

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0020 – Sundberg Tract

Z.A.P. DATE: June 3, 2008

June 17, 2008

July 1, 2008

ADDRESS: 8219 Burleson Road

<u>OWNERS:</u> Joan Elaine Frensley Smith; Sundberg Farm Limited Partnership (Jean and Marvin Chernosky); Sundberg C&C Partners, Ltd. (Camille C. Mealy); Ralph & Olga Schneider Family Partnership (Eleanor Schneider and John P. Schneider, M.D. & Frances E. and Robert W. Bauman); Robert Carl Wolter	<u>AGENT:</u> Bury & Partners (Melissa Matthiesen)
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ZONING FROM: I-RR

TO: LI for Tract 1 (72.470 acres)
CS-MU for Tract 2 (46.205 acres)

TOTAL AREA: 118.676 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant limited industrial service – conditional overlay (LI-CO) combining district zoning for Tract 1 and general commercial services – mixed use – conditional overlay (CS-MU-CO) combining district zoning for Tract 2. On Tract 1, the following uses are prohibited: basic industry, resource extraction, and scrap and salvage. On Tract 2, establishes a 200-foot wide buffer between Multifamily Residential, and general warehousing and distribution, and light manufacturing uses, and a 100-foot wide buffer between Multifamily Residential uses and the following uses:

<u>Commercial Uses</u>	<u>Industrial Uses</u>	<u>Civic Uses</u>
Agricultural Sales and Services	Limited Warehousing and Distribution	Maintenance Service Facilities
Construction Sales and Services	Custom Manufacturing	Postal Facilities exceeding 10,000 square feet
Equipment Repair Services		
Equipment Sales		
Research Services		
Research Assembly Services		
Research Testing Services		
Research Warehousing Services		

The buffer zone shall be measured from a building developed with Multifamily Residential uses to a building with a commercial, industrial, or civic use.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated June 25, 2008, as provided in Attachment A.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

June 3, 2008: *MEETING CANCELLED DUE TO AGENDA POSTING ERROR*

June 17, 2008: *ITEM PULLED FROM THE AGENDA DUE TO NOTIFICATION ERROR*

July 1, 2008: *APPROVED LI-CO DISTRICT ZONING FOR TRACT 1 AND CS-CO DISTRICT ZONING ON TRACT 2, WITH CONDITIONS, AS STAFF RECOMMENDED, AND THE ADDITIONAL CONDITION OF PROHIBITING VEHICLE STORAGE ON TRACTS 1 AND 2.*

[J. SHIEH; C. HAMMOND – 2ND] (6-0) J. MARTINEZ; K. JACKSON – ABSENT

ISSUES:

The Applicant is in agreement with the Staff recommendation.

DEPARTMENT COMMENTS:

The subject property is an undeveloped, platted lot that is situated at the southwest corner of U.S. Highway 183 and Burleson Road, and is zoned interim – rural residence (I-RR) since its annexation into the City limits on December 31, 2003. There is a service station, undeveloped land, single family residences and office-warehouse uses to the north (GR-CO-NP, CS-MU-CO-NP, W/LO-NP, IP-CO-NP, LI-CO-NP), the Austin-Bergstrom International Airport, undeveloped land and commercial uses across U.S. Highway 183 to the east (AV, County), Onion Creek, undeveloped land and commercial uses to the south (County) and undeveloped land and three single family residences to the west (County). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant is proposing to create two zoning tracts: limited industrial service (LI) district for the 72 acres that comprises Tract 1 and general commercial services – mixed use (CS-MU) district for the 46 acres that comprises Tract 2. Tract 1 is located entirely within the Airport Overlay Zone (AO-3) also known as the ½ mile buffer zone that permits commercial and industrial uses. The AO-3 Zone does not allow for new residential development to occur outside of recorded final plats, municipal utility district boundaries or neighborhood plan combining district boundaries. Tract 2 is within the Controlled Compatible Land Use Area which restricts land uses that create interference between the airport and aircraft. Please refer to Exhibit D.

The Applicant's conceptual plan shows 18.5 acres of retail at the corner of U.S. Highway 183 and Burleson Road (up to 200,000 square feet by the TIA), a loop road extending between these two roadways, 26.5 acres of industrial / commercial uses (up to 300,000 square feet) and 27.5 acres of multifamily residences (700 units) on the west side of the property (Tract 2). Completion of the project is anticipated in the year 2011. The recorded plat shows a

significantly sized drainage easement along the east and south sides of the property, and additional acreage within the water quality transition zone, and therefore, development will be limited in these areas. Exhibit B shows the recorded plat and Exhibit C shows the conceptual plan.

