SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2012-0006 (Eco-9)

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 9511 North FM 620 Road from P-CO, Public-Conditional Overlay District, zoning to GR-CO, Community Commercial-Conditional Overlay District, zoning.

The ordinance reflects the conditions imposed by the City Council on 1st reading.

PROPERTY OWNER: ECO Resources

AGENT: Jim Bennett Consulting (Jim Bennett)

DEPARTMENT COMMENTS:

The property in question is developed with an office and an outdoor maintenance/warehouse area. The owner, ECO Resources, currently utilizes the site for local Municipal Utility District services. Behind the office building there is an outdoor area surrounded by a chain link fence where maintenance vehicles, such as F-150 trucks and a backhoe, are parked. This tract of land was annexed by the City of Austin on November 6, 2003 (Case C7a-03-011). The applicant is requesting GR, Community Commercial District, zoning on this site because they would like to redevelop the property for Food Preparation and Retail Sales (Convenience) uses.

The staff recommends GR-CO, Community Commercial-Conditional Overlay Combining District, zoning. The proposed GR-CO district zoning will permit the applicant to utilize the existing office/warehouse structure with new commercial uses. The existing GO-CO and RR-CO district zoning to the east of this parcel create a transition in the intensity of uses from RM 620 North to the Canyon Creek residential neighborhood to the east.

The applicant agrees with the City Council's approval on first reading.

DATE OF FIRST READING: May 24, 2012

ACTION: Approved GR-CO zoning on consent on 1st reading (7-0); B. Spelman-1st, M. Martinez-2nd.

CITY COUNCIL DATE: June 28, 2012

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Sirwaitis

PHONE: 974-3057
sherri.sirwaitis@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0006 (Eco-9)

Z.A.P. DATE: February 21, 2012
March 6, 2012
March 20, 2012
April 17, 2012
May 15, 2012

ADDRESS: 9511 North FM 620 Road

APPLICANT: ECO Resources

AGENT: Jim Bennett Consulting (Jim Bennett)

ZONING FROM: Tract 1: P-CO*
Tract 2: GO-CO
Tract 3: RR-CO

TO: GR-MU-CO*

AREA: 9.364 acres

*On January 27, 2012, the applicant submitted a letter amending their rezoning request to include only the front 3.963 acre area that fronts onto FM 620 on this site. This area is currently zoned P-CO and is known as Tract 1 in the previous zoning ordinance for this property, Ordinance No. 050303-Z-15 (please see attached document). The applicant has amended his rezoning request in this case to ask for only GR-CO zoning on this portion of the property.

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant GR-CO, Community Commercial-Conditional Overlay District, zoning. The conditional overlay will limit the development intensity for the site to less than 2,000 vehicle trips per day and will prohibit the following uses on the property: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Exterminating Services, Food Preparation, Funeral Services, Hotel-Motel, Outdoor Entertainment, Pawn Shop Services, Service Station and Theater.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

2/21/12: Continued to March 6, 2012 by the Zoning and Platting Commission (6-0; G. Bourgeios-absent); P. Seeger-1st, C. Banks.

3/06/12: Postponed to March 20, 2012 at the staff's request (6-0, B. Baker-absent); S. Baldridge-1st, C. Banks-2nd.

3/20/12: Postponed to April 17, 2012 at the request of the neighborhood (7-0), G. Rojas-1st, G. Bourgreios-2nd.

4/17/12: Postponed to May 15, 2012 at the applicant/agent's request (5-0, B. Baker and G. Rojas-absent); P. Baldridge-1st, G. Bourgeios-2nd.

5/15/12: Approved staff's recommendation, with the following additional conditions agreed to by the applicant and the neighborhood: 1) Add as prohibited uses – Alternative Financial Services, Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Off-Site Accessory Parking and Research Services, and Drive-In Services for

Restaurant uses; 2) Limit the development intensity for the site to less than 600 vehicle trips per day (Vote: 5-0, P. Seeger and G. Bourgeois-absent); G. Rojas-1st, S. Baldridge-2nd.

ISSUES:

On May 15, 2012, representatives of the 2222 CONA Neighborhood sent a letter to the staff regarding an agreement that had been reached between the applicant, the neighborhood and an adjacent property owner (Please see Attachment A). This agreement was read into the record at the Zoning and Platting Commission meeting and conditions of the agreement were adopted as part of the Commission's recommendation for this case.

The staff received a letter on March 2, 2012 from a representative of the adjacent property owner to the north, Escalon at Canyon Creek Apartments, stating three additional prohibited uses that they request be added to the proposed conditional overlay for this case (Please see Attachment B).

At the February 21, 2012 Zoning and Platting Commission meeting, the applicant agreed with the 2222 Coalition of Neighborhood Associations (2222 CONA) to prohibit the following additional uses: Bail Bond Services, Commercial Off-Street Parking, Off-Site Accessory Parking and to limit the site to less than 600 vehicle trips per day (Please see Attachment C).

DEPARTMENT COMMENTS:

The property in question is developed with an office and an outdoor maintenance/warehouse area. The owner, ECO Resources, currently utilizes the site for local Municipal Utility District services. Behind the office building there is an outdoor area surrounded by a chain link fence where maintenance vehicles, such as F-150 trucks and a backhoe, are parked. This tract of land was annexed by the City of Austin on November 6, 2003 (Case C7a-03-011). The applicant is requesting GR, Community Commercial District, zoning on this site because they would like to redevelop the property for Food Preparation and Retail Sales (Convenience) uses.

The staff recommends GR-CO, Community Commercial-Conditional Overlay Combining District, zoning. The proposed GR-CO district zoning will permit the applicant to utilize the existing office/warehouse structure with new commercial uses. The existing GO-CO and RR-CO district zoning to the east of this parcel create a transition in the intensity of uses from RM 620 North to the Canyon Creek residential neighborhood to the east.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	P-CO	Eco Resources (Office, Maintenance and Service Facility) Undeveloped Area
North	MF-2-CO	Multifamily (Escalon at Canyon Creek Apartments)
South	MF-1-CO, SF-6-CO	Multifamily (Colonial Grand at Canyon Creek Apartments), Undeveloped Tract
East	GO-CO, RR-CO, SF-2	Undeveloped Area, Single Family Residences
West	County, SF-2	Undeveloped

AREA STUDY: N/A **TIA:** Waived

WATERSHED: Bull Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: Yes

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Monorail Project
Bull Creek Foundation
Home Builders Association of Greater Austin
Homeless Neighborhood Association
League of Bicycling Voters
Leander ISD Population and Survey Analysts
Long Canyon Homeowners Association
Long Canyon Phase II & LLL Homeowners Association, Inc.
SELTEXAS
Sierra Club, Austin Regional Group
Super Duper Neighborhood Objectors and Appealers Organization
The Parke HOA
The Real Estate Council of Austin, Inc.
2222 Coalition of Neighborhood Association, Inc.
Volente Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0207 (ECO Resources-620: 9511 N. RM 620 Road)	I-RR to Tract 1: P and Tract 2: GO The applicant proposed to prohibit the following uses on the Tract 1 of the site: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Building Maintenance Services, Drop-Off Recycling Collection Facility, Campground, Convenience Storage, Construction Sales and Services, Equipment Repair Services, Equipment	2/01/05: Approved staff's recommendation on consent for P-CO for Tract 1, GO-CO for Tract 2, the CO would prohibit the uses listed by the applicant for Tract 1 and would limit the development intensity for the entire site (Tracts 1 and 2 combined) to less than 2,000 vehicle trips per day, adding conditions to: Prohibit access to Savannah Ridge Drive (other than for emergency vehicles) and to create a Tract 3 designated as RR-CO district zoning for a distance of 300-feet from the eastern most property line that is adjacent to SF-2 zoning, Vote: (9-0); J. Martinez-1st, J. Gohil-2nd.	3/03/05: Approved P-CO for Tract 1, GO- CO for Tract 2, and RR-CO for Tract 3 (7-0); all 3 readings

