

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Southeast Combined
Neighborhood Planning Area (Franklin Park) **CASE#:** NPA-07-0014.01

ADDRESS: Teri Lane and Freidrich Lane (Southwest Corner) **AREA:** 3.6 acres

APPLICANT/OWNER: Southpark Office Partner's LTD.

AGENT: Jim Bennett Consulting (Jim Bennett)

Change in Future Land Use Designation

FROM: Office

TO: Industrial

PLANNING COMMISSION ACTION

July 10, 2007 - Planning Commission recommended a change from Office to Industrial (8-0).

STAFF RECOMMENDATION:

Staff recommends denial of the proposed Industrial land use designation.

BASIS FOR RECOMMENDATION

1. The proposed plan amendment is inconsistent with the adopted Future Land Use Map for the Southeast Combined Neighborhood Planning Area.
2. Industrial development is inappropriate at this location given the surrounding land uses which include Ponciana Park to the east, an established mobile home park to the south and an established single-family neighborhood located east of the site.
3. The section of Friedrich Lane adjacent to the subject tract is a substandard two-lane road that dead-ends at the Paisano Mobile Home Park. Locating an industrial use on a road that serves a residential development is generally seen as inappropriate as it creates a potential safety hazard by mixing industrial and residential traffic on a narrow road such as Freidrich Lane.
4. The proposed land use change on the undeveloped property is inconsistent with the expressed land use goals and action items [recommendations] of the neighborhood plan. Goal One (pg 53) states; "provide a balance of mixed-income housing options that will contribute to the neighborhood's vitality and stability and encourage development of land uses that promote the interaction between residential and non-residential uses." Goal One, Action Item Three (pg 53) states, "support the rezoning of undeveloped land in residential areas to make future development compatible with the prevailing residential land use scheme."

NEIGHBORHOOD AND NEIGHBORHOOD PLANNING TEAM RECOMMENDATION

The majority of the Planning Contact Team members support the plan amendment, and provided several letters of support, which are included in this backup. One team member opposes the land use change on the basis that no new development should occur in the area prior to the extension of Pleasant Valley Road south from Ben White Boulevard. Another property owner opposes the land use change on the basis of possible negative health repercussions from the Industrial land use that could be allowed on the subject tract. The residents of the adjacent Paisano Mobile Home Park and representatives of nearby neighborhood associations support the plan amendment, with conditions. The agreed-upon conditions between the property owner and the residents are addressed in the zoning request in a proposed conditional overlay.

BACKGROUND INFORMATION:

The Southeast Combined Neighborhood Plan was completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on October 10, 2002. The planning area is bounded on the north by Ben White Boulevard; on the south by Burleson Road, Smith School Road, the Texas Parks & Wildlife boundary, and Williamson Creek; on the east by U.S. Highway 183; and, on the west by I.H.-35.

The property located at 5200 Freidrich Lane located just south of this plan amendment request was the first Neighborhood Plan Amendment that was approved since the Southeast Combined Neighborhood Plan was adopted. The tract was originally approved with Mixed Use, but was changed to Industrial, after the amendment was approved on 9-29-05. Staff did not recommend approval of this plan amendment. At this time, the property is still vacant.

The amendment that is under review is for the property at Freidrich Lane and Teri Rd, which is currently undeveloped and is located on the southwest corner of the intersection. A vacant property (5200 Freidrich Ln) is located to the south; and a park and a single family neighborhood is located across the street, east of the property. The west property line is adjacent to a redeveloping commercial site, which was the former Wal-Mart site. The property does abut Freidrich Lane, a substandard, two-lane road that dead-ends into the mobile home park.

The first neighborhood plan amendment meeting was held on June 25, 2007 to gather input from the neighborhood and Neighborhood Contact Team. The majority of the Neighborhood Contact Team members and the meeting participants from the adjacent mobile home park and the neighborhood supported the land use change to industrial, with conditions.