Staff recommends the Applicant's request for Tracts 1 and 2, based on the following considerations of the property: 1) location at the intersection of two major arterial roadways; 2) retail, commercial, industrial are appropriate within the Airport Overlay Zone, while apartments provide a residential component to this development; and 3) the Conditional Overlay prohibits intensive industrial uses of basic industry, resource extraction, scrap and salvage, establishes a 200-foot wide buffer between Multifamily Residential, and general warehousing and distribution, and light manufacturing uses, and a 100-foot wide buffer between Multifamily Residential and the following uses:

<u>Commercial Uses</u>	<u>Industrial Uses</u>	<u>Civic Uses</u>
Agricultural Sales and Services	Limited Warehousing and Distribution	Maintenance Service Facilities
Construction Sales and Services	Custom Manufacturing	Postal Facilities
Equipment Repair Services		exceeding 10,000 square feet
Equipment Sales		
Research Services		
Research Assembly Services		
Research Testing Services		
Research Warehousing Services		

The buffer zone shall be measured from a building developed with Multifamily Residential uses to a building with a commercial, industrial, or civic use.

The Traffic Impact Analysis establishes intersection improvements at Burleson Road and U.S. Highway 183, and at the site roadway on Burleson road, and requires additional right-of-way dedication along Burleson Road, right-of-way reservation on U.S. Highway 183.

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	GR-CO-NP; CS-NP; CS-MU-CO-NP	Service station with food sales; Undeveloped; Single family residences within the Blue-Bonnet Gardens subdivision; Office; Office-warehouses
<i>South</i>	N/A (County)	Onion Creek; Undeveloped; Commercial
<i>East</i>	AV; County	Austin-Bergstrom International Airport; Commercial; Single family residence
<i>West</i>	County	Undeveloped; Three single family residences

NEIGHBORHOOD PLAN AREA: N/A

TIA: Is required – Please refer to Attachment A

WATERSHED: Onion Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** Yes – U.S.
Highway 183**NEIGHBORHOOD ORGANIZATIONS:**

511 – Austin Neighborhoods Council
 428 – Barton Springs / Edwards Aquifer Conservation District
 627 – Onion Creek Homeowners Association
 634 – Montopolis Area Neighborhood Alliance
 688 – Southeast Neighborhood Planning Contact Team
 750 – Del Valle Neighborhood Association 774 – Del Valle Independent School District
 786 – Home Builders Association of Greater Austin
 1005 – Elroy Preservation Association 1037 – Homeless Neighborhood Association
 1075 – League of Bicycling Voters

SCHOOLS:

The subject property is within the Del Valle Independent School District.

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0052 – Felter Investments	RR-CO-NP; IP-NP; IP-CO-NP to RR-CO-NP and LI-CO-NP	To Grant RR-CO-NP and LI-CO-NP with the CO for a 50 foot wide setback on either side of the centerline of an open waterway with certain exceptions, and a 2,000 trip limit.	Approved RR-CO-NP and LI-CO-NP as Planning Commission recommended (12-13-07).
C14-03-0013 – Blue Bonnet Gardens, Southeast side of Norwood Lane –City Initiated	SF-2-NP to CS-MU-CO-NP	To Grant CS-MU-CO-NP with the CO prohibiting intensive CS uses and residential uses except the existing single family residences	Approved CS-MU-CO-NP as Planning Commission recommended (4-24-03).
C14-03-0012 – Blue Bonnet Gardens, Northwest side of Norwood Lane –City Initiated	SF-2-NP to CS-MU-CO-NP for Tracts 1 and 2, and CS-NP for Tract 2	To Grant CS-MU-CO-NP with the CO prohibiting intensive CS uses and residential uses except the existing single family residences for Tracts 1	Approved CS-MU-CO-NP and CS-NP as Planning Commission recommended (4-24-03).

		and 2, and CS-NP for Tract 3	
C14-96-0014 – Countryside Exxon	I-RR; DR to CS-1	To Grant GR-CO with CO for 2,000 trips	Approved GR-CO as Commission recommended (4-15-99).
C14-96-0024 – Araclean Services, Inc.-Bldg II Rezoning	IP to LI	To Grant LI-CO, subject to an Integrated Pest Management Program	Approved LI-CO with the CO prohibiting restaurants and food sales, and limiting the F.A.R. of financial services to 0.287 to 1 (3-24-94).
C14-86-141 – James W. Akin, Et Ux	DR to W/LO and IP	To Grant W/LO and IP with conditions	Approved W/LO and IP with Restrictive Covenant requiring a contact person during construction; no access through Bluebonnet Gardens to Norwood Lane as long as the west side of Norwood remains residentially zoned; 25' strip of DR to remain on east side of tract; any land determined to be in the 100-year floodplain will be zoned RR if Waterway Development Permit precludes alteration or fill which would remove land from the floodplain (5-14-87).

RELATED CASES:

This property was annexed into the Full-Purpose Jurisdiction on December 31, 2003 (C7a-03-016).

