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February 15, 2013

Greg Guernsey, Director  
Planning and Development Review Department  
505 Barton Spring Road, Suite 500  
Austin, Texas 78704

RE: Rezoning to remove two conditional overlays – 9101-9201 IH-35 South  
(C14-99-0132)

Dear Greg:

I represent NL Land Holdings, Ltd, the owner of the above referenced property. In 1999, the subject property was zoned from SF-2 to CS-CO under zoning case number C14-99-0132. As part of the zoning, five conditions were imposed on the property. So, the purpose of this letter is to request that the following two conditions be removed from zoning ordinance number 010301-13 (C14-99-0132):

**Condition no. 2:** A sign constructed or placed on the property may not exceed a height of 35 feet above ground level.

**Justification:**

City staff asked that we request removal of this condition due to advice by the law department in order to avoid conflicts and inconsistencies in with the sign ordinance (see applicable sign provisions below).

**Condition no. 3:** Vehicular access from the property to Oak Hill Lane is prohibited. All vehicular access to the property shall be provided from other adjacent public streets or through other adjacent property.

**Justification:**

1. Oak Hill Lane is and has always been a private street (since 1953), which is owned by client, NL Land Holdings – TCAD property ID numbers - 57611 and 727102.
2. TXDOT will not allow access to IH-35 frontage Road.
3. Oak Hill Lane, which is in the process of being converted into a public street per a preliminary plan currently under review by the City and County (case no. C8J-2012-0170), will be used to access the subject property (see attached concept site plan and subdivision preliminary plan).

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**§ 25-10-123 EXPRESSWAY CORRIDOR SIGN DISTRICT REGULATIONS.**

- (A) This section applies to an expressway corridor sign district.
- (B) This subsection prescribes regulations for freestanding signs.
  - (1) One freestanding sign is permitted on a lot. Additional freestanding signs may be permitted under Section 25-10-131 (*Additional Freestanding Signs Permitted*).
  - (2) The sign area may not exceed:
    - (a) on a lot with not more than 86 linear feet of street frontage, 60 square feet;  
or
    - (b) on a lot with more than 86 linear feet of street frontage, the lesser of:
      - (i) 0.7 square feet for each linear foot of street frontage; or
      - (ii) 300 square feet.
  - (3) **The sign height may not exceed the greater of:**
    - (a) 35 feet above frontage street pavement grade; or**
    - (b) 20 feet above grade at the base of the sign.**
- (C) A roof sign may be permitted instead of a freestanding sign under Section 25-10-132 (*Roof Sign Instead Of Freestanding Sign*).
- (D) Wall signs are permitted.
- (E) One commercial flag for each curb cut is permitted.
- (F) For signs other than freestanding signs or roof signs, the total sign area for a lot may not exceed 20 percent of the facade area of the first 15 feet of the building.

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Zoning ordinance number 010301-13 (C14-99-0132) is attached as background information. Please let me know if you have any questions or need additional information.

Sincerely,



Alice Glasco, President  
AG Consulting

Cc: John Lewis  
Jerry Rusthoven, Zoning Division Manager  
Wendy Rhoades, Zoning Planner

