

ZONING CHANGE REVIEW SHEET**CASE:** C14-2015-0144 – Ski Shores Zoning**Z.A.P. DATE:** February 2, 2016
February 16, 2016**ADDRESS:** 2905 Pearce Road**DISTRICT AREA:** 10**OWNER/APPLICANT:** Ski Shores Properties LTD (Bradley A. Fowler)**AGENT:** Coats Rose (Pam Madere)**ZONING FROM:** SF-3 **TO:** CR **AREA:** 1.58 acres (68,824 sq.ft.)**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant Commercial Recreation (CR) district zoning.

ZONING & PLATTING COMMISSION RECOMMENDATION:

February 2, 2016; *Postponed by the Commission to February 16, 2016 [J. Goodman / J. Kiolbassa -2nd] (10-0).*

February 16, 2016;

ISSUES: None at this time.**DEPARTMENT COMMENTS:**

The subject property is located on the shores of Lake Austin. Development on the property includes a commercial/restaurant building, a residential structure on stilts with boat storage below, various outdoor deck and patio seating that extends over the water, a gated playscape area and an asphalt parking lot. The property is accessible from Pearce Lane by a driveway and also from Lake Austin. There are 3 wooden docks that extend into Lake Austin for guests accessing the property by watercraft. Surrounding land uses include single family residential to the north and west, a marina with boat storage slips to the south and residential uses to the east, across the Lake.

The request for rezoning has been made in order to address a comment in the review of site plan SPC-2015-0398C. The Applicant would like to maintain the existing restaurant and marina use and would also like to add a fueling station on site for motorized water vehicles and is proposing to construct a 10X35 foot concrete pad at the western property line that will accommodate an above ground fuel storage tank and will also supply two fueling pumps at the water's edge along the southern property line, in the marina. At the very least, approval of the site plan is contingent upon approval of Community Recreation (CR) zoning.

The property is located within the Lake Austin Overlay District, is in the Drinking Water Protection Zone, is within a floodplain and has been used as a restaurant and marina since circa 1954. Sometime after, SF-3 zoning was established which created a legal, nonconforming use on the property. Separate from the desire to have a fueling station at this site, the Applicant seeks the zoning change to rectify the legal, nonconforming use on the property. Since the use of the property is longstanding and is congruent with the intent of the CR zoning district, Staff recommends CR zoning for this site.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Restaurant and Residential
<i>North</i>	SF-3 and LA	Residential
<i>South</i>	SF-3	Marina
<i>East</i>	LA	Lake Austin/ Residential
<i>West</i>	LA	Undeveloped

NEIGHBORHOOD PLANNING AREA: N/A

TIA or NTA: No

WATERSHED: Lake Austin

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

<i>Community Registry Name</i>	<i>ID#</i>
Bike Austin	1528
Sierra Club, Austin Regional Group	1228
Austin Parks Foundation	1113
Austin City Parks Neighborhood Association	180
Friends of Austin Neighborhoods	1530
Lake Austin Collective	1169
Long Canyon Phase II & III Homeowners Assn. Inc.	416
2222 Coalition of Neighborhood Associations Inc	425
Long Canyon Homeowners Assn.	269
Beyond2ndNature	1409
Lake Austin Ranch	1304
Steiner Ranch Community Association	762
River Place HOA	1463
Austin Independent School District	742
Austin Heritage Tree Foundation	1340
Glenlake Neighborhood Association	161
SEL Texas	1363

Bunny Run Neighborhood Association	331
Save Our Springs Alliance	943
Rob Roy Home Owners' Association	153
City of Rollingwood	605

SCHOOLS: AISD - Highland Park Elementary, Lamar Middle, McCallum High

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2010-0110; Greenshores Annexation Zoning #9	I-LA to LA	10/19/2010 – Apvd LA.	11/18/2010 – Apvd LA zoning.
C14-2010-0109; Greenshores Annexation Zoning #8	I-SF-1 & I-LA to SF-1 & LA	10/19/2010 – Apvd SF-1 and LA zoning.	11/18/2010 – Apvd SF-1 for Tract 1 and LA for Tract 2.
C14-2010-0108; Greenshores Annexation Zoning #7	I-LA to LA	10/19/2010 – Apvd LA zoning.	11/18/2010 – Apvd LA zoning.
C14-2010-0102; Greenshores Annexation Zoning #1	I-SF-1 and I-RR to SF-1 and RR	10/19/2010 – Apvd SF-1 and RR zoning.	11/18/2010 - Apvd SF-1 and RR zoning.