The property is platted as Lot 1, Block A of Sundberg Estates, a subdivision recorded on November 18, 2004 (C8J-03-0198.0A). There are no site plan applications on the property.

ABUTTING STREETS:

STREET	RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
U.S. Highway 183 Southbound, south of Burleson Road	170 feet	40 feet	Major Arterial Divided – 4 lanes, Freeway	
Burleson Road, east of U.S. Highway 183	60 feet	60 feet	Major Arterial Divided – 4 lanes; Classified as MAD-6 in 2025 Plan	

- Southbound U.S. Highway 183 is classified in the Bicycle Plan as a Priority SH 6 bike route. Burleson Road is classified as a BL 6 bike route.
- Capital Metro bus service is not available along U.S. Highway 183 or Burleson Road, and is not available within ¼ mile of this property.
- There appear to be existing sidewalks along U.S. Highway 183 southbound and Burleson Road, east of U.S. Highway 183.

COUNCIL DATE: June 18, 2008**ACTION:** Item pulled from the agenda due to notification error.

July 24, 2008

Approved a Postponement request by Staff to August 7, 2008 (5-0, Cole and Shade off the dais).

August 7, 2008

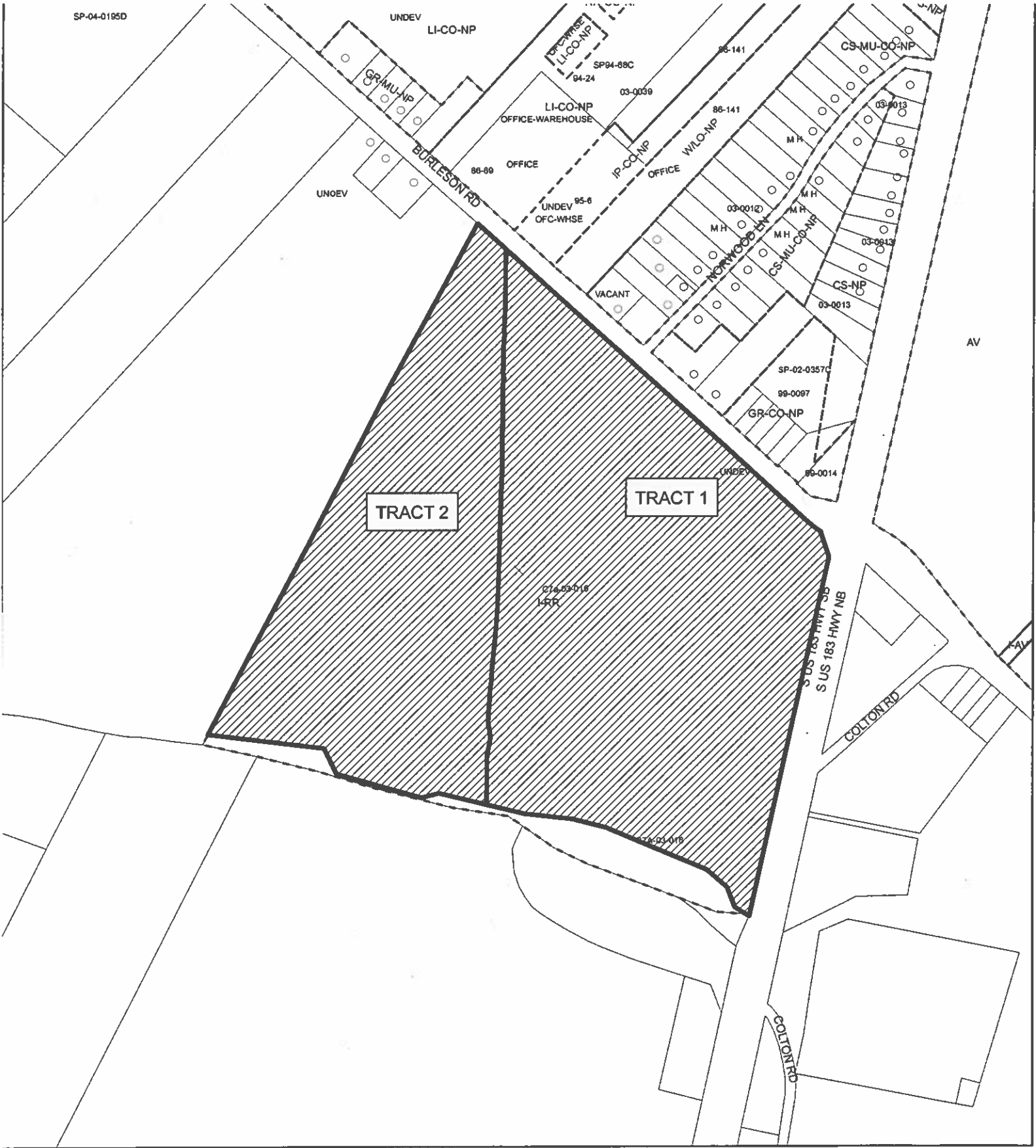
Approved a Postponement request by the Applicant to August 21, 2008 (7-0).




