

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0139 – Ferguson Crossing

Z.A.P. DATE: February 20, 2018,
March 6, 2018, April 3, 2018, April 17, 2018

ADDRESS: 3207 Ferguson Lane

AREA: 13.04 acres

DISTRICT AREA: 1

OWNER/APPLICANT: Fergi AV Land (Colin Armstrong)

AGENT: Armbrust & Brown (Michael Whellan)

DESIRED DEVELOPMENT ZONE: Yes

WATERSHED: Walnut Creek (Suburban)

EXISTING AND PROPOSED ZONING BY TRACT: *(As amended by Applicant, 4/25/2018)*

TRACT	EXISTING ZONING	REQUESTED ZONING	ACREAGE
1	W/LO-CO, RR, NO-CO, SF-1-CO	W/LO	+/- 11.97
2	SF-1-CO	MF-1	+/- 1.07
			TOTAL 13.04

SUMMARY STAFF RECOMMENDATION:

Staff does not oppose the Applicant’s amended request, with the addition of the following conditional overlay (CO): the site shall be subject to compatibility standards (City Code § 25-2-1564 - Compatibility Standards) along the eastern property line. **(Recommendation of Warehouse/Limited Office district zoning (W/LO) for Tract 1; Multifamily Limited Density-Conditional Overlay Combining District zoning (MF-1-CO) for Tract 2.)**

ZONING & PLATTING COMMISSION RECOMMENDATION:

April 17, 2018: *TO GRANT WAREHOUSE LIMITED OFFICE-CONDITIONAL OVERLAY (W/LO-CO) COMBINING DISTRICT ZONING ON TRACT 1 AND TO GRANT MULTIFAMILY LIMITED DENSITY-CONDITIONAL OVERLAY (MF-1-CO) COMBINING DISTRICT ZONING ON TRACT 2. FOR TRACT 1, THE CONDITIONAL OVERLAY REQUIRES A 50’ BUFFER ADJACENT TO THE BOUNDARY WITH TRACT 2; FOR TRACT 2, THE CONDITIONAL OVERLAY REQUIRES COMPATIBILITY STANDARDS BE APPLIED ALONG THE EASTERN BOUNDARY OF TRACT 2. S. LAVANI- 1ST; B. EVANS -2ND] (6-3) D. KING; J. KIOLBASSA, B. GREENBERG – NAY; J. DUNCAN – ABSTAINED; A. DENKLER-ABSENT.*

April 3, 2018: *TO GRANT POSTPONEMENT TO APRIL 17, 2018, AS REQUESTED BY COMMISSION. (7-2) [A. Aguirre- 1st, J. Duncan-2nd; D. Breithaupt, S. Lavani- Absent]*

March 6, 2018: *TO GRANT POSTPONEMENT TO APRIL 3, 2018, AS REQUESTED BY APPLICANT. (7-2) [A. Denkler- 1st, S. Lavani-2nd; B. Greenberg, D. King- Nay]*

February 20, 2018: *MEETING CANCELLED DUE TO POSTING ERROR; CASE RESCHEDULED FOR MARCH 6, 2018.*

ISSUES:

The rezoning request for this property originally sought W/LO for the entire 13.04 acres. At the April 17, 2018 Zoning and Platting Commission meeting, the Applicant presented a modified request to create two zoning areas: W/LO-CO with the –CO for a 50-foot wide compatibility setback for the majority of property (Tract 1) and MF-

1-CO with the –CO to apply the City’s compatibility standards for the eastern 125 feet of the property (Tract 2). This modified request was recommended by the Planning Commission. On April 25, the Applicant formally revised the rezoning request as described above; essentially it is the same request but without the 50’ buffer between the MF-1 area and the W/LO area. This is because compatibility is not triggered by MF-1 and because the buffer is internal to the property owner’s site—i.e. it provides no screening benefit to surrounding properties. *(Please see Exhibits A and B- Amended Rezoning Request and Conceptual Site Layout.)*

The subject property is located within the city limits, but is adjacent to land in the City’s extraterritorial jurisdiction (ETJ) to the north and east, across Ferguson Lane and Sansom Road, respectively. These roads are under Travis County administration and are both substandard. Staff has received significant amounts of correspondence from neighbors to the east in opposition to the rezoning request. Since these properties are located outside the city limits, they do not trigger compatibility standards and are not eligible to file a Valid Petition request.

The subject property is adjacent to a branch of Walnut Creek, and approximately 40-45% of the site area is located within a floodplain and Critical Water Quality Zone (CWQZ), significantly reducing developable area. A letter from the property owner is attached. *(Please see Exhibit C- Owner Letter).*

DEPARTMENT COMMENTS:

Existing Conditions. The subject property is located immediately southwest of the intersection of Ferguson Lane and Sansom Road, and is undeveloped. There are four different zoning classifications on the property; from west to east, the current zoning includes W/LO-CO, RR, NO-CO, and SF-1-CO. To the west of the subject property are two undeveloped lots and a trucking company, all zoned W/LO-CO. South of the subject property is the Walnut Creek Business Park, which is primarily zoned LI and LI-CO. Walnut Creek Business Park contains several businesses, with a majority being limited warehousing & distribution services. There is no vehicular connection between the proposed rezoning site and the business park—there is a creek, CWQZ, and buildings that block connection to Tuscany Way. To the north and east is land in the City’s extraterritorial jurisdiction (ETJ). Across Ferguson Lane to the north is a large undeveloped/agricultural use tract, and northeast are single family residences. Across Sansom Road to the east is the Walnut Place neighborhood, which is developed with single family residences. Several of these residences take access directly to Sansom Road. Both Ferguson Lane and Sansom Road are under Travis County administration and are both substandard with 20-foot pavement widths. *(Please see Exhibit D- Zoning Map).*

The subject property is adjacent to a branch of Walnut Creek, and is significantly impacted by CWQZ. Approximately 40-45% of the site is within the CWQZ; the portion of the site that is most impacted is the area currently zoned W/LO-CO. The NO-CO and SF-1-CO areas are much less encumbered by the CWQZ, and therefore are the most suitable portions of the property for development. The property is located in a suburban watershed which can reduce allowable impervious cover, however, the proposed W/LO zoning is more restrictive than the applicable watershed regulations. If rezoned, the site would be limited to 70% impervious cover. *(Please see Exhibit E- Aerial Exhibit).*

As stated in the Issues section, the subject property is located within the city limits; across Ferguson Lane and Sansom Road is Travis County jurisdiction. Ferguson Lane and Sansom Road are both substandard roadways and are maintained by Travis County. Travis County has confirmed that there are currently no plans or funds dedicated for improvement of either roadway. Travis County has also confirmed that Ferguson Lane is signed “NO THRU TRUCKS” from Tuscany Drive to Springdale Road. Trucks are allowed to access the businesses on Ferguson only. Additionally, Sansom Road is signed “NO TRUCKS,” and Springdale Road is signed “NO TRUCKS” for the stretch between US Highway 290 and Ferguson Lane. This would mean that trucks could access the subject property from the west only. *(Please see Exhibit F- Access Exhibits).*

Zoning Background. The subject property and the Walnut Creek Business Park were annexed into the city in 1991 (Ordinance # 911219-A). The subject property was rezoned from interim-rural residence (I-RR) to the current zoning in 1996 (Ordinance # 960229-R). The conditional overlay attached to the W/LO-CO, NO-CO, and

SF-1-CO tracts is a limit of 2,000 vehicle trips per day. Portions of the Walnut Creek Business Park have been rezoned over the years, but the areas closest to the rezoning request were zoned to LI-CO in 1998 (Ordinance # 980409-I). The ordinance prohibited several land uses, primarily commercial and industrial in nature. A public restrictive covenant (RC) was also approved as part of the 1998 rezoning. The RC included provisions about the traffic impact analysis (TIA) and some mitigation along the Sansom Road frontage. The RC requires a four-foot high berm with vegetation along the east property line, prohibits outdoor speakers or public address systems, and requires exterior lighting to be directed away from the adjacent residential areas. The RC was created in conjunction with an engineered site plan, so it was possible to determine that a berm was feasible and worked with the overall site drainage engineering. *(Please see Exhibit G- Zoning Ordinances and RC).*

Proposed Rezoning. The proposed rezoning would expand Warehouse/Limited office (W/LO) zoning to the majority of the site, with MF-1 along the eastern boundary of the site. As stated in City Code:

“Warehouse/limited office (W/LO) district is the designation for an office or warehouse use for a building trade or other business that does not require a highly visible location or generate substantial volumes of heavy truck traffic, that generates low or moderate vehicular trips, and that requires less access than a retail use. A W/LO district use may require special measures to be compatible with adjacent uses. A W/LO district use may be located on a site that is adjacent to or near an arterial or major nonresidential collector street, adjacent to a rail line, or near existing or proposed employment uses. A W/LO district use may also be located on a site that functions as a transition between commercial and industrial uses. A W/LO district use may be located adjacent to a residential use only if the density of the residential development is higher than a typical single-family density or if the physical conditions of the site allow for buffering and project design to mitigate potential adverse effects.”

The site development regulations of W/LO are designed to permit only low intensity development. W/LO requires a 25-foot front, rear, and street side yard, and sets the maximum building height at 25 feet or one story. These standards are more restrictive than SF-1 zoning. W/LO sets a maximum impervious cover of 70%, the same as LO zoning. W/LO has a maximum Floor-to-Area Ratio (FAR) of 0.25:1, which is lower than NO zoning. Additional design regulations in W/LO zoning are established by § 25-2-584 of City Code. In W/LO, a building must include an office use that is the lesser of 20% floor area or 1,000 square feet. A truck loading dock may not be located on the same building face as an office entrance, and an office use must face the street that provides primary access. Construction sales and service use may not exceed 10,000 square feet of gross floor area. Land uses permitted in W/LO are a mix of office and warehouse uses that do not generate the same levels of traffic as most commercial or industrial uses. *(Please see Exhibit H – W/LO Zoning Guide).*

The addition of MF-1 along the eastern portion of the site would create a residential buffer between the W/LO area and the single family residential area across Sansom Road. Additionally, since multifamily would trigger compatibility across from the single family properties if they were in the City, Staff recommends including compatibility requirements along the Sansom Road frontage.

Staff has received significant amounts of correspondence from neighbors to the east in opposition to the rezoning request. Since these properties are located outside the city limits, they do not trigger compatibility standards and are not eligible to file a Valid Petition request. *(Please see Exhibit I – Correspondence).*

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	W/LO-CO, RR, NO-CO, SF-1-CO	Undeveloped
<i>North</i>	County	Undeveloped/agricultural
<i>South</i>	LI-CO, CS-1-CO, LI	Limited warehousing and distribution
<i>East</i>	County	Single family residential
<i>West</i>	W/LO	Undeveloped, Limited warehousing and distribution

RELATED CASES:

There are no recent rezoning cases in the area. Please see Zoning Background (above) for information on earlier zoning cases.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Ferguson Lane	85 ft.	20 ft.	Arterial	No	Yes, Shared Lane	No
Sansom Road	70 ft.	20 ft.	Local	No	No	No

NEIGHBORHOOD ORGANIZATIONS:

Friends of Austin Neighborhoods
 SELTexas
 Homeless Neighborhood Association
 Sierra Club, Austin Regional Group
 Harris Branch Master Association, Inc.

Claim your Destiny Foundation
 Austin Independent School District
 Walnut Place Neighborhood Association
 Austin Neighborhoods Council
 North Growth Corridor Alliance

CITY COUNCIL DATE:

May 10, 2018:

March 22, 2018: TO GRANT A POSTPONEMENT TO MAY 10, 2018 AS REQUESTED BY STAFF, ON CONSENT (8-0). [S. Renteria- 1st, D. Garza- 2nd; L. Pool, G. Casar, and E. Troxclair- Off the dais.]

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

PHONE: 512-974-2122

SUMMARY STAFF RECOMMENDATION:

Staff does not oppose the Applicant's amended request, with the addition of the following conditional overlay (CO): the site shall be subject to compatibility standards (City Code § 25-2-1564 - Compatibility Standards) along the eastern property line. (Recommendation of Warehouse/Limited Office district zoning (W/LO) for Tract 1; Multifamily Limited Density-Conditional Overlay Combining District zoning (MF-1-CO) for Tract 2.) This would allow a commercial development on the majority of the property and provide a multifamily residential transition adjacent to nearby single family residences. The existing zoning on the site is a mix of four very different categories, and would allow mix of uses that do not allow cohesive development. The CWQZ on the site makes development of the existing W/LO-CO tract infeasible; by rezoning more of the tract to W/LO, the area would be more viable for office/warehouse development. This still leaves a 125' wide strip of land along Sansom Road that can be developed with residential.

W/LO allows a mix of office and commercial uses but does not permit high intensity land uses like automotive services, restaurant, or retail uses. W/LO is one of the zoning classifications with the fewest permitted or conditional uses. The site development standards are a hybrid of single family and office standards, with large setbacks, a 1-story height limit, and 0.25:1 FAR. The 125' of MF-1-CO zoning would transition the land uses toward the east, and by adding compatibility standards along Sansom Lane, a buffer can be created between the site and nearby residences.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed rezoning and use meet the purpose statement of the W/LO zoning district.

"Warehouse/limited office (W/LO) district is the designation for an office or warehouse use for a building trade or other business that does not require a highly visible location or generate substantial volumes of heavy truck traffic, that generates low or moderate vehicular trips, and that requires less access than a retail use. A W/LO district use may require special measures to be compatible with adjacent uses. A W/LO district use may be located on a site that is adjacent to or near an arterial or major nonresidential collector street, adjacent to a rail line, or near existing or proposed employment uses. A W/LO district use may also be located on a site that functions as a transition between commercial and industrial uses. A W/LO district use may be located adjacent to a residential use only if the density of the residential development is higher than a typical single-family density or if the physical conditions of the site allow for buffering and project design to mitigate potential adverse effects."

2. *Zoning should allow for reasonable use of the property.*

The existing zoning on the site is a mix of uses that do not allow a single cohesive development, and environmental constraints make it infeasible to develop the western half of the site. The CWQZ on the site makes development of the existing W/LO-CO tract infeasible, while the existing NO-CO and SF-1-CO tracts are physically developable but do not allow cohesive development (an office-only tract and a residential-only tract).

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

The 125' wide multifamily strip along Sansom Road provides a transition in land uses and development intensity between the property and residences across Sansom Road. The addition of Compatibility Standards further eases that transition.

ADDITIONAL STAFF COMMENTS

Site Plan

SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP2. Site plans will be required for any new development other than single-family or duplex residential.