RELATED CASES:

SPC-2015-0398C is an active site plan case currently being reviewed by the City of Austin. The site plan is for construction of a concrete pad with above ground fuel storage tank and 275 linear feet of two inch gas line with two gas pumps on 0.107 acres.

SP-02-0008D – a site plan approved in 2002 for the replacement of an existing wood deck and an addition of 272 sq. ft. of new wood deck over the water.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Pearce Road	68'	24'	Local	No	No	No

C14-2015-0144 – ZAP – February 16, 2016

Ski Shores Terrace	50'	22'	Local	No	No	No
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CITY COUNCIL DATE:**ACTION:**

April 14, 2016;

ORDINANCE READINGS: 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Victoria Haase**PHONE:** 512-974-7691**EMAIL:** tori.haase@austintexas.gov

STAFF RECOMMENDATION

The Staff recommendation is to grant Commercial Recreation (CR) district zoning.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*
2. *Zoning should allow for reasonable use of the property.*

Commercial Recreation district is intended for commercial or recreational use that serves visitors to major recreational areas, including Lake Travis and Lake Austin. Site development regulations applicable to a CR district use are designed to minimize visual and environmental disruptions of scenic views.

EXISTING CONDITIONS***Site Characteristics***

According to the site plan currently under review by the City of Austin (SP-2015-0398C) and confirmed by a site visit, the property is developed with a one-story cinder block restaurant building, a 2-story wood house with a boat slip below (1st story), and various outdoor/covered seating patios and decks that extend over the water. Other minor structures include a dumpster pad and septic treatment area along the western property line, close to the driveway entrance from Pearce Road. There are 22 trees of which 4 are Heritage size. There does not appear to be any topographical constraints on the property.

Impervious Cover

The subject tract is in the Drinking Water Protection Zone. Therefore, impervious cover limits are established by the Watershed regulations and not by the zoning district site development standards. See the *Environmental* comments below for greater detail.

Note: Where there are conflicts in the Land Development Code, the most restrictive impervious cover limit applies.

Comprehensive Planning – Kathleen Fox, 512-974-7877

This zoning case is located along the east side of Ski Shores Terrace, at the intersection of Pearce Road. The property is approximately 1.58 acres in size and contains a marina and a café. The property is not located within the boundaries of an existing neighborhood planning area. Surrounding land uses includes a single family house to the north, a boat touring company to south, vacant land and a house

to the west, and the Colorado River to the east. The proposal is to change the zone of this property acknowledge the pre-existing use on the property, namely a marina/restaurant.

Imagine Austin

Based on this site not being located along an existing Activity Corridor or within an Activity Center and as identified on the Imagine Austin Growth Concept Map, and the pre-existing marina, which has existed along the Colorado River for years, this case falls below the scope of Imagine Austin; and consequently the plan is neutral on the proposed rezoning.

Environmental – Mike McDougal, 512-974-6380

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Lake Austin Watershed of the Colorado River Basin, which is classified as a Water Supply Rural Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

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

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>	<i>Allowable Density</i>
One or Two Family Residential	n/a	n/a	1 unit/2 acres net site area
Multifamily Residential	20%	25%	n/a
Commercial	20%	25%	n/a

Single family or duplex development within a Water Quality Transition Zone may not exceed a density of one unit per three acres, exclusive of land within a 100-year floodplain.

- According to floodplain maps there is a floodplain within the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Water Quality Transition Zone / Critical Water Quality Zone exist within the project location.
- 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 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.

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

DSD Transportation - Ivan Naranjo, 512-974-7649

TR1. No Additional right-of-way is needed.

TR2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Water and Wastewater – Neil Kepple, 512-972-0077

No city of Austin water or wastewater service is available to this site. The lot is served with PK-RE water and a City of Austin approved on-site sewage facility.