NEIGHBORHOOD ORGANIZATIONS:

Southeast Corner Alliance of Neighborhoods
Dove Springs Neighborhood Association
Onion Creek Homeowners Association
Franklin Park Neighborhood Association
Peppertree Parkway Neighborhood Association
Kensington Park Homeowners Association
Barton Springs / Edwards Aquifer Conservation District
Onion Creek Homeowners Association
Austin Neighborhoods Council
Terrell Lane Interceptor Association
Paisano Mobile Home Park Neighborhoods Association
Southeast Neighborhood Planning Contact Team
Southeast Austin Trails & Greenbelt Alliance

CASE HISTORIES (Zoning and/or Neighborhood Plan Amendments):

NUMBER	REQUEST	CITY COUNCIL
NP-02-0014	Southeast Combined Neighborhood Plan	Approved 10-10-02
C14-02-0128.01	Franklin Park Neighborhood Plan Combining District Rezonings	Approved 10-10-02
NP-05-0014.01	Southeast Combined Neighborhood Plan	Approved 9-29-05
C14-05-0018	Franklin Park Neighborhood Plan Combining District Rezonings	Approved 9-29-05

CITY COUNCIL DATE: August 9, 2007**ACTION:****CASE MANAGER:** Gregory Montes (plan amendment)
Wendy Walsh (zoning case)**PHONE:** 974-2629
974-7719**EMAIL:** gregory.montes@ci.austin.tx.us
wendy.walsh@ci.austin.tx.us

May 25, 2007

City of Austin
Neighborhood Planning and Zoning Department
Maureen Mereedith
505 Barton Springs Rd.
Austin, Tx. 78704

RE: Zoning Change - Freidrich Ln. @ Teri Rd.

Dear Ms. Mereedith,

The Southeast Combined Neighborhood Planning Contact Team has been contacted by the owners of the property located on the south side of Teri Rd. from Freidrich lane to IH-35, commonly referred to as the Grocer's Tract and the Wal-Mart tract, concerning a Zoning change to "CS" and "LI".

The Southeast Combined Neighborhood Planning Contact Team supports the plan amendment being filed out of cycle and support the FLUM change and supports the proposed zoning change.

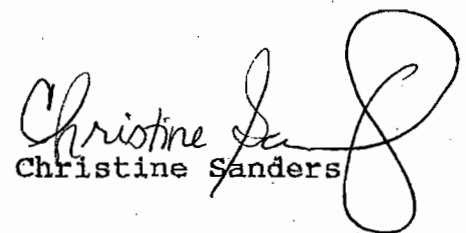
The Planning Contact Team authorizes Jim Bennett to act as our agent in processing this amendment and zoning change.

Our contact person is Diane Sanders and if you have any questions please give her a call.

Sincerely,


Shaundra Maloy


Sharon Parker


Christine Sanders

Diane Sanders
Chairman
SECNPT



Franklin Park Neighborhood Association
4803 Pewter Lane
Austin, TX 78744

February 14, 2007

Dear Mr. Bennett,

The Franklin Park Neighborhood Association is pleased to offer you and your client, Endeavor Properties, a letter of support for the zoning change you are requesting for the Wal-Mart from it's current zoning of GR to CS and the zoning change for the 3 ½ acre tract of land at the corner of Fredrich Lane and Teri Road from GO to LI. It is our understanding that your client wishes to place office warehouse buildings on this property or a parking lot for additional parking for the existing Wal-Mart building. We feel that this will be an asset for the community. If you have any questions or need any other assistance please feel free to call me at 916-1517.

Sincerely,

Diane Sanders

Diane Sanders
President

Kennsington Park Neighborhood Association

February 16, 2007

Dear Mr. Bennett,

The Kennsington Park Neighborhood Association, is pleased to offer you and your client, Endeavor Properties, a letter of support for the zoning change you are requesting at the corner of Fredrich Lane and Teri Road. It is our understanding that your client wishes to place office warehouse buildings on this property or a parking lot for additional parking for the existing Wal-Mart building. We feel that this will be an asset for the community.

Sincerely,

A handwritten signature in black ink, appearing to read "M. J. Sloan", followed by a long horizontal line extending to the right.