Transportation

TR1. Ferguson Lane and Sansom Road are within the City of Austin 2-mile ETJ. A traffic impact analysis shall be required at the time of the subdivision or site plan application if triggered per Travis County code and criteria.

TR2. If the requested zoning is granted, it is recommended that joint access be provided for the four tracts to adjacent right-of-of-way to reduce the number of curb cuts.

TR3. Janae Spence, Urban Trails, Public Works Department, Mike Schofield, and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR4. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a buffered bike lane is recommended for Ferguson Lane.

TR5. FYI – Driveway access shall be reviewed and approved by Travis County.

TR6. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Ferguson Lane	85 ft.	20 ft.	Arterial	No	Yes, Shared Lane	No
Sansom Road	70 ft.	20 ft.	Local	No	No	No

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut 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.

2. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits if more restrictive than allowed by zoning. *Please note: W/LO zoning limit of 70% impervious cover is more restrictive, and would apply to this site if rezoned.*

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

3. According to floodplain maps there is a floodplain and Critical Water Quality Zone within the project location. Per LDC 25-8-261, 262, and 364, development within the Critical Water Quality Zone and floodplain is extremely limited.

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

5. 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.

6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Drainage

The developer is required to submit a pre and post development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Comprehensive Planning

Connectivity - There are no public sidewalks or Cap Metro transit stops in this portion of the planning area. The Walkscore for this site is 4/10, Car Dependent, meaning almost errands require a car.

Imagine Austin - Imagine Austin identifies this property as being located along an 'Activity Corridor,' and by the BFI Job Center, as identified on the Imagine Austin's Growth Concept Map.

Imagine Austin is supportive of developing a variety of land uses throughout Austin, including warehouse/industrial areas and jobs centers, to promote 'complete communities', and 'compact and connected development.'

Based on the property being located in an area with an abundance of warehouse use/office/industrial uses and the Imagine Austin Plan policy referenced above that supports locating jobs (including warehouse/office uses) along Activity Corridors and by Job Centers, the proposed warehouse/office use appears to be supported by Imagine Austin.

Water Utility

WW1. City of Austin water and wastewater utilities are currently not available to the tract. If City service is desired, Service Extension Requests will be required. If On-Site Sewage Facilities are not utilized, a Service Extension Request for wastewater service will be required. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor, phone 512-972-0211. Austin Water reserves the right to make additional comments and to establish other requirements with the Service Extension Request review. Water service is currently available within 100' of the tract, and will require a Service Extension Request for water service. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor, phone 512-972-0211. Austin Water reserves the right to make additional comments and to establish other requirements with the Service Extension Request review.

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 land use. The water and wastewater utility plan must be reviewed and approved by Austin Water 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.

ARMBRUST & BROWN, PLLC

EXHIBIT
A

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

Michael Whellan
(512) 435-2320
mwhellan@abaustin.com

April 25, 2018

Greg Guernsey
Planning and Development Review Department
City of Austin
505 Barton Springs Road, 5th Floor
Austin, TX 78704

Re: Rezoning of 3207 Ferguson Lane, in Austin, Travis County, Texas (13.04 acre)
(the "Application")

Dear Mr. Guernsey:

This firm represents and this letter is submitted on behalf of the applicant for the above referenced Application. The area to be rezoned is comprised of four tracts that total 13.04 acres of land located at 3207 Ferguson Lane, in Austin, Travis County, Texas (the "Property"). The Property is located in the City of Austin Full Purpose Jurisdiction. The zoning application was submitted on November 7, 2017 and is filed under Case Number C14-2017-0139. The request was to rezone the property from W/LO-CO, RR, NO-CO and SF-1-CO to W/LO.

The Walnut Place Neighborhood Association requested a residential zoning buffer between the residents across Sansom Road and the proposed W/LO use. The purpose of this letter is to amend the zoning request for the property to W/LO-CO and MF-1-CO for the portion of the property that is approximately 125 feet from the property line as shown in the attached exhibit. The Zoning and Platting Commission approved the amended zoning request on April 17, 2018. The Conditional Overlay recommended by staff requires the site to be subject to compatibility standards along the eastern property line.

ARMBRUST & BROWN, PLLC
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Thank you in advance for your time and consideration of this zoning request. If you have any questions or need additional information, please do not hesitate to contact me at (512) 435-2320.

Respectfully,

ARMBRUST & BROWN, PLLC

Michael Whellan

with permission

Michael Whellan

cc: Heather Chaffin, City of Austin
Colin Armstrong, arm realty group
Alex Altamirano, Vault REI, LLC

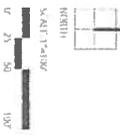
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EXHIBIT B



Proposed Zoning
FERGUSON TRACT
Austin, Texas

NO. 12312, April 26, 2018
All drawings are preliminary and subject to change
© 2018 HillGroup, A. Pappas Group



ARM MGMT
DRAFT V6



General Notes

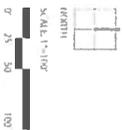
All Buildings will be single story
 All exterior lighting will be zero
 cut-off and fully shielded from
 adjacent property
 Screening Required for:
 all-street parking
 Mechanical Eqpt
 Trash Enclosure
 50' compatibility buffer between
 residential and commercial

Industrial Site Concept Plan

FERGUSON TRACT

Austin, Texas

WSPER CONSULTANTS, Austin, TX, 2018
 All drawings are preliminary and subject to change
 © 2018 WSPER CONSULTANTS



ARM MGMT

DRAFT V6

EXHIBIT C

ARM MGMT

COLIN ARMSTRONG

ARM Management, LLC
1800 Lavaca Street
Suite 110
Austin, TX 78701
+1 (512) 517-0603
www.armmgmt.com

As the owner of 3207 Ferguson Lane, Austin, Texas, we have been preparing a zoning application for uniform zoning across our (I don't care, but just to stay consistent with the tense throughout email) single lot. We have a scheduled meeting with City staff on Tuesday November 7th and just wanted to proactively reach out so that you will be aware of the project. We have met with Chris Hutchins in Ora Houston's office on several occasions as well as much of the staff in the Development Assistance center to make sure that we identified and addressed all concerns and issues.

Our property is a platted lot that contains three different zoning classifications that create a challenge to any project. Our goal is to have uniform zoning across the subject property so we can produce a viable project in benefit of everyone. We envision this property as a single property and a single project. Uniform zoning not only allows for the consistent land use but also consistent development code restrictions across the whole property. With the recent updates to the CWQ zones, the developable acreage here is impacted greatly, making the uniform zoning inside the developable area more important.

The property is currently zoned SF1, NO and a majority W/LO, Warehouse. We're asking the City of Austin consider uniform zoning of W/LO, Warehouse, across the entire property. This would be consistent with all other zoned property that surrounds us. We have received support from multiple neighbors inside the City of Austin and have been in contact with many other neighbors in the immediate area, including meeting with the president of the Neighborhood Association who expressed support in our project and endeavors.

Thanks you in advance for your assistance and we look forward to following up you soon. Please feel free to reach out with any questions or comments. As the property owners, we want to be open to direct communication and easily available for the entire process.

Regards,

Colin Armstrong

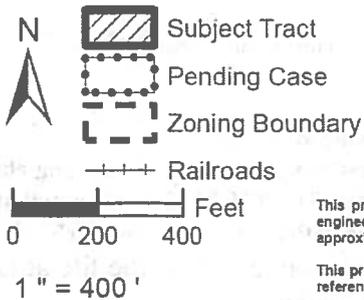
Alex Altamirano

EXHIBIT D



ZONING

Case#: C14-2017-0139

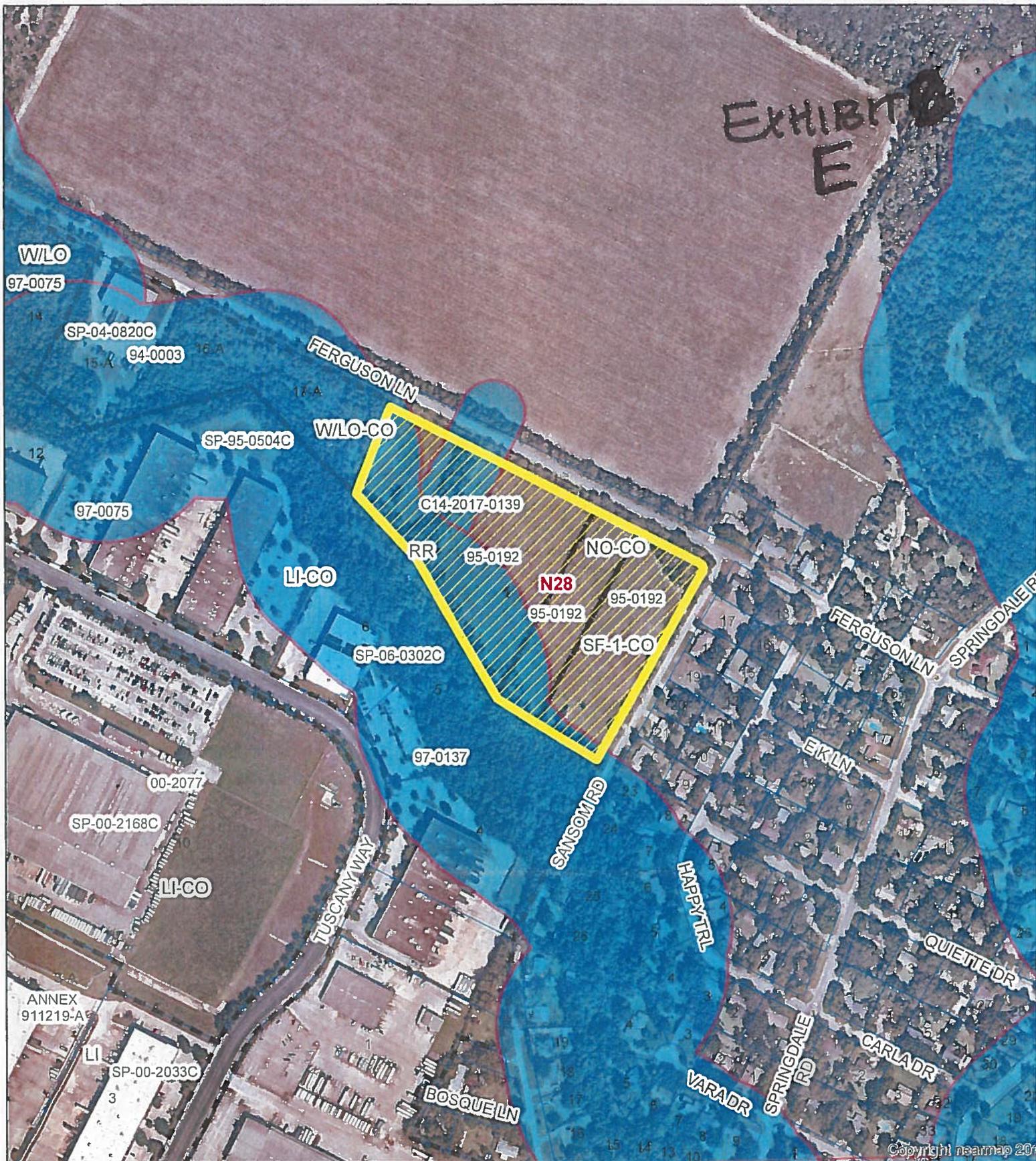


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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



Created: 11/16/2017



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY
-  CREEK BUFFER

1" = 400'

FERGUSON CROSSING

ZONING CASE#: C14-2017-0139
 LOCATION: 3207 FERGUSON LANE
 SUBJECT AREA: 13.04 ACRES
 GRID: N28
 MANAGER: HEATHER CHAFFIN



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.

EXHIBIT F

TRANSPORTATION AND NATURAL RESOURCES
PURSUANT TO DULY DELEGATED AUTHORITY FROM THE
TRAVIS COUNTY COMMISSIONERS' COURT
UNDER CHAPTER 251 OF THE TEXAS TRANSPORTATION CODE

TRAVIS COUNTY

TRANSPORTATION AND NATURAL RESOURCES

INTRA-DEPARTMENT MEMORANDUM

July 9, 2010

TO: Joseph P. Gieselman
Executive Manager, Transportation and Natural Resources

THROUGH: Donald W. Ward, P.E.
Division Manager, Road Maintenance

FROM: David Greear, P.E.
Traffic Program Manager

SUBJECT: Traffic Regulation

I have completed an engineering and traffic investigation on the following road in Travis County:

- **SPRINGDALE ROAD**

Based on such investigation I recommend the traffic regulations listed in the attached Order.

No written requests for a public hearing concerning this matter were received within seven days of publishing the notice of the proposed traffic regulation.

This recommendation is made in accordance with duly delegated authority from the Travis County Commissioners' Court under Chapter 251 of the Texas Transportation Code.

STATE OF TEXAS

§
§
§

COUNTY OF TRAVIS

ORDER NO. 100713-B

WHEREAS, an engineering and traffic investigation has been made on the below named Travis County roadway by Transportation and Natural Resources which has recommended traffic regulations in Precinct One; and

WHEREAS, a public hearing was not requested within seven days of the advance notice of the proposed traffic regulations; then

BE IT THEREFORE ORDERED that the following regulations be adopted and that appropriate signs giving notice thereof be approved for installation:

PRECINCT ONE:

Delete:

No Trucks Spingdale Road from Cameron Road to US HWY 290 (dated September 2001)

NO TRUCKS

SPRINGDALE ROAD from Ferguson Lane to US 290.

It is a defense to prosecution under this order that

- (1) the person is operating the truck to go directly to or from a residence or commercial establishment on that street to deliver or pickup material, and the driver has proof of that purpose;
- (2) the person is using the truck for a private purpose that does not include the transport, loading, or unloading of material or property; or
- (3) the truck is owned by a public or private utility, engaged in the business of transporting people, parked at the owner's or lessee's residence or place of business, or the property of a governmental entity.

TRUCK means a motor vehicle or combination vehicle/trailer with a total of six or more wheels, designed, maintained, or used primarily for the transportation, loading, or unloading of material or property, including "special mobile equipment" as defined in Section 541.201 (*Vehicles*) of the Texas Transportation Code..

EXECUTED THIS 13th DAY OF July, 2010.

JOSEPH GIESELMAN
EXECUTIVE MANAGER
TRANSPORTATION AND NATURAL RESOURCES
PURSUANT TO DULY DELEGATED AUTHORITY FROM THE
TRAVIS COUNTY COMMISSIONERS' COURT
UNDER CHAPTER 251 OF THE TEXAS TRANSPORTATION CODE

vs 09-25-01
#22

2

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

ORDER

WHEREAS, engineering and traffic investigations have has been made on the below named Travis County roadways by Planning and Engineering Services Division within the Transportation and Natural Resources Department, which has recommended traffic regulations in Precinct One; and

WHEREAS, a public hearing was held on September 25, 2001, after seven days of the advance notice of the proposed traffic regulations; then

BE IT THEREFORE ORDERED that the following list of regulations is hereby adopted and that appropriate signs giving notice thereof shall be installed.

