

M J T

Z-4/Z-5/Z-6

MINTER, JOSEPH & THORNHILL, P.C.

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Austin, Texas 78704-1196
phone 512.478.1075
fax 512.478.5838
www.mjtpc.com

May 12, 2004

John M. Joseph
Extension 109
jjoseph@mitpc.com

VIA HAND DELIVERY

Ms. Wendy Walsh, Case Manager
Watershed Protection and Development
Review Department
City of Austin
505 Barton Springs Road
Austin, Texas 78704

Re: Zoning Case Nos. C14-04-0018, C14-04-0019 and C14-04-0020
Double Creek Village
Items Z-3, Z-4 and Z-5
May 13, 2004 City Council Agenda

Dear Ms. Walsh:

Please be advised that we represent Thomas Enterprises, Inc., the owner of property adjacent to a portion of the property the subject of the above referenced zoning applications. Our client's property is located immediately on the west side of Old San Antonio Road and west of the 62.897 acres and 4.781 acres tracts of the applicant. A map of these two tracts is attached as Exhibit "A".

Although our client is not in opposition to the development of the property as outlined in the zoning application and is not in opposition to the zoning requested, our client, as well as Clarence Vogel, owner of the Manchaca Community Center, is seriously concerned with the proposed alignment of the extension of Onion Creek Blvd. as represented in the application.

Our client filed on May 4, 2004 with the City of Austin, through Doucet and Associates, Inc., engineers a preliminary plat application at Case No. C8J-04-0063 for a one lot subdivision that extends Onion Creek Blvd. west of Old San Antonio Road. A copy of that application is attached for your information as Exhibit "B". As presently proposed, the alignment of Onion Creek Parkway as proposed by the applicant would not match with the extension of Onion Creek Parkway as shown in our client's

Ms. Wendy Walsh, Case Manager
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May 12, 2004
Page 2

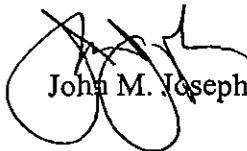
preliminary plan application. I have attached as Exhibit "C" the preliminary plan application of the applicant, Case No. C8J-04-0066 filed May 4, 2004, to illustrate the roadway alignment disparity between the two applications.

Although we are cognizant of the fact that this is a zoning case and that typically roadway alignment issues are not a function of zoning, the applicant has developed its zoning tracts for C14-04-0020 based on the extension of Onion Creek Parkway. Consequently, the applicant is using the zoning tracts to create a "de facto" alignment of Onion Creek Parkway. It is our understanding from George Zapalac that the case manager for both preliminary plan applications, Don Perryman, is proposing a meeting of the interested parties to try and resolve the conflict of the extension of Onion Creek Parkway.

This is our client's first request to the Council for postponement.

It seems that the transportation needs of this area and the City of Austin would benefit from the coordination of these applications for the extension of Onion Creek Parkway. We respectfully request that the above referenced case be postponed for one month, June 10, 2004, to allow the interested parties and the staff to resolve the Onion Creek Parkway extension alignment dispute.

