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**RESTRICTIVE COVENANT AMENDMENT REVIEW SHEET**

**CASE:** C14-91-0015(RCA)  
Champion Commercial Development

**Z. P. C. DATE:** 03/01/11

**ADDRESS:** 5617 FM 2222

**AREA:** 9.201 Acres

**APPLICANTS:** Champion Assets, Ltd.  
(Josie Champion)

**AGENT:** Graves, Dougherty, Hearon & Moody, P.C  
(Michael Whellan)

**NEIGHBORHOOD PLAN AREA:** None

**CAPITOL VIEW:** No

**WATERSHED:** West Bull Creek

**T.I.A.:** Yes.

**HILL COUNTRY ROADWAY:** No

**DESIRED DEVELOPMENT ZONE:** No

**EXISTING ZONING** GR-CO, Community Commercial, Conditional Overlay, RR, Rural Residence.

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the Restrictive Covenant Amendment to allow left turn access into the site from west bound RM 2222.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**DEPARTMENT COMMENTS:**

The Restrictive Covenant is associated with case number C14-91-0015, which was a zone change request for Tract "D" of the Champion properties. The zone change request was from SF-2, Single Family Residence, Standard Lot to GR-CO, Community Commercial, Conditional Overlay. The approved ordinance for the zone change request included a maximum building coverage of seventy thousand (70,000) square feet and prohibited various uses within the Community Commercial zoning district. The applicant also entered into a Restrictive Covenant that addressed additional items that were not in the approved ordinance such as, but not limited to, access, traffic improvements, landscaping and architectural restrictions. One of the items addressed under "Access" is that "There shall be no more than one driveway approach from (i) R. M. 2222, and no more than one driveway approach from (ii) Loop 360 [Capital of Texas Highway] to the Property sufficient to provide "right in" and "right out" vehicular access from the roadways to the Property".

In 2009/2010 the Texas Department of Transportation (TxDOT) began a major redesign and renovation of the intersection of RM 2222 and Loop 360. The agent for the property owner approached TxDOT with a request that their new design incorporate a left turn lane on the west bound lanes of RM 2222 prior to the intersection so that vehicles could access the property to the southeast. TxDOT said that they would research the request and subsequently agreed to the left turn lane. It was later brought to the attention of TxDOT that there was a Restrictive Covenant prohibiting such a turn lane and TxDOT withdrew their approval informing the agent that they would have to amend the Restrictive Covenant prior to TxDOT changing their plans and allowing the additional left turn lane.

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The agent for the property made application with the City of Austin, under case number C14-91-0015 (RCA) to amend the Restrictive Covenant to delete the provision of ““right in” and “right out” vehicular access from the roadways to the Property”. The City requested that the applicant provide a limited Traffic Impact Analysis (TIA) to update the TIA from 1991. The limited TIA update was preformed by HDR Engineering, Inc. and the conclusion was that “a westbound left-turn lane on RM 2222 be approved for construction to allow “left-turn in” access to the Champion Tract site”.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	GR-CO	Undeveloped
<b>NORTH</b>	GR-CO	Retail
<b>SOUTH</b>	PUD	Single Family Residence/The Courtyard
<b>EAST</b>	P	City of Austin Fire Station
<b>WEST</b>	LO	Office

**CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C814-75-002 The Courtyard	From I-SF-3 to PUD	Approved PUD [Vote: 7-0]	Approved PUD [Vote: 7-0]
C814-74-005 Cat Mountain Villas	From SF-3 to PUD	Approved PUD [Vote: 7-0]	Approved PUD [Vote: 7-0]

**NEIGHBORHOOD ORGANIZATION:**

- Homeless Neighborhood Assoc.
- Austin Neighborhoods Council
- League of Bicycling Voters
- North Austin Neighborhood Alliance
- 2222 Property Owners Assoc.
- Long Canyon HOA
- Glen Lake Neighborhood Assoc.
- 2222 Coalition of Neighborhoods
- Courtyard HOA
- Middle Bull Creek Neigh. Assoc.
- Steiner Ranch Comm. Assoc.
- Comanche Trail Comm. Assoc.
- River Place Residential Assoc.
- Canyon Creek HOA

**SCHOOLS:**

Highland Park Elementary School  
Lamar Middle School  
McCallum High School

**TRANSPORTATION COMMENTS RECEIVED:**

See attached TIA Update Memo from the Transportation Reviewer

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**CITY COUNCIL DATE:** March 3rd, 2011

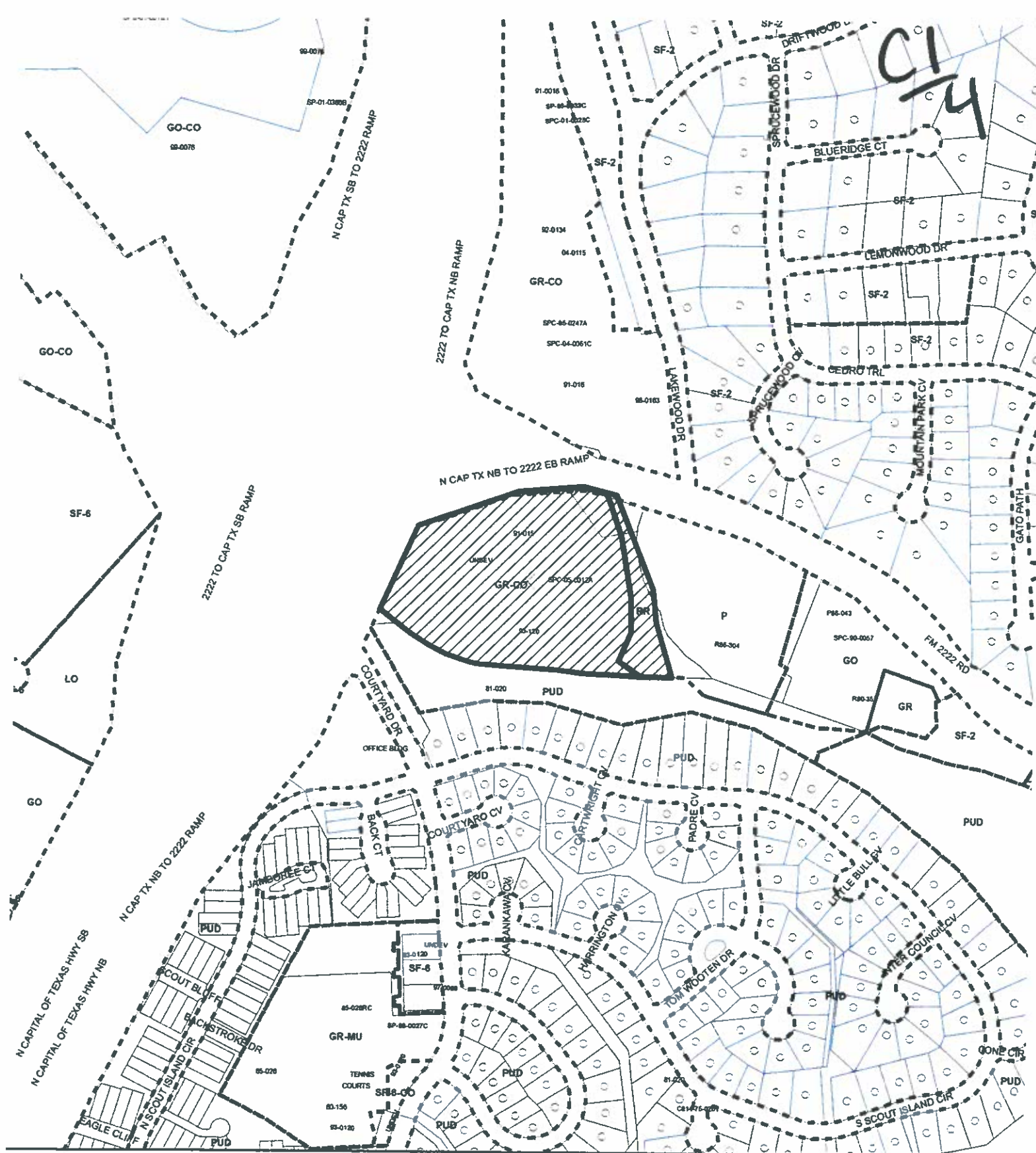
**ACTION:**

**ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>

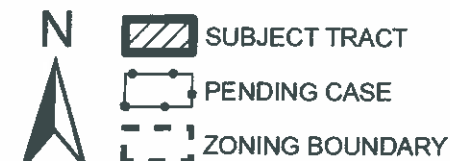
**ORDINANCE NUMBER:**

**CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)

**PHONE:** 974-7691



## ZONING



ZONING CASE#: C14-91-0015(RCA)  
 LOCATION: 5617 FM 2222 RD  
 SUBJECT AREA: 9.201 ACRES  
 GRID: G30  
 MANAGER: CLARK PATTERSON