	Sales, Exterminating Services, Funeral Services, Hotel-Motel, Laundry Service, Kennels, Monument Retail Sales, Outdoor Entertainment, Pawn Shop Services, Service Station, Theater , Transitional Housing, Transportation Terminal, and Vehicle Storage.		
C14-04-0183	I-RR to MF-3	12/21/04: Approved MF-2-CO, with staff condition to limit development to less than 2,000 vehicle trips per day beyond the existing development and additional condition for a 568 unit limit for the site (9-0)	1/27/05: Approved MF-2-CO (6-0, Dunkerley-absent); 1st reading 3/03/05: Approved MF-2-CO on consent (7-0); 2nd/3rd readings
C14-04-0137	I-RR to MF-1	9/21/04: Approved staff's recommendation of MF-1-CO zoning by consent (7-0, K. Jackson-off dais, J. Gohil-absent)	10/21/04: Approved ZAP recommendation of MF-1-CO by consent (7-0); 1st reading 11/4/04: Approved MF-1-CO (7-0); 2nd/3rd readings
C14-04-0035	I-RR to SF-6	5/18/04: Approved staff's rec. for SF-6-CO zoning, with the addition of the conditions listed in the Letter of Agreement between the applicant and the neighborhood, by consent (8-0)	8/12/04: Granted SF-6-CO on all 3 readings (5-1, B. McCracken – No, J. Goodman – off the dais)
C14-04-0003	I-RR, I-SF-2 to SF-2	2/3/04: Approved staff's recommendation of SF-2 zoning, by consent (9-0)	3/4/04: Granted SF-2 zoning (6-0, McCracken-absent); all 3 readings
C14-04-0002	I-SF-2, I-RR to SF-2	2/3/04: Approved staff's recommendation of SF-2 zoning, by consent (9-0)	3/4/04: Granted SF-2 zoning (6-0, McCracken-absent); all 3 readings
C14-99-2083	GO to MF-1	11/16/99: Approved staff rec. of MF-1 by consent (7-0)	12/16/99: Approved PC rec. of MF-1-CO (7-0); all 3 readings
C14-99-0022	DR to SF-2	3/9/99: Approved staff rec. of SF-2 by consent (6-0)	4/8/99: Approved PC rec. of SF-2 (5-0); all 3 readings
C14-98-0050	LR, SF-6 to MF-2	5/26/98: Approved staff's alternate rec. of MF-2-CO (TR1), GO-CO (TR-2) by consent (8-0)	7/23/98: Approved MF-2 and GO (7-0); all 3 readings
C14-92-0058	SF-6 to NO, LR	9/1/92: Approved NO-CO	10/22/92: Approved NO-CO (6-0)

RELATED CASES: C14-04-0207 (Previous Zoning Case)
SP-00-2309D (Site Plan for Office Building Expansion)
C8J-03-0179.0A (Annexation)

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
RM 620	150'	60'	Major Arterial	-

CITY COUNCIL DATE: March 22, 2012 — **ACTION:** Postponed to April 26, 2012 at the staff's request (6-0, L. Morrison-absent); B. Spelman-1st, M. Martinez-2nd.

April 26, 2012 — **ACTION:** Postponed to May 24, 2012 at the applicant's request (7-0); B. Spelman-1st, C. Riley-2nd.

May 24, 2012 — **ACTION:** Approved GR-CO zoning on consent on 1st reading (7-0); B. Spelman-1st, M. Martinez-2nd.

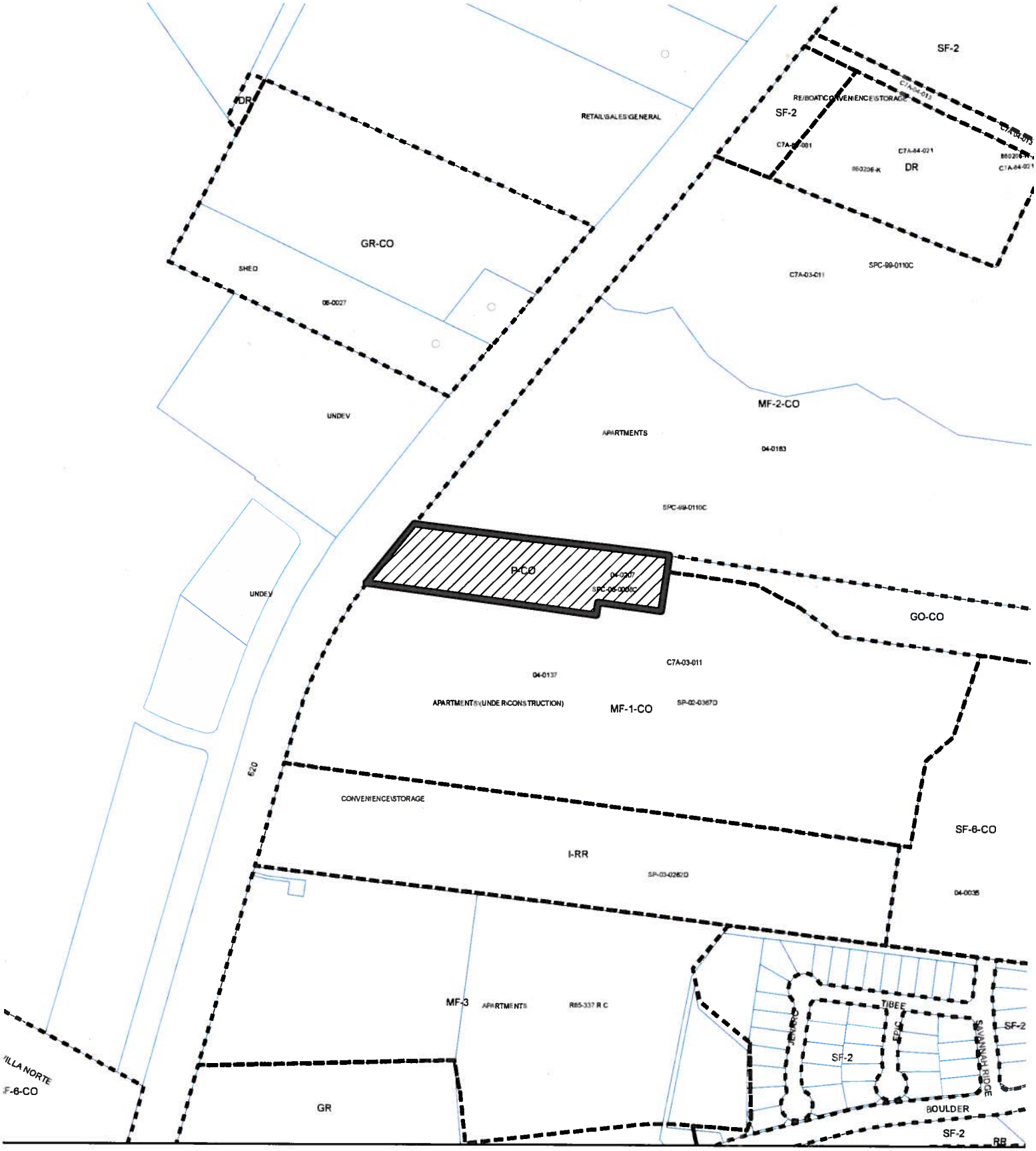
June 14, 2012 — **ACTION:** Postponed to June 28, 2012 at the neighborhood's request (7-0); S. Cole-1st, B. Spelman-2nd.

June 28, 2012 — **ACTION:**

ORDINANCE READINGS: 1st 5/24/12 — 2nd — 3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis — **PHONE:** 974-3057, sherri.sirwaitis@austintexas.gov



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

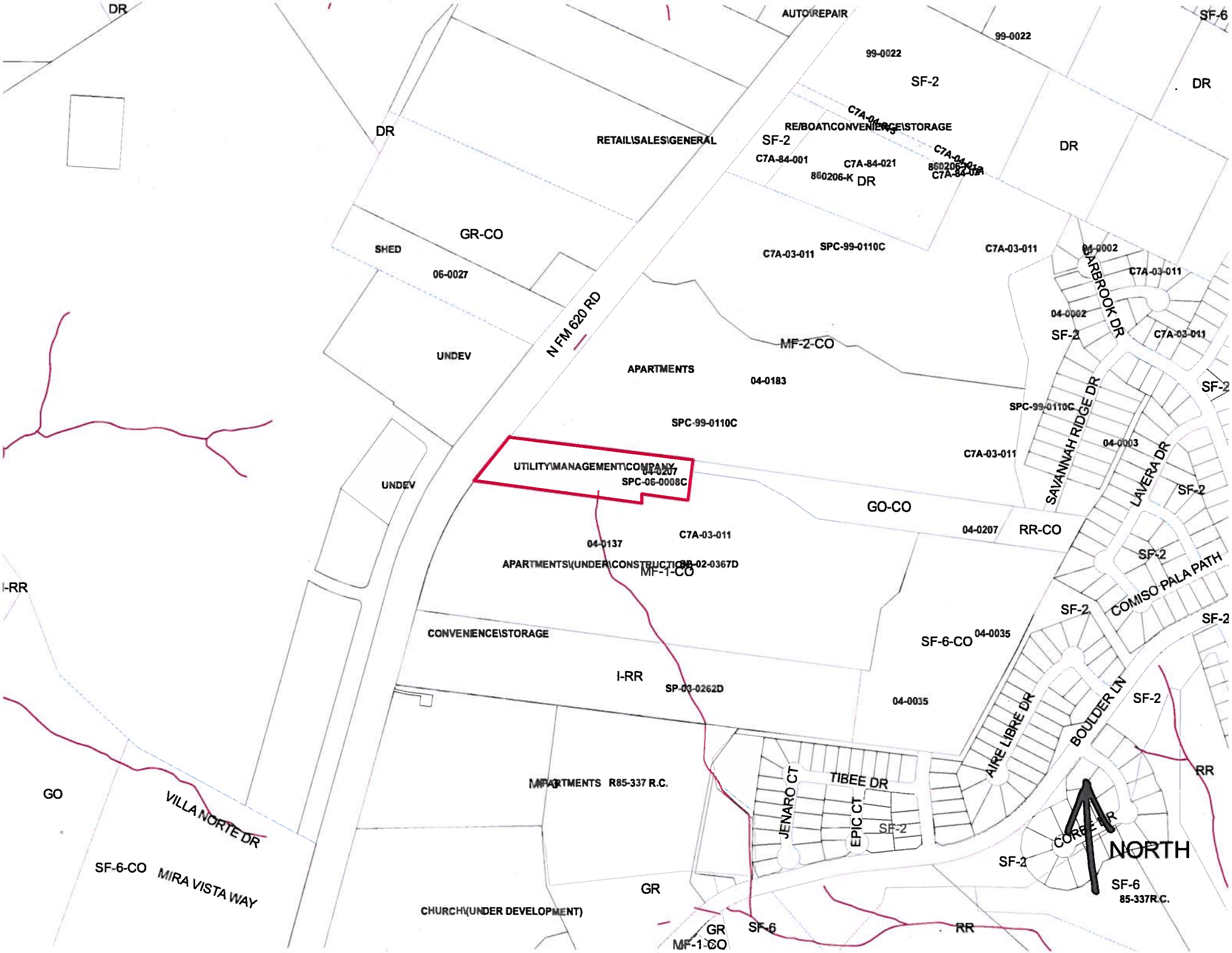
1" = 400'

