

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0173 (Stillhouse II Building 4)

DISTRICT: 10

ADDRESS: 4601 Spicewood Spring Road, Building #4

ZONING FROM: GO-CO

TO: GO-CO*

*The applicant is requesting a rezoning from GO-CO to GO-CO to remove Guidance Services as a prohibited use in Ordinance No. 040422-45.

SITE AREA: 7,400 sq. ft.

PROPERTY OWNER: The Muskin Company (Alan and Ellen Muskin)

AGENT: Hector Avila

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

STAFF RECOMMEDATION:

Staff recommends GO-CO, General Office-Conditional Overlay Combining District, zoning. The conditional overlay will maintain the following uses from the current ordinance: Art workshop, Business or trade school, Business support services, Club or lodge, College or university facilities, Communications services, Community recreation (private), Community recreation (public), Convalescent services, Cultural services, Hospital services (general), Hospital services (limited), Medical offices (exceeding 5000 sq. ft.), Off-site accessory parking, Personal services, Private secondary educational facilities, Residential treatment and Restaurant (limited).

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

February 21, 2023: Approved staff's recommendation of GO-CO zoning, to change a condition of zoning, by consent (10-0, C. Thompson-off the dais); H. Smith-1st, A. Denkler-2nd.

CITY COUNCIL ACTION:

March 23, 2023

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 7,400 sq. ft. building within an existing office complex. To the north across Spicewood Springs Road, there is a Pet Services use (Spicewood Springs Animal Hospital) zoned GO and office buildings zoned LO and NO. The tract of land to the south is zoned PUD and is developed with residential condominiums. To the east and west there are office uses that are zoned GO-CO, LO and LO-CO. The applicant is requesting a rezoning from GO-CO to GO-CO to change the current conditional overlay to remove Guidance Services as a prohibited use in Ordinance No. 040422-45. The agent stated that the guidance services use will be provided by Arbor Behavioral Healthcare and they will only occupy the second floor of the Alan Muskin offices. The services will be by appointments only and will not involve overnight/sleepovers.

The staff recommends the applicant's request to change the zoning ordinance for this property to remove Guidance Services as a prohibited use. The property still meets the intent of the General Office District as provides for office, civic and select commercial uses that predominately serve community and city-wide needs. The applicant's request is consistent with current city policy regarding the prohibition of the Guidance Services use. The Law Department has informed the staff that we can no longer prohibit the following uses based on city ordinance or state and federal statues: Congregate Living, Family Home, Group Home (of all types), Guidance Services, Local Utility Services, Religious Assembly, Residential Treatment, Telecommunication Towers and Transitional Housing.

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.

Conditional Overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

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

The proposed GO-CO zoning is consistent with the surrounding land use patterns as there are office uses and zoning to the north, east and west under the site under consideration.

3. *Zoning should allow for reasonable use of the property.*

This request to rezone this property from GO-CO zoning to GO-CO zoning to change the existing conditional overlay will permit the Guidance Services use on the property.

This recommendation is consistent with the City of Austin Law Department's determination that the city can no longer prohibit this use based on state and federal statutes or legal determinations.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-CO	Office (Stillhouse II)
<i>North</i>	GO, LO, NO	Pet Services (Spicewood Springs Animal Hospital), Office Buildings
<i>South</i>	PUD	Residential Condominiums
<i>East</i>	GO-CO, LO	Office Building, Office (4501 Spicewood Plaza)
<i>West</i>	GO-CO, LO-CO, PUD	Office (Parking, Detention Pond), Vacant Structure, Undeveloped Area

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Not Required

WATERSHED: Bull Creek

SCHOOLS: Austin I.S.D.