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







ORDINANCE NO. 920507- B

ORDINANCE ORDERING A REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1981 AS FOLLOWS:

TRACT 1: 0.942 ACRE TRACT OF LAND OUT OF THE T. J. CHAMBERS GRANT, FROM "SF-2" SINGLE FAMILY RESIDENCE (STANDARD LOT) DISTRICT TO "RR" RURAL RESIDENCE DISTRICT; AND,

TRACT 2: 8.259 ACRE TRACT OF LAND OUT OF THE T. J. CHAMBERS GRANT, FROM "SF-2" SINGLE FAMILY RESIDENCE (STANDARD LOT) DISTRICT TO "GR-CO" COMMUNITY COMMERCIAL DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT,

LOCALLY KNOWN AS 5619-5719 F.M. 2222, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That Chapter 13-2 of the Austin City Code of 1981 is amended to change the respective base zoning districts and to establish a Conditional Overlay combining district on all of the property described in File C14-91-0015, as follows:

TRACT 1: From "SF-2" Single Family Residence (Standard Lot) district to "RR" Rural Residence district.

0.942 acre tract of land out of the T. J. Chambers Grant, said 0.942 acre tract of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes.

TRACT 2: From "SF-2" Single Family Residence (Standard Lot) district to "GR-CO" Community Commercial district-Conditional Overlay combining district.

8.259 acre tract of land out of the T. J. Chambers Grant, said 8.259 acre tract of land being more particularly described by metes and bounds in "Exhibit B" attached and incorporated herein for all purposes.

locally known as 5619-5719 F.M. 2222, in the City of Austin, Travis County, Texas.

PART 2. That all of the property within the boundaries of the Conditional Overlay combining district established by this ordinance is subject to the following conditions:

1. Development of Tract 2 shall not exceed a maximum of 70,000 square feet of building space.
2. Uses of Tract 2 shall be restricted to the range of permitted uses authorized in the "GR" Community Commercial district as set forth in Sec. 13-2-221 of the Austin City Code, with the exception of the following uses which shall be prohibited:

(a) Automotive rentals,	(e) Exterminating services,
(b) Automotive repair services,	(f) Financial services,
(c) Automotive sales,	(g) Medical offices,
(d) Automotive washing	(h) Restaurant (drive-in, fast food),
(automatic or mechanical),	(i) Service station,

- (j) Automotive washing (self service), (l) Off-site accessory parking.  
(k) Commercial off-street parking, and,

Except as specifically restricted by this ordinance, the property may be developed and used in accordance with regulations established for the respective base districts and other applicable requirements of the Land Development Code.

**PART 3.** That it is ordered that the Zoning Map established by Sec. 13-2-22 of the Austin City Code of 1981 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

**PART 4.** That the requirement imposed by Section 2-2-3 of the Austin City Code of 1981 that this ordinance be read on three separate days shall be waived by the affirmative vote of five members of the City Council to pass this ordinance through more than one reading on a single vote.

**PART 5.** That this ordinance shall become effective after the expiration of ten days following the date of its final passage.

PASSED AND APPROVED:

May 7, 1992

SEAL

Bruce Todd  
Mayor

APPROVED:

Diana L. Granger  
Acting City Attorney

ATTEST:

James E. Aldridge  
City Clerk

7May92  
ME/jj

C1200  
850

DOC. NO.

Zoning Case No. C14-91-0015

92045794

RESTRICTIVE COVENANT

4:23 PM 7657

25.00 INDX  
3 1 05/18/92

OWNERS AND ADDRESSES: JOSIE ELLEN CHAMPION, 6700 Lakewood Drive, Austin, Texas, 78731.  
JUANITA MEIER, 405 Almarion, Austin, Texas, 78746.  
MARY MARGARET ROBERSON, 3312 Southwestern, Dallas, Texas, 75225.

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

4:23 PM 7657

3.00 RECH  
2 1 05/18/92

PROPERTY: Tract 1: 0.942 acre tract of land out of the T. J. Chambers Grant, said 0.942 acre tract of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes.

920457.94-0000

Tract 2: 8.259 acre tract of land out of the T. J. Chambers Grant, said 8.259 acre tract of land being more particularly described by metes and bounds in "Exhibit B" attached and incorporated herein for all purposes.

WHEREAS, the Owners of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions as conditions of zoning for the Property;

NOW, THEREFORE, it is declared that the Owners of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions, impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owners of the Property, their heirs, successors, and assigns.

ACCESS.

1. There shall be no more than one driveway approach from (i) R.M. 2222, and no more than one driveway approach from (ii) ~~Loop 360~~ [Capital of Texas Highway] to the Property sufficient to provide "right-in" and "right-out" vehicular access from the roadways to the Property. The driveway approaches shall conform with all applicable provisions of the Land Development Code and Transportation Criteria Manual relating to driveway approaches.

TRAFFIC IMPROVEMENTS.

2. No certificate of occupancy shall be issued by the City until the roadway improvements associated with the extension of the median along R.M. 2222 are completed to adequately prevent (i) left turns for westbound traffic entering the property, and (ii) left turns and left "U turns" for traffic exiting the property onto R.M. 2222.

WATER QUALITY CONTROLS.

3. Use of nitrogen and phosphorous fertilizers shall be prohibited on the Property, except when utilized in confined plant containers inside of enclosed buildings.
4. Use of lawn herbicides and pesticides shall be prohibited on the Property.

APR 11 2005

Page 1 of 5

City of Austin, Texas  
County Clerk

7. County Clerk  
[Signature]

REAL PROPERTY  
TRAVIS COUNTY, TEXAS

11688 079



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5. Disturbance of the native vegetation on hillrock and rock outcropping in and along the southern portion of the Property shall be prohibited.
  6. Owners shall re-vegetate all disturbed soil surfaces on the Property subject to erosion with native grasses such as Little Bluestem.
  7. Owners shall reserve and utilize water quality control systems within:
    - (i) the area being identified as the cross-hatched parcel of land in the "Exhibit C" as attached to this restrictive covenant; or,
    - (ii) a comparable sized area on the property to be approved by the City of Austin Department of Planning and Development and determined at the time an application for approval of a site plan is submitted.
  8. Owners shall construct and maintain screening of sufficient density to insure capture of paper and plastic litter before run-off enters the water quality control systems.
  9. Owners shall reserve certain areas along the north and west portions of the Property immediately adjacent to Loop 360 and R.M. 2222 for purposes of concentrating impervious cover.
  10. Owners shall utilize native grasses such as Little Bluestem as filter strip on the Property to
    - (i) break down the carbon (petro-chemical) compounds from parking lots, and
    - (ii) trap or filter out particulate matter.
  11. Owners shall construct and maintain two sedimentation basins on the Property operating in-series using grasses such as Switchgrass and Bushy Bluestem as liners. Owners shall also utilize sand filters in conjunction with said sedimentation.
  12. Owners shall construct and maintain a detention pond with a minimum volume of two acre feet on the Property. The detention pond shall be lined with grasses such Switchgrass and Bushy Bluestem and other appropriate native vegetation for the purpose of reducing the rate of stormwater discharge to the rate of discharge without improvements constructed on the Property.
  13. Owners shall design (i) drainage systems to further enhance sheet flow discharge from the Property through grass filter strips, and (ii) discharge systems from sedimentation basins and detention ponds to prevent erosion of the Bull Creek bank.
  14. Owners shall utilize grass filter strips on the Property (i) before the discharge enters the sedimentation and detention ponds, and (ii) after the discharge leaves the said ponds but before it enters Bull Creek.
  15. Owners shall utilize temporary erosion controls in all areas of construction activity on the Property.

#### LANDSCAPING.

16. Prior to issuance of a certificate of occupancy by the City of Austin, the Owners shall construct and maintain a landscape plan on the property to be approved by the City of Austin Department of Planning and Development and determined at the time an application for approval of a site plan is submitted.

