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SUBDIVISION REVIEW SHEET

CASE NO.: C8J-2009-0142

Z.A.P. DATE: 8/16/2011

SUBDIVISION NAME: Estancia Hill Country

AREA: 593.6 acres

LOT(S): 29

OWNER/APPLICANT: SLF III Onion Creek, L.P., Dallas, TX

AGENT: Kelly Bell, BURY & PARTNERS, INC

ADDRESS OF SUBDIVISION: Old San Antonio Road at Puryear Road

GRIDS: F9, E9, F10, F11

COUNTY: Travis

WATERSHED: Onion Creek

JURISDICTION: 2-Mile
ETJ

EXISTING ZONING: N/A

MUD: N/A

PROPOSED LAND USE: Commercial

ADMINISTRATIVE WAIVERS: Administrative waivers for block length and single outlet were granted after review from the Travis County Fire Marshall.

VARIANCES: Request for Variance to Title 30, Section 30-2-34, Original Tract Requirement.

Variances to Title 30, Section 30-2-151, Street Alignment; Title 30, Section 30-2-152, Dead End Street; and Title 30, Section 30-2-34, Original Tract Requirement were granted in Commissioners Court on June 28, 2011.

SIDEWALKS: Sidewalks will be provided on the I-35 Southbound frontage road, Old San Antonio Road, Puryear Road and all internal streets.

DEPARTMENT COMMENTS:

Layout - The applicant is requesting approval of the Estancia Hill Country Preliminary Plan consisting of 29 commercial lots on 593.6 acres. Located at I-35 and Puryear Road, 400 of the acres are located east of Old San Antonio Road and west of the I-35 frontage road providing ample connectivity. The 180 acre balance is located west of Old San Antonio Road and borders Onion Creek and the Onion Creek Meadows neighborhood. There are approved water and wastewater service extension requests to serve the property and it is split between the Hays and Austin Independent School Districts. Fire service would be provided by the Manchaca Fire Department and review has been completed with the Travis County Fire Marshall.

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Variance - The request is for action on a Variance to Title 30-2-34 Original Tract. The balance of the tract is a 0.16 acre tract containing a well and storage building that was retained by the original owner for use for off site property. The well is located in the far back portion of the 180 acre tract close to Onion Creek. The owner has a perpetual access easement and acknowledged the balance – see attached. The applicant is requesting the variance so as to not have to dedicate 50' of right of way to the well tract. The variance was granted at Commissioners Court on June 28th 2011 with staff recommendation and is also recommended here.

Adjacent Property - The applicant has met with the adjacent Onion Creek Meadows Property Owners Association and has agreed to a 100' landscape buffer between the project and the Onion Creek Meadows homes that back up to this property. The applicant has also agreed to add additional right of way along Old San Antonio road and allow for the creation of a bike trail along their property – see attached letter from Stratford. The applicant will be entering a phasing agreement with the County for improvements in the area including right of way for bridge improvements crossing Onion Creek.

State Highway 45 is projected to cross the project where Puryear Road ends and the applicant has agreed to dedicate 150' of right of way and reserve the additional 250' of right of way for the highway. They have created a stub to the other adjacent property which was formally submitted as the Boone Heep Preliminary Plan last week. The applicant of the Boone Heep tract is in opposition to the placement of the stub out as it is not as favorable a location for them to connect without purchasing additional property – see attached letter and map. The two applicants did have a meeting to discuss the location of the stub in mid-July and arrived at an impasse.

STAFF RECOMMENDATION: The staff recommends approval of this preliminary plan. Aside from the variance, this plan meets all applicable County, State and City of Austin LDC requirements.

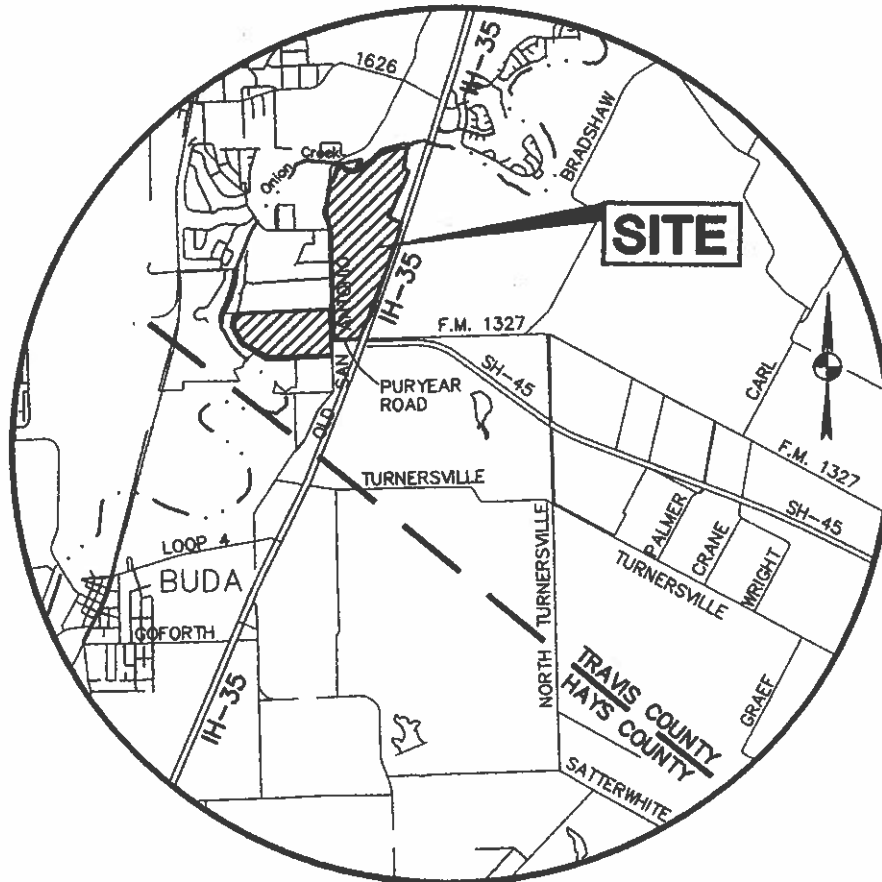
ZONING AND PLATTING COMMISSION ACTION:

CASE MANAGER: Sarah Sumner
Email address: sarah.sumner@co.travis.tx.us

PHONE: 854-7687

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Estancia Hill Country Preliminary Plan Location Map



VICINITY MAP

N.T.S.

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STRATFORDLAND

December 6, 2010

Ms. Joellen Simmons
Onion Creek Meadows Property Owners Association
PO Box 434
Manchaca, Tx 78652

**Subject: Response to Neighborhood Concerns
Estancia Hill Country
Austin, Travis County, Texas**

Dear Ms. Simmons:

We appreciate the time your neighborhood representatives spent with us on October 27th to discuss the future development of our project, Estancia Hill Country (formally the Heep Homestead). We wanted you to know we appreciate your input and look forward to a positive, long standing relationship with the neighborhood as we pursue the development of the project. Per our discussions with Onion Creek Meadows Property Owner's Association (OCMPOA), we are willing to make accommodations in our plan to address the concerns OCMPOA Members expressed. These accommodations will be handled a couple of different ways due to the type of process that Travis County requires us to follow. Some accommodations can actually be shown directly on the pending Preliminary Plan and Phasing Agreement and when that Plan/Agreement is approved by the County, then the OCMPOA commitment for those items is set. The Remaining Commitments (as detailed below) will remain as simply our written promise to you through this document. These are items that are not typically shown on a Preliminary Plan and/or Phasing Agreement since they do not involve the County.

Preliminary Plan/Phasing Agreement with Travis County

We are in the process of negotiating a Preliminary Plan and Phasing Agreement with Travis County. These will become recorded documents in the Travis County records and will address the following four items in the following manner:

1. Old San Antonio Road

Please know that we heard the neighborhood's concerns. However, we remain convinced that expanding Old San Antonio Road to four (4) lanes will simply invite more traffic to the road, and that we believe the best practice to address the neighborhood concerns is to encourage traffic onto the IH 35 frontage road and through our internal roadway system.

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County Code requires right-of-way (ROW) "not to exceed 50%" of the ROW required for an existing road [Sec. 30-3-25(A)(2)]. This typically would require Stratford Land to dedicate only five (5) feet of ROW along its property boundary. In order for the County to then expand the road to a four (4) lane roadway in the future, they would have to obtain five (5) additional feet of ROW from all property owners along the west side of Old San Antonio Road. Stratford Land has proposed to *exceed* Code requirements, because we value a cooperative relationship with both the neighborhood and the County, and Stratford Land will dedicate all ROW needed for Old San Antonio Road to be a 4-lane County Commercial Collector (as recommended by staff) so that *no* ROW would be needed from the west side of the road. This would save the County the significant trouble and expense of having to condemn property on the west side of Old San Antonio Road.

Stratford Land will provide a hike and bike trail along the length of Old San Antonio Road from Estancia Parkway (at the north) to Avenida Mercado Street (at the south), which is approximately 6,000 feet in length, wholly on our property to provide bicyclists a safe option for this section of Old San Antonio Road. This hike and bike trail would be provided by requiring fiscal surety be posted for the entire trail or by causing construction of the entire trail before the first site development permit is approved on the project. This improvement is not required by Code.

In addition, Stratford Land will post fiscal surety prior to the approval of each site plan for the project to cover that site's pro rata portion of the costs of roadway improvements for expanding Old San Antonio in the future. Such pro rata portion will be determined during site plan review based on traffic impact. This method of funding of traffic improvements satisfies Code requirements and will insure the most accurate measure of determining the traffic impact by being based on actual development permits and measurable traffic generation.

Lastly, the portion of Old San Antonio Road that is to no longer be used due to its realignment, shall remain public right-of-way for the purpose of commemorating the historical aspects of the roadway. Stratford Land shall use commercially reasonable efforts to obtain a historical marker at the location of the old alignment of Old San Antonio Road.

2. Puryear Road

Also addressed in the phasing agreement, Puryear Road will remain Puryear, but will be upgraded due to the size of future ROW, to Puryear Parkway.