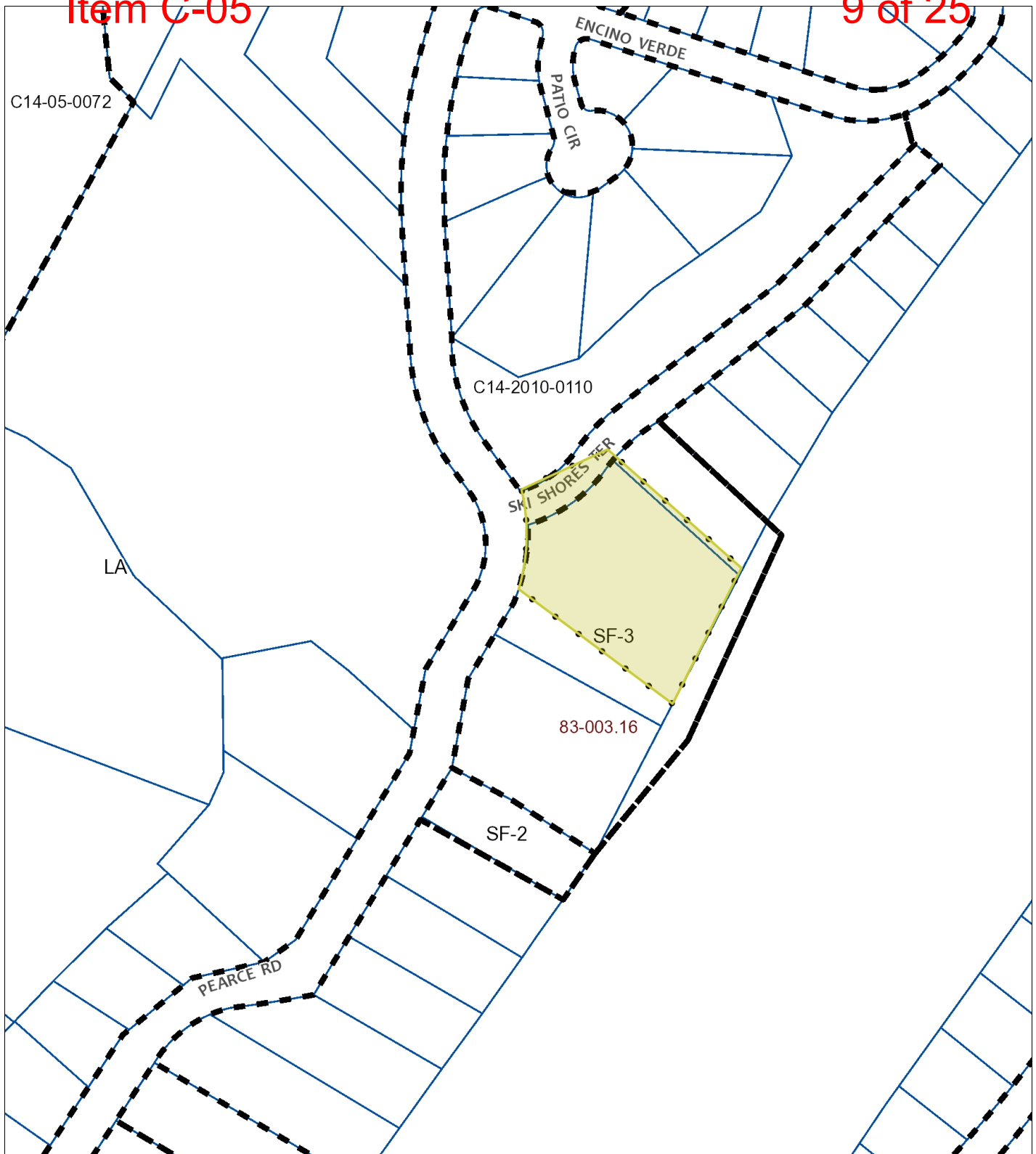
Storm Water Detention

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 storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Storm water Management Program if available.

Site Plan and Compatibility Standards – Christine Barton-Holmes, 512-974-2788

- SP 1 Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP 2 There is a site plan currently under review for this property (SP-2015-0398C) which provides for the existing uses of marina and restaurant, along with 2 gas pumps and related improvements.
- SP 3 The site is subject to compatibility standards. Along surrounding property lines, the following standards apply:
- a. No structure may be built within 25 feet of the property line.
 - b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
 - c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
 - d. No parking or driveways are allowed within 25 feet of the property line.
 - e. 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.

- SP 4 Additional design regulations will be enforced at the time a site plan is submitted.