August 21, 2008

Approved a Postponement request by the Applicant to September 25, 2008 (7-0).

September 25, 2008

ORDINANCE READINGS: 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us**PHONE:** 974-7719



-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

ZONING

ZONING CASE#: C14-2008-0020
ADDRESS: 8219 BURLESON RD
SUBJECT AREA: 118.676 ACRES
GRID: L14-15
MANAGER: W. RHOADES

EXHIBIT A



OPERATOR: S. MEEKS

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 600'





Riverside Resources

Sundburg Tract

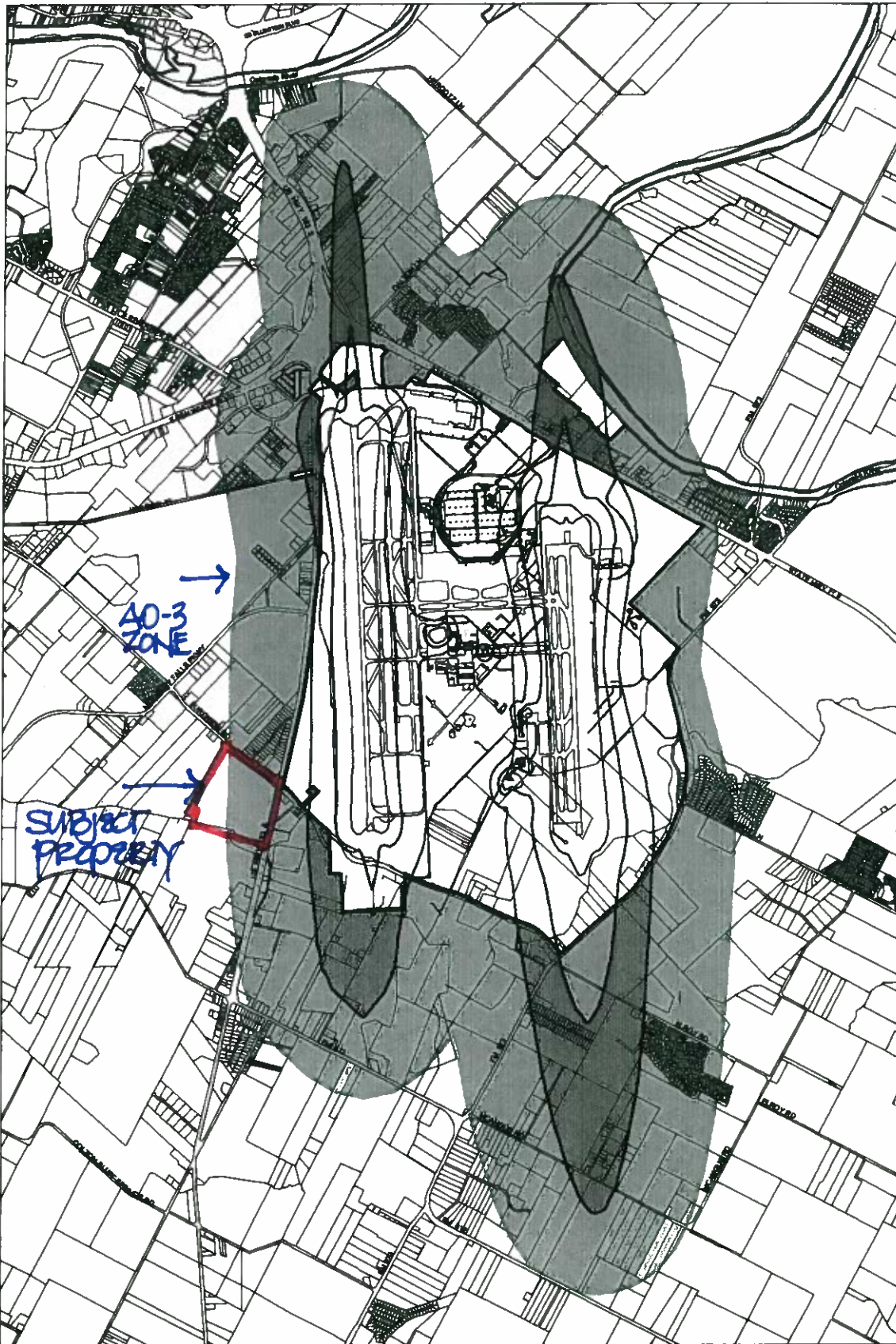
Austin, Texas

Conceptual Land Use Plan "D"



r.v.l.