President
Kennsington Park Neighborhood Association

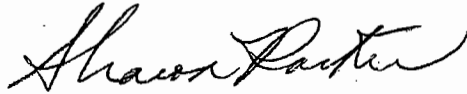
Peppertree Parkway Neighborhood Association

February 14, 2007

Dear Mr. Bennett,

The Peppertree Parkway Neighborhood Association is pleased to offer you and your client, Endeavor Properties, a letter of support for the zoning change you are requesting for the Wal-Mart from it's current zoning of GR to CS and the zoning change for the 3½ acre tract of land at the corner of Fredrich Lane and Teri Road from GO to LI. It is our understanding that your client wishes to place office warehouse buildings on this property or a parking lot for additional parking for the existing Wal-Mart building. We feel that this will be an asset for the community. If you have any questions or need any other assistance please feel free to call me at 442-0720

Sincerely,

A handwritten signature in cursive script, appearing to read "Sharon Parker".

Sharon Parker
President
Peppertree Parkway Neighborhood Association

June 24, 2007

Re: Proposed Plan Amendment and Rezoning for the property at the southwest corner of Teri Road and Freidrich Lane

Mr. Gregory Montes, Senior Planner

Dear Sir,

Please accept this letter to be submitted to Planning Commission and Council as proxy votes on the above stated plan amendment and rezoning (NPA-07-0014.01 and C14-2007-0073).

We are familiar with the subject property and surrounding area. We have spoken with the applicant's agent Mr. Jim Bennett. We understand from previous conversations the Neighborhood groups Franklin Park (Ms. Diane Sanders) and Piasano (Ms. Linda Hendry) support the uses allowed by these changes.

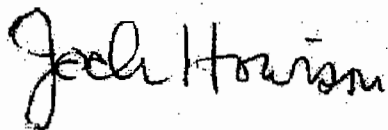
We, along with Mr. Lee Sloan, are old existing members of the Seatheast Combined Neighborhood Plan. Having spent many hours working on the plan, and our names put to the COA recently by Ms. Diane Sanders I am concerned that staff was not current on Contact Team members and thus we were not notified as such. This has lead to an unnecessary delay in processing this matter.

Our votes are as follows:

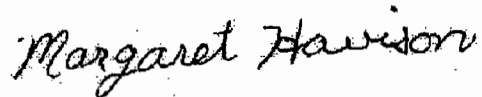
Margaret "Peg" Howison - IN FAVOR (I support the desires of those residents closer to the proposed change.)

Jack Howison - AGAINST (Although in favor of this type of development, I cannot support any project which will add traffic to the area until the much delayed and currently behind schedule extension of Pleasant Valley Road is completed.)

Sincerely,



Jack Howison
512-797-3467



Margaret "Peg" Howison
512-444-3467

4202 Afton Lane
Austin, Texas 78744
23 June 2007

Gregory Montes, Senior Planner
City of Austin
Neighborhood Planning and Zoning Department
Austin, Texas 78767

RE: Neighborhood Plan Amendment NPA-07-0014.01
and Rezoning C14-2007-0073

Dear Mr. Montes,

I support the applicant's request for the above-referenced change in the Southeast Combined Neighborhood Plan and the accompanying rezoning.

Sincerely,

A handwritten signature in black ink, appearing to read "M. L. Sloan", with a long horizontal flourish extending to the right.

M. L. Sloan
Member SEAC

If you use this form to comment, it may be submitted to:

City of Austin
Neighborhood Planning and Zoning Department
Gregory Montes
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-07-0014.01
Contact: Gregory Montes, 512-974-2629
Public Hearings:
Planning Commission on July 10th, 2007
City Council on August 9th, 2007

Antonio Esquivel

Your Name (please print)

5012 Merritt Drive

Your address(es) affected by this application

[Signature]

Signature

July 2, 2007

Date

☐ I am in favor
☒ I object

Comments:

I object to any industrial development in the neighborhood. I have a niece that lives nearby with asthma and I have two girls with asthma too. Why complicate their lives more with industries in this neighborhood, we do not need any more pollution in here. Please don't grant the zoning change our lives will all be healthier and better thank you

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed amendment. You may also contact a registered neighborhood organization that is within the planning area.

The proposed amendment will be reviewed and acted upon at two public hearings: by the Planning Commission and then, by the City Council.

The Planning Commission, after evaluating City staff's recommendation and public input, may recommend that the Council:

- approve the application as proposed;
- approve a more restrictive zoning classification than requested;
- approve the proposed or a more restrictive classification subject to conditions; or
- deny the application.

After a public hearing, the Council may:

- approve the application as proposed;
- approve a more restrictive zoning classification than requested;
- approve the proposed or a more restrictive classification subject to conditions; or
- deny the application.