- Subject Tract
- Railroads
- Pending Case
- Zoning Boundary

100 200
Feet

1" = 200'

ZONING

ZONING CASE#: C14-2015-0144



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.

**AERIAL - EXHIBIT B**

ZONING CASE#: C14-2015-0144
ZONING CHANGE: SF-3 to CR
LOCATION: 2905 Pearce Road
SUBJECT AREA: 1.58 ACRES



 Subject Property

1' = 400'

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



Haase, Victoria [Tori]

Subject: FW: C14-2015-0144 rezoning Ski Shores**From:** Patricia Axe []**Sent:** Tuesday, February 02, 2016 1:38 PM**To:** Haase, Victoria [Tori]**Subject:** C14-2015-0144 rezoning Ski Shores

Dear Ms. Haase,

The above rezoning request from residential to commercial recreation has only just come to the attention of the City Park neighborhood. Many of the residents are still not aware of this threat to their otherwise quiet residential neighborhood. A few of the many reasons why it is an objectionable change to our residential neighborhood follows:

1. Insufficient notice to those whose homes are adjacent to the Ski Sores businesses as well as those directly across the street.
2. These businesses do not have sufficient parking for their current patrons, with parking overflowing onto both sides of Pearce Road, most often a haphazard manner with cars making that area of Pearce Road essentially a one lane only for other cars and pedestrians to travel.
3. Environmental considerations alone should preclude any further expansion of business on this relatively small piece of property. Any additional pavement, concrete pads for future gasoline tank storage, with resultant runoff into Lake Austin is an issue unto itself. The potential of locating a gasoline tank and pipelines leading to the water carries with it permanent risk to Lake Austin, which is the source of the City of Austin's drinking water.
4. The plan to install an above ground gasoline tank and the dispensing of gasoline to boats poses an immediate threat leaking gasoline into the lake as boaters fill up their tanks on choppy waters. Additionally, there is the threat of tank explosion and fire. The location of the planned pad and tank upon it is at the bottom of a steep hill on Pearce Road where the road curves sharply at the bottom. A direct hit to the tank is not unlikely for vehicles unable to brake in time.
5. The problem with Ski Shores having a proper Septic System permit has not, as far as I know, ever been resolved. Any further development for this limited septic field would only add to this problem. This might be an area to be explored by the entity that oversees compliance of Septic Tank Regulations.
6. The City of Austin residents, LCRA Board, and the Austin Utility Commission should also be advised of these proposed zoning changes and the property owners' plans as those plans will effect their source of drinking water. This does not just effect our neighborhood.

I would also invite you and the Commission to come out to this lovely neighborhood and see the property involved in the request for zoning change, and the residential properties that would be adversely effected.

Please share these concerns with the Planning and Zoning Commission prior to their vote on this matter as I am not able to attend the meeting. Thank you for your attention in this matter.

Patricia Axe

Item C-05

12 of 25

2503 Manana
Austin, TX 78730
512-346-3094

Haase, Victoria [Tori]

Subject: FW: Regarding C14-2015-0144 - rezoning Ski Shores

From: Mike Grote
Sent: Tuesday, February 02, 2016 2:54 PM
To: Haase, Victoria [Tori]; Rojas, Gabriel - BC
Subject: Regarding C14-2015-0144 - rezoning Ski Shores

Dear Ms. Haase & Mr. Rojas,

The above rezoning request from "Residential" to "Commercial Recreation" has only just come to the attention of a few residents of the City Park neighborhood. Many of us residents are still not aware of this significant zoning change to our otherwise quiet residential neighborhood. There are many reasons why this is an undesirable and risky change to our residential neighborhood, including:

1. Insufficient and inadequate notice to those whose homes are in close proximity to the Ski Shores businesses.
2. The existing businesses do not have sufficient parking for their current patrons, resulting in erratic overflow parking onto both sides of Pearce Road that usually blocks the north-bound lane.
3. Environmental considerations alone should preclude any further expansion of business on this relatively small piece of property. Any additional pavement, new concrete pads (for future gasoline tank storage), will result in additional runoff into Lake Austin. The potential of locating a gasoline tank and pipelines leading to the water carries with it permanent risk to Lake Austin, which is the source of the City of Austin's drinking water, including that of Greenshores & Ski Shores neighborhoods.
4. The plan to install a concrete pad for a future above ground gasoline tank and the dispensing of gasoline to boats poses an immediate threat leaking gasoline into the lake as boaters fill up their tanks on choppy waters. Additionally, there is a real threat of tank explosion and fire. The location of the planned pad and tank upon it is at the bottom of a very steep hill on Pearce Road where the road curves sharply at the bottom. A direct hit to the tank is not unlikely for vehicles unable to brake in time, as has occurred in the past.
5. The problem with Ski Shores having a proper Septic System permit has never been resolved. Any further development for this limited septic field would only add to this problem. This might be an area to be explored by the entity that oversees compliance of Septic Tank Regulations.
6. The City of Austin residents, LCRA Board, and the Austin Utility Commission should also be advised of these proposed zoning changes and the property owners' plans as those plans will effect their source of drinking water. This does not just effect our neighborhood.

I would also invite you and the Commission to come out to this lovely neighborhood and see the property involved in the request for zoning change, and the residential properties that would be adversely effected.

Please share these concerns with the Planning and Zoning Commission prior to their vote on this matter. A few of us residents who have just been alerted to this zoning change will attempt to attend tonight's ZAP meeting.

Finally, thank you for your serious attention in this matter.

Michael & Brandye Grote
7101 Bowditch Drive
Austin, TX 78730

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: C14-2015-0144

Contact: Victoria Haase, 512-974-7691

Public Hearing: Feb 2, 2016, Zoning and Platting Commission

April 14, 2016, City Council

Carol Lee

Your Name (please print)

3506 Far View Dr.

Your address(es) affected by this application

Carol Lee

Signature

2/2/2016

Date

512-794-8250

Daytime Telephone:

Comments: The Ski Shores restaurant/bar is nestled within single family neighborhoods. The proposed rezoning to Commercial Recreation district is not an appropriate use. Where is the parking area for this proposed Recreation district? Where are the public access points proposed for this Recreation district?

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

City of Austin

Planning & Zoning Department

Victoria Haase

P. O. Box 1088

Austin, TX 78767-8810

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:

www.austintexas.gov/planning.

Haase, Victoria [Tori]

Subject: FW: C14-2015-0144 rezoning to Commercial Recreation

From: Amy Lovaas [
Sent: Tuesday, February 02, 2016 11:52 AM
To: Haase, Victoria [Tori]
Cc: Jeff Lovaas
Subject: Fwd: C14-2015-0144 rezoning to Commercial Recreation

Please add my name to the list of neighbors who oppose this zoning change.

Thank you,
Amy Lovaas
3000 Patio Circle

asl
Sent from my iPhone

Begin forwarded message:

From: Patricia Axe <>
Date: February 2, 2016 at 11:19:36 AM CST
To: ACPNA Discussion Group <>, Jim Parker <>, George Bittner <>, "Cathy Yang (CertiChem Inc.)" <>, Guanghui Hu <>, Ping Chen <>
Subject: Fw: Fwd: C14-2015-0144 rezoning to Commercial Recreation
Reply-To: Patricia Axe <>

On Tuesday, February 2, 2016 10:41 AM, Carol Lee <> wrote:

I hope there are many residents in the Ski Shores area who will speak against this rezoning proposal, and that one more voice helps your effort.

Carol

----- Forwarded message -----

From: **Haase, Victoria [Tori]** <Tori.Haase@austintexas.gov>
Date: Tue, Feb 2, 2016 at 10:21 AM
Subject: RE: C14-2015-0144 rezoning to Commercial Recreation
To: Carol Lee <>

Carol,

I have received your letter of opposition and will provide each Commissioner with a copy this evening.

Victoria Haase

Planner

City of Austin – Planning & Zoning Department

505 Barton Springs Road, 5th Floor
Austin, Texas 78704
512-974-7691
www.austintexas.gov

From: Carol Lee [mailto:]
Sent: Tuesday, February 02, 2016 10:21 AM
To: Haase, Victoria [Tori]
Subject: C14-2015-0144 rezoning to Commercial Recreation

Ms. Haase,

One of my neighbors in Greenshores alerted me to a request to rezone Ski Shores area as Commercial Recreation. Attached is my record of opposition to this proposal. It is scheduled to be heard by the ZAP this evening and the City Council on April 14th. If time allows please include my note of opposition for the ZAP consideration.