EXHIBIT
C



Austin-Bergstrom International Airport

Proposed Airport
Overlay Zones

Produced by: Infrastructure
Support Services



Date Plotted: August 7, 2001

- Airport Overlay Zone AO-1
- Airport Overlay Zone AO-2
- Airport Overlay Zone AO-3
- 65 DNL Contour
- 70 DNL Contour
- 75 DNL Contour
- Airport Property Boundary

-1/2 mile buffer

EXHIBIT
D



Date: August 7, 2008
To: Wendy Rhoades, Case Manager
CC: Scott Feldman, P.E./ Arthur F. Gamble III, P.E.
Alliance Transportation Group, Inc.
Carol Barnes, Fiscal Officer
Melissa Matthlesen, Bury & Partners, Inc.
Reference: Sundberg Tract TIA, C14-2008-0020 (8219 Burleson Road)

The Transportation Review Section has reviewed the Traffic Impact Analysis (TIA) for the Sundberg Tract, dated February 27, 2008, prepared by Arthur F. Gamble III, P.E. of Alliance Transportation Group, Inc., and offers the following comments:

The Sundberg Tract TIA covers two tracts of land totally 118.676 acres. The site is located in southeast Austin at the southwest corner of the intersection of Burleson Road and US 183.

The property is currently undeveloped. The applicant has requested a zoning change to Limited Industrial (LI), and Commercial Services-Mixed Use (CS-MU). The estimated completion of the project is expected in the year 2011.

TRIP GENERATION

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 17,154 unadjusted average daily trips (ADT).

The table below shows the unadjusted trip generation by land use for the proposed development:

Table 1. Trip Generation - Unadjusted							
				AM Peak		PM Peak	
LAND USE	ITE Code	Size	ADT	Enter	Exit	Enter	Exit
Apartments	220	700 DU	4,358	69	277	262	141
Shopping Center	820	200,000 SF	10,656	145	93	475	514
General Light Industrial	110	300,000 SF	2,140	233	32	37	228
Total			17,154	447	402	774	883

ATTACHMENT A

ASSUMPTIONS

1. Traffic growth rates provided by the City of Austin were as follows:

Table 2. Growth Rates per Year	
Roadway Segment	%
All Roadways	2%

2. In addition to these growth rates, background traffic volumes for 2008 included estimated traffic volumes for the following projects:

- SP-07-0048C Colorado Crossing
- SP-06-0332C Zydeco
- C8-03-0189.02 Met Center II

3. Reductions were taken for pass-by for the following uses:

Table 3. Summary of Pass-By Reductions		
Land Use	Pass-By Reductions %	
	AM	PM
Shopping Center	0%	34%

4. No reductions were taken for internal capture or transit use.

EXISTING AND PLANNED ROADWAYS

US 183 – US 183 forms the eastern border of the site and is classified as a four-lane divided arterial between State Highway 71 East (SH71E) and Onion Creek. The Austin Metropolitan Area Transportation Plan (AMATP) classifies US 183 from SH71E and Onion Creek, as a six-lane freeway by 2025. This roadway is classified as a priority 2 route in the Bicycle Plan.

Burleson Road – Burleson Road forms the northern border of the site and is classified as a four-lane divided major arterial between McKinney Falls Parkway and US 183 South (US183S). The Austin Metropolitan Area Transportation Plan (AMATP) classifies Burleson Road from McKinney Falls Parkway to US183S as a six-lane divided major arterial by 2025. This roadway is classified as a priority 1 route in the Bicycle Plan.

McKinney Falls Parkway – This roadway is located west of the site and is classified as a four-lane divided major arterial between US183S and Burleson Road. This roadway is classified as a priority 1 route in the Bicycle Plan.

INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 9 intersections, of which 2 are signalized. Existing and projected levels of service are as follows, assuming that all improvements recommended in the TIA are built:

Table 4. Level of Service				
Intersection	2008 Existing		2011 Site + Forecasted	
	AM	PM	AM	PM
US 183 and Burleson Road*	D	F	E	F
Burleson Road and McKinney Falls Parkway*	B	B	C	C
Burleson Road & Site Road North			A	A
Burleson Road & West Industrial Driveway			A	A
Burleson Road & East Industrial Driveway			A	A
Site Road East & US 183			A	A
Burleson Road & Apartment Driveway			A	A
Burleson Road & Retail Driveway 1			A	A
US 183 & Retail Driveway 2			A	A

*SIGNALIZED

RECOMMENDATIONS


- 1) Prior to 3rd reading at City Council, fiscal is required to be posted for the following improvements:

Intersection	Improvement	Total Cost (\$)	Pro Rata Share (%)	Pro Rata Share (\$)
Burleson Road at US 183	Widen EB leg to accommodate 2 left lanes, 2 thru lanes, and 1 right lane	\$67,500	92.1%	\$62,168
	Add right turn lane, relocate bike path, relocate utilities, and	\$121,766	24.1%	\$29,346
Burleson Road at Site Roadway	Improvements to prohibit out-bound left turn maneuvers	\$11,500	100%	\$11,500
Total		200,766	---	\$103,014

*Fiscal estimates provided/sealed by Steven J. Miller, P.E. on August 6, 2008.

