

SECOND/THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2015-0007 Alice Mae Rezoning

DISTRICT AREA: 5

REQUEST:

Approve second/third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 9500 Alice Mae Lane (Slaughter Creek Watershed) from community commercial – conditional overlay (GR-CO) combining district zoning to community commercial -mixed use -conditional overlay (GR-MU-CO) combining district zoning. The Conditional Overlay limits the number of dwelling units to 166 (20.296 units per acre) and prohibits the following uses: alternative financial services, automotive sales, bail bond services, drop-off recycling collection facility, exterminating services, funeral services, pawn shop services, residential treatment and service station.

DEPARTMENT COMMENTS:

The ordinance is consistent with City Council action taken on First Reading.

OWNER & APPLICANT: SP Meadows West, Ltd. (David Roche)

DATE OF FIRST READING: March 26, 2015, Approved GR-MU-CO combining district zoning, on First Reading (11-0).

CITY COUNCIL HEARING DATE: May 14, 2015

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ASSIGNED STAFF: Wendy Rhoades
e-mail: wendy.rhoades@ austintexas.gov

ZONING CHANGE REVIEW SHEET

CASE: C14-2015-0007 – Alice Mae Rezoning

Z.A.P. DATE: February 17, 2015
March 3, 2015

ADDRESS: 9500 Alice Mae Lane

DISTRICT AREA: 5

OWNER: SP Meadows West, Ltd.
(David Roche)

AGENT: Armbrust & Brown, LLC
(Richard T. Suttle, Jr.)

ZONING FROM: GR-CO

TO: GR-MU-CO

TOTAL AREA: 8.179 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning. The Conditional Overlay prohibits the following uses: drop-off recycling collection facility, pawn shop services, residential treatment, and service station.

ZONING AND PLATTING COMMISSION:

February 17, 2015: *APPROVED A POSTPONEMENT REQUEST BY THE
NEIGHBORHOOD TO MARCH 3, 2015*

[G. ROJAS; S. COMPTON – 2ND] (6-0) J. GOODMAN – NOT YET ARRIVED

March 3, 2015: *APPROVED GR-MU-CO DISTRICT ZONING AS STAFF
RECOMMENDED, WITH ADDITIONAL CONDITIONAL OVERLAYS: 1) MAXIMUM OF
166 DWELLING UNITS; 2) TO PROHIBIT ALTERNATIVE FINANCIAL SERVICES,
AUTOMOTIVE SALES, BAIL BOND SERVICES, FUNERAL SERVICES AND
EXTERMINATING SERVICES*

[P. SEEGER; J. GOODMAN – 2ND] (6-0) G. ROJAS – ABSENT

ISSUES:

The Applicant met with residents of the Reserve at Southpark Meadows on February 16, 2015. A private Restrictive Covenant between residents and the property owner addresses a traffic circle, age-restriction for a multifamily residential use, compatibility standards, landscaping and building and landscaping plans. Please refer to attachment at the back of this packet.

DEPARTMENT COMMENTS:

The subject portion of a platted lot is undeveloped and zoned community commercial – conditional overlay (GR-CO) by way of a 2005 rezoning case. The Conditional Overlay that applies to this rezoning area prohibits drop-off recycling collection facility, pawn shop services, residential treatment, and service station. Access is taken from Taft Lane and Alice Mae Lane, both private streets that intersect South 1st Street and West Slaughter Lane, respectively. There is undeveloped land on the opposite side of Alice Mae Lane and the South Park Meadows shopping center is further to the east (GR-CO); apartments, single family residences and a convalescent services facility to the south (GR-MU-CO; SF-6; MF-4-CO); a single family residential subdivision that includes completed and in progress construction to the west (SF-4A), and undeveloped land to the north (GR-CO). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View), B (2005 Rezoning Ordinance) and C (Recorded Plat).

The Applicant is proposing to rezone the property to add a mixed use (–MU) overlay for the purposes of developing 166 multi-family residential units.

Staff recommends the Applicant's request based on the following considerations of the property: 1) access to a major arterial roadway; 2) multi-family residential development is less intense than that commercial development that could be developed on this property; and 3) it is across from similarly zoned properties and continues to prohibit the commercial uses established by the 2005 rezoning case.

	ZONING	LAND USES
<i>Site</i>	GR-CO	Undeveloped
<i>North</i>	GR-CO	Undeveloped (approved for a 3-story, 89,590 square foot senior living facility, a congregate living use)
<i>South</i>	MF-4-CO; SF-6; GR-MU-CO	Convalescent services; Single family residences; Apartments; Commercial shopping center
<i>East</i>	GR-CO	Undeveloped; Commercial shopping center
<i>West</i>	SF-4A	Single family residences (under construction)

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 242 – Slaughter Lane Neighborhood Association
 627 – Onion Creek Homeowners Association
 1228 – Sierra Club, Austin Regional Group
 1363 – SEL Texas

742 – Austin Independent School District
 1340 – Austin Heritage Tree Foundation
 1374 – Friends of Williams Elementary

SCHOOLS:

Williams Elementary School

Paredes Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2009-0007 – Regency Nursing & Rehabilitation Center – 9901 South 1 st Street	SF-6 to MF-4	To Grant MF-4-CO w/CO limited to 40' height and a Restrictive Covenant addresses an update to the Traffic Impact Analysis	Apvd MF-4-CO with Restrictive Covenant as Commission recommended (05-14- 2009).
C14-05-0014 – Harrell Tract – 9900 South 1 st Street	I-RR to SF-2	To Grant SF-2 w/ conditions of the Traffic Impact Analysis	Apvd SF-2 with a Restrictive Covenant for the conditions of the TIA (5-12-2005).
C14-05-0002 – Quick Tract – 9420 Cullen Ln	RR to CS	Approved GR-CO w/ CO for list of prohibited and conditional uses. Restrictive Covenant for the Traffic Impact Analysis.	Approved GR-CO as recommended by ZAP. Restrictive Covenant is for the TIA (3-10- 2005).
C14-04-0075 – Southpark Meadows – 9600 S I 35 Service Rd SB	LO-CO; CS-1- CO to GR	To Grant GR-CO w/CO for list of prohibited uses and a Restrictive Covenant for the TIA	Approved CS-CO with a Restrictive Covenant for the TIA, as recommended by ZAP (10-21-2004).
C14-04-0124 – Harrell Tract #1 – 10116 South IH 35 Service Road Southbound; 9800- 10000 South 1 st Street	I-RR to GR	To Grant GR-MU-CO for Tract One-A; CS- CO for Tract One-B, w/CO for prohibited uses on both tracts, with the conditions of the Traffic Impact Analysis	Apvd GR-MU-CO for Tract One-A; CS-CO for Tract One-B with a Restrictive Covenant for the conditions of the TIA (12-2-2004).

RELATED CASES:

The subject property is a portion Tract 5 and part of a total of five tracts zoned as part of the The Grove at Southpark Meadows case approved by City Council on May 18, 2006 (C14-05-0171 – The Grove at Southpark Meadows (AKA Saunders 143)).

The property is platted as represents a portion of Lot 2, Block A of the Resubdivision of Lot 28, Block A Southpark Meadows Subdivision recorded in August 15, 2007 (C8-2013-0193.0A – SPM Block A Lot 28; Resubdivision). Please refer to Exhibit B (Recorded Plat).

There are no site plans in the review process at this time.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
South 1st Street	127 feet	85 feet	Major Arterial	Yes	Yes	No
Slaughter Lane	109 feet	90 feet	Major Arterial	Yes	Yes	Yes

CITY COUNCIL DATE: March 26, 2015

ACTION: Approved GR-MU-CO district zoning as recommended by the Zoning and Platting Commission, on First Reading (11-0).