Very truly yours,



John M. Joseph

Enclosure

cc: Thomas Enterprises, Inc.
Attention: Jim Ray

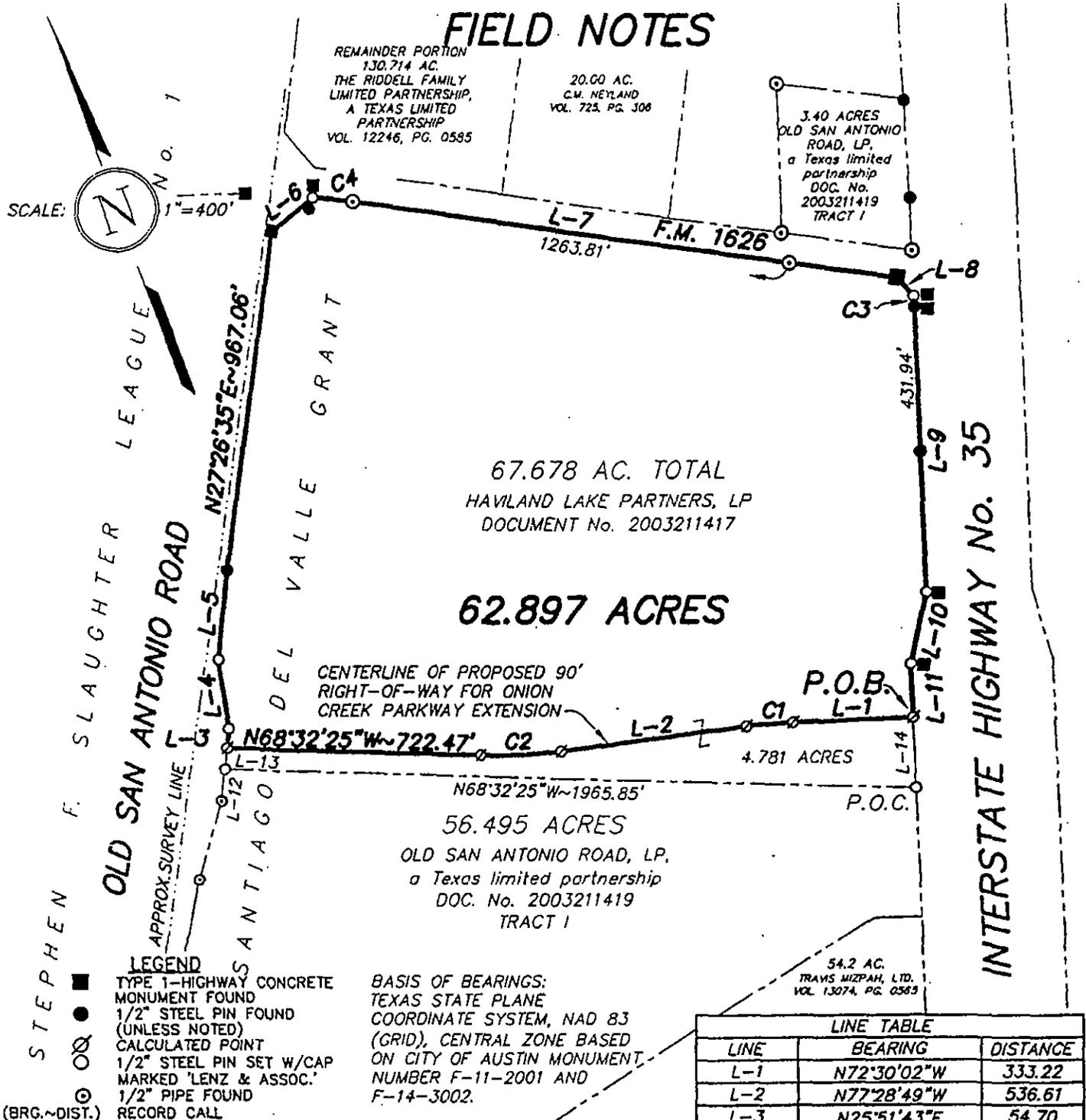
Michele Rogerson Allen
Drenner Stuart Wolfe Metcalfe & Von Kreisler, LLP

Mayor and Council

JMJ
f:\ThomasEnt\Onion Cr\Wendy Walsh draft ltr 2 - Postponement request

EXHIBIT A-1

**MAP TO ACCOMPANY
FIELD NOTES**



CURVE	DELTA	RADIUS	TANGENT	ARC	CHORD	BEARING
C1	4°58'46"	1500.00	65.22	130.36	130.32	N74°59'25"W
C2	8°56'23"	1500.00	117.26	234.04	233.81	N73°00'37"W
C3	0°02'37"	11309.30	4.30	8.59	8.59	S17°35'49"W
C4	3°27'12"	1869.86	56.37	112.70	112.68	S64°11'26"E