- 2) Two copies of the final TIA incorporating all comments must be submitted prior to 3rd Reading at City Council.
- 3) Driveways on Burleson Road:
 - The "Retail Driveway 1" should be constructed to prohibit left-in/left-out maneuvers.
 - Locations of the "East Industrial Driveway", "West Industrial Driveway", and the "Apartment Driveway" should meet the minimum offset and spacing standards as required by the Transportation Criteria Manual.
- 4) The "Site Roadway" at Burleson Road shall be constructed to prohibit left-out maneuvers. Improvements shall be approved by the Public Works Department at site plan or construction plan.
- 5) Driveway locations on TXDOT roadways are subject to the requirements of the TxDOT Access Management Manual. Approval of the TIA is not an approval of the driveway locations, is conditional, and approval of conceptual driveway locations may be revoked based on site conditions and constraints determined during construction plan review.
- 6) The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for Burleson Road. If the requested zoning is granted, then 70 feet of right-of-way should be dedicated from the existing centerline of Burleson Road in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55). Right-of-way for Burleson Road is required to be dedicated during the subdivision or site plan process.
- 7) The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for US 183. If the requested zoning is granted, then 200 feet of right-of-way should be reserved from the existing centerline of US 183 in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55). Right-of-way reservation for US 183 may be required by TxDOT during the subdivision or site plan process.
- 8) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2788.


Candace Craig
Sr. Planner ~ Transportation Review Staff
Watershed Protection and Development Review

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant limited industrial service – conditional overlay (LI-CO) combining district zoning for Tract 1 and general commercial services – mixed use – conditional overlay (CS-MU-CO) combining district zoning for Tract 2. On Tract 1, the following uses are prohibited: basic industry, resource extraction, and scrap and salvage. On Tract 2, establishes a 200-foot wide buffer between Multifamily Residential, and general warehousing and distribution, and light manufacturing uses, and a 100-foot wide buffer between Multifamily Residential uses and the following uses:

Commercial Uses

Agricultural Sales and Services
Construction Sales and Services
Equipment Repair Services
Equipment Sales
Research Services
Research Assembly Services
Research Testing Services
Research Warehousing Services

Industrial Uses

Limited Warehousing and Distribution
Custom Manufacturing

Civic Uses

Maintenance Service Facilities
Facilities
Postal Facilities
exceeding 10,000 square feet

The buffer zone shall be measured from a building developed with Multifamily Residential uses to a building with a commercial, industrial, or civic use.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated June 25, 2008, as provided in Attachment A.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The LI district designation is for a commercial service use or limited manufacturing use generally located on a moderately sized site.

CS, Commercial Services, zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The property is located in close proximity to Bastrop Highway / U.S. Highway 183, a major freeway. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

Staff recommends the Applicant's request for Tracts 1 and 2, based on the following considerations of the property: 1) location at the intersection of two major arterial

roadways; 2) retail, commercial, industrial are appropriate within the Airport Overlay Zone, while apartments provide a residential component to this development; 3) the Conditional Overlay prohibits intensive industrial uses, establishes buffers between Multifamily Residential, and intensive industrial, commercial and civic uses, and 4) the Traffic Impact Analysis establishes intersection improvements, additional right-of-way dedication and right-of-way reservation.

EXISTING CONDITIONS

Site Characteristics

The rezoning area is undeveloped with a vacant commercial building. According to the recorded plat, there is a 50.391 acre drainage easement along the east and south sides of the property that contains the meanders of Onion Creek, the FEMA 100-year floodplain and the critical water quality zone. The water quality transition zone extends in a north-south direction, generally outside of the drainage easement, and is approximately 15 acres in size. There is also a 30' natural gas pipeline easement that extends across southern portion of the property in a north-south direction. The northeast corner of the property is within a 400-foot wide restricted pipeline area.

Impervious Cover

The maximum impervious cover allowed by the LI and CS-MU zoning districts would be 80%, which is based on the more restrictive zoning regulations.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Onion Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under 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>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is a floodplain within the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine the exact location of the boundaries. No development is permitted in the Critical Water Quality Zone, while impervious cover is limited to 30% in the Water Quality Transition Zone.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA [LDC, Sec. 25-6-142]. Comments are provided in Attachment A.

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. 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.

Site Plan and Compatibility Standards

This site will be subject to commercial design standards. Burleson Road is classified as a suburban roadway. For sites five acres or larger an internal circulation route is required and is classified as the principal street.