3. Neighborhood Connection through Mystic Drive and Shawnee Drive

Cross Connection between Stratford's property and the neighborhood at Mystic Drive and Shawnee Drive will not be provided. There will not be connection for cut through traffic between the neighborhood and Stratford's property. This item is being addressed with the Preliminary Plan.

4. 100 Foot Buffer

A set aside of a 100 foot buffer/ easement will be provided behind the houses on Onion Creek Drive. This item is currently shown on the Preliminary Plan.

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Remaining Commitment Items

There are a couple of items that we will address as a part of the project that will not be addressed in the Phasing Agreement with Travis County or the Preliminary Plan since these items do not effect Travis County. These items will include the following:

1. *Oak Wilt*

Stratford Land will continue to monitor the condition of its trees on an on-going basis. Per conversations with local arborists, it is our understanding at this time that the trees on the property are not affected by Oak Wilt.

2. *Indian/Historical Sites*

Stratford Land agrees to work with Ron Ralph on the protection and education of the Indian sites on the property. In addition, these areas are located completely in the required setbacks along Onion Creek.

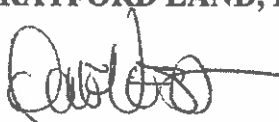
Conclusion

We hope you will agree that these items will address the concerns for the neighborhood. We look forward to a long standing, mutually beneficial relationship for both groups. As we process the Preliminary Plan with Travis County and the City of Austin, we appreciate the neighborhood's support of our layout and our proposed development.

Thank you again for your thoughtful consideration of our project. Please do not hesitate to contact our office should you have any other questions.

Sincerely,

STRATFORD LAND, L.P.



Ocie L Vest, PE
Senior Vice President
Stratford Land Manager

In compliance with Title 30, Land Development Code (LDC), Section § 30-2-34 ORIGINAL TRACT REQUIREMENT, I am writing this letter to notify you that a subdivision preliminary plan, Estancia Hill Country, has been submitted to the Single Office, City of Austin/Travis County on the property at Old San Antonio Road and Puryear Road.

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It has been determined that the property at Old San Antonio Road and Puryear Road and your property of 0.16 acres, are part of the original tract. Title 30, LDC requires that owners of the balance of the original tract be notified of the proposed subdivision and that you be given an opportunity to include your property in the proposed subdivision with the applicant.

If you do not wish to participate in the proposed subdivision, you should be aware that 1) the Single Office may not recognize your property, the balance of the original property as a legal lot and 2) you (will/may) be obligated to plat your property as a condition of receiving new utility service in the future.

Please sign the line below acknowledging receipt of this notice and return the form within ten days from the postmarked date to Development Services, Attention: Sarah Sumner for this project.

Sincerely,

Sarah Sumner

512 854-7687

Applicant Kelly J. Bell
Bury + Partners, Inc.
221 West 6th St., Suite 600
Austin, TX 78701

After signing, please return to:

Sarah Sumner
Development Services
P.O. Box 1748
Austin, Texas 78767-1748

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LAW OFFICE OF TERRENCE L. IRION

1250 S. Capital of Texas Highway
3 Cielo Center, Suite 601
Austin, Texas 78746

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Terrence L. Irion

Attorney at Law

(512) 347-9977

(512) 306-8903-FAX

irion@irionlaw.com

July 19, 2011

VIA EMAIL: don.perryman@ci.austin.tx.us

Mr. Don Perryman

Supervisor

Planning and Development

Review Department

City of Austin

505 Barton Springs Road

Austin, Texas 78704

Re: Estancia Hill Country Preliminary C8j-2009-0142

Dear Mr. Perryman:

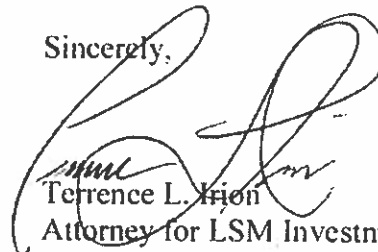
I represent LSM Investments, Ltd. Developer of the Boone-Heep Preliminary Plan, a project which is being filed this week, located at 13338 Old San Antonio Road in the two-mile ETJ of the City of Austin. This project is adjacent to the Estancia Hill Country Preliminary.

LSM Investments, Ltd. objects to the proposed alignment of Puryear Road through the Estancia project, which is aligned in such a manner as to deny access to the Boone-Heep property. The proposed alignment for Puryear Road through the Estancia appears to be a very inefficient alignment for utilization of the Estancia property south of Puryear Road. It is hard to explain any justification of this alignment other than to deny the extension of the road into the adjacent Boone-Heep Subdivision.

It is important that Puryear Road be laid out in such a manner as to provide contiguity of collector street service from IH-35 through the Estancia Property to the Boone-Heep Subdivision as part of a rational and efficient laying out of streets for future development of the area.

Accordingly, LSM Investments, Ltd. vigorously objects to the proposed current alignment of Puryear Road through the Estancia Subdivision.

Sincerely,



Terrence L. Irion
Attorney for LSM Investments, Ltd.

TLI:lm

Cc: John Lloyd

George Murfee