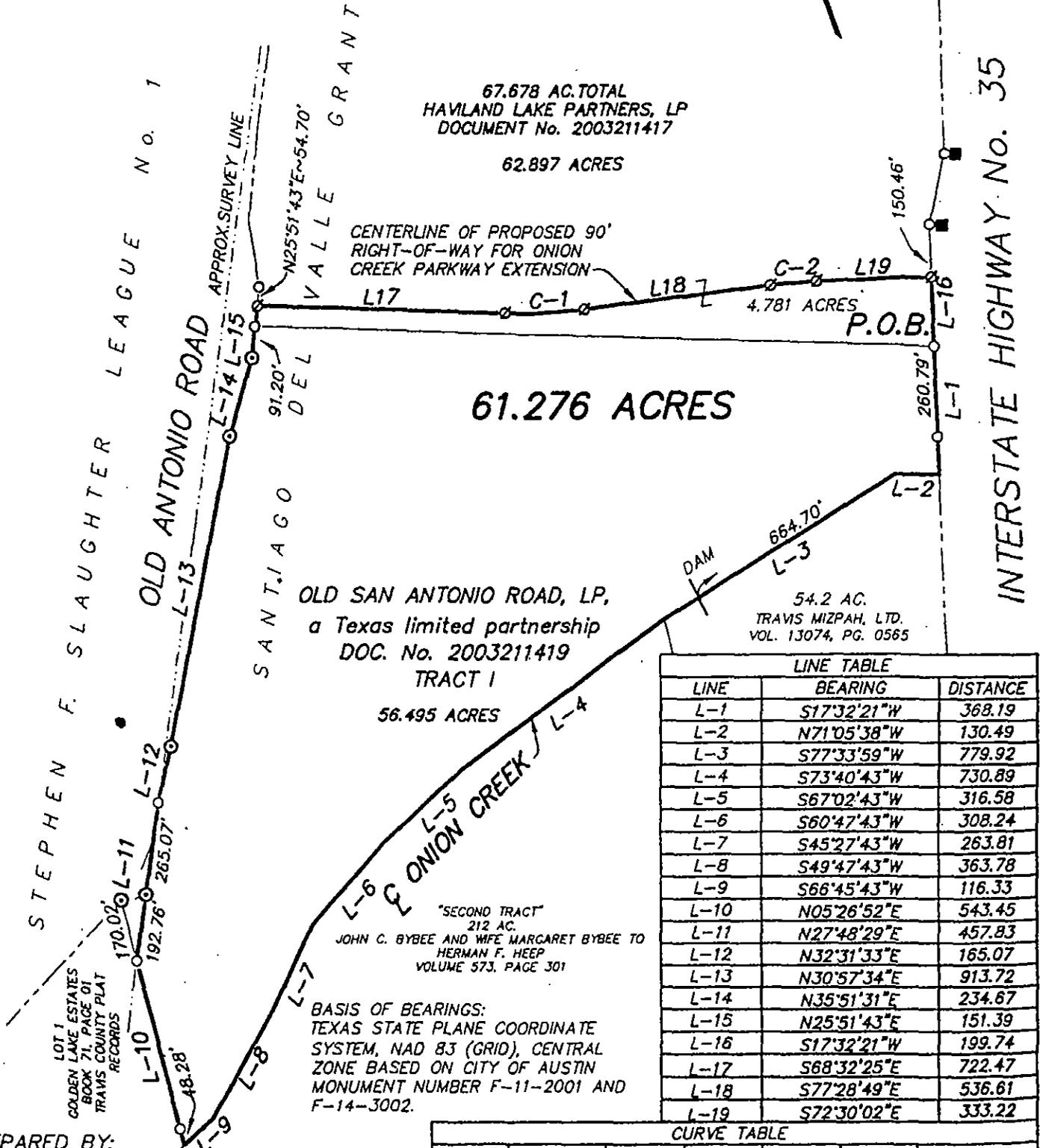
LINE	BEARING	DISTANCE
L-1	N72°30'02"W	333.22
L-2	N77°28'49"W	536.61
L-3	N25°51'43"E	54.70
L-4	N11°06'43"E	195.29
L-5	N25°36'43"E	253.80
L-6	N70°23'54"E	147.85
L-7	S62°20'42"E	1564.06
L-8	S22°36'58"E	70.86
L-9	S17°33'47"W	832.00
L-10	S31°35'57"W	205.62
L-11	S17°32'21"W	150.46
L-12	S25°51'43"W	91.20
L-13	S25°51'43"W	60.19
L-14	N17°32'21"E	199.74

