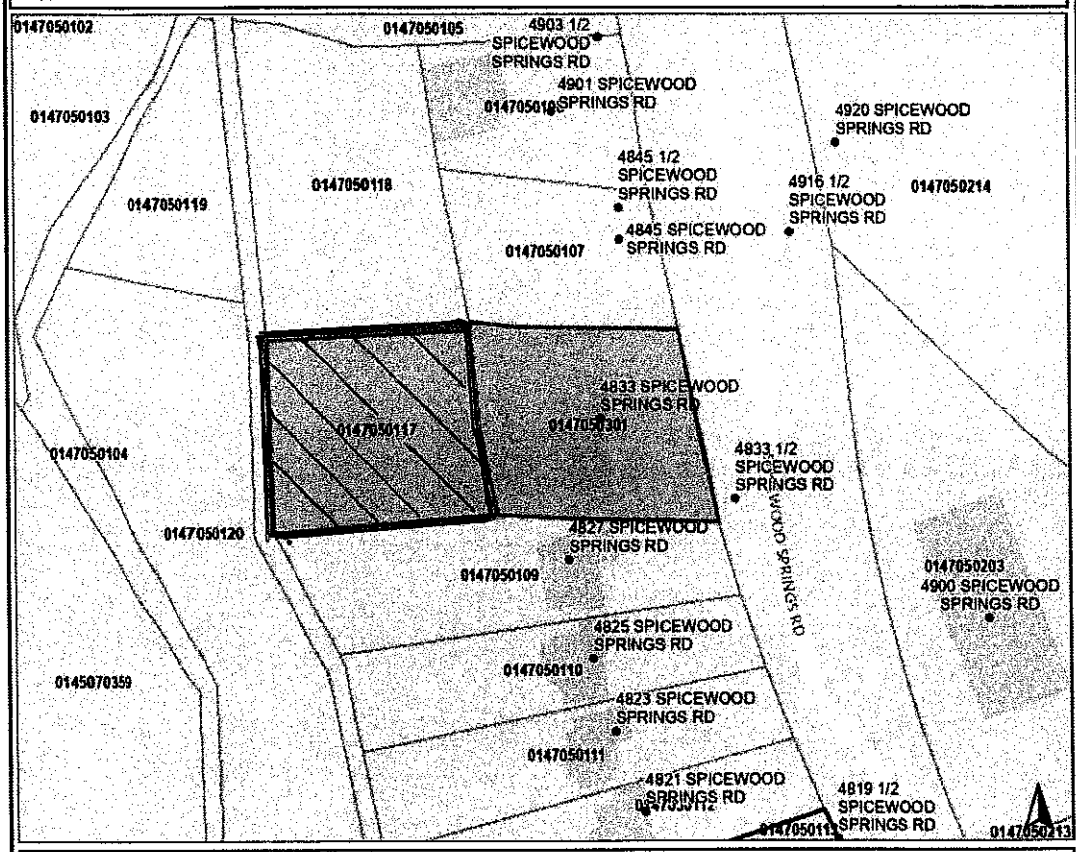
Sincerely yours,

Juan G. Creixell, CCIM

Cc: Kurt Cadena-Michell
Chief of Staff
Office of Council, District 10

8305 SHOAL CREEK BLVD.
AUSTIN, TEXAS 78757
www.csamgmt.com
CELL 512-415-1151
512/453-6566
FAX 512/453-6579

Property Profile





Legend

Property

Addresses

Jurisdictions (No Fill)

FULL PURPOSE

Appraisal Districts

TCAD Parcels

TCAD Parcel IDs

Jurisdictions Fill

Jurisdiction

FULL PURPOSE

Notes

4833 Spicewood Springs Rd

0 150 300 ft

9/30/2022

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City of Austin
Development Services Department
Land Status Determination
1995 Rule Platting Exception

September 30, 2022

File Number: **C8I-2022-0306**

Address: **4833 SPICEWOOD SPRINGS RD**

Tax Parcel I.D.# **0147050301, 0147050117** Tax Map Date: **09/30/2022**

The Development Services Department has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

> The parcel of land consists of five acres or less, and is described as being **0.588 AC & 0.558 AC TRACTS OUT OF JAMES H MITCHELL SUR 17 ABS 521** in the current deed, recorded on **Feb 06, 2020,** in **Document #2020019986, Travis** County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on **Aug 05, 1994,** in Volume **12244,** Page **1186, Travis** County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by **wastewater** service on **Dec 26, 1985.** The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:
NONE

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By: Kyle Kampe

Kyle Kampe, Planner III
Representative of the Director
Development Services Department