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Bull Creek Foundation
 Friends of Austin Neighborhoods
 Long Canyon Phase II & LLL Homeowners Association, Inc.
 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
C14-2014-0178 (Overlook at Spicewood Springs: 4920 Spicewood Springs Road)	SF-2 to LO	12/16/14: Approved staff's recommendation of LO-CO zoning, with the following added conditions: 1) Make Administrative and Business Offices, Medical Offices-exceeding 5000 sq. ft. gross floor area, Medical Offices-not exceeding 5000 sq. ft. of gross floor area and Professional Office conditional uses on the site, 2) limit the height to 35 feet or 2 stories and 3) and limit the development intensity to less than 500 vehicle trips per day (6-0, R. McDaniel-absent); G. Rojas-1 st , P. Seeger-2 nd .	2/12/15: Approved LO-CO zoning on 1 st reading with the following conditions: 1) Make Administrative and Business Offices and Professional Office conditional uses on the site., 2) Limit the development intensity to less than 500 vehicle trips per day, 3) The front façade of a building or structure on the property facing Spicewood Springs Road shall be limited to 28.5 feet above natural grade. The rear façade of a building or structure on the property shall be limited to 38.5 feet above natural grade. Notwithstanding, the above height limitation, the height, as defined by City Code, of a building or structure on the property is limited to 35 feet in height., 4) Total gross square footage of all buildings or structures, not including a vehicular parking facility, on the property is limited to 12,000 square feet., 5) Development on the property shall not exceed 32% impervious cover, and 6) Communications Services, Club or Lodge, College or University Facilities, Community Events, Congregate Living, Convalescent Services, Medical Offices-exceeding 5000 sq. ft. of gross floor area, Medical Offices-not exceeding 5000 sq. ft. of gross floor area, Off-site Accessory Parking, Day Care Services (Limited), Day Care Services (General), Day Care Services (Commercial), Hospital Services (Limited), Private Primary Educational Facilities, Private Secondary Educational Facilities, Public Primary Educational Facilities, Public Secondary Educational Facilities,

			<p>Residential Treatment, Telecommunications Tower and Urban Farm are prohibited uses on the site (Vote: 11-0).</p> <p>4/02/15: Approved LO-CO zoning on 2nd/3rd readings (7-2, A. Kitchen, L. Pool-No, S. Adler-reused himself); S. Gallo-1st, D. Zimmerman-2nd.</p>
C14-2014-0047 (Overlook at Spicewood Springs: 4920 Spicewood Springs Road)	SF-2 to GO	5/20/14: Approved the staff's recommendation for GO-CO zoning, with the condition that other than the 15-foot front yard setback, the site shall be limited to all other LO district site development standards, and include ROW dedication requirement (5-1, J. Meeker-No, R. McDaniel-absent); G. Rojas-1 st , C. Banks-2 nd .	8/28/14: Motion to keep the public hearing open and to adopt GO-CO zoning, with conditions and the exclusion of the 15 foot front yard setback, on first reading only failed (2-4, S. Cole, M. Martinez, L. Morrison and C. Riley-No); B. Spelman-1 st , L. Leffingwell-2 nd . Council Member K. Tovo was off the dais.
C14-2013-0103 (4845 Spicewood Springs Rezone: 4845 Spicewood Springs Rd)	I-SF-3, LO to LO	10/01/13: Approved staff's recommendation of LO zoning on consent (7-0); P. Seeger-1 st , S. Compton-2 nd .	10/24/13: Approved LO zoning on consent on all 3 readings (7-0); M. Morrison-1 st , B. Spelman-2 nd .
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 additional 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-1 st , C. Banks-2 nd .	2/14/13: Approved GO-CO zoning on consent on all 3 readings (7-0); S. Cole-1 st , B. Spelman-2 nd .
C14-2008-0128 (5005 Spicewood Springs Road)	SF-2 to LO-MU	9/16/08: Denied staff rec. of LO-MU (7-0)	<p>9/25/08: Approved SF-6 zoning (7-0); 1st reading only</p> <p>10/16/08: Approved SF-6 zoning (7-0); 2nd reading</p> <p>2/12/09: Approved SF-6-CO zoning (6-0); 3rd reading</p>
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); 1 st reading only 4/22/04: Approved GO-CO zoning (6-0); 2 nd /3 rd 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 1 st reading (6-0, Lewis-absent) 6/22/00: Approved LO-CO zoning on 2 nd /3 rd readings (7-0)

RELATED CASES:

SP-00-2554C – Site Plan Case

OTHER STAFF COMMENTS:Comprehensive Planning

Project Name and Proposed Use: 4601 SPICEWOOD SPRINGS RD. C14-2022-0173.

Project: Stillhouse II Building 4. 0.092 acres from / to GO-CO, to remove guidance services from the list of prohibited uses. Existing Use – four office buildings.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center:
	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Y	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
Y	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education: Located within 0.50 miles from a public school or university.
	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
Y	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
Y	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
4	Total Number of "Yes's"

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:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
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%.

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 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 fees may apply to any future site or subdivision applications resulting from this rezoning, GO-CO with a proposed use of guidance services. As of January 1, 2023, new commercial uses are subject to parkland dedication requirements at the time of site plan and subdivision.

Site Plan

No comments.