For additional information on Neighborhood Plans, visit the website: www.ci.austin.tx.us/zoning/

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Case Number: NPA-07-0014.01

Contact: Gregory Montes, 512-974-2629

Public Hearings:

Planning Commission on July 10th, 2007

City Council on August 9th, 2007

DONATO JASO SR.

Your Name (please print)

5006 WEBER RD

78744-2844

Your address(es) affected by this application

512 444 8465

Donato Jaso

Signature

Date

July 07

Comments: do the place going to have an

fire alarm system at warehouse a

building system. do they are going

to have a pond the catch water when

it rains then drain off down the

do do it going to hold water like the

one on 34th street. do they need more

the south of the area the city has there

are other people have the rule.

Do they need the first meeting

☒ I am in favor
☐ I object

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Case Number: NPA-07-0014.01

Contact: Gregory Montes, 512-974-2629

Public Hearings:

Planning Commission on July 10th, 2007

City Council on August 9th, 2007

Your Name (please print) Jamil Alam

5015 S. IH-35

Your address(es) affected by this application

Signature

Date

Comments:



7/10/07

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Gregory Montes
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Austin, TX 78767-8810

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Case Number: NPA-07-0014.01

Contact: Gregory Montes, 512-974-2629

Public Hearings:

Planning Commission on July 10th, 2007

City Council on August 9th, 2007

Your Name (please print)