APR 07 2005

Page 2 of 5

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of this office.



REAL PROPERTY  
TRAVIS COUNTY TEXAS

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17. Owners shall insure that the existing vegetation remains undisturbed along Bull Creek.
  18. Owners shall maintain all native grass areas on the Property by routinely mowing said grass areas, particularly the areas used as grass filter strips.
  19. Owners shall landscape the natural terrain of the Property in a manner that will mitigate cut and fill and other erosion activities and preserve the existing vegetation on the Property.

#### BUILDING AND ARCHITECTURAL RESTRICTIONS.

20. Facades of the buildings on the Property will be constructed of at least 75% masonry.
21. Buildings constructed on the Property shall have pitched roofs. All ventilating, air conditioning, and other mechanical equipment shall be (i) prohibited from being placed on building roofs unless placed beneath the pitched portions, and (ii) screened from visibility from the public right-of-way.
22. All outside lighting constructed on the Property shall be screened or shielded away from the adjoining and nearby properties so that light source is not directly visible to said properties. The reflected light resulting from direct illumination on the Property shall not exceed 0.4 foot candles across the eastern property line of the Property.

#### OPERATIONAL RESTRICTIONS.

23. Owners shall solicit end users for the Property (i) who will generate a minimal amount of additional traffic after 12:00 a.m., and (ii) whose peak hour traffic begins after 9:00 a.m..

#### PLANNING COMMISSION REVIEW.

24. Prior to the issuance of a building permit, the Planning Commission shall review all applications for approval of a site plan(s) for development of the Property or any portion of the Property.

#### RESERVATION OF RIGHT OF WAY.

25. Owner shall reserve (i) 150 feet of right-of-way from the existing center line of RM 2222, and 250 feet of right-of-way from the existing center line of Loop 360, for future right-of-way, pursuant to Section 13-5-8 of the Austin City Code. No structure shall be erected nor shall improvements be made within the reserved right-of-way as determined by the Transportation and Public Safety Department, except as otherwise authorized by the City of Austin.
26. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.

APR 4 2005

L. Dean DeBorja, County Clerk  
Travis County, Texas  
County Clerk's Office  
1000 Red River Street  
Austin, Texas 78701  
512.478.2000



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27. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
28. If at any time the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
29. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property at the time of such modification, amendment or termination.

All citations to the Austin City Code shall refer to the Austin City Code of 1981, as amended from time to time, unless otherwise specified. When the context requires, singular nouns and pronouns include the plural.

Josie Ellen Champion  
JOSIE ELLEN CHAMPION

Date: April 2, 1992.

Juanita Meier  
JUANITA MEIER

Date: April 20, 1992.

Mary Margaret Roberson  
MARY MARGARET ROBerson

Date: April 6, 1992.

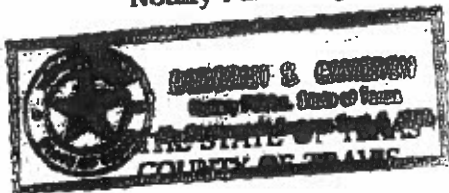
THE STATE OF TEXAS  
COUNTY OF TRAVIS

§  
§

This instrument was acknowledged before me on this the 2 day of April, 1992, by JOSIE ELLEN CHAMPION.

[Signature]  
Notary Public Signature

\_\_\_\_\_  
Type or Print Name of Notary  
My Commission Expires: \_\_\_\_\_



§  
§

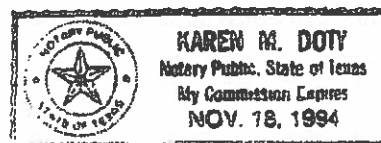
This instrument was acknowledged before me on this the 21<sup>st</sup> day of April, 1992, by JUANITA MEIER.

[Signature]  
Notary Public Signature

\_\_\_\_\_  
Type or Print Name of Notary  
My Commission Expires: \_\_\_\_\_

L. Dean DeBorja, County Clerk, Travis County, Texas  
I have this day acknowledged the foregoing instrument.  
APR 24 2005

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REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

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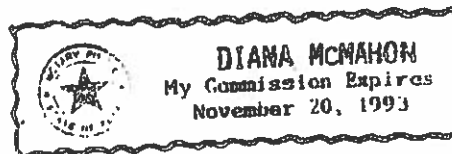
THE STATE OF TEXAS  
COUNTY OF ~~TRAVIS~~ DALLAS

§  
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This instrument was acknowledged before me on this the 6 day of April, 1992,  
by MARY MARGARET ROBERSON.

Diana McMahon  
Notary Public Signature

Type or Print Name of Notary  
My Commission Expires: \_\_\_\_\_



After Recording, Please Return to:  
City of Austin  
Department of Law  
P. O. Box 1088  
Austin, Texas 78767  
Attention: Joe Jimenez, Legal Assistant

APR 6 4 2005

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REAL PROPERTY RECORDS  
TRAVIS COUNTY, TEXAS

1666 0801

Donna DeBorja, County Clerk, Travis County, Texas  
I have this day recorded the foregoing instrument.  
WITNESS my hand and the seal of said County this 6th day of April, 1992.



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**Date:** February 7, 2011  
**To:** Clark Patterson, Case Manager  
**CC:** Kathy Hornaday, P.E., PTOE  
HDR Engineering, Inc.  
**Reference:** Champion Commercial Development, C14-91-0015(RCA)

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The Transportation Review Section has reviewed the Traffic Impact Analysis (TIA) update for the Champion Commercial Development dated December 3, 2010 by Kathy Hornaday, P.E. of HDR Engineering, Inc. This TIA update was provided in support of a restrictive covenant amendment (RCA) to allow left-turn access into the site from RM 2222. The restrictive covenant currently restricts the site to one driveway approach on RM 2222 and one driveway approach on Loop 360 (Capital of Texas Highway). Currently, both driveways are restricted to right-in, right-out access only.

#### **BACKGROUND**

The Champion Commercial Development is located at the southeast corner of Loop 360 and R.M. 2222. This property is referred to as Parcel D in the TIA prepared for Champion Tract Parcels D and E, dated February 1991, by John McInturff of WHM Transportation Engineering Consultants, Inc. (1991 Champion TIA).

The 1991 Champion TIA assumed 90,000 square feet of retail (shopping center use, ITE code 820) on Parcel D. The current proposal assumes 56,810 square feet of retail (shopping center use, ITE Code 820). The final build-out of the project is expected in the year 2015.

The Texas Department of Transportation (TXDOT) is currently reconstructing RM 2222. The reconstruction project includes widening of RM 2222, a left-turn lane for eastbound traffic turning onto Lakewood Drive, and removal of the dedicated right-turn lane from northbound Capital of Texas Highway to eastbound RM 2222. A signal will also be installed at Lakewood Drive and RM 2222. The widening of RM 2222 will provide sufficient width to accommodate a left turn lane into this site from RM 2222 (See Exhibit A – Roadway Exhibit).

#### **SCENARIOS**

Two scenarios were analyzed. The first scenario assumed the conditions of the existing restrictive covenant, which is, only right-in, right-out access is allowed on RM 2222. In scenario one, traffic from westbound RM 2222 have two options to enter the site:

1. Take a u-turn at the intersection of RM 2222 and Loop 360 Southbound Frontage Road (SBFR) to access the site from the RM 2222 driveway.
2. Take a left turn onto Loop 360 Southbound Frontage Road (SBFR), make a u-turn at Courtyard Drive, and access the site from the driveway on the Loop 360 Northbound Frontage Road (NBFR).

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The second scenario assumed the conditions of this request for restrictive covenant amendment. In scenario two, a left turn bay provides left-turn access into the site for traffic from westbound RM 2222.

### TRIP GENERATION

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 4,702 unadjusted average daily trips (ADT). During the weekday morning peak period (7 A.M. – 9 A.M.) and the weekday evening peak period (4 P.M. – 6 P.M.), the development will generate approximately 110 trips and 235 trips, respectively.