May 14, 2015

ORDINANCE READINGS: 1st March 26, 2015

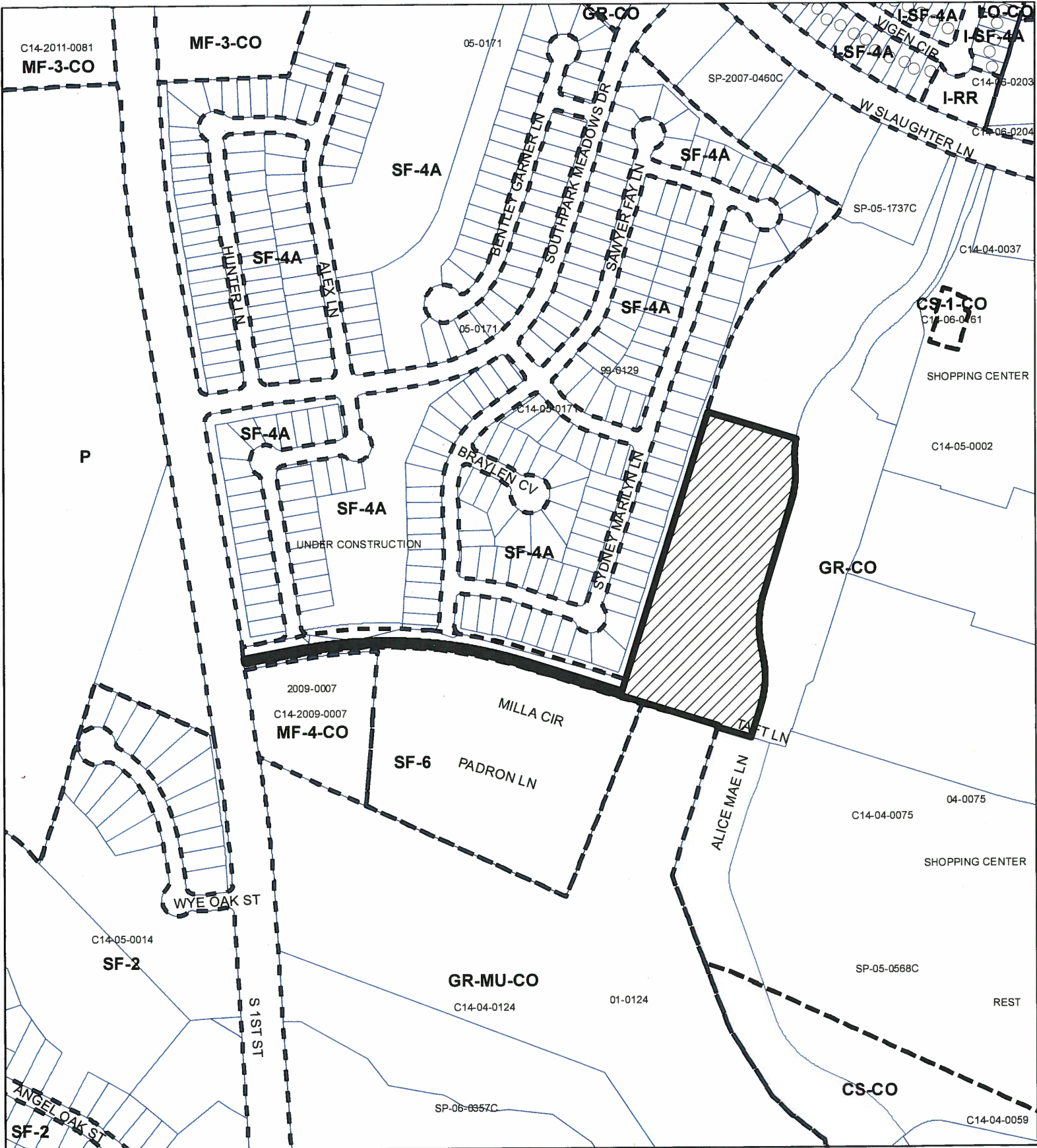
2nd




3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

ZONING
CASE#: C14-2015-0007

EXHIBIT A



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.



ORDINANCE NO. 20060518-046

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 301 WEST SLAUGHTER LANE AND 9501 SOUTH FIRST STREET AND CHANGING THE ZONING MAP FROM INTERIM RURAL RESIDENCE (I-RR) DISTRICT, LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT, AND GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT FOR TRACTS ONE AND TWO, TOWNHOUSE AND CONDOMINIUM RESIDENCE (SF-6) DISTRICT FOR TRACT THREE, SINGLE FAMILY RESIDENCE SMALL LOT (SF-4A) DISTRICT FOR TRACT FOUR AND COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT FOR TRACT FIVE.

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 districts on the property described in Zoning Case No. C14-05-0171, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From general commercial services-conditional overlay (CS-CO) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district.

A 5.867 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, 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 and limited office-conditional overlay (LO-CO) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district.

A 4.616 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

EXHIBIT B
2006 ZONING ORDINANCE

Tract Three: From interim rural residence (I-RR) district and limited office-conditional overlay (LO-CO) combining district to townhouse and condominium residence (SF-6) district.

A 14.017 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and,

Tract Four: From interim rural residence (I-RR) district and limited office-conditional overlay (LO-CO) combining district to single family residence small lot (SF-4A) district.

A 79.684 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Five: From interim rural residence (I-RR) district and limited office-conditional overlay (LO-CO) combining district to community commercial-conditional overlay (GR-CO) combining district.

A 39.023 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 301 West Slaughter Lane and 9501 South First Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

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

1. The following uses are prohibited uses on Tract One and Tract Two:

Automotive sales	Bail bond services
Drop-off recycling collection facility	Exterminating services
Pawn shop services	Residential treatment

2. The following applies to Tract Five.

a) For a lot with frontage on Slaughter Lane, the following development regulations apply:

1. the maximum height is 40 feet from ground level;
2. the maximum height is three stories;
3. the minimum street side yard is 15 feet;
4. the maximum building coverage is 50 percent;
5. the maximum impervious cover is 80 percent; and
6. the maximum floor-to- area ratio (FAR) is 0.5 to 1.0.

b) The following uses are prohibited uses:

Drop-off recycling collection facility
Residential treatment

Pawn shop services
Service station

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 May 29, 2006.

