

Late Backup

Rec
1-15-09
31

ITEM No. 84
4808 William Cannon

AGREED MOTION ON SECOND READING

LR-MU-CO -NP

1. Conditional Overlays:

- Limit impervious cover to currently existing impervious cover (approx. 8100 sqft)
- Prohibit the following commercial uses: Consumer Convenience Services, Consumer Repair Services (except for locally owned jewelry store with no more than 2 locations), Financial Services, Food Sales, General Retail Sales (Convenience) (except for locally owned jewelry store with no more than 2 locations), Off-Site Accessory Parking, Pet Services, Plant Nursery, Printing and Publishing, Restaurant (Limited), Service Station
- Prohibit all industrial uses
- Prohibit the following civic uses: Congregate Living, Convalescent Services, Group Home I, Group Home II, Guidance Services, Residential Treatment and Telecommunication Tower
- Any new building on the Property replacing the existing building will be located outside of the Critical Water Quality Zone and demolished areas will be revegetated
- Total building square footage not to exceed 5000 square feet
- Max. Height is 35 feet measured from grade to highest point of the roof
- 25 foot building setback from the east property line
- 15 foot building setback from the west property line, unless the property and adjacent property are developed under as a unified development
- 25 foot vegetative buffer from William Cannon (except for driveway, utilities and signage)
- 50 foot building setback from William Cannon

2. Additional Conditions of Zoning

- A. Recreation Easement recorded for trail along Williamson Creek (*NOTE: the easement has been drafted and field notes have been prepared. The Easement will be recorded at 3rd reading*).
- B. Private Restrictive Covenant with Neighborhood with following terms:
- Jewelry Store use (if any) to be restricted for local store with no more than 2 locations, no other retail uses allowed
 - In the event of major redevelopment, screening of front parking areas will be provided at least 4 feet tall consisting of vegetation and/or stone or brick walls
 - Providing for signage restrictions as follows:
 - i. Main identification sign is to be native stone (limestone) or brick with a maximum height of 6 feet plus an appropriately landscaped 18 inch berm or sign base; sign to be positioned for safe ingress and egress to the site. Additionally the sign is not to be internally illuminated in accordance with City of Austin Code as of November 2008 and is not to contain any changeable letter or electronic message sign. The sign may be ground

illuminated only if landscaping is provided to screen the lighting components from street view.

- ii.* Building signage is to be Class A signage (no painted signboard or plywood; no channel letters or cabinets unless variance granted prior to manufacture and/or installation by Western Oaks Property Owners Association).
 - iii.* Banners are allowed for the first 30 days of occupancy (90 days in the case of a private school advertising enrollment) to announce opening and two ten day periods yearly. No other temporary signage is allowed at any time. Signage advertising the property for sale or lease is excepted from the temporary signage limitation.
- Architectural Standards for new buildings
 - i. 75% of building native stone or brick (not including windows and doors)
 - ii. Earthtone colors
- Business hours of operation to receive customers Monday through Friday 7am-9pm; Saturday through Sunday 9am-6pm
- Any Retention/filtration facility screened to Western Oaks residents and White Elm residents.
- If development is subject to site plan review, all items in this agreement to be included in notes on site plan.
- Lighting to meet dark sky standards as established in other covenants with Western Oaks POA.
- For major redevelopment, dumpster is to be screened and fully enclosed with attractive materials from William Cannon and White Elm residents. Service only between the hours of 8am-6pm.
- Streetscape landscaping is to be maintained as current with minor trimming allowed. If redevelopment occurs, with rear parking, landscaping in front of any new building is to have a residential "look and feel" (trees and shrubs) to make any new building generally consistent landscaping in the Western Oaks neighborhood. If redevelopment occurs with front parking, parking area is to be screened by landscaping and/or stone wall such that vehicles are screened from the street as described above