ZONING

ZONING CASE#: C14-2012-0006

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.


DR
AUTO\REPAIR
99-0022
SF-6
SF-2
DR
RETAIL\SALES\GENERAL
RE/BOAT\CONVENIENCE\STORAGE
C7A-84-001
C7A-84-021
860206-K
GR-CO
SHED
06-0027
C7A-03-011
SPC-99-0110C
04-0002
CARBROOK DR
UNDEV
N FM 620 RD
MF-2-CO
APARTMENTS
04-0183
SAVANNAH RIDGE DR
LAVERA DR
UTILITY\MANAGEMENT\COMPANY
04-0207
SPC-06-0008C
GO-CO
RR-CO
04-0137
APARTMENTS\(UNDER\CONSTRUCTION)
SP-02-0367D
MF-1-CO
COMISO PALA PATH
I-RR
CONVENIENCE\STORAGE
SF-6-CO
04-0035
SP-03-0262D
BOULDER LN
AIRE LIBRE DR
JENARO CT
TIBEE DR
EPIC CT
APARTMENTS R85-337 R.C.
GO
VILLA NORTE DR
SF-6-CO
MIRA VISTA WAY
GR
CHURCH\(UNDER DEVELOPMENT)
NORTH
85-337R.C.


UTILITY MANAGEMENT COMPANY
APARTMENTS UNDER CONSTRUCTION
CONVENIENCE\STORAGE
N FM 620 RD
MF-1-CO
LRR
GR-CO
NORT

STAFF RECOMMENDATION

The staff's recommendation is to grant GR-CO, Community Commercial-Conditional Overlay District, zoning. The conditional overlay will limit the development intensity for the site to less than 2,000 vehicle trips per day and will prohibit the following uses on the property: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Exterminating Services, Food Preparation, Funeral Services, Hotel-Motel, Outdoor Entertainment, Pawn Shop Services, Service Station and Theater.

BASIS FOR RECOMMENDATION

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

   Community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

2. *The proposed zoning should promote consistency and orderly planning.*

   The proposed GR-CO district zoning will allow for uses to serve the public along a major arterial roadway within the city, North RM 620 Road. The existing GO-CO and RR-CO district zoning to the east of this parcel will continue to create a transition in the intensity of uses from FM 620 North to the Canyon Creek residential neighborhood to the east.

3. *The proposed zoning should allow for a reasonable use of the property.*

   GR-CO zoning will permit the applicant to utilize the existing office/warehouse structure for new Food Preparation and Retail Sales (Convenience) uses.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently developed with an office/warehouse structure. There is a utility truck parking area enclosed by a chain length fence behind the office structure. To the north and south of the site, there are two existing apartment complexes. To the east of the property there are single-family residences (Canyon Creek Residential Neighborhood).

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 90%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	*% of Net Site Area*	*% NSA with Transfers*
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Note: The most restrictive impervious cover limit applies.

Environmental

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps, there is no flood plain in or within close proximity of the project location.

The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.

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

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

Site Plan Comments

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is subject to compatibility standards. Along the northeast and east property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

A portion of the site is located within 1,000 feet of RM 620 and within a Hill Country Roadway Corridor. The site is located within the moderate intensity zone of the Hill Country Roadway. The site may be developed with the following maximum floor-to-area ratio (FAR):

Slope	Maximum FAR
0-15%	.25:1
15-25%	.10:1
25-35%	.05:1

Except for clearing necessary to provide utilities or site access, a 100 foot vegetative buffer will be required along RM 620. At least 40% of the site (excluding dedicated right-of-way) must be left in a natural state. The allowable height is as follows: Within 200 feet of RM 620 the maximum height is 28 feet, and beyond 200 feet the maximum height is 40 feet.

Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Zoning and Planning Commission.

This site is on a Scenic Roadway.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Transportation

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day over the current land use [LDC, 25-6-117].

FM 620 is classified in the Bicycle Plan as Bike Route No. 401.

There is no Capital Metro bus service available along FM 620.

There are no existing sidewalks along FM 620.
Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
FM 620	Varies	2 @ 24'	Major Arterial (MAD4)	31,000

Water and Wastewater

FYI: At present only City water service is to the tract. For information regarding the extension of wastewater service to the tract contact James Grabbs with the Austin Water Utility, Utility Development Services at 625 E. 10th St. 7th floor. Ph: 512-972-0207. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. The

water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.

Attachment A

Sirwaitis, Sherri

From: Peter Torgrimson <petertorgrimson@prodigy.net>
Sent: Tuesday, May 15, 2012 11:33 AM
To: Sirwaitis, Sherri
Cc: Robert Bone
Subject: C14-2012-0006 (Eco-9) Rezoning

Dear Ms. Sirwaitis,

The three parties (Jim Bennett, representing the owner; Robert Bone, representing Escalon at Canyon Creek; and Peter Torgrimson, representing 2222 CONA) have agreed to a set of restrictions to the rezoning of the subject property to General Retail, in addition to those recommended by city staff, in Case C14-2012-0006, to be heard at the Zoning & Platting Commission hearing on May 15, 2012. These additional restrictions are:

1. Prohibited Uses: The following uses as defined in the City of Austin Land Development Code are prohibited, in addition to the prohibited uses recommended by staff:

a. Alternative Financial Services Businesses;
b. Bail Bond Services;
c. Commercial Off-Street Parking;
d. Drop-Off Recycling Facility;
e. Off-Site Accessory Parking;
f. Research Services.

2. Traffic Intensity: Traffic generated by development on Tract 1 of the Property shall not exceed a total of 600 vehicle trips per day. Traffic generated by development on Tracts 2 and 3 of the Property shall not exceed a combined total of 1400 vehicle trips per day.

3. Drive-In/Drive-Through Service. No restaurant or food service establishment shall provide drive-in service and/or operate a drive-through service window. Construction of a restaurant drive-through lane is expressly prohibited.

Conditional Overlay

Based on this agreement, our understanding is that the following restrictions will be detailed in a conditional overlay to the zoning designation:

1. Prohibited Uses: The following uses as defined in the City of Austin Land Development Code are prohibited:

a. Alternative Financial Services Businesses;
b. Automotive Rentals;
c. Automotive Repair Services;
d. Automotive Sales;
e. Automotive Washing (of any type);
f. Bail Bond Services;
g. Commercial Off-Street Parking;
h. Drop-Off Recycling Facility;

i. Exterminating services;
j. Food Preparation;
k. Funeral services;
l. Hotel-Motel;
m. Off-Site Accessory Parking;
n. Outdoor Entertainment;
o. Pawn Shop Services;
p. Research Services;
q. Service Station;
r. Theater.

2. Traffic Intensity: Traffic generated by development on Tract 1 of the Property shall not exceed a total of 600 vehicle trips per day.

3. Drive-In/Drive-Through Service. No restaurant or food service establishment shall provide drive-in service and/or operate a drive-through service window. Construction of a restaurant drive-through lane is expressly prohibited.

Private Restrictive Covenant

The following item will be need to be contained in a private restrictive covenant:

1. Traffic generated by development on Tracts 2 and 3 of the Property shall not exceed a combined total of 1400 vehicle trips per day.

If there are any questions or comments on any of these items, please contact me.