PASSED AND APPROVED


May 18, 2006

www


Win Wy

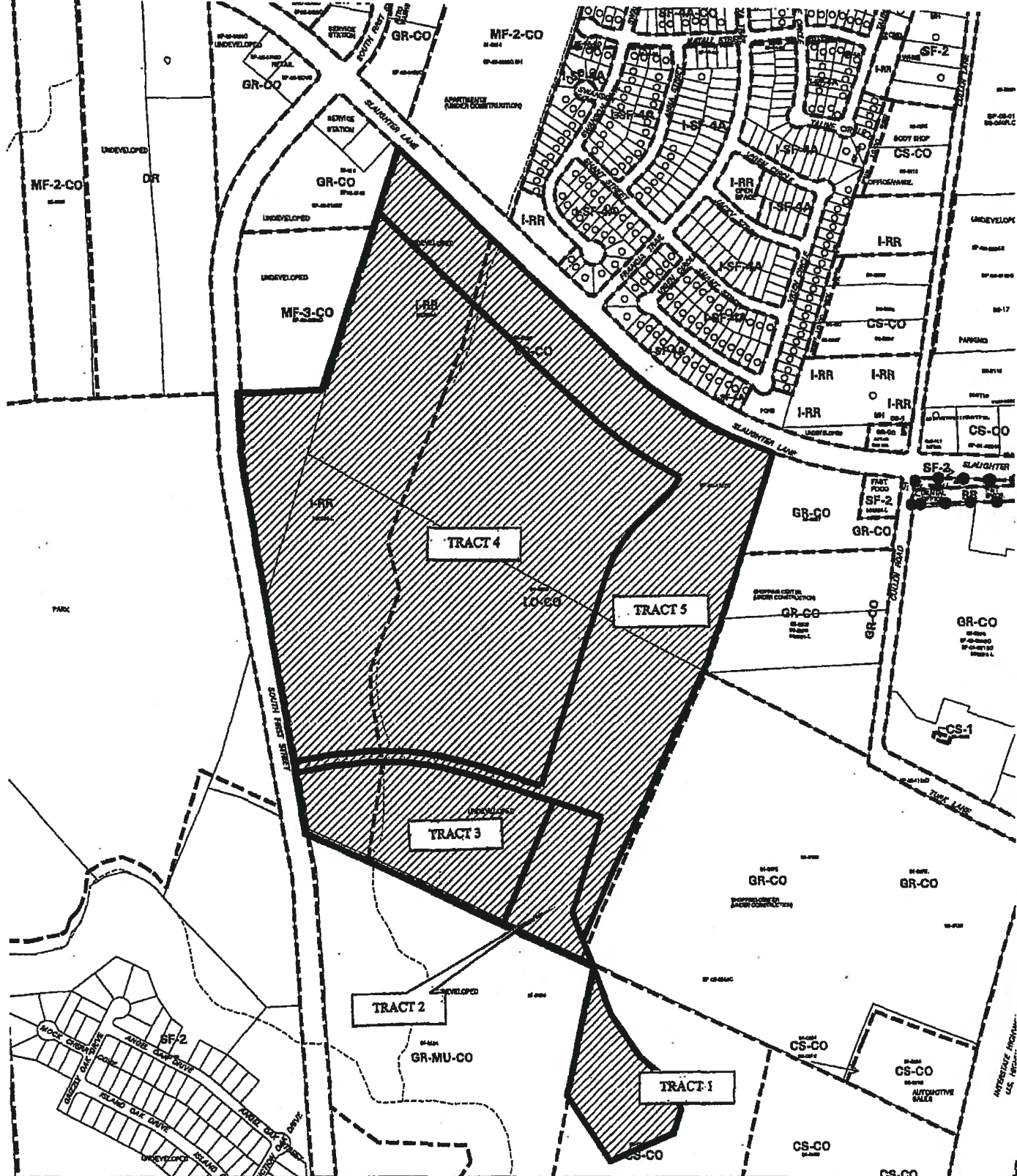
Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:


Shirley A. Gentry
City Clerk

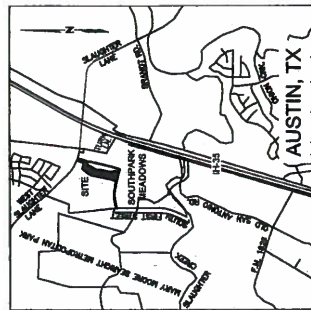
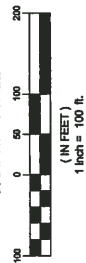


 1" = 600'	SUBJECT TRACT		ZONING EXHIBIT B CASE #: C14-05-0171 ADDRESS: 301 W SLAUGHTER LN & 9501 S 1ST ST SUBJECT AREA (acres): 143.207	DATE: 06-01 INTLS: SM	CITY GRID REFERENCE NUMBER F13
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: W. WALSH				