PREPARED BY:
LENZ & ASSOCIATES, INC.
1714 FORT VIEW ROAD, SUITE 101
AUSTIN, TEXAS 78704

MAP TO ACCOMPANY FIELD NOTES

- LEGEND**
- TYPE 1-HIGHWAY CONCRETE MONUMENT FOUND
 - 1/2" STEEL PIN FOUND (UNLESS NOTED)
 - CALCULATED POINT
 - 1/2" STEEL PIN SET W/CAP MARKED 'LENZ & ASSOC.'
 - 1/2" PIPE FOUND (BRG.-DIST.)
 - ⊙ RECORD CALL

SCALE:  1"=400'



67.678 AC. TOTAL
HAYLAND LAKE PARTNERS, LP
DOCUMENT No. 2003211417

62.897 ACRES

CENTERLINE OF PROPOSED 90'
RIGHT-OF-WAY FOR UNION
CREEK PARKWAY EXTENSION

61.276 ACRES

OLD SAN ANTONIO ROAD, LP,
a Texas limited partnership
DOC. No. 2003211419
TRACT I

56.495 ACRES

54.2 AC.
TRAVIS MIZPAH, LTD.
VOL. 13074, PG. 0565

"SECOND TRACT"
212 AC.
JOHN C. BYBEE AND WIFE MARGARET BYBEE TO
HERMAN F. HEEP
VOLUME 573, PAGE 301

BASIS OF BEARINGS:
TEXAS STATE PLANE COORDINATE
SYSTEM, NAD 83 (GRID), CENTRAL
ZONE BASED ON CITY OF AUSTIN
MONUMENT NUMBER F-11-2001 AND
F-14-3002.