Peter Torgrimson
President
2222 Coalition of Neighborhood Associations, Inc.
512-338-4722 (home)
512-663-2408 (mobile)

Attachment B

HOOVER SLOVACEK LLP
A REGISTERED LIMITED LIABILITY PARTNERSHIP

ROBERT E. BONE
PARTNER

bone@hooverslovacek.com

ATTORNEYS AT LAW
SAN FELIPE PLAZA
5847 SAN FELIPE, SUITE 2200
HOUSTON, TEXAS 77057

(713) 977-8686
FAX (713) 977-5395

REPLY TO:
P.O. BOX 4547
HOUSTON, TEXAS 77210

March 2, 2012

ECO Resources
Care Of: Mr. Jim Bennett and Mr. Rodney Bennett
Bennett Consulting
11505 Ridge Drive
Austin, Texas 78748

Via Facsimile No. (512) 282-0959
And Scan and E-Mail
to jb.rbconsulting@yahoo.com

RE: Case No. C14-2012-0006 (Eco-9)(the "Zoning Change Request")
9511 North FM 620 Road (the "Property")

Gentlemen:

As you know, I represent the Escalon at Canyon Creek Apartments with respect to this matter. The purpose of this letter is to follow up on my conversation with Jim Bennett yesterday, concerning my client's proposed additions to the prohibited uses on the Property as presently listed on the conditional overlay in the Zoning Change Request.

Attached as Exhibit "A" is a list of the current list of prohibited uses under the conditional overlay made a part of this Zoning Change Request. Attached as Exhibit "A" is a list of the additional uses that my client would propose be added to this list of prohibited uses.

Furthermore, please elaborate for me the process under which you have come to an agreement with 2222CONA/Coalition of Neighborhood Associations concerning the overall limitation on the Property (and its two neighboring tracts) to 2,000 car trips per day via a restrictive covenant, with the Property being specifically limited to 600 car trips per day. My client will most likely want to be added as an additional beneficiary to this restrictive covenant, i.e. as an entity that may bring legal action in enforcement of same. Finally, please provide me with a detailed summary of the overall planned operations of the meat-processing/packing facility that your client is proposing to situate on the Property.

It remains my client's hope that (much like you have done with 2222CONA/Coalition of Neighborhood Associations) that we can quickly come to an agreement on these issues, specifically the car-trip limitation and the additional prohibited uses. Please contact me when you are ready to discuss further.

Very truly yours,

HOOVER SLOVACEK LLP

REB\mv
103131-468
Enclosures

Robert E. Bone

EXHIBIT "A"

City of Austin - Zoning and Planning Commission Rezoning Case No. C14-2012-0006
9511 North FM 620 Road
Owner - Eco Resources
Current Agreed Prohibited Uses Under GR - Conditional Overlay

Use	Description	COA Ordinance Reference
Automotive Rentals	AUTOMOTIVE RENTALS use is the use of a site for the rental of automobiles, noncommercial trucks, trailers, or recreational vehicles, including incidental parking and servicing of vehicles. This use includes auto rental agencies, trailer rental agencies, and taxicab parking and dispatching.	25-2-4(B)(5)
Automotive Repair Services	AUTOMOTIVE REPAIR SERVICES use is the use of a site for the repair of automobiles, noncommercial trucks, motorcycles, motor-homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. This use includes muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, body and fender shops, and similar repair and service activities, but excludes dismantling or salvage.	25-2-4(B)(6)
Automotive Sales	AUTOMOTIVE SALES use is the use of a site for sale or rental of automobiles, noncommercial trucks, motorcycles, motor-homes, recreational vehicles, or boats, including incidental storage, maintenance, and servicing. This use includes new and used car dealerships, motorcycle dealerships, and boat, trailer, and recreational vehicle dealerships.	25-2-4(B)(7)
Automotive Washing (Of Any Type)	AUTOMOTIVE WASHING use is the use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.	25-2-4(B)(8)
Bail Bond Services	BAIL BOND SERVICES use is the use of a site by a licensed bail bond surety to provide bail bond services regulated by Texas Occupations Code Chapter 1704. The use does not include bail bond services that are provided by an attorney and that are exempt from the state licensure requirements under Texas Occupations Code Section 1704.163. ****For this use, it actually has a use designation of "PC", which stands for "*permitted in the district, but under some circumstances may be conditional*". Nonetheless, the owner has agreed that this is a prohibited use.**	25-2-4(B)(9)
Commercial Off-Street Parking	COMMERCIAL OFF-STREET PARKING use is the use of a site for the parking of motor vehicles on a temporary basis within a privately owned off-street parking facility. This use includes commercial parking lots and garages and excludes parking as an accessory use.	25-2-4(B)(17)

Exterminating Services	EXTERMINATING SERVICES use is the use of a site for the eradication or control of rodents, insects, or other pests with incidental storage on sites other than where the service is rendered.	25-2-4(B)(28)
Funeral Services	FUNERAL SERVICES use is the use of a site for the preparation human dead for burial or arranging or managing funerals. This use includes funeral homes and mortuaries.	25-2-4(B)(32)
Hotel-Motel	HOTEL-MOTEL use is the use of a site for the provision of rooms for temporary lodging. This use includes hotels, motels, and transient boarding houses.	25-2-4(B)(35)
Off-Site Accessory Parking	OFF-SITE ACCESSORY PARKING use is the use of a site for the provision of parking spaces, together with driveways, aisles, turning and maneuvering areas, clearances, and similar features, located on a different site from the principal use.	25-2-4(B)(44)
Outdoor Entertainment	OUTDOOR ENTERTAINMENT use is a predominantly spectator use conducted in open, partially enclosed, or screened facilities. This use includes sports arenas, racing facilities, and amusement parks.	25-2-4(B)(45)
Pawn Shop Services	PAWN SHOP SERVICES use is the use of a site for the lending of money on the security of property pledged in the keeping of the pawnbroker, and the incidental sale of the property.	25-2-4(B)(47)
Service Station	SERVICE STATION use is the use of a site for the provision of fuel, lubricants, parts and accessories, or incidental services to motor vehicles.	25-2-4(B)(63)
Theatre	THEATER use is the use of a site for presentation of plays, motion pictures, or other dramatic performances within a building.	25-2-4(B)(67)

EXHIBIT "B"

City of Austin - Zoning and Planning Commission Rezoning Case No. C14-2012-0006
9511 North FM 620 Road
Owner - Eco Resources
Escalon at Canyon Creek's Proposed Additional Prohibited Uses Under GR - Conditional Overlay

Use	Description	COA Ordinance Reference
Drop-Off Recycling Collection Facility	DROP-OFF RECYCLING COLLECTION FACILITY use is a facility used for the collection and transfer, but not the actual processing, of recyclable materials. Recyclable materials include glass, paper, plastic, cans, or other source-separated, nonputrescible materials, and excludes motor oil, chemicals, household appliances, tires, automobiles, automobile parts, and putrescible materials.	25-2-4(B)(23)
Financial Services	FINANCIAL SERVICES use is the use of a site for the provision of financial and banking services. This use includes banks, savings and loan institutions, stock and bond brokers, loan and lending activities, and similar services.	25-2-4(B)(29)
Research Services	RESEARCH SERVICES use is research of an industrial or scientific nature. This use includes electronics research laboratories, space research or development firms, and pharmaceutical research labs, and excludes product testing.	25-2-4(B)(57)

Attachment C

Sirwaitis, Sherri

From: Peter Torgrimson [petertorgrimson@[redacted]
Sent: Tuesday, February 21, 2012 12:03 AM
To: Sirwaitis, Sherri
Subject: Case C14-2012-0006 Zoning & Platting Commission Postponement Request

Re: Zoning & Platting Commission Hearing, Case Number C14-2012-0006, ECO Resources, 9511 North FM 620 Road, Agenda Item C.3, February 21, 2012.

Dear Ms. Sirwaitis,

Now that the backup material for this case is posted on the City Website, the staff report has raised several questions/issues. Due to the short time available to resolve these issues, 2222 Coalition of Neighborhood Associations (2222 CONA) requests a postponement to the March 6 meeting of the Zoning & Platting Commission for the referenced agenda item.

I have talked with Mr. Bennett about this postponement request and he is very desirous that the case go forward tomorrow. If these issues can be resolved prior to the hearing, we will withdraw our postponement request.

The issues are:

1. In the current zoning, traffic is limited to a maximum of 2000 trips per day for the entire Property (Tracts 1, 2 and 3). We need confirmation that the conditional overlay for the new zoning will clearly identify that the limit of 2000 trips per day remains in force for the entire Property and is not changed to a limit of 2000 trips per day for Tract 1 alone.

2. In the current zoning, vehicular access from the entire Property to Savannah Ridge Drive is prohibited except for emergency vehicle use. We need confirmation that the conditional overlay for the new zoning will clearly identify that this prohibition remains in force.

3. We request that three additional uses be prohibited in addition to those recommended in the Summary Staff Recommendation:

Bail Bond Services
Commercial Off-Street Parking
Off-Site Accessory Parking

Please contact me at your earliest opportunity tomorrow (Tuesday) to discuss these issues.