201400271

RESUBDIVISION OF LOT 28, BLOCK A SOUTHPARK MEADOWS SUBDIVISION

GRAPHIC SCALE



AREA: 14.942 ACRES
SURVEY: S.F. SLAUGHTER LEAGUE NO. 1, ABSTRACT NO. 20
LOTS: 2 (COMMERCIAL)
BLOCKS: 1

OWNERS: SP MEADOWS INVEST, LTD., A TEXAS LIMITED PARTNERSHIP
504 LAVACA ST. STE 111
AUSTIN, TEXAS 78701-2844

SURVEYOR: CUNNINGHAM/ALLEN, INC.
3103 BEE CAVE RD. SUITE 202
AUSTIN, TX 78746

ENGINEER: CUNNINGHAM/ALLEN, INC.
3103 BEE CAVE RD. SUITE 202
AUSTIN, TX 78746

STREET DEDICATION: NONE
RIGHT-OF-WAY DEDICATION: NONE

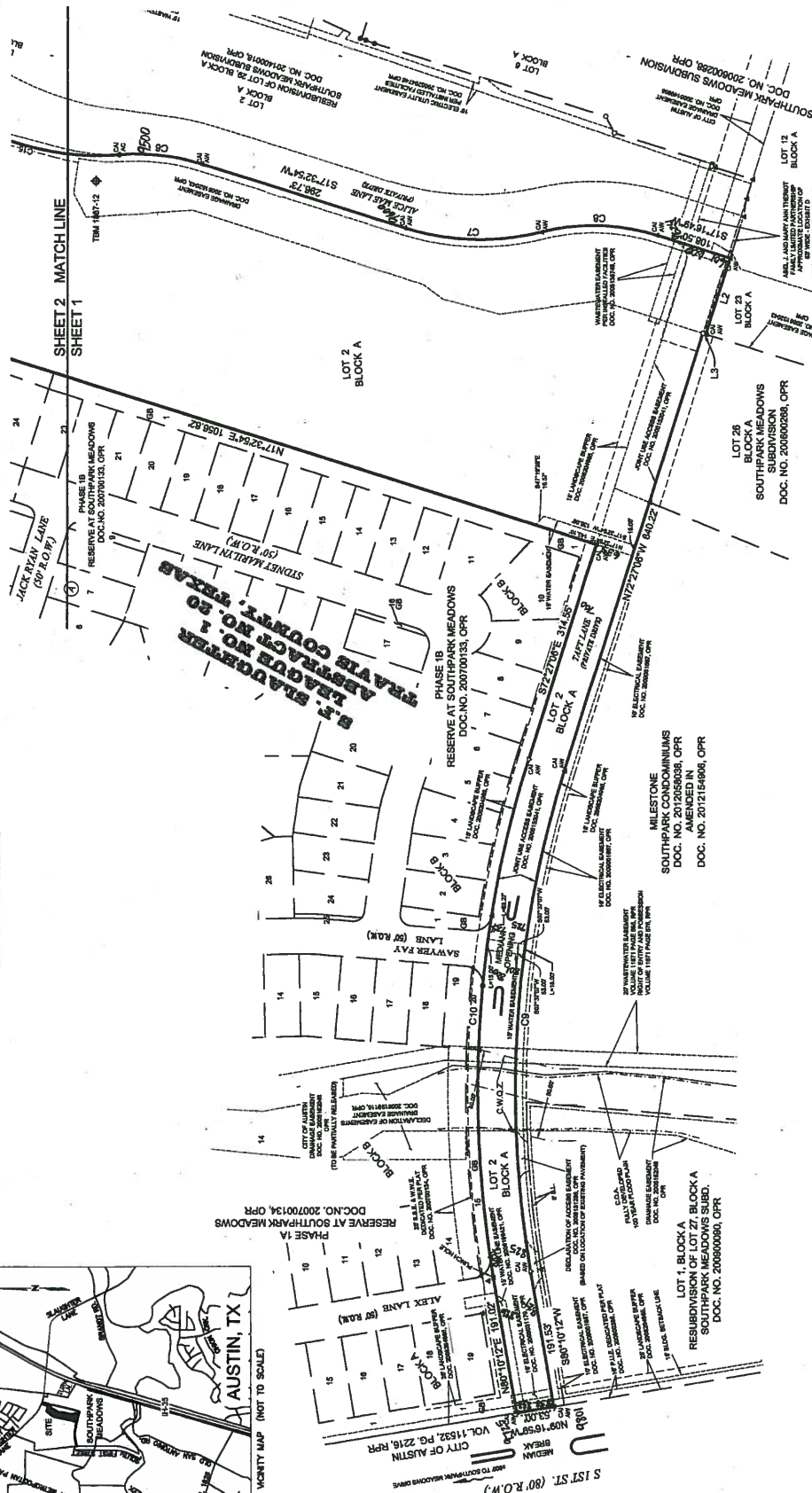
LOT SUMMARY TABLE		
LOT	AREA	USE
1	4.131	COMMERCIAL/RETAIL
2	10.811	COMMERCIAL/RETAIL

BEARINGS ARE BASED ON RECORDED MAP OF SOUTHPARK MEADOWS SUBDIVISION, DOC. NO. 200800288, OPR, AND REFERENCED TO THE COMMON LINE OF LOT 28 AND LOT 28, BLOCK A, SMD SOUTHPARK MEADOWS SUBDIVISION (N17-23-47E)

BENCHMARK:

BRASS DISC TO 1377 SET VERTICALLY IN THE EAST FACE OF THE EASTERMOST OF 3 PIERS OF THE NORTHERMOST OF 8 SETS OF CONCRETE PIER FOUNDATIONS OF THE BRIDGE OVER SLAUGHTER CREEK (PUD 0007077)

ELEVATION = 678.27 (NAVD 83)
TBM 1877-12 SQUARE CUT ON TOP OF CONCRETE OF THE EAST END OF A STORM SEWER DRAINAGE HEADWALL LOCATED 44' WEST OF WEST CURB LINE OF SOUTH ROUND ACCESS DRIVE (PRIVATE DRIVE) AND 174' SOUTH OF THE CENTER OF S.W. SLAUGHTER CREEK



3103 Bee Cave Road, Suite 202 Tel.: (512) 327-2946
Austin, Texas 78746-8819 Fax: (512) 327-2873
www.cunningham-allen.com

DATE: 8/20/13
Firm Registration: TSP# 97346, TSP# 58 1000000
PROJECT NO.: 582101
DRAWN BY: jay
SHEET 1 OF 2

CS-2013-0183.0A

SUBMITTAL DATE: 12/09/2013

© COPYRIGHT 2013 CUNNINGHAM-ALLEN, INC.