PRECINCT ONE:

Proposed Traffic Regulation

The following categories of trucks are prohibited from Ferguson Lane (between Sprinkle Road and Springdale Road) and from Springdale Road (between US HWY 290 and Cameron Road):

- Single unit, single rear axle heavy trucks, including side panel trucks
- Single unit, multiple rear axle heavy trucks, including dump trucks and concrete mixers
- All tractor trailer and semi-trailer combinations
- All vehicles regardless of size that display hazardous material warning placards as defined in CFR 49, US Code

Exemptions

Any truck may deviate from the prohibition if a delivery demands it, but only if the driver has a valid dispatch order or delivery ticket to verify such a delivery.

It shall be an affirmative defense to prosecution under this regulation that a prohibited vehicle was delivering or picking up passengers or cargo at a location for which there was no alternative access other than the road segments designated above and that the driver of the vehicle presented a valid dispatch order, delivery ticket, or other evidence establishing that location.

DANA CEBEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

2001 SEP 28 PM 3:31

FILED FOR RECORD

RESOLVED AND ORDERED THIS 25TH DAY OF SEPTEMBER, 2001

Samuel T. Biscoe

SAMUEL T. BISCOE, COUNTY JUDGE

Ron Davis

RON DAVIS

COMMISSIONER PRECINCT 1

Karen Sonleitner

KAREN SONLEITNER

COMMISSIONER PRECINCT 2

Todd Baxter

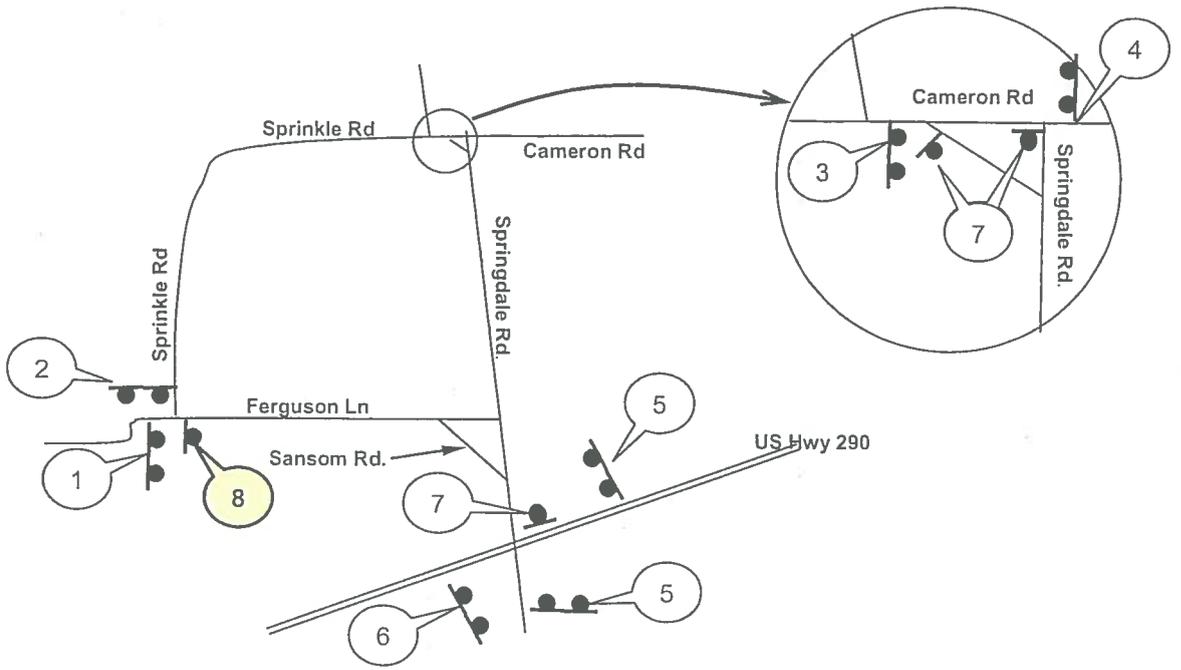
TODD BAXTER

COMMISSIONER PRECINCT 3

Margaret Gomez

MARGARET GOMEZ

COMMISSIONER PRECINCT 4



TRUCKS PROHIBITED



Vehicles Bearing
Hazardous Material
Placards



Single Unit, Single Rear
Axle Heavy Trucks &
Panel Trucks.



Single Unit, Multi-Rear
Axle Heavy Trucks



Tractor -Trailer Units

7 8

1 Trucks Prohibited Ahead.
Use Sprinkle Rd.
Next Left

FERGUSON LN., EB

2 Trucks Prohibited
Eastbound On
Ferguson Ln.

SPRINKLE RD., SB

3 Trucks Prohibited On
Springdale Rd.
Use Cameron Rd. &
Blue Goose Rd.

CAMERON RD., EB

4 Trucks Prohibited On
Springdale Rd.
Use Sprinkle Rd

CAMERON RD., WB

5 Trucks Prohibited
Northbound On
Springdale Rd.

HWY 290, WB
SPRINGDALE RD., NB

6 Trucks Prohibited Northbound
On Springdale Rd.
Use Giles Rd. 2 Miles Ahead

HWY 290, EB

CITY OF AUSTIN, TEXAS

EXHIBIT G

ORDINANCE NO. 960229- R EXISTING ZONING
ON SITE

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE AUSTIN CITY CODE OF 1992 AS FOLLOWS:

TRACT 1: 3.528 ACRE TRACT OF LAND OUT OF THE H. T. DAVIS SURVEY NO. 30, FROM INTERIM "RR" RURAL RESIDENCE DISTRICT TO "SF-1-CO" SINGLE-FAMILY RESIDENCE (LARGE LOT) DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT;

TRACT 2: 2.303 ACRE TRACT OF LAND OUT OF THE H. T. DAVIS SURVEY NO. 30, FROM INTERIM "RR" RURAL RESIDENCE DISTRICT TO "NO-CO" NEIGHBORHOOD OFFICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT;

TRACT 3: 4.920 ACRE TRACT OF LAND OUT OF THE H. T. DAVIS SURVEY NO. 30, FROM INTERIM "RR" RURAL RESIDENCE DISTRICT TO "W/LO-CO" WAREHOUSE/LIMITED OFFICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT;

TRACT 4: LOT 4, AMENDED PLAT OF FERGUSON CROSSING COMMERCIAL PARK, SAVE AND EXCEPT THE LAND DESCRIBED BELOW AS TRACT 5 CONTAINING APPROXIMATELY 0.061 ACRES OF LAND, FROM INTERIM "RR" RURAL RESIDENCE DISTRICT TO "W/LO-CO" WAREHOUSE/LIMITED OFFICE DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT; AND,

TRACT 5: 0.061 ACRE TRACT OF LAND OUT OF THE H. T. DAVIS SURVEY NO. 30, FROM INTERIM "RR" RURAL RESIDENCE DISTRICT TO "RR" RURAL RESIDENCE DISTRICT,

LOCALLY KNOWN AS 3111-3207 FERGUSON LANE [ODD NUMBERS ONLY]; AND, 9110-9208 SANSOM ROAD [EVEN NUMBERS ONLY], IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; WAIVING THE REQUIREMENTS OF SECTIONS 2-2-3, 2-2-5, AND 2-2-7 OF THE AUSTIN CITY CODE OF 1992; AND PROVIDING AN EFFECTIVE DATE.

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

PART 1. That Chapter 13-2 of the Austin City Code of 1992 is amended to establish initial permanent zoning, change the respective base zoning districts, and to establish a Conditional Overlay combining district on all of the property described in File C14-95-0192, as follows:

Tract 1: From Interim "RR" Rural Residence district to "SF-1-CO" Single-Family Residence (Large Lot) district-Conditional Overlay combining district.

3.528 acre tract of land out of the H. T. Davis Survey No. 30, said 3.528 acre tract of land being more particularly described by metes and bounds in "Exhibit A" attached and incorporated herein for all purposes.

CITY OF AUSTIN, TEXAS

Tract 2: From Interim "RR" Rural Residence district to "NO-CO" Neighborhood Office district-Conditional Overlay combining district.

2.303 acre tract of land out of the H. T. Davis Survey No. 30, said 2.303 acre tract of land being more particularly described by metes and bounds in "Exhibit B" attached and incorporated herein for all purposes.

Tract 3: From Interim "RR" Rural Residence district to "W/LO-CO" Warehouse/Limited Office district-Conditional Overlay combining district.

4.920 acre tract of land out of the H. T. Davis Survey No. 30, said 4.920 acre tract of land being more particularly described by metes and bounds in "Exhibit C" attached and incorporated herein for all purposes.

Tract 4: From Interim "RR" Rural Residence district to "W/LO-CO" Warehouse/Limited Office district-Conditional Overlay combining district.

Lot 4, Amended Plat of Ferguson Crossing Commercial Park, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 87, Pages 42A-42B, of the Plat Records of Travis County, Texas, Save and Except the land described below as Tract 5 containing approximately 0.061 acres of land.

Tract 5: From Interim "RR" Rural Residence district to "RR" Rural Residence district.

0.061 acre tract of land out of the H. T. Davis Survey No. 30, said 0.061 acre tract of land being more particularly described by metes and bounds in "Exhibit D" attached and incorporated herein for all purposes.

locally known as 3111-3207 Ferguson Lane [ODD NUMBERS ONLY]; and, 9110-9208 Sansom Road [EVEN NUMBERS ONLY], in the City of Austin, Travis County, Texas.

PART 2. That the property within the boundaries of the Conditional Overlay combining district as established by this ordinance is subject to the following condition:

Notwithstanding any other provision of the Land Development Code applicable to Tracts 1, 2, 3, and 4, on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of Tracts 1, 2, 3, and 4, or any portion of Tracts 1, 2, 3, and 4, shall be approved or released, and no building permit for construction of a building on Tracts 1, 2, 3, and 4, shall be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or previously authorized development and uses of Tracts 1, 2, 3, and 4, generates traffic exceeding the total traffic generation of 2,000 vehicle trips per day.

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

CITY OF AUSTIN, TEXAS

PART 3. That it is ordered that the Zoning Map established by Section 13-2-22 of the Austin City Code of 1992 and made a part thereof shall be changed to record the amendment enacted by this ordinance.

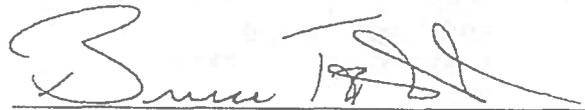
PART 4. That the requirements imposed by Sections 2-2-3, 2-2-5, and 2-2-7 of the Austin City Code of 1992, as amended, regarding the presentation and adoption of ordinances are hereby waived by the affirmative vote of at least five members of the City Council.

PART 5. That this ordinance shall become effective upon the expiration of ten days following the date of its final passage, as provided by the Charter of the City of Austin.

PASSED AND APPROVED:

February 29, 1996

§
§
§
§



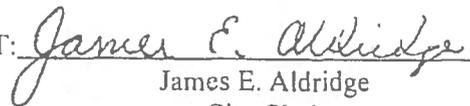
Bruce Todd
Mayor

APPROVED:



Andrew Martin
City Attorney

ATTEST:



James E. Aldridge
City Clerk

29Feb96
MT/jj

TR#1

METES AND BOUNDS DESCRIPTION

BEING 3.528 ACRES OUT OF THE H. T. DAVIS SURVEY NO. 30, AND BEING PORTIONS OF LOTS 1 AND 2, AMENDED PLAT OF FERGUSON CROSSING COMMERCIAL PARK, AS RECORDED IN BOOK 87, PAGES 42A-42B OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN TRACT OF LAND CONVEYED TO JACKIE L. SADLER AND CAROLYN L. SADLER IN VOLUME 12239, PAGES 2440 AND TO JOHN V. FELTER AND BRENDA M. HORTON IN VOLUME 12503, PAGE 1539, ALL OF THE TRAVIS COUNTY REAL PROPERTY RECORDS, AND BEING LOTS 1 - 7, FERGUSON CROSSING (PROPOSED), SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at cotton spindle found in the westerly r.o.w. line of Sansom Road, at the southeast corner of said Lot 1, Amended Plat of Ferguson Crossing Commercial Park, being also in the northeasterly corner of Lot 5, Walnut Creek Business Park Phase C as recorded in Book 86, Pages 84D-86A of the Plat Records of Travis County, Texas, and being also the southeast corner of Lot 7, Ferguson Crossing (proposed), for the southeast corner and PLACE OF BEGINNING hereof;

THENCE with the southwesterly line of said Lot 7, being also the southwesterly line of said Lot 1, Amended Plat of Ferguson Crossing Commercial Park, and being also the northeasterly line of said Lot 5, N 54° 56' 02" W 224.81 feet to a 1/2" rebar set at the southwest corner of said Lot 7, for the southwest corner hereof;

THENCE passing through said Lots 1 and 2, Amended Plat of Ferguson Crossing Commercial Park, and being with the northwesterly line of Lots 1 - 7, Ferguson Crossing (Proposed), N 32° 59' 43" E 675.33 feet to a 1/2" rebar set in the proposed southwesterly r.o.w. line of Ferguson Lane, and being the northwest corner of said Lot 1, Ferguson Crossing (proposed) for the northwest corner hereof;

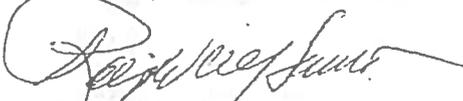
THENCE with the proposed southwesterly r.o.w. line of Ferguson Lane, and being the northeasterly line of Lot 1, Ferguson Crossing (Proposed), S 59° 40' 36" E 204.10 feet to a point of curve to the right at the intersection of proposed Ferguson Lane and Sansom Road for the northeast corner hereof;

THENCE with said curve to the right, whose central angle is 92° 41' 05", radius is 20.00 feet, and whose long chord bears S 13° 20' 03" E 28.94 feet to a point of tangency in the north westerly r.o.w. line of Sansom Road;

PAGE 2

THENCE with the southeasterly line of said Lots 1 - 7, Ferguson Crossing (proposed), being also the northwesterly r.o.w. line of Sansom Road, S 33° 00' 29" W at a distance of 305.85 feet passing a 1/2" rebar found at the common easterly corner between said Lots 1 and 2, Ferguson Crossing Commercial Park, and continuing for a total distance of 672.97 feet to the PLACE OF BEGINNING and containing 3.528 acres of land, more or less.