Thank you,

Peter Torgrimson
President
2222 Coalition of Neighborhood Associations, Inc.
512-338-4722

Current Zoning Ordinance

ORDINANCE NO. 050303-Z-15

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 9511 NORTH R.M. 620 ROAD AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT TO PUBLIC-CONDITIONAL OVERLAY (P-CO) COMBINING DISTRICT FOR TRACT 1, GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT FOR TRACT TWO, AND RURAL RESIDENCE-CONDITIONAL OVERLAY (RR-CO) COMBINING DISTRICT FOR TRACT THREE.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district on the property described in Zoning Case No. C14-04-0207, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From interim rural residence (I-RR) district to public-conditional overlay (P-CO) combining district.

A 3.963 acre tract of land, more or less, out of Lot 1, Block A, Eco Resources Office Subdivision, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From interim rural residence (I-RR) district to general office-conditional overlay (GO-CO) combining district.

A 4.170 acre tract of land, more or less, out of Lot 1, Block A, Eco Resources Office Subdivision, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance; and

Tract Three: From interim rural residence (I-RR) district to rural residence-conditional overlay (RR-CO) combining district.

A 1.231 acre tract of land, more or less, out of Lot 1, Block A, Eco Resources Office Subdivision, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "C" incorporated into this ordinance, (the "Property")

locally known as 9511 North R.M. 620 Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "D".

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

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

2. Except for emergency vehicle use, vehicular access from the Property to Savannah Ridge Drive is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

3. The following uses are prohibited uses of Tract One:

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Building maintenance services	Drop-off recycling collection facility
Campground	Convenience storage
Construction sales and services	Equipment repair services
Equipment sales	Exterminating services
Funeral services	Hotel-motel
Laundry service	Kennels
Monument retail sales	Outdoor entertainment
Pawn shop services	Service station
Theater	Transitional housing
Transportation terminal	Vehicle storage

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

PART 3. This ordinance takes effect on March 14, 2005.

PASSED AND APPROVED

March 3, 2005 §§§ Will Wynn
Mayor

APPROVED: David Allan Smith
City Attorney

ATTEST: Shirley A. Brown
City Clerk

TRACT 1

3.963 ACRES
PORTION ECO RESOURCES TRACTS
R.M. 620

FN NO. 05-138(MJJ)
FEBRUARY 9, 2005
BPI JOB NO. 1346-02

EXHIBIT A
DESCRIPTION

OF 3.963 ACRES LAND OUT OF THE A. E. LIVINGSTON SURVEY NO. 455, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK "A" ECO RESOURCES OFFICE, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200100212 AND ALSO BEING ALL OF THAT CERTAIN 0.657 ACRE TRACT OF LAND CONVEYED TO ECO RESOURCES, INC. BY DEED OF RECORD IN DOCUMENT NO. 2002096564 BOTH OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.963 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod with cap found in the easterly line of R.M. 620 (150' R.O.W.), being southwesterly corner of Lot 1, Block "A' Canyon Creek West Section 2, a subdivision of record in Document No. 2001000167 of said Official Public Records and the northwesterly corner of said Lot 1, Block "A" Eco Resources Office, for the northwesterly corner hereof;

THENCE, leaving the easterly line of said R.M. 620, along a portion of the southerly line of said Lot 1, Block "A" Canyon Creek West Section 2, being a portion of the northerly line of said Lot 1, Block "A" Eco Resources Office, for the northerly line hereof, the following four (4) courses and distances:

1) S82°45'22"E, a distance of 348.09 feet to a 1/2 inch iron rod with cap found for an angle point;

2) S83°34'22"E, a distance of 255.23 feet to a 1/2 inch iron rod found for an angle point;

3) S83°28'51"E, a distance of 125.01 feet to a 1/2 inch iron rod found for an angle point;

4) S81°50'35"E, a distance of 73.33 feet to the northeasterly corner hereof;

THENCE, S07°48'19"W, leaving the southerly line of said Lot 1, Block "A" Canyon Creek West Section 2, in part over and across said Lot 1, Block "A" Eco Resources Office and in part along the common line of said Lot 1, Block "A" Eco Resources Office and Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, a subdivision of record in Document No. 200400043 of said Official Public Records, a distance of 175.88 feet to an iron rod with cap found, for the northernmost northwesterly corner of said Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, for the southeasterly corner hereof;

THENCE, N82°10'03"W, along a portion of the northerly line of said Lot 1, Block "A" Estates at Canyon Creek Subdivision, being a portion of the southerly line of said Lot 1, Block "A" Eco Resources Office, for a portion of the southerly line hereof, a distance of 198.30 to a 1/2 inch iron rod with cap found at the northeasterly corner of said 0.657 acre tract, for an angle point hereof;

THENCE, leaving the southerly line of said Lot 1, Block "A" Eco Resources Office, along the easterly and southerly lines of said 0.657 acre tract, being a portion of the northerly line of said Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, for a portion of the southerly line hereof, the following two (2) courses and distances:

1) S07°49'57"W, a distance of 40.00 feet to a 1/2 inch iron rod found at the southeasterly corner of said 0.657 acre tract, for an angle point;

2) N82°10'03"W, a distance of 726.95 feet to a 1/2 inch iron rod with cap found in the curving easterly line of R.M. 620, being the southwesterly corner of said 0.657 acre tract and the northwesterly corner of said Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, for the southwesterly corner hereof;

THENCE, along the easterly line of R.M. 620, being the westerly line of said 0.657 acre tract and the westerly line of said Lot 1, Block "A" Eco Resources Office, for the westerly line hereof, the following two (2) courses and distances:

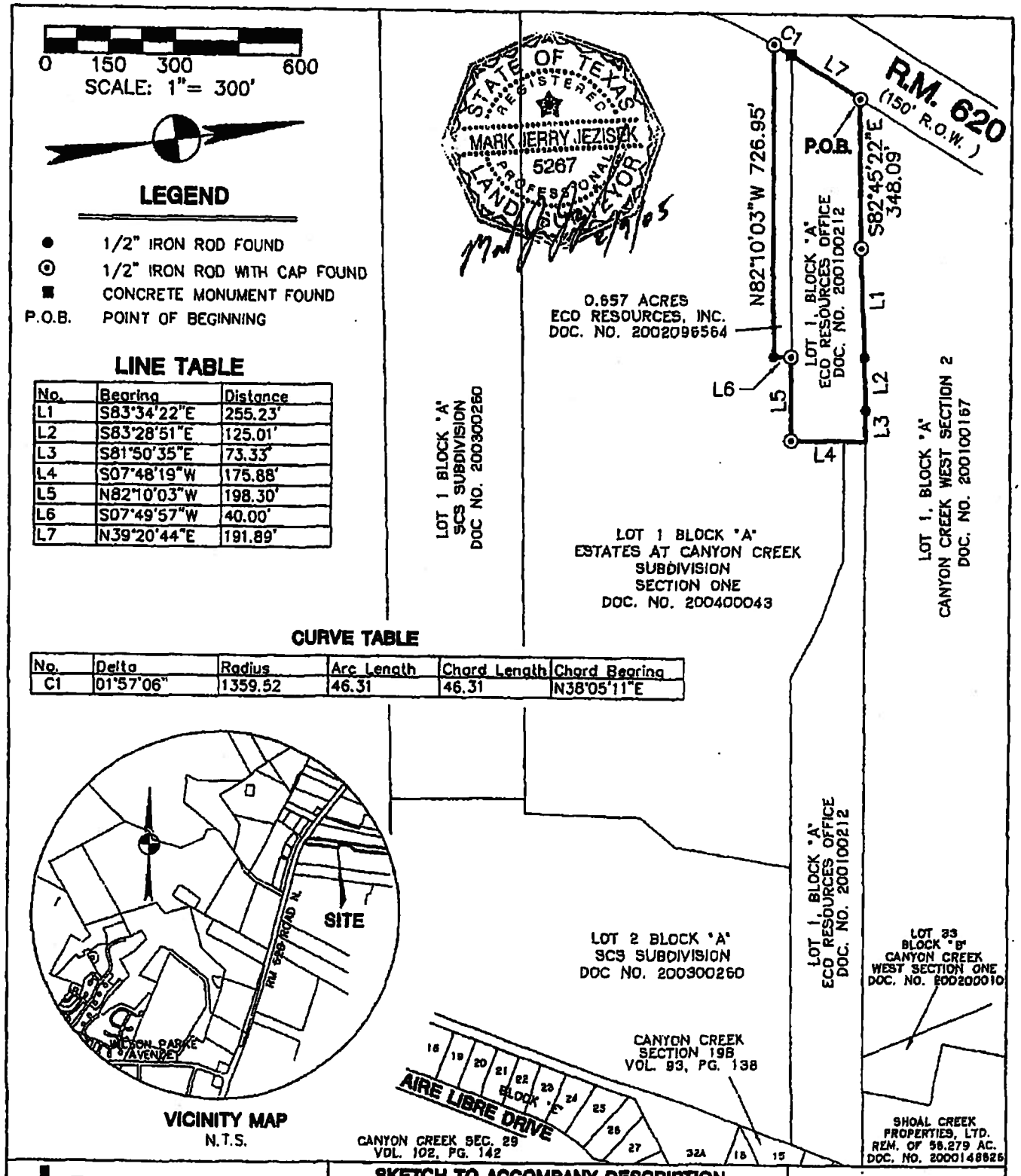
1) Along a curve to the right having a radius of 1359.52 feet, a central angle of 01°57'06", an arc length of 46.31 feet and a chord which bears N38°05'11"E, a distance of 46.31 feet to a concrete monument found at the northeasterly corner of said 0.657 acre tract, being the southwesterly corner of said Lot 1, Block "A" Eco Resources Office, for the end of said curve;