Drawing Path: S:\08250101\TSP\Bee Cave Living\BPM\LOT 28\BPM\LOT 28.dwg Plotted By: Tom Wadkins Date: 8/20/2014 5:01:11 AM Layout: BMT

14637

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning. The Conditional Overlay prohibits the following uses: drop-off recycling collection facility, pawn shop services, residential treatment, and service station.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The mixed use (MU) combining district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

The property has access to South First Street, a major arterial roadway and is in proximity to West Slaughter Lane, also a major arterial roadway.

2. Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

3. Zoning should be consistent with approved and existing residential densities.

4. Zoning should allow for reasonable use of the property.

Staff recommends the Applicant's request based on the following considerations of the property: 1) access to a major arterial roadway; 2) multi-family residential development is less intense than that commercial development that could be developed on this property; and 3) it is across from similarly zoned properties and continues to prohibit the commercial uses established by the 2005 rezoning case.

EXISTING CONDITIONS**Site Characteristics**

The rezoning area is undeveloped and relatively flat, and there appear to be no significant topographical constraints. There is a drainage easement along the Alice Mae frontage of the subject property.

Impervious Cover

The maximum impervious cover allowed by the GR zoning district would be 80%, which is based on the more restrictive zoning regulations.

Comprehensive Planning

This zoning case is located on the west side of Alice Mae Lane, on an undeveloped piece of land that is 8.17 acres in size. This rezoning is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes retail and fast food restaurants to the north, an apartment complex to the south, single family housing to the west, and some undeveloped land which is located within the Southpark Meadows Shopping Center to the east. The proposed use is multifamily.

Imagine Austin

The property is located within the boundaries of a **Town Center**, as identified on the Imagine Austin's Growth Concept Map. Town Centers are intended to support a variety of housing types and a range of employers with regional customer and employee bases. Employers within Town Centers have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, **to low-to midrise apartments**, mixed use buildings, and office buildings. The following Imagine Austin policies are applicable to this case.

- **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, **housing** and transportation costs.
- **LUT P5.** Create **healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel** and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **LUT P7.** Encourage infill and redevelopment opportunities that **place residential, work, and retail land uses in proximity** to each other to maximize walking, bicycling, and transit opportunities.
- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

Analysis

The area around the Southpark Meadows area has been rapidly growing in the last five years and residential uses are going up west of the shopping center. Unfortunately most of the growth both within and around this shopping center has not been connected, pedestrian friendly or walkable. While the Imagine Austin Plan supports mixed use and apartments being located in a Town Center, it also promotes connectivity. The developer should consider adding the following features to this apartment complex to provide more connectivity to the adjoining residential neighborhood and shopping center: (1) adding street trees; (2) varying the density and height of the project that abuts the single family neighborhood to the west so the massing of this project does not overwhelm the abutting single family neighborhood; and (3)

installing a shared path along the Alice Mae Lane so residents can safely and easily access the surrounding retail uses and adjoining residential neighborhood.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

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

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location. However, COA GIS indicates a Critical Water Quality Zone is located within the project location. Development is limited with the Critical Water Quality Zone per LDC 25-8.

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

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 512-974-1876. 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 requires water quality control with increased capture volume and control of the 2 year storm on site.

Transportation

Additional right-of-way may be required at the time of subdivision and/or site plan.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is identified on South First Street.

Water and Wastewater

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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.

Compatibility Standards

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 west property line, 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.
 - A landscape area at least 25 feet wide is required along 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.

Rhoades, Wendy

From: Richard Suttle, Jr. <RSuttle@abaustin.com>
Sent: Tuesday, February 17, 2015 9:39 AM
To: Morris, Kathleen; Amanda Morrow; Rhoades, Wendy
Cc: amy.rueckheim@inventivhealth.com; paulataylor@austin@gmail.com; caesarjaime@hotmail.com; kathy.baja@gmail.com
Subject: RE: C14-2015-0007 (9500 Alice Mae Lane) - REQUEST TO POSTPONE

Kathy,

The applicant does not oppose your request for a 2 week postponement (or to the next available meeting of ZAPCO) and looks forward to continuing the discussions in hopes of coming to an agreement.

By copy of this to Wendy Rhoades I am letting her know we do not oppose the postponement request and it can go by consent.

Thank you for hosting the meeting last night and please don't hesitate to contact us if you have any questions or comments.