Any development will need to comply commercial design standards for sidewalk and building placement requirements for suburban roadways or internal circulation routes if applicable, this includes multi-family development.

FYI: This site is located in the Desired Development Zone (DDZ). Expiration for any site plan will be three years from the date of approval however; under Project Duration [25-1-535(C)(3)] the site plan can only be extended to a maximum of five years from initial submittal date. No other extensions will be allowed under Project Duration for projects in the DDZ. For questions concerning Project Duration please contact Susan Scallon at 974-2659.

This site is within the Controlled Compatible Land Use Area of Austin-Bergstrom International Airport, but outside the Airport Overlay Zones.

This site is within the Airport Overlay Zone AO-3. Show the limits of the AO-3 zone on the plan.

This site is subject to the Hazardous Pipeline Ordinance at the southwest intersection of Burleson Road and US Hwy 183. Review by the Fire Department is required. LDC, 25-2-516.

Approval from TXDOT will be required for any access onto U.S. Highway 183.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. 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 development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2008-0020

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

June 3, 2008 Zoning and Platting Commission

June 18, 2008 City Council

☒ I am in favor
☐ I object

SHERNOSKY, MARVIN + JEN
Your Name (please print)

101 Westcott, #702, Houston, TX
Your address(es) affected by this application

Maria C. Chernosky
Signature

Date

Comments: as part owners we
approve this change.

Thank you,
Joan & Maria Chernosky

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088,

Austin, TX 78767-8810

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However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

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Case Number: C14-2008-0020

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

June 17, 2008 Zoning and Platting Commission

June 18, 2008 City Council

☒ I am in favor
☐ I object

Frances E. Bauman

Your Name (*please print*)

8219 Burleson Rd.

Your address(es) affected by this application

6-12-08

Date

Frances E. Bauman
Signature

Comments: We are interested in having Grandmother

Sundberg's property properly rezoned as it should help the tax base.

We are certainly for this endeavor.

Thank you.

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

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Case Number: C14-2008-0020

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

June 3, 2008 Zoning and Platting Commission

June 18, 2008 City Council

Robert W. Bauman

Your Name (*please print*)

8219 Brixleson Rd.

Your address(es) affected by this application

6-12 08

Date

Signature

Comments: About time this idle property be used
for a good use.

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City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

☒ I am in favor
☐ I object

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Case Number: C14-2008-0020

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

June 17, 2008 Zoning and Platting Commission

June 18, 2008 City Council

☒ I am in favor
☐ I object

CHERVOSKY, MARVIN + JEN
Your Name (please print)

8219 Burleson Road, Austin, TX
Your address(es) affected by this application

Marvin J. J. Chernovsky 6-2-08
Signature

Date

Comments:

We are in favor

Thank you

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City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2008-0020

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

July 1, 2008 Zoning and Platting Commission

July 24, 2008 City Council

☒ I am in favor
☐ I object

Mickey Hodnett

Your Name (please print)

5509 Hwy 183 S.

Your address(es) affected by this application

Signature

Date

Comments: _____

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Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2008-0020

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

July 1, 2008 Zoning and Platting Commission

July 24, 2008 City Council

ROBERT W. BROWN

FRANK E. BALMAN

Your Name (please print)

SAKE

4411 TAWNEY, AMARILLO, TX. 79106

Your address(es) affected by this application

Tracy E. Bauman

Wendy Rhoades

Signature

Date

6-21-08

☒ I am in favor
☐ I object

Comments:

(Signature)

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2008-0020

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

July 1, 2008 Zoning and Platting Commission

July 24, 2008 City Council

☒ I am in favor
☐ I object

CHERNOSKY, Dora
Your Name (please print)

C14-2008-0020

an owner - Case # C14-2008-0020

Your address(es) affected by this application

Fea + Maria Chernosky 6-23-08
Signature

Date

Comments:

We approve
Please move forward
on this. It is taking
much too long.
D + Mrs. Maria Chernosky

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2008-0020

Contact: Wendy Rhoades, (512) 974-7719

Public Hearing:

July 1, 2008 Zoning and Platting Commission

July 24, 2008 City Council

☐ I am in favor
☒ I object

Jeffrey W. Archer
Your Name (please print)

912 D.G. Collins Rd
Your address(es) affected by this application

Jeffrey W. Archer 7/5/08
Date

Signature

Comments:

*I would support zoning change
will impact 7917 Dec.
Gabriel Collins Rd by proposed
1-RR & 1-1 change.
I oppose commercial use
of limited manufacturing
uses, also tract 2: C.S.-180.
Because it will impact the
character of rural area in
the area.*

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

City of Austin

Neighborhood Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

July 31, 2008

Ms. Wendy Rhoades
Neighborhood Planning and Zoning Department
City of Austin
505 Barton Springs, 5th floor
Austin, Texas 78704

Re: Sundberg Tract - Zoning Case C14-2008-0020
Request for City Council Meeting Postponement
8219 Burleson Road
Austin, Travis County, Texas

Dear Ms. Rhoades:

As representatives of the above-stated Property owner, we respectfully request a postponement for zoning case C14-2008-0020, scheduled for the City Council meeting on Thursday, August 7, 2008. Unfortunately, both the applicant's agent and engineer will be out of town and unable to attend the scheduled meeting. Therefore, the applicant is requesting a postponement to the following City Council meeting scheduled for August 21, 2008.