Tables 1 and 2 below show the trip generation by land use for the proposed development:

Table 1. Trip Generation: 24-Hour Unadjusted					
LAND USE	ITE Code	Size	ADT		
			Total	Enter	Exit
Shopping Center	820	56,810 SF	4,702	2,351	2,351
Total			4,702	2,351	2,351

Table 2. Trip Generation: AM and PM Peak Periods									
				AM Peak			PM Peak		
LAND USE	ITE Code	Size		Total	Enter	Exit	Total	Enter	Exit
Shopping Center	820	56,810 SF	Unadjusted	110	67	43	435	213	222
			Pass-By	0	0	0	200 (46%*)	98 (46%*)	102 (46%*)
Total			Adjusted	110	67	43	235	115	120

\* The 1991 Champion TIA assumed a 53% pass-by trip reduction.

### ASSUMPTIONS

1. Traffic growth rates were estimated by the consultant based on the TXDOT Annual Average Daily Traffic Maps.

Table 3. Growth Rates per Year	
Roadway Segment	%
All Roadways	2.5%

2. Traffic generation for the retail center on the north side of RM 2222 (Parcel E according to the 1991 Champion TIA) was estimated base on the existing land uses on the site (See Tables 4 and 5).

Table 4. Champion Parcel E Trip Generation: 24-Hour Unadjusted					
LAND USE	ITE Code	Size	ADT		
			Total	Enter	Exit
Quality Restaurant	931	14,600 SF	1,313	657	657
High Turnover (Sit-down) Restaurant	932	8,330	1,059	530	530
Shopping Center	820	4,070 SF	848	424	424
Total			3,220	1610	1610



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Table 5. Champion Parcel E Trip Generation: AM and PM Peak Periods									
LAND USE	ITE Code	Size		AM Peak			PM Peak		
				Total	Enter	Exit	Total	Enter	Exit
Quality Restaurant	931	14,600 SF	Unadjusted	0	0	0	109	73	36
High Turnover (Sit-down) Restaurant	932	8,330		96	50	46	93	55	38
Shopping Center	820	4,070 SF		23	14	9	74	36	38
Subtotal Unadjusted				119	64	55	276	164	112
Pass-By				0	0	0	162	92	70
Total Adjusted				119	64	56	114	72	42

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

### EXISTING AND PLANNED ROADWAYS

**Loop 360 (Capital of Texas Highway)** – Loop 360 forms the western border of the site and is a four-lane divided major arterial between RM 2222 and Lake Austin. The Austin Metropolitan Area Transportation Plan (AMATP) proposes to upgrade Loop 360 to a six-lane expressway by 2025. The Annual Average Daily Traffic Counts (AADT) counts are what could be expected during a normal workday of a given week. The AADT collected by TxDOT on this segment of Loop 360 was 45,000 in 2009. According to the Austin 2009 Bicycle Plan Update that was approved by Austin City Council in June 2009, Loop 360 is a segment of bicycle network recommended for the City of Austin. A wide shoulder bicycle facility exists and is recommended in the Bicycle Plan. Driveway access (right-in, right-out) is proposed on Loop 360.

**RM 2222** – RM 2222 forms the northern border of the site. TxDOT is currently reconstructing RM 2222 from Loop 360 to east of Lakewood Drive. The final (typical) cross section will be four lane divided with a center left turn lane with 5' shoulders and 5' sidewalks in each direction. A signal will be installed at Lakewood Drive and RM 2222. The AADT collected by TxDOT on this segment of RM 2222 was 27,000 in 2009. According to the Austin 2009 Bicycle Plan, RM 2222 is a segment of bicycle network recommended for the City of Austin. A wide shoulder bicycle facility is recommended in the Bicycle Plan. Driveway access (right-in, right-out, and left in) is proposed on RM 2222.

**Lakewood Drive** – Lakewood Drive is located east of the site, north of RM 2222. The City of Austin recently completed the project to raise the low water crossing on Lakewood Drive. Lakewood Drive is a two lane neighborhood collector from RM 2222 to Loop 360. According to the Austin 2009 Bicycle Plan, no bicycle facilities are existing or recommended on Lakewood Drive.

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### INTERSECTION LEVEL OF SERVICE (LOS)

The TIA update analyzed 4 intersections, of which 2 are currently signalized. The levels of service remained the same for all four intersections with the addition of the left-turn movement. With the addition of the left-turn movement, the projected delays remained the same or improved except at two intersections. These two intersections were RM 2222 and 360 SBFR (increased delay of 0.5 second) and RM 2222 and Champion Tract Driveway (increased delay of 0.2 second). Existing and projected levels of service are as follows (Table 6), assuming that all improvements recommended in the TIA update are built:

Table 6: Intersection Level of Service				
Intersection	AM Peak		PM Peak	
	No Left Turn	With Left Turn	No Left Turn	With Left Turn
RM 2222 and 360 SBFR*	E	E	F	F
RM 2222 and 360 NBFR*	E	E	F	F
RM 2222 and Champion Tract Driveway	A	A	A	A
RM 2222 and Lakewood Drive**	B	B	B	B

\* = SIGNALIZED

\*\* = PROPOSED SIGNAL

### QUEUE ANALYSIS

Generally, the 95th-percentile queue is an engineering estimation of the longest queue length that is expected 95 percent of the time during the traffic peak hours. The 95 percentile queue length is used to determine storage lengths or capacities at intersections. Table 7 is a summary of the queue analysis for the requested left-turn movement.

Table 7: Champion Commercial Development RM 2222 Driveway Left-Turn Lane Queue Analysis Results					
AM Peak			PM Peak		
Delay (sec/veh)	LOS	95th Percentile Queue Length (ft.)	Delay (sec/veh)	LOS	95th Percentile Queue Length (ft.)
15.4	C	3*	12.9	B	13*

\* Typical vehicle length is approximately 20 feet. One hundred (100) feet of left-turn storage length is provided in the current median design.

### SIGHT DISTANCE

The proposed driveway location will align with the existing driveway to the retail center on the north side of RM 2222 (Parcel E per the 1991 Champion TIA). The required stopping sight distance for a design speed of 45 MPH is 360 feet. Clear sight distance from the driveway back to the Loop 360/RM 2222 Northbound Frontage Road intersection of about 510 feet is provided at the proposed driveway location.

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### RECOMMENDATIONS

- 1) Left-turn access into the site from westbound RM 2222 is recommended for this site. Roadway and driveway improvements should be provided in accordance with the assumptions in the TIA update.
- 2) Three copies of the final version of the TIA Update incorporating all corrections and additions must be submitted prior to final reading of the zoning case.
- 3) The City of Austin, subject to approval by TxDOT, reserves the right to make changes to the median, including closure, if required due to land use change, change in driveway volume or to provide protection for life or property on or adjacent to the roadway.
- 4) 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 Update, 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  
Planning and Development Review Department



CL  
18

-1-

Exhibit A:

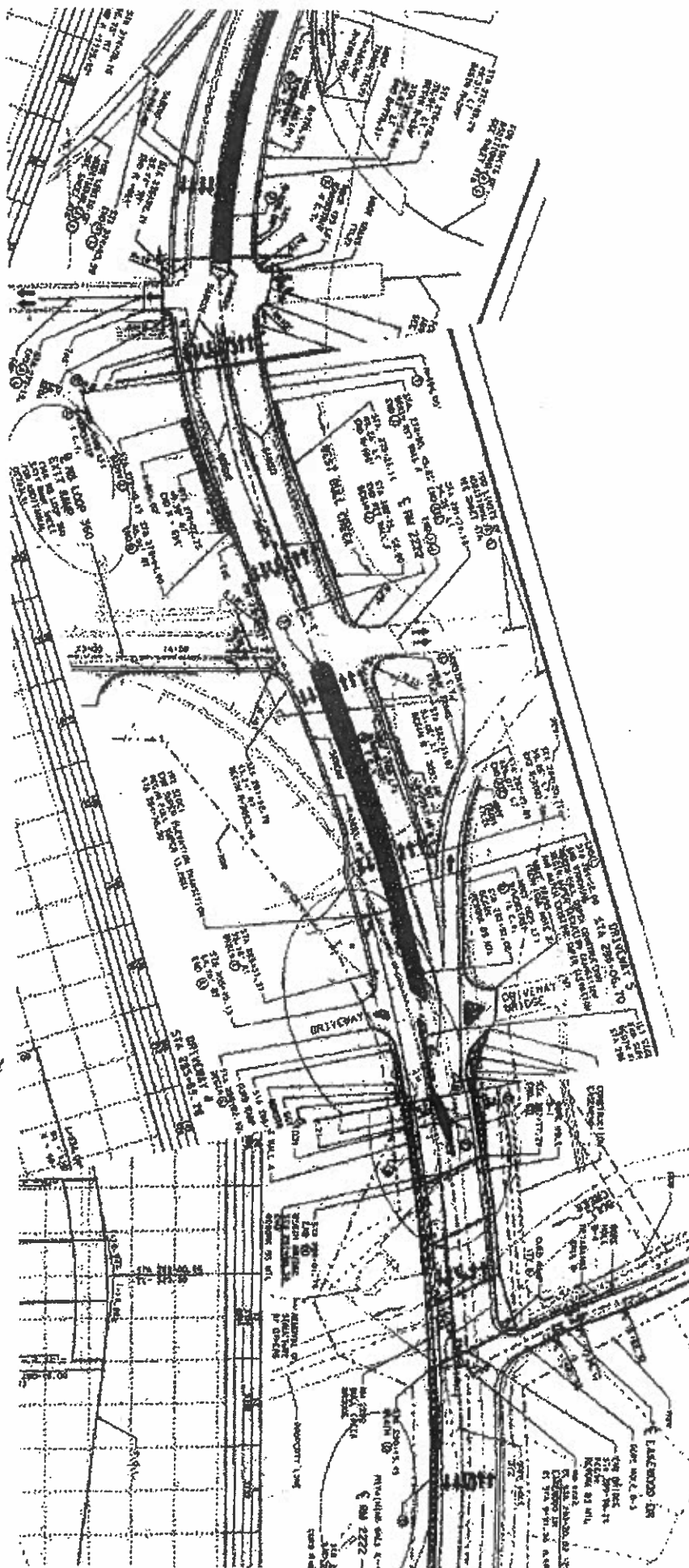
Roadway Exhibit

LOOP 360  
SBFR

LOOP 360  
NBFR

CHAMPION DRY

LAKEWOOD DR.



CL  
19

December 3, 2010

George Zapalac  
City of Austin  
505 Barton Springs Road, 2nd Floor  
Austin, TX 78704

**SUBJECT: Champion Tract TIA Update**

Dear George:

At your request, HDR has conducted an analysis of several area intersections, as well as the proposed Champion Tract driveway on RM 2222, east of Capital of Texas Highway (Loop 360), in Austin, Texas. The purpose of this analysis is to determine whether left-turn access into the site would be feasible without adversely affecting intersection operations in the vicinity of the site.

**Project History and Analysis Assumptions**

At present, the driveway is approved as a right-in/right-out only driveway. TxDOT is currently reconstructing this section of RM 2222, which will result in available pavement width to provide a left-turn lane for this driveway, as shown in Figure 1. The RM 2222 project also includes providing a left-turn lane for eastbound traffic turning left onto Lakewood Drive, and it removes the large-radius northbound right-turn lane at the Loop 360 Northbound Frontage Road (NBFR)/RM 2222 intersection. A signal will also be installed at the intersection of Lakewood Drive and RM 2222.

The project, which consists of 56,810 square feet of shopping center, is anticipated to be completed in 2015. (Trip generation information is enclosed.) In addition to the project driveway located on RM 2222, a right-in/right-out only driveway (not depicted) will be constructed on the Loop 360 NBFR. This study will compare two scenarios. Scenario One assumes that the RM 2222 driveway is right-in/right-out only, while Scenario Two assumes that left-turns in are allowed. For Scenario One, it is assumed that traffic entering the site from either the north on Lakewood Drive or from the west on RM 2222 would travel west on RM 2222 and make a u-turn at the Loop 360 Southbound Frontage Road (SBFR)/RM 2222 intersection, or head south on

C1  
20

Loop 360 and make a u-turn at Courtyard Drive to access the second site driveway on the Loop 360 NBFR. In all cases, it is assumed that left-turns out at this driveway would not be allowed. A right-turn deceleration lane is also proposed at this driveway location.



**Figure 1**  
**RM 2222 Proposed Lane Configuration**

The intersections of interest include the following:

1. Loop 360 and RM 2222 (two intersections)
2. Champion Driveway and RM 2222
3. Lakewood Drive and RM 2222

As shown in Figure 1, the Champion Tract driveway on RM 2222 will be aligned with an existing driveway to a retail center on the north side of RM 2222. This driveway is a right-in/right-out only driveway. Counts were not available for this location; therefore, traffic to and from this retail center was estimated given the land use present on the site, which includes 14,600 square feet of quality restaurant, 8,330 square feet of high turnover restaurant, and 4,070 square feet of shopping center. (Trip generation information is enclosed.) The retail center also has an access driveway (not depicted) on Loop 360 Northbound Frontage

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Road, north of RM 2222. For clarification, the 2007 turning movement counts used for this analysis do include traffic generated by this retail center, since it was occupied at that time; however, counts for the driveway itself are not available. Therefore, traffic from this retail center was not added to the intersections listed above.

Field review of the roadway network indicates that the posted speed limit is 45 MPH. The signalized intersections of Loop 360/RM 2222 are currently under TxDOT control during construction. However, the City of Austin will take over signal operations upon completion of construction. Therefore, signal timing and phasing information was obtained from the City in order to analyze 2015 traffic conditions. The signal timing and phasing were not optimized in order to provide a straight comparison of the two scenarios. In addition, the signal timing and phasing for the intersection of Lakewood Drive/RM 2222 were developed using SYNCHRO to determine optimal operations. Once this was done, signal timing and phasing was fixed for both scenarios.

#### **Results and Recommendations**

The intersections listed previously were modeled for both scenarios during both the AM and PM peaks. Distribution spreadsheets and output from the SYNCHRO model are enclosed and are summarized below. As shown in Table 1, providing left-turn access at the Champion Tract Driveway on RM 2222 does not adversely affect delay and level of service (LOS) at the intersections of interest.

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22

**Table 1**  
**Intersection Analysis Results**

Intersection	AM Peak				PM Peak			
	No Left Turn		With Left Turn		No Left Turn		With Left Turn	
	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS
Loop 360 SBFR	76.0	E	75.0	E	398.1	F	398.6	F
Loop 360 NBFR	59.1	E	58.3	E	91.3	F	87.6	F
Champion Tract Driveway	0.3	A	0.3	A	0.6	A	0.8	A
Lakewood Dr.	11.1	B	11.1	B	13.6	B	13.6	B

An equally important area of interest is the operational characteristics of the left-turn lane itself. The City requested that data be provided regarding the delay experienced by drivers waiting to turn left onto the Champion Tract driveway, as well as the anticipated queue lengths during the peak hours. The estimated left-turn volumes for the AM and PM peaks are 13 vehicles and 75 vehicles, respectively. As shown in Table 2, during the AM peak, left-turning traffic is expected to experience 15.4 sec/veh of delay, which is LOS C. During the PM peak, delay is expected to be 12.9 sec/veh, which is LOS B. The 95<sup>th</sup> percentile queue lengths are 3 feet and 13 feet for the AM and PM peaks, respectively. For reference, a typical vehicle is approximately 20 feet in length; therefore, the results indicate that an appropriate queue is anticipated.

**Table 2**  
**Champion Tract RM 2222 Driveway**  
**Left-turn Lane Delay, LOS, and Queue Length Results**

	AM Peak			PM Peak		
	Delay (sec/veh)	LOS	Queue Length (ft.)	Delay (sec/veh)	LOS	Queue Length (ft.)
Champion Tract Driveway	15.4	C	3	12.9	B	13

01/23

One other operational characteristic of interest is the critical gap for the westbound left-turn maneuver at the Champion Tract Driveway. This is the time required for a vehicle to make a left-turn from the lane into the Champion Tract Driveway, which is estimated as 4.1 seconds. While no direct data is available regarding the number of gaps in the opposing traffic (RM 2222) stream, the signal at Loop 360 NBFR/RM 2222 will meter eastbound RM 2222 traffic and create gaps in the traffic stream as demonstrated by the delay and queue length analysis results above.

Given the results of this analysis, I respectfully request that a westbound left-turn lane on RM 2222 be approved for construction to allow "left-turn in" access to the Champlon Tract site. Please feel free to contact me if you have any questions regarding this information.