Richard

From: Morris, Kathleen [<mailto:Kathleen.Morris@texasattorneygeneral.gov>]
Sent: Tuesday, February 17, 2015 9:33 AM
To: Richard Suttle, Jr.; Amanda Morrow; wendy.rhoades@austintexas.gov
Cc: amy.rueckheim@inventivhealth.com; paulataylor@austin@gmail.com; caesarjaime@hotmail.com; kathy.baja@gmail.com
Subject: C14-2015-0007 (9500 Alice Mae Lane) - REQUEST TO POSTPONE

Dear Mr. Suttle, Ms. Morrow and Ms. Rhoades:

On behalf of the residents of The Reserve at Southpark Meadows, I am authorized, and have been asked to request, a **two-week postponement** of the hearing by the Zoning and Platting Commission that is currently scheduled for this evening at 6:00 p.m. at City Hall. Please confirm when you have secured an extension to Tuesday, March 3 at 6:00 p.m. (If March 3 is not an option, please advise of the new date assigned by the Zoning and Platting Commission.)

Thank you, Mr. Suttle and Ms. Morrow, for attending our residential meeting last evening. It was very informative. As a community, we are developing a list of additional questions to pose and will submit them to you shortly. We are also developing proposed restrictive covenants to present to the Commission.

If you have any questions, please contact me or Amy Rueckheim (512-217-1879, amy.rueckheim@inventivehealth.com) at any time.

Kathy Morris
9625 Sawyer Fay Lane
(W) 512-936-2779
(C) 425-753-3170
Kathy.baja@gmail.com
Kathleen.morris@texasattorneygeneral.gov

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
<http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2015-0007

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: February 17, 2015, Zoning and Platting Commission
March 26, 2015, City Council

SCOTT PAREH6M

Your Name (please print)

313 JACK RYAN LN

Your address(es) affected by this application

2/15/15

Date

Signature

Daytime Telephone: 512-704-4894

Comments:

Zoning Subvs B6 K011
AS ORIGINALLY PLANNED

☐ I am in favor
☒ I object

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

**REQUESTS AND
PETITION FOR RESTRICTIVE COVENANTS
BY RESIDENTS OF THE RESERVE AT SOUTHPARK MEADOWS**

WHEREAS, Armbrust & Brown PLLC, through Richard Suttle, its representative, on behalf of Owner SP Meadows West/David L. Rouche, has petitioned the City of Austin Zoning & Platting Commission to change the current zoning of a parcel of land at 9500 Alice Mae (intersection of Alice Mae and Taft Streets) in the City of Austin, Travis County, Texas under Zoning & Platting Commission Case No. C14-2015-0007 from GR-Community Commercial to GR-MU-Community Commercial Mixed Use for the intended purpose of engaging Affinity Builders to build a 55 and older apartment complex on said property, the undersigned residents of The Reserve at Southpark Meadows (hereinafter "RSPM"), as adjacent land owners to the West of the subject property, hereby set forth the below listed Requests and Restrictive Covenants to attach and inure to the development of the project, in perpetuity, for the protection and preservation of property values and maintenance of the existing community continuity of RSPM.

THAT:

1. A traffic circle (roundabout) shall be constructed at the intersection of Alice Mae and Taft to effectively manage the anticipated increased traffic at an already congested intersection (preferred resolution) or, in the alternative, a traffic signal or such other traffic management system deemed appropriate as a result of a traffic study to be conducted by the City of Austin at the request and expense of SP Meadows West. (Note: RSPM has already applied and been approved by the City of Austin for two traffic roundabouts [currently in the City's construction queue, but which should be installed by the time the subject site is being developed] on Southpark Meadows Drive at its intersection with Jack Ryan and Bentley Gardner Streets. Thus, a traffic circle at Alice Mae and Taft would be compatible with traffic resolutions already in progress within the immediate vicinity of the subject property.)
2. The building plans for the site shall be limited to no greater than the represented 162 apartment units and no expansion will occur in the form of additional buildings or structures that are not part of the approved original plat/building plan, in perpetuity.
3. The age restriction for any multi-family residential use of the property will remain, forever in perpetuity, 55 and older, as currently represented, throughout any sale or transfer of the residential complex to any subsequent owner or owners, said requirement to be documented in writing on any title and/or legal document that identifies the intended use of the complex. As long as the property is used for residential purposes, that age restriction shall always apply.
4. Pursuant to the City of Austin Compatibility regulations, that building setbacks on the western portion of the subject property shall be no less than 25 feet **from the existing 25 foot SF-4A zoning "buffer" that runs along the west property line** (said buffer carries the same SF-4A residential zoning designation as the residential lots on Sydney Marilyn). Further, structures that are more than 25 feet but less than 50-feet from the SF-4A buffer shall have a maximum building height of two (2) stories and 30 feet, per the City Compatibility regulations.

5. That landscaping for the western portion of the property abutting the property wall that separates the subject property from homes along Sydney Marilyn Street shall be significantly enhanced by either SP Meadows West and/or Affinity to include copious plantings of additional trees and plant materials that will exceed 15 feet at maturity and provide a solid, impervious site block and sound barrier between RSPM and the subject property to prevent the diminishment of property values of RSPM residents who live on Sydney Marilyn Street. Further, that said landscaping shall be properly maintained by SP Meadows West for the perpetuation of the barrier. Suggestions for trees include broad-canopy live oak, crepe myrtles, etc. that are a minimum of 15 feet in height at the time of planting.