Please let me know if you should require any additional information or have any questions regarding this request. Thank you in advance for your time and attention to this project and we apologize for any inconvenience this postponement may cause.

Sincerely,



Melissa M. Mathiesen

Cc: John Needham, *Riverside Resources*
Scott Ratcliff, *Firm*

I:\470\20\Admin\Letters\July 08\073108 Rhoades.doc\cee

BURY+PARTNERS, INC.
221 West Sixth Street, Suite 600
Austin, Texas 78701

TEL (512) 328-0011
FAX (512) 328-0325

ORDINANCE NO. _____

1 **AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE**
2 **PROPERTY LOCATED AT 8219 BURLESON ROAD AND CHANGING THE**
3 **ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO**
4 **LIMITED INDUSTRIAL SERVICES-CONDITIONAL OVERLAY (LI-CO)**
5 **COMBINING DISTRICT FOR TRACT ONE AND GENERAL COMMERCIAL**
6 **SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-CO) COMBINING**
7 **DISTRICT FOR TRACT TWO.**

8
9 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

10
11 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
12 change the base district on the property described in Zoning Case No. C14-2008-0020, on
13 file at the Neighborhood Planning and Zoning Department, as follows:

14
15 Tract One: From interim rural residence (I-RR) district to limited industrial
16 services-conditional overlay (LI-CO) combining district.

17
18 A 72.470 acre tract of land, more or less, out of the Santiago del Valle Grant in
19 Travis County, the tract of land being more particularly described by metes and
20 bounds in Exhibit "A" incorporated into this ordinance, and;

21
22 Tract Two: From interim rural residence (I-RR) district to general commercial
23 services-mixed use-conditional overlay (CS-MU-CO) combining district.

24
25 A 46.205 acre tract of land, more or less, out of the Santiago del Valle Grant in
26 Travis County, the tract of land being more particularly described by metes and
27 bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

28
29 locally known as 8219 Burleson Road, in the City of Austin, Travis County, Texas, and
30 generally identified in the map attached as Exhibit "C".

31
32 **PART 2.** The Property within the boundaries of the conditional overlay combining district
33 established by this ordinance is subject to the following conditions:

34
35 A. The following uses are prohibited uses of Tract One:

36
37 Basic industry

Resource extraction

38 Scrap and salvage

Vehicle storage

1
2 B. A vehicle storage use is a prohibited use of Tract Two.

3
4 C. A 200-foot wide buffer zone shall be established and maintained between
5 property developed with a multifamily residential use and the following uses:

6
7 Light manufacturing

General warehousing & distribution

8
9 The 200-foot buffer zone shall be measured from a building developed with a
10 multifamily residential use to a building with a commercial, industrial, or civic
11 use.

12
13 Improvements permitted within the buffer zone are limited to drainage,
14 underground utility improvements or those improvements that may be
15 otherwise required by the City of Austin or specifically authorized in this
16 ordinance.

17
18 D. A 100-foot wide buffer zone shall be established and maintained between
19 property developed with a multifamily residential use and the following uses:

20
21 Agricultural sales and services

Custom manufacturing

22 Construction sales and services

Equipment repair services

23 Equipment sales

Limited warehousing & distribution

24 Maintenance service facilities

Postal facilities (exceeding 10,000 sq. ft.)

25 Research services

Research assembly services

26 Research testing services

Research warehousing services

27
28 The 100-foot buffer zone shall be measured from a building developed with a
29 multifamily residential use to a building with a commercial, industrial, or civic
30 use.

31
32 Improvements permitted within the buffer zone are limited to drainage,
33 underground utility improvements or those improvements that may be
34 otherwise required by the City of Austin or specifically authorized in this
35 ordinance.

36
37 Except as specifically restricted under this ordinance, the Property may be developed and
38 used in accordance with the regulations established for the respective base districts, the
39 mixed use (MU) combining district, and other applicable requirements of the City Code.
40

1 **PART 3.** This ordinance takes effect on _____, 2008.

2
3
4 **PASSED AND APPROVED**

5
6 §
7 §
8 _____, 2008 § _____

9 Will Wynn
10 Mayor

11
12
13 **APPROVED:** _____ **ATTEST:** _____
14 David Allan Smith Shirley A. Gentry
15 City Attorney City Clerk