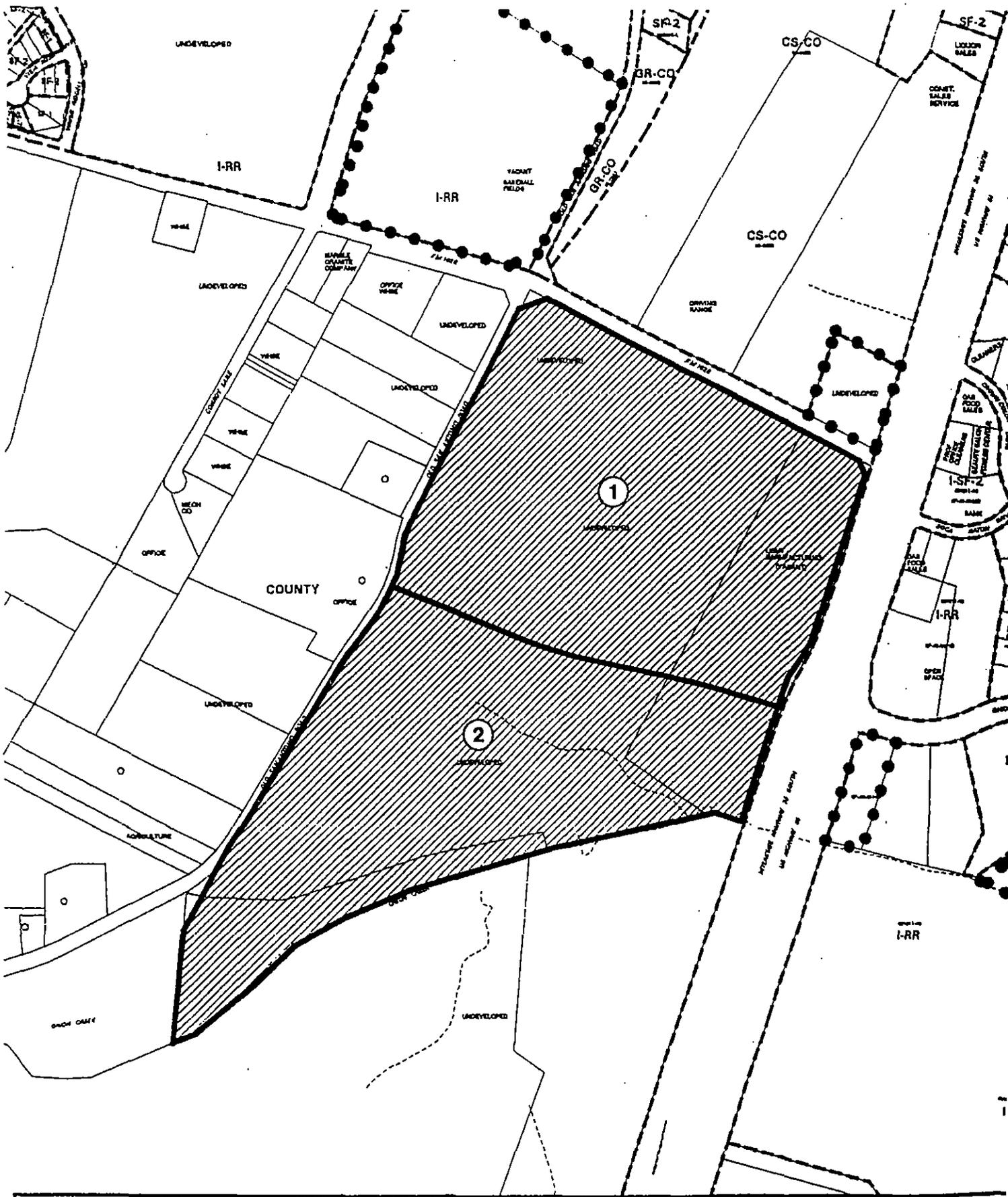
LINE TABLE

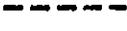
LINE	BEARING	DISTANCE
L-1	S17°32'21"W	368.19
L-2	N71°05'38"W	130.49
L-3	S77°33'59"W	779.92
L-4	S73°40'43"W	730.89
L-5	S67°02'43"W	316.58
L-6	S60°47'43"W	308.24
L-7	S45°27'43"W	263.81
L-8	S49°47'43"W	363.78
L-9	S66°45'43"W	116.33
L-10	N05°26'52"E	543.45
L-11	N27°48'29"E	457.83
L-12	N32°31'33"E	165.07
L-13	N30°57'34"E	913.72
L-14	N35°51'31"E	234.67
L-15	N25°51'43"E	151.39
L-16	S17°32'21"W	199.74
L-17	S68°32'25"E	722.47
L-18	S77°28'49"E	536.61
L-19	S72°30'02"E	333.22

CURVE TABLE

CURVE	DELTA	RADIUS	TANGENT	ARC	CHORD	BEARING
C1	8°56'23"	1500.00	117.26	234.04	233.81	S73°00'37"E
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PREPARED BY:
LENZ & ASSOCIATES, INC.
1714 FORT VIEW ROAD, SUITE 101
AUSTIN, TEXAS 78704




 SUBJECT TRACT 
 PENDING CASE 
 ZONING BOUNDARY 
 CASE MGR: W. WALSH

CASE #: C14-04-0020
ADDRESS: 11200-11300 S I 35 SVR
SUBJECT AREA (acres): 124.173

ZONING

EXHIBIT A-3

DATE: 04-04

INTLS: SM

CITY GRID REFERENCE NUMBER

F11

LEGAL DESCRIPTION

1917 MAP OF THE CITY OF JACKSON, MISSISSIPPI, SHOWING THE...
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...AND THE...