PREPARED BY:
RALPH HARRIS SURVEYOR INC.
1406 HETHER
AUSTIN, TEXAS 78704


RALPH W. HARRIS
R.P.L.S. NO. 1729

FEBRUARY 5, 1996
REVISED FEBRUARY 13, 1996

PB:B15:24671F



TR#2

METES AND BOUNDS DESCRIPTION

BEING 2.303 ACRE BUFFER STRIP OUT OF THE H. T. DAVIS SURVEY NO. 30, AND BEING PART OF LOTS 1 AND 2, FERGUSON CROSSING COMMERCIAL PARK AMENDED, AS RECORDED IN BOOK 87, PAGES 42A-42B OF THE TRAVIS COUNTY PLAT RECORDS, AND BEING A PORTION OF LOT 8 OF FERGUSON CROSSING, (PROPOSED) A SUBDIVISION IN TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the proposed south r.o.w. line of Ferguson Lane at the common northerly corner between Lots 1 and 8 of said Ferguson Crossing (proposed), for the northeast corner and PLACE OF BEGINNING hereof;

THENCE leaving said proposed south r.o.w. line of Ferguson Lane, and with the west line of Lots 1 through 7 of said Ferguson Crossing (proposed), S 32° 59' 43" W 675.33 feet to a 1/2" rebar set at the most westerly corner of said Lot 7, Ferguson Crossing (proposed), being also in the north line of Lot 5, Walnut Creek Business Park Phase C, a subdivision in Travis County, Texas as recorded in Book 86, Pages 84D-86A of the Travis County Plat Records, for the most southerly corner hereof;

THENCE with the south and southwest line of said Lot 8, Ferguson Crossing (proposed), being also a northerly and northeasterly line of said Lot 5, Walnut Creek Business Park Phase C, the following two (2) courses:

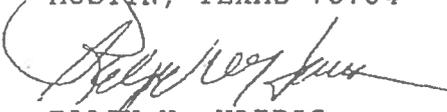
N 54° 56' 02" W 138.47 feet to a 3/8" iron pipe found for an angle point hereof;

N 26° 16' 27" W 13.51 feet to a point for the most westerly corner hereof;

THENCE passing through the interior of Lot 8, N 32° 59' 43" E 656.42 feet to a point on the proposed south r.o.w. line of Ferguson Lane for the most northerly corner hereof;

THENCE with the proposed south r.o.w. line of Ferguson Lane, being also the north line of said Lot 8, Ferguson Crossing (proposed), S 59° 40' 36" E 150.16 feet to the PLACE OF BEGINNING and containing 2.303 acres of land, more or less.

AS SURVEYED BY:
RALPH HARRIS SURVEYOR INC.
1406 HETHER
AUSTIN, TEXAS 78704


RALPH W. HARRIS
R.P.L.S. NO. 1729



JANUARY 25, 1996
REVISED FEBRUARY 13, 1996
PB:B15:24671D

"Exhibit B"

TRE3

METES AND BOUNDS DESCRIPTION

BEING 4.920 ACRES OUT OF THE H. T. DAVIS SURVEY NO. 30, AND BEING PART OF LOTS 1, 2, AND 3, FERGUSON CROSSING COMMERCIAL PARK AMENDED, AS RECORDED IN BOOK 87, PAGES 42A-42B OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING A LOT 8, OF FERGUSON CROSSING, (PROPOSED) A SUBDIVISION IN TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar set in the proposed south r.o.w. line of Ferguson Lane of which the common northerly corner between Lots 3 and 4 of said Amended Plat of Ferguson Crossing Commercial Park bears, N 30° 15' 59" E 15.20 feet;

THENCE with the proposed southwesterly r.o.w. line of Ferguson Lane, being also the northeasterly line of Lot 8, Ferguson Crossing (Proposed), S 59° 40' 36" E 413.96 feet to a point for the northeast corner hereof;

THENCE departing from said Ferguson Lane and pass through said Lots 2 and 1, Amended Plat of Ferguson Crossing Commercial Park, and being also Lot 8, Ferguson Crossing (Proposed), S 32° 59' 43" E 656.42 feet to a point in the southwesterly line of said Lot 1, being also the southwesterly line of said Lot 8 (proposed), and being in the northeasterly line of Lot 5, Walnut Creek Business Park Phase C, as recorded in Book 86, Pages 84D-86A of the Travis County Plat Records, for the southeast corner hereof;

THENCE with the southwesterly line of said Lots 1, Amended Plat of Ferguson Crossing Commercial Park, being also the northeasterly line of said Lot 5, Walnut Creek Business Park Phase C, N 26° 16' 27" W 92.24 feet to a 1/2" rebar found at the southwest corner of said Lot 1, being also the southeast corner of said Lot 3, for an angle point hereof;

THENCE with the southwesterly line of said Lot 3, being also the northeasterly line of said Lots 5 and 6, Walnut Creek Business Park Phase C, the following two (2) courses:-

N 26° 12' 47" W 394.94 feet to a 1/2" rebar set for an angle point;

N 38° 58' 37" W 21.18 feet to a 1/2" rebar set at the common southerly corner of said Lot 3 and 4, Amended Plat of Ferguson Crossing Commercial Park, for the southwest corner hereof;

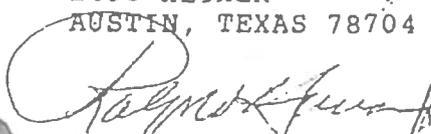
PAGE 2

THENCE with the common line between said Lots 3 and 4, Amended Plat of Ferguson Crossing Commercial Park, the following two (2) courses:

N 70° 58' 21" E 66.45 feet to a point for an angle point;

N 30° 15' 59" E 329.26 feet to the PLACE OF BEGINNING and containing 4.920 acres of land, more or less.

PREPARED BY:
RALPH HARRIS SURVEYOR INC.
1406 HETHER
AUSTIN, TEXAS 78704


RALPH W. HARRIS
R.P.L.S. NO. 1729

FEBRUARY 5, 1996



PB:B15:24671E

METES AND BOUNDS DESCRIPTION

BEING 0.061 ACRE STRIP OF LAND OUT OF THE H. T. DAVIS SURVEY NO. 30, AND BEING PART OF LOT 4, FERGUSON CROSSING COMMERCIAL PARK AMENDED, AS RECORDED IN BOOK 87, PAGES 42A-42B OF THE TRAVIS COUNTY PLAT RECORDS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the southwest corner of Lot 8, Ferguson Crossing (proposed) and the southeast corner of Lot 4, Ferguson Crossing Commercial Park Amended for the most southerly corner and PLACE OF BEGINNING;

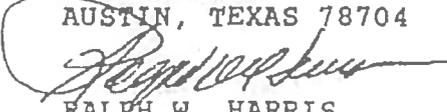
THENCE N 38° 58' 37" W 42.55 feet along the common lot line between Lot 4 of Ferguson Crossing Commercial Park Amended, and Lot 6 of Walnut Creek Business Park Phase C as recorded in Book 86, Pages 84D, 85A, 85B, 85C, 85D and 86A of the Travis County Plat Records to a point for the most westerly corner hereof;

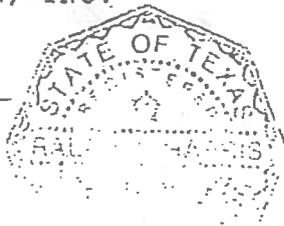
THENCE N 70° 56' 21" E 66.13 feet along the north side of a 40' Drainage Easement to a point for the most northerly corner hereof;

THENCE S 39° 22' 50" E 42.66 feet across a 40' Drainage Easement to a 1/2" rebar found and situated on the west line of Lot 8 of Ferguson Crossing (proposed) being also the east line of said Lot 4, for the most easterly corner hereof;

THENCE S 70° 58' 21" W 66.45 feet along the west line of Lot 8 of Ferguson Crossing (proposed) and the east line of a 40' Drainage Easement to the PLACE OF BEGINNING and containing 0.061 acres more or less.

AS SURVEYED BY:
RALPH HARRIS SURVEYOR, INC.
1406 HETHER
AUSTIN, TEXAS 78704


RALPH W. HARRIS
R.P.L.S. NO. 1729



JANUARY 26, 1996

PB:B:14:24671

"Exhibit D"

ORDINANCE NO. 980409-I

EXISTING ZONING
ON PROPERTY
TO SOUTH

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE AS FOLLOWS:

LOTS 3, 4, 5, AND 6, BLOCK E, WALNUT CREEK BUSINESS PARK PHASE C SUBDIVISION, FROM "W/LO" WAREHOUSE LIMITED OFFICE DISTRICT AND "LI-CO" LIMITED INDUSTRIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT TO "LI-CO" LIMITED INDUSTRIAL SERVICES DISTRICT-CONDITIONAL OVERLAY COMBINING DISTRICT, LOCALLY KNOWN AS 8801 TUSCANY WAY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

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

PART 1. The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the respective base zoning districts and to establish a Conditional Overlay combining district on the property (the "Property") described in File C14-97-0137, as follows:

Tract 1: From "W/LO" Warehouse Limited Office district to "LI-CO" Limited Industrial Services district-Conditional Overlay combining district

Lots 3, 4, and 5, Block E, Walnut Creek Business Park Phase C Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 11866, Pages 1052-1060, of the Plat Records of Travis County, Texas.

Tract 2: From "LI-CO" Limited Industrial Services district-Conditional Overlay combining district to "LI-CO" Limited Industrial Services district-Conditional Overlay combining district

Lot 6, Block E, Walnut Creek Business Park Phase C Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 11866, Pages 1052-1060, of the Plat Records of Travis County, Texas.

locally known as 8801 Tuscany Way, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "A".

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

The following uses of the Property are prohibited:

Automotive Rentals	Restaurant (Limited)
Automotive Repair Services	Restaurant (General)
Automotive Washing (Of Any Type)	Scrap and Salvage
Campground	Service Station
Equipment Repair Services	Theater
Exterminating Services	Vehicle Storage
General Retail Sales (Convenience)	Basic Industry
General Retail Sales (General)	Resource Extraction
Hotel-Motel	Congregate Living
Indoor Entertainment	Cultural Services
Indoor Sports and Recreation	Railroad Facilities
Kennels	Residential Treatment
Outdoor Entertainment	Transitional Housing
Outdoor Sports and Recreation	Transportation Terminal
Restaurant (Drive-In, Fast Food)	

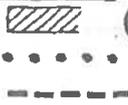
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the Land Development Code.

PART 3. The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on April 20, 1998.



SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY
 CASE MGR: D.PERRYMAN



CASE #: C14-97-0137

ADDRESS: 8801-8901-9001 TUSCANY
 WAY
 SUBJECT AREA (acres): 12.166

ZONING

DATE: 97-10

INTLS: TRC

CITY GRID
 REFERENCE
 NUMBER
 N28

EXHIBIT "A"

COUNTY



980409-I

FILM CODE

00005717942

EXISTING R.C.

Zoning Case No. C14-97-0137

RESTRICTIVE COVENANT

ON PROPERTY
TO SOUTH

OWNER: MV WALNUT CREEK, LTD., a Texas Limited Partnership

ADDRESS: 5929 Balcones Drive, Suite 100, Austin, TX 78731

CONSIDERATION: Ten and No/10G Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: Lot 3, Block E, WALNUT CREEK BUSINESS PARK, PHASE C, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof recorded in Volume 86, page 84D, Plat Records of Travis County, Texas and

Lots 4 and 5, Block E, Amended Plat of Lot 1, Block B, Lots 4, 5, 14 & 15, Block E and Lots 3 and 4, Block F, WALNUT CREEK BUSINESS PARK, Phase C, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat thereof recorded in Volume 88, page 45, Plat Records of Travis County, Texas.

WHEREAS, the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions as conditions of zoning for the Property;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. Notwithstanding any other provision of the Land Development Code applicable to the Property on the effective date of this restrictive covenant or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of the Property or any portion of the Property shall be approved or released, and no building permit for construction of a building on the Property, shall be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or previously authorized development and uses of the Property, generates traffic exceeding the total traffic generation for the Property as specified in that certain Traffic Impact Analysis ("TIA") prepared by WHM Transportation Engineering Consultants, Inc., dated July, 1996. The TIA shall be kept on file at the Department of Review and Inspection and shall be available for public review.

At the request of the Owner of the affected Property, an updated or amended TIA may be approved administratively by the Director of the Department of Review and Inspection.

2. At the time the Property is developed, Owner shall provide a four foot high berm on the eastern side of the property adjacent to Sansom Road. One 5-gallon sage shrub shall be planted every six feet on the top of the berm. Construction and placement of the berm shall follow the design as shown on the attached Exhibit "A."
3. No exterior audio speakers or public address systems shall be used on the Property.
4. Exterior lighting shall be directed away from the adjacent residential areas.
5. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13167 0045

person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.

6. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
7. If at any time the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
8. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this the 7th day of April 1998.

OWNER:

MV WALNUT CREEK, LTD.
a Texas Limited Partnership

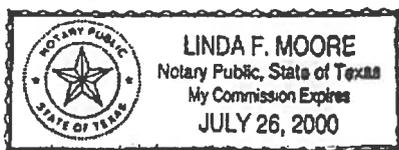
By: MV PROPERTIES, INC.,
a Texas Corporation,
General Partner

By: *Stephen A. Pyhrr*
STEPHEN A. PYHRR,
President

THE STATE OF TEXAS §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 7th day of April 1998, by STEPHEN A. PYHRR, President of MV Properties, Inc., a Texas Corporation, on behalf of said corporation, and the corporation acknowledged this instrument as General Partner on behalf of MV WALNUT CREEK, LTD., a Texas Limited Partnership.

Linda F. Moore
Notary Public, State of Texas



Page 2 of 4

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

13167 0046

W/LO

EXHIBIT H

Warehouse Limited Office

Warehouse/Limited Office district is intended for an office or warehouse use for a building trade or other business that does not require a highly visible location or generate substantial volumes of heavy truck traffic, that generates low or moderate vehicular trips, and that requires less access than a retail use. A W/LO district use may require special measures to be compatible with adjacent uses. A W/LO district use may be located on a site that is adjacent to or near an arterial or major nonresidential collector street, adjacent to a rail line, or near existing or proposed employment uses. A W/LO district use may also be located on a site that functions as a transition between commercial and industrial uses. A W/LO district use may be located adjacent to a residential use only if the density of the residential development is higher than a typical single-family density or if the physical conditions of the site allow for buffering and project design to mitigate potential adverse effects.