2) N39°20'44"E, along the easterly line of R.M. 620, being the westerly line of said Lot 1, Block "A" Eco Resources Office, for the westerly line hereof, a distance of 191.89 feet the **POINT OF BEGINNING,** containing an area of 3.963 acres (172,612 sq. ft.) of land, more or less, within these metes and bounds.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION DURING THE MONTH OF AUGUST, 2003. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD
SUITE 200
AUSTIN, TEXAS 78746

2/9/05
MARK J. JEZISEK, R.P.L.S. DATE
NO. 5267
STATE OF TEXAS



LINE TABLE

No.	Bearing	Distance
L1	S83°34'22"E	255.23'
L2	S83°28'51"E	125.01'
L3	S81°50'35"E	73.33'
L4	S07°48'19"W	175.88'
L5	N82°10'03"W	198.30'
L6	S07°49'57"W	40.00'
L7	N39°20'44"E	191.89'

CURVE TABLE

No.	Delta	Radius	Arc Length	Chord Length	Chord Bearing
C1	01°57'06"	1359.52	46.31	46.31	N38°05'11"E

VICINITY MAP
N.T.S.

Bury+Partners
ENGINEERING SOLUTIONS
3345 Bee Caves Road, Suite 200
Austin, Texas 78746
Tel. (512)328-0011 Fax (512)328-0325

Bury+Partners, Inc. ©Copyright 2005

SKETCH TO ACCOMPANY DESCRIPTION
OF 3.963 ACRES OF LAND OUT OF THE A. E. LIVINGSTON SURVEY NO. 455, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK "A" ECO RESOURCES OFFICE, OF RECORD IN DOCUMENT NO. 200100212 AND ALSO BEING ALL OF THAT CERTAIN 0.657 ACRE TRACT OF LAND OF RECORD IN DOCUMENT NO. 2002096564 BOTH OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

ECO RESOURCES

DATE: 02/09/05	FILE: H:\1451\01\145101EX4.dwg	FN No.: FN05-138(MJJ)	DRAWN BY: A.L.	PROJ. No: 1346-02

Tract 2

4.170 ACRES
PORTION OF LOT 1, BLOCK "A"
ECO RESOURCES OFFICE

FN. NO. 05-105(MJJ)
FEBRUARY 9, 2005
BPI JOB NO. 1346-02

EXHIBIT B
DESCRIPTION

OF 4.170 ACRES OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK "A" ECO RESOURCES OFFICE, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200100212 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 4.170 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod with cap found in the easterly line of R.M. 620 (150' R.O.W.), being the southwesterly corner of Lot 1, Block "A" Canyon Creek West Section 2, a subdivision of record in Document No. 200100167 of said Official Public Records and the northwesterly corner of said Lot 1, Block "A" Eco Resources Office;

THENCE, leaving the easterly line of R.M. 620, along a portion of the southerly line of said Lot 1, Block "A" Canyon Creek West Section 2, being a portion of the northerly line of said Lot 1, Block "A" Eco Resources Office, the following four (4) courses and distances:

1) S82°45'22"E, a distance of 348.09 feet to a 1/2 inch iron rod with cap found for an angle point;

2) S83°34'22"E, a distance of 255.23 feet to a 1/2 inch iron rod found for an angle point;

3) S83°28'51"E, a distance of 125.01 feet to a 1/2 inch iron rod found for an angle point;

4) S81°50'35"E, a distance of 73.33 feet to the **POINT OF BEGINNING** and northwesterly corner hereof;

THENCE, S81°50'35"E, continuing along a portion of the southerly line of said Lot 1, Block "A" Canyon Creek West Section 2, being a portion of the northerly line of said Lot 1, Block "A" Eco Resources Office, for the northerly line hereof, a distance of 1401.84 feet to the northeasterly corner hereof;

THENCE, S28°42'54"W, leaving the southerly line of said Lot 1, Block "A" Canyon Creek Section 2, over and across said Lot 1, Block "A" Eco Resources Office, for the easterly line hereof, a distance of 179.74 feet to a point in the northerly line of Lot 2, Block "A" SCS Subdivision, a subdivision of record in Document No. 200300260 of said Official Public Records, being the southerly line of said Lot 1, Block "A" Eco Resources Office, for the southeasterly corner hereof, from which a 1/2 inch iron rod found in the westerly line of Lot 15, Block "I" Canyon Creek Section 19B, a subdivision of record in Volume 93, Page 138 of the Plat Records of Travis County, Texas, being the southeasterly corner of said Lot 1, Block "A" Eco Resources Office and the northeasterly corner of said Lot 2 bears S82°10'03"E, a distance of 321.09 feet;

THENCE, in part along a portion of the southerly line of said Lot 1, Block "A" Eco Resources Office and in part over and across the remaining portion of said Lot 1, Block "A" Eco Resources Office, being in part along a portion of the northerly line of said Lot 2 and in part along the northerly line of Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, a subdivision of record in Document No. 200400043 of said Official Public Records, for the southerly line hereof, the following four (4) courses and distances:

1) N82°10'03"W, passing at a distance of 327.12 feet a 1/2 inch iron rod with cap found being the common northerly corner of said Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One and said Lot 2 and continuing for a total distance of 774.11 feet to a 1/2 inch iron rod with cap found for an angle point;

2) N54°45'20"W, a distance of 151.56 feet to a 1/2 inch iron rod with cap found for an angle point;

3) N62°07'58"W, a distance of 157.58 feet to a 1/2 inch iron rod with cap found for an angle point;

4) N81°56'54"W, a distance of 281.03 feet to a 1/2 inch iron rod with cap found being the northernmost northwesterly corner of said Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, for the southwesterly corner hereof;

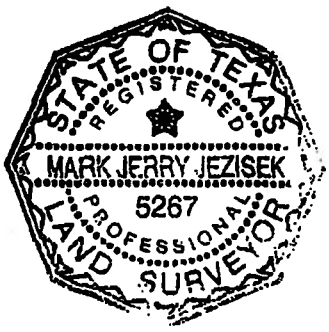
THENCE, N07°48'19"E, leaving the northerly line of said Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, over and across said Lot 1, Block "A" Eco Resources Office, for the westerly line hereof, a distance of 51.04 feet to the **POINT OF BEGINNING**, containing an area of 4.170 acres (181,648 sq. ft.) of land, more or less, within these metes and bounds.

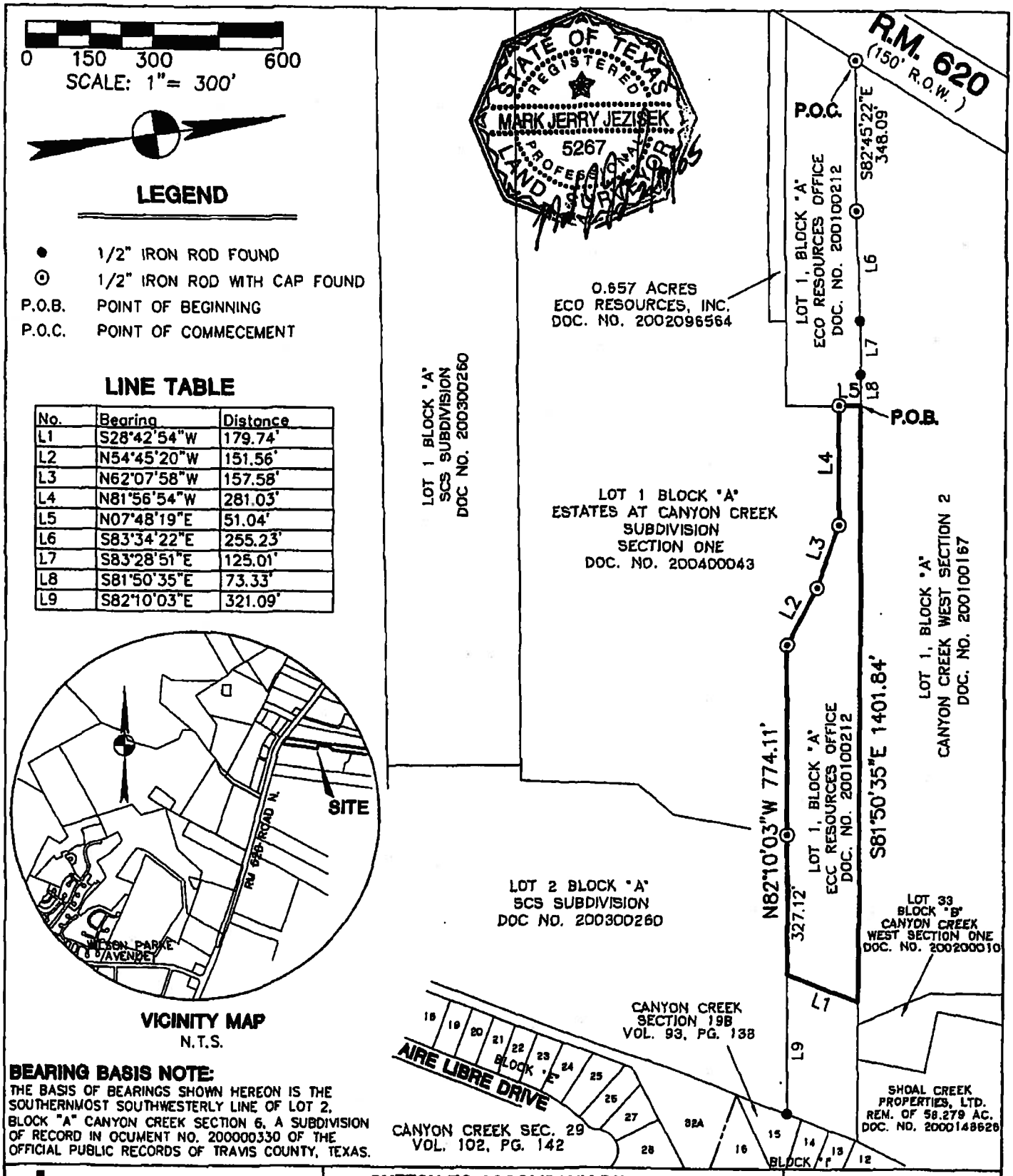
I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION DURING THE MONTH OF AUGUST, 2003. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY+PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD
SUITE 200
AUSTIN, TEXAS 78746