6. That the residents of RSPM be allowed to view the final plat map and building plans and/or elevations that SP Meadows West/Affinity submits to the City Building/Permitting Department for final approval, with a period of seven (7) days to provide commentary upon receipt of said materials before the City commences its final review.

7. That the residents of RSPM be allowed to view the final landscape plans for the property, with a period of seven (7) days to provide commentary upon receipt of said materials before commencement of implementation of said plan.

DATED this 1st day of March, 2015.

PETITION SIGNATURES

The undersigned residents of the Reserve at Southpark Meadows affirm the above Requests and Restrictive Covenants to adhere to the subject property development:

Amy Rueckheim
Amy Rueckheim
RSPM Community Contact
(512) 217-1879
Address: 9701 Alex Lane

Kathleen Morris for Caesar Jaime, by proxy
Caesar Jaime
RSPM Community Contact
(830) 423-6727
Address: 25 Sydney Marilyn Ln.

Paula Taylor
Paula Taylor
RSPM Community Contact
(512) 512-689-3953; 338-4008
Address: 9605 Sydney Marilyn

Kathleen A. Morris
Kathleen Morris
RSPM Community Contact
(425) 753-3170
Address: 9624 Sawyer Fay Lane

Lupe Vargas

Resident Name/Signature
Address: 9408 Sydney Marilyn Ln.
(956) 683-5391

ANNE KENNEDY by Kathleen
Anne Kennedy Morris by
Resident Name/Signature proxy
Address: 316 BRAYLEN CAVE

JAMES A. MENDOZA by Kathleen
James A. Mendoza Morris
Resident Name/Signature by proxy
Address: 9725 ALEX LANE

KENT LINDLOFF / KLM

Resident Name/Signature
Address: 9701 ALEX LANE

AUSTIN, TX 78748

Sea Rayton

Resident Name/Signature
Address: 9616 Sawyer Fay Ln
78743

Kathy Longino

Resident Name/Signature
Address: 9724 Alex Ln

Diane C & Cary B. Cook

Resident Name/Signature
Address: 308 Jack Ryan Lane

Paula Davis

Resident Name/Signature
Address: 305 Jack Ryan Ln

Lindsey Daniels

Resident Name/Signature
Address: 305 Jack Ryan Ln

Rebecca L. La Bonte

Resident Name/Signature
Address: 312 Jack Ryan Ln.

Joe J. La Bonte

Resident Name/Signature
Address: 312 Jack Ryan Lane

Angel Beltran / Angel Beltran

Resident Name/Signature
Address: 9309 Sydney Marilyn Ln

Monica Goddard / Rudy Eathor

Resident Name/Signature
Address: 9609 Sydney Marilyn Lane

MARYS BELTRAN / Marys Beltran

Resident Name/Signature
Address: 9309 SYDNEY MARILYN LANE

Holly & Dan Aarniokoski / Dan Aarniokoski

Resident Name/Signature
Address: 9729 Alex Lane

Jeff Marboes / Jeff Marboes

Resident Name/Signature
Address: 9500 Sawyer Fay Ln

Jessica H. Martinez / Jennifer Martinez

Resident Name/Signature
Address: 9617 Sydney Marilyn Ln

Francisco Martinez III / Francisco Martinez

Resident Name/Signature
Address: 9617 Sydney Marilyn

Fred Cerhan / Fred Cerhan

Resident Name/Signature
Address: 9320 Sydney Marilyn

Marisela Vargas / Marisela Vargas

Resident Name/Signature
Address: 9408 Sydney Marilyn Ln.

Paula Thrasher

Resident Name/Signature
Address: 9613 Sydney Marilyn Ln

Matthew Lombardi / Matthew Lombardi

Resident Name/Signature
Address: 9500 Sawyer Fay Lane

Leon Sanchez

Resident Name/Signature
Address: 9629 SYDNEY MARILYN LN.

Cindy E. Lopez

Resident Name/Signature
Address: 9601 Sydney Marilyn Lane

Frankie Barnett
Resident Name/Signature
Address: 9521 Sydney Marilyn

Gayle Shackelford
Resident Name/Signature
Address: 95B Sydney Marilyn

Renae
Resident Name/Signature
Address: 9413 Sydney Marilyn Lane

Chris Sam
Resident Name/Signature
Address: 9409 Sydney Marilyn Lane

Dunde A Shields
Resident Name/Signature
Address: 9329 Sydney Marilyn

En T. ...
Resident Name/Signature
Address: 9509 Sydney ...

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PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
<http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2015-0007

Contact: Wendy Rhoades, 512-974-7719

**Public Hearing: February 17, 2015, Zoning and Platting Commission
March 26, 2015, City Council**

Rene Hernandez

Your Name (please print)

9413 Sudney Marilyn Lane

Your address(es) affected by this application

Rhoades

Signature

Daytime Telephone: 512-797-1897

Date

2/28/15

☐ I am in favor
☒ I object

Comments:

I would like to see

restricted ~~covenant~~ covenants agreed.

If you use this form to comment, it may be returned to:

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Wendy Rhoades

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