Site Development Standards

Lot		Massing	
Minimum Lot Size	43,560 sq ft (1 acre)	Maximum Height	25 ft or 1 story
Minimum Lot Width	100 ft	Minimum Setbacks	
Maximum Building Coverage	n/a	Front yard	25 ft
Maximum Impervious Cover	70%	Street side yard	25 ft
Maximum Floor Area Ratio	.25:1	Interior side yard	5 ft
		Rear yard	25 ft

Permitted and Conditional Uses

Residential

Bed and Breakfast Residential (Group 1) *	Bed and Breakfast Residential (Group 2) *
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Civic

Club or Lodge (c)	Day Care Services—General
College and University Facilities (c) *	Day Care Services—Limited
Communication Service Facilities *	Local Utility Services
Community Events *	Private Primary Educational Services * Private
Community Recreation—Private (c) *	Secondary Educational Services (c) * Public
Community Recreation—Public (c) *	Primary Educational Services *
Convalescent Services	Public Secondary Educational Services (c) *
Counseling Services	Religious Assembly
Cultural Services	Safety Services
Day Care Services—Commercial	Telecommunication Tower (PC) *

W/LO (continued)

Commercial

Administration and Business Office
Art Gallery
Art Workshop
Building Maintenance Services
Business or Trade School (c)
Business Support Services
Communications Services
Construction Sales and Service (c)
Convenience Storage (c)

Industrial

Custom Manufacturing

Limited Warehousing and Distribution

Agricultural

Community Garden
Urban Farm
Electronic Prototype Assembly
Electronic Testing *
Equipment Repair Services (c)
Exterminating Services (c)
Food Preparation
Pedicab Storage and Dispatch
Printing and Publishing

Chaffin, Heather

EXHIBIT I

From: Adam Stroobandt <astroob@gmail.com>
Sent: Saturday, November 25, 2017 4:24 PM
To: Chaffin, Heather
Subject: Case #C14-2017-0139, 3207 Ferguson Lane

My family lives at 9002 Happy Trail in Walnut Place.

I **oppose** the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Thank you and please consider our opposition,

Adam Stroobandt

Chaffin, Heather

From: Bill Martino <txmartino@yahoo.com>
Sent: Saturday, November 25, 2017 9:51 PM
To: Chaffin, Heather
Cc: jjmaberry07@gmail.com
Subject: Reference Case #C14-2017-0139, 3207 Ferguson Lane

Reference Case #C14-2017-0139, 3207 Ferguson Lane
Case Manager: Heather Chaffin, [512-974-2122](tel:512-974-2122), heather.chaffin@austintexas.gov

I live at 3623 Quiet Drive, in Walnut Place.

I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, sets up a reasonable transition zone from single-family residences, buffered by a neighborhood office district, to a warehouse/limited office district, and offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Thank you for your attention.

Sincerely,
William Martino

Chaffin, Heather

From: Joyce Thoresen <joycethoresen364@gmail.com>
Sent: Saturday, November 25, 2017 10:32 PM
To: Chaffin, Heather
Subject: C14-2017-0139, 3207 Ferguson Lane

Hello Ms. Chaffin,

I live at 3600 Carla Drive in Walnut Place. I oppose the zoning change being sought by Fergi AV Land, LLC.

In 2003, our neighborhood was involved when Walnut Creek Business Park sold the land along Ferguson west of the neighborhood. At that time, 3207 Ferguson Lane was zoned to protect the residential quality of our neighborhood. We need to keep the current zoning to provide a buffer to the neighborhood. The SF zoning along Sansom is crucial, as is the NO zoning to the west of the SF. W/LO commercial zoning is incompatible with neighborhoods, and we are asking the City staff to make the recommendation that the requested zoning change be disallowed.

Thank you for your consideration,

Joyce Thoresen
3600 Carla Drive
Austin, TX 78754

--

Joyce Thoresen
512-926-6204 (home)
512-217-3275 (cell)

Chaffin, Heather

From: Dunson King <dnking59@gmail.com>
Sent: Monday, November 27, 2017 9:43 AM
To: Chaffin, Heather
Subject: Reference Case #C14-2017-0139, 3207 Ferguson Lane

Dear Ms. Chaffin, Case Manager,

I live at 8601 Springdale Road in Walnut Place.

I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong).

The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic.

Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Sincerely,

Dunson N. King, Jr.

Chaffin, Heather

From: Leigh Ann Snyder <[redacted]@aol.com>
Sent: Monday, November 27, 2017 9:47 AM
To: Chaffin, Heather
Subject: Case Number C14-2017-0139

I live at 3502 E K Lane in Walnut Place.

I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Please do not proceed with the zoning change.

Leigh Ann Snyder

Chaffin, Heather

From: Lafe Larson [REDACTED]
Sent: Monday, November 27, 2017 10:32 AM
To: Chaffin, Heather
Subject: we oppose zoning change. case number C14-2017-0139

Hello Heather,

Case #C14-2017-0139, 3207 Ferguson Lane
Case Manager: Heather Chaffin, [512-974-2122](tel:512-974-2122), heather.chaffin@austintexas.gov

My wife and I live at 3505 Vara Drive in Walnut Place.

We both oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to our neighborhood from commercial development that would bring unwanted noise, lighting, crime and traffic. We firmly believe Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Lafe T Larson and Denise Fleming

Chaffin, Heather

From: Ernie Gammage [REDACTED]
Sent: Monday, November 27, 2017 12:24 PM
To: Chaffin, Heather
Subject: Case #C14-2017-0139

Dear Ms. Chapin,

I am a 30-year resident of the Walnut Place Neighborhood and live at 8702 Springdale Road. I'm writing to voice my opposition to the zoning change being sought for Ferguson Crossing by Fergi AV Land for the property at Ferguson and Sansom Roads.

There is no way that the development the owners seek cannot but be detrimental to our neighborhood and specifically to me. Over the year, traffic on the little two-lane country road that is Springdale has become more and more intolerable in spite of our collective efforts to minimize it. Commercial development on the aforementioned property would only exacerbate the problem. Neighborhood safety would be further compromised.

As a member of the Walnut Place Neighborhood Association board of directors, I heard Colin Armstrong's zoning and development proposal first hand. If it is true that he has indicated to you that our board approves of and supports this zoning request, let me set the record straight: that is not the case! We oppose it.

One other factor is at play here, and that is the watershed issue for that property. We in the neighborhood and me, particularly, are downstream from runoff from creeks running through that lot. I sit on what is known here as Buttercup Branch which becomes a dangerous waterway when there is sufficient rain. In my 30 years of watching that creek, it is only in the last three years that it has overflowed Springdale Road, due, I supposed to development upstream. Additional impervious development would contributed significantly to this problem.

I hope that your recommendation will reflect my concerns and those of the Walnut Place Neighborhood Board of directors.

Thank you,



Ernie Gammage
8702 Springdale Road
Austin, TX 78754

Chaffin, Heather

From: Linda Lewis <linda@lbsearch.com>
Sent: Monday, November 27, 2017 1:52 PM
To: Chaffin, Heather
Subject: Reference Case #C14-2017-0139, 3207 Ferguson Lane

Dear Heather,

I have lived in my home at 3509 Carla Dr. in the Walnut Place subdivision for 45 years. I strongly oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family housing along Sansom Road, offers protection to my neighborhood from commercial development that brings unwanted noise, lighting and traffic. Warehouse/Limited Office commercial zoning is incompatible with our neighborhood and should not be approved. Thank you for your attention to this matter.

Regards,

Linda C. Lewis, RN

Chaffin, Heather

From: CC C <cocosfirstfruit@gmail.com>
Sent: Monday, November 27, 2017 4:35 PM
To: Chaffin, Heather
Subject: Reference Case #C14-2017-0139, 3207 Ferguson Lane

Reference Case #C14-2017-0139, 3207 Ferguson Lane

Case Manager: Heather Chaffin, [512-974-2122](tel:512-974-2122), heather.chaffin@austintexas.gov

Dear Ms Chaffin,

My husband and I live at 9305 Happy Trail (address) in Walnut Place for going into twelve years now.

We vehemently oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong).

The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic.

Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

We feel very strongly about this and hope that you will understand that this neighborhood is an old established one and this kind of development is not good for us.

Kind Regards,
CoCo Carmel Whitlock

Chaffin, Heather

From: jim donovan <donovanmillworks@yahoo.com>
Sent: Monday, November 27, 2017 5:57 PM
To: Chaffin, Heather
Subject: Rezong issue off Ferguson & Sansom Rd
Attachments: sansom.jpeg

Ms Chaffin,

Its very clear this zoning request should be rejected, its proximity to our neighborhood and the absence of adequate roadway, coupled with the residential setting that would be destroyed is obvious. Further, the creek is only yards away, with runoff contamination as a given if approved. The property owners know this and knew the impact of the actions they seek to change. Please recognize the clear outcome of this zoning request. Our neighborhood is not going to tolerate this egregious effort.

Respetfully,

Jim Donovan
9108 Happy Trail
Austin Tx 78754
512.773.2911

Chaffin, Heather

From: Gladys Havel <ghavel@austin.tx.com>
Sent: Tuesday, November 28, 2017 9:55 AM
To: Chaffin, Heather
Subject: Oppose zoning change for Ferguson crossing

Ms. Chaffin,
I live at 3619 Quiette Drive 78754 in Walnut Place.

I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. **Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.**

Mrs. Gladys Havel

Below are some examples if you wish to comment on the proposed zoning change on 3207 Ferguson.

IF you want to oppose the zoning change, here is a suggested statement:

Reference Case #C14-2017-0139, 3207 Ferguson Lane
Case Manager: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov

I live at 9105 Happy Trail 78754 (address) in Walnut Place. *Jim Donovan*

I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Roads are incompatible for any development on this parcel for requested zoning. Property owner knew this prior to purchase. Traffic, noise & lights are a detriment to quality of life.

IF you are in favor of the zoning change,

Reference Case #C14-2017-0139, 3207 Ferguson Lane
Case Manager: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov

I live at _____ (address) in Walnut Place. I am in favor of the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The proposed zoning will enhance or add value to my neighborhood by _____.

Chaffin, Heather

From: JAN [mailto:jlaw@sbcglobal.net]
Sent: Tuesday, November 28, 2017 11:24 AM
To: Chaffin, Heather
Subject: REFERENCE CASE #C14-2017-0139, 3207 FERGUSON LANE

TO: Heather Chaffin

I live at 3629 Quiette Drive in Walnut Place.

I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Respectfully submitted,
Janice Lawson

Proposed Zoning Case C14-2017-0139

Comments from Cameron Acres resident – Wes Burford, 8810 Leisure Drive – corner of Ferguson Lane and Leisure Drive

This proposed re-zoning of the 13 acres located at the corner of Ferguson Lane and Sansom Road brings concerns associated with the operation of any business in this LO Warehouse district.

I will leave the specific site concerns (lighting, landscaping, hours of operation, access etc.) to the neighborhood directly adjacent to this development (Walnut Place) as they will be directly impacted by the look and feel of the development.

My concerns are additional traffic and additional truck traffic that will be generated in an area already overwhelmed by woefully inadequate roads for the trucks using them.

Currently Travis County has restricted truck traffic along the length of Springdale Road from Sprinkle Road to US290E and has also placed very dangerous traffic circles in the middle of Springdale Road to further discourage the use of Springdale Road from any traffic not living in the immediately adjacent area. Traffic is “encouraged” to use Ferguson Lane to access either Tuscany Way or Cameron Road to get to their destination.

The problem is that no improvements have been made to Ferguson Lane for at least the 32 years I have lived adjacent to Ferguson Lane. Certainly there has been the traditional “throw and go” and “stop and drop” patchwork performed by crews that either have no concept of proper road repair or simply don’t care. This has been followed with thin asphalt surface overlays at about 10 – 12 year intervals in a “putting lipstick on a pig” approach to road maintenance. This road is not suitable in strength, geometry or safety for the volume of car traffic it carries and increased truck traffic for the past 3 decades has made marginal safety concerns extremely dangerous.

Land use for this area of the City and County is appropriate for the location in general, however, appropriate infrastructure must go with the new tax paying development. I am aware of long range transportation planning that showed Ferguson Lane relocated from its current intersection at Cameron Road to a new intersection Rundberg Lane.

In that new configuration, Ferguson Lane could be constructed as an appropriate industrial collector type road with appropriate width for the ever increasing industrial/warehouse development in this area and likely stimulate more tax paying commercial growth.

I shudder to think that continuing to approve Industrial / LO / Warehouse development in this area without implementing appropriate roadway improvements will result in a fatality involving a large truck either stationed in one of these developments or servicing these developments with a neighborhood car. There is a solution to this admittedly

transitional area. I urge the planning commission to send a recommendation to the City Council to direct City staff to get busy implementing the plan for the widening and re-alignment of Ferguson Lane to intersect with Rundberg Lane and give this already strained and groaning area proper infrastructure to handle the demands that are in existence today.

Thank you for your service to the community

Wesley M. Burford

8810 Leisure Drive

Austin, TX 78754

512-659-3993 mobile

WALNUT PLACE NEIGHBORHOOD ASSOCIATION

November 27, 2017

RE: Case Number C14-2017-0139

Dear Ms. Chaffin:

This is a letter to address the rezoning application on the property 3207 Ferguson Lane by applicant Fergi AV Land, LLC, Colin Armstrong.

The Walnut Place Neighborhood Association (WPNA) Executive Board of Directors held an executive board of directors meeting and met with Mr. Colin Armstrong and Mr. Alex Altamirano, representing ARM Management on November 15, 2017. They explained their request to change the four specified districts to one district to be rezoned to a warehouse/limited office district on the property located at 3207 Ferguson Lane. Six board members and two other neighborhood members were in attendance and had the chance to ask questions of the management representatives.

Since the meeting on November 15, the WPNA Executive Board of Directors has had an opportunity to reflect on the impact to our neighborhood that consists of 145 residences. The board members voted unanimously to oppose the rezoning of this property.

Some of the reasons WPNA Board of Directors are opposed to the rezoning include the following: unwanted noise, hours of operation, onsite lighting, types of business usage, traffic, and visual effect. Other expressed concerns are hazardous materials storage and spill protection for landowners downstream. Walnut Place has had buy-outs along Walnut Creek due to flooding and erosion, and if the run off is not adequately controlled, this tributary could pose similar threats to existing residences. Any development that allows more impervious cover could be very negative for Walnut Place.

The WPNA Board of Directors include these individuals: Angela Michaels, Donato Rodriguez, Ernie Grammage, Jane Falkenberg, Joyce Thoresen, Heather Ferran, Leigh Ann Snyder, Nick Schnitzer, and Jan Maberry.