2/9/05

MARK J. JEZISEK, R.P.L.S.
NO. 5267
STATE OF TEXAS





LEGEND

- ● 1/2" IRON ROD FOUND
- ⊙ 1/2" IRON ROD WITH CAP FOUND
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMECEMENT

LINE TABLE

No.	Bearing	Distance
L1	S28°42'54"W	179.74'
L2	N54°45'20"W	151.56'
L3	N62°07'58"W	157.58'
L4	N81°56'54"W	281.03'
L5	N07°48'19"E	51.04'
L6	S83°34'22"E	255.23'
L7	S83°28'51"E	125.01'
L8	S81°50'35"E	73.33'
L9	S82°10'03"E	321.09'

VICINITY MAP
N.T.S.

BEARING BASIS NOTE:
THE BASIS OF BEARINGS SHOWN HEREON IS THE SOUTHERNMOST SOUTHWESTERLY LINE OF LOT 2, BLOCK "A" CANYON CREEK SECTION 6, A SUBDIVISION OF RECORD IN OCUMENT NO. 200000330 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

Bury+Partners
ENGINEERING SOLUTIONS
3345 Bee Caves Road, Suite 200
Austin, Texas 78746
Tel. (512)328-0011 Fax (512)328-0325

Bury+Partners, Inc. ©Copyright 2005

SKETCH TO ACCOMPANY DESCRIPTION
OF 4.170 ACRES OF LAND OUT OF THE A. E. LIVINGSTON SURVEY NO. 455, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK "A" ECO RESOURCES OFFICE, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200100212 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

ECO RESOURCES

DATE: 02/09/05	FILE: H:\1451\01\145101EX2.dwg	FN No.: FN05-105(MJJ)	DRAWN BY: M.J.J.	PROJ. No: 1346-02

Tract 3

1.231 ACRES
PORTION OF LOT 1, BLOCK "A"
ECO RESOURCES OFFICE

FN. NO. 05-106(MJJ)
FEBRUARY 9, 2005
BPI JOB NO. 1346-02

EXHIBIT C

DESCRIPTION

OF 1.231 ACRES OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOT 1, BLOCK "A" ECO RESOURCES OFFICE, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200100212 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.231 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a 1/2 inch iron rod with cap found in the easterly line of R.M. 620 (150' R.O.W.), being the southwesterly corner of Lot 1, Block "A" Canyon Creek West Section 2, a subdivision of record in Document No. 200100167 of said Official Public Records and the northwesterly corner of said Lot 1, Block "A" Eco Resources Office;

THENCE, leaving the easterly line of R.M. 620, along a portion of the southerly line of said Lot 1, Block "A" Canyon Creek West Section 2, being a portion of the northerly line of said Lot 1, Block "A" Eco Resources Office, the following four (4) courses and distances:

1) S82°45'22"E, a distance of 348.09 feet to a 1/2 inch iron rod with cap found for an angle point;

2) S83°34'22"E, a distance of 255.23 feet to a 1/2 inch iron rod found for an angle point;

3) S83°28'51"E, a distance of 125.01 feet to a 1/2 inch iron rod found for an angle point;

4) S81°50'35"E, a distance of 1475.17 feet to the **POINT OF BEGINNING** and northwesterly corner hereof;

THENCE, S81°50'35"E, in part along a portion of the southerly line of said Lot 1, Block "A" Canyon Creek West Section 2 and in part along a portion of the southerly line of Lot 33, Block "A" Canyon Creek West Section One, a subdivision of record in Document No. 200200010 of said Official Public Records and in part along the southerly line of the remaining portion of that certain 56.279 acre tract of land conveyed to Shoal Creek Properties, Ltd. by deed of record in Document No. 2000148626 of said Official Public Records, being along a portion of the northerly line of said Lot 1, Block "A" Eco Resources Office, for the northerly line hereof, a distance of 320.40 feet to concrete monument found in the westerly line of Lot 12, Block "I" Canyon Creek Section 19B, a subdivision of record in Volume 93, Page 138 of the Plat Records of Travis County, Texas, being the southeasterly corner of the remaining portion of said 56.279 acre tract and the northeasterly corner of said Lot 1, Block "A" Eco Resources Office;

THENCE, S28°42'54"W, along the westerly line of said Lot 12 and the westerly lines of Lots 13-15 (inclusive) of said Block "I" Canyon Creek Section 19B, being the easterly line of said Lot 1, Block "A" Eco Resources Office, for the easterly line hereof, a distance of 177.80 feet to a 1/2 inch iron rod found in the westerly line of said Lot 15, being the northeasterly corner of Lot 2, Block "A" SCS Subdivision, a subdivision of record in Document No. 200300260 of said Official Public Records and the southeasterly corner of said Lot 1, Block "A" Eco Resources Office, for the southeasterly corner hereof;

THENCE, N82°10'03"W, leaving the westerly line of said Lot 15, along a portion of the northerly line of said Lot 2, being a portion of the southerly line of said Lot 1, Block "A" Eco Resources Office, for the southerly line hereof, a distance of 321.09 feet to the southwesterly corner hereof, from which a 1/2 inch iron rod with cap found at the northeasterly corner of Lot 1, Block "A" Estates at Canyon Creek Subdivision Section One, a subdivision of record in Document No. 200400043 of said Official Public Records, being the northwesterly corner of said Lot 2 bears, N82°10'03"W, a distance of 327.12 feet;

THENCE, N28°42'54"E, leaving the northerly line of said Lot 2, over and across said Lot 1, Block "A" Eco Resources Office, for the westerly line hereof, a distance of 179.74 feet to the **POINT OF BEGINNING**, containing an area of 1.231 acres (53,632 sq. ft.) of land, more or less, within these metes and bounds.