STATEMENT STATUS

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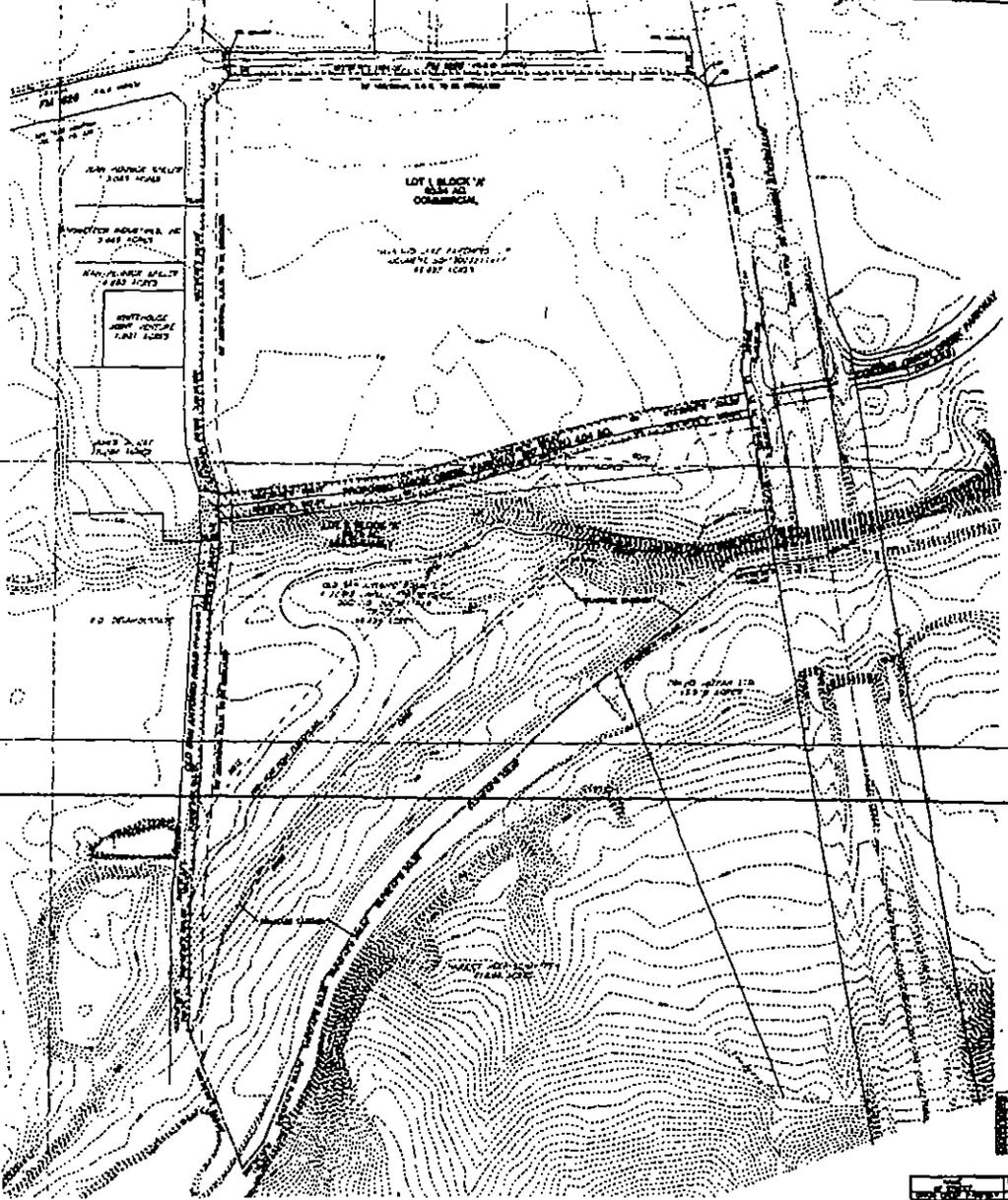


EXHIBIT C