If you have any questions regarding our opposition to this case, please feel free to contact me at 512/363-9295 or at

Best Regards,

Jan Maberry

Jan Maberry, President

WPNA

Chaffin, Heather

From: Jan Maberry [REDACTED]
Sent: Tuesday, November 28, 2017 11:49 AM
To: Chaffin, Heather
Subject: Case #C14-2017-0139 Ferguson

Ms. Chaffin,

I am writing to oppose the proposed rezoning of Ferguson Lane.

I have lived in the Walnut Place Neighborhood for around 14 years. I live at 3606 Vara Drive. It has been a lovely neighborhood, and I hope it can stay quiet and tucked away from industry and noise.

I am opposing the proposed rezoning due to traffic, noise, and the many unknowns that could be caused by changing the residential district to a warehouse district.

After talking with the ARM Management representatives, I am not convinced that the plan would be beneficial to our neighborhood. I think that the current zoning is the best zoning for our entire neighborhood.

Thank you.

Jan Maberry

Chaffin, Heather

From: Terry Carvajal [REDACTED]
Sent: Tuesday, November 28, 2017 2:27 PM
To: Chaffin, Heather
Subject: zoning application in Walnut Place

Reference Case #C14-2017-0139, 3207 Ferguson Lane
Case Manager: Heather Chaffin, [512-974-2122](tel:512-974-2122), heather.chaffin@austintexas.gov

I live at 8700 Springdale Road in Walnut Place.

I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Thank you,

Terry Carvajal

Chaffin, Heather

From: Mary Nelson
Sent: Tuesday, November 28, 2017 4:50 PM
To: Chaffin, Heather
Subject: #C14-2017-0139, 3207 Ferguson Lane

I live at 3620 Quiette Drive in Walnut Place. I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Mary N. Nelson
Happily Retired Teacher!

Wishing you the best!



Chaffin, Heather

From: Mary Nelson [REDACTED]
Sent: Tuesday, November 28, 2017 5:01 PM
To: Chaffin, Heather
Subject: C14-2017-0139, 3207 Ferguson Lane

I live at 3620 Quiette Drive in Walnut Place. I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

John C. Nelson

Chaffin, Heather

From: Faye Penn
Sent: Wednesday, November 29, 2017 9:59 AM
To: Chaffin, Heather
Subject: Rev. Case #C14-2017-0139, 3207 Ferguson Lane

I live at 3502 Carla Dr. in Walnut Place and I oppose the zoning change referenced above. This is a single family neighborhood and commercial development would bring unwanted noise and traffic. This application should not be approved.

Arlene Faye Penn

Sent from Yahoo Mail. [Get the app](#)

Chaffin, Heather

From: Nichole Golden [REDACTED]
Sent: Wednesday, November 29, 2017 3:22 PM
To: Chaffin, Heather
Subject: Reference Case #C14-2017-0139, 3207 Ferguson Lane

Good afternoon. I live at 3635 Quietie Drive in Walnut Place. I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Sincerely,
Nichole Golden

Chaffin, Heather

From: Margie Albrecht [REDACTED]
Sent: Wednesday, November 29, 2017 6:36 PM
To: Chaffin, Heather
Subject: #C14-2017-0139, 3207 Ferguson Lane

I live at 3504 E-K Lane in Walnut Place. I OPPOSE the zoning change being sought for Ferguson Crossing by Fergi IV Land, LLC (Colin Armstrong).

The current zoning , which includes single-family zoning along Damson, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Margie Albrecht
512-924-3653

Sent from Yahoo Mail on Android

Chaffin, Heather

From: Janet Knippa [REDACTED]
Sent: Thursday, November 30, 2017 10:03 AM
To: Chaffin, Heather
Subject: Zoning changw

I live at 3607 E. K. Lane in Walnut Place.

I OPPOSE the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The Current zoning, which includes single-family zoning along Samsom, offers protection to MY neighborhood from Commercial development that would bring unwanted noise, lighting, & traffic. Warehouse/Limited Office (W/LO)

Commercial zoning is incompatible with neighborhoods & should not be approved.

Thank You,

Janet Knippa

Reference Case #C14-2017-0139, 3207 Ferguson Lane

Case Manager: Heather Chaffin

Chaffin, Heather

From: Connie Cude [REDACTED]
Sent: Thursday, November 30, 2017 10:34 AM
To: Chaffin, Heather
Cc: connie c
Subject: Case #C14-2017-0139, 3207 Ferguson Lane

Importance: High

Ms. Chaffin,

I live at 3308 Ferguson Lane (directly across the street from 3207 Ferguson Lane) in Walnut Place. I strongly oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). I hate to imagine what would happen to our neighborhood if this zoning change were to take place. It is bad enough that we have increased traffic with all of the cut through driving, but developing this land commercially would be absolutely devastating to our neighborhood. Please keep the current zoning that protects my neighborhood from all the unwanted traffic, noise, light, etc. One of the great things about our area is that it is like we are living in the country. Please be a champion for keeping our neighborhood a neighborhood and prevent it from becoming another warehouse business district or God forbid, a Walmart.

Thanks,

Connie Cude
Bradford Brothers Electric
1834 Ferguson Lane, Suite 200 - Austin, Tx - 78754
Ph: 512-300-0839

[REDACTED]
bradfordaustin@bradfordline.com



Virus-free. www.avast.com

Chaffin, Heather

From: Dale Albrecht [REDACTED]
Sent: Thursday, November 30, 2017 12:01 PM
To: Chaffin, Heather
Subject: ZONING CHANGE IN WALNUT PLACE #C14-2017-0139

I have lived in Walnut Place neighborhood for 16 years , in last 5 years with all the zoning changes around the area it has cause traffic problems , vandalism and theft. We still have problems with Large Trucks driving through our neighborhood . This commercial zoning change will make the matter worse. I am very OPPOSED to zoning change .We live in a semi-secluded neighborhood and to put Warehouses/limited Offices across the street from my neighbors on Samson and Ferguson Lane would not be good to the neighborhood.

Dale Albrecht

512-940-4204.

Chaffin, Heather

From: [REDACTED]
Sent: Friday, December 01, 2017 1:22 PM
To: Chaffin, Heather
Subject: Ferguson Lane Change

I live at 3638 Quietie Drive in Walnut Place, and I oppose the zoning change being sought by Colin Armstrong.

Chaffin, Heather

From: [REDACTED]
Sent: Friday, December 01, 2017 3:58 PM
To: Chaffin, Heather
Cc: [REDACTED]
Subject: Case #C14-2017-0139; 3207 Ferguson Lane

Ms. Chaffin,

Several days ago, we received in the mail a notice of an application by Fergi AV Land, LLC for a zoning change for the property located at 3207 Ferguson Lane. We live at 3500 Quiette Drive in Walnut Place. We oppose the zoning change being sought in this application for Ferguson Crossing. The current zoning, which includes single-family zoning along Sansom, offers protection to our neighborhood from commercial development that would bring unwanted noise, lighting and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Les and Emily Albrecht
3500 Quiette Drive
Austin, Texas 78754-4925

Below are some examples if you wish to comment on the proposed zoning change on 3207 Ferguson.

IF you want to oppose the zoning change, here is a suggested statement:

Reference Case #C14-2017-0139, 3207 Ferguson Lane
Case Manager: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov

I live at 3506 Ferguson Lane (address) in Walnut Place.
I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Chaffin, Heather

From: Nick Schnitzer [redacted]
Sent: Monday, December 11, 2017 8:57 AM
To: Chaffin, Heather
Subject: Re: Petition for Case #C14-2017-0139, 3207 Ferguson Lane

Heather,

Thanks for your clarity. Although I understand why this provision exists, I am disappointed to learn how it affects our particular case. I therefore ask that if there are other ways we can make our position any more substantial, you let me know. We also look forward to the hearing and hope to make our voices heard there as well.

Be well,

Nick

On Thu, Dec 7, 2017 at 2:22 PM, Chaffin, Heather <Heather.Chaffin@austintexas.gov> wrote:

Nick,

Nick,

I missed something in my earlier email—a Valid Petition cannot be generated by signatures for properties located outside the City Limits. I forgot that the Walnut Place neighborhood is located in the County when I responded previously.

I'm sorry that I didn't mention this earlier. However, if you send me the original, I will still run it through our mapping and calculations, in case you get signatures from anyone in the area who is inside the City Limits. And of course, I will attach the petition to the Staff report whether or not it is officially a Valid Petition.

Let me know if you have any questions,

Heather

From: Nick Schnitzer [redacted]
Sent: Monday, December 04, 2017 12:43 PM

November 29, 2017

This petition has been created to express disapproval of the proposed zoning changes to 3207 Ferguson Lane by the residents of Walnut Place neighborhood. All signatories of this document live within 200 feet of the property in question.

Printed Name	Address	Contact Info	Signature
Megan Riley	9105 Sansom Rd	512 484 4264	Megan Riley
Nick Schmittman	9103 Sansom	512-779-5557	Nick
Connie Cudis	3308 Ferguson	512-573-9139	Connie Cudis
David Sidman	3402 Ferguson Ln	512-940-4750	David Sidman
Elizabeth Zick Miller	9003 Sansom Road	512-928-4101	Elizabeth Zick Miller
Betty J. Kuebach	9101 Sansom	512 926-5139	Betty J. Kuebach
MARK HALLOCK	9110 HAPPY TRAIL (512)	587-7545	Mark Hallock
C, J. Donovan	9108 Happy Tr.	512.933.0345	CJ Donovan
Teresita Rodriguez	9000 Happy Trail	512.926.6358	Teresita Rodriguez
Larry Kelly	9102 Happy Tr	512 718 7310	Larry Kelly
Adam Strickland	9002 Happy Tr-1	208465365	Adam Strickland
Olaf Rience	9100 HAPPY TRAIL AUSTIN TX	78754 OKR	Olaf Rience
Lucie Albright	3500 Quiet Dr Austin, TX	78754	Lucie Albright
Lee Owen	9012 Happy Trail TX	78754	Lee Owen
Lee Owen	3505 QUIETTE DR	214-205-2975	Lee Owen
Donato Rodriguez II	3501 EK Lane	512/636-0562	Donato Rodriguez
Patrick Hudson	3500 EK Ln 78754	512-751-3937	Patrick Hudson
Keith & Pam Tabor	9106 Happy Tr	512 621-7841	Pamela Tabor
Eric Clow	9104 Happy Tr	510-685-9183	Eric Clow
Bryan A. Burpee	9007 Sansom Rd	512 962-0812	Bryan A. Burpee

Chaffin, Heather

From: Nick Schnitzer
Sent: Friday, December 01, 2017 5:27 PM
To: Chaffin, Heather
Subject: Petition for Case #C14-2017-0139, 3207 Ferguson Lane
Attachments: Petition for Case #C14-2017-0139 .jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Heather,

Good afternoon! I hope you are well. My name is Nick Schnitzer and I live at 9103 Sansom Rd. in Walnut Place. This email is in reference to case #C14-2017-0139, 3207 Ferguson Lane. I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC. The current zoning, which include single family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office commercial zoning is incompatible with neighborhoods and should not be approved.

I have also attached a petition containing support from all neighbors who live within 200 feet of the property in question. We all oppose the zoning changes. Please also let me know when a hearing will be scheduled so that I can inform my neighbors.

I recognize that there are many factors at play in these decisions and I want to thank you for your work keeping our city balanced and equitable.

Have a lovely weekend.

Nick

Chaffin, Heather

From: Pam Hallock [REDACTED]
Sent: Tuesday, December 05, 2017 12:03 PM
To: Chaffin, Heather
Subject: Case #C14-2017-0139, 3207 Ferguson Lane

Hello Ms. Chaffin,

My address is 9110 Happy Trail in the Walnut Place neighborhood. My husband and I completely oppose this rezoning request. The property in question is directly behind us so would affect our lives and our property value immensely. This is a small, quiet neighborhood with only narrow, two lane country roads leading into it. There is already too much traffic speeding down these roads, cutting through our neighborhood. I can't imagine adding commercial traffic to the mix. It's absolutely incompatible. Please consider the lives of the residents here in Walnut Place. Thank you.

Sincerely,

Pamela Hallock

Chaffin, Heather

From: Mary Clark [REDACTED]
Sent: Thursday, December 21, 2017 10:27 PM
To: Chaffin, Heather
Subject: Proposed Zoning Change Case#C14-2017-0139, 3207 Ferguson Lane

We live at 3507 Quiette Drive in Walnut Place.

We oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Thank you for your consideration.

Earl Clark
Mary Alice Clark

Chaffin, Heather

From: [REDACTED]
Sent: Sunday, December 24, 2017 12:39 AM
To: Chaffin, Heather
Subject: Reference Case #C14-2017-0139, 3207 Ferguson Lane

Follow Up Flag: Follow up
Flag Status: Completed

Reference Case #C14-2017-0139, 3207 Ferguson Lane
Case Manager: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov

I live at 3634 Quiette Drive in Walnut Place.

The Walnut Place Neighborhood Association has worked diligently for many years to protect our small older neighborhood from incompatible commercial development such as this proposed zoning change.

We have little to no buffer between us and the business park as it stands. The noise and air pollution of trucks, idling diesel engines, backup beepers, lighting and traffic at all hours are a nightmare to live next to. Walnut Place Neighborhood was built in the 1960's and early 70's before any of the business park existed. The land in question here is literally across the inner neighborhood street from our homes. Hence the need for single family residential zoning in this area.

I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Thank you,
Kristina Kubeck
Walnut Place since 1976

Chaffin, Heather

From: Brenda Travis [REDACTED]
Sent: Sunday, December 24, 2017 8:39 AM
To: Chaffin, Heather
Cc: Richard Travis; Hannah Potts; Jenni Jones; Dave Redwine; Blake Hutson
Subject: #C14-2017-0139, 3207 Ferguson Lane

Follow Up Flag: Follow up
Flag Status: Completed

Good morning, Heather.

I live at 9502 Springdale Road in Walnut Place. I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Please consider the importance of maintaining a quality of life for a neighborhood that already experiences challenges associated with the landfills.

Thank you,
Brenda Travis
9502 Sprindale Road
Austin, Texas 78754
512-573-1792

Chaffin, Heather

From: Gareth Ellzey [REDACTED]
Sent: Monday, December 25, 2017 2:38 PM
To: Chaffin, Heather
Subject: Case #C14-2017-0139, 3207 Ferguson Lane

Follow Up Flag: Follow up
Flag Status: Completed

Dear Ms. Chaffin

I live at 3617 Quietie Dr. in Walnut Place.

I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

Gareth Ellzey
512-775-9684

Sent from my iPad

Chaffin, Heather

From: Janet Knippa [REDACTED]
Sent: Friday, December 29, 2017 11:39 AM
To: Chaffin, Heather
Subject: zoning Change

Reference Case #C14-2017-0139, 3207 Ferguson Lane

Case Manager: Heather Chaffin. 512-974-2122, heather.chaffin@austintexas.gov

I live at 3607 E. K. Lane in Walnut Place.