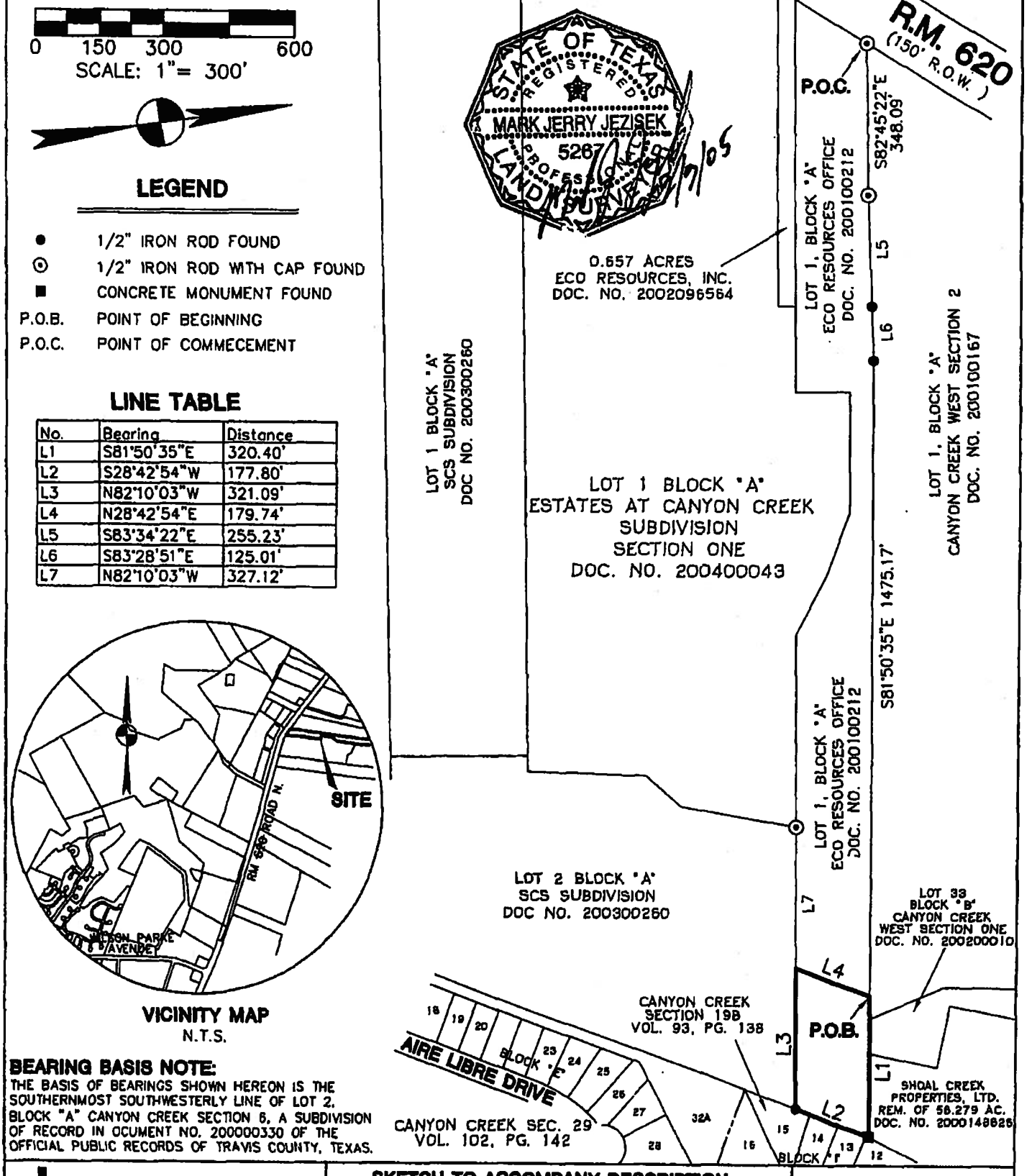
I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION DURING THE MONTH OF AUGUST, 2003. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

BURY+PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD
SUITE 200
AUSTIN, TEXAS 78746

2/9/05

MARK J. JEZISEK, R.P.L.S.
NO. 5267
STATE OF TEXAS





BEARING BASIS NOTE:
THE BASIS OF BEARINGS SHOWN HEREON IS THE SOUTHERNMOST SOUTHWESTERLY LINE OF LOT 2, BLOCK "A" CANYON CREEK SECTION 6, A SUBDIVISION OF RECORD IN OCUMENT NO. 200000330 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

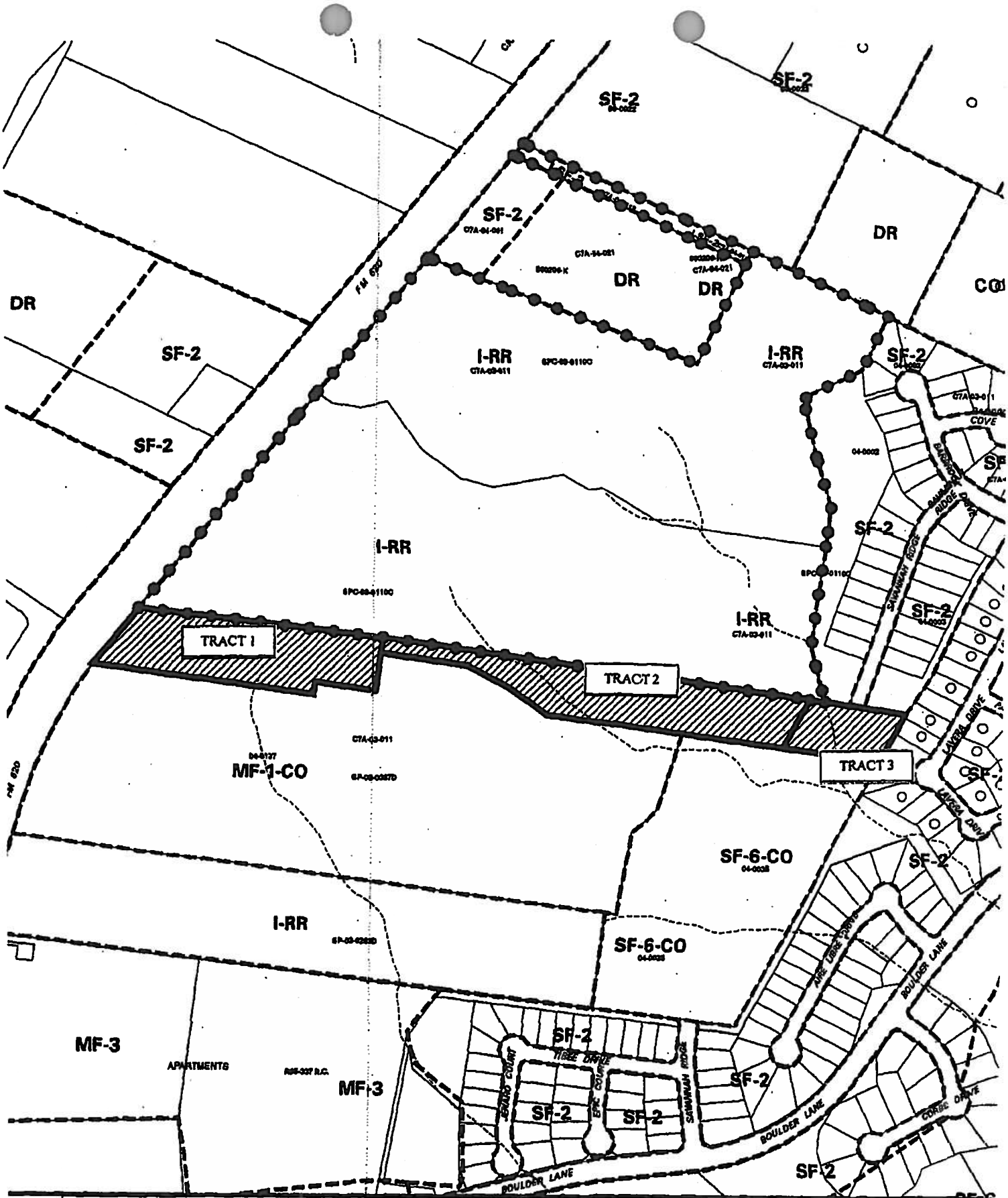
Bury+Partners
ENGINEERING SOLUTIONS
3345 Bee Caves Road, Suite 200
Austin, Texas 78746
Tel. (512)328-0011 Fax (512)328-0325

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SKETCH TO ACCOMPANY DESCRIPTION
OF 1.231 ACRES OF LAND OUT OF THE A. E. LIVINGSTON SURVEY NO. 455, SITUATED IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN LOT 1, BLOCK "A" ECO RESOURCES OFFICE, A SUBDIVISION OF RECORD IN DOCUMENT NO. 200100212 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

ECO RESOURCES

DATE: 02/09/05	FILE: H:\1451\01\145101EX3.dwg	FN No.: FN05-106(MJJ)	DRAWN BY: M.J.J.	PROJ. No: 1346-02



N 1"=400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: S. GAGER	ZONING EXHIBIT D CASE #: C14-04-0207 ADDRESS: 9511 N RM 620 RD SUBJECT AREA (acres): 9.364	DATE: 05-02 INTLS: SM	CITY GRID REFERENCE NUMBER D36

Sirwaitis, Sherri

From: Jim Smitherman [smitherman.jim@[redacted]]
Sent: Monday, March 19, 2012 12:43 PM
To: bbaker5@[redacted]; [redacted]bald@[redacted]; gregorytbourgeois@[redacted]; prseeger@[redacted]; crbanks@[redacted]; jasonmeekerzap@[redacted]; grcity@[redacted]
Cc: Sirwaitis, Sherri
Subject: Case C14-2012-0006

Dear Commissioners

RE: Case C14-2012-0006

The intent of this email is to inform you that The Parke HOA does not support the zoning change request to GR. Our HOA is situated along 620, near this tract. We feel that GR zoning is to broad and if granted will contribute to already existing problems with traffic and access issues.
The tract is located on a blind corner of 620 and we believe access should be limited with a more restrictive zoning, and or conditional overlays that limit traffic and types of businesses. We feel GO zoning would be more appropriate for this tract.

Thank you for your time and please do not hesitate to contact me if you have any questions.

Thanks
Jim Smitherman
President Parke HOA
258-7555