Thank you,
Carol Lee

512-794-8250

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Common Sense Rules for This Group:

- 1- be nice
- 2- no "self promotion" for personal gain
- 3 - no selling or "spamming" (unsolicited bulk email)
- 4 - no posts that could be construed as political, or religious in nature
- 5 - no forwarding of "chain" type emails
- 6 - don't hit your "reply" button if you are changing the topic being discussed - (please start a new email, with a new Subject line)
- 7 - please don't have "one on one" conversations, in this group forum

You received this message because you are subscribed to the Google Groups "ACPNA Discussion Group" group.

To unsubscribe from this group and stop receiving emails from it, send an email to acpna-discussion-group+unsubscribe@googlegroups.com.

To post to this group, send email to acpna-discussion-group@googlegroups.com.

To view this discussion on the web visit <https://groups.google.com/d/msgid/acpna-discussion-group/1892980161.438369.1454433576258.JavaMail.yahoo%40mail.yahoo.com>.

For more options, visit <https://groups.google.com/d/optout>.

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Case Number: C14-2015-0144

Contact: Victoria Haase, 512-974-7691

Public Hearing: Feb 2, 2016, Zoning and Platting Commission
April 14, 2016, City Council

Robert McWane

Your Name (please print)

3002 PATTO CIRCE

Your address(es) affected by this application

[Signature]

Signature

Date

Daytime Telephone: *512-917-5884*

Comments:

*Traffic TRIPLES IN SUMMER MONTHS
NO SUPERVISION OF PARKERS
CARS PARKED UP AND DOWN SIDE-STREETS
DRUNK/DL/PAWLOE RACIAL TRAP KETCHINGS
OFTEN STAY OPEN AFTER 10:00
CAUSED SAFETY/PERSON POLICE
40 TIMES FOR EXCESSIVE NOISE
THIS ESTABLISHMENT TAKES AWAY FROM
AD FAMILY ORIENTED NEIGHBORHOOD*

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

City of Austin
Planning & Zoning Department
Victoria Haase
P. O. Box 1088
Austin, TX 78767-8810

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www.austintexas.gov/planning.

Haase, Victoria [Tori]

Subject: FW: Opposition to C14-2015-0144 re-zoning (Ski Shores)

From: Jim Parker [
Sent: Tuesday, February 02, 2016 3:05 PM
To: Haase, Victoria [Tori]
Subject: Opposition to C14-2015-0144 re-zoning (Ski Shores)

Ms. Haase:

I have just learned of tonight's meeting to consider re-zoning of the Ski Shores property from residential to commercial. I live on the hill above Ski Shores. Please accept this email as my comments in opposition to the re-zoning of Ski Shores.

My opposition to the re-zoning falls into two categories. The first is the effect that re-zoning will have on the neighborhood. The second is the City giving its blessing to years of illegal improvements to the property.

Effect on neighborhood

As it exists right now, Ski Shores is a restaurant and marina shoehorned into lots that are too small for the existing operations. The parking lot is already too small for the existing use, resulting in overflow parking onto Pearce Road (two lanes wide at best) at the bottom of a steep hill. This overflow onto the road leaves a hazardous condition for other cars and pedestrians in the area. There is no place to expand the Ski Shores parking lot. Turning Ski Shores into a commercial operation will aggravate this problem.

Ski Shores generates significant traffic in the neighborhood. City Park Road to Pearce Road is the only way to get to the location. During Ski Shores' open season, I can both see and hear cars speeding up and down Pearce Road going to/from Ski Shores. Turning Ski Shores into a commercial operation will increase this traffic in addition to the question of what to do with the cars and motorcycles when they arrive.

When Ski Shores is in full swing, we already have the problem of public urination by its patrons. As the number of patrons increases, I think it is reasonable to assume that this problem will increase. This also leads to the question of utilities. Everyone in our area is on septic, including Ski Shores. There is no room to increase the size of Ski Shores' septic field. If it becomes a commercial operation, how does Ski Shores plan to accommodate the more intense use with the existing field? Everyone in the area is also on a private water utility that frequently has to send out notices that it's low on water or the water falls below TCEQ quality standards. If Ski Shores becomes a commercial operation, how does it plan to ameliorate the effect of its increased water use on an already-strained water utility?