Maurice Bell
4402 Merritt Drive, Austin TX 78714

Your address(es) affected by this application

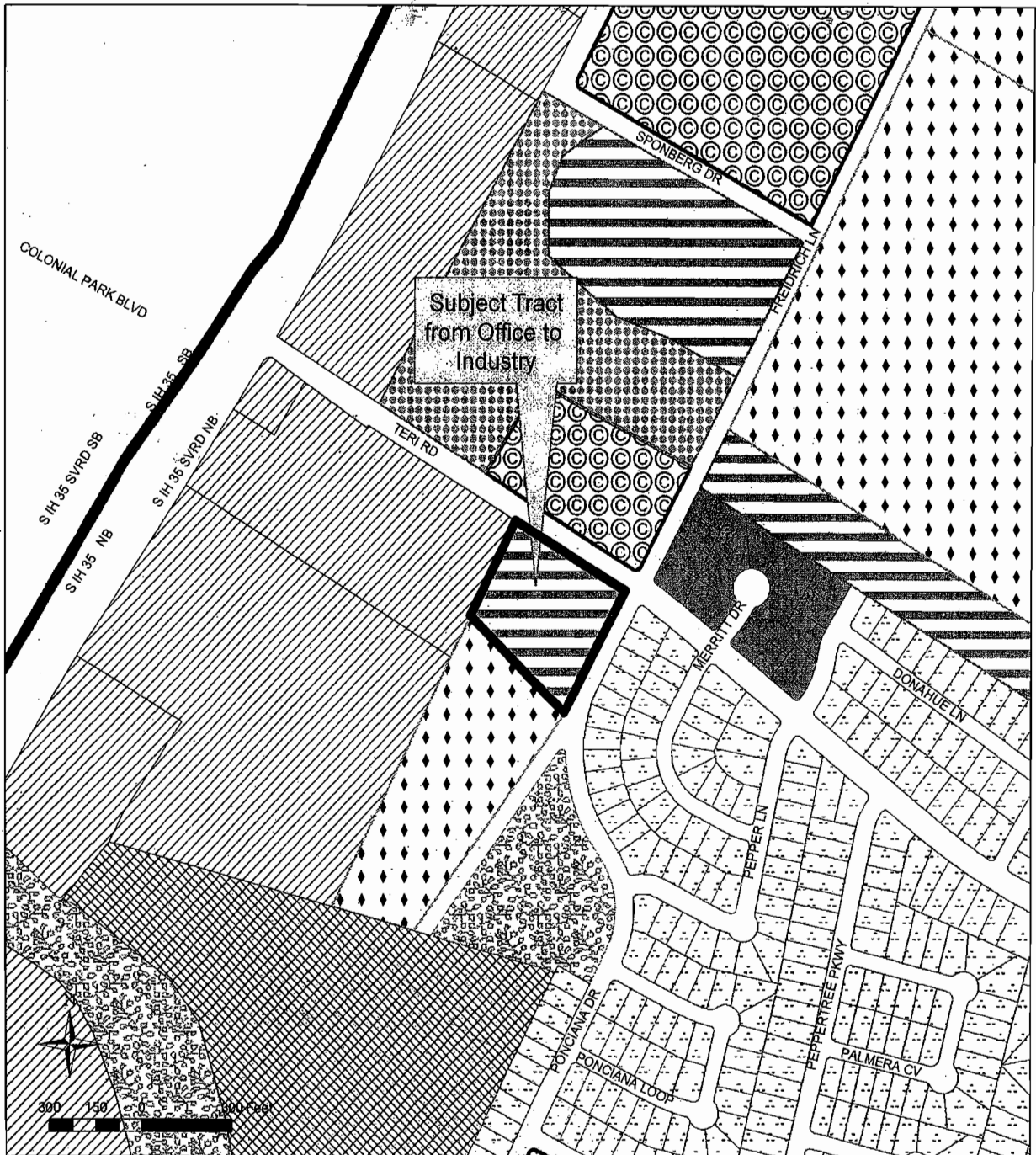
Signature

Date

Comments:

☒ I am in favor
☐ I object

7/3/07



Southeast Combined Neighborhood Plan

Future Land Use Map

Tract: Property @ S.W. corner of
Teri Rd & Freidrich Ln

NPA 07-0014.01

Neighborhood Planning and Zoning Department

City of Austin

June 25, 2007

*A comprehensive plan shall not constitute zoning.

Future Land Uses

	Single-family		Office
	Mobile-home		Mixed Use/Office
	Multi-family		Industry
	Commercial		Civic
	Mixed Use		Open Space



Name AND Organization/ Business Association (Neighborhood (Applicable))	Mailing Address	Address	Phone Numbers (All in the Neighborhood (Applicable))	Homeowner / Business Owner Renter / Employee Commercial / Res Property Owner	Email Address (Please Print Clearly)
Margaret Weiner	5400 FREIDRICH Ln, #66 AUSTIN, TX 78744	Same	(h/m) 326-9029 (w/m)	<input checked="" type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	MARGARET WEINER
DIANE GERMAN	5400 FREIDRICH Ln, #66 AUSTIN, TX 78744	Same	(h/m) 444-8591 (w/m)	<input type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input checked="" type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	NONE
Linda Ramsey Hendry	5400 Freidrich Ln, #1 AUSTIN, TX 78744	Same	(h/m) #440-1951 (w/m) 633-9865	<input type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input checked="" type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	
Cheryl Yochim	5400 Freidrich Ln #140 AUSTIN 78744	Same	(h/m) cell 656-2310 (w/m)	<input type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input checked="" type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	
Dan Yochim	5400 Freidrich Ln #140 Austin, 78744	Same	(h/m) cell 656-0359 (w/m)	<input type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input checked="" type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	
Juni Bennett	11505 Ridge Da Austin, tx	Same	(h/m) 282-3079 (w/m) 784-4961	<input type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	
			(h/m) (w/m)	<input type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	
			(h/m) (w/m)	<input type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	



Sign in Sheet

Name and Organization Business/Association Neighborhood (if applicable)	Mailing Address	Address (if different from mailing address)	Phone Numbers (if any) If more than one, please list all.	Home Address (if any) If more than one, please list all.	Email Address (if any) If more than one, please list all.
DIANE SANDERS Franklin Park N.A.	4803 Pewter Ln. Austin, TX 78744		(h/m) 512-923-9063 (w/m) 512-854-4971	<input checked="" type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	DIANE.SANDERS@CO.TRAVIS.TX
Chrissy Sanders Franklin Park N.A.	4803 Pewter Ln. Austin TX. 78744		(h/m) 913-6391 (w/m) 328-6970	<input checked="" type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	casanders@austin.tx.com
Shirrey Miles	3400 Friedrich Ln. #20 Austin, TX 78744-2728		(h/m) 512-440-1978 (w/m)	<input checked="" type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	
Lee Sloan Kensington Park Homeowners Association	4202 Affton Lane Austin, TX 78744		(h/m) 512-491-1977 (w/m) 512-461-7494	<input checked="" type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	mls4578@aol.com
			(h/m) (w/m)	<input type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	
			(h/m) (w/m)	<input type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	
			(h/m) (w/m)	<input type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	
			(h/m) (w/m)	<input type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	
			(h/m) (w/m)	<input type="checkbox"/> Homeowner <input type="checkbox"/> Business Owner <input type="checkbox"/> Renter <input type="checkbox"/> Employee <input type="checkbox"/> Commercial / Res Property Owner	