Sincerely,

*Kathleen Hornaday*

Kathleen A. Hornaday, P.E., PTOE  
Senior Project Manager

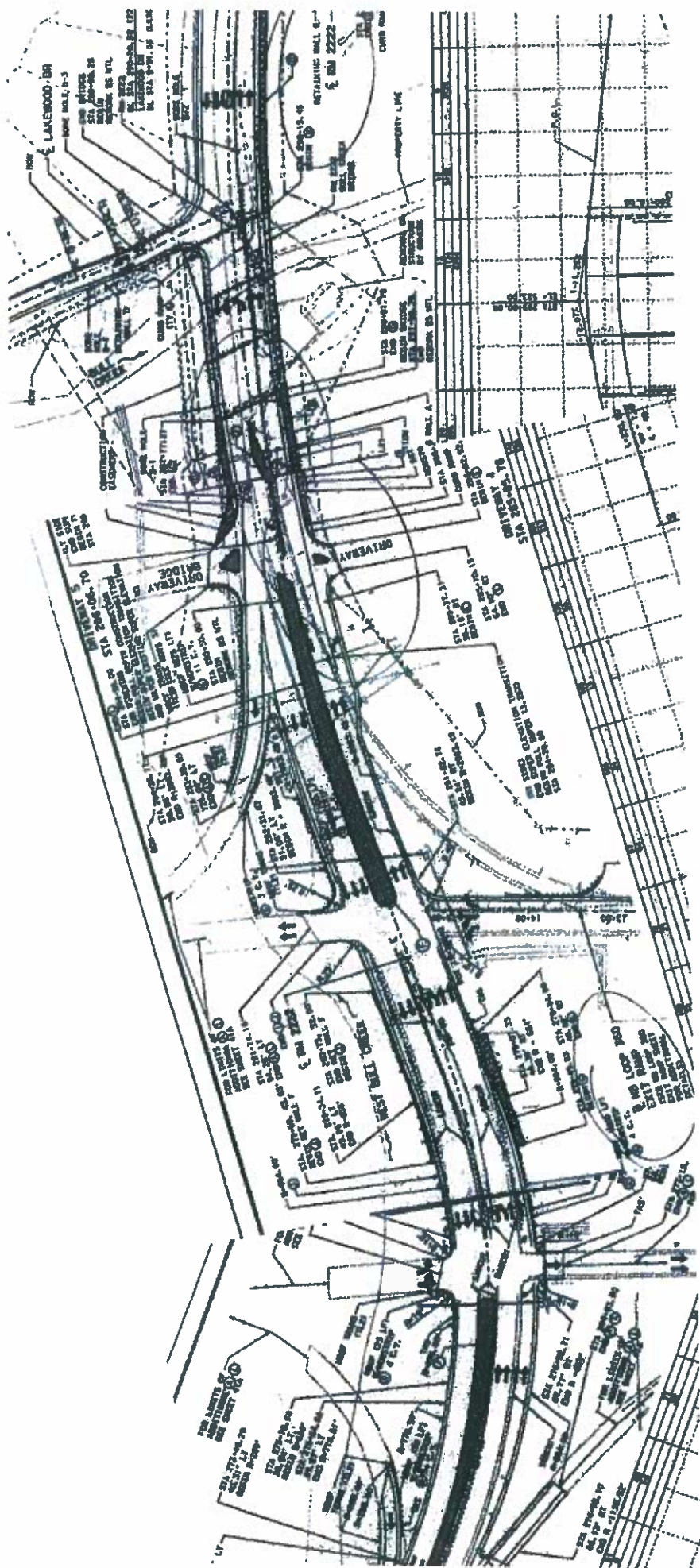
cc: Terry Bray/Michael Whellan; Graves Dougherty Hearon & Moody

Enclosures





CL  
24



**Patterson, Clark**

CL  
25

**From:** Guernsey, Greg  
**Sent:** Tuesday, February 22, 2011 8:31 AM  
**To:** Patterson, Clark; Rusthoven, Jerry  
**Subject:** Fwd: Proposed Change to 360/2222

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Sherry Scott <[REDACTED]>  
**Date:** February 19, 2011 1:13:53 PM EST  
**To:** <[bbaker5@austin.rr.com](mailto:bbaker5@austin.rr.com)>, <[sbald@sbcglobal.net](mailto:sbald@sbcglobal.net)>, <[gregorytbourgeois@gmail.com](mailto:gregorytbourgeois@gmail.com)>, <[prseeger@austin.rr.com](mailto:prseeger@austin.rr.com)>, <[crbanks@hotmail.com](mailto:crbanks@hotmail.com)>, <[donna.zap@gmail.com](mailto:donna.zap@gmail.com)>, <[dora.anguiano@ci.austin.tx.us](mailto:dora.anguiano@ci.austin.tx.us)>, <[greg.guernsey@ci.austin.tx.us](mailto:greg.guernsey@ci.austin.tx.us)>  
**Subject:** Proposed Change to 360/2222

Please register my opposition to the proposed right-in/right-out only traffic pattern change at the southeast corner of 360 and 2222.

I live in the Lakewood neighborhood and commute to downtown for work. This intersection is extremely busy, and the proposed change would increase the risk of accident too much to be acceptable.

Thank you for your consideration.

--

Cheers,  
Sherry B. Scott  
7211 Lakewood Dr. #132  
Austin, TX 78750

2/22/2011

**Patterson, Clark**

Cl  
26

**From:** Anguiano, Dora  
**Sent:** Wednesday, February 16, 2011 8:53 AM  
**To:** Patterson, Clark  
**Subject:** FW: Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

---

**From:** Lauren Mathews [mailto:laurenmathews@att.net]  
**Sent:** Tuesday, February 15, 2011 5:44 PM  
**To:** bbaker5; sbald; gregorytbourgeois; prseeger; crbanks; donna.zap; Anguiano, Dora; Guernsey, Greg  
**Subject:** Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

To the Zoning and Platting Commission Members:

I live in the Lakewood subdivision near the 360 & 2222 intersection. ☐ I have read the application to amend the restrictive covenant on 5617 FM 2222 and I am STRONGLY OPPOSED to the requested amendment. ☐

The traffic in this area is very heavy and there are numerous impediments already in place that prevent traffic from flowing smoothly. ☐ For example, there is no left turn permitted from eastbound 2222 on to Bull Creek. ☐ There are double solid yellow lines in the pavement indicating no left turn, there is a "no left turn" sign on the eastbound side of 2222, and there is a "no left turn" sign on Bull Creek. Additionally, due to the construction of the bridge at that intersection, traffic has been narrowed to one lane, and additional signs have been put in place temporarily re-directing the flow of traffic. Despite all of the foregoing, drivers frequently stop traffic while waiting to turn left on to Bull Creek. ☐

Another example is the exit from the Siena restaurant on to 2222. ☐ ☐ Until recently, drivers were permitted to make left turns out of this parking lot on to eastbound 2222. ☐ Because there is no center turn lane, drivers would often pull part way out onto 2222 and block the westbound traffic while waiting for an opening in traffic to proceed east on 2222. ☐ These drivers would block not only the westbound traffic on 2222, they caused unnecessary confusion to the eastbound 2222 drivers who would try to avoid the "sitting" car by moving into the other eastbound lane. ☐ Unfortunately, the other eastbound lane is being used not only for the continuing eastbound traffic but also the traffic that is merging onto eastbound 2222 from southbound 360. ☐

These are just two examples in that area in which neither the proper signs nor the proper road markings did much to alleviate the hazard that is inherent when there is no median present.

Finally, this covenant was in place prior to the Applicant's purchase of the property. ☐ Applicant had full knowledge of this covenant and that it was a "part of the deal" when the deal was made. ☐ There is no harm to the Applicant by keeping the original terms of the purchase in place now. ☐ I urge you to deny Applicant's request to amend the restrictive covenant. ☐

2/22/2011

Thank you for your consideration of our neighborhood.