I OPPOSE THE ZONING CHANGE BEING SOUGHT FOR FERGUSON ROSSING BY FERGI AV LAND, LLC (COLIN ARMSTRONG).

The Current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial

Development that would bring UNWANTED NOISE, LIGHTING, AND TRAFFIC. Warehouse/Limited Office (W/LO) commercial zoning

Is incompatible with neighborhoods and should NOT BE APPROVED.

Best regards,
Janet Knippa

Chaffin, Heather

From: Angela Michaels [REDACTED]
Sent: Sunday, December 31, 2017 12:45 PM
To: Chaffin, Heather
Cc: [REDACTED] Jan Maberry
Subject: Reference Case #C14-2017-0139, 3207 Ferguson Lane

Importance: High

Case Manager: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov

I live at 3504 Carla Drive in Walnut Place.

I strongly oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic.

Unwanted noise, at all hours of the day and night, is a problem we have had to endure for years since the City of Austin has designated our area as a desired development zone, and has thoughtlessly allowed 24/7 commercial development right up against our neighborhood. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved. Also, the Conditional Overlay that prohibits truck traffic to come through our neighborhood, which are imposed on commercial properties nearby should also be enforced with this new proposed development.

Help us protect our old established neighborhood, and the citizens that live in it.
Thank you

Angela Michaels
Secretary,
Walnut Place Neighborhood Association

Chaffin, Heather

From: Anna O [REDACTED]
Sent: Tuesday, January 02, 2018 10:54 AM
To: Chaffin, Heather
Subject: Urgent - Reference #C14-2017-0139, 3207 Ferguson Lane

I live at 3400 Ferguson Ln. in Walnut Place. My property is adjacent is 3207 Ferguson Ln.

I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from development that would bring unwanted noise, light and traffic.

W/LO commercial zoning is incompatible with neighborhoods and should not be approved.

Thank you,

Anna Osborne



Virus-free. www.avast.com

Below are some examples if you wish to comment on the proposed zoning change on 3207 Ferguson.

IF you want to oppose the zoning change, here is a suggested statement:

Reference Case #C14-2017-0139, 3207 Ferguson Lane
Case Manager: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov

I live at 3633 QUIETTE DR. (address) in Walnut Place.

I oppose the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The current zoning, which includes single-family zoning along Sansom, offers protection to my neighborhood from commercial development that would bring unwanted noise, lighting, and traffic. Warehouse/Limited Office (W/LO) commercial zoning is incompatible with neighborhoods and should not be approved.

PLEASE DON'T DESTROY OUR BEAUTIFUL COMMUNITY,
FULL OF TREES & WONDERFUL NEIGHBORS OF
45 YEARS.

IF you are in favor of the zoning change,

Reference Case #C14-2017-0139, 3207 Ferguson Lane
Case Manager: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.gov

I live at _____ (address) in Walnut Place. I am in favor of the zoning change being sought for Ferguson Crossing by Fergi AV Land, LLC (Colin Armstrong). The proposed zoning will enhance or add value to my neighborhood by _____.

David Haines

received
12/5/2017

PUBLIC HEARING INFORMATION

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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.

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Case Number: C14-2017-0139

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Feb 20, 2018, Zoning and Platting Commission
Mar 22, 2018, City Council

Jon B KLWAPP
Your Name (please print)

9001 SANSON RD
Your address(es) affected by this application

Signature

Jon B Klwapp

Date

Daytime Telephone: 512-828-9643

Comments: I TALKED TO THE DEVELOPER AND HE SAID THAT ALL TRAFFIC FROM THE DEVELOPMENT WOULD GO BACK DOWN FERGUSON LANE. THIS IS A LIE! THE TRAFFIC WILL TURN DOWN SANSON RD WHICH IS ONLY 20' WIDE OR INTO THE SUB-DIVISION. THE ZONING SHOULD ONLY BE SF-1-CO. THE BUILDING AT C14-97-0137 ACROSS THE ROAD FROM ME WAS PLACED THERE AGAINST THE ZONING AGREEMENT AND IS NOW CAUSING HEALTH PROBLEMS CONTINUED

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

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

C14-2017-0139 HC 0231300113

KLUMPP JON B

Or Current Resident

9001 SANSOM RD

AUSTIN TX 78754-4954

to the neighbors closer to the TRUCK TERMINAL, in four houses across the ROAD there have been three cases of Lung Cancer AND three cases of COPD AND very high BLOOD pressure, ALL FROM BREATHING Diesel pollution. According to the agreement on file, the Developer agreed with me AND the Neighborhood that there would be NO truck terminal at this location. He called it a POST OFFICE AND the city rubber stamped it. The developer even lied to the Post office that there was NO neighborhood near the plot since the Post office own requirements were to stay away from homes.

I would APPEAL the zoning in person but thanks to the building across from my house, I AM NOW disabled AND CAN NOT BREATHE good enough to walk ANY distance.

Jon B Klumpp
9001 SANSOM RD
512-828-9643

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Case Number: C14-2017-0139
Contact: Heather Chaffin, 512-974-2122
Public Hearing: Feb 20, 2018, Zoning and Platting Commission
Mar 22, 2018, City Council

NICK SCHNITZER
Your Name (please print)

I am in favor
 I object

9103 SANSOM RD
Your address(es) affected by this application

mf 2-11-18
Signature Date

Daytime Telephone: 512-779-5657

Comments: THESE PROPOSED ZONING CHANGES AFFECT THE PROPERTY IMMEDIATELY ACROSS THE STREET FROM MY RESIDENCE. THE ADDED TRAFFIC, NOISE, & PROPOSED USE ARE NOT COMPATIBLE WITH MY STREET ON OUR NEIGHBORHOOD. PLEASE DO NOT GRANT THESE PROPOSED CHANGES. THANK YOU FOR YOUR TIME & CONSIDERATION.

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

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

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Case Number: C14-2017-0139

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Feb 20, 2018, Zoning and Platting Commission
Mar 22, 2018, City Council

HARZEL CLINTON
Your Name (please print)

9305 HAPPY TRAIL
Your address(es) affected by this application

Harzel Clinton
Signature

512-217-1398
Daytime Telephone:

Feb 17 2018
Date

I am in favor
 I object

Comments: I am concerned that the streets
and roads in this area cannot accommodate
an increase in commercial traffic. I believe
it would adversely affect the residents
immediately across from the proposed
development and decrease their
property values.

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

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

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Case Number: C14-2017-0139
Contact: Heather Chaffin, 512-974-2122
Public Hearing: Feb 20, 2018, Zoning and Platting Commission
Mar 22, 2018, City Council

Kuback, Allen E & Betty J.
Your Name (please print)

9101 Sansom Rd

Your address(es) affected by this application

Allen E. & Betty J. Kuback *9-17-18*
Signature Date

Daytime Telephone:

Comments: *My husband & I are 85 & 86 yoa & do not wish to have commercial property across the street from us. This had been our home for over 50 years.*



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

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

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Case Number: C14-2017-0139

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Feb 20, 2018, Zoning and Platting Commission
Mar 22, 2018, City Council

OLAF K. RIENE

Your Name (please print)

9100 HAPPYTRL. AUSTIN TX 78754

Your address(es) affected by this application

Olaf Riene

Signature

Date

Daytime Telephone: 512.924.3783

Comments: I am Not for Zoning Change

I am in favor
 I object

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

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

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Case Number: C14-2017-0139

Contact: Heather Chaffin, 512-974-2122

Public Hearing: Feb 20, 2018, Zoning and Platting Commission
Mar 22, 2018, City Council

Tan Maberry

Your Name (please print)

78757

3606 Vara Dr. Austin, Tx

Your address(es) affected by this application

Tan Maberry

Signature

2/18/18

Date

Daytime Telephone: 512 363-9295

Comments:

This new development proposal will cause more traffic, noise + other drainage issues for all of the house holds in the Walnut Place Neighbor hood.

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

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

Chaffin, Heather

Subject: FW: Case #C14-2017-0139, 3207 Ferguson Lane

From: Joyce Thoresen
Sent: Friday, February 16, 2018 9:59 AM
To: Chaffin, Heather
Subject: Case #C14-2017-0139, 3207 Ferguson Lane

Ms. Chaffin,

The zoning being requested in the above referenced case would not be allowed directly next to an existing neighborhood inside the Austin City Limits. Walnut Place is an older, established neighborhood that is surrounded by City of Austin. We request and deserve the same protections afforded to other neighborhoods.

It's hard to understand how a neighborhood in the Austin ETJ can be disregarded in this way. The staff should recommend disapproval of this zoning change.

Joyce Thoresen
Walnut Place
3600 Carla Dr
Austin, TX 78754

--

Joyce Thoresen
512-926-6204 (home)
512-217-3275 (cell)

Chaffin, Heather

Subject: FW: Ferguson Crossing

-----Original Message-----

From: Elizabeth

Sent: Tuesday, February 27, 2018 4:03 PM

To: Chaffin, Heather

Cc: Elizabeth A. Bach-Miller

Subject: Ferguson Crossing

Heather,

My husband, Larry Miller and I strongly oppose the zoning change to 3207 Ferguson Lane.

My folks bought our property at 9003 Sansom Road in 1967 and our family built our house in 1983. I recall this specific piece of property as the the Landfere place when they had an actual farm operation there.

Those of us on Sansom Road already have to deal with the intrusion of USPS on Tuscany Way and other traffic cutting through our neighborhood from those businesses on Ferguson Lane and all feeder roads. By rezoning this property it would create even more chaos and continue to decrease the value of our property and the enjoyment of our lives.

We vote NO!

Elizabeth A. Bach-Miller
and Larry G. Miller
9003 Sansom Road

Sent from my iPhone

Chaffin, Heather

Subject: FW: 3207 Ferguson Lane, C14-2017-0139
Attachments: 3398 Ferguson Ln - Google Maps.pdf; 3400 Ferguson Ln - Google Maps.pdf; 9109 Sansom Rd - Google Maps.pdf; CAMPO2040-Map.pdf

From: Joyce Thoresen
Sent: Monday, February 26, 2018 2:25 PM
To: Chaffin, Heather
Cc: Greenberg, Betsy - BC; Jim Wittliff
Subject: 3207 Ferguson Lane, C14-2017-0139

Please see that this information is given to the members of the Zoning and Platting Commission for the March 6, 2018, hearing.

Ferguson Lane between Tuscany Way and Springdale is an unimproved Travis County Road (see Google Maps pictures). Our neighborhood, Walnut Place, has worked with Travis County TNR for more than 25 years to plan area roads to relieve traffic on Springdale north of US 290 East and on Ferguson Lane through the neighborhood. Tuscany Way was built, in part, to relieve traffic on Springdale and Ferguson. Arterial A was designed as another alternative to using our neighborhood streets.

As shown by the CAMPO 2040 Map, Ferguson Lane east of Tuscany Way is not scheduled for improvement. In fact, at Tuscany Way and Ferguson, a new road is planned to extend north of the neighborhood and join Arterial A. That arterial will bypass Walnut Place as well as Ferguson Crossing.

Walnut Place has been in existence since the 1960s, well before the City of Austin annexed 3207 Ferguson, well before Walnut Creek Business Park existed, and we don't deserve any less protection than any other neighborhood inside or outside the Austin City Limits. Putting W/LO zoning immediately adjacent to our neighborhood on Sansom and Ferguson is not just inappropriate, it's wrong.

Joyce Thoresen
Walnut Place Neighborhood Association Board Member
Walnut Place resident since 1969
3600 Carla Drive
Austin, TX 78754

--

Joyce Thoresen
512-926-6204 (home)
512-217-3275 (cell)