Transportation

The adjacent street characteristics table is provided below:

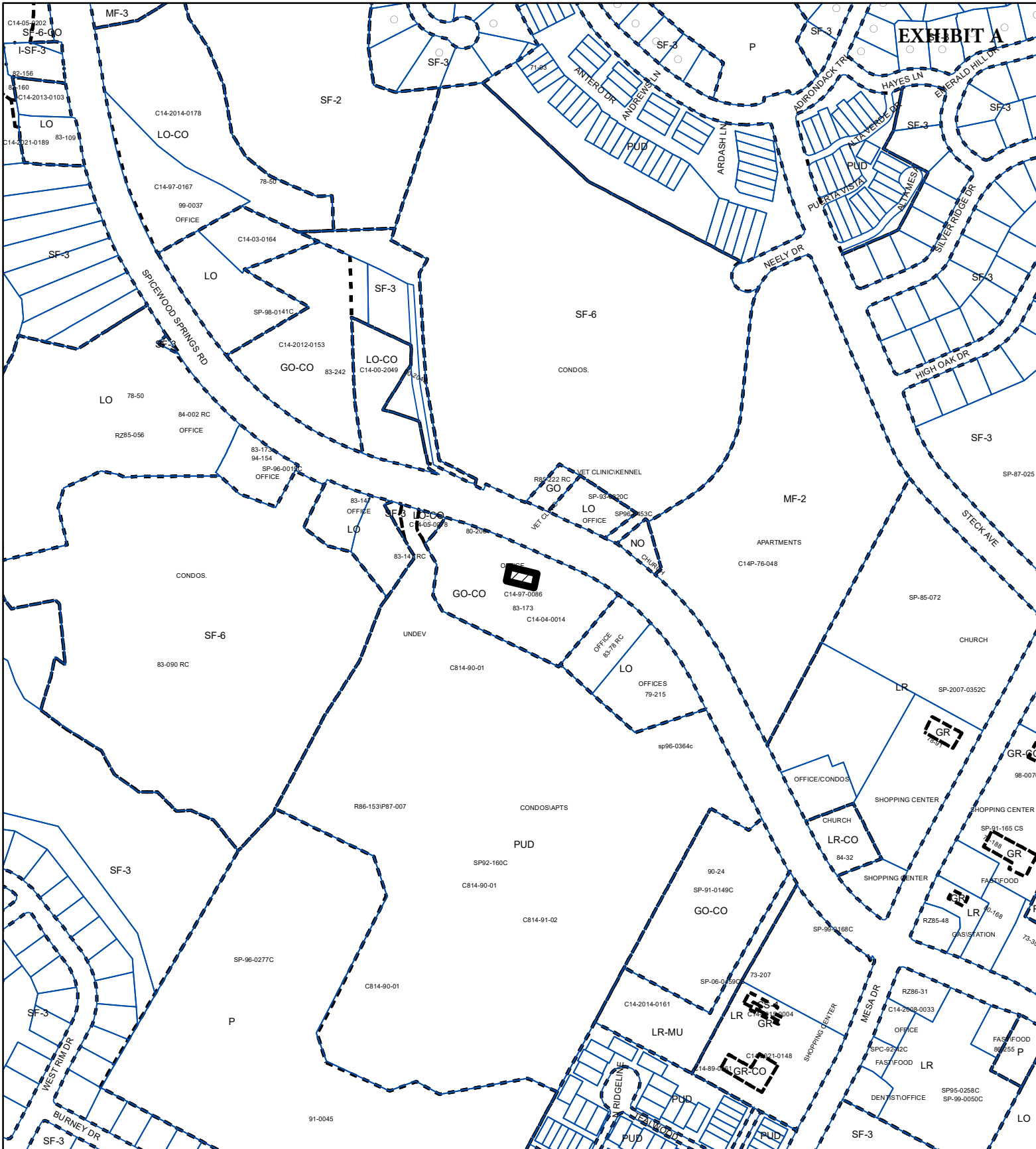
Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Routes	Cap Metro (1/4 mile)
Spicewood Springs Road	Level 3	120 feet	130 feet	54 feet	None	Yes, along project frontage	No

Water Utility

No comments.

INDEX OF EXHIBITS TO FOLLOW

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



ZONING

ZONING CASE#: C14-2022-0173



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

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: 12/12/2022

Created: 1/20/2023

Summary

4601 Spicewood Springs
Rd Unit 4

To: City of Austin
Zoning Planner

We hereby submitting this zoning change application from GO-CO to GO-CO to amended the conditional overlay restrictions that prohibited guidance services by removing that restriction in order to provide guidance services in part of unit 4 building

Thank you
Hector Avila