M. Lauren Mathews  
6906 Dogwood Hollow  
Austin, Texas 78750

CL  
27

**Patterson, Clark**

**From:** Guernsey, Greg  
**Sent:** Wednesday, February 16, 2011 5:53 AM  
**To:** Patterson, Clark  
**Cc:** Rusthoven, Jerry  
**Subject:** Fwd: C14-91-0015(RCA)

01  
28

Sent from my iPhone

Begin forwarded message:

**From:** Frank Whigham <ffw@mail.utexas.edu>  
**Date:** February 14, 2011 10:49:47 AM CST  
**To:** <bbaker5@austin.rr.com>, <sbald@sbcglobal.net>, <gregorytbourgeois@gmail.com>, <prseeger@austin.rr.com>, <crbanks@hotmail.com>, <donna.zap@gmail.com>, <dora.anguiano@ci.austin.tx.us>, <greg.guernsey@ci.austin.tx.us>  
**Subject:** C14-91-0015(RCA)  
**Reply-To:** ffw@mail.utexas.edu

To the members of the Zoning and Platting Commission:

I am writing to **very strongly oppose** any change in the current status of the access agreement for the commercial property ("Champion Tract 4" – CT4) located on the southeast corner of the 2222/360 intersection. Allowing left turns from 2222 west into CT4 or from CT4 into 2222 west, illegal entry to CT4 or 2222 east from the Bull Creek Market, or the removal of the planned solid barrier on 2222 at this location would greatly increase both congestion and danger for those of us who use this route to commute to work in Austin. There is no reasonable alternative route that does not take a lot longer to get to central Austin, and if cars are allowed to back up traffic to turn left at this location, there will be frequent slowdowns and greatly increased danger of accidents.

The expensive new bridge was billed as working to make travel safer through the Bull Creek flood-risk area. No business-based changes should be allowed that erase this gain and greatly increase problems by adding commercial-access provisions that increase daily danger (not just dangers associated with occasional and comparatively rare flooding) and traffic slowdown.

Thank you very much.

~Frank Whigham  
7100 Coachwhip Hollow  
Austin TX 78750

2/22/2011

**Patterson, Clark**

**From:** Guernsey, Greg  
**Sent:** Wednesday, February 16, 2011 5:48 AM  
**To:** Patterson, Clark  
**Cc:** Rusthoven, Jerry  
**Subject:** Fwd: Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

01/29

Sent from my iPhone

Begin forwarded message:

**From:** Jason Rios <[jason@jasonrios.com](mailto:jason@jasonrios.com)>  
**Date:** February 14, 2011 1:41:58 PM CST  
**To:** undisclosed-recipients;;  
**Subject:** Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

Dear Zoning and Platting Commission Board,

I am writing to express my sincere opinion and belief that the restrictive covenant outlined in Case # C14-91-0015(RCA) should NOT be amended or removed. The current restriction allowing only right-in and right-out traffic from the property's driveways is the best way to help ensure the safety of all motorists involved while still respecting the needs of any developing entity or business that utilizes the property. Removing or amending this restriction would increase traffic congestion, especially on the newly renovated 2222 roadway, and it would create serious traffic hazards on both 2222 and highway 360.

As a concerned resident who lives in this neighborhood (Northwest Hills) and drives on these roadways regularly, I strongly oppose this amendment.

Sincerely,

--

Jason Rios  
[jason@jasonrios.com](mailto:jason@jasonrios.com)  
512.789.9829

2/22/2011



**Patterson, Clark**

**From:** Guernsey, Greg  
**Sent:** Wednesday, February 16, 2011 5:43 AM  
**To:** Patterson, Clark  
**Cc:** Rusthoven, Jerry  
**Subject:** Fwd: Opposition to left turn access on 2222 and 360

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30

Sent from my iPhone

Begin forwarded message:

**From:** nancy hatchett <nashett12@att.net>  
**Date:** February 14, 2011 11:01:41 PM CST  
**To:** <bbaker5@austin.rr.com>, <sbald@sbcglobal.net>, <gregorytbourgeois@gmail.com>, <prseeger@austin.rr.com>, <crbanks@hotmail.com>, <donna.zap@gmail.com>, <dora.anguiano@ci.austin.tx.us>, <greg.guernsey@ci.austin.tx.us>  
**Subject:** Opposition to left turn access on 2222 and 360

I oppose the application to remove the right-in/right-out-only restriction for Tract 4 development because it creates a serious traffic safety and traffic flow issue in that area. I drive that road twice a day every day during rush hour and this will not only endanger my safety driving through that area, but will impede traffic flow and cause delays. This is yet another traffic nightmare in the making that Austin already has too many of.

This scenario creates unnecessary traffic conflicts and decreased traffic safety for local residents and everyone who travels on RM 2222. Not only does this pose a danger to vehicles traveling east on RM 2222 but also to vehicles entering RM 2222 from the exit from northbound Loop 360. Second, vehicles waiting to turn left from westbound RM 2222 will be stacking up as they wait for a break in the eastbound traffic flow. The number of vehicles which can queue up to turn left will be limited by the new traffic signal to be installed at Lakewood Drive. Vehicles waiting to turn left could block the left lane of RM 2222 and possibly block the intersection at Lakewood, particularly during rush hour traffic. Third, the driveway to Tract 4 will be directly across RM 2222 from the driveway to the Bull Creek Market. It is inevitable that some vehicles will attempt to cut across RM 2222's westbound lanes to turn left onto eastbound RM 2222.

There are no benefits to the public or to area residents from the proposed changes to the covenant. The provisions of the covenant were designed to provide some mitigation for the negative effects of the intensive commercial zoning approved for Tract 4. As far as the surrounding

2/22/2011

neighborhoods are concerned, the owners made a deal with the City to obtain their zoning, and now they are trying to renege on their part of the deal. I ask that the City honor the commitment made to area residents back when the zoning was approved and put citizen safety above the financial aspects of this transaction.

01/31

That area of 2222 and 360 has already been overdeveloped and the quality of life in the neighborhoods has decreased. Let's not add yet another problem to that area.

Thank you.

N P Hatchett  
Lakewood Subdivision Resident

**Patterson, Clark**

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32

**From:** Guernsey, Greg  
**Sent:** Wednesday, February 16, 2011 5:19 AM  
**To:** Patterson, Clark; Rusthoven, Jerry  
**Subject:** Fwd: Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

Sent from my iPhone

Begin forwarded message:

**From:** Lauren Mathews <laurenmathews@gmail.com>  
**Date:** February 15, 2011 5:43:38 PM CST  
**To:** bbaker5 <bbaker5@austin.rr.com>, sbald <sbald@sbcglobal.net>, gregorytbourgeois <gregorytbourgeois@gmail.com>, prseeger <prseeger@austin.rr.com>, crbanks <crbanks@hotmail.com>, "donna.zap" <donna.zap@gmail.com>, "dora.anguiano" <dora.anguiano@ci.austin.tx.us>, "greg.guernsey" <greg.guernsey@ci.austin.tx.us>  
**Subject:** Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

To the Zoning and Platting Commission Members:

I live in the Lakewood subdivision near the 360 & 2222 intersection. I have read the application to amend the restrictive covenant on 5617 FM 2222 and I am STRONGLY OPPOSED to the requested amendment.

The traffic in this area is very heavy and there are numerous impediments already in place that prevent traffic from flowing smoothly. For example, there is no left turn permitted from eastbound 2222 on to Bull Creek.

There are double solid yellow lines in the pavement indicating no left turn, there is a "no left turn" sign on the eastbound side of 2222, and there is a "no left turn" sign on Bull Creek. Additionally, due to the construction of the bridge at that intersection, traffic has been narrowed to one lane, and additional signs have been put in place temporarily re-directing the flow of traffic. Despite all of the foregoing, drivers frequently stop traffic while waiting to turn left on to Bull Creek.

Another example is the exit from the Siena restaurant on to 2222. Until recently, drivers were permitted to make left turns out of this parking lot on to eastbound 2222. Because there is no center turn lane, drivers would often pull part way out onto 2222 and block the westbound traffic while waiting for an opening in traffic to proceed east on 2222. These drivers would block not only the westbound traffic on 2222, they caused unnecessary confusion to the eastbound 2222 drivers who would try to avoid the "sitting" car by moving into the other eastbound lane.

Unfortunately, the other eastbound lane is being used not only for the continuing eastbound traffic but also the traffic that is merging onto

eastbound 2222 from southbound 360.

These are just two examples in that area in which neither the proper signs nor the proper road markings did much to alleviate the hazard that is inherent when there is no median present.

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Finally, this covenant was in place prior to the Applicant's purchase of the property. Applicant had full knowledge of this covenant and that it was a "part of the deal" when the deal was made. There is no harm to the Applicant by keeping the original terms of the purchase in place now. I urge you to deny Applicant's request to amend the restrictive covenant.

Thank you for your consideration of our neighborhood.