Google Maps 3398 Ferguson Ln

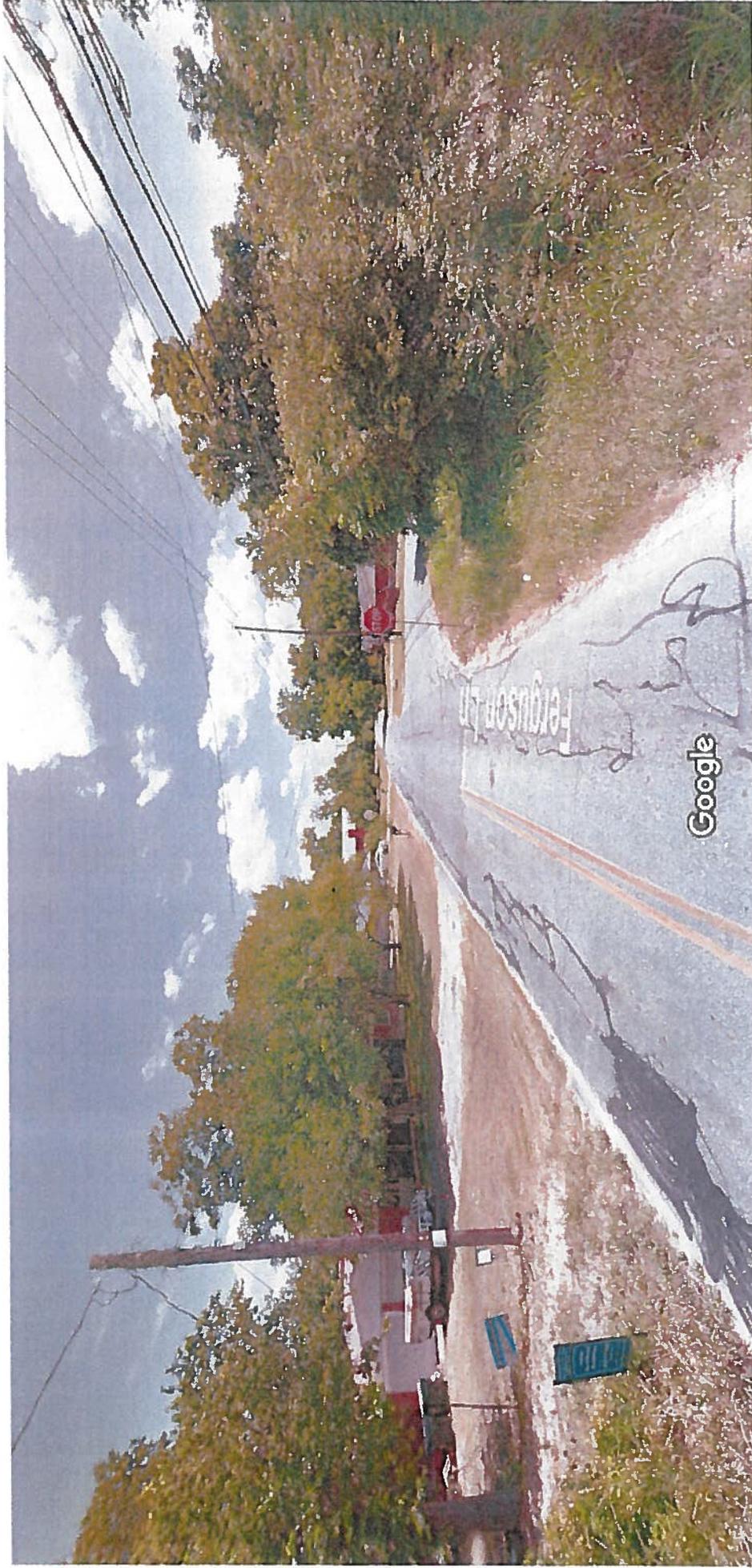
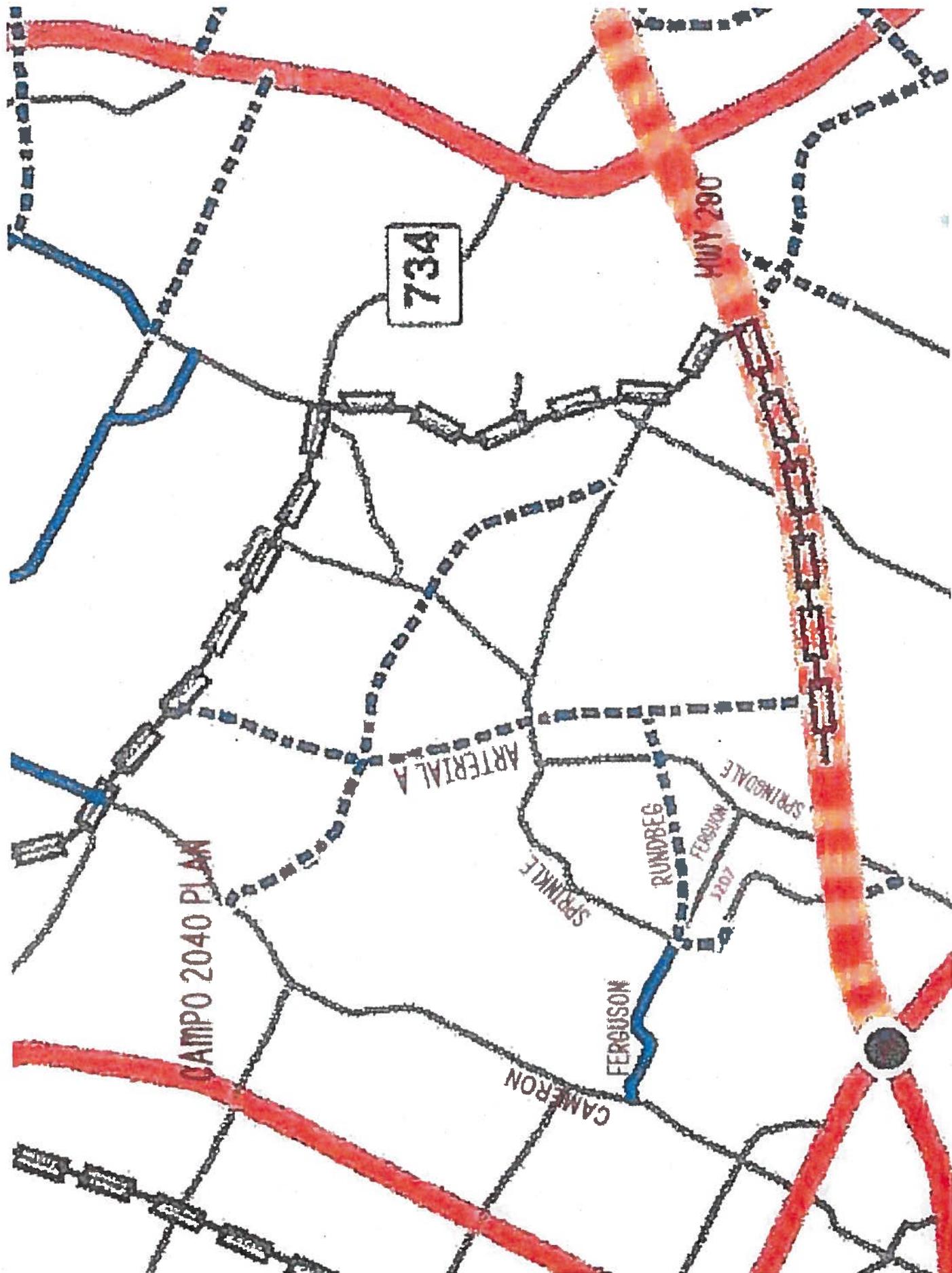


Image capture: Jul 2015 © 2018 Google

Austin, Texas



Street View - Jul 2015



Google Maps 3400 Ferguson Ln

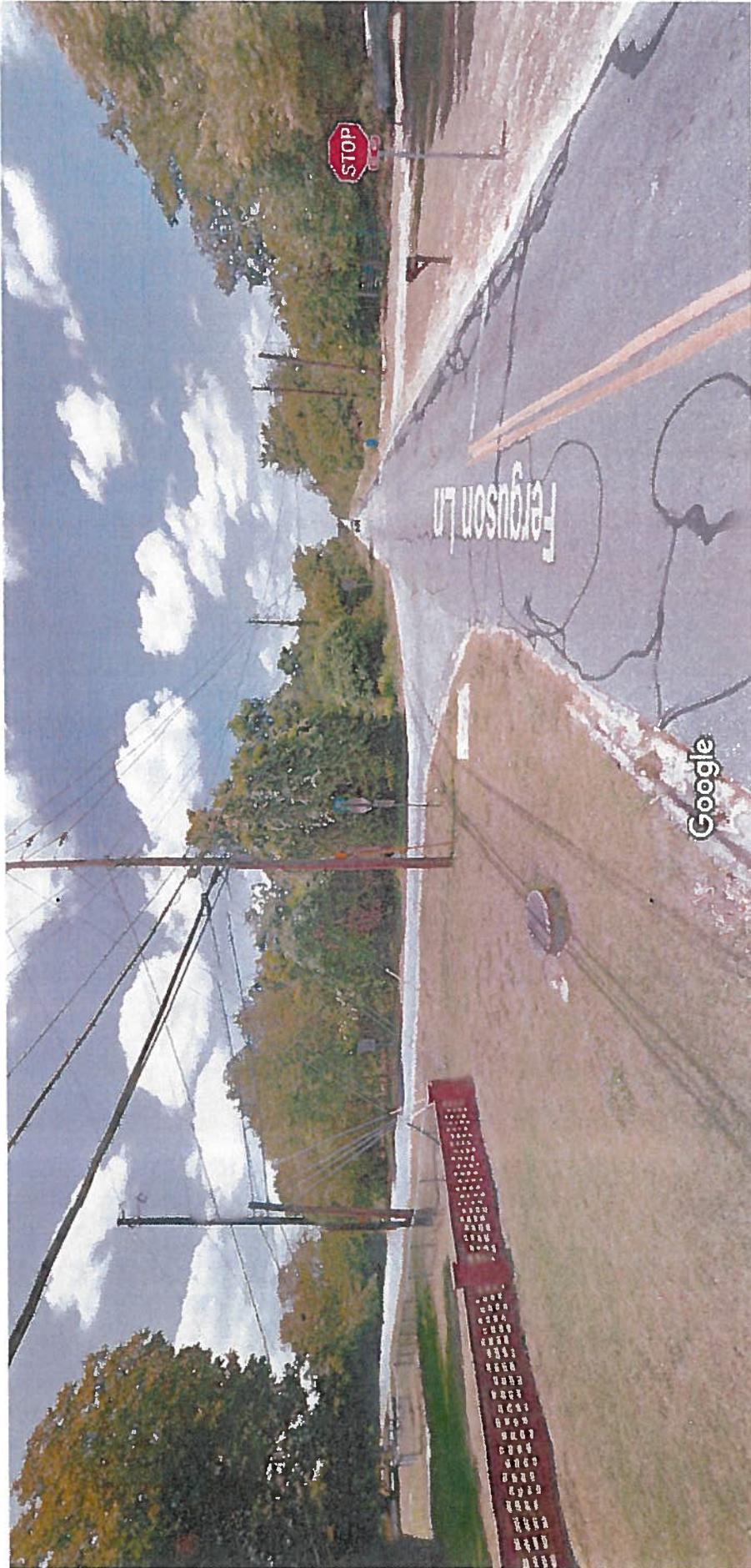


Image capture: Jul 2015 © 2018 Google

Austin, Texas



Street View - Jul 2015

Google Maps 9109 Sansom Rd



Image capture: Apr 2015 © 2018 Google

Austin, Texas



Street View - Apr 2015

Chaffin, Heather

Subject: FW: FERGI AV Property zoning reconsideration

From: Angela Michaels
Sent: Monday, February 26, 2018 4:45 PM
To: Chaffin, Heather
Cc: joyce thoresen
Subject: FERGI AV Property zoning reconsideration

My name is Angela Michaels and I have been living in the Walnut Place Neighborhood since 1991. I am the elected secretary of the Walnut Place Neighborhood Assn.

To give you a brief history, my neighborhood began developing in the late 1950's. It has had to deal with floods, excessive amounts of vehicle traffic, speeding vehicle traffic, as well as loud noise and lighting from nearby businesses and the upgraded HWY 290. Travis County has tried to help us by installing traffic circles, and constructed the extension of the Tuscany way road. However, these things have not been sufficient to deal with the continuing development that you'll have been approving.

When I moved into the neighborhood, it was surrounded by farm and ranch land. Now we are surrounded by development. Unfortunately, our area was designated by the City of Austin as the desired development zone. There has been no consideration by the City of Austin for the residents of our neighborhood since the City has not made the developers pay for the construction of roads to handle all of the additional traffic that now comes through our two 2 lane black top neighborhood roads. The rezoning of this property will only exacerbate an already intolerable and unsafe situation with the traffic cutting through our neighborhood. We already have great difficulty crossing our roads either on foot or in a car. I haven't even mentioned the pollution that emanates from the constant traffic flow.

You'll had previously approved the zoning of the now Fergi AV property in consideration of the neighbors residing in Walnut Place. To change that previously approved plan now would have a negative impact on our neighborhood. Therefore, our Neighborhood Association Board, with recommendations from our neighbors, has voted to contest the change. I ask you, would you like to live across the street from a WLO property?

I want to mention something else that seriously concerns me, I was told by one of my neighbors that live on Samson Road, that the developer met with them, and told them that the Neighborhood Association was supporting the zoning change. Neither our neighborhood association, our former president, nor our neighbors have ever supported the proposed zoning changes. The fact that the developer has misrepresented our support demonstrates a serious lack of ethical behavior on the part of the developer; which gives me reason for concern regarding what they will actually do with that land and the impact to our neighborhood.

We respectfully ask you not to change the current zoning for the Fergi AV property. Thank you for your consideration.

Chaffin, Heather

From: Joyce Thoresen <[REDACTED]>
Sent: Wednesday, February 28, 2018 9:48 AM
To: Chaffin, Heather
Subject: C14-2017-0139, March 6, 2018 ZAP Agenda
Attachments: CodeNEXT.2.pdf; CodeNEXT.3.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Heather, please add this to the documents received by the Commissioners. Thanks.

CodeNext and 3207 Ferguson Lane

This is to point out that both CodeNext, version 2, and CodeNext, version 3, retained the single-family zoning along Sansom Road. It seems that some consideration was given to the protection of Walnut Place residents by the framers of CodeNext but not by COA staff.

Please do not take away the protection of the single-family zoning in the front yards of Walnut Place residents.

Joyce Thoresen
3600 Carla Drive
Austin, TX 78754

--

Joyce Thoresen
512-926-6204 (home)
512-217-3275 (cell)

This map was updated on February 12, 2018, as part of the release of the CodeNEXT Staff Recommendation Draft 3. You can view a high-resolution PDF of the Draft 2 zoning map [here](#).

3207 Ferguson Ln, Austin, TX 78754, USA

Existing Zoning

Proposed Zoning



Existing Zoning Legend

- | | |
|--|---|
|  Rural Residence (RR) |  Central Business District (CBD)
Downtown Mixed Use (DMU) |
|  Single Family Residence (SF-1, SF-2, SF-3, SF-4A, SF-4B)
Lake Austin Residence (LA) |  Limited Industrial Services (LI)
Industrial Park (IP)
Warehouse Limited Office (W/LO) |
|  Urban Family Residence (SF-5)
Townhouse & Condo Residence (SF-6) |  Major Industrial (MI)
Research and Development (R&D) |
|  Multifamily Residence (MF-1, MF-2, MF-3, MF-4, MF-5, MF-6) |  Public (P)
Aviation Services (AV) |
|  Mobile Home Residence (MH) |  Agricultural (AG)
Development Reserve (DR) |
|  Commercial Recreation (CR) |  Planned Unit Development (PUD)
Planned Development Area (-PDA) |
|  Neighborhood Office (NO) Limited Office (LO)
Neighborhood Commercial (LR) |  Transit Oriented Development (TOD) |



Walnut Creek Improvement Association
P. O. Box 1222
Lockhart, Texas 78644-1222

October 11, 2016

To whom it may concern:

My name is W.M. Faust, I am president of the Walnut Creek Improvement Association. This Association is the management arm of the Walnut Creek Business Park. Our Park is located between U.S. 290 and Cameron Road. We also border onto U.S. 183 and Ferguson Road.

The property in question is within statutory 300 feet of our Park. Therefore, Mr. Colin Armstrong approached our Association to request that we review his proposed zoning request. We have done that and are in total support of this request. The Association has several lots that are across Ferguson Lane from this property.

As most members of the review Team are aware, Walnut Creek Business Park is wholly zoned LI. Therefore Mr. Armstrong's request is totally within reason.

Sincerely,

A handwritten signature in black ink, appearing to read 'W.M. Faust', written over a horizontal line.

W.M. Faust, President
Walnut Creek Improvement Association



October 18, 2017

To Whom It May Concern:

We have met with Colin Armstrong with Fergi AV Land, owner of the 13 acres located at 3207 Ferguson Lane. Colin has shared his intent to create a single project here and we agree that the best way to accomplish that is to have a uniform zoning classification across the entirety of the single lot.

We are the owner of multiple properties adjacent to the 13 acres as well as several others in the immediate area. We support their request to change the zoning of that lot from multiple zoning classifications to the single uniform zoning of W/LO.

Best Regards,

A handwritten signature in black ink, appearing to read 'Tyler Mattox'.

Tyler Mattox
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