Finally is the overarching question of a commercial use in the middle of a residential area. Ski Shores is the sole business in the neighborhood. Why should a commercial use be allowed in the middle of a residential area at all? Instead of making the use more intense, shouldn't it be retired over a period of years to bring the property into conformity with all the properties near it?

Illegal activity at Ski Shores

Over the years, Ski Shores has made many improvements to its property. I have gone to Ski Shores as far back as the mid-80s, and much has changed since then. I naturally assumed that all improvements were blessed by the City, but now it appears that was not done because I assume the zoning issue would have popped up if Ski Shores ever asked for a building permit to expand its facilities.

My recollection is that the decks, patio, and playscape are new additions. I have canvassed neighbors who have lived in the neighborhood longer than I have, and they tell me that the following are new (some of which duplicate my memory):

Bathrooms expanded

Parking lot expanded

Commercial trash dumpsters added

Waterside deck expanded

Addition of a patio and second bar along the lake

Food trailer brought into parking lot (seasonal).

If I understand the process correctly, the result of a zoning change will be to bless all these illegal improvements and merely tell Ski Shores to go out and sin no more. That does not seem right to me. While my main request is a denial of the zoning change, I think that at a minimum Ski Shores should be required to remove its unpermitted changes and additions and start over while following proper permit and inspection procedures.

Jim Parker

3107 Encino Verde

458-2909

Haase, Victoria [Tori]

Subject: FW: Regarding C14-2015-0144 - rezoning Ski Shores

From: james waite
Sent: Tuesday, February 02, 2016 3:43 PM
To: Haase, Victoria [Tori]; gabriel.rojas@austintexas.gov
Cc: Gallo, Sheri
Subject: FW: Regarding C14-2015-0144 - rezoning Ski Shores

We agree with the Grote comments and oppose the rezoning. In particular, the proposed location of the gasoline tank is adjacent to the entrance to our dead end stree, Ski Shores Terrace. Any mishap- spill, fire, etc- would likely prevent any of us (eight houses) from entering/leaving our houses.

James R. (Jim) & Betty Waite
3119 Ski Shores Terrace Austin, Tx 78730
512-231-9306

Date: Tue, 2 Feb 2016 20:54:27 +0000
From: acpna-discussion-group@googlegroups.com
To: Tori.Haase@austintexas.gov; bc-Gabriel.Rojas@austintexas.gov
Subject: Regarding C14-2015-0144 - rezoning Ski Shores

Dear Ms. Haase & Mr. Rojas,

The above rezoning request from "Residential" to "Commercial Recreation" has only just come to the attention of a few residents of the City Park neighborhood. Many of us residents are still not aware of this significant zoning change to our otherwise quiet residential neighborhood. There are many reasons why this is an undesirable and risky change to our residential neighborhood, including:

1. Insufficient and inadequate notice to those whose homes are in close proximity to the Ski Shores businesses.
2. The existing businesses do not have sufficient parking for their current patrons, resulting in erratic overflow parking onto both sides of Pearce Road that usually blocks the north-bound lane.
3. Environmental considerations alone should preclude any further expansion of business on this relatively small piece of property. Any additional pavement, new concrete pads (for future gasoline tank storage), will result in additional runoff into Lake Austin. The potential of locating a gasoline tank and pipelines leading to

the water carries with it permanent risk to Lake Austin, which is the source of the City of Austin's drinking water, including that of Greenshores & Ski Shores neighborhoods.

4. The plan to install a concrete pad for a future above ground gasoline tank and the dispensing of gasoline to boats poses an immediate threat leaking gasoline into the lake as boaters fill up their tanks on choppy waters. Additionally, there is a real threat of tank explosion and fire. The location of the planned pad and tank upon it is at the bottom of a very steep hill on Pearce Road where the road curves sharply at the bottom. A direct hit to the tank is not unlikely for vehicles unable to brake in time, as has occurred in the past.

5. The problem with Ski Shores having a proper Septic System permit has never been resolved. Any further development for this limited septic field would only add to this problem. This might be an area to be explored by the entity that oversees compliance of Septic Tank Regulations.

6. The City of Austin residents, LCRA Board, and the Austin Utility Commission should also be advised of these proposed zoning changes and the property owners' plans as those plans will effect their source of drinking water. This does not just effect our neighborhood.