M. Lauren Mathews  
6906 Dogwood Hollow  
Austin, Texas 78750

**Patterson, Clark**

**From:** Anguiano, Dora  
**Sent:** Tuesday, February 15, 2011 9:19 AM  
**To:** Patterson, Clark  
**Subject:** FW: Opposition to left turn access on 2222 and 360

C1  
34

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**From:** nancy hatchett [mailto:nancyhatchett@yahoo.com]  
**Sent:** Monday, February 14, 2011 11:02 PM  
**To:** bbaker5@austin.rr.com; sbald@sbcglobal.net; gregorytbourgeois@gmail.com; prseeger@austin.rr.com; crbanks@hotmail.com; donna.zap@gmail.com; Anguiano, Dora; Guernsey, Greg  
**Subject:** Opposition to left turn access on 2222 and 360

I oppose the application to remove the right-in/right-out-only restriction for Tract 4 development because it creates a serious traffic safety and traffic flow issue in that area. I drive that road twice a day every day during rush hour and this will not only endanger my safety driving through that area, but will impede traffic flow and cause delays. This is yet another traffic nightmare in the making that Austin already has too many of.

This scenario creates unnecessary traffic conflicts and decreased traffic safety for local residents and everyone who travels on RM 2222. Not only does this pose a danger to vehicles traveling east on RM 2222 but also to vehicles entering RM 2222 from the exit from northbound Loop 360. Second, vehicles waiting to turn left from westbound RM 2222 will be stacking up as they wait for a break in the eastbound traffic flow. The number of vehicles which can queue up to turn left will be limited by the new traffic signal to be installed at Lakewood Drive. Vehicles waiting to turn left could block the left lane of RM 2222 and possibly block the intersection at Lakewood, particularly during rush hour traffic. Third, the driveway to Tract 4 will be directly across RM 2222 from the driveway to the Bull Creek Market. It is inevitable that some vehicles will attempt to cut across RM 2222's westbound lanes to turn left onto eastbound RM 2222.

There are no benefits to the public or to area residents from the proposed changes to the covenant. The provisions of the covenant were designed to provide some mitigation for the negative effects of the intensive commercial zoning approved for Tract 4. As far as the surrounding neighborhoods are concerned, the owners made a deal with the City to obtain their zoning, and now they are trying to renege on their part of the deal. I ask that the City honor the commitment made to area residents back when the zoning was approved and put citizen safety above the financial aspects of this transaction.

That area of 2222 and 360 has already been overdeveloped and the quality of life in the neighborhoods has decreased. Let's not add yet another problem to that area.

Thank you.

N P Hatchett  
Lakewood Subdivision Resident

2/22/2011

**Patterson, Clark**

C1  
/35

**From:** Anguiano, Dora

**Sent:** Monday, February 14, 2011 1:43 PM

**To:** Patterson, Clark

**Subject:** FW: Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

---

**From:** jasonarios@gmail.com [mailto:~~jasonarios@gmail.com~~] **On Behalf Of** Jason Rios

**Sent:** Monday, February 14, 2011 1:42 PM

**To:** undisclosed-recipients

**Subject:** Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

Dear Zoning and Platting Commission Board,

I am writing to express my sincere opinion and belief that the restrictive covenant outlined in Case # C14-91-0015(RCA) should NOT be amended or removed. The current restriction allowing only right-in and right-out traffic from the property's driveways is the best way to help ensure the safety of all motorists involved while still respecting the needs of any developing entity or business that utilizes the property. Removing or amending this restriction would increase traffic congestion, especially on the newly renovated 2222 roadway, and it would create serious traffic hazards on both 2222 and highway 360.

As a concerned resident who lives in this neighborhood (Northwest Hills) and drives on these roadways regularly, I strongly oppose this amendment.

Sincerely,

--

Jason Rios

[jason@jasonrios.com](mailto:jason@jasonrios.com)

512.789.9829

2/22/2011



**Patterson, Clark**

**From:** Anguiano, Dora  
**Sent:** Monday, February 14, 2011 10:53 AM  
**To:** Patterson, Clark  
**Subject:** FW: Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

C1  
36

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**From:** Gregory A. Gaynier [mailto:[ggaynier@austin.rr.com](mailto:ggaynier@austin.rr.com)]  
**Sent:** Monday, February 14, 2011 10:51 AM  
**To:** bbaker5@austin.rr.com; sbald@sbcglobal.net; gregorytbourgeois@gmail.com; prseeger@austin.rr.com; crbanks@hotmail.com; donna.zap@gmail.com; Anguiano, Dora; Guernsey, Greg  
**Subject:** Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

To All:

I am a concerned resident of the Lakewood Subdivision and a frequent driver on both Loop 360 and RM 2222. I am strongly against any modification to C14-91-0015(RCA). Allowing a left turn from west bound RM 2222 between the Bull Creek overpass and Loop 360 is down right stupid. It will create a major traffic problem for all drivers entering the interchange. The safety and convenience of the many drivers must out way the small convenience of the few drivers who may use whatever development happens there.

This is more ridiculous then the traffic light at the private entrance of Rob Roy on Loop 360, and the traffic congestion it creates. Please do not allow this to happen. NO, NO, NO!

**Greg Gaynier**  
**Home:** 512.343.6251  
**Work:** 512-231-0060  
**Cell:** 512-589-8873  
**Email:** [ggaynier@austin.rr.com](mailto:ggaynier@austin.rr.com)  
**Web Site:** [www.401kadvisorsaustin.com](http://www.401kadvisorsaustin.com)

2/22/2011

**Patterson, Clark**

C1  
37

**From:** Anguiano, Dora  
**Sent:** Monday, February 14, 2011 10:52 AM  
**To:** Patterson, Clark  
**Subject:** FW: C14-91-0015(RCA)

---

**From:** Frank Whigham [mailto:~~frank.whigham@cityofaustin.org~~]  
**Sent:** Monday, February 14, 2011 10:50 AM  
**To:** bbaker5@austin.rr.com; sbald@sbcglobal.net; gregorytbourgeois@gmail.com;  
prseeger@austin.rr.com; crbanks@hotmail.com; donna.zap@gmail.com; Anguiano, Dora; Guernsey, Greg  
**Subject:** C14-91-0015(RCA)

To the members of the Zoning and Platting Commission:

I am writing to **very strongly oppose** any change in the current status of the access agreement for the commercial property ("Champion Tract 4" -- CT4) located on the southeast corner of the 2222/360 intersection. Allowing left turns from 2222 west into CT4 or from CT4 into 2222 west, illegal entry to CT4 or 2222 east from the Bull Creek Market, or the removal of the planned solid barrier on 2222 at this location would greatly increase both congestion and danger for those of us who use this route to commute to work in Austin. There is no reasonable alternative route that does not take a lot longer to get to central Austin, and if cars are allowed to back up traffic to turn left at this location, there will be frequent slowdowns and greatly increased danger of accidents.

The expensive new bridge was billed as working to make travel safer through the Bull Creek flood-risk area. No business-based changes should be allowed that erase this gain and greatly increase problems by adding commercial-access provisions that increase *daily* danger (not just dangers associated with occasional and comparatively rare flooding) and traffic slowdown.

Thank you very much.

~Frank Whigham  
7100 Coachwhip Hollow  
Austin TX 78750

2/22/2011

**Patterson, Clark**

C1  
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**From:** Rye, Stephen  
**Sent:** Wednesday, February 09, 2011 8:34 AM  
**To:** Patterson, Clark  
**Subject:** FW: Opposition to Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

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**From:** Guernsey, Greg  
**Sent:** Tuesday, February 08, 2011 8:09 PM  
**To:** Rye, Stephen  
**Cc:** Rusthoven, Jerry  
**Subject:** FW: Opposition to Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

FYI

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**From:** Mike Murff [mailto:████████████████████@████████████████████]  
**Sent:** Tuesday, February 08, 2011 7:40 PM  
**To:** bbaker5@austin.rr.com; sbald@sbcglobal.net; gregorytbourgeois@gmail.com; prseeger@austin.rr.com; crbanks@hotmail.com; donna.zap@gmail.com; Anguiano, Dora; Guernsey, Greg  
**Subject:** Opposition to Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222

Zoning and Planning Commission:

As a resident of a development adjoining the RM2222 / Loop 360 intersection, I oppose Case # C14-91-0015(RCA), Application to amend restrictive covenant, 5617 FM 2222. The amendment would create unnecessary traffic conflicts and decrease traffic safety.

Thanks for your support.

Mike Murff

6701 Lakewood Point Cove, Austin

2/22/2011