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY LOCATED AT 5015 SOUTH IH-35 SERVICE ROAD
3 NORTHBOUND, AND THE SOUTHWEST CORNER OF TERI ROAD AND
4 FREIDRICH LANE IN THE FRANKLIN PARK NEIGHBORHOOD PLAN FROM
5 COMMUNITY COMMERCIAL-NEIGHBORHOOD PLAN (GR-NP) COMBINING
6 DISTRICT AND LIMITED OFFICE-NEIGHBORHOOD PLAN (LO-NP)
7 COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-
8 CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-CO-NP) COMBINING
9 DISTRICT FOR TRACT ONE AND LIMITED INDUSTRIAL SERVICE-
10 CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-CO-NP) COMBINING
11 DISTRICT FOR TRACT TWO.

12
13 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

14
15 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
16 change the base districts on the property described in Zoning Case No. C14-2007-0073, on
17 file at the Neighborhood Planning and Zoning Department, as follows:

18
19 Tract One: From community commercial-neighborhood plan (GR-NP) district to
20 general commercial services-conditional overlay-neighborhood plan (CS-CO-NP)
21 combining district.

22
23 Lots 2 and 3, Wal-Mart Subdivision, a subdivision in the City of Austin, Travis
24 County, Texas, according to the map or plat of record in Plat Book 87, Page 174A
25 and 174B, of the Plat Records of Travis County, Texas; and

26
27 Tract Two: From limited office-neighborhood plan (LO-NP) district to limited
28 industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining
29 district.

30
31 A 3.6511 acre tract of land, more or less, out of the Santiago del Valle Grant,
32 Abstract No. 24, Travis County, the tract of land being more particularly described
33 by metes and bounds in Exhibit "A" incorporated into this ordinance (the
34 "Property"),
35

1 locally known as 5015 South IH-35 Service Road Northbound, and the southwest corner of
2 Teri Road and Freidrich Lane, in the City of Austin, Travis County, Texas, and generally
3 identified in the map attached as Exhibit "B".
4

5 **PART 2.** Except as specifically provided in Part 3 and Part 4, the Property may be
6 developed and used in accordance with the regulations established for the respective base
7 districts and other applicable requirements of the City Code.
8

9 **PART 3.** The Property within the boundaries of the conditional overlay combining district
10 established by this ordinance is subject to the following conditions:
11

- 12 A. A site plan or building permit for the Property may not be approved, released,
13 or issued, if the completed development or uses of the Property, considered
14 cumulatively with all existing or previously authorized development and uses,
15 generate traffic that exceeds 2,000 trips per day above the trips generated by the
16 existing or approved development.
17
- 18 B. The following applies to Tract Two.
19
- 20 1. A 50-foot wide vegetative buffer shall be established along the east
21 property line. Improvements permitted within the buffer zone are limited
22 to drainage, underground utility improvements or those improvements
23 that may be otherwise required by the City of Austin or specifically
24 authorized in this ordinance.
25
 - 26 2. The maximum height of a building or structure is 30 feet from ground
27 level.
28
 - 29 3. Exterior lighting shall be hooded or shielded so that the light source is
30 not directly visible from adjacent property.
31
 - 32 4. Except as otherwise provided in Subsection 5, access from the property
33 to Freidrich Lane is prohibited.
34
 - 35 5. Emergency vehicular access and pedestrian access are permitted. All
36 other vehicular access to Tract Two shall be from other adjacent public
37 streets or through other adjacent property.
38
39
40