I would also invite you and the Commission to come out to this lovely neighborhood and see the property involved in the request for zoning change, and the residential properties that would be adversely effected.

Please share these concerns with the Planning and Zoning Commission prior to their vote on this matter. A few of us residents who have just been alerted to this zoning change will attempt to attend tonight's ZAP meeting.

Finally, thank you for your serious attention in this matter.

Michael & Brandye Grote
7101 Bowditch Drive
Austin, TX 78730
mgrote@yahoo.com

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Common Sense Rules for This Group:

- 1- be nice
- 2- no "self promotion" for personal gain
- 3 - no selling or "spamming" (unsolicited bulk email)
- 4 - no posts that could be construed as political, or religious in nature
- 5 - no forwarding of "chain" type emails
- 6 - don't hit your "reply" button if you are changing the topic being discussed - (please start a new email, with a new Subject line)
- 7 - please don't have "one on one" conversations, in this group forum

You received this message because you are subscribed to the Google Groups "ACPNA Discussion Group" group.

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For more options, visit <https://groups.google.com/d/optout>.

Haase, Victoria [Tori]

Subject: FW: Ski Shores Restaurant
Attachments: Skishores Zoning Change p2.pdf; Skishores Zoning change p1.pdf

From: George Bittner [
Sent: Tuesday, February 02, 2016 5:17 PM
To: 'Ed Stillman'; Haase, Victoria [Tori]
Cc: 'Jim Parker'; 'Jimmy & Tori Hill'; 'Colleen & Chris Benson'; 'ACPNA Discussion Group'
Subject: RE: Ski Shores Restaurant

Dear Ms. Haase:

I am emailing to follow up on our conversation regarding a Zoning Change for Ski Shores Restaurant at 2905 Pearce Rd. I live directly across from the property in question. The problem with the application is not a zoning change *per se* for a grandfathered property, but rather the additional development that such a change might allow for a commercial enterprise that now lacks sufficient on-site parking (as per our discussion a month ago). In addition, I have since learned that this change might allow the installation of a large gas storage site on the property. That installation would present a significant safety hazard in an otherwise residential neighborhood, with the increased danger that it would be installed at the base of a steep hill with a sharp curve. I now also gather that this notice dated 1/22/2016 (attached) was not sent to many that are affected by this zoning request, thereby presenting an ethical, if not legal, challenge to hold such a hearing tonight. I cannot attend the meeting, but now do oppose the zoning change request until all parties can be properly contacted.

Sincerely,

George D. Bittner, PhD, AAAS Fellow, 2812 Pearce Rd, Austin, TX 78730	
Professor of Neuroscience	CEO CertiChem, CSO PlastiPure
University of Texas	11212 Metric Blvd# 500-600
Austin, TX 78712	Austin, TX 78758
512-923-3735 (O,C)	512-339-0550 (O)
512-346-4392 (H)	512-923-3735 (C)
512-471-9651 (F)	512-339-0551 (F)

Haase, Victoria [Tori]

Subject: FW: C14-2015-0144 rezoning to Commercial Recreation- Ski Shores Reataurant**From:** Carol Morgan Walls []**Sent:** Tuesday, February 02, 2016 5:45 PM**To:** Haase, Victoria [Tori]**Subject:** C14-2015-0144 rezoning to Commercial Recreation- Ski Shores Reataurant

Dear Ms Haase,

I respectfully request that this piece of property be left as it is currently zoned. Our residence is at 3106 Pearce Road which is at the top of the hill from Ski Shores Restaurant.

I echo the sentiments of all the neighbors with the following. The problem with the application is not a zoning change *per se* for a grandfathered property, but rather the additional development that such a change might allow for a commercial enterprise that now lacks insufficient on-site parking (as per our discussion a month ago). In addition, I have since learned that this change might allow the installation of a large gas storage site on the property. That installation would present a significant safety hazard in an otherwise residential neighborhood, with the increased danger that it would be installed at the base of a steep hill with a sharp curve.

As I indicated, my home is at the top of that hill and a very wooded area precedes the location to be re-zoned.

Leaving the zoning as is illuminates any further structure or purpose change.

Please do not approve to zone change request. Consider the impact to so many lives and quality of living.

With respect,

Carol Morgan Walls
512-694-5676

3106 Pearce Road
Austin TX 78730

Sent from my iPhone