6. The following uses are prohibited uses of the Property:

Adult-oriented businesses	Agricultural sales and services
Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Basic industry
Campground	Club or lodge
Commercial off-street parking	Community recreation (private)
Community recreation (public)	Congregate living
Consumer convenience services	Day care services (commercial)
Day care services (general)	Drop-off recycling collection facilities
Employee recreation	Equipment sales
Equipment repair services	Funeral services
Food sales	Group home, Class I (general)
General retail sales (convenience)	Hotel-motel
Group home, Class I (limited)	Indoor sports and recreation
Indoor entertainment	Liquor sales
Kennels	Outdoor sports and recreation
Outdoor entertainment	Recycling center
Railroad facilities	Resource extraction
Residential treatment	Safety services
Restaurant (general)	Service station
Scrap and salvage	Transitional housing
Theater	Vehicle storage
Transportation terminal	
Veterinary services	

PART 4. The Property is subject to Ordinance No. 021010-12a that established the Franklin Park neighborhood plan combining district.

PART 5. This ordinance takes effect on _____, 2007.

PASSED AND APPROVED

_____, 2007

§ _____

§ _____

§ _____

Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith Shirley A. Gentry
City Attorney City Clerk

Waterloo Surveyors Inc.

Office: 512-481-9602
Fax: 512-330-1621

Thomas P. Dixon
R.P.L.S. 4324
J11402

EXHIBIT "A"

November 27, 2006

FIELD NOTES

FIELD NOTES FOR 3.6511 ACRES (3.6645) OF LAND, MORE OR LESS, OUT OF THE SANTIAGO VALLE GRANT, ABSTRACT NO. 24, IN TRAVIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN 3.6645 ACRES OF LAND CONVEYED BY WARRANTY DEED TO GROCER'S ENTERPRISE, INC., RECORDED IN DOCUMENT NO. 2002123329, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAME BEING THAT CERTAIN 3.672 ACRES OF LAND CONVEYED TO PAP REALTY PARTNERSHIP BY DEED RECORDED IN VOLUME 11893, PAGE 350, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN 120 SQUARE FEET OF LAND CONVEYED TO CITY OF AUSTIN IN A DEED RECORDED IN VOLUME 10557, PAGE 174, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS:

BEGINNING at an iron rod found in the south R.O.W. of Teri Road, being the northernmost corner of a 3.6511 acre(3.6645) tract conveyed to Grocer's Enterprise, Inc., by deed recorded in Document No. 2002123329, Official Public Records, Travis County, Texas, also being the northeast corner of Lot 1, Wal-Mart Subdivision, a subdivision in Travis County, Texas according to the map or plat thereof recorded in Book 87, Pages 147A-147B, Plat Records, Travis County, Texas, for a corner hereof;

THENCE S 57°07'47" E along the south R.O.W. of Teri Road, and the northeast line of the herein described tract for a distance of 402.80 feet to an iron rod found at the point of curvature of a curve, curving to the right, with a radius of 25.00 feet, being the return of the south line of Teri Road, and the northwest line of Freidrich Lane, for a corner hereof;

THENCE along the arc of said curve to the right, a distance of 38.18 feet with a chord which bears S 13°16'41" E at a distance of 34.58 feet to an iron rod found in the northwest line of Freidrich Lane, being in the southeast line of the herein described tract for a corner hereof

THENCE the following two (2) courses and distances along the northwest line of Freidrich Lane and the southeast line of the herein described tract:

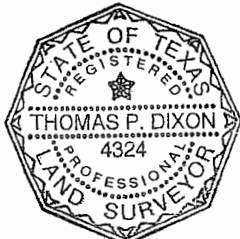
- (1) S 29°26'42" W for a distance of 269.74 feet to an iron rod found for a corner hereof;
- (2) S 33°16'57" W for a distance of 130.51 feet to an iron rod found at the northeast corner of a 7.4045 acre tract conveyed to Freidrich Biz Center, LP, by warranty deed recorded in Document No. 2006107157, Official Public Records, and being the southernmost corner of the herein described tract for a corner hereof;

THENCE N 43°54'00" W along the north line of the Freidrich Biz Center tract and the southwest line of the herein described tract for a distance of 434.76 feet to an iron rod found in the southeast line of said Lot 1, of Wal-Mart Subdivision, for the southwest corner hereof;

THENCE N 29°22'19" E along the common southeast line of said Lot 1, and the northwest line of the herein described tract for a distance of 324.59 feet to the **POINT OF BEGINNING**, containing 3.6511 acres of land.

I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge.

Thomas P. Dixon R.